

The Great Cult Scare in Argentina and the Buenos Aires Yoga School

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ABSTRACT: After a spectacular police raid against its headquarters and some fifty private residences of members on August 12, 2022, the Buenos Aires Yoga School (BAYS) became the stereotypical “cult” in Argentina and was accused of hiding an international prostitution ring, despite the fact that in 2000 a case based on the same accusations was concluded with all the defendants declared not guilty. Based on a study of the massive documents prepared by the prosecution and the defense, and interviews with members and “victims” of the BAYS, the paper traces the history, doctrine, and controversies of the school, within the political and social context of the Argentinian discussions about “cults,” “brainwashing,” and prostitution.

KEYWORDS: Buenos Aires Yoga School, Escuela de Yoga de Buenos Aires, BAYS, EYBA, Human Trafficking and “Cults,” Anti-Cult Movement in Argentina, Anti-Cult Law Proposals in Argentina, Brainwashing.

Raiding an Old Ladies’ Cafe

The date was August 12, 2022. It was a quiet evening in Villa Crespo, a middle-class neighborhood in Buenos Aires traditionally associated with Jews and the Jewish history of the city, although it is today multicultural. In a coffee shop located on the ground floor of a building in an avenue named after the State of Israel, some fifty people were listening to a class about philosophy. Most of them were in their final years of middle age, the youngest in their forties and the oldest in their eighties. A military amputee was drinking his coffee, as did some ladies. A woman living upstairs in the same building was wondering where her cat had gone—she had left the door of the apartment open so that the pet might freely come and go.

All of a sudden, a thunderous noise was heard. Fully armed SWAT team police broke the door and entered the coffee shop. The retired military man recognized the weapons for what they were: loaded, with safety removed, and ready to shot. In a few seconds, all hell broke loose. The police went up to all the apartments and started breaking all the doors, pursued in vain by their owners who offered the keys to the officers so that they could enter without destroying the entryways. Once inside, the police searched everywhere, gutting furniture and throwing all the content of the cabinets on the floors. When the agents left, almost all owners complained that money and jewels had been stolen.

Thanks to the cat, the door that the pet owner had left open was spared. She rushed to her apartment, and was confined by the agents on the balcony. They destroyed everything and—she reported to me—drank her expensive bottles of wine, until she dramatically jumped into the apartment and smashed one of them on the floor, telling the officers to stop. The agents were looking for her personal journal. Not finding it in the apartment, they asked her to go and fetch it for them wherever it might be. She refused, unless they could show a judge’s warrant for the journal. She told me the story of one agent threatening her with a gun, to which she replied: “Kill me if you want, I will not give you the journal.” She didn’t.

Meanwhile, in the State of Israel Avenue, dozens of agents and reporters were taking pictures of people taken out of the building, whom the media interpreted either as criminals or “victims” rescued from them. Similar scenes took place around Buenos Aires during all the night, in another fifty private apartments of members of what was believed to be the same criminal organization. In one of those apartments, a man was badly beaten by the police for no reason (it came out later they had mistaken him for somebody else). All in all, twenty persons were arrested and warrants for arrest were issued against another eight, four of whom were abroad. Three were detained at Buenos Aires airport before boarding a plane to the United States.

A distinguished lady living in a luxury apartment, a few blocks from the coffee shops where she was listening to the lesson, understood what was going on, and told the agents that she had a very expensive armored door. Her offer to open it with her keys to avoid its destruction was turned down. She showed me the picture of the wall destroyed by the agents to enter an apartment whose keys had been offered to them.

At the last floor of the State of the Israel Avenue building, the agents broke yet another door, of the apartment of a well-known female musician, hoping to find the evidence they were looking for. They had been told there was a “museum of sex” there. All they found was a small painting depicting three naked persons united in an embrace, erotic, yes, but not part of pornography under its most technical definition, since no genitalia were showed, only one female breast. They noted an abundance of the color red in the decoration of the apartment, and put in their notes it was reminiscent of a brothel.

The painting was duly put on display for the media, together with some old and ruined commercial pornographic VHS videos found elsewhere in the building. The inhabitants claimed they were part of the inventory of a nearby shop that had been flooded with water. They had purchased the whole inventory to help the owner, who was their friend, and had forgotten the videos, most of them not pornographic, stored somewhere in the building—and who would watch in 2022 pornographic VHS of the 1980s anyway.

It was now March 2023, and I was writing this article in the very same “museum of sex” apartment, under the smiling gaze of the famous trio of lovers: the painting had been given back to the owner. All those detained had also been liberated by a Court of Appeal after almost three months spent in jail, in conditions they described as horrible. Most of them went back to their apartments in the State of Israel Avenue, and elsewhere, but the one once nicknamed the “museum of sex” was temporarily vacant, and I was allowed to use it as a base for interviewing those involved in the story, taking notes, and studying documents. By the way, I was told that the humorous name “museum of sex” came from the fact that the musician who owned the apartment once had there a showcase with her collection of sex toys of various epochs and shapes. But it had since long been removed when the police came.

What was it all about? And why was I sitting in the famous or infamous apartment, looking at the flags of the balconies in front still celebrating the Argentinian victory in the December World Cup of soccer, and listening to stories of how fully armed police came to interrupt a lesson on philosophy, break doors, and terrorize peaceful mate-drinking old ladies?

For the Argentinian and international media, this was the case of “la secta del horror,” a “cult” that had brainwashed its followers and operated an international prostitution ring for some thirty years. For the students of the group, called

Buenos Aires Yoga School (BAYS, Escuela de Yoga de Buenos Aires), this was one of the most unbelievable case of false accusations in the whole Argentinian legal history.

As a scholar of new religious movements, I have often investigated controversial groups accused of serious crimes, often connected with sexuality. I have always stated, before even starting discussing individual cases, that I do not condone sexual abuse, and do not believe that its perpetrators may hide under religious liberty as an excuse. As most scholars of new religious movements, I do not believe that all of them are inoffensive and are only concerned about bringing peace and love to the world. I have created the category of “criminal religious movements” (Introvigne 2018), which other scholars have adopted, designating religious groups that systematically commit and justify common crimes. They may exist within both mainline religions—such as terrorist groups using or abusing the name of Islam, and networks of (as opposite to individual) pedophile Catholic priests—and new religious movements.

“Criminal religious movements” commit common crimes: terrorism, murder, rape, sexual abuse of children, and also gross financial violations. These are different from what I consider the imaginary crimes of “being a cult” and “brainwashing their victims.” In 2018, American scholar W. Michael Ashcraft published what became the standard academic manual about the history of the study of new religious movements. Ashcraft described the development of that academic subfield, which had largely coalesced since the 1980s around the ideas that “cult” was not a valid category but a label used to slander unpopular minorities, “brainwashing” was a pseudo-scientific theory weaponized for the same purpose, and accounts by “apostate” ex-members—i.e., the minority among former members (Bromley 1998) who had turned into militant opponents of the religions they had left (Introvigne 2022a)—should be handled with care, and cannot serve as the main source of information about their former movements (Ashcraft 2018).

Ashcraft noted that an overwhelming majority of scholars of new religious movements agreed with these ideas, while a tiny minority seceded from the mainline, supported the militant anti-cult movements and the “apostates,” and created a separated field of “cultic studies,” which maintained that “cults” were different from legitimate religious and used “brainwashing.” “Cultic studies,” Ashcraft wrote, were never accepted as “mainstream scholarship.” They

continued as “a project shared by a small cadre of committed scholars” but not endorsed by “the larger academic community, nationally and internationally” (Ashcraft 2018, 9). “Cultic studies” scholars live in their own bubble, and only rarely appear in mainline conferences about new religious movements or are published in the corresponding journals.

In the United States since the *Fishman* decision of 1990 (United States District Court for the Northern District of California 1990), even earlier in Italy with a Constitutional Court decision of 1981 (Corte Costituzionale 1981), and in several other countries, courts of law sided with mainline scholarship, and stated that “brainwashing” as used by “cults” is not an accepted scientific category, and that definitions of “cults” and theories of “brainwashing” cannot be used in court cases. “Brainwashing” and the idea that “cults” are different from religions, although marginalized in the academia, survived in popular culture, the media, and some countries where, for peculiar local reasons, stereotyping some groups as “cults” and combating them serve powerful political interests, as it happened in Russia and China, and in France (with some influence on Spain), which in 2001 introduced a law making a version of brainwashing called “abus de faiblesse” (abuse of vulnerability) through the use of psychological techniques a crime (Palmer 2011). In 2022, I published with Cambridge University Press a synthesis of the reasons why an overwhelming majority of scholars of religions have concluded that “brainwashing” does not exist (Richardson 1991, 1992, 1993, 1996, 2014, 2015), and is only a pseudo-scientific tool used to discriminate against certain minority groups (Introvigne 2022b).

Argentina is a country where the French-Spanish model of accusing “cults” of using “brainwashing” has been exported since the past century by a small but vocal anti-cult movement. In 2011, thanks to its efforts, the Province of Córdoba passed a provincial law for the assistance to the victims of “cults.” The word used was “secta,” but just as the French “secte” it should be translated into English as “cult,” not as “sect,” which has a different and more benign meaning. The law of Córdoba identified as a “secta” a group using “psychological manipulation,” “coercive persuasion,” and “destruction of personality,” all common synonyms of “brainwashing” in the anti-cult ideological discourse. There were attempts to move from the provincial law in Córdoba to a national law. Alerted by Argentinian academic colleagues and lawyers, I visited the country in 2015, spoke at an event in the national Senate and at a press conference, was interviewed by several

media, and offered my small contribution to defeating attempts at passing a national anti-cult law.

Interestingly, already in the 2010 decade, the case of the BAYS was often mentioned as evidence that dangerous “cults” existed in Argentina as well. An apostate ex-member of the BAYS called Pablo Gastón Salum was the most vocal proponent of a national anti-cult law, and the BAYS had been investigated and prosecuted in 1993, although all the defendants had been declared not guilty in 2000.

Here I was in 2023, invited to Argentina to attend a panel in an international human rights event co-organized by the government and UNESCO (Introvigne 2023), and taking the opportunity to study the BAYS case. The impression of déjà vu was inescapable. The self-same Pablo Salum, his voice now amplified by social media and YouTube, was still promoting an anti-cult law. He mentioned the BAYS, of course, but also promoted a quite extensive notion of “cults” the proposed new law should take care of. He was calling Falun Gong, with words that looked like he had borrowed them from the Chinese Communist Party propaganda, “one of the most dangerous Chinese coercive organizations” (Salum 2023e). The Jehovah’s Witnesses were labeled a “coercive organization terrorist cult” (Salum 2023d); the Wicca a “cult and coercive organization” (Salum 2023c); the Latter-day Saints (popularly known as the Mormons) another “coercive organization cult” (Salum 2023b) whose leaders also “hide pedophiles” (Salum 2023a). Salum’s catalogue of “cults” has no ends, and includes Freemasonry (Salum 2022), the Seventh-day Adventists (LeyAntiSectas 2023), and even the Catholic Discalced Carmelite nuns (LeyAntiSectas 2022).

To a dispassionate reader of his ramblings, it should be immediately apparent that Salum is not operating with a full deck. However, he is taken seriously by Argentinian media, police, and even some judges. The reason is that he is the one who started in 2021 the second case against the BAYS, after the Yoga School had won in 2000 the first one started in 1993.

One way of combating the proposals to introduce an anti-cult law in Argentina is to show that “cults” and “brainwashing” are discredited categories. I have written extensively on the subject. Some friends suggested to me that I stop at that and leave the BAYS alone, because it is “a very special case.” But these “very special cases” are precisely those in which I have specialized for forty years, the more so when accusations of wild sexual practices are involved. Thus, I could not

resist investigating the BAYS. Nor asking the question whether it was possible that Salum, who was so obviously wrong about so many other groups, might be right about BAYS only.

An Accountant-Philosopher and His Friends

Spending 18 days in jail in a cell with another nine prisoners, sleeping on a mattress on the floor, had clearly taken a toll on the health of Juan Percowicz, who will turn 85 in June. The man described by the media as the inventor of new brainwashing techniques and the mastermind of a cult hiding an international prostitution ring looked, when I met him in March 2023, exactly like the person he was supposed to be according to his identity documents: an old business consultant, who lives in a comfortable but not luxurious apartment in a good neighborhood of Buenos Aires, assisted by a female caretaker (who is not young either).

Percowicz was born in Buenos Aires on June 29, 1938, from Polish-Ukrainian Jewish parents. By his own account, he was a mediocre student, since from his early years he was as interested in philosophers and the great figures of world literature as his friends were in Argentinian football players, which somewhat distracted him from the regular school curriculum. He was good with numbers, though, and eventually graduated from the School of Economics of the University of Buenos Aires as a certified public accountant with a degree in business administration (Percowicz 1992, 12).

He never made it to the Olympus of the high-profile accounting firms, but he had a prosperous business, which allowed him free time to keep studying philosophy and opened to him the doors of the GEBA, the Gymnastic and Fencing Club of Buenos Aires, regarded by many as the finest club in the city. There, a police doctor called Dante Norberto Parandelli (1933–2010) was offering yoga classes. A look at the books written by him (Parandelli 1989, 1991) helps dispelling a misunderstanding about the word “yoga.” When they raided the BAYS, the police were surprised that they did not find yoga mats at a place called a school of yoga. But in fact in its millennia-old history in India, yoga has always been a philosophy before being a system of physical exercises. Parandelli taught both, although some of his books deal with the philosophical part only, and it was yoga as a philosophy (Raja Yoga) that mostly interested Percowicz.

From 1971, Percowicz took classes with Parandelli at GEBA, and private lessons as well. Later, when the first criminal case against the BAYS started, Parandelli tried to downplay his relationship with Percowicz (Juzgado de Instrucción Criminal n° 46 2000, 67). While stating that Parandelli only helped him in the first part of his philosophical itinerary, Percowicz remains grateful to him. In one of the few books he published, *Los cinco magos de la Notre-Dame* (The Five Magicians of Notre Dame), co-authored with Susana Franca and César Pallotta in 1991, Percowicz included Dante Parandelli (Etnad, or Dante spelled backwards) and the mysterious man Parandelli himself mentioned as his own master, Durante (Etnarud), among the five magicians who meet every hundred years above Paris' cathedral to work on behalf of humanity. The aphorism that decorates the back cover, "One can become the owner of a suffering soul, but never of a laughing soul," means that only a suffering soul can be enslaved, while a happy, laughing soul will never be enslaved (Percowicz, Franca, and Pallotta 1991).

To become the man known to his pupils as the founder and leader of BAYS, Percowicz did not rely on groups and schools. He spent more than ten years avidly reading Western and Eastern philosophers and esoteric masters, from Plato (ca. 428–348 BCE) to Walt Whitman (1819–1892), and from Jiddu Krishnamurti (1895–1986) and Paramahansa Yogananda (1893–1952) to Baruch Spinoza (1632–1677). His list of preferred authors, that he would later recommend to his students, included Hindu masters such as Vivekananda (1863–1902) and Western esoteric luminaries such as Helena Blavatsky (1831–1891), Charles Webster Leadbeater (1854–1934), Mabel Collins (1851–1927) and Paul Brunton (1898–1981), but also Friedrich Nietzsche (1844–1900), Johann Wolfgang von Goethe (1749–1832) and Hermann Hesse (1877–1962). While the catalog looks eclectic, talking with both Percowicz and his students the importance of one particular tradition emerges, the teachings of George Ivanovich Gurdjieff (1866?–1949) as presented by his independent disciple Pyotr Demianovich Ouspensky (1878–1947). This does not mean that Ouspensky's book *In Search of the Miraculous: Fragments of an Unknown Teaching* (Ouspensky 1949), with which all BAYS students are familiar, is a textbook or a manual for them. They just take from it some basic ideas, of which they find confirmations in other texts and traditions.

In 1983, three ladies called in the school the “Three Bs”—Bibí Lefèvre de Giglioli, Beba Fernández de Morales (1932–2016), and Beatriz Vigil de Sosa Molina (1936–2005)—asked Percowicz to teach Raja Yoga to them (Percowicz 1992, 12). This was the origin of what later became the BAYS. It was always a group of friends, which never exceeded 300 members, with a larger circle of perhaps 1,000 who occasionally attended events and lectures. The lectures attracted, among others, distinguished members of the artistic and musical community, including soprano Verónica Jácono (Verónica Loiacono), the late violin player, composer, and director Rubén González (1939–2018), who had an important career in the United States, Mariano Krawczyk (Mariano Krauz), regarded as one of the best oboists in the world, and composer Susana Mendelievich. They expressed the ideas of the school in musical compositions that caught the attention, among others, of Spanish opera singer Plácido Domingo, who became their friend of many years (although, after the 2022 raid, he also tried to distance himself from the group). Artists of a different field also joined: Carlos Barragán went on to win the 1997 World Championships of Stage Magic in Dresden, Germany, with a team entirely composed of BAYS members (FISM 2023).

My interviewees commented that the school also attracted a large number of members from two minorities, Jews and homosexuals. Some lamented that in the first and second criminal cases some police officers insulted them with anti-Semitic and homophobic comments. They all maintain that anti-Semitism was a component of the opposition, and in the early days the fact that the school welcomed homosexuals also raised eyebrows.

Meanwhile, the BAYS was looking for a permanent home. In 1990, a group of students teamed up with Percowicz and hired architects from the same school to build a ten-story building on State of Israel Avenue in Villa Crespo. Percowicz would own a coffee shop where courses would be held, on the ground floor, and the other members of the group would own the flats on the other floors. In order to speed up the construction, and to allow the rest of the group to finance their share of the work in instalments, Juan Percowicz paid his full share in advance in exchange for the coffee shop being inaugurated earlier. The inauguration took place in 1992. The construction of the building was halted in 1994 due to the first criminal proceedings, and restarted in 1995. Soon after, the owners of the brand-new building had their own roof over their heads.

In 1993, the BAYS had also tried to create a legal structure overseeing its activity, the Fundación Escuela de Yoga de Buenos Aires, but it was put into receivership in 1994 at the time of the first case, and liquidated in 2023. The school per se continued to function without a legal organization. Members of the BAYS created businesses that were not part of the school but applied some of its ideas to different fields and employed mostly fellow students. B.A. Group offered coaching through both courses and private lessons and had among its clients some large Buenos Aires institutions and businesses—including, ironically, the news group INFOBAE, which would later publish some of the most vitriolic attacks against the BAYS. Aznarez Propiedades was a real estate agency—and some students also worked at Salum Propiedades, whose owner was the brother of anti-cultist Pablo Salum, German Javier Salum, who had left the BAYS but unlike his brother had remained a friend.

CMI Abasto was called within BAYS a “clinic” but was more exactly a center with offices of several doctors and psychologists, not all of them members of the school. There, one of the services offered were the “sleep cures” (*curas de sueño*) where stressed patients were induced to sleep for longer hours than usual for relaxation purposes. There was also a law firm led by a female student, Susana Barneix, who is an attorney, and several companies in the United States, where the school had a few members. In the court cases an informal “bank” was also mentioned, which in fact was a common fund where those who lived in the State of Israel Avenue building and others may contribute to common expenses and borrow money when needed. As it happens with many other Argentinians, BAYS students did not trust banks, and kept significant quantities of money, including US dollars regarded as safer than local currency, at home.

I interviewed those responsible for these businesses and BAYS students who worked there. They told me that most clients were not members of BAYS, and never received a proposal to join the school. Before 2022, Aznarez sold dozens of properties, only four of them to students of the school. B.A. had no clients at all that were part of BAYS. CMI Abasto had BAYS patients, including Juan Percowicz, but many were not part of the school and had not even heard about it. They all denied that the businesses were used to attract new members of the school. In fact, in 1999 the BAYS had decided no longer to accept new members, although those who were once students and were no longer attending the lessons were always welcome to return. While the first court case had an influence on this

decision, it was also taken because the number of senior students who could serve as mentors to the new members was limited, and did not allow for further expansion. Exceptions were made for a small number (less than ten) of children of the existing students. At the time of the 2022 raid, members were probably 168, with a median age of 58—the list I consulted has been reconstructed without the help of the original records, which had been seized and not returned to the BAYS.

At the center of the life of the school were the classes given twice a week in the coffee shop, personally by Juan Percowicz in the early years and mostly by senior students more recently. Although classes were not offered after the 2022 raid, the coffee shop keeps what looks like a stage with musical instruments, and shows and performances were offered before the lectures. In addition to the classes, there were ceremonies and rituals organized by a group of women, humorously called the “Ghostbusters” after the 1984 American comedy movie. While the judge in the court case suspected these were rituals of “black magic” or “sexual orgies,” I interviewed some of the Ghostbusters themselves, who insisted that they consisted in lighting candles and ritually cleansing apartments with vinegar and the medicinal herb known as rue (*ruta graveolens*), which is often used in ritual magic. Students did not necessarily believe in magic, the Ghostbusters explained, but did find it had a positive psychological effect on those participating in the rituals.

An Eclectic Teaching

What did the students learn in the classes? The BAYS does not regard itself as a religious movement, and students keep their own religion if they have one. I interviewed one who told me that she regularly goes to Catholic Mass, and another spent a good part of her life as an executive in different leading Argentinian Jewish organizations. Rather than “religion” or “spirituality,” they prefer to use the word “philosophy.” However, they insist that we are all and naturally philosophers, whether we use this word or not. We can, however, repress and deny our philosophical attitude, i.e., the natural tendency to ask questions about the meaning of life, but this generates stress, frustration, and violence at the individual and social level. It is even the root cause of the alarming spread of drug addictions, and of wars. Some of my interviewees were doctors and

clinical psychologists and insisted that the study of philosophy may help solving serious problems of addiction, besides improving the general well-being.

Just as it happened with Gurdjieff, the focus was much more on this life than on the next. Percowicz told me he personally inclines towards the doctrine of reincarnation and finds the idea of karma reasonable, but nobody is obliged to be religious or to believe in any religious doctrine in the school, although there are groups studying—but from a “philosophical” more than from a dogmatic or theological point of view—the sacred scriptures of different religions.

The problem with Gurdjieff is that he was never easy to understand. Despite biographies, conferences, special issues of academic journals, and courses devoted to him in several universities, Gurdjieff’s thought remains elusive to the non-initiated (Needleman and Baker 1996). In the court cases against BAYS, the lack of familiarity by prosecutors with Gurdjieff’s idiosyncratic language and teaching style explains why the school’s jargon was often misunderstood. Gurdjieff was a harsh spiritual master, who believed that most humans were in a sleeping state without knowing it and needed a shock therapy, including verbal abuse and demanding physical exercises, to wake up.

Percowicz told me that these were methods perhaps appropriate for a different historical time. He never adopted them but from Gurdjieff, as presented by Ouspensky, he took two fundamental ideas. The first is that one of the most difficult human enterprises is to observe ourselves. The first stages of Gurdjieff’s “Work” propose observation, verification, and acceptance of the truth of the human condition through study, participation in group work, and mindfulness exercises (“self-remembrance”). Theoretically, each of us should be able to perform this self-observing routine individually. In practice, however, since the risk of self-delusion is always present, a group work with others is indispensable for evolution. By working in group, self-observation can be more objective; and an experienced master may make the path to evolution considerably shorter.

Gurdjieff also taught that many contradictory, competing “I”s or selves coexist in each person. This conflict makes thinking and acting in a unified form ultimately impossible. A contradictory set of thoughts, emotional reactions, and repetitive mechanisms of self-protection determines a state of confusion and unhappiness. An awareness of this state is the first step in the direction of awakening. As Australian scholar Carole Cusack has demonstrated, Gurdjieff (who disliked putting his ideas in writing) did teach a model of evolution where

humans were divided into types, although the number of them varied over time and each of his main disciples adopted a slightly different scheme (Cusack 2020).

Percowicz used a seven-type model, and within each degree introduced the distinction between aspirant, formal, and informal. While in the first three levels humans are dominated by one feature only—physical, emotional, or intellectual—some balance is achieved at level 4, which allows to move to the higher levels of evolution 5 (the genius), 6 (the saint), and 7 (the master or the angel). Theories of types are, of course, not exclusive to Gurdjieff. Students found similar ideas in Hermann Hesse’s novel *Steppenwolf* (Hesse 1927), which became an important reference for the school. One senior student observed that the ten stages mentioned by Nichiren Buddhism as presented by the Japanese Buddhist movement Soka Gakkai convey the same principles, although Percowicz told me he had never read Nichiren (1222–1282) or Soka Gakkai literature. He might have found similar ideas in Tibetan Buddhism, Sufism, and several other traditions.

Some Gurdjieffian harshness remains in sentences that may give the impression that those at the lower levels, dominated by the “low ‘I’s” (*yo es bajos*) are hardly human. But in fact the school is there to accompany them in their evolution, and achieving the highest levels is presented as difficult but not impossible. According to the list I examined, twenty students had achieved the seventh level, nine of whom were “7 formal,” including Percowicz. He presents himself as one “who knows what he knows and knows what he does not know,” which in itself is no mean achievement. Some early students took it to mean that, by knowing both what he knows and what he does not know, Percowicz in fact knows everything. He took this interpretation as a joke, clarifying that “knows what he does not know” means that he is aware of what he has yet to learn. At any rate, all students I interviewed were very grateful to him, and claimed to have benefited from his suggestions and insights even in fields he is not directly familiar with.

In fact, Percowicz teaches a method more than contents. Ouspensky offers a point of view from which a great number of authors and texts can be mobilized at the service of spiritual evolution, often through short aphorisms that are then commented in all their philosophical implications. The texts and authors the school studies the most changed and rotated over time. Benjamin Franklin (1706–1790), Thomas Jefferson (1743–1826), William Shakespeare (1564–

1616) were all discussed at one time, and I encountered several references to Argentinian poet Pedro Bonifacio Palacios, “Almafuerte” (1854–1917). Fyodor Dostoyevski (1821–1881) had a special importance, and the image of a poker game where the cards corresponded to aphorism-like sentences of the Russian writer inspired a book published in 1993 (Percowicz, Franca, and Pallotta 1993) and an opera the school’s musicians wrote and represented in 1995 (Loiacono, González, Krauz, and Mendelievich 2007). During the COVID lockdown, which was very strict in Argentina, students deemed it fit to meditate on *Les Misérables* by Victor Hugo (1802–1885: Hugo 1862). The BAYS also created subgroups exploring a great variety of subjects. One was astrology, approached psychologically according to the school of Oskar Adler (1875–1955).

Yet, the school discovered that, while philosophy made it easier to become better human beings and even overcome alcohol or drug addictions, problems remained. These problems were connected to the fact that we constantly need to communicate with others, who may be very different from us, and we do not really know them. Communication was always a major theme of BAYS, and was originally approached through the notion of “the way of the geisha” (geishado), which came from a poem by Percowicz’ old yoga master, Dante Parandelli. Scholars of Japanese culture know that a geisha is not a prostitute (Gallagher 2003). Although she may sometimes enter into sexual relationships with her clients, she mostly entertains them with her artistic, musical, and conversational skills and a superior art of courtesy. “Geishado” meant in the BAYS acquiring a style of refined courtesy, and was applied to both women and men. When the school was accused of favoring prostitution, “geishado” as synonym of an aristocratic courtesy typical of Japanese culture was increasingly replaced by “samurai courtesy,” which Hollywood had popularized in the meantime.

Since 2010, however, the main reference for communication became Dale Carnegie’s (1888–1955) 1936 book *How to Win Friends and Influence People*, one of the greatest bestsellers of all times. Carnegie’s book created a whole generation, in fact more than one, of American businesspersons and politicians who believed that we can change others by changing our own attitude to them. Carnegie is generally considered as a quintessential torch-bearer of American values of moralistic benevolence. It is not the lesser paradox of the BAYS case that its ubiquitous presence in the school was interpreted as yet another way of teaching the sinister arts of brainwashing and manipulation.

Carnegie would have in fact agreed with Percowicz' very simple ethic, which is based on the principles of not harming themselves and not harming others. I was told by some of the earliest students that, at a time where life was difficult for homosexuals in Argentina, they were surprised when, having disclosed their sexual orientations, they were told that BAYS regarded them as irrelevant. BAYS also welcomed artists and musicians whose way of living was somewhat unconventional. If a student wanted to display in her apartment a collection of sex toys—the famous “museum of sex” I mentioned before—, or others wanted to photograph themselves in the nude, nobody would prevent them from doing so.

The police believed they had found a smoking gun proving illegal activities and abuse when they encountered in the apartment of a middle-aged student (not located in the State of Israel Avenue building) an old picture of several naked men and women making love in the same room, and identified two of them as BAYS members (Juzgado Criminal y Correccional Federal n° 4 2022, 364). The photograph was several decades old, and whether it was related to the school and what it proved exactly was unclear.

In fact, what is more surprising is how infrequent references to sexuality were in the BAYS lessons. The police diligently listened to several thousand hours of courses, and came out with a meager handful of references to the sexual sphere, one noting that sexual tales many would regard today as objectionable abound in the Old Testament (Juzgado Criminal y Correccional Federal n° 4 2022, 367: Biblical scholars would agree), and another (from 1989) arguing that all sorts of experiences may lead to increase one's knowledge of others, including—under certain conditions—prostitution (Juzgado Criminal y Correccional Federal n° 4 2022, 186). This sentence mentioned in the 2022 indictment struck students as strange. They found (and shared with me) the relevant class, and discovered that what followed, and had not been quoted by the judge, was that of course any unwanted erotic experience is negative. The lesson says, literally,

But there is something with eroticism that is very important for you to bear in mind: you should never do it if the desire and the need is not in your blood, because then it is a sin, it is poisoned when it is not a desired event.

And further on the lesson adds,

The unwanted erotic event is a suffering, it is assimilated to rape, so I think it is a horrifying moment that a human being goes through. It is immoral, even within marriage

it is immoral and so much so that, in American jurisprudence, if one of the two spouses does not want it, it is punishable as rape.

Sexuality was never a main theme, and in fact was hardly mentioned, in the BAYS lessons. It was left to the private sphere, governed by the principle that if we do not harm ourselves or others there is no such a thing as “sin” and we should not feel guilty.

“The Most Dangerous Cult of Them All”

In the early 1990s, the BAYS looked like a small but prosperous organization. When on June 5, 1992, Percowicz presented the school’s philosophy in a lecture at the Sheraton Buenos Aires Hotel & Towers, the event had been declared of “national interest” and had received the official congratulations of the Ministry of Culture and Education, the City of Buenos Aires, and several other institutions (Percowicz 1992). The school’s musicians were gaining national and international recognition. Carlos Barragán and his all-BAYS team were on their way to be acknowledged as the world champions of stage magic. Others had gained awards in the artistic, business, and medical fields.

Unbeknownst to BAYS members, however, the wind of the anti-cult campaigns had started blowing over Argentina as well. The setback anti-cultists had suffered in 1990 in California, when in the *Fishman* case the theories of brainwashing had been declared as pseudo-scientific and excluded from American court cases, had persuaded them that they should now multiply their efforts in countries other than the United States. They found a favorable ground in France and in Spain. Eventually, their ideology traveled to Argentina as well.

As it often happens in cases against “cults,” the one that hit BAYS in 1994 started with a family conflict. On December 23, 1993, the stepfather of one female BAYS student claimed that she had left his home because she had been brainwashed by the school. While the stepdaughter argued that the real reason was that she was being abused by the stepfather, the man recruited other parents who claimed their daughters had been brainwashed too. Some told extraordinary tales of women compelled to have lesbian relations or work as prostitutes, and of boys sexually initiated by older women, including their own mothers. One of those who told these stories was the father of Pablo Gastón Salum, whom we met before and who is today the leading Argentinian anti-cultist. Pablo’s mother,

brother, and sister remained in the school. His father said Pablo had left because he was “horrified” (Juzgado de Instrucción Criminal n° 46 2000, 51).

Pablo himself testified in the case and denied his father’s story. He said he had quarreled with his mother and had lost interest in the school, whose lessons he had attended since age ten, but that he had not seen anything improper there (Juzgado de Instrucción Criminal n° 46 2000, 102–3). Later, however, after further family quarrels—in one of which his brother reported he had been threatened by him with a knife—Pablo testified again, and said he had rendered a false deposition following instructions by Percowicz. He backed up his father’s story by saying that young boys in the BAYS were sexually initiated by older women, including his own mother, and added lurid details about orgies and prostitution. He claimed that the BAYS was the most dangerous “cult” operating in Argentina (Juzgado de Instrucción Criminal n° 46 2000, 111–17). Pablo’s career as an anti-BAYS “professional apostate” had started. Meanwhile, Percowicz and another thirty BAYS leaders and students had found themselves under criminal investigation.

Judge Julio César Corvalán de la Colina had to put some order in what looked like a hopeless mess of contradictory statements. It took him several years, as the case had started in 1993 and his decision was dated May 11, 2000, which was confirmed by the Court of Appeal on 28 December 2001 and by the Court of Cassation on 10 September and 28 November 2001. His was an Argentinian judgement of twenty-two years ago. Perhaps he devoted an unnecessary number of inconclusive pages to discuss whether the BAYS was a “cult” (secta), before correctly noting that operating a “cult” was not a crime under Argentinian law. He showed he did believe in brainwashing theories, based on a book with this very title, *El lavado de cerebro* (Brainwashing) by Spanish social psychologist Álvaro Rodríguez Carballeira, a text that read today looks like a not particularly memorable digest of the pre-1990 brainwashing ideology (Rodríguez Carballeira 1992).

This makes it even more remarkable that Judge Corvalán de la Colina came to the conclusion that, although he believed brainwashing existed, the BAYS had not practiced it. He declared all the defendants innocent. The most serious crime they had been accused of was corruption of minors. Corvalán noted that the two alleged victims denied absolutely that they had been corrupted or abused, a scenario that would repeat itself in 2022. The judge regarded them as more

believable than the anti-BAYS witnesses. He also found that the two declarations of Pablo Salum contradicting each other made him a doubtful witness, and noted that his and his father's stories were highly conditioned by a situation of family conflict.

Psychological expert reports had confirmed that, although perhaps in some cases easily influenceable, the alleged victims, who denied having been victimized, were all mentally competent. The judge was also impressed by the fact that, after some seven years of a judicial ordeal and considerable media slandering, they had remained in the school. He wrote that theirs was a “project of life their parents probably did not approve of,” but it had been freely chosen, and that choice was protected by the Argentinian Constitution (Juzgado de Instrucción Criminal n° 46 2000, 198).

Confronted with obvious defeat, Pablo Salum and the anti-cult camp claimed that the decision had been the result of unusual pressures on the judge by prominent Argentinian citizens who were friends of the school (and perhaps, it was suggested, had been among the beneficiaries of the female students' sexual favors) and American “cult apologists” always ready to defend “cults” with the help of their government. It is true that H. Newton Malony (1931–2020), a distinguished American psychologist who had been instrumental in causing the fall of brainwashing theories in the United States, had taken an interest in the case and traveled to Argentina. However, those who claimed that Corvalán's decision had been dictated by external influences simply had not read it.

The last thing judges who render a decision because they have been unduly influenced by others is to mention such influence. Yet, this is precisely what Corvalán did. He wrote that dozens of personalities, both Argentinian and international, who were not involved in the case, contacted him, described BAYS as a honorable and unfairly slandered organization, and asked to be heard. “In my more than long judicial career, I was never submitted to such a pressure,” Corvalán wrote (Juzgado de Instrucción Criminal n° 46 2000, 218). He could have derived from this that BAYS was in fact an esteemed organization, and that scholars such as Malony were concerned that brainwashing theories might be used once again as a tool for discrimination. On the contrary, Corvalán wrote that it had been mightily disturbed by these interventions—but had not let his irritation change his conclusion that the defendants were innocent.

After the judicial victory of 2000, and in fact even before, the BAYS decided to keep a low profile. In 1999, as mentioned earlier, it had decided not to admit new members. The construction of the State of Israel Avenue building and the organization of the life there continued, as did the classes in the coffee shop. One activity that was developed with success was the application of BAYS philosophy to business and the formation of corporate executives, which allowed the company B.A. to acquire prestigious clients. On the other hand, the story of how the BAYS had been attacked and had emerged victorious from the long 1993 court case was not publicly told. One student who had two cousins among the “desaparecidos” of the military regime told me that perhaps the memories of these years, haunting a generation so much marked by fear, had made them reluctant to criticize the police. However, the fact that the first criminal case and its outcome were not well-known outside of the two subcultures of the BAYS members and the anti-cultists will make more difficult for BAYS to react when the second raid happened in 2022.

The Ghost of Prostitution

When the second raid hit the BAYS on August 12, 2022, lawyers were immediately contacted. Susana Barneix, a student holding a level 7 formal, was herself a lawyer, but she was also among those arrested. The attorneys immediately advised their BAYS clients that their best defense was double jeopardy. They were being accused of crimes for which they had been already investigated and acquitted in 2000. Pablo Salum himself implied in some of his public statements that what had changed since 2000 was not the facts, but the laws. However, criminal laws cannot be retroactive.

What are the “new laws”? What the prosecutor tried to apply against the BAYS was the Argentinian law 26.842 of 2012 against human trafficking. Why and how this law was passed has been reconstructed in a critical book by the academic and assistant prosecutor Marisa S. Tarantino, published in 2021 (Tarantino 2021). Tarantino describes both the international and domestic pressures on Argentina for a tougher law on human trafficking. Law 26.842 went beyond the international conventions that regard as victims of human trafficking, even if they deny their condition of victims, those who are exploited for prostitution or forced labor through violence, threats, or deception. In the Argentinian law of 2012

these are not features of the crime, although if present they are considered as aggravating circumstances. This means that there may be human trafficking even in absence of violence, threats, or deception.

Tarantino explains that there were two reasons for introducing this Argentinian peculiarity. The first was the influence of the movement for the abolition of prostitution. Although prostitution per se, if freely exercised by the prostitute, is not illegal in Argentina, the 2012 law implies that there is no such a person as a free prostitute, and all are at least suspect of being trafficked. The second reason is the lobbying activity of a special prosecutorial office called PROTEX (Procuraduría para el Combate de la Trata y Explotación de Personas, Office of the Procurator for Combating the Trafficking and Exploitation of Persons), whose powers and resources were greatly expanded.

What did all this have to do with “cults” and the BAYS? According to Tarantino, the tool used to criminalize prostitution in general (without explicitly saying it) is “vulnerability as a tool of control” (Tarantino 2021, 200). This creates a “paradigm of victimization” that denies to certain subjects their “political agency” (Tarantino 2001, 206). In other words, a prostitute is by definition “vulnerable” and “a victim.” If she says that she has freely decided to be a prostitute, this only proves that the “victimization” has been especially effective, and what remains to be done is for the PROTEX to ascertain who the victimizer is.

I am not a specialist on the issue of prostitution, but what interests me in Tarantino’s analysis is the similarity between the abuse of vulnerability that supposedly occurs by definition in the case of prostitutes and the “abus de faiblesse” (which translates precisely as “abuse of vulnerability”) that is the typical crime of which “cults” are accused of in France. It looks like just another incarnation of brainwashing.

I recognized the names of PROTEX luminaries quoted by Tarantino in her book as defending a wider-ranging paradigm of vulnerability. They were the same persons who organized the raid against the BAYS. The PROTEX has a vested interest in expanding even further its field of operation. It seems it is trying to do so by claiming that, just as those who work as prostitutes, those who join “cults” are all “victimized” by “abusing their vulnerability,” even when they deny it—just another attempt to resuscitate the dead horse of brainwashing theories.

There is evidence of a cooperation between Pablo Salum and PROTEX going beyond the BAYS case, but the latter should have looked to the anti-trafficking agency as their opportunity for creating a perfect storm. Not only are the “victims” of BAYS described as “brainwashed” by a “cult,” which for PROTEX is a situation of “abuse of vulnerability” similar to trafficking prostitutes. In the case of BAYS, it is alleged that the brainwashed victims actually became prostitutes, i.e., they were at the same time “brainwashed,” “prostitutes,” and “cultists.”

The indictment by judge Ariel Oscar Lijo of September 8, 2022, is a document of 572 pages (Juzgado Criminal y Correccional Federal n° 4 2022). I read it several times, and in a nutshell it tells this story. The BAYS is a “cult” according to the definition of Spanish anti-cultists, which attracts its members and keeps them in the school through the use of brainwashing. While ostensibly its aim is to teach philosophy, its real purpose is to enrich Percowicz and other leaders through the practice of prostitution. Female members are submitted to a continuous brainwashing, some of them almost since birth because their parents were already members of the school, through a climate where sex and pornography are continuously celebrated. They are deprived of their free will and personality through sophisticated techniques of mind control. They are then trafficked and sent to meet male clients. Most of the money of their prostitution business goes to BAYS. The different companies operated by BAYS members such as the coaching company and the real estate agencies are fronts whose aim is to fraudulently justify the presence of profits that come in fact from prostitution, so that the businesses are in fact money-laundering organizations. The so-called clinic is also used for money-laundering, but the “sleep cures” there are also used to further brainwash the women who work as prostitutes, and punish those who try to rebel or escape (why Juan Percowicz and other leaders also went through these cures is not explained). BAYS has also a secondary criminal activity of smuggling medicines to the United States, as proved by the fact that the three students arrested at Buenos Aires airport had a significant quantity of prescription medicines in their luggage. Except a comparatively small number of student-prostitutes, who are victims, all members of the school who have performed any activity there (transporting people, paying wages, caring for someone who is ill, advising on how to make a payment—all real examples) are perpetrators and part of a criminal conspiracy, which justifies their arrest.

Obviously, this vast conspiracy needs to be proved. The indictment mentions one complainant, who is not named but is obviously Pablo Salum, and four witnesses, who seem to be persons who cleaned the apartments in State of Israel Avenue, and others where students lived, and the so-called “clinic.” One was identified by students as a cleaning lady who had been caught stealing and fired, and had vowed to “go to Pablo Salum” as vengeance. The witnesses do not say much, except that they heard rumors and saw women “dressed like prostitutes.” One witness said she saw students dressed in “red and blue,” which would be the colors typical of “old prostitutes.”

Pablo Salum claimed that for years he did not know where to find his BAYS family members. Germán Salum, in an interview for *elDiarioAR*, in which he relates his experiences with his brother Pablo, denies his accusations. In it, Germán assures that his business was always listed on the Internet and that Pablo always knew where to find his family, but simply never wanted to approach them. According to him, Pablo only seeks publicity to gain money and notoriety, even if it means destroying his family’s life (De Masi 2022).

Pablo Salum’s anger against his family colors all his statements. He once stated:

How nice it would have been if my family had been killed. That they were killed in an accident, that they died in a natural or tragic way, provided that they died (Corona de Espinas 2023).

Based on Pablo Salum’s claims, the PROTEX believed that sexual encounters were videotaped and the tapes kept in the house of the stage magician Barragán for possible future uses as blackmail material. However, thousands of videos seized in Barragán’s apartment were patiently viewed and indexed by the agents. They only included BAYS courses. As I mentioned, guided by Pablo Salum’s demonstrably false statement that teachings about sexuality were the center of BAYS courses, the agents went into a fishing party examining all the lectures, and found very little in terms of discussions about sex. They only relied on the old and ruined commercial pornographic VHS they found and on photographs with sexual encounters and nudity (including the one I have discussed above) to claim that the rituals of the “Ghostbusters” were sexual in nature, something all students deny.

What the judge was left with was the interpretation of tapped telephone conversations and the journals of some female members. The expectation that

wild sexual references would be found led the detectives to several mistakes (some were later corrected). The last name of Carnegie, who was at any rate denounced as an author teaching techniques of brainwashing, was sometimes mistakenly transcribed as “carne,” “flesh,” and references to books were misinterpreted as indicating “carnal” encounters. In a conversation about Placido Domingo, the suggestion that he should be invited to “coaching” was transcribed as “colchón,” “mattress,” again indicating a sexual proposal (Juzgado Criminal y Correccional Federal n° 4 2022, 64).

Other conversations are admittedly ambiguous. Percowicz calls a student (and a friend of many years) a “great bitch” (*gran puta*), to which she answers, “Thanks to you I am a great bitch” (*Gracias a vos soy gran puta*: Juzgado Criminal y Correccional Federal n° 4 2022, 59). “Putá” is often used in Spanish-speaking feminism to mean bold and independent woman (an ironic allusion to nicknames that have been used historically to disqualify notable women such as Joan of Arc, 1412–1431, and Queen Elizabeth I, 1533–1603). And the use of words such as “clients,” “services,” and even “fiancés” do not indicate that the relationships referred to were forms of prostitution.

In a webinar about “cults” and human trafficking, where PROTEX officers speak, we hear in reference to the BAYS “indoctrination”:

I don’t know if it reaches to read. If not, later when we send it. This was part of how they trained the people who had to give these trainings. “– If you can send it to me it would be good. Send it to me by WhatsApp.” – Yes, yes. We will send it to you on Tuesday. This is part of a training of everything that was explained to them that they had to do. Well, you see the dates, right? There are all the dates (Red Nacional Alto al Tráfico y la Trata 2022).

In the image (headed by the boxed word “Machine”) it is clear that these are references for the operation of a sewing machine:

Between 9 and 6 register of thread tension... Zigzag width selector... stitch length 1-2-3-4-R... Bring round elastic lace closure... Drawings: 16-17-18 foot split in the middle... Drawings: 12-8-foot with plastic AN=4 L=2 => invisible hem... Straight seam foot with 2 sides for boards and elastic... 5 and 6: foot with turn over for hem... (Red Nacional Alto al Tráfico y la Trata 2022).

The supposed allusions to “dates” are references to machine functions.

People who write a diary often dump there not only their daydreams but what their wildest fantasies and darkest thoughts tell them, as a way of getting to know

them. Some of these entries are absurd even to the naked eye, and the judge has found no way to explain them. I cite as an example this transcript:

Fatigued, I will reach U\$ 350,000 and achieve the goal. Then they ... and they stopped billing. Now they are invoicing more and they got their act together because they were rushed from Buenos Aires... The hand is very hard and this month we have to reach \$410,000 (Cámara Criminal y Correccional Federal, Sala 2 2022, 11).

Note that the person does not say what she is talking about, nor does she ever mention the BAYS. But what is most striking is that, if this statement were true, the author would be earning an income comparable to that of the best paid jobs in the world.

Sometimes, buried somewhere among the 572 pages, there are arguments that deny the very claims of the judge. A spectacular case concerns a prominent Argentinian businessman, who is not named but is clearly Carlos Pedro Blaquier (1927–2023). The industrialist regularly visited a student of the school called J., whom he had already met before she joined the BAYS. The judge indicates J. among the victims of trafficking and believes that her relationship with Blaquier was one of a prostitute with a rich client. However, among the documents seized about Blaquier the judge mentions one where the industrialist asks that he and J. should be “buried together” (Juzgado Criminal y Correccional Federal n° 4 2022, 402). What man would ask to be buried with a prostitute? The burial request alone confirms what J. told me: that she had for ten years a loving relationship with Blaquier, who was factually although not legally separated from his wife, and that they considered themselves a couple—one united by such a romantic love that they even planned to share one day the same grave.

After the indictment, in October 2022, nine women indicated as victims or “possible victims” were called to testify through a “Cámara Gesell,” where they answered questions prepared by the prosecutor but asked to them by psychologists. They all stated that they were not prostitutes, had never traded sex for money, had not been trafficked, and were normal, professional women, with a life, work, and friends outside of BAYS, so that the accusations that they were brainwashed were ridiculous. I interviewed seven of them, who told me as much. They certainly did not look like prostitutes, moved freely around Buenos Aires, and if they had lost their jobs it was because of the raid and the investigation. As I mentioned earlier, the youngest of them was 35.

The judge had anticipated that the victims would deny that they were victims, and here is where the brainwashing issue and how law 26.842 is interpreted by PROTEX emerge as the keys of the matter. If a trafficked prostitute denies that she is a prostitute, the PROTEX argues, this is further evidence she is trafficked and somebody is abusing her vulnerability (*abus de faiblesse*, again). In many cases of trafficking, it is in fact true that trafficked prostitutes refuse to testify because they are terrorized by organized crime. The BAYS case, however, seems to be totally different. These are not terrorized migrants or marginalized women but cultivated professionals who have (or had before the raid) regular jobs and a very normal social life. Only a true believer in the ideology of “brainwashing” and “cults” would assume that as “cultists” they had been brainwashed and might even have become prostitutes without knowing it.

Note that, if there are no prostitutes, there is no case. Money laundering supposedly was aimed at hiding prostitution money, and the criminal conspiracy’s rationale was to organize and manage the prostitution ring. On the other hand, in the hypothesis that the PROTEX could prove that one or more BAYS students traded sex for money, it should still demonstrate that they did it based on a coercion by BAYS leaders (although in this case they would say that coercion was psychological, through brainwashing).

The alleged “victims” or “possible victims” I met or interviewed show no signs of having been exploited. They are, in descending order of age:

- a 66-year-old social psychologist and professional singer;
- a 62-year-old visual arts teacher and painter;
- a 57-year-old actress, member of the 1997 world champion stage magic team;
- a 57-year-old elementary school teacher and philosophical business coach;
- a 50-year-old woman who was already considered a “victim” and was subjected to an expert opinion in the previous case, which proved that she was neither a victim nor exploited;
- a 45-year-old management graduate;
- a 43-year-old real estate agent;
- a 41-year-old digital marketing professional;
- a 35-year-old real estate agent, macromedia designer, and web designer.

There are three other “victims” who have been living abroad for about a decade: a 52-year-old registered nurse; a 46-year-old woman who has had the same partner for more than 20 years; and a 44-year-old lawyer. To consider this group of women as a gang of prostitutes exploited by the BAYS would be laughable if it were not painful and insulting to them.

The BAYS prisoners were submitted to a very harsh jail regime. Ten shared the same cell. Those of them who were homosexuals reported to me that they were insulted and intimidated by dangerous gang men who occupied a nearby cell. They survived thanks to their artists and musicians, who started working at an opera, “The Power of God.”

Because of the power of God, or of human justice, on November 4, 2022, the Court of Appeal freed all defendants from jail. They went home, although they suffer from post-traumatic stress and can hardly sleep at night. Even students who were not arrested are still traumatized by the terror of the raid. Their businesses have either been closed by the authorities or cannot function because of the negative media publicity. They are almost all jobless.

Two of the three judges of the Appeal Court still believed there was evidence justifying going on with the case against 17 defendants (four testified later, and their cases should still be examined), although they chastised Judge Lijo for not having allowed the defense to present its evidence. They dismissed one of the accusations, smuggling medicines to the United States, since claims of personal use were reasonable and they had been normally dispatched with the baggage in sight of any control. The third judge, Eduardo Guillermo Farah, wrote in partial dissent that it was a very good idea to send the prisoners home but the court should also have considered whether the case should not have been simply dismissed.

I am aware that scholars of religion are not equipped, nor requested, to decide criminal cases. In this case, as in others, there are issues of fact only courts can resolve. On the other hand, this case is different from several others I studied, where some ex-members claimed to have been sexually abused while the great majority of members and ex-members insisted there had been no abuses. Here, not even one of the alleged victims claims she had been abused, a fact Judge Farah invites us not to ignore. He also mentions the technical argument that most of the facts had already been judged in the first BAYS case more than twenty years ago.

Judge Farah agrees with most scholars in my field when he suggests that courts stop using “cults” (sectas) and replace the term with “new religious movements” (Cámara Criminal y Correccional Federal, Sala 2 2022, 58) and when he expresses the fear (Cámara Criminal y Correccional Federal, Sala 2 2022, 59), quoting approvingly Spanish criminologist Josep Tamarit Sumalla, that “some may use a crusade against the cults as a path towards the criminalization of minorities” (Tamarit Sumalla 2004, 270).

In general, Judge Farah (although I do not necessarily agree with all of his comments) expresses what is also my conclusion, after having interviewed several BAYS leaders and students and having read thousands of pages of both accusations and defenses. It is not impossible, said Farah, that in the future evidence of some illegal activity committed by the BAYS leaders and students will emerge. So far, he wrote, this evidence simply does not exist (Cámara Criminal y Correccional Federal, Sala 2 2022, 63).

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