



Current problems concerning social cohesion

Summary of results - project SO/10/71

Contested religious movements

Psychology, Law
and policies of precaution

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The present research combines a psychological approach with a juridical approach. For a long time, research on “cults” or “sects” (terms usually adopted in law or the public sphere)¹ or on “new religious movements” (a term usually adopted in sociology) has focused on fruitful interaction between sociology and law or political sciences, particularly in Europe and certainly in Belgium. The sociological approach offers a detailed description of the ideas, practice, history and evolution of these groups taken as groups. It has the merit of encouraging prudence by avoiding, for instance, any risk of stigmatization. However, a specifically psychological approach consists in also attempting to focus on another aspect of the problem, i.e. the individual psychological reality of members and related questions : psychological predispositions (including vulnerability or lack of it), effects of belonging on mental health and well-being (positive, negative or non-existent), socio-cognitive and socio-moral characteristics related to the optimal development of the individual (which includes autonomy issues) and the psychological effects of leaving these groups. In this project, these different questions related to a specifically psychological approach were investigated with regard to their potential influence on public policies appropriate for Belgian society and its legislation.

I.

The empirical studies

Our studies focused on the *psychology of members of Contested Religious Movements (CRMs)*. Defining the essence of our work in this way first implies that the terms “cults” and “sects” seemed inadequate to us. Sectarian tendencies can be found in various types of religious movements and traditions. More importantly, religion itself is potentially sectarian.² Second, the term “new religious movements” also seemed inadequate to us. Novelty is not the only characteristic that worries society with respect to some groups; some of these groups can also be found within the old religions. From a psychology of religion perspective, we have thus focused on studying people who have a religious faith and are engaged in groups that have a minority status in present-day Belgium and are sometimes or often contested by parts of society. Belonging or not to the dominant religious tradition (Catholicism) and being of Christian inspiration or not was not a criterion for inclusion/exclusion.

More concretely, the psychological studies carried out within this project include quantitative surveys through questionnaires issued to CRM members (this allowed for comparison with norms and classic believers) and a qualitative study based on interviews of ex-members. Two quantitative surveys were conducted. The first one included members of the following groups : the Belgian Center of the International Society for Krishna Consciousness (ISKCON), different Catholic charismatic groups, Protestant Evangelical congregations, the Church of Jesus Christ of Latter-day Saints (Mormons), the Seventh-day Adventist Church, and some other groups of Protestant inspiration, but not members of

¹ There is no distinction in French between “sects” and “cults”; both terms are translated by “*sectes*.”

² During the first stage of the project we elaborated – going further than the Belgian and French parliamentary reports – a grid of criteria of sectarian drift that takes into account the characteristics and specifics of the religious experience. This elaboration was carried out through an interdisciplinary approach between psychology, law, and the sciences of religion. See Saroglou, V., Buxant, C., Casalfiore, S., Christians, L.-L., & Jaspard, J.-M. (2004). Redéfinir les critères de dérive sectaire ? Un regard psychologique au croisement des sciences des religions. *Annales de Droit de Louvain*, 64, 529-560 ; and see for juridical comments, Christians, L.-L. (2004). Critériologie psychologique des dérives sectaires : Vers une première évaluation juridique. *Annales de Droit de Louvain*, 64, 561-594.

the United Protestant Church of Belgium (total $N = 233$; split in two with two different series of measures). The second study was conducted on Jehovah Witnesses ($N = 238$). Only two groups to whom we addressed our request were unable to collaborate in our research : the Church of Scientology and the Catholic movement Opus Dei. These two surveys were complemented by a small study on 30 people in active spiritual quest (attending psycho-spiritual lectures) but not belonging to any religious group.

In what follows, we summarize our results, and by integrating other studies, we also suggest a general inventory of the psychological perspective on the question of CRMs. The summary is organized so as to address the questions posed by the citizen, the social actor or the political decision-maker. The juridical developments of our research come into play and are addressed in point II of the summary.

The studies on which the conclusions presented below are based do not pretend to cover all the questions that arise with respect to the psychology of CRM members, nor to be representative of all the religious movements that may be concerned. Similarly, they are not abstracted from their temporal and societal framework, but integrated within a given society (Belgium) in which the place of religion and health, and the appraisal of what is marginally religious or healthy are not established once and for all. These studies do, however, have the advantage of submitting common ideas to empirical testing by using methods and measures typical of psychological research.

1. The mental manipulation issue

The conclusion today of both social psychology scholars and scholars specialized in religious movements that are contested, sectarian or simply new, is that the concept of “mental manipulation” is inadequate because it refers to a mysterious, extraordinary reality, a reality that has not received empirical confirmation. More precisely, there are no specific techniques and methods, different from the common methods used in social influence, which could allow for radically changing people’s ideas, will, and concrete everyday life, especially against their own will. In favor of this conclusion, we can observe that, as studies in psychology of religion demonstrate, changes in personality following religious conversion are neither as radical nor deep as we usually imagine. In addition, sociology of religion has underlined the extremely weak efficiency of attractive strategies adopted by these kinds of movements as well as the high level of abandonment and exit from these groups.

However, even if there are no specific methods of persuasion and persons or groups are in principle free to diffuse their ideas, beliefs, and convictions, ethical reflection on CRMs is necessary. First, the context of isolation or at least of withdrawal of some religious groups from the surrounding society (on the level of ideas, practices, relationships, and sometimes even on a physical level) can legitimately be suspected of weakening the “resistance” of an individual. To this situation, we can add other characteristics of religious discourse in some contexts, i.e. a frequent primacy of emotional and narrative over rational and argumentative discourse. These elements incite society to a greater caution with regard to the usual and common methods of persuasion when these are used by religious individuals and groups.

Second, an increase today in ethical reflection on persuasion in a variety of contexts (for instance, political “propaganda,” advertising and marketing) may encourage similar reflection on the matter of religious persuasion. This may be particularly important for religious persuasion, because individual freedom, when one adheres to religious ideas and beliefs, is not only a matter of ethical respect but is a *sine qua non* condition for the validity of the religious faith itself. Thus, we can criticize attempts by religious groups to attract followers that are too planned, too systematic, especially

when these attempts are associated to special training on how to reduce resistance to proselytization. In the same line, we can criticize a communicational attitude that consists in not respecting the way an other person defines his/her own interests or in the exploitation of power in the asymmetric relation between leader and follower in order to make the latter do things whose goal does not always coincide with the official objectives of the group. More generally, on the matter of religious persuasion, even without previous “training,” the use of strategies to reduce the target’s resistance seems ethically more open to criticism than the use of strategies aiming to reinforce the positive aspects of the message that is carried by any one of these groups.

Finally, beyond the strict domain of persuasion as *process*, ethical reflection seems necessary with regard to the *content* of persuasion. It seems legitimate to proceed to a social regulation of the diffusion of ideas and beliefs that are or pretend to be religious,

- if the latter are clearly harmful to health;
- if they are in opposition to scientific facts (here, among others, we can distinguish fundamentalism or sectarianism from simple religion, whose many ideas can not be demonstrated but are not contrary to science); and finally
- if they constitute a violation of universal ethical principles (for instance, incitation to violence and discrimination).

These three principles concerning health, science, and ethics are already applied in Belgium on the matter of advertising ethics.

2. *The hypothesis of mental disturbance*

Contrary to the common idea of mental disturbance, including psychiatric problems, among CRM members, there is no empirical evidence of a greater incidence of these problems in comparison with the general population. Quite the opposite, several studies (most of them in the USA) point to the absence of mental problems in terms of psychiatric symptoms among people who join CRMs, even movements with practices and ways of life isolated from the surrounding society.

No doubt, the persistence in our society of the idea that CRM members are mentally ill constitutes a source of social discrimination towards categories of people who have made the choice to join groups whose way of functioning and ideas may seem bizarre, incomprehensible, or archaic. Moreover, there is an additional discrimination against CRM members and CRMs in general as compared to traditional and established religions.

This being said, although incorrect, the suspicion of pathology regarding CRM members cannot be reduced to a simple consequence of ignorance and naive discrimination against anything new or different. The collective suicides that have frightened the public and shaped public opinion in the last 20 years are not of course the destiny of all marginal religious movements, but ,at the same time, neither are they an exceptional accident occurring in one or two groups. Reasonably speaking, there must be something in these groups’ ideologies or structures, or in the psychology of their members (if we adopt the rationale of a correspondence between offer and demand) that could be responsible for these suicides. With regard to the mental health issue, it might also be profitable to consider the religious and the sectarian within a continuum (see note 2) rather than keeping these two realities isolated from each other.

This is why, going beyond the pathology hypothesis, that seems unconfirmed, we made an effort to test subtler hypotheses in our studies, pointing out the vulnerability or fragility of members, and we broadened our perspective by also referring to religion in general.

3. The vulnerability of the “newcomer”

The studies we carried out in Belgium suggest a psychological vulnerability of CRM members. Not in a massive way, but still in a statistically important one in comparison to the general population, members of CRMs tended to report a *problematic quality of attachment to parents during childhood*; besides, the relations with family were not very good during the period preceding the joining of the group. Participants also tended to report *experience or moments of depressive tendencies* during this period previous to entrance into the group. It should be noticed that these two realities are known to characterize the previous experience of people who convert to “classic” religions or go through an intensification of their faith.

In addition, members of CRMs were found to clearly need an internal and external world marked by order and predictability. They preferred thus to have answers rather than to keep questions open. In principle, this tendency is also typical of intensity of religiousness in general (among non-CRM members). However, *this need for cognitive closure was even higher among CRM members* in comparison with “classic” strong believers, a result that favors the idea that, if people choose these movements, it is, among other things, because the latter provide clear answers and precise rules for life, or because they are dominated by literal religious thinking.

Finally, the interviews of ex-members we also conducted indicated that entrance into CRMs is often preceded by *important negative life events*. This last result is in line with previous literature on religious conversion in general : conversions often follow existential crises that arise after some important negative life events, especially ones that strongly touch the self.

4. The capacity to make reflected choices

The psychological vulnerability of CRM members can be suspected of contributing to the search for systems of thought and frameworks of life that can provide compensation for cognitive need for closure, relational needs for security, emotional needs arising in the face of negative and destructive life events, and the need to overcome depressive states. However, these elements are not sufficient to allow us to conclude on the absence of a capacity to make reflected choices when entering into a CRM – although it is not to be excluded that this capacity may be weakened. First, other studies demonstrate that religious people, although they are high in need for order, predictability, and answers in their life, do not necessarily make hasty decisions.³ Second, the need for cognitive closure is not necessarily a sign of simplistic thought and taking steps without reflection : a complex style of thinking may also be colored by the need for closure and structure.

5. The effects of belonging to CRMs on well-being

Our results indicate some positive level of well-being among CRM members, without being certain that, strictly speaking, it is an *effect* of belonging to CRMs or, alternatively, that it was a reality prior to joining the group. Some results even suggest a structuring effect of belonging to a CRM. More precisely, contrary to the common idea that people belonging to CRMs would be destabilized, having no confidence in the world, in others, and in themselves (see, for instance, the Manichean vision of two worlds, a good one, inside, and a bad one, outside the group), it turned out that, at least on the

³ Saroglou, V. (2002). Beyond dogmatism : The need for closure as related to religion. *Mental Health, Religion, and Culture*, 5, 183-194 ; Duriez, B. (2003). Vivisecting the religious mind : Religiosity and motivated social cognition. *Mental Health, Religion, and Culture*, 6, 79-86.

basis of our studies, these people *strongly hold beliefs that are essential for adaptation to the world and for well-being*, i.e. beliefs in the benevolence of others and the world, in the existence of a logic of order and justice in the world rather than a logic of chance, and confidence in oneself as lucky in life. These world assumptions were even present here in a more important way than in the comparison group drawn from the general population, a result that is in line with previous studies on the personality of “classic” believers.

More importantly, joining a CRM seems to play a structuring role. *The reported level of present well-being constitutes an improvement when compared with the depressive tendencies of the period preceding membership* and is similar to the normal scores of the general population group. In addition, optimism with regard to the future is reported, a reality known both to contribute to well-being and to characterize religious people, including fundamentalists. Moreover, *the problematic style of attachment to parents* (that could have been a handicap for subsequent adult relations) *is compensated in the present by a positive quality in the attachment to the adult partner* and by an improvement of family relations. Finally, it is important to specify that the positive aspect of these results did not seem to be the effect of the participants’ desire to give information to researchers so as to promote a good picture of themselves (social desirability).

It is likely that we have here a euphoric and structuring effect that the system of beliefs and engagement in the group may exert on the self and on the relational world. Such effects are known to explain the (modest but) rather stable positive impact of religion and religious groups in general on mental health and well-being. Even ex-members interviewed seem to recognize some positive contribution to their lives of their experiences within a CRM. In the same line, results from the exploratory study we carried out among people who are high spiritual seekers (attending conferences on religious and spiritual matters) but do not belong to organized religious groups are interesting. These people, although they share affective and cognitive vulnerabilities (insecurity in attachment in childhood, high need for closure) with CRM members, do not similarly share what seems to be the benefit of belonging to a religious group : their relation with the adult partner is characterized by high anxiety whereas CRM members report less anxious adult attachment than the norm.

6. Lack of openness to autonomy and to critical thinking

Besides the psychological dimensions relevant to mental health and well-being, we investigated other realities, socio-cognitive and moral ones, that are interesting for the appraisal of the optimal development of a person as an autonomous individual with respect to belief systems and value systems proposed by society and to any kind of personal choice. Systematically across the four realities studied in the present research (capacity for questioning one’s faith, style of socio-moral judgment, capacity for resistance, and value importance), results confirm the difficulty of CRM members to stand as autonomous individuals fully exercising their capacity for critical thought.

Compared with samples of people from the general population, members of CRMs seem *less inclined to be open to questioning, or to making room for doubt or the possibility of change within their faith*. They also seem *more ready for compliance, acceptance, and submission* to authority, to unjustified injunctions or to bizarre information. The importance they attribute to a series of different values is similar to the value hierarchy of religious people from the three monotheistic traditions⁴. This means a *preference for conservation values over values of openness to change* and a *preference for*

⁴ See for a meta-analysis of 21 studies (8500 participants) from 15 countries, Saroglou, V., Delpierre, V., & Dernelle, R. (2004). Values and religiosity : A meta-analysis of studies using Schwartz’s model. *Personality and Individual Differences*, 37, 721-734.

values that reflect self-restriction rather than self-expansion (low importance attributed to power, achievement, and self-direction). The neglect of the values of power and self-direction is even stronger than in “classic” believers not belonging to CRMs. Finally, regarding judgment in decisions that have to be taken in a variety of domains, we observed both a *strong moralization* (high use of moral judgment) and a *strong personalization*, if not a difficulty to let oneself go and follow social conventions *when taking decisions on questions precisely under the domain of social conventions*.

If we look for a logic that brings together the results presented in points 3, 5, and 6, we are tempted to conclude that happiness found inside the groups perhaps has a price, in this case, personal freedom, in terms of weak exercise of autonomy and critical thinking. Two elements reinforce our interpretation : first, results from our study on high spiritual seekers not belonging to an organized religious group. As presented above, these people seemed to have the same cognitive and relational needs as CRM members but, contrary to the latter, they are still insecure regarding their adult attachment. What is interesting to add here is that, at the same time, these people scored higher than CRM members on a faith open to questioning, doubt, and the possibility of change. They were, in addition, very open to new experiences and to imagination when compared with the general population. Second, in a good review of a large series of empirical studies on the links between religion and mental health, the authors conclude that if, at first glance, religion provides mechanisms that restructure people and give them a sense of self-control (in situations of *under-control*), at second glance, these mechanisms create situations of *over-control* because they lead to psychological realities typical of rigid and conservative thought, leaving little room for critical thinking.⁵

This is why, although the sacrifice of autonomy may help to compensate vulnerability in mental health and well-being in some contexts, it is at the same time an obstacle to a full and mature development of the individual and thus prevents the attainment of *optimal* well-being. It may even become a factor of “social dangerousness.” Consider, for instance, the need for closure. High scores in need for cognitive closure, as in the present studies, are indicators of vulnerability handicapping an optimal definition of well-being. If some medium levels of need for cognitive closure are adaptive for the individual (in comparison to disorder and chaos), high levels of this need have been found to predict dogmatism, difficulty in information treatment, search for consensus and homogeneous groups, and consequently, outgroup derogation, as well as attachment to autocratic forms of leadership and centralized forms of power.

7. The consequences of exit

With regard to the common idea that exiting a CRM constitutes a dramatic experience that leaves long-standing marks on a person, our interviews of people having left CRMs showed that even if the experience itself of disaffiliation is negative and destabilizing, these people find the strength (see the concept of resilience) to reconstruct their lives. Some of them do not experience the exit as a particularly negative situation but consider that the experience inside the group, although enriching, is no longer suitable for them. However, for many of the participants, the exit constitutes a serious moment of breakdown marked by loneliness, few contacts and relationships, and a feeling of failure.

Another surprising result was that the attachment of the ex-members to parents in childhood was even more insecure than the one of present members of CRMs, a finding that does not exclude the possibility that people who leave CRMs are not (or are not only) people with the highest critical minds

⁵ Gartner, J., Larson, D. B., & Allen, G. D. (1991). Religious commitment and mental health : A review of the empirical literature. *Journal of Psychology and Theology*, 19, 6-25.

or need for autonomy, but people with particularly unstable attachment styles. If this is the case, it could suggest a relational difficulty in attachment to any possible object of attachment.

What was also striking in the interviews was that ex-members are still strong believers and very inclined to spirituality. It is trust in religion as an institution and in the reality of organized groups that is shaken (and in some, the trust in any kind of group). Interestingly, the motives people evoked for leaving were more linked to ethical issues (discovering inadequate behavior) or personal issues (need for autonomy or difficulty in conforming to too many demands), than to a doubt in faith or spirituality themselves. To say it in other words, the reasons for leaving resemble deception in love rather than a realization that love might not exist.

We are tempted to qualify belonging to a CRM as a “prosthesis” for the well-being of some people who are possibly vulnerable, especially in the beginning. CRMs would be a prosthesis in the same way that investment in hobbies, art, religion, alcohol or drugs may be prosthetic for psychic structuring. However, the degree of dependence and the consequences of a breakdown are not the same across all types of prostheses. If the breakdown turns out to be highly painful in the case of alcoholism and drug addiction, because it even reaches a physiological level, this is not the case for those “addicted” to art, hobbies or some form of religious expression. Nevertheless, we would be tempted to locate the prosthetic nature of CRMs, at least when these groups are withdrawn from society or when they are highly holistic, in between the two above-mentioned poles. Leaving an environment that constitutes the world of a person, the breakdown of what was a source of multiple channels of structuring and well-being, including sources of social and relational support, is not a simple removal. To say it in other words, the exit from CRMs is a real turning over a new leaf in life and not a simple change like moving, changing sports or political preference.

8. The integration of our studies within the previous literature

Somewhat surprisingly – if one takes into account the large variety of contexts (countries, groups, methods and measures used) – our results are not isolated but are in line with not only a whole tradition of research in psychology of religion in general, but also with other studies that have been conducted in the USA and Europe on members of new religious movements or so-called cults. These studies show – not systematically every time, but taken as a whole – that existential crises following traumatic life events, a history of an unhappy childhood and problematic relations with parents, as well as an individual predisposition towards order and coherence may push some people to join small, marginal, literally minded, or cultish religious-spiritual groups. In some other studies, the structuring role of belonging to a group was shown through other kinds of results than our own, for instance, in terms of decrease in risky practices (alcohol or drug consumption), of restructuring the self via the finding of meaning, and of decrease of anxiety and stress. At the same time, previous studies also show the fragile character of such a structuring role : once people leave the group, they may enter into a period characterized by the loss of markers, social isolation, and depressive experiences.

9. The attitude of society

We carried out another study on the perception people have of the dangerousness of the realities reflected in our criteria of sectarian drift (see note 2). It was found that these realities are perceived as dangerous for the person, but some realities are perceived as more dangerous than others. Contexts implying a hold over the person, retreat from the world, and the impossibility of exit are perceived as the most dangerous, probably because they obstruct any possible reversibility of the situation of

membership : contact with the surrounding society is not only weak, but broken. As far as the motivations in terms of underlined values are concerned, two interesting patterns were found. On the one hand, there are those who attribute great importance to the value of Security and perceive (all) the realities reflected by our criteria as very dangerous. These people seem to be in favor of the idea of a specific law in order to regulate the cult issue. On the other hand, there are those who attribute great importance to the value of Autonomy; although they also find (some of) the realities reflected by our criteria dangerous for the members, they do not agree with the idea of a specific law. In terms of psychological and moral motives, we thus found here *two different attitudes* toward the reality of the marginally religious, i.e. a logic of *self-protection and protection of the societal order*, and a logic of *concern for the autonomous development of members* of these groups, concern for which a specific law does not seem to be, according to our participants, of great utility.

10. Two precautionary concerns

In addition to the limitations we referred to in the introduction of this summary, we should mention two particular aspects that call for supplementary prudence. First, in our studies, some groups to which we addressed our request for collaboration did not respond positively. It is not to be excluded that these groups were more careful than others because they are seen very negatively by certain parts of society. Another hypothesis could be advanced : the groups that did not accept to take part in the study may be the most closed-minded (to science or society, for instance), although it would be faulty reasoning to infer a closed-minded attitude from a refusal to collaborate. Nevertheless, by extrapolating to the whole body of existing psychological research on this matter, we have to take note that no studies are available (for obvious reasons) on people belonging to groups that turned out to be extremely dangerous for their members (collective suicides) or for society (attempts at mass killings).

Second, many explanatory factors can be proposed for the interpretation of the specific pattern of results that seemed to characterize CRM members in our studies. Are the cognitive, affective, socio-moral and other observed specifics due to the intensity of religiousness ? To the traditional aspect of some groups ? To their minority status ? To the dogmatic (lack of openness to others' ideas), fundamentalist (some beliefs are above all others), or sectarian (isolation from society) character of certain groups ? Although not easy to operationalize, more extensive future research should deepen these questions. Nevertheless, we should not overlook that the distinctions between dogmatism, fundamentalism, sectarianism, or traditionalism, although important and fruitful at the theoretical level, are less important at the practical level : series of studies in the past have indicated a great overlap between these psycho-religious dimensions. Our results clearly suggested that the characteristics of the present studies' participants, members of CRMs, highly resemble the ones of high "classic" believers, and often the ones of "classic" converts, and where distinctions were found, they constitute differences in terms of higher intensity of the underlined psychological realities.

II.

1. Legal approach and methodological issues

How to evaluate, from the point of view of public governance, the contributions of research on sectarian drift from the point of view of the psychology of religion ? How to analyze the impact of the different psychological characteristics of persons having experiences of faith in and commitment to

CRMs ? These questions have guided the interaction at the heart of the present research in each of its steps. The main results are summarized below, after brief methodological observations.

Our method is interdisciplinary. We have taken the above psychological results as guides and attempts at objectification aimed at stimulating a critical and prospective approach to the process of governance. The input of these results has led to a new appraisal of case law, of the different national parliamentary reports and of the legal literature devoted to the theme of the “sectarian drifts”, with the objective of submitting these to questioning by psychological data.

From a macro-social point of view, new relationships between the sciences and democracy have stimulated new forms of governance beyond those simply based on the calculation of risks. The specificity of the “principle of precaution” is to deal with phenomena of uncertainty in the framework of a controversial world. Originally applied to bio-technological uncertainties, this evolution of the principle of precaution is interesting for the regulation of other complex realities, notably, in the human sciences. In the context of CRMs, the present research tests the legal relevance and psychological coherence of modes of governance specifically linked to the principle of precaution : democratisation of politically oriented scientific expertise, open method of participation, collective learning, capacity building, and context transformation.

From a micro-social point of view, the tension between religious renunciation and the waiving of rights seems particularly decisive. It has led us to revise notions of vulnerability, reversible experimentation (right of exit), the role of speech, the question of manipulation, and new criminal offences. Through these different steps, our research has shown the contributions of what we call “devices of incentive-oriented democracy” to the principle of precaution.

The limitations of our research are set by the characteristics of our empirical approach. First, priority is given to personal data. Social and collective data have been taken into account with their potential psychological impact, but without becoming a main object. The homogeneity of our results suggests the groups willing to participate in our research, though diverse, represent a significant part of Belgian CRMs.

It was difficult to collect data from the most extreme (but also the most demographically limited) CRMs. While this methodological constraint surely limits the point of departure of our legal perspective by excluding the most volatile CRMs, our results do confirm that some homogeneity of personal psychological characteristics holds across a demographically significant field of CRMs. At this level, they constitute sufficiently relevant, new knowledge that can contribute to reflection on public governance.

These results are, however, twofold. They demonstrate some specific psychological trends observable among CRM members, but they also show how much these trends themselves are in continuity with the intensive religiosity already traditionally described by international research in psychology of the religion.

2. A continuum between fact complexity and normative uncertainty

The psychological continuum between CRMs and intensive religiosity is a first relevant line of reflection for legal analysis. It strengthens a twofold principle about religious freedom already to be found in European Law : against illegal practices in sectarian matters and in favor of the protection of victims; against religious discrimination and in favor of the learning of tolerance. It is necessary to think the religious field simultaneously in terms of its legitimacy and the risk of drift it contains. To integrate both these dimensions does not mean that sectarian abuse cannot happen outside the religious context. But this integration provides a better understanding of the particularity of some

predispositions within a religious context, as well as attempting to take them into account in a non-discriminatory way. These are the conditions of an integrated policy that tackles the problem of proportionality anticipated by the European Convention of Human Rights, while recognizing an especially high margin of appreciation for the State with respect to the “delicate relationships between the State and religions.”

By thus integrating the sectarian risks and potentials of religion, our research provides scientific knowledge that reflects the very complexity of the continuum and the counter-productive consequences of former policies of prevention through stigmatisation. Our psychological studies demonstrate a less foreseeable and less deterministic reality. From the point of view of public governance, through this integration, potential lines both of abuse and legitimacy (religious liberty, autonomy of cults) overlap within the same field. This both factual (non-deterministic) and normative (non-discriminatory) complexity puts into question the relevance of a too schematic approach in terms of calculable risk and demonstrates rather the major interest of an approach in terms of uncertainty :

(a) Uncertainty-complexity with respect to the interactions and predispositions between certain personal psychological characteristics and certain socio-psychological profiles of both “traditional” movements and CRMs. Along this continuum, some characteristics specific to CRMs appear : difficulties in attachment, need for cognitive closure, lack of openness to autonomy, but also a more positive providing of structure that includes the compensatory form of “psychological prosthesis.”

(b) Uncertainty-flexibility linked to the standardization of legal concepts such as dangerousness, social harmfulness, human dignity — notions to be constantly re-evaluated within the rational constraints they impose.

3. Psycho-normative credibility of a transposition of the principle of precaution

Though a consideration of the principle of “precaution” itself was not a primary objective, our research, it has allowed us to evaluate the psycho-normative relevance of the institutional and normative consequences linked to the precautionary principle once transposed into the field of CRMs.

The psychological data collected have contributed to considering the adaptation of such regulatory procedures to the sectarian question as both effective and interesting. These data have indeed shown that a certain vulnerability of CRM members, linked to their tendency towards submission or renunciation (“self-limitation”), and to their lack of openness to critical thinking, is not sufficient for concluding that they possess a weakened capacity to make reflected choices. Similarly, as psychological studies have reminded us, “the need for cognitive closure is not necessarily a sign of simplistic thought and unreflected or thoughtless actions.” It has also become apparent, at least on the basis of the psychological inquiry reported above, that these persons possess beliefs essential to world adaptation and well-being.

Extrapolated in collective terms, our analysis have allowed us to underline that neither the “sanitary cordon” principle, specific to the political field, nor the presupposition of a “refusal of the world,” specific of the doctrinal order, were relevant to denying the appropriateness of the idea of extending mechanisms of participation to CRMs, at least for peripheral subjects.

4. Devices of incentive-oriented democracy and social cohesion

These devices should open up a positive dynamic associating the various persons concerned by sectarian drifts as actors and no longer simply as “objects.” Inclusive notions are the first building

block of construction in common. We thus propose that the Center for Information and Advice on Harmful Sectarian Organizations be promoted to the status of a High Council centered around freedom of religion and belief, and encourage cooperation and interaction between the various institutions concerned with CRMs.

Public authorities would have to structure these devices so as to stimulate all stakeholders in the construction in common of at least partially shared situations (members, ex-members, family, associations, defenders of human rights, public authorities, experts). The idea would be to go beyond merely fortuitous interaction due, for instance, to administrative processes, by creating structures that positively stimulate cooperative reflection and transformation in each stakeholder.

The theme of vulnerability should be reconstructed in terms of learning processes and intersubjective self-surpassing. These public devices are not understood here as therapeutic ones, but they would nevertheless have at least partial or progressive positive common effects on individual and social cohesion.

The main lines of such devices have been proposed according to various macro- or micro-scenarios.

From a macro-social point of view, another proposal would be to reform and enlarge Belgian regulation on the recognition of religious denominations in order to transform it into a finer instrument for managing the complexity of the issue. By substituting a more open regime, with several levels, to the current binary regime, public authorities would benefit from a device that would be less stigmatizing and more open to complexity. The economic and symbolic incentives linked with this policy would themselves aim at stimulating a more reflexive approach among the different stakeholders to the contextual transformations required by a life in common, as much from the point of view of fundamental rights as in coherence with religious principles.

From a micro-social point of view, we propose a transversal transformation of all the structures already stimulating social interaction (State agencies as well as civil movements) in order to adapt them to CRM issues. They would have to be mobilized as a dynamic process promoting and building human dignity. Some legal institutions have been more specifically examined, for instance, the figure of mediation and its stimulating effects on social cohesion due to its informal, voluntary and participative nature. Family mediation and intercultural mediation constitute two experiences that have been more specifically encouraged by some psychological data . Drawing an analogy between intensive religious conversion and falling in love, and between religious exit and family rupture, the adaptation of mediation in family law to solve relational issues in CRMs appears promising, at least when these issues are linked to forms of common life. As far as an intercultural approach is concerned, it would be necessary to adapt it to the religious particularities of CRM issues.

These different devices should be built as participative incentives benefiting all stakeholders by replacing forms of prevention by stigmatisation and by creating the conditions for capacity and efficiency adapted to the positive obligations of contemporary States.

5. Renunciation : a reflexive itinerary ?

The State would thus contribute, by various incentives, to stimulating a “voice” within a dynamic social process. This guarantee of “voice” (versus the classic guarantee of exit) is one of the major proposals of our research. Our research on the social perception of sectarian abuse has shown that these abuses are attributed to situations where “a hold over the person, retreat from the world, and the impossibility of exit are perceived as the most dangerous, probably because they obstruct any possible reversibility of the situation of membership.” The interviews carried out indicate how much

exiting intensive religious groups can remain a purely formal action. There would be a hiatus of sorts between “physical” exit and “mental” exit. Complex effects of resilience or decompensation could come from this discordance, already observed by the literature. The concept of voice could provide a new solution to these issues, but only if it is built in as a possibility coherent with the profile of CRM members who waive their rights. In order to test this coherence, we propose linking the concepts of the “waiving of rights” and religious vows of “renunciation.” The reversibility of the waiving of rights would itself be understood according to the language of renunciation : exit and voice would appear then as the “renunciation of renunciation.”

This voice in which the different stakeholders would be invited to participate is conceived of as an incentive to a more responsive way of life in CRMs. The forms of personal vulnerability indicated by our studies constitute a special focus from this point of view. The fact that psychological research confirms the absence of specific techniques of sectarian manipulation does not decrease the importance of context with respect to mechanisms of proselytism and their potential negative consequences, particularly concerning the vulnerability specific to persons having waived their rights and especially when they are isolated from the everyday world. A new ethics of persuasion would have to integrate these observations. Taking into account scientific data, especially concerning the psychological profile of proselytees, would have to become a new ethical duty both within the participative process and - by means of incentives - within CRM proselytism.

6. Ethical incentive and criminal offence

This ethical incentive can be transposed into charters and codes of good conduct but it does not constitute an absolute guarantee. The limitations of our research sample have already been mentioned. It is necessary then to tackle the hypothesis of divergence between the sectarian profile of CRMs and the very idea of a incentive-oriented public policy. The rejection of all cooperation with public institutions by some CRMs has to be considered as a real possibility.

This potential refusal of a cooperation by some CRMs does not have to be the source of a new stigmatisation of these groups, nor does it necessarily indicate, in itself, a direct risk of abuse. It only reveals the inherent limitations of all incentivizing techniques. Furthermore, even presupposing the establishment of a cooperative network among all the concerned agencies, one would not be able to guarantee an absolute absence of local abuses. For this reason, a prospective analysis of new criminal offences is both reasonable and useful in order to punish (and prevent) possible abuses (in the itinerary) of renunciation (consent) or on irreversible matters (exit). Beyond the flexible notions of “human dignity” or “public order,” and the furthest limit, which seems to be the prohibition of slavery, it is not sufficient to hold that every hypothesis of right waiving only requires a free and informed consent. If present-day psychological analyses confirm that “sectarian manipulation” refers qualitatively to ordinary techniques used with a certain intensity and in a certain context, it must remain clear that such ordinary practices can lead to potential excesses in use when taking into account, in context, the specificity of each person concerned . This is why we propose a criminal offence analysis.

Taking into account the important legislative innovation linked to the repression of moral harassment (art. 442 bis of the Belgian Penal Code), we discuss three Belgian bills proposed in order to fill the gaps still open despite art. 442 bis.

We have shown how much this offence is in synchronism with most so-called manipulation techniques, particularly during the exit phase. This offence, nevertheless, has two major limitations : it implies consciousness that one is being manipulated on the part of the offended person and it also

presupposes repeated acts. Our research concludes that the cost-advantage balance of such a legislative complement could be beneficial if we discard the two main contraindications most often opposed to such initiatives. The first concern is about the risk of a renewed effect of stigmatisation and discrimination. A law of general applicability that would not have “sects” as a specific field is a first condition. The second concern is about the polemical literature on brainwashing as a criminal offence. For some scholars, contesting the scientific relevance of brainwashing would impede the legal relevance of any specific offence related to psychological abuse. But our research has precisely been able to underline how much context can transform any ordinary form of persuasion into an abusive practice. Both objections can thus be removed. The idea would be to criminalize some abuse of ordinary techniques, without pointing a finger at specific techniques or particular groups. Data from the psychological literature on this point are sufficiently established to remove a last difficulty about normative uncertainty or a conceptual vagueness.

In conclusion, neither prevention by stigmatisation, nor a simple return to social debate, nor a direct public information policy would be sufficient to meeting the issues surrounding sectarian abuse, which the psychological portion of our research has shown to take place in a continuum with traditional or “classic” religiosity and to vary with each, specific personal context. The weakness of present regulatory mechanisms is due to the lack of dynamic and reflexive devices. We need new policies that would provide a contextual reconstruction of the ways of abuse and of their solutions, including their psychological conditions of possibility. This reconstruction itself needs procedural guarantees of capacity building, equity and incentive building towards more reflexive contexts. The new devices linked to the principle of precaution seem a relevant solution for a major part of the Belgian CRMs we analysed.

From this point of view, the specific importance of the new Belgian legislation on moral harassment would be less focused on its criminal side, and more on its procedural aspects of prevention. A Belgian law protecting the well-being of workers provides (in the field of firms) some prevention mechanisms of collective learning and reflexive processes within the firm itself. These devices are good tests for our own proposals. While it would be wishful thinking to directly transpose such mandatory mechanisms into CRMs (because of the constitutional principal of autonomy of churches) our research underlines once again how useful an incentivizing policy could be, especially through a renewal of the Belgian regime on religious denominations.

The future of such an extended legislation on moral harassment would, in this perspective, be very important to ensuring a significant approach to psychological phenomena linked to sectarian abuse.