

Creating a Faith-Based Conflict Management System

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I. INTRODUCTION

Every organization has to deal with conflicts. Many deal with these conflicts on an ad hoc basis without articulating a standard way to process them. Few seem to go as far as designing a conflict management system (“CMS”), and faith-based organizations (“FBO”) are no exception. While many FBOs have well-developed programs for conciliation, mediation, and scripture-based peacemaking, very few religious communities have taken advantage of the CMS approach to their internal conflicts.¹ I have had the privilege of attempting to create a CMS in conjunction with the International Society for Krishna Consciousness (“ISKCON”).

The first part of this paper describes the previous method of dispute handling in ISKCON, the incompleteness of which served as an impetus to create a CMS. It also covers the various steps taken to create the CMS, the components of the CMS, the special role of the ombudsman, and the challenges encountered. Part Two focuses on the nature of disputes and their causes. A subsection of Part Two samples one particular case, that of the role of women in ISKCON. While this paper concentrates on ISKCON, both because of my familiarity with the organization and my inability to find other FBOs taking a CMS approach, I try whenever possible to apply the principles highlighted here to FBOs in general.

II. CREATING A CONFLICT MANAGEMENT SYSTEM IN A FAITH-BASED ORGANIZATION: ISKCON’S PRE-CMS HISTORY OF CONFLICT-HANDLING

During the life of its founder, Swami Prabhupada, ISKCON’s conflicts were handled mainly through power-based decisions, often

1. Email from Danielle Bloch, researcher, to author (July 4, 2008) (on file with author).

with reference to Vaishnava² theology. In spite of Prabhupada's many requests to his disciples to cooperate and avoid conflict, disputes invariably arose. Major conflicts were handled by Prabhupada himself, while lesser conflicts were settled by members of the Governing Body Commission (GBC—ISKCON's highest managerial body) or by ISKCON's middle management (temple presidents). This was the system he established. After Prabhupada's death in 1977, ISKCON seemed to struggle more to solve its conflicts, primarily due to the natural disaffection that takes place after the loss of a charismatic leader, and because the organization had no developed mechanism for conflict management. Some of the leaders intuitively made interest-based attempts to stave off or contain conflict (without the language to name what they were doing), but power-based decisions by GBC members and temple presidents remained the rule. Rights-based approaches were rare. Alternative dispute resolution was unknown in ISKCON at that time. Jennifer Lynch, Q.C. writes about such a situation: "Often those in positions of power provide no options whatsoever for dealing with conflict—the 'like it or lump it' approach that leaves conflict festering or induces managers and employees to quit."³ ISKCON leaders struggled to find a balance between individuals' needs and the needs of the growing organization, and between mercy and justice.

The authority structure Prabhupada set in place remained strong shortly after his death, and power-based decisions leaned firmly toward a top-down, justice-over-mercy approach. Leaders tended to emphasize the organization's needs over the needs of individual members, and rules were enforced firmly. It was also common for some or all of the rank and file members to be excluded from the decision-making process.

But as the years passed, the leaders began to mature. They were no longer twenty-somethings but had fully entered the adult world, and with their increased maturity they began to perceive the shortcomings in how they had been generally dealing with disputes. They also began to perceive how debilitating it was to deal with conflict without a structure or plan. In 2001 I asked the thirty-eight GBC members, "How many of you spend 25% of your time dealing with conflict?" Nearly all of them raised their hands. I continued to ask the

2. Vaishnavism, the monotheistic branch of Hinduism centered on worship of Vishnu or Krishna.

3. Jennifer Lynch, *Integrated Conflict Management Programs Emerge as an Organizational Development Strategy*, 21 ALTERNATIVES TO HIGH COSTS LITIG. 99, 100 (2003).

same question, raising the percentage each time. There were still hands showing at 50%.

The time was ripe to introduce a conflict management system.

A. *Impetuses to Create a CMS*

“Organizations do not set in motion a . . . shift to new systems unless there is substantial dissatisfaction with the old.”⁴ SPIDR’s *Guidelines for the Design of Integrated Conflict Management Systems within Organizations* states that the “four causal factors that act as catalysts for the design of an integrated conflict management system are culture, cost, crisis, and compliance.”⁵ It is unlikely that the authors of the SPIDR document were thinking of organizations like ISKCON—a volunteer religious community—when writing these guidelines, yet this excerpt from their report covers the primary reasons I proposed to look into dispute resolution in ISKCON.

1. *Cost*

My initial impetus for considering alternative dispute resolution in ISKCON was cost. The SPIDR report describes the cost factor:

The organization is incurring heavy costs from its current disputes and from its current dispute resolution processes (or lack of them). Direct costs include costs of litigating cases externally and processing them internally. Indirect costs include loss of personnel through sick leave or early retirement, loss of personnel to competitors, the costs of new employee recruitment, loss of productivity and opportunity, bad publicity, petty sabotage, waste, theft of intellectual property, increased insurance claims and fees, and customer dissatisfaction or customer loss.⁶

Despite the maturing of its leadership, ISKCON was still spending enormous amounts of time on conflict, and this loss was often compounded by poor outcomes. ISKCON was also seeing several of its members form splinter groups, partially in response to how it was dealing with conflict, especially with those who went on to become the leaders of these splinter groups.

4. DAVID B. LIPSKY ET AL., *EMERGING SYSTEMS FOR MANAGING WORKPLACE CONFLICT* 5 (2003).

5. SOC’Y OF PROF’LS IN DISPUTE RESOLUTION, *GUIDELINES FOR THE DESIGN OF INTEGRATED CONFLICT MANAGEMENT SYSTEMS WITHIN ORGANIZATIONS* 16 (2000) [hereinafter SPIDR].

6. *Id.*

2. Crisis

I was also driven to create a CMS because of the crisis ISKCON was facing at the time. This crisis was not simply a particular event but the culmination of a number of small shocks over a number of years, such as the genesis of splinter groups, moral lapses among leaders, and financial shortfalls. It occurred to me that there must be alternative and sometimes better ways to discipline and manage ISKCON's members, especially when they had conflicts with leaders. It was common for those who had been disciplined to feel scapegoated; many felt they had been treated roughly and without concern for their personal needs. Some of these individuals left ISKCON.

I also noticed that few interpersonal disputes were ever fully resolved. Splinter groups were often populated by those who felt mistreated, and the members of these groups clashed repeatedly with ISKCON's core members. Lawsuits ensued, and splinter groups worldwide canvassed ISKCON members to join their ranks.

3. Culture

When I read the following passage in *The Argument Culture* by Deborah Tannen, I thought it offered insight into ISKCON's conflict culture:

[C]onflicts can sometimes be resolved without confrontational tactics, but current conventional wisdom often devalues less confrontational tactics even if they work well, favoring more aggressive strategies even if they get less favorable results.⁷

If ISKCON could find a healthier way to deal with conflict it could influence the group's overall culture. The SPIDR report describes this factor: "Efforts to effect a cultural transformation have stalled or failed; the organization's internal culture is out of alignment with its mission and core values; the organization's culture is out of alignment with its external services."⁸ ISKCON's teachings of compassion, equanimity, peacefulness, and equality often didn't match the manner in which conflicts were dealt with or justice administered. I hoped that a conflict management system could help ISKCON align its approach to conflict resolution more closely with its espoused values.

B. Finding the Champion

The SPIDR report states:

7. DEBORAH TANNEN, *THE ARGUMENT CULTURE* 23 (1998).

8. SPIDR, *supra* note 5.

At least one senior person must be a visionary who champions the cause of creating a conflict-competent culture through developing and maintaining an integrated conflict management system. The champion's passion inspires others to act. It is this ability to connect others to a vision that often drives the success of a program. Champions are trailblazers who build an integrated conflict management system piece by piece—never losing sight of the difficulty of creating change. They are able to “grow” programs that work, abandon programs that are struggling, and, perhaps most important, identify areas of new opportunity. Champions must be great innovators and good marketers of their ideas, for without effective communication, the “flame” dies.⁹

For a few months I pondered how to introduce effective conflict resolution into ISKCON while addressing the hesitations some leaders might voice. I hadn't read the above quote at that time, but I knew I needed a champion. I questioned whether I could do this work alone.

In June 2002, I was introduced to Arnold Zack, a renowned mediator and arbitrator. After first checking with theology and sociology professors to assure himself that ISKCON was an authentic religious tradition rather than a new cult, he wholeheartedly embraced the idea of introducing ISKCON to conflict resolution. He and I exchanged over a thousand e-mails between June 2002 and June 2003 planning this introduction. He was passionate about the work. He told me it was one of the most significant efforts of his career. After much planning and discussion, he flew to India to make a presentation at the annual meeting of the GBC body on the implementation of what would later become ISKCON's CMS, *ISKCONResolve*. In this presentation, he addressed the benefits the GBC members would derive from establishing a conflict management program, and he was convincing and humorous—the GBC members enjoyed his presentation. It was also the first formal presentation made to the GBC by someone who was not a member of ISKCON.

Here is the GBC's resolution, passed unanimously, after his presentation:

Resolution 302/2002. Mediation and Ombuds Services in ISKCON

Whereas, The GBC Body seeks to demonstrate its interest in the concerns of ISKCON devotees, and seeks to encourage the timely voluntary resolution of disputes within ISKCON;

9. *Id.* at 9.

Whereas, international organizations almost universally provide a system for prompt resolution of internal disputes;

Whereas, ombudsmen provide an effective and confidential means of addressing individual concerns with an organization;

Whereas, voluntary mediation undertaken by two disputant parties with the help of a trained mediator is proven to resolve interpersonal disputes to the mutual satisfaction of the disputants;

[GUIDELINE] Resolved, that the GBC Body announces their strong support for establishment of a voluntary dispute resolution system to facilitate the resolution of ISKCON members' concerns.

To this end the GBC Body urges regions and local temples to establish regional based ombuds and mediation systems.

Members of the GBC Body pledge to support the development of these structures and to be responsive to the concerns of members brought to their attention through these processes.

[ACTION ORDER] It is further resolved, That a subcommittee of Brian Bloch, Max Mirel and Arnold M Zack shall coordinate these efforts in ISKCON on behalf of the GBC Body.¹⁰

With champions in place—both inside and outside of ISKCON—the components of ISKCON*Resolve* started to develop.

C. *Building ISKCONResolve—Adding the Components*

Nearly all organizations that venture into establishing a CMS already have elements of a conflict resolution procedure in place. Back in America shortly after this resolution was passed, Zack introduced me to Mary Rowe. Rowe has been the ombudsperson at the Massachusetts Institute of Technology since 1973. She believes that no one person can change an organization—instead, one needs a systems approach. In the chart “Analyzing Your Conflict Management System” she lists the many functions that may be needed to assist a person who is experiencing difficulty, and at least thirty-eight offices that might exist in a corporation, agency, or university to handle complaints.¹¹ Outside of the GBC members and the temple presidents, ISKCON had none of these offices and few of these functions in place. I saw this as an advantage; it left me free to create a CMS from scratch.

10. Governing Body Comm'n Society of West Bengal, Minutes of Meeting, Res. 302 (2002).

11. Mary Rowe, *Analyzing Your System*, Mass. Inst. of Tech. Ombuds Office (2008), <http://web.mit.edu/ombud/publications/Analyzing-Your-System.xls>.

Lipsky et al. state: “Implementing workplace systems requires a well-planned multistep process that takes place over several [six] phases.”¹² ISKCON*Resolve*’s implementation followed the general direction of these phases, but in a simplified and far less costly way. Below is a description of the components gradually added to ISKCON’s CMS.

1. *Beginning with Mediation and the Ombuds Office*

Our first priority was to introduce interest-based options into ISKCON’s way of dealing with conflicts. ISKCON’s first mediator training took place in the summer of 2002. Three of those attendees took further training and subsequently went on to train over 500 ISKCON members on six continents in basic mediation.

Lipsky et al. discuss the choices CMS designers have in terms of using internal and/or external processes and resources.¹³ ISKCON-*Resolve* started and continues to use primarily internal processes. Though recent co-mediations that included one non-ISKCON mediator have proven successful, the mediators are generally ISKCON members and are mediating pro bono.

In early 2003, I became a member of the International Ombudsman Association (IOA; then, TOA—The Ombudsman Association). Two ISKCON colleagues and I attended IOA’s Ombuds 101 course in Boston. Shortly afterwards, we established ISKCON’s first ombuds office and, after a slow start, began to receive visitors.

ISKCON has centers in 103 countries with a membership of well over one million. Yet the core membership is relatively small (perhaps 40,000), and there are probably only a hundred or so well-known leaders among this core group. It was this small group of leaders who first took advantage of the ombuds office and mediation process, having heard about the project through the GBC meetings. They referred disputants to us and often expressed how liberated they felt being able to refer the conflicts to trained, third-party persons. These leaders told others of their experience, either in mediation or with the ombuds office (or both), and gradually our existence became known via word-of-mouth.

Each year, the number of mediations and ombuds visitors has increased. I have not been able to track every mediation since many have taken place without ISKCON*Resolve*’s notice, but the number of ombuds visitors has gone from fifty in our first year of operation to

12. LIPSKY ET AL., *supra* note 4, at 255.

13. *Id.* at 155.

approximately 400 for 2007. This statistic doesn't reveal that about twenty-five percent of these cases were high profile, cross-cultural, multi-issue, cross-generational, involving multiple jurisdictions, or involving multiple stakeholders. Such cases can take hundreds of hours of an ombud's time. It also doesn't reveal that these figures grew without a systematic attempt to advertise the office to ISKCON's general members.

2. *Facilitation, Dialogue, Negotiation, and Conflict Assessment/Analysis*

In developing the CMS, it struck me how group facilitation could address, in a mutually respectful atmosphere, a number of the larger conflicts ISKCON faces, such as the role of women in leadership, the cultural divide between ISKCON in the West and in the East (particularly in India), and the role of gurus after Prabhupada's death.¹⁴ The service has evolved into providing strategic planning facilitation on local, regional, and (most recently) international bases. This development has benefited ISKCON*Resolve* as ISKCON members are now turning to us for positive, proactive relationship- and project-building.

The next step was to add dialogue to the services ISKCON-*Resolve* offered. I noticed that ISKCON members supported the concept of mediation but hesitated to participate in the process. They reacted to the suggestion "Why don't you have a mediation?" the way people react to a suggestion that they see a mental health professional. I have also discovered that in some cases people are not ready for a formal mediation, especially with the possibility of ending up with a signed agreement as a necessary part of the process. They may agree to talk, but they may not want further commitment.

Finally, I decided that assessing larger conflicts was another important service ISKCON*Resolve* could offer. Since starting this service, models by Dugan, Lederach, Curle, Leas, Susskind and Thomas-Larmer, and Docherty have been applied to ISKCON conflicts.¹⁵ I have found Dugan's "Nested Theory of Conflict" model especially helpful. In using that model, the facilitator helps disputants look at

14. A number of Prabhupada's disciples became gurus, or spiritual teachers, after his departure. There have been a number of succession issues centered on those in that role.

15. See Mennonite Conciliation Serv., *Mediation and Facilitation Training Manual* 95-97, 245-46 (Carolyn Schrock-Shenk ed., 4th ed.) (2000); Lawrence Susskind & Jennifer Thomas-Larmer, *Conducting a Conflict Assessment*, in *The Consensus Building Handbook* 99 (Lawrence Susskind et al. eds., 1999); J. DOCHERTY, *Reader for Conflict Analysis* (2004).

four levels of influence on a conflict: the issues, the relationships, the sub-systems, and the systems. The model encourages the disputants to “go to the balcony” and look at the dispute more objectively, taking into consideration a number of factors they may not have previously considered.¹⁶

3. *The Need for a Rights-Based Option: Adding Arbitration*

While the above-mentioned interest-based options were operating well, it was becoming clear that not all conflicts could be dealt with using such an approach. Rowe estimates that 5–25% of a given population will favor formal, retributive justice as their preferred method of solving disputes.¹⁷ My experience in ombudsing and arranging mediations supported Rowe’s statement. Some disputants were simply not comfortable with interest-based attempts. They classified them as “touchy-feely” or “new-age” concoctions. A few of ISKCON’s leaders were especially uncomfortable with the thought of opening a dialogue with subordinates. It was evident that a rights-based option was needed.

But could a rights-based system be introduced without rights being formally spelled out? ISKCON was (and still is) in the midst of writing a constitution, but it has not been made law. The ISKCON law book spells out some rights and responsibilities, but few of the leaders and almost none of the general members refer to it on a regular basis. I asked Rowe: “Can an organization have a rights-based, adjudicatory process if it has not finalized a code of rules/ laws?” Rowe replied,

Wonderful question . . . Yes I think so if there is a credible group making the decisions. Remember we have: criminal offenses, illegal but not criminal, offenses against the organization’s policies, offenses against values. Any group seen as credible can make decisions along any of these lines. And so can a monarch if he or she is seen as credible, e.g., your Founder. The key will be “seen as credible.”¹⁸

Since introducing the arbitration option only a few arbitrations have taken place. Significantly, however, many opportunities to take

16. See WILLIAM URY, *GETTING PAST* No 38 (1993).

17. See Mary Rowe, *An Effective, Integrated Complaint Resolution System*, in *SEXUAL HARASSMENT ON CAMPUS* 202, 204 (Bernice R. Sandler & Robert J. Shoop eds., 1997), available at <http://web.mit.edu/ombud/publications/effe.pdf>.

18. Email from Mary Rowe, Ombudsperson, Mass. Inst. of Tech., to author (Oct. 19, 2007) (on file with author).

advantage of the option have been offered. The very nature of arbitration, which Lipsky et al. list as a concern¹⁹ due to its win/lose orientation, has had a positive effect on ISKCON*Resolve*. The offer of arbitration proved to be a WATNA²⁰ for disputants. When presented with the options available to them, disputants generally remarked that they preferred to maintain control of the process and therefore chose an interest-based approach.

Having a rights-based mechanism in place has nonetheless been invaluable. In addition to its WATNA effect, arbitration assures disputants that if interests-based attempts fail, there is another process available; they are not forced to surrender to a power-based decision. It also addresses the mindset of those who are more comfortable with a formal process. And, finally, the availability of arbitration provides leaders with an alternative to having to make power-based decisions.

D. ISKCON*Resolve*—A CMS

By adding arbitration, ISKCON*Resolve* now had elements of interests, rights, and power in place. In making this addition I also started to sense how the three complement each other. They are not separate units without overlap; rather, they represent a flow of options for both general members and for the leadership. Having the options of power and rights has made interests more attractive. The availability of interests also lines up with the culture ISKCON wants to create. “Rights” satisfies 5–25% of the general members, and the lowered emphasis on power decisions makes the rare power decisions that do occur more emphatic.

ISKCON*Resolve* could now offer choices as to how members wanted their concerns addressed. Preference was given to interests-based approaches²¹, but people could “loop forward” to rights and/or power-based approaches,²² or, after having chosen rights or power, they could “loop back” to interests.²³

Lynch writes: “When organizations go beyond ad hoc, case-by-case dispute resolution and turn their focus to systematically integrating all of these approaches into their day-to-day business, plus

19. See Lipsky et al., *supra* note 4, at 190.

20. WATNA: Worst Alternative To a Negotiated Agreement.

21. See CATHY A. CONSTANTINO & CHRISTINA S. MERCHANT, *DESIGNING CONFLICT MANAGEMENT SYSTEMS: A GUIDE TO CREATING PRODUCTIVE AND HEALTHY ORGANIZATIONS* 46 (1996).

22. See Mary Rowe, *The Ombudsman's Role in a Dispute Resolution System*, *NEGOT. J.* 353, 355 (1991), available at <http://web.mit.edu/ombud/publications/disp.pdf>.

23. See WILLIAM URY ET AL., *GETTING DISPUTES RESOLVED* 52-56 (1988).

add processes that shift their conflict culture toward prevention, the new phenomenon is called an 'Integrated Conflict Management System.'"²⁴

Establishing this CMS has required educating members in new ways of dealing with conflicts. I have found myself talking constantly about "interests, rights, and power" in public presentations, one-on-one meetings with ombuds visitors, and in e-mails. Leaders have wanted to know, "Can I still just make a decision on a matter without considering this whole CMS process?" My reply:

Certainly. ISKCON *Resolve* is not designed to take away the legitimate authority²⁵ of your position. That was established by Prabhupada. Rather, we are here to lessen your burden and help you serve the members in your area of responsibility when some problem arises. You can refer members to our Ombuds office, suggest to them that they consider mediation and our other services, and you can take advantage of our services yourself should you find the need. We help leaders lead by helping them deal with conflicts in a healthy way and by unburdening them so that they can get on with their mission. We also serve them by establishing a fair process when complaints against them are lodged.

E. *The Special Role of the Ombudsman*

In the companion article, Rowe presents key roles an ombudsman can play in a CMS. Certainly, the key figure in ISKCON's CMS is the ombuds. The ombuds acts as an informal process facilitator²⁶, mediation encourager and arranger; generally they are the first point of contact, a mediator, an option provider, an information giver, a referrer, a listening ear, an arbitration arranger, a communicator between rank and file and leadership, a systems analyzer, a trainer of conflict competence, a listener, a provider of hope, an occasional source of humor, and an informal investigator. These duties may go beyond the standard ones prescribed to an organizational ombuds, but due to funding restraints it is a practical job description,

24. Lynch, *supra* note 3, at 99.

25. See Mary Rowe, *Study Materials, Negotiation and Conflict Management*, Mass. Inst. Of Tech. Ombuds Office (2001), http://ocw.mit.edu/NR/rdonlyres/Sloan-School-of-Management/15-667Spring2001/3362512B-9CC7-40BE-8D6B-B1DA26ED3478/0/src_of_power.pdf.

26. Lynch, *supra* note 3, at 101.

and doesn't transgress the standards of practice as outlined by the International Ombudsman Association.²⁷

The ombuds in ISKCON*Resolve* is the glue that keeps the program together. I originally compared the organizational ombuds to a basketball point guard who calls the plays for the team. I mentioned this to Mary Rowe and Craig Mousin from DePaul University. They both commented how I should be careful not to consider the ombuds more than he or she is. Rowe wrote:

Is this a 'normal' OO like me or is it a superhero? The issue of Helping People to Help Themselves (HPHT) is a big one: give a fish? Or teach how to fish? We should probably not so much be giving a fish but always if possible supporting others to learn how to fish.²⁸

I have since adjusted my metaphor. The ISKCON*Resolve* ombuds is more like a pathfinder. He or she offers visitors a map by which they can decide what direction they wish to go. And, at the visitor's request, the ombuds may also suggest options.

F. *Need Religion?*

I had wondered if ISKCON should set up a conflict management system that basically leaves religion and theology at the door. ISKCON's members' lives are steeped in spiritual practice and philosophical thought, so what need is there to include such considerations in a conflict management system? I am wary of conflict transformation becoming the latest fad that might distract from ISKCON's core practices, and thus out of respect for the theology, I have often thought to leave it out of ISKCON*Resolve*.

On the other hand, I have also wondered, "What's the use of the theology if it doesn't guide or make an impact on our daily lives?" While considering this subject I read Halverstadt's *Managing Church Conflict*. He suggests that conflicts should be dealt with ultimately in a Christian manner, which is encapsulated in the concept of *shalom*: "*Shalom* is a particular state of social existence. It is a state of existence where the claims and needs of all that is are satisfied; where there is a relationship of communion between God and humans and nature, where there is fulfillment for all creation."²⁹ He says that this *shalom* is what ultimately makes a Christian fight "Christian."

27. See INTERNATIONAL OMBUDSMAN ASSOCIATION, IOA STANDARDS OF PRACTICE (2007), http://www.ombudsassociation.org/standards/Std Practice_1-07.pdf.

28. Email from Mary Rowe, Ombudsperson, Mass. Inst. of Tech., to author (Oct. 19, 2007) (on file with author).

29. HUGH F. HALVERSTADT, *MANAGING CHURCH CONFLICT* 5 (1991).

Halverstadt goes on to say that he uses “Managing” in his book’s title instead of “Resolving” because peacemakers cannot “force unwilling parties to make peace. If an Almighty God stands at the doors of human hearts knocking (Rev. 3:20), how should Christians presume to do otherwise?”³⁰ This relationship between the disputant, the peacemaker, and God is also at the heart of a spiritual approach to conflict resolution in ISKCON. Perhaps the most well-known verse in the *Bhagavad-gita* says, “Do your duty, but do not be attached to the results of your activities.”

Faced with the choice of whether or not to bring spirituality into ISKCON*Resolve’s* work, I recalled a conversation I had had with Mary Rowe about mediation styles. I had suggested to her that Bush and Fogler’s Transformational Mediation was best suited for ISKCON mediations. She countered: “What if the disputants *want* an evaluative mediation? What if they don’t want their relationship transformed? Could this happen? And if it does: who should decide, you or them?”³¹ I ended up applying Rowe’s same logic to this question of including theology in ISKCON*Resolve*. I chose in the end to flavor ISKCON*Resolve* trainings with a “Krishna” perspective. Presentations are sprinkled with scripture and a devotional worldview, but not at the expense of standard training and discussing best practices. Trainees are instructed to be sensitive not to transgress ISKCON’s spiritual principles in their ISKCON*Resolve* work, but they are also trained not to force a spiritual angle on disputants who prefer not to go in that direction.

G. Challenges

1. Geographic Spread

ISKCON’s demographics have created one of the greatest challenges to establishing ISKCON*Resolve*. Core members are dispersed in 103 countries and conflicts are often inter-continental. Bringing parties together is time-consuming and costly.

2. Resources

Resources are also problematic. Religious organizations that are congregationally-based often find it difficult to raise funds for national, not to mention of international, value-added projects such as a CMS.

30. *Id.* at 5.

31. Email from Mary Rowe, Ombudsperson, Mass. Inst. of Tech., to author (Dec. 13, 2007) (on file with author).

3. *Succession Planning*

CMS's don't only need champions—they need a *succession* of champions. Having limited resources to recruit and train such future champions is a challenge.

4. *Unemployed Mediators*

Well over 500 members took the basic mediation training course. Fewer than 100 of them have formally mediated.

5. *Cultural Diversity*

ISKCON is a global organization. In many places in the West it caters to a large Indian diaspora that pray and serve side by side with members from the host culture. While there has been considerable success in mediating across cultural differences, it remains a challenge especially suited for the experienced mediators and ombudsmen.

6. *Inability To Reach All ISKCON Members*

Presently ISKCON*Resolve* advertises its services mainly through word-of-mouth. I have made a number of presentations at major international festivals, but I find most visitors to the ombuds office find out about us through others.

7. *Insufficient Data*

One of my own personal weaknesses has been not putting enough time into documenting the work ISKCON*Resolve* has done to date. I have information on the vast majority of ombuds cases, but this information is just starting to be systematically compiled. (The data are, of course, devoid of names and specifics that would point to any particular individuals.)

H. *The Future*

In considering ISKCON*Resolve's* future, some of Bingham's six points, under "Lessons Learned" in her REDRESS report, come to mind.³² She says, "Design the dispute resolution system to maximize participation," and then "train, train, train."³³ These two go well together. I want to train ombuds on every continent and in a number of

32. LISA B. BINGHAM, *MEDIATION AT WORK: TRANSFORMING WORKPLACE CONFLICT AT THE UNITED STATES POSTAL SERVICE*, 29 (2003), available at http://www.businessofgovernment.org/pdfs/Bingham_Report.pdf.

33. *Id.*

major communities. Also, I want to send neophyte mediators to co-mediate with the more experienced so that we can gradually expand the number of qualified mediators. With more mediators and ombuds in place, I plan to advertise ISKCON*Resolve's* services widely. This is another of Bingham's points: "Get the word out."³⁴

III. LOOKING AT CONFLICTS AND THEIR CAUSES IN FBOs

A. *A Sampling of Cases*

ISKCON*Resolve's* ombuds have heard a full spectrum of disputes since the office's inception in 2002. An extensive study of the data from these visitors is in progress. Below is a sampling of the kinds of concerns the ombuds office deals with:

- A leader pokes fun at an outreach program considered sacrosanct by other elders.
- Two teachers in a school argue over the amount and nature of the religious coursework offered in a school.
- Egalitarians and complementarians³⁵ enter into an Internet battle, complete with online petitions, regarding the role of women in leadership.
- Department heads differ over the allocations of funds—and use theology to explain why their particular project deserves funding over the other project.
- A congregation member questions whether a leader is teaching the theology properly.
- A young woman questions whether one of the renunciants (*sannyasis*) is observing his vows properly.
- Numerous members of a particular country get involved in a conflict over the scriptural translation of one word into their native language.
- A member wishes to see ISKCON build bridges with one of the prominent splinter groups.
- A group questions the architectural design of a temple and wishes to see if an adjustment can be considered.
- Some members want to emphasize mercy and God's forgiveness, while others say the organization needs to emphasize transparency and accountability by firmly sanctioning those who perform misdeeds.

34. *Id.* at 30.

35. Those who believe that men and women have different, but complementary, roles to play: men as leaders, women as supporters.

B. Causes of Conflicts

In his book, *The Mediation Process*, Christopher Moore outlines the main causes of conflict:³⁶

- (1) Value conflicts: caused by parties having different criteria to evaluate ideas, or by different lifestyles, ideologies, or religions.
- (2) Relationship conflicts: caused by strong emotions, misperceptions, miscommunications, and regular, negative interactions.
- (3) Data conflicts: caused by a lack of information, different interpretations of data, and different views on what is relevant.
- (4) Interest conflicts: caused by competition over substantive interests, procedural interests, or psychological interests.
- (5) Structural conflicts: caused by destructive patterns of behaviour, unequal control and ownership of resources, unequal power and authority, time constraints, and geographical/environmental factors that hinder cooperation.

Naturally, most of ISKCON *Resolve's* cases fall into the above categories. In *Managing Church Conflict*, Hugh F. Halverstadt adds color and depth to Moore's list by citing causes of conflict particular to church settings.³⁷ Halverstadt's first point: church conflicts are intense because we have attached our commitment and faith to them. He writes:

For one thing, parties' core identities are at risk in church conflicts. Spiritual commitments and faith understandings are highly inflammable because they are central to one's psychological identity. When Christians differ over beliefs or commitments, they may question or even condemn one another's spirituality or character. Their self-esteem is on the line.³⁸

I have had similar experiences working with ISKCON members. Perhaps more than the average churchgoer, ISKCON members make sacrifices and major lifestyle changes³⁹ when taking to Krishna consciousness. All members, but especially Western converts, change

36. CHRISTOPHER W. MOORE, *THE MEDIATION PROCESS: PRACTICAL STRATEGIES FOR RESOLVING CONFLICT* 64-65 (Jossey Bass 2003) (1988).

37. HALVERSTADT, *supra* note 29, at 2.

38. *Id.* at 3.

39. Initiated members vow to abstain from non-vegetarian food, intoxication, gambling, and illicit sex, and chant the Hare Krishna mantra each day.

their dietary habits, their dress, and even their vocabulary; they develop new friendships and sometimes relinquish the old; and they develop a new set of life aspirations. To become devotees they often adopt a drastically different outlook on life from the one with which they were raised. They invest a lot of themselves in becoming Krishna's devotee, and thus if aspects of their core identity are brought into question by someone with a different point of view—especially someone in their own ranks—conflict often results.

There are a number of factors that influence a devotee's 'take' on Krishna consciousness. The first is cultural diversity. While there are ISKCON centers around the world that afford a basic uniformity of theology and practices, the host cultures each bring in much variety. Other significant differences in "takes" are caused by initial training in Krishna consciousness, an individual's level of adherence, his or her socio-economic status, choice of friends, habits, and more. Thus although all are members of ISKCON, there is variety in how members perceive, experience, teach, and practice Krishna consciousness.

Understanding how that variety manifests in any FBO is an essential tool in analyzing conflicts and coping with the confusion those conflicts create. There is a popular Sanskrit saying, *atmavan manyate jagat*, "I think like this, so the whole world must also think in the same way." Ross and Ward of Stanford University give a detailed outline of a similar concept.⁴⁰ They describe the concept of "naïve realism" as follows:

- (1) "That I see entities and events as they are in objective reality, and that my social attitudes, beliefs, preferences, priorities, and the like follow from a relatively dispassionate, unbiased and essentially 'unmediated' apprehension of the information or evidence at hand;"⁴¹
- (2) "That other rational social perceivers generally will share my reactions, behaviour and opinions—provided they have had access to the same information that gave rise to my views, and provided that they too have processed that information in a reasonably thoughtful, and open-minded fashion;"⁴²
- (3) "That the failure of a given individual or group to share my views arises from one of three possible sources:

40. Lee Ross & Andrew Ward, *Naive Realism: Implications for Social Conflict and Misunderstanding* 103 (Stanford Center on Conflict and Negotiation, Working Paper No.48, 1995), available at http://www.law.stanford.edu/program/centers/scicn/papers/naive_realism.pdf.

41. *Id.* at 110.

42. *Id.* at 111.

- (a) The individual or group in question may have been exposed to a different sample of information than I was (in which case, provided that the other party is reasonable and open-minded, the sharing or pooling of information should lead us to reach an agreement);
- (b) The individual or group in question may be lazy, irrational, or otherwise unable or unwilling to proceed in a normative fashion from objective evidence to reasonable conclusions; or
- (c) The individual or group in question may be biased (either in interpreting the evidence or in proceeding from evidence to conclusions) by ideology, self-interest, or some other distorting personal influence.”⁴³

If we look at Moore’s five causes of conflict it’s reasonable to say that naive realism can play a part in nearly all of them. We see the world differently from others, and we are often willing to enter into a dispute because of that. Members of faith-based organizations are no exception.

Halverstadt offers unclear job descriptions as a second factor that stimulates conflict in a church setting: “. . . church conflicts occur in voluntary institutions whose structures and processes permit and even entice unaccountable uses of power.”⁴⁴ Not only is there power that is not accountable to anyone, but power-based decisions have a weaker status in FBOs that are comprised primarily of volunteers. Especially in FBOs that don’t hold membership in the particular organization as a requirement for salvation, volunteers can easily join another church or denomination if they feel mistreated, ignored, or they disagree with a power-based decision. This reality makes interest-based approaches all the more attractive to the FBO’s leadership who are able to recognize this dynamic.

C. *An Example: The Issue Surrounding the Role of Women*

What is the role of women in ISKCON? Can women take leadership positions? Can they be gurus? Or should they play a complementary role to men as pious wives and mothers protected by their fathers in youth, their husbands in marriage, and their grown sons in old age as was practiced for centuries in traditional Indian culture? Much of the contention in this conflict centers on hermeneutics: how

43. *Id.*

44. HALVERSTADT, *supra* note 29, at 2-3.

ISKCON should interpret both the scriptures and Prabhupada's comments on them. What constitutes an unchangeable spiritual principle? What constitutes a detail, a time-and-place attempt to apply a principle that can be changed when time and place differ? Are the cultural *varnashrama*⁴⁵ considerations a principle or a detail? What is to be done when two parties emphasize different and apparently opposing principles?

Egalitarians emphasize the oneness of all souls and believe that bodily differences are of secondary importance. *Bhakti*, loving devotion to God, or Krishna, is a function of the soul; it has nothing to do with the external body one happens to inhabit. Men aren't men eternally, nor are women eternally women. Egalitarians believe we should be evolved enough to "get off the bodily concept of life" and respect each other as souls, as eternal servants of Krishna. We should be careful not to allow mundane concepts to enter a spiritual society. Egalitarians quote passages from Prabhupada's letters and writings like these:

Regarding lecturing by women devotees: I have informed you that in the service of the Lord there is no distinction of caste, or creed, color or sex. . .⁴⁶

Sometimes jealous persons [from India] criticize the Krishna Consciousness movement because it engages equally both men and women in distribution of love of Godhead. Not knowing that men and women in countries like Europe and America mix very freely, these fools and rascals criticize the boys and girls in Krishna Consciousness for intermingling. But these rascals should consider that one cannot suddenly change a community's social customs. However, since both men and women are being trained to become preachers those women are not ordinary women but are as good as their brothers who are preaching Krishna Consciousness. Therefore it is a principle that a preacher must strictly follow the rules and regulations laid down in the *sastras* yet at the same time devise a means by which the preaching work to reclaim the fallen may go with full force.⁴⁷

45. The division of society according to occupational inclinations and marital status (student, married, retired, renounced). The present caste system—often exploitive and based on one's birth—is a modern corruption of this ancient stratification of people according to their interests and abilities.

46. A.C. BHAKTIVEDANTA PRABHUPADA, LETTERS FROM SRILA PRABHUPADA 530 (The Vaisnava Institute 1987).

47. A.C. BHAKTIVEDANTA PRABHUPADA, CAITANYA CARITAMRTA ADI LILA 670 (The Bhaktivedanta Book Trust 1996).

The complementarians protest the growing acceptance of a “feminist” agenda in ISKCON. They fear the creeping in of a materialistic, left-wing mindset that runs contrary to ISKCON’s stated goals. ISKCON, which is based on an ancient culture, is, they say, being influenced by modern, materialistic considerations that run contrary to the *varnashrama* ideal that ISKCON is meant to establish. While they certainly accept the philosophical point that “we are not these bodies,” they maintain that the *varnashrama* social norms are an important vehicle for attaining the spiritual platform. They also feel that without the support of this social model, we will by default embrace the culture of Western hedonism, a culture that will not support our spiritual aspirations. They cite scripture and Prabhupada to support their points:

A chaste woman should not be greedy, but satisfied in all circumstances. She must be very expert in handling household affairs and should be fully conversant with religious principles. She should speak pleasingly and truthfully and should be very careful and always clean and pure. Thus a chaste woman should engage with affection in the service of a husband who is not fallen.⁴⁸

Women need to be protected by men. A woman should be cared for by her father in her childhood, by her husband in her youth and by her grown sons in her old age.⁴⁹

D. *The Woman’s Issue and the CMS*

The topic “The Role of Women in ISKCON” has been growing in importance over the last twenty-five years. This controversy has been fueled in part by key developments in ISKCON, including greater numbers of women in leadership positions on one hand and the exponential growth of Indian influence in the world of ISKCON on the other. ISKCON has grown greatly in India and the Indian diaspora have been becoming more involved in ISKCON temples around the globe. There are strong emotions on both sides of the issue. In 2000, ISKCON’s Governing Body Commission (GBC) passed a resolution apologizing for devaluing women in the past, and stating that women must be granted equal opportunity in all ISKCON centers. At the time, members of ISKCON Indian Continental Committee (ICC) wrote a complaint to the GBC expressing that the resolution took into

48. A.C. BHAKTIVEDANTA PRABHUPADA, SRIMAD BHAGAVATAM 680 (The Bhaktivedanta Book Trust 1987).

49. *Id.* at 824.

account neither India's traditional culture and the need to respect it, nor scriptural statements.

The GBC executive committee preferred an interest-based approach to deal with this conflict. They foresaw the conflict continuing should a power-based decision (achieved either by accepting or rejecting the ICC's proposed legislation) be taken. ISKCON *Resolve* was called on to facilitate a dialogue between six members of the ICC and six members chosen by the Women's Ministry. Topics included:

- Balancing tradition with changing times
- What scripture has to say on this subject
- How Prabhupada dealt with women's roles when he was present, including whether things changed while he was present or developed into a status quo, and what principles he based his actions on
- How ISKCON's attitudes toward women have developed since 1977 (the year Prabhupada passed away)
- East vs. West and how India is becoming more like the West every day
- Social considerations vs. spiritual truths and the relative importance of the two in ISKCON members' lives
- Areas of agreement and disagreement
- "Where do we go from here?"

After three days of dialogue, participants agreed on these points:

1. Two members of the Women's Ministry were invited to make a presentation and hold a discussion at the next ICC meeting.
2. Ongoing written exchanges could start between the Women's Ministry and the ICC to discuss specific win/win scenarios.
3. A selected member from each group would write a paper about the deeper issue of reconciling the different moods and statements Prabhupada made about tradition and its modern application.
4. A list of what both parties agreed on would be made public.
5. To do all of this, a safe environment would be necessary.

In some FBOs, the "role of women" issue was dealt with and decided on years ago. In Christian denominations like the Anglican Church and the Roman Catholic Church, as well as with some Muslim, Jewish and other FBOs, it is still a pivotal topic today. The above dialogue did not bring closure to this issue in ISKCON. In fact, follow-up has been weak, and only now, several years later, is there talk about resuscitating the discussions. Yet despite their imperfections I

feel such collaborative efforts have a cumulative effect. Participants experience the positive effects of both being able to air their views as well as to hear other viewpoints with clarity and respect. They in turn tell others, and when the need arises, more turn to the various components of the CMS (especially the interest-based ones) to deal with their conflicts.

IV. CONCLUSION

ISKCON*Resolve* is a work in progress. It requires much improvement and will certainly undergo further change as it adapts to the needs of its constituents. Still, I hope that its preliminary success will encourage other FBOs to consider applying the principles of Conflict Management Systems to their communities. Many FBOs already have the components of a CMS, and I feel organizing and systemizing those components by creating a CMS will multiply an FBO's ability to address conflict manifold. Equally, if not more importantly, a well-crafted CMS can impact the ethos of an organization. How an FBO treats its members, and particularly how it helps them in times of conflict, indicates to members the degree to which the organization is concerned about them. When people feel cared for in their FBO, they often consider that God cares for them—an accomplishment many FBOs seek.

Finally, a CMS also helps members become "conflict competent;"⁵⁰ that is, members learn the art of dealing with conflict both in their organization and in their personal lives. If FBOs apply effective systems when solving internal disputes, we can only imagine how that might spill over into the realm of interreligious disputes and beyond.

50. Lynch, *supra* note 3, at 104.