

Coercive Persuasion As a Specific Type of Violence in Criminal Law

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Abstract

The field of cults, and that of destructive or coercive cults in particular, has received little attention from the perspective of criminal law doctrine. Supporters of such groups often claim to be victims of a violation related to freedom of will. In this article, I consider various methodologies and manipulation techniques used by such groups and suggest that comparative law, criminal definitions, and regulatory problems provide the basis for a more comprehensive understanding of criminal phenomenology that includes these concerns: the loss of freedom through coercive persuasion, and thus being the victim of a crime, or through becoming an instrument for the commission of crimes ordered by third parties. Research shows that the conventional definition of crime against freedom of will and physical injury is inadequate. I posit that a new approach to legal doctrine and criminal classification is required to fight against new crime phenomenology. I propose a criminal classification aimed at considering coercive persuasion as a crime, and a definition for the criminalization of certain organizations that engage in willful misconduct or reckless conduct.

Keywords: coercive control, coercive cults, coercive persuasion, psychic injury, criminal conspiracy

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Cults represent a behavioral field little studied by criminal-law doctrine. Society is composed of complex communication systems such as human groups, and among them, religious organizations, some of which

are considered destructive or coercive cults. A significant number of the supporters of such groups claim to be victims of a violation related to freedom of will. In this article, I discuss different methodologies and manipulation techniques that such groups apply and that various disciplines such as psychology, psychiatry, and sociology (in the latter case, strictly related to the views of inclusion/exclusion; Luhmann, 1998), and even former members, condemn. An analysis of the principals of comparative law, and also criminal definitions and regulatory problems, provides the basis for a more comprehensive understanding of criminal phenomenology. Thus, I suggest that different brainwashing or coercive-persuasion techniques can more accurately be included in the aggravated crime of coercion and in more serious circumstances such as aggravated assault. However, the research also shows that the traditional definition of coercive persuasion but also the legal definition of crimes against free will and physical injury remain inadequate, as we will show in this paper. A new approach to the legal doctrine and criminal classification is required in order to fight against coercive persuasion verified by other sciences. Consequently, I conclude this paper with a proposed criminal classification aimed at closing gaps in the prosecution of these crimes, and harmonizing criminal law with the results provided by other disciplines. In addition to considering coercive persuasion as a crime, the purpose of this article is to define the criminalization of certain organizations that engage in willful misconduct or reckless conduct.

My fundamental research (Bardavío, 2018) delved into the study of cults and their

treatment in criminal law, from the standpoint of the *perpetrator of conscience*, *perpetrator by conviction*, and the *enemy*, while comparing these offenders to criminal cults and with any type of organization that is harmful to the general public (criminal organizations). European criminal doctrine (Jakobs, 1997; Roxin, 1997) is interpreted in different countries variously as the *perpetrator of conscience*, *conflicts of conscience*, or *conscientious objection* as normative arguments in favor of a diminished or exempted responsibility on the part of the perpetrator. This position is in contrast to that of the perpetrator by conviction, on which greater responsibility is claimed, to the extent that, in the past decade, a sector of the doctrine has elevated some cases of the perpetrator by conviction to the paradigmatic category of *enemy*, which is the object of a particularly forceful normative argument: the criminal law of the enemy (Jakobs, 2014).

The Socialization Deficit As Coercive Persuasion

In this research, the respective typologies were outlined normatively, and there is a common underlying element: the *socialization deficit* (Jakobs, 1997). The question discussed was how this deficit works, to whom it can be attributed, and what impact it has on criminal responsibility. As a general rule, this deficit can be attributed to personal freedom; in other instances, it can be attributed (as coercive persuasion) to a third party, or to the same norm (*deficit of normative communication*).

Therefore, I first analyzed the freedom of conscience or religion through the prism of free behaviors. Doing this allowed me to frame the problem and to establish a distinction between perpetrator of conscience, by conviction and as enemy, which led to the first of the surprising insights: By confronting all of the behaviors (perpetrator by conscience, perpetrator by

conviction, and perpetrator as enemy) it has been possible to verify that there are reasons in all instances to mitigate, exempt from responsibility, or charge with the maximum penalty (without affecting the conceptual nucleus of each separately) each crime as a *perpetrator by conviction*, *perpetrator of conscience*, or *as an enemy*, as the result of prior coercive persuasion attributed to a third person (i.e., to the cult leader, to the behavioral dynamics of the group, or to both; Bardavío 2018; Jakobs 1997).

Hence, the focus on the perpetrator of conscience, the perpetrator by conviction, and the enemy in cults, which is an area marginally studied by criminal doctrine, is seen through the prism of coerced behavior and socialization deficits (coercive persuasion and behavioral addiction) attributed to a third person. The lack of interest by the legal system in appropriately protecting an inherent right of the person has been brought to the fore: *the right to the forming of conscience and the marked relevance of the horizon of legal expectations* guided by the system when it is restricted or eliminated (Jakobs, 1997; Luhmann 1996).

And, finally, I examined *the contingency of free and coerced sectarian behaviors* in the consideration of coercive groups as criminal organizations, and in their criminal responsibility and participation. This examination resulted in a new approach, which I have called the *victim–perpetrator*, to mean that certain victims participate unconsciously, unlike other active members, unaware of their own coercive persuasion (*heterogeneous at risk, not self-endangered*), and later on they become perpetrators of coercive persuasion on other adepts.

So the task appeared compelling from the perspective of the science of criminal law, or as Polaino Navarrete pointed out, “because not only does it require [one] to specify the distribution of ‘the cake’ of the crime which

takes place within a surreptitious and messed-up organization (i.e., a question *ad extra*, the relationships of all the parties with each other), but also to set out the basis for responsibility of the criminal organization itself (i.e., a question *ad intra*, the organization itself as a crime). Or, to put it in the wise words of Ernst-Joachim Lampe, the boundaries between the ‘unjust systemic’ and the ‘unjust system’” (Bardavío, 2018, p. 27). In other words, not only those individuals who use coercive persuasion against the victim should be criminalized, but also the organizations (collections of people) who, prior to executing coercive persuasion, have this criminal purpose or intent, and hence pose an underlying risk for society.

Coercive Persuasion As a Specific Type of Violence

In a nutshell, I translated the evidence from the fields of psychology, psychiatry, and sociology into legal concepts because this is the language judges, courts, the police, prosecutors, and lawmakers understand in all countries. The conclusions of the most authorized studies refer, in essence, to the lack of freedom of the victims through certain forms of control (i.e., Almendros et. al. 2011; Barker, 1984; Chambers et al., 1994; Cialdini, 2007; Clark, 1978; Clark et. al., 1981; Cuevas Barranquero, 2016; Hamilton, 2014; Hirigoyen, 2012; Hovland et. al., 1953; Langone, 1992; Perlado Recacha, 2015; Rodríguez-Carballeira, 1992a; Sass, 2007; & Singer, 1982).

Sociologically, our concept of coercive persuasion is based on Niklas Luhmann’s theory of systems, and specifically on the definition of inclusion/exclusion, which is included in it. The *person*, acting justly or unjustly, adjusts to an operation/behavior that his social system can process as a part of its existence and functionality. From Luhmann’s conclusion, we can consider this adjustment as *inclusion* (behavior can be tolerated when

it does not represent a risk to society, even if it does have consequences, sometimes criminal). But when someone’s behavior puts the effectiveness of the social system at risk, the criminal law subsystem rejects the behavior in such a way that the behavior analyzed is considered the *enemy* and therefore has to be *excluded* (Luhmann, 1998). In this sense, as we will see, coercive persuasion attacks people’s free will, a basic fundamental right of society, and, as such, the criminal law must react against such behavior and punish the perpetrator harshly, including by excluding them from civil society.

The key conclusion related to the classification of coercive persuasion in criminal dogmatics is the following: *Coercive persuasion is a form of violence, akin to other violence that is evident in criminal laws such as domestic violence, workplace violence, or violence against minors. Coercive persuasion is a more specific type of violence, distinct and different from traditional violence such as knife threat, assault, or aggression: Coercive persuasion is more subtle/imperceptible, gradual, and indirect.*

Coercive persuasion is subtle/imperceptible because the victim cannot sense the attack, which makes it a more severe type of violence. It is gradual because it takes time for it to materialize; it does not need to be a long period, but persuasion techniques are applied over a period of time. Finally, that it is indirect implies a certain degree of unconscious involvement from the victim. In other words, it is not a simple type of intimidation or threat whereby the victim is fully aware of the attack. In this sense, coercive persuasion is a serious form of violence because it is applied with the abuse of premeditation and without risk to the perpetrator, and it is an abuse of power and an abuse of special trust.

In a coercive persuasion scenario, the victim gradually embraces violence as something *positive*. The victim willingly accepts unconsciously the techniques applied by the perpetrator and facilitates the process, unaware of the risk she is taking while her free will is being undermined (*heterogeneous at risk*). That is why coercive persuasion is a distinct type of violence that progressively hits at the very core of free will, to the extent of wiping it out in the most extreme cases, through well-known techniques in psychology and psychiatry such as cognitive, volitional, environmental, emotional, and information control. Indeed, these techniques are reminiscent of the psychological violence of gender/domestic violence: The victim sometimes sees certain aggressions and humiliations as normal, and may even justify them (Andersen et. al., 1991; Boulette et. al., 1985; Cuevas Barranquero, 2016; Graham et. al., 1988; Rodríguez-Carballeira et. al., 2005; Tobias et. al., 1994; Ward, 2000; & Wolfson, 2002).

This gradual control starts by undermining free will and finishes by obliterating free will; but before reaching that extreme, the outcome is already a criminal one. In other words, there is no need for a psychological disorder or injury to conclude that there is a criminal offense. By way of example, in a rape/sexual assault offense. there is not always a significant mental disorder or injury; in another example, when an individual changes the victim's lock, the person does not suffer as a result from psychological damage in most cases, despite not being able to access his property. All offenses/crimes entail some psychological damage, but criminal codes make a distinction on the basis of criminal outcomes.

However, coercive persuasion has been raised by the Spanish criminal doctrine as also a form of torture or crime causing moral (Maqueda Abreu, 2004) or psychic (Cugat Mauri, 2010) injury, similar to a crime of

illegal arrest (Redondo Hermida, 2011), or an attack on one's freedom to belong to or move from a religion (*illegal proselytism*; Tamarit Sumalla, 1991). However, coercive persuasion does not fit perfectly with those crimes because, in the end, it attacks the *freedom to act in general*—that is, *will*, with the other crimes being classified as special results (*contest of crimes*).

In summary, coercive persuasion is an offense/crime that precedes other traditional forms of violence—explicitly, for example, physical violence to people or things. As such, coercive persuasion can be considered the driving force behind other offenses/crimes, such as later psychological damage, a scam, a seemingly contaminated consent in rape or sexual assault, or trafficking in human beings (Bardavío, 2018). Coercive persuasion undermines a legal principle intimately associated with protection of free will: dignity. In fact, given that coercive persuasion is a type of violence, we are not dealing here with sexual abuse, but with rape, because consent is not obtained in a contaminated manner but obtained violently. In other words, there is no consent, with the particularity that the victim consents unaware that that consent has been obtained through violence.

Viewing coercive persuasion through this prism, we can understand how a victim agrees to transfer large amounts of money to a perpetrator, leading us to conclude that we are dealing with a scam offense. Hence, the concept of coercive persuasion demonstrates why judges and courts have not understood why victims would claim to have been subject to con artists, while they admit at the same time to having consented to the crime. Approaching coercive persuasion as a type of violence, we understand why victims behave in a certain way, despite consenting to actions deemed detrimental to them. We argue that, because coercive persuasion is a form of violence, the consent is not such because it

has been obtained from the victims only through the will of the perpetrators.

Regulatory Deficiencies of Current Criminal Laws Against Coercive Persuasion

For example, in Europe several countries have criminalized coercive persuasion in some way, in particular the criminal law of France, the United Kingdom and the Republic of Ireland. Likewise, there is no need for the victim to be particularly vulnerable, as French Criminal Code seems otherwise to require, or that a certain weakness in the victim has been abused (Hirigoyen, 2012). Rather, because coercive persuasion is another form of violence, it can be applied to any individual. In other words, before any psychological disorder or result thereof emerges, an offense has already arisen—an offense of coercion or duress. This is a type of violence that does not derive from direct attack through known violent means, such as physical or psychological violence (*threat/intimidation*), but through a specific type of violence (coercive persuasion) that goes unnoticed by the victim, and that explains why he participates in it. This type of violence can be more dangerous than other, more traditional types of violence. In this situation, the victim is powerless because he is unaware of the coercive persuasion techniques used against him (*premeditation/ without risk of the perpetrator, abuse of power and of special trust*). It limits or cancels not the individual's psychological state but his capability of *social/exogeneous* free will. The system of freedom and legitimate expectations (*horizon of behavioral alternatives*; Jakobs, 1997;

Roxin, 1997) thereof are being undermined, unbeknown to the victim.

Recently, in the United Kingdom and the Republic of Ireland, a form of coercive persuasion (*coercive control*) has been regulated criminally as specific violence in the field of sentimental and family relationships, which implies a clear recognition of this problem. However, neither of the two laws determines the specific forms of control treated by the scientific literature but instead is a broad form of explicit control; and the laws leave without penalty the same unjust conduct performed in other fields and subjects.¹ However, in the case of the law of the United Kingdom, it is interesting that it criminalizes the cases in which the perpetrator, even without knowing it, should know that his behavior (control) has a harmful result for the victim.

Further, thanks to this framework, we can understand how collective suicides come to be, and how the legal entities would therefore be dealing with manslaughter/murder and not induction to suicide because, in those cases, the victim enjoys some degree of leeway in the decision-making process.

In this sense, the conclusions of the German sociologist Niklas Luhmann (1995) in his systems theory can be applied to underpin coercive persuasion. The victim is introduced in a parallel totalitarian system to the freedom system, thus undermining the victim's ability to perceive the system of legitimate expectations of freedoms. Drawing some parallels mentioned in criminal doctrine, Hitlerian youths were indoctrinated from childhood by a criminal. In other words, they were introduced to a totalitarian system,

¹ In 2015, in the United Kingdom, *Section 76, Serious Crime Act*, 2015, the offense of controlling and

coercive behavior in an intimate or family relationship. In 2019, in the Republic of Ireland, *Section 39, Domestic Violence Act*, 2018.

which hindered their ability to appreciate ethics and a system based on freedom. Günther Jakobs (1997), a great German scholar, called the context in which they were raised a *socialization deficit attributed to a third party*. In other words, coercive persuasion gives rise to a socialization-deficit outcome, and not per se to relevant psychological harm associated with abuse of one's vulnerability.

Specifically, coercive persuasion can be applied as a form of violence against any individual without the need to cause psychological criminal harm to that individual. Coercive persuasion does not undermine one's endogenous free will, but rather one's exogenous, or social free will. Using this model, we can conclude that, unbeknown to the individual—or better still, because the individual is unaware of the risk involved in such isolation, coercive persuasion violently isolates the individual from the system of freedoms or legitimate expectations.

My conclusions are to urge lawmakers to establish a distinct offense/crime for coercive persuasion that undermines general free will in their framework of criminal law, and to define the crime in an exhaustive manner, including the use of techniques such as *cognitive* (how the victim interprets what they know), *volitional* (what the victim really wants to do), *environmental* (the contextual setting of the victim), *emotional* (the positive and negative character of their feelings), *social* (the context of their family, their work, the economy, etc.), *judgmental* (the capacity of the freedom to form opinions), and *information* (the data that is given to the victim) *control* in a manner that is proportionate to the seriousness of the crime, which is more serious than the traditional offense of violent duress or threat. Without these criteria, judges, courts, and the police will struggle to understand why a victim acts against his best interest or against the best

interest of others. This type of violence is more severe because there is premeditation involved, irrespective of the vulnerability of the victim; but the victim does not feel the violence, and hence cannot defend himself.

Finally, there is a need to decouple coercive persuasion from any psychological criminal outcomes. Otherwise, an association between these aspects leads to a degree of confusion that does not permit their independent criminality. Even so, when there is a serious psychological outcome resulting from the coercive persuasion, it is defined as a crime, and if prior coercive persuasion has occurred, it is defined, and prosecuted, as a more serious crime. It is said about criminal dynamics that, although they can be experienced by the victim as something *good/positive* for his life, the lack of freedom that coercive persuasion entails voids the validity of the victim's consent. Freedom of will cannot be renounced because it objectifies the person as an involuntary slave even if there are positive effects (society does not want to have happy slaves, but rather, free people!). Indeed, another important matter to be clarified in the dynamics of criminal cults is the fact that subjects freely mold their wills to that of a leader (i.e., religious, ideological, and political freedom of conscience). And in such cases, if in that context subjects seriously break the law, they can be criminalized, no longer as victims, but as authors *by conviction* and/or as *enemies* if they use coercive persuasion against third parties.

Four Significant Cases of Jurisprudence: Normative and Dogmatic Aspects

I now present four real examples that can serve to clarify how the approach I propose can provide a better solution to the problem. The cases come from the United States, Germany, France, and Spain, respectively.

The NXIVM Case in the United States

In the case of the NXIVM cult, its 58-year-old leader, Keith Raniere, who had previously been arrested in Puerto Vallarta (Mexico), was found guilty by the Brooklyn, New York people's court. Raniere faces a life sentence for trafficking and sexual exploitation, in addition to other crimes that include possession of child pornography and extortion. The leader used his charisma and classical psychological techniques to influence the women with whom he had sexual intercourse. Up to six people were charged in the United States; all but Raniere pleaded guilty to participating in the crime.

In this case, we see two elements that we have discussed. On the one hand, coercive persuasion has operated for the consummation of other crimes (sexual assaults, trafficking in human beings); on the other hand, the victims have subsequently participated in coercive persuasion against others, without prejudice, to result in a decrease or exemption from responsibility. Because the previous coercive persuasion was realized over the members by the leader with the aim that they realize other acts of coercive persuasion against others or other criminal acts (to participate in sexual aggressions) ordered by the leader, the foundation of the crimes of the members is that they were committed without liberty, motive to be exempt, or at the very least to diminish the culpability. However, for further analysis, we will have to wait for the publication of the sentence.

The Sirius Case in Germany

The facts of this case are as follows: The subject (perpetrator) persuaded for several years and ultimately earned the full trust of a young woman. He made her believe that he came from planet Sirius, that he had been sent to Earth to save certain important people, who would live on that more developed planet through other bodies, and that she was

one of the chosen ones. The subject convinced the young woman to procure life insurance in his name, to be listed as beneficiary should she die. He then persuaded her to cause her own death, at which point she would be in a new body and she would get the money back from the insurance company once she arrived on Sirius. The young woman managed to survive after attempting to take her life.

In its judgment of July 5, 1976 (*Sirius* case), the German Supreme Court determined the following:

If you hide from the one who is taking his own life that he is really causing his own death, you have to consider that the one who provokes this error and whose help consciously and voluntarily leads to the process that ends the person's life, or must lead to his death, is the perpetrator of a crime against life . . . by virtue of his superior knowledge, with which he manipulates the deceived and turns him into an instrument against himself. (Muñoz 1987, p. 310).

In other words, the perpetrator was convicted for the crime of attempted murder because the young woman was an *instrument* in the perpetrator's hands (Jakobs 1997; Roxin 1997).

In my opinion, if the victim became an instrument, it was because the violence of coercive persuasion was applied. Without prior coercive persuasion, the victim would not have made the decision to commit suicide. In other words, hiding the reality of death in this way constitutes the result of coercive persuasion. This distinction is what legislators and judges should understand (Bardavío, 2019).

The Corruption-of-Minors Case in France

The judgment of the Court of First Instance of Saint-Étienne, March 12, 2001,

condemned several members of a group for corruption of minors for the “existence of a true climate of sexual obsession within the movement, (. . .) of an environmental sexuality problem.” The judgment describes that

. . . both the elderly and minor members had to repeat, as if by enchantment, the obligation they had, to wait to be fifteen to have complete sexual relations; that the need to constantly remember this legal reference, which was made according to the statements of Mr. H. “every day of the workshop,” proves that there is really a continuous incitement in the movement for minors to make their impulses exacerbated sexual; that the incitements to which minors are subjected in the general framework of their adherence to the principles dictated by the movement, characterize the corrupt facts as provided in article 227–22 of the criminal law. (MIVILUDES, 2007, p. 27).

Subsequently, the judgment of the Court of Appeal of Lyon, January 24, 2002, increased the sentence because

. . . under the pretext of religious activities, the interested parties used their membership in the Raelian movement to systematically corrupt young adolescents who were introduced into the group due to the blindness of their parents, (. . .) that inmates cannot prevail over the freedom of customs, the fields of law and morals are different, attacks on the freedom or dignity of people are still obviously repressed. (Which falls under article 223-15-2 of the French criminal law by state of submission). (MIVILUDES, 2007, p. 28)

The Miguelianos Case in Spain

This case (Judgment of the 4th section, Criminal, of the territorial Court of Pontevedra 33/2018, December 28) focuses on the Miguelianos, a religious order accused of being a coercive cult. The case is remarkable because of the judicial prosecution of the founder of the order, together with other active members, because of their use of coercive persuasion when, at the same time, the latter were also victims of the same crime committed against them by the founder. The founder and the victims of coercive persuasion were all charged because, at a later stage, the victims actively served in the group to use this technique on third parties (model of *victim-perpetrator*).

The court could not prove that the founder and the other active members who were charged had set up and exploited an associative structure that used violence, alteration, or control of the personality of its followers, even if for lawful purposes. With regard to the crimes of sexual abuse, the court found the founder guilty of a sexual-assault offense with persistent abuse of power and penetration of victim J, but acquitted him for sexual assault of the other victims (I, N, and C), and of other crimes.

The question is this: What differentiates abuse of power (authority) from the sexual-abuse offense of coercive persuasion as a form of sexual assault or rape?

Surprisingly, some of the elements narrated in the judgment to support abuse of power through the special relationship to restrict freedom (*vitiated consent*), are considered—by the most authoritative scientific literature (Cuevas Barranquero, 2016)—as akin to the dynamics of coercive persuasion. Yet, this most serious crime does not apply even though these sexual acts occurred when the victim was a minor. Let’s consider some of the victim’s statements:

I cannot say no (. . .) I was blocked (. . .) I was in shock (. . .) I trusted him fully (. . .) to turn him down is to go against the Heaven that everyone wants (. . .) at that time, he was the most wonderful man (. . .) he was my father and my best friend (. . .) I became indifferent to life or death. (Tello 1979, p. 170).

These statements indicate precisely the unjust sovereignty of coercive persuasion as differentiated from abuse of power, because it is not a simple superiority that blurs the consent in this instance. In other words, the consent was not obtained through simple superiority; rather, the consent was subtly forced. Consent is transformed into a positive way of will, hiding the reality that the authority of the leader, the *San Miguel Arcángel*, is coercive in that it presents the guarantee that such carnal access is imperative to the saint, and that any rejection is both unavoidable and unfathomable, precisely because of the divine command.

This way of obtaining consent as a violent form is based on the distortion of the meaning of communication codes produced by the perpetrator in the victim—for example, drastically changing the positive value of life for the negative of death as in the case Sirius; in other words, where death becomes something positive and inescapable for survival (distortion of the action), or as inferred in the fourth case, where sex between the perpetrator and the minor becomes something positive through a divine imperative that the perpetrator introduces in the understanding of the meaning of the concepts of the victim. This way of introducing the change of meaning is the basis for the objective imputation of a form of violence in sexual aggression (Bardavío, 2019).

Proposal to Reform the Criminal Law and Conclusions

At this point, I propose the following to classify *de lege ferenda* (for a future reform of the law), which would be systematically located within the crime of coercion in the criminal law of any country because, ultimately in these cases, it is about protecting the fundamental right to free will:

- (a) The classification would include those individuals who, through violence, intimidation, coercive deception, or physical or psychic coercive-persuasion techniques or procedures impede the free formation of the will, freedom of decision, or execution of action in general of others that leads to a state of coercive dependence.
- (b) For the purposes of this code, techniques or procedures of coercive persuasion shall be understood as the behaviors that produce one or more of the following: social, emotional, environmental, cognitive, and volitional control, or induction of dissociative states of reality.
- (c) For the purposes of this code, coercive deception shall be understood as behaviors that, without being understood in coercive persuasion, consist in the creation of a deficit reality that produces one or more of social, emotional, environmental, cognitive, and volitional control, or dissociative states of reality.
- (d) The penalty will be aggravated by one or two degrees if the act is perpetrated on the incapable, a minor, or a person with a state of ignorance or with special social vulnerability, and by two degrees whenever it is perpetrated on a group of people.
- (e) The previous conduct that results in the limitation referred to in item 1 to be

carried out with serious imprudence will be punished with the penalty of from 1 year to 3 years.

- (f) Those who promote, constitute, organize, or direct a coercive organization that uses the means and produces the facts referred to in item 1 will be punished with prison sentences of from 8 years to 14 years, and cannot work in private or public employment for from 8 years to 15 years, and in cases of serious imprudence, from 1 year to 4 years in prison and a fine of 100,000 pounds. Those who actively participate in the coercive organization, or who are part of it, will be punished with prison sentences of from 6 years to 12 years and cannot work in private or public employment for a period of from 6 years to 14 years, and if participation is due to serious imprudence, from 1 year to 2 years.

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