

Reviewing the Discourse of ‘Spiritual Abuse’

Logical Problems & Unintended Consequences

A report by the Evangelical Alliance Theology Advisory Group

Foreword

The Bible confirms that human beings have been abusing one another throughout history. From the days of Noah, when the ‘wickedness of humanity was great’ and ‘every inclination of people’s hearts was evil’ (Gen. 6:5), to Jesus’ condemnation of toxic religious leadership (Matt. 23:4, 23), the sinfulness of fallen people has caused them to assault, exploit, humiliate and bully others, in violation of God’s law and the gospel of Christ. The Bible also indicates that the church should be vigilant about such abusive behaviour, and should instead model holistic community life based on mutual respect and care, after the example of Jesus himself (Phil. 2:1-11). This report makes it clear that the Evangelical Alliance UK is deeply committed to fostering healthy churches in which people can thrive, free from abuse.

In our own time, sexual abuse of children and sexual harassment of women in particular have been spotlighted in high-profile scandals within and beyond the church. In what follows, we acknowledge these as major issues, and cite key sources related to them. The focus of the report, however, is on another area of abuse variously described as Emotional or Psychological Abuse, and on the occurrence of such abuse in contexts identified as religious. Some have sought to define this area of abuse as ‘Spiritual Abuse’. The report, however, shows that ‘Spiritual Abuse’ is a seriously problematic term partly because of its own inherent ambiguity, and also because attempts by some to embed it within statutory safeguarding discourse and secular law would be unworkable in practice, potentially discriminatory towards religious communities, and damaging to inter-faith relations.

It should be clear that our specific critique of the term ‘Spiritual Abuse’ in no way downplays the harmful actions and effects of Emotional and Psychological Abuse in religious contexts. Rather, we seek to show here that precise, well-founded, workable definitions of abuse actually help the survivors of it, just as accurate diagnoses aid the recovery, wellbeing and human flourishing of those who suffer affliction and pain.

Great thanks are due to the members of the Alliance’s Theology Advisory Group (TAG) who researched and wrote this report, which comes with the full backing of the Alliance’s Leadership Team and Board. We are also very grateful to those who offered expert external peer review on the text. Our sincere prayer is that it will help Alliance members, the wider church and other individuals and groups in society to gain a better understanding of Emotional and Psychological Abuse in religious contexts, and thereby, to address it more effectively.

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A. Abuse in Society and the Church

1. Abuse is a serious problem for society as a whole, and not least for the church. In its most general sense, 'abuse' means misuse or misapplication of something for improper purposes. In the specific legal and safeguarding arenas to which it is more formally applied, however, it denotes cruelty or deceit that causes significant physical and/or mental harm to others, and is often associated with an imbalance of power between those who perpetrate it and those who suffer it.¹ In recent years, the Roman Catholic Church, the Church of England and other churches and religious groupings have had to address severe distortions of their moral and pastoral values by leaders and lay people in their midst who have been found guilty of child abuse in particular, but of other legally-codified forms of abuse also.²
2. As a body representing a wide range of Christian churches, organisations and networks, the Evangelical Alliance UK regards abuse both within and beyond the Christian community with the utmost seriousness. Over the past few years, we have worked with government and specialist secular and faith-based agencies to combat abuse on various fronts. On our own account and in partnership with others, we have sought to educate, inform and equip our members to detect and resist abusive practices, and to support survivors of abuse. In 2012, we contributed to the government's Action Plan on child sexual abuse, and in 2014 backed proposals for its mandatory reporting. In 2015 we supported stronger legal sanctions against the wilful neglect of children as a recognised form of abuse. In 2016 we worked with the charity Restored to raise the profile of domestic abuse, and to mobilise churches to discern and tackle it better. Internationally, through our membership of the World Evangelical Alliance, we have been part of global church campaigns to oppose and alleviate people trafficking and child prostitution.³ All members of the Alliance are obliged to

¹ <https://thelawdictionary.org/abuse/> Accessed 28/1/18; Faith and Order Commission (Church of England), *Forgiveness and Reconciliation in the Aftermath of Abuse*. London: Church House, 2017, p.32; *Bishop George Bell: The Independent Review by Lord Carlile of Berriew, CBE, Q.C., 15/12/17*. Available at <https://www.churchofengland.org/sites/default/files/2017-12/Bishop%20George%20Bell%20-%20The%20Independent%20Review.pdf> Accessed 28/1/18.

² *Protecting All God's Children: The Policy for Safeguarding Children in the Church of England (4th Edition)*. London: Church House Publishing, 2010, p.16. Available at: <http://www.lincoln.anglican.org/media/6142/protecting-all-gods-children.pdf> Accessed 24/1/18. Jo Renee Formicola, *Clerical Sexual Abuse: How the Crisis Changed US Catholic Church-State Relations* (Palgrave Studies in Religion, Politics, and Policy) New York: Palgrave MacMillan, 2016; Thomas Plante & Kathleen McChesney (eds) *Sexual Abuse in the Catholic Church: A Decade of Crisis, 2002-2012* Santa Barbara, CA: Praeger, 2011; Mary Gail Frawley-O'Dea *Perversion of Power: Sexual Abuse in the Catholic Church* Nashville, TN: Vanderbilt University Press, 2007; <https://www.theguardian.com/australia-news/2017/dec/15/royal-commission-final-report-australia-child-abuse> Accessed 28/1/18; Zahra Tizro, *Domestic Violence in Iran: Women, Marriage and Islam*. London: Routledge, 2011; http://www.hinduwebsite.com/hinduism/h_violence.asp Accessed 28/1/18.

³ <http://www.eauk.org/current-affairs/news/government-plans-to-tackle-faith-based-child-abuse-welcomed.cfm> Accessed 28/1/18; <http://www.eauk.org/current-affairs/news/christians-support-robust-measures-against-child-abuse.cfm> Accessed 28/1/18; <http://www.eauk.org/church/stories/church-officials-should-be-legally-liable-for-neglect-of-children-too-says-christian-charity.cfm> Accessed 28/1/18; <http://www.eauk.org/church/stories/the-archers-and-talking-about-domestic-violence.cfm> Accessed 28/1/18;

affirm a Relationships Commitment which includes 'avoiding personal hostility and abuse, and speaking the truth in love and gentleness'.⁴

B. The Proliferating Language of 'Spiritual Abuse'

3. As concern about abuse has grown in culture at large, and in faith groups particularly, some have developed a terminology of 'Spiritual Abuse' ('SA') to define forms of abuse that might in some way or another be regarded as specific to religious people and communities. One agency that has been at the forefront of this development is the Churches' Child Protection Advisory Service (CCPAS). CCPAS is a long-standing member of Evangelical Alliance, and has been a lead partner for us, and with us, in many of the campaigns mentioned above. We have greatly valued the work they have done in various legally-codified areas of abuse, most particularly those relating to children. 'SA' however, is not a legally-recognised category of abuse, and as CCPAS and others have foregrounded it in recent times, we have become increasingly uneasy about the term itself, and its application. In December 2017 we met with key representatives of CCPAS to discuss these concerns, and this paper is an expanded version of a paper presented by us at that meeting. Although the meeting was cordial and constructive, our initial desire for a formal, bilateral commitment to review 'SA' terminology, and to seek more precise and serviceable terminology together, could not be agreed. Instead, we acknowledged each other's right publicly to pursue our respective preferred definitions, but to do so in accordance with the terms of the Evangelical Relationships Commitment – that is, by articulating our positions clearly in pursuit of biblical and theological truth, but by doing so in an attitude of mutual respect and love. This paper is therefore offered in the sincere hope that it will inform and enrich the developing debate about 'SA', so that the church might more effectively and more faithfully honour God in its ministry and mission.

4. The term 'Spiritual Abuse' ('SA') is not new, but it has become far more common in recent years. We believe that this proliferation has coincided with socio-political shifts which mean that however well intended, its use now poses potential threats to religious liberty that were far less apparent when it first gained currency. The identification of 'SA' might have started out essentially as a facet of ecclesial healing ministry and pastoral care – a way of recognising the psychological damage done to certain believers by practices like 'heavy shepherding', authoritarian ministry or brainwashing. As such, the *actions* and *effects* it aims to describe might well warrant discipline or sanction. Yet it is our conviction that the *term itself* has grown more problematic and unhelpful. In a culture characterised by increasing hostility to the historic, global faith that Thomas C. Oden calls classic Christianity,⁵ and by growing association of such Christianity with the discourse of 'extremism',⁶ the nomenclature of 'SA' is now subject – whether wilfully or unwittingly – to proto-legal mission creep.

<http://www.eauk.org/church/stories/faith-leaders-unite-to-reject-domestic-violence.cfm> Accessed 28/1/18;

<http://www.worldia.org/news/131/A-Coordinated-Faith-based-Response-to-Sexual-Exploitation-in-Asia> Accessed 28/1/18 ;

⁴ <http://www.eauk.org/connect/about-us/basis-of-faith.cfm> Accessed 28/1/18

⁵ Oden's consolidated dogmatics defines 'Classic Christianity' as 'consensual ecumenical teaching' that is self-consciously rooted in Scripture, apostolic and patristic doctrine, and that is held as central and foundational across Catholic, Orthodox, Evangelical, Charismatic and mainline Protestant traditions. Thomas C. Oden, *Classic Christianity*. New York: Harper Collins, 1992, pp. xiii-xiv.

⁶ <http://www.eauk.org/current-affairs/media/press-releases/the-extremism-bill-is-extremely-dangerous-for-religious-freedom.cfm> Accessed 15/11/17

At worst, 'SA' language is being oxygenated in such a way that its continued deployment risks collateral damage to fundamental freedoms of religious thought, expression and assembly.

5. One of the most concerning examples of this phenomenon is the paper presented by Jayne Ozanne to the Royal College of Psychiatrists in April 2017, entitled 'Spiritual Abuse – the Next Great Scandal for the Church'.⁷ In this paper, Ozanne acknowledges that 'SA' is not yet a legally-recognised category, but accumulates heuristic references to it in certain denominations' safeguarding literature,⁸ and then links these to existing legislation on homophobia.⁹ The implication is that 'SA' should be subject to the same prosecution and punishment as homophobic hate crimes, and/or that it should be circumscribed by statute on a par with other existing forms of criminal abuse.¹⁰ Unfortunately, the range of practices thus deemed potentially actionable by Ozanne includes preaching and teaching most mainline churches' positions on same-sex relationships and gay marriage; using 'charismatic gifts' referred to in the New Testament; encouraging baptism in the Spirit, and belonging to a 'Charismatic Tribe' such as Holy Trinity, Brompton, Spring Harvest, the Evangelical Alliance, Soul Survivor, New Wine or Alpha.¹¹ It might be thought that Ozanne's target-range here is so wide, her depiction of Charismatic Christianity so partial and her construal of 'SA' so expansive, that any prospect of the latter's being criminalised would be unthinkable. Yet in her paper she favourably cites the work of CCPAS on 'SA', and in her accompanying slide presentation endorses their recent campaigning on 'SA' as a model of how to 'deal with' it; thus, since CCPAS is the preferred safeguarding agency of several churches and Christian organisations, including many Church of England dioceses, this commendation needs to be examined carefully.¹² Before doing this, however, it will be helpful to review how the concept and language of 'SA' has developed historically to this point, the better to appreciate why CCPAS might have been drawn to deploy it so prominently.
6. In 1991, the American evangelical publisher Bethany House issued David Johnson and Jeff Van Vonderen's *The Subtle Power of Spiritual Abuse: Recognizing and Escaping Spiritual Manipulation and False Spiritual Authority Within the Church*.¹³ In 1992, the similarly evangelical publishing house Zondervan released Ronald Enroth's *Churches That Abuse*.¹⁴ This was followed in 1993 by another title on the same theme from another evangelical publisher, IVP America – namely Ken Blue's *Healing Spiritual*

⁷ <http://www.rcpsych.ac.uk/pdf/jayneozannespiritualabusethenextgreatscandalforthechurch.pdf> Accessed 15/11/17

⁸ Ozanne cites references to 'SA' in Church of England and Methodist Church of GB safeguarding literature, but concedes that it is *not* a term recognised or used by the Catholic Church or the Baptist Union of GB. Ozanne, 'Spiritual Abuse', pp.2-4.

⁹ Ozanne, 'Spiritual Abuse', pp.6-8

¹⁰ Ozanne, 'Spiritual Abuse', pp.6-9.

¹¹ Ozanne, 'Spiritual Abuse', pp.5-6.

¹² All the following current resources and pages from CCPAS' website continue to promote the use of the term 'Spiritual Abuse': [http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20\(2015\).pdf](http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20(2015).pdf); <https://services.ccpas.co.uk/information/research>; <https://www.ccpas.co.uk/training>; <https://www.ccpas.co.uk/theology>; <https://www.ccpas.co.uk/review> All accessed 30/11/17. Ozanne, 'Spiritual Abuse', p.4. Ozanne's PowerPoint presentation for her talk includes a final slide entitled 'Dealing with Spiritual Abuse', which depicts the CCPAS logo and commends CCPAS as the lead agency addressing 'SA'. <http://www.rcpsych.ac.uk/pdf/Ozanne%20Jayne%20-%20Spiritual%20Abuse%20-%20April%202017.pdf> Accessed 30/11/17.

¹³ Grand Rapids: Bethany House, 1991.

¹⁴ Ronald Enroth, *Churches That Abuse*. Grand Rapids: Zondervan, 1992. Text also available at <http://www.ccel.us/churches.toc.html> Accessed 27/11/17. See also Enroth's follow-up volume from 1994, *Recovering from Churches that Abuse*. Grand Rapids: Zondervan, 1994. Available as a free e-book at http://www.aqapecounselors.com/uploads/4/9/9/2/49921401/recovering_from_churches_that_abuse_-_ronald_m_enroth_web.pdf Accessed 28/1/18.

Abuse: How to Break Free from Bad Church Experience.¹⁵ These and several more recent texts using the phraseology of 'SA' are undoubtedly motivated by genuine concern to support victims of the various baleful phenomena that this phrase is taken to entail – namely psychological domination, manipulation or bullying of one person by another who is in a position of relational power and/or institutional authority over them, with the outcome that the victim manifests unhealthy or debilitating responses such as shame, low self-worth, anxiety and depression.¹⁶

Legally, though, such phenomena are most often identified as forms of Emotional or Psychological Abuse resulting in Emotional or Psychological Harm, and although the clearest delineation of this in UK law is that which defines Emotional Abuse as one form of *child* abuse alongside Sexual Abuse, Physical Abuse and Neglect, any prosecution of a crime which caused an *adult* victim to suffer Psychological Abuse would most likely be pursued with reference to the well-established offence of Common Assault (although depending on the nature of the case, offences such as criminal damage, threats to kill, harassment, threatening behaviour or sexual assault could be deployed). CCPAS in particular has additionally sought to present most or all of these phenomena as 'religious' forms of the more recently-defined and more specific category of abuse known as 'Coercive and Controlling Behaviour'. In statutory terms, however the language of Coercion and Control is focused upon domestic abuse, and has not been read across to abuse that takes place distinctively in religious settings.¹⁷ As things stand, it is not clear from CCPAS' extant published advice in this area whether they are content for these religiously contextualised sub-categorisations of abuse to remain simply as sub-legal academic definitions, or whether they would want 'SA' to become an actionable offence in its own right, as Jayne Ozanne would appear to do. Informally, CCPAS have indicated to us that they are *not* seeking such criminalisation; if so, it would be helpful if they could state this clearly through their official published literature, since as far as that literature is concerned at present, their view on potential criminalisation, directly or indirectly, appears to remain ambiguous.

7. It is also worth noting that CCPAS published a report entitled *Understanding Spiritual Abuse in Christian Communities* in early January 2018, which drew from an online survey they had conducted of 1,591 respondents, 1,002 or 63% of whom self-identified as having experienced 'SA'.¹⁸ While the actual harm suffered by these respondents should be accorded the fullest and most sympathetic attention and care, proper pastoral concern about such harm must be distinguished from assessment of the research methods applied by CCPAS in this survey, and from the way that survey deployed 'SA' language. In any field of pastoral psychology and care, and not least in

¹⁵ Downers Grove, Ill., 1993.

¹⁶ More recent books deploying the nomenclature of SA include Boyd D. Purcell, *Spiritual Terrorism: Spiritual Abuse from The Womb to The Tomb*. Bloomington In., 2008; Yvonne Davis-Weir, *Spiritual Abuse: Learning and Overcoming Spiritual Abuse in the Church and Home*. Bloomington, In: WestBow, 2015; June Hunt, *Spiritual Abuse: Breaking Free from Religious Control (Hope for the Heart)*, 2015; F. Reimy Deiderich, *Broken Trust: A Practical Guide to Identify and Recover from Toxic Faith, Toxic Church, and Spiritual Abuse*. BISAC, 2017.

¹⁷ http://www.cps.gov.uk/legal/a_to_c/controlling_or_coercive_behaviour/ Accessed 28/11/17; <https://www.gov.uk/guidance/domestic-violence-and-abuse> Accessed 28/1/18; <https://www.gov.uk/government/news/coercive-or-controlling-behaviour-now-a-crime> Accessed 28/11/17. The extrapolation of this domestic abuse-specific legal category of 'coercion and control' to distinctively religious contexts is made by CCPAS, for instance, in their current guideline booklet *I Want to Understand Spiritual Abuse*. [http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20\(2015\).pdf](http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20(2015).pdf) Accessed 28/11/17.

¹⁸ <http://files.ccpas.co.uk/documents/SpiritualAbuseSummaryDocument.pdf> Accessed 29/1/18

the care of abuse survivors, good quality research can aid understanding and enhance support. CCPAS themselves concede, however, that even to enter the questionnaire, participants already 'needed to have heard of the term 'spiritual abuse''. Furthermore, as they also concede, 'this was a self-identified sample and therefore cannot be verified'. Such concessions in turn render problematic the claim made in the introduction to the report, that despite lack of agreement about it, 'SA' is 'the most commonly used term and therefore the one that is used here'.¹⁹ This claim to commonality may be true: as we have seen, 'SA' language has some history. But if it *is* true, it is true to a significant degree because CCPAS and Lisa Oakley, as their lead academic adviser on the survey, have *themselves* made the promotion of 'SA' terminology such a key part of their own work. Indeed, with respect to the term 'SA' as such, there is an element of self-fulfilling prophecy in the methods they have deployed to bring that very same term to greater prominence. Again: this is in no way to downplay the gravity of the emotional and psychological *phenomena* suffered by those to whom this term is applied. It is, rather, to suggest that like many other terms which seek diagnostic or analytical acceptance, 'SA' terminology should be subjected to proper scrutiny, and should be superseded if more accurate, coherent and suitable terminology can be found. Hence, CCPAS' stated desire in the report to seek 'a clear definition of spiritual abuse' is insufficient, because it already assumes that 'SA' is fit for purpose, and thus begs the question. Given that the term 'SA' *ipso facto* entails 'spiritual' considerations, such scrutiny should be properly theological as well as psychological. Moreover, since, as we have shown, 'SA' is also gaining proto-legal traction, it needs to be scrutinised from a legal perspective, too.

C. Analysing and Critiquing the Terminology of 'Spiritual Abuse'

8. With the analytical criteria we have identified in mind, it is important to register that Emotional or Psychological Abuse, and the harm they cause, could be manifest in *all sorts* of settings – marital, commercial, medical, sporting, theatrical, party-political, in show-business or in the media, as well as in so-called 'spiritual' contexts. For instance, the recent sexual harassment scandal that has followed revelations about Harvey Weinstein's behaviour, and the '#MeToo' and 'TimesUp' movements that have arisen in response to it, demonstrate concerns which relate not simply to sexual abuse in 'entertainment industry' contexts, but to various forms of related Psychological Abuse in those contexts also.²⁰ Much the same could be said of the increasing stories of unwanted sexual pressure and 'banter' that have emerged in the wake of the Weinstein scandal in the party-political arena, and in various workplace settings.²¹ Likewise, in October 2017 British Cycling upheld a complaint by the female rider Jess

¹⁹ <http://files.ccpas.co.uk/documents/SpiritualAbuseSummaryDocument.pdf> Accessed 29/1/18

²⁰ <https://www.theguardian.com/world/2017/oct/20/women-worldwide-use-hashtag-metoo-against-sexual-harassment> Accessed 24/1/18 ; <https://www.nytimes.com/2018/01/05/opinion/golden-globes-metoo.html> Accessed 20/1/18.

²¹ <http://www.independent.co.uk/news/uk/politics/mps-sex-scandal-sleaze-spreadsheet-timeline-what-happened-explained-westminster-a8032531.html> Accessed 28/1/18; <https://www.theguardian.com/politics/2017/dec/19/corbyn-horrified-by-sexual-harassment-claims-in-westminster> Accessed 28/1/18; <http://time.com/5033751/sexual-harassment-politicians-roy-moore-al-franken/> Accessed 28/1/18; <https://www.nytimes.com/2016/11/03/us/politics/why-sexual-harassment-persists-in-politics.html> Accessed 28/1/18; TUC/Everyday Sexism, *Still Just a Bit of Banter? Sexual Harassment in the Workplace in 2016*. Online at: <https://www.tuc.org.uk/sites/default/files/SexualHarassmentreport2016.pdf> Accessed 27/1/18; <https://www.theguardian.com/world/2017/oct/16/facts-sexual-harassment-workplace-harvey-weinstein> Accessed 28/1/18; <https://www.theguardian.com/lifeandstyle/2016/aug/10/half-of-women-uk-have-been-sexually-harassed-at-work-tuc-study-everyday-sexism> Accessed 28/1/18.

Varnish against its then Technical Director Shane Sutton that he had used both inappropriate and discriminatory language towards her and other female and Paralympic cyclists, as part of what Varnish called a more general 'culture of fear' and bullying within the team.²² As things stand, however, there seems little appetite for re-categorising these diverse but inter-related manifestations of Psychological Abuse specifically according to their context, as if the context should somehow primarily define the abuse being perpetrated. It looks unlikely, for instance, that niche terms such as 'show-business abuse', 'party-political abuse' or 'sporting abuse' will gain purchase – precisely on the grounds that such niche sub-categorisation might detract from the headline point that all such forms of abuse should be assessed in accordance with extant definitions of Psychological Abuse, and if pursued legally as such, should meet the criminal threshold for prosecution of them under the wide variety of available offences described above.

9. Despite all this, proponents of 'SA' hold that there is something so distinctive about the 'spiritual' context in which Emotional and Psychological Abuse might occur, that it requires a separate headline definition. Thus, following the early work of Johnson, Van Vonderen, Enroth and Blue in this area, CCPAS, Ozanne and others propose that for abuse to be deemed specifically 'spiritual' it must principally:

- a) be 'justified' by appeal to the divine,²³ or to one or more sacred texts defined as having divine authority;²⁴
- b) be enacted by people associated in their role or function as religious,²⁵ and
- c) take place in settings identified in one way or another as religious.²⁶

10. Theoretically, of course, 'SA' could be taken to extend to all religious traditions, but in fact virtually every popular and academic publication in English that uses this term is focused on Christianity. Prominent among these is Lisa Oakley & Kathryn Kinmond's *Breaking the Silence on Spiritual Abuse* (2013).²⁷ Indeed, it is this text above all others that has formed the basis of the recent CCPAS campaign on 'SA', which has sought to provide support to those who have suffered from the effects it seeks to describe, as well as preventative strategies for churches and Christian organisations to forestall those effects as part of their safeguarding duties. Lisa Oakley herself is deployed as a consultant by CCPAS, has spoken at several of the 'SA'-themed events it has run during the past year or so, and co-authored its recently-published report on 'SA' with its CEO, Justin Humphreys.²⁸ Her definition of 'SA' builds on the preceding work cited above, as does her more particular delineation of 'SA' as 'spiritual'. The inclusion of 'coercion and control' language in this definition both echoes and informs the translation of that language from the legal codification of domestic abuse to religious

²² <https://www.theguardian.com/sport/2016/oct/28/british-cycling-upholds-complaint-shane-sutton-jessica-varnish> Accessed 28/1/18

²³ Enroth, *Churches That Abuse*, p.29.

²⁴ Johnson & Van Vonderen, *Spiritual Abuse*, pp.81-93.

²⁵ Blue, *Healing Spiritual Abuse*, pp.12-14; Johnson & Vonderen, *Spiritual Abuse*, pp.111-120.

²⁶ Enroth, *Churches That Abuse*, pp.15-34.

²⁷ Basingstoke: Palgrave MacMillan, 2013.

²⁸ <http://services.ccpas.co.uk/information/media/press-releases/10-02-2017> Accessed 15/11/17.

[http://files.ccpas.co.uk/documents/Bio%20-%20Lisa%20Oakley%20\(July%202014\).pdf](http://files.ccpas.co.uk/documents/Bio%20-%20Lisa%20Oakley%20(July%202014).pdf) Accessed 15/11/17.

[http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20\(2015\).pdf](http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20(2015).pdf) Accessed 15/11/17;

<http://files.ccpas.co.uk/documents/SpiritualAbuseSummaryDocument.pdf> Accessed 29/1/18

contexts that we have already seen in the work of CCPAS. Indeed, it is this definition of Oakley's that is now most frequently used by CCPAS:

Spiritual abuse is coercion and control of one individual by another in a spiritual context. The target experiences spiritual abuse as a deeply emotional personal attack. This abuse may include: manipulation and exploitation, enforced accountability, censorship of decision making, requirements for secrecy and silence, pressure to conform, misuse of scripture or the pulpit to control behaviour, requirement of obedience to the abuser, the suggestion that the abuser has a 'divine' position, isolation from others, especially those external to the abusive context.²⁹

11. At face value, such definitions of and initiatives on 'SA' seem commendable: after all, manipulation, exploitation, domination and bullying offend not only modern secular morality; they are inimical to the gospel of love, compassion and grace proclaimed by Jesus and his apostles. In Matthew 23, Jesus sharply criticises religious leaders who unduly 'burden' others without supporting them (v.4); who 'shut the kingdom of heaven in people's faces' (v.13), and who hypocritically insist on petty legalistic observances while neglecting to show 'justice, mercy and faithfulness' (v.23). In Luke 17:1-2 he warns the disciples against those – in this context quite probably fellow-disciples or leaders – who cause 'little ones' to sin, where the 'little ones' are most likely either those young in faith, or young in years. In Mark 10:42-43, he contrasts existing Gentile rulers, who 'lord' it over those in their charge, with faithful Christian ministers who act as 'servants' to those in their care. Peter expounds on this same theme of servanthood when urging the elders among his correspondents to 'be shepherds of God's flock...not greedy for money, but eager to serve; not lording it over those entrusted to you, but being examples to the flock' (1 Peter 5:1-4). Paul, likewise, castigates religious 'empty talkers and deceivers' who 'upset whole families' and 'teach things they should not teach' (Titus 1:10-11). By contrast, authentic spiritual overseers are distinguished by the fact that they are neither 'arrogant' nor 'quick-tempered', by their being neither 'violent' nor 'greedy for gain', and by their characteristic hospitality, goodness, prudence, uprightness, devoutness and self-control (Titus 1:7-9). Even when in certain contexts both Jesus and Paul also commend the exercise of church discipline (Matt. 18:15-17; 1 Cor. 5:5), they still do so with these fundamental qualities of humility, compassion, grace and pastoral concern very much in mind.³⁰
12. Insofar as the burgeoning discourse of 'SA' represents a sincere attempt to highlight and safeguard against the negative traits identified in these biblical texts, and to promote instead the positive qualities emphasised by Jesus, Paul and Peter as an antidote to such traits, the *motives* for its use might be understandable. Indeed, it should be clear that to question the proliferation of 'SA' terminology is not thereby to impugn the *sincerity* of CCPAS, Lisa Oakley, Kathryn Kinmond and others who have

²⁹ Lisa Oakley & Kathryn Kinmond, *Breaking the Silence on Spiritual Abuse*, Basingstoke: Palgrave MacMillan, 2013, p.21. This definition is prominently quoted on p.3 of the lead CCPAS guidebook, *Help: I Want to Understand Spiritual Abuse*. [http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20\(2015\).pdf](http://files.ccpas.co.uk/documents/Help-SpiritualAbuse%20(2015).pdf) Accessed 30/11/17

³⁰ Cf. Johnson & Van Vonderen's advice that 'It is not abusive when a Christian (whether or not they are a leader) confronts another Christian because of sin, wrongdoing or even honest mistakes that must be corrected. The objective, of course, is not to shame or discredit, but to heal, save and restore'. *Spiritual Abuse*, p.24.

contributed to that proliferation. All the same, sincerity of intent cannot serve as the only test for the ministry we exercise, or for the language we use as we undertake that ministry. We must be mindful also of the *consequences* of what we say and do, even if those consequences might initially have been unintended. God calls us to 'bear fruit' for him (Rom.7:4), and this emphasis on *outcomes* as well as on motivations requires us to be mindful of how our words and actions might be appropriated - not least in a culture which, as we have seen, is increasingly at odds with classic Christian belief. Indeed, concern about the growing use of 'SA' is much more properly focused not on the intent of those who have promoted it, but rather on where such promotion of it might lead. It may well be that those who deploy it do so in relative innocence, but Jesus advises us to be 'wise as serpents' as well as 'innocent as doves' (Matt. 10:16), and particularly within our current socio-political climate, the need for critical wisdom with respect to the actual *use* and *effect* of 'SA' is crucial.

D. Legal and Safeguarding Implications

13. No doubt the Church of England National Safeguarding Team also had good intentions when designing its C3 Course materials to include a dedicated handout on 'Spiritual Abuse', and when structuring its Learning and Development Framework to include a module (S6) entitled 'Spiritual Abuse'.³¹ Yet within this very recognition lie the consequential problems of defining 'SA' as an actionable form of abuse distinct in substance from forms of abuse defined within the existing legal framework. Since the actions and effects of the existing legal categories are aligned with the core actions and effects that concern Oakley, Kinmond, CCPAS and others, one must ask why proponents of 'SA' language are suggesting that the extant legal terminology is inadequate, and that it needs *de facto* to be supplemented or superseded by a substantively distinct category or sub-category of 'SA' in the settings with which they are most concerned – namely, 'spiritual' and 'religious' settings. In a nutshell, the questions that might be asked of such proponents in this respect can be distilled to the following:

- a. Do you think 'SA' should be distinctively or indirectly criminalised?
- b. *If so*, do you realise the potentially negative consequences of singling out the church and other Christian and religious organisations for distinctive legal sanction with respect to forms of abuse that would otherwise be subject to criminalisation as forms of Emotional or Psychological Abuse?
- c. *If not*, why not use the well-established categories of Psychological and Emotional Abuse, and existing criminal law, and speak of such abuse as sometimes occurring in 'spiritual/religious contexts', as having 'spiritual/religious aspects', or, perhaps, as being 'religiously aggravated'?
- d. What is currently legal in a spiritual/religious context that you would wish to be deemed illegal over and above the existing legal framework and understanding of Emotional and Psychological Abuse?
- e. *If anything*, why, and on what grounds?

³¹ Course materials distributed at Southwell & Nottingham C3 Safeguarding Training Day, Mathersey, 17/10/17. The C6 module on Spiritual Abuse was said at this event to be 'in development'.

- f. *If nothing*, why not maintain the language of Emotional and Psychological Abuse as the default legal category, and speak of this sometimes occurring in spiritual/religious contexts?

14. These questions have become even more salient of late, in the wake of the first Determination by a Church of England Bishop's Disciplinary Tribunal to cite 'SA' as a specific aspect of misconduct warranting sanction under the Clergy Discipline Measure (2003). In this Determination, dated 28 December 2017, the Revd Timothy Davis, Vicar of Christ Church, Abingdon, was found guilty by Oxford Diocese's Tribunal of 'abuse of spiritual power and authority' over a 15/16 year-old school boy whose family were members of his congregation. Specifically, the Tribunal concurred with the boy's and his mother's joint complaint that Mr Davis had subjected the boy to mentoring of 'such intensity...that he was in breach of safeguarding procedures both of the national Church but also of the parish and that this amounted to spiritual abuse'.³² The mentoring in question more particularly involved Mr Davis' insistence on what became lengthy daily sessions with the teenage complainant, and on being alone with him 'whether in his house or in the vicarage or other places and occasions and deliberately touching him albeit not in a sexual manner'. Moreover, the Tribunal ruled that 'under the guise of his authority' as a Christian minister, Mr Davis had 'sought to control by use of Scripture, prayer and revealed prophecy' the life of the boy, as well as boy's girlfriend. Mr Davis' clerical authority had also been misapplied in procuring the consent of the boy's parents to this mentoring regime. At the same time, Mr Davis had 'failed to have any regard for the propriety of said conduct and/or its effect on others', and 'in particular' on the boy in question.³³

In one sense, the procedures and Determinations of a Bishop's Disciplinary Tribunal are internal to the Church of England, and as such may deploy ecclesiastically-specific concepts and punishments additional to the precepts and sanctions of civil or criminal law. Even so, the status of the Church of England as an established national church, and the construal of Mr Davis' 'SA' in relation to statutory safeguarding protocols, could be interpreted as lending particular proto-legal weight to the concept of 'SA'. Specifically, it could be seen as providing ecclesiastical 'case law' which secular lawmakers and courts might then quite readily cite, pursuant to placing a distinctive offence of 'Spiritual Abuse' on the statute book or within associated secondary guidance, and prosecuting it as such. The Oxford Tribunal's Determination did importantly note that at present 'there is no statutory definition' of 'SA', but nonetheless defended its use of the term in this case by citing the 4th Edition of the Church of England's policy document *Protecting All God's Children*, in which 'SA' is defined as 'inappropriate use of religious belief or practice', which can include 'the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries.' Any of these are then described as potentially resulting in 'children experiencing physical, emotional or sexual harm.'³⁴

³² <https://www.churchofengland.org/sites/default/files/2018-01/TD%20Judgement%20final%2020181228.pdf> pp.1, 18. Accessed 5/1/18

³³ <https://www.churchofengland.org/sites/default/files/2018-01/TD%20Judgement%20final%2020181228.pdf> pp.11-18. Accessed 5/1/18

³⁴ *Protecting All God's Children: The Policy for Safeguarding Children in the Church of England (4th Edition)*. London: Church House Publishing, 2010, p.16. Available at: <http://www.lincoln.anglican.org/media/6142/protecting-all-gods-children.pdf> Accessed 24/1/18.

With regard to adults as well as children, it is also worth noting that the more recent report of the Church of England's Faith & Order Commission, *Forgiveness and Reconciliation in the Aftermath of Abuse* (2017), deploys 'SA' terminology at one point, defining 'SA' as occurring 'where the perpetrator deploys spiritual language as part of the coercion of those abused and the justification for their actions'. This, it suggests, is 'a particularly significant feature to be kept in mind when considering abuse within church communities. While by no means restricted to those holding formal office, it nonetheless raises important and challenging issues about the behaviour of those carrying high levels of responsibility in the church, including clergy, and the ways in which these can be exercised to invoke supposed spiritual authority in order to do real spiritual harm to others.'³⁵

Once again, in the specifically ecclesiastical context addressed by the Oxford Tribunal's Determination and by the denominational guidelines it cites, it would be hard to doubt the sincerity with which 'SA' terminology is deployed. The Tribunal found that Mr Davis' actions amounted to emotionally abusive behaviour, and more specifically that his actions towards his victim and the victim's girlfriend and parents were manipulative. The Tribunal then concluded that these deeds merited disciplinary action by the church. Evidently, emotional and Psychological Abuse are perpetrated by both clergy and laity upon other Christians, and, indeed, by adherents of other faith-traditions on their fellow believers. Yet as above, sincerity and good intent cannot be the sole, and certainly not the determining, criteria by which legal discourse is developed – and as we have seen, whether wittingly or unwittingly, 'SA' terminology is already some way to being enshrined in secular statute, and potentially criminalised as such. Before momentum builds further in this direction, it would be salutary to pause and reflect on the potential consequences of this for the church's public mission.

15. Essentially, the problem with the current proliferation of 'SA' discourse is that it too readily conflates *actions* and *effects* with *motivation*, *role* and *setting*. As we have seen, Ozanne, Oakley & Kinmond, CCPAS and other advocates of 'SA' terminology propose that there is something substantively and categorically distinct about actions and effects that the law already understands as Emotional and Psychological Abuse, when those actions, and the harm they might cause, are purportedly 'authorised' by appeal to the divine, and/or some kind of sacred scripture like the Bible or the Qur'an. Such claims to divine and/or scriptural warrant go to *motivation*. These same advocates also want to argue that there is something substantively and materially distinct about the above actions and effects when they are perpetrated by a person specifically designated as a representative of a religious community - e.g. a vicar, imam, licensed lay preacher, church youth worker etc. That goes to *role*. Then such advocates also want to say that there is something substantively and materially distinct about the above actions and effects when they occur in spaces identified in one way or another as 'spiritual' or 'religious', whether at a designated place of worship like a church or temple, or in a location otherwise distinctively associated with

³⁵ *Forgiveness and Reconciliation in the Aftermath of Abuse*. Church of England Faith & Order Commission. London: Church House Publishing, 2017, p. 20. Available online at: https://www.churchofengland.org/sites/default/files/2017-10/forgivenessandreconciliation_0.pdf Accessed 22/12/17.

spiritual or religious activity, like, say, a Christian conference that might take place in a secular hotel, but that is badged as overtly spiritual or religious. That goes to *setting*.

16. The Evangelical Alliance's position that the existing legal framework and nomenclature of Emotional and Psychological Abuse is adequate as it stands is based precisely on the fact that with regard to criminality in particular, *actions* and *effects* must remain the principal consideration, even if such abuse happens to have been perpetrated from a spiritual or religious motivation, and/or by a designated representative of a spiritual or religious body, and/or in a setting that might be defined in one way or another as spiritual/religious. Indeed, from a legal point of view, the dynamics of *motivation*, *role* and *setting* are relatively less material. As we have seen, the legal definition of Coercive and Controlling Behaviour is specific to domestic contexts; its perpetration is also distinctive to 'intimate partners' or 'family members' in such contexts, so it is not ordinarily applied to religious settings as such.³⁶ Yet on analogy, if one spouse or partner psychologically abuses, coerces and/or controls their intimate partner – or even beats that intimate partner – it is not of significant legal concern whether the perpetrator claims divine direction or scriptural warrant for having done so, whether he or she does so as an ordained minister or authorised lay leader, or whether the assault happens in a church or not. It is abuse, plain and simple (*action*), and it manifestly harms the victim (*effect*). There is nothing to suggest from a legal point of view that the action and the effect would be any different if the perpetrator and victim were atheists.

This, indeed, is precisely where Jayne Ozanne's campaigning for a new, actionable category of 'SA' is so misconceived, and so potentially threatening to the fundamental rights and equalities of religious people and religious communities.

E. The Potential Threat of Religious Discrimination

17. In a blog post on the Timothy Davis case, Ozanne took the Bishop of Oxford's Tribunal's Determination as a cue for proposing that 'the government needs to recognise Spiritual Abuse as a formal category of harm – particularly with children – and add it to their current four-fold definition of abuse – physical, sexual, emotional abuse and neglect.'³⁷ Yet, in similar terms to those set out above, one must ask in relation to this proposal:
- a. What, specifically, is now legal in spiritual/religious contexts that should be deemed illegal over and above the existing statutory framework of abuse?
 - b. If additional actions particular to those spiritual/religious contexts are to be distinctively criminalised, how in practice could secular law-makers and legal authorities unused to arbitrating specifically theological matters be expected to legislate for, prosecute and try such actions?

³⁶ <https://www.gov.uk/guidance/domestic-violence-and-abuse> Accessed 28/1/18

³⁷ Jayne Ozanne, 'Are You Suffering from Spiritual Abuse?' <https://viamedia.news/2018/01/08/are-you-suffering-from-spiritual-abuse/> Accessed 25/1/18

- c. How would the singling out of specifically spiritual/religious people and communities in this way for exclusive, additional prosecution over and above the existing secular framework not constitute religious discrimination?

It is difficult to imagine that otherwise well-intentioned advocates of 'SA' terminology *would* wish any such criminalisation of it to enshrine religious discrimination on the statute book. Yet even if they did erroneously think that this was somehow a 'price worth paying' to protect those abused in religious contexts, the actual *implementation* of such discriminatory law would still be fraught with difficulties.

18. In January 2016, the North London cult leader Aravindan Balakrishnan was sentenced to 23 years in prison for systematically coercing, controlling, manipulating and degrading his followers. He was told by the judge that he had been guilty of a 'catalogue' of 'mental abuse', deploying his considerable charisma to keep the cult members in thrall to his esoteric doctrines, codes and rituals. His daughter described those same cult members as 'worshipping him, loving him, praising him, obeying him', and as falling victim to his 'obsession' with 'control'. Again, according to his daughter, Balakrishnan took inspiration from various 'gods' and routinely claimed special authority from and in relation to them, as well as from certain key revered, canonical texts. Although Balakrishnan was also convicted of physical abuse, according to the criteria defined by Oakley & Kinmond, his was a near paradigm case of 'Spiritual Abuse'. Yet Balakrishnan was a Communist and an atheist, and the cult he led so manipulatively was a Maoist cult. Along with Mao, its 'gods' were Stalin and Pol Pot; its canonical texts *Das Kapital* and the *Little Red Book*.³⁸ Granted, there is a long-running question about whether Communism can be defined as a religion in anthropological if not in metaphysical terms, which in and of itself casts significant doubt on the cogency of 'SA' as a distinct category of abuse.³⁹ But that is not the main point for our purposes: the main point is that the judge was not primarily concerned with Balakrishnan's *belief system* – with whether he was a theist or an atheist, whether his canonical texts could be construed as sacred or not, or whether his leadership was 'spiritual', quasi-'spiritual' or not 'spiritual' at all. The judge was not primarily concerned with these issues because she was not qualified to make such theological determinations. Rather, she properly focused on the sustained Psychological Abuse that Balakrishnan had inflicted, along with his physical abuse of the women in the cult. Yet as we have seen, Jayne Ozanne's desired application of Oakley and Kinmond's work, and of the CCPAS campaign on 'SA' which that work informs, would effectively see judges in such cases required to make such theological distinctions, and thus potentially to single out Emotional and Psychological Abuse perpetrated in contexts deemed to be 'spiritual' or 'religious' as somehow worthy of special, or even additional, punishment.
19. Technically, this approach amounts to Erastianism – that is, the ceding of what might otherwise be distinctively theological judgements by the church to the state, such that the state not only becomes the arbiter of both secular *and* ecclesial penal discipline,

³⁸ <http://www.independent.co.uk/news/uk/maoist-cult-leader-aravindan-balakrishnan-jailed-for-23-years-a6841866.html> Accessed 28/11/17

³⁹ For a digest of various approaches to the definition and study of religion, see Daniel L. Pals, *Introducing Religion: Readings from the Classic Theorists*. Oxford: Oxford University Press, 2009. For the notion of Communism as a religion, see Marcin Kula, 'Communism as Religion', *Totalitarian Movements and Political Religions*, Vol. 6, No.3 (Dec 2005), 371-381.

but is expected effectively to conflate the two.⁴⁰ Ironically given the apparently liberal-progressivist context in which it has arisen with respect to 'SA', this is a move more reminiscent of theocracy than secular pluralism, and in the interests of the religious liberties so hard-won from theocratic hegemony since the seventeenth century, it needs to be resisted.

In 1689, one of the great pioneers of religious toleration and freedom, John Locke, wrote that 'the Magistrate's Power extends not to the establishing of any Articles of Faith, or Forms of Worship by the force of...Laws. For Laws are of no force at all without Penalties, and Penalties in this case are absolutely impertinent, because they are not proper to convince the mind'.⁴¹ If, as we have argued, the existing legal prohibitions on Emotional and Psychological Abuse are competent to prosecute non-physical, non-sexual and non-neglect-based abuse that happens to occur in religious contexts; if the specifically religious role of any perpetrator of such abuse is immaterial from a legal point of view, and if that abuse should be prosecuted as abuse pure and simple whether it takes place in a religious setting or not, it would appear that the only dimension of specifically 'spiritual' abuse left which might be deemed distinctively 'spiritual' for the purposes of legal action would be that related to theological motivation, or what one might more simply call religious belief. Yet Locke's point is precisely that in a society where different people and groups manifestly hold different religious beliefs, it should not be the job of the law to arbitrate between those beliefs, since to do so would be to suggest that the law should compel certain theological convictions or doctrines as correct for society as a whole, and punish other theological convictions or doctrines as incorrect for society as a whole. Such compulsion and punishment, for Locke, would fundamentally misconstrue the nature of religious belief, which, if authentic, should be freely chosen, and freely permitted. To put it another way with reference to a more recent champion of toleration and freedom, George Orwell: marshalling the full force of the law to prosecute certain theologies or doctrines as illegal and others as legal would be tantamount to enshrining 'thought-crimes' in statute – and worse still, deeming religious believers innately more prone to commit such thought-crimes than anyone else.⁴²

20. No doubt, in certain cases a theological belief or doctrine might be regarded as innately wrong, immoral or even evil. The theology constructed by the German 'Reich Bishops' of the 1930s to justify their collusion with Hitler, the racist doctrine of the Dutch Reformed Church in Apartheid South Africa, and Islamist interpretations of Jihad which serve as apologetics for suicide bombing, would surely fit this description. Yet even these theologies, or versions of them that might be held by some today, are far more concretely actionable in secular law if actually put into practice in some way that is both manifestly intended to harm and that demonstrably harms others, in terms that can be deemed harmful according to generally secular rather than specifically theological criteria of harm – or, indeed, of abuse. Thus, even if a cleric preaches race-hate or incites terrorist bombing in Britain today, they will rightly be prosecuted in law not for their theologically or 'spiritually' abusive views as such, or because they

⁴⁰ A.M. Renwick, 'Erastianism', in Walter A. Elwell, *Evangelical Dictionary of Theology*. Carlisle: Paternoster Press, 1984, pp.361-362; J.N. Figgis, 'Erastus and Erastianism', *Journal of Theological Studies* 2 (1900): 66-101.

⁴¹ John Locke, 'A Letter Concerning Toleration', in *Second Treatise of Government and A Letter Concerning Toleration*. Oxford: OUP, 2016 [1689], p.129.

⁴² George Orwell, *Nineteen Eighty-Four*. London: Penguin 1989 [1949], Part 1, Ch.1

are a cleric, but rather with regard to how their views issue in deeds that violate laws which must apply to *all* citizens, and not to religious believers alone. Again: the law in a secular democracy that cherishes religious freedom may be competent to try the *effects* of certain applications of certain theologies insofar as those same effects might be perpetrated by non-religious citizens as well. It is not competent, however, to try those theologies *qua* theologies, since to do so would be to require legal authorities to make specifically theological judgements that they neither can nor should be expected to make.

21. This key distinction can be further illustrated with reference to the beatings revealed in early 2017 as having been meted out by the Christian barrister John Smyth to boys at Iwerne camp gatherings.⁴³ These beatings were construed by most, including the Evangelical Alliance, as serious instances of physical abuse, and roundly condemned as such.⁴⁴ Yet the attempt by some to infer a direct causal connection between such abuse and the fact that Iwerne itself was associated with the doctrine of penal substitutionary atonement long affirmed by many Protestants and Evangelicals, was rejected by the Alliance and others as tendentious.⁴⁵ Moreover, any idea that criminal prosecution of such abuse might turn on courtroom debate about the relative theological merits of one historic atonement model or another would be both undesirable and unworkable, for the reasons stated above.
22. Having made this important distinction, it is nonetheless worth noting that while Jayne Ozanne has implied that those upholding classic Christian theology on marriage and sexuality should be prosecuted for homophobic hate crimes, others have gone so far as to parallel adherence to such classic theology with racial discrimination.⁴⁶ If such a parallel were translated into law, it would doubtless be a chilling scenario from a classic Christian perspective. Yet even in this prognosis, it still seems unlikely that it would be the classic Christian theology of marriage and sexuality *qua theology* that would be criminalised. Rather, it is more likely that the threshold of what might actionable in the *existing* legal definition of hate speech would be lowered to include even pastorally measured classic Christian preaching on biblical texts such as Genesis 1:26-28, Matthew 19:4-6, Romans 1:26-7 or 1 Corinthians 6:9-11. By the same token, it should not be assumed that preventing 'SA' from being added to the statute book will in and of itself avert the danger that increasing cultural, and indeed revisionist Christian, hostility to classic Christian belief and practice will not be further indirectly woven into the way *existing* legal categories of abuse are prosecuted on the ground, in police work and case law. Even so, such possible longer-term threats to religious liberty should not detract from the more immediate challenge of highlighting the incoherence and discriminatory potential of 'SA' terminology.

⁴³ <https://www.channel4.com/news/archbishop-admits-church-failed-terribly-over-abuse-revelations> Accessed 29/1/18

⁴⁴ <http://www.eauk.org/current-affairs/politics/where-do-we-go-from-here-reflecting-on-discussion-of-historic-abuse.cfm> Accessed 29/1/18; <https://www.psephizo.com/life-ministry/is-evangelical-theology-abusive/> Accessed 29/1/18

⁴⁵ <https://www.theguardian.com/commentisfree/belief/2017/feb/09/the-churchs-strategy-on-protecting-the-child-is-designed-to-protect-itself> Accessed 29/1/18

⁴⁶ E.g. Jessica Joseph: https://www.huffingtonpost.com/jessica-joseph/homophobia-and-racism-similar-methodologies-of-dehumanization_b_3459204.html Accessed 29/1/18; see also Antonia Honeywell:

<http://www.telegraph.co.uk/news/religion/12153784/i-was-driven-out-of-my-beloved-church-by-homophobia.html> Accessed 29/1/18

23. In addressing this challenge, it should also be pointed out that such incoherence and potential discrimination would apply just as much, if not more, to other faith traditions as to classic and evangelical Christianity. As we have noted, virtually all published work on 'SA' thus far has focused on Christian churches and networks. Yet by using the generic term 'spiritual' to define the abuse they analyse rather than the more religiously-specific terms 'Christian' or 'ecclesial', Oakley, Kinmond, CCPAS, Ozanne and precursors like Johnson, Van Vonderen and Blue would be remiss if they ignored the implications of their work for other faiths, and, indeed, for inter-faith relationships in the increasingly pluralist socio-cultural landscape they inhabit. As academics, Oakley and Kinmond might be expected to bear particular responsibility for following through on these implications. Yet apart from a brief, unattested allusion to 'evidence of practices which could be deemed spiritually abusive in other faiths' in their 2013 monograph, they steadfastly remain focused on Christianity on the basis that it is the tradition they know best.⁴⁷

Such parochialism could in itself be deemed potentially (if unintentionally) discriminatory on the grounds that it disproportionately casts Christianity as prone to 'spiritually abusive' theology and teaching. Indeed, in seeking to present classic Christian doctrine on sexuality and relationships as *ipso facto* abusive with respect to those who identify as LGBT, Ozanne might usefully consider that Judaism, Islam, Sikhism and Buddhism contain populous classic or orthodox traditions that are at least as disapproving of homosexual, bisexual and transgendered sexual behaviour as classic Christianity.⁴⁸ Moreover, of course, many representatives of such faith-traditions are resident in modern-day Britain. Presumably, curtailment and prosecution of 'spiritually abusive' theologies of sexuality and relationships in these faith communities should be pursued as vigorously as within Christianity from Ozanne's perspective, since everyone is, after all, assumed to be equal under the law. Likewise, one must assume that 'SA' perpetrated by 'coercive and controlling' application of the Qur'an, Guru Granth Sahib or Vedas by imams, Granthis or Hindu priests, by Orthodox Jewish or Sikh parents insisting on intra-religious marriages for their children, or by Islamic or Hindu family shame and honour mores, would be pursued as vigorously by safeguarding agencies and statutory authorities as instances of 'SA' within Christianity. That this would most likely stir up a highly toxic 'culture war' - one prone ironically to attract accusations of racism and ethnocentrism - ought to give serious pause for thought.⁴⁹

F. Church, State and Law: Interrelationships and Distinctions

24. Given the potentially fractious scenarios mapped out above, it almost goes without saying that it will be crucial to ensure that accusations of Emotional and Psychological Abuse in religious contexts should not be used as an *ad hominem* tactic by those who

⁴⁷ Oakley & Kinmond, *Breaking the Silence*, p.4.

⁴⁸ Geoffrey Parrinder, *Sexual Morality in the World's Religions*. Oxford: One World, 1980. Arguably, certain Hindu traditions are more permissive in these areas. See Nancy M. Martin & Joseph Runzo (eds) *Love, Sex and Gender in the World Religions*. Oxford: One World, 2000.

⁴⁹ Another very difficult problem for prosecution authorities (let alone a jury) to overcome in this scenario would be the role of Sharia courts and Jewish courts such as the Beth din. The definitions of 'SA' cited here could mean that such quasi-legal systems might routinely be deemed guilty of 'SA', which would again risk deepening inter-cultural and inter-ethnic tensions.

have historic, legitimate theological differences with one another, whether within or between religious traditions – differences that secular statutory authorities cannot possibly be expected to resolve. If such a baleful situation is allowed to develop, we shall truly have reanimated Erastianism, but within a pluralist, multi-faith milieu that could only intensify the damage it might do to our socio-cultural fabric.

25. The tendency to separate out spiritually-related Emotional and Psychological Abuse as something requiring distinct legal sanction by dint of whatever spiritual associations it might possess can also be critiqued on analogy with sexual abuse. Colloquially, the media might use the term '*clerical* sexual abuse', but a) clergy are hardly the only religious people who are guilty of sexual abuse - Christian, Muslim and Hindu lay people have all also been convicted of it; and b) while religious organisations might say that sexual or any other sort of abuse committed by their adherents is particularly heinous because religions generally hold those adherents to higher moral standards than the secular law, the actual *prosecution* of such abuse in criminal court cannot realistically pay significant heed to those higher moral claims of religion, since that would once more require lawmakers, barristers and judges to make theological as well as legal determinations, which as we have established, is unfeasible in a modern secular democracy. It is enough that a religious sexual abuser be tried for sexual abuse; by the same token, it is enough that a religious emotional or psychological abuser be tried for Emotional or Psychological Abuse. It would be both unnecessary and unworkable for such abusers also to be tried for a separate offence of 'spiritual abuse'.
26. Granted, a judge might possibly *sentence* a child-abusing priest more severely than a non-religious paedophile who did not hold a professional duty of care to children, but the same additional severity in sentencing would apply to an atheist paediatric surgeon, child care worker or secular youth worker convicted of child abuse. Again a 'spiritual' motivation, role or setting might be of concern to the religious body from which the perpetrator of any form of abuse has come, and that religious body might well take specific steps to condemn any attempt to justify such abuse theologically, as the Oxford Tribunal did in the case of Timothy Davis. But that should not be confused with the same religious body's base-line responsibility to refer psychological and emotional abusers in its midst to the statutory authorities when their offences so merit it, where they will and should be dealt with according to the secular, non-theologically-specific precepts of the law.
27. Thus, those church authorities assessing the Davis case could have referred it to the relevant secular statutory authorities, who might then have investigated it as they are charged to do, and, if appropriate, taken it to the Crown Prosecution Service for consideration under the existing legal rubrics of Emotional and Psychological Abuse. Likewise, the complainants could have chosen to report the matter more specifically to the police, who would then have worked with associated statutory authorities to establish whether, like any other form of Emotional or Psychological Abuse, it would have met the thresholds of legal prosecution that apply to all other citizens equally. The fact that this was not the route chosen by those concerned suggests a recognition that key features of the case did not meet the thresholds of criminal abuse that apply to all other citizens without exception, but that those features were best addressed as non-criminal transgressions of religious precepts that are specific to the

religious context in question, and are thus best arbitrated by that religious community's own disciplinary bodies and procedures, in accordance with its own theological or denominational standards. On this basis one might perhaps theoretically conceive of 'SA' terminology being reserved purely to such intra-ecclesial or intra-religious disciplinary procedures, as terminology that has no actual or potential status in criminal or civil law – on analogy with offences such as 'promoting heresy' or 'using unauthorised liturgy', which are within the purview of such procedures, but which would be of no possible concern to lawmakers, the police, the CPS or the courts. As we have established, however, 'SA' terminology is ambiguous and unhelpful enough even *within* the parameters of such intra-religious disciplinary procedures, let alone being given actual legal force.

Granted, the church has too often failed to fulfil its base-line legal responsibilities with respect to child abuse in particular by seeking to 'deal with' - or even to cover up – such abuse internally, rather than reporting it to the secular statutory authorities as it should. But that is specifically *not* what is being recommended here with respect to psychologically or emotionally abusive behaviour in a spiritual/religious context...

28. Rather, the key point being made here is that precisely because the existing law is adequate to prosecute such harmful actions under the rubrics of Emotional and Psychological Abuse, such actions should also be assessed by *the church* under those rubrics and reported to the statutory authorities by the church under those rubrics, rather than being presented as belonging to a distinct proto-legal category called 'SA' that, as we have seen, could too readily become a legally actionable construct, with all the attendant problems we have outlined.
29. Granted, churches and other faith bodies might very well wish to apply *further* disciplinary measures *over and above* those applied by the law to emotional and psychological abusers in their midst (e.g. suspension or decommissioning from public ministry). Clearly, however, they should not exhibit standards that *fall short* of the existing law in this matter. Maintaining the default legal definitions of Emotional and Psychological Abuse would be the best way in which churches and other religious bodies could demonstrate this. Where appropriate, it might be helpful to identify the context in which such abuse has occurred as 'religious' or 'spiritual' - although as we have seen, precise definitions of these terms are notoriously difficult to pin down, and would be even more problematic for police, politicians and lawyers unschooled in theology or religious studies to define. In any case, for the reasons given above, there should be no suggestion that by appending such qualifiers to it, the abuse perpetrated should be subject to any distinctive *legal* sanction. Indeed, it is because the danger of such distinctive legal sanction for religious groups would be even greater if the discrete construct of 'SA' continues to be oxygenated as described here, that its further usage should be actively discouraged. Such persistent application of it risks becoming a 'self-fulfilling prophecy': whether intentionally or not, it will lend weight to the arguments of those who take its cumulative general usage as evidence of the need distinctively to criminalise it, and thus potentially to criminalise whole religious communities with whose theology they happen to disagree.