

Ethics Policy of the Victoria Zen Centre

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Overview

This Ethics Policy and its guidelines for conduct are intended to assist in the continuing development of the Victoria Zen Centre (VZC) as a harmonious place of practice. Members who have taken Jukai (at VZC), as well as Elders, Monks, Teachers, Priests, and the Abbot/ Abbess of the VZC, have all agreed to accept this policy, and to conduct themselves in accordance with its guidelines. We strongly encourage all Sanghans ('Sanghan' is our term for a person who participates in VZC activities) to do so as well. We invite all Sanghans to use the Ethics Committee and procedures set out here to help resolve any ethics related issues that may arise in our community.

The Ethics Policy is administered by the Practice Council, which is the body responsible for regulating the provision of spiritual services to VZC members and to the broader community. Its principal governance document, "Policies, Procedures, and Guidelines Regarding Religious Authorization of Members in the Victoria Zen Centre" (RAPP), <http://www.zenwest.ca/authorization.pdf>, includes formal procedures for addressing complaints relating specifically to the performance of religious duties. The Ethics Policy addresses a broader range of issues for the whole Sangha, is less formal in style, is consistent with, and can be considered a companion document to the RAPP.

The RAPP policy is focused on people who are in a position of authority on the basis of their appointed religious position within the VZC. Although it is imperative to address the potential for abuse associated with these positions of authority, they are not the only types of power imbalances within an organization, as racism, sexism, and other societal power imbalances create additional interpersonal power differentials. Additionally, abuse can happen even across a negative power imbalance (where the person with relatively less authority/status abuses the person with relatively more authority/status).

Basis in the Sila

The Sila ('Precepts') form the basis of the traditional Buddhist guide to ethical behaviour, and embody the guiding principles upon which this policy is built. Where specific policy provisions require interpretation or extension, the Sila should be used to assist in clarifying the concerns at hand.

The Sila are summarized below (see Appendix A for the formulation currently used at VZC Commitment Ceremonies, which may be updated from time to time).

The Three Fundamental Sila:

1. Abstain from creating discord.
2. Actualize harmony.
3. Clarify the mind, and be of benefit to all beings.

The Five Sila of the Jukai ceremony:

1. Affirm life; do not kill. (Embody the mind of compassion)
2. Be giving; do not steal. (Embody the mind of integrity)
3. Honour the body; do not misuse sexuality. (Embody the mind of virtue)
4. Manifest truth; do not lie. (Embody the mind of trust)
5. Proceed clearly; do not cloud the mind. (Embody the mind of clarity)

The additional Five Sila of the Tokudo (ordination) ceremony:

6. See the perfection; do not speak of others' errors and faults. (Embody the mind of acceptance)
7. Realize self and other as one; do not elevate the self and belittle others. (Embody the mind of equality)
8. Give freely; do not be withholding. (Embody the mind of generosity)
9. Manifest non-duality; do not be angry. (Embody the mind of equanimity)
10. Experience the intimacy of things; do not defile the Three Treasures. (Embody the mind

of unity)

Confidentiality

We acknowledge that respecting confidentiality is an important element of building the trust that is often required for successful resolution of complex ethical issues. Aside from situations in which they are legally required to disclose information (for example in cases of child abuse), Ethics Committee members, when approached by a Sanghan with concerns, will keep such initial discussions strictly confidential. They will also discuss with the Sanghan confidentiality implications that may arise from pursuing the various paths which are available for resolving the issue in question, and will be sensitive to the confidentiality concerns of everyone involved in the process.

Under British Columbia provincial legislation there is a duty to report information in certain situations, and such obligation supersedes any expectations of confidentiality that may exist in teaching, peer support, or other activities of the VZC. If there are questions about the duty to report, the Ethics Committee is available to help connect a Sanghan with appropriate reporting resources.

Guidelines for Conduct

General

We affirm and respect our differences and similarities, including those of age, culture, ethnicity, gender, sexual orientation, and physical ability and appearances. Recognizing the harm caused by discrimination and oppression, we are committed as a Sangha to developing in a way that celebrates diversity and respects everyone's simultaneous right to experience, and responsibility to maintain, an environment free of harassment and discrimination.

Our practice is challenging in its very nature. Like rough gems vigorously being shaken together in a bag, we are polished smooth by having our sharp edges knocked off as we interact with each other. Difficulties are certain to arise. To promote vitality and harmony in our practice community, we would do well to remember a few simple maxims. Review the Sila often, and follow them to the best of your ability. Pay attention to actions of body, speech and mind. Seek to minimize harm, whether caused through action or inaction. Do not do unto others what you would not have them do unto you. Enjoy!

Mindful Speech

In a small community great harm can come from speech that is inconsistent with the Sila. Words are powerful, and particularly in our world of rapidly changing communication formats, their effects can be widespread and long lasting. Mutual respect and trust are built when all Sanghans speak truthfully and compassionately, and refrain from lies, gossip (self-serving talk), abusive speech, and blame. The Ethics Committee provides a venue where concerns can be heard, talked over, and if required, directed to the appropriate body (Practice Council, Board, Membership, etc).

Relationships and Intimacy

We recognize that we practice in a non-celibate community, and that sexuality is as much the field of practice as are other aspects of our daily lives. We honour this part of our lives and endeavour to create an environment where conscious, mindful and compassionate relationships can be cultivated.

We acknowledge that intimacy is inherent in our practice, and that issues of romantic relationship and sexuality may be complex, particularly when people of unequal status or authority are involved. Failure to abide by any of the following guidelines is considered in our Sangha to clearly constitute misuse of sexuality:

- 1) A romantic or sexual relationship between a teacher (including the Abbot/Abbess) and a student is not acceptable in our Sangha, given the power differential inherent in that relationship. In such a case, a choice must be made between the teaching relationship and the romantic or sexual relationship (i.e. if the romantic or sexual relationship is to continue, the teaching relationship must be discontinued (and vice versa)).
- 2) Members should refrain from starting a romantic or sexual relationship with a new member (one who has been a member for less than one year).
- 3) Do not engage in sexual harassment.
- 4) All sexual activity must be fully consensual and must not violate legal guidelines regarding sexual exploitation of minors or vulnerable adults.

Where Sanghans find that relationships which may be questionable, are developing, the Ethics Committee is available to discuss and help clarify their situations and options.

Financial and Business Relationships

Financial and business relationships have been known to cause serious discord within the Sangha. Enter into them, if at all, with caution, and observe the following guidelines:

- 1) A financial or business relationship between a Teacher (including the Abbot/Abbess) and a student is not acceptable in our Sangha, given the power differential inherent in that relationship. In such a case, a choice must be made between the teaching relationship and the financial or business relationship (i.e. if the financial or business relationship is to continue, the teaching relationship must be discontinued (and vice versa)).
- 2) Members should refrain from starting a financial or business relationship with a new member (one who has been a member for less than one year).
- 3) The Sangha is not a community in which to actively market a business or promote a cause.

Misuse of Authority

It is important that persons in positions of trust within the VZC, particularly Teachers, Monks, Elders, Practice Council members, and Zendo Officers, do not misuse their position to achieve inappropriate privileges or financial gain, nor to increase their influence or control over others.

Sanghans should take care not to appear to officially represent the VZC in public, by virtue of their behaviour or department, unless authorized by the Practice Council to do so (see Appendix B 'Issues of Representing the VZC in Public').

Ethics Committee

Role and Responsibilities

The Ethics Committee is a body created and administered by the Practice Council, and is responsible to the Practice Council. Its mandate is to advise, support and guide Sanghans in the clarification and resolution of issues relating to ethics in the VZC community. Ethics Committee members individually, and as a group, are easily accessible to Sanghans, and can be consulted before problems arise, or after they have developed. Ethics Committee members are knowledgeable about the available options for resolving complaints, and can facilitate dialogue and act as a guide for Sanghans during a resolution process.

Ethics Committee members will maintain the confidentiality of those seeking advice or support (except in cases in which they are legally required to disclose information), and will discuss with them confidentiality issues that might arise from the various ways of proceeding to resolve an issue. Ethics Committee members will be sensitive to the rights that all members involved in a situation may have, including rights to be heard respectfully, to be informed of an accusation against them, and to have due and fair process in the resolution of an issue.

The Ethics Committee has no authority to judge or impose sanctions or remedies. They will endeavour to assist in the resolution of an issue brought forward, as simply and directly as possible, and where appropriate, recommend that the issue be referred to another body for consideration (Practice Council, Board, Membership, etc).

Recourse and Complaints Options

For complaints relating to the performance of religious duties, see the RAPP (<http://www.zenwest.ca/authorization.pdf>). For other complaints, the process is similar, and a Sanghan has a number of options available. Ethics Committee members are available to advise, clarify, support, or act as a guide, if requested to do so by a complainant. However, a complainant may choose to access any of the avenues of recourse on her/his own, without the Ethics Committee's involvement. Options include:

- To discuss the issue directly with the person(s) involved, without involving the Ethics Committee, Practice Council, Board, Membership, or outside agencies
- To discuss the issue with a member of the Ethics Committee, who may recommend to the complainant that the matter be taken up by the Ethics Committee as a whole, or be referred either to the Practice Council or to the Board, depending on the nature of the matter
- To express concerns, verbally or in writing to the Practice Council (or to any member thereof) for consideration
- To express concerns, verbally or in writing to the Board (or to any member thereof) for consideration

- Following the procedures of VZC Bylaws (<http://www.zenwest.ca/bylaws.pdf>), to convene a General Meeting of members to discuss the concern
- To contact an outside body (human rights organization, lawyer, police, etc)

We acknowledge that many issues are complicated and require goodwill and understanding on all sides for their successful resolution. We also recognize that false accusations can cause significant harm. If you become aware of a serious issue, bring it immediately to the attention of a member of the Ethics Committee, Practice Council, or Board, unless reporting to an outside agency is called for.

Sanctions and Remedies

For matters involving the performance of religious duties, see the RAPP (<http://www.zenwest.ca/authorization.pdf>). In determining sanctions and remedies the Practice Council and/or Board of the VZC shall consider the nature and context of the offense and the wishes of those directly affected, as well as organizational obligations under the VZC bylaws and policies and any applicable legislation or other external requirements. Where appropriate and with the consent of the affected parties, the VZC Practice Council and/or Board may offer to attempt to mediate a resolution that is satisfactory to everyone concerned, with the terms of such mediation to be agreed to by everyone involved. A request or recommendation to expel a VZC member shall be put to the membership in accordance with the VZC Bylaws.

Review

This policy may be reviewed and revised from time to time, as required by the VZC Practice Council, but no less frequently than every five years.

Appendix A: The Sila as given in the VZC Commitment Ceremony

THE SILA

The Sila are difficult to fathom. In being led out of everyday confusion through the long process of maturation you will experience the true heart of the Sila. The true heart of the Sila is the realization that all things in this vast Universe are nothing other than your True self. Without this experience the Sila are impossible to follow.

The way to manifest the Sila is to manifest the wisdom that knows Pratityasamutpada. Pratityasamutpada is the activity of the Dharma. The Dharma gives birth to a child, and that child is The Five Sila. When we are able to freely follow the Dharma, we will freely follow the Sila. Until we learn to freely follow the Dharma these Sila will act as a light upon a dark sea. With all of our will we must endeavour to follow them.

These Sila have been passed from generation to generation, until now, in the eighty-second generation, I give them to you.

The first Sila is: **Affirm life; do not kill.**

In the Dharmakaya there is no killing or not killing, no one to kill and nothing to be killed. Fully realizing this in the human world gives rise to the mind of compassion. You must embody the mind of compassion.

This Sila is very difficult to follow. Do you vow to follow it with all of your will? (same for all ten sila).

The second Sila is: **Be giving; do not steal.**

In the Dharmakaya there is no stealing or not stealing; no one to take, and nothing to be taken. Fully realizing this in the human world gives rise to the mind of spotless integrity. You must embody the mind of spotless integrity.

The third Sila is: **Honour the body; do not misuse sexuality.**

In the Dharmakaya there is no keeping faithful or not keeping faithful, no one to crave, and nothing to be desired. Fully realizing this in the human world gives rise to the mind of virtue. You must embody the mind of virtue.

The fourth Sila is: **Manifest truth; do not lie.**

In the Dharmakaya there is no lying or not lying; no one to be deceptive, and no one to deceive. Fully realizing this in the human world gives rise to the mind of perfect trust. You must embody the mind of perfect trust.

The fifth Sila is: **Proceed clearly; do not cloud the mind.**

In the Dharmakaya there is no intoxication nor sobriety; no one to fool, and nothing to be deluded about. Fully realizing this in the human world gives rise to the mind of perfect clarity. You must embody the mind of perfect clarity.

(To Novice) As a monk you must also commit to follow five further Sila, which both deepen and broaden the scope of the first five.

The sixth Sila is: **See the perfection; do not speak of others' errors and faults.**

In the Dharmakaya there is no correct or incorrect; no one to err and nothing to be criticized. Fully realizing this in the human world gives rise to the mind of unconditional acceptance. You must embody the mind of unconditional acceptance.

The seventh Sila is: **Realize self and other as one; do not elevate the self and belittle others.**

In the Dharmakaya there is no superior or inferior; no one to ascend and nothing to overcome. Fully realizing this in the human world gives rise to the mind of equality. You must embody the mind of equality.

The eighth Sila is: **Give freely; do not be withholding.**

In the Dharmakaya there is no gaining or losing; no one to be deprived and nothing to amass. Fully realizing this in the human world gives rise to the mind of generosity. You must embody the mind of generosity.

The ninth Sila is: **Manifest non-duality; do not be angry.**

In the Dharmakaya there is no self or other; no one to offend, and nothing to take offence at. Fully realizing this in the human world gives rise to the mind of equanimity. You must embody the mind of equanimity.

The tenth Sila is: **Experience the intimacy of things; do not defile the Three Treasures.**

In the Dharmakaya there is no two or three; no isolation and no distinction to be made. Fully realizing this in the human world gives rise to the mind of unity. You must embody the mind of unity.

Three Fundamental Sila

You have all manifested the Sila - good. You have become Buddha's disciples. But beyond that, as disciples of Mahayana you must study the three fundamental Sila. A person who can keep these three is a true Mahayana disciple. I, on behalf of Buddha, give them to you.

1. Abstain from creating discord.

Manifest Absolute Self as the Dharma activity without attachment to personal self.

2. Actualize harmony.

Manifest No-Self as the Dharma activity without attachment to Absolute Self.

3. Clarify the mind, and be of benefit to all beings.

Manifest the interplay of Absolute Self and No-self as the Dharma activity together with all sentient beings.

Appendix B: Issues of Representing the VZC to Public

Issues of representing VZC to the public were discussed at the 26 June 2010 meeting of the Practice Council, from whose minutes the following excerpt is taken (with minor changes for clarity):

- Ven. Eshu drew to the attention of the practice council that in the Training Guideline of the Religious Authorization document, under 'Teaching Authorities' there is a section labeled 'Public Talks/ Representation' which is intended to help clarify the responsibilities and limitations of the various categories of members in regards to representing VZC to the public, and further:
 - that in his experience with other Zen Centres, a lack of clarity in this area has been problematic
 - that there can be an issue of 'over representation', if, through enthusiasm or other motivation, members comport themselves in public in a manner not consistent with their religious authorization category, including how they speak about practice, the wearing of practice outfits, and the hairstyles they adopt, insofar as they relate to category specific signatures, and more specifically:
 - monks are expected to wear robes in public except for occasions which are specifically personal in nature
 - it is not generally appropriate for elders, practice council members, lay members, or regular members to wear their practice outfits in public, as they would thereby become de facto VZC representatives without having the required authorization to be such
 - that since a shaved head is one of the markers of category in VZC (and more generally in Buddhist practice), members should be sensitive to this when choosing their hairstyle
 - to take care when speaking about practice (such as at Tuesday tea circle and elsewhere) to frame comments as one's own personal experience, and to avoid 'teaching' (only the Abbot currently so authorized).
 - to recognize, particularly for monks and elders, that one's conduct at all times will reflect on the VZC, and especially to avoid excesses in three areas, which have often been problematic for practitioners:
 - substances (alcohol, drugs)
 - sexuality (affairs, prostitution)
 - money (stealing, gambling)
 - to appreciate that historically (and currently) the Sangha was (is) dependent on the wider community, and must be sensitive to community mores
 - that before stepping into senior positions, one needs to be willing to accept the behavioural constraints thereby implied,
 - that these issues demand ongoing investigation throughout one's life