Waco: Ten Years After

2003 Fleming Lectures in Religion

Edited by

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FOREWORD

On February 27, 2003, one day before the tenth anniversary of the Bureau of Alcohol, Tobacco, and Firearms [BATF] raid on the Branch Davidian compound—Mt. Carmel—near Waco, a symposium was held at Southwestern University in Georgetown, Texas. Approximately ninety miles away from the site of this tragedy, the University was both close enough and far away enough to make the anniversary topical but distanced from the embarrassment and shame felt in Waco itself. The symposium—"Waco: Ten Years After"—was part of a long and hoary series, the Fleming Lectures in Religion, endowed by St. Luke's United Methodist Church, Houston, in honor of Lurlyn and Lawrence Durwood Fleming. The last was president of Southwestern University from 1961-1981. Past lecturers have included such notables as Samuel Terrien, Robert Bellah, and Rosemary Radford Ruether.

Now the symposium was also part of a course that I taught in the spring semester of 2003, "Dystopia, Utopia, and Apocalypse," for which I had received a Cullen Development Grant from Southwestern University. Conceived as an examination of New Religious Movements [NRMs} and their perceived "otherness", I had determined that at least three Texas NRMs would be part of the course smorgasbord—and for this the Branch Davidians were admirably local and available. I had one other experience that created a satisfying nexus of interests—I myself had been part of a New Religious Movement that had touched Texas in the early 1970s. My experience as a young man in a Jesus Movement group, Shiloh Youth Revival Centers, not only gave me an emic view of a particular NRM, but also allowed for the possibility of translating, the communal, the utopic (and dystopic), and the apocalyptic to a generation for whom these things were mostly alien. Indeed, the events at Waco themselves just barely entered the historical memories of these students. One said to me: "I knew *something* had happened there."

Some might wonder whether such an endeavor to preserve a memory of untoward events surrounding the life of a decidedly minority religious experience is worth the effort.

As I am writing this I am reading the advertisement for a local community lecture titled, "Killer Cults." The description reads: "Killer cults tend to be led by charismatic megalomaniacs who pit themselves and their 'churches' against the rest of the world. They are usually apocalyptic visionaries drunk with lust and power that have physical and sexual control over their followers." The speaker, an M.D., will also give "some speculation ... as to the reasons why people join cults." This announcement both wonderfully embodies the contemporary media myth of "the cult," and also epitomizes the *opposite* of what the reflections that follow will show.

This collection offers the work of two religious studies scholars and two sociologists of religion. The first Fleming Lecturer, Catherine Wessinger, is Professor of Religious Studies at Loyola University, New Orleans and is co-editor of *Nova Religio*, the premier journal in the field of New Religious Movements. Among her five books and 33 book chapters and journal articles, *How the Millennium Comes Violently: From Jonestown to Heaven's Gate* illustrates her tripartite model of the relative risk that an NRM might initiate or be the target of violence. She has researched the Garland, Texas group, Chen Tao, has begun collecting oral histories from Davidian survivors, and edited a volume, *Millennialism, Persecution, and Violence: Historical Cases, à propos* of the subject at hand.

Born in Lubbock, Texas, James T. Richardson is Professor of Sociology and Judicial Studies at the University of Nevada, Reno. Richardson is the Director of the Master of Judicial Studies Program, one that gives advanced training to trial judges from throughout the U.S. Richardson has also worked as a Visiting Professor at the London School of Economics, had a Fulbright Fellowship to the University of Nijmegen (Netherlands) and had appointments at the Universities of Queensland, Sydney, and Melbourne (Australia). Among his six books and 150 journal articles, he has written widely on the "cult controversy" and the legal treatment of New Religious Movements, and so given "expert testimony" in a number of cases involving NRMs.

Stuart A. Wright is Professor of Sociology and Assistant Dean of Graduate Studies and Research at Lamar University in Beaumont, Texas. Wright has written extensively on NRMs including two books: *Leaving Cults: The Dynamics of Defection*, and an edited volume, *Armageddon in Waco: Critical Perspectives on the Branch Davidian Conflict.* His work has led him to examine the connections between the Oklahoma City bombings and the Branch Davidian disaster distilled in a forthcoming work: *Domestic Terrorism and the Oklahoma City Bombing: Explaining Rage and Revolt.*

In addition, Mike McNulty, famed researcher and a producer of the films*, Waco: The Rules of Engagement* and *Waco: A New Revelation,* members of the Waco press, Mt. Carmel survivors, and the students themselves made lively contributions to the symposium. Davidian survivor, Clive Doyle, described his escape from the burning compound, the flesh of his hands melting in front of him as he listened to the screams of his adult daughter some ways behind. She did not make it out. Catherine Matteson, another survivor, spoke of her messianic hope in the return of David Koresh with the remainder of the Seven Seals of *Revelation* explained. One student wondered aloud if part of the vehemence of law enforcement's reaction to the Davidians might have something to do with their mixed race community and interracial marriages. I have include several student response papers to the symposium—those of Leslie Nairn, Blayne Naylor, and Lesley Sheblak—to illustrate how students experienced and reflected on all they saw and heard.

As one born out of due time, my own paper, "The Branch Davidians and the *Bacchae,*" was presented to the *Society for Values in Higher Education*'s Religion and Violence Group during the summer of 2003. It posits the inevitable question, "Why *did* all this happen?" I find some carrion comfort from the fact that such things have occurred before—this is only a recent example—and exercised one of the greatest of the Greek playwrights. It is a consolation, albeit a small one, to know that the Waco disaster has a mythic parallel and so a genesis in the broad human condition. I wonder to myself: "If law

enforcement had received a liberal education that included the *Bacchae*, would they themselves have seen the similarities and acted differently?" Perhaps the power of a liberal education is just this—the possibility to reflect critically on human thoughts and deeds, including one's own, now and in the future.

My thanks to Eric Selbin, Professor of Political Science at Southwestern University and editor of this series, the *Brown Working Papers*; to Southwestern University for its funding in several forms that made the course, the lectures, my conference travel, and the *Brown Working Papers* possible; to my colleagues in the Department of Religion and Philosophy, Professors Elaine Craddock and Laura Hobgood-Oster, who believed in this project; all my insightful students in Rel 19-303 in the spring semester of 2003; the patience of the Mt. Carmel survivors; the speakers, Wessinger, Richardson, and Wright who readily made their papers available; and Jim Richardson, who suggested the idea of this work Of course, the mistakes in what is before you are mine; but the thanks are to all those who put their hands to the plow.

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September 2003

MOUNT CARMEL'S LESSONS ON MILLENNIALISM, PERSECUTION AND VIOLENCE

Catherine Wessinger

Tomorrow, February 28, 2003, will be the tenth anniversary of the raid on the Branch Davidians' residence and church, Mount Carmel, outside Waco, Texas, by 76 heavily armed agents of the Bureau of Alcohol, Tobacco, and Firearms (BATF). This raid precipitated a 51-day siege controlled by agents of the Federal Bureau of Investigation (FBI) that culminated in the fire on April 19, 1993. These events took the lives of four BATF agents and a total of 80 Davidians, including 23 children, two of which were born in the fire. Many other people were injured, with physical and/or emotional wounds. These deaths and injuries were entirely preventable and unnecessary. There were many peaceful means available to resolve the situation at Mount Carmel.

In the ten years since the violent events at Mount Carmel, scholars and other intensive students of this case have learned a lot about the interactive dynamics that cause violence to consume religious—often millennial—communities. Despite the tendency of the media to lump cases such as Jonestown, the Branch Davidians, and Heaven's Gate together as being the same—brainwashed fanatics who committed group murder and suicide—they are in fact different. It is questionable whether the Branch Davidians committed mass suicide, and if they did, it was under the extreme duress of the FBI CS gas and tank assault on April 19.

It is important to study these cases in depth to understand their causes in the hope that such knowledge will help prevent loss of life in the future. During my comparative study of cases of violence involving millennial groups, I have recalled the sign that hung over Jim Jones' chair in the Jonestown, Guyana, pavilion quoting Santayana and reading, "Those who do not remember the past are condemned to repeat it."

The scholars, including myself, who have studied these cases have all concluded that they are *interactive* in nature. *The quality of the interactions of people in mainstream*

society with members of religious communities is crucial for determining the potential for volatility. A mistake that the general public makes is to assume that the entire fault for these cases lies with the believers. To the contrary, the manner in which people in the wider society interact with the believers is vitally important in determining whether there will be a peaceful or violent outcome. The actors in mainstream society who make such a crucial difference include reporters, law enforcement agents, former members, concerned relatives, and anticult activists. Especially since the events at Mount Carmel in 1993, religion scholars have been attempting to educate law enforcement agents, reporters, and the general public about the interacting dynamics that produce these violent scenarios.

Psychiatrist Alan Stone, who served on the Justice Department panel of experts that investigated the incident at Mount Carmel, has said that the psychology of the law enforcement agents was more important for the tragic conclusion than the psychology of the Branch Davidians.[1] In Religious Studies terms, the events at Mount Carmel were determined by conflicts between the worldviews of the Branch Davidians, law enforcement agents, reporters, anticultists, and the general public. The worldviews of all these parties contributed to the tragedy.[2] The law enforcement agents, however, were the most heavily armed. Therefore their actions, motivated by their law enforcement worldview, had a determining effect. An illustration of this is a photograph of the tanks (the government calls them CEVs, Combat Engineering Vehicles), lined up outside the burning Mount Carmel after they had completed inserting CS gas and demolishing portions of the building by ramming and entering it. This photograph as it appears on the cover of my book, *How the Millennium Comes Violently: From Jonestown to Heaven's Gate*,[3] shows an American flag being flown by one of the tanks as the flames are consuming the building. Why did the men in the tanks feel that it was appropriate to fly an American flag—a symbol of patriotism, victory, and remembrance of those who have died for their country—while people inside Mount Carmel were dying? The use of flags at Mount Carmel reveals that the law enforcement agents regarded the Branch Davidian

community as an enemy to be conquered using military force. The Branch Davidians flew a flag bearing the Star of David and a fiery serpent on the flagpole at Mount Carmel's front door. After the Davidian flag burned in the fire, immediately law enforcement agents ran up three flags: the American flag, the state of Texas flag, and the BATF flag .[4]

The lessons of Mount Carmel raise questions about the desirability of the militarization of law enforcement in the United States. Peaceful means to address the situation at Mount Carmel were ignored. There was no need for the BATF "dynamic entry." Studies have documented that during the siege by the FBI, the tactical commanders consistently undermined the efforts of negotiators despite the fact that the negotiations were working: 14 adults and 21 children came out of Mount Carmel. Later in the siege, with the help of Bible scholars James Tabor and Phillip Arnold, David Koresh devised a means by which the rest of the Davidians could come out and reconcile that scenario with their understanding of biblical prophecies.[5] The remaining Davidians were preparing to come out of Mount Carmel just when the FBI launched the tank and CS gas assault on April 19, 1993.

The lessons of Mount Carmel seem even more relevant at this time just prior to the American invasion of Iraq, another instance of the militarized approach running roughshod over diplomacy. The militarized approach to resolving problems ignores the interactive nature of religious violence, and it overlooks the fact that the use of excessive force can motivate violent actions on the part of the people being attacked and can motivate violent reprisals carried out by other parties.[6]

Scholarly Studies of Religion and Violence since 1993

Whereas the Branch Davidian case was not adequately reported in 1993 in the news media, there was, in fact, a great deal of information in the public domain. This information has been highlighted in a number of books and articles published in the past ten years.

Scholars gave their initial reactions to the tragedy in a book edited by James R. Lewis, *From the Ashes: Making Sense of Waco*.[7] One of the first studies was produced by a journalist, Dick Reavis, *The Ashes of Waco,* published in 1995.[8] Reavis testified before Congress that while researching this story he discovered that he had no competition from other journalists; Reavis judged the Branch Davidian tragedy to represent a major failure of investigative reporting in the United States.[9] Also in 1995, sociologist Stuart A. Wright published his edited volume, *Armageddon in Waco.*[10] This book contains numerous important essays of which I will mention just one. The article by James T. Richardson, "Manufacturing Consent about Koresh,"[11] applies the work of Edward S. Herman and Noam Chomsky to the Branch Davidian case and discusses the power of the media to treat victims as "worthy" or "unworthy." Those victims deemed to be worthy by the media will receive coverage. Their faces, lives, and their grieving relatives will be depicted in the media. They will thus be humanized so that the public will be able to empathize with them. Victims deemed unworthy by the media will not have their faces, lives, or their grieving relatives depicted. They will be erased from view and thereby dehumanized. The public will not be encouraged to empathize with them. I always think of this distinction between "worthy" and "unworthy" victims when I see the extensive coverage given to the victims of the Oklahoma City bombing and the minimal coverage given to the Branch Davidian victims. Also in 1995 an important book by two Religious Studies scholars, James D. Tabor and Eugene V. Gallagher, *Why Waco? Cults and the Battle for Religious Freedom in America*, was published. It studies the Branch Davidian theology in detail as well as the contribution of anticult activism to the tragedy.[12]

A comparative approach to the study of millennialism and violence was initiated with the 1997 publication of a volume edited by Thomas Robbins and Susan J. Palmer, *Millennium, Messiahs, and Mayhem*.[13] John R. Hall with colleagues Philip D. Schuyler and Sylvaine Trinh made a comparative study of Jonestown, the Branch Davidians, the

Solar Temple, and Heaven's Gate in *Apocalypse Observed* (2000).[14] My book, *How the Millennium Comes Violently*, published in 2000, studied Jonestown (1978), the Branch Davidians (1993), Aum Shinrikyo (1995), the Montana Freemen (1996), the Solar Temple (1994, 1995, 1997), Heaven's Gate (1997, 1998), and Chen Tao (1998). My edited book, *Millennialism, Persecution, and Violence: Historical Cases*, also published in 2000, made a cross-cultural study of millennial groups that were involved in violence.[15] An important article in 2001 by James T. Richardson, "Minority Religions and the Context of Violence: A Conflict/Interactionist Perspective," highlights what all of these scholars have stressed, that these cases are *interactive* in nature.[16] The comparative approach was continued in a collaboration of Religious Studies scholars and sociologists in the book edited by David G. Bromley and J. Gordon Melton, *Cults, Religion, and Violence* (2002).[17]

The 2001 book by Jayne Seminare Docherty, *Learning the Lessons of Waco*, studies the transcripts of the negotiations from the perspective of conflict resolution while integrating a Religious Studies emphasis on the importance of understanding worldviews.

Other books, articles, and works have been important to understanding what happened at Mount Carmel. I will mention just a few. Carol Moore's book, *The Davidian Massacre* (1995) paid close attention to the tactical and technical details of the two assaults, the siege, and the criminal trial.[18] The video, *Waco: The Rules of Engagement*, gave a good overview of the case, the congressional testimony, and tactical details. Mike McNulty, the researcher for *Waco: The Rules of Engagement*, presented more of his findings concerning the technicalities of the assaults in two subsequent videos, *Waco: A New Revelation* and *The F.L.I.R. Project*.[19] Jack DeVault provides details of the criminal trial in *The Waco Whitewash* (1994).[20] Mark Swett performed an important service by collecting primary source materials and significant analyses on his website, "Waco Never Again!" and has recently donated these materials to the Texas Collection archive at Baylor

University in Waco.[21] David Thibodeau, a survivor of the fire, gave an insider's account of Mount Carmel in 1999 in *A Place Called Waco*.[22] Attorney David Hardy discussed the legal, bureaucratic, tactical, technical, and religious aspects of the case in *This Is Not an Assault* (2001). In 2001 *Nova Religio: The Journal of Alternative and Emergent Religions* published articles by Stuart A. Wright, James T. Richardson, Jean E. Rosenfeld, and Jayne Seminare Docherty in a print symposium on "Waco: Recent Legal and Political Developments." This symposium discussed the trial in 2000 of the wrongful death civil suit brought by Branch Davidians and their relatives against the government, and the 2000 Danforth report. These articles concluded that Judge Walter Smith in Waco was biased against the Davidians in the civil trial, and that the Danforth report failed to investigate key questions and omitted key evidence in order to exculpate federal agents.[23]

The February 28, 1993, BATF Raid

The deaths at Mount Carmel were unnecessary and were the result of religious bigotry and persecution. Labeling the group with the pejorative term "cult" shaped to a great extent the way federal agents treated the Davidians.

The attempted "dynamic entry" of Mount Carmel by BATF agents on February 28, 1993, was unnecessary.[24] The BATF search warrant alleged sexual abuse of girls and other abuse of children as a reason for the raid, and labeled the Branch Davidians with the pejorative term "cult" and David Koresh as a "cult leader."[25] However, the BATF and the federal government have no jurisdiction over issues of child abuse; this falls under the jurisdiction of the state. The Texas Department of Human Services had investigated allegations of child abuse and had closed the case for lack of evidence.[26] Robert Rodriguez, a BATF undercover agent had reported to the BATF that he had seen no illegal weapons at Mount Carmel. Furthermore, David Koresh had invited BATF agents to visit Mount Carmel openly to inspect his weapons. David Koresh had a history of cooperating with

investigations by law enforcement agents and social workers. There were many reasons that the BATF raid was unnecessary.[27]

Abuses were committed by the BATF agents in carrying out the February 28 assault. It is illegal for federal agents to use military equipment or personnel to assault civilians. The BATF agents had received Army Special Forces training prior to the assault; surveillance overflights were made by the National Guard prior to the assault; and National Guard helicopters were used in the assault. To get this training and access to military personnel and equipment, the BATF had falsely alleged that the Davidians were making drugs inside Mount Carmel. The 1996 congressional report concluded that this was a lie to obtain military training and support, since military equipment and personnel could be used against civilians in the war on drugs.[28]

The BATF raid plan had no provision to knock on the door and serve the warrant peacefully. Although which side shot first is fiercely disputed, armed agents at the front door and on the roof attempted to enter the building forcibly. The Davidians, including the women and children on the second floor, allege that the agents in the helicopters fired down on the building. I believe this allegation. The Davidians allege that the BATF agents started shooting first, and they called 911 begging that the shooting cease.

The BATF raid resulted in the deaths of four BATF agents, Todd McKeehan (28), Conway LeBleu (36), Robert Williams (27), and Steve Willis (32). Twenty BATF agents were wounded, some severely. Carol Moore in *The Davidian Massacre* concluded that at least some of these deaths were due to friendly fire. Five Davidians died as a result of the shootout with the BATF agents: Peter Gent (24) who was up in the water tower; Peter Hipsman (27); Winston Blake (28); Jaydean Wendell (34); and Perry Jones (64), David Koresh's father-in-law who went with Koresh to the front door to meet the approaching BATF agents. Michael Schroeder (29) was killed later that day as he attempted to return to Mount Carmel on foot.[29] The botched BATF raid on Mount Carmel resulted in the 51-day siege with FBI agents in control of the site.

James T. Richardson has pointed out that the FBI prevented the Davidians from communicating directly with the media; the Davidians were thus dehumanized by not being depicted in the media. Instead, the media bought into and disseminated the FBI assertion that the Davidians were brainwashed members of a "cult." As part of the negotiation process, which was done by telephone, not face-to-face, the Davidians were given a video camera to record their statements. The FBI did not release these videotapes to the media, but they were acquired after the fire by the Davidians' attorneys.

In order to humanize the Davidians to audiences, I have selected several clips from the Davidians' black-and-white videotapes. These clips depict the Davidians as ordinary people who were sincerely committed to their religious faith. The Davidians reiterated over and over that they were not being held hostage by David Koresh and that they could leave at any time. They were choosing to stay inside Mount Carmel, because they were waiting to see if God was going to fulfill certain prophecies at that time about the events that they believed would lead to the catastrophic destruction of the world, the resurrection, and God's judgment. In the video clips the voice of Steve Schneider (41) can be heard behind the camera. Bernadette Monbelly, a young black woman and British citizen, makes an intelligent statement protesting the forcible BATF raid saying such a thing "would never happen in England!" She states that she thinks the "big tanker toy[s]" outside are "childish," and the American government should listen to what David Koresh has to say before resorting to force. Bernadette protests the abrogation of the Davidians' right to freedom of religion, and her rights as a British citizen. After making her statement, Bernadette breaks into a grin and makes a silly face. Bernadette reminds me of my undergraduate students. She is thoughtful, committed to her faith, and playful. Judy Schneider Koresh (41) is seen with her daughter, Mayanah (2). Judy asserts that David Koresh went to the door to meet the BATF agents saying "don't shoot," but the agents started shooting first. Judy observes that the government is controlling the information that is being given to the press about the incident, "[y]ou're hearing a very perverted

press," and she invites American citizens to give thought to what is happening in our government. She displays her wounded finger and explains that she was hit by a bullet that went through her forefinger and then entered and exited her shoulder. At the end of Judy's statement, Judy and Mayanah smile and waive for their family members outside Mount Carmel. Doris Fagan, an older black woman from Britain, explains how she was a Seventh-day Adventist for five or six years, but until she met David Koresh and heard his teachings she really did not know what was contained in the Bible. She is at Mount Carmel to learn about God's prophecies in the Bible. My videoclip concludes with scenes of the wounded David Koresh, sitting on the floor leaning up against a wall with his guitar displayed beside him and surrounded by his children. Koresh's legal wife, Rachel Jones Howell (23), holding their child, Bobbie Lane Koresh (2), on her lap, protests the death of her father, Perry Jones, by saying, "Thanks a lot for killing my dad…. He was an unarmed man, and you guys just shot through the door and killed him. Thanks a lot." David, referring to the transition from the BATF agents to the FBI agents, compares the situation to getting beat up by a next-door neighbor and the older brother "comes over to investigate. Anyway we'll try to work this out." Rachel expresses her wish that it had not happened. David asserts that "it could have been dealt with differently."

A Religious Studies Approach to Understanding the Tragedy

When studying religions, I utilize a definition of religion as "ultimate concern," and define ultimate concern as being the most important thing to the believers.[30] I find this definition of religion to be very useful in understanding situations of life and death involving believers. Some believers hold to their ultimate concern so strongly that they are willing to kill, or die, or both, for their faith.

The Branch Davidians' ultimate concern was to obtain salvation by being obedient to God's will as revealed in the biblical prophecies about the endtime. They regarded David Koresh as a messiah who was divinely inspired to interpret the Bible. They

believed that Koresh was the messiah who would inaugurate key endtime events. During the negotiations, Steve Schneider stressed that the Davidians checked everything that Koresh said against the Bible. Schneider said that they were open to hearing other interpretations of the Bible, and after hearing Dr. Phillip Arnold discuss the Bible on a radio talk show, Schneider on March 15 asked that the FBI permit Arnold to discuss the biblical prophecies with Koresh.[31] This request was ignored by the FBI.

The Bible and Events at Mount Carmel

Eugene V. Gallagher has stressed that the Davidians were interpreting events according to biblical prophecies, but they were adjusting those interpretations in reaction to the unfolding events. In other words, the *context* (the current events) was determining the Davidians' interpretation of the *text* (the Bible). The actions of the federal agents (the *context)* were shaping the content of the Davidians' religious interpretations about the significance of those events in light of their understanding of the *text*.[32]

Based on the symbolic "Seven Seals" of Revelation, the Davidians believed that the godly community would be attacked by the agents of "babylon" (a biblical metaphor for evil), some of its members would be killed, and after a waiting period, the rest of the community would be killed at the hands of Babylon. The negotiation transcripts show that the Davidians did not want to die. They negotiated and hoped that this prophecy would not come true at that time. They were waiting to discern what God had in store for them. Some Davidians chose to come out of Mount Carmel. Some sent their children out. But the fact that the FBI agents punished the Davidians every time adults came out with psychological warfare—cutting off the electricity, blasting high decibel sounds, shining spotlights at them at night—just confirmed Koresh's interpretation that they were surrounded by the agents of Babylon. The psychological warfare increased the cohesion of the group and gave the Davidians little incentive to come out.[33] One does not have to be an expert in conflict resolution or psychology to see that these actions on the part of

the FBI agents prevented the building of trust in federal agents on the part of the Davidians.

Millennialism

Millennialism is belief in an imminent transition to a collective salvation, which may be either earthly or heavenly. Millennialism involves the expectation of the imminent establishment of the kingdom of God.

The Branch Davidians were believers in what I have termed *catastrophic millennialism*. Catastrophic millennialism is belief that the transition to the collective salvation will be accomplished by the violent destruction of the old order. I use *apocalypticism* as a synonym for catastrophic millennialism. Catastrophic millennialism involves *dualism*, a perspective that is focused on a conflict between "good" and "evil." When one has a dualistic worldview, it is easy to slip into a sense of "us" versus "them." In *How the Millennium Comes Violently*, I used the phrase *radical dualism* to refer to a very rigid black-and-white perspective.

Both the Branch Davidians and the law enforcement agents had dualistic worldviews. This is commonly seen when two parties are locked in conflict. The law enforcement agents were seeing the situation in terms of the "good guys" versus the "bad guys." I believe that the dualism of the law enforcement agents was more rigid than that of the Davidians, because the Davidians kept holding out the possibility of salvation to the law enforcement agents, a fact that continually frustrated the negotiators who did not want to talk about religion or hear Koresh's "Bible babble."

Millennialism and Violence

I have been struck, that in cases of violence involving religious groups, usually the religion will be millennial. Millennialists are not necessarily violent. A range of behaviors is associated with millennialism: there are millennialists who either wait for divine

intervention to destroy the world as we know it (catastrophic millennialists), or who engage in social work according to their understanding of divine will to create the millennial kingdom (progressive millennialists); there are millennialists, like the Branch Davidians, who are armed for self-defense and will fight back if they are attacked; there are revolutionary millennialists, both catastrophic and progressive, who initiate violence to overthrow the current order and establish the collective salvation on Earth.[34]

When violence engulfs a millennial group, the millennialists are not necessarily the ones who initiate the violence. Religious violence is always *interactive*. The manner in which actors in mainstream society—law enforcement agents, reporters, former members, concerned relatives, anticultists—interact with the believers determines the potential for volatility.

Millennial groups that become involved in violence are not all the same. There are *fragile millennial groups, revolutionary millennial movements,* and *assaulted millennial groups.* These categories are not mutually exclusive, and a group or movement may shift from one to another depending upon the circumstances.

Fragile Millennial Groups

Fragile millennial groups initiate violence to preserve their ultimate concern. They are fragile due to internal weaknesses and pressures coming from outside that threaten the success of their ultimate concern. For instance, Jonestown was a fragile millennial group. The ultimate concern of the Jonestown residents was to preserve their community at all costs. When it appeared that their community was falling apart, the Jonestown residents in 1978 took the drastic action of assaulting and killing some of their perceived enemies and then committing group suicide in which over 900 people died.

The Branch Davidians were not fragile, except perhaps at the very end. The BATF assault on February 28, 1993, and the 51-day siege by the FBI confirmed Koresh's prophecies and enhanced the cohesion of the group inside Mount Carmel. *It is*

possible that the Branch Davidians became fragile during the FBI tank and gas assault on April 19, 1993, and some of the Davidians set fires. John R. Hall has noted, however, that the deaths at Mount Carmel on April 19, lacked the ritualistic quality of the mass suicide at Jonestown, while Mark Swett has concluded from FBI bug tapes that some of the Davidians set the fires.[35] *If* Davidians set fires, they did so under the extreme duress of a CS gas and tank assault. Some Davidians may have interpreted that assault as meaning that the prophecies in the Bible did indeed mean that God intended for them to die there at the hands of Babylon in order to initiate the endtime events.

Revolutionary Millennial Movements

Revolutionary millennial movements initiate violence to overthrow the old order and establish the new one. When revolutionary movements have few participants, their members commit acts of terrorism. When revolutionary millennial movements gain a critical mass, they cause a tremendous amount of violence, suffering, and death. Examples include various Communist revolutions and the German Nazis. Al-Qaida is a revolutionary millennial group that is part of a diffuse Islamist revolutionary millennial movement, which aims to overthrow the old order to create perfect Islamic states.

The Branch Davidians in 1993 were not revolutionary. They were armed, but they were not planning to assault society. They gained part of their income by dealing in guns. The Davidians were armed for self-protection in the violent tribulation period that they believed would lead to armageddon and other endtime events.

The Branch Davidians had the potential to become revolutionary in the future, because Koresh had predicted that they would go to Israel and fight in armageddon on the side of Israel. However, the Davidians showed no signs of actually relocating to Israel. If they had relocated to Israel, it is very likely that they would have waited for armageddon; but it is even more likely that the Israeli government would have deported them.

Assaulted Millennial Groups

Some millennial groups are assaulted, because they are perceived as being a threat to society. Assaulted millennial groups are not rare. Examples include the Mormons in the nineteenth century, the Lakota Sioux at Wounded Knee in 1890, and a group of black Africans who called themselves "Israelites" who were massacred by authorities at Bulhoek, South Africa, in 1856.[36] Millennial groups may be assaulted by law enforcement agents, or they may be assaulted by civilians. These millennial groups may, in fact, not be dangerous to the public.

The Branch Davidians were assaulted. They were assaulted by BATF agents on February 28, 1993, subjected to psychological warfare over the next 51 days, and then assaulted again by FBI agents on April 19, 1993. The Davidians fought back in self-defense on February 28 and perhaps on April 19.

FBI Handling of the Branch Davidians

The Davidians were punished with deprivation and/or psychological warfare every time adults came out of Mount Carmel, thereby preventing the creation of trust in the federal agents. The Davidians were cut off from the media and were prevented by the FBI from telling their side of the story. This resulted in their dehumanization in the minds of many members of the general public. Thus a situation was created in which the majority of Americans (75 percent) thought that the FBI had handled the case properly.[37]

The FBI assault on Mount Carmel on April 19, 1993, resulted in the deaths of 74 Davidians, including 23 children. Nine Davidians escaped the fire. The entire residence was destroyed, hence little evidence remained to support the Davidians' allegations that BATF agents had shot at them from helicopters and had initiated the shooting at the front door of the building and in a forcible entry through a second-floor window. As an American citizen, I have been shocked at what appears to be systematic destruction of evidence by law enforcement agents in this case.

The FBI assault on April 19 was unnecessary. On April 1, two Bible scholars, Dr. Phillip Arnold and Dr. James Tabor, spoke on a radio show and suggested to the Davidians an interpretation of the biblical prophecies in which they would not have to die at that time as a prelude to armageddon. David Koresh found Arnold and Tabor's interpretations of the Bible persuasive. On April 14 Koresh sent out a letter saying that God had given him permission to write his interpretation of the Seven Seals of Revelation in a "little book" (Rev. 10: 2). The Davidians cheered at the prospect of coming out. On April 16, Koresh reported to an FBI negotiator that he was making progress on his little book and promised that they were coming out after the manuscript was given to Arnold and Tabor for safekeeping. The Davidians asked for a wordprocessor to speed up the writing. On April 17 the Davidians again asked for a wordprocessor. On April 18, the FBI tanks began demolishing and removing the remaining Davidian vehicles in preparation for the assault the next day. Koresh called the negotiators and complained that what the negotiators were saying did not correspond with the actions of the tactical team. He asked, "What do you men really want?" He informed the negotiator that he was making progress on his little book and that the Davidians would soon be coming out.[38] About 5:30 p.m. that afternoon the wordprocessor was delivered.

On April 19 the assault began at 6:00 a.m. The tanks entered the building and directly inserted CS gas, which causes vomiting, disorientation, and suffocation, and was delivered in a flammable chemical base. "Ferret rounds" were fired into the building that emitted the gas. The Davidians attempted to communicate with negotiators, but the FBI cut off communications. As the mothers and small children were huddled in a concrete vault, a tank went into the building and inserted gas directly into the room and probably destroyed the one exit passageway. The fires started just after noon in locations where tanks had entered the building, and rapidly became one conflagration. Ruth Riddle escaped the fire, and in her pocket was a disk on which was saved David Koresh's interpretation of the First Seal of Revelation. Koresh had been sincere in saying that he was working on

his interpretation of the Seven Seals and they would come out soon.[39] The assault on April 19, 1993, was unnecessary.

Conclusions

Since the events in 1993 at Mount Carmel, Religious Studies scholars have been trying to convey the message to law enforcement agents that they need to take beliefs into account when dealing with religious communities. It makes no sense to assault an armed apocalyptic group that is expecting conflict, is prepared to defend itself against satanic agents of "Babylon," and believes that they will die at the hands of Babylon.

The innovative intervention attempted in 1993 by scholars James Tabor and Phillip Arnold indicates that they were able to "speak" the Davidians' Bible-based language and suggest an alternative interpretation of the biblical prophecies. Religious Studies scholars are trained to study and interpret worldviews. Since 1993 scholars have suggested that religion scholars can be utilized constructively by law enforcement agents as "worldview translators."[40] The success of the intervention by Tabor and Arnold suggests that if a besieged religious community is offered terms that will enable them to remain true to their ultimate concern, they can be induced to surrender to authorities.[41]

The purported reason for both the BATF and FBI assaults on the Branch Davidians was to "save the children." I can find no good rationale for using overwhelming force to assault people whom law enforcement agents claim they want to protect. An article by Larry Lilliston rightly asks, "Who Committed Child Abuse at Waco?"[42]

The use of militarized force by law enforcement agents at Mount Carmel was unnecessary. There were many other means available to deal with the problems posed by David Koresh—his ownership of arms (the government has never proved that Koresh had illegal weapons) and his unconventional family created by his "marriages" to underage girls (a matter for state, not federal, authorities). The militarized law enforcement approach was gravely mistaken and misused in the Branch Davidian case. Tragically, all

the deaths at Mount Carmel—the 4 BATF agents and the 80 Davidians—were unnecessary.

Persecution is linked to catastrophic millennialism in complex ways. Sometimes groups are persecuted, as the Branch Davidians were. Sometimes catastrophic millennialists, due to their dualistic perspective, imagine that they are being persecuted.[43] A dualistic worldview expects conflict and is strengthened by it. The experience of persecution can intensify catastrophic millennial beliefs. Catastrophic millennial beliefs may diminish and the outlook can become more oriented to faith in progress when persecution diminishes. Sometimes millennialists become persecutors, when they use coercive force against their members and those who want to leave.

If the experience of persecution intensifies catastrophic millennial beliefs, law enforcement agents should seek to avoid enhancing a sense of persecution on the part of millennialists with whom they deal. Religious violence is *interactive*, so it will be practical for law enforcement agents to refrain from using overwhelming force that will be interpreted as persecution.

The more I look at what we have learned from Mount Carmel and other cases of violence involving new religious movements, the more I think that these principles apply to the international scene. September 11, 2001, did not happen in a vacuum. It was an Islamist reaction to perceived, and actual, persecution of Muslims by the United States.[44] Osama bin Laden appears to have wanted to provoke a military reaction on the part of the United States so that he could use it to convince Muslims that they were persecuted by America, and to fuel his propaganda encouraging Muslims to take up arms against regimes collaborating with the United States.[45] Since religious violence is interactive, the American invasions of Afghanistan and Iraq, and the ongoing support of the United States for the violence carried out by the state of Israel against Palestinians, will be used by Islamist radicals to instigate more terrorist acts against Americans. There were many other

means the United States could have used to neutralize the danger posed by Saddam Hussein.

The militarized approach to addressing perceived dangers involves an attitude of "Let's attack them and get this situation resolved *now*."[46] The implementers of the militarized approach often claim that they want to protect women, children, and other innocents,[47] but in fact it puts them in mortal danger. The militarized approach overlooks the fact that violence is interactive, and people will respond violently when they, or groups they identify with, are attacked. In 2003 with the American invasion of Iraq, once again the militarized approach has run over the diplomatic approach, but this time the stakes are global. Ten years later, the lessons of Mount Carmel have not yet been learned by the American government.

Notes

[1] Dr. Alan Stone is interviewed in the video, *Waco: The Rules of Engagement,* produced by Dan Gifford, William Gazecki, and Michael McNulty (Los Angeles: Fifth Estate Productions, 1997).

[2] This point is emphasized in the book by Jayne Seminare Docherty, a conflict resolution expert who studied the negotiation transcripts, *Learning the Lessons from Waco: When the Parties Bring Their Gods to the Negotiation Table* (Syracuse: Syracuse University Press, 2001).

[3] Catherine Wessinger *How the Millennium Comes Violently: From Jonestown to Heaven's Gate* (New York: Seven Bridges Press, 2000). Another version of this photograph on the cover of the book by David T. Hardy with Rex Kimball, *This Is Not An Assault: Penetrating the Web of Official Lies Regarding the Waco Incident* (n.p.: Xlibris, 2001), shows an Alabama National Guard flag being flown by another tank. The full photograph can be viewed at <**http://www.pbs.org/wgbh/pages/frontline/waco/pictures.html**>, accessed February 2003.

[4] *Waco: The Rules of Engagement*; FBI trophy photographs displayed at the Mount Carmel museum.

[5] In order for David Koresh to preserve his authority with the community as the endtime messiah, who was divinely inspired to interpret the Bible, the exit from Mount Carmel had to conform to a plausible interpretation of biblical prophecies. The ultimate authority for the Branch Davidians was the Bible.

[6] The tragedy at Mount Carmel energized the militia movement in the United States, which saw the federal government as threatening American citizens. The Oklahoma City bombing was carried out on April 19, 1995, and Timothy McVeigh, a Gulf War veteran, was outraged at how federal agents treated the Branch Davidians.

[7] James R. Lewis, ed., *From the Ashes: Making Sense of Waco* (Lanham, Md.: Rowman & Littlefield, 1994).

[8] Dick J. Reavis, *The Ashes of Waco: An Investigation* (New York: Simon & Schuster, 1995).

[9] *Waco: The Rules of Engagement.*

[10] Stuart A. Wright, *Armageddon in Waco: Critical Perspectives on the Branch Davidian Conflict* (Chicago: University of Chicago Press, 1995).

[11] James T. Richardson, "Manufacturing Consent about Koresh: A Structural Analysis of the Role of the Media in the Waco Tragedy," in Wright, *Armageddon in Waco*, 153-76.

[12] James D. Tabor and Eugene V. Gallagher, *Why Waco? Cults and the Battle for Religious Freedom in America* (Berkeley: University of California Press, 1995).

[13] Thomas Robbins and Susan J. Palmer, eds., *Millennium, Messiahs, and Mayhem: Contemporary Apocalyptic Movements* (New York: Routledge, 1997).

[14] John R. Hall with Philip D. Schuyler and Sylvaine Trinh, *Apocalypse Observed: Religious Movements and Violence in North America, Europe, and Japan* (New York: Routledge, 2000).

[15] Catherine Wessinger, ed., *Millennialism, Persecution, and Violence: Historical Cases* (Syracuse: Syracuse University Press, 2000); Wessinger, *How the Millennium Comes Violently.*

[16] James T. Richardson, "Minority Religions and the Context of Violence: A Conflict/Interactionist Perspective," *Terrorism and Political Violence* 13, no. 1 (Spring 2001): 103-33.

[17] David G. Bromley and J. Gordon Melton, *Cults, Religion and Violence* (Cambridge: Cambridge University Press, 2002).

[18] Carol Moore, *The Davidian Massacre: Disturbing Questions about Waco Which Must Be Answered* (Franklin, Tenn., and Springfield, Va.: Legacy Communications and Gun Owners Foundation, 1995).

[19] *Waco: A New Revelation,* produced by Rick Van Vleet, Stephen M. Novak, Jason Van Vleet, Michael McNulty; executive producers Rick Van Vleet and Stephen M. Novak, directed by Jason Van Vleet (n.p.: MGA Films, Inc., 1999); *The F.L.I.R. Project*, produced and directed by Michael McNulty (Fort Collins, Colo.: COPS Productions, 2001).

[20] Jack DeVault, *The Waco Whitewash: The Mt. Carmel Episode Told by an Eyewitness to the Trial Tragedy* (San Antonio: Rescue Press, 1994).

[21] Mark Swett, Waco Never Again! website, <http://home.maine.rr.com/waco/>. The archive at Baylor University is known as Mark Swett's Waco Archive.

[22] David Thibodeau, *A Place Called Waco: A Survivor's Story* (New York: Public Affairs, 1999).

[23] Stuart A. Wright, "Justice Denied: The Waco Civil Trial," 143-51; James T. Richardson, "'Showtime' in Texas: Social Production of the Branch Davidian Trials," 152-70; Jean E. Rosenfeld, "The Use of the Military at Waco: The Danforth Report in Context," 171-85; Jayne Seminare Docherty, "Why Waco Has Not Gone Away: Critical Incidents and Cultural Trauma," 186-202, in *Nova Religio: The Journal of Alternative and Emergent Religions* 5, no. 1 (October 2001).

[24] For the numerous details that cannot be described in full here, see my chapter on the Branch Davidians in *How the Millennium Comes Violently*, 56-119.

[25] The affidavit for the warrant is discussed in detail in Tabor and Gallagher, *Why Waco?* 100-3.

[26] David Koresh had in fact taken a number of underage girls as his wives with the permission of their parents. Koresh's aim was to have 24 children; Koresh interpreted statements in the Bible referring to "24 elders" as referring to his children who would be rulers in God's kingdom. See Tabor and Gallagher, *Why Waco?* and my chapter on the Branch Davidians in *How the Millennium Comes Violently.*

[27] See *Waco: The Rules of Engagement* on the military training and the publicity motivations for the BATF commanders' decision to carry out the raid. See also House of Representatives, *Investigation into the Activities of Federal Law Enforcement Agencies toward the Branch Davidians: Thirteenth Report by the Committee of Government Reform and Oversight Prepared in Conjunction with the Committee on the Judiciary together with Additional and Dissenting Views* (Washington, D.C.: U.S. Government Printing Office, 1996).

[28] House of Representatives, *Investigation*, 30-55.

[29] The circumstances of Michael Schroeder's death have never been investigated adequately, the government claiming that his clothing and notably the knit cap he was wearing had been lost. At the memorial service at Mount Carmel on February 28, 2003, Mike McNulty revealed that he had discovered a bag containing Michael Schroeder's clothing in lockers containing evidence relating to this case. He videotaped the clothing, which included the cap. McNulty asserted that the bullet holes, powder burns, and flesh and hair on the cap suggested that two bullets were fired into the back of Schroeder's head at close range.

[30] Robert D. Baird, *Category Formation and the History of Religions* (The Hague: Mouton, 1971).

[31] Negotiation tape no. 129, March 15, 1993. I thank Dr. J. Phillip Arnold for forwarding this audiotape to me.

[32] Eugene V. Gallagher, "'Theology Is Life and Death': David Koresh on Violence, Persecution, and the Millennium," in Wessinger, *Millennialism, Persecution, and Violence*, 82-100; see also Tabor and Gallagher, *Why Waco?* 8-11.

[33] The pattern of punishing the Davidians every time adults came out of Mount Carmel is very clear when one looks at the events of the siege summarized in James Tabor, "The Events at Waco: An Interpretive Log," at <http://home.maine.rr.com/waco/logofevents.html>, accessed January 2003. Other helpful materials are posted at the *Why Waco?* webpage on Mark Swett's website, <**http://home.maine.rr.com/waco/ww.html**>.

[34] See Catherine Wessinger, "The Interacting Dynamics of Millennial Beliefs, Persecution, and Violence," in Wessinger, *Millennialism, Persecution, and Violence*, 3-61, for a definition of progressive millennialism and a discussion of *fragile millennial groups, assaulted millennial groups,* and *revolutionary millennial movements.* Much to my surprise, some of the contributors to *Millennialism, Persecution, and Violence* concluded that progressive millennialism can be extremely violent. See Scott Lowe, "Western Millennial Ideology Goes East: The Taiping Revolution and Mao's Great Leap Forward," 220-40; Robert Ellwood, "Nazism as a Millennialist Movement," 241-60; Richard C. Salter, "Time, Authority, and Ethics in the Khmer Rouge: Elements of the Millennial Vision in Year Zero," 281-98.

[35] John R. Hall, "Public Narratives and the Apocalyptic Sect: From Jonestown to Mt. Carmel," in Wright, *Armageddon at Waco*, 205-35; Mark Swett, "The Ultimate Act of Faith? David Koresh and the Untold Story of the Branch Davidians" (2002) at <**http://home.maine.rr.com/waco/uaofb.html**>.

[36] Grant Underwood, "Millennialism, Persecution, and Violence: The Mormons," 43-61; Michelene Pesantubbee, "From Vision to Violence: The Wounded Knee Massacre," 62-81, and Christine Steyn,

"Millenarian Tragedies in South Africa: The Xhosa Cattle-Killing Movement and the Bulhoek Massacre," 185-202, in Wessinger, *Millennialism, Persecution, and Violence.*

[37] CNN/Gallup poll cited in Stuart A. Wright, "Introduction: Another View of the Mt. Carmel Standoff," in Wright, *Armageddon at Waco,* xv.

[38] A transcript of the "Last Recorded Words of David Koresh" is available in *How the Millennium Comes Violently,* 105-12.

[39] David Koresh, "The Seven Seals of the Book of Revelation," unfinished manuscript, in Tabor and Gallagher, *Why Waco?* 191-203.

[40] Phillip Lucas, "How Future Wacos Might Be Avoided: Two Proposals," in Lewis, *From the Ashes*, 209-12; Docherty, *Learning Lessons from Waco.*

[41] This is what happened with the Montana Freemen in 1996. See my chapter on the Montana Freemen in *How the Millennium Comes Violently,* 158-217.

[42] Larry Lilliston, "Who Committed Child Abuse at Waco?" in Lewis, *From the Ashes*, 169-73.

[43] This is Ian Reader's conclusion about Aum Shinrikyo. See Ian Reader, "Imagined Persecution: Aum Shinrikyo, Millennialism, and the Legitimation of Violence," in Wessinger, *Millennialism, Persecution, and Violence*, 158-82.

[44] "Islamist" is a term used by scholars to refer to revolutionary radicals, who wish to overthrow current Muslim governments in order to establish "true" Islamic states that enforce Islamic law, from other Muslims practicing the religion known as Islam. On the religious roots of al-Qaida see David Cook, "Suicide Attacks or 'Martyrdom Operations' in Contemporary Jihad Literature," 7-44; and the discussion by Mark Sedgwick, "Sects and Politics," 165-73, in *Nova Religio: The Journal of Alternative and Emergent Religions* 6, no. 1 (October 2002).

[45] Unnamed government analysts cited in Ronald Brownstein and Robin Wright, "Bin Laden's Goals Changed Over Time," *New Orleans Times-Picayune*, October 5. 2001, reprinted from the *Los Angeles Times.*

[46] I thank Kenneth R. Richards for this insight.

[47] This observation concerning the rationalization of colonialism was made on March 20, 2003, the first day of the American invasion of Iraq, by Dr. Yvonne Yazbeck Haddad in the Religion and Media course that I team-teach using interactive video with Dr. Claire Badaracco at Marquette University, and Fr. Rick Malloy at St. Joseph's University in Philadelphia.

THE WACO TRAGEDY: A WATERSHED FOR RELIGIOUS FREEDOM AND HUMAN RIGHTS?

James T. Richardson

Introduction

It is an honor to share this Fleming Lecture series with distinguished colleagues whose writings have done much to help us understand what happened at Waco, a major tragic event in the life of our nation. The tragedy that left eighty-six people dead, including four law enforcement personnel and 23 children of Branch Davidians, was indeed an episode with many repercussions. Among those repercussions was, of course, the Oklahoma City bombing that left 168 more people dead, and was a clear sign of the depth of disillusionment precipitated by the Waco event among some segments of our society. But, there were many other repercussions as well, including some on which I want to focus today in the area of human and civil rights.

The title of this presentation contained a question mark, deliberately placed, but for a reason that might not be obvious. I was NOT questioning the significance of the Waco tragedy. It is clear that this event was a milestone in how the federal government is willing to treat unusual religious groups. I was, however, raising a question about whether this represented anything new, or was, in fact, just another admittedly large step in the direction of limiting religious freedom and human rights in our society. The subtitle of my talk might well have been, "Watershed, or Just Further Down the Slippery Slope?"

The more recent huge tragedy of the destruction of the World Trade Center, with some 3,000 lives lost, causes the Waco event to pale in comparison, and it is also clear that changes wrought in the aftermath of 9/11 make the direct effects of Waco seem almost inconsequential. But, I would argue that Waco and subsequent directly-related events such as the Oklahoma City bombing primed the general public and political leaders to be more willing to take the dramatic steps to limit human and civil rights, and to violate religious freedom, that are occurring today, with few daring to raise their voices in

opposition.[1]

Before commenting on some of those recent changes I first want to describe the situational context of the Waco episode, and then discuss developments concerning the Branch Davidians that show how far some in our government were willing to go to control this off-shoot of the Seventh Day Adventist group that have been living at Mt. Carmel for decades. I also will comment on the two major legal trials that occurred subsequent to the Waco episode, because they show how the judiciary can and has played a crucial role in the exertion of control over groups that deviate from societal norms and conventions in our society (Richardson, 2001; Wright, 2001).

My thesis is a simple one: First*, government treatment of the Branch Davidians violated a number of constitutionally protected rights of American citizens, including religious freedom, and most Americans and the news media stood by and allowed this to happen, and even cheered the government on as it engaged in the violations.* Second*, acceptance of what happened at Mt Carmel may have emboldened the government to encroach even more on human and civil rights of in the aftermath of the destruction of the World Trade Center.*

Context

By spring of 1993 it is safe to say that so-called "anti-cult" sentiments and definitions of reality had become almost hegemonic in American society. Virtually any news story dealing with the new religions, or "cults" as they are often pejoratively labeled, was negative in tone. Anti-cultism was a favored theme in made-for-television movies and dramas showing well-meaning people, often assisted by law enforcement personnel willing to bend or even break the law for the "greater good," "rescuing" people from awful "brainwashing" cults. Public opinion polls showed that the American people had accepted these myths, and some well-known new religious groups and their leaders were more hated and feared than any other groups in American society (Richardson,

1992; Bromley and Breschel, 1992).

It is true that some courts had finally reconsidered the casual way that brainwashing-based claims were being accepted in legal actions against some of the new religions, noting that the people who were supposedly brainwashed were of age, and had exercised volition to participate in the groups (Richardson, 1995c).[2] Also, some scholars had convinced a few courts that claims based on the ideologically-derived term "brainwashing" were not scientifically based and should be disallowed (Anthony, 1990, 1999; Richardson, 1991; Ginsburg and Richardson, 1998). But, by this time the battle was over for the hearts and minds of the American people and their political leaders. Virtually everyone "knew" that cults had some secret psychotechnology that could trap and trick the brightest and best of America's youth into becoming brainwashed zombies. Thus a huge social problem had been constructed in our society, and much attention was focused on this new problem.

It was in this strongly anti-minority religion context that the Branch Davidian episode occurred. Knowing this context helps us understand what happened at Mt Carmel.

The Raid

The initial raid occurred ten years ago, but there were months of pre-planning that went into the raid itself, planning that is quite revealing in terms of my topic. We now know, for instance, that BATF [Bureau of Alcohol, Tobacco, and Firearms] agents were trained and supplied by the military for the initial abortive and deadly raid, as well as the final assault 51 days later. Jean Rosenfeld (2001) has written about this massive involvement of the military in the events that unfolded outside Waco, and others, including Michael McNulty in his well-known films about what happened at Waco, have also documented involvement of the military. The Danforth Report (2000) discusses this involvement but dismisses it in what can arguably be viewed as a whitewash of actions

taken involving the military.

Military involvement at Waco might seem fine to many, especially in today's post 9/11 climate of fear. But, most of that involvement was probably illegal, and cannot be easily justified, as the Danforth report asserts. The so-called *posse comitatus* law passed in 1878 makes it illegal for military to be used against civilians, a principle that dates back to the Magna Carta and is found in the amendments I and II of the U.S. Constitution. There are exceptions to this prohibition, which has been amended in recent years, most notably to allow the military to assist law enforcement involved in the so-called "War on Drugs," a crucial point which bears examination. The law can also be by-passed by presidential waiver, which may have happened in approving the final assault at Mt. Carmel.

The War on Drugs, which many think was lost long ago, has itself done much to undermine human and civil rights in this country, including religious freedom. Mainly useful as a means of exerting social control over minorities in our society, the War on Drugs has cost billions. But its main effect has been to fill our jails and prisons with people who use drugs, while drug use continues virtually unabated in our society. Even the "first among equals" right to religious freedom has been compromised, as can be seen in the *Smith* decision.[3] What happened with the Davidians using alleged drug use as an excuse represents a misuse of the law that should chill all those who value religious freedom.

As scholars and government reports done after the events at Waco have documented, the BATF [Bureau of Alcohol, Tobacco, and Firearms] blatantly lied about the situation at Mt Carmel so that they could gain rapid access to military training and weaponry. The BATF leaders defined the planned raid as a counter-drug operation even though they knew there were no drugs at Mt. Carmel, and that the Davidians were not using, manufacturing, or selling drugs. This allowed the BATF access to National Guard helicopters, military training and equipment that they otherwise would probably not have

been able to use.

The BATF made requests in December, 1992 and January, 1993 for military training to accomplish the planned raid. They also requested seven Bradley tanks to use in the operation, which is the largest such request ever made to the military. (The request for the tanks was refused, which is why the assault force arrived that fateful day in cattle trucks instead.) However, the training was approved, and the Delta Force stationed at Fort Bragg, North Carolina, engaged in training for the planned raid. A facility was built at Ft. Bragg to resemble the Mt. Carmel compound, using aerial photographs taken by the Alabama and Texas National Guard units that were doing overflights of the area. There was some internal discussion of the training, which was scaled back when possible violations of the *posse comitatus* law were noted by Special Forces personnel. However, what is amazing is that there was no hue and cry about what was being planned, although many people knew what was happening, including even members of Congress. Plans for assaulting a religious group in Texas were being fairly openly discussed, and no one said "Wait a minute. What is going on here? What right does the government have to make such plans to attack a religious group?" And most importantly, "Is there another way to accomplish the objectives sought?"

As all this planning and discussion was taking place, David Koresh was out jogging around outside the compound, and taking trips to town for supplies, and could have been apprehended at any time. Indeed, when told about federal agents showing an interest in the guns being bought and sold by the Davidians, he had invited the agents out to the compound to see for themselves what was happening. The invitation was not accepted. Instead operation "showtime" was well underway.

BATF personnel had chosen "Showtime" as the informal name of the operation apparently because they were planning a major event to help resuscitate their flagging reputation at a time when their budget was being heard in Congress. BATF leaders thought that the planned "dynamic entry" (a euphemism for assault) would lead to a

quick victory against this weird religious cult in Texas, and boost their stature with the powers that be in Washington. BATF public relations personnel spent considerable effort getting to word out to the media about the planned event, and took cameras to Mt Carmel to record what was going to take place. (Those cameras, it was later said, regrettably malfunctioned.)

The plan to make the raid into a media event back-fired tragically, as we now know, because the Davidians found out through a journalist that they raid was pending just prior to arrival of the cattle trucks with the 80 fully armed BATF agents. Four agents died that day, along with several Davidians, and many more were wounded, all unnecessarily. "Showtime" became the "Waco mini-series," and the nation watched, enthralled with developments at Mt. Carmel.

The Siege

After the disastrous initial raid, the siege of Mt. Carmel became the top story on the news for weeks. Hundreds of journalists from around the world came to Waco, but were never allowed close to the scene of the action. They were kept miles away, and refused access to the Davidians, just as the Davidians were refused access to them. Journalists quickly dubbed the Davidians a "cult," which helped America public know how to frame and interpret what was happening in a way positive toward law enforcement. In a shameful demonstration of journalistic naiveté and passivity, the major news organizations and journalists on the scene acquiesced to almost total control over the media. Some journalists have since indicated that this was the most completely controlled situation they have ever encountered, as noted in my chapter (Richardson, 1995b in Stuart Wright's fine book, *Armageddon in Waco,* Wright, 1995).

At Mt Carmel the media were more controlled than even in time of war or such events as prison riots (Richardson, 1995b). Apparently no "pooled coverage" was ever attempted on the part of the journalists and the organizations they represented.[4] Not

only were journalists not allowed access to the Davidians, even though the Davidians requested it many times, they printed just about anything that the law enforcement spokespersons wanted. The media became a conduit to send messages to Koresh and others inside the compound, as well as to deliver the perspective of federal law enforcement to the general public. Objectivity was lost, and the media participated in de-humanizing the Davidians, including even the children (Richardson, 1995b). The Davidians were demonized, and little respect was shown for their sincerely held religious beliefs. At the same time, little criticism or even comment was made in the main-line press about how the initial raid had been so badly botched, or that there were other viable alternatives to the assault that was launched on Feb. 28, 1993.

I will not detail actions during the siege since Stuart Wright covers that in his presentation. However, there are two aspects that bear mention in terms of my topic, one being the involvement of anti-cultists as advisors after the FBI took control of the situation at Mt. Carmel. Use of such virulently anti-cult oriented consultants showed the lack of respect for and understanding of the religious nature of the Davidians. Authorities showed a willingness to forego concerns usually associated with situations involving religious groups in our nation, which does, after all, have the First Amendment as part of the Constitution. There were many other signs of disrespect toward the Davidians during the siege, and a clear failure to appreciate the religious nature of their claims and actions (Wessinger, 2000). This failure contributed directly to the ensuing tragedy, especially given the obvious fact that the actions of the BATF and FBI seemed to fulfill prophecies deriving from Davidian theology.

Another aspect of the siege demonstrates the extent to which law enforcement authorities were willing to go to control the situation concerns the war materiel that was furnished the FBI. The build-up of materiel and personnel at Mt. Carmel was probably the largest such gathering of military force ever to be assembled against a civilian target in the history of this country. As reported by Jean Rosenfeld (2001) the FBI sought and

obtained ten Bradley tanks, two Abrams tanks, four combat engineering vehicles, and a "tank retriever." Catherine Wessinger reports in her finely detailed study (2000, 73) that there were deployed at Mt. Carmel during the 51 day siege 668 FBI agents, six from U.S. Customs, 15 from the U.S. Army, 13 for the Texas National Guard, 31 Texas Rangers, 131 from the Texas Department of Public Safety, 17 from McLennan County Sheriff's Office, and 18 Waco police, for a total of 899 law enforcement personnel. This small army of law enforcement personnel were not present to look out for the religious freedom of the Branch Davidians.

The Conflagration

Violence begets violence, as well-demonstrated by the events of April 19, 1993. Both sides made mistakes, but the interactive spiral of violence that developed was mainly the fault of law enforcement authorities in charge of the situation after the violent initial raid (Richardson, 2000b). Many scholars and others think that the confrontation at Mt. Carmel was going to end soon, with no further loss of life. But an ill-starred plan to "shrink the perimeter" and use of various psychological tactics to terrorize the Davidians had been implemented, with the negotiators being used mainly as a diversion, especially during the latter days of the siege. And, just as significant breakthroughs were occurring in the negotiations, suddenly there was a press to end the siege with force if necessary.

We now know that AG Janet Reno was lied to about the treatment of children in Mt. Carmel, as is well-described by Chris Ellison and John Bartkowski (1995). Reno, a new appointee, also was misled about the type of gas that was to be used, and the method of inserting it. (See Wessinger, 2000, and Moore, 1995, for details.) One can only hope that Attorney General Reno did not know of the virulence of the planned attack. I am convinced, based on the F.L.I.R. tapes from McNulty videos,[5] that law enforcement personnel were firing into the building after the fire started, and that this led directly to some deaths and deterred people from leaving the burning building. Just who did the firing

is an open question, and it may be true that FBI agents did not fire. We do know that Delta Force personnel were present in some numbers, and that they were participating in the assault on April 19. It is possible that most of the firing was done by those special forces personnel.

Listing some of these grave offenses (for which no one has ever been brought to justice) is not done not just to rehash what has been authoritatively reported, but to raise questions. Why didn't someone say, "Wait a minute. These are members of a religious group that has lived here for decades. Why are we planning to gas them and use deadly force against them?" Or, "The place is a tinderbox waiting to explode, literally, so why are we planning to fire devices that could start a fire, especially if we are not planning to have fire suppression equipment at the ready?" And more importantly perhaps, "Why do law enforcement agents think such actions acceptable with a religious group?"

When that sad day of April 19, 1993 was over, most of the Davidians were dead, and all the buildings had been reduced to smoldering rubble filled with dead bodies. The Waco miniseries had ended in a conflagration watched the world over by millions, many of whom were aghast that the United States could act so against a religious group. But, a significant number of the American general public liked the ending and thought what had happened was acceptable. I saw one national poll taken a few days after the fiery end that indicated a strong majority of those polled thought the FBI had done what was necessary to end the stand-off. The fact that several dozen women and children had been horrendously burned to death was blamed on Koresh and on the Davidians who seemingly chose death by refusing to come out of the building. The fact that they were apparently being deterred from doing do by lethal gunfire, and that exits were blocked by tanks knocking down walls, was either not known or disregarded by those polled.

Aftermath

As already indicated the aftermath of the conflagration demonstrated the

hegemonic nature of negative views about "cults" and of the Davidians and David Koresh in particular. There were some dissenters, and that number has grown, as more detail has come out about the planning of the initial raid, the raid itself, the way the siege was handled, and the tragic final actions that resulted in death to most of the Davidians. A number of scholarly and government treatments (The Committee on Government Reform and Oversight, 1996)), as well as some independent work such as the videos of McNulty and his co-workers, have helped inform people about what really happened and the implications for religious freedom in America of the tragedy. The lecture series is itself helping to lift the veil of misunderstanding that surrounds what happened at Mt Carmel in early 1993.

It should be noted that there has been considerable contact between some scholars and the FBI since that fateful time in 1993, as some in the FBI have made a sincere effort to rectify the many problems that erupted at Mt. Carmel. Catherine Wessinger and I have joined with several other scholars from the U.S. and abroad, including Eileen Barker, Massimo Introvigne, and Jean-Francois Mayer, to work with the FBI to insure that such events do not occur again. Indeed, the peacefully resolved standoff of the Montana Freeman which involved several scholars including Catherine Wessinger and Jean Rosenfeld, demonstrated a different attitude on the part of some law enforcement officials (Wessinger, 1999; Rosenfeld, 1997). Some important progress has been made, I think, and I hope it can continue, even in light of the more recent tragic events of 9/11.)

The Trials

Criminal Case

Before becoming too euphoric, we should examine two very important events that occurred after the siege. I refer to the two major trials that have occurred, the criminal trial of the surviving Davidians on charges of murder and conspiracy, and the civil action brought by survivors against the government in a civil action for wrongful death. These

two trials, which I have described in some depth (Richardson, 2001; also see Wright's treatment of the civil trial in the same issue) clearly demonstrated that the government was not willing to admit any culpability in what happened. Various legal maneuvers were used by government attorneys in an effort to construct and promote the government's position concerning what happened at Waco. And, with regret, I have to say that the ostensibly autonomous judiciary played a major role in helping the government establish the posture it wanted through the process of the two trials. This occurred in spite of the fact that the federal judiciary is supposed to be a bulwark against violations of the Bill of Rights.

The two trials were major social productions of a certain interpretation of what happened, that being: *the Davidians were troublemakers who got what they deserved,* and *their deaths, including the deaths of the children, were caused by the Davidians themselves, led by David Koresh, a madman who had brainwashed his followers.* A corollary to this interpretation is: *the government agents at Waco did nothing wrong, even if a few small mistakes were made, and they should be treated as heroes who did the best they could under very trying circumstances.* The government succeeded in obfuscating the truth about the tragedy via skillful legal maneuvering, aided by the federal judge in charge who managed the social production process quite effectively.

All trials, indeed all aspects of the legal system, involve considerable discretion (Richardson, 2000a). This discretion can be used to promote justice or it can be used to avoid justice and discriminate against unpopular parties and ideas, while protecting other culpable parties. In the case of the two Davidian trials, it appears on balance that the tendency to discriminate and to conceal the truth won out. First, I will examine the criminal trial and how discretion operated against the Davidian defendants.

An initial decision made by federal authorities about whether to hold the criminal trial in federal or Texas state court was crucial, because Texas state statutes clearly state that use of deadly force to resist arrest is justified if the law enforcement officers use

excessive force in trying to make an arrest. On the other hand, the death penalty could be sought under Texas law. Under federal law at that time, the death penalty could not be sought, but the defense that excessive force was used by law enforcement was not allowed. Apparently this was a key factor in deciding the file the case in federal court.

Decisions were made by the federal judge in the case, Judge Walter Smith, to allow certain kinds of evidence that probably should have been disallowed, but more importantly, decisions *not* to allow important evidence played a major role in what happened. Other procedural decisions were also important. I will list some of the crucial decisions.

Once the trial started Judge Smith refused to allow separate trials for individual Davidians, a decision that worked against those Davidians less involved in resisting the initial raid. Thus if one Davidian was found to have been in possession of an illegal firearm, or to have shot a federal agent the rest of the defendants were deemed to have also been guilty of the same offense, using a strained "constructive possession" argument. Judge Smith also allowed the government to use two attorneys who had themselves been involved in planning the original raid. It is highly unusual to allow attorneys who might be called as witnesses to participate in a trial as attorneys of record.

Judge Smith controlled the jury selection process almost completely, sending out a lengthy questionnaire to 300 potential jurors and them personally selecting the 84 who would be called for possible duty as jurors. Some of the questions were quite biased in nature and allowed, if the judge wanted, selection of jurors more favorable to the government (see Richardson, 2001 for examples.) Judge Smith also made a decision to use an anonymous jury in the case, something that is usually reserved for cases involving organized crime figures where there is a serious concern about retribution against jurors. This decision sent a message to all concerned that the Davidians were extremely dangerous.

Evidentiary decisions also demonstrated discretion against the Davidians. The

judge regularly refused requests for certain kinds of evidence to be entered by the defendants, and yet allowed considerable leeway to government officials in their presentation of evidence. For instance, the judge allowed the lengthy display of pictures of the four dead BATF agents to the jury, but did not allow the defendants to show any pictures of the burned bodies of the Davidians. The judge also allowed federal agents who had given earlier depositions admitting crucial facts for defense of the Davidians to present dramatically different but amazingly consistent testimony on the stand.

Most importantly for the theme of this presentation was a decision made by the judge to allow the government to argue that *the beliefs of the Davidians constituted a conspiracy to commit murder!* The government's basic claim was that anyone holding the apocalyptic beliefs of the Davidians was ready and willing to commit murder based on those beliefs. The same beliefs that were ridiculed as "Bible babble" by government agents during the siege were treated very seriously during the trial, when it was to the advantage of the government to do so. And, the judge allowed it, in spite of Constitutional guarantees protecting religious beliefs.

Also, very convoluted instructions were given to jurors that fostered confusion on the part of the jurors. Admittedly the confusion was caused in part by a late decision by the defense attorneys to seek a manslaughter instruction that was allowed. The ensuing confusion allowed a considerable miscarriage of justice in the sentencing phase of the trial, as is now well known.

The jury, in spite of all the decisions that went against the Davidians, found them not guilty of murder and conspiracy to commit murder. But Judge Smith, relying on government arguments and the confusion of the jurors, reinstated those charges, stating that to have found the Davidians guilty of lesser charges required him to do so. Then, again using his discretion, Judge Smith sentenced most of the defendants to the maximum of 40 years in prison. That miscarriage with the sentencing was, on appeal, unanimously over-turned by the U.S. Supreme Court, which eventually ordered the reduction of the

unconscionable 40 year sentences that were handed out by the judge. However, all the other problematic aspects of the trial were allowed to stand.

Civil Case

Given how Judge Smith conducted the criminal trial, the Davidian attorneys made a motion for him to recuse himself in the civil trial.[6] However, Judge Smith exercised his discretion and refused to do so, and the civil trial went forward, with everyone knowing what to expect. Again, judicial discretion was used a number of times in ways that negatively affected the chances of a Davidian victory in this wrongful death action against the federal government. In Judge Smith's favor, he did allow the trial to go forward, when he refused to accept a motion for summary judgment sought by the government. This decision may have been forced by revelations that the FBI had indeed used pyrotechnic devices during that final assault that ended in the conflagration. However, the decision to allow a trial was a pyrrhic victory, because Judge Smith allowed the trial only under very limited conditions, as Stuart Wright has noted in his fine analysis of the civil trial (Wright, 2001).

The judge did decide to use an advisory jury, something that he was not required to do, but again he decided that they should be anonymous, which sent signals to the jurors about the perceived dangerousness of the Davidians. Then the judge made a series of rulings that severely limited what the jurors could hear as evidence, and also engaged in numerous actions, such as sarcastic comments made from the bench toward the plaintiffs' attorney, that sent clear signals to jurors about his feelings about the case. (See Richardson, 2001 and Wright, 2001 for examples).

The most crucial discretionary decision by the judge was to allow a "discretionary function immunity" defense for the government agents involved in the Waco debacle. This phrase simply means that governmental agents cannot be held accountable for decisions made in good faith as they are doing their perceived duty. In other words, no second

guessing of what the government did was allowed. Indeed, attorneys for the plaintiffs were not even allowed to bring up some crucial mistakes that were made. Also Judge Smith ruled that only actions taken during the 51 days of the siege could be covered in the trial.

The combination of these decisions meant that jurors were not allowed to hear anything about the very problematic prior planning of the raid, and the decision to mount such a raid against a religious community filled with women and children. Jurors were not told that lies were told about there being a meth lab at Mt. Carmel so access could be gained to military training and material. They were not told about the faulty warrant that contained considerable irrelevant and false information, or about the slipshod manner that a decision was made to move ahead with the raid even thought the element of surprise was lost. Jurors also were not allowed to hear crucial information about the decision to abandon serious negotiation efforts in favor of the psychological warfare methods and shrinking the perimeter using tanks, as was done. Jurors were not told about how the decision was made to move forward in mid-April, 1993 with the final assault that resulted in deaths to most of the remaining Davidians. They did not hear about the misrepresentations about the CS gas and about what was happening with the children ("babies were being beaten") that were given by FBI authorities to Attorney General Reno to convince her to agree with the plan. They, of course, did not hear anything about possible involvement of President Clinton or the White House staff in the final decision making prior to April 19th.

Another important element that was withheld from the jury involved the issue of whether there was gunfire directed into the compound by personnel outside during the final raid. The judge, after ordering some expensive but questionable tests of whether the flashes of light that show up on the F.L.I.R. tapes were gunfire, delayed a decision on this explosive issue and did not allow the jury to consider it at all. Later the judge ruled that there had not been firing by anyone into the compound on that fateful day. As already

indicated, having seen the F.L.I.R. footage of the attacks, I think that there was gunfire into the compound.

As in the criminal trial, the jury instructions were problematic, with Judge Smith limiting the instructions and interrogatories asked of jurors in ways that undercut the claim that the Davidians were engaged in self-defense when they fired on the BATF agents on Feb. 28, 1993. He also said and did a number of other things that indicated to all concerned where his sentiments might lie. It has been reliably reported that at one point the judge referred to a plaintiffs' witness as a "lying murdering son of a bitch," and he referred to some other evidence submitted by plaintiffs as "bullcrap." Judge Smith did some other things that no neutral judge should have done. At one point, during a break in the trial, the judge shook the hand of a government attorney and told him he had done a fine job in cross-examining one of the witnesses for the plaintiffs.

The civil trial ended with the plaintiffs failing to win a decision from the advisory anonymous jury and later from Judge Smith. The case is on appeal with the Fifth Circuit Court of Appeals in New Orleans, and was argued early in 2003. Whether the Court will order a new trial remains to be seen, but there certainly seems strong evidence to support such a decision. If a new trial is ordered, perhaps it will be more fair, and the American people will see the judiciary demonstrate more respect for the place of religious beliefs and the constitutional rights of the plaintiffs in this disturbing case.

The Present

My thesis is that what happened at Waco helped lay the groundwork for significant problematic developments in the area of human and civil rights that have followed. I am not naive enough to think there is a direct connection between Waco and the so-called Patriot Act, or the even more ominous Patriot Act II that is now being promoted. But, I cannot help but think there are some important parallels and relationships, especially given the intervening bombing of the Federal Building in

Oklahoma City. That act, which did have a direct tie to Waco events, made American citizens and politicians aware of the sorts of actions that some were willing to take to promote their beliefs.

If there was any doubt about people doing terrible things as they acted out strongly held beliefs, they were put to rest on September 11, 2001, with the crashing of two fully loaded planes into the World Trade Center. Three thousand people died that day, and America, indeed much of the world, was understandably terrorized. We were at war with an unseen enemy, a situation calling for desperate measures. And desperate measures have indeed been taken in the War on Terrorism. Those measures make the encroachment on the Bill of Rights guarantees brought about by the War on Drugs look mild by comparison. I will mention a few of the more problematic things that have occurred.

The Act mixes criminal and foreign intelligence work, and puts the CIA back in business spying on American citizens. Citizens thought by law enforcement officials to be involved in terrorism lose their fourth amendment rights against unlawful search and seizure, meaning that probable cause does not need to be established before an independent third party such as a judge. The Act allows law enforcement to enter your home without your knowledge and take pictures and seize property. The Act allows government officials to track your email and internet activities, also without your knowledge. So-called roving wire taps are authorized to aid in the search for potential terrorists. First Amendment freedom of association is compromised, even criminalized, if the government thinks you associate with a suspect group. And some of those suspect groups are religious in nature.

Rights of immigrants are violated, and they are being rounded up, jailed, and even deported, and no one can find out anything about them and what is happening. Even some American citizens are being jailed without charges and unable to see lawyers, "until the end of the war." Secret evidence is allowed in trials, judicial oversight of law

enforcement and intelligence activities is curtailed. And the financial and student records of all citizens are opened for review by law enforcement.

Court proceedings involving American citizens are being held in secret, a very bad sign in what is reputed to be the world's more open society. We already know about the military tribunals for terrorists that are secret proceedings. But, I am talking about other court proceedings. For 24 years we have had a secret court authorizing wire taps on possible foreign agents and spies, as authorized under the Foreign Intelligence Surveillance Act (FISA). That court has, as far as anyone can find out, never refused a wiretap request until this year, when a statement was issued saying that Attorney General Ashcroft was going too far in his request for so many wiretaps. Why the rush of business? The so-called Patriot Act makes the same secret procedures apply to American citizens if the government thinks they might have some connection with terrorists.

Some of you may in fact have your phones tapped because some faceless government agents may have noticed a suspicious string of e-mails being sent by and to you, or because you have visited a website of a suspected terrorist group. Or maybe you attend a mosque which is suspected of having a terrorist cell, and the government wants to know who you are talking to. All these things and more can now be done to you without you or any other independent third party knowing because of the huge growth of secrecy established as part of the War on Terror.

I can and have criticized what happened with the two Davidian trials and I can accuse Judge Smith of bias.[7] But, I can only do that because the court proceedings were open! We should count our blessings! What about the many secret court proceedings taking place now in this country under the guise of the so-called Patriot Act?[8]

I would suggest that everyone take care in the future unless they want to end up with a file on themselves being built within the new apparatus of control that has developed since the tragic events of 9/11. Some of us are old enough to remember a time when the FBI, in clear violation of its charter, kept vast files on American citizens who

were involved in the anti-Viet Nam war and civil rights movements. I am sorry to have to announce that that time has come again, but this time the files being kept are perfectly legal, because the American people have caved in to fear, and allowed the greatest incursion into our rights since the Alien and Sedition acts of 1798. And, I believe that the reaction to what happened to the Branch Davidians at Mt Carmel played a significant role in what has happened. What happened there showed politicians interested in control that the American people would stand for outrageous acts, even against a religious group, in the name of maintaining order and safety.

I think it is time for us to stand up and say, "Enough is enough. We are not going to take this sort of treatment any more." I hope you will join me in this protest, to defend the freedoms, including freedom of religion, that have served well as the core of our great nation.

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Notes

[1] Note that the Jonestown mass murder/suicide that left nearly 1000 people dead in November, 1978 also led to call for the invasion of the privacy of individuals and religious groups and limitations on the Freedom of Information Act. See Richardson (1980: 253).

[2] Despite a few important legal decisions, the court system in general was developing a more managerial style toward minority faiths of all kinds, as evidenced by the famous 1990 *Smith* decision of the U.S. Supreme Court that overturned major precedents and said that governments could limit religious activities with impunity. This case involved the right of the Native American Church to use peyote, and it continued the unbroken string of losses for Native Americans before that court. Other U.S. Supreme Court cases had also demonstrated a strong willingness to limit activities of minority faiths in our society, over-turning decades of precedents established by such groups as the Jehovah's Witnesses in the last century.

[3] I once heard Justice Sandra Day O'Connor say that she thought the *Smith* decision was more a result of the anti-drug hysteria than it was a decision on religious freedom.

[4] Pooled coverage is where several organizations get together and send one journalist to the front or inside a prison, with the understanding that they will all share in the information gleaned.

[5] See McNulty (1997, 1999, 2001) for convincing evidence of many misdeeds by government authorities during the Waco tragedy**.**

[6] Judge Smith should have probably recused himself in the first trial, since as reported in Carol Moore's The Davidian Massacre (1998) he was under investigation at the time of the first trial by the Justice Department for allegedly lying in sworn testimony is a case in which he was a witness.

[7] Note that on July 15, 2003, the Fifth Circuit Court of Appeals ruled that Judge Smith had not demonstrated bias in his handling of the civil trial, in spite of considerable evidence to the contrary.

[8] See "This American Life" program of January 10, 2003 on "Secret Government" at http://www.thislife.org/pages/archive03.html on the growing secrecy in our government, including the secret courts.

WHY CRISIS NEGOTIATIONS AT MT. CARMEL REALLY FAILED: DISINFORMATION, DISSENSION AND PSYCHOLOGICAL WARFARE

Stuart A. Wright

The ten year anniversary of the federal assault on the Branch Davidian complex outside Waco, Texas in 1993 gives us an opportunity to reflect on one of the worst federal law enforcement disaster's in our nation's history. I continue to be fascinated by the scope of this debacle and the missed opportunities by the government to resolve this matter peacefully. Tragically, there was no greater example of a missed opportunity than the failure of the FBI to bring about a peaceful resolution to the 51 day standoff. My comments today will focus on the management of the standoff at Mt. Carmel, and in particular, the self-defeating actions taken by the FBI's Hostage Rescue Team (HRT) during crisis negotiations.

We know substantially more today than we knew ten or even five years ago. This is due largely to the fact that the federal government (Department of Justice, FBI) concealed incriminating information about the operation. Some of this incriminating information leaked out slowly in the years after the siege raising suspicions about the official explanation and the pretext of unity within the HRT. But the government's efforts to bury this information ultimately imploded when in 1999 evidence emerged that the FBI had fired incendiary devices at Mt. Carmel the day the complex burned to the ground. This, of course, after six years of denials and an attempted cover-up. In response to sweeping subpoenas for FBI and Justice Department records by Congressional investigators in 1999 and discovery motions filed by Davidian attorneys in the civil case, the Justice Department reluctantly turned over interviews with negotiators and other records pertinent to the Branch Davidian calamity. Herein the picture came more clearly into focus. The government did not want the public to know that there were deep rifts within the HRT—rifts between the negotiators, on the one hand, and the FBI/HRT command structure and tactical team on the other hand. Why? Because these rifts exposed

egregious violations of hostage-barricade protocols and procedures that caused the negotiations to break down. The importance of this evidence can hardly be understated—it speaks to the manipulation of the standoff by the HRT command structure to achieve a desired end. The demise of negotiations was offered as so-called proof that the Davidians were not truly interested in negotiating; and on this false assertion the direction of the whole operation turned. It was the principal justification for the high-risk, dangerous CS assault on April 19.

In order to give you a better understanding of what problems arose during the management of the standoff, why they arose, and how this contributed to the breakdown of the negotiations, I need to provide you with a brief background of the development of crisis negotiations and the FBI Academy's training program. We can then proceed to an examination of the violations at Mt. Carmel in light of the standard protocols by the FBI/HRT command structure and the extent to which negotiators protested and even predicted the deadly outcome of the incident.

Background of Crisis Negotiations

The FBI first established its hostage negotiation training program at the FBI Academy in Quantico, Virginia in 1973, twenty years before Waco. It was designed to train police officers from around the world in hostage negotiation following the 1972 Munich Olympics tragedy in which ten Arabs, 11 Israelis and one police officer died. The Special Operations and Research Section of the Academy has focused on coordinating efforts by behavioral science experts and law enforcement personnel to work together in negotiations during hostage-barricade incidents. Crisis negotiations training combines the principles and applications of criminal justice, sociology, psychology, communications and other disciplines into a single conceptual framework. The training of negotiation principles and strategies by the FBI has served to legitimize the field as a specialized endeavor in criminal justice. Since 1976, the International Association of Chiefs of Police

have conducted their Hostage Rescue Seminar modeled after FBI curriculum, disseminating hostage-barricade guidelines and principles in law enforcement agencies throughout the country. It is estimated that about 70 percent of trained police negotiators have been schooled directly or indirectly by FBI curriculum.[1]

The New York City police department was instrumental in developing guidelines for hostage-barricade negotiations, based on the work of Harvey Schlossberg, a detective in the department and a trained Ph.D. in psychology. Perhaps no one has been more influential in the identification and development of crisis intervention through negotiation than Schlossberg.[2] His work has shaped the field extensively and serves as a primary source for federal and state law enforcement training. In the early 70s, Schlossberg found that there was a void in the research literature on negotiation techniques within police work and he set about to develop principles for the resolution of intense-conflict incidents without the loss of life. Schlossberg emphasized managing hostage episodes as though they were a crisis for the hostage-taker. He noted that conventional confrontation strategies (assault, sniperfire, use of chemical agents) had a high probability of violence. As an alternative, he suggested a safer approach using the vehicle of negotiation and centered on research psychology. Schlossberg's approach is marked by three key features.

1. *Containment and Negotiation*. Contain the incident, secure the perimeter and negotiate with hostage-taker. Avoid confrontational approach (assault, sniper fire, chemical agents)

2. *Understand the Hostage-Taker's Motivation and Personality*. The hostage-taker can be reasoned with and the incident should be viewed empathetically from the perspective of a crisis for the hostage-taker.

3. *Slow the Incident Down*. Hostage incidents are infused with passion, frustration,

> aggression and episodic anger. Defuse the anxiety and heated emotions by using time to your advantage. Time allows for a calmer, more rational response to surface on behalf of the hostage-taker. It also allows more time for the negotiator to work, listening to the individual and redirecting his frustration.[3]

Schlossberg developed the principle of "zero acceptable losses" as the guiding principle of negotiations. This continues to be a primary goal of hostage-barricade negotiations training today. McMains and Mullins, in a recent work on crisis negotiations, put the matter succinctly: "The loss of a human life is the ultimate failure for negotiators."[4] James J. Fyfe, Senior Policy Research Fellow at Temple University and a nationally recognized expert on hostage-barricade incidents, was trained as negotiator in the New York City police department using Schlossberg's model. Dr. Fyfe testified at the 1995 Senate Judiciary hearings on Waco and reiterated the principle of zero acceptable losses. He stated in sworn testimony, "Our definition of success in a hostage or barricade situation was always a bloodless resolution and people worked as hard as possible and as long as possible to obtain that result."[5]

Given that zero acceptable losses is the chief goal in hostage-barricade situations, it stands to reason that any actions increasing the risk or danger to human life defies or contradicts responsible law enforcement strategy. As such, the field of crisis negotiations has developed a highly effective working model over the past quarter century by which to address these types of incidents, emphasizing a peaceful or bloodless resolution. Application of the model has proved to be very successful. The FBI reports that when federal agents pursue a strict strategy of containment and conciliatory negotiations, 95% of hostage incidents are resolved without loss of life.[6] On the other hand, tactical options are least effective in saving lives. Assaults have resulted in a 78 percent injury or death rate, and sniper-fire has resulted in 100 percent injury or death rate.[7] As such, the record of the FBI's handling of the Branch Davidian standoff in 1993 would seem to suggest a

failure of epic proportions; not solely because 76 people died in the April 19th conflagration, but because the record shows that the HRT command repeatedly violated fundamental guidelines and principles of crisis negotiations in order to launch a dangerous, high-risk assault.

Violations of Basic Crisis Negotiation Guidelines

Elsewhere I have offered a more systematic analysis of violations of basic crisis negotiations guidelines at Mt. Carmel.[8] At the time of that research, I felt duly compelled to produce extensive documentation of (crisis negotiations) protocols and procedures. There is no need to reproduce that work here, so I am going to summarize some of the key principles and objectives in crisis negotiations and then examine some of the violations, bolstered by the new evidence I referred to earlier. The new material, mostly memoranda written by negotiators and DOJ interviews with negotiators after April 19, reveals just how vividly the negotiators understood the dangerous consequences of the HRT's actions.

Crisis negotiations with hostage-takers or barricaded subjects can be summarized as follows: with the foremost goal of saving lives as the chief objective, negotiations should exercise patience, maintain a conciliatory posture, establish reliable communication, cultivate empathy, defuse fear and anxiety, avoid escalating stress, build trust and rapport, and avoid power plays or heightened gestures of threat. With time, fatigue wears down the recreant party, defenses subside, concessions are made, and the likelihood of a peaceful resolution increases. The use of family members as intermediaries, third party negotiators, outside experts or consultants may also be an effective tool. According to McMains and Mullins, authors of the book, *Crisis Negotiations*, "Negotiations take time. Without sufficient time a relationship cannot be built between the negotiator and the hostage-taker, intelligence cannot be gathered, emotions cannot be defused, and problems cannot be solved. If either side is unable or

unwilling to allow the time, successful negotiation is impossible" (27). Time decreases stress levels, increases rationality, allows for rapport and trust to develop, clarifies communications, fatigues the hostage taker, increases the probability of hostages being released unharmed, and increases the probability that neither police nor the hostage taker will be harmed" (87).

What happened at Mt. Carmel is that the FBI grew impatient. The rush to force the issue through an assault was initially justified because Attorney General Reno claimed that "babies were being beaten." But FBI Director William Sessions promptly denied these allegations saying the FBI had no such evidence. The joint Congressional report by the House Committee on Government Reform and Oversight and the Committee on the Judiciary concluded that the assault was "premature" and stated, "The Attorney General knew or should have known that there was little risk to the FBI agents, society as a whole, or to the Davidians from continuing this standoff and that the possibility of a peaceful resolution continued to exist."[9] In fact, HRT commander Dick Rogers conceded to investigators soon after the Waco debacle that negotiators could have coaxed sect members from their barricaded complex if given enough time: “I think given enough time,” Rogers stated, “any negotiator could get them out if (there was) no suicide, but what is enough time?”[10] As critics suspected, the negotiators at Waco firmly believed the standoff could have ended peacefully. Agent Gary Noesner, FBI negotiation coordinator for the first half of the standoff, told Justice Department investigators in August 1993, “The negotiators’ approach was working until they had the rug pulled out from under them by aggressive tactical actions.” Agent Noesner also stated, “Any negotiator would have told them that dismantling the building would provoke a violent response. Anyone would have seen the risk. What was the rush?”[11] According to an internal FBI memo apparently written in late March 1993, Deputy Assistant FBI Director Danny Coulson complained to Justice Department officials, “A lot of pressure is coming from (Dick) Rogers. We had similar problems in Idaho with him and he argued and convinced the SACs (Special

Agents-in-Charge) that Weaver would not come out. That proved to be wrong. I believe he is a significant part of the problem."[12] Coulson conveyed further frustration with Roger's aggressive tactics in another part of the memo: "I am pretty disappointed with this approach. Everything is moving toward a gas attack... I have stated that I believe it is unwise. We have more to negotiate... HRT needs to be told that we are not going to assault that compound in any fashion, including gas. If he (Rogers) can't accommodate this objective, he should be brought back to Washington."[13] One of the FBI behavioral scientists who advised the HRT at Waco, Pete Smerick, told Justice Department officials that he wrote early memos voicing concern "that bureau commanders were moving too rapidly toward a military resolution of the situation."[14]

Though the development of trust between negotiator and hostage-taker is essential for any successful resolution of a standoff to occur, no such trust was ever allowed to develop at Mt. Carmel. This was the crux of the complaints made to government officials by the negotiating team with regard to tactical strategies in the 1993 Justice Department report.[15] The complaints centered on the "punishment" of Davidians meted out after compliance with requests made by negotiators on March 12 and March 21, which undermined any bond of trust cultivated between the two parties. After sending out two sect members on March 12, FBI commanders cut off all electricity to Mt. Carmel. Following the surrender of seven sect members on March 21, the tactical unit of the HRT bulldozed Davidian cars and smashed the children's motorcycles and toys with tanks. FBI negotiation coordinator Gary Noesner stated in a post-incident interview with Justice investigators, "If the power had not been cut ... additional people would have come out. This could have set a positive example where people would have continued to cooperate and built to a peaceful resolution."[16] The negotiations were working and Agent Noesner considered the events of March 21 "the most positive day they had experienced. There were indications," he said, "that 20 people would come out the next day."[17] But within hours, the Combat Engineering Vehicles (CEVs) began destroying the group's

automobiles. Noesner later recalled the situation with horror, saying it was "the worst decision he's seen in 21 years with the FBI."[18] In one interview with a surviving Branch Davidian, Rita Riddle, she told me that the actions of the FBI "terrorized" those inside the compound. She was adamant in saying that the sect members did not trust the government because of the threatening and aggressive gestures made. The Department of Justice report also records numerous instances in which Koresh and Schneider became "agitated" by the provocations deliberately engineered by the tactical team and complained that the agents were negotiating in "bad faith" (67).

One imperative task of the negotiator is to reduce stress. "If the negotiators want themselves or the hostage-taker to come up with new ideas, McMains and Mullins state, they need to reduce stress levels as much as possible" (125). "(H)igh levels of stress interfere with negotiators' performance" (125). "Stress affects the hostage-taker's decision-making skills. Stress elevates emotions, speeds physiological processes and interferes with cognitive processing. The ability to make decisions is hindered or even ceases" (129). However, the HRT's response plan in Waco after March 17 was referred to as a "stress escalation" program, according to the Justice report (138). This is the most obvious and defiant breach of fundamental hostage negotiation protocol evidenced by the government. It is virtually impossible to reconcile a *stress escalation* strategy with the principle of *stress reduction*. No amount of government spin can erase the inexplicable and inexcusable contradiction. The only rationale offered for the stress escalation plan was that it would result in driving a psychological wedge between Koresh and his followers, in the apparent hope that group fragmentation would occur (129, 135). Tragically, the strategy produced the opposite effect, bonding members together against a perceived common enemy (similar to the effect of heightened feelings of patriotism during wartime), a basic sociological axiom.

The stress escalation program was alternately referred to as "psychological warfare" throughout the Justice report. Psychological warfare is a strategy developed by

the CIA designed to induce acute emotional stress and psychological irritants. Among other things, it involves alternating gestures of conciliation and threat in order to confuse a designated enemy. According to CIA documents released under the Freedom of Information Act, "Psychological warfare employs any weapon to influence the mind of the enemy. The weapons are psychological only in the effect they produce and not because of the nature of the weapons themselves. In this light, ...subversion, sabotage, special operations, guerilla warfare, espionage, political, cultural, economic and racial pressures are all effective. They are effective because they produce dissension, distrust, fear and hopelessness in the mind of the enemy."[19]

FBI officials, Bob Ricks and Jeff Jamar, ridiculed Koresh's beliefs as "bible-babble" during press briefings, calling him a "self-centered liar," "coward," "phony messiah," "child molester," "con-man," "cheap thug who interprets the Bible through the barrel of a gun," "delusional," "egotistical," "fanatic," and invoked a whole litany of well-chosen epithets and pejorative slurs.[20] Though face-saving techniques in crisis negotiations are essential to success, FBI officials belittled and eviscerated the sect leader publicly. The FBI command also launched a disinformation campaign—an element of psychological warfare—against Koresh which the media adopted wholesale and regurgitated verbatim to the public. It was not until months after the standoff ended that news reporters discovered they had been an unwitting instrument of the FBI's psychological warfare strategy, an issue which created considerable consternation among professional journalists.[21]

Reliable communication hinges on forging a common universe of discourse. Subcultural communities often have distinct dialects, worldviews, beliefs, and norms. When entering the social world of a religious separatist group, such as the Branch Davidians, it is imperative that there be an effort to understand the indigenous meanings of the group so that language does not become a barrier. According to McMains and Mullins, "there must be reliable communicators. The people must speak the same

language, have a similar meaning for words, and use language consistently" (27). "The sender and the receiver both have to understand the communicator. Misunderstandings can occur for numerous reasons including *differences in religion*, culture, ethnic background..." (143, emphasis added).

In stark contrast, the FBI/HRT command exhibited a notable contempt for the language, beliefs and worldview of the Davidians. The Davidians were clearly aware of this vilification and voiced their concerns in a video tape made during the standoff. Several sect members who appear on the tape refer to "lies" and mischaracterizations by officials. But the public seemed willing to accept the stereotypic cult allegations and dismissed a religious motive. One expert in the Justice Department report, Lawrence E. Sullivan, Director of the Center for the Study of World Religions at Harvard, had the following observation: "In the very moments when a religious reading of reality became increasingly paramount for David Koresh and the Davidians inside their Waco, Texas compound, federal law enforcement officials outside the compound, it seems, gave increasingly less importance and less consideration to religion as a motive for Davidian words and actions. As the crisis pushed toward its climax, Koresh and the Davidians became ever more entrenched in their religious convictions. ...Ironically, then, the ATF and the FBI were consistently and increasingly evaluated in religious terms by the Branch Davidians, but the federal law enforcement agencies declined for the most part, to evaluate religion as a determining factor in actions and attitudes of the Branch Davidian community."[22] FBI psychological profilers Pete Smerick and Mark Young advised on-scene commanders to ease the tactical pressure at Mt. Carmel in a memo dated March 5. The report states, "It was their belief that increasing the tactical pressure would simply increase the fear and paranoia of Koresh's followers, thereby reaffirming their desire to stay inside with Koresh" (181). On March 7, Smerick and Young advised the FBI commanders "that efforts be made to shore up the trust between Koresh and the negotiators" (181). Smerick and Young explained that if the FBI could not establish some trust with Koresh, the

negotiations would eventually deteriorate and increase the chances of an assault. “(They) warned that the FBI would be criticized if children were killed in such as attack, just as the Philadelphia Police were criticized after five children died in the assault on the MOVE sect in 1985” (181). On March 8, Smerick and Young stated that "while it would be natural for law enforcement to feel frustrated at the slow pace of negotiations, and to feel that Koresh was toying with the FBI, a strong law enforcement show of force would simply play into Koresh's hands and allow him to justify continuing the standoff.... Thus Smerick and Young suggested moving back from the compound, not to show law enforcement weakness, but to sap from Koresh the source of his powerful hold over his followers—the prediction that the government was about to start a war against them” (182). The FBI/HRT command ignored the advice of their own experts.

Evidence clearly shows that pressure from FBI officials in charge impeded effective negotiations through tactical aggression, causing communication between the government and the Davidians to stall, and providing a rationale for the deadly assault. Dr. Alan Stone, distinguished Professor of Law and Psychiatry at Harvard who was later asked by the Justice Department to review the actions of the FBI, made the following statement in his report: “(T)he FBI's own experts recognized and predicted in memoranda that there was the risk that the active aggressive law enforcement mentality of the FBI—the so-called “action-imperative”—would prevail in the face of frustration and delay. They warned that, in these circumstances, there might be tragic consequences from the FBI’s ‘action-imperative,’ and they were correct” (15). According to one of the other experts commissioned by the Justice Department, Dr. Nancy Ammerman, the negotiators and the people representing the Behavioral Sciences Unit “were outranked and outnumbered. Within the command structure, people from the tactical unit were simply more trusted and were more at home with the SACs in Waco. ...There was an understandable desire among many agents to make Koresh and the Davidians pay for the harm they had caused. Arguments for patience...fell on deaf ears.”[23]

The lack of control that negotiators possessed at Mt. Carmel was a critical flaw in the government's handling of the Waco standoff. Negotiators did not have control of their side of the bargaining and thus could not provide assurance of safety and security to the besieged group. The negotiating unit remained at Mt. Carmel after the second week apparently to provide only the appearance that conciliatory negotiations were still taking place. Consider that two and a half weeks into the standoff, the FBI command "requested a library of recordings of (irritant) sounds to be broadcast for purposes of sleep deprivation."[24] The Justice Department log records the use of high-intensity stadium lights on the building at night while blaring deafening sounds at Mt. Carmel (rabbits being slaughtered, dentist drills, chanting), which at times exceeded 105 decibels, a level that according to Dr. Alan Stone "can produce nerve deafness in children as well as adults."[25] Dr. Robert Cancro, Lucius N. Littauer Professor of Psychiatry and Department Chair at New York University Medical Center, who was also asked by the Justice Department to review the FBI's actions at Waco, wrote in his report, "(F)rom a behavioral science perspective, it is not clear what benefits were expected from imposing sleep deprivation on the members of the compound. If anything, this was likely to make their behavior more erratic and less predictable."[26] Nonetheless, the Justice Department report notes that around this same time "SAC Jamar decided it was time to increase the pressure" (135). Dr. Alan Stone states that "By March 21, the FBI was concentrating on tactical pressure alone: first by using all-out psycho-physiological warfare intended to stress and intimidate the Branch Davidians; and second, by 'tightening the noose' with a circle of armored vehicles."[27]

Stone later summarized the problem as follows: "tactical pressure began at the operational level over the objections of the FBI's own experts in negotiation and behavioral science, who specifically advised against it. These experts warned the FBI command about the potentially fatal consequences of such measures in dealing with an unconventional group. Their advice is documented in memoranda. Nonetheless, tactical

pressure was added. Without a clear command decision, what evolved was a carrot-and-stick, 'mixed-message' strategy" (9). According to the Justice Department report, "negotiators lamented the absence of joint strategy sessions with the on-site commander and the tactical commander" (140). Negotiators complained that the on-site commander (Jeff Jamar) and the tactical personnel "were often impatient with their progress and failed to provide them with adequate information so that negotiators could coordinate their efforts with ...the tactical team" (140).

These "communication problems," as they were referred to in the Justice report, were likely an explanation designed to cloak the intentions of the HRT command. Negotiation coordinator, Gary Noesner, later told a Justice Department investigator that the aggressive actions by the tactical unit were pre-meditated: "A guy from the HRT (hostage-rescue team) said it was just to 'piss them off'," Noesner said, referring to the events of March 12 and 21.[28] Another negotiator, Frederick Lanceley, told Justice Department investigators that he was so concerned that he went to on-site commander Jeff Jamar directly and complained. Soon afterward, agents Noesner and Lanceley were recalled from Waco. Lanceley told another member of the negotiation unit, "I want to get out of here because all of these people in that compound are going to die, and I don't want to be here when it happens."[29]

Conclusion

In sum, the FBI abandoned conciliatory negotiations early in the standoff, even though negotiations were succeeding and sect members were still surrendering. Tactical-aggressive actions sabotaged good-faith negotiations, sending mixed messages to the barricaded sect members by "punishing" positive responses to overtures from negotiators. Contradictory gestures of conciliation and threat served to confuse and terrify those inside Mt. Carmel, leading to communication breakdown, distrust, and polarization. Despite warnings from their own behavioral science advisors, FBI officials in the

command structure proceeded toward a military solution methodically. Seizing upon the impasse in negotiations which the HRT command helped to create, a tactical plan was implemented, entailing a massive insertion of the riot-control chemical agent, CS. The likelihood that the standoff would now end violently was greatly increased. Perhaps the most poignant statement epitomizing the perspective of the negotiators was made by veteran negotiator Clint Van Zandt. Van Zandt told Justice Department investigators in 1993 that seeing the CS insertion plan go forward on April 19 was "akin to sitting on the bow of the Titanic and watching the iceberg approach."[30] Indeed, an accurate record of official decisions and actions that transpired at Waco differs dramatically from the one most people were told. It shows that the negotiators recognized the manipulation and self-destruction of the operation and predicted the tragic outcome even as the events at Mt. Carmel were still unfolding.

Notes

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23. Nancy T. Ammerman, "Waco, Federal Law Enforcement and Scholars of Religion," in Stuart A. Wright, *Armageddon in Waco*, p.291.

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25. Stone, p. 14-15.

26. Robert Cancro, letter to Deputy Attorney General Philip B. Heymann, in *Recommendations of Experts for Improvement in Federal Law Enforcement After Waco* (Washington DC: U.S. Government Printing Office, 1993), p.4.

27. Stone, p.10.

28. Hancock, "FBI missteps..."

29. Ibid.

30. Ibid.

"NOTHING TO FEAR BUT FEAR ITSELF": AN ANALYSIS OF THE EVENTS AT JONESTOWN AND MT. CARMEL

Leslie Nairn

While the word "government" is synonymous with words like "regulation," "control," "rule," and "command," I have found that the connotations yielded by this very word imply notions of justice, truth and righteousness. I could attribute these positive connotations to my personal optimistic nature of the world, but in light of my new understanding and knowledge of incidents that took place at Jonestown and Mt. Carmel, I must reconsider the origins of my optimism. In fact, I would argue that my optimism has little to do with my own trusting attitude towards the government and more to do with how information and events are manipulated, produced and presented to the American public. With regards to the events in Jonestown and Mt. Carmel, the U.S. government had a definitive role in both of these incidents—a role largely unknown to the majority of the public. Only through further investigation and examination of these two events does it become clear that justice and truth do not necessarily accompany "regulation" and "control." I am not superficially suggesting that we adopt or cling to the cynical conviction that the government is evil and corrupt. Rather by taking a closer look at the government's participation in these two instances, I propose that we challenge ourselves to question and test our sources of information. We should take a more active role in how we receive and understand this information instead of passively accepting every news report and news headline as unbiased, complete fact. While this is a lofty undertaking, it is necessary in order to understand and prevent future manifestations of "control" and "regulation" at the expense of human lives.

The role of the government in the events leading up to and tragically culminating in the mass suicide at Jonestown are difficult to understand and even more difficult to stomach. Ironically, the U.S. government initially supported the radical Jim Jones who espoused socialist ideals and multiracial harmony (Wessinger, 37). Republicans and

Democrats alike encouraged Jones' activism and allowed him to become an "important political force" with authoritative positions like that of Director of the Indianapolis Human Rights commission (Smith, 106-7). Whether these important positions of authority were meant to control or satisfy Jones' unyielding appetite for change, they only served to empower him and encourage him to continue to fight for equality and freedom from the demonic strongholds of capitalism and "fly away religion" (Wessinger, 37). It was only a matter of time before Jones realized that his vision of an egalitarian, utopian society would have to be established outside of the United States and in a locale that could be physically isolated from the prejudices, persecution and resistance his followers were beginning to suffer.

Unfortunately, this relocation to Guyana proved to be the tragic mistake of Jones' group in two important ways: 1. Relocating to a foreign country asked too much of the members of the People's Temple as many left their families, homes and lives for a shaky start-up community; and 2. Relocation of Jones and his followers only encouraged religious scholars and the American public to distance themselves from this Jim Jones who was now regarded as the "Marxist, communist, one who rejected the 'opiate of religion'" (Smith, 110). His once governmentally supported People's Temple was now transforming into a revolutionary and fragile millennial group. The foundation of Jonestown began to crumble both internally and externally, and the government capitalized on this fact immediately. Defections served to erode loyalty within the Jonestown community as did the actions of the Concerned Relatives, and the press was more than willing to publish sensational stories about sex scandals, violence, drugs and other illegal activity that some defectors had shared (Wessinger, 46). In particular, Congressman Leo Ryan let his opportunism get the better of him as he sought to investigate the Jonestown community further, perhaps hoping to add "the heroic U.S. representative-to-the-rescue" title to his resume. Regardless of Ryan's motives, his unforgettable visit to Jonestown in November of 1978 prompted Jones and his followers

to feel that "utopia had been invaded" and that "it was time for another exodus" (Smith, 117). While we cannot blame Ryan's visit to the Jonestown community as the act that initiated the horrific mass suicide that ensued, we can with certainty recognize that "almost no attempt was made to gain any interpretive framework" on the aftermath of the incident (109). It was easier for the government and the media to shut the book on this tragic event in history and chalk it up to a disturbed man "who was not always evil, but who became evil" (Wessinger, 33).

The U.S. government's involvement in the events at Mt. Carmel was very different from that of the Jonestown incident, yet in Waco, the government reinforced the notion that control and regulation are more important than truth and justice. The important distinction to make between Jones and his People's Temple and David Koresh and his Branch Davidians is that the Davidians were not a revolutionary, fragile millennial group. In fact, I would argue, it is more accurate to consider the BATF agency as a fragile "cult" in itself.

It is no mystery that the BATF reputation was faltering, and "Operation Showtime" was an opportunity for the BATF agents "to pave part of the way for a larger annual budget" and gain some much wanted respect and fame for their heroic actions (Beckwith, 68). As James T. Richardson mentioned in his speech, "opportunism took over." The initial fragility of the BATF reputation and their irrevocable abuses of power and resources proved fatal. Other law enforcement agents were brought into the situation to help sort out the raid gone terribly awry, but the time for successful and peaceful negotiations with Koresh and his followers had expired, at least in the eyes of the law enforcement and the government. "The drama seemed to imitate a Greek tragedy, moving inexorably toward its predictable climax, and we know that the Greek tragedies always involve predetermined sacrifices" (Richardson, 164).

The real matter at hand is the pointed question presented by Stuart Wright during the Fleming Lectures: Why did the FBI and law enforcement agents fail in bringing about a

peaceful resolution at Mt. Carmel when they had a plethora of resources to do so? Why should Waco be a Greek tragedy in the first place? I would argue that the fragile BATF agency, initially hoping to become overnight heroes and scared of their immediate failure, fell into the familiar and easy position of demonizing the Branch Davidians and specifically targeting Koresh as their demented, criminal leader. "Thus there was the unfortunate but not unusual irony that a group of religious nonconformists—exactly the people for whom constitutional protections were developed—were subject to harassment and investigation from representatives of the government that guaranteed religious liberty" (Williams, 318-9).

Furthermore, this fragile BATF group as well as the FBI and other law enforcement officers escalated the intensity of the situation not only with their inhumane tactics, but also with their failure to recognize that alternative negotiations could be realized and be successful. Wessinger's point is right on target—both the Davidians and the U.S. government share the dualistic worldview of conflict. In this instance, the attacks on the Branch Davidians, both psychological and physical confirmed Koresh's prophecies regarding the end of things and the great battle with "babylon" (Wessinger, 100). Similarly, conflict is also at the heart of the BATF and FBI existence in society, and while resolving conflict should be their primary goal, creating conflict seemed to be their only response to the non-violent reaction they were receiving from the Davidians. Lewis explains this hypocritical agenda when he argues that "having an enemy one can portray as evil and perverse also provides support for the normative values and institutions of one's society" (xiii). The U.S. government and legal branches, with the help of the media, served to create that enemy and ultimately caused the unnecessary and horrific outcome at Mt. Carmel to occur. The government allowed and encouraged the dehumanization of the Davidians and blatantly ignored the results that peaceful negotiations with religious scholars were producing (Richardson lecture). The BATF wanted a bang performance, and they sure got it.

The lessons to be learned from the tragic events at both Jonestown and Mt. Carmel are bittersweet. On some level, we can feel relieved that we are safe from lunatics like Jones and Koresh—crazy men with sexual practices and religious beliefs many Americans do not comprehend. Both Jones and Koresh believed they could create a safe-haven or utopia from the "immoral sinners" in the world around them, yet as both communities were attacked and invaded by the U.S. government, mistakes, pressures and miscommunications on both sides set the stage for a tragic end. Sadly though, in the aftermath, we can see our own faces among those "immoral sinners." We realize that certain lines of morality and justice were crossed during these two incidents and that our government does not always function under the principles of justice, peace and freedom. It is important to acknowledge that "groups (in this case, the U.S. government and media) tend to paint alternative religions in the exaggerated colors of fear and fanaticism" (Lewis, xiv). This fear is directly attributed to the U.S. government's lack of understanding, comprehension, and even recognition of the people involved at both Jonestown and Mt. Carmel as Americans and most importantly, as humans. And, that is why events like Jonestown and Mt. Carmel are so disturbing—each person involved had good intentions, and they were human, just like you and me.

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JONESTOWN AS PARADIGM FOR THE SHOWDOWN AT WACO

Blayne Naylor

If the government considered Jonestown when deciding how to handle the situation with the Branch Davidians, they likely saw it as a counter-example rather than a blueprint. In fact, Jonestown and Waco could be seen as opposite ends of the spectrum of "what not to do." The government resisted direct involvement with Jonestown, while they were in Waco up to their knees. Yet both cases resulted in the deaths of almost all of the group members. One could argue that both groups were under a similar amount of external pressure, since the lack of action by the government with Jonestown prompted the Concerned Relatives to exert more pressure of their own. These similar consequences of enormously different governmental reactions have as much to do with the dogma of the besieged group as they do with the external pressures put on the group.

The Branch Davidians and the People's Temple have remarkably similar origins, with a few significant differences. Both associated themselves in the beginning with small but relatively mainstream (compared to the final product) religious groups. The Branch Davidians are an offshoot of the Seventh-Day Adventists, while the People's Temple joined the Christian Church (Disciples of Christ). Both groups practiced communal living, and both theologies were seeking their promised land outside the United States. Both anticipated an imminent Apocalypse, and were preparing themselves for the battle against Babylon, which turned out to be the U.S. Government. These factors are a large part of what made them a target for criticism, investigation, and hostility, which in both cases was largely unfounded. Major fundamental differences exist, however, which explain the disparate ways the two groups reacted under pressure.

The People's Temple at Jonestown developed rapidly, and throughout its life was almost always under pressure from the outside. Jim Jones became a preacher in 1951, and the mass suicide in Guyana was less than thirty years later, in 1978 (Hall, 18). He was a self-styled prophet, the sole charismatic leader of the group, who cloaked his socialist

message in the guise of a church. Although the Bible was sometimes quoted, particularly in the early days, this church in its final form did not worship the God of the Bible. Jones said that the God of the Bible was a "Sky God" or a "Buzzard God" who was no God at all. The true God was "Principle" which was synonymous with "Love." Love, in Jones's book, was equated with Socialism. Jones preached that he was the embodiment of "Principle," or Socialism, and claimed that in one of his previous incarnations, he came as Lenin to establish communism in the U.S.S.R. (Wessinger, 37). The church's apocalyptic doctrine was combined with social activism and work toward racial, social, and economic equality. The group attracted people concerned with gay rights, working- and middle-class blacks, who found racial diversity and equality, and young white college students, who enjoyed participating in social justice efforts (Hall, 12). This social activism attracted even larger numbers of people after the group moved to California. While there, the group founded care homes, both as a means to care for its elderly members and for income (Wessinger, 34).

Jim Jones encouraged the People's Temple members to call him "Father" or "Dad" to emphasize the familial aspects of their communal way of life. He kept a staff that was mostly composed of young, attractive white women (Hall, 20). He engaged in sexual relations with his staff and other members of the church, both male and female. Sex was apparently used both as a punishment and a reward. It was also used to establish intimacy with some members and humiliate others (Hall, 24). The children he fathered outside his marriage eventually contributed to the controversy that precipitated the mass suicide in 1978.

As the group grew, the number of defectors grew also, and these apostates eventually joined with other individuals to form the Concerned Relatives. In the beginning, this group was mostly interested in the release of certain young children, notably John Victor Stoen, and contact with their adult children. As they encountered roadblocks to their immediate goals, they began to broaden their allegations against the

People's Temple in order to catch the attention of governmental bodies (Hall, 33). Pressure from the Concerned Relatives, in particular the custody battle over John Victor Stoen, caused an increase in pressures within the group. The defections of Deanna and "Mert" Mertle, Debbie Layton Blakey, Teri Buford, and Tim and Grace Stoen, who were important figures in the group's leadership, dealt another blow to the group (Wessinger, 46). Often, the apostates fought against the group just as adamantly as they had worked for the group before their departures. The Concerned Relatives pressured the government for assistance, but when investigations turned up scant evidence of prosecutable crimes, they grew frustrated. Finally they obtained the support of Congressman Leo Ryan, a sympathizer to the U.S. anticult movement. He agreed to visit the People's Temple in person, along with some members of the press and the Concerned Relatives (Hall, 34).

This visit ultimately precipitated the mass suicide of the members of the People's Temple in Jonestown, as well as a few faithful members elsewhere. State Department, IRS, and Customs investigations, as well as pressure from the Concerned Relatives and the fact that custody of John Victor Stoen had been granted to his biological mother were all factors that convinced People's Temple members that there was a conspiracy against them. When sixteen members decided to leave with Congressman Ryan, Temple leadership became convinced that the U.S. government would dismantle the commune. A man inside one of the planes that was attempting to depart and several individuals outside shot and killed five people, including Congressman Ryan, and injured ten others. The assassins then returned to Jonestown, where the believers drank Fla-Vor-Ade laced with cyanide and tranquilizers. Jim Jones and a nurse named Annie Moore appeared to have shot themselves after everyone else had died (Hall, 37). In total, 913 believers died.

Although the mass suicide was prompted by the visit from Congressman Ryan, the People's Temple had been preparing for it for some time. The group had conducted suicide drills in which everyone drank a red beverage (Wessinger, 48). In addition to external pressures, Jim Jones' drug problem, defections of important members, and

internal stresses made their socialist dream even more difficult to reach. Catherine Wessinger, in her article "New Religious Movements and Religious Liberty in America," cites characteristics that might indicate a group has the potential for volatility. Of the 18 characteristics indicated, People's Temple displayed 16. The U.S. government was aware of at least some of these warning signs, yet for various reasons were hesitant to get involved.

Some of the reasons cited by law enforcement for investigating the Branch Davidians at Waco were the same reasons they probably should have intervened with the People's Temple. The Concerned Relatives and others claimed that the Branch Davidians were stockpiling weapons, molesting and abusing children, practicing deviant sexual activities, and manufacturing drugs. The theology and structure of the Branch Davidians, however, made them a much more stable group than the People's Temple. The Branch Davidians also lived in a communal setting with a somewhat unusual familial structures, but their way of life evolved over a long period of time. They had their roots in the Seventh Day Adventists, who were founded in 1831. The Davidians were established in 1930, and the Branch Davidians split from the group after 1965. The communal way of life developed because it was economical. The Branch Seventh Day Adventist theology initially emphasized pacifism. Like People's Temple, they were in search of their promised land, but they planned to build it in Israel and wait there for Armageddon. The last days, according to the Branch Davidians, was not as imminent as it was for People's Temple, so they did not feel as much that they were in a state of crisis. Branch Davidian leadership was stable, and they had few disgruntled apostates. Of Wessinger's characteristics that indicate volatility, the Branch Davidians exhibit four or five at the most. Sadly, the main motive behind the Bureau of Alcohol, Tobacco, and Firearms [BATF] investigation was probably to improve their reputation with a televised raid. In addition, the group's unusual sexual and marital relationships made them vulnerable to allegations of child molestation, a practice that the public readily condemns.

When the standoff began in Waco, the media quickly labeled the Branch Davidians a "cult." When that term was used, the general public automatically thought of Jonestown. This was evidently on the minds of the BATF agents as well, who tried to conduct the raid quickly in the fear that the Branch Davidians would commit mass suicide. The mentality of the BATF was apparently that if the Davidians knew about the raid and it was subsequently cancelled, the result would be a siege and eventually mass suicide (Wessinger, 64). The thought seemed to be that to most successfully avoid a tragedy similar to the one at Jonestown, the government should move in quickly and take control of the situation before anyone had time to resist. In Jonestown, time was wasted on "trivialities" like discussion, public relations, due process, and the bill of rights, but those mistakes were not to be repeated. The murders/mass suicide at People's Temple also served to heighten fears about the situation in Waco. Most, if not all, of the accusations leveled against People's Temple turned out to be true, and in the end the reality was worse than anyone could have imagined. The allegations against the Branch Davidians included child molestation and abuse, and they were considered to be a danger to themselves and others. No one wanted to see what could happen if all of this was true, much less if the truth was worse than what was charged. People simply assumed that all "cults" were the same, and they certainly did not want a Jonestown in their neighborhood.

The tragedy at Waco was, in part, brought about by generalizations that equated the group there with the one at Jonestown. These perceptions allowed the Branch Davidians to be dehumanized, and for unquestioning acceptance by the public of outlandish accusations. Jonestown can be seen as both the result and also the cause of misunderstanding regarding marginalized religions.

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GOVERNMENT INVOLVEMENT IN JONESTOWN VS. WACO

Lesley Sheblak

It is said that the government dealt with the situation in Waco the way it did, in order to prevent another mass suicide like the one at Jonestown. Although it tried to learn from its mistakes, elements of the government did not handle the crisis in Waco much better than the one in Jonestown. These two completely separate incidents have similarities in the way they were handled by the government and the way they were perceived by the media and the public at large.

To begin with, it is important to understand a bit about each group and the public perceptions of them. There were many similarities and differences between the People's Temple at Jonestown, and the Branch Davidians at Mount Carmel. Both were new religious movements that had a charismatic leader and an interracial congregation. One difference between Jim Jones and David Koresh is that Jones fell into moral decline. He "was addicted to drugs and his addiction worsened after he moved to Jonestown," (Wessinger, 46). There were reports that Jones used male and female members of his congregation to fulfill his sexual urges (Smith, 109). Koresh was also accused of sexual misconduct. He married girls as young as 12 (with parental consent), as well as gave himself access to any woman in the community, even if she was legally married (Wessinger, 82). However, his "marriages" were not for his own pleasure, but in order to create the rulers of the new earth according to biblical prophecy (Wessinger, 83).

In Jonestown, it was difficult for people who no longer wished to stay in the group to leave. For one, Jonestown was located in the jungles of Guyana, and second, people who tried to leave were drugged or locked up (Wessinger, 47). In Waco, although the Davidians were surrounded by military forces during the siege, which may have prevented them from leaving, members were not physically forced by the group to stay. The members wanted to be there—in fact they wanted to stay with their leader even during the siege. If there was a tactic used to prevent members from leaving, it was

psychological. The group said that they were on the right path to salvation, and if someone left the group, that person would then be on the path to hell. One has to keep in mind though, that the media presented negative information about both groups. The Branch Davidians have been able to improve their image through information uncovered in later investigations and through accounts of surviving Davidians. All the loyal members of the People's Temple are dead, and most accounts of life in Jonestown have come from people who defected from the group.

Both the People's Temple and the Branch Davidians had issues dealing with children that caught the eye of the public and the government. In Jonestown, it was the custody battle over John Victor Stoen that gained attention. Jones claimed that he was the father of Grace Stoen's baby and after she and her husband left the group, the People's Temple raised John Victor. Later, Grace Stoen filed for custody of her child, but Jones would not give him up, and a custody battle ensued (Hall, 32). In Waco, reports of child abuse and sexual abuse grabbed the attention of the government, and surprisingly the Bureau of Alcohol Tobacco and Firearms (BATF). However, the Texas Department of Human Services had investigated child abuse previously and dismissed the case due to lack of evidence (Wessinger, 62). The female minors that Koresh was having sex with were legally married to other Davidian men, so he could not be charged with statutory rape (Wessinger, 63). Ironically, the BATF would continue to claim that they were trying to protect the children after the raid began and later so could the FBI though bombing the compound with CS gas, which was probably responsible for the deaths of those children.

In both cases, there was an interfering outside force that wanted to bring the group down, and made up lies in order to obtain government involvement. In Jonestown, a group of defectors and opponents of the People's Temple, called the "Concerned Relatives," started a campaign against Jones and his followers. They wrote to Congressmen, held rallies, and met with political figures in order to bring down the so-

called "cult." However, they were largely unsuccessful. After several trips to check on the conditions of the camp, the U.S. Embassy in Guyana, decided that the Concerned Relatives' claims were mostly untrue (Hall, 33). The Concerned Relatives were eventually able to use their lies to achieve their goal. They gained the support of Congressman Leo Ryan, and despite the advice of his peers, he decided to join the Concerned Relatives in a "fact-finding" or investigative trip to Jonestown. It was termed "investigative" even though every group on the mission, including the press, had an ulterior agenda (Hall, 34-35). Similarly, in Waco, the BATF had wanted to raid the Branch Davidian compound for some time, but were unable to obtain the support of the FBI. The BATF as a group was being evaluated for budget cuts, and they needed a quick raid/victory to boost their image. The Davidians seemed like a good target (Wright lecture). However, they could not have been more wrong. In order to gain the governmental support/equipment they wanted, the BATF lied and said that the Davidians were dealing drugs, and had a meth lab in the compound (McNulty, 1997). This allowed them to have helicopters, and other military assistance to assist in the raid (Wessinger, 64). Unlike Jonestown, the BATF was not using the disguise of an investigation, but called it a raid. There had been previous investigations of the group, but it did not uncover any evidence that could be used against them, and was therefore ignored by the BATF (Wessinger, 62).

The manner of the attacks on political figures or government agencies by the New Religious Movements (NRMs) was different. In Jonestown, Ryan and the Concerned Relatives were seen as enemies, especially after aiding the escape of several members, and they were attacked without physically provoking the group Ryan even told Jones that he would give him a positive report, saying, "If two hundred people wanted to leave, I would still say you have a beautiful place to live," (Hall, 36). Ryan and several other members of his group were later murdered at the airstrip (Hall, 37). This was a deliberate attack by members of the People's Temple. In Waco, although the Branch Davidians were armed, they did not attack the BATF. There is some discussion about who shot first, but

most of the recently uncovered evidence points to the BATF as the instigators (McNulty, 1997). Also, many of the Davidians claimed that it was the helicopters that fired first. If that is the case, then the Davidians were simply trying to defend themselves from the attack. Four BATF agents died in the raid on Feb. 28, 1993. Although the government claims they were killed by Davidians, Clive Doyle, a surviving Davidian, feels that with all of the bullets that were shot that morning, the agents may have been killed by "friendly fire" (Doyle, Memorial Service). The deaths of these men and the wounding of others only enraged the BATF and caused other government agencies, including the FBI and possibly the Delta Force to become involved (McNulty, 1999).

The intent of the government's involvement was similar in both cases. In Jonestown, the Concerned Relatives wanted to "bring Jonestown to a public reckoning without precipitating the extreme acts of violent resistance that the community had threatened," (Hall, 34). In Waco, the BATF wanted to bring down the Davidians, to make themselves look good, but they wanted to avoid a mass suicide like the one at Jonestown. The length of the showdowns between the NRMs and the government was different. In Jonestown, members of the People's Temple committed mass suicide, called the "White Night," the same day that Ryan and his party were murdered. They understood that more would come for them soon, and they had no other way to escape, except by leaving the world (Hall, 37). In Waco, the siege lasted 51 days. Several Davidians died in the Feb. 28 raid and negotiations went on during the next few weeks to release a few members at a time until the negotiations were cancelled and the attack began. Most of the remaining Davidians were killed in the fire that ensued (McNulty, 1999). The government also used psychological warfare against the Davidians to try to force them to come out, such as shining lights into the windows, playing loud sounds or music, and cutting off the water and electricity to the building (Wessinger, 76). If the government had actually wanted members to come out of the building, they should have made them feel that they would be protected when they came out. Instead, they threw the adults in jail, and gave the children

to child protective services. There were accounts of tank drivers crushing the Davidians' vehicles and "mooning" members inside the building (Wessinger lecture). Just as the People's Temple felt that it could not return to a society that would persecute them, the Davidians were not eager to leave their community and surrender to the "animals" outside.

There was fear that Waco would end in mass suicide as Jonestown did, and there is still speculation as to who started the fire that killed 74 Davidians. However, according to a surviving member, Koresh did not encourage suicide, in fact he told his followers that they should never commit suicide (Matteson, at Fleming Lecture). Jones, on the other hand, held several practice suicide drills (Wessinger, 47). All of his followers knew that one day, they would have to perform the suicide for real, and they were prepared for it. The Davidians did not want to die. In fact, they were excited when they found out they would be leaving soon. The fire may have just been an accident, but it is easier for the government to place the blame on the Davidians who could not defend themselves. Furthermore, the public would be more likely to accept another mass suicide of a so-called "cult," than a major error by the government costing many lives. In both situations the media presented the government as the heroes, and the NRMs as crazy cults that committed suicide. Only one side of the issue was presented because only one side was every allowed to reach the media. The groups that needed defending were isolated, and in Waco's case, trapped. The only information going to the media came from the government. It was not until later than information against the government started to be revealed. Much of the evidence in both cases were either destroyed or disappeared. The danger with the media and the government is in how a situation gets presented to the public. In the end, it is the government who needs the support of the public, and they have no problem silencing a small group of people who were "different" in order to keep that support.

The government's involvement in Waco is comparable to the involvement in

Jamestown. Both situations ended up badly. The only way that showdowns with NRMs will end peacefully in the future is if the government learns from its mistakes. As the sign that hung over the bodies at Jamestown read, "Those who do not remember the past are condemned to repeat it" (Wessinger, 14).

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THE BRANCH DAVIDIANS AND *THE BACCHAE*[1]

David Tabb Stewart

Is the Strange Unique?

In the tenth anniversary year of the tragedy at Waco, Texas one still struggles to understand what transpired. On April 19, 1993 the Mt. Carmel compound of the General Association of Branch Davidian Seventh-day Adventists [BDSDA][2] burned to the ground. Twenty-three children died along with 59 adults.[3] On the day of that fire, I still remember talking with a friend in Berkeley who ardently insisted that the "wacko from Waco"—and the group—"got what they deserved." Our conversation devolved into an argument and ten years later evolved into a symposium hosted at Southwestern University, a school 90 miles away from Mt. Carmel

One of the invited scholars, Catherine Wessinger, suggested a model to weigh the potential for violence in millennial groups (2000; 2003). Such may be "fragile," or "assaulted," or "revolutionary," or mixed—that is, violence connected to millennial groups may flow from internal or external causes, or a combination of these. She argues that the origin of violence associated with the Branch Davidians was in the assault itself—that is, the cause was mostly external. Thus she distinguishes Waco from the mass suicide of the People's Temple at Jonestown—they were a "fragile" group—precipitated by the public scrutiny embodied in Congressman Ryan's visit, and the subway attack by Aum Shinrikyo—they were "revolutionary"; violence was part of their agenda. While the comparison to Jonestown was first proposed by Davidian opponents more than a year before the fire, and appropriated by the BATF in its raid planning, and propagated by the media, its power to explain and shape response came from its accepted place in our fund of cultural knowledge (Hall, 2002).

Of course, it was not the only possible "model" to reflect upon—it was the *available* one. Jonathan Z. Smith reminds us that

the prime purpose of academic inquiry, most especially in the humanities, is to

> provide *exempli gratia*, an arsenal of classic instances which are held to be exemplary, to provide paradigmatic events and expressions as resources from which to reason, from which to extend the possibility of intelligibility to that which first appears novel (1982: 113).

Thus the subsequent reflections of Charles Clifton (1994) and Michelene Pesantubbee (2000) suggest that Wounded Knee presents a better comparison. When Kicking Bull brought the Ghost Dance religion to the Sioux, he precipitated a governmental reaction that led ultimately to the death of their chief, Sitting Bull, and the first massacre at Wounded Knee in 1890 (Brown, 2001). Wounded Knee reflects an hysteria about the "religious Other" similar to that which seems to propel government action a hundred years later.

If there are other examples of what at first appears to be *sui generis*, do these have a textual history? Here the literary critic René Girard has already preceded us. He identifies a genre he calls "persecution texts" (1986: 9). The very persecutors of this or that religious group develop stories that conceal their culpability for a (mass) murder. The act of storymaking becomes a way of displacing, or even projecting, onto another a truth that cannot be faced. Thus, at the heart of persecution tales is a murderous scapegoating As his parade example, he adduces a fourteenth century text by Guillaume de Machaut, *The Judgment of the King of Navarre*, that blames the bubonic plague on Jews—all these deaths come by the hand of those, Machaut explains, who have poisoned the rivers and wells. Girard points out that from our perspective it is an obvious scapegoating (if we use this term in its popular, not biblical, sense). But from Machaut's perspective, the transference of blame *disguises* the need to purge the social heart of darkness of its violence, and reëstablish unity and order in a world where things fell apart.

I think also of a recent book by Jeffrey Nichols, *Prostitution, Polygamy, and Power: Salt Lake City 1847-1918* (2002). He tells how the Latter Day Saints saw themselves as escaped from a "Babylon" where sexual sins flourished. (I think of how

David Koresh also saw his surrounding world as "Babylon"). Now ensconced in the intermountain west, they were free to pursue all of their sacred ordinances—among which was polygamy. (And David Koresh also practiced polygamy). The Mormon apostle, Orson Pratt, argued that "plural marriage could prevent" the sexual immorality that ravaged the rest of the country (13). (And Koresh required celibacy of all his men while he alone would generate the pure twenty-four elders of *Revelation* from his unions). "Gentile" Mormon opponents could hardly contain their outrage. In reply they claimed the institution of polygamy "hurt the family, caused physical harm, and enslaved or prostituted women" (14). Polygamy and prostitution, these argue, were "entirely similar, the only point of difference being that one is practiced under the cloak of religion" (31). (And likewise, Marc Breault, a Davidian apostate, accuses Koresh of sexually abusing pubescent girls). Indeed, one of the Mormon opponents, Cornelia Paddock, puts a fine point on it. She wrote several anti-Mormon potboilers—among them, *In the Toils; or, Martyrs of the Latter Days* (1879)—to stir up support for her anti-polygamy crusade. In her novel, she relies on "stereotypical depictions of the Mormons" as "wily, insincere leaders, and the rabble of ignorant, fanatical followers" (19)—motifs that Jon Krakauer returns to in *Under the Banner of Heaven: A Story of Violent Faith* in 2003. He writes about Ron and Dan Lafferty's murder of a woman and her child in the murky world of Mormon Fundamentalists and the supposed roots of their crime in Mormon historical theology. Or I could mention E. L. Doctorow's recent story in the *New Yorker*, "Walter John Harmon" (2003) where a New Age guru asserts his sexual control over the wives of adherents (I think again of David Koresh) till he suddenly disappears taking the funds with him. The struggling group is left with an enigmatic map, sketched in Walter John Harmon's hand, that shows a circle of fortifications around their compound. Taken as the last word and testament of their leader, the Elders begin to build it.

Now the historical violence of pogroms against the Jews during the Black Death, epitomized in Machaut's work, is not quite the same as the political and literary violence

against the Mormons in Salt Lake City, though Mormons did suffer physical violence at places like Haun's Mill, or the painting of the Utah L.D.S. church with the violence of their breakaways, or the imaginary inchoate violence of Doctorow's group. However, all these do share textual incarnations of an accusation—"minority religious are the propagators of violence." Doctorow gained my attention, for instance, *because* he seems to distill our collective fear of the violent potential of New Religious Movements.

Returning to J. Z. Smith's essay, "The Devil in Mr. Jones" cited above, I find that he has taken a clue from Girard's *Violence and the Sacred*. He looks to Euripides' *Bacchae* as a way of grappling with the mass suicide of Jonestown. Girard's notion of the intercalation of violence and religion hovers over his analysis. Does *The Bacchae*, one of Euripides' last plays (407 BCE), offer a mythic paradigm of violence against the religious Other? Waco, Wounded Knee, Jonestown, the Mormon's Haun's Mill—incidents from our recorded history—might then appear as strange instantiations or latter day reflections of the myth. There is no necessity—nor, indeed, possibility—that these events and stories would be exactly alike. They may exhibit a "family resemblance" but not an exact identity. They are members of a polythetic category of human events and stories that contain a set of motifemes that are found among the "family members," but not all the individuals. The differences between the events at Waco and Euripides' are also telling.

The Multiple Stories of Waco

When one turns to consider *the* story of Waco, right away there is a problem. There exist multiple reconstructions of what happened at Waco, something we might have expected in light of Kurosawa's film, *Roshoman*. Anson Shupe and Jeffrey Hadden suggest the retellings of Waco fall into five groups which they label as the (1) "contrarian narrative," (2) the "public agent narrative," (3) the "mass media narrative," (4) the "anticult narrative," and (5) the Branch Davidians' own stories (Shupe and Hadden, 1995; cf. also Hall, 2002).

Especially among the so-called contrarians, there have been elaborate attempts at historical reconstruction. Carol Moore (1995) recounts the events leading up to the raid and the siege itself by the day (38-41, 209-215, 263-65), and the events of Feb. 28 and April 19, 1993 by the hour (109-11, 317-322). The McNulty films, *Waco: The Rules of Engagement* (1997) and *Waco: A New Revelation* (1999), enlarge upon and nuance this. Hardy and Kimball's *This Is Not an Assault* (2001), relying on previously undisclosed government video and documents obtained through Freedom of Information Act lawsuits, refine the timeline to the minute and second. The Davidians have also spawned an academic cottage industry, mostly contrarian, of which I am a part. Despite the efforts of many to order the facts, there still remain several mysteries: did the Davidians have one or more illegal automatic weapons? Did the Davidians or the BATF fire first? Did the Davidians set a fire or was the fire precipitated by F.B.I. use of pyrotechnic shells that delivered CS gas?

Government agencies have also produced "histories" under the rubric of "investigations." Both the U.S. Treasury Department (1993) and the Justice Department did internal reviews. The U.S. Congress held hearings, and later, as a result of the Freedom of Information Act lawsuits and their revelations, the U.S. Attorney General set up the so-called "Danforth Commission" to do a further investigation (Danforth, 2000). Several of the government negotiators and raid managers have also been induced to reflect (cf. the accounts of Stephen Higgins, Larry Lynch, Bob Ricks, and Byron Sage in the *Waco Tribune-Herald,* 2003). Finally, there is a vast body of testimony from the criminal trials and the wrongful death civil lawsuits of the Davidians.

Media accounts include the 1993 "Sinful Messiah" series and the tenth anniversary follow-up in the *Waco Tribune-Herald* (2003), a decade of original coverage in the *Dallas Morning News* (www.dallasnews.com), television docudramas and the like. Among the anticult and apostate groups, Marc Breault published an account of his experience with the Davidians (Breault and King, 1993). The subtitle of his book gives a

sense of his story: *A Member's Chilling, Exclusive Account of Madness and Depravity in David Koresh's Compound.* Former member David Bunds has posted memoiristic notes to the yahoo discussion group, "branch-davidian theology." Numerous websites (e.g., www.watchman.org or www.gospelcom.net) offer the "cult" take, including one sponsored by the notorious deprogrammer who advised the BATF and FBI before and during the siege, Rick Ross (2003).

Among the Davidians themselves, the Mt. Carmel Survivors website (Branch Davidian, 2003) and the Mt Carmel Visitors' Center offer narratives of victimization by the government. David Thibodeau, a member of David Koresh's band, published his chilling account of the first storming of the compound and subsequent firestorm in, *A Place Called Waco: A Survivor's Story* (1999). Clive Doyle, the functional leader of the survivor group, includes anecdotes of the siege when he speaks at public fora; Catherine Matteson, a member, has drafted her memoirs; and Catherine Wessinger, among others, has begun to collect oral histories from various survivors.

So do I dare try and tell you what happened? In May, 1992 a UPS driver discovered empty grenade casings in a package for the Branch Davidians. He reported this to the McLennan County, Texas Sheriff who passed on a report to the BATF office in Austin. An agent was assigned to investigate in June (Hall, 2002: 159). The investigators interviewed various dissidents, group leavers, and gun merchants. Frustrated for a lack of sufficient evidence to obtain a warrant they set up an undercover house across the road from Mt. Carmel and had the agents visit and spy on the Davidians. In discussions with former members and "cult experts" they began to worry about the group's potential for violence and mass suicide. Leaver Marc Breault especially talks up this possibility and everyone, of course, still remembered Jonestown.

As a result, federal agents begin to feel the options for delivering their warrant narrow. The child welfare worker who investigated an earlier accusation of child abuse (without result), Joyce Sparks, tells the agents that Koresh rarely left the compound (not

true). They discount the possibility of serving the warrant on Koresh peaceably. This leaves them two options: a failed service followed by a siege, or a "dynamic entry." Because they buy into the possibility of a mass suicide and because they fear for the children, planning turns to a paramilitary assault in Jan. 1993. Ironically, they will forget the warrant itself on the day of the raid (Hall, 2002).

The raid is originally planned for March 1. However, when the BATF learns that the *Waco Tribune-Herald* will begin to run their "Sinful Messiah" series on Feb. 27, they move up the day to the 28th (Cf. *Waco Tribune-Herald,* 2003). On the 25th the BATF begins military training for the raid at Ft. Hood, but Treasury calls it all off the next day. BATF Director Stephen Higgins argues that they must go forward urgently because of the Waco paper's story. Feb. 28th would be the last day to catch them unprepared (Moore, 1995: 40-41).

Early on the morning of Sunday, Feb. 28th a TV cameraman in the vicinity inadvertently tips off a Davidian about the coming raid. Undercover agent Rodriguez is actually in the compound when word is received. He desperately begs off and runs across the street to call in the news that surprise has been lost (109). Despite this, the BATF orders the raid to proceed (but it will take another hour for them to arrive in cattle trailers, followed by KWTX-TV, at 9:45 AM). Why go forward when surprise is lost? Hall (2002) speculates again: it is fear of mass suicide. They cannot *not* go because they must save the children. Thus, the Jonestown suicide narrative that governs the federal agent's imagination time-and-again eliminates all alternatives. The narrative, not the agents, seems to be in control.

An unarmed Koresh meets the BATF at the door; the agents are sitting ducks in their slatted trailers. They expect to be done quickly; Larry Lynch, of the McLennan County Sheriff's Department, tells his wife he'll meet her at church. Shots are fired (the Davidians say from the helicopters that buzzed the complex; the agents say from the Davidians inside the building). The shootout begins; most rounds are shot in the first half

hour. At 9:48 AM Davidian Wayne Martin calls 911 and asks for a cease-fire. After awhile he's switched over to Larry Lynch. There's no direct phone hook-up to the BATF—an officer from the local community college picks up a radio message from Lynch and walks it into BATF raid HQ. But intermittent fire continues until about 1:40 PM as various cease-fires are negotiated by Lynch and Martin (the first at 11:30) but do not hold. Four BATF agents die; 20 are wounded. The agents retreat in anger and Lynch declares it a standoff just after 2:00. He tells the Davidians that the immediate problems are resolved (Moore, 1995: 110-11; Hardy & Kimball, 2001: 235).

Shupe and Hadden report the words of an anonymous Congressional aide spoken much later: "you need to understand the psychology of law enforcement. They had been challenged....There was the day-in-day-out appearance of impotence in a profession in which control is so important" (2002: 190). Already, BATF Agent Hartnett, on his own initiative, had requested the help of the FBI Hostage Rescue Team [HRT], a sort of super SWAT team trained in paramilitary tactics. The FBI arrives on March 1st and takes over from the BATF that morning.

At first the FBI negotiators have some success, but an internal tension also arises between the HRT leaders, trained for quick action, and the negotiators trained to use words and go slow. Some apparently feel that talk is feminine; the negotiators find women's panties in their lockers. On March 2nd two elderly women (among them Catherine Matteson) and four children come out. The two women are immediately arrested for attempted murder. The Davidians loudly protest and the charges are later dropped. This is not an auspicious beginning for negotiations, though 35 people will eventually leave the compound. As early as March 6th, Steve Schneider, Koresh's number two, asserts that the FBI wants to burn the building to destroy the evidence that the BATF shot first in the Feb. 28th raid. On the 14th, the Davidians hang out a banner, "FBI broke negotiations, we want press," and begin flashing SOS signals. The FBI illuminates the compound with lights at night. On the 15th the agent-in-charge says he won't listen to

any more Bible babble. Koresh has been "witnessing" or evangelizing the negotiators. On the 22nd, Special-Agent-in-Charge Jeff Jamar calls a meeting to discuss "stress escalation." They will eventually broadcast the sounds of slaughtered rabbits screaming, Tibetan monks chanting, and Nancy Sinatra's "These Boots Are Made for Walking." On the 25th tanks destroy the children's go-carts and the commune's vehicles, something especially upsetting to all those inside (Moore, 1995: 209-12). The FBI wants "to confront Koresh with the 'fact' of his eroding power" so as to "assert control and demonstrate to Koresh that they [the agents] were in control" (Shupe & Hadden, 1995: 190, citing a 1993 internal report of the U.S. Justice Department).

Meanwhile, two Bible scholars, Arnold and Tabor get the notion that they can reason with Koresh theologically. On April 1st, they broadcast a proposal on a local radio show (the tape is later delivered to the Davidians). *Write a "little book" and then leave Mt. Carmel.* Koresh will eventually take their point (Tabor & Gallagher, 1995; Moore, 1995: 213). However, the FBI is losing patience. The standoff looks bad. The FBI director approves a plan to insert CS gas into the compound and force an exit. During this time, Koresh at first sends out a series of defiant letters declaring that he will not exit until God tells him to. But on April 14th Koresh says, God *has* spoken to him to write that "little book" and he promises to come out when it's done. He will write about the seven seals in the book of *Revelation*, something central to his theology and Branch Davidian theology since the 1930s. On the 16th he declares that the First Seal is done. On the 17th Janet Reno approves the gassing plan. On the 19th the tanks begin to move just before 6:00 AM and loudspeakers demand the Davidians surrender (Moore, 1995: 213-14, 318).

For about an hour the tanks poke holes in the building and insert the gas, actually a very fine powder in a spray. When none exit, another series of methodical insertions follows from 10:00-11:00 AM. The children and the mothers trade places with Koresh during this time and move into their old concrete bank vault, called "the bunker" by the FBI. Now Hardy and Kimball (2001) argue that there is a distinct "punch-up" in action

after 11:00. After all, no women, no children have exited. Even the gas insertion has failed and the Davidians have again "defeated" the authorities by their stubbornness. At 11:19 a tank begins to demolish the gymnasium and smash the building. Gas is inserted into the bunker at levels that would suffocate adults. Just after noon an orange flicker appears, picked up by the infrared F.L.I.R. tapes at 12:07. The compound blazes into flames in about two minutes, the holes punched by the tanks acting as chimney flues on a windy afternoon. The FBI calls the fire department but holds back the truck till about 12:40. By that time the entire building has collapsed into a smoking hot ruin. The 51 day siege has ended; nine people escape the blaze, some badly burned, among them, Clive Doyle (Moore, 1995: 318). Doyle hears behind him a voice he recognizes, his adult daughter screaming, as his skin melts and drips off his own hands. His daughter does not escape (Doyle, 2003).

The view of government agents on the ground is summed up by the Dennis Report to Janet Reno: "The events of April 19 were the result of David Koresh's determined efforts to choreograph his own death and the deaths of his followers in a confrontation with federal authorities to fulfill Koresh's apocalyptic prophecy" (cited by Shupe & Hadden, 1995: 190). In other words, the government is not to blame. In the view of Shupe and Hadden, government agents justify the raid and siege by their mandate to search for illegal weapons; by their moral responsibility to deliver the children from abuse; and by their obligation to search for illegal aliens whether or not all these fell under their statutory mandates (188). Bob Ricks, the FBI's press liaison at Waco, justifies the final assault more poignantly:

> [P]eople have tried to paint the FBI as this big amorphous mass that has no heart and no soul, and that we just, without thinking, launched this assault. The hope was the tear-gassing would cause people in there to surrender—at least the mothers would care enough about the children to bring them out. But when the fire broke out and we realized they were killing themselves, there was nothing but

sadness and weeping that occurred in the FBI command post. (*Waco Tribune-Herald,* 2003).

But the poignance also disguises one more—and perhaps ultimate—accusation: the mothers are heartless; they have killed their very own children.

Returning to my earlier thesis—that there may be some delicious and explanatory parallels between the Davidian experience and that ensconced in the *Bacchae*—let us look and see if there is anything suggestive in Euripides' play.

The Bacchae

Dionysus leads choristers from Asia, his worshipers, to Thebes. Because of the calumny of the Thebans, ascribing his birth in the city to bastardy (and not to Zeus's lying with his mother Semele), he drives the women of Thebes into the mountains as pseudo-bacchantes. To the men of the city, their women have been seduced—perhaps we could say, "brainwashed"—by some new religion. There is a question as to whether it *is* new. Dionysus himself justifies this "new" as really old, partaking in the ancient traditions of the city. And indeed, Cadmus, the abdicated king, has maintained a cult of Semele in Dionysus' absence. Pentheus, Cadmus' grandson and now king, enraged by the disturbances ponders a governmental intervention. After all, it *is* new; the adherents stand accused of sexual immorality and drunkenness; they disorder society and profiteer by their imposture. Pentheus orders the stranger's arrest. When his attendants bring the man, he finds himself disgusted. The disguised Dionysus is both an effeminate pretty-boy *and* a polluter of Thebans' beds, infecting their women with notions of independence. In his interrogation of Dionysus, he accuses him and the Bacchantes of lechery. At the same time he is drawn by the esoteric nature of their religion. He has an erotic fascination with their reputed rituals. Dionysus diagnoses Pentheus' fascination as lack of self-knowledge: "You do not know who you are" (l. 507). After all, Pentheus is beardless, perhaps eighteen or nineteen years old. Torn in turn by disgust and curiosity, he mobilizes his

troops to harass the women converts, and partly yields to Dionysus' offer to spy on them (844-46). Dionysus charms and confuses him so that his moment of decision passes without his own acknowledgment (912-917). Drawn to this tarbaby-in-a-brier-patch, he draws closer and closer till he finds himself attacked by his own mother, Agave.

> "No, no, Mother! I am Pentheus,
> your own son, the child you bore to Echion!
> Pity me, spare me, Mother! I have done a wrong
> but do not kill your own son for my offense" (ll. 1118-1121).

She, who imagines that she defends against an alien interloper, dismembers him with the help of the maenads. The parts of his body are scattered about and she triumphantly carries his head into Thebes as a prize to show the trophy of "women's hunting" (1203-04). Her ultimate recognition of her son's visage, with the help of Cadmus, unveils the horror of the violence—its meaninglessness. The result: the "believers" of the royal family wander into exile and slavery.

Euripides' play holds a "thick description" of the human capacity for violence against the religious "other." It unfolds the complex crosscurrents that feed on alterity--but Euripides manages this without reducing it all to something simpleminded. The play resists any one interpretation.

When I read the Dionysian rites in the play as a New Religious Movement, taking up the partial and inadequate lens afforded by the use of a twenty-first century category from the sociology of religion, I hear a call to conversion in the first ode. "O Thebes, nurse of Semele / crown your hair with ivy! / Grow green with bryony! / Redden with berries! O city, / with boughs of oak and fir, / come dance the dance of god!" (105-111). It is a call to ecstasy, to replace the daily drudgery of home and hearth (166-67), a call to women (55-56) and, perhaps, to a few feminized men. For Pentheus this is all new—Dionysus is the latest divinity (219). He repeats the accusations he's heard—they drink wine and "wander off / to hidden nooks where they serve the lusts of men" (220-

22). He's captured and locked away a few. He will hunt them down as wild animals—already he transforms them into something not-human—including his mother and aunts. They have caused an "obscene disorder" (232); they are lead by a foreigner, a charlatan (234). "His days and nights he spends / with women and girls, dangling before them the joys / of initiation in his mysteries" (236-38). David Koresh, like the Lydian stranger, is accused exactly of this: spending his days and nights with the women and wives of the group, *and* the pubescent girls. Pentheus concludes, are not these imposters worthy of death (247-48)?

These things are not the end of his catalog of accusation. When Pentheus sees the old seer Teiresias dressed in the girlish fawn-skin and ivy, he accuses him of profiteering. Teiresias has found a new way to make money from offerings and soothsaying. So here we have it: sex, money, and rock 'n' roll—the common accusations made against NRMs, and as Girard would have it, one of the very "stereotypes of persecution"—accusation itself (1986: 12, 16).

Teiresias answers by reminding Pentheus that Dionysus has given wine to humankind to help humanity forget its grief, and so sleep (272-82). He recounts the myth of Dionysus' birth, Zeus' rescue of the son of Semele from Hera's wrath by hiding him in his thigh. This god's worshipers "are endowed with mantic powers" (299). They appear mad because they prophesy. And, of course, the Adventist tradition claims a renewal of prophecy in Ellen G. White. The Davidians lament the ossification of that tradition and claim a further prophetic renewal that carries through to Koresh. But for Byron Sage, the FBI's lead negotiator, Koresh's explanations and attempts to engage his interest is all so much "Bible babble."

Though Teiresias answers the charge of sexual immorality (the chaste woman will remain chaste; even in Dionysian rites she will not be corrupted (317-18)), Pentheus does not listen to Teiresias' apologetics; he orders the arrest of the "effeminate stranger" (353). So here is one more accusation: he's a gender-bender. Pentheus will "clap him in chains"

(335) and show him *his own* machismo. And here is also a difference with Waco: no one accuses Koresh of effeminacy. He is actually homophobic.

However, both the Federal agencies and Pentheus make miscalculations in measuring their opponents. Dionysus himself is pretty and strong—even stronger than the god of war. He instills panic in armies (302-04). Pentheus cannot see past appearances. Koresh and his crew are determined to obey the voice of God as they understand it. The Federal negotiators find it irrelevant to understand their thinking.

In Pentheus' interrogation of the Lydian stranger he inquires after the rites of the Bacchantes. Dionysus withholds information—they are worth knowing but I cannot tell you what they are; they are a mystery (470-75). This coyness offers a blank screen on which Pentheus may project any of his hormone-driven imaginings: lechery and seduction spring to his mind (487). Dionysus' counter-accusation is a caution to any leadership: "You do not know the limits of your strength. You do not know what you do. You do not know who you are" (505-07). And again, the events of Waco give *prima facie* evidence that the government's projection of power would fail to shape Davidian behavior as desired.

In the following scene, the earthquake scene, the pressure on Pentheus mounts. The attempt to jail Dionysus fails when the palace falls into ruins. Pentheus, who feeds on his desires, is easily manipulated by the god. He escapes Pentheus' hold by transmogrifying into a bull. When Pentheus emerges from the ruins, there is Dionysus again! While he questions him, a shepherd messenger arrives with word of the holy maenads on the hills. "[W]hat miracles and more than miracles these women do" (668), he offers. Three companies of women-dancers, led by Autonoë. Ino, and Agave, sleep chastely. At the lowing of the herds, they rise; some nurse gazelles and wolves from their breasts; they decorate their hair with leaves; they strike the rock with their thyrsus and out comes water, or a spring of wine, or a fountain of honey. This messenger-as-ethnographer begins with an idyllic and utopian vision of the maenads' lives (Smith,

1982).

When the shepherd tried to seize Agave in ambush (has he been sent to reconnoiter and arrest the women by the state?), she cried out to the others to use their wands as weapons. Likewise the BATF ambush at Waco was caught out, when the local TV cameraman tipped off a Davidian. The women "swooped down upon the herds" and tore apart the calves and heifers with bare hands: "There were ribs and cloven hooves scattered everywhere, and scraps smeared with blood hung from the fir trees" (740-41). But they did not stop there—they pillaged two outlying villages of Thebes. The villagers counter-attacked but spears did nothing. The women by their fennel-stalk wands drew blood. "And then the men ran, routed by women!" (763-64). The Davidians fought back surprising the raiders by the fact of their resistance and sending them off their property in humiliating defeat. And so the Maenadic idyll ends with facts that cannot be ignored: the state has been attacked; and men ran away from women:

Like a blazing fire
this Bacchic violence spreads. It comes too close.
We are disgraced, humiliated in the eyes
of Hellas. This is no time for hesitation (777-80).

Notice there is no time to think, no time to reflect. Pentheus is a man of action. Men's honor and the city's honor must be avenged. He has begun with violence; he projects on the blank screen of the Bacchae his violence. When he provokes their violent self-defense, he recasts them as the dangerous initiators and so orders a more virulent response:

order out all heavy-armored infantry;
call up the fastest troops among our cavalry,
the mobile squadrons and the archers. We march
against the Bacchae! Affairs are out of hand
when we tamely endure such conduct in our women (782-86).

The BATF calls in the FBI's paramilitary Hostage Rescue Team. They bring with them tanks and the help of the U.S. military's elite Delta Force. Even the elderly women—dangerous women in their seventies like Catherine Matteson—are charged with murder when they emerge a few days after the initial raid.

Dionysus, standing by, suggests a sacrifice instead of rage. But Pentheus returns:

I shall give your god the sacrifice

that he deserves. His victims will be his women.

I shall make a great slaughter in the woods of Cithaeron (796-98).

When Dionysus negotiates—he offers to lead the women out of the mountains without bloodshed (803-04), Pentheus takes it as a trap. As he calls for his armor, Dionysus cries "Wait!" Koresh is also distrusted by the FBI negotiators. Indeed, the negotiators miss, or don't care that Koresh has found a way out that would preserve his honor—writing a little book. Both Pentheus and Jeff Jamar refuse to negotiate. But if Pentheus will go and peep, will also Federal law enforcement?

The change of heart in Pentheus is a puzzle. Is prurient interest so strong that it unhinges Pentheus' immediate intent? Is he, perhaps, a sex addict? "Would you like to see their revels on the mountain," Dionysus asks (811). Despite his bluster and his proffered moral sadness if he saw them drunk, he is exceedingly curious (815). He wants to know all about them—so much so that he now consents to his own feminization. He will cross-dress to be able to see them at close hand. Though he cannot bear to wear women's clothes (836), he accepts Dionysus' proposition, that he must either fight or dress-up. He assents, justifying his acquiescence as reconnoitering (837). In the end, he even enjoys his disguise, and enjoys the primping by the god. In 1999, after the release of most documents in the Freedom of Information lawsuits, the litigants learned that the FBI had an elaborate network of video cameras that covered every part of the exterior of the building. The Delta Force had entered the building and placed bugs. At one point they were close enough to capture Koresh and take him out of the building but were ordered to

desist. The FBI, too, had its curiosities.

His desire now draws him closer: "I can see them already, there among the bushes, mating like birds, caught in the toils of love" (957-58). Through his desire to see sexual abandon, he himself creates the sight. "You go to watch" offers Dionysus. "I, alone of all the city, dare to go" he answers (962). Thus, his own prurience he reconfigures as macho daring. We learn from the second messenger how he climbs a fir tree so that he "could see their shameless orgies better" (1062). Dionysus adds, "You and you alone will suffer for your city. A great ordeal awaits you. But you are worthy of your fate" (963-65). But this finally is not true. Pentheus is not the only one who will suffer.

Just as the very observation of the first messenger-ethnographer changes the group (they counter-attack his ambuscade), so now Pentheus' observation changes them once again. It is as if a principle of sub-atomic physics also obtains for social relations. The observed—his mother and aunts—tear his body apart (1118-48). They play ball with the scraps of his body.

Now I am reminded here of another great story of dismemberment. The biblical book of Judges begins with the lament of a conquered king, Adoni-bezek, whose thumbs and big toes have been cut off (1:5-7). He sees his fate as a just retribution for all the kings whose thumbs and big toes he has severed and left to eat scraps under his table. This vignette foreshadows the end of the book, Judges 19-21, and its tale of the outrage at Gibeah. In a double of the famous Sodom story in Gen. 19, we see a *pilegesh*, i.e. a "secondary wife" or "concubine" who has run away home to her father. After a good while her husband follows to persuade her to come back. The persuading devolves into long partying with the father-in-law. But at last, one day, and late in it, they start out and arrive at Gibeah at sundown. No one takes them home—there are no inns—until a fellow Ephraimite transplant here in Benjamin-land invites him in. As the night progresses, the townsmen come to the door demanding the stranger (presumably to rape), but the host offers his own daughter and the concubine. The *pilegesh* is thrust out and gang-raped all

night by the men. At dawn she crawls to the door and collapses. Her husband on exit, says "Up!" and kicks her with his foot. She does not respond. He places her on his donkey and when he arrives home, takes a knife and divides her body into twelve pieces—each sent to a different tribe of Israel with a message to consider it. In rage, the tribes rise up and make war, not just against the corrupt city, but the whole tribe. At first they are defeated, just as the Israelites who went up against Ai were defeated in Joshua (the battle stories are a doublet). But after two tries they prevail and massacre all the tribe of Benjamin—man, woman, and child—except for a few hundred soldiers who escape.

Now in this tale we are never actually told when the woman dies. At the stoop? On the donkey? When he takes the knife? This ambiguity seems deliberate, hinted at by the husband's kick. Whose atrocity was Israel to consider?

The dividing of the woman's body is prescient. It foreshadows the Benjamite war and the dividing of the nation. At last Israel comes to its senses when the leaders realize they have almost made one of their tribes extinct. They attempt to fix the wifelessness of the remainder (they had sworn not to offer their daughters as wives) by making war against a town who had not sent troops. They kill all inhabitants but the virgins. But their number is not enough. So they allow the remaining Benjamites to kidnap their brides at a yearly festival. Out of Benjamin will come eventually its first king. The near-destruction of the tribe becomes a narrowly missed self-decapitation.

Is not, then, the decapitation of Pentheus and the rending of his body also a decapitation and dividing of Thebes? In the resolution of the action, the reminder of its royal family leave for exile and slavery. The *diasparagmos* of the Bacchantes leads to a diaspora of its leaders. And so, "All the victory [Agave] carries home is her own grief" (1147).

What is parallel to Waco? There is no Pentheus-figure torn apart. But there is the "blazing fire" of Bacchic violence spreading (777-78). And just as Dionysus instills panic in armies, a kind of furious frenzy takes over law enforcement in the fourth phase of the

assault (Hardy & Kimball). The gas attack had failed. Even with such provocation, the women and children do not come out. The F.L.I.R. tapes show agents firing repeated rounds into the buried schoolbus where they supposed the women and children had gone to hide; they fired into the gymnasium and the back of the compound where people might reasonably be thought to exit; and they filled the bunker where the children actually were with enough CS gas to asphyxiate adults. Nine of the occupants by autopsy showed this indeed was the way they died.

Afterword

Was the Waco event *sui generis*? Reaching for a comparison of sufficient weight, James T. Richardson declares all that befell them "a Greek tragedy" (Richardson, 1995: 164). It is Euripides' play, *The Bacchae,* that holds a longstanding "thick description" of the human capacity for violence against the religious Other. It unfolds the complex crosscurrents that feed on alterity. The mythic story, an ancient technology for storing knowledge of human experience, resists functionalist reductions. It offers a template for thinking about the violent possibilities inherent in the contexts of New Religious Movements.

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Notes

[1] An earlier draft of this chapter was presented to the Society for Values in Higher Education's Religion and Violence Working Group during the annual conference at the University of Maine at Farmington, August 1, 2003.

[2] The Davidians refer to themselves as "Students of the Seven Seals," and especially did so when Koresh was alive; now they often use the name "Mt. Carmel Survivors."

[3] This number includes 21 children aged 1-17 years, and two foetuses born in the trauma of the fire. In addition, six Branch Davidians died on the first day of the BATF [Bureau of Alcohol, Tobacco, and Firearms] raid (Feb. 28, 1993) and four BATF agents. Thus 72 died in the fire and ten in the raid for a total of 82.