

**G**otamī, those principles of which you  
know:

‘These principles lead to dispassion,  
not passion;  
to being unfettered,  
not fettered;  
to getting rid of,  
not heaping up;  
to few wishes,  
not many wishes;  
to contentment,  
not discontentment;  
to seclusion,  
not socializing;  
to arousal of energy,  
not laziness;  
to being easy to support,  
not hard to support.’

**Y**ou may definitely hold:

This is Dhamma

This is Vinaya

This is the Teaching of the Buddha.

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# BHIKKHUNI VINAYA STUDIES

Research and reflections on  
monastic discipline for Buddhist nuns

Bhikkhu Sujato

*santipada*  
publications

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*Buddhism for the real world*

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‘Disputes about livelihood or about the *pāṭimokkha* would be trivial, Ānanda.  
But should a dispute arise in the Sangha about the path or the way,  
such a dispute would be for the harm and unhappiness of many,  
for the loss, harm, and suffering of gods and humans.’

Sāmagāma Sutta, Majjhima Nikāya 104.5



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# INTRODUCTION

1 In the past few decades, a quiet change has been taking root in the traditional forms of Buddhist monasticism. Women, for a long time excluded or marginalized, have been moving towards the center. Whether in international conferences, bookstores, or retreat centers female monastic teachers are present, and are among the most popular and effective presenters of Buddhism in the international forum. This prominence is unprecedented, for in the annals of Buddhist history, female teachers are rare to the point of vanishing. And yet, while the female presence has become the norm in the public face of Buddhism, women still lack acceptance within the central monastic institutions, especially in the Theravadin and Tibetan traditions. It can hardly be a coincidence that those regions where women have the least acceptance and opportunity are also those that deny women the full ordination into the state of a bhikkhuni.

2 In the earliest form of Buddhism, as laid down by the Buddha himself, women who wished to commit themselves fully to their spiritual endeavors were granted the opportunity to practice as bhikkhunis, fully ordained nuns. As bhikkhunis, they had their own organized women's communities which were supported by the Buddhist faithful so that the women could strive to realize the highest Awakening. A small but extraordinary literature of these awakened nuns still survives today.<sup>1</sup> Seeing such examples of realized practitioners awakens an inspiration and a faith that this is possible.

3 Supporting the balanced and stable growth of the bhikkhuni order requires efforts on many levels: building monasteries, encouraging

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1 Principally the Therīgāthā of the Pali Canon.

women with a renunciate inclination, taking part in Sangha dialogue, and education. Such work has been ongoing through the Buddhist world in the last few decades.

4 One area where some special work is necessary is in textual study. The bhikkhuni movement is by its very nature cross-sectarian, as the modern Theravadin nuns seek their bhikkhuni ordination lineage from the East Asian bhikkhunis, who themselves originally received the ordination lineage from Sri Lanka. This means that questions of comparative textual study, especially in the area of Vinaya, become imperative. My own researches into Buddhist meditation texts had already shown me the importance of comparative study, so it was natural for me to bring this perspective to bear in the case of Bhikkhuni Vinaya.

5 Over the years I have accumulated a number of essays in response to specific questions discussed among the international community of monastics and scholars who have been engaging in these matters. In certain cases I found that it was possible to clear up perceived difficulties without too much trouble. In other cases, the more I looked, the more problematic the texts became. So this work is concerned with problem-solving: looking at difficult or controversial areas, highlighting the most accurate textual data, and looking at different possibilities for interpretation. It is not meant to be a guide to monastic conduct, and does not attempt to be complete or systematic. Nevertheless, along the way I offer a little advice for those who are seeking some practical guidance. Usually, despite the forbidding textual complexities, the ethical issues are really quite simple.

6 One important point. Decisions on how to interpret and practice monastic discipline for Buddhist nuns must be made by the nuns themselves. Monks have no right under Vinaya to enforce any interpretation or practice on the nuns. Our role must be to support and encourage, to educate when needed, to offer advice when it is wanted, and to remain silent when it is not.

## THE NATURE OF VINAYA

7 What kind of thing is the Vinaya? Etymologically the word stems from the prefix *vi-* (= English *dis-*, *de-*), here having a separative implication; and the stem *naya*, lead. This yields the meaning ‘leading away’. In this sense it is frequently used in a simple ethical context: *rāgavinayo*, *dosavinayo*, *mohavinayo*; the ‘leading away of greed, hatred, and delusion’.

8 More specifically, however, *vinaya* is used in the sense of ethics, where it carries the suggestion of that which ‘leads away’ from bad behavior. This may be applied in the context of lay ethics, such as the famous *gihivinaya* of the *Sīgāla Sutta*;<sup>2</sup> but normally it is a shorthand term used for Buddhist monastic discipline. Generally, all matters pertaining to monastic deportment and behavior may be considered as *vinaya*.

9 But *vinaya* is also the specific texts that deal directly with monastic conduct. Within this more narrow meaning there are a range of texts to consider. The Buddhist texts contain many discourses that speak in every-day terms of matters of monastic life, from inspiring verses such as the famous Rhinoceros Sutta,<sup>3</sup> to prose passages such as the three sections on ethics found in the preliminary to the Gradual Training, especially in the *Sīlakkhandha* of the *Dīgha Nikāya*.<sup>4</sup> Several Suttas address more technical matters of monastic jurisprudence, such as the discussion of the seven ways of settling disputes found in the *Sāmagāma Sutta*.<sup>5</sup>

10 But most commonly when we say *vinaya* we are referring to the Vinaya Piṭaka, that is, that section of the Buddhist canon that deals extensively and in detail with monastic conduct.<sup>6</sup> In good post-modern spirit, however, we must

2 DN 31/DA 16/T 16/T 17/MA 135

3 Sutta Nipāta 1.3

4 DN 1-13. This passage, which in various forms is found in each Nikāya, as well as the Vinaya and Abhidhamma Piṭakas, is indispensable to an understanding of Buddhist monasticism. It depicts an approach to ethics that is not legalistic, like the Vinaya Piṭaka, but based on the aspiration to live the best possible life for the sake of spiritual growth.

5 MN 104/MA 196/T 85

6 The Pali Vinaya Piṭaka has been translated in its entirety into English by I. B. Horner as the *Book of the Discipline*. No other Vinaya has been fully translated into English. Nevertheless, the *Bhikkhuni Suttavibhaṅga* of the Dharmaguptaka has been translated by Heirmann; that of the *Mahāsaṅghika* by Hirakawa; and the

not forget our plurals; there are many Vinayas, each stemming from a different community of Buddhist monastics in ancient India. While we are always tempted to trace these back to an assumed ‘original Vinaya’, we should not forget that the texts themselves suggest that there has always been a degree of flexibility and variation among the communities.

11 It is important to bear in mind, both when reading this essay and in general, that the various meanings discussed above are often conflated, in ways that may or may not be felicitous. On the positive side, we remember that the ultimate purpose of practicing monastic discipline is ultimately for eliminating greed, hatred, and delusion; that is, we keep *vinaya* so we can achieve the *vinaya* of defilements.

12 Less usefully, it is common to fudge over the difference between *vinaya* as the name of a body of texts, and *vinaya* as the conduct of Buddhist monks and nuns. This causes the highly misleading assumption that if something is mentioned in the Vinaya Piṭaka that it must be what the monks and nuns actually do; or the opposite, that what monastics do must be in the Vinaya Piṭaka. Both of these are very far from the reality of monastic life. It would be better to think of the texts of the Vinaya Piṭaka as a framework which provides the shared context within which monks and nuns negotiate their behavior in accordance with their own social contexts, interpretive approaches, and ethical values. Some monastic traditions take a literal approach to Vinaya and regard simply following the rules as the main thing, while others think of Vinaya as a contextual guideline which must be adapted in time and place.

13 These different perspectives are never entirely separate: no matter how literally one wishes to apply Vinaya, some things must be altered to suit circumstances of time and place; and conversely, no matter how ready one is to adapt the principles, some facts about human existence just don’t change.

14 This difference in interpretive approaches is often confused with a completely separate issue, that is, whether one *cares* about Vinaya at all.

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Lokuttaravāda into French by Nolot. Apart from these, only fragments of translation into European languages have been done, a major hindrance in our understanding of comparative Vinaya.

Within contemporary monastic circles, there are many monks and nuns who are just not very sincere about what they are doing. They ordain, not from a genuine spiritual vocation, but to get an education, a livelihood, or because of social expectations. In other cases, they may have a spiritual vocation, yet Vinaya plays little role in this. For such monastics the Vinaya is just a set of tales from the far-off past, with no relevance to their lives. In such cases I think it is quite proper to question whether there is any benefit in being ordained.

15 But among those who care about Vinaya a variety of interpretive approaches exists, and these approaches quite manifestly work for those who practice them. We are used to hearing from the Suttas, for example, that practice of ethics is the foundation for *samādhi*. Those who are committed to a literal interpretation of Vinaya believe, and may indeed experience for themselves, that punctilious attention to details of behavior supports their meditation. On the other hand, it is undeniable that many recognized meditation masters, from all traditions, do not in fact maintain such a rigorous approach to Vinaya; yet their *samādhi* may well be better than many of the strict Vinaya monks.

16 This is not to say that strict Vinaya has no purpose. If we look at the ten reasons the Buddha gave for laying down the Vinaya, many of them are not just for individual purification, but are concerned with communal stability.

17 ‘Therefore, monks, I shall lay down a training rule for the bhikkhus for ten reasons: the well-being of the Sangha; the comfort of the Sangha; the restraint of bad-minded persons; the comfortable living of virtuous monks; the restraining of defilements pertaining to this life; the warding off of defilements pertaining to the next life; the inspiration of those without faith; the increase of those with faith; the long-lasting of the True Dhamma; and the support of the Vinaya.’<sup>7</sup>

18 Vinaya helps to build a community in a way that individual meditation abilities cannot. There is no doubt that the Vinaya has been a major force in maintaining the extraordinary longevity of the Buddhist Sangha, which can stake a claim to be the oldest continuous human organization.<sup>8</sup> While some

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7 Pali Vinaya 3.21. Similar lists are found in each Vinaya.

8 The Jaina Sangha may be older.

would prefer to write off monasticism as a medieval archaicism, in the face of the Sangha's ability to reinvent itself it would be premature to dismiss the monastic Sangha just yet.

19 In a world riven by greed, the Vinaya shows a way of contentment. In a world of suspicion, the Vinaya teaches us to build communities based on trust. In a world obsessed with vengeance and violence, the Vinaya tells us that discipline is best fostered through gentleness and forgiveness. In a world dominated by the imposition of power upon the powerless, the Vinaya bases itself on consensus and equality for all. The Vinaya appeals to our noblest ethical principles, and offers a clear and explicit framework for applying these in living communities.

20 This book is a defense of the Vinaya. Its purpose is to inspire faith in the Vinaya through understanding of its subtleties. But it does not go about that defense in the usual way, by an insistence on every detail and an apologetic for the monastic institutions that are supposedly built on the Vinaya's foundations. On the contrary, it focuses on a discussion of what may be the most contentious Vinaya issue of all: the role of women. It is here that Vinaya is at its weakest, and if it survives this critique, it can survive anything. But if the Vinaya cannot face up to a close and critical scrutiny of its treatment of women, we must ask ourselves: despite the many wonders found in the Vinaya, does it have any chance of surviving at all? If the Vinaya is founded upon the exclusion of half of humanity, does it even deserve to survive?

21 The place of bhikkhunis, as fully ordained mendicants within the institutional structure of the Sangha, is a litmus test for the Sangha of our time. The notion of a bhikkhuni is deeply problematic for modern Buddhists, for it challenges the assumptions behind sectarianism. Conservative Theravadins are happy to have 'Mahayana bhikkhunis', as long as they are not 'Theravadins'. But the Buddha had never heard of 'Theravada' or 'Mahayana'. Vinaya says nothing about ordination lineages, nothing about Mūlasarvāstivāda, nothing about Dharmaguptaka, nothing about Theravada, nothing about Tibet, nothing about China, and nothing about Sri Lanka or Thailand.

22 This question cuts to the heart of our relation with our ancient Buddhist heritage. Why do we expect Buddhist monastics to keep the Vinaya rules? Because they were laid down by the Buddha, of course. It is this which gives them their universality within the Buddhist world. But those same texts which resonate with the fundamental authority of the Buddha himself say nothing of Mahayana or Theravada. The distinction between Theravada and Mahayana does not stem from the Vinaya, but is a hangover from ancient rivalries, as recorded in the polemical histories of the schools. So the conservative position reveals its irreducible incoherence: the rules are essential because they come from the Buddha, but the bhikkhunis must be excluded because of sectarian rivalry, which had nothing to do with the Buddha.

23 One of the most important lessons I have learned as a monk is that Vinaya is *reasonable*. This is far from obvious, as many of the things that are said to be Vinaya are excessive, hurtful, or irrational. In my experience, almost always such things are not, in fact, found in the Vinaya texts themselves; or if they are found, they have a context and a purpose that helps us understand why they are there. For much of this book, I shall be attempting to demonstrate that some of the assumptions and commonly held assertions about bhikkhunis are untrue, or at least, that there may be other ways of looking at things. I want to rescue the Vinaya from the fundamentalists. When Vinaya is presented in a way that is overly rigid and dogmatic, open-minded and good-hearted people turn away from it.

24 Without pretending to be an objective witness – for such a thing is impossible – I try to shelve as many assumptions as possible, and read implications out of the texts. I am not interested in making definitive statements as to what is the right and the wrong way to practice Vinaya. In certain cases I make recommendations based on my research and opinions. However, given that I have deliberately sought out the most difficult and controversial areas, it is hardly likely that a widespread agreement is possible. I am more interested in bringing accurate information and a critical sensibility to the debate, so that at least we can be sure how certain, or uncertain, the grounds for our opinions may be.

25 In discussing Vinaya widely for many years among living monastic communities, I have come to realize that no two people will ever agree about

everything. And yet life goes on. There is a degree of acceptance of diversity, which is always elastic, and varies from person to person, time to time, place to place, and context to context. Our commonality does not stem from an agreement as to every detail of the Vinaya, but from our choice to use the Vinaya as a common text that provides an environment for dialogue. The text itself is the commonality. This makes it all the more imperative, as monastics from different traditions come ever closer and share more deeply and more frequently, that we learn to deal with the common basis, the canonical Vinayas themselves, rather than the late commentarial treatises that have come to serve as the guide for monastic conduct in every tradition. And it makes the task of seeking out and evaluating the real similarities and differences a task of urgency.

## VINAYA IN CONTEXT

<sup>26</sup> The Vinaya is a set of conventions that are intended to guide or govern behavior. It evolved based on precedent in the manner of common law. In the early period of the Buddha's ministry there was no Vinaya as we know it. The Buddha taught by example, and by extolling the ideal life for the monastics. The level of spiritual development of the Sangha was high, and there was no need for a set of regulations. The Buddha even refused Sāriputta's request to establish a Vinaya, saying that he would do so at the right time.<sup>9</sup> This would only come when defilements started to emerge within the Sangha. After incidents where monks began to seriously misbehave, the Buddha began to lay down rules. Gradually these came to be systematized, with detailed procedures, classifications, and penalties.

<sup>27</sup> The penalties are typically gentle. In most cases, simply a confession; in certain contexts an item improperly obtained must be relinquished; more serious offenses required a period of probation and suspension of status within the community. The most serious cases deserved expulsion. There was no question of corporal punishment or imprisonment. The gentleness of the Buddha is even more striking when we consider that, in his day, it was considered normal for the authorities to inflict harsh punishments that

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9 Pali Vinaya 3.9



are abhorred by all civilized people today, such as flogging, torture, imprisonment without trial, and capital punishment. In addition, the Vinaya is based on confession: generally, a monastic must admit to their guilt before they can be punished.

28 Such a system, based on mutual consent and sincerity, is wide open to abuse by the unscrupulous. It has always been difficult to properly discipline bad monks, but the Buddha apparently felt that, as a spiritual movement, it was better to err on the side of trust and gentleness than to insist on harsher disciplinary measures. The ongoing success of the Buddhist monastic orders is a testament to this policy.

29 Since there is little or no ability within the Vinaya to enforce punishment on an unwilling monk, Vinaya has by and large failed to address the needs of those with no integrity. Insincere monks can simply join the Sangha, and as long as they get away with it, can continue with bad behavior. Only the coercive power exercised through secular law can have any real impact on such monastics. It is important to acknowledge this point, for we must avoid wasting our time by trying to use Vinaya to deal with such problems. It doesn't work, and never will.

30 Those who are already spiritually advanced, on the other hand, have no personal need for the Vinaya. Like the Sangha in the early days of the Buddha, or like the fabled Pacceka Buddhas of antiquity, they operate from a mature, internalized sense of ethics. This does not mean that spiritually advanced individuals need not keep Vinaya; on the contrary, they should keep Vinaya, not for themselves, but for the sake of the community at large. As spiritual leaders, their respect for Vinaya will inspire those still struggling, and maintain the coherence and faith of the community.

31 While Vinaya is of limited use, then, for those who are either very bad or very good, it is highly effective at helping the great number of us who fall in-between. For these, Vinaya provides a clear sense of right and wrong, a set of guidelines that can be applied very widely across many circumstances, and which furnishes the security that comes from knowing one's conduct is, when judged according to a revered set of sacred principles, blameless. The Vinaya, as a set of conventions, speaks primarily for those who are sincerely interested

in the spiritual path, but who are in need of communal support to maintain their discipline.

32 Holding the textual ideal close to hand as we grapple with the real life complications, the conventions should constantly point beyond themselves. We do not keep the rules for the sake of the rules. The Vinaya, having been set up to redress the falling away from the spiritual heights of the early Sangha, serves to re-orient us back towards those heights. The conventions are pointing beyond convention.

33 In much of the Buddhist world, the numbers of monks is falling dramatically, the Sangha feels less and less relevant, and inspiring leadership is hard to find. Attempts to reform Buddhism in traditional lands have failed, not because they don't enforce the rules strictly enough, but because they do not address the actual problem. Too often, monks simply have no spiritual vocation, but ordain out of cultural expectations, and the idea of practicing Dhamma is entirely irrelevant. The scriptures are studied, if at all, simply as a set of legends with no relation to actual living. As long as such conditions prevail, attempts at reform will continue to fail.

34 There is, however, a different face to Buddhist monasticism, one which is not based on fulfillment of a cultural ideal, but on a thirst to find the true Dhamma. This new monasticism lives in an uneasy relationship with the traditional Sangha institutions. It is not about giving a mass of students a standardized grounding in conventional Buddhism. It is about trying to re-discover the essence of Buddhist monastic life in a way that speaks to us.

## BHIKKHUNIS IN HISTORY

35 The traditional story, found in the canonical scriptures of all existing schools, says that the bhikkhuni Sangha originated when Mahāpajāpatī Gotamī, the Buddha's aunt and foster-mother, approached him to ask for ordination. The Buddha repeatedly refused, but after being beseeched by Ānanda, he agreed. However, he laid down eight 'rules of respect' (*garudhamma*) for Mahāpajāpatī as her ordination, which insist that the nuns must always pay respects to the monks.

36 I don't believe that story, and have discussed why at length in my *White Bones Red Rot Black Snakes*. But in any case, the bhikkhuni Sangha was established, and a code of conduct (Vinaya) was drawn up to regulate their conduct, paralleling the Vinaya for the bhikkhus. The bhikkhuni Sangha apparently thrived in the Buddha's time, with hundreds of women ordaining. They set up monasteries, wandered the country, taught, organized themselves and, most importantly, achieved Awakening. The songs of Awakening of the early bhikkhunis are recorded in the ancient verse collection, the Therīgāthā.

37 After the Buddha passed away, we don't hear all that much about the bhikkhunis, and there are no later literary works to compare with the Therīgāthā. But large numbers of bhikkhunis are said to have attended ceremonies in the time of Aśoka. Aśoka himself always mentions bhikkhunis alongside bhikkhus in his edicts, strictly adhering to politically correct usage. But the most famous contribution of bhikkhunis is in the story of how the Bodhi Tree was taken to Sri Lanka by Saṅghamittā, Aśoka's daughter. She subsequently established a bhikkhuni Sangha in Sri Lanka, which flourished for over 1000 years. The same source – the Sinhalese Vinaya commentary, preserved in Pali and Chinese versions – says that the bhikkhuni Sangha was established in 'Suvaṇṇabhūmi' (Lower Burma or Thailand) under the leadership of the monks Soṇa and Uttara in the same period. Thus bhikkhunis have been intrinsic to Buddhism of south and south-east Asia since the beginning.

38 The texts say little about the bhikkhunis in later times. However, bhikkhunis are mentioned about as often as monks in most of the Indian inscriptions. They appear in positions of influence, as donors of large monuments, as teachers, as learned students of the scriptures.<sup>10</sup>

39 In 433 CE a shipowner called Nandi left Sri Lanka bound for China. He took with him some bhikkhunis, led by Ayyā Sārā.<sup>11</sup> When in China, they conferred

10 Schopen, *Bones, Stones, and Buddhist Monks*, p. 249.

11 The Chinese accounts at T50, no. 2059, p. 342, b11-c7; T50, no. 2063, p. 939, c6-p. 940, a3; and T50, no. 2063, p. 941, a8-b2. English translation at <http://santipada.googlepages.com/thefirstchinesebhikkhunis>. Sārā's name is often reconstructed as Devasārā or Tessarā, etc. But the character 鐵 is never used as a phonetic element, but only in its meaning of 'iron'. The Pali for 'iron' is *ayas*, and the honorific for bhikkhunis is *ayyā*. It seems likely, then, that she was referred to as Ayyā Sārā (Venerable Sārā), and the Chinese translator misheard the name as

ordination on Chinese nuns, thus establishing the bhikkhuni lineage there. The rites were evidently carried out using the Dharmaguptaka Vinaya. Presumably the Vinaya masters of the time decided that the Dharmaguptaka Vinaya was essentially similar to that of the Sinhalese Theravadins of the Mahāvihāra, an opinion that is shared today by scholars who have done comparative work on the matter. The bhikkhunis flourished in China, and subsequently spread to Korea, Japan, and Vietnam. Buddhism was well established in Vietnam long before the period of Chinese domination, and it seems likely that they had their own bhikkhuni Sangha, perhaps of the Mūlasarvāstivāda lineage, before adopting the Chinese system still in use today. The bhikkhuni Sangha was never established in Tibet and related areas.

40 It seems that the bhikkhuni Sangha flourished in southern Asia for around 1500 years. Around 1200 CE, Sri Lanka underwent a period of turmoil, at the end of which the bhikkhunis were no longer. It is impossible to determine the exact circumstances that led to their disappearance. It is possible that small numbers continued in later years, but there is no evidence that I know of.

41 In those regions known today as Burma and Thailand, it is also difficult to trace the history of the order established under Soṇa and Uttara. There are occasional scraps of evidence – an inscription here, a painting in a temple there. In colonial times, a few travel records mention seeing women in the ochre robes. Conventional wisdom has it that there were no bhikkhunis in these lands until the modern period, but it is premature to conclude this. Taking all the little hints together, it seems possible that the bhikkhunis did maintain a quiet presence. One of the latest and clearest mentions of bhikkhunis in Burma is discussed by Maung Paw:

42 In January 21, 1788, the kings made another proclamation stating that:

Any male or female who are of age 19 and who are:

- free of any incurable disease
- free from any criminal offenses or fugitive from law
- free from financial indebtedness – not bankrupt person

43 Those free of the above could be permitted to be ordained as Bhikkhu for male  
and Bhikkhuni for female. There is another proclamation forbidding any king's  
slave from taking ordination as Bhikkhu or Bhikkhuni. Who ever so monk  
ordained the king's slave will be harshly punishable by law. (March 30, 1810).

44 In the same month, the king made another proclamation stating that all  
legally ordained Bhikkhu or Bhikkhuni be monitored by the king's men to check  
on the legal status of their Sangha life and their orderly observation of the rules  
of the Monks.<sup>12</sup>

45 If our sources do not mislead us, until recent years the bhikkhunis were  
present in Burma, and possibly in Thailand as well. Buddhism in those lands  
was diverse and often did not have a strong central control. Local customs  
flourished, and many regions owed little allegiance to the putative  
government. It was not until the challenges of the colonial era that cohesive  
nation states in the modern sense were formed. And as these states were  
formed under western influence, western models lay behind the new forms  
that Buddhism was shaped into.

46 In Thailand, for example, the modern reform movement was shaped by the  
towering figures of King Mongkut and his son Vajirañāṇavarorasa.<sup>13</sup> As a  
Prince, Mongkut ordained as a bhikkhu in 1824 and went to practice  
meditation. However, he was disappointed that the monks did not understand  
what they were doing and could only repeat what had been passed down by the  
tradition. He criticized this attitude, calling it *āciṇṇakappikavāda*. This term  
harks back to the Second Council, where one of the contested issues was  
whether it was allowable to follow what had become customary. Mongkut  
became convinced that contemporary Thai Buddhism had become a mass of  
superstition and was in need of reform. Mongkut had an incisive, analytical  
mind, and he embarked on a detailed study of the Buddhist texts, always  
pointing back to the rational teachings of original Buddhism as found in the  
Pali Canon. During his time in the Sangha he was zealous in his study of  
western knowledge. He developed a friendship with Bishop Pallegoix, who lived  
nearby, and they exchanged lessons in Pali and Latin. He had many discussions

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12 Maung Paw, pp. 36-37. Paw cites his source as Dr. Than Tun, *The Chronicle of King's Proclamation* (excerpt from 'Ideas and Views'), August 2001.

13 For the Burmese experience see Gutter.

on religion with western missionaries, who he impressed with his skeptical and questioning attitude. Later, as king, he corresponded with Pope Pius IX, emphasizing the spirit of religious tolerance found in Thailand. Mongkut began to re-envisage Thai Buddhism along the western lines of the Vatican hierarchy.

47 Following on from the reforms instituted by Mongkut, Thailand eventually adopted a Sangha Act in 1902, under the guidance of Vajirañāṇavarorasa, then head of the Dhammayuttika Nikāya. Thailand thus became the first Buddhist country to attempt to control the Sangha using a modern, western-style legal instrument. A Council of Elders was established as the ruling body of the Sangha; their decisions were absolute and could not be appealed or disputed. The Sangha Act was modeled on the structure of secular Thai society, and successively remodeled to reflect the changes as Thailand went from being a monarchy to a democracy (1941), then in 1962, a military dictatorship. Subsequent democratic reform has failed, however, to result in a democratic reform of the Sangha Act.<sup>14</sup>

48 The current Sangha Act defines the Sangha as male-only, and sets up a Vatican-style system of titles, positions, and bureaucratic administration, all with the avowed intent to protect the Vinaya and serve the Sangha.<sup>15</sup> It may be more than simple coincidence that both the Vatican and the Thai Sangha have a problem accepting ordained women within their ranks. In insisting that bhikkhunis can have no place within the Thai Buddhism, the Sangha is placing more emphasis on the modern legal structures derived from western models, rather than the Buddhist scriptures which their tradition, and the modern reform of that tradition, is supposed to be based. And while bhikkhuni ordination is sometimes decried as a western, feminist interpolation in the Asian tradition, the reality is that the four-fold community, including the bhikkhuni Sangha, is the authentic heritage, while the insistence on a male-only Sangha is a modern, western-derived innovation. History, it seems, is not without a sense of irony.

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14 A succinct summary of this process is found in Puntarigvivat.

15 Available online at [http://www.songpak16.com/prb\\_all.htm](http://www.songpak16.com/prb_all.htm).

## THE VINAYA TEXTS

49 In the spirit of great Buddhist reformers like Mongkut, we seek to return to the earliest texts and seek a renewal of faith from the wellsprings. Today, we have access to a much broader array of texts than was available in Thailand in the 19<sup>th</sup> Century, and can benefit from a huge amounts of work that have been done in archeology, recovery of manuscripts, digitizing of texts, linguistic research, and much more.<sup>16</sup> But before we dig deeper, we need to clarify what the Vinaya texts actually are, and to define some of the terms we will meet throughout our study.

50 The canonical Vinayas are divided into two main sections, the Suttavibhaṅga and the Khandhakas.<sup>17</sup> The Suttavibhaṅga contains the famous lists of *pāṭimokkha* rules (*sikkhāpada*) – 227 for bhikkhus and 311 for bhikkhunis in the Pali recension<sup>18</sup> – together with a mass of explanatory and background material.

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16 One long-standing error that still bedevils discussion of bhikkhunis in Thailand is the claim by Vajirañāṇavarorasa in his *Vinayamukha* (3.268) that the bhikkhuni order had already died out by the time of the Buddha's parinibbana. This argument is effectively refuted by the footnotes in the English translation, apparently inserted by the translator, but remains widely repeated in Thailand. It was based merely on the fact that bhikkhunis were not mentioned in the deathbed scene of the Mahāparinibbāna Sutta. This is already a weak argument, and contrary to many other Pali sources, some of which Vajirañāṇavarorasa discusses and dismisses. The evidence for the survival of the bhikkhunis in India from archaeology and northern texts, which Vajirañāṇavarorasa did not have access to, places the matter beyond doubt.

17 This picture is primarily derived from the Pali Vinaya. It is complicated by the inclusion into the Pali canon of the later compilation the Parivāra, the existence of several quasi-canonical texts in translations, such as the Vinaya-mātikās, and the extended, complex structure of the Mūlasarvāstivāda Vinaya.

18 The number of rules varies somewhat in the different Vinayas. But when examined closely, the differences are almost entirely in the most minor category of rules, the *sekhiyas*, which are concerned primarily with matters of etiquette. Several passages in the Suttas refer to the 'approximately 150 training rules', which seems to refer to the *pāṭimokkha* rules leaving out the *sekhiyas* and the seven *adhikaraṇasamathas*. (The *adhikaraṇasamathas* are not counted in one of the earliest enumerations of the *pāṭimokkha* rules, at Parivāra pp. 146-8.) It thus seems that in the Buddha's day, only the '150' or so rules would have been recited at the fortnightly *uposatha*. Of course, many of the *sekhiyas* would still have been followed, as ordinary good manners, but they had not yet been formalized as part of the recitation.

51 The bare lists of rules are called the *pāṭimokkhas*, and these are recited in the fortnightly *uposatha* ceremony by the bhikkhu and bhikkhuni communities. This ceremony is the key to the collective identity of the Sangha, and is regarded as an essential act in maintaining the harmony of the community. It is still maintained in many monastic communities to this day. Thus the *pāṭimokkhas*, as well as being legal texts, also perform a ritual function.

52 But the *pāṭimokkhas* do not appear as independent texts within the canonical Vinayas. They only occur embedded in the explanatory matrix of the *vibhaṅga*. This text as a whole is called the Suttavibhaṅga, the ‘analysis’ (*vibhaṅga*) of the ‘basic text’ (*sutta*). Confusingly, *sutta* here means the *pāṭimokkha* itself, not the ‘Suttas’ in the normal sense of ‘Discourses’. In the Tipiṭaka as a whole, the Collection of Discourses (Suttapiṭaka) is separate from the Collection of Discipline (Vinayapiṭaka). Originally, however, *sutta* meant ‘thread’, and the Vinaya describes the *pāṭimokkha* as like a thread that holds the holy life together.<sup>19</sup>

53 Since the *pāṭimokkhas* do not occur independently within the canon, they are sometimes regarded as ‘paracanonical’.<sup>20</sup> But this is misleading. If ‘canon’ means ‘a collection of sacred books accepted as genuine’ and ‘para’ means ‘beside’ or ‘beyond’,<sup>21</sup> the implication is that the *pāṭimokkha* lurks as an outsider hoping to be accepted in the inner circle. But its authority has never been questioned, and it directly underlies the very substance of the Suttavibhaṅga, and indirectly, much of the Khandhakas. A better term might be ‘protocanonical’: it was already unquestionably authoritative at the time when the full canon was compiled, and forms the foundation upon which the ‘canonical’ Vinaya was built as a commentary. In our discussion we will be constantly reminded of the distinctions between these clearly demarcated strata of the texts.

54 The rules of the *pāṭimokkhas* are divided into eight classes, of different levels of seriousness and in certain cases with different procedures for

19 Pali Vinaya 3.9

20 E.g. Prebish in his *A Survey of Vinaya Literature*. The word ‘paracanonical’ meaning ‘semi-canonical’ seems to be mainly used in speaking of the Pali Canon.

21 Oxford English Reference Dictionary.



transgressors.<sup>22</sup> They address everything from murder to table manners. There are many different versions of the *pāṭimokkhas* in existence, and they all preserve a remarkably similar set of rules. It is noteworthy, though, that the bhikkhu *pāṭimokkha*, when compared across all versions, is significantly more consistent than the bhikkhuni *pāṭimokkhas*. The *vibhaṅgas* introduce three more classes of rules.<sup>23</sup>

55 The *vibhaṅgas* follow a set pattern. They start with the events leading up to the laying down of the rule, which is told as an origin story (*nidāna*). The matter is reported to the Buddha, who lays down the rule (*paññatti*). Then there may follow secondary cases leading to modifications of the rule (*anupaññatti*). After the final rule formulation, there is a word by word analysis of the rule (*padabhajaniya*), judgments in various further cases (*vinītavatthu*), and a list of exemptions from the rule (*anāpatti*). While this formal pattern is followed in all the existing Vinayas, the details of the analyses differ greatly.

56 Complementing the rules-with-explanations of the Suttavibhaṅga are the twenty-two chapters of the Khandhakas. While the Suttavibhaṅga is essentially proscriptive – it says what not to do – the Khandhakas are more prescriptive – they focus on what should be done. They lay down such things as ordination procedures, means for carrying out the *uposatha* and other ritual activities, duties in building and maintaining monasteries, observances regarding footwear, medicines, and all manner of other details. Just as the Suttavibhaṅga is constructed on top of the *pāṭimokkha*, it would seem that the Khandhakas are constructed on top of the various *saṅghakammas*. Like the *pāṭimokkha* rules, the

22 The bhikkhu *pāṭimokkha* in Pali consists of 4 *pārājikas* (expulsion), 13 *saṅghādisesas* (suspension), 2 *aniyatas* (undetermined; this category applies to the bhikkhus only), 30 *nissaggiya pācittiyas* (entailing forfeiture of some kind of material object with confession), 92 *pācittiyas* (entailing expiation), 4 *pāṭidesaniyas* (confession), 75 *sekhiyas* (rules of deportment), and 7 *adhikaraṇasamatha* (means of settling issues).

23 *Thullaccaya* ('grave offence'; usually these fall on an incomplete commission of a *pārājika* or *saṅghādisesa*); *dukkāṭa* ('wrong-doing'; a minor offence); *dubhāsita* ('wrong speech'; minor verbal transgressions). Unlike the *pāṭimokkha* categories, these are not necessarily common to all traditions. The Mahāsaṅghika group, for example, does not have a category called *dukkāṭa*, and instead uses *vinayatikkrama* in a similar sense. Hence these categories were likely to have been formalized in the sectarian period. In the account of the First Council in the Pali Vinaya we find *dukkāṭa* used in a general sense of 'wrong-doing'; the term has not yet been formalized as a class of offence.

*kammās* are common to all traditions, and would seem to predate the explanatory material in which they are embedded. However, the structure of the *Khandhakas* is not as clear and stereotyped as the *Suttavibhaṅga*, so it is not as easy to tease out the earlier and later strata. There is much overlap between these two bodies of texts, and clearly they grew up together, forming an interdependent whole.

57 Appended to the twenty main *Khandhakas* are two chapters dealing with the First and Second Councils, dealing with how the Sangha organized itself following the Buddha's passing away.

## SCHOOLS

58 As Buddhism grew and spread about ancient India, it gradually evolved into various schools. The first schism, between the *Mahāsaṅghika* and *Sthavira*, probably occurred in the post-Aśokan period, and was driven by a dispute on the nature of the arahant. Subsequent schisms occurred due to other doctrinal issues, such as the nature of impermanence (*Sarvāstivāda*) and the understanding of not-self (*Puggalavāda*). In many cases, however, the schisms simply occurred due to the expansion of Buddhism during the Aśokan period, and the subsequent individual development of relatively isolated communities. All of these schools achieved an independent status within 400-500 years after the Buddha's passing away.<sup>24</sup>

59 These schools all pre-date the emergence of Mahayana, and contrary to the statements of both modern academics and Theravadins, there is no good reason to seek a special link between the Mahayana and the *Mahāsaṅghika*, still less between the Mahayana and the defeated *Vajjiputtakas* of the Second Council. In fact, the Mahayana evolved gradually and in complex ways, both borrowing from and rejecting the teachings and practices of many of the early schools. In ancient India, monastics who followed the Mahayana teachings would have lived among the communities of one or other of the early schools. There has never been a distinctively Mahayana Vinaya as such. Mahayanists would take ordination in one of the early schools. Their practice may have been

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24 These questions are discussed in detail in my *Sects & Sectarianism*.

modified to some degree by various sets of ‘Bodhisattva precepts’, but these were not meant to replace the early Vinaya, but to modify or extend it, especially in areas where it was felt that the letter of the law had obscured the higher spiritual values of compassion and wisdom. In some respects, though, the so-called ‘Bodhisattva precepts’ reveal a sectarian defensiveness that belies their supposedly higher spiritual values.

<sup>60</sup> Mahayana monastics today still acknowledge their adherence to the Vinaya codes of early schools. Sangha in the East Asian traditions of China, Taiwan, Korea, Vietnam, and related traditions follow the Vinaya of the Dharmaguptaka school, known as the ‘Four Part Vinaya’. This is preserved in a Chinese translation by Buddhayaśas and Chu Fo-nien between 410-412 CE.<sup>25</sup> An excellent English translation of the Bhikkhunivibhaṅga with extensive notes and explanations is available.<sup>26</sup> Central Asian Sangha in the Tibetan, Bhutanese, and Mongolian traditions practice the Mūlasarvāstivāda Vinaya. This exists in a complete Tibetan translation of the 9<sup>th</sup> century by a team of translators, as well as a partial Chinese translation by Yi Jing in the early 700s. While these texts are very similar, there are certain differences, and there is some question as to the exact sectarian affiliation. Considerable quantities of the Mūlasarvāstivāda Vinaya have been recovered in Sanskrit also, as have several *pāṭimokkhas* and other Vinaya materials. Little of this material is available in English translation.

<sup>61</sup> The number of early (pre-Mahayana) schools is conventionally reckoned as ‘18’ in number, but there were both many more and many less than that. Many more, because if all the individual names and local variants were to be compiled, we would have over thirty schools. Many less, because these schools fell into a much smaller number of about four groups of schools; and of the individual schools, a few names crop up again and again. It seems likely that many of the names just mentioned occasionally were little more than local branches, perhaps just one monastery, who may not have possessed an independent textual tradition.

<sup>62</sup> In discussions of Vinaya, the same group of names is repeatedly mentioned as the chief Vinaya schools, and due to the perseverance of the ancient redactors and translators, we are lucky enough to possess actual Vinaya texts

25 T22, no. 1428, pp. 714-778.

26 Ann Heirman, ‘Rules for Nuns’.

from most of these major Vinaya schools. The exception is the Puggalavāda group of schools; despite the fact that they were one of the largest wings of Indian Buddhism, we only possess a single late Vinaya summary in Chinese translation.<sup>27</sup>

63 Of the existing Vinayas, the Mahāvihāravāsīn is the only one of which we have a complete edition in an Indic language (Pali). This forms the basis for the modern Theravada school. My basic education has been in this school, and it remains the tradition with which I am most familiar. Although I try to use the texts of other schools as best I can, the Pali texts are still the most accessible and clearest to me. I usually use the Pali form for Indic words, not because it is the ‘original’ or ‘correct’ form, but because it is the one I am most familiar with.

64 However, it is prudent to avoid using the name Theravada in reference to early Buddhism, as it invites a series of misunderstandings. The modern Theravada school is commonly believed to be identical with the Elders who formed in opposition to the Mahāsaṅghikas at the first schism. But this is by no means the case; rather, the modern Theravadins are one of the schools who descended from those ancient Elders. To avoid confusion I refer to that original group of Elders by the Sanskrit form Sthaviras. The ancient Sthaviras underwent several subsequent splits, and one of the dozen or so resulting schools formed in Sri Lanka, based at the monastery known as the Mahāvihāra. This community called themselves, among other titles, the Mahāvihāravāsīns, ‘Dwellers at the Great Monastery’. This title, though clumsy, has the great virtue of being specific and unambiguous: we can go to the ruins of the Mahāvihāra, stand there, and know that we are speaking of the community at this place. Since before the Common Era, the Sri Lankan Sangha had divided into three main monastic traditions, one of which was the Mahāvihāra; the others were the Abhayagiri and the Jetavana. These were unified under the Mahāvihāra in the reign of Parakramabāhu I around 1165 CE. It was around that time that the Sinhalese school also started to gain prominence in Burma and Thailand, gradually supplanting the various forms of Buddhism that had thrived up until then, although never completely overtaking the earlier forms. Since the

27 T24, no. 1461. Summarized by Thien Chau, pp. 117-122.

Mahāvihāravāsins used Pali as their ecclesiastic language, it is also common to refer to their texts as the ‘Pali’. In this work, I refer to this school as either the Mahāvihāravāsins or the Pali school when speaking in historical context, and reserve Theravada for the modern school descended from them.

65 Most of the other existing Vinayas were translated into Chinese around the fifth century CE.<sup>28</sup> Apart from the Chinese and Pali texts, the most important for our concerns is the Hybrid Sanskrit version of the bhikkhuni Vinaya of the ‘Ārya Mahāsaṅghika Lokuttaravādin’ school, who we will refer to more economically as the Lokuttaravādins. This is based on manuscripts, probably written in the 11th – 12th Centuries in the final phase of Indian Buddhism, and taken to Tibet, from where they were retrieved by Rāhula Sāṅkṛtyāyana and brought back to India in 1935-38.

66 These main schools and their principle relations may be summed up as follows. At the left is the basic division into the root schools of Mahāsaṅghika and Sthavira. Then follows the division of the Sthaviras into three great groups of schools. Finally we have the schools for who we possess actual Vinaya texts. I mention the language of the original texts (with the hypothesized language in brackets for those texts which exist only in translation), and the language of the translated texts.

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28 A history of the introduction, translation, and adoption of the Indian Vinayas into China may be found in Yifa, pp. 3-8.

Table 1: Main Existing Vinaya Texts

First schism	Main groups	Main Vinaya schools	Language (original)	Language (translation)
Mahāsaṅghika	Mahāsaṅghika	Mahāsaṅghika	(Hybrid Sanskrit)	Chinese
		Lokuttaravāda	Hybrid Sanskrit	
Sthavira	Vibhajjavāda <sup>29</sup>	Mahāvihāravāsin	Pali	
		Dharmaguptaka	(Gandhārī)	Chinese
		Mahīśāsaka <sup>30</sup>	(Sanskrit)	Chinese
	Sarvāstivāda	Sarvāstivāda	(Sanskrit)	Chinese
		Mūlasarvāstivāda	Sanskrit (partial)	Tibetan, Chinese
Puggalavāda		?		

<sup>67</sup> Of the existing Vinayas, there is no clear *a priori* reason to assume that any of them is more authentic than any other. In fact, all of them have undergone a long period of redaction, and include much late material, along with a common core which is probably inherited from the earliest times.

<sup>68</sup> Traditionally, most monks and nuns would have regarded themselves as belonging to one or other of these schools, and generally speaking would have taken one of these texts as authoritative. All scholars agree that the texts are, in their outlines and purposes, very similar. Yet there are innumerable differences in detail. Where differences of significance are found, it is an open question as to how these should be treated. Should we take the standard of just one Vinaya? This has the advantage of being simpler and more consistent with traditional practice. But what happens when our main Vinaya is unclear or problematic? Normally a Theravadin would turn to the commentary for guidance – but if light may be shed on

<sup>29</sup> This term is convenient, but it is not clear to what extent Vibhajjavāda denoted a coherent group of schools. Nevertheless, the texts and doctrines of this group are usually fairly similar.

<sup>30</sup> Sometimes the Mahīśāsaka is more closely associated with the Sarvāstivāda.

the problem by referring to an ancient canonical Vinaya, dated half a millennium before the commentary, should that not at least be taken into consideration? And if we agree that there is at least a chance that in certain cases, alternative Vinayas may preserve a more accurate record of the Buddha's words, is this not a matter of interest? For now, we need not solve this question. This book is a pioneering attempt to steer a way through the various texts. We do not start out with preconceptions as to the value of our conclusions, or the authority of our method. We merely insist that it is worth having a go. Only afterwards will we be able to assess the merits or otherwise of this approach.

## Chapter 1

# A QUESTION OF INTERPRETATION

1 Before going on to discuss bhikkhuni Vinaya as such, I would like to address some interpretive problems.

## WHAT CAN WE EXPECT FROM VINAYA?

2 No text is perfect, and no text ever contains the seeds of its own interpretation. A text can never speak for itself. Left to itself, a text sits on the library shelf and gathers dust. It will only speak when a human being, full of wishes, neuroses, limitations, and expectations, picks it up, and because of some desire or interest, opens it and starts to read. They do not know the text; otherwise they would not bother to pick it up. The very fact of engagement with a text implies a gap, a lack, which the reader hopes the text will go some way to fill.

3 But the author of that text knows nothing of this. They have no idea who will read their text, why, and to what ends. Shakespeare tells us that the devil may quote scripture to his purpose; and the Buddhist texts make it very clear that Māra always speaks words of compassion.

4 Every text is both deficient and excessive. Deficient, because it cannot explain all its terms, and must leave much unsaid. The author can never fully express all they have in mind. This problem is addressed in fiction by Jorge Luis Borges, with his infinite libraries, or his *aleph*, through which all points in the universe can be seen simultaneously. The *aleph*, by a dire twist of fate, comes into the hands of a poet who sets out to express everything, and by doing so steals the meaning from the world. The problem becomes all the more acute the further we are in time and place from our subject. Our texts are full of haunting and ambiguity. The inquiring mind, the lost



soul seeking truth, cannot help but insert themselves in these gaps, fill out the non-existent with the reassurance of the existent.

5       And texts are excessive, because they carry implications. Sounds, echoes, suggestions; all these and more convey meaning in a text, and this meaning can never be fathomed, least of all by the author. Each time we read a text, it says more to us than the author intended. It creates new connections in our minds, inspires fresh ways of thinking. The message we carry away with us will never be exactly that which the author had in mind, and frequently it will be something strange and unpredictable.

6       As a teacher, I am constantly reminded of these limitations. Even when dealing with the here and now, speaking closely with a small group of intelligent people, who I know well and who are sincerely trying to understand what I am saying, I have to keep reminding myself that each person in the room will go away with something different. Invariably, what is taken from a teaching is quite different from my intention; I have omitted something that would have clarified my meaning, or I have said something that carried an unintended connotation. This is not a problem with the teaching or with the students, it is the nature of communication and meaning. It is, in fact, this which gives communication its richness. Each seeing differently, we remain a community who can learn from each other.

7       In addition to these general problems, which must affect any attempt to interpret texts, there is a further pair of extremes that become particularly acute in addressing ancient religious scripture. Such texts are in the peculiar situation of having originated in a very remote time, place, and context; and yet being held to have an immediate and literal application to the present time, place, and context. And in trying to mediate this gap, we often fall into the temptations of either overinterpreting or underinterpreting the text.

8       In overinterpreting the text, we give it a significance greater than it can reasonably bear. A chance remark becomes a timeless gem of wisdom; an offhand observation becomes a law for all eternity. Texts say so much, and only so much. We cannot expect them to yield all the answers that we want. Ancient scriptures are notoriously subject to this weakness. We want to be able to relinquish responsibility, to turn to an unimpeachable authority for answers so that we may lay down our burdens. Academics are no less susceptible to this

temptation than devotees. Witness the attempts to pin down the date of the Buddha, with gallons of ink expended to narrow down the date by a few years here or there, when in fact we may not even be in the ballpark.

9 The opposite sin is to underinterpret the text. The scriptures are archaic, irrelevant, meaningless. ‘It’s impossible for monastics to live without money today’; so say those who have never tried. It is a simple matter to dismiss something we know little about, and finding errors in an ancient text requires no great intellect. But if we are to engage our tradition in a meaningful way, to establish the bhikkhuni Sangha as a continuation and reform of the Buddhist tradition, then we must take the texts seriously. We can criticize them, but such criticism must grant the texts the respect of careful and sympathetic study. It is not easy work, and there are few willing to do it, but there is no alternative.

10 We can take heart from the encouragement of the Buddha himself. It is a staple of modernist Buddhism to claim that the Buddha encouraged the spirit of inquiry, and that we should not take even our sacred scriptures merely on faith. It is less well known that the Suttas themselves provide concrete instructions and examples in how to interpret texts. A series of texts in the Aṅguttara Nikāya go so far as to say that one slanders the Buddha if one presents a scripture that was not spoken by the Buddha as if it were spoken by the Buddha (or vice versa); or if one presents a scripture requiring explanation as if it were one that did not require explanation (or vice versa).<sup>31</sup> A simplistic insistence on literalism is not merely untenable, but actually slanders the Buddha. He was too subtle, too aware of context, to be imprisoned in literalism. Our duty, if we are to take these injunctions seriously, is to undertake the task of weening out the authentic from the inauthentic parts of our scriptures, and determining what they might mean in a given context. And that is no easy matter.

## THE SCOPE OF VINAYA

11 How universally should we apply the rules? Practically, monastics vary widely in this. Some argue that times have changed so much that only the

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31 Aṅguttara Nikāya 2.23-2.26; see Ekottara Āgama 18.9 (T2, no. 125, p. 592c29).

four *pārājikā* should apply; some suggest that it would be an improvement if the monks would keep even the five lay precepts. Rigorist monks declare that all the rules should be kept and should apply to all; yet it is not easy to find a monk who really keeps every single rule in a literal sense. This question opens into a vast field of ongoing dialogue and change in monastic practice.<sup>32</sup>

12 Perhaps we should leave aside, for now, the never-ending question of how best to apply the Vinaya in modern contexts, and consider a more limited question: how broadly were the rules meant to apply? In other words, what was the Buddha (or the redactors) *thinking* about when they laid down the rule? The Pali commentaries have faith that the Buddha laid down each rule as an expression of his omniscience,<sup>33</sup> and hence all rules are, in theory at least, universal and eternal in their application, at least as long as the current Buddha's dispensation lasts. This is used as the basis for Vinaya arguments down to the present day.<sup>34</sup> However the texts themselves present a humbler picture.<sup>35</sup> The Buddha addresses the actual situation before him. When unforeseen situations come up, as they frequently do, he readily adjusts the rule. In particular he is more than willing to make allowances for areas that he had not geographically considered when laying down the rule, as for example the case of Soṇa, who asked for an allowance in regard to wearing shoes in the remote and rough country of Avanti.<sup>36</sup> Later redactors of the Vinaya took this as a precedent in making further allowances as Buddhism expanded beyond its initial frontiers; for example, the Haimavata Vinaya *Mātikā* depicts the Buddha allowing monks in the cold Himalayan regions to wear extra warm clothes.<sup>37</sup> Practically speaking, of course, virtually all monks and nuns take advantage of

32 An example of this is discussed in 'Vinaya in Theravada Temples in the United States', Paul David Numrich, *Journal of Buddhist Ethics*, Volume 1, 1994.

<http://www.buddhistethics.org/1/numrich1.html#pagetop>

33 See the commentary to the Brahmajala Sutta; in Bhikkhu Bodhi's translation, *The Discourse on the All-embracing Net of Views*, Buddhist Publication Society, 2007, pp. 122-5.

34 An example of this is Jetavana Sayadaw's argument for the establishing of the bhikkhuni order (Milindapañha Aṭṭhakathā, Haṃsāvati Piṭaka Press, Rangoon, Burmese year 1311 (=1949), pp. 228-238), translated by Bhikkhu Bodhi as 'Can an Extinct Bhikkhunī Sangha Be Revived?' in his *The Revival of Bhikkhunī Ordination in the Theravada Tradition*. <http://www.buddhanet.net/budsas/ebud/ebdha347.htm>

35 See Anālayo, 'The Buddha and Omniscience'.

36 Pali Vinaya 1.194 ff.

this principle in one way or another, and Buddhism has adjusted to the culture and climate in every country it has gone into, which is one of the major factors in its survival and spread until the present day.

13 If we cannot be certain that each rule was definitively and explicitly intended to apply universally, then let us ask a different question: what can we reasonably consider to be the scope of the rule within the thought-world of the early texts? This question is readily answerable, for that thought-world is clearly circumscribed, temporally, geographically, and culturally.

14 Temporally, the scope is given in the origin story for the bhikkhuni ordination itself: Buddhism was expected to last for 500 years, perhaps a millennium. While the prediction of the demise of Buddhism after this time is only found in this single, dubious, passage, this general time frame is implicit throughout the early texts. Clearly, the founders of early Buddhism were afraid that their religious message would die away within a few generations, and did not imagine that it would last more than a few hundred years at best.

15 Geographically, the early texts were limited to the Gangetic region of northern India, reaching as far south-west as the distant Avanti (now in the western region of Madhya Pradesh), and in one or two passages to what is now Maharashtra (Assakā). To the north-west, the scope of awareness extended to Gandhāra, with one or two references to the ‘Greeks’ (*yona*; but they may have been known only by rumor). On the eastern side lay Aṅgā, but this did not extend even as far as the mouth of the Ganges. There is no mention of, say Sri Lanka, or even of southern India.<sup>38</sup>

16 Culturally, the texts have little to say about any cultures that differ from their own. There is one interesting reference to the fact that the Greeks have only two classes – masters and slaves<sup>39</sup> – but even in the legendary Jātakas, which ostensibly tell of events in far-distant ages of the earth, the culture remains remarkably like that of India in the 5<sup>th</sup> century BCE. Sadly, there is no hint that the Buddha knew of modern science, of western

37 T24 no. 1463 p. 0846c12-13: 爾時諸比丘雪山中夏安居。身體剝壞來到佛所佛聞已如此國土。聽著富羅複衣

38 See [www.ancient-buddhist-texts.net/Maps/Maps-of-Ancient-Buddhist-India.pdf](http://www.ancient-buddhist-texts.net/Maps/Maps-of-Ancient-Buddhist-India.pdf)

39 MN 93.6 Assalāyana

civilization, of the global culture that has emerged after colonialism. And there is no text that affirms that in formulating a rule for nuns wandering along a lonely jungle path of Magadha in 500 BCE, the Buddha wanted that same rule to apply to a nun boarding an Airbus A380 in Changi Airport in 2009.

17 So this matter of the scope of the Vinaya texts is one that must of necessity remain subject to inference and interpretation. In some northern lands, for example, the monastic year has been adjusted to shift the time of the rains retreat, which was laid down to accord with the Indian monsoon. It is hard to find fault with this. But how far should this be taken? In cold climates, most monastics decide to wear jackets, even though this is against the Vinaya. In the Buddha's day, it seems, sleeved garments were a rarity, and are almost always mentioned as the special clothes of a prince or a warrior. So it is not unreasonable to consider that in our different culture and climate, this rule should not be followed. But there are some monks from tropical countries who stay in cold climates and refuse to wear warm jackets, out of a wish to follow the letter of the rule with the highest integrity. An unintended result of this choice is that they have to stay in highly heated buildings, at significant financial and environmental cost, instead of putting on a jumper. Such a lifestyle choice values ancient Indian dress codes over the future of the planet. In such cases, adhering to the letter of the Vinaya is, I believe, unethical.

## THE LAYERS OF TEXT

18 We have remarked on the fact that the existing Vinaya texts include a set of rules called the *pāṭimokkha*, embedded within an explanatory matrix called the *vibhaṅga*. From the beginnings of modern Buddhist studies it has been recognized that these parts of the text form distinctive historical layers or strata. The *pāṭimokkha* is the earlier text, and the *vibhaṅga* was formed later. Moreover, the *pāṭimokkha* existed in its own right, as it still does, as an oral text, quite independent of the *vibhaṅga*. This is demonstrated by the presence of an array of textual markers – rhythm, grammatical case, vocabulary, length – that bind the *pāṭimokkha* rules into one coherent textual entity, despite the fact that it does not appear as such in the existing Vinayas.

19 For example, most of the *pāṭimokkha* rules use the particle *pana*, which serves to grease the flow from one rule on from the next. Such markers are mnemonic devices to aid memorization and recital of the *pāṭimokkha* as an oral text, which is still recited each fortnight. But *pana* and the other markers only work when the *pāṭimokkha* rules are listed one after the other. Embedded within a complex matrix of explanatory and background material, as they are in the canonical Vinayas, these literary features become meaningless. This is one of the reasons we know that the *pāṭimokkha* existed as an independent text before the *vibhaṅgas*.

20 This invites us to question the relationship between the rule and its explanation. We shall see that, while the rules have much in common, the *vibhaṅgas* often differ completely. The most plausible explanation of this state of affairs is that the rules stem from an early period, before the split of the Sangha into different schools, while the explanations largely arose later. The process of analyzing, explaining, and adjusting the rules must have been ongoing for many centuries after the Buddha's death.

21 The question then becomes: what do we follow, the rules or the *vibhaṅga*? From the viewpoint of the Suttas, this would seem to be obvious. The standard exhortation on ethics for the monastics tells us to follow the rules: 'Dwell possessed of ethics, possessed of the *pāṭimokkha*, restrained with the restraint of the *pāṭimokkha*, perfect in conduct and resort, and seeing danger in the slightest fault, train by undertaking the training rules (*sikkhāpada*).'<sup>40</sup> In this standard exhortation, still recited regularly by the bhikkhus, there is no mention of a *vibhaṅga*, and no suggestion that one is bound to follow a particular interpretation of a rule.

22 There is little or no evidence that the *vibhaṅga* in anything like its current form existed in the Buddha's lifetime, and accordingly little justification for saying that the rulings of the *vibhaṅga* were intended by the Buddha to be authoritative. We do, it is true, find passages that are suggestive of the development of *vibhaṅga* material. For example, a stock passage says that a monastic teacher should know both *pāṭimokkhas* in full, well analyzed, well ordered, and well classified in both 'thread' (*sutta*) and

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40 E.g. MN 6.2

‘supplement’ (*anuvyañjana*).<sup>41</sup> This could well be understood, as the commentary does, as implying that one understands both the *pāṭimokkha* and the *Suttavibhaṅga*. But of course, the text itself falls short of establishing this. It merely shows that there was material ‘supplementary’ to the actual rules; the very choice of the word *anuvyañjana* emphasizes that this material was secondary to the rules themselves. No doubt such passages refer to a growing body of material which helped to explain, elaborate, and elucidate the brief rules of the *pāṭimokkha*, and no doubt such a process resulted in the *Suttavibhaṅgas* we have today. Whether any of that early supplementary material still exists is a matter for inquiry.<sup>42</sup> But it would certainly be unjustified to leap from such vague references to infer that that a full-blown *Suttavibhaṅga* was in existence in the Buddha’s day. Moreover, the purpose of this passage, it should be noted, is not to establish an authority by which monastics should practice. That has already been defined as the ‘training rules’ of the *pāṭimokkha*, or *sutta*. The purpose, rather, is to detail the required qualifications for a teacher who can clarify and explain those training rules to a student.

<sup>23</sup> Much of the material in the *vibhaṅga* does not even claim to have been spoken by the Buddha, and so the *vibhaṅga* was dubbed by Oldenberg as the ‘Old Commentary’. As a commentary, its purpose is not to change the meaning of the rule, but to help in aiding understanding of the rules. And often this is just what the *vibhaṅga* does. But in some cases, the rules and *vibhaṅga* conflict, or at least the *vibhaṅga* makes concrete interpretations which the rules may not define so exclusively.

<sup>24</sup> How are we to explain this situation? I believe that the *pāṭimokkha* rules were laid down by the Buddha himself: who else could have had the authority to lay down rules binding for the entire monastic community, without dispute or divergence? The existence of frequent revisions of the rules shows the Buddha’s flexibility. But after his death the rules became frozen. It seems that the Sangha could not agree on making any changes, even when these had been

41 E.g. Pali Vinaya 1.68: *ubhayāni kho panassa pāṭimokkhāni vitthārena svāgatāni honti suvibhattāni suppavattīni suvinicchitāni suttaso anubyañjanaso.*

42 A small attempt was made by Frauwallner, *Earliest Vinaya*, pp. 130 ff.

authorized by the Buddha, as implied by the curious discussion of the ‘lesser and minor rules’ during the First Council.<sup>43</sup>

25 But monastic life could not stand still, and new developments must be accounted for. These developments were incorporated in the Suttavibhaṅga, which form a uniquely valuable record of the practices as accepted in the diverse schools of ancient Indian Buddhism. Eventually, however, the Suttavibhaṅgas gained canonical status, and could not be further changed. I would therefore attribute the composition of the Suttavibhaṅga to the discussion held among the monastic community, and the increasing need to compile a systematic treatise on discipline to hold together the Sangha. Such discussions would have, of course, begun within the Buddha’s lifetime, and would have taken a more systematic form in the generations following the Buddha’s passing away.

26 The traditional approach to interpretation is ‘synthetic’, in the sense that it takes pre-existing elements and treats them as one coherent textual

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43 The question of the ‘lesser and minor rules’ (*khuddānukhuddakāni sikkhāpadāni*) is sometimes invoked in the context of bhikkhuni ordination. If the Buddha allowed changing the rules, why can we not do so to make bhikkhuni ordination possible? This argument has a number of flaws: firstly, it wrongly assumes that the Vinaya needs to be changed to allow bhikkhuni ordination; and secondly it assumes that it is possible for the modern Sangha to change anything, which anyone familiar with Sangha workings would know is out of the question. I have elsewhere argued that question of the lesser and minor rules should be seen, not so much as a legalistic allowance, but as a literary device tying the narrative of the Mahāparinibbāna Sutta to the agenda of the Second Council. Nevertheless, as a legal problem it is not insoluble. The allowance is for the abolition of lesser and minor ‘training rules’ (*sikkhāpada*), which are among those recited at the *uposatha* (*pācittya* 72: *kiṃ panimehi khuddānukhuddakehi sikkhāpadehi uddiṭṭhehi...*). All of the Elders at the First Council agreed that these terms stood for particular classes of offence; and while they disagreed as to the exact classes, a tacit agreement is often better than an explicit one. The *thullaccayas*, *dukkaṭas*, and *dubhāsita* are not recited at the *uposatha*, and since, it seems, at the early stage the *sekhiyas* and *adhikaraṇasamathas* were also not recited, the most minor classes of offence that were recited are the *pācittiyas* and *pāṭidesanīyas*. And in the Pali Vinaya we find that the *pācittiyas* are indeed referred to as *khuddaka*; at the end of the *pācittiya vibhaṅga* for both the bhikkhus (Pali Vinaya 4.174) and the bhikkhunis (Pali Vinaya 4.345), as well as the Parivāra (Pali Vinaya 5.147). It seems, then, that the *pācittiya* rules are the *khuddaka* and the *pāṭidesanīyas* are the *anukhuddaka*.



substance. The rule and its explanation (as indeed the whole Vinaya and its commentaries) are assumed to be a consistent system, and are interpreted so as to make them harmonize. This approach might be compared with the rationalist or Platonic tendency in philosophy. Convinced that the universe was constructed in a perfect, rational manner, the search for knowledge became an attempt to discover the actual underlying unity that is assumed to exist. If, for example, the planets do not seem to orbit in their expected perfect circles, this is because our measurements or reasoning is faulty, not because the orbits are in fact not circles.

27 A more radical interpretative approach might be called ‘analytical’, based on discerning different parts of a text and investigating their relationship. This has more affinity with an empiricist approach to knowledge. Unity is not assumed, and aberrations or variations are treated as facts just as true as any other. Variations in the texts may well be simple contradictions, arising from misunderstandings, or because different editors had different ideas.

28 These two paradigms in turn stem from two different sets of ideas about where the texts came from. One coming from a synthetic approach would argue that the texts stem from the All-Awakened Buddha, hence must be perfect and consistent. The analytical approach would point to the very many divergences within the existing texts, and would prefer to understand these in terms of the known principles of textual transmission. Like those who would investigate biological evolution, empiricists assume that the forces that shaped texts in the past are similar in principle – though different in detail – to those that may be observable in the present. This method follows on from the Buddha’s own epistemology, where he instructed to first understand the principles at work in the present moment, then to infer from that to the past and future.<sup>44</sup>

29 Such a method differs from the more traditional synthetic approach, which sees the omniscience of the Buddha as a singular, unrepeatable phenomenon, which differs radically from any epistemological means available to us at the present time. This might be compared with the creation of the world according to Christian theology, which is seen as a singular, unrepeatable event, which

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44 E.g. SN 42.11, SN12.33-34.

cannot be reduced to the principles of evolution as observed in the present.<sup>45</sup> Crucially, however, just as the literalists assert that the Bible is the infallible word of God, yet the Bible itself makes no such claim, and is clearly the work of highly fallible humans, the Tipiṭaka makes no claim to the literal omniscience of the Buddha. In many cases the facts are plain wrong: there is no Mount Sineru, there are no creatures thousands of miles long in the seas, there is no northern country of Uttarakuru, there never were past ages with huge sized humans living for thousands of years, the state of technology and society in the deep past was not always constant. If the texts were ignorant of simple physical facts of times and regions just beyond their own boundaries, how could they be expected to understand the conditions in our times? That is a cruel and unjust expectation to force upon the texts.

<sup>30</sup> The analytical approach I have just described has come under criticism as resulting in ‘Protestant Buddhism’. Armchair scholars, dealing with nothing more challenging than comparing textual versions, decide for themselves that they can reinvent a world religion, ignoring or deriding the foolish superstitions of those who actually follow the religion. They end up with a nothing, an army of inferences and speculations about unknowable things, a Buddhism that corresponds neither to the actual texts as they are, nor to Buddhism as it has ever been lived. As to whether we can know anything about ‘original Buddhism’, the ‘obsession’ with origins is just another intellectual fad. Living Buddhism cannot be reduced to a pristine pure teaching, subject to degradation and decay in later times.

<sup>31</sup> To which I would say: what’s wrong with being a Protestant? The alternative, surely, is Catholic Buddhism: privileging the existing traditions for no better reason than the sheer fact that they and their works survived. Given the incredible corruption of the Roman Church of the Renaissance, could anyone seriously imagine that modern Christianity would be better

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<sup>45</sup> This is not, of course, to say that all Christians deny evolution. But even those Christians, or other theists, who accept evolution as an explanation of how the world can change and adapt, still posit a unique event as the source of the universe itself. Darwinism, of course, makes no pretence to explain the origin of the universe (although certain recent developments in quantum cosmology are trying to take this step).

off without the Protestant rebellion? The Protestant movement resulted in massive diversity in Christianity; bad for the Roman Catholics, no doubt, but creating a vibrancy that has, in the long run, revitalized the whole religion – including (at least to some degree) the Catholics themselves. Similarly, where would Buddhism today be without the critical inquiries of the ‘Protestant Buddhists’ – Rhys-Davids, Oldenberg, et. al. – whose work has inspired reforms and reinvention all over the Buddhist world, by people who have never even heard of them? I could not count the times I have been told, as a monk, by traditional Buddhists, that ‘real’ Buddhism is hardly to be found in their country any more. And, to be frank, they are quite right. Traditional Buddhism is rank with superstition and magic of the most banal kinds. If such matters merely remained a bit of harmless hocus-pocus, it would not be such a problem. But the reality is that in many areas, not least the treatment of women, the monolithic, unassailable authority of the tradition results in terrible injustice. A bit of ‘Protestant’ reformation is just what the doctor ordered.

32 To resist the findings of text critical work, to insist – whether out of traditional values or post-modern methodological skepticism – that we must only deal with the texts ‘as they are’, is a profoundly conservative principle. It not only stifles innovation, it perpetuates ancient injustice for no better reason than that it is ancient. The texts are never ‘as they are’ - this is a profoundly un-Buddhist notion. They are ‘as they have become’ (*yathābhūta*), arrived to us in their existing form because of the conditions of the past, in particular certain editorial decisions by certain monks at certain times and places. Why should their decisions be privileged forever? Why can they not be questioned, and why, if we have reasons, should we not make other decisions? The religion we are investigating is called ‘Buddhism’ for a reason: it is, at its heart, the spiritual path taught by the Buddha. To look for inspiration in his words is not a 19<sup>th</sup> Century intellectual dead end, but the basis of all authentic Buddhist practice. It is by example of the Buddha’s own Awakening that we seek the truth in ourselves. We merely apply modern, critical methods to this quest, just as Buddhists in every age and every place have reformed Buddhism in terms of their own culture.

33 In Vinaya studies, despite the forbidding complexities of the texts, we are fortunate that the textual strata have been kept reasonably distinct by the legalistic redactors. In interpreting the rules, it seems reasonable to see the rules themselves as, in the main, the words of the Buddha, and the *vibhaṅga* as the explanation of those rules according to the perspective of the schools. Our needs are essentially pragmatic. We need to understand the rule well enough to grasp its ethical core and to know how it should be understood in our time. Often enough, the rule itself is clear and simple, and in such cases there is no need to even worry about the *vibhaṅga*. If we seek clarification, the *vibhaṅga* is there to offer friendly advice, but can only serve to clarify the rule, not adjust or change its scope.

34 This principle might seem self-evident, but the converse approach has been used by Bhikkhu Ṭhānissaro in his *Buddhist Monastic Code*. This book has become the *de facto* guide to Vinaya for most English-speaking Theravadin bhikkhus, and so its interpretive principles must be carefully considered. Ṭhānissaro argues that, where the *vibhaṅga* and the *pāṭimokkha* differ, the *vibhaṅga* should take precedence. His argument (which by a strange coincidence is based on a discussion between the Buddha and Mahāpajāpatī) runs as follows.<sup>46</sup>

35 As far as discrepancies between the *Vibhaṅga* and the rules are concerned, the following passage in the *Cullavagga* (X.4) suggests that the Buddha himself gave preference to the way the bhikkhus worked out the rules in the *Vibhaṅga*:

36 As she was standing to one side, Mahāpajāpatī Gotamī said to the Blessed One: ‘Venerable sir, those rules of training for the bhikkhunīs that are in common with those for the bhikkhus, venerable sir: What line of conduct should we follow in regard to them?’

37 ‘Those rules of training for the bhikkhunīs, Gotamī, that are in common with those for the bhikkhus: *As the bhikkhus train themselves, so should you train yourselves*’.... (emphasis added [by the translator]).

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46 Thanissaro Bhikkhu, *The Buddhist Monastic Code I*, pp. 11-12. Available online at <http://www.accesstoinsight.org/lib/authors/thanissaro/bmc1/bmc1.intro.html>

38           ‘And those rules of training for bhikkhunīs that are not in common with  
those for bhikkhus: What line of conduct should we follow in regard to  
them?’

39           ‘Those rules of training for the bhikkhunīs, Gotamī, that are not in  
common with those for the bhikkhus: Train yourselves in them as they are  
formulated.’

40           This passage implies that already in the time of the Buddha the bhikkhus had  
begun working out a way to interpret the rules that in some cases was not  
exactly in line with the way the Buddha had originally formulated them...

41           Because this development eventually led to the Vibhaṅga, we can be fairly  
confident that in adhering to the Vibhaṅga we are acting as the Buddha would  
have us do.

42           It is altogether improbable that a critical point in interpreting the bhikkhus’  
Vinaya should be left up to an encounter between the Buddha and  
Mahāpajāpatī, as an inferred byproduct of a discussion in how to interpret the  
bhikkhuni Vinaya. Surely we can find better grounds than this for such a  
crucial matter. This is a classic case of overinterpreting a text, taking it as a  
ruling for something that it was never about in the first place.

43           The Vinaya passage cited by Ṭhānissaro says nothing about the historical  
evolution of the rules versus the rule explanation. It is concerned with a quite  
different matter, that is, the relationship between the bhikkhu and bhikkhuni  
Vinaya. Certain rules are shared in common between the two Sanghas. These  
were laid down originally for the bhikkhus, and later the rules were applied to  
the bhikkhunis as well. In other cases, rules were laid down for the bhikkhunis  
alone, and are not shared by the bhikkhus.<sup>47</sup>

44           Mahāpajāpatī wants to know how the bhikkhunis should practice regarding  
these two types of rules. The Buddha’s reply has nothing to do with a  
distinction between rule and explanation. The bhikkhus have already had the  
rule laid down for them. As we have already seen, the bhikkhus were supposed  
to train in accordance with the training rules as laid down, and would not  
transgress them for the sake of life. This passage, and many like it, make it

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47 The third case also exists, but is not relevant for this passage: some rules are kept  
by the bhikkhus alone, not shared with the bhikkhunis. The earliest discussion of  
this matter in the Pali literature is in the Parivāra (Pali Vinaya 146-8).

quite explicit that the Buddha wanted the Sangha to practice the *training rules* as laid down. That is why the passage refers exclusively to the training rules, and says nothing about any *vibhaṅga*.

45 The two terms do not suggest a distinction between text and commentary, but rather refer to two different kinds of events: an initial setting out of the rule, and the subsequent practice in accordance with that rule. The bhikkhunis were not present when the rules for the bhikkhus were laid down, so they must learn these subsequently, from how the bhikkhus ‘train’ in them (where ‘training’ encompasses both study and practice of the rule). On the other hand, the bhikkhunis obviously cannot learn the rules that are unique for bhikkhunis from the way the bhikkhus are training; instead, they would be present when the rules are laid down, and should practice accordingly.

46 Ṭhānissaro acknowledges that the *vibhaṅga* as it exists today had not yet developed in the time of the Buddha, and assumes the Buddha is referring to an ancient precursor of the *vibhaṅga*. No doubt he is correct in assuming that the discussions on interpretation among the Sangha, starting in the Buddha’s own lifetime, evolved to become the *vibhaṅgas* as we know them. However, given that the *vibhaṅgas* of the schools differ greatly, we can say little about how much of our current *vibhaṅgas* might have existed in the time of the Buddha. Far from being ‘confident’ that in privileging the existing *vibhaṅga* over the rule itself we are acting as the Buddha would have wanted, to do so is to favor the sectarian interpretations introduced in the Vinayas, by persons unknown, over a period of several hundred years, over the words of the Buddha himself.

47 Ṭhānissaro has this to say about the importance of this interpretive principle:

48 And when we check the few places where the *vibhaṅga* deviates from the wording of the rules, we find that almost invariably it has tried to reconcile contradictions among the rules themselves, and between the rules and the Khandhakas, so as to make the Vinaya a more coherent whole. This is particularly true with rules that touch on Community transactions. Apparently, many of these rules were formulated before the general patterns for transactions were finalized in the Khandhakas. Thus, after the

patterns were established, the compilers of the Vibhaṅga were sometimes forced to deviate from the wording of the original rules to bring them into line with the patterns.<sup>48</sup>

49 He therefore sees the difference as merely a matter of ‘tidying up’ the Vinaya. Such a process has no doubt occurred, and would indeed account for certain differences between the rules and analysis. This itself is an important historical observation. But in this book we shall see several cases where the rule and the rule explanation differ seriously, in ways that impact in a major way on the lives of the bhikkhunis. This seems to have happened to a greater degree in the bhikkhuni Vinaya. Indeed, one of the major cases we shall investigate is the development of the form of the bhikkhuni ordination procedure, the most important ‘Community transaction’ (*saṅghakamma*). As Ṭhānissaro suggests, the form originally laid down in the *pāṭimokkha* rules has been adjusted in the *vibhaṅga* to conform with the later developed scheme of the Khandhakas.

## WHAT IS A TRADITION?

50 Related to these textual problems is an even thornier issue: how should we, as contemporary Buddhist monastics, practice? It was hard enough in the days of dogmatic slumbers, when we rested in the assurance that the Pali was the One And Only Way. Even then we had disagreements, variant interpretations and attitudes. But with the inclusion of vast quantities of authentic Vinaya material, the questions multiply. Unfortunately the habit of ignoring Chinese and other versions of the Vinaya persists, not only in monks who have an understandable institutional investment in Pali orthodoxy, but also in scholars, who rather lamely try to argue that consideration of the Chinese texts would probably not make much of a difference after all. Our body of knowledge in English remains lamentably slim, and largely confined to specialists.

51 Do we stick to just one tradition? This was the classic posture of the traditions that have come down to us. Even the Chinese, with the wealth of Vinaya material, declared that it would follow the Dharmaguptaka, at least in theory, although they continued to study and refer to the other Vinayas. But

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48 Ṭhānissaro, p. 12.

this is problematic in practice: in certain cases, information is supplied in one Vinaya that is lacking in another.<sup>49</sup> Also, we cannot accept that just one Vinaya supplies a complete picture when we know that each Vinaya differs. Moreover, within, say, the Pali tradition, we find ourselves frequently turning to the commentaries for help when the Vinaya is obscure; but surely a canonical Vinaya must rank as a higher authority than a late commentary.

52 Another approach would be to examine each Vinaya, do some text-critical hocus-pocus (confident in the knowledge that almost no-one will take the time to seriously evaluate what we have done), and bow with reverence to the 'Original Vinaya' that emerges pristine from the crucible. But then what to do when our friends, altering the ingredients of the magic mixture, come up with a different 'Original Vinaya'? The search for an 'Original Vinaya' is, moreover, in its infancy, so that the quantity of textual work required to achieve such a thing is as yet only dreamt of. Nevertheless, the idea should not be written off, as in certain cases it is possible to agree with confidence on what the original version of a text must have been.

53 But perhaps we would be better to abandon such grand schemes and just juggle our texts as best we can. Each case is different, and truth is best arrived at by experimenting with different approaches as seems best for that case. We won't know what really works until long afterwards, and so is premature to rule out any interpretive approach.

54 We cannot go back. We cannot make ourselves un-know. Critics often deride textual criticism as 'speculative'. But there is nothing more speculative than the hypothesis that we know that all the canonical texts were spoken by the Buddha, or even the somewhat weaker claim that all the texts were assembled at the First Council. We know that this cannot have been the case. The existence of differing versions of the same events proves this beyond reasonable doubt. The claim that a massive body of texts has been passed down unchanged for 2500 years is an extraordinary one, and extraordinary claims require extraordinary evidence. That evidence is not forthcoming. In such a situation, all hypotheses are speculative. It is not

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49 As, for example, in the decision that a bhikkhuni may not re-ordain, discussed in Chapter 4.72 - 4.74.



necessary, and often not possible, to prove that a given hypothesis is 'correct'. Since the traditional point of view is manifestly incorrect, the burden of proof lies with the traditionalists. All we can establish for the time being is whether a given way of looking at the textual and other evidence is reasonable. Hypotheses are always subject to revision, and are always partial. But they can be falsified by finding new texts or more precise readings of known texts; and their value lies in making sense. With the dismantling of the traditional perspective, we need new ways to find meaning in our texts.

55 When we begin to hold the Vinaya up for examination, monks and conservative Buddhists start to get a bit nervous. What are we going to reveal? Will we undermine the very basis for the monastic life? What of the simple purity that comes with faith in a tradition? Doesn't it mean that everyone will just fall back on their own opinions and speculative theories? But we must come to grips with the proven and incontestable fact that the traditional belief – that the Vinaya has been handed down unchanged since the Buddha – is not merely speculative, but demonstrably wrong. Insisting on known falsehoods is not, I contest, a principled or possible path.

56 Our notion of a 'tradition', moreover, needs an injection of reality. Patrick Kearney, an Australian meditation teacher, once said that a tradition is not a fixed set of received doctrines, but is more like a family argument. Each Christmas (or Chinese New Year or Songkran... ) we gather with our beloved family to renew our old connections. The meal starts off wonderfully, and there's laughs and jokes all around. But during the evening, someone mentions politics – or religion – and the old tensions flare up again. By the end of the night, you find yourself arguing about the same things you argued about last year. And that's what makes you a family. You care enough about the same things to bother arguing about them. Buddhism is a set of family arguments. We argue about *samatha* and *vipassanā*, or about the authenticity of the Abhidhamma – or about bhikkhunis – precisely because we care.

57 In supporting the pan-sectarian movement for the establishment and growth of the bhikkhuni Sangha, one constantly hears that this will threaten, even destroy, the foundations of Theravada Buddhism, and that such a movement can never find acceptance in Theravada circles. Even if we do not buy into such scare tactics, there is a legitimate concern for the stability and

continuation of the Buddhist tradition, which in Theravada is often said to encompass not only the canon but also the commentarial literature. Here are some remarks from Bhikkhu Bodhi.<sup>50</sup>

58 ... in almost all Theravada circles, actual Vinaya practice is determined not by the canonical text alone but by the canonical text as interpreted by the commentary and *Ṭīkā*s [sub-commentaries]. Thus it would be a bold and somewhat controversial move to reject the commentarial interpretation here and stick solely to the word of the canonical Vinaya, arguing for a position counter to that of the commentaries. Vinaya practice is not merely a matter of personal interpretation but of communal consensus, and when most Theravada communities hold that on this point the commentary is to be followed, the decree of the commentary then functions as law... At a time when the Theravada bhikkhuni order is still in its infancy, my personal advice is to avoid taking controversial positions that challenge mainstream Theravada interpretations (except, that is, on the validity of bhikkhuni ordination!)

59 This advice by one of the most esteemed Elders of the Theravada must be taken seriously. Nevertheless, I feel it is not a sufficient description of the diversity of understandings within Theravada. Perhaps this is because Bhikkhu Bodhi's ordination was within a lineage that treated the commentaries with great deference. My experience, in the Thai Forest Tradition, has been quite different. Of course the commentaries are, in theory, given weight, but in practice by far the most important thing is neither canon nor commentary but the opinions and practices of the contemporary Masters.

60 Let me give an overview of the tradition as received in Theravada, to try to convey some idea of the complexities involved. At the root is the Pali Vinaya, which may or may not be available in any particular monastery, and which may or may not be available in translation. This is universally regarded as the theoretical basis of practice, and yet is little read. On top of the canon lies the classic commentaries, especially the *Samantapāsādikā* of Buddhaghosa, which is accepted in all Theravadin countries. But the

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50 Private communication.

Samantapāsādikā is not a unitary text. It was compiled and edited by Buddhaghosa in the 5<sup>th</sup> Century from several ancient commentaries, and represents the distilled wisdom of centuries of teacher's traditions. It frequently mentions discussions and differences of opinions on specific points, and before the time of Buddhaghosa the opinions that he prefers were by no means universally accepted, even within the fraternity of the Mahāvihāra. Moreover, at that time there were at least two other schools active in Sri Lanka, and several more in South-east Asia. Buddhaghosa's opinions, at the time he wrote them, represented a certain position in the spectrum of possible opinions of one of the Southern schools.

<sup>61</sup> Due to Buddhaghosa's tremendous vitality and erudition, his commentaries, it seems, soon became authoritative within the Mahāvihāravāsin circles, and series of sub-commentaries were written. Unlike the commentaries, the sub-commentaries do not stem from a very ancient tradition, but were composed afresh by their authors. There are very many of these; and the existence of an ongoing living tradition is testament to the need for the Sangha to continually revisit its tradition in new contexts. It is usually understood that the sub-commentaries take Buddhaghosa's work as authoritative and do not deviate from his opinions, but seek to clarify and extend his work. I have, however, seen no serious scholarly work that considers whether the sub-commentarial Vinaya tradition is in fact in complete agreement with Buddhaghosa. Also, it is unclear how widely distributed the sub-commentaries were, and it seems likely that much of the Theravadin world has had little exposure to them. Many of them may be local Burmese traditions. Indeed, in many traditional monasteries, the teaching tradition was passed down through little texts called *nissayas*, which are little more than a collection of lecture notes by a senior local teacher. Often these would be the only scriptures available in a monastery.

<sup>62</sup> The composition of Vinaya texts was revitalized in modern times. The Pubbasikkhāvaṇṇanā was composed in Thailand by Phra Amarabhirakhit, a student of Prince Mongkut, in 1860. This formed the basis for modern Thai Vinaya practice, especially in the Forest Tradition, where it is still read as an authoritative text. This marks a critical juncture in the evolution of Theravada: breaking the tradition of 1500 years, the key Vinaya text is composed in a local language, not Pali, and hence can only be read by Thai bhikkhus. It is unknown

in other Theravadin lands, which use other localized modern works for their Vinaya textbooks. The Pubbasikkhā is a difficult text, and for the purpose of the basic monastic curriculum, Vajirañāṇavarorasa composed the *Vinayamukha* in the early 20<sup>th</sup> century, which is still used as part of the official Thai educational curriculum. Charmingly, whenever a difficult topic is raised, the *Vinayamukha* declares, ‘May the Vinaya experts make a decision on this matter.’ If the monk, a prince of Thailand, who wrote the textbook is not a Vinaya expert, there would be few who are willing to step forward in such a role. But this saying, while indicating a wise humility in avoiding unnecessary disputes, is also evidence of the diversity of views among the Thai Sangha. The *Vinayamukha* is a work of independent spirit, which frequently disagrees with the commentaries, and even with the Suttavibhaṅga.

63 The latest in this tradition of practical guides to Vinaya is Ṭhāṇissaro’s *Buddhist Monastic Code*, which is used very widely in the English-speaking world, and which offers a lucid contemporary interpretation. In addition, within the Ajahn Chah tradition, an unfinished set of Vinaya notes by Ajahn Brahm is used. Both of these works use a conservative analytical approach, which endeavors to find unity whenever possible, but is open to the possibility of contradiction within the tradition.

64 So much for the textual heritage. It will be immediately apparent, even from this brief and incomplete survey, that the situation is complex and there are a multitude of perspectives that are possible within this mass of material. But we have omitted the most important thing, which is the monastics themselves. In all ages, Vinaya has been practiced and discussed among the monastics, and they will invariably have different positions. I do not know even two monks who would agree on every detail of Vinaya. Practically, Vinaya practice within a particular community is largely determined by the authority of the abbot as mediated within the community. The abbot may or may not have any knowledge of the texts we have been discussing. Similarly, the texts may or may not be found in the monastery, and if they are there, there may or may not be anyone who reads them. In the vast majority of cases, decisions about what is ‘Vinaya’ or not will be based on the local and contemporary sources, either books or

the opinions of the teachers. Even among those teachers who are, in theory, committed to upholding the traditional commentarial Theravada, there are many differences of opinion. And in traditional Theravadin countries, there are many influential monks who question or reject the authority of the commentaries, not to speak of the later texts. Such individualizing forces are constantly acting as a counterforce to the centralizing, harmonizing tendencies of the ‘authoritative’ texts.

<sup>65</sup> In addition to the individual opinions of the teachers, there are factors such as the laws of the land. In Thailand the Vinaya is complemented by a Sangha Act, which lays down certain laws for the Sangha, and appoints a Council of Elders to decide matters of importance in managing the Sangha.<sup>51</sup> While such instruments are, in theory, supposed to uphold the Vinaya, in practice they have as much to do with political and economic imperatives. There are, further, local customs, beliefs, and rituals, which constantly influence the Sangha life. For example, while the Vinaya and statements in the Suttas forbid practice of non-Buddhist rituals, quasi-magical rituals such as making holy water, or tying sacred string, are universally performed by the Sangha. Reform movements will often try, with varying degrees of success, to eliminate such practices, and Buddhist practitioners in traditional lands will regularly decry what they see as ‘Brahmanical’ intrusions into Buddhism; but it is a losing battle.

<sup>66</sup> Let me give just one example of how such forces played out as I have witnessed it. In 1995 I was staying at a branch monastery of Ajahn Chah, run by an monk called Luang Por Hom. He was an old monk, ordained fairly late in life, and come from a simple rural background, but with a shrewd mind. A visiting monk arrived. He had ordained in Dhammayuttika circles, and as such, he was regarded as a semi-outsider, but was still accepted in the Sangha. He confessed a *saṅghādisesa* offense. Luang Por Hom did not have experience in managing the procedure for *saṅghādisesa*, so he asked me to invite a senior western monk from my home monastery of Wat Pah Nanachat to help with some advice. Meanwhile he read up on the matter in the Thai translation of the Vinaya Piṭaka, which is printed together with the commentary. When the western monk came for the discussion, Luang Por Hom said that he had never had to do

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<sup>51</sup> [http://www.songpak16.com/prb\\_all.htm](http://www.songpak16.com/prb_all.htm)

the *saṅghādisesa* procedure; then he slyly asked the western monk if he had experience with it. He said yes, to Luang Por's amusement. They discussed the procedure, with the western monk contributing his knowledge of the texts and practices as understood within the English-speaking Sangha. When it came to one point – I think it was on the question of where the monk undergoing probation should sit while the Sangha recited *pāṭimokkha* – Luang Por Hom remarked that when he was a young monk at Ajahn Chah's monastery, they did it a certain way; but from his reading of the text, it seems it should be another way. The western monk agreed. Later, before the monk had formally entered the period of probation, Luang Por Hom made him sit at the end of the line of monks, and on the floor, not on the raised platform for the monks. I said to Luang Por that I thought that the offending monk should not undergo such penances until he had formally entered the probationary period. Luang Por agreed, but said that he was doing it to cut the monks' pride and stubbornness.

67 So in this one little case, we see a number of issues at play. The basic framework for the whole event was the Vinaya, which all accepted as authoritative. The commentaries and sub-commentaries were not consulted, unless they were read in the Thai edition along with the root text, but their influence was felt, mediated through later works. The practice at Ajahn Chah's monastery was influential, which was itself largely influenced by the *Pubbasikkhā*, as well as Ajahn Chah's personal study of the Vinaya and living for many years within the Thai Forest Tradition. The fact that the practice, even of such an esteemed Vinaya master, might deviate from the canonical texts was discussed and accepted (I cannot remember how we actually did the procedure in the end.) In this case, even a relatively uneducated forest monk was quite happy to return to the Vinaya source for the procedure, and to dialogue in a critical way with his tradition. But at the same time, he imposed personal punishments, cheerfully accepting that it was extra to the requirements of the Vinaya, simply because he felt it was important for the spiritual growth of his student.

68        Such is the complexity of interaction of forces in one case. In every case the scenario plays out differently, but there will always be an intersection and a dynamic tension between the different authorities.

69        It is, therefore, simplistic to treat the Theravadin tradition as a monolithic entity, an unreflective instantiation of the classical commentarial orthodoxy. The questions we ask in this book are nothing new, even if our methods may be to some degree unconventional. People are people, and Buddhism is a religion for adults. Monastics are mature enough to make up their own minds, and do not need to imagine a false sense of conformity in order to recognize our kinship as human beings who are following the Buddha's path.

70        In the case of bhikkhuni ordination, conservatives often claim that bhikkhunis can never take their place in 'Theravada'. The reality, of course, is much more complex. Bhikkhunis were a part of 'Theravada' for over a thousand years. The existence of the bhikkhunis was taken for granted by Buddhaghosa. The question of the revival of the bhikkhuni order is a modern problem, and as Bhikkhu Bodhi has shown, a modern Pali work by Jetavana Sayadaw indicates that there have been opposing and supporting voices through the 20<sup>th</sup> century. Bhikkhunis who live in Thailand today tell me that they have the personal support of many bhikkhus, despite their lack of acknowledgement by the authorities. The claim that there is a monolithic opposition to bhikkhunis by the Theravadin Sangha is no more than a piece of rather desperate, sad rhetoric.

## Chapter 2

# PRINCIPLES TO BE RESPECTED

<sup>1</sup> The *garudhammas* were a set of rules, which, according to the traditional narrative, were laid down by the Buddha as the pre-conditions before he reluctantly consented to the ordination of his aunt and foster-mother Mahāpajāpatī Gotamī as the first bhikkhuni. The *garudhammas* as such do not appear in the list of *pāṭimokkha* rules, being outside the normal framework of the Suttavibhaṅga. My *White Bones Red Rot Black Snakes* examines the narrative background in some detail. Here I would like to look more closely at the rules themselves. The rules vary slightly between the traditions, but here we focus on the Mahāvihāravāsin version, referring to the others in important cases. A detailed treatment of all variations in the dozen or so versions of these rules would be ponderous and unnecessary.

<sup>2</sup> The term *garudhamma* has suffered much in the hands of modern translators. *Garu* literally means ‘heavy’, and in some places in the Vinaya ‘heavy’ offenses are contrasted with ‘light’ offenses.<sup>52</sup> So modern scholars have called these the ‘heavy’ or ‘severe’ or ‘strict’ rules. Countless interpreters have seen the *garudhammas* as an imposition of control by monks over nuns. The idea that the *garudhammas* are essentially about control seems to be influenced by the Christian virtue, in both monasteries and weddings, of ‘obedience’. Obedience is an appropriate virtue in an ethical system founded on ‘Thou shalt’, issued by a Lord on High. Buddhism, however, is based on the ethical principle ‘I undertake the training...’. This assumes a mature, responsible relationship with one’s ethical framework, and does not rely on a relationship of command.

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52 E.g. Pali Vinaya 1.68: ... *lahukam āpattim na jānāti, garukam āpattim na jānāti...*



3 The word *garu*, when used in the Vinaya, normally has quite a different meaning: respect. And the *garudhammas* themselves says this ‘rule (*dhamma*) should be revered, respected (*garukatvā*), honored, and worshiped for the rest of your life, not to be transgressed’. Clearly, *garudhamma* means ‘Rules to be Respected’. This is confirmed by the standard Chinese rendering, 八敬法 (*ba jing fa*), literally ‘eight respect dhammas’. The rules themselves primarily relate to the ways that the bhikkhunis should pay respects to the bhikkhus.

4 The Mahāvihāravāsin Vinaya does not have a detailed analysis (*vibhaṅga*) of the *garudhammas*. Hence we must seek out contexts from elsewhere that might help to illuminate the problems raised by the rules. Certain Vinayas, such as the Lokuttaravāda, do offer detailed analyses of the rules; but by the very fact, and the nature of those analyses, the text is considerably later than the Pali, so must be used with caution.

## Garudhamma 1

5 Though a bhikkhuni be ordained for a hundred years, she should bow down, rise up, make anjali, and behave properly towards a bhikkhu ordained that very day.

6 This rule startles with its abruptness, its immediate and total exclusion of the possibility for any other way in which the male and female monastic communities might relate to one another. It stands in stark contrast with the Buddha’s reasoned and balanced approach throughout the rest of the Vinaya, where he refuses to lay down a rule until it is needed. This is why we respect the Vinaya and wish to follow it: it is reasonable, a contingent and pragmatic means for people to live in community and develop good behavior. When the Vinaya appears unreasonable, we must ask ourselves: is this our problem, or the text’s? Must we abandon our ‘modern’ conditioning, see through the way that ‘feminism’ has twisted our perceptions, and realize that this rule is no less than an expression of Awakened Wisdom, the authoritative decree of the Buddha, issuing from his incomprehensible grounding in the Unconditioned? Or does the problem lie somewhere else entirely? Is it possible that our ancient texts do not issue unsullied from the penetration into perfect wisdom, but result from a lengthy and complex historical process, a process that involved both good and bad, wisdom and folly, compassion and cruelty?

7 Unlike most of the other *garudhammas*, this rule lacks a direct counterpart in most of the *pāṭimokkhas*. That is to say, in most of the Vinayas, the rule only appears here, and has no independent corroboration. We shall look at the exceptions to this later.

8 There is, however, another passage in some Vinayas that reinforces the message of this rule, and which extends it to a general principle that monks should never bow to any women. The Mahāvihāravāsin Vinaya elsewhere in the Khandhakas has a group of 10 *avandiyos* (those who should not be bowed to), which includes women.<sup>53</sup> But the context the rule appears in raises doubts as to the formation of this passage. It follows the well-known story of the partridge, the monkey, and the elephant, where the three animals lived harmoniously by respecting the eldest among them.<sup>54</sup> This story is found in all Vinayas.<sup>55</sup>

9 However the different Vinayas each follow this story with a very different text. The Pali appears, on purely internal criteria, to be an originally independent passage. It changes from the specific list ‘bow down, rise up, make anjali, and behave properly’ mentioned in the story, to the general term ‘not bow’. Not only that, but the content sends a completely different message: the whole point of the three animals story is that we should respect elders, but now we are being told to not respect women, even if they are elder. Taken together, these suggest that the sequel is not intrinsic to the story.

10 The Dharmaguptaka follows the story with a long section, listing quite different individuals than the Pali, although also including women.<sup>56</sup> For example, the Dharmaguptaka includes a matricide, patricide, arahant killer, schismatic, etc., none of which are mentioned in the Pali. The Dharmaguptaka also lists those to whom different people such as novices, trainees, etc., should pay respect, and adds that one should also pay respect in the same way to their stupas; the emphasis on stupas is characteristic of this Vinaya, and evidence of the lateness of this section.<sup>57</sup>

53 Pali Vinaya 2.162

54 Pali Vinaya 2.161-2

55 See Frauwallner, *Earliest Vinaya*, pp. 122-3 for references.

56 T22, no. 1428, p. 940, b1: 一切女人不應禮

57 T22, no. 1428, p. 940, b7: 如是等人塔一切應禮

11 The Mahīśāsaka,<sup>58</sup> Sarvāstivāda,<sup>59</sup> and Mahāsaṅghika<sup>60</sup> all say nothing in this place regarding bowing to women.<sup>61</sup> Thus the fact that the injunction against paying respects to women in this case uses a different terminology from the preceding passage; that it is based on a principle of gender rather than age; that it is absent from most of the Vinayas in this place; and that where it is present in the Dharmaguptaka it speaks of stupas, all adds up to a clear conclusion that the passage is a late interpolation.

12 Returning to the *garudhamma* and the specific injunction not to bow to a bhikkhuni, the Mahīśāsaka and Dharmaguptaka Vinayas include the rule as a *pācittiya* ('expiation' – a rule which, when transgressed, can be cleared through a confession), and the Sarvāstivāda has a related rule. Here is the rule from the Sarvāstivāda Vinaya Suttavibhaṅga.

13 The Buddha was staying at Sāvattihī. Now at that time the Elder Mahākassapa, putting on his robes before midday, taking his bowl, went to a householder's home for almsround. Then at the place he stopped there was a layman's wife. Seeing Mahākassapa in the distance, she got up and greeted him. But Thullanandā was at that place first. Seeing Mahākassapa in the distance, she did not rise to greet him. Then that layman's wife bowed with her head at the feet of Elder Mahākassapa. She washed her hands and taking his bowl, offered plenty of rice, with curry over it. Mahākassapa received it and left.

14 The lay woman went to Thullanandā and said: 'Are you aware that was the Elder Mahākassapa, the Buddha's great disciple, who is greatly revered by the deities as a virtuous field of merit? If you were to rise and greet him, what harm would come of that?'

15 Thullanandā said: 'Mahākassapa was originally practicing another religion, [i.e.] Brahmanism. You greatly reverence that, but I do not respect it.'

58 T22, no. 1421, p. 121, a25: 如是奉行

59 T23, no. 1435, p. 242, c13-17: 有三人不如。何等三。一切未受大戒人。不如受大戒人。一切下座不如上座。一切受事說非法人雖作上座。不如下座。不受事人說如法者。一切受大戒人。勝不受戒人。一切上座勝下座。佛勝眾聖

60 T22, no. 1425, p. 446, c2-3: 若見上座來。不起迎和南恭敬者。越毘尼罪

61 Incidentally, although this rule is sometimes said to be a 'Theravada' rule, the '[Yogacāra] Bodhisattva Precepts' say one should pay respects to neither a woman nor a lay person. T40, no. 1814, p. 683, c15-16: 不應禮白衣。一切女人不應禮

16 The lay woman was annoyed and scolded: ‘These bhikkhunis say, “If you  
do what is good you will get merit”, but when they see bhikkhus coming  
they do not rise, as if they were women from another religion.’

17 When the bhikkhunis of few wishes, contented, keepers of ascetic  
practices heard about this they were not pleased. They went to the Buddha  
and told him everything. For that reason the Buddha summoned the two-  
fold Sangha together.

18 Knowing, he asked: ‘Is it true that you did that thing, or not?’

19 She answered: ‘It is true, Blessed One.’

20 The Buddha for this reason in many ways scolded: ‘How can this  
bhikkhuni see a monk coming and not rise?’ Having in many ways scolded  
for that reason, he said to the bhikkhus: ‘For the sake of ten benefits, I lay  
down this precept for bhikkhunis. From today onwards that precept should  
be taught:

21 ‘Should a bhikkhuni, seeing a bhikkhu coming, not rise, this is an offense  
of *pācittiya*.’

22 ‘*Pācittiya*’ means: burn,<sup>62</sup> boil, smear, obstruct. If not confessed, it will  
obstruct the path. This is the offense: if a bhikkhuni sees a bhikkhu and does  
not rise, this is a *pācittiya*; straightaway seeing and not rising, straightaway  
at that point there is *pācittiya*.<sup>63</sup>

23 A few notes are in order. Thullanandā (Fat Nandā) was Mahākassapa’s  
nemesis, and accordingly, a great fan of Ānanda. Her misbehavior and, in  
particular, animosity towards Mahākassapa are well attested in the Suttas  
and Vinaya, and elsewhere she repeats her allegation that Mahākassapa had  
previously been a non-Buddhist.<sup>64</sup> Thus her behavior on this occasion is just  
deliberate rudeness towards a revered Elder. Notice that this rule concerns  
only rising for a bhikkhu when one sees them, and does not mention  
bowing and the other acts mentioned in the *garudhamma*. We also notice  
that the criticism by the laywoman specifically invokes the accepted

62 This explanation is derived from a folk etymology connecting *pācittiya* with *pacati*, to cook. Unfortunately, this play on words is sometimes interpreted literally, and students are informed that if they break *pācittiya* rules they will burn in hell. Needless to say, the early texts contain no trace of such an idea.

63 Sarvāstivāda Vinaya, bhikkhuni *pācittiya* 103 (T23, no. 1435, p. 324, b29-c22).

64 SN 16.11/SA 1144/SA2 119

cultural standards of conduct expected of women. In context, then, this rule is perfectly reasonable, merely formalizing the respect due to Elders of the community. However, when the *garudhammas* extend this to form a rule requiring that all bhikkhunis must rise for bhikkhus, the reasonable context is lost, for respect should also be shown to the bhikkhunis for their practice and wisdom.

24 Let us look now at the second appearance of this rule in the *pāṭimokkhas*, this time the Vinaya of the Mahīśāsakas. The rule here is similar to Dharmaguptaka *pācittiya* 175, but in that case there is no proper origin story. It is merely said that the Buddha laid down the rule (as a *garudhamma*) while at Sāvattihī, but the bhikkhunis did not keep it, so he laid it down again as a *pācittiya*.<sup>65</sup> The Mahīśāsaka offers more detail, so we will use that version.

25 Now at that time bhikkhunis did not bow to monks, did not greet them, did not receive them, did not invite them to a seat. The bhikkhus were annoyed, and did not return to teach. Then the bhikkhunis were foolish, without knowledge, and not able to train in the precepts. The senior bhikkhunis saw this, looked down on it, and scolded in many ways. The matter was therefore told to the Buddha. For that reason the Buddha summoned together the two-fold Sangha.

26 He asked the bhikkhunis: ‘Is this true or not?’

27 They replied: ‘It is true, Blessed One.’

28 The Buddha in many ways scolded them: ‘Did I not already teach the eight *garudhammas* as suitable etiquette regarding bhikkhus? From today onwards, that precept should be thus recited:

29 ‘Should a bhikkhuni, seeing a bhikkhu, not rise up, bow down, and invite him to a seat, this is an offense of *pācittiya*.’

30 For trainees and novices, it is an offense of wrong-doing. If sick, if previously there is anger and suspicion, with no shared speech [recitation?], there is no offense.<sup>66</sup>

31 Here there is no developed story, only a formulaic background that is very similar to the backgrounds for several of the other *pācittiya/garudhammas* we shall see below. There is no common ground between this origin story and the

65 Heirmann, *Rules for Nuns*, p. 955.

66 Mahīśāsaka Vinaya, bhikkhuni *pācittiya* 179 (T22, no. 1421, p. 97, c20-28).

Sarvāstivāda version, and hence no basis to infer that either of them have any genuine historical source.

32 There is a valid reason for the rule in the context: it is a good thing to respect one's teachers. This rule is not an arbitrary imposition, but came from a genuinely problematic situation. One might question whether the monks were being a little precious in refusing to teach; but any teacher knows how hard it is if the students don't display a positive attitude. In ancient India, as indeed throughout Asia today, bowing to one's teachers was a simple and universally observed sign of respect and gratitude. It is, however, true that the rule as it stands does not specifically mention teaching. Like the previous example from the Sarvāstivāda Vinaya, the context of the background story has been extended beyond its reasonable application. A rule requiring bhikkhunis to rise and pay respects to their teachers would have been justifiable, but as it stands the rule is a straightforward example of discrimination. One might have expected, in fact, that it would be more important to establish a rule requiring bhikkhunis to respect their own bhikkhuni teachers; in traditional societies today, nuns will habitually defer to monks, and it is hard to convince them to respect other nuns in the same way. It should also be noted that monks should not give the teaching desiring worldly benefits such as receiving homage, and it is an offense (*pācittiya* 24) for a bhikkhu to accuse another bhikkhu of doing this.

33 The story refers to the *garudhammas* as already existing. There is, however, no question of an offense arising from them. It is as if the status of the *garudhammas* at the time this rule was formulated was of some recommended trainings in etiquette, like, say, the *sekhiya* rules, with no specific penalty attached. Our discussion of *garudhamma* 5 will address the problem of the penalty arising from the *garudhammas*.

34 Now that we have discussed these *pācittiya* offenses related to the first *garudhamma*, let us return to our discussion of the *garudhamma* itself.

35 The Pali version of the *garudhammas* describes the acts of respect that must be shown by the bhikkhunis to the bhikkhus in this way: *abhivādanam paccuṭṭhānam añjalikammaṃ sāmīcikkammaṃ*, which I render as 'bow down, rise up, make anjali, and behave properly'. This phrase occurs twice