

GUSTAVUS ADOLPHUS COLLEGE

**FEDERAL FIRES:
ANALYSES OF THE GOVERNMENT
IN RELATION TO THE
BRANCH DAVIDIANS IN WACO**

**SENIOR THESIS
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Preface

When I began learning what had happened to the Branch Davidians in Waco, my initial reaction was outrage. It made me very angry to know what actions the U.S. government took in dealing with this group of people, the order in which it went about dealing with them, and how easily it moved past the tragic and avoidable death of so many men, women, and children. Initially, my intention in writing this thesis was to prove how merciless and unjust our government could be. After researching this most complicated and confusing order of events, however, I slowly came to realize that blame couldn't be assigned so easily. Stepping back from the scenario, I realized that the government was faced with subtle dilemmas that I had not initially taken into account. When all is said and done, I have concluded that blame ultimately belongs to the ignorance that separates us all. In this respect we all have an obligation to fulfill. We must accept that we have a responsibility to fight ignorance that results in the death of innocence. I hope that through this understanding I have been able to propose a constructive means of combating the ignorance that killed four BATF agents and more than eighty Branch Davidians.

Introduction

When people are called upon to make tough decisions that may result in human loss of life based upon indeterminate information, it must be with the utmost humility that a critique of those decisions be made. Idealism is not a luxury afforded those in such situations, nor skepticism. Only the facts at hand and the probability of success are at their disposal. Yet, when the matter thereafter lay at rest the scrutiny falls upon their heads. Did they do everything they should have done? Did they do all they could have done? This text is not intended as an accusation of guilt directed toward any party. Such accusations are the luxury of those who already know the outcome. Rather, this paper is an attempt to understand a puzzle with many pieces missing. By adding certain clues to help piece the puzzle together we will have a clearer picture to look at in the future when dealing with similar situations that stand in the way of lasting peace and justice. Within the full picture is a better understanding of not only religious freedom, but also the inalienable rights of all people.

The events that unfolded between February 28th and April 19th, 1993, at the Mount Carmel compound in Waco, Texas, are susceptible to many interpretations. No one experienced the events from the perspective of both the federal agencies and the Branch Davidians within the compound. Any information that can be found on this topic must be read with the awareness that it comes from a particular and limited perspective. Without filtering through these perceptions in search of a substantive groundwork of information for analysis, any productive study of this event would be fruitless. For the most part, the sources used in this paper have been official United States Government documents detailing follow-up investigations of the events at Waco. However, several

books used in this paper are very persuasive in their approach to the issue. For instance, one book may downplay any suspicion that Koresh and his followers took actions that broke U.S. law. Down-playing these actions strengthen the reader's perception of Koresh and his followers as mere victims who were being bullied by the government without fully addressing their potentially unlawful actions, which also contributed to the dilemma. In the use of these books, this author used discretion in their applications so as not to give a skewed perception of either side.

Inevitably, however, this paper will succeed in painting a picture of the situation that is pointed. It will point to my analysis and overall judgment of the situation. I hope that it is somewhat reassuring to the validity of this paper that it was written with these thoughts in mind and in constant struggle to maintain a honest search for the truth.

Although my perception of the situation is limited, I have sought out a variety of perspectives from both sides of the issue and have formulated a thorough analysis of the events pertaining to this study before, during, and after the above-mentioned dates. The first section of this paper will supply a summary of these events.

As was said before, this paper is not an indictment, but rather an attempt to understand the situation in order to learn how to avoid the outcome of this scenario, which all agree was a tragedy. Although the beliefs and actions of the Branch Davidians will be considered for purposes of understanding, the primary weight of this critique will fall on the U.S. government. The full weight of responsibility should not fall upon the U.S. government. On the contrary, responsibility is not at issue here, but rather understanding the actions taken by the U.S. government, their motives for such actions, and possible alternatives to such actions that might result in a more positive outcome.

The reason for focusing on the government is that this author feels that change must begin here. Those in authority have the most power to initiate change as well as the responsibility to ensure that these changes are positive. Furthermore, given the devotion to liberty and justice displayed by this government's history and as commanded by its constitution, I see it as obligatory to search for that end.

At no point does this paper suggest that David Koresh or the Branch Davidians were innocent. There is ample evidence, especially in the aftermath, that the Branch Davidians were in violation of U.S. law and, as U.S. citizens, are subject to prosecution. It is the means by which the government has approached the execution of the law and the assumptions it has relied on in its observance of its people that is being addressed. In this respect there are many aspects to decipher.

Winston Churchill is quoted as saying, "It has been said that Democracy is the worst form of government except all those other forms that have been tried from time to time."¹ This statement is a reminder that, for all of its benefits, democracy still has its faults. Our government has the tough task of striving to ensure the safety of its people in a land where diversity is plentiful and everyone is given the right to believe what they want to believe. For the majority of U.S. citizens, this does not present a problem because the U.S. government promotes their beliefs within the modern paradigm. However, within each paradigm there always exist minority groups with beliefs that contrast with the majority. For them, the issue is not so simple. Their interaction with society is, at its best, marked by "tolerance" instead of "approval." They are allowed to hold their beliefs, but not act upon them. The resentment over such a relationship creates

¹ Robert I. Fitzhenry, ed, The Harper Book of Quotations, 3rd Edition, (New York: HarperCollins Publishers, Inc., 1993), p.130

a potentially volatile situation between a minority group and those who stand in their way of living in free expression of their held beliefs. Within this context the government has the responsibility to diffuse hostility and maintain peace and order among its citizens. A dilemma such as this has no easy resolution. Certainly the government cannot compromise the laws that govern the nation for the sake of any who disagree. This defeats the purpose of governance. Yet, the laws of this nation prohibit sacrificing even one person's freedom, which from the point of view of the minority is held captive. The answer lies in conflict resolution.

What is certain from the events at Waco is that what happened there must be acknowledged and understood. In 1993 the United States government had to decide whether to intervene with a potentially volatile minority religious group known as the Branch Davidians led by Vernon Wayne Howell, a.k.a David Koresh, in Waco, Texas. The government chose certain courses of action in confronting this group, and the group reacted. By the time it was all over, four federal agents were dead, twenty-eight federal agents were wounded, and more than eighty Branch Davidians were dead, twenty-five of them children.

It would be an error for anyone to assess the outcome of this incident as a success. The government, which has seen similar scenarios before and will very likely see them again, would be wrong if it failed to reflect on its actions in this incident in order to learn what steps can be taken to handle a situation like this more effectively. The government has the responsibility to learn from this incident so that it is better equipped to deal with similar situations in the future.

A description of what happened in Waco in 1993 will reveal how and at what points the Bureau of Alcohol, Tobacco, and Firearms (BATF) and the Federal Bureau of Investigation (FBI) misinterpreted the Branch Davidians and their motives. These mistakes were rooted in the government's generalization of the group as a "cult," which carried negative connotations in the context that it was used. Previous experiences of counter-cultural minority groups with an outspoken leader disposed the government to taking a critical stance toward groups with similar characteristics. Such profiling, while it may be necessary to pursue the security of its citizens, may lead the government to overlook the unique qualities of each counter-cultural, and in many cases religious, minority group. Actions based upon generalizations risk compromising the ultimate goal of resolving conflict between the government and a group of its citizens.

The third portion of the paper reflects on what can be learned from this incident and what measures can be taken to ensure that the same mistakes are not made again. The government must acknowledge the delicacy of interacting with minority religious groups like the Branch Davidians, and the need to exhaust all means of understanding the basic principles of faith that exist independently within each minority religious group, before it decides its course of action. Furthermore, this portion of the paper will attempt to draw from the Waco tragedy some conclusions about the frustrating task the government has in discerning the line between assuring the security of the nation against harmful people and infringing upon the rights of those whose intentions are unknown.

Throughout the paper, the term "religious minority group" will be used in place of the term "cult" unless discussing the term itself. The term "cult" is easily construed in

negative ways. Since part of the purpose of this paper is to avoid that very thing, an alternative term will help the reader understand the points made in a more objective way.

Chapter 1

History and Conflict Summary:

The following is a summary of the history of the Branch Davidian as well as a summary of the events that took place between U.S. law enforcement agencies and those within the Mt. Carmel compound.

The Branch Davidians are a religious group that has its origins in the Seventh-Day Adventist church, which in turn had its origin in the Millerite movement in the United States. Baptist William Miller founded the Millerite movement in 1833 under the belief that the Bible prophesied the date of Christ's return. However, after the "Great Disappointment" in 1844, when Miller's date of Christ's return proved to be wrong, some Millerites formed the Seventh-Day Adventists.² Within the Seventh-Day Adventist Church, a woman named Ellen G. White (Sister White) emerged as a prophet believed to have been sent by God as a messenger. Her many writings are still widely read by Adventists.

In 1929 Victor Houteff claimed that he was God's new prophet for the Church. Although the Seventh-Day Adventist Church did not accept him as a prophet, he did maintain a small following and preached his message in California as the "Davidian Seventh-Day Adventists" or "The Shepherd's Rod." In 1935, Houteff and his followers established a community named Mt. Carmel just outside Waco, Texas, and lived separate from mainstream society. Upon Victor Houteff's death in 1955, his wife Florence took leadership of the group and declared that, as prophesied in the book of Revelation, the

² This group became an official denomination in 1863. The name is derived from the conviction that Christ's return (advent) is near and also that the Sabbath day, since creation, has been on the seventh day, or Saturday.

end times bringing the apocalyptic return of Jesus Christ would begin on April 22, 1959. Some nine hundred people from across the United States sold their belongings and moved to Mount Carmel to await the end. However, April 22, 1959 came and went without an apocalypse. Most of the group's adherents moved away. About fifty remained and the group moved about ten miles from Waco to a new location, retaining the name Mt. Carmel.

One year later, Ben Roden became leader of the "Branch Davidians"³ and, after his death, his wife Lois took over. During her time as the leader, she was very active in spreading the message of the Branch Davidians abroad by meeting with foreign heads of state. During this time Vernon Howell (David Koresh) came to Mt. Carmel as a handyman. His knowledge and memorization of the Bible and his ability to interpret Scripture, even though he was dyslexic, stuttered, and was a high school dropout, amazed both followers and Lois Roden. However, Howell's popularity created problems between him and Lois' hot-tempered son George, who intended to succeed his mother.

George Roden maintained control of the compound after Lois' death, and Howell moved to a neighboring town with those who accepted him as their leader. In 1987, Roden challenged Howell to establish who was the true prophet. The test was, who could bring back to life a long-dead Branch Davidian, whose coffin had been exhumed by Roden and was sitting in the Mt. Carmel chapel. Howell declined the challenge and called the authorities about the exhumation. When the authorities demanded proof, Howell and several armed followers tried to photograph the coffin. A gunfight broke out

³ This newest name was created to distinguish the Waco group from other factions that emerged after the failed prophecy.

when Roden caught them on his property. Howell and his followers were tried for attempted murder, but were all acquitted.

George Roden remained at the Mt. Carmel compound for a short while, but after Roden was sentenced to six months' imprisonment for threatening a judge, Howell regained control of the compound by paying for sixteen years of delinquent taxes. In 1989, Roden murdered a man and was committed to a mental institution where he remains to this day.⁴ Vernon Howell, who changed his name to David Koresh⁵ in 1990, and his followers lived in the Mt. Carmel compound once again and continued their Bible studies and communal lifestyle. They made ends meet by some of the members maintaining jobs in the Waco community.

In late May of 1992, the McLennan County Sheriff's Department⁶ told the Bureau of Alcohol, Tobacco, and Firearms (BATF) that United Parcel Services (UPS) had delivered suspicious parcels to certain persons at the Mt. Carmel compound. Firearms, inert grenade casings, and substantial amounts of black powder and powdered aluminum metal discovered after the UPS box was found partially open were highly suspicious to the BATF. As a result, they assigned Special Agent Davy Aguilera to investigate.

Aguilera sought and received a warrant for the arrest of David Koresh and a warrant to search the compound. The BATF planned a raid. On February 28, 1993, at 5:00 a.m., BATF agents traveled from Fort Hood, Texas, where they had been training for the raid for three days, to the staging area just a few miles away from the compound near Waco (the Bellmead Civic Center). Meanwhile, media crews, alerted to the raid by

⁴ In 1993 Roden escaped for a short while. As a consequence, the Branch Davidians established an armed guard at the compound.

⁵ After the Hebrew King David and the Persian King Cyrus, the name was chosen based upon an interpretation of Revelation.

⁶ Waco is in McLennan County.

the BATF, set out to cover the story. A media cameraman lost his way on the gravel roads near the compound and was greeted by the local mail carrier, who happened to be a Branch Davidian. The cameraman told the Branch Davidian about the raid; he drove back to the compound and alerted David Koresh. An undercover BATF agent within the compound learned what had happened and left the compound to tell those in charge of the raid operations.

The raid commanders went through with the raid anyway. Around 9:30 a.m. on February 28, seventy-six agents attempted an assault on the compound from two cattle trailers parked in strategic locations right outside the compound. Anticipating the attack, the Branch Davidians were armed and waiting within the compound. Noone knows who fired a weapon first, but in the gunfight that ensued, four BATF agents and six Branch Davidians were killed and members were wounded on both sides. The shootout lasted ninety minutes ending in a cease-fire.

After the BATF retreated, they set up a perimeter and the Federal Bureau of Investigation (FBI) took command. The FBI began by starting negotiations with those inside the compound. Then, peculiarly, given there were no hostages - the Hostage Rescue Team was deployed and took over the perimeter, relieving the BATF of their command. Negotiations resulted in the release of adults and children at various stages throughout the siege. At one point, an agreement was reached between the FBI and David Koresh that if a taped copy of Koresh's message concerning the Seven Seals of Revelations were broadcast nationwide, all those inside, including himself, would come out peacefully. However, after the national broadcast, Steve Schneider, who was considered Koresh's right-hand man and the second in charge, told negotiators that God

told Koresh to wait until God told him what to do. Thus, they did not come out. The FBI interpreted this action as a delaying tactic.

Form time to time, the FBI turned off the power in the compound. Eventually, it was cut all together. Bright lights illuminated the building at night and loud noises were played to unsettle the Branch Davidians within the compound. As time passed the FBI stepped up their pressure tactics, undermining the credibility of the negotiators who were striving to build trust with Koresh and Schneider. Eventually, the FBI started considering tactical operations of making the Branch Davidians come out.

On April 12, 1993, the FBI presented the "tear gas plan" to the recently sworn in U.S. Attorney General, Janet Reno. Reno approved the plan, and on April 19 at 5:55 a.m., Combat Engineering Vehicles (CEVs) with booms attached to the front punched holes in to the side of the compound in various areas and inserted liquid CS gas⁷, while Bradley vehicles fired M-79 Ferret tear gas rounds⁸ into any openings in the building structure. The Branch Davidians fired on the tanks, to no avail. The FBI continued to insert tear gas into the compound until, at 12:07:41 p.m., a fire broke out within the compound. "By 12:11:00 the fire had spread rapidly throughout the entire building."⁹ The U.S. Department of Justice concluded that seventy-five persons died inside the compound during the fire.

An investigation of the Mt. Carmel Center remains took place. Those who made it out of the compound were tried in court on various charges. The Treasury Department

⁷ Gas that causes eyes to water, induces vomiting, and can lead to unconsciousness and eventual death under prolonged exposure. Cyanide is produced from CS gas when in vapor form.

⁸ M-79 Ferret rounds are a gas insertion technique where gas held within a canister is shot from a launcher to insert tear gas from a distance. Ferret rounds impact at a speed which can kill.

⁹ U.S. Department of Justice, Report of the Deputy Attorney General on the Events at Waco, Texas February 28 to April 19, 1993, (Washington, D.C.: U.S. Government Printing Office, October 8, 1993), p.295.

conducted an inquiry into the BATF involvement. The Justice Department conducted an inquiry into the FBI involvement. Congress engaged over several sessions in their own inquiry into the events; they questioned Attorney General Janet Reno, FBI Director William Sessions (with colleagues), and BATF Director Stephen Higgins (with colleague). As of this date, some key elements of the government's investigation are still restricted from public view, hindering the deepest search for truth and justice.

Chapter 2

Mistaken Identities

A close study of the way in which the BATF and the FBI acted in relation to the Branch Davidians will show that these federal agencies characterized the Branch Davidians as irrational, devoid of religious integrity, and offensively violent. These characterizations were not accurate.

Irrational or absurd?

In attempting to discern whether Koresh and his followers were thinking rationally, it is first necessary to distinguish rational thought from irrational thought. This is not easy. For present purposes, the term "rational" will refer to the ability to create and follow a coherent process of thought. In other words, a rational thinker is one who understands cause-and-effect relationships and can process linear thought constructions. This definition distinguishes sporadic thought processes, devoid of traceable cause-and-effect relationships, from valid linear thought processes that contradict normative accepted justifications. This distinction is necessary in assessing the rationale of the Branch Davidians. However, this distinction is not found within any government documents I have read surrounding this event. Instead, there are countless quotes from high government officials that depict Koresh as a "madman" or "crazy" and the rest of the group as brainwashed followers.

To be of sound mind is very different from holding a perspective that seems absurd to everyone else. Yet, it would seem that this distinction did not occur to those

who attempted to understand the mindset of David Koresh and his followers within the compound. Even before the BATF interacted with the Branch Davidians Agent Aguilera "sought information from former cult members, who gave him some insight into the extraordinary degree to which Koresh dominated the lives of the compound residents. Cult members surrendered all of their assets to Koresh and permitted him to have sex with all the female members of the cult."¹⁰ This statement implies that Koresh's followers were irrationally allowing Koresh to do things they did not want to do. Although signing over all assets to Koresh and permitting him to have sex with all female members of the group may be highly peculiar in our social context, it cannot be assumed that the group members did not freely choose these actions.

The Treasury report stated that David Block, a former member, had "escaped"¹¹ from the compound in June of 1992. This also suggests that he had not been allowed to leave voluntarily. "Cults" are often thought to be led by persons who use mind control over his/her followers. Under this belief people like David Block were not in control of their actions and unable to use their own free will. This assertion gives credibility to the notion that the members within the compound were not fully capable of thinking clearly. That this testimony appears in the Treasury report not only shows that this was part of the BATF's understanding of the group, but it also shows that even the Treasury Department's review of the BATF's actions make this supposition. Is this assumption fair? Is convincing another to adhere to certain principles that conflict with the cultural norm an act of mind control? Such an allegation devalues the very principles of

¹⁰ Treasury depart, BATF, Report of The Department of the Treasury on the BATF Investigation of Vernon Wayne Howell also known as David Koresh, (Washington, D.C.: U.S. Government Printing Office, September 1993), p.27.

¹¹ Ibid., p.32.

persuasion. It is hard to make this assertion in a culture so affected by a persuasive media.

David Koresh was successful in convincing his followers to think in a way that contradicted many of the laws and practices of their culture. This makes them responsible for their own process of thought. It was clear that Koresh was not holding anyone inside the compound against his or her will. Every adult who remained showed an established and rational desire to remain inside. Those who did not, left. In fact, over thirty-five people left the compound during the 51-day siege. Perhaps if everyone had decided that they wanted to leave, Koresh would then have attempted to hold people there against their will (this is speculation), but this situation never arose. The Justice Department report affirms that the followers were there upon their own free will. "Four different individuals came on the line... These individuals also confirmed that they did not want to come out."¹² The report also states, "Livingston Fagan, age 34, came out of the compound at 10:05 a.m., after discussions between the negotiators and Schneider."¹³ According to the Justice Department report, negotiating the release of followers in exchange for desperately needed supplies or medical attention never worked, but periodically one or two people would come out without anything in return. If Koresh were holding people within the compound against their will, why would he not trade their release for things they needed and then allow them to leave when there was nothing to gain?

¹² U.S. Department of Justice, Report of the Deputy Attorney General on the Events at Waco, Texas February 28 to April 19, 1993, (Washington, D.C.: U.S. Government Printing Office, October 8, 1993), p.58.

¹³ Ibid., p.81.

Aguilera also relied heavily on the testimony of Marc Breault, a former member who devoted most of his time after leaving the Branch Davidians to exposing religious minority groups as negative and mind-controlling cults. Both the Aguilera affidavit and the Waco Tribune-Herald's "Sinful Messiah" series rely heavily on Breault's testimony. As will be demonstrated later in this paper, this anti-cult perception confines all religious minority groups in a generalized description as being negative and destructive. Breault believes mind control is one of the main catalysts of destruction within all "cults."

The FBI, after it took charge over the BATF, also displayed an understanding of the Branch Davidians as being irrational. Dr. Park Dietz, a psychiatrist working for the FBI, provided an assessment of Koresh's personality and mental condition. Dietz concluded that Koresh has some "rational aspects,"¹⁴ but that he ultimately could not be reasoned with due to "the extent of Koresh's psychopathology."¹⁵ Yet, what was Dietz's assessment based upon? The Justice Report states that Dietz reviewed "approximately 1,000 pages of background material about Koresh and the Branch Davidians."¹⁶ However, James Tabor asserts, "From the conclusions Dietz reached, it appears that the FBI provided him with unsubstantiated, negative, anti-cult propaganda assembled by the BATF, based exclusively on materials supplied by the Cult Awareness Network (CAN), the most prominent anti-cult group now active in the U.S., and disaffected former members of the Branch Davidian group."¹⁷ Even Dietz himself "cautioned that absent a

¹⁴ Ibid., p.164

¹⁵ Ibid., p.164

¹⁶ Ibid., p.160

¹⁷ James D. Tabor and Eugene V. Gallagher, Why Waco? Cults and the Battle for Religious Freedom in America, (Los Angeles: University of California Press, 1995), p.105

personal examination he would be unable to make a formal diagnosis.”¹⁸ Yet, the FBI relied heavily on his assessment in dealing with Koresh. After the compound had burned, another psychiatrist, Dr. C. Di Giovanni, made an assessment of Koresh based upon transcripts of negotiations, Dr. Dietz’s memoranda, and videotape footage sent out of the compound showing Koresh interacting with his children. His professional opinion, having had more direct contact with the patient directly contrasted that of Dr. Dietz.

Dr. Di Giovanni opined that, based on Koresh’s behavior on the videotape, Koresh showed no evidence of being actively psychotic...Koresh’s speech did not reflect any thought disorder...Koresh’s speech, rhythm and tone were normal, and he was able to maintain a thought and express it in a direct, logical and goal oriented manner... He responded directly to comments made to him, and did not appear to be distracted or responsive to imaginary stimuli... he did not exhibit any movement disorders associated with psychosis.¹⁹

This information makes it very clear that the FBI was working with a false understanding of the mental state of David Koresh. This author feels confident that further studies into the background information supplied psychologists by the FBI in their assessments would only strengthen the argument that the information provided was unsubstantiated.

Nonetheless, Federal authorities treated David Koresh as if he were in fact, mentally pathological. After the FBI had taken over, ATF Deputy Director Dan Hartman, when asked in a press conference if they “believe that Koresh is actually talking to God”²⁰ evoking laughter, responded with a smirk and in a sarcastic tone, “Koresh believes he’s talking to God.”²¹ From the sarcastic tone of Hartman’s voice it is implied that Koresh’s acceptance of this notion proves he’s crazy, not deeply committed

¹⁸ U.S. Department of Justice, Report of the Deputy Attorney General on the Events at Waco, Texas February 28 to April 19, 1993, (Washington, D.C.: U.S. Government Printing Office, October 8, 1993), p.161.

¹⁹ Ibid., p.169

²⁰ Waco: The Rules of Engagement, Writ. and prod. Dan Gifford, William Gazecki, and Michael McNulty. 2hr.20min. The Fifth Estates, Inc., 1997, Videocassette, 1hr.12min.

²¹ Ibid., 1hr.12min.

to his faith. To grant him this integrity would be like accepting the possibility that he is in fact talking to God.

The Justice Department report also characterized Koresh's intricate interpretations of the Bible during his phone conversations with negotiators as "rambling,"²² in nature even though James Tabor and Phillip Arnold, two biblical scholars who specialized in biblical apocalyptic interpretation, were able to maintain extensive religious conversations with Koresh. It would seem that the problem lay in the negotiators' and government officials' inability to understand Koresh's intricate theology, rather than Koresh's inability to follow a clear process of thought.

The inundation of this fallacy that denies Koresh's sanity is polished by a statement made by Attorney General Janet Reno during the congressional inquiries into the events at Waco. Congressman Ham Fish from New York stated "the results of the techniques used in psychological warfare [as suggested by behavioral experts] only served to make Mr. Koresh more irritable and prone to angry outbursts"²³ and then went on to ask Attorney General Reno "Upon what information was this strategy of psychological warfare based and who are the experts that were consulted?"²⁴ To this question Reno referred Mr. Fish to the FBI, but then went on to say, "You were dealing with a madman, congressman, and he was totally unpredictable."²⁵ This author asserts that Attorney General Reno is assuming too much in this statement.

²² U.S. Department of Justice, Report of the Deputy Attorney General on the Events at Waco, Texas February 28 to April 19, 1993, (Washington, D.C.: U.S. Government Printing Office, October 8, 1993), p.46.

²³ U.S. House Committee on the Judiciary, Events Surrounding the Branch Davidian Cult Standoff in Waco, Texas, (103rd Cong., 1st sess., 1995), p.22

²⁴ Ibid., p.22 Congressman Fish's statement that the psychological warfare that was used on Koresh was ineffective lends credibility to the notion that the analysis of Koresh's psyche may have been misguided.

²⁵ Ibid., p.22

The Lamb or a Wolf in Sheep's Clothing?

Thus far, it has been shown that government agents were treating the Branch Davidians as though they were irrational while evidence suggests that the Branch Davidians and David Koresh were following relatively clear processes of thought. However, were the Branch Davidians using these processes of thought to meet their own personal goals or were they, in fact, devoted to a higher religious goal? As Byron Sage, the FBI's chief Waco negotiator, stated, "Does this guy [Koresh] think he's Jesus Christ, or is he just a con-man who's using religion to deceive all the rest of the people inside?"²⁶

As was quoted above, Dr. Dietz stated that Koresh's claim to hear the voice of God should be seen as self-serving, an excuse for lying. This is to say that Koresh did not really perceive himself to be the Messiah. His belief system was conjured, an act to accomplish his goals. This was the advice that the FBI relied upon in dealing with Koresh. This conclusion was further accepted after March 2, when Koresh backed out of the agreement to surrender after the national broadcasting of his message. His justification that "God told him to wait" confirmed to the FBI that he was manipulating religion to meet his own needs.

This understanding had a direct influence on how the FBI treated the situation. It lessened the top FBI officials' faith in the ability of the negotiators to negotiate rationally a peaceful end to the siege. Rather, the FBI relied increasingly on pressure tactics to weaken the resolve of Koresh. They shut off electrical power within the compound, shined intense light through the windows all through the night, and blasted the sounds of rabbits being slaughtered, chain saws, Arabic chants, and so on. Tanks inched closer and

²⁶ Frontline: Waco – The Inside Story, Prod. and Dir. Michael Kirk, 57 Min. PBS Video, 1995, Videocassette, 11min.20sec.

closer to the compound to show those inside that they were not in control of the situation. This understanding is also what ultimately led to the implementation of the Tear Gas Plan, which ended so tragically. What was never addressed was the possibility that although pressure tactics might weaken the resolve of a con artist, they might only strengthen the resolve of a man who firmly believed he had a duty to fulfill as a servant of God in the face of all obstacles.

Koresh's rhetoric with the negotiators, dismissed by the FBI as "rambling," was actually an extremely intricate theology, which diverged from, yet was not completely unrelated to Christian ethics. His theology was thorough and comprehensive enough to make a believer of Wayne Martin, a graduate from Harvard Law School with a Master's degree from Columbia University in New York. It is hard to believe that Koresh would have such extensive knowledge of the Bible and would be able to repeatedly explicate the extremely intricate details of his theology if it were all just a hoax to him. Koresh's continual refusal to compromise his beliefs, even when faced with death, lends credence to his religious integrity.

If the FBI had seriously entertained the possibility that Koresh and his followers were indeed deeply committed to their religious outlook with the utmost sincerity, they would have pursued all attempts to work with the group through their religious perspective. This would have been a logical means of reaching a compromise.

Phillip Arnold and James Tabor made just such an attempt. The FBI, which ignored them for some time finally granted them permission to send in tapes of radio interviews with Arnold for the Davidians to listen to. In these messages Tabor and Arnold tried to create a dialogue that would persuade Koresh that the proper

interpretation of Revelation instructed him to write down his unlocked message of the Seven Seals and that he had to survive the stand-off so that he could continue to preach the message. Since March 2, the day of the national broadcast, Koresh had been telling negotiators that God had told him to wait until he received further instruction from God. On April 14, Koresh announced in a letter to his lawyer that he had received his word from God, and he and everyone else within the compound would exit peacefully after he finished writing his message of the Seven Seals and it was delivered to Tabor and Arnold. It was the result of the attempt at a negotiation from within Koresh's religious perspective.

Sadly, the FBI dismissed this new development as another of Koresh's delaying tactics. The government had already lost its patience. Attorney General Reno was never even told about this new development as she repeatedly asked for other options. On April 17, she approved the tear gas plan. Several days later the tear gas was inserted, a fire broke out, and all but nine within the compound perished. One of those who survived the fire carried out a computer disc that contained Koresh's twenty-eight-page exposition of the first seal. Koresh was taking them seriously. However, on the day of the fire, before this information was revealed, SAC Jeff Jamar told a different story:

On April 19, the day of the fire, Jeff Jamar, the FBI agent in charge at Waco, emphatically stated on CNN's Larry King Live and ABC's Nightline that the FBI had incontrovertible evidence, based on classified government surveillance techniques, that Koresh had not begun his manuscript on the Seven Seals and had no plans to do so.²⁷

²⁷ James D. Tabor and Eugene V. Gallagher, Why Waco? Cults and the Battle for Religious Freedom in America, (Los Angeles: University of California Press, 1995), p.19-20

This is direct evidence that the FBI dismissed an approach to the Branch Davidians from within a deeper understanding of the religious principles at work within religious minority groups, lied about it, and was caught red-handed.

“Out to Get” or “In to Get away”?

The federal government characterized the Branch Davidians as offensively violent. When this paper discusses “offensive action” it is referring to initiating an act upon another. Conversely, a “defensive action” is understood to be the reaction to an initiated action. It is clear that the Branch Davidians participated in a violent act. Four BATF agents died and twenty-six agents were wounded as a direct result of shots fired by some members of the Branch Davidians within the compound. But the question remains: were the Branch Davidians offensively acting out in violence, or were they reacting to the raid of the BATF, who from within the compound appeared to be attackers.

Who fired first? If you ask the BATF, it was the Branch Davidians. The Treasury report states clearly that after the BATF identified itself, stated they had a warrant, and yelled, “Freeze!” Koresh slammed the door shut, and “Gunfire from inside the compound burst through the door.”²⁸ If you ask Branch Davidian survivors, it was the BATF. David Thibideau recalls in his book, *A Place Called Waco* that “David hastily retreated [unarmed], slamming the door in their faces. That’s when the bullets crashed through the front door, striking Perry [a Branch Davidian].”²⁹ Without concrete evidence, neither account can be cleared of bias. Unfortunately, the front door, which

²⁸ Treasury depart, BATF, Report of The Depart. of the Treasury on the BATF Investigation of Vernon Wayne Howell also known as David Koresh, (Washington, D.C.: U.S. Government Printing Office, September 1993), p.96

²⁹ David Thibodeau and Leon Whiteson, A Place Called Waco, (New York: Public Affairs, 1999), p.166

would have provided evidence of the trajectory and distance of shots fired and even whether shots were fired at all in the manner stated by each side, was lost by the federal government during its follow-up investigation.

But, stepping back from the scenario, there is a peculiar contradiction at work. Acting on the suspicion of violent intent, the BATF initiated a violent action against the Branch Davidians. This point deserves careful attention because if Koresh and his followers were not actually hurting anyone and in fact were only preparing to defend themselves if attacked, then their actions towards the BATF, in the absence of conclusive proof of who fired first, can be construed as defensive. A direct example of this point can be seen in the confrontation between the BATF and Kenyon F. Ballew as described by James R. Lewis:

On June 7, 1971, Kenyon F. Ballew, a former Air Policeman, was dozing in the bathtub of his Silver Spring, Maryland, home. He was awakened by the sounds of his wife screaming and the front door being broken down. Neither fully clothed nor fully awake, Ballew jumped out of the tub and grabbed the first weapon he could lay his hands on – an antique 1847 cap-and-ball revolver. Rushing out into the hall to defend his family, he was cut down by a barrage of gunfire. One of the bullets lodged in his brain, destroying most of the tissue that controlled his right arm and leg. A total of four bullets hit him, several after he had already fallen to the floor unconscious. He was permanently crippled.

ATF agents, acting on a rumor (third-hand information from an anonymous tipster) that Ballew had created live grenades out of empty grenade shells (similar to the rumor about the Branch Davidians), chose to burst into a law-abiding citizen's home instead of politely coming to the door with a search warrant and peaceably examining the premises. If the intruders had even as much as yelled, "Police!" Ballew did not hear them. In a show of bravado, one of the agents even fired bullets into the ceiling as he stepped into the apartment...none of the grenade shells contained explosives, and Ballew was not charged. He was, however, left a penniless cripple,³⁰ getting by as best as he could on welfare.³¹

³⁰ The term "cripple" is used only as a direct quote. The preferred term for someone with a disability is "disabled" as it does not define the person based solely on his or her disability.

³¹ James R. Lewis, ed. From the Ashes: Making Sense of Waco, (Lanham, ML: Rowman & Littlefield Publishers, Inc., 1994), p.89-90

In this situation, the BATF's "dynamic entry" created a scenario where the resident of the home reacted in defense of himself and his family. Even if he had been charged with and convicted of committing a crime, it would not have justified his being shot and disabled, but beyond that, because he was not initiating an offensive action, from his viewpoint, any action directed toward him will be observed as offensive and any action taken by him will be understood as defensive. Of course this is an extreme situation. I do not want this example to be taken as representative of all BATF operations. However, it does illustrate what can happen when violent force is used before all other means of peaceful intervention have been exhausted.

Similarly, the Branch Davidians, although their actions were suspicious, had never acted in a violent way towards another person up until the actual raid. Yet, because of their violent reaction to the BATF raid on their home and loved ones they were treated as murderers.

In the Branch Davidian case, proof of the group's intent to hurt anyone was never found. In fact, while proof of weapon parts used to assemble illegal weapons was found, proof of intent to manufacture illegal weapons or explosive devices out of those parts was never even found when Aguilera submitted his affidavit for a search warrant. "The affidavit did not show intent, a requirement of the law. Most rural householders in the Waco area own both a shotgun and a hacksaw, but that does not make them guilty of intent to own a sawed-off shotgun."³² All of the weapon parts and explosive materials purchased by the Branch Davidians were purchased legally. The BATF did not have conclusive proof that the Branch Davidians were acting outside the law, nor did they have any reason to believe that, even if they were acting outside the law, their actions

³² Dick J. Reavis, The Ashes of Waco: An Investigation, (New York: Simon and Schuster, 1995), p.35

were or would be offensively violent in nature. Yet, the Assistant Special Agent in Charge (ASAC) Chuck Sarabyn decided, "Any enforcement action... would require at least one Special Response Team (SRT). Such teams are specially trained groups of ATF agents with expertise in executing difficult tactical missions – principally high-risk warrants."³³ This statement profiles the Branch Davidians as high-risk and obviously potentially dangerous.

Regardless, why did the BATF decide on this course of action when there were other means by which to meet their end in a less confrontational manner?

³³ Treasury depart, BATF, Report of The Depart. of the Treasury on the BATF Investigation of Vernon Wayne Howell also known as David Koresh, (Washington, D.C.: U.S. Government Printing Office, September 1993), p.37

Chapter 3

Confining Cults

Now that some of the mistaken characterizations of the Branch Davidians have been demonstrated, this paper will show that the roots of these mistakes were in the government's generalization of the Branch Davidians as a "cult," a term that too often has negative connotations.

Definitions of a cult

Defined liberally, the term "cult" can simply mean a system of religious beliefs and rituals, and dates back thousands of years to Latin origins. It has also developed as a negative definition assigned to those who deviate from Christian orthodoxy. Yet, more recent history has also played a role in the term's interpretation. The close of the twentieth and twenty-first centuries have experienced numerous accounts of minority religious groups or "cults", lead by a dynamic, charismatic leader, taking a direct opposition stance to its government, isolating its members from the mainstream of society, and preparing itself for the imminent destruction of the world and the role it will play therein. The outcome of these actions on the part of some "cults" has ended in the death of numerous people and the need for the presiding government to intervene and restore order.

However, in relation to the countless numbers of minority religious groups (with said characteristics) in the world, the percentage of these groups that have taken violent action resulting in loss of life is extremely low. Nonetheless, the term has come to be

associated with these negative examples of cults and more often than not, all minority religious groups with similarly suspicious traits are dubbed the grotesque name and all of the insinuations that come with it. This new definition is the neological structure behind the anti-cult movement developing in America. The definition created and supported by the anti-cult movement infringes on the rights afforded the majority of minority religious groups in that it creates inappropriate and unjust implications on those groups without evidence of those implications.

Profiling Problems

Nonetheless, time and time again in recent history world governments have been getting completely blindsided by a minority religious group's horrific actions of destruction, suicide, and/or murder. "The Family" led by Charles Manson near Los Angeles, California is one example. Considering himself a reincarnation of Jesus Christ, Manson became the leader of a group in opposition to the government, isolated from society that awaited a racial conflict between blacks and whites sparking the apocalypse. The result of this group's configuration under the dynamic leader with apocalyptic motives that pitted itself against the world resulted in the murder of at least eight people in 1969.

Jeffery Lundgren's leadership over a group of people who broke away from the Mormon Church involved an apocalyptic message, massive arms buying, isolation from society, and counter-cultural principles. In this situation the FBI was alerted to suspicion of the group, but did not look into it due to the informant's affiliation with the group and

lack of evidence. Several months later in 1989 Lundgren and his group had ruthlessly murdered the Averys, a family of five.

Perhaps even more relevant to the Branch Davidians were the People's Temple led by Jim Jones. The conflict that unfolded in Jonestown, Guyana was came up many times in light of the situation in Waco, perhaps due to the enormous publicity caused by the death of Congressman Leo Ryan, as well as the mass suicide of over nine hundred members of the People's Temple in 1978. Once again, the group was led by a strong charismatic leader, stood in opposition to its government, isolated itself from the rest of society, and maintained an apocalyptic message.

It goes without saying that all three of these examples contain striking similarities to the Branch Davidians under the leadership of David Koresh in 1993. In light of the repeated loss of life under such similar scenarios, the government ought to decipher the connection between these separate, yet related, incidents of violence. An attempt must be made to ascertain what measures can be taken in the future to stop these tragedies before they culminate in the loss of life. However, this task is not easy, considering that for each similarity between these groups, there are at least twenty factors that make them unique. Distinguishing threatening groups from non-threatening groups, both of which have isolated themselves from the public, is also hard to accomplish without infringing on their rights. Relying on the generalizations created by profiling minority religious groups runs the risk of developing inaccurate appraisals of the unique scenario created by each individual group. This, in turn, can result in the implementation of inappropriate actions.

The following pages will demonstrate that although the government has a particular dilemma in discerning this mystery, it surely cannot and did not satisfactorily

preserve religious freedom based upon the generalization of suspicious minority religious groups who fit the profile of a "cult" as defined by the anti-cult movement.

The Cult Awareness Network

The Cult Awareness Network (CAN), one of the main proponents of the anti-cult movement, directly influenced how both the BATF and FBI viewed the Branch Davidians. This organization had come to be recognized as the leading authority on cults and was consulted with by both the BATF and FBI in its research on the Branch Davidians. CAN strictly identify cults as destructive and dangerous and attributed the leader of cults with the ability to control the minds of his/her followers to meet deceitful and selfish goals.

Self proclaimed "cult expert" Rick Ross was directly involved through CAN with supplying evidence to and advising the BATF about the Branch Davidians prior to the raid. He was one of the CAN "deprogrammers" who successfully counseled David Block, a former Branch Davidian, in 1992. David Block was also one of those later interviewed by the BATF. Carol Giambalvo, a thought reform consultant and member of the National Board of Directors for CAN from 1988 to 1991, provides information about what "Deprogramming" really involves. "Deprogramming was controversial because it involved forcing a group member to listen to people relate information not available in the cults... In deprogramming, group members were sometimes abducted from the street; although more commonly they were simply prevented from leaving their homes or a vacation cabin or motel."³⁴ Regardless of the legality of deprogramming, which had

³⁴ Carol Giambalvo, Carol Giambalvo's Cult Information and Recovery, Jun. 1995. Cult Awareness Network, <http://members.aol.com/carol2180/deprogram.htm>.

already landed Rick Ross in jail back in January of 1991, the action submits the cult member to continued conversation against her/his will. A successful deprogramming results in the conversion of the cult member away from the cult and an understanding of the dangers that exist within cults. With this in mind, it is easy to see how David Sage's testimony to the BATF may give a false perception into the intent and integrity of those still remaining in the compound. Just a brief quote from Ross depicts his one sided, biased opinion of cults:

My intervention probably saved David's [Block] life. During our time together, David began to describe the growing arsenal of weapons, Koresh's nauseating sexual practices with adult women, and his advancing megalomania. From David I saw a gruesome picture of a cult leader gone mad. Koresh, it was clear, was a very evil man. I knew that ultimately Koresh's apocalyptic prophecies would be self-fulfilling, and, sure enough, the Bureau of Alcohol, Tobacco and Firearms interviewed me in early 1993 as part of their investigation. Those dire prophecies would come true sooner than I could have imagined.³⁵

Yet, this is the person relaying his "professional opinion" to BATF agents prior to the raid. Given the unpredictability of minority religious groups and the understanding of "cults" at the time, the BATF relied on Rick Ross and David Block as reliable witnesses in gathering what little information was available and invariably it influenced their characterization of the Branch Davidians.

Further, Rick Ross claims to have had "dozens of telephone conversations with the FBI during the siege."³⁶ The FBI, however, never solicited his opinion and although they did interview him at his request and held conversations with him throughout the siege, the Justice Department officially stated that "The FBI treated the information Ross supplied as it would any unsolicited information received from the public: it evaluated

³⁵ Rick Ross, Rick Ross: Cult Expert, Lecturer and Intervention Specialist, 2000. Cult Awareness Network. 25 March. 2002, <http://www.rickross.com/reference/waco/waco294.html>.

³⁶ Ibid.

the credibility of the information and treated it accordingly.”³⁷ In fact the Justice Department concluded from its investigation that the FBI concluded that the information supplied them by Marc Breault was also not reliable. Although this acknowledges the FBI’s critical analysis of the Cult Awareness Network (which both sources are a member of), it also taints the credibility of two witnesses that the BATF relied upon in their preparation for the raid.

Piecing it together

After closely studying the facts that surround this issue, I have found similarities between the perception of the law enforcement officials involved and this negative definition, which drives the Anti-Cult movement in America.

By treating the Branch Davidians as offensively violent instead of extremely defensive, the BATF took actions that would have otherwise been avoided given a better understanding of the temperament of the group. The BATF was aware of opportunities to arrest Koresh while on his daily jog or on his bi-weekly trip to town. They also were aware of the fact that an earlier attempt by local authorities to search the compound was granted by the Branch Davidians and carried out without incident. If the BATF had understood the Branch Davidians to be extremely defensive and prone to act aggressively against an offensive attack, a much more subtle course of action could have been implemented. Instead, the Branch Davidians were observed to be dangerously violent leaving no other options, but to conduct a raid.

³⁷ U.S. Department of Justice, Report to the Deputy Attorney General on the Events at Waco, Texas February 28 to April 19, 1993, (Washington, D.C.: U.S. Government Printing Office, October 8, 1993), p.192

By treating the Branch Davidians as irrational, the FBI dismissed opportunities to negotiate peacefully with the group. The FBI was approached on several occasions by religious scholars in the hopes of having an opportunity to discuss Revelations and the Seven Seals (the basis of Koresh's belief structure) in a religious context. However, the FBI, upon concluding that Koresh had delusions of grandeur and that his religious understanding was based in a variety of psychopathologies, did not perceive this as a viable option. The small attempts at rationally approaching Koresh in a religious context that were allowed proved to be effective.

By treating the Branch Davidians as if they lacked religious integrity, the FBI turned down opportunities to work within the religious mindset of the group in a way that would bring an end to the siege. Negotiations with Koresh and his followers arranging for the peaceful surrender of all within the compound upon completion of Koresh's document on the Seven Seals, were dismissed by top officials of the FBI as a self serving delay tactic rather than a sincerely motivated attempt to fulfill the requirements of his religion.

The Cult Conclusion

All three of the skewed assumptions made by the federal agencies that resulted in these missed opportunities are present in the modern, inaccurate definition of a cult. The promoters of the anti-cult movement in America define cults as dangerous "doomsday" groups that will result in loss of life, similar to the federal agencies' characterization of the Branch Davidians. The leading anti-cult activists also define cults as fanatically losing their grasp on reality; many times involving the leader using mind control, similar

to the character assigned the Branch Davidians by the agencies. Finally, the anti-cult movement defines cults as being deceptive in nature without clear Conscientious goals, similar to the character assigned the group by the federal agencies. The federal government agencies, under the stress of needing to act as a deterrent to cult violence, made assumptions about the Branch Davidians as a cult and acted upon those assumptions in ways that hindered the ultimate goal of reaching a peaceful negotiation and implementation of the law.

The purpose here is not to say that the federal agencies illegitimately relied on false assumptions (because in the absence of fact, assumption must be relied upon). The purpose here is simply to prove that the agencies understandably relied upon false assumptions so that a clearer understanding of what should be learned can be attained. How else can we learn where to go if we haven't even established where we are? This is the concern of this paper. Congress stated again and again during their meeting with Attorney General Janet Reno their desire to learn from this situation. Yet, throughout the meeting the majority of their statements not only fail to discern the very harmful assumptions being made about cults, they accept and perpetuate them. No one knows the answers to the questions raised by these ambiguous minority groups, but the questions must be addressed as questions rather than fact before there will be any possibility of reaching the appropriate conclusion.

Chapter 4

What Can We Learn from Waco?

Let us recap what this paper has established thus far. The FBI and the BATF, in their preparation and implementation of the law, characterized the Branch Davidians in ways that were not accurate to the nature of the group. This resulted in these agencies taking actions that were not the most appropriate in given situations. These false characterizations were at least partially caused by the agencies' definition of the Branch Davidians as a cult, a term which carries negative and dangerous connotations in America. While these distinctions are very important, they leave an equally important question unanswered; is there any way for the government agencies to avoid this dilemma?

Certainly, the negative definition of "cult" is not without reason. As I have shown, there is a recurrent history of similar groups who acted in ways that lead to disaster. The actions of these groups have been such that waiting for them to break the law is too late to prevent disaster. This being the situation, the government agencies were left with little else to work with, but a characterization of the Branch Davidians as a potential threat given their understanding of the group. Once the group is seen as a potential threat, the agencies were required to act in some way to prevent the group from repeating what had happened time and time again in similar situations. This means drawing conclusions from what little information they have and acting upon those conclusions in an attempt to stop illegal activity. This involves profiling and characterization.

Furthermore, how were the agencies to understand how to work with a group of people whose views, motives, and beliefs were so hidden from public view? The Branch Davidians were a group under suspicion of the government of breaking the law. Although their intentions were unknown (in fact to date they have yet to be convicted of any crime except collecting weapons, a legal and common act in Texas, and holding divergent beliefs), they did fit a profile that has the potential of being extremely dangerous. How far can the government agencies designed to protect its citizens go in trying to seek out those who break the law before they infringe on the rights of the very people they are trying to protect?

These are the difficult questions that this section of the paper will face. The conclusions drawn from this section will be drawn in light of the tragedy that happened at Waco. It is my hope that these conclusions may be implemented in future scenarios that parallel this one so that some good may come out of this horrible event. Again, I would like to emphasize that while I think these measures would have successfully lead to a better outcome in Waco, this is not directed as an indictment towards the BATF, FBI, or any person in a government position. This is a calling in light of the past towards a more peaceful future.

Understanding Religious Minority Groups

Indicative of my earlier analysis of profiling "cults", the main problem with this act is that it generalizes all of the unique religious minority groups under one heading and assigns them all a similar set of negative characteristics. By profiling these groups in such a way it threatens the rights of all religious minority groups. Not all cults contain

these negative connotations. Therefore, it is not right to assign these characteristics under the name cult. This definition of cults is a fallacy that threatens the continual progression of spiritual growth. Undoubtedly, it will not restrain this growth, but it may succeed in killing those who would help it grow.

A solution to the government's involvement in this problem is the need for law enforcement agencies to have an unbiased, deeper understanding of the basic principles of the religious minority group being investigated. This allows them to exchange generalizations for an in depth understanding of each group and their motives. If the BATF had known the Branch Davidians had been awaiting the attack of the government that would start the apocalypse, a belief that dated back to Sister White's prophecies under the Seventh-Day Adventists, they definitely would have decided against the raid in search of a less confrontational means of serving the warrants. This defensive sentiment also came up repeatedly in David Koresh's sermon tapes, which could have easily been accessed by the BATF. The FBI would also have been less inclined to resort to the tear gas plan if this was understood.

Beyond this, negotiations would have been far more fruitful had the negotiators been able to converse with those inside the compound in religious terms. Although they made attempts to work within a religious framework, the negotiators simply were unprepared to converse with those inside on a level of religious understanding that would result in positive negotiations. The use of an unbiased interpreter who understood both the religious framework of the Branch Davidians as well as the persuasive strategies of the negotiators would have helped for both sides to reach an understanding of the other so that more fruitful negotiations could take place.

The attempt made by religious scholars James Tabor and Phillip Arnold should also be examined more closely so that its strategies may be utilized in the future. The evidence points to the strong possibility that the attempt at a peaceful end to the siege working from entirely within a religious perspective would have been successful. Yet, in the face of repeated inquiries for all other options, it was still ignored in exchange for a forceful plan that relied on the full surrender of the Branch Davidians in order for success even though an understanding of the religious principles of the group show that surrender would directly conflict with the religious beliefs of those within the compound. This is reason for concern. To avoid such error in the future, these and all other federal government agencies must adopt a deeper understanding of and respect for the religious framework of each religious minority group.

Violent Force as a Last Resort

The other lesson that the government must learn from Waco involves the tricky question of discerning the line between pursuing the security of the nation against harmful religious minority groups and infringing upon the rights of those groups whose intentions are unknown. Certainly, this is a terrific task. Without being able to experience each group first hand (which is not an easy task with many religious minority groups), the intentions of both types of groups are not discernable until exposed through their actions. One group's actions will be innocent and harmless while the other, as exemplified by groups like the People's Temple and Heaven's Gate, could rein terror on its members or those it victimizes. This presents a dilemma for the government agencies in charge of maintaining law and order for they cannot wait until an unlawful act occurs

without sacrificing the victims of that unlawful act. Yet, in striving to seek out these destructive groups before they step outside of the law, they risk oppressing religious minority groups who are not plotting to hurt anyone, but rather live by a separate set of religious principles. In this sense, they are damned if they do and damned if they don't.

On a certain level, the latter of these two things happened in Waco. Although it has never been proven in a court of law that the Branch Davidians were guilty of converting semi-automatic weapons to fully automatic without the proper permit, it is likely that this was taking place. There is an overwhelming amount of evidence that suggests that this was happening. Therefore, it is not the question of whether the Branch Davidians were breaking the law that must be addressed, but to what degree the government reacted to this offense. In this regard the government did not pursue this religious minority group based solely on not having the required permits. Not having proper permits does not warrant an assault on a person's home. Within the context of having to strive to intervene with dangerous cults, the BATF treated the Branch Davidians as if they were a threat to the agency itself and the surrounding community, even though the charges brought against them were as trivial as not having the proper permits for firearms bought legally. This is why the group was not served the warrant under peaceful conditions, but rather threatened by a raid, which motivated the defensive group to return fire in a gun battle resulting in casualties on both sides.

However, the group never displayed any violent behavior in the past. In fact, in 1988, a sheriff and several deputies searched the Mt. Carmel property for illegal weapons. Koresh and his followers peacefully accepted their search warrant and complied with everything they asked. Seven arrests were made and fines were paid. The

Davidians never showed signs of violent behavior or hostility during this time. Again in 1992, after disillusioned Branch Davidians raised suspicion of child abuse within the compound, Child Protective Services (CPS) was in and out of the compound with two deputies over the course of two months. Likewise, the Davidians never displayed violent or hostile behavior during the entire time and CPS was unable to find evidence of child abuse. It was not until they were attacked that they became violent, but this violence was in defense of their home and loved ones.

Because the Branch Davidians fit the profile of a cult and raised suspicion of converting weapons without the proper permit, the BATF jumped to the conclusion that these two factors together equated to a dangerous cult with the intention to harm other people. However, if anything, given the complexity and diversity of religious minority groups, law enforcement agencies should be more certain of the motives of each group before deciding on a course of action. Again, this may be difficult given the hard decision making position these agencies are in, but certain measures can be taken to ensure that even if an action is required, it will not result in people being killed. For one, forceful confrontation should be a last resort. In the case of the Branch Davidians there were numerous occasions where the BATF could have arrested Koresh outside of the compound when he was unarmed. He jogged three times a week and went into Waco at least twice a week in the months preceding the raid. The BATF must have already known this to be a better option after the raid because they lied about Koresh being so accessible. It wasn't until evidence surfaced later that confirmed Koresh's public status that the BATF changed its story. Beyond this, there was always the option of walking up to the front door of Mt. Carmel and serving the warrant without guns drawn. After all, it

worked the first time. What was it that convinced the BATF that this was not an option if not their fear of the group as a dangerously violent cult?

From the events in Waco it must at least be understood, as I'm sure it is with all of the bad press that the BATF received because of the raid, that conducting a raid is a delicate matter that must be used as a last resort when all other options have been expended. It is also imperative that the suspect is guilty of a violent crime beyond a reasonable doubt. It would seem that raids would be reserved for situations where people had already committed a violent crime and were known to be an immediate threat to others. However, assuming that situations arise that require a raid even before a violent crime has been committed and all other options have been expended, the law enforcement agency must be absolutely certain that the suspect is guilty of intent to harm others. It would seem that these conclusions should already be deeply engrained in the minds of law enforcement officials, but the events at Waco on February 28, 1993 make it strikingly clear that these points must be reiterated.

In conclusion of what can be learned from the events at Waco at the Mt. Carmel compound between February 28 and April 19, 1993, it is important to note how the failure of the agencies to grasp a deeper understanding of the religious framework of the Branch Davidians was what hindered their ability to completely discern whether the Branch Davidians were a dangerously violent religious minority group or a religious minority group without intent to do harm.

Conclusion

As has been demonstrated, the FBI and BATF characterized the Branch Davidians in Waco, Texas as irrational, absent of religious integrity, and offensively violent. However, there is conclusive proof to show that the Branch Davidians were in fact rational, had religious integrity, and were not outwardly violent. Because of these mischaracterizations, the BATF and FBI took inappropriate actions in their roles as law enforcement agencies. These mistaken characterizations were influenced by the agencies definition of the group as a "cult", a term that carries a variety of negative connotations in America, including the characterizations liberally assigned to the Branch Davidians.

Although these agencies are in the tough position of discerning those with criminal intent from those without and cannot afford to be wrong either way, it is necessary for these agencies to search for a deeper understanding of the religious principles at work within these different groups so as to be able to better assess what actions to take in each individual situation. It is also necessary for these agencies to fully understand and maintain an understanding at all times of the fine line that separates the pursuit of justice and the violation of personal autonomy; such that offensive violent force will be used only when absolutely necessary and only in response to violent force.

The various oversights discussed in this paper were influential in the creation of the tragedy that occurred in Waco, Texas that resulted in the loss of over eighty lives. No one could predict that this would be the outcome, nor could they be fully prepared for the turn of events that were shocking to all. If this paper has in some way shed light on how

and why these things happened the way they did and point to ways in which it can be prevented in the future, it will have met its goal.

Author's Postscript

A question that underlies this paper must be addressed: When will the U.S. government learn that at least some responsibility lies in the hands of those with the power, in authority, who initiate a process that corners those without power into having to make a decision between going against their beliefs (losing their freedom) and fighting authority (power struggle/violence)? Those in power positions set the tone because they are in the place of authority and as such are able to dictate what will happen. In this situation the BATF, in the place of authority, had to make a decision on how it would approach the conflict it had with the Branch Davidians and the FBI had to decide how it would proceed in its attempt to end the siege. Whether either of their efforts was peaceful or violent would have a direct effect upon the outcome of the conflict being addressed. This decision involved weighing the odds of whether or not violent force was necessary. As my paper has established, violent force should only be necessary when no other safe course of action is available.

However, our government has shown time and time again that the U.S. could and would use violent force constructively, not just when no other options were present, but when it best suited their interests. The United States did not wait until North Vietnam attacked U.S. forces to defend itself. Rather, they anticipated an attack as a dangerous future possibility and dropped millions of dollars worth of bombs on Vietnam, Laos, and Cambodia and started a long bloody war to advert the "potential threat". It is this same monitoring of dangerous possibilities that has put the United States in the middle of many other foreign affairs supplying guns, training "freedom fighters", and overthrowing governments in Panama, Guatemala, Nicaragua, and now in Afghanistan, Columbia, and

Israel. We now live in a global state of affairs where the U.S. no longer makes decisions based upon fact, but suspicion.

The U.S. is now preparing for a war with Iraq. Upon what basis is the U.S. starting this war? Its basis is the potential threat of Iraq's possession of weapons of mass destruction. Much like the Branch Davidians, Iraq is being placed in a position where it must align itself with the U.S. or face the destructive methods of a power that far surpasses its own. They have already had to endure ten years of sanctions, killing over 1.5 million innocent Iraqi civilians. Now they will end this siege by placing Iraq's leader, Saddam Hussein, who is in possession of these weapons, in a highly volatile situation without options. Again, the question here is not whether Iraq has weapons of mass destruction (much like the U.S., only on a much smaller scale, Iraq does have weapons with mass destructive capabilities). I also believe Hussein should be brought to justice. It is how the U.S. is pursuing this issue that must be analyzed. It is my contention that these U.S. initiated attacks are a major threat to peace and justice upon American soil, in situations like the one in Waco, as well as in foreign lands where the United States does not even hold sovereignty. This is a problem that deserves close attention and should be studied further as the main focus of a new thesis. It is mentioned here only to acknowledge the presence of a question in need of further exploration.

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