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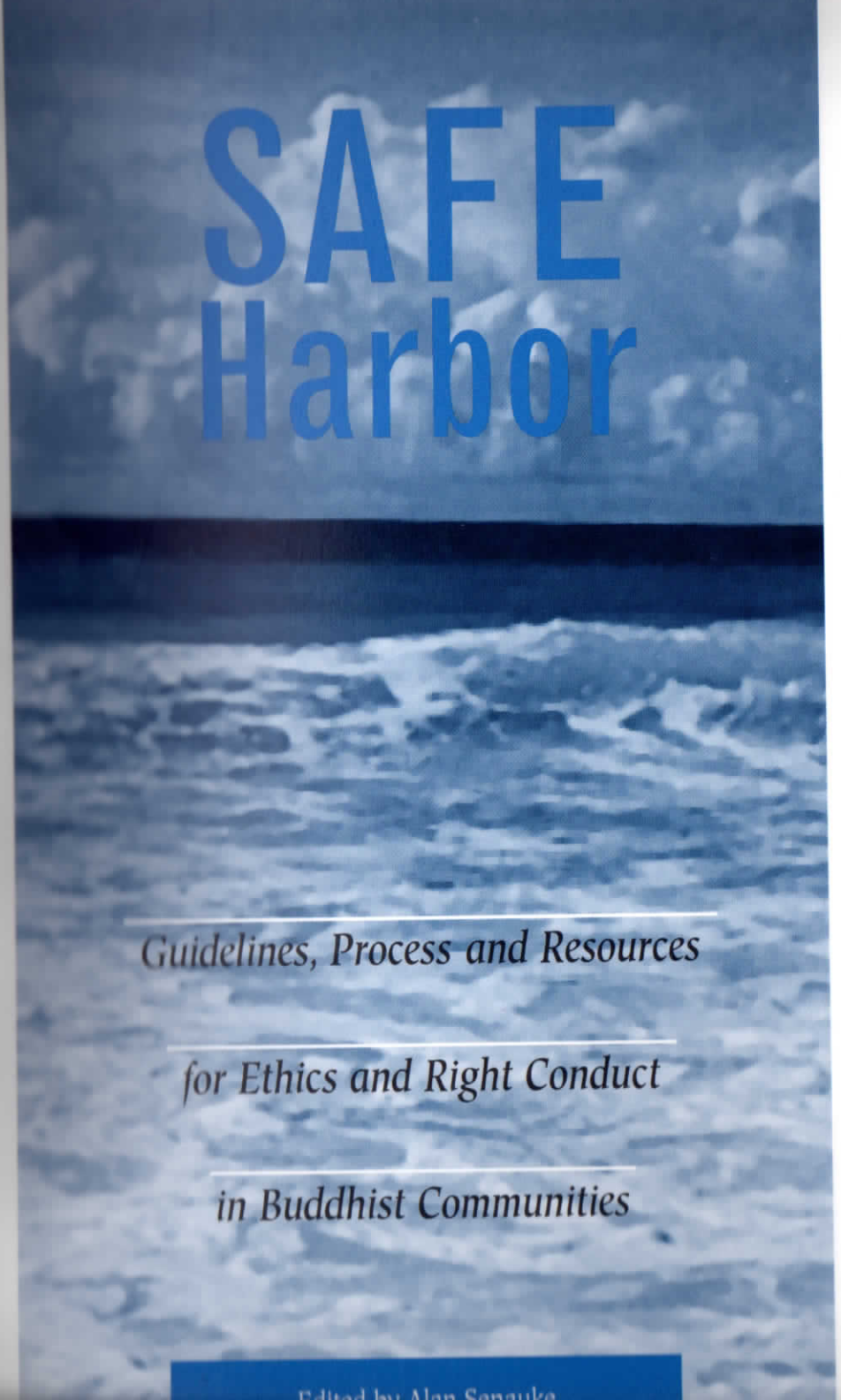

SAFE Harbor

Guidelines, Process and Resources for Ethics and Right Conduct in Buddhist Communities

Safe Harbor

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Edited by Alan Senauke
with Teresa Lesko

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Cover design by Ned Takahashi

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American Precepts have two sides. One is the negative, prohibitory side, and the other is generating our spirit—something good or positive. The positive side is to do something good, and the negative side is to do no evil. There are these two sides. I think we will naturally need some way of life as a group. It may be difficult to set up all at once, but if we try hard, we will find our precepts which include both sides. This is a very important point in practice, for our practice is to help others and to help others to help themselves.

Having our own way of life will encourage people to have a more spiritual and more adequate way of life for themselves. We must study our way not only for ourselves, but for all people. It is something which we must create or establish starting from our own situation as it is, because our rules are actually for ourselves, as human beings. As a Chinese, Hyakujo established monastic rules called Hyakujo Shingi, and as Americans, I feel, we must establish an American shingi. I'm not saying this jokingly. I'm pretty serious, but I don't want to be too serious. If you become too serious you will lose your way. On the other hand, if we're playing games with it, we will lose our way. So little by little, with patience and endurance, we must find our way for ourselves.

— Shunryu Suzuki Roshi, 1969

Introduction

Our mythic and spiritual journey to liberation is a voyage to what Shakyamuni Buddha called "the other shore." Different Buddhist traditions variously locate that shore as the Western Paradise, Sukhavati, Nirvana as place, or right here in the realized present moment itself. Wherever liberation may be found, the journey toward it is always marked by dangers. There are the dangers of our mind, with its powerful tides of feelings, emotions, and habits; the dangers of our cultures, whether we are Western, Asian, or otherwise; the dangers of our all too human relationship to authority —how often we yearn to give over our suffering, to put our fate into another's hands. Other rocks and shoals mark the passage.

The Buddha offered tools of *shila, samadhi, prajna*—morality, meditation, and wisdom — to aid us on this voyage. He also enlightened us about the three jewels: *Buddha* or enlightenment itself, *Dharma*, the teachings of reality, and *Sangha*, the practice community with whom we live and travel, each helping the other to make it across. These elements are not separate; none exists without each other, but, at the risk of falling into dualistic thinking, this booklet focuses on *shila*, morality, and *sangha*, community. There are compelling reasons to do so.

No religion or religious institution is pure, perfect in accord of words and actions. The world itself is not pure. Coming to the West, Buddhism has had a difficult passage. The last ten or fifteen years have brought tragic accounts of misconduct and abuse in Buddhist communities of almost every tradition. Scandals around sex and money have reached the public eye in newspapers and magazines. Private, semi-secret tragedies have led to suicide, dissolution of community, and grave psychological injury. The words "tragic" and "tragedy" are not out of place here. Dramas of abuse threaten to draw all parties into the vortex. No one emerges unscathed.

Shakyamuni Buddha's personal experience of the world beyond harm and non-harm, beyond right and wrong is an insight that is available to each of us. But just as the Buddha offered refuge and wisely established precepts for communities cultivating liberation, we must create a safe harbor for practice. Where there is sexual coercion, manipulation of power, misuse of alcohol and drugs, misappropriation of money, people's lives are harmed. I have spoken to many of these

people in recent years. Their suffering has brought me to tears. And too often these people, our Dharma brothers and sisters, turn in bitterness from the Dharma itself, finding no refuge or safe harbor in their own practice places.

What Can We Do?

Our foremost task is to create a safe harbor where each of us can practice freely, seeing ourselves and each other. Practice is never apart from conflict or difficulty, but *shila*, precepts (or, more literally, "natural normalness"), should guide our way and all our relationships. This is what Suzuki Roshi was speaking of in the quotation above—finding our Western path of practice. The root purpose of this handbook is not to set up unbending rules or to establish some kind of Buddhist ethics police, but to underscore what is natural and normal in our Western practice. The real task of finding an appropriate way belongs to each community.

From hard experience I can't emphasize enough how important it is to have guidelines and procedures in place before things go wrong; for the community to know what they are and how to use them. The Equal Employement Opportunity Commission, which oversees federal law prohibiting sexual harassment in the workplace, underscores that the best way to prevent abuse is to establish and stand behind clear policies. Buddhist practice is not an abstraction. When things go wrong, when trust is abused, lives are at stake. If guidelines and process are not already in place, if they are not generally known to the community, it is nearly impossible to set things right without people being harmed. That includes the abused, abusers, and community members at large. Without clarity of thought and safety of process there are no sidelines, no refuge from rancor, confusion, and divisiveness. With common notions of safety and process a community can heal itself.

The most valuable gifts we can offer someone who has suffered abuse is our time and compassionate attention. We can listen. Or if the problem is out of our depth, we can ask if the abused would like to speak to someone else—a counselor, psychologist, lawyer, another Buddhist teacher. We need more Dharma practitioners who are trained in these various skills of compassionate listening. This is hazardous territory to enter unprepared.

Too often an injured person may rightly feel that no one in their own community is willing to hear them out. This is particularly true where a teacher is implicated. When precepts are ignored, when clear

guidelines and procedures are lacking, community members may form a circle of silence and close the essential lines of communication. Whether they do this to protect the teacher, to save the community from public scrutiny, out of fear for their own place or position, or simply in ignorance, the damage is done. A victim is cast out, and the community deepens its shadow, the unrecognized elements that distort and poison even well-intentioned practice.

So first and last we must listen, without any idea of rescuing the situation or making the hurt go away. Rescue is always impossible; resolution is often a long and uncertain journey. But compassionate listening can begin immediately, and that can sustain a seed of faith for someone whose faith has been betrayed.

Structure

The structure of this handbook is simple. The first section offers essays by two western Zen teachers. Jan Chozen Bays presents a pair of parables that point to dangers that can arise in teacher-student relationships and in the community as a whole. Keido Les Kaye comes at these concerns from another angle, cautioning and encouraging the student to pay attention to her own perceptions, intuitions, and questions, not settling for easy answers that cover for misconduct and abuse.

The second part is a collection of guidelines and processes that can serve as models for your own community. They are all works in progress. The Insight Meditation teachers have created a code to serve their broad, semi-residential lay population. When students and teachers come together for intensive Vipassana retreats many of the same issues arise that one would encounter in full-time residential centers. Berkeley Zen Center is a modest community of householders and residents, lay and ordained— small enough to rely on a degree of informality, large enough to require clear guidelines. San Francisco Zen Center is perhaps the largest Zen "institution" in the West, with three busy practice places, a large staff, emphasis on residential practice and growing participation of householders. Through long, painful experience they have learned that the Bodhisattva precepts need further elucidation, and that very careful process, rooted in the precepts, must be a source of safety and truth-telling. Finally, we have included excerpts from *The Center for the Prevention of Sexual and Domestic Violence Training Manual*: guidelines on policy and procedure for investigating issues of ethics and conduct, and a very clear flowchart for community response.

Guidelines and procedures in part two are offered to inspire

dharma centers and communities to create their own tools. They are in no way exhaustive of the possibilities for protecting practice and practitioners from abuse.

The third section contains a small roster of resources in the areas of law, psychological counseling, dharma refuge, and survivor support. This is not a comprehensive list; it grows slowly and steadily. As more resources develop and become known to us, we will update the list on our website <www.bpf.org/bpf>. Feel free to call the BPF office with information on resources and with inquiries.

Acknowledgments

The process of assembling this booklet has unfolded over several years of deep consideration and conversation—passionate, painful, deliberative, encouraging—with teachers, friends, and many unnamed dharma-farers. I would particularly like to thank Diana Rowan, Jan Chozen Bays, Yvonne Rand, Peter Rutter, Robert Aitken, Jack Kornfield, Marie Fortune and the Center for the Prevention of Sexual and Domestic Violence, and members of San Francisco Zen Center's ethics committees. Without their support, clear thinking and hard work, our efforts might never have begun. The American Zen Teachers' Association offered steady encouragement. Barbara Hirshkowitz shared her editorial acuity and her passion to get it right. Jill Jameson and Laurie Senauke were careful proofreaders. Ned Takahashi came up with an elegant cover at the last minute. Teresa Lesko talked to all the contributors, added her research, and gathered the many scattered pieces into a coherent manuscript. Without her dedication, intelligence, and energy we never would have finished the job.

And of course, we all owe a measureless debt to those many people who have shared their suffering and stories, and stayed on the path. Shining their light in dark places, they continuously help us to find our way.

108 Bows,
Alan Senauke
Berkeley, California
July, 1998

I. ARTICLES

AS I WALKED HOME: Missteps on the spiritual path
by Jan Chozen Bays

A Parable

After 10 years of hard study Mojo begins work as a spiritual teacher with only a dozen students. The students have a lot of access to Mojo, in fact hours a week, both in group gatherings and in private interviews. They spend time with their teacher in his home and work shoulder to shoulder in the gardens. Each student feels Mojo knows him intimately.

Gradually Mojo's reputation grows and within five years there are over a hundred students living at the spiritual center and several satellite groups around the country and overseas. Mojo is busy traveling, attending meetings with people who administer the organization, and meeting with public figures to raise money and smooth the political machinery necessary to keep his organization going. Students get to see him once a month in public talks if he is in town. Often they must watch videotaped lectures from the early years.

Students long for a personal connection with the teacher. If he makes eye contact with them or says an individual word in passing, they treasure it for days. People insert "Mojo says. . . " into conversation to imply they have talked with the teacher. People begin to vie for any tiny bit of personal contact by rushing to be the first to bring the teacher hot tea at a meeting, or remove his shoes and secretly polish them, weed his garden, or tend his children. His wife at first is happy to have a bevy of students cleaning house, cooking, helping entertain guests, and babysitting. She secretly enjoys being Queen of the Way, loved and waited on by all her husband's students.

But soon a small unease develops. If her husband sneezes, students rush up with Kleenex, herbal tea, Vitamin C, and offers of therapeutic massage. When will they begin to wipe her husband's bottom for him?

She has no privacy. When she enters the bathroom at 5 AM with sleep in her eyes and curlers in her hair there is already someone there scrubbing the tub. Someone has been through her drawers and straightened her underwear out. Downstairs in the kitchen someone else is serving her husband tea and discussing the day's events.

She begins to suspect that people are nice to her because she is an access line to the teacher. She begins to wonder how long and deep therapeutic massage really is.

She has no one to go to for advice. Everyone she knows is her husband's student and more loyal to him than to her. She is the only one who sees

Mojo at his most ordinary, sneaking a forbidden cigarette, and upset when the toilet paper runs out or the children spill their juice. All the other students see his anger as crazy wisdom and try to learn from it. In fact she suspects that some students feel that she and the children are an impediment to Mojo's true mission in life, diverting energy from his ability to teach. As a student of the Way herself, she wonders if this is true, and whether she should leave, giving Mojo extra freedom from worldly concerns. She tries to make her demands on him minimal and keep the children out of his hair. She attends parent-teacher meetings and school concerts alone, feeling like she is raising the children by herself.

Mojo is surprised at how quickly his popularity has risen. At first he was pleased to have so many students. It confirmed the truth of his understanding and his ability to teach. With legions of students eager to do the work of the Way, the community was able to get a lot accomplished, building meditation and dormitory halls, maintaining gardens, and doing community outreach projects with the poor. As the numbers grew, however, he became frustrated with all the time spent in meetings discussing problems. When financial troubles arose, he had to encourage wealthy students to relinquish worldly goods that might impede their spiritual development.

He has little time to practice himself. He is in such demand that he can't find time to practice or read to find a source of inspiration. He begins to repeat old talks, and gets tired of hearing himself tell the same spiritual anecdotes.

He misses his time in the garden and the easy interchange with students that occurred in "the old days." He is further separated from students by the presence of a personal bodyguard, necessary after a threat on Mojo's life. Mojo himself thinks the guard is unnecessary, as the threat came from a man who had a "break" when he stopped his medication for schizophrenia after being told not to use mind-altering substances during meditation retreats. But Mojo's students became quite frightened at the possibility of loosing the only truly enlightened teacher in the Western states, and insisted on the guard.

At first Mojo's wife seemed delighted to have people help with housework and child care, but lately she is grumpy and short with students who came to the house, complaining that she and her husband had no privacy or time together. It was true that their time alone was minimal, but what could he do with so many students hungry for the true teaching? He was often exhausted, but the scriptures urged him to give of himself until he was no more. His and his wife's individual desires and concerns were petty and selfish if they stood in the way of the Way.

He enjoyed long retreats, when everyone put aside their trivial concerns and strove for the same goal, enlightenment. It was then that he experi-

enced true, deep intimacy with students in private interview. Their hearts were so pure, so open to his every direction. It was then that he felt himself a true teacher, submitted wholly to the Way, gently guiding students toward realization.

At the end of retreats when everyone left, he felt lonely. What occurred in the interview room was secret, so there was no one he could talk to about his own insights, dilemmas, doubts and triumphs. One student showed exceptional promise, and he found himself beginning to confide in her, telling himself it would help her to know these things when she became a teacher one day. When he was tired he found himself wanting to rest just for a moment in her arms.

His student was flattered by the extra attention she received, and awed by Mojo's statements that she had unusual potential for realization. She might even be a teacher some day herself! She treasured every moment with him, and would have been glad to be his daily attendant, doing anything he asked, just to be able to hear a few scraps of his conversations. She learned so much from his every word and gesture! She liked the teacher's wife, but felt that she should be more generous about sharing her extraordinary husband with his students.

Lately she had been feeling that she and Mojo shared a spiritual bond that was much deeper than ordinary marriage. He had even said that worldly marriage was only for one lifetime but a true, pure, spiritual marriage of minds and understanding would last forever. She wondered what kind of child would be the result of a physical union between two clear beings. In certain traditions when a great teacher died, he could reappear in the form of a infant. Perhaps she would be the vessel to bear such a child!

In the words of *Good Housekeeping*, can this marriage (and these spiritual practices) be saved?

Snags to catch our toes

Since I have begun teaching I have become aware of the subtle yet powerful forces that come to play upon a teacher and may cause difficulties in spiritual communities, from mild upsets to disastrous eruptions. I have stumbled my way through some of these difficulties. Unable to pack every variety of misadventure into twenty years of being a student and ten years of teaching, I have read books and talked to a number of students from the several Buddhist traditions about problems they encountered. I have tried to organize these problems by cause so we can begin to discuss them and diagnose others that may come to light. The

parables are composites. The fact that students and teachers from many different practice centers have recognized these accounts speaks to the communality of the forces and themes.

Difficulties Arising from Misuse of Power

When intensive meditation practice is being undertaken, as in long silent retreats, the whole world narrows to that of the meditation hall and interview room. The student becomes intensely bonded to the teacher, the only person s/he talks to in hours or days of silent meditation. When bewildering or unusual phenomena occur, the student is completely dependent upon the teacher for reassurance and guidance. Intense emotions arise during such times, from terror to spontaneous outpourings of love and gratitude. There is tremendous intimacy in the interview room. Even if the student or teacher are so fortunate as to have no difficulties with intimacy under ordinary circumstances, the intensity of the bond in the daisan or interview room is intoxicating.

It is the responsibility of the teacher not to allow the student to attribute the phenomena that occur naturally with intense spiritual practice to the personal abilities or charisma of the teacher. This is an ever-present danger.

In its subtlest form it may appear when a teacher thinks, "Well, maybe I was just a bit clever in picking up where that person was stuck. None of her former teachers saw it." Or in not persistently deflecting the gratitude that comes with a spiritual insight or opening back where it belongs, to the Buddha-Dharma.

In its grossest form the teacher may believe that s/he has such clear understanding that whatever they do with a student will be enlightened activity. This has included insulting students publicly, physically injuring students, having a sexual relationship with students, exploiting students for free labor, subtly extorting money (for the sake of the Dharma), or the teacher insinuating him/herself in between members of a couple and bringing about the end of a marriage.

Problems Arising from Idealization and Isolation of the Teacher

Being a teacher is a lonely business. Lonely in the midst of clamoring, adoring students, the teacher may be seen as the ultimate embodiment of accomplished practice. Personality quirks and personal flaws may be mistaken for manifestations of enlightenment. The teacher cannot admit doubt or failure lest the spiritual path be questioned. There is a misunderstanding, encouraged by the hopes of many students and perpetuated by the silence of many teachers, that anyone who is sanctioned to

teach Buddhism must be completely enlightened. Even if this were true, actualization seems to take decades of dedicated practice after realization(s).

It is the responsibility of the teacher to inform students that the teacher is not a fully enlightened actualized being, but just another human being who will make mistakes, and to provide an example of willingness to learn from anyone or any circumstance. The Buddha was clearly aware of this problem. The gravest lie cited in the Vinaya is to boast about directly or even to imply having reached some higher stage in spiritual development.

Problems Arising from Failure to Recognize Powerful Archetypal Energies at Work

As more women become spiritual teachers we will face the problem of abuse of power by women. Can we predict what this will look like in advance, perhaps to recognize and interrupt it early? What are typical feminine archetypal energies that could be inflated, distorted, and misused? There is the nurturing mother archetype, which in its distorted form is the smothering mother who is involved in every aspect of her children's life, unable to let them mature and leave home. There is the mother-in-law energy that cannot let a favorite son be happy with a female who competes for his affection and attention. A young woman who diverts a male student's attention from "pure" practice may be characterized by the religious community as the evil seductress.

A Second Parable

Sumaya is a teacher at a large spiritual center. Traditionally the teacher picks a single promising student to be her personal attendant. This is a position of honor and an unequaled opportunity to train, as the attendant has intimate contact with the teacher many hours a day. Sumaya picks Jon, a bright, energetic young man and trains him rigorously. As several years go by she comes to depend upon him absolutely.

Jon is available to her any hour she may need him, and carries out her requests more efficiently than anyone else she has trained. She has tested his loyalty during several difficult times at the center. There was a minor but unpleasant episode involving students who were discontented, stirred up temporary unrest in the community, and eventually left. She was more shaken by this than anyone except her attendant knew. When she had him transfer funds secretly to cover a blunder by the treasurer, he mentioned it to no one. He has been completely discreet about the few times she has slipped, doing and saying things she was not proud of. He is the only one she feels safe with, confiding her occasional doubts that she is not suited for this work.

Jon has had several significant spiritual "openings" and she is beginning to hope he will someday be her successor. She has hinted this to him, but not told him outright lest he become "puffed up."

Jon was delighted to be chosen as Sumaya's personal attendant. It is hard work, but more than balanced by what he can learn by watching how Sumaya puts realization into action. He is happy to carry out her wishes, and gains particular pleasure from seeming to read her mind by anticipating her needs a moment before even she is aware of them. Sumaya says he is the best attendant she has ever had, and has hinted that he is making such progress he might be head of the center when she retires. Sumaya has compared him to a legendary attendant of an ancient teacher, an attendant who served contentedly for decades, never leaving the teacher's side, even for a single day, until the teacher died.

Jon was upset when the small group of students complained about Sumaya in a community meeting. How could students with so little experience of practice and so little clarity in the Way understand or criticize what the teacher perceives as best for them all? He knew she was not the dictator they portrayed her as, and that she carefully considered what was best for the Way before taking action. It did bother him that she had asked him to put pressure on them in various ways until they felt it necessary to leave the community. He had tried to translate her exact words, uttered when she was understandably upset, into a more moderate and less hurtful message. It had the desired effect, the troublemakers were gone, and peace restored to the community as Sumaya had wished.

One day Sumaya is approached by Jon and a young woman he says he wishes to marry. The young woman he says he is in love with is a younger, earnest student who also shows potential. Sumaya is shocked. She did not even know the relationship was developing. When did Jon find time in his rigorous schedule? How did her power of intuition fail her?

Sumaya talks to the female student alone and tells her in confidence that Jon has great potential as a teacher of the Way. He is close to another spiritual opening, and thus worldly attachments, particularly those sexual in nature, may seriously impede his progress. If the girl truly loves him and the Way, she will relinquish her claim on him, but without telling him why. She uses the example of female deities who postpone their own enlightenment to aid the progress of their male consorts. How much more merit will accrue if this sacrifice is done in secret!

Sumaya also talks alone with Jon. She tells him that marriage to the Way is the highest and purest union. If he is to realize his potential fully and

help the largest number of suffering sentient beings, he must be unhindered by concerns of family. Sumaya herself is married to the practice. This has freed her energy so that she is able to devote herself wholeheartedly to teaching. This has also meant that a large number of people have been able to hear the teachings, come to her center, and further free her time and energy as they perform chores like driving, shopping, cooking and gardening. To her the male student's correct path is clear and straight. What would have happened to the teachings if the masters of the past, even Jesus or the Buddha, had let themselves be diverted? She tells him the story of the famous master who, out of pure compassion, refused to see his dying mother at the gates of the monastery lest her love (and thus her clinging) awaken at the sight of him and then impede her progress to nirvana after death.

Jon and his girlfriend search their hearts for error and decide that marriage and family life is their path of practice. When they appeal to Sumaya again, asking her to marry them, she becomes angry. She reveals that she has had a psychic vision indicating that they are straying from the higher path and will suffer, if not in this life, in later lives, for this deviation. All the hard work they have put into spiritual advancement will be wasted.

Many in the community begin to avoid the couple lest the teacher's wrath descend also upon their friends. Some regard Jon's girlfriend as the source of the problem. They have read religious teachings speaking of women as less suited to spiritual practice and likely to lead men astray from the Way.

Can this marriage (and these practices) be saved?

Other problems with unrecognized archetypal energies may arise when a "good women" tries to rescue a "bad boy with a good heart" through a combination of love and spiritual practice. As an example, two women lawyers in Oregon in the last year have abandoned successful careers to marry violent criminals. One has married a man who is serving a life sentence for murdering the head of the state prison system. As Dharma work spreads to prisons the stage is set for this archetype to play out. Women will encounter charming, articulate men who portray themselves as the product of their loveless early environments. In the prison environment, men with vivid reasons to examine their lives and with no family or job obligations to distract them, can become earnest, grateful students, devoting hours a day to practice. Who will help these women sort out true Dharma students from con men?

Problems arising from"The Higher Good"

Dharma students are often exhorted to do something distasteful because "it is good for your practice." If the soup is burnt, it is good for your practice to eat whatever is in front of you. "Because the teacher says to" and "for the sake of the Dharma" are similar justifications. These phrases can signal teachings of vital importance as well as teachings gone awry.

Roger Walsh cites research on cults indicating that small ethical infractions are often the first sign that something has gone amiss. Students push down their unease with the assurance that the ends justify the means and they are serving the higher good. In some religious communities this has reached gross extremes of dealing drugs and selling female students into divine prostitution to raise money for the community. In others it takes a more subtle form. Students who would otherwise be employable take vows of voluntary poverty, are given a small stipend or "salary" for their work at the religious community and then claim welfare or unemployment benefits from the government. Medical coupons or food stamps are shared. This is justified by the notion that society will benefit from this spiritual work and should support it with tax money.

Abuse of Students:
Spiritual Teachers and The Dynamics of Child Abuse

There are striking similarities between child abuse and spiritual abuse. I have been helped in sorting out what is misuse of power by spiritual teachers by an analogy from my own profession. A patient comes to a doctor with a life threatening illness, or an illness perceived as life-threatening, like cancer. The doctor agrees to help the patient, to guide them through the course of treatment, to advise when difficult treatment options arise, and at times to actually administer the treatment. The patient feels frightened and helpless, and must trust what the doctor says.

Clearly, if the doctor were to begin a sexual relationship with this patient, it would be inappropriate. The doctor might justify the relationship as beneficial to the patient, who is depressed and frightened. Any medical board of ethics would find this behavior unethical and highly likely to harm the patient.

Students come to spiritual teachers with urgent life or death issues. Some even say, "This was my last resort before suicide." The teacher claims knowledge of the cure and course of treatment, the student is ignorant. Teachers exhort students to give up their own ideas

and surrender fully to the teacher's guidance. How is a student to know if the teacher is administering strange or bitter medicine for the sake of the student's life, or for the teacher's own gratification? Students often enter spiritual practice fully open like trusting children before the teacher, sharing their innermost anxieties and shadowy places, trusting the teacher to act always for their benefit. To betray that trust for personal gain is a misuse of power akin to child abuse.

There are many parallels between spiritual abuse and child abuse. Many of the same misconceptions apply. There is a myth in spiritual communities that cultural differences can excuse inappropriate behavior and misuse of power. If an Asian teacher gets drunk or is sexual with students, it is attributed to cultural misunderstanding. This kind of excuse also has been put forth in the child abuse arena. On several occasions American Indian child molesters have said that sexual initiation of young children is an Indian custom. When tribal elders were consulted, this turned out not to be true. In fact it was recognized as harmful and proscribed. Similarly, when we consult our elders in the Buddhist tribe, whether the Buddha, Dogen Zenji, or the Dalai Lama, we find that sexual abuse of students and drunkenness are recognized as harmful and proscribed.

To excuse abuse of students by saying that it is a cultural misunderstanding is like excusing child abuse by saying that the perpetrator was him/her self abused. It may help to raise a more compassionate response to the abuse, but does not excuse it. The perpetrator is still responsible for exploiting children and the teacher for exploiting students, no matter what his or her background. The majority of men and women who were themselves abused do not go on to become abusers. Many teachers raised in different cultural settings do not go on to abuse students. To use the cultural excuse is a subtle insult to the many teachers from other cultures who do not abuse.

Child sexual abuse is harmful because it disrupts, often permanently, the stages in a child's development necessary for healthy sexuality as a adult. Spiritual abuse of students is similarly disruptive, with the result that some students never mature in spiritual practice and others are turned away from the Dharma forever. Is this the outcome we want as teachers?

Some child molesters love the innocence of children, a purity they feel they lack. They try to take this energy unto themselves by sexual union with the child. Similarly, when a Dharma teacher becomes harried and jaded, with no time for their own practice and renewal, the innocent love of a new student for the Dharma is a balm. A young student's openings awaken memories of the teacher's own enthusiasm and awakening experiences of long ago. The aging teacher may try to replenish their own depleted spiritual energy vicariously through the student, sometimes in the form of sexual union.

The most commonly asked question about child abuse is whether it is a new phenomenon or we are just beginning to recognize it. People often say to me, "When I was a child I got hit on the head with a frying pan and whipped behind the shed all the time. I suppose that would be seen as abuse these days, but I came out all right. Toughened me up for a tough world."

In the spiritual arena one hears, "There are no true Dharma students in the West. When I trained, monks were beaten with the awakening stick until their shoulders swelled up to their ears. Some were beaten to death if they broke the rules, and their families apologized in shame. Nowdays I suppose they'd sue."

Child abusers use excuses to justify their behavior. "I was educating the child." "In the end it was beneficial for the child." "It is a matter only between us, and does not concern the larger community, who cannot understand our special kind of love." "The child loves me. Ask them, they don't feel harmed. It's society that has the problem." Most people are revolted by these excuses if they emerge from the mouth of a man who has molested a six year old, but accept them from a spiritual teacher who has exploited an adult student.

Secrecy and lying are fundamental to child abuse. The abuser often tests whether the child will keep small secrets. Forbidden objects like sweets are given to the child and he/she is told not to tell. Children obey because they trust adults to demonstrate to them what is appropriate or correct to do. If the secret is kept, the perpetrator then advances the sexual abuse, further enlisting the child in the secret, thus enrolling the child in the guilt and shame surrounding the abuse.

In spiritual communities students may be given special favors and told not to tell the other students for fear of incurring jealousy. The teacher may ask the student to do something that may on the surface appear unethical but is necessary to further the practice. The student overrides his/her unease with rationalization that the teacher has a clearer perception of what is correct to do.

How to get a child not to tell

Child abusers threaten the child, saying, "If you tell . . . I will go to jail/you will go to jail/you will be taken away from the family and put in a foster home/I will kick you out on the street/it will kill your mother/I

will kill myself/I will kill you (or your sister or your pet or your grandparents)/I will be angry/I will take away all your privileges/ your mother will leave me/you will never see me again. Often the words are not spoken but the child knows that these things will happen if they tell.

How to get a student not to tell

Say, "I will go to jail/you will go to jail/you will be removed from the sangha/ I will kick you out/it will kill my wife (your husband, the sangha)/it will ruin my reputation/it will ruin your reputation/I will no longer be able to teach/you will no longer be able to teach/I will be angry/I will take away all your privileges/my students will leave me/your family will disown you/you will never see me again/you will never have access to the true teaching again/you will never get enlightened/you will be cast into Vajra hell. Often the words are not spoken but the student knows what will happen if they tell.

Some people have objected to my saying that abuse by teachers of an adult student is akin to child abuse. It is true, as they argue, that most children are completely unable to leave their abusive parents or find new parents on their own, while students of the dharma have more ability to leave an unethical teacher and find another. And it is true that some dharma students have left an abusive teacher promptly.

Many students who have been abused, however, tell me that they felt utterly helpless. Their teacher had convinced them that the only hope they had for enlightenment or for "working out bad karma in this lifetime" lay in unquestioning devotion to that particular (uniquely highly enlightened) teacher. Many students had given up jobs, severed family ties, surrendered financial assets and even owed the teacher or spiritual organization money for retreats or classes. They felt the same emotions characteristic of abused children, love and gratitude for the teacher and the benefits of the practice, distress over the abuse, guilt that somehow they are unworthy and to blame for the abuse, and helplessness about escape. The helplessness occurs because they have cut off ties to "the world" and thus often do not have financial resources or family support to give them perspective on the situation or the aid they may need to extricate themselves.

Child abuse and spiritual abuse are not a new phenomena. What is new is the increasing recognition worldwide that children and people of lesser power have rights that those who are more powerful should protect. We have seen that children thrive with love and appropriate guidance, but grow twisted with abuse. The Buddha preached a

message of love and appropriate guidance, not abuse and exploitation.

It is the duty of the teacher to ask, "Am I doing this for the student's benefit or for my benefit?" Who is being served if a student is being French kissed by a teacher during an interview? One good test is whether the teacher would apply the behavior to most or all students. Do the old women, fat women and male students get French kissed too? Another good test is whether this behavior is consistent with what the Buddha taught, with the ten precepts and the ten commandments. Could our behavior be exposed, as it was in the time of the Buddha, to the scrutiny of the sangha?

Jan Chozen Bays is resident teacher for the Zen Community of Oregon, a group of lay practitioners who work to actualize practice in everyday life. She was ordained as a priest in 1977 and received Dharma transmission from Maezumi Roshi in 1983. Chozen is continuing to deepen her own practice by studying with Shodo Harada Roshi of Sogenji Monastery in Japan. She is a wife, mother, and pediatrician working in the field of child abuse. In 1996 she began counseling with victims of misconduct by Buddhist and Hindu teachers. Dr. Marie Fortune, Zen teacher Yvonne Rand, and Chozen led a retreat for women victims of sexual abuse in September of 1996.

PREVENTING SEXUAL ABUSE OF POWER
by Les Kaye

This is an open letter to women (and their men friends) who are concerned about stories of sexual abuse in Zen communities. Please note that this article refers to sanghas where the teacher is male and the target of sexual abuse is a woman student. While sexual harassment can and does take place when a woman is in a position of power, or when the student is male, incidents involving a male teacher and female student are far more common.

I wonder if you were as surprised as I was when I first heard about sexual abuse in Zen communities in the U.S. And I wonder if you, too, were angry at the extent of this abuse as more and more incidents became known.

At first, I couldn't understand why these men, as spiritual teachers, would pursue sex with their female students. Didn't they know how potentially harmful it could be? I became aware of the magnitude of this problem three years ago, through some letters and a series of newspaper and magazine articles. Since then, I have been involved in exploring the results of two such incidents. The more I learned, the more upset I became. The anger has pretty much subsided, but I am still concerned. Now I have a better understanding of the motivations that lead to such abusive relationships and what can be done to prevent them.

If you are new to Zen practice and are not aware of these scandals, I think you should know that for the past ten years, a number of male Zen teachers have been discovered to be sleeping with women in their practice communities. These intimate relationships have resulted in a great deal of pain, both for individual women as well as for their sanghas. The problem has included both Asian and Western teachers.

It is also important for you to know that the larger Zen community in America does not have a system of checks and balances to govern the behavior of a teacher. We do not have an organization similar to a professional association or a state agency that can investigate a complaint of harassment. So if you feel you have been abused or harmed, your only appeal may be to your sangha.

When seeking a community, what can you do to prevent abuse? First of all, before joining a spiritual community, it is important for you to know yourself, to understand your own expectations. What do you

want from your practice? If you feel any inclination for status, fame, or power that can be granted by the teacher, take it as a warning that you may be vulnerable. And if you feel excitement or deep emotion in your practice, try to recognize if it is for the teacher rather than for the practice itself.

You can use common sense and intuition; you can trust your own ethical judgment. So if you observe an activity in your new community that does not feel ethically OK, you don't have to join in. And you can be skeptical if questionable behavior is justified as "good for your practice."

It is not easy for most people to be objective during the early, exciting days of practice in a new situation, especially if you receive encouragement from a teacher whom you admire. So when you begin to practice, proceed slowly in your emotional investment in the teacher and the sangha. It can be difficult and painful to withdraw from a situation once you have committed yourself to it and once it comes to represent your best interests. So don't be too hasty to bet your spiritual life on one person; it's a good idea to take time to let enthusiasm cool down.

While you are staying aware of your feelings and motivations, you can also watch the teacher's behavior. Does he treat men and women differently? When he makes a mistake, does he admit it and take responsibility for it or does he dismiss it by rationalization? And is he open to feedback and criticism?

Try to understand the teacher's leadership style. Does he maintain personal control of the sangha's activities or does he share power and encourage consensus? Does he tend to favor an "in group" that supports and protects him or does he discourage it and encourage open communication instead?

There are other questions you can ask yourself about the attitude and behavior of the sangha. Does it seem overly dependent on the teacher's opinion, reflected in an attitude that "He can do no wrong"? Is there a "conspiracy of silence" regarding questionable behavior? Is there an attitude of denial when disquieting things occur? Or is there a free and open exchange of ideas and feelings within the sangha? Are there informal peer groups in the community, especially among women, that allow experiences to be shared? Most important: is there a strong feeling that abuse of power will not be tolerated?

What are the members of the community prepared to do to prevent potential abuses of power? Ask them. Does the community have a code of conduct or ethical statement concerning the behavior of teach-

ers, officers, and others in positions of trust? Is there a procedure for dealing with alleged abuses? And has the sangha a provision to call upon advisors outside of the community, if necessary, to prevent a conflict of interest and avoid a "code of silence"?

Men students, as well as women, should be aware that a male teacher may have a tendency to see only men as his equals. So in a spiritual community involving both men and women, the men need to be women's allies, joining them in being watchful for situations that could possibly lead to abuses of power.

In recent years, there has been an increased awareness of the harm created by abusive behavior. Ongoing discussions have begun, both within and between Buddhist groups. It is an encouraging development that will be helpful in preventing future abuses of power.

Les Kaye began Zen practice in 1966 at Haiku Zendo in Los Altos, California. He received monk's ordination from Shunryu Suzuki-roshi in 1971 and is presently abbot of Kannon Do in Mountain View, California. Les combined his Zen practice with a thirty year career at IBM in San Jose, where he was an engineer, salesman, manager, and writer. His recent book, Zen at Work, *(Crown), includes stories of how Zen practice influenced his life and work at IBM.*

II. Ethical Codes from Three Buddhist Centers:

Insight Meditation Teachers Code of Ethics

Insight Meditation teachers from America and Europe have held regular meetings since 1975. Over the years we have become more aware of the responsibilities held by us as teachers and the care that such a role requires. In Asian Buddhism the conduct of teachers who are monks has been governed by 227 vows and strict Asian custom. Now in the West, there is a large Buddhist community led by lay teachers.

All of us recognize that the foundations of spiritual life rests upon our mindful and caring relationship to the life around us. We acknowledge that without monastic vows and Asian customs, we have a need for clear Western lay guidelines. In keeping with this understanding, and for the long–term benefit of ourselves and the community at large, we, as teachers, agree to continue to uphold the five basic Buddhist training precepts we have taught for so long. Furthermore, in the discussions that led to this agreement, we have refined these precepts to make them appropriate to our role as teachers of the dharma at this particular time in history and in this specific cultural setting. As Insight Meditation teachers in the West, we have established the following guidelines for ourselves.

1. We undertake the precept of refraining from killing.
In undertaking this precept we acknowledge the interconnection of all beings and our respect for all life. We agree to refine our understanding of not killing and nonharming in all our actions. We will seek to understand the implications of this precept in such difficult areas as abortion, euthanasia, and the killing of pests. While some of us recommend vegetarianism and others do not, we all commit ourselves to fulfilling this precept in the spirit of reverence for life.

2. We undertake the precept of refraining from stealing.
We agree to not take that which does not belong to us and to respect the property of others. We agree to bring consciousness to the use of all of the earth's resources in a respectful and ecological way. We agree to be honest in our dealings with money and not to misappropriate money committed to dharma projects. We agree to offer teachings without favoritism in regard to students' financial circumstances.

3. We undertake the precept of refraining from false speech.
We agree to speak that which is true and useful and to refrain from gossip in our community. We agree to cultivate conscious and clear communication, and to cultivate the quality of lovingkindness and honesty as the basis of our speech.

4. We undertake the precept of refraining from sexual misconduct.
We agree to avoid creating harm through sexuality and to avoid sexual exploitation or adultery. Teachers with vows of celibacy will live according to their vows. Married teachers will honor their vows and refrain from adultery. All teachers agree not to use their teaching role to exploit their authority and position in order to assume a sexual relationship with a student.

Because several single teachers in our community have developed partnerships and marriages with former students, we acknowledge that such a healthy relationship can be possible, but that great care and sensitivity are needed. We agree that in this case the following guidelines are crucial:

a. A sexual relationship is never appropriate between teachers and students.

b. During retreats or formal teaching, and intimation of further student–teacher romantic or sexual relationship is inappropriate.

c. If a genuine and committed relationship interest develops over time between an unmarried teacher and a former student, the student must clearly be under the guidance of another teacher. Such a relationship must be approved with restraint and sensitivity—in no case should it occur immediately after retreat. A minimum time period of three months or longer from the last formal teaching between them, and a clear understanding from both parties that the student–teacher relationship has ended must be coupled with a conscious commitment to enter into a relationship that brings no harm to either party.

5. **We undertake the precept of refraining from intoxicants that cause heedlessness or loss of awareness.**
It is clear that substance abuse is the cause of tremendous suffering. We agree that there should be no use of intoxicants during retreats or while on retreat premises. We agree not to abuse or misuse intoxicants at any time. We agree that if any teacher has a drug or alcohol addiction problem, it should be immediately addressed by the community.

Ethics Committee

Over two thousand years ago in the *Patimokkha* (Code of Discipline), the Buddha established a clear set of procedures to follow when monks and nuns broke their precepts. In minor cases, these included formal apologies, the admission of misconduct, and the retaking of precepts. In more serious cases a meeting was convened of twenty elders who would discuss the misconduct and set periods of suspension and practices for reinstatement. A second meeting would be required to allow the return of suspended members to the community. In the very gravest cases, monks and nuns were suspended from the order for life.

Just as in monastic life, where these groups of elders are established to deal with problems and misconduct, we recognize the need to establish such a council in our own community to deal with such difficulties. We agree to create an ongoing Ethics Committee on each coast, comprised of four members who are widely respected for their integrity:

1. A teacher (chosen by the teachers)
2. A board member (chosen by the board)
3. A staff member (chosen by the staff)
4. A general community member (chosen by the board).

If a teacher's ethical conduct is questioned, then

1. Members of the community who are concerned are requested to go directly to that teacher to discuss and try to solve the difficulty.
2. If this proves unsatisfactory, or if the issue is of major concern, then the community members are requested to bring the concern to the Ethics Committee, which can be contacted through the Insight Meditation Center offices.
3. The committee will meet with the teacher and/or the concerned party (parties) either together or separately to address and resolve the problem or to decide, if necessary, any steps toward further resolution.
4. For matters of major concern that might require the suspension of teaching at our institutions, the Ethics Committee will consult with the general Insight Meditation teachers' body in jointly setting the best course of action.
5. The Ethics Committee in conjunction with the teachers' body will develop a set of guidelines for responding to ethical problems, based on the monks' rules of order. These guidelines will be made known to the community.

Furthermore, the Ethics Committee, in conjunction with the teachers' body, will also recommend ethical guidelines for staff and board members in the fulfillment of their responsibilities to these organizations.

In creating and further developing these guidelines, we hope to support and include our whole community in a continuing refinement and investigation of ethical living. We do not intend the Ethics Committee to be some kind of moralistic body that seeks out bad teachers or students to punish them. We all jointly hold a responsibility to create an environment of integrity. We invite all students and staff members to help us create this environment and hope that any feelings and concerns can be shared among us all.

We hope that the issues that finally come before the Ethics Committee will be infrequent and easily resolved. By articulating and clarifying the basic Buddhist precepts and our commitment as teachers to follow and refine them, we are honoring a life of virtue and the liberation of all beings. As it is traditionally chanted after the recitation of the precepts:

> The five precepts of nonharming
> Are a vehicle for our happiness.
> A vehicle for our good fortune,
> A vehicle for liberation for all.
> May our virtue shine forth.

Text reprinted with permission from A Path with Heart: A Guide Through the Perils and Promises of Spiritual Life *by Jack Kornfield (Bantam, New York, 1993).*

Ethics Guidelines for Berkeley Zen Center
November 1992

"To avoid all harm, to cultivate good, and to purify the mind—This is the teaching of the Buddhas."

—The Dhammapada

The intimacy of Zen practice, teachers and students, dharma friend and dharma friend, is a source of great joy at Berkeley Zen Center. It is an intimacy based on trust, safety, respect, and true communication, mind to mind. Our sangha jewel is formed of such relationships. The Bodhisattva Precepts serve as our road map along the path of right conduct. We offer the following thoughts not to draw hard and fast lines of behavior or to delineate individual rights and wrongs, but to nurture an atmosphere where people can practice without fear or distraction, where dharma comes first.

Over the years, as we look at ourselves and other practice communities, we have come to understand that great spiritual and psychological harm results from teachers and students becoming sexually involved, violating trusts, or using position for personal gain or manipulation. This harm can easily stain the practice of teacher, student, and the whole community.

Our practice at BZC is warmhearted and close. Fortunately, we have had very few breaches of trust down through the years. But it is important to remember that the intimacy of practice itself brings up sexual attractions and other issues of power and confidentiality. Desires of all kinds arise with our very life. A shadow side is always present. These shadows often deepen our reticence to speak out, and can lead to a wider conspiracy of silence. Rather than allowing desires to control us and feed the flames of suffering, we can try to turn these feelings back to our original intention to awaken with all beings, to practice spiritual friendship at BZC and in the world at large.

When people come to Berkeley Zen Center they can be assured that the teachers—priests and lay practice leaders who offer practice discussion and give dharma talks —have all made several commitments: to practice right conduct in our relationships; to avoid becoming involved sexually with students here; to maintain confidentiality about all personal matters.

While the development of mature, intimate relationships between students can be a strong foundation for our lives, senior students agree to observe a "six month rule:" no sexual relationships between practice leaders, officers, or residents and another who has practiced less than six months at BZC. This has proved to be a helpful guideline. All BZC students are encouraged to live in accordance with the Bodhisattva Precepts and to create a safe refuge where students and teachers together can focus on dharma and learn to respect the boundaries and efforts of all beings.

BZC teachers who work as psychotherapists avoid drawing clients from the sangha. Others who work in the helping professions are asked to be sensitive to the delicate balance between worker and client, and the possible complexity of dual relationships that may arise when both parties practice at the same dharma center.

If you feel the guidelines discussed here are not being observed, or simply wish to share some discomfort, please bring your concerns to the attention of the abbot or one of the senior practice leaders. BZC has an Ethics Committee in place; your questions will be taken seriously and examined according to a principled and confidential process. We hope that diligent inquiry, honesty, compassion, and openness will support our wonderful Zen practice for many years to come.

An outline of process for the BZC Ethics Committee

The ethics committee is a committee of the BZC board, and is responsible to the sangha by way of the board. Its task is to resolve conflicts and promote harmony in the sangha, not to assign blame and mete out punishment.

The committee will consist of five members, with at least three members required to hear any question brought by a sangha member. The BZC ethics statement sets general guidelines for relevant areas of ethical inquiry.

The committee should feel free to seek the advice and participation of the abbot wherever that might be appropriate.

All ethical concerns will be handled seriously and confidentially. Committee members will work out the format of any discussions on a case by case basis after consulting with the individuals involved. Any resolutions or action following evaluation will also be handled on a case by case basis.

For purposes of this document, "practice leader" means anyone who leads classes, gives talks and practice discussion, sits on the practice committee, or holds a practice position (for example, Head Server, or Head *Chiden*) where they are working with or supervising others.

If any ethical issues concerning the abbot should arise, the BZC board will be informed and a respected teacher from our extended dharma family may be invited to participate in the process of inquiry.

Ethical Principles of San Francisco Zen Center

Introduction

The community life of Zen Center is an integral part of our practice and is based on the sixteen bodhisattva precepts. In order to help create a supportive, harmonious and safe environment within our sangha for everyone's practice, we have here outlined the significant ways in which these precepts guide and inform our community life.

The sixteen Buddhist precepts are so intimate a part of Zen practice that they have traditionally been called the "blood vein" of the ancestral lineage. The precepts can be understood and interpreted at many levels. They can be understood as supports for the practice of awakening, as the arena of that practice, and as the expression of awakening itself. While Mahayana precepts are sometimes understood from relative and sometimes from absolute points of view (for example, that the precepts are never fully accomplished or that they are always fulfilled), no Zen practice can exist without basing one's actions on the sixteen bodhisattva precepts.

We note, however, four caveats that will aid in understanding the intended scope of this statement. *First*, these principles have been developed in response to specific historical problems and concerns that have arisen in the sangha. As our community changes and evolves, it may be necessary to modify or add to these principles. *Second*, this statement does not attempt to cover questions of personal conduct that do not have a direct bearing on the community. *Third*, these principles are not intended to limit our understanding or to be a definitive reading of the precepts. *Fourth*, these principles do not supersede specific practice center guidelines; rather, they are intended to complement and support them.

The Three Refuges

The Three Refuges represent the foundation and orientation of our bodhisattva life.

We take refuge in Buddha

In taking refuge in Buddha, we acknowledge the Buddha Nature of all beings. While there are different levels of religious and administrative authority within Zen Center, the sangha recognizes that fundamentally everyone is equally the expression of Buddha Nature.

We take refuge in Dharma
In taking refuge in Dharma, we acknowledge the wisdom and compassion of the bodhisattva way of life. It is through this Dharma that we embody, express and make accessible the teachings of the Buddha as conveyed to us through the lineage of the Soto Zen School by our founder Shunryu Suzuki Roshi and other teachers. Realizing that our understanding and practice of Buddhism is one of many approaches, we also acknowledge and respect all other expressions of the Dharma.

We take refuge in Sangha
In taking refuge in Sangha, we acknowledge the central role that Zen Center community life has in our practice. Because part of taking refuge is the offering of refuge, we aspire to create an inclusive environment for everyone's engagement in the Bodhisattva Way. When our diversity appears to separate us, our practice is to engage in a careful process of recognizing, understanding, and appreciating our differences. In so doing, we affirm and respect our differences and similarities in gender, age, race, ethnicity, sexual orientation, political beliefs, and physical abilities and appearances.

In creating an inclusive sangha, it is essential that we encourage open, ongoing communication among all residential and non-residential sangha members, and that any ethical concerns or conflicts which arise are fully heard and addressed by the Zen Center community in an appropriate forum. To facilitate this, Zen Center members are encouraged to study the religious and communal contexts, reasons, and limits for authority and decision-making at Zen Center.

The Three Pure Precepts
The Three Pure Precepts are inseparable from the bodhisattva practice taught at Zen Center. They represent the aspiration of every bodhisattva.

To do no evil
To do no evil means to refrain from causing harm to oneself, to others, to animals, to plants, to the Earth, to the waters and to the air.

To do good
To do good means to uncover and to act from the loving kindness, compassion, sympathetic joy and equanimity of our awakened nature.

In our effort to live ethically, we embrace and rely upon the time-honored Mahayana practices of confession, repentance, atonement, and reconciliation.

To save all beings
To save all beings means to offer people the opportunity to discover and express their awakened nature. In creating this opportunity, we recognize the importance of maintaining a balance between an individual's negotiation of the Way and Zen Center's collective religious and institutional needs. When there is a perceived conflict between these, the process of open communication and clarification is a practice of "saving all beings."

The Ten Essential Precepts
The Ten Essential Precepts are inseparable from both Buddha Nature and our relations with each other. They are the strands of Indra's Net.

1. A disciple of Buddha does not kill but rather cultivates and encourages life.
This precept expresses the bodhisattva's intent to live compassionately and harmlessly. When understood in its broadest context, not killing can also be understood as not harming, especially not harming the body or psyche of another. Thus, physical violence and abusive behavior (which includes physical threats, extreme displays of anger and maliciousness) are a kind of "killing." In cultivating life we encourage open inquiry into and discussion of the Dharma and into the sources of religious and institutional authority at Zen Center.

In keeping with the aspiration of harmlessness, all firearms and other weapons designed principally for taking life have no place within Zen Center practice places.

We also acknowledge our role, either directly or in complicity with others, in the killing of other forms of life. As a sangha, when institutional questions of killing animals, plants and insects arise, we must carefully consider our real needs and our bodhisattva-inspired responsibilities to work for the benefit of all beings.

2. A disciple of Buddha does not take what is not given but rather cultivates and encourages generosity.
This precept expresses the bodhisattva's commitment to live from a generous heart rather than from an avaricious mind. At a personal level,

avaricious behavior harms the person who steals; on a community level, stealing can harm or even destroy the opportunity and the environment for Zen practice. Those who handle sangha funds or other assets also have a special responsibility to take care of them and avoid their deliberate misuse or misappropriation, both of which are institutional forms of stealing.

In addition, we recognize that the misuse of authority and status is a form of taking what is not given. Within the complex life of the sangha, various hierarchical levels of authority and seniority play a role in some situations and not in others. It is particularly important that individuals in positions of trust do not misuse their status or authority as a way to achieve special privileges and consideration, or otherwise control or inappropriately influence others.

3. A disciple of Buddha does not misuse sexuality but rather cultivates and encourages open and honest relationships.

The Zen Center Sangha recognizes that sexuality is as much part of the field of practice as any other part of our daily lives. Acknowledging and honoring our sexuality is part of creating an environment where conscious, mindful and compassionate relationships can be cultivated.

Special care must be taken when people of unequal status or authority enter into a sexual relationship. In particular, there are two forms of relationships that can lead to great harm and confusion. Therefore, both are considered a misuse of sexuality within our community.

First, it is considered a misuse of sexuality for an adult within Zen Center to engage in sexual behavior with anyone at Zen Center who is a minor. Full responsibility for avoiding such relationships lies with the adult.

Second, it is considered a misuse of authority, responsibility and sexuality for a Zen Center teacher to engage in sexual behavior with his or her student. If teacher and/or student feel at risk of violating this guideline, they should suspend their teacher-student relationship at least until they have sought counsel with a senior Zen Center teacher. Furthermore, it is considered a misuse of sexuality for a teacher at Zen Center to form a sexual relationship with a former student within six months of the termination of the student-teacher relationship.

Before forming a sexual relationship, all Zen Center priests, head students, or other persons in a formal role that may entail clear advantages of influence in relationship to others should discuss the appropriateness of the potential relationship with a teacher or practice leader.

Particular care must be shown toward new students. We have learned that it takes about six months for a new student to establish the foundation of his or her practice and to understand the complex nature of inter-relationships within the sangha. In order to protect a new student's opportunity to practice we expect anyone who has been at Zen Center longer than six months to consult with a practice leader about a potential relationship with a new student during the first six months of his or her residency at Zen Center.

Everyone coming to Zen Center in any capacity has the right to be free from sexual harassment. Continued expression of sexual interest after being informed that such interest is unwelcome is a misuse of sexuality.

4. A disciple of Buddha does not lie but rather cultivates and encourages truthful communication.

The precept "not to lie" is particularly important for the community life of a practicing sangha. While ethical transgressions can involve any of the precepts, many of these difficulties would not arise were there not an element of deceit involved. Lying to oneself, to another or to one's community obscures the nature of reality and hinders the intention of bodhisattva practice. Within our community life, lying can also entail the deliberate withholding of information.

Open and direct communication is essential in our work and practice together. We are each entitled to straightforward, complete information when we request feedback regarding our behavior, standing or performance within the community. We can expect, upon request, for this to be given by appropriate persons in the spirit of honesty and compassion.

Students at Zen Center should feel that they can fully explore the Dharma and study the self in an atmosphere of trust. Zen Center teachers and practice leaders shall not disclose information they receive in dokusan or practice discussion when confidentiality is requested and agreed to, unless serious harm may result to individuals or to the sangha if the information is not disclosed. Even when there is no specific request for confidentiality, such information is not to be shared casually under any circumstances by either of the people involved in the conversation. In the collaborative teaching process at Zen Center, however, consultation among teachers regarding matters that are not strictly confidential may be appropriate, particularly where residential students are involved. All those who engage in such consultations should make every effort to ensure it is done in a sensitive, fair and respectful manner.

5. A disciple of Buddha does not intoxicate self or others but rather cultivates and encourages clarity.
Bodhisattva practice occurs within the context of clear presence and mindfulness and a state of mind that is not conditioned by intoxicants of any sort. When enough clarity is lost it is all too easy to break the other precepts. Furthermore, it is our intention for Zen Center to be an environment that supports those who are attempting to live without intoxicants.

Therefore, alcohol or drug intoxication within Zen Center is inappropriate and is cause for concern and possible intervention. When any resident of Zen Center is involved in abusive or addictive use of intoxicants, it is important to remember that release from such attachments lies at the heart of Buddhist practice and he or she is expected to seek help with the counsel of a Zen Center practice leader. Because denial is frequently a symptom of addiction, the sangha is encouraged to help addicted persons recognize the need for help.

6. A disciple of Buddha does not slander others but rather cultivates and encourages respectful speech.
This precept arises from a bodhisattva's efforts to build social concord and understanding. False and malicious statements in and of themselves are acts of alienation from oneself and others. The consequence of slander is often pain for others and divisiveness within the community. Where the intention to slander does arise, the effort to understand its roots is an expression of this precept.

7. A disciple of Buddha does not praise self at the expense of others but rather cultivates and encourages self and others to abide in their awakened nature.
While rejoicing in one's own wholesome qualities and deeds is a time-honored Buddhist practice, praising oneself or seeking personal gain at the expense of others arises out of a misunderstanding of the interdependent nature of self. Within the institution of Zen Center it is sometimes necessary to criticize the action of certain individuals or groups; when doing so one should pay particular attention to one's motive and to the specific content of what is said and to whom it is said.

8. A disciple of Buddha is not possessive of anything but rather cultivates and encourages mutual support.
All positions at Zen Center, including that of abbess or abbot, are for the

support of everyone's practice and awakening. Neither the resources of Zen Center nor any position within Zen Center are the possession of any one person. It is not appropriate for anyone, especially a teacher, to use his or her relationship to Zen Center for personal gain or fame at the expense of the sangha or the practice-intention of its members.

In the spirit of non-possessiveness, decision-making bodies at Zen Center should make decisions in a cooperative and accountable manner, and with a wholehearted effort to consider all points of view. It is particularly important that Zen Center's finances, decision-making structure, and minutes of major decision-making bodies be made available in an accessible and understandable form.

9. A disciple of Buddha does not harbor ill will but rather cultivates and encourages lovingkindness and understanding.
The harboring of ill will is a poison for individuals and for the community. Even more corrisive is the harboring of ideas of revenge. Zen Center sangha members having conflicts or tensions with others or with decision-making bodies should attempt to resolve them with anyone directly involved in a spirit of honesty, humility, and lovingkindness. However, if informal resolution is not possible, mediation should be sought as a way to clarify the difficulty.

10. A disciple of Buddha does not abuse the Three Treasures but rather cultivates and encourages awakening, the path and teaching of awakening and the community that takes refuge in awakening.
As the three treasures are inseparable from one another, awakening informs our practice and our community life; practice informs our community life and our awakening; and our community life informs our awakening and our practice. To abuse any one of the treasures harms the other two.

To acknowledge our transgressions, to seek reconciliation, and to renew our commitment to the precepts is the working of Buddha Nature and re-establishes our place in the sangha. When the sangha is complete, the Three Treasures are manifest.

Procedures for Greivance and Reconciliation
We wish our life within the Zen Center sangha to express our Zen practice and bodhisattva intention. As the bodhisattva path is our heartfelt response to suffering, turning away or skimming over suffering through silence, rationalization, assigning blame, minimizing, feeling self-depre-

cating guilt, or not listening deeply to its causes and conditions are all steps directed away from the bodhisattva path itself. Furthermore, avoidance is a condition for additional suffering.

Thus, when a conflict, grievance, dissonance or violation of the precepts arises in our interpersonal relationships it is essential to attend to it fully. Personally, this involves waking up to our own contribution to the suffering in these situations through understanding our reactions, emotions and attachments. Interpersonally, this involves taking the time to discuss the conflict with the other parties in an attempt to clarify the actual causes, conditions, feelings and responses that come together in a situation.

What follows are guidelines and procedures for resolving conflicts and transgressions within the Zen Center sangha. It is our hope that such resolution take the form of reconciliation—with oneself and with others. Whenever possible, disputes and disagreements should be resolved informally and directly between the people involved. There are many ways, including normal administrative and temple channels, that Zen Center members may attempt informal resolution and reconciliation. In this document, we offer some suggestions and basic guidelines.

We recognize that for certain grievances, complaints and conflicts, informal resolution may not be possible. We offer a formal grievance procedure, available through the Ethics & Reconcilation Council, for such situations. These formal procedures can be used to resolve disputes concerning administrative decisions or actions, and for addressing perceived misconduct of sangha members.

Basic Guidelines for Resolving Conflicts and Disagreements

Although no fixed procedures for informal conflict resolution exist, the suggestions and procedures that follow are intended to give all persons involved in a dispute a chance to be fully heard in an environment of respect and kindness that flows from knowing that there is no fundamental difference between us.

1. Stating the Actual

A crucial aspect of conflict resolution, just as in Buddhist practice itself, is discriminating between our interpretations and opinions of an event and how the event was or is personally experienced. In part, this means not making general statements but rather sticking to the particulars of actual situations and the emotions experienced. It is extremely difficult to have mutual understanding when discussion remains at the level of

interpretation and generalization.

2. Being Heard

It is important that everyone be given an opportunity to be fully heard. This means that everyone be given a chance to recount how they remember the history of a conflict, to state their feelings regarding the conflict, and to explain the goals they have for its resolution. Such statements should be neither defensive nor critical since both approaches tend to preclude deeper mutual understanding. Much conflict arises and is perpetuated through a lack of mutual understanding; taking calm, deliberate, and adequate time to listen to each other is often all that is needed for reconciliation to begin.

3. Restating What Was Heard

To ensure that everyone understands one another, it is useful for each party to briefly restate what the other has said, highlighting the main points. The other party then says whether the restatement is complete and accurate, and makes corrections.

4. Confession

Resolution and reconciliation is greatly facilitated if everyone involved reflects on how they may have contributed to a conflict and then explains this to the other party. Even when one person is primarily responsible, self-reflection, confession, and apology on everyone's part can provide a safer, more trusting, and understanding environment for everyone to be truthful.

5. Facilitation

It is often useful to invite one or more neutral witnesses or mediators to take part in a session of conflict resolution. Such a person may simply be a silent witness, providing a sense of calm and presence or may be an active mediator who helps ensure that each person is given uninterrupted opportunities to speak. This person might also point out the difference between statements of opinion and interpretation and direct statements of how an event or feeling was or is actually experienced. Invited facilitators can be anyone whom both parties respect: e.g., friends, neutral acquaintances, Zen Center practice leaders, directors, members of the Ethics & Reconciliation Council or people within or outside of Zen Center who are trained in mediation.

6. Seeking Advice
In addition to or instead of inviting a facilitator to participate, it can be useful to seek advice for how to work informally with a conflict. Such advice can be received from friends, practice leaders and members of the Ethics & Reconciliation Council.

The Ethics & Reconciliation Council
The Ethics & Reconciliation (EAR) Council has four functions:
1. To provide advice and consultation to anyone with concerns about the ethics of their own or another's conduct. The EAR Council is available to help frame the issues of concern, provide information about possible avenues of conflict resolution and to explain the normal administrative and temple channels for appealing decisions. The Council will maintain confidentiality concerning such consultations (except when disclosure is required by law). If invited and if appropriate, members of the Council are available to mediate disputes.
2. To give thought and direction to classes and workshops on Buddhist ethics for the Zen Center community. This function includes training and education of EAR Council members.
3. To periodically review this document in consultation with the community and to recommend changes, as needed, to the Board of Directors.
4. To administer and oversee the formal grievance process. This function includes convening the formal grievance committee, whose membership is distinct from the membership of the EAR Council.

Membership of EAR Council
Membership of the Council shall consist of seven members appointed by the Zen Center Board of Directors after soliciting nominations from the Zen Center membership. The Board has the option to appoint up to two people to the Council from outside the Zen Center membership. Otherwise, members of the council must be voting members of Zen Center. The Board selects the chairperson.

Of the seven people appointed to the first Council, two will serve for two years, three for three years and two for four years. All subsequent terms will be for three years. Effort shall be made to have the Council membership represent the diversity of the Zen Center membership, including at least one person from each practice center. All members of the Council must have mediation training either prior to joining the Council or provided by Zen Center soon thereafter. Members may serve only two consecutive terms at a time.

Formal Grievance Procedure
A formal grievance procedure is available when informal attempts at reconciliation or the normal administrative and temple channels for grievances have been exhausted or are deemed inappropriate. These procedures are especially designed to resolve 1) situations in which a Zen Center resident, employee or practitioner wants to appeal an administrative decision regarding them personally; 2) situations in which someone believes that a Zen Center resident, employee or practitioner has engaged in significant misconduct or unethical behavior that has not been, or cannot be, adequately addressed by the local directors or practice leaders. These procedures are available to both Zen Center members and non-members.

While reconciliation is an overarching goal within the Zen Center sangha, the prime purpose of the formal grievance procedure is to come to a decision regarding the specific issue or complaint submitted. Most situations requiring a formal grievance procedure contain elements of interpersonal conflict as well. A formal grievance procedure may not be effective for resolving these painful interpersonal issues. If such a resolution is desired, informal and mediated procedures are recommended.

1. Filing a Complaint
If the EAR Council receives an inquiry from someone contemplating a formal grievance complaint the Council must provide them with a copy of Zen Center's *Ethical Principals and Procedures for Grievance and Reconciliation*. To file a complaint, an individual must communicate, in writing, to the chair of the EAR Council. The Council must acknowledge, in writing, receipt of a written complaint within two weeks. This complaint must include

1. a clear statement that a formal complaint or grievance is being filed,
2. the name of the person(s) whose behavior or decisions the complaint concerns,
3. a description of the alleged behavior, sufficient enough to allow a decision by the Council as to whether the complaint is appropriate for initiating a formal grievance procedure,
4. a history of the attempts, if any, to resolve the complaint through informal or normal Zen Center channels,
5. a general statement about the resolution desired.

Until a complaint is accepted by the Council, all information related to

the complaint will remain confidential within the Council except for any disclosure mandated by law.

2. Accepting a Complaint
Having received a complaint, a quorum of at least four Council members must, within thirty days, review the complaint and decide whether a formal grievance procedure is warranted or whether other informal or administrative channels should be attempted first. When at least four Council members agree that informal or administrative channels are exhausted or inappropriate a formal complaint is accepted. If needed, the Council may request further information from the person making the complaint.

Once the Council has accepted a complaint, the Chair must convey its acceptance, within one week, to both the person filing the complaint and the person(s) named in the complaint. As part of this notification, the Council will state its understanding of the issue under inquiry. The person named in the complaint will also receive a copy of the complaint and a copy of *Ethical Principles and Procedures for Grievance and Reconciliation* at this time.

3. Forming a Grievance Committee
Once a complaint is accepted, the chair of the EAR Council will appoint a convener from the Council who oversees the formation of a five-person Grievance Committee. This committee will investigate, issue findings, and render a decision on the complaint.

Each party to a complaint will select one member of the Grievance Committee neither of whom should be considered an advocate for either party. These two members will together choose two additional members of the Committee. The convener will then select a fifth member. Membership on a Grievance Committee is limited to Zen Center members who are current and former elected members of the Board of Directors, current and former directors, former *shusos* and head students, former members of the EAR Council, and may not include current abbots or abbesses. The convener will provide both parties with a list of names of eligible candidates for the Committee.

If the person named in the complaint is a current abbess or abbot, the Grievance Committee will consist of five members, two who are selected by the parties involved and the remaining three selected by the executive committee of the Board of Directors.
The convener or another member of the EAR Council will, as recording secretary, take minutes of the hearings.

The convener, the secretary and the members of the Grievance Committee must all be without actual or apparent bias or conflict of interest. Examples of conflicts of interest include people in intimate relationships with either party, anyone who will potentially benefit or lose from a decision and anyone who has previously been involved (for example, as an administrator or mediator) in the attempted resolution of the dispute. The convener shall be responsible for ascertaining whether potential conflict of interest exists among prospective Grievance Committee members. The EAR Council is responsible for insuring that the convener has no conflict of interest in the matter.

4. Investigation of a Complaint
The convener will schedule and oversee a closed hearing in which all parties are given a chance to present their understanding of the issue under investigation. The hearings shall be conducted in the spirit of the Basic Guidelines for Resolving Conflicts and Disagreements described earlier. The Grievance Committee may question all parties, requesting additional information. If appropriate, further hearings may be scheduled. All parties of a complaint may have a support person of their choice present at the hearing. If desired, the support person may make statements during the investigation.

The Grievance Committee may ask other people to provide information pertinent to the complaint. Such information may be provided in person at a hearing or in writing. All parties will have a full and fair opportunity to respond to all information—oral, written or otherwise—gathered by the committee.

The secretary will document the proceedings, which will be held confidentially for their duration (see Section 5).

5. Committee Findings
When Grievance Committee members are satisfied that they have adequate information, they will review and discuss the case in executive session. However, at its discretion, the Committee may seek non-binding advice from EAR Council members and any pertinent persons. The Committee's decision should be reached by the form of consensus that allows for one person to stand aside, i.e., not agree with the decision but willing to acquiesce. The convener will explain and facilitate the consensus decision-making process of this Committee.

Once a decision has been reached, a majority of the members of the Grievance Committee shall reconvene within two weeks with the parties involved. At that time, the Grievance Committee shall hand out

copies of its written findings and read them aloud.

The Committee is authorized to resolve a grievance in any manner that it regards appropriate, as long as it does not exceed the lawful authority of Zen Center as an institution. If the Grievance Committee is unable to reach a decision, they may recommend the formation of a new Grievance Committee to re-hear the case.

The Appendix of this document is available to the Grievance Committee as a partial list of the kinds of decisions it may make.

It is the responsibility of the EAR Council, as a standing committee of the Board of Directors, to ensure that a Grievance Committee's decision is carried out.

In deciding a case, the Grievance Committee must decide what persons, if any, besides the parties involved shall be informed about the case or aspects of the case. Unless there is a request for continued confidentiality, all records, information, and decisions concerning the case will become public at the conclusion of the hearings. If there is a request for such confidentiality, the Grievance Committee will decide if and how long the records will be held in confidence.

6. Appeals

Either party has the right to appeal a Grievance Committee action within thirty days of receipt of the notification of the Grievance Committee's decision.

Appeals are made to the chair of the Board of Directors, who, in consultation with the Executive Committee of the Board of Directors, appoints an Appeal Committee of three members from among the Council of Elders, Board of Directors or past members of the EAR Council, none of whom should have been involved previously with the case. The Board chair shall consider any objections to the membership of the Appeals Committee by any of the parties involved and make reasonable efforts to appoint substitute members, when appropriate.

The Appeals Committee shall review the findings and the appeal arguments to decide whether or not the decision of the Grievance Committee should be upheld or whether or not a new Grievance Committee should be formed to re-hear the case. Normally appeals will only be granted if there is evidence of bias and/or procedural irregularities, or if new information not previously available comes to light. The decision of this second Grievance Committee is considered final.

7. Reconciliation

If appropriate, once a Grievance Committee has reached a decision, the convener will separately make non-binding recommendations to both parties on steps they may take toward reconciliation among themselves and, if necessary, with the Zen Center sangha. While Zen Center places high value on reconciliation, we realize that in extreme situations it may take considerable time before such a process can begin.

Partial List of Possible Resolutions by a Grievance Committee

This partial list of possible resolutions is intended to encourage open-minded and creative decisions by the Grievance Committee.

1. Mediated resolution of the matter (assuming that the parties involved are willing).

2. A finding of no ethical breach while acknowledging the existence of a problem which needs resolution elsewhere.

3. Reversal of an administrative decision or action.

4. Private and mediated apology.

5. Reparation, to the extent possible, to the person who made the complaint and/or to the community.

6. Follow-up meetings with the person's teacher, abbot, *tanto*, practice leader, practice committee or any combination of the above.

7. Psychological therapy or participation in a recovery process (i.e., a drug or alcohol recovery program, or a 12-Step program) specified by the Grievance Committee.

8. Recommended education or training in certain issues or skills. This can include various Zen Center bodies that the Grievance Committee feels lacked skills or were negligent or ignorant in originally dealing with the complaint in question.

9. Private reprimand.

10. Public censure. The findings and action of the Grievance Committee, as well as the reprimand, are made public to the community.

11. Apology to the Zen Center community or membership.

12. Period of probation, with probationary terms set by the Grievance Committee or some other Zen Center body deemed appropriate to this particular case.

13. Suspension or dismissal from certain positions of responsibiliy within the Zen Center community.

14. Suspension from Zen Center for a stipulated period of time. Such a suspension should stipulate both the conditions by which a person may re-enter the community and the person(s) within Zen Center who will be responsible for deciding whether those conditions have been fulfilled.

15. Limiting the decision simply to whether on not an ethical transgression occurred and then forwarding this decision to the appropriate administrative or practice leadership for further action.

As long as the practitioners hold regular and frequent assemblies, as long as they meet in harmony, depart in harmony and carry on their affairs in harmony, as long as they honor and respect the elders within the sangha, as long as they do not fall under the influence of craving, as long as they preserve their personal mindfulness, so that in the future the good among their companions will come to them, and those who have already come will feel at ease with them, as long as the practitioners hold to these things and are seen to do so, they may be expected to prosper and not decline.

—The Buddha
Parinibbana Sutta

from The Center for the Prevention of Sexual and Domestic Violence Training Manual

Guidelines Concerning Policy & Procedures
Effective intervention is based on policies that clearly state the boundaries of ministerial conduct—what is and what is not appropriate behavior for clergy and other ministers in their relationships with congregants, clients, employees, students, and staff members—and clear, fair procedures for adjudicating complaints and disciplining ministerial abusers, in addition:

1. Policies and procedures should be publicized at the congregational and denominational levels and in seminaries, in the context of an educational presentation. It is especially important that the procedures for making complaints be publicized and readily available to church/synagogue members.

2. Procedures must be clear enough for church/synagogue members, who may not be experts on legal or administrative procedures, to be able to understand and to follow.

3. The ultimate test of any policy or procedure concerning sexual abuse in the ministerial relationship should be how it feels to victims and survivors: does it communicate a clear understanding of the problem and help make justice for them?

4. It is crucial that survivors be included on any committee charged with writing policy and procedures concerning sexual abuse in the ministerial relationship.

5. If criminal charges are filed, cooperate with investigation. Do not try to shield an accused minister from investigation.

6. If the accused is acquitted by the court, this is not a reason to cease ethics investigation or disciplinary action.

When in doubt, ask yourself:
How will this action/inaction affect the victim(s)?
How will it help make justice?

A Checklist for a Draft of Policy and Procedures

1. Do you have a policy statement clearly indicating the conduct considered unethical by the judiciary?

2. Does your procedure:
   -designate a person in advance to receive the initial complaint?

   -for complaints involving the abuse of children, designate in advance a person to report the alleged abuse to legal authorities?

   -designate in advance a committee to hear the allegation as quickly as possible?

   -provide for the committee to meet with the complainant and hear his/her story?

   -request a written complaint from the complainant?

   -provide for the committee to meet with the accused minister and the complainant?

   -request a written response from the accused?

   -provide a means to inform the complainant of the accused's response?

   -avoid asking the complainant to meet with the accused minister unless she/he requests such a meeting?

   -provide a means to notify the local congregation for agency leadership of the complaint, the procedure and timeline?

   -provide a means to suspend the accused minister (required or optional) with pay and without prejudice during the investigation process?

   -designate persons to investigate the complaint actively?

   -designate the committee which shall adjudicate the complaint (i.e. determine the veracity of the complaint)?

-if the complaint is not substantiated, provide a means to exonerate the minister?

-if substantiated, provide a means to discipline the ministerial abuses?

-provide for gradations of discipline in order to respond appropriately to the circumstances?

-delineate an appeals process which the accused minister can employ?

3. Is your judiciary committed to:
   -a presumption of innocence until the accused is proven guilty?

   -preserving the privacy of the complainant(s) throughout the process and beyond unless they request otherwise? (To disregard the complainant's privacy is to re-victimize him/her.)

   -keeping careful records of all actions and conversations?

   -passing along determinations to the denomination?

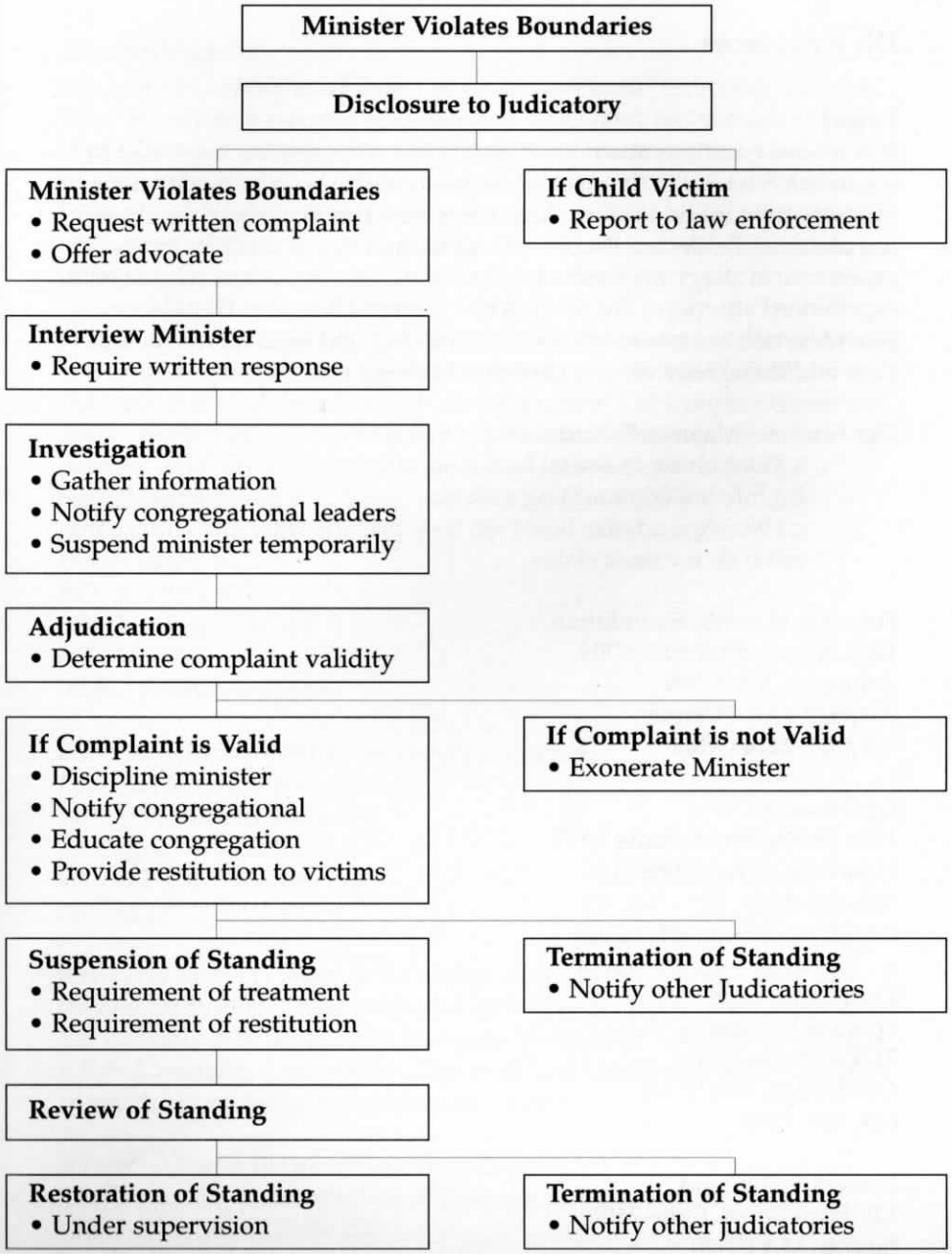
   -avoidance of negotiation or making deals with ministerial abusers?

   -using the policies and procedures rather than attempting to "settle this quietly"?

   -notifying the congregation/agency of the determination of the complaint including the nature of the complaint and the consequences imposed on the minister?

The Center for the Prevention of Sexual and Domestic Violence is an international nonprofit organization headquartered in Seattle, Washington. Founded in 1977 by the Rev. Dr. Marie Fortune, the Center is an interreligious resource addressing issues of sexual and domestic violence. Its goal is to engage religious leaders in the task of ending abuse, and to serve as a bridge between religious and secular communities, with an emphasis on education and prevention.

Flowchart of Procedures for Adjudicating Complaints



III. Resources

Legal

If you have questions about your legal rights or issues, it is important to consult an attorney in the state where you live. Laws on misconduct vary by state and it is best to consult attorneys who practice where the abuse has occurred. Below is a list of some attorneys who, in addition to having experience in clergy misconduct in their state, may be able to refer to other experienced attorneys. The first referral, Feminist Majority Foundation, provides state by state resources for counseling and legal representation. Each additional referral has experience in clergy misconduct.

The Feminist Majority Foundation provides:

a.) Definition of sexual harassment.
b.) Information on filing a claim.
c.) No legal advice, however, they provide legal and counseling referrals for most states.

Feminist Majority Foundation
1600 Wilson Blvd. Suite 704
Arlington, VA 22209
703/522-2501 Hotline
703/522-2214 Office

Carl Varady
1164 Bishop Street, Suite 1205
Honolulu, Hawaii 96813
818/523-8447
Email: moonbeam@lava.net

Linda Jorgenson
Spero & Jorgenson, P.C.
24 Thorndike Street
Cambridge, MA 02141
617/491-1200

Pamela Sutherland
125 High Street, Suite 2601
Boston, MA 02110
617/478-4944
Email: pams@tiac.net

Psychological

It is of great benefit to be heard, even if there is no resolution. To have someone listen, a witness who sees and hears, and has enough experience to listen, can be invaluable. Below are a few resources who can also provide other referrals. When choosing a therapist, it is important to find one with whom you connect. Initial consultations are often provided to determine if there is an appropriate fit between the client and therapist.

Peter Rutter, M.D. is a psychiatrist with professional expertise in sexual and boundary issues. He has written two books on this subject: *Understanding and Preventing Sexual Harassment: The Complete Guide* and *Sex in the Forbidden Zone: When Men in Power—Therapists, Doctors, Clergy, Teachers and Others—Betray Women's Trust*. He has also compiled a Sexual Harassment Resources web site: <www.bdd.com/rutter>.

Peter Rutter, M.D.
P.O. Box 590843
San Francisco, CA 94159
415/346-3450
Email: pr@itsa.ucsf.edu

For a state by state list of counseling resources:
Feminist Majority Foundation
1600 Wilson Blvd. Suite 704
Arlington, VA 22209
703/522-2501 Hotline
703/522-2214 Office

Reverend Marie Fortune is the author of *Is Nothing Sacred? When Sex Invades the Pastoral Relationship* and *Love Does No Harm*. The Center for the Prevention of Sexual and Domestic Violence provides counseling, referral, training, intervention, literature and videotapes on clergy misconduct, sexual assault, and domestic violence.

Reverend Marie Fortune, Executive Director
The Center for the Prevention of Sexual and Domestic Violence
936 N. 34th Street, Suite 200
Seattle, WA 98103
206/634-1903
www.cpsdv.org/

Dharma

The Sangha is an important part of Buddhist practice. These resources include teachers from several Buddhist traditions who familiar and experienced in working with misconduct issues. They may also provide other dharma referrals, in addition to providing immediate support.

Jan Chozen and Laren Hogen Bays
Larch Mountain Zen Center
P.O. Box 310
Corbett, OR 97019
503/695-2103
Email: 73757.3712@compuserve.com

Yvonne Rand
1821 Shoreline Hwy.
Sausalito, CA 94965
415/388-5572

For Vipassana practitioners:
Spirit Rock Meditation Center
Sylvia Boorstein, Head of Ethics Council
P.O. Box 909
Woodacre, CA 94973
415/488.0164

For Vipassana practitioners:
Insight Meditation Society
Guiding Teachers Council
(Joseph Goldstein, Sharon Salzberg, Larry Rosenberg)
1230 Pleasant St.
Barrie, MA 01055
508/355-4378

Buddhist Peace Fellowship
Alan Senauke
P.O. Box 4650
Berkeley, CA 94704
501/655-6169
Email: bpf@bpf.org

Lama Surya Das
Dzogchen Foundation
P.O. Box 734
Cambridge, MA 02140
617/628-1702
Contact person: Lucy Duggan

Clergy Abuse Survivor Resources & Networks

CASSANDRA
Clergy Abuse Survivors
128 E. Olin Avenue
Madison, WI 53712
Laura Nyberg-Comins
608/271-6743

Clergy Abuse Survivors Alliance
5490 Judith Street #3
San Jose, CA 95123
Mollie or Diana
408/365-7288

CSCA
Connecticut Survivors of Clergy Abuse
190 Norton Ave.
Darien, CT 06820
Patricia Copeland
203/655-9988

Alban Institute
Suite 433 North
4550 Montgomery Avenue
Bethesda, MD 20814
800/486-1318

Brief Bibliography

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Robert Aitken,*The Practice of Perfection: The Paramitas from a Zen Buddhist Perspective* (Counterpoint, Washington, D.C., 1997).

Robert Aitken,*Original Dwelling Place: Zen Buddhist Essays* (Counterpoint, Washington, D.C., 1996).

Clergy Misconduct: Sexual Abuse in the Ministerial Relationship (Center for the Prevention of Sexual and Domestic Violence, Seattle, 1992).

A Clergy Abuse Survivor's Resource Packet (Center for Women and Religion, Berkeley, CA, 1992).

Rev. Marie Fortune, *Is Nothing Sacred? When Sex Invades the Pastoral Relationship,* (Harper and Row, San Francisco, 1989).

Jack Kornfield, *A Path with Heart: A Guide Through the Perils and Promises of Spiritual Life* (Bantam, New York, 1993).

Thich Nhat Hanh, et al., *For A Future To Be Possible: Commentaries on the Five Wonderful Precepts* (Parallax Press, Berkeley, California, 1993).

Peter Rutter, *Understanding and Preventing Sexual Harassment: The Complete Guide* (Bantam, New York, 1997).

Peter Rutter, *Sex in the Forbidden Zone: When Men in Poewer—Therapists, Doctors, Clergy, Teachers and Others—Betray Women's Trust* (Fawcett Crest, New York, 1991).

Hammalawa Saddhatissa, *Buddhist Ethics* (Wisdom, Boston, 1997).

Articles on sexual misconduct, ethics and related subjects frequently appear in *Turning Wheel,* the Buddhist Peace Fellowship's quarterly journal. Specific TW issues that focus on these concerns were published in Spring 1996, Summer 1996, Spring 1991, and Summer 1991. They are available for $5 per copy from Buddhist Peace Fellowship, P.O. Box 4650, Berkeley, CA 94704.

About Buddhist Peace Fellowship

BPF seeks to awaken peace where there is conflict, bring insight to institutionalized ignorance, promote communication and cooperation among sanghas, and in the spirit of wisdom, compassion, and harmony, offer practical help wherever possible. Members are involved in disarmament work, environmental and human rights, including campaigns that oppose oppression of Buddhists in Bangladesh, Burma, Vietnam, and Tibet. We cooperate closely with our friends at the International Network of Engaged Buddhists (INEB) in Thailand. Other BPF-sponsored work includes:

- BASE (Buddhist Alliance for Social Engagement): our innovative Buddhist volunteer/practice program
- Teaching retreats and conferences
- BPF Prison Project
- Letter-writing campaigns for human rights
- Work with refugees from struggling countries
- Participation in vigils and demonstrations
- Education and support to live simply, conserve energy, and resist harmful products and policies
- Resources and guidelines to address issues of abuse within Buddhist communities
- Buddhist social analysis, addressing race, gender, and class issues

Statement of Purpose

- To make clear public witness to Buddhist practice and interdependence as a way of peace and protection for all beings
- To raise peace, environmental, feminist, and social justice concerns among North American Buddhists
- To bring a Buddhist perspective of nonduality to contemporary social action and environmental movements
- To encourage the practice of nonviolence based on the rich resources of traditional Buddhist and Western spiritual teachings
- To offer avenues for dialogue and exchange among the diverse North American and world sanghas

Joining BPF

Becoming a member of BPF requires only a commitment to the spirit of our purpose. Members receive a subscription to *Turning Wheel*, and are welcome at all BPF national and chapter activities. Membership is not contingent upon active status in any Buddhist organization.

You are invited to support the Buddhist Peace Fellowship and subscribe to *Turning Wheel*. For more information, please see our web site at <www.bpf.org/bpf>.

Regular	$35
Out of U.S.A.	$40
Sponsor	$50
Donor	$75
Supporter	$100
Sustainer	$250
Simple Living/Low Income	$20
Two Years	$65

Contributors of $75 or more for one year will receive a copy of the revised edition of *The Path of Compassion: Writings on Socially Engaged Buddhism*. Foreign members, please pay with international money orders in U.S.$ or with checks drawn on U.S. fund accounts. Please make checks payable to Buddhist Peace Fellowship in U.S. dollars. Mail to:

Buddhist Peace Fellowship
P.O. Box 4650 Berkeley, CA 94704
510.655.6169/Fax 510.655.1369