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MODERN DAY SLAVERY:
A SOCIO-LEGAL ANALYSIS OF SLAVERY-LIKE
OFFENCES IN CHARISMATIC CULTS

Hava Dayan†

INTRODUCTION

The offence of enslavement was introduced by the League of Nations in its early years (1926) in an effort to eradicate ‘modern slavery,’ and has since been emulated by developed nations. However, the definition of slavery is still in need of clarification and adaptation to its contemporary forms. Of late, it has been stated “for the United Nations [(‘U.N.’)] or any other international body to carry out a mandate concerned with slavery effectively, it is necessary to develop an international consensus on what practices are included within the concept of slavery.”† Of utmost relevance to this article, and its quest to clarify contemporary forms of slavery within the context of charismatic cults, is Article 1 of the 1956 U.N. Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, which authorizes States to criminalize slavery-like practices “where they still exist and whether or not they are covered by the definition of slavery contained in article 1 of the Slavery Convention signed at Geneva on 25 September 1926.”†

Over the past decade, criminal indictments and convictions for the offence of enslavement appear to be on the rise. However, they have all in-

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2. Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, art. 1, Apr. 30, 1957, U.N.T.S. 226 [hereinafter Supplemental Convention] (“Each of the States Parties to this Convention shall take all practicable and necessary legislative and other measures to bring about progressively and as soon as possible the complete abolition or abandonment of the following institutions and practices.”).
volved cases of domestic workers or trafficked women for purposes of prostitution. No charismatic cult leaders received criminal convictions.3

The Jerusalem District Court recently convicted a charismatic cult leader for committing the criminal offence of holding his followers, namely his six wives and seventeen children, under conditions of enslavement.4 In this respect, the conviction is in all probability an international precedent worth analyzing. Indeed, in the realm of charismatic cults5 the phenomenon of enslavement can have dire consequences for followers and leaders alike: the followers’ devotion may be overstretched towards the twilight zone of criminal slavery, and consequently charismatic leaders may find themselves behind bars.

This Article will focus on the possible empirical and theoretical links between charismatic cults and slavery-like offences. These potential links will be demonstrated through socio-legal extrapolations from the recent criminal conviction in Jerusalem and will be elaborated by examining relevant theoretical and empirical analysis of additional charismatic cults.

3. Until then no criminal charges had been filed against cult leaders for enslavement. Legal procedures have been initiated against cult leaders, mainly for tax offences, illegal possession of firearms, and immigration offences. In France and Belgium, cults were recently recognized as a legal entity that can be criminalized when involved in crimes. This was legislated in France in 2001. Loi no 2001-504 du 12 juin 2001 tendant à renforcer la prévention et la répression des mouvements sectaires portant atteinte aux droits de l’homme et aux libertés fondamentales [Law number 2001-504 of June 12, 2001 intended to reinforce the prevention and repression of sectarian (cultic) movements that infringe on human rights and on fundamental freedoms].


5. Throughout the literature, the terms ‘cult,’ ‘sect,’ and ‘new religious movement’ (“NRM”) are often used interchangeably. ‘Sect’ is used to designate a particular kind of religious group that has diverged from a larger religion. See BRYAN R. WILSON, SECTS AND SOCIETY: A SOCIOLOGICAL STUDY OF THE ELIM TABERNACLE, CHRISTIAN SCIENCE, AND CHRISTADELPHIANS 7, 14, 21 (1961) (“in a loose sense of the word, sects, as separated groups, exist within or at the fringe of all major religions. . . . Sects reject the conception of salvation and or the means of attaining it advanced by orthodox religion.”). The concept of ‘cult’ is most often used with respect to small/medium-sized social groups led by a charismatic leader, sharing a belief system, and committed in words and deeds to the cult’s belief system. See Janja Lalich, Pitfalls in the Sociological Study of Cults, in MISUNDERSTANDING CULTS: SEARCHING FOR OBJECTIVITY IN A CONTROVERSIAL FIELD 123-55 (Benjamin Zablocki & Thomas Robbins eds., 2001). The concept of N.R.M. has been used recently in academic studies to describe cultic groups in what is considered a more neutral, value-free reference. See generally OXFORD HANDBOOK OF NEW RELIGIOUS MOVEMENTS (James R. Lewis ed., 2004). This Article will use the term ‘cult’ owing to its distinctive features relating to charisma and volatility.
Drawing on the socio-legal essence of the offence from both judicial rulings and related legislation, as well as from sociological literature on charismatic cults, this article will attempt to offer a socio-legal perspective of slavery-like offences in the context of charismatic cults.

The first section will present possible theoretical and empirical sociological links between crime and the core characteristics of charismatic cults. The second part will analyze slavery-like offences from a legal perspective, and will examine both legislation and case law of such offences. Based on sociological insights about charismatic cults and the legal perspective on slavery-like offences, the third section will offer a socio-legal analysis of slavery-like offences in charismatic cults, suggesting possible insights and implications for future study and treatment of the phenomenon.

I. A SOCIOLOGICAL PERSPECTIVE ON CRIME AND CHARISMATIC CULTS

According to the legal facts established by the court in its recent conviction of a charismatic cult leader, the defendant was born in France, studied music, and became a successful singer and dancer. Around thirty years of age, he adopted Orthodox Judaism as a way of life and married the woman who would later become the first of his six wives and the mother of ten of his children. He emigrated to Israel in the 1980s where he met Rabbi Israel Odesser (also known as Reb Odesser and as 'Saba,' ‘grandfather’ in Hebrew), the religious leader of a Breslov Hassidic Sect. According to the

7. Id. at 1.
8. Rabbi Yisroel Dov Ber Odesser, also known as Reb Odesser or Sabba ('grandfather' in Hebrew), belonged to the Breslov branch of Hassidic Judaism founded by Rebbe Nachman of Breslov (1772-1810), a great-grandson of the Baal Shem Tov, founder of the Hassidic Movement. Its adherents strive to develop an intense, joyous relationship with God and receive guidance toward this goal from the teachings of Rebbe Nachman from Uman. The Hassidic Movement has not had a dominant, living leader for the past 200 years, as Rebbe Nachman did not name a successor. Reb Odesser claimed to have received a “Letter from Heaven” sent to him directly by Rebbe Nachman of Breslov who had died 112 years earlier, and revealing to him a new remedy for relieving the world of suffering and illness. The remedy is the song and name Na Nach Nachma Nachman Meuman, which he revealed at an old age to newly found followers throughout Israel. His following developed into the Na Nach movement. Odesser’s publicizing of Na Nach Nachma Nachman Meuman was rejected by mainstream Breslov for many decades. Around 1984, when he was around 86 years old and living in an old age home, a group of baalei teshuva (returnees to the Jewish faith) discovered Odesser and were attracted to his teachings. He eventually became their spiritual leader. See Na Nach Nachma Meuman, http://en.wikipedia.org/wiki/Na_Nach_Nachma_Nachman_
court, the defendant was captivated by Reb Odesser’s messianic beliefs about eternal and transcendental redemption of the Jewish people, and began to spread the Rabbi’s vision throughout the Jewish community. The defendant believed Reb Odesser was the true and divine ‘chosen one’ who would bring redemption to the entire community of Jewish people, and therefore Jewish people should recognize Reb Odesser as the ‘real’ Jewish Messiah and his own role as the Messiah’s sole messenger.

While spreading the messianic religious vision of Rabbi Odesser, the defendant married five additional wives between 1998 and 2009, with whom he fathered another seven children. Altogether, at the time of his arrest, he had six wives and seventeen children. They all lived together in an isolated house located in a remote neighborhood on the outskirts of Jerusalem. Only one male follower, a self-declared homosexual, was ever allowed to sleep in this house while all the other male followers were allocated accommodations and a place to pray in a different neighborhood. The children as well as the wives were sent out from the early hours of each day to collect money and food by begging for donations on the streets and in the restaurants of Jerusalem. According to the Court, the money collected was handed over to the defendant who used it at his sole discretion for his personal expenses and to spread his messianic vision. In its ruling, the Jerusalem District Court held the defendant had used and exploited his family members to spread his Hassidic messianic vision by subjecting them to a lengthy daily routine of begging. It also ruled the defendant intentionally imposed an ongoing regime of complete control over the victims’ lives, denied them their personal freedom, and eventually kept them in conditions of slavery:


10. See id. at 14.
12. Id. at 1.
13. Id. at 2, 7-8.
14. Id. at 4, 13.
15. Id. at 3.
16. See id. at 77.
17. Id. at 76-77.
18. Id. at 76. Two years prior to his arrest, the police conducted an investigation into allegations of bigamy, sexual abuse, and child neglect against the accused/defendant. The police investigation was eventually closed for lack of sufficient criminal evidence, but additional complaints resulted in its reopening, and this time led to the defendant’s arrest, indictment, and conviction on charges of enslavement of his six
in this case it seems that enslavement was part and parcel of both the
domestic lifestyle and the religious belief system of the defendant and
the family members (i.e. the victims, H.D.). By submitting his family
members to enslavement, the accused was able to receive a constant
and steady supply of money and services.19

Upon conviction the defendant was sentenced to twenty-six years
imprisonment.20

Though the Jerusalem Court did not specifically label it a ‘cultic’ case,
its distinct cultic characteristics were by no means tangential to the judicial
decision to convict the charismatic defendant of the offence of enslavement.
The sociological cultic characteristics seem to have established, in the eyes
of the Court, the main criminal elements of the enslavement offence. The
Court noted the following sociological aspects: the defendant’s distinct per-
sonal charisma in the victims’ eyes, the defendant and victims’ shared mes-
sianic belief system, the defendant’s demand for absolute obedience, the
defendant’s total mental and emotional control over the victims, the notable
gap between the defendant and the victims’ social positions in the group
hierarchy, the victims’ social vulnerability (women and children), the
group’s physical and mental isolation from the larger society and from the
victims’ past family ties, and the defendant’s exploitation and objectifica-
tion of the victims.

Literature on cults points to seminal characteristics of such social
groups, which all bear a distinct similarity to the features of the case as
noted by the Jerusalem Court: a decision to join based on personal and
individual choice;21 an admired leader at the top of the social hierarchy,
looked up to and depended on;22 a strong shared belief in the unique group
ideology;23 personal interactions between the leader and the cult members

wives and seventeen children, and eighteen additional charges of sexual and physical
abuse of his wives and children.

19. Id. at76.

20. Although the cult leader was sentenced to twenty-six years in prison, it is
impossible to calculate the exact number of the years for which he was sentenced for
enslavement. The twenty-six-year sentence included seventeen additional convictions of
sexual and physical assault of his wives and children. Israel v. D.A (Sentence), at § 1.

21. Saul Levine, Life in Cults, in CULTS AND NEW RELIGIOUS MOVEMENTS 97
(Marc Galanter ed., 1989); WILSON, supra note 5, at 26-27.

22. Levine, supra note 21, at 98.

23. WILSON, supra note 5, at 34; Levine, supra note 21, at 64, 96; Robert J. Lif-
ton, Cult Processes, Religious Totalism and Civil Liberties, in CULTS, CULTURE, AND
THE LAW 59, 61 (Thomas Robbins, William C. Shepherd, & James McBride eds.,
1985); Marc Galanter, Cults and New Religious Movements, in CULTS AND NEW RELIG-
that extend to the cult members’ various and intimate realms of life;\textsuperscript{24} absolute obedience to the group leader;\textsuperscript{25} personal willingness to supply work, services, and money to the group and its leader;\textsuperscript{26} living in an isolated ‘co-coon-like’ environment;\textsuperscript{27} and control over group members through non-physical methods such as mental and psychological methods.\textsuperscript{28} Hence, although the court did not literally and legally rule that the accused was the leader of a charismatic cult, we can conclude that, sociologically speaking and based on the particular social facts, in this case the offence of enslavement was committed in circumstances of a charismatic cult. While cults differ in their particular ruling ideologies and their specific requirements, practices, and behaviors,\textsuperscript{29} the characteristics noted by the Jerusalem Court—although appearing in varying degrees in each social group—highlight aspects of charismatic cults where power, control, devotion, structure, and commitment are inextricably linked. Charisma and its power are therefore of utmost importance in understanding the theoretical and empirical links between cults and crime.

Of greatest relevance to our discussion are Galanter’s writings on charismatic cults\textsuperscript{30} as a sub-type of cults. Attempting to identify the nature of such sub-type cultic social groups, Galanter notes four typical features: (1) members of such groups impute charismatic (or divine) power to the group or its leadership; (2) members of such groups adhere to a consensual belief

\begin{itemize}
\item \textsuperscript{24} THOMAS ROBBINS, CULTS, CONVERTS AND CHARISMA: THE SOCIOLOGY OF NEW RELIGIOUS MOVEMENTS 46-47 (1988).
\item \textsuperscript{26} GALANTER (1999), supra note 25, at 19.
\item \textsuperscript{27} Id. at 107; Galanter (1989), supra note 23, at 35; WILSON, supra note 5, at 13; Annette P. Hampshire & James A Beckford, Religious Sects and the Concept of Deviance: The Mormons and the Moonies, 34 BRIT. J. SOC. 208, 224 (1983).
\item \textsuperscript{28} Levine, supra note 21, at 99-100; Lifton, supra note 23, at 61-64; Benjamin Zablocki, Towards a Demystified and Disinterested Scientific Theory of Brainwashing, in MISUNDERSTANDING CULTS: SEARCHING FOR OBJECTIVITY IN A CONTROVERSIAL FIELD 183 (Benjamin Zablocki & Thomas Robbins eds., 2001).
\item \textsuperscript{29} According to Lalich, a single group may even differ over its lifetime or across different locations. These groups exist on an influence continuum (regarding a particular group’s effect on its members and society, and vice versa) and a control continuum (from less invasive to all encompassing). See Lalich, supra note 5, at 124-25.
\item \textsuperscript{30} See generally GALANTER (1999), supra note 25.
\end{itemize}
system;\textsuperscript{31} (3) members of such groups sustain a high level of social cohesiveness;\textsuperscript{32} and (4) members of such groups are strongly influenced by the group’s behavioral norms.\textsuperscript{33} The central organizing feature of such social groups is the notion of the leader’s charisma. The introduction of the concept of charisma into both the social scientific endeavor and popular discourse can ultimately be attributed to Max Weber.\textsuperscript{34} He argued the term charisma derives from the New Testament, where it was used to refer to the “gift of grace” (having received the Holy Spirit, as manifested in the capacity to prophesy, to heal, or to speak in tongues).\textsuperscript{35} Weber’s use of the term moved it well beyond the somewhat specific range of religious phenomena, as he maintained that with charisma, allegiance is owed to persons who possess charisma by virtue of their unique attributes and abilities.\textsuperscript{36} According to Weber, unlike traditional, rational, or legal leaders who are appointed or elected under existing traditions and rules, followers choose charismatic leaders based on the belief they are extraordinarily gifted; it is these features that result in the followers’ special allegiance to the leader.\textsuperscript{37}

Since charismatic leadership is a core feature of such social groups, a discussion of slavery-like offences in charismatic cults calls for an analysis of its characteristics and possible links to violence and crime. Charismatic leadership is not intrinsically dangerous or violent, and neither are cults in general, or charismatic cults in particular. Violence in social groups can

\begin{itemize}
\item \textsuperscript{31} According to Galanter, these consensual common beliefs are a vital force in the group’s operation because they bind members together, shape their attitudes, and motivate them to engage in self-sacrifice. Id. at 34.
\item \textsuperscript{32} According to Galanter, such cohesiveness is reflected in the close intertwining of the individual’s life circumstances with those of all group members, the tendency to be intensely concerned about each other’s well-being, and their deep commitment to joint activities. See id. at 4, 15.
\item \textsuperscript{33} See id. at 4.
\item \textsuperscript{34} See Max Weber, The Theory of Social and Economic Organization 358-59 (Talcott Parsons, ed., A.M. Henderson & Talcott Parsons, trans., 1947):
\begin{quote}
The term ‘charisma’ will be applied to a certain quality of an individual personality by virtue of which he is considered extraordinary and treated as endowed with supernatural, superhuman, or at least specifically exceptional powers or qualities. These are such as not to be accessible to the ordinary person, but are regarded as of divine origin or as exemplary, and on the basis of them the individual concerned is treated as a ‘leader’.
\end{quote}
\textsuperscript{35} Id. at 359-363.
\item \textsuperscript{36} See Hava Dayan & Chan Kwok Bun, Charismatic Leadership in Singapore: Three Extraordinary People 13 (2013).
\item \textsuperscript{37} Weber, supra note 34, at 360-61.
\end{itemize}
vary in scope and form: it may occur at different levels of injuriousness, may be episodic or constant, may involve individual or collective actions, and may occur within or outside the confines of the group. David Bromley maintains the notion that violence is pervasive in cults is a misconception stemming from proneness towards violent episodes within cults. Zablocki begs to differ, arguing social theorists are well aware that an extremely high degree of obedience to authority is a reliably recurring feature of charismatic cult organizations, and the existence of a highly atypical form of obedience to the dictates of charismatic leaders may sometimes be linked to crime. It would therefore be safe to maintain that some characteristic aspects of charisma and charismatic cults may predispose cultic social groups to violence and crime.

The first characteristic of charisma relevant to our discussion of potential violence and crime is the perplexing nature of the social interaction between the charismatic leader and his followers. Weber recognized the importance of the leader’s validation by his followers and argued for the charismatic relationship to exist, the charismatic person must establish a relationship in which the followers submit to being ruled because of their belief in his extraordinary qualities and powers. An important corollary is the charismatic leader’s need for validation of his claims because, should his powers or abilities desert him, his followers will likewise abandon him. This characteristic of charisma is of particular relevance to our discussion because it implies the relationships between followers and their


39. See id. at 44-56. According to Bromley and Melton there have been relatively few cases of collective cult violence. Benchmark cases in the second half of the twentieth century consist of the Manson Family murders in 1969, the People Temple murder-suicide at Jonestown in 1978, the Branch Davidians murder-suicides at Mount Carmel outside Waco in 1993, the Solar Temple murder-suicides in Switzerland and Canada in 1994, the Aum Shinrikyo murders in Tokyo 1995, and the Heaven’s Gate collective suicide in California 1997. See id. at 2.


Group suicides at the behest of a charismatic leader are probably the most puzzling of such acts of obedience, but murder, incest, child abuse, and child molestation constitute other puzzling examples for which credible evidence is available. Moreover, the obedience reported is not limited to specific dramatic actions or outbursts of zeal. Less dramatic examples of chronic long-term ego-dystonic behavior such as criminal acts, abusive or neglectful parenting, and promiscuous sexual behavior have also been documented. Id.


42. Id. at 360.
charismatic leader are not straightforward; they are complex, ambivalent, and can be volatile due to the leader’s need for constant reaffirmation by his followers. This dependency is tricky because he does not wait for them to acknowledge him and his unique qualities. He sees it as their duty do so and therefore demands their obedience and unconditional devotion, as he construes any demand on their part for a sign or proof of his gift of grace as lack of faith and a dereliction of duty. According to Wallis and Bruce, the volatility of social groups with charismatic leaders is related to the intrinsic volatility or precariousness of charismatic authority:

Charismatic authority is fundamentally a precarious status because the claim for authority rests on purely subjective factors and it might catch the leader in a spiraling process of increasing authoritarianism, anxiety and volatility when faced with situations that challenge the leader’s authority and the group’s structure . . . The nature and evolution of charisma can thus provide opportunities for charismatic leaders to indulge the darker desires of their subconscious . . . leaders may be able to render followers exclusively dependent upon them, eliminating constraints or inhibitions on their whims, leading to the possible emergence of unconventional sexual practices and violence.

Dawson argues the charismatic mode of authority is uniquely precarious because it exists largely without external support of custom and established institutions, and thus “requires a kind of continuous legitimation

43. The leader is not all-powerful with respect to his followers, since he needs their constant recognition. Yet once accepted as such, he gains total control over their beliefs, emotions and actions. See Hava Dayan & Chan Kwok Bun, supra note 36, at 14.

44. “However, he does not derive his claims from the will of his followers, in the manner of an election; rather, it is their duty to recognize his charisma” Max Weber, Economy and Society: An Outline of Interpretive Sociology 1113 (Guenther Roth & Claus Wittich, eds., 1978). “[E]very true leader in this sense, preaches, creates, or demands new obligations. [. . .] Recognition is a duty [. . .].” Weber, supra note 34, at 361. “[B]ut where charisma is genuine, it is not this which is the basis of legitimacy. This basis lies rather in the conception that it is the duty of those who have been called to a charismatic mission to recognize its quality and to act accordingly [. . .] No prophet has ever regarded his quality as dependent on the attitudes of the masses toward him. No elective king or military leader has ever treated those who have resisted him or tried to ignore him otherwise than as delinquent in duty.” Id. at 359-60.


46. R. Wallis, Charisma and Explanation, in Secularism, Rationalism and Sectarianism 167, (E. Barker, James A. Beckford, Karel Dobbelaaere & Bryan R. Wilson eds., 1993);
work” that is “dependent on the leader’s ongoing display of his prowess and virtues.” He also maintains the potential for violence stems from the need of charismatic leaders to “strike a dynamic balance between asserting too much dominance and not asserting enough,” noting that “to err in either way brings instability, [but it] is too much dominance, however, that tends to bring violence.”

Another charismatic feature that may link charismatic leadership to violence and crime is the potentially explosive social interaction between the charismatic leader and the larger social environment within which he acts. In Weber’s writings, the charismatic leader has a mission or a task, which “inverts all value hierarchies and overthrown custom, law and tradition,” and involves a radical break from the existing social/moral/legal/political order. This ingrained and fundamental a priori repudiation of existing rules and order suggests charismatic leaders are predisposed towards a ‘head-on collision’ with the socio-legal and moral order outside their cult. This socially conflicting predisposition may steer such leaders to engage in activities that seem justified in their eyes, but are at the very least socially and morally condemned as deviant and even criminal. Such relations with the surrounding social environment may lead these cults to social withdrawal, isolation, and possible violent confrontations with the social establishment.

A third charismatic feature that may be significant to our discussion of violence and crime in charismatic cults relates to the nature of the social institutions such leaders tend to establish. In his studies of charismatic leaders, Robert House associated charismatic leadership with a strong affection for the leader and similar beliefs held by the leader and his followers. These social interactions describe bonding or identification of sorts with the leader that will find its expression “well beyond what might be expected from typical contractual or exchange relationships between most supervisors and subordinates.” Galanter argues leaders in charismatic cults channel this unique and intense bonding into forming what Coser termed a

47. Bromley & Melton, supra note 38, at 85.
48. Id.
49. See Weber, supra note 44, at 1117.
50. For Weber, bureaucratic authority and charismatic authority represent divergent positions in relation to rules. He noted, “Bureaucratic authority is specifically rational in the sense of being bound to intellectually analyzable rules; while charismatic authority is specifically irrational in the sense of being foreign to all rules.” See Weber, supra note 34, at 360.
52. Dayan & Bun, supra note 36, at 4.
'greedy institution.' As a greedy institution, the charismatic cult transgresses the normative limits that protect cult members' private life and autonomy as individuals, without respecting their need for periodic withdrawal from social interaction as well as their parallel competing and contradicting social commitments. The charismatic cult demands exclusive and utmost devotion from its members and does not tolerate any concurrent commitments. Aside from narrowing the social roles available to the cult members to those provided by the group, in extreme cases such demanding and overwhelming social expectations may lead to criminal exploitation of cult members. Based on these characteristics of charismatic cult leaders we can discern three main features that may contribute to their susceptibility to violence and crime: their defiance of the surrounding, established social order; the complex social relationships between the leader and his followers; and the 'institutionalized greediness' they foster. Taken together, we can safely argue charismatic leaders possess the nature of a volatile dramatic social force over the group they lead.

Bromley identified several attempts to formulate a framework of general models of violent episodes involving charismatic cults and argued all models include exogenous factors (external characteristics of a movement-society relationship), as well as endogenous factors (internal character-
characteristics of the cult’s particular structure). Galanter’s model for explaining
the relationship between violence and cults focuses on four principal condi-
tions: the cult’s isolation, the charismatic leader’s grandiosity and para-
noia, the charismatic leader’s absolute dominion, and government
mismanagement of its relations with the cult. Somewhat similarly, Hall, Schuyler, and Trinh suggest extreme collective religious violence may ema-
nate from intrinsic cultic qualities (such as the cult’s apocalyptic view,
charismatic leadership, the cult’s high levels of internal control, and the
intense internal solidarity that produces isolation from surrounding society),
and from the conflictual relationship between the cult and the larger social
order. Robbins and Anthony suggest violence is a combination of both
exogenous factors that may include hostility, stigmatization, and persecu-
tion, and three main endogenous factors: the cult’s apocalyptic beliefs,
the cult’s charismatic leadership, and the cult’s totalistic milieu control.
All models seem to indicate the endogenous factors they delineated may
lead to violence and crime. The factors in agreement among the scholars are
charismatic leadership, the cult’s totalistic control, cultic isolation and

58. David Bromley, Violence and New Religious Movements, in Oxford Hand-
59. Meaning it locks the group within its own internally constructed definition of
reality, and eliminates the corrective effects of external. Id.
60. Referring to the fact leaders need to maintain total control over their followers,
and develop paranoia and fear that others will undermine their total control. According
to Galanter, paranoia may motivate the leader to create a ‘siege mentality’ within the
group, such that group members expect imminent attack by their enemies. See Gal-
anter (1999), supra note 25, at 180.
61. The leader’s absolute dominion is achieved through a process of centripetal
control over the followers’ thoughts and actions through close observation and regula-
tion of members’ daily life. See id., at 181.
62. Bromley, supra note 58, at 152.
63. See Thomas Robbins & Dick Anthony, Sects and Violence: Factors Enhanc-
ing the Volatility of Marginal Religious Movements, in Cults in Context: Readings in
64. Referring to their possible persecution by the hands of opposing forces in the
social environment in which they operate. Id.
65. See id. at 345-49. See also Bromley & Melton, supra note 38, at 57-66.
66. See Wallis & Bruce, supra note 46, at 117.
67. For a detailed summary see Thomas Robbins, Volatility in Religious Move-
ments, in Cults, Religion & Violence 57-79 (David Bromley & Gordon Melton eds.,
2002).
68. See Galanter (1999), supra note 25, at 105-108; Robbins and Anthony,
supra note 63; John Hall et al., Apocalypse Observed: Religious Movements and
Violence in North America, Europe and Japan 107 (2000).
cultic apocalyptic belief(s). Following the discussion about the nature of charismatic cult leadership and its possible links to violence and crime, we will elaborate on the remaining three relevant endogenous cultic factors: totalistic control, isolation, and apocalyptic belief.

As noted, together with the endogenous factor of charismatic leadership, the scholars point to totalistic cultic control as a prominent factor that may lead to violence. According to Galanter, in addition to totalistic control, absolute dominion is a process of centripetal control over the followers' thoughts and actions through close observation and regulation of their daily life. Zablocki provides the most extreme argument with regard to violence. He contends that in order to understand cults we must develop models that recognize the importance some cults attribute to strenuous techniques of socialization designed to induce uncritical obedience to ideological imperatives regardless of the cost to the individual. Using the concept of ideological totalism, Zablocki maintains that cults are a socio-cultural system which places a high value on total control over all aspects of the participants' outer- and inner-lives, for the purpose of achieving the goals of an ideology defined as all-important, and that in such socio-cultural systems individual rights either do not exist or are clearly subordinated to the needs of the collective whenever the two come into conflict. Robbins takes a more moderate stance, as he claims that while not all totalistic groups are violent, "there is an array of deceptive and coercive practices within various movements that have the effect of enhancing the power of the leadership over the followers such that aggressive or unbalanced prophets will encounter less internal resistance in instigating violence." A second endogenous factor that may lead to cultic proneness to violence and crime relates to the cult's isolation. It should come as no surprise isolation is a core characteristic of a cult's social structure as cults tend to be "very closed communities, sometimes unwelcoming even to those outsiders who might want to join, and hostile to those who wish to enquire, record and analyze." According to Doyle Paul Johnson, in order to ensure the wider society has as little influence as possible on the group's beliefs

69. See Galanter (1999), supra note 25, at 105-108; Hall et al., supra note 68, at 38.
70. See Robbins & Anthony, supra note 63; Hall et al., supra note 68, at 38.
71. Bromley, supra note 58, at 151.
73. Id. at 183.
74. See Robbins, supra note 67, at 64. For a detailed summary see id. at 57-79.
75. Wilson, supra note 5, at 13. According to Galanter, fear of outsiders, or xenophobia are a common characteristic of cults and an important manifestation of the cult's boundary control. See Galanter (1999), supra note 25, at 107.
and power of its leadership, cultic leaders seek an isolated environment and establish a compound in remote and isolated rural environments.76 According to Galanter, this tendency to isolate itself may lock the group within its own internally constructed definition of reality, and eliminate the much-needed corrective effects of external feedback.77 Johnson concurs with Galanter’s argument and maintains that in an isolated environment, the leader may be able to convince the members they would have no chance of surviving in the wider society and their only hope for a satisfying life is to ensure the success of their community.78 Owing to their isolation, no contradictory evidence is available and the group may develop an unshakeable, paranoid belief that returning to society would be extremely hazardous.79

The last endogenous factor that scholars claim may lead to cult violence and crime has to do with the cult’s apocalyptic beliefs. Such beliefs are most likely to be associated with volatility and violence when they are embodied in charismatic messianic leaders who identify the millennial destiny of humankind with their personal vicissitudes and demonize any opposition to their aspirations and personal aggrandizement.80 According to Robins and Anthony, apocalyptic belief systems and millennial visions of the imminent last days, or end times, appear to characterize almost all violent religious sects: “apocalyptic images of the future may often impart volatile quality to a group. It can bind persons together and uplift them, but can also provoke paranoid anxieties and fierce antipathy toward the dehumanization of the ungodly.”81

Accordingly, such perceived imminence of the last days may produce violence for the following conjunct reasons: it may relativize conventional norms and rules in several ways; it may lead cult members to anticipate that persecutory violence will be directed towards the saints (hence they would have to defend themselves in those days to survive and inherit the world); it may link the last days to something broader and deeper to which the true devotees should adhere; and it may leave no room for grey shades within its

77. Bromley, supra note 58, at 151 (citing GALANTER (1999), supra note 25, at 179-84).
78. See Johnson, supra note 76, at 318.
79. Similarly, Galanter argues an isolated cultic group provides fertile soil for the emergence of paranoia and grandiosity in its leaders, and will aggravate these traits in the leader who already sees himself as espousing a philosophy of absolute truth. See GALANTER (1999), supra note 25, at 180.
80. See Robins and Anthony, supra note 48, at 350-51.
81. Robins & Anthony, supra note 63, at 345-46. See also Bromley & Melton, supra note 38, at 57-66.
dualistic and binary set of beliefs (thus creating absolute contrasting categories of either celestial and pure or evil, demonized, and polluted. \(82\)

In summary, the four cultic endogenous factors that may increase the propensity for crime within the cult are: (1) charismatic leadership; \(83\) (2) a cultic apocalyptic belief; (3) totalistic cultic milieu control; and (4) isolation from the larger society. These four factors emerged in all the theoretical models reviewed, and strike an empirical chord in the Jerusalem Court ruling. With the exception of the apocalyptic belief factor, the Jerusalem Court Judges noted the other three potentially volatile cultic factors as relevant social evidence for convicting the defendant of enslavement. \(84\) According to the court, the defendant physically, emotionally, and mentally isolated the group's vulnerable members (women and children), \(85\) controlled them mentally and emotionally, and took advantage of his charisma by demanding and extracting an ample supply of services and money through the group members' blind devotion to, and admiration for him. \(86\)

II. A LEGAL PERSPECTIVE ON SLAVERY-LIKE OFFENCES

The 1815 Declaration Relative to the Universal Abolition of the Slave Trade \(87\) was the first international instrument to condemn slavery, although the phenomenon has existed since ancient times. \(88\) It has been estimated that some 300 international agreements were implemented to suppress slavery between 1815 and 1957, \(89\) and now it is a well-established principle of international law. The prohibition of slavery and of slavery-related practices has achieved the level of customary international law, which makes the

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82. Robbins & Anthony, supra note 63, at 347-49.
83. I.e., the charismatic leader’s core repudiation of the larger society’s existing moral/legal order; charismatic leadership’s overwhelming and exclusive demand for devotion in words and deeds (the institutionalized ‘greediness’ of the charismatic cult) and the volatile interactions between the charismatic leader and his followers. Id. at 350-51.
85. By disconnecting the women and children from any social interaction with other male group members, past family ties and the larger society, and by living in a geographically remote compound. Robbins & Anthony, supra note 63, at 351-52; Id. at 52-61, 71-75.
87. Declaration of the Eight Courts Relative to the Universal Abolition of the Slave Trade, Feb. 8, 1815, Consol. T.S. 473.
88. See Abolishing Slavery, supra note 1, at ¶ 5 n.5.
89. See id., at ¶ 5.
right to be protected from slavery an obligation arising from human rights law\textsuperscript{90} that all States owe to the international community as a whole.\textsuperscript{91}

The main internationally accepted legal definitions of slavery are attributed to the League of Nations Slavery Convention of 1926 and to the Supplementary Convention on the abolition of Slavery of 1956.\textsuperscript{92} A definition of slavery first appeared in an international agreement in the 1926 Convention that defined slavery as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised."\textsuperscript{93} The Supplementary Convention of 1956 went further by obliging States Parties to abolish, in addition to slavery, institutions and practices identified collectively as "servile status."\textsuperscript{94} Ownership is the main charac-

\begin{itemize}
  \item \textsuperscript{90} The prohibitions set out in the 1927 Slavery Convention and in the 1956 Supplementary Convention received significant legal support from the International Bill of Human Rights. The Universal Declaration of Human Rights (The International Bill of Human Rights consists of the Universal Declaration of Human Rights adopted by the U.N. in 1948 (http://www.un.org/en/documents/udhr/)), which states in Art. 4, "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms." See id. at \S\ 23. According to Cherif Bassiouni, slavery and slave-related practices may constitute a war crime (when committed by a belligerent against the nationals of another belligerent); a crime against humanity (when committed by public officials against any person irrespective of circumstances and diversity of nationality); and an international crime (when committed by public officials or private persons against any person). See M. Cherif Bassiouni, Enslavement as an International Crime, 23 NYU J. INT’L L. & Pol. 445, 448 (1991).
  \item \textsuperscript{91} See Abolishing Slavery, supra note 1, at \S\ 6 n.8 (citing A. Yasmine Rassam, Contemporary Forms of Slavery and the Evolution of the Prohibition of Slavery and the Slave Trade Under Customary International Law, 39 VA J. INT’L L. 303 (1999)).
  \item \textsuperscript{92} Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention of 1926, Mar. 9, 1927, 60 L.N.T.S. 253 [hereinafter 1926 Slavery Convention]; Supplemental Convention, supra note 2.
  \item \textsuperscript{93} Id. at \S\ 1 (1).
  \item \textsuperscript{94} Which refer to the following institutions and practices: (a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined; (b) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status; (c) Any institution or practice whereby: (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any person or group; or (ii) The husband of a woman, his family, or his clan has the right to transfer her to another person for value received or otherwise; or (iii) A woman on the death of her husband is liable
teristic found in all U.N. definitions of slavery and slavery-like practices. The U.N. definitions have caused controversy due to differences of opinion regarding the practices that should be categorized as slavery. Moreover, if it is "interpreted in such a manner as to include all social injustices or human rights violations that may occur, it becomes so broad as to be meaningless." 95

Further, disagreement arose regarding slavery-like practices. Such practices were identified as early as 1924 by the Report of the Temporary Slavery Commission, 96 and subsequently approved by the Slavery Convention of 1926 Council of the League of Nations. 97 Consequently, legal definitions of slavery and slavery-like practices include a much broader spectrum of practices, further blurring the much-required precise legal definition for criminal prosecution. The list of slavery-like practices includes: slavery or serfdom (domestic or predial); practices restrictive of the liberty of the person, or tending to acquire control of the person in conditions analogous to slavery; 98 and system of compulsory labor, public or private, paid or unpaid.

Appeals have been made for a redefinition of slavery in the context of today's world. However the combined definition set forth in the Convention of 1926 and the Supplementary Convention of 1956 has remained unchanged, and in the international legal context has not been substantially altered since 1926. 99 According to Weissbrodt and Anti-Slavery International, the ambiguous wording of the U.N. definition of slavery (as to

95. See Abolishing Slavery, supra note 1, at ¶ 9.


97. See Abolishing Slavery, supra note 1, at ¶ 12 (stating "By referring to 'any or all of the powers of ownership' in its definition of slavery, and setting forth as its stated purpose the 'abolition of slavery in all its forms' the Slavery Convention covered not only domestic slavery but also the other forms of slavery listed in the Report of the Temporary Slavery Commission.").

98. Report of the Temporary Slavery Commission to the Council of the League of Nations, supra note 96, at para. 22. Further stating,

for example: (a) Acquisition of girls by purchase disguised as payment of dowry, it being understood that this does not refer to normal marriage customs; (b) Adoption of children, of either sex, with a view to their virtual enslavement, or the ultimate disposal of their persons; (c) All forms of pledging or reducing to servitude of persons for debt or other reason. Id. at 5.

99. See Abolishing Slavery, supra note 1, at ¶ 16.
whether the concept of control must be absolute in nature in order to be considered a prohibited activity) was "intended to give a more expansive and comprehensive definition of slavery that would include not just the forms of slavery involved in the African slave trade but also practices of a similar nature and effect." He also argues that in the modern context, both elements—control and ownership—are central to identifying the existence of the practices that constitute slavery.

Accordingly, the following parameters should be applied to the analysis of contemporary slavery in order to determine the legal construction of slavery: the degree of restriction of the individual’s inherent right to freedom of movement; the degree of control over the individual’s personal belongings; and the existence of informed consent and a full understanding of the nature of the relationship between the parties. The legal construction of slavery by the Jerusalem Court precedent, as will be shown later, was in fact a legal operationalization of these parameters into the required criminal elements of the offence of enslavement.

The offence of enslavement was incorporated into the Israeli Penal Code in 2006 as part of the international process of criminal legislative reforms targeted at criminalizing human trafficking and trade. Discussions in the Israeli Parliament regarding the inclusion of the expanded definition of the offence of trafficking (to include all forms of human trade) commenced in 2005. The Israeli Parliament received substantial impetus following the 2006 U.S. State Department Report on Human Trafficking in which Israel was reprimanded for not suppressing the phenomenon of domestic workers held in conditions of slavery. The formal goal of the leg-
islative reform was to eradicate the modern phenomenon of human trafficking, whereby women and children from poor countries are trafficked for purposes of prostitution and forced labor.\textsuperscript{107} Israel's legislative approach to the offence of enslavement appears to be consistent with various international protocols\textsuperscript{108} and is implemented through Section 375A of the Israeli Penal Code. The main structure of the legislated offence of enslavement contains three basic constructs:\textsuperscript{109} the main criminal elements of the offence of keeping a person in conditions of slavery; the aggravated circumstances of such an offence; and the legal definition of slavery. The section reads as follows:

\begin{quote}
375A. Keeping under conditions of slavery:
(a) If a person keeps a person under conditions of slavery for work or services, including sexual services, then he shall be liable to sixteen years imprisonment.
(b) If an offense under subsection (a) was committed in respect of a minor, then the person who committed the offense shall be liable to twenty years imprisonment.
(c) In this article, "slavery" – a condition under which authority is exercised against a person, such as is generally exercised toward a person's property; for this purpose, actual control of a person's life or denial of his freedom shall be deemed the exercise of said authority.
\end{quote}

As we can see, the three main criminal elements of the offence of enslavement in Israeli criminal law are: the requirement to keep a person,\textsuperscript{110} nation of trafficking; however, it is making significant efforts to do so. Israel is placed on Tier 2 Watch List for its failure to provide evidence of increasing efforts to address trafficking, namely the conditions of involuntary servitude allegedly facing thousands of foreign migrant workers.

U.S. \textsc{State Dep't, Trafficking in Persons Report} (June 2006), \url{http://www.state.gov/documents/organization/66086.pdf}. This U.S. reprimand led to a substantial impetus to pass the legislative reform. See Prohibition of Trafficking in Persons, supra note 104, at 375A.

\textsuperscript{107} See \textit{Draft Bill Amending the Prohibition of Trafficking in Persons, 5766 – 2006, HH (Knesset) No. 91, p. 236 (Isr.). Prior to this legislative reform, the offence of human trafficking in Israeli law was restricted, and catered only to circumstances of prostitution.


\textsuperscript{109} See Penal Law, 5737 – 1977, § 375A (as amended) (Isr.).

\textsuperscript{110} Note that this definition aims to criminalize a particular aspect of human trafficking – holding and keeping human beings in conditions of slavery. See Penal
the requirement to keep the said person in conditions of slavery, and the requirement that the said keeping is done for the purpose of work or services supplied by the person who is kept in conditions of slavery. The Israeli Penal Code definition of slavery as “a condition under which authority is exercised against a person, such as is generally exercised toward a person’s property” is based on Article 1 of the 1926 Convention, which has been adopted by other developed states such as Australia, Scotland,

Law, 5737 – 1977, § 377A(a)(3) (as amended) (Isr.) (for other aspects of human commerce for the purpose of slavery, such as selling or buying a person).

111. Penal Law, § 375A(c).

112. The definition is extended to include services in general as well as sexual services, so as to also cater circumstances of keeping a person in conditions of slavery for purposes of prostitution. The legal wording of the relationship between the keeping of a person in conditions of slavery and the services the person supplies is unclear. It is also unclear whether the keeping of a person must be solely for the purpose of services or work, or whether some other value for the purpose of which the person is kept can fulfill the legal requirement. The specific value which will meet the definition of such a purpose is still open for future judicial interpretation, but in this case the court ruled that such keeping should be mainly for the purpose of receiving work or services from the kept person. See Israel v. D.A., at 76.

113. However, the Israeli definition deviated slightly from the traditional definition. While the U.N. definition bases the main characteristic of slavery on exercising attitudes of ownership over the held person, the Israeli definition of slavery bases the main characteristic of slavery on exercising attitudes of property towards a person. This difference in fact extends the offence and criminalizes a larger range of attitudes that include not only attitudes of ownership but attitudes of reification towards a human being, regarding him not as a human being entitled to respect, dignity and freedom, but as if he was a thing, a commodity, an object to be used as a means to an end. The decision to emphasize the main element of slavery as an attitude that objectifies the kept person rather than an attitude of ownership over him was headed by the legal advisors of Israel’s Ministry of Justice, based on U.N. comments on the inapplicability of the traditional limited U.N. definition of slavery to modern slavery:

Traditional slavery was referred to as “chattel slavery” on the grounds that the owners of such slaves were able to treat them as if they were possessions, like livestock or furniture, and to sell or transfer them to others. Such practices are extremely rare nowadays and the criterion of ownership may obscure some of the other characteristics of slavery associated with the complete control which a victim of slavery is subjected by another human being, as implied by the Slavery Convention’s actual wording, “any or all of the powers attaching to the right of ownership.


the U.S.,\textsuperscript{116} Italy,\textsuperscript{117} and Britain.\textsuperscript{118} However, the last part of the definition of slavery in Israeli law deviates from the traditional U.N. definition in its additional legal constructions of "actual control of a person's life or denial of his freedom" that are indicative of committing the offence of slavery.\textsuperscript{119} These significant additions to the legal definition (by which the charismatic cult leader was consequently convicted) extend beyond the traditional international definition of slavery\textsuperscript{120} and seem to refer to the offence of servitude.

In the 2015 decision in \textit{Siliadin v. France}, The European Court of Human Rights gave the main judicial ruling, which addressed the distinctive elements that differentiate modern day enslavement from the offence of servitude.\textsuperscript{121} In this trial, the European Court deliberated the case of an adolescent girl brought from Africa to reside with a French family as its domestic worker. The European Court maintained that despite the fact the domestic worker's autonomy was denied (her employer confiscated her passport and prohibited her from leaving the premises), this did not establish an offence of enslavement.\textsuperscript{122} While acquitting the indicted offence of enslavement, the European court concluded the offence of servitude had

\begin{itemize}
  \item \textsuperscript{117} Art. 600 C.p. Measures Against Trafficking in Persons, 11 agosto 2003, n. 228 (It.); \textit{See also} Rome Statute of the International Criminal Court art. 7(2)(c), July 1, 2002, 2187 U.N.T.S. 38544.
  \item \textsuperscript{118} Coroners and Justice Act 2009, c. 3, § 71 (Eng.).
  \item \textsuperscript{119} Penal Law, 5737-1977, § 375A (as amended) (Isr.).
  \item \textsuperscript{120} This legislative approach is in line with approaches that regard the basic tenet of modern slavery as harmful to the kept person's human right to dignity, personal autonomy and freedom. \textit{See} Supplemental Convention, \textit{supra} note 2, Preamble; \textit{see also} Model Law to Combat Trafficking in Persons (2009), \url{https://www.unodc.org/documents/human-trafficking/UNODC_Model_Law_on_Trafficking_in_Persons.pdf}. These legislative additions are in line with recently proposed state legislation in the U.S. that defines the core criminal element of slavery and servitude as offences against human dignity and freedom. Comm. on Suggested State Legis., 66 Council of State Governments 68 (2007). The outlook that views the core of the crime of enslavement as an offence against human freedom is reflected in the decision of several legislators to place such offences in chapters of the Penal Code that pertain to crimes against human freedom [for example, criminal offences of false imprisonment and abduction. \textit{See, e.g.,} NEB. REV. STAT. § 28-314 (2002); ARIZ. REV. STAT. § 13-1304 (2001)]
  \item \textsuperscript{121} \textit{Siliadin v. France} (No. 73316/01), 45 Eur. Ct. H.R. 962 (2005).
  \item \textsuperscript{122} The court held that she was paid for her work as a domestic worker and that her living conditions in the family house were reasonably acceptable. It also ruled that the relationship between the employers and the applicant did not culminate in the exercise of ownership, and that the employers did not regard her as a thing to be used. \textit{Id.} at paras. 40, 122.
\end{itemize}
been established as a matter of legal fact in this case.123 This decision was based on the 1956 Supplementary Convention, which states the essence of the offence of servitude lies in the denial of a victim’s personal autonomy for the sake of his work or services.124 The European Court ruled the conditions under which the domestic worker was held resembled those of servitude.125 By doing so, the judicial ruling in the Siliadin case formulated the legal distinction between the criminal offence of enslavement and that of servitude.126 In differentiating between the two, the court concluded that while both criminal offences share the element of keeping a person for the purposes of work or services in conditions that completely control and deny his personal freedom, they differ in the particular authority exercised against the kept person.127 The offence of enslavement includes attitudes whereby the victim is reduced to the status of an object or a thing to be used, while exercising such an attitude is not required in order to establish the offence of servitude.128

123. Id. para. 129.

124. The European Court did not base the legal foundations of this conviction on the traditional 1927 U.N. definition of slavery, but rather on the 1956 U.N. Supplementary Convention on the Abolition of Slavery, which defines serfdom as the condition of a tenant who must render services to the land owner, while being unable to change these conditions. Similar legislation appears in Section 98 of the New Zealand Penal Code: Crimes Act, Part 5 – Crimes Against Public Order, Section 98. The 1956 U.N. supplementary Convention, distinctly distinguished between the offences of enslavement and servitude, and treated the offence of servitude in a separated clause. In clause (1b) the Supplementary Convention defines the main elements of the offence of servitude as follow: “1(b) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labor on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status.” Supplemental Convention, supra note 2.


126. Following this distinction, the offence of enslavement was deemed to include the exercise of ownership over the kept person, while the core element of the offence of servitude was deemed to include the exercise of complete control over the kept person and denial of his personal freedom. Siliadin, 45 Eur. Ct. H.R. paras. 123, 124.

127. See id. paras. 123-29.

128. The court notes at the outset that, according to the 1927 Slavery Convention, “slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.” Id. para. 122. It also notes that this definition corresponds to the “classic” meaning of slavery as it was practiced for centuries. Id. Although the applicant was, in the instant case, clearly deprived of her personal autonomy, the evidence does not suggest that she was held in slavery in the proper sense, in other words, that Mr. and Mrs. B. exercised a genuine right of legal ownership over her, thus reducing her to the status of an “object.” Id.
Because the Jerusalem District Criminal Court convicted the cult leader of the offense of enslavement of his followers (in spite of its own ruling the defendant had not actually exercised attitudes of ownership or objectification towards his victims), it is probably safe to assume the court should have convicted the charismatic cult leader for keeping his followers in conditions of servitude and not in conditions of enslavement. Because the legal conclusions concerning the charismatic cult leader\(^{129}\) were similar to those in the Siliadin case,\(^{130}\) a more accurate and ‘fair labelling’ of the statutory offences\(^ {131}\) could have led to a more appropriate conviction (and sentence) for the offence of criminal servitude in the charismatic cult. The legal reasoning that informed the court’s decision seems to have labelled the offence inaccurately, something which may hinder the achievement of real justice for the accused and the victims alike. The judges in the Jerusalem Court in this case could not have convicted the defendant for servitude, the more accurate labelling of the offence, because the Israeli Penal Code (like most current penal codes) does not provide a statutory distinction between the two criminal offences and treats them conjunctly.\(^ {132}\) Thus, while the European judicial precedent clearly distinguishes between the two criminal offences, the Penal Code of Israel and of many other countries still treat these two offences, enslavement and servitude, interchangeably.\(^ {133}\)

\(^{129}\) The conviction was based on the defendant’s complete control over the followers and denial of their personal freedom by holding them in conditions of slavery for the sake of the money they collected in their daily beggary. Israel v. D.A., at 79-80.

\(^{130}\) In the sense of having complete control over the victims and denying their freedom, without reducing them to mere objects or things to be used. Id. at 80.


\(^{132}\) See Penal Law, 5737 – 1977, § 375A (as amended) (Isr.).

\(^{133}\) U.S. CONST. amend. XIII (“Neither slavery nor involuntary servitude . . . shall exist within the United States, or any place subject to their jurisdiction.”). TVPA, at 1464 (“An Act: To combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, to reauthorize certain Federal programs to prevent violence against women, and for other purposes.”). TVPA, § 103(8)(B) (“(b) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage and slavery.”); See Convention for the Protection of Human Rights and Fundamental Freedoms, Nov. 4, 1950, 213 U.N.T.S. 221, art. 4 (“1. No one shall be held in slavery or servitude. 2. No one shall be required to perform forced or compulsory labour.”); See Coroners and Justice Act 2009, c. 3, § 71.1 (Eng.) (“A person (D) commits an offence if: (a) D holds another person in slavery or servitude and the circumstances are such that D knows or ought to know that
Legal logic can undoubtedly be found in the convergence of enslavement and servitude. The two offences share many characteristics: they both require a substantial degree of control over the kept person; there are similarities regarding possible aggravated circumstances of the offence; sociological similarities with respect to the typical victim; criminological similarities between the particular realm of the crime; and certain similar case law constructions regarding the victims’ consent and the nature of the coercion exerted to lure and hold the victim in such enslavement conditions. Nonetheless, despite the numerous similarities, in the Siliadin case the court ruled the offence of enslavement requires the exercise of ownership or objectification of the kept person (for example by committing commercial acts such as the sale and purchase of the kept person), which are not required in the offence of servitude.

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the person is so held, or (b) D requires another person to perform forced or compulsory labour and the circumstances are such that D knows or ought to know that the person is being required to perform such labour.

134. The Actus Reus of “substantial control over the kept person” includes social interpretations as following: confiscating and withholding the victim’s personal certificates, physically restraining the victim from leaving the living premises, administering threats in order to prevent the victim’s escape, isolating the victim from possible social contacts with society, friends and family, transferring and trading the victim, and objectification of the victim by physical abuse or such. CrimC (Jer) 13646-11-10 State of Israel v. Julani Ibrahim and Basma Ibrahim, para. 11 (2011) (Isr.) [hereinafter Israel v. Julani].

135. Possible aggravated circumstances of slavery-like offences include prevention of the victim’s medical treatment, adequate clothing, shelter, food consumption and social security (such as long working hours with no days off and for a meager salary). Id.

136. Such noted vulnerable characteristics of the victims include gender (mainly women), residing as foreigners in the country where they are traded, and most of the time have the status of are illegal immigrants. These victims usually originate from very poor countries, have a personal background of familial problems, and little education or low personal intelligence. Id.

137. Slavery-like criminal offences are often committed within the global sex trade and frequently connected to corruption. See Abolishing Slavery, supra note 1, at 18-27.

138. Israel v. Julani, paras. 12-13 (ruling that they can both be perpetrated in spite of the victim’s consent, despite the fact that the victim could practically escape from the place in which he/she has been kept, and ruling that the offences can be committed without applying physical coercion but through mental and psychological constrain).

139. While servitude could be committed without such attitudes towards the kept person, as long as the victim is completely controlled by the accused, for the sake of his work or services. Siliadin, 45 Eur. Ct. H.R. at paras. 123-124.
In the Jerusalem Court Conviction, the Jerusalem court ruled that, although the defendant did not exercise ownership over or objectify the female cult members, he did commit the offence of enslavement against them, based on the extent of his control over them, for services they supplied. In this respect, the precedent of the Jerusalem Court is in line with Weissbrodt and Anti-Slavery International’s suggestion that in the modern context both elements—control and ownership—should be central to identifying the elements of slavery. Following this line of thought, the Jerusalem Court accorded relevance to parameters indicating complete control over a person (such as the degree of restriction of the individual’s inherent right to freedom of movement; the degree of control over the individual’s personal belongings; and the existence of informed consent and a full understanding of the nature of the relationship between the parties) as criminal evidences indicative of a contemporary form of slavery.

III. A SOCIO-LEGAL PERSPECTIVE ON SLAVERY-LIKE OFFENCES IN CHARISMATIC CULTS

The main legal elements that constitute ‘slavery-like’ offences (both enslavement and servitude) are inextricably linked to the characteristics of charismatically led groups. Following the European Court of Human Rights ruling in the Siliadin case and the recent Israeli Penal definition as exercised by the Jerusalem Court ruling, these slavery-like offences share three main legal elements: (1) keeping a person, (2) with complete control over the kept person, (3) for purposes of work or services extracted from the kept person. While the third element is self-explanatory and can easily be established evidentially, the other two required legal elements are not as clear-cut. Possible interpretations of the legal meaning of ‘keeping a person,’ and having ‘complete control over him,’ give way to ample sociological and psychological evidence that may be deemed to be relevant to the judicial criminal procedure. We will attempt to clarify how case law interpreted such legal requirements and extrapolate possible socio-legal implications for charismatic cults.

140. See Abolishing Slavery, supra note 1, at 7.
141. Id.
142. See Siliadin, 45 Eur. Ct. H.R.; see also Israel v. D.A.
143. The legal definition is explicitly broad and includes work or services, including sexual services. See Penal Law, 5737 – 1977, § 375A(a) (as amended) (Isr.).
A. 'Keeping a person'

Case law interpretations regarding the criminal requirement to harbor or 'keep a person' emphasize the victim's consent, and the fact the victim could have physically escaped from the premises but did not do so, are immaterial for establishing slavery-like offenses were committed. These judicial constructions were declared by the U.N., which explicitly stated the victim's consent to slavery is immaterial in order to establish the offense was committed. Likewise, judicial constructions that regard evidences of possible escape from the conditions of being kept as legally immaterial were recently enacted in the Australian Criminal Code, which states: "The victim may be in a condition of servitude whether or not: (a) escape from the condition is practically possible for the victim; or (b) the victim has attempted to escape from the condition."

The Jerusalem Court did in fact address the women's consent to the cult's way of life and its dire personal consequences, and ruled that they were legally 'kept,' notwithstanding their consistent testimonies in which

144. See Prosecutor v. Kunarac, Case No. IT-96-23 & IT-96-23/1-A, Judgment, para. 120, (Int'l Crim. Trib. for the Former Yugoslavia June 12, 2002) [hereinafter Kunarac] (for the ruling that the victim's consent to the offence is immaterial to the commitment of the offence). See id., para. 255 (with regard to the irrelevance of the fact that escape from such conditions was practically possible).

145. Council of Europe Convention on Action Against Trafficking in Human Beings art. 4, May 16, 2005, C.E.T.S. No. 197 (stating "the consent of a victim shall be irrelevant" where any means of coercion have been used).

For the purposes of this Convention: (a) 'Trafficking in human beings' shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (b). The consent of a victim of 'trafficking in human beings' to the intended exploitation set forth in sub-paragraph (a) of this Article shall be irrelevant where any of the means set forth in sub-paragraph (a) have been used.

Id. The UN declaration further states that the definition of coercive methods is extensive and broad enough to include as stated in section (a) of article 4: "by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments." Id. art. 4.

146. Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Act 2013, (Cth) s 270.4 (Austl.).
they expressed their full consent to live within the cult’s confines.147 The court explicitly referred to the legal irrelevance of the fact that the women and children remained in such conditions while they could have physically escaped, and elaborated on the evidence indicating the cult’s isolated location and way of life. The court linked this social isolation to the followers’ emotional and mental dependency on the cult and its charismatic leader, and concluded this factor substantially impaired the followers’ emotional and mental ability to leave the cult and its premises.148 In this respect, they were in fact ‘kept.’ To this sociological evidence the court added proof concerning emotional and mental punishments and coercive methods used against women and children who tried to leave the cult.149 In its ruling, the court relied on both characteristics (isolation and mental and emotional punishments for leaving the cult) as sufficient evidence to establish the first main criminal element of the offence—the requirement to ‘keep a person.’150

This socio-legal interpretation of ‘keeping a person’ in circumstances of charismatic cults was well documented in the *Ivon Shearing* case.151 Shearing, the former leader of the Canadian based movement the Kabalarian Philosophy provides another example of a charismatic leader who used his authority and position to mentally and emotionally ‘keep’ his victims.152 According to court transcripts, “[i]n addition to barring enlightenment to members who challenged his authority, Shearing also told members harm would befall them if they ever left his protection and the protection the movement afforded them.”153 One witness testified Shearing had told her that her brother’s fiancée had been murdered because the fiancée “had chosen not to live a principled [and therefore Kabalarian] life.”154 Shearing depicted the world outside of the Kabalarian Philosophy as dan-

148. *Id.*
149. Children were ‘abducted’ from runaway mothers, and with regard to children the court noted that those who tried to escape were severely punished physically by both the cult leader and the wives. *Id.* at 72.
150. *Id.* at 71-75.
153. *Id.* at 20 (referring to a particular member who rejected the sexual advancements Shearing made towards her during a supposed therapy session. As punishment, Shearing stated that he could no longer help her to eliminate the negative planes of mind that “were negatively affecting [her] in spiritual, social, or emotional ways.”) (quoting R. v. Shearing, 3 S.C.R. 33).
gerous and precarious, especially for the young girls in the movement. He specifically taught the young girls that the threat of being kidnapped, sold, sexually abused, and murdered in white slavery rings was real and a likely occurrence if one lived outside the security the Kabalarian doctrines provided. Although members of the Kabalarian Philosophy chose to follow Shearing and could physically leave the group's headquarters, his teachings reinforced the members' absolute reliance on him as the sole instrument of salvation. This mental and emotional bonding was paramount in the members' decision to remain in the movement.

B. 'Complete Control' over the kept person

As noted by Weissbrodt and Anti-Slavery International, the degree of control over the kept person can be indicative of a contemporary form of slavery. Of relevance to our discussion are recent legal interpretations of 'complete control,' which ruled such control over kept people can be achieved through mental and emotional methods, without specific application of physical coercion. The Kozminski case offered an opportunity for legal debates regarding the nature of controlling people through coercion while committing slavery-like offences. In this case, a husband and wife faced allegations of keeping two mentally disabled men in conditions of enslavement and servitude. Given that no physical coercion had been applied against the two teenagers, the case dealt extensively in the implications and possible influence of non-coercive methods used against kept persons. While the majority of the judges in the case favored the traditional constricted legal definition of coercion (defined in such offences solely in physical terms or relating to violence), the dissenting view of Judges Marshall and Brennan favored the application of a broader construc-

155. Id.
156. Id. at 20 (quoting R. v. Shearing, 3 S.C.R. 33).
157. Id. at 18 ("Part of the Kabalarian mythos included teaching members that Shearing was the only individual or man in the universe that can connect to the conscious plane of mind, and that he alone possessed the link between the sacred and the mundane world.") (internal quotations omitted).
158. Id.
159. Id.
160. See Abolishing Slavery, supra note 1, at 7.
163. Id.
164. Id.
tion of the nature of coercion for committing the offence of involuntary servitude.\textsuperscript{165} This construction would:

prohibit the compulsion of services by any means that, from the victim's point of view, either leaves the victim with no tolerable alternative but to serve the defendant or deprives the victim of the power of choice. Under this interpretation, involuntary servitude would include compulsion through psychological coercion as well as almost any other type of speech or conduct intentionally employed to persuade a reluctant person to work.\textsuperscript{166}

It is worth noting the U.S. Government concurred with this broader definition of coercion in contemporary forms of slavery-like offences.\textsuperscript{167} It advocated to adopt a "broad construction" of 'involuntary servitude' and argued a broader legal doctrine is compatible with various possible modern cases of involuntary servitude.\textsuperscript{168} Of significant relevance to our discussion is the opinion of the U.S. government that such broad legal construction can apply to cases of charismatic leaders: "the Government’s construction would cover a political leader who uses charisma to induce others to work without pay or a religious leader who obtains personal services by means of religious indoctrination."\textsuperscript{169}

The majority of the court in the \textit{Kozminski} case did not accept the U.S. government’s broad view of coercion regarding slavery-like offences.\textsuperscript{170} However, it was later specifically legislated by government enactment of a federal criminal law that statutorily and explicitly broadened the definition of the nature of coercive methods that may be used against victims of involuntary servitude.\textsuperscript{171} By legislating the amendment, the U.S. government clearly stated its legal opposition to the strict legal definition of coercion in slavery-like offences, noting such a restricted definition might exclude other coercive conduct that could have the same purpose and effect.\textsuperscript{172} This legislative enactment is consistent with the dissenting views of Judges Mar-

\begin{itemize}
\item \textsuperscript{165} See id.
\item \textsuperscript{166} Id. at 949.
\item \textsuperscript{167} Id.
\item \textsuperscript{168} See Brief for Respondent at 4, Stormans, Inc. v. Wiesman, 794 F.3d 1064 (9th Cir. 2015). See also, Brief for the Int'l Soc'y for Krishna Consciousness of Cal., Inc., as Amicus Curiae, Supporting Petitioners, Stormans, Inc., 794 F.3d at 1064; Kozminski, 487 U.S. at 931.
\item \textsuperscript{169} See Kozminski, 487 U.S. at 931 (emphasis added).
\item \textsuperscript{170} Id.
\item \textsuperscript{171} See VTPA, § 103(2).
\item \textsuperscript{172} 22 U.S.C. § 7101(b)(13) (clearly stating the U.S. government's dissenting view on the majority ruling in the Kozminski case, that restricted the definition of coercive methods:}
shall and Brennan in the *Kozminski* case, and includes non-physical methods of coercion within the core legal requirement to exercise complete control over the kept person in slavery-like offences.\(^{173}\) Chapter 22, added to the U.S. Code,\(^ {174}\) explicitly extends the nature of coercive methods that can establish the offence of servitude: \(^ {175}\) "Involuntary servitude statutes are intended to reach cases in which persons are held in a condition of servitude through *nonviolent coercion.*"\(^ {176}\) Similarly, North Carolina recently extended the definition of the various methods through which the offence of servitude can be committed, specifically including "deception, coercion, or intimidation using violence or the threat of violence or by *any other means of coercion or intimidation.*"\(^ {177}\)

The Jerusalem Court conviction in the cult case espoused the broader legal definition of complete coercive control in contemporary forms of slavery-like offences. The Court relied on certain sociological characteristics regarding the nature of the relationship between the defendant and his victims in order to establish the legal construct of 'complete control.'\(^ {178}\) First, the court pointed to the cult leader's personal charisma and his overwhelming influence over followers, which culminated in their absolute commitment and obedience to his belief system, with its attendant daily by-products.\(^ {179}\) In this respect, the court did not rely on the strict definition of

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(13) In United States v. Kozminski, 487 U.S. 931 (1988), the Supreme Court found that section 1584 of title 18, United States Code, should be narrowly interpreted, absent a definition of involuntary servitude by Congress. As a result, that section was interpreted to criminalize only servitude that is brought about through use or threatened use of physical or legal coercion, and to exclude other conduct that can have the same purpose and effect.

173. See, e.g., id.; see also Kozminski, 487 U.S. at 931.
174. See VTPA.
175. VTPA, § 7102(6).
177. N.C. Gen. Stat. § 14-43.10 (2006) ("Definitions. (3) Involuntary servitude. - The term includes the following: a) The performance of labor, whether or not for compensation, or whether or not for the satisfaction of a debt; and b) By deception, coercion, or intimidation using violence or the threat of violence or by any other means of coercion or intimidation.") (emphasis added).
178. See generally Israel v. D.A.
179. Israel v. D.A., at 45 (The Jerusalem court noted that the wives 'blindly believed' in the defendant and thoroughly adored him).
coercion that requires a physical element, and linked the defendant's personal charisma and social position to his ability to use coercion against his followers.\textsuperscript{180} This mental and emotional coercion eventually culminated in the followers' routine begging in public in order to collect donations and money that were immediately handed over to the cult leader for his exclusive use.\textsuperscript{181} To further establish the legal construction of the leader's 'complete control' over the followers, the court indicated the followers were required to request the cult leader's permission for every trivial daily action.\textsuperscript{182} The court also took note of one sociological aspect of the victims, namely that they were women and children, in order to conclude their social position in the cult hierarchy was vastly inferior to that of the leader, with his overwhelming influence and his coercive power.\textsuperscript{183} In an effort to explain the members' total submission to the defendant, the court noted the gradual process of bonding that developed between the leader and his wives.\textsuperscript{184} According to the court, this total bonding (that led to mental and emotional coercion), was achieved through a two-stage process.\textsuperscript{185} First, the leader attracted women who were in the midst of a personal crisis and in search of a meaningful transcendental experience and overwhelmed them with his charismatic religious authority and his personal benevolence and kindness.\textsuperscript{186} Only then, once the women were completely and utterly infatuated with him, did he require them to sever all previous family ties and demanded their total commitment.\textsuperscript{187} According to the court, this gradual process of mental isolation, accompanied by their emotional bonding with him, culminated in the wives' complete and total obedience to all his demands.\textsuperscript{188}

C. \textit{Enslaving a person for the purpose of 'Work or Service'}

Although self-explanatory in the legal sense, the criminal requirement that the victims be kept in order to use them for work or services merits a sociological perspective. Returning to Coser's concept of 'greedy institu-

\textsuperscript{180} See \textit{id}.
\textsuperscript{181} \textit{Id.} at 76-78.
\textsuperscript{182} \textit{Id.} at 2 (In the eyes of the Jerusalem District court the testimonies of the wives regarding the consent given by them to this frugal way of life, as well as their unequivocal approval of the leader's commands and religious vision, were legally, inmaterial.
\textsuperscript{183} \textit{Id.} at 47.
\textsuperscript{184} \textit{Id.} at 41-43.
\textsuperscript{185} \textit{Id}.
\textsuperscript{186} \textit{Id.} at 41.
\textsuperscript{187} \textit{Id.} at 42.
\textsuperscript{188} \textit{Id.} at 42-43.
tions’ and Galanter’s observation regarding its applicability to charismatic cults, the Jerusalem case shows how the institutionalization of ‘greediness’ in cultic circumstances is of utmost relevance to slavery-like offences.\textsuperscript{189} The case brings to light the fact that while the degree of objectification required for a conviction of slavery-like offences is not always clear, it is a paramount socio-legal element in the legal construction of the criminal exploitation of cult members. Sociological and religious literature dealing with charismatic groups and the service or work performed by the followers offers us another glimpse into the inner workings of a cult. Returning to Weber’s discussion of charisma, he notes if members recognize the charisma of the leader, then “individual patrons provide the necessary means for charismatic structures; or those to whom the charisma is addressed provide honorific gifts, donations, or other voluntary contributions.”\textsuperscript{190}

There are numerous examples of charismatic groups that have drawn the attention—and occasionally the scrutiny—of scholars and others because of the financial benefits these gifts, donations and contributions afford the leader. One such example is that of the Hare Krishna adherents who became “famous (or infamous) in the 1970s and 1980s for their solicitation by [the] ‘selling’ [of the group’s] books in airports and other public places in America”\textsuperscript{191} There are also lesser known groups such as the followers of the charismatic leader John de Ruiter, in which “members volunteer to perform the many duties associated with the running of de Ruiter’s corporation, Oasis, Edmonton Inc.”\textsuperscript{192} According to de Ruiter’s volunteer publications, “[t]he group’s volunteer form has 62 categories of skills that it asks members to contribute, from typing and baby-sitting to welding and masonry.”\textsuperscript{193}

In both examples, there is a clear commitment of some kind required of members in order to maintain the ongoing day-to-day operations of the movement. While all religious institutions collect money from members through tithing, volunteering, or the like, what typically sets charismatically led cults apart from their ‘traditional’ counterparts is the leader’s sole discretion to decide how the money will be spent. Much like charismatic au-

tority itself, this is not a democratic affair.\textsuperscript{194} Hence, in circumstances of charismatic cults, rigorous exploitation of the cult members’ work or services through ‘greedy’ institutionalized demands and overwhelming social expectations may, in extreme cases, establish the criminal element required for slavery-like offences.

**CONCLUSION**

Picking up from where the U.N. 2002 report on contemporary slavery left off (i.e. calling for a better understanding of the definitions and the circumstances of contemporary slavery-like practices),\textsuperscript{195} this Article attempted to further crystallize the appropriate legal analysis of slavery-like offences within circumstances of charismatic cults. In doing so, it extrapolated theoretical insights from socio-legal literature and corroborated them with empirical analysis of a recent cultic criminal case. This Article highlighted possible implications and areas for future socio-legal analysis and treatment of slavery-like offences within various social circumstances. The discussion, however, is by no means exhaustive and further analysis and treatment are warranted.

Charismatic cults are not inherently criminal. However, charismatic leaders share certain sociological characteristics that may predispose them to criminal behavior towards their cult members. The main characteristics, separately and taken together, may provide the foundation for inherent volatility and may potentially lead to the followers’ criminal abuse by the charismatic leader. The main sociological characteristics include adoration and admiration of the charismatic leader, the leader’s almost absolute mental and emotional control over his followers, and the followers’ personal devotion to the charismatic leader, expressed by providing work, money, and

\textsuperscript{194} Take Bhagwan Shree Rajneesh for example, who was described by Urban as “[k]nown for his shocking attacks on traditional religious and political institutions, for his very open sexual practices, and for his shameless accumulation and spending of wealth (such as purchasing a fleet of 93 Rolls Royces).” Hugh B. Urban, *Zorba The Buddha: Capitalism, Charisma and the Cult of Bhagwan Shree Rajneesh*, 26(2) RELIGION 161, 164 (1996). The example of Rajneesh’s outrageous spending illustrates the almost boundless limits charismatic leaders enjoy. However, it is important to note that while “the charismatic structure [. . .] knows no agency of control or appeal, no local bailiwicks or exclusive functional jurisdictions.” Max Weber, *Sociology of Charismatic Authority*, in *ON CHARISMA AND INSTITUTION BUILDING* 18, 20 (S.N. Eisenstadt ed., 1968). There exists a sense that in return for donations, a follower should receive “the dissemination of, or the promise of the dissemination of, [extraordinary and invaluable] knowledge.” JANJA LALICH, *BOUNDED CHOICE: TRUE BELIEVERS AND CHARISMATIC CULTS* 19 (2004).

\textsuperscript{195} See Abolishing Slavery, supra note 1, at 4.
services. In charismatic cults, the volatility characterizing charismatic leadership (i.e. the volatile nature of the leader's social interactions with his followers and his tendency to institutionalize a 'greedy institution'), coupled with cultic 'totalistic milieu control,' may ultimately lead to criminal behavior.

Legally speaking, and with particular reference to the legal treatment of contemporary slavery-like criminal offences, the analysis underscores a growing need for an explicit and detailed statutory definition of different slavery-like offences (enslavement versus servitude), and their specific criminal elements and circumstances. We also learned the key criminal elements of these offences (keeping people, with complete control over them, for their work or services) are consistent with the characteristics of charismatic cults found in theoretical literature that discusses the connection between charismatic cults and violence. Moreover, this Article reinforces the important role of mental, emotional, and social factors in the three main criminal elements of slavery-like offences. Such insights suggest further socio-legal aspects should be taken into account in constructing legal definitions of slavery-like offences and when courts make judicial decisions in such criminal cases.

In particular, there is a need for further statutory constructions that will incorporate the irrelevance of the victim's consent and of his/her physical ability to escape to the offence of slavery. This should go hand-in-hand with explicit statutory inclusions of mental and emotional methods of coercion. These are imperative for the proper treatment of slavery-like offences in general and slavery-like offences in circumstances of charismatic cults in particular. Federal legislators in the U.S. and the judges in the Jerusalem District Court were recently willing to venture into undertaking the complex yet unfinished construction of a legal construction of slavery-like offences, taking into account the array of socio-legal factors that play a role in these offences in general and in circumstances of charismatic cults in particular. Perhaps the time has come for other lawmakers and courts to emulate them and follow in their footsteps.