

November 27, 2018

Dear Geeta, Prashant, and Abhijata,

Thank you for your thoughtful letter of November 15 and for your guidance, which we greatly appreciate. As you have requested, we have revisited the situation with a clear and calm head and write to provide our reconsidered views.

We acknowledge that Manouso Manos is part of our family. We appreciate his great skill as a teacher and healer and his unquestioned dedication to Guruji. We have not assumed that he is guilty. Nor are we seeking to further tarnish his reputation. By hiring the investigator, we hope to learn the truth through an impartial process and to deal with that truth through compassion and detachment.

We want to shed more light on the complex factual and legal background to this controversy. Our hope is to reach a common understanding by addressing (1) the events that led to the decision of the IYNAUS Board of Directors to require the independent investigation and (2) the legal and ethical requirements that govern IYNAUS, its board members, and other United States citizens.

Foremost, we ordered an independent investigation because we determined that our Ethics Committee cannot resolve claims against Manouso consistent with Due Process. The members of our ethics committee (and virtually all members of our community in the US) have conflicts of interest under U.S. law because of the strong appearance that they cannot impartially decide complaints against Manouso. The Ethics Committee decision on Ann West's complaint also did not consider much relevant evidence, and it departed from standard procedures in other respects. These aspects of the decision reinforced the strong appearance of impropriety. We did not "reopen" that decision. Ann West had appealed the decision, and we decided her appeal by requiring an independent investigation of the issues she raised.

In addition to Ann West's charges, other credible allegations of serious sexual misconduct have been made against Manouso and have been presented to us. Under U.S. law, we could not ignore these allegations, and we are required to have an independent investigation of them as well. If we failed to act, IYNAUS and its board members could face civil and criminal investigations and sanctions.

For example, as a nonprofit charitable corporation under U.S. law, IYNAUS owes legal duties to our members, who are overwhelmingly students of Iyengar Yoga. We are legally required to make decisions for the sole purpose of advancing the best interests of our members in the U.S. So the family members that we must go out of our way to protect also include our many students. Because we received credible allegations that some of these students have been abused and that other students could be at risk, we believe that it was and is our legal duty to investigate these allegations.

We are also subject to the ethical standards and norms that govern institutions in the U.S. We exist in a culture in which there are constant threats of regulation of yoga teachers and yoga studios by state legislatures and others. We exist in a culture in which students and the public demand maximum protection against sexual misconduct. To maintain our independence and our credibility in our culture, it is imperative that we demonstrate to decision makers in state and federal government and to the public that we regulate ourselves effectively in accord with the best practices of other leading institutions in the United States. Those best practices include conducting independent investigations whenever there are credible allegations of sexual misconduct by powerful members of a community, and many leading institutions of the U.S. have required such investigations in just the last year for that

reason. Also, the Iyengar Yoga community in the U.S. includes experts on the *Yoga Sutras*, other college professors, actors, musicians, engineers, physicians, scientists, artists, lawyers, businessmen, and leaders of important commercial and nonprofit enterprises, and they expect us to follow the best practices of institutions in our country.

We do not assume Manouso's guilt. To the contrary, we commissioned the impartial independent investigation for a single purpose: to determine the truth about the many allegations that have been made. Nor did our good faith decision to comply with our legal duties tarnish Manouso's reputation. His reputation was previously tarnished by articles in the press and social media and by gossip, rumors, and innuendos which pervade our community and our nation. We required the investigation in response to this publicity and to the specific allegations made to us. If Manouso is innocent, the only way credibly to clear his name and to remove the stain is to continue this impartial independent investigation. Conversely, if he is found guilty, it will provide important information to us.

Additionally, we believe the independent investigation is necessary to protect the reputation of Iyengar Yoga and the name of B.K.S. Iyengar in the U.S. It will assure our membership and all students that we enforce our ethical guidelines against all Certified Teachers, and that we are seeking to assure that all students are safe and free from non-consensual sexual touching in our yoga classes. In our judgment, it could have destroyed Iyengar Yoga in the United States if we had refused to conduct an independent investigation in order to protect a senior member of the Iyengar Yoga family. In our judgment, it is almost certain that it would destroy Iyengar Yoga in the U.S. and likely in other countries in the West if we were now to terminate the independent investigation of Manouso on these grounds.

Here is a brief chronology of the relevant events.

1. On September 7, a widely publicized press article discussed sexual misconduct by Manouso and others. It stated that Manouso admitted extensive and serious sexual misconduct in the 1980s, and it suggested that the misconduct continued thereafter without any response from the Iyengar Yoga community. On September 12, we sent the IYNAUS membership a letter explaining that Guruji had addressed the situation in 1990, ordered remedial action, and said that Manouso would not get a second chance if the conduct recurred. These factual statements were first reviewed by Patricia Walden, Gloria Goldberg, Manouso, and others.
2. The September 12 letter also explained that, after IYNAUS was formed on January 1, 1992, there was not a single formal complaint alleging improper sexual touching by Manouso until the Ann West Complaint was filed in March 2018 (based on events occurring at a 2013 workshop). The September 12th letter invited IYNAUS members to submit comments on steps that we could take to prevent sexual abuse in our community.
3. Between September 12 and October 30, we received well in excess of 150 reports relating to these issues, with most written but several oral. Many were supportive of Manouso. Many others made credible allegations that he has abused his position by making sexually inappropriate adjustments. Based on these and other reports, we believed that there were many other individuals who would come forward if given an opportunity to do so safely and that some would allow their identities to be revealed. Finally, we also learned that rumors of such sexual misconduct by Manouso have been circulating in our community for many years.

4. The oral and written reports convincingly explained that the victims of the misconduct and many witnesses were afraid to file formal complaints because Manouso has immense power in the U.S. and worldwide Iyengar Yoga community and because they feared retaliation and reprisals by him and others in our community.
5. On September 19, the Ethics Committee issued a decision on Ann West's complaint against Manouso. It concluded that there was not sufficient evidence to find willful misconduct. This decision was then widely criticized by journalists and by members of our community on the ground that the Ethics Committee had a "conflict of interest" under the governing legal standards in the U.S. In particular, because of the seniority, influence, and power of Manouso in our community, reasonable persons would believe that the members of the Ethics Committee were biased in Manouso's favor, and there was thus a serious appearance of impropriety when our Ethics Committee investigated and decided the complaint. Also, compounding the appearance of impropriety was the fact that one of the members of the Ethics Committee was a regular student of Manouso and she participated in the investigation and decision of the complaint without disclosing her conflict and giving the parties an opportunity to object. These and other features of the decision violated basic requirements of Due Process.
6. Also, the Ethics Committee investigation and decision was not thorough and appeared to reflect a bias in favor of Manouso. For example, before the Ethics Committee decision was issued, the Ethics Chair was sent an email from an individual who attended the 2013 workshop at issue and who reported that she witnessed one of the adjustments that was claimed to be improper. But she was not interviewed, and the Ethics Committee decision erroneously stated that there were no eye witnesses. Other eyewitness have since been identified.
7. In its investigation, the Ethics Committee also did not interview either Manouso or his accuser and thus did not follow the standard procedures in the U.S. in sex abuse investigations. In addition, the Ethics Committee decision recited that it was applying a legally improper standard of proof that unfairly favored Manouso. All these factors caused many community members and many influential members of the public to conclude that the Ethics Committee had in fact been biased in Manouso's favor. This made the appearance of impropriety even more manifest, and underscored that the Ethics Committee decision was not credible.
8. Because of this appearance of impropriety, two leading scholars on the *Yoga Sutras* and scores of distinguished members of the Iyengar Yoga community urged IYNAUS to require independent investigations. A letter urging independent investigations was signed by Edwin F. Bryant, Frederick Smith, Stephanie Quirk, Lois Steinberg, Joan White, and 48 other leading members of our community. Kristin Chirhart separately urged an independent investigation. In addition, many other community members urged an independent investigation in emails sent to IYNAUS board members. Still more IYNAUS members urged an independent investigations in conversations with IYNAUS Board members or in meetings that were organized for the purpose of discussing these issues. We believe that the vast majority of IYNAUS members wanted an independent investigation. The IYNAUS President also consulted with four different legal

experts, three different public relations experts, and three different consultants who advise U.S. not-for-profit corporations. All stated that IYNAUS should have an independent investigation because the Ethics Committee had a conflict and its decision was not credible

9. At our board meeting on October 6, 2018, the IYNAUS Board unanimously voted to require an independent investigation of the Ann West complaint, with several members recused. To be clear, we did not “reopen” the Ann West complaint case. There had not been a final decision, and the case was still pending because Ann West had appealed the decision. Thus, on October 6, we decided the appeal, reversed the Ethics Committee decision on the ground that it had a conflict of interest, and decided to require an independent and impartial investigation and decision. This was explained in our October 10, 2018 letter to the IYNAUS membership.
10. We also determined that the independent investigation should not be limited to Ann West’s complaint, but should include any other allegations of sexual misconduct against Manouso. As noted, many such allegations were made in response to the September 12 letter, and there were credible reports that many other victims and witnesses would come forward if they were assured that they could safely do so. We wanted to prevent a situation in which complaints involving past periods would trickle in and require a series of future independent investigations.
11. Thus, we formulated a single overriding goal for this independent investigation: to use it to put an end, once and for all, to the allegations, rumors, and innuendo about Manouso that have poisoned the U.S. Iyengar Yoga community from within and from without for far too long.
12. Towards that end, we requested that ANY allegations of sexual misconduct by Manouso since IYNAUS’s formation be submitted by November 30, so our independent investigator can determine if any can be substantiated. This request obviously covers a long time period, and it is the case that when events are more distant in time, it can affect the reliability of information about them. However, there is no statute of limitations in our ethical guidelines. We cannot categorically decide that allegations from particular past periods are too remote to be substantiated. That determination cannot be made unless and until the investigator knows (1) what the allegations are, (2) the quality of any substantiating information, and (3) the response of the accused. These determinations cannot be made in a vacuum and in the abstract.
13. The independent investigator that we chose (Bernadette Sargeant) has excellent credentials. She formerly served as an investigator on the Ethics Committee of the United States Congress and in the Office of Professional Responsibility of the United States Department of Justice. While she was one of several individuals recommended to us by the Executive Director of Yoga Alliance, we did not just accept his recommendation. We would never blindly defer to anyone outside the Iyengar Yoga community. We interviewed several other people, and we obtained advice and recommendations from many other individuals. On these bases, we independently determined that Ms. Sargeant is the best person for the job.

14. We also wish to clarify how “anonymous” information will be handled in the investigation. When we invited individuals to submit emails making allegations going back to 1992, we said that the identity of the sender would not be shared with anyone other than the independent investigator unless the sender consented. In any investigation, even “anonymous” information is valuable because it can corroborate other information and can indicate areas for further investigation. That is the only use that will be made of anonymous complaints in situations when Manouso would need to know the complainant’s name to defend himself and when the sender does not consent to its disclosure. Findings of unethical conduct will not rest on such anonymous complaints. In our October 30 letter to Manouso, we thus said that “whenever you would need to know the identity of the sender to respond to allegations, no reliance will be placed on the email unless the sender consents to revealing his/her identity to you.”
15. Finally, many of Manouso’s supporters have submitted emails expressing concerns similar to those in your letter. We have responded to them by saying the following:

“We ask that our members try at least to give us the benefit of the doubt during these painful and stressful times. Please understand that we have information that others do not. Please understand that we are doing our best to carry out IYNAUS’s mission in these difficult circumstances. Please understand that we are aware that Manouso has passionate supporters and passionate opponents and that we love and respect all of them. Please understand that we have not prejudged anything. Please understand that our objective is that Manouso’s defenders, his detractors, and Manouso himself will all believe that we had a fair and reasonable process when this investigation is concluded. We ask for your patience, trust, and indulgence in the interim.”

We respectfully ask for your support, patience, trust, and indulgence as well. We have now reconsidered the situation with a clear head and a calm mind. We are certain that we are doing what is required by the laws and norms of the United States and that an impartial independent investigation is necessary to protect Iyengar Yoga in our country and to allow us to learn the truth.

With affection, faith, and great respect,

IYNAUS Board of Directors