

Bertolucci Lawsuit: A Complete Summary of the Case

Here is the story of the Bertolucci trial, in which Ananda and Swami Kriyananda were accused of sexual and financial improprieties.

You will learn about the courtroom drama, and the disturbing events after the trial that forced Ananda into temporary Chapter 11 bankruptcy.

Did Ananda receive a fair trial?

After the verdict, Ananda looked for a national legal foundation that would take on an appeal. Our hope was to find attorneys who would work pro bono, since Ananda's finances were severely depleted by the SRF and Bertolucci lawsuits.

The legal scholars and experts who reviewed the case were shocked by the outcome of the trial, and even more so by the shoddy way it had been handled by the judge. As one expert remarked, "This verdict has the shelf life of an apple!"

They strongly encouraged Ananda to appeal. But although Ananda strongly desired to correct the wrongs committed in the courtroom, it no longer had the resources, after being forced to spend millions defending the SRF and Bertolucci cases.

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I. BACKGROUND

In 1920, Paramhansa Yogananda, a fully liberated master of yoga, arrived in America, with the intent to share the ancient teachings of yoga in the West.

Yogananda came, he declared, in response to a silent longing of many Americans for a "practical religion" that they could test in the laboratory of their own experience.

Five years later, Yogananda founded an organization, Self-Realization Fellowship (SRF), in Los Angeles.

In 1948, Yogananda accepted a young American, J. Donald Walters (later Swami Kriyananda) as a monk and disciple.

Yogananda passed away four years later, in 1952. In the years that followed, Kriyananda became one of SRF's principal teachers, served as the head of the monks, and was appointed to the SRF board of directors and named SRF's vice president. In 1962, SRF expelled him.

Kriyananda's had long been a solitary voice on the board of directors, urging a more dynamic effort to spread Yogananda's work, and a more expansive interpretation of Yogananda's teachings.

Alarmed by his creative spirit and his energetic commitment to making the Master's work known, the nuns who constituted the leadership of SRF dismissed him.

Swami Kriyananda offers a full description of these events in two books: [*Yogananda for the World*](#) (available as a free PDF online), and [*A Place Called Ananda: The Trial by Fire That Forged One of the Most Successful Communities in the World Today*](#) (the link is to a free online version of the book).

SRF's obsessive animus toward Kriyananda continues to this day.

In 1968, Kriyananda founded Ananda Village, a small spiritual cooperative community in the foothills of northern California, near Nevada City. What began as a tiny rural community grew into a network of successful spiritual communities, churches, and meditation groups worldwide.

Swami Kriyananda started the Ananda communities to fulfill a dream of Yogananda's, for the creation of small "World Brotherhood Colonies" where people could enjoy a life of "plain living and high thinking."

Ananda now includes the original community, Ananda Village, where about 250 adult residents and 100 children live, and seven other communities in Seattle, Washington; Portland, Oregon; Palo Alto, California; Sacramento, California; Assisi, Italy; and New Delhi and Pune, India.

The communities are centered around churches where members and the public attend Sunday worship services and meditations, classes in yoga-related topics, and social events. (You can find links to the community websites [here](#).)

Altogether, Ananda has about 3000 members, 600 of whom live in the Ananda communities.

Ananda's branch communities and churches are separately incorporated. The "Ananda" listed as a defendant in the Bertolucci lawsuit is the headquarters corporation, located at Ananda Village.

Ananda has an IRS-approved monastic order. It is a householder order, with religious vows modified to fit Paramhansa Yogananda's ideal of a spiritual life for

modern times. In 2010, Swami Kriyananda also established a new branch of the ancient Swami Order, called the [Nayaswami \(“new swami”\) Order](#). The Nayaswami Order is open to followers of all paths, and is not connected to the Ananda order.

Instead of vows of “poverty, chastity, and obedience,” the vows of the Ananda householder order are “simplicity, moderation, and cooperation” for the postulant stage, with a final vow of “cooperative obedience” for “life members.” Final vows are offered to those who have been members of Ananda for at least 8-10 years.

Ananda is not economically communal. Individuals retain ownership of private property. Financial support of the Ananda church, even among the monastics, is voluntary.

At Ananda Village, of the 250 resident adults, about 175 are designated as ministers. However, less than a dozen are full-time vocational pastors engaged in teaching and counseling. The rest may perform pastoral duties occasionally, or may serve as ministers through Ananda’s offices and businesses, or independently.

Ananda’s growth and Kriyananda’s prolific output elicited increasing alarm among the SRF leaders over the years. As of 2012, he had written more than 140 books, composed over 400 pieces of music, spoken to thousands worldwide, and recorded videos and television programs watched by millions in India, Europe, and America.

SRF has always considered itself the “one, true church” where Yogananda’s teachings are concerned. SRF’s leaders are firmly convinced that they alone have the right to offer Yogananda’s ideas and works.

While other small Yogananda groups and teachers have sprung up across America, Ananda is the largest and most dynamic, and is therefore seen by SRF as the most threatening to its exclusive control of the Master’s legacy.

SRF has never relaxed in claiming to be the sole guardian of the “purity” of Yogananda’s teachings. Ananda disputes SRF’s assertion of doctrinal purity, pointing to the countless changes it has made to Yogananda’s works since his passing.

Yogananda himself remarked to long-time SRF president Daya Mata, shortly before his passing, “How you all will change my teachings after I am gone! I doubt, if I were to return in a hundred years, if I would even recognize them.”

In 1990, SRF filed a lawsuit against Ananda in which it claimed that it held exclusive copyrights and trademarks in Yogananda’s “name, image, and likeness,” as well as his writings, recordings, and certain key terms, especially “Self-realization,” the name by which Yogananda called the teachings he brought to America.

Ananda has always considered “Self-Realization” to be a generic term, since it has been used for thousands of years to describe the goal of India’s non-sectarian teachings.

During an early hearing in the lawsuit, the federal judge appointed to the case observed that with its lawsuit against Ananda, “It looks like you [SRF] are trying to put them [Ananda] out of business.”

Ananda presented evidence that SRF had failed to register proper copyrights in these works, and that Yogananda had never taken copyrights on his own writings. The judge canceled the copyrights, thus making the master’s works freely available to the world — even as the teachings of great liberated souls such as Jesus, Krishna, and the Buddha can never be “owned” by a single group, but are the rightful heritage of the world.

Several years into the litigation, SRF had lost on virtually every issue — even losing rights that it hadn’t realized were in jeopardy, including copyrights on many of Yogananda’s writings.

The full story of the first case is told in [*A Fight For Religious Freedom: A Lawyer’s Personal Account of Copyrights, Karma and Dharmic Litigation*](#), by attorney Jon Parsons. (Read an excerpt [here](#).) This book includes many little-known stories of Yogananda’s own struggles to start his work in America, often against racial and religious persecution and legal attacks.

The loss of its exclusive ownership of the term “Self-realization” hit SRF especially hard. Having lost more than 95 percent of the issues in its lawsuit, SRF was desperate for a way to reverse the rulings.

SRF’s lawyers decided that if Ananda and its leaders could be found guilty of morally reprehensible conduct, it might be possible to prohibit Ananda from using the rights SRF had lost.

Such a claim is known as “tarnishment.” SRF’s logic went something like this: If (a) the public believed that Ananda and SRF were the same organization, due to Ananda’s use of similar terminology (e.g., “Self-Realization”), and (b) if Ananda were shown to be corrupt, then (c) the judge might be persuaded that this public confusion had the effect of “tarnishing” SRF’s reputation by association with Ananda in the public eye. Thus the judge might (d) return to SRF the exclusive rights in Yogananda’s written works, photographs, etc.

In the months that followed, Ananda members received an endless series of phone calls from people pretending to be looking for information. At some point in the conversation, they would innocently ask, “Is Ananda the same as SRF?”

The calls were so conspicuously disingenuous that it was obvious they were from SRF members who'd been enlisted by the leadership to try to "prove" that Ananda was pretending to be SRF. For the Ananda members, the calls were cause for high hilarity.

In fact, the "confusion" claim was ridiculous – at most, it was a measure of SRF's institutional hubris – the SRF leaders seemed unable to imagine that Ananda would not have an inferiority complex. As one Ananda member laughingly put it, "Why would we want to be them?" Ananda had never envied SRF.

Ananda was able to present evidence that strongly suggested SRF was financially supporting a sexual-harassment lawsuit filed by a former Ananda member, Anne-Marie Bertolucci, and that it was doing so in order to bolster its claim of tarnishment.

Ananda's evidence persuaded the judge, who ruled that SRF had "unclean hands" – that is, SRF could not benefit from a scandal that it had helped to create. The evidence of SRF's involvement is presented below, as well as in [Bertolucci Lawsuit: The Self-Realization Fellowship \(SRF\) Connection](#), and in [Chapter 13 of Swami Kriyananda's book, *Yogananda for the World*](#).

II. BERTOLUCCI v. ANANDA

To understand the issues involved in the Bertolucci trial, it is useful to know about the events that led up to the lawsuit.

An affair with a married man

Danny L. , a married man who lived at Ananda Village and served as an Ananda minister (but not a pastoral minister) had a consensual affair with Anne-Marie Bertolucci, a woman who also lived in the community.

The affair lasted from mid-April, 1993 to the end of November. For most of that time, they worked at Crystal Clarity Publishers, the Ananda-owned company that published Swami Kriyananda's books and recordings. Danny was the company's salesman, and Bertolucci worked in the ordering department. At no time did Danny L. have any ministerial or supervisory authority over her, though she would later claim he did.

The lovers let several friends know that they were "attracted," but kept their sexual contact secret until shortly before the relationship ended.

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Around August, Bertolucci transferred to another department at Ananda Village, but the lovers continued to meet secretly.

Kriyananda encourages Bertolucci to give up the affair

Swami Kriyananda, the founder and spiritual director of Ananda, spoke with Danny and Anne-Marie several times during the affair, which they presented to him as an “attraction.” Without interfering in their free choice, he did his best to inspire them to give up the relationship. Finally, on his own, Danny decided to remain with his wife and developmentally disabled child.

The day after Danny announced his decision, Kriyananda met with Bertolucci and encouraged her to give up her pursuit of Danny. She became angry and stated that she was determined to marry Danny. Kriyananda said that, in that case, she would have to move to another Ananda community, to enable the situation to cool down.

When he suggested that she move to the community in Seattle or Assisi, Italy, she resisted, deciding instead to move to Palo Alto. He didn’t dispute her choice but stated that he could not stand by and watch her destroy Danny’s marriage.

Bertolucci lived in the Palo Alto Ananda community for seven months, from December, 1993 to August, 1994. Increasingly embittered about her situation, and encouraged by SRF members, in November, 1994 she filed a lawsuit claiming fraud, negligent supervision, sexual harassment, and intentional infliction of emotional distress.

Bertolucci connects with SRF

In filing her suit, Bertolucci was guided and supported by SRF members who had relentlessly attacked Ananda for years. [Eric Estep](#), a former resident of Ananda Village, took Bertolucci to SRF headquarters in Los Angeles, where she met with members of the SRF board – a very unusual privilege.

It was normally almost unheard-of for anyone, even an SRF member, to meet with the board, much less spend time privately with the SRF president, Daya Mata, with whom Bertolucci had a long conversation over lunch. Later, she was allowed to meditate in Yogananda’s room, now a shrine —another highly unusual privilege.

After her visit to SRF, Eric Estep introduced Bertolucci to Ford Greene, a former member of the “Moonie” cult, who proudly stated that he had become a lawyer for the sole purpose of “cult-busting” and “guru hunting.”

The first papers were served to Swami Kriyananda by SRF members, who continued to deliver most of the subpoenas throughout the case.

Sensational accusations well beyond the actual charges

As the case progressed, it quickly became obvious that the deeper purpose of the lawsuit was to destroy Ananda and reverse the court’s decisions in the SRF case. The

scope of Bertolucci's lawsuit rapidly expanded beyond her simple assertion of unwanted sexual advances by Danny L.

Bertolucci was able to hire a second attorney, Mike Flynn, who had been associated with SRF for years. Flynn was a Southern California legal powerhouse, with celebrity clients including the actress Demi Moore and the Indian-born spiritual teacher, Deepak Chopra.

Where did Bertolucci get the funds to hire such high-profile legal help? Her lawyers claimed to be serving pro bono, despite highly suggestive evidence to the contrary, as will be seen below.

The initial claim was clearly targeted, not at seeking "justice" for Bertolucci, but at destroying Ananda and Kriyananda. Shocking in its fabrications, it characterized Ananda as the worst kind of abusive cult, stating that Ananda was a sham religion designed for the systematic exploitation of women, and that Kriyananda was the worst kind of sexual predator. The document was expressly written to sway the judge with its lurid sensationalism.

From the start, Bertolucci, her lawyers, and her SRF helpers did their best to try the case in the media. It was obvious that they wanted to sway public opinion, taint the jury pool, and influence the court. Their efforts, however, were only partially successful. The respected mainstream media, including the *San Francisco Chronicle* and major TV stations, refused to accept Bertolucci's story at face value.

The "big media" were understandably skittish, having been burned in recent years when they printed major stories about accusations of sexual harassment that were subsequently proved false – e.g., the Larry Ellison, Cardinal Bernardin, "Tailgate," and Fran Conley cases.

Only a single San Francisco weekly alternative paper, which was financially supported by the city's sex trade (it printed page after page of ads for outcall "escort" services), accepted a blatantly one-sided account of the case. And a local paper in Palo Alto, run by a fundamentalist Christian publisher, uncritically published stories fed to it by the Bertolucci/SRF media machine.

In view of the inflammatory material being spread by Bertolucci and her supporters, Ananda asked for and obtained a court order that "sealed" the depositions of Ananda's witnesses, to prevent highly selective tidbits from being leaked to the media.

The claims in Bertolucci's complaint were absurd. For example, she alleged that she had been so thoroughly brainwashed by an initial 15-minute introduction to meditation at Ananda Sangha in Palo Alto that she had been unable to resist Danny L.'s sexual advances.

She further claimed that she had been subjected to coercive persuasion and had lost her free will. She alleged that she had been fraudulently induced to join Ananda, which represented itself as a bona fide spiritual group, when in fact Ananda had recruited her for the sexual pleasure of Kriyananda, Danny L., and the other Ananda ministers.

From the beginning, Bertolucci and her affair with Danny L. faded into the background, serving as necessary tools for SRF and the “cult-busting” lawyers to achieve their real goal: the destruction of Swami Kriyananda and Ananda.

To strengthen her claim that her affair with Danny had not been consensual, she needed to establish legal evidence of a “pattern and practice” of abuse. Thus her attorneys set about to prove that Kriyananda had engaged in a “history of sexual predation.”

Kriyananda and his monastic vows

Paramhansa Yogananda made Swami Kriyananda a monk in 1948, when he was 22 years old. Kriyananda maintained his monastic status after he was expelled from SRF. In 1981, he asked Daya Mata to formally absolve him of his vows, as he intended to marry.

His motives for marrying are discussed in another document on this site, [*Gurus, Spiritual Authority, and Renunciation*](#).

Swami Kriyananda had realized that it was vital for people in America to understand that the path of a householder is not “inferior” to the monastic calling.

In fact, the Bhagavad Gita states that marriage is the superior path. Yogananda’s guru, Sri Yukteswar, and his guru in turn, Lahiri Mahasaya, had both been married. Yogananda said that in former lives, he himself had been married, even though he was already fully liberated at the time.

(One of these past lives of Yogananda is told in a fascinating book [*Two Souls: Four Lives. The Lives and Former Lives of Paramhansa Yogananda and His Disciple, Swami Kriyananda*](#), by Catherine Kairavi.)

Kriyananda was aware that the householders at Ananda Village felt subtly inferior, like second-class citizens, while the monastics were considered to be following a superior path.

It was trend he viewed as dangerous. Yogananda had wanted the residents of his proposed “world-brotherhood colonies” to be inspired by the ideal of renunciation, and to understand that they could pursue that path just as dynamically while married.

Yogananda taught that marriage offers an invaluable setting for learning important spiritual lessons – to expand our hearts to others, as an essential step in learning to please God and attract His blessings by giving love to others.

Swami Kriyananda knew that the Ananda householders would not truly believe in their spiritual equality unless he himself would set an example. Thus, he renounced his vows and entered a relationship with a woman named Kimberly Moore, whom he married in a private ceremony on a beach in northern California.

Later, after Parmeshwari left Ananda, he married Rosanna Golia. Their marriage offered an inspiring example for the householders who still had doubts.

It was after his break-up with Parmeshwari, and his divorce with Rosanna, that the witnesses in the Bertolucci trial claimed to have been “abused”

Swami Kriyananda did not resume his monastic vows until 1995, long after the events described in Bertolucci’s lawsuit. Thus it was absurd for Bertolucci and her attorneys to claim that he had misrepresented himself as a “celibate swami,” since no one at Ananda was unaware of his marriages.

Ananda follows the monastic tradition of India, where a renunciate monk is called a “sannyasi” or more commonly, a “swami.” As Swami Kriyananda explains in [*Gurus, Spiritual Authority, and Renunciation*](#), in the Indian tradition the title “swami” means “teacher.” While a formal vow of swamihood includes a vow of celibacy, it is commonly understood that a vow is not the same as an accomplished fact.

Swami Kriyananda describes how the vows of a swami are understood in India:

A swami is a man or woman vowed to renunciation. In this sense he is like a Catholic monastic or priest. Has a person failed in his renunciation if he is ever tempted, or, worse still, if he or she succumbs to the temptation? To carry this thought further, has a person failed as a renunciate if he or she slips in any of the aspects of renunciation? Is he, for example, a failed renunciate if he accepts a compliment to his ego? We may speak of error, but why define error as failure? Indeed, why define it as sin? A slip is not a fall. Swami Sri Yukteswar, Paramhansa Yogananda’s guru, said, “Forget the past. The vanished lives of all men are dark with many shames. Human nature is ever unreliable until anchored in the Divine. Everything in future will improve if you are making a spiritual effort now.”

If a person is doing his best, that is all God Himself could possibly ask of him. And it is not being hypocritical. It is struggling, with the strength and ability at his command, to rise toward the Truth, and to leave error behind forever.

Hypocrisy must be considered also from an opposite standpoint: in the attitude of the condemners. For is it not hypocrisy to demand of others a perfection that one has no expectation of achieving in oneself?

Self-transformation is a process

I think it is time people involved in the spiritual scene in the West, particularly those who practice yoga, became more real in their assessments. For there are many teachers who have much to give, if we don't ask the impossible of them. If they are sincere, they are not merchants trying to get people to buy their wares. They are fellow human beings who understand that the less importance they give to themselves, the more good happens through them. That good isn't their doing. It couldn't be, or it wouldn't really be good. For myself, I may say that, with diminishing interest in myself and in what others think of me, an awareness comes of another Presence, and, with it, a desire to awaken in other people a sense of the Divine Reality in themselves.

Self-transformation is a process. It is not the sudden consequence of a mere resolution to change. Values at every level of society should be taken out of the rusty enclosure of absolute definitions, and viewed in terms of directional development. We are all working to become better. That "better" may someday become our own personal "best." But it certainly won't become so in a day, a year, or perhaps even in one incarnation.

Paramhansa Yogananda stated that no one is safe from the three greatest delusions — money, sex, and intoxicants — until he has achieved final liberation. Thus, a swami may have to contend with temptation. But as long as he remains firmly dedicated to the highest spiritual attainment, "A slip," as Yogananda put it, "is not a fall." By turning his energies steadfastly to spiritually uplifting activities such as service, meditation, and teaching others, the swami is able, in time, to withdraw his energy from lower desires. It is a gradual process.

The distinction would become important in the Bertolucci case, since the lawyers would make deceptive use of the term "swami," — claiming, falsely, that it implied attainment of absolute celibacy.

During his 32 years as a monk, Kriyananda concedes that while he was strong in the monastic precepts of non-attachment, dedication to God, etc., celibacy was more of a struggle.

At his first meeting with Paramhansa Yogananda, the Master asked him which of the three greatest temptations of money, sex, and intoxicants, had caused him trouble. The young Donald Walters truthfully replied, "Sex has been a problem." Yogananda was pleased with his honesty. He said, "This quality is not strong in you. You will overcome it."

Not often, but a few times over the three decades covered in Bertolucci's lawsuit, he slipped. However, he never for a moment gave up his determination to succeed. This became germane in the Bertolucci proceedings, when the "slips" were highly inflated, and alleged to constitute fraud.

Renunciation of monastic vows

In 1981, Swami Kriyananda fell in love with a woman named Kimberly Moore. He began a public relationship with her, which [he announced in the national magazine, *Yoga Journal*](#). In the article, he reported that he had given up his monastic vows and was living as a householder with Kimberly, who had taken the spiritual name Parmeshwari.

The relationship was short-lived. Kimberly left after less than a year. In the months-long period of grieving that followed, he became briefly involved with three separate women: Kamala Willey, Denise Peterson, and Deborah Donie-Seligson, who offered him a sexual relationship. He openly admits that it was unwise to accept the sexual favors they freely and enthusiastically offered, but he did. None of the connections lasted longer than a few months, and he was relieved when they were over.

The relationships were consensual — until the Bertolucci lawsuit began

At no time did any of the three women hint that the relationships were anything but consensual. All of them maintained friendly contact with Ananda and Kriyananda for years after they occurred. Only when the Bertolucci case began did their stories change. All three then testified that Kriyananda had abused them sexually and emotionally. Each of the women had a motive for changing her story, as explained [elsewhere on this site](#).

Was the use of the word "Swami" fraudulent, as plaintiffs claimed?

When Kriyananda renounced his monastic vows in 1981, he stopped using the title "Swami," since he was no longer a sannyasi – a formal religious renunciate. From that point, he published his books as "Kriyananda" or "Sri Kriyananda." In his public talks, he was presented by those titles.

Those who knew him well, however, had grown accustomed to calling him "Swami" and continued to do so, as a sign of respect. As mentioned earlier, a commonly accepted meaning of "Swami" in India is "teacher," which exactly captures his relationship with Ananda's members. In India, a husband will often address his wife as *mere swami* — "mother and teacher."

The continued use of the name "swami" by Ananda members became the focal point of the claim of fraud. Bertolucci's lawyers were able to convince the judge and

jury that because people had continued to call him Swami, Kriyananda had falsely represented himself as celibate.

It was a ridiculous claim — in fact, it was a typical case of lawyers spinning word meanings to support their case. During the entire time that Bertolucci lived at Ananda, Kriyananda was a married man. He had made it publicly known that he was no longer vowed to celibacy. Nonetheless, Bertolucci claimed that his being called “Swami” was evidence of deceit.

SRF introduces “tarnishment” into its litigation

In about 1995, SRF began to introduce the facts of the Bertolucci case into its own litigation against Ananda. In various ways, it tried to use the inflammatory nature of the case to prejudice the judge.

After reviewing evidence presented by Ananda that SRF was secretly promoting and even financing the Bertolucci case, the judge ruled that SRF had “unclean hands” That is, SRF could not benefit legally from a scandal that it had, in fact, helped to create.

Increasingly desperate to recoup its losses, SRF appealed the judge’s ruling, but failed. Since the trial, SRF has continued to mount a campaign of “sighs and whispers” outside of the legal process, citing the Bertolucci judgment as evidence of Ananda’s and Swami Kriyananda’s moral turpitude.

III. CONSTITUTIONAL VIOLATIONS

1. Judge denies pre-trial motion to exclude spiritual beliefs and practices

Before the trial began, Ananda submitted a motion to exclude testimony about its religious beliefs and practices. Based on her claims so far, Ananda fully expected that Bertolucci would distort the teachings to bolster her case. The judge denied the motion, stating that he needed to know the “context” in which her claims of harassment, etc., were made.

2. Bertolucci allowed to grossly misrepresent Ananda’s beliefs and practices

Anne-Marie Bertolucci testified for eight days. For most of the first four days, she testified about Ananda’s religious beliefs and practices. Ananda’s attorney continually objected and finally established a standing objection, but the judge overruled him completely.

Bertolucci listed various classes she had taken at Ananda and described in some detail her version of what she had been taught. She also read sections of writings from Ananda, including books, pamphlets, class handouts, charts, and home-study lessons.

Throughout her testimony, she flagrantly misrepresented the teachings. When quoting from the material, she interpreted it in ways that distorted the meaning to suit her purpose. She used esoteric concepts and Sanskrit words unknown to the jury; as a result, they literally had no idea what she was saying. She would then explain the terms in a way that made Ananda appear to be a coercive organization that specifically exploited females. (In fact, more than 60 percent of Ananda's teaching ministers and business managers are women. Women have always been treated in every way equally with men at Ananda. As one woman resident of Ananda Village put it, in a pioneering work such as Ananda's, there is no time or energy for childish gender distinctions.)

The trial transcript reflects the deviousness of her testimony. A few highlights:

Bertolucci said that Ananda's central spiritual practice of meditation and chanting had transformed her into a sponge. She claimed that as a result of these practices she had lost her ability to discriminate, because they had taken down her defenses and boundaries. The effect, she claimed, was instantaneous. After a first 15-minute meditation class, she claimed that she was never herself, until months after she left Ananda, three years later.

It was the first time in 30 years, during which thousands of people had taken meditation classes from Ananda's centers and churches, that anyone had made such a claim. In fact, the techniques are so benign, mainstream, and scientifically verified that they are routinely taught in corporations, hospitals, and the U.S. military.

Bertolucci claimed that she was told to seek frequent guidance from Ananda ministers who would always know better than she would what was right. This teaching was later used to explain how Danny L., as a minister, had such power over her.

These claims were false, as anyone who had the slightest knowledge of Ananda would recognize.

It is a standing joke at Ananda that the members are so stubbornly independent that no one could possibly mistake it for a cult. The people of Ananda are like intelligent people everywhere, suspicious of unexamined claims and confident of their ability to analyze and understand new information.

In fact, the meditation techniques taught at Ananda have been shown to activate the prefrontal cortex of the brain – the brain centers where qualities of concentration, will power, independent thinking, initiative, and the ability to form long-term plans and pursue them, are located. College students who have greater activation of their prefrontal cortex have been shown to have higher grades and fewer problems with drugs and alcohol. The meditative state is not passive, as Bertolucci claimed – it is a state of alert awareness and calm, laser-like concentration.

Bertolucci claimed that Ananda's teachings encourage people to be positive and avoid negative attitudes, and that this meant she was forbidden to question or criticize anything that was taught her.

This is simply not true. Swami Kriyananda discourages "yes-men" and strongly supports the Ananda members in independent thinking. In her book, [*Swami Kriyananda: As We Have Known Him*](#), Nayaswami Asha Praver presents dozens of stories demonstrating his enthusiastic encouragement of people to think for themselves. "The best yoga posture," he says, "is the one that enables you to stand on your own two feet."

People are indeed encouraged to be positive at Ananda – in the sense of not offering endless negative criticisms without offering corresponding solutions. But this is simply a defining quality of a mature approach to life. In this way, Ananda resembles any successful organization in America.

It is remarkable how Ananda has tolerated the few members with "carping spirits." In fact, it is ironic that one of Ananda's severest critics took full advantage of this liberal attitude while he lived at Ananda Village.

It was this former member who took Bertolucci to meet SRF's leaders and introduced her to her first attorney. While living at Ananda Village for 12 years, this man steadfastly refused to pay the standard community dues and responded with scathing criticism to everything that Ananda and Swami Kriyananda did. Despite his uncooperative behavior, Swami Kriyananda extended only love and kindness to him for more than a decade, making gentle excuses for him. Finally, the community's manager gave him an alternative: either begin to participate, or leave. His story is definitive proof, if any were needed, that Ananda is not a mind-controlling cult.

In her testimony, Bertolucci brazenly distorted the nature of the guru-disciple relationship, and concepts such as attunement and surrender to God's will, making them appear to be tools of coercive persuasion.

In another irony, Bertolucci's lead attorney had been a member of SRF for years, and a close associate of the SRF president, Daya Mata – facts which he carefully tried to hide. Thus, he was fully aware that her interpretations of the teachings were false, and that they would apply equally to SRF, since both groups follow the same teachings.

His prosecution was a show trial, calculated to prejudice the members of the jury by igniting their emotions with inflammatory claims of coercion, subjugation, unfairness, abuse, etc. that were false in the extreme, as he well understood. In its zeal to destroy Kriyananda and Ananda, SRF stooped to tolerating Bertolucci's blatant lies about its Guru's teachings. Obviously, for SRF, the ends justified the means.

People who come to Ananda are offered voluntary, step-wise vows that affirm their increasing commitment to the path. The vows are spread out over several years, as people come to understand the teachings more deeply.

Many people never take the final “life” vows that are available after 8 to 10 years. Some never take any vows, even as they continue to participate in the life of the church and community. A fundamental principle of Yogananda’s teachings is that “true teaching is individual” – that each aspirant must proceed at his/her own pace. Bertolucci completely distorted the voluntary nature of the vows in order to make Ananda seem a coercive religious organization.

Bertolucci read sections of a document widely available to Ananda members, “The Rules of Conduct for Ananda Members” and gave her personal interpretations, which were completely unrelated to how the “Rules” are understood and lived at Ananda.

Monastic orders have always required their members to pledge some level of obedience to a spiritual superior. In Ananda’s case, the pledge is “cooperative obedience” to the “Spiritual Director.” This vow, which is spiritual and ecclesiastic in nature, Bertolucci characterized to mean that every individual within Ananda is entirely under the personal control of Kriyananda. She further interpreted it to have vast administrative and financial implications. Not one word of this testimony was true. Her arguments were designed to persuade the jury – none of whom had any experience with religious organizations – that Ananda was a “cult.”

3. Ananda’s religious beliefs and practices were a constant theme

The vow of “cooperative obedience” was used repeatedly to persuade the jury that no one from Ananda could be believed, since the members had to lie to protect Kriyananda.

Bertolucci’s attorney asserted that everyone from Ananda had had their mind “bent” and therefore could not be believed.

Several damaging witnesses appeared for Bertolucci’s side, claiming that they had had coercive or abusive sexual relations with Kriyananda. Each intermingled in her testimony aspects of Ananda’s religious beliefs or practices. They made the completely false claim, for example, that Kriyananda is the guru of Ananda, and, as such had to be obeyed, no matter what. Therefore, they said, they had no choice but to submit to his will. In some cases, they further testified that other church leaders encouraged them to submit to his sexual desires based on the same guru doctrine.

None of these claims was true. In every case, the incidents that occurred were entirely consensual.

It is useful to know something about the cultural environment in which these charges were made. See, for example, [An Alarming National Trend: Are false claims of sexual harassment destroying the reputations of innocent men?](#), and the other articles under tab number 7 on the [home page](#).

In the legal literature of sexual harassment, it is well known that some women file false claims, from a variety of motives that tend to follow the same patterns: to clean up a reputation; to exact revenge upon a male figure from whom they failed to receive an expected benefit; to receive a financial reward; etc. In some areas of the country, FBI case reviews have found that upwards of 40 percent of such charges are false. In her book, [Sexual Violence: Our War Against Rape](#), Linda Fairstein, former chief of the Sex Crimes Unit of the district attorney's office in Manhattan for more than two decades, and America's foremost legal expert on sexual assault and domestic violence, excoriates the women who file false charges, since they diminish the credibility of the real victims.

In his book, [The Myth of Male Power](#), Warren Farrell, a former high-ranking official of the National Organization for Women, describes perhaps the most typical scenario: where a woman is attracted to what she perceives as a man's power and tries to gain that power for herself through sexual favors. When spurned, she seeks other powerful men to exact revenge, using the convenient law of sexual harassment.

When a lawyer – Bertolucci's lead attorney? – visited Mother Meera, an Indian saint living in Germany, he asked her about the truth of a case he was prosecuting in which several women were accusing a spiritual teacher of sexual abuse. Meera's answer was unhesitating: "They wanted his power."

4. The meaning of the word "swami" was central to the fraud claim

As explained earlier, Kriyananda was a swami in the sense of a celibate monk from 1968 to 1981. In 1981, he formally and publicly renounced his sannyas vows. Thereafter, in his writings and lectures his formal title became simply "Kriyananda," or "Sri Kriyananda." In 1995 he resumed his vows.

As mentioned earlier, "swami" is a Sanskrit word with several meanings. The most common is "celibate monk," defined as one who has taken "*sannyas*" or "swami" vows. Bertolucci repeatedly presented evidence of this definition.

At Ananda in 1981, there was public discussion about what people should call him, now that he had renounced his vows. The fact that "swami" also means teacher was cited as a reason to continue calling him "Swami," as before.

Bertolucci claimed that his being called "Swami" represented a deliberate attempt to cover up the fact that he was no longer vowed to celibacy. This was the major component of her fraud claim, even though he had published an article in *Yoga*

Journal, the most widely read yoga magazine in America, in which he publicly announced his marriage and described the meaning of the term “swami.”

IV. JUDICIAL BIAS AND ERROR

From the beginning of the trial, the judge exhibited a bias in favor of Bertolucci and against Ananda. The transcript is littered with examples of his prejudice, many of which were egregious. Some highlights:

1. Harsh sanctions deprived Ananda of its legally guaranteed right to cross-examine witnesses

The day before the trial began, the judge imposed sanctions that prohibited Ananda’s attorney from cross-examining any of the witnesses about their claims of sexual misconduct, and barred Ananda from presenting counter-evidence. These sanctions were imposed even though the judge described the allegations against Swami Kriyananda as the linchpin to the entire case, which they proved to be.

Jon Parsons, one of Ananda’s attorneys and the author of a book about the SRF and Bertolucci cases wrote, “What a blow. What an unbelievable blow. How could it be, that after so much effort and preparation, with so much at stake, we would have our hands and tongues tied at trial? With this single order the trial was doomed from its start. This was beyond reason or justice.”

Because the women knew that they would be unchallenged, they spoke freely, varying and greatly expanding their stories from their pre-trial depositions. Ananda was able to impeach them on peripheral issues, but because of the sanctions, we were powerless to point out the discrepancies at the heart of their testimony.

Worse still, the sanctions stipulated that Ananda could not tell the jury that the sanctions existed. Thus, day after day, the witnesses were free to say whatever they pleased, while Ananda’s attorney had to listen in silence without posing the slightest objection.

What could the jury infer? They were left to assume that Ananda was silent because it *had* no objections — which was far from the case, as evidenced in another document on this site: [Charges of Sexual Misconduct — Part III](#). See also the other documents under [tab number 3 on the home page](#): *Ananda Answers Charges of Sexual and Financial Misconduct*.

Nor was Ananda allowed to present an affirmative defense. For example, the judge’s ruling prevented Ananda from calling as witnesses any of the 70 women who had submitted declarations stating that the charges of sexual misconduct against Kriyananda ran entirely contrary to their experience of him over many years.

When Ananda succeeded in putting a single affirmative witness on the stand, the judge aggressively prevented her from giving the heart of her testimony. The judge

routinely prevented other defense witnesses from saying anything even mildly damaging to the credibility of the women who claimed they were sexually exploited at Ananda, or contradicting their claims.

Only Kriyananda himself was allowed to testify and defend himself against the charges.

Why did the judge impose such blatantly unfair, in fact illegal sanctions against Ananda?

The “Trash Incident”

At one point in SRF’s lawsuit against Ananda, Ananda engaged a private investigator to find evidence that SRF was secretly financing the Bertolucci case.

The investigator suggested the, entirely legal, act of retrieving trash from outside the offices of Bertolucci’s lead attorney, as a possible way to obtain information about an SRF-Bertolucci link.

Ananda gave the investigator strict instructions to do nothing illegal. The investigator duly subcontracted the job to another investigator, who subcontracted it again. At each level, the instruction was repeated: “Do nothing illegal.” Yet the man who did the job of picking up the trash reached inside a gate to retrieve a bundle of trash, even though he knew that this action was questionable. Worse, the man was observed by Bertolucci’s attorney.

Eventually the single small bag of trash was delivered to Ananda. The documents in the bag proved useless. There was some information about the Bertolucci suit, but nothing that wasn’t already known to Ananda. The papers were reviewed by one individual and filed away. The project was dropped.

Bertolucci’s attorneys pursued the matter vigorously. After two years, Ananda was revealed to be the investigator’s client, two days before the trial began. All three investigators testified under oath that Ananda had strictly instructed them to do nothing illegal. The actual perpetrator admitted that he had consciously and deliberately disregarded these instructions.

Bertolucci’s attorneys demanded that the papers be returned, claiming that they were covered by earlier discovery orders from the court. In fact, there had never been an order that covered them. Still, the judge ordered that the papers be returned and viewed by him.

Ananda was able to show convincingly that the information in the trash was insignificant, had already been known, was already part of the case, or was revealed within a month of the time the documents came into Ananda’s hands. Yet the judge decided that the documents had given Ananda a tremendous advantage, and in order

to right the balance, he issued the crippling sanctions. Bertolucci's lead attorney stated that he had never seen such harsh sanctions imposed.

Ananda filed a writ to obtain a stay of the trial to appeal the sanctions, but the trial had already started, and the writ was denied.

Later, when the judge saw that it would be difficult to determine the exact parameters of the sanction, he stated, on the record but out of the jury's hearing, that he should have ruled that the jury must consider the allegations against Kriyananda *as proved!* It was an obvious admission of his bias.

The women's unchallenged testimony against Swami Kriyananda was unquestionably the factor that caused Ananda to lose the case.

In view of the sanctions that prevented Ananda from cross-examining the witnesses or offering even a whisper of counter-evidence, it was a miracle that the jury's decision wasn't unanimous. Civil trials are argued before a jury of nine citizens, and the final vote was six for Bertolucci and three in favor of Ananda.

2. Events from 1982 and earlier were allowed into evidence. Bertolucci was allowed to mischaracterize Ananda's actions

The judge denied a pre-trial motion by Ananda to exclude evidence of Kriyananda's sexual history prior to the mid-1980s. As a result, several women testified about what they described as unwelcome or abusive sexual contact with Kriyananda from 1968 to 1982. Except for Bertolucci herself, no women claimed any contact after 1982, although Bertolucci's lawyer constantly characterized Kriyananda as having a "30-year history" of sexual abuse.

Bertolucci's attorney often referred by name to several other women who he claimed had sexual relations with Kriyananda. All were available to testify, but the attorney called only one, who emphatically denied that there had ever been any such contact.

The judge flagrantly allowed hearsay testimony to be introduced. One witness claimed that Kriyananda had confessed to several affairs and had described himself to her as having a severe sexual problem. She testified that other church leaders had told her they knew about Kriyananda's "problem." But Swami Kriyananda and the leaders she named denied having said such things.

Bertolucci's lawyer often pointed out to the jury that Ananda had not called any of the other named women as witnesses to refute the charges — implying that if Ananda were innocent, our attorneys would certainly have called them. Of course, Ananda was prevented from calling those witnesses by the judge's sanction! Yet the judge allowed Bertolucci's attorney to brazenly manipulate the jury into believing

that Ananda had failed to call the witnesses because they wouldn't support Ananda's case.

Meanwhile, the judge allowed Ananda no similar leniency – in his sanction, he stated that Ananda could not even *mention that the sanctions existed*.

3. Jury instructions

At the start of the trial, the judge told the jury that Ananda had stolen trash from Bertolucci's attorney's office — a gross mischaracterization of the facts.

Before the jury retired for final deliberations, the judge told them that in determining liability, they could take into account the fact that Ananda had “taken documents from plaintiff's attorneys' office.” He not only exaggerated the event and described it as misconduct; he made it a determining issue, when in fact, it was not part of the case at all.

4. Evidence not allowed

To prove her claim of fraud, Bertolucci's lawyer put into evidence copies of Kriyananda's autobiography, which includes references to him as “Swami Kriyananda,” both as the author and in the text.

This book was published in 1976, long before Swami Kriyananda renounced his vows. Sometime after 1981, new covers were printed with the author's name appearing as “Sri Kriyananda.” The interior text, however, contained many references to Swami Kriyananda. The publications director testified that it had been simply too expensive to reprint the entire text. In fact, Ananda Publications operated on a shoestring, routinely losing money on Kriyananda's books, which were intended to spread Yogananda's teachings, regardless of considerations of profit.

The publications director offered into evidence 19 other books by Kriyananda, printed after he renounced his vows, all of which contained no references to “Swami” Kriyananda. Most, in fact, listed J. Donald Walters, his English name, as the author. The obvious intent of this evidence was to show that Bertolucci, who worked in the publications business at the time, had ample proof before her eyes that he was no longer a swami.

The judge, however, refused to allow the witness to circulate or even show these books to the jury. He wouldn't even let her take them out of the bag.

Later, the judge allowed Ananda to copy the cover and title page of each book and put the copies into evidence, but the jury was never made aware of this exhibit — the judge would not allow it to be submitted in open court, in the jury's presence.

5. Coaching by the judge; the judge acts as Bertolucci's attorney

Many times during the trial, the judge coached Bertolucci's attorneys, prompting them to ask questions favorable to her case, and telling them how to ask them. Early in the trial, he informed her attorneys that they had not yet positioned themselves properly to obtain punitive damages. He then instructed them in the specific steps to take, telling them that although certain deadlines had passed, he would be willing to give them extensions if they asked.

The judge suggested to Bertolucci's attorneys that they should investigate the assets of Ananda's branch churches, which were not named as defendants in the case. When the directors of these separate corporations protested, the judge responded that he "knew all about Ananda," and ordered them to produce documents and come to their depositions.

6. Actions by Ananda after the lawsuit was filed were used against Ananda to prove guilt

Bertolucci's attorneys presented evidence intended to show that the leaders of the Ananda church were engaged in a cover-up of Kriyananda's guilt. They presented letters, transcripts of Ananda meetings, and other communications by church leaders to the members after the lawsuit was filed, in which the ministers and leaders vigorously denied the charges.

Ananda's attorney protested that these documents were not admissible, since they post-dated the claims in the lawsuit, but the judge overruled him. Consequently, the church was found guilty of negligent supervision. An absurd finding, since it legitimated evidence presented after the event to "prove" something that had supposedly happened years previously. It was yet another reason why the legal experts who later reviewed the case were adamant that the verdict was sure to be overturned on appeal.

7. Pre-trial sanctions against Bertolucci were reversed by the judge

Before the trial, during the discovery phase, there were many irregularities on the part of Bertolucci's attorneys. In order to gain relief from their constant abuse of the legal process, Ananda petitioned for the appointment of a referee to oversee the pre-trial proceedings.

The judge who reviewed Ananda's motion ruled that the Bertolucci attorneys' non-cooperation was "egregious" and imposed monetary sanctions of \$9,000, plus preclusion sanctions.

At first, the sanctions were upheld on appeal, but once the trial began Bertolucci's lawyers appealed them again, and the monetary award was reduced to \$3,000. Finally, the preclusion sanctions were lifted.

At trial, the judge commented that Ananda's actions (referring to the "trash incident") were so much worse than the plaintiff's that it was only right that the sanctions against the plaintiff should be reduced. His remarks were prejudicial and legally indefensible, given the severe sanctions he had already imposed, which illegally deprived Ananda of its constitutionally guaranteed right to mount a credible defense and question the witnesses against it.

8. Bertolucci's case is overly long, while Ananda is pressured to end quickly

At the start of the trial, the judge told the jury that the case would end on December 9. However, the judge allowed Bertolucci's lawyers to present their case until December 12.

During all that time, the judge made no effort to curtail the plaintiff's case. Finally, the court recessed until January 5. From that point, the judge aggressively pressed Ananda to end the trial quickly, yet another a clear indication of judicial bias.

The plaintiff's cross-examinations were consistently two or three times as long as the defendant's direct testimony, and although the judge made an occasional comment, he never did anything to curtail Bertolucci's witnesses.

Finally, toward the end, the judge aggressively announced that the case would be over by a specific date. Fearing to further antagonize an obviously prejudiced judge and have his displeasure reflected in his instructions to the jury, Ananda cut out several important witnesses to finish on time. One of the witnesses was a nationally recognized expert on cults, who had secretly visited Ananda Village for several days and was ready to testify that Bertolucci's claims of cult mind-control were completely baseless.

Whether the omission of these important witnesses influenced the outcome is unknown, but their necessary exclusion must be added to the unending evidence of the judge's bias.

9. Judge not in control of his courtroom

Bertolucci's attorneys were given enormous latitude in the content and manner with which they presented their case. Ananda's objections seldom resulted in any significant change.

Even though the judge would, from time to time, mildly reprimand plaintiff's attorneys, he did nothing to enforce his words. Finally, halfway through the trial, the judge threatened sanctions against Bertolucci's legal team, and there was some relief from their most egregious misconduct.

Although any of these elements in isolation is not likely to constitute grounds for reversal, the cumulative effect was highly prejudicial for Ananda, particularly

since the judge was strict with Ananda in almost exact proportion to the latitude he gave the plaintiffs.

V. HARASSMENT BY PLAINTIFF'S ATTORNEYS

1. Bertolucci's Attorneys were self-declared "cult-busters" and "guru-hunters"

Ananda was not the first religious organization to be targeted by Bertolucci's lawyers.

Attorney Ford Greene said, "The reason I went to law school is to do guru-hunting. These guys are public health hazards."

Michael Flynn said, in an interview with the *San Francisco Chronicle*, "I believe in spirituality and God when practiced correctly." When a leading authority on American religious groups, J. Gordon Melton, author of the *Encyclopedia of American Religions*, read these words, he was indignant. "Who does he think he is, to decide how anyone should practice their religion?" he exclaimed. (See [San Francisco Chronicle, "Veteran Guru Hunters"](#)).

2. Using the legal system to harass and destroy

On February 17, 1997, just before the punitive damages phase of the case ended, Bertolucci's lawyers served a new lawsuit on Swami Kriyananda, alleging malicious prosecution for a cross-complaint that Ananda had filed and then dropped, and for conversion relating to the taking of the trash.

Because the cross-complaint was for defamation, the effect of the new lawsuit would be a complete retrying of the same issues. Although Kriyananda was the only party served as a defendant in the case, the papers named several Ananda churches and their leaders, as directors and as individuals, as well as Ananda's house counsel and both of Ananda's attorneys of record in the lawsuit. The suit asked for \$37 million in damages.

Testimony in the original case put Ananda's net worth at just over \$1 million, and Kriyananda's net worth at virtually nothing. The Bertolucci lawyers tried to establish a resale value of \$600-800,000 for Kriyananda's copyrights in his books, but the valuation was highly questionable.

Bertolucci's attorneys continually asserted that Ananda was hiding millions in secret accounts. In fact, at the end of the trial, Ananda was on the verge of bankruptcy. Clearly the intent of the attorneys was not to get more money but to destroy Ananda completely.

(Note: Ananda went into Chapter 11 Reorganization in September, 1998 and emerged from bankruptcy in December, 1999.)

In response to the demand for \$37 million in damages, Ananda was forced, greatly against its wishes, to agree to a settlement. The settlement required the plaintiffs to end their continuing threat of additional lawsuits, in return for \$1.8 million, to be paid over five years.

Ananda paid this settlement, and as of this writing, in November 2012, had paid off all but about \$175,000 of its remaining legal debts in the SRF and Bertolucci cases.

While the strain on Ananda was enormous, Ananda's work continued to grow throughout this difficult period.

3. Was SRF secretly funding the Bertolucci case?

Where did the Bertolucci case fit in the broader picture of SRF's decades-long animus against Ananda?

To review, in its lawsuit against Ananda, SRF failed completely, losing over 95 percent of the rulings. It even lost rights it hadn't realized were in jeopardy, including copyrights in many of Yogananda's books.

The Bertolucci case was filed at a time when SRF, having lost badly, was desperate to regain the rights it believed it had the sole right to control.

SRF believed that if it could show that Ananda was morally corrupt, and that the public was confused between the two organizations, the court might consider SRF "tarnished" by the association, and grant it exclusive rights to control the items it had lost.

The logic was simple but flawed: "Ananda is corrupt. The public believes Ananda and SRF are the same. Therefore Ananda's moral faults are 'tarnishing' SRF. The judge should give SRF exclusive control over Yogananda's works."

As described earlier, the judge rejected SRF's claim, ruling that SRF had "unclean hands" — SRF could not benefit legally from a scandal that it had helped to create.

What was the evidence of SRF's involvement?

A major SRF donor was illegally smuggled into Swami Kriyananda's court-sealed deposition in the Bertolucci case, where he was introduced as a paralegal. The moment Swami Kriyananda saw him, he said to a member of Ananda's legal team, "Who is that man? He's not a paralegal. He's an SRF member."

Shortly after the deposition, SRF deeded a valuable piece of land near its Encinitas hermitage to this wealthy donor for the sum of \$1. Ananda believes that the Bertolucci lawyers brought the man to the meeting because he wanted to see what his money was paying for.

In fact, the donor was a client of Mike Flynn, Bertolucci's lead attorney, who had long served as a lawyer for SRF and a confidante of SRF president Daya Mata. At the time, Flynn was defending the SRF donor in a case involving environmental issues regarding some SRF land that the donor was using in his herb-growing business.

SRF members delivered the original papers and most of the subpoenas to Ananda Village. One of the SRF members testified under oath that he had spied on Ananda for years at SRF's request and reported his findings to the SRF leaders.

When Ananda tried to question SRF President Daya Mata about SRF's financial involvement in the Bertolucci case, she hid from the process server for months. When it appeared that she could no longer avoid being questioned by Ananda's attorneys about SRF's involvement, she arranged for a meeting of the leaders of the two organizations, at which the SRF leaders behaved with unprecedented friendliness. "No more lawsuits!" Daya exclaimed during the meeting. Ananda, naively believing that an actual reconciliation was possible, relinquished the right to question Daya Mata — whereupon the outward friendliness soon vanished and it appeared that the price of reconciliation would be for Ananda to give back to SRF everything it had won. The Matas were not going to give an inch.

4. Direct harassment of ananda members — Bertolucci attorney's son drops leaflets from a plane flying dangerously low over Ananda Village

Throughout the SRF lawsuit, and continuing with the Bertolucci case, Ananda members were mailed letters purporting to describe in detail why Swami Kriyananda was unworthy to serve as Ananda's leader.

One letter focused on how much spiritually greater SRF and its leaders were, and suggested that Ananda's members take Ananda away from Kriyananda and give it to SRF.

In fact, Kriyananda had offered Ananda to SRF three times. President Daya Mata had scornfully replied, "We don't want your bills." Even though Ananda had already proven successful at the time.

After the Bertolucci lawsuit began, the letters took an increasingly lurid approach, describing the allegations of sexual harassment against Swami Kriyananda, and anonymously mailing the declarations of the female SRF members accusing him.

The letters were unsigned or came from [Eric Estep](#), well known to Ananda as the leader of a band of about 15 disaffected former Ananda members, most of them now SRF members, who had created an "Ananda Awareness Network." Through its website and on Internet forums, they continue to attack Ananda.

In an incident of pure buffoonery, a plane flew over Ananda Village and dropped anti-Ananda materials. The plane flew so low that an Ananda member wrote down its registration number and confirmed that the pilot's name was Mike Flynn.

When Ananda presented the court with details of this and other incidents of harassment, Bertolucci's lawyers responded with a declaration by Mike Flynn, Jr., son of Bertolucci's lead attorney, who admitted he had flown the plane and dropped the leaflets. He explained that he had done so because he had heard that Swami Kriyananda was exhibiting increasingly erratic behavior. He felt that Kriyananda, like other leaders suddenly exposed, would self-destruct and take Ananda members with him, as in Jonestown and Heaven's Gate. He claimed that communication within Ananda was so tightly controlled that he felt this was the only way he could warn us.

He said he feared for his father's life, having witnessed a lifetime of attacks on him as he courageously took on these dangerous cults. Recently, he said, gunshots had been fired into their house. He provided no evidence of any kind to corroborate these statements.

The judge took no action, but accepted Flynn, Jr.'s claims. It was an illustration of how the judge believed whatever the plaintiff's attorneys said, despite the proofs that Ananda presented of fabrication on their part. Flynn, Jr.'s declaration was taken straight from the lawyers' apparently endless supply of boilerplate inflammatory anti-cult rhetoric.

Ananda is open to the public. Its neighbors shop daily at a small Ananda-run grocery store on the land. Thousands of guests drive to and from Ananda's meditation retreat. Guests walk through the property year-round. Members are free to leave without notice. One scarcely knows how to respond to charges that are so malicious, fantastical, and transparently designed to achieve political ends without regard for the integrity of the means.

5. Attempt to suppress Swami Kriyananda's writings

During the punitive damages phase of the trial, Bertolucci's attorneys aggressively argued to attach an artificially high value of \$600,000 to \$800,000 to Kriyananda's copyrights, his only asset. This, despite Ananda's records that clearly showed Ananda's publishing house had lost money on them virtually every year of its operation.

It was obvious that the lawyers wanted to force the sale of the copyrights so that SRF could buy them. It would suit SRF's purposes admirably if it could gain the copyrights to those writings and suppress them.

From start to finish, the Bertolucci lawsuit was a farce — a carnival of injustice, the likes of which has seldom been seen in American jurisprudence. When the court

cases ended, SRF would suffer its own karma for so maliciously attacking fellow devotees: a sexual harassment lawsuit against SRF by one of its employees, several lawsuits by families of SRF donors, and the departure of more than 50 monks and nuns.

The plaintiff, Anne-Marie Bertolucci, was reduced to serving as a pawn in SRF's larger political agenda. Through the Bertolucci lawsuit, SRF hoped to smear Ananda, and if possible, bankrupt it. SRF has always considered Swami Kriyananda an interloper, and Ananda a dangerous threat to its exclusive religious authority. Ironically, the lawsuits proved a great blessing, because they strengthened Ananda's resolve to serve its Guru's work. As a result, Ananda has thrived.