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Proposed by Mahavishnu Swami, ISKCON Regional Secretary for Nepal and Bihar, India.

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Dialogued with HG Ravindra Svarupa between 2 Sept 2015 to 6 May 2016

Committee Reference: EC GBCs Srila Prabhupada Position Committee SPPC

Sponsor: HH Guru Prasad Swami and HH Bhanu Swami Maharajas

Re Proposal to amend some ISKCON Documents.

All Glories to Sri Guru and Gauranga!

Dear GBC Body Members,

Please accept my humble obeisances! All Glories to Srila Prabhupada!

I feel very grateful to the GBC for tolerantly engaging me since 1984 as its Regional Secretary for Nepal and Bihar (India). Under the guidance of Jayapataka Swami, Prabhavishnu Swami and Bhakti Purushottama Swami I naturally feel part of ISKCON's management and accountable to Srila Prabhupada.

Over the last few years I began to realise that ISKCON could be in the same or even worse danger than was present in 1970 when Srila Prabhupada detected many discrepancies in our behaviour and dealings

as related in *SPL 31 A Threat Against ISKCON*.. “*The devotees began to understand how the offenses of minimizing Srila Prabhupada's position were products of Mayavada philosophy. For the Mayavadi, to increase devotion to the guru is unnecessary;*” In this regard in early 2015 I submitted a Complaint to the ISKCON Ministry of Justice who treated me in a tolerant and fatherly mood and arranged for me to dialogue with HG Ravindra Svarupa (RS), the author of “*Srila Prabhupada the Founder-Acharya of ISKCON a GBC Foundational Document*” (FA).

During these dialogues I appreciated how FA not only brilliantly revealed the historical basis of Srila Prabhupada’s position as the ISKCON Founder Acarya but it was also visionary and optimistic for ISKCON’s future i.e.:- “*Srila Prabhupada’s active presence will secure the unity and integrity of ISKCON*”(*Outcomes:- page 105*). Nevertheless I realised that certain passages minimized Srila Prabhupada’s position and had to be amended.

I am eager to see more of Srila Prabhupada’s “active presence” in ISKCON Therefore I am offering this proposal to amend FA and the IGBCS Memorandum document . I humbly request the ISKCON GBC Body to adopt this proposal in the mood of service to our supreme ISKCON authority our Founder Acarya His Divine Grace A.C. Bhaktivedanta Swami Prabhupada in his vani and vapu forms.

Thank you for considering this,
Your humble servant
Mahavishnu Swami.

Proposal to amend some ISKCON Documents.

Whereas the phrases to be amended below are inconsistent with the statements in the Declaration of Will of His Divine Grace A.C. Bhaktivedanta Swami Prabhupada the Founder Acarya of ISKCON (Srila Prabhupada), the ISKCON Law Book, the Oath of Allegiance, (see Appendix 1,2,&3 below) and also some principles in Civil Law which all state that Srila Prabhupada is presently the supreme authority or head of ISKCON or the one who is authorising the GBC Body as the “ultimate managing authority” of ISKCON”.

Whereas the phrases below to be amended are minimizing the authority of Srila Prabhupada so that the future of pure devotional service in ISKCON is insecure as explained in the purport of SB 3.4.26 about the results of *“maryada vyatikrama”* or *“impertinently surpassing a greater personality”* and as explained in CC Madhya Ch10.113,114 about the results of *“bhakti-siddhanta-viruddha”*, or words *“against the principle of unity in diversity, philosophically known as acintya-bhedabheda -- simultaneous oneness and difference”*., *“which are practically parallel with mayavada”*,

Whereas the phrases to be amended below are not in accordance with our parampara’s sastric evidences that Srila Prabhupada after his samadhi is still fully present in ISKCON with full authority in his vani form as is described in Srila Bhaktivinode Thakura’s poem *“He reasons ill who says that Vaishnavas die when thou art living still in sound!”*, and also in Narottama das Thakura’s Guru Vandana song - *“guru mukha padma vakya cite koriya aikya “my only wish is to have my consciousness purified by the words emanating from his lotus mouth”* and also in Srila Prabhupada’s statements in his Concluding Words of CC Antya Lila *“There are two ways of association - by vani and by vapuh. Vani means words, and vapuh means physical presence. Physical presence is sometimes appreciable and sometimes not, but vani continues to exist eternally. Therefore, we must take advantage of the vani, not the physical presence”*,

Whereas the phrases to be amended below incorrectly suggest that the GBC Body is the head of ISKCON and not a body which manages on behalf of the head, Srila Prabhupada. This is against Srila Prabhupada’s teachings about varnashrama dharma for instance in JSD 7.1: Plato: Goodness and Government: *“Just as all parts of the body cooperate to keep the body fit, in the ideal state all sections of society cooperate under the leadership of the brahmanas. Comparatively, the head is the most important part of the body, for it gives directions to the other parts of the body. Similarly, the ideal state functions under the directions of the brahmanas, who are not personally interested in political affairs or administration because they have a higher duty”*.

Whereas the phrases to be amended below from FA page 82 are inconsistent with the evidence from Harmonist 28.5:131 cited on FA

page 43 (endorsed by the author of FA) which establishes that the Founder Acarya is the “Head” of the institution: *“The Gaudiya Math is also identical with its founder Acharya. The associates, followers and abode of His Divine Grace are limbs of himself. None of them claim to be anything but a fully subordinate limb of this single individual. This unconditional, causeless, spontaneous submission to the Head, is found to be not only compatible with, but absolutely necessary for the fullest freedom of the author of initiative of the subordinate limbs.”*

Whereas the phrases to be amended below are referred to by a practicing lawyer for ISKCON who gave his written opinions as follows: *“Since Swamiji was the Founder-Acarya of ISKCON it follows that during Swamiji’s lifetime not only was he the Founder, but he was in fact the “ultimate managing authority” of ISKCON”. When the GBC was set it was the latter and not the former authority which had been passed over to the GBC” and who has also stated as follows, “However, the fact of the matter is that GBC was set up for a specific purpose and if GBC exceeds its authority and acts in what is known in English Law as “ultra vires”, then such act or action can be challenged in the Courts of Law;” and who has also stated that the phrases to be amended below “not only offend the spirit of the Declaration of Will of Swamiji but amounts to misrepresentation of the position of GBC....”*

Whereas the phrases below should be amended to prevent the grave risk of creating a break in our parampara as mentioned by Srila Prabhupada in Room Conversation, Perth May 10, 1975:

Ganesa: Srila Prabhupada, if the knowledge was handed down by the saintly kings, evam parampara-praptam [Bg. 4.2], how is it that the knowledge was lost?

Prabhupada: When it was not handed down; simply understood by speculation. Or if it is not handed down as it is. They might have made some changes. Or they did not hand down. Suppose I handed it down to you, but if you do not do that, then it is lost. Now the Krsna consciousness movement is going on in my presence. Now after my departure, if you do not do this, then it is lost. If you go on as you are doing now, then it will go on. But if you stop...

i) RESOLVED

That the GBC Body, understanding that some of its legal documents and official publications which refer to its own constitutional position and authority are misleading and

confusing regarding the extent of the authority given to the GBC Body by Srila Prabhupada, which have been understood to have diminished the ultimate authority of Srila Prabhupada in his vani and vapuh forms hereby resolves that the following amendments be made:

Amendment 1)

On page 82, 1st paragraph of the GBC Press Publication 2014 “Srila Prabhupada the Founder Acharya of ISKCON, a GBC Foundational Document” (FA) it is stated:

“Yet his spiritual master” (Srila Bhaktissidhanta Saraswati Thakura) “himself had asked for a governing board to succeed him **at the head of his institution.**”

This must be corrected to:

“Bhaktisiddhanta Sarasvati Thakura, at the time of his departure, requested all his disciples to form a governing body and conduct missionary activities cooperatively.” (simply substituting Srila Prabhupada’s statement in CC Adi 12.8 purport)

Amendment 2)

On page 82, FA 1st paragraph it is stated:

“He would establish such a board, oversee its development, and have it ready to act **as his successor at the head of ISKCON**”.

This must be corrected to:

“He would establish such a board, oversee its development, and have it ready to act ***as his successor as the ultimate managing authority of ISKCON.***”

Amendment 3)

On page 82, FA 1st paragraph it is stated:

“By thus establishing the GBC and leaving it **as his chosen successor at the head of ISKCON** Srila Prabhupada insured that the order of Srila Bhaktisiddhanta Sarasvati Thakura would continue to work efficaciously in the world and bear fruit.”

This must be corrected to:

*“By thus establishing the GBC and leaving it **as his chosen successor as the ultimate managing authority of ISKCON** Srila Prabhupada insured that the order of Srila Bhaktisiddhanta Sarasvati Thakura would continue to work efficaciously in the world and bear fruit.”*

Amendment 4)

Memorandum of Association of ISKCON Governing Body Commission Society, West Bengal Societies Registration Act 1961 Reg. No. S/74662” dated 1993

In Clause 3 it states:

3. The objects for which the Society is established are:
 - a) To guide and direct the constituent societies of the International Society for Krishna Consciousness, referred to herein also as the ISKCON Society or ISKCON (which expressions shall mean the societies and/or bodies throughout the world formed under the same or other names under and/or in pursuance of the directions **of His Divine Grace A.C. Bhaktivedanta Swami Prabhupada (Srila Prabhupada)** for the following or similar purposes:

This must be corrected to say:

3. The objects for which the Society is established are:
 - a) To guide and direct the constituent societies of the International Society for Krishna Consciousness, referred to herein also as the ISKCON Society or ISKCON (which expressions shall mean the societies and/or bodies throughout the world formed under the same or other names under and/or in pursuance **of the Declaration of Will and directions of ISKCON Founder-Acarya His Divine Grace A.C. Bhaktivedanta Swami Prabhupada (Srila**

Prabhupada) for the following or similar purposes:

Amendment 5)

In clause 7 it states:

7) With a view towards achieving the aforementioned purposes, to publish and distribute periodicals, magazines, books, and other writings.

b) To hold and protect title to the marks, copyrights, names, patents and other intangible assets **of Srila Prabhupada as his natural legal and spiritual successor of ISKCON,** and also such intangible assets of the worldwide International Society for Krishna Consciousness founded by him (with the exception of the writings of Srila Prabhupada, which are held by the Bhaktivedanta Book Trust), and to license their use to societies, bodies and/or persons as it deems appropriate.

Clause 7 must be corrected to say:

7) With a view towards achieving the aforementioned purposes, to publish and distribute periodicals, magazines, books, and other writings.

b) To hold and protect title to the marks, copyrights, names, patents and other intangible assets of ***Srila Prabhupada as his natural legal successor as the ultimate managing authority of ISKCON,*** and also such intangible assets of the worldwide International Society for Krishna Consciousness founded by him (with the exception of the writings of Srila Prabhupada, which are held by the Bhaktivedanta Book Trust), and to license their use to societies, bodies and/or persons as it deems appropriate.

ii) RESOLVED

The GBC hereby declares that it is the successor of ISKCON Founder Acarya His Divine Grace A.C. Bhaktivedanta Swami Prabhupada as the “ultimate managing authority of ISKCON” and not a successor of of ISKCON Founder Acarya His Divine Grace A.C. Bhaktivedanta Swami Prabhupada “at the head of ISKCON”.

iii) RESOLVED

That the above resolution and declaration will remain binding on all future GBC's.

Further Information

The ISKCON GBC Press publication "*Srila Prabhupada the Founder Acharya of ISKCON, a GBC Foundational Document*" (FA) is undoubtedly a sincere and scholarly work which, through historical research, reveals the significance of Srila Prabhupada being the ISKCON Founder Acharya. This makes FA a sound foundation for guiding ISKCON's future. However, some wordings seem confusing and if they are not corrected now by the GBC Body itself it will be very difficult for those trained by the present GBC Body to correct and this could cause controversy to arise amongst future devotees.

In his written dialogues with Mahavishnu Swami (MVS), His Grace Ravindra Svarupa Dasa (RSd) the author of FA as explained that the phrases "*chosen successor at the head of ISKCON*" (FA p82) and others were deliberately and explicitly used in their "specific legal" sense after Srila Prabhupada's physical departure because in the past it was necessary for the GBC to defend ISKCON against those like MM De, the Zonal Acharyas, and others who minimized the GBC's authority and claimed to be Srila Prabhupada's successors.

RSd emphasised: "*To sum up: The GBC body is Srila Prabhupada's chosen successor at the head of ISKCON, named in the first line of his Will. The courts in India have understood it in that way. We have already had to defend Srila Prabhupada's will in court in the matter of M.M. De, and it could happen again. Therefore, I wish to preserve that usage...*" "*However, in order actually to follow Prabhupada's will, we all should understand and support the place of the GBC as Srila Prabhupada's chosen successor at the head of ISKCON. We should be prudent and not assume that we are safe from someone or another making the claim to be Srila Prabhupada's successor at the head of ISKCON.*"

Although the sentiment is valid one may question, that although it

was perhaps at one point in time expedient to preserve this specific legal phrase, whether or not the continued use of such a phrase was required by the time FA was published in 2014? We note the establishment of the ISKCON Governing Body Commission Society, West Bengal Societies Registration Act 1961 Reg. No. S/74662" dated 1993, and that the Letters of Administration to Srila Prabhupada's Will were issued in year 2000 (see attached), after which the GBC seems fully legally authorised and in a strong position to defend ISKCON from any future successorship claimants such as MM De. Furthermore, as FA is in not actuality a legal document, but is meant for devotee's general information about Srila Prabhupada's position in ISKCON, it could be questioned why there is a need for it to include any rare specific legal phrases which can confuse devotees?

RSd hexplained to me that he had taken his specific legal phrase "chosen successor at the head" from the Oxford English Dictionary which quotes from the famous Blackstone's commentary (1766). However, the Oxford Online Dictionary's commonly accepted meaning of the word "successor" is "a person or thing that succeeds another" and this word "successor" also has its synonyms, like "heir, heir apparent, beneficiary, inheritor, next-in-line, descendant, replacement, incomer, substitute". If therefore the 2 uses of the word "successor" in its general meaning and its rare specific legal meaning are not clearly distinguished, the readers of FA who will most likely take the commonly accepted dictionary meaning of "successor" can easily be confused and feel the GBC is minimising the position Srila Prabhupada.

As evidence for these wordings causing confusion we can see that HH Bhakti Caru Swami uses the commonly accepted meaning of "successor" in his Forward to FA, wherein on page 14 he writes, "And like his Guru Maharaja, he [Srila Prabhupada] did not name or select a successor for his ISKCON. Rather, he wanted his disciples to collectively manage the institution through a Governing Body."

Conclusion

Therefore, through accepting this proposal above, the ISKCON GBC Body can find an appropriate way to clarify its own constitutional authority in relation to Srila Prabhupada and correct any controversial wordings in the official documents in question before any misunderstandings arise in future which will disrupt the

unity and preaching potency of ISKCON.

**Hare Krishna Hare Krishna Krishna Krishna Hare Hare
Hare Rama Hare Rama Rama Rama Hare Hare**

Appendix

1) DECLARATION OF WILL June 1977

I, A.C. Bhaktivedanta Swami Prabhupada, founder-acarya of the International Society for Krishna Consciousness, Settlor of the Bhaktivedanta Book Trust, and disciple of Om Visnupada 108 Sri Srimad Bhaktisiddhanta Sarasvati Gosvami Maharaj Prabhupada, presently residing at Sri Krsna-Balarama Mandir in Vrndavana, make this my last will:

1. The Governing Body Commission (GBC) will be the ultimate managing authority of the entire International Society for Krishna Consciousness.

2) ISKCON Law Book

2 Srila Prabhupada, the Founder-Acarya of ISKCON 2.1 Definition His Divine Grace A.C. Bhaktivedanta Swami Prabhupada is the Founder-Acarya of ISKCON. This means that he is ISKCON's link with the *Brahma-Madhva-Gaudiya sampradaya*, that his writings, oral teachings, and exemplary actions remain the permanent and irreplaceable basis for all subsequent teachings and activities of ISKCON. He is and will remain always the instructing spiritual master of all devotees in ISKCON. (Law Revision committee 9.6.90)

3) ISKCON Oath of Allegiance

1. To accept His Divine Grace A.C. Bhaktivedanta Swami Prabhupada as the Founder-Acarya and Supreme Authority of ISKCON, and to follow his teachings, instructions and directions.
2. To accept the Governing Body Commission of ISKCON as the ultimate managing authority of ISKCON as directed in Srila Prabhupada's last will and testament.

