

# **Osho in America: A Look into the Federal Question of Conspiracy**

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From June 1981 into November 1985, a commune was built in Oregon to serve as a base for activities and enterprises associated with the Indian spiritual teacher now known as Osho (i.e. 和尚, *oshô*, (Zen) master). During its existence the commune was involved in a long-running feud with local residents and public-interest groups who opposed it on legal, environmental, and cultural grounds, while some of the bitterness turned rather nasty, even criminal, and Oregonian and United States officials conducted various investigations into the commune and its members. This essay looks into the main thrust of what might be called a “federal” (national) question – problems concerning immigration law and suspicions of racketeering – and endeavors to argue that although he ended up at the commune in Oregon, Osho himself was not involved in decisions about creating a center of operations in the United States or about what people in the commune did. To do this, a biographical outline is provided to brief readers on Osho’s lifelong project and then followed by a lengthy section addressing the question of whether Osho conspired to relocate in the United States, while the final section provides a summary assessment of the federal interest in Osho and his followers by noting that other problems of legal merit hovered in the background of the federal investigations into them.

## **Brief Biographical Sketch, “1931-1990”**

Born as Mohan Chandra Rajneesh in December 1931 in the village of Kuchwada, Madhya Pradesh, Osho grew up there and in the nearby town of Gadarwara, same state, until going off to study philosophy in 1951. For the first seven years he was brought up by his maternal grandparents with no significant restraints on what he said or did, including the equivalent of philosophical challenges to men of organized religion, and his grandfather’s death appears to have aroused a curiosity that would resurface in childhood and find expressions in his later teachings:

I saw the death, and something more that was not dying, that was ... escaping from the body .... That encounter determined my whole course of life. It gave me a direction, or rather a dimension, that was not known to me before.<sup>1</sup>

Subsequently, the young Osho observed deaths and funerals and appears to have been attracted to things natural, silence, and the concept of spiritual enlightenment, which he later claimed to have experienced in March 1953.

Enlightenment occurred while Osho was a student of philosophy at Jabalpur University, after which he went on to do postgraduate studies at Sagar University, where he earned a reputation for being an expert debater and, apparently, an incisive, fearless student. This led to a temporary career as a lecturer in philosophy at Sanskrit College in Raipur and then at Jabalpur University, which blended into another as an itinerant public speaker that came to include guiding meditation sessions. The subjects of Osho's discourses appear to have been mainly, if not exclusively, about religion, and a common thread was to point out defects in established religions by using themes that their followers would recognize:

The people who were interested were Christians or Hindus, Mohammedans, Jainas, Buddhists. They were already following some ideology, some religion. Then it was obvious to me that I would have to play the game of being religious .... Only then could I find people who were authentic seekers. ... There was no need to drag in Krishna, Mahavira, and Jesus and then make them say what they had never said. But such is the stupidity of humanity that ... thousands started gathering around me because I was speaking on [for example] Krishna.<sup>2</sup>

Meditation sessions generally followed Osho's talks, and from 1962 meditation centers and camps cropped up as foci for his "Life Awakening Movement" which developed while he was a public speaker. One of the camps, at Ranakpur in 1964, set the precedent of recording Osho's talks and then printing them in book form; oral and written recordings thereafter were important for both dissemination of his teachings and publicity.

By 1970, Osho's project had met with sufficient success that he moved his base from relatively remote Jabalpur to cosmopolitan Mumbai (Bombay). There, Osho began to attract significant numbers of European and North American disciples and became a controversial institution in his own right, evidently for at least three notable reasons that were connected to his teachings. One was the conspicuous practice of

“dynamic meditation” on a beach, which seems to have attracted curious onlookers and, given that nudity was part of the program, prurient voyeurs, while another reason was that Osho’s teachings on sexual activity and the sexual promiscuity among his followers tended to arouse indignation among people who considered them to be wrong. The third reason deals with Osho’s use of Hindu terminology, notably using the words for a person who has renounced the world – *samnyâsi* for men and *samnyâsinî* for women (in English, “sannyasin” for both) – for his disciples, who dressed in a way that resembled that of the traditional renunciators, as well as his use from 1971 of the title “Bhagwan” which popularly, but not necessarily correctly, became equated with “God.” Without going into details, it would appear that Osho’s emphasis on meditation, spiritual application of human sexuality, provocative discourses, and exotic mix of Indian vocabulary appealed to an increasing number of Europeans, North Americans, and Australians, many of whom were introduced to Osho’s teachings outside India and then made trips to partake in the experience in Mumbai and rural retreats such as those at Mount Abu in Rajasthan and the Kulu-Manali area of Himachal Pradesh.

As the number of sannyasins increased, so did an interest in sufficient space for an ashram (*âshrama*, a place for religious work) or a commune. Work was done toward preparing one at a farm called Kailash in easternmost Maharashtra, but this was eventually abandoned in favor of a site at Pune (Poona), not far from Mumbai and where Osho was based from 1974 to 1981. It was during this period that Osho, whose project had taken on a life of its own, became known on the “religious” scene:

I am proclaiming a new religion – the essential religion. In Islam it is known as Sufism, in Buddhism it is known as Zen, in Judaism it is known as Hassidism – the essential core. But I speak ... a very religionless language. I speak as if I am not religious at all. That’s what is needed in this world[:] ... a religion completely free from all kinds of superstitions ....<sup>3</sup>

The key element of this “new” or “essential” religion was meditation, some methods being conventional and others “cathartic” and original, while other activities at Pune included therapy and encounter groups, lectures or discourses by Osho on topics spiritual, and individual meetings with Osho known as “darshans” (*darshana*, a meeting with a guru). A considerable effort seems to have gone into making “Eastern” techniques and ideas accessible to “Westerners,” who had become Osho’s

core following.

In April 1981 Osho went into “silence” and within two months he was in the United States, where he was based in New Jersey until moving to the Big Muddy Ranch in rural north-central Oregon at the end of August. This sizeable (126 sq. mi.) desert-land property had been purchased by Ma Anand Sheela to be used for another commune, which by virtue of Osho’s anticipated residence there would be the new center for his project, or rather for Sheela’s attempt to take it over. Osho does not seem to have been pleased with the choice of venue, having been used to far more luxuriant surroundings in tropical India, and meditation apparently receded from the scene in favor of the sannyasins being devoted to what might charitably be called an exercise in *karma* (activity, work) yoga. As the commune was built and the arid land converted to productive use over a few years, political and legal feuds spawned with nearby local residents, county and state authorities, and agencies of the United States government. Osho seems to have lived through three years of watching the commune develop, and the desert property converted to sustain it, but in October 1984 he decided to come out of “silence” to resume oral teaching. This appears to have been resisted by the upper management of the commune, and in September 1985 Sheela and the people close to her fled to West Germany after Osho had made some critical remarks about their activities, some of which were clearly criminal. Although Osho appears to have been willing to have residents of the commune cooperate with authorities to clear up the legal mess that had been left by the former management, and some did help, various American authorities had missions that they sensed could be completed, notably to close the commune and to deport Osho.

Having been deported from the United States in November 1985, following a plea bargain over alleged sham marriages and lying to officials, Osho spent eight months as an international wanderer before settling again in India, first in Mumbai and then at the revived commune in Pune from the end of 1986. Supporters of Osho attribute the international wandering to aggressive American posturing to dissuade several countries from offering comfort to Osho, and Indian governments themselves appear to have come under pressure, especially from domestic opposition to Osho and the commune at Pune, before negotiations made it possible for the commune to pick up from where it had been left. Meditation flourished and oral discussions were given and converted into recordings and books, while a sense of preparing followers for life without Osho physically present pervaded the final years. Whereas the

types of meditation appear to have been designed to lead to similar conclusions or understandings that may be obtained through various forms of yoga, especially the experimental *râja* (royal),<sup>4</sup> and thus rather conventional Indian philosophy (Hindu, Jain, Buddhist), the fact that Osho's core following were "Westerners" seems to have stimulated his idea of creating an "East-West" hybrid person:

Humanity needs a total vision now. ... I am giving [my sannyasins] the hardest task ever given to any disciples, because this is the meeting of the opposites. And in this meeting all other opposites will melt and become one: East and West, man and woman, matter and consciousness, this world and that world, life and death. All opposites will meet and merge through this one meeting, because this is the ultimate polarity; it contains all the polarities. This meeting will create a new human being – Zorba the Buddha.<sup>5</sup>

Poor health overshadowed Osho's second residence at Pune, and in January 1990 he breathed his last in what he had said would be his final life. Followers allege that this life had been shortened by poisoning while at a prison in Oklahoma City in November 1985.

### **A Conspiracy to Relocate in the United States?**

During his roughly four and a half years in the United States, when he was known as "Bhagwan Shree [Mister] Rajneesh" and "The Bhagwan," Osho became a local, state, and national celebrity because of the controversy that swirled around him, the commune that was built in Oregon by sannyasins, and its confrontational leadership. From the moment that an application for an American visa was made until when Osho left the United States, and arguably even afterwards, the federal government maintained a lively interest in his affairs, and for practically the entire time that he was in the United States, the thrust of this interest was to get him out of the country. Max Brecher's *A Passage to America* is packed with relevant details obtained from interviews, publications, and documents,<sup>6</sup> and from these, three broad areas of federal concern – visas, suspicions of organized crime involving drugs and weaponry, and suspected marriage fraud – have been deduced and are discussed in this section.

## Osho's visas

As of spring 1981, the Shree Rajneesh Ashram, as Osho's commune in Pune was then known, had come to be considered too small for the expanding number of sannyasins and their requirements. A new site was therefore desired, and Osho's personal secretary Ma Yoga Laxmi had been investigating properties in India and was negotiating for one near Shimla in mountainous Himachal Pradesh when Osho left for the United States on the first of June. Her frequent absences from the commune made it possible for Sheela to take over Laxmi's secretarial duties, which would eventually transform the leadership of the commune and its related organizations. Despite indications that Osho wanted to stay in India and would not have wanted to go to the United States, Sheela was apparently keen to persuade Osho to move to the United States to continue his project there. Sheela's association with America traced back to 1967, when she went to Montclair, New Jersey and then studied at Montclair State College before marrying an American in 1969; in June 1980 this husband died, and she married another American toward the end of January 1981. It may be assumed that it was not coincidental that Kip's Castle, a fifteen-acre property which was bought in April 1981 and "originally intended to be the Rajneesh Foundation International's North American headquarters,"<sup>7</sup> happened to be on the border of Montclair, or that ten days before the purchase was finalized Sheela announced that Osho was going into "silence." The logic is that to complete her institutional takeover, Sheela needed to capture the king, which became a game to get Osho into the United States, where she enjoyed permanent residence but Laxmi did not, and then keep him there.

May 1981 was devoted to obtaining an American visa for Osho, a project which Sheela appears to have excelled at. While serving as his proxy, she visited the American Consulate in Mumbai to apply for a nonimmigrant visa that would allow Osho to receive medical treatment for his back, at which meeting she also "inquired about the possibility of the Bhagwan residing in the United States for some years as a minister of religion, if the climate suited him and if his recovery was positive," something which she did "on her own" because Osho "had not expressed any interest in immigrating to the United States."<sup>8</sup> After requesting appropriate medical documentation and evidence that Osho intended to return to India after the treatment was completed, a standard procedure with which Sheela quickly complied, the consular official sought advice from the Department of State in Washington

on the grounds that Osho was a controversial character and, it may be presumed, because of a suspicion that a nonimmigrant visa would be used as a step toward getting an immigrant visa or “permanent residency.” Following a couple of weeks of uncertainty, the visa was finally issued on the thirtieth, and on June 1 Osho left India with Sheela and a few other sannyasins, arrived in New York, and was driven to Kip’s Castle.

There are two important points to be noted about Osho’s first few weeks in the United States, both of which would have aroused suspicions about his intent to be in the country. One is that, then and (as it turned out) throughout his four and a half years in America, Osho did not receive the medical attention which had been cited as the reason for wanting to go. When questioned about this by Brecher in November 1989, Osho’s personal physician Swami Devaraj (a British national) explained that

We wanted to have Bhagwan in New York in case back surgery was necessary .... New York at that time had fourth generation CAT-scans. If it was necessary, we could do the scan in the morning and determine which disc had to come out, and the surgery could have been performed in the afternoon. But, our preference ... was for a nonsurgical solution to the problem. ... We postponed a decision for surgery in the hope that the prolapsed disc would eventually settle back in on its own. Which it did.<sup>9</sup>

A suspicious mind could calculate, even while Osho was in the United States, that this “in case” scenario could be prolonged indefinitely, but further questions about intent must have been raised after Sheela oversaw the expensive purchase of the Big Muddy Ranch in Oregon by the middle of July. Subsequently renamed “Rancho Rajneesh,” work was soon underway toward building a base for the sannyasins, a status which was consummated at the end of August when Osho was flown across the country to his new home there. The Immigration and Naturalization Service (INS), the agency within the Department of State that handled issues pertaining to foreign nationals inside the United States, began monitoring the ranch that summer through its office in Portland.

A nonimmigrant visa such as Osho’s could be renewed and, subject to a detailed investigation and approval, even be changed to an immigrant visa while the holder was in the United States. Osho’s first renewal was applied for in October 1981 – for which he later stood accused of lying by not declaring an intent to stay in the country permanently – and it appears that the visa continued to be renewed at

regular intervals until February 1984, when the INS adjusted Osho's status to that of "religious teacher." In November 1981, roughly a month after Osho's first renewal was applied for, an application was submitted with the aim of getting an immigrant visa for Osho as a religious teacher or leader. By October 1982 Osho had evidently satisfied the background and medical requirements to get to the interview stage to determine whether permanent residency would be granted, and the interview at the INS office in Portland that month centered on sannyasin marriages (see the next subsection one removed) and his views on marriage, whether Osho had intended to live permanently in the United States before his visa was issued in Mumbai, and the question of whether Osho was a religious teacher or leader.

The following extracts give a good idea of where the interview went on the first two issues:<sup>10</sup>

"Are you aware that many sannyasins have recently married here in Oregon?" "I have heard." "Do you approve or disapprove of these marriages?" "I neither approve nor do I disapprove. That is their business."

"Were you aware that Sheela made inquiries to the consulate in Bombay in so far as your eligibility for immigration to the United States?" "No. The small things I don't get involved in." "Mr. Rajneesh, when did you make your decision to come to the United States?" "I never made that decision." "Did you ever discuss immigrating to the United States with anyone prior to coming to the United States?" "Never. In fact, even today, if my health is better, I would not stay here for a single moment ...."

In regard to the third issue, it would appear that the interview at best played a minor role in determining whether Osho was a religious teacher or leader, the State Department having had already investigated Osho's publications and the activities of the commune in Pune. Notably, in a message from the consulate in Mumbai in November 1981, the INS office in Portland was advised against treating Osho as a religious leader because he "had continually critiqued religion" and that the consular official "didn't know any religious leaders who had recognized Rajneesh as a religious leader and saw no reason why the State Department or the INS should do so."<sup>11</sup> In December 1982, two important decisions were announced by the INS, one being that Osho was not entitled to permanent residency since he could not demonstrate that that was not his original intent, and the other being that Osho was not a religious teacher or leader because the substance of his teachings was against



religion and, rather than using “silence,” religious teachers needed to speak.

Osho’s nonimmigrant visa was renewed throughout 1983, the petitions having been made by the Rajneesh Foundation International, yet the question of Osho’s being a religious teacher and the possible change of his visa status to immigrant would not go away. Keeping in mind that Osho’s behavior at the time appears to have been an exercise in *wú wéi* (no action), the Taoist principle of not interfering with the natural course of events, and given such statements by Osho as those cited above from the INS interview in October 1982, it would be reasonable to assume that Osho himself was not interested in any decision made on these issues, which means that other people, for their own reasons, were. One such person, whom Osho acknowledged in the October 1982 interview, was Sheela, the rationale being that she required Osho at Rancho Rajneesh to consolidate her authority within the commune and the business-oriented operations that had sprung up around him. Throughout 1983 she seems to have devised a plan to take advantage of her father’s status as a permanent resident (since 1973) in the United States to try to persuade the INS that Osho had been adopted by him in 1936. If this would have worked, Osho would have been entitled to permanent residence on the grounds that he was an unmarried child of a legal immigrant, and although appropriate papers were filed in early February 1984, the application almost immediately became irrelevant because of legal manipulations by another interested party.

The Attorney General for the State of Oregon had been fighting the incorporation of a small part of Rancho Rajneesh that was known as Rajneeshpuram – following a formal vote in May 1982 and subsequent recognition by Wasco County and Oregon – on the grounds that the city violated the constitutional separation of “church” and “state.” Demonstrating the “state,” that is the secular governmental, aspect of Rajneeshpuram was relatively simple because it was incorporated and had the likes of a governmental apparatus, development plans, and a police force, but substantial legal proof of its connection to a “church” or a “religion,” let alone evidence that the church or religion interfered in a meaningful way with the secular operations of the city, was not easy to come by. In this context, since the INS ruling that Osho was not a religious teacher or leader, as well as the related refusal of the INS to consider the foreign sannyasins as religious workers, adversely affected his case, the state Attorney General met INS officials in the first half of February 1984 to discuss this status. He must have had a profound impact because on the fifteenth, Osho became a religious teacher or leader in the eyes of the INS, although by the

time of his arrest and detention in October and November 1985 permanent residency still had not been granted.

### **Organized criminal?**

By purchasing the Big Muddy Ranch, a large tract of arid rangeland which had not been economically productive, with \$5,750,000 in cash, Sheela attracted the attention of state and federal officials who suspected that there might be trouble brewing. According to the state Attorney General, the chief official for law enforcement in Oregon at the time,

64,000 acres had been bought by a mysterious India-based religious group that was currently based in New Jersey. The matter was of some concern because there's always speculation [suspicion?] of anybody who pays cash, or is able to make a purchase of significance, particularly of land that was not regarded as that valuable. You always wonder where the money comes from.

Accompanying that ... was a statement that they hoped to make this a Mecca for as many as 14,000 people. I ... probably said, "My God! If they bring that many people, they can take over government in a small Central Oregon community! And that means they will take over law enforcement! Or, at least they will have the capacity to control law enforcement."<sup>12</sup>

This makes sense because over the next couple of years the sannyasins did "take over" the small community of Antelope and its law enforcement, as well as created a system of law enforcement for Rajneeshpuram, but they did so within the legal parameters established by the state of Oregon. More important for the present article are the similar concerns of the federal government, which had to be couched in terms of a broader, more sinister picture of national detriment.

Throughout 1981-82 and into 1983, the Federal Bureau of Investigation (FBI) and the Drug Enforcement Agency (DEA), both within the Department of Justice, investigated Osho, the sannyasins, Rancho Rajneesh, and their businesses to see if any drug trafficking, racketeering, or illegal conspiracy was going on. Although these investigations did not yield any significant evidence and the FBI apparently stopped investigating sometime in 1983, the INS searched for evidence that would compromise visa applications by Osho and foreign sannyasins since 1981, which led to the FBI resuming investigations in December 1983 or shortly thereafter. One

of the sannyasins who had visa problems was Laxmi, Osho's personal secretary when he was in India and whom Sheela had evicted without any money from the commune in Oregon when her visa expired at the end of 1981. Having been tracked down in the United States by the INS in May 1982, Laxmi agreed to an interview in Portland where she was asked about Osho's involvement in the activities of the commune (did not know because she was not in the power loop), sannyasin marriages (their business, not hers), and where the money for the project was coming from (for India from contributions and sales of legal products, but no idea about that for the commune in Oregon). Uncomfortable with the subsequent offer of immunity for cooperation and threat of arrest for not cooperating, Laxmi left the interview and became a fugitive.

Having pursued suspicions of marriage fraud among the sannyasins (see the next subsection), the INS felt in mid December 1983 that it had sufficient evidence to prosecute the major violators, which could be used to refuse renewing Osho's visa. Probably because something more dramatic was desired, an Assistant United States Attorney "designated the [INS] as the lead agency in an investigation that [would] also target smuggling of contraband, drugs, and other violations of interest to DEA, FBI, IRS [the Internal Revenue Service] and [the United States] Customs" Service.<sup>13</sup> A relatively quick effect was that the military aerial surveillance of Rajneeshpuram which had begun in 1982 was stepped up from early 1984, while throughout that year and into 1985, weaponry in the form of guns and ammunition seems to have become the issue of greatest concern.

Although it was known that the security detail at Rajneeshpuram had weapons, which it was legally entitled to, there was anxiety about how large the supply was, whether there was a sinister purpose behind the arms collection, and whether the commune had any automatic weapons. One indication of federal interest in such matters may be found in statements made in October 1984 by a certain "Wolfgang" who allegedly intended to assassinate Osho partly on behalf of the FBI and the Department of Treasury: "in order to keep it official, it's going to be centered around the possession of restricted weapons," "I look upon this as I would any other military mission," "some real problems ... [existed because the commune was] being used as an armed militia camp," and the federal government was "very interested in where's all the money coming from" and whether the commune was "going to be a terrorist camp."<sup>14</sup> Another is that during the 1984 campaign for the local seat in the United States House of Representatives, one of the candidates called Rajneeshpuram

a “police state” with “more automatic weapons than all the police agencies in the state [of Oregon] combined and enough .233 ammo to supply a battalion for a year;” the rumor mill having taken over, the Governor of Oregon responded in mid October with a list of facts that included “State officials saw no buildup of arms at” Rajneeshpuram.<sup>15</sup> Sheela and others from the commune did travel around the United States to purchase guns, apparently for the security detail, and the commune did not hide the fact that it had such weaponry, indeed for the same reason as many people and organizations in America, deterrence. Still, the number of guns possessed by the commune was not large, and among them were no automatic weapons.<sup>16</sup> When the commune, including its two lakes by Navy divers, was searched for automatic weapons in October 1985, none were found.

### **Marriage fraud conspiracy?**

Whereas the investigations into weaponry violations, as well as those into trafficking in drugs and smuggling in general, did not yield anything worth prosecuting, the issue of questionable marriages among the sannyasins lingered the whole time that Osho was in the United States. The INS had become interested in suspected marriages of convenience by early 1982, yet rather than taking legal action that could have led to the deportation of any foreign offenders, the bureau seems to have bided its time in the hope of finding evidence to charge Osho with marriage fraud conspiracy by having arranged or effected marriages between American and non-American sannyasins so that the latter could receive permanent residency. This would have required demonstrating that the married couples had not intended to make a life together, and presumably were not doing so, and that Osho was an active instrument in bringing the marriages into existence, the idea being to use marriage as a means to acquire legal abode in the United States for non-American sannyasins, the numerical strength of Osho’s following. Despite the INS theory of a marriage fraud conspiracy being valid, a few points suggest that Osho was not personally interested in non-American sannyasins marrying Americans: Osho himself never married, he did not seem keen to be in the United States, and the sannyasins who had married British nationals to get around problems concerning visas for India by or in early 1981 did so on their own accord.<sup>17</sup>

Suspensions of concerted marriage fraud appear to have arisen between autumn 1981 and early 1982, attested to by Laxmi’s having been asked about sannyasin

marriages in her interview in May 1982, and the first direct attempt to confront Osho about this matter was in his first interview for permanent residency in October 1982. The INS examiner consulted Osho's publications and could be seen to come across as not having been, originally, negatively inclined:

I could never find ... where he would remotely suggest that any of his sannyasins would get married. Even marrying for love ... was not something he sanctioned or approved of. And ... by this time, everybody on the ranch had gotten married. You could find literally hundreds of instances where U.S. citizens had married aliens, but not one case where U.S. citizens married U.S. citizens.<sup>18</sup>

As noted in the subsection about Osho's visas, during the interview Osho asserted that he neither approved nor disapproved of the marriages among the sannyasins and considered marriage to be their own business. When, however, questioned by Brecher's assistant in February 1989, the INS examiner came across as thinking "that sannyasins did everything according to what Rajneesh told them to do" and that "we could have proved ... that there were massive instructions and coachings of people who didn't live together to make it look like they did."<sup>19</sup> It would appear that the line of reasoning by the end of 1982 was that international marriages of convenience took place within an organization whose leader did not sanction marriage, that these marriages had been ordered as part of a plot to move the organization to the United States, and that the order could only have come from its leader, who must have been Osho.

Perhaps testing a few cases through legal channels might have helped the INS to elucidate the issue, but the bureau appears to have taken a cautious approach. In November 1983, however, officials from the INS headquarters in Washington conducted an on-site inspection which led to a conclusion that there was "a situation involving massive sham, the sham of the Bhagwan and how he got into the United States, the sham of setting up all these marriages, and enough background information to indicate that [the sannyasins] were involved in a lot of other activities that were questionable."<sup>20</sup> This led to a memorandum in December that urged the INS to prosecute the important suspects in the marriage fraud conspiracy which, as noted earlier, could be used to justify not renewing Osho's visa, hence its investigations intensified from February 1984 with the aim of preparing a prosecutable case alleging conspiracy.

This case was put together throughout 1984, and by mid March 1985 a decision

had been made by the United States Attorney in Portland to present it to a federal grand jury, a legal route that is slower than having a filed complaint, the alternative route, acted on. The hesitancy appears to have reflected the weak merits of the case, as suggested in this statement by the General Council for the INS in Washington, who actually would have preferred a faster process:

in the criminal proceedings there was a conspiracy allegation which was used to include the Bhagwan as a defendant. ... I always had serious doubts on a criminal conspiracy thing ... because everything that we had come across stopped short of him. The only question that everybody had was whether or not the Bhagwan himself was involved in the conspiracy.<sup>21</sup>

Around the same time, the INS began to consider how to enter the commune to arrest individuals in the event of an indictment and their not turning themselves in, and in June an immigration lawyer was hired by the Rajneesh Foundation International as the grand-jury proceedings continued. This lawyer contacted the U.S. Attorney in Portland to inquire about arrangements for Osho to testify before the grand jury and for him and named sannyasins to surrender voluntarily if an indictment was issued. While the General Council for the INS appears to have supported the idea of peaceful surrender, he noted that the U.S. Attorney in Portland wanted something more dramatic, akin to “a military assault,” which at least partly could be attributed to anxiety over the weapons which the sannyasins were known and, more importantly, feared to have.<sup>22</sup>

On October 23, 1985, the grand jury handed down an indictment – charging Osho, Sheela, and six other sannyasins with 35 counts of fraud and conspiracy in regard to immigration – while the INS office in Portland and the U.S. Attorney there received memorandums from the INS Commissioner stating that the INS would not participate in arresting Osho or, because Sheela and the others had fled to West Germany in September after Osho had exposed their criminal activities that were not related to immigration, in extraditing the other suspects. Since the sannyasins had been informally notified about the indictment, the immigration lawyer who had been retained met with the U.S. Attorney in Portland and other lawyers working on the case to discuss surrender, but evidently because the INS memorandum had caused some confusion about how to proceed, the U.S. Attorney in Portland explained that they were not ready to make arrests, something which was repeated on the twenty seventh. When interviewed in 1989, the U.S. Attorney in Portland and the Assistant

U.S. Attorney in Portland both indicated that their office did not want to provide information about warrants for arrest or to discuss a plan for surrender because Osho might have used the information to flee.<sup>23</sup> Such retrospective statements were of course easy to make because Osho and a few sannyasins did take legendary airplane rides on the evening of October 27.

Their flights in rented jets to Charlotte, North Carolina aroused suspicions that Osho intended to leave the United States to evade American justice, but while this cannot be demonstrated, it would seem somewhat irrelevant since his leaving would have achieved the objective of getting him out of the country. In 1989 Osho justified the trip as such:

I left for Charlotte because for six weeks previously the National Guard was on standby around the commune, ready to enter the commune. Obviously, if they had arrested me there, the 5,000 sannyasins would not have tolerated it. There would have been bloodshed. To avoid this, I went to Charlotte. ... There were no sannyasins in Charlotte to be involved if I was arrested there. And there was a beautiful house in the mountains there for me to stay [at].<sup>24</sup>

Because the routes and destination (Charlotte) of the aircraft had been properly recorded, authorities in Oregon were in a position to notify authorities in Charlotte well in advance as to who was coming, but the impression given was that very dangerous, armed people were on board. A few hours after the arrests, an indictment accusing Osho of arranging marriages of convenience and lying to federal officials was telexed, and the following day a local magistrate ruled that Osho and the sannyasins should be detained. This set in motion a chain of events which have stirred up suspicions that Osho was poisoned by thallium and a dangerously radioactive substance when being transported back to Oregon, and which led to a plea bargain that brought legal proceedings to an end, Osho being fined, given a suspended prison sentence, and deported.<sup>25</sup>

### **Assessment of the Federal Interest in Osho**

There were various legal and political problems involving the commune at the local and state level, which have not been discussed here but did form the backdrop for the federal interest in Osho and the sannyasins. Without going into details, it may be said that Sheela's hasty decision to buy the Big Muddy Ranch led to a prolonged

battle to protect this expensive investment. Having apparently not been aware of how the property was zoned, and how its farmland status would be an obstacle for her plans to transform it into a commune where many sannyasins would live and work, she and other leaders of the commune quickly found themselves in trouble when local residents and the “1000 Friends of Oregon” public-interest group declared their opposition. This started a legal and political game to stop the nearby town of Antelope from being disincorporated (which would have kept the existing zoning laws), to incorporate part of the ranch as Rajneeshpuram, to take over Antelope which was renamed the City of Rajneesh, to change the zoning regulations, and to fight a lawsuit which challenged the existence of Rajneeshpuram on the grounds that it violated the constitutional separation of “church” and “state.” In the process some nasty things were done by Sheela and her associates, among which were harassment of local residents, salmonella poisonings, setting fire to a county planner’s office, and verbal threats to defend the honor of the sannyasins and their commune. For their part, local residents and their sympathizers harassed Osho and the sannyasins verbally and through gestures, submitted petitions against them, shot at their road signs and wore T-shirts with a picture of Osho as seen through the sights of a rifle, and (perhaps) bombed a hotel owned by the sannyasins. Not surprisingly, a host of lawsuits were filed and some decided one way or the other, while unfinished business and appeals kept others going by the time that Osho was arrested.

Sheela’s aggressiveness and criminality have been established through her activities in the commune and in society at large, complaints by sannyasins,<sup>26</sup> material evidence found at her residence in the commune after she fled to West Germany, the American government being able to persuade West Germany to extradite her to face charges of attempted murder, and her plea that led to a fine plus a long prison sentence (reduced to four and a half years) that covered three attempted murders, poisoning 715 people with salmonella, wiretapping, arson, and marriage fraud among the sannyasins. Among the things found at her residence were a laboratory for making poisons and explosives and around 3000 cassettes with recorded conversations that were given to the FBI. Hugh Milne, one of the sannyasins who left Osho’s school because of Sheela’s nonsense, has written that Sheela recorded her conversations with Osho, presumably in anticipation of having to defend herself, and he reasoned that their contents ought to demonstrate some degree of guilt on Osho’s part.<sup>27</sup> Other indications, however, suggest that they might not: Osho held a press conference to reveal some of the crimes and he did nothing to stop sannyasins



from helping the authorities investigate, there had been no similar criminal activities in India despite opposition and harassment from within general society there, and the American government seems to have been content to have Osho plead guilty to the nonviolent offenses of marriage fraud and lying to public officials. In 1989 Brecher interviewed the U.S. Attorney in Portland, the Assistant U.S. Attorney in Portland, and the Deputy Attorney General for Oregon, and he received answers which suggested there was circumstantial evidence of Osho's complicity in the violent crimes but that the main witness, Sheela, was not trustworthy enough to build a case on.<sup>28</sup> Had there been substantial, especially direct, evidence to convict Osho of any of the violent crimes, it is reasonable to assume that charges could have been brought before he was deported and for him to have been held longer in the United States to stand trial.

Osho most likely did not intend to break American laws, although he was known to have driven cars too fast on public roads, and it is quite possible that he did not know exactly what Sheela or others were saying, writing, or doing in his name. Rather than endorsing sham marriages, the idea of relocating the commune and center of associated business operations to the United States, and the political and legal gamesmanship that evolved, he appears to have spent most of his American sojourn practicing *wú wéi*, observing the sannyasins put together a new commune, letting Sheela and her associates serve as an educational device for them, and enjoying movies and Rolls Royces. Even though the commune in Oregon provided him with a home, as did that in Pune before and after the American experiment, Osho did not consider it to be "his" commune, but rather that of the sannyasins, and he never showed an attachment to his communes, the sannyasins themselves (except, perhaps, a female British companion), or their businesses and other affairs. He seems to have felt that whatever was going on around him was because the sannyasins wanted it, and that he was in the United States because they or at least Sheela wanted him there.

Still, the existence of the commune in Oregon did pose legal, political, and social problems that escalated over the years, and regardless of whether any of them were due to Osho's direct participation or had his blessing, opponents rationalized that Osho was its heart and soul. Without Osho being physically present, it would have been reasoned (and correctly so, as had Sheela who had to protect the investment and her status within the commune), the commune would have disappeared, hence the idea of targeting Osho. The problem was that Osho was in the country legally,

renewed his visa properly and had applied for permanent residence as a teacher or leader of religion, and did not personally engage in activities that were adverse to the public interest, so a case or a summation of cases to demonstrate that he had a meaningful connection to subversive activities had to be put together gradually to try to decapitate the organization. Because Osho and many of the sannyasins were foreign nationals, it is understandable that the INS was involved, while the fact that the formal accusations against Osho never went beyond violations of immigration law reveals that the federal government did not get far with the suspicions of organized crime, convictions of and punishment for which surely would have put an end to Osho's credibility. The state of Oregon also did not demonstrate that Osho was guilty of criminal offenses, and although Sheela and a few other sannyasins were later convicted of various crimes, such masterminds could be dispensable for the health and continuation of the commune, something which seems to have been realized by some of the officials and lawyers who worked on the various cases.

Other than the fact that a marriage fraud conspiracy could be used, absent a successful appeal, to convict Osho and thereby have him deported, the INS investigations in this regard were part of a broader concern. Although international marriages of convenience had existed before 1981, it appears that the weakening of marriage as a social institution through the likes of simply "living with" a boyfriend or girlfriend, increasing acceptance of sexual infidelity and of births out of wedlock, and (notably) the easing of divorce laws during the 1970s must have signaled to individuals looking for an easy route to permanent residence and even citizenship in the United States that marriage to an American or a foreign national with permanent residence in the United States need not be a painful choice. In the first half of the 1980s, while Osho and the sannyasins were in Oregon, but not simply because of them, marriage fraud became an important issue within the domain of immigration law, and in 1986 the Immigration Marriage Fraud Amendments were passed to give the Immigration and Nationality Act of 1952 more force in deterring marriages of convenience. These amendments included provisions that a foreign spouse be subject to two years of "conditional residency" in the United States and, near the end of that period, a possible interview by the INS to ensure that the marriage was not an arrangement for acquiring immigration privileges before permanent residence could be granted; they also provided the potentially tough penalties of up to five years in prison, up to \$250,000 in fines, deportation, and permanent exclusion from immigrating to the United States for such fraudulent or "sham" marriages.<sup>29</sup> Although there is no

reason to assume that the buildup to the amendments was a specific reaction to Osho and the sannyasins, or that they were the main target, this background does help to explain why the INS appeared to be eager to treat sannyasin marriages of convenience as serious offenses.

Finally, deciding whether Osho was a teacher or leader of religion appears to have been a tricky problem for the federal authorities. It was not until after two and a half years of Osho's presence in the United States, and after the Attorney General for Oregon had appealed to the INS in an attempt to strengthen his case against the incorporation of Rajneeshpuram, that Osho was determined to be a religious teacher or leader. In this context, it might be wondered if the expression "religious teacher of convenience" ought to be coined to express apparent cynicism on the part of the INS, but by early 1984 it was obvious to local residents and state officials that Osho and the sannyasins were somehow engaged in a "religious" enterprise. The federal government, however, needed to be cautious because its decisions could have had broader implications throughout American society and, although perhaps of less concern, for its reputation in the international community. At issue would have been defining "religion" and what a "teacher" or "leader" of religion was supposed to do, determining the extent to which a foreign teacher or leader of religion could be protected by the United States Constitution, considering the tax status of such a person or an organization which was capable of generating considerable wealth, and condoning an arguably insincere entry into the country as a step toward permanent residence for such an individual, that is a set of theoretical variables which could affect Americans and foreign nationals other than Osho and the sannyasins who might like to engage in "religious" activities anywhere in the United States. Although it is not possible to explore these issues here, it is worth noting that the eventual decision by the INS that Osho was a religious teacher or leader seems to be correct. That Osho had criticized religion in general as well as specific religions and religious ideas and practices, and that it was difficult to find religious leaders who considered Osho to be one, need not have been as important as the fact that his teachings had been tailor-made for spiritually oriented "Westerners" to delve into activities and experiences which had their roots in Buddhism, Taoism, and Hinduism.

## Notes

1. Osho, *Autobiography of a Spiritually Incorrect Mystic*, ed. Sarito Carol Neiman (New York: St. Martin's Griffin, 2001), 24. This book mainly comprises oral statements that Osho had periodically made about himself and his experiences, and its "References" section gives the discourse that each extract is from.
2. Osho, *Autobiography*, 108.
3. Osho, *Autobiography*, 236.
4. *Rāja* yoga involves an eight-limb process which helps the practitioner experience the separate existence of the individual, and cosmic, immaterial being; the last three limbs are stages – *dhāraṇā* (concentration), *dhyāna* (absorption, meditation), and *samādhi* (superconscious state) – which are directly involved with doing this. A useful explanation is in Swami Nikhilananda [ed.], *Vivekananda: The Yogas and Other Works* (New York: Ramakrishna-Vivekananda Center, 1996), 573-694. For insights into Osho's techniques for meditation, which aim to get the practitioner into *samādhi* ("no-mind" in Osho's vocabulary), see Osho, *Meditation: The First and Last Freedom*, comp. Swami Deva Wadud (Pune: The Rebel Publishing House, 1992).
5. Osho, *Autobiography*, 215.
6. Max Brecher, *A Passage to America* (Mumbai: Book Quest Publishers, 1993). This well researched volume revolves around the activities of various individuals, public-interest organizations, governmental institutions, and the commune in Oregon. The information given in the section here is found throughout the book, and many specific points are not cited to avoid a lengthy list of pedantic notes.
7. Brecher, *Passage to America*, 50.
8. Brecher, *Passage to America*, 50; the officer in charge of reviewing the application and issuing visas is cited here from a memorandum sent to the office of the Immigration and Naturalization Service in Portland in January 1982.
9. Brecher, *Passage to America*, 69.
10. From Brecher, *Passage to America*, 112 and 113-14. Only relevant parts of direct exchanges are given here, so the text and punctuation occasionally differ from what is in the original.
11. Brecher, *Passage to America*, 111.
12. Brecher, *Passage to America*, 91.
13. Brecher, *Passage to America*, 144.
14. From Brecher, *Passage to America*, 206-07.
15. Brecher, *Passage to America*, 191-92.
16. Brecher, *Passage to America*, 172: "about 16 Uzis, 15 Galil assault rifles, and about 22 .357 Magnum pistols."
17. The last is briefly discussed in Hugh Milne, *Bhagwan: The God That Failed*, ed. Liz

- Hodgkinson (London: Sphere Books, 1987), 212.
18. Quoted in Brecher, *Passage to America*, 112.
  19. From Brecher, *Passage to America*, 113.
  20. Brecher, *Passage to America*, 144. The Deputy Assistant Commissioner for Investigations at the INS at the time is quoted.
  21. Quoted in Brecher, *Passage to America*, 233.
  22. Brecher, *Passage to America*, 244-45.
  23. Brecher, *Passage to America*, 286.
  24. Brecher, *Passage to America*, 289.
  25. See Brecher, *Passage to America*, 287-89, 2-13, and 300-44.
  26. Swami Shivamurti, a British national who had served as Osho's bodyguard and photographer in Pune and who left the commune in Oregon in November 1982 after lengthy frustration with Sheela's clique, gives some insights into how Sheela was viewed by longer-term sannyasins; see Milne, *Bhagwan*, 211-377. For other published comments about Sheela by a sannyasin who experienced the communes in Oregon and, both before and after the American adventure, Pune and who stayed with Osho until his death, see Ma Prem Shunyo, *Diamond Days with Osho: The New Diamond Sutra* (Pune: The Rebel Publishing House, 1992?), 36-69. Osho himself commented occasionally from 1985 about Sheela's activities, and some insights are in Osho, *Autobiography*, 254-57.
  27. Milne, *Bhagwan*, 365-66. The tapes have since been held by the United States government and apparently are not accessible "for purposes other than proving electronic eavesdropping;" see the comments by the Attorney General for Oregon as recorded in Brecher, *Passage to America*, 358.
  28. See Brecher, *Passage to America*, 184-85.
  29. For a somewhat contemporaneous brief on the amendments, see for example David Weissbrodt, *Immigration Law and Procedure* (St. Paul, Minn.: West Publishing, 1992), esp. 20-21 and 105-08.