

Questions related to the Independent Investigation of Manouso Manos

1. Was the independent investigation unlawful? Didn't Manouso have the right to have a court determine who was right?

No. IYNAUS could not have submitted these issues to a court, and the investigation (1) followed the best practices of major US corporations and (2) was consistent with IYNAUS's past practices.

In the U.S., court proceedings occur only when individuals are charged with crimes or when individuals sue one another to recover money or otherwise to remedy violations of the law. Neither was the case here. Here, the question was only whether Manouso violated our ethical standards and should thus be denied the right to use the Iyengar Yoga name and to teach in studios that use it. The investigation – like all ethics complaints – thus affected Manouso's rights to teach in specific locales and conditions.

In the U.S., independent investigations are routinely used to determine these employment rights. IYNAUS followed the same procedures used by major not-for-profit and for-profit US corporations. For example, when allegations of sexual misconduct were recently made against James Levine, the Music Director of the Metropolitan Opera of New York, and Leslie Moonves, the CEO of CBS, the Boards of Directors of these corporations each hired a lawyer to conduct an independent investigation and fired these men when the allegations were found to have been proven.

Also, the Pune Constitution and IYNAUS's rules provide that ethics complaints are not matters for courts, but for informal proceedings in which both the accusers and accused have a right to present evidence. In the past, other CIYTs have had their rights to the Iyengar name suspended or revoked through such proceedings. Therefore, IYNAUS acted in accord with its historic practices as well as the best practices of major U.S. corporations.

2. Was Manouso given the right to learn the identity of his accusers and to tell his side of the story?

Yes. When we announced the investigation, we told Manouso that he had a right to sit for an interview in which he would be told the names of his accusers and could respond to their allegations. Bernadette Sargeant conducted the independent investigation and she made numerous attempts to schedule this interview between December 1, 2018 and March 8, 2019. She then also told him he would have a right to discuss the accusations with his lawyers before responding to questions and to supplement his answers after the interview. See IYNAUS [clarifying statement](#).

But on March 8, 2019, Manouso announced that he would not sit for an interview and resigned from IYNAUS. Manouso knew that this meant that Ms. Sargeant would complete her investigation without hearing his testimony. See [clarifying statement](#).

That was Manouso's choice. Accused parties in independent sex abuse investigations often decline to sit for an interview. For example, that also occurred in the independent investigation that resulted in the firing of James Levine by the Metropolitan Opera of NY.

3. Were Manouso's accusers "anonymous?"

No. Ms. Sargeant's findings were based on the reports of individuals who authorized their names to be disclosed to Manouso. If Manouso had not refused to sit for an interview, he would have been told the names of these individuals and allowed to respond to their charges. When IYNAUS released the [report](#) to its membership, it redacted identifying information for all individuals who had not previously publicized their accusations, but the names of these individuals were in Ms. Sargeant's report.

There were also individuals who provided information confidentially – as permitted by the Pune Constitution – but IYNAUS told Ms. Sargeant, Manouso, and the Iyengars (1) that IYNAUS would only allow this information to be used to corroborate the allegations of the named accusers and (2) that IYNAUS would not allow the information to be used even for that limited purpose if Manouso needed to know any individual’s name to respond to their charges.

But Manouso refused to sit for an interview and neither learned the identify of his named accusers nor showed that he needed additional information to address the accusations of the confidential sources. Consistent with IYNAUS’s instructions, Ms. Sargeant’s report rested her findings about the named accusers and used the other information only to corroborate their accusations.

4. Manouso has reportedly stated that BKS Iyengar taught him each of the adjustments in question and that these were proper adjustments. Is that true?

No. In her report, Ms. Sargeant found that Manouso had “adjusted” sexually sensitive areas. Prashant and Abhijata Iyengar reviewed the report and told us that all the conduct at issue would have been improper in Iyengar Yoga if it occurred, and Prashant and Abhijata authorized IYNAUS to state this publicly, as we did in our [April 5, 2019](#) eblast to IYNAUS members.

We have informed Abhijata and Prashant of Manouso’s recent reported statements that BKS Iyengar taught Manouso the adjustments discussed in the report. Prashant and Abhijata have authorized us to state that BKS Iyengar did not teach these adjustments to them and that, to the best of their knowledge, he also never performed these adjustments and never taught them to anyone.

5. Bernadette Sargeant is neither a CIYT nor an Iyengar Yoga student. Was she qualified to conduct the investigation?

Yes. Prior knowledge of yoga was not required to conduct this investigation. As Prashant and Abhijata have confirmed, the conduct at issue would have been improper in Iyengar Yoga if it occurred. The issue in the investigation was whether these improper adjustments were in fact made and who was telling the truth: Manouso or his accusers. As in almost all the many independent investigations that have occurred since the #metoo movement, this was a classic “he said/she said” situation in which the issue was credibility.

We hired Ms. Sargeant because she is highly trained to make credibility determinations in sex abuse investigations. She was formerly a sex crimes prosecutor in the U.S Attorney’s office in Washington DC. Since leaving the U.S. Attorney’s office, she conducted hundreds of sensitive investigations in Congress, in the U.S. Justice Department, and in private practice. She is widely known and respected as a very skilled investigator.

Her investigation of Manouso required only minimal knowledge of Iyengar Yoga – the names and shapes of the poses, whether it was possible for the alleged improper adjustments to be made, and whether it was possible for unlawful touching to occur without direct eyewitnesses to most of the adjustments at issue. She acquired this knowledge from Guruji’s and Geetaji’s books and confirmed her understanding with a US teacher with an advanced certificate (John Schumacher). The findings in the report are based on standard techniques of determining credibility.

6. Some members of our community have asserted that the independent investigation “was one-sided and designed to find guilt rather than independently investigate the claims in an impartial manner.” They also assert that the investigation responded to statements on social media and was the work of “people in power with a longstanding

agenda to diminish [Manouso].” Are these plausible charges?

No. We required an independent investigation by a third party precisely because Manouso is such a polarizing

figure – with passionate supporters and many detractors --that no one in our community would have appeared capable of impartially investigating the allegations. We hired a lawyer with impeccable credentials and an outstanding reputation for integrity to conduct the investigation. Ms. Sargeant had never heard of Manouso and knew nothing about Iyengar Yoga before she was hired. She thus had no possible bias and was clearly impartial. She made her determinations based on interviews of 38 individuals, and she did not consider reports on social media.

7. Did the police investigate Ann West’s allegations and determine that the evidence did not warrant bringing charges against Manos?

No. The police did not consider the evidence because the Ann West’s criminal complaint was barred by the statute of limitations.

Specifically, Ms. West filed a police report in March 2018 and complained that Manouso touched her inappropriately at a workshop in November 2013, over 4 years earlier. But the statute of limitations for this criminal offense is one year. Thus, as Ms. Sargeant found, Ms. West was informed by the police a week or so after she made her report that the statute of limitations had run and that her allegations would not be investigated. See [report](#) p. 33 & n. 21.

In a telephone call with the IYNAUS President on November 6, 2018, Manouso’s lawyers similarly stated that the police dismissed the complaint on statute of limitations grounds shortly after it was filed without considering any evidence.

8. Was it unfair to Manouso for IYNAUS to publish a redacted version of Ms. Sargeant’s report?

We explained our reasons for publishing the [report](#) in our [April 5, 2019 eblast](#) to our members. For the reasons we stated, we believe it was fair and appropriate to publish the report.

9. Did Ann West violate a confidentiality agreement with IYNAUS when she talked to the KQED reporter?

No. IYNAUS now requires complainants to agree to keep their ethics complaints confidential, but there was no such requirement when Ann West filed her complaint in March 2018. Also, her complaint disclosed that she was in contact with a reporter and that her complaint would be made public, and the IYNAUS Ethics Committee did not tell her that doing so would be improper.

10. In the future, will IYNAUS sanction individuals who file ethics complaints and publicize them?

No. We adopted the confidentiality requirement primarily to protect complainants against retaliation. When complainants do not publicize reports, we can and will presume that the accused party is guilty of retaliation if specific harms occur. The confidentiality requirement also protects some other interests. However, if a complainant nonetheless chooses to publicize a complaint in the future, we will not sanction the complainant for doing so.