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The *Cullavagga* on *Bhikkhunī* Ordination

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The *Cullavagga* on *Bhikkhunī* Ordination

Bhikkhu Anālayo¹

Abstract

With this paper I examine the narrative that in the *Cullavagga* of the Theravāda *Vinaya* forms the background to the different rules on *bhikkhunī* ordination, alternating between translations of the respective portions from the original Pāli and discussions of their implications. An appendix to the paper briefly discusses the term *paṇḍaka*.

Introduction

In what follows I continue exploring the legal situation of *bhikkhunī* ordination, a topic already broached in two previous publications. In “The Legality of *Bhikkhunī* Ordination” I concentrated in particular on the legal dimension of the ordinations carried out in Bodhgayā in 1998.² Based on an appreciation of basic Theravāda legal principles, I discussed the nature of the *garudhammas* and the need for a probationary training

¹ Numata Center for Buddhist Studies, University of Hamburg, and Dharma Drum Institute of Liberal Arts, Taiwan. I am indebted to bhikkhu Ariyadhammika, bhikkhu Bodhi, bhikkhu Brahmāli, bhikkhunī Dhammadinnā, and Petra Kieffer-Pülz for commenting on a draft version of this article.

² Anālayo (“The Legality”).

as a *sikkhamānā*, showing that this is preferable but not indispensable for a successful *bhikkhunī* ordination. I concluded that combining a dual ordination, such as that done at Bodhgayā through the cooperation of *bhikkhunīs* from the Dharmaguptaka tradition, with a subsequent ordination by Theravāda *bhikkhus* on their own, results in a valid ordination procedure.

In the second study, entitled “On the *Bhikkhunī* Ordination Controversy,” I replied to the objections voiced by two eminent *bhikkhus* regarding the legality of implementing the Buddha’s allowance in *Cullavagga* X 2.1 that *bhikkhus* alone can give ordination to *bhikkhunīs*.³ I explained that the validity of this regulation, compared to the subsequent regulation that ordination requires the cooperation of both communities, could be compared to two different speed limits. As long as these refer to different roads, they can be valid simultaneously and the later promulgated speed limit does not invalidate the earlier one. In the same article I examined the desirability of having an order of *bhikkhunīs* in the light of relevant canonical passages. I came to the conclusion that for the flourishing of the Buddha’s dispensation, the *sāsana*, it is an indispensable requirement to have all four assemblies of disciples, one of which is an order of *bhikkhunīs*.⁴

³ Anālayo (“On the Bhikkhunī”).

⁴ In a recent criticism of my paper “On the Bhikkhunī”, Ṭhānissaro “On Ordaining” (19) takes my discussion of SN 16.13 as implying that “the mere existence of an order of *bhikkhunīs* would help prevent the decline of the Buddha’s teaching.” Yet my point is rather that the *bhikkhunīs* as one of the four assemblies contribute to preventing decline through their respectful behavior, which could hardly be the case if their mere existence were in itself a factor of decline. Ṭhānissaro only quotes the first part of my discussion, without my conclusion (15) that “these passages clearly put the responsibility for preventing a decline of the teaching on each of the four assemblies. It is their dwelling with respect towards essential aspects of the Buddha’s teaching and each other that prevents decline.” The passage omitted by him shows that there is no basis for Ṭhānis-

In the present article I study in detail the narratives on rules concerning *bhikkhunī* ordination in the way these have been recorded in the *Cullavagga* of the Theravāda *Vinaya*, followed by a brief look at the description in the *Dīpavaṃsa* of the transmission of *bhikkhunī* ordination to Sri Lanka and its possible bearing on how the rules on *bhikkhunī* ordination in the *Cullavagga* would have been interpreted in the past. The topics I will cover are:

1. Ordination by acceptance of the eight *garudhammas*.
2. Ordination by *bhikkhus* only.
3. Ordination by both communities.
4. Ordination by messenger.
5. Transmission to Sri Lanka.

My intention is to follow the *Vinaya* narrative closely in order to determine what kind of narrative background it presents for the four procedures in question. Instead of attempting a historical reconstruction of what actually happened, which anyway is a doubtful undertaking in view of the fact that we only have textual records at our disposal, my interest is purely in the legal implications of the Theravāda *Vinaya* narrative as it is. In order to keep this basic approach clear, I relegate any comment from a comparative or historical-critical perspective to footnotes. Any suggestion I make in the main text about how the Buddha acted or what he intended is therefore not part of an attempted historical reconstruction, but rather part of the construction of a coherent narrative based on the indications found in the Theravāda *Vinaya*, serving as a background for a legal reading of this particular monastic code and its bearing on the

saro to accuse me of not mentioning that respect is what prevents decline, and based on that then to conclude that “to quote Dhamma out of context to create a false impression, as in Bhikkhu Anālayo’s argument, is in and of itself an act of disrespect for the Dhamma.” The accusation of quoting out of context to create a false impression thus falls back on the accuser.

living Theravāda tradition(s). For legal purposes affecting present-day Theravāda monastics, the Pāli *Vinaya* in the form it has been handed down is the central frame of reference, not whatever we believe really happened in ancient India two and a half millennia ago.⁵

In my previous paper “On the *Bhikkhuni* Ordination Controversy” I briefly discussed the difference between a legal reading and a historical-critical reading of the Theravāda *Vinaya* as two distinct modes of approaching the same text. Here I would like to reiterate that both modes of reading have their proper place and value; to engage in one of these two does not imply a value statement on the other. It does imply, however, different purposes. If the purpose is to explore legal implications, as in my present paper, a historical-critical reading of the type done regularly by myself in other papers based on a comparative study of different extant versions of a particular text is not relevant.

An example to illustrate this point is the finding by Schlingloff that at times, instead of the rule being formulated in response to a certain event, the narrative event appears to have been formulated in re-

⁵ Ṭhānissaro “On Ordaining” (16) seems to have difficulties to appreciate that a text can be read in different ways, as in relation to my discussion of the *garudhammas* in “Women’s Renunciation” and in “On the Bhikkhuni” he comments: “he takes a position in that article directly contradicting the position he takes in part one of his more recent article.” Ṭhānissaro “On Ordaining” (20) then speaks of “an era where the True Dhamma has disappeared, when scholarly bhikkhus feel free to adopt mutually contradictory positions to serve various aims, and to cherry-pick the Dhamma and Vinaya as they like, taking it out of context and so showing disrespect for the Dhamma.” Ṭhānissaro’s inability to see the difference between an evaluation of historical plausibility and an interpretation of legal implications confirms an assessment by Singsuriya (262) that (at times) “Thai Sangha and monks in general lack hermeneutical consciousness. The reason is their advocacy of ‘naive realism’, the belief that meanings of texts are something given . . . they do not seem to have an inkling idea that textual meaning comes through mediation of an interpretative” stance taken by the reader.

sponse to the rule. That is, a particular expression in the rule, on being misunderstood, seems to have provided the starting point for the creation of the narrative plot that now introduces the rule in the Pāli *Vinaya*.

This finding does not affect the legal validity of the rule in question or the legal relevance of the narrative within which it is embedded. The putting into practice of this rule by a Theravāda monastic will still have to be guided by the narrative context within which the rule is now found in the Theravāda *Vinaya*.⁶

The same principle applies to my discussion in the remainder of this article, which is concerned with the Theravāda *Vinaya* as a legal code and the bearing of its narratives on the legal implications of its regulations concerning *bhikkhunī* ordination for Theravāda monastics.

⁶ *Pace* Ṭhānissaro “On Ordaining” (10), who concludes that “it would not be in line with the *Vinaya*’s own principles to make the narrative context of the origin stories determine how the rules are to be interpreted.” As an example illustrating his point, Ṭhānissaro “On Ordaining” (9) takes up *pārājika* 1 where, “even though the origin stories describe only incidents of heterosexual sex, the explanatory material in the *Sutta Vibhaṅga* makes clear that the rule applies to all sorts of intercourse.” This indeed shows that the explanations “apply the rule to situations . . . far beyond the case that the origin story describes,” but this does not make the narrative on the promulgation of the rule legally irrelevant. In fact Ṭhānissaro *Buddhist* (43) begins his discussion of the same *pārājika* 1 precisely by examining the narrative context, noting that in the tale of Sudinna having sex to beget a son, “his motives, by worldly standards, were relatively noble,” which Ṭhānissaro then contrasts to the tale of a monk who has sex with a monkey, where “the instigator’s motives were considerably less so.” Motivation is of course legally relevant and it is indeed meaningful to take into consideration these two tales, as they illustrate that *pārājika* 1 applies irrespective of one’s motivation for engaging in sex. Given that Ṭhānissaro himself considers the narrative context relevant to the legal implications of rules for *bhikkhus*, the narrative context for rules relevant to *bhikkhunī* ordination similarly has to be taken into account.

Ordination by Acceptance of the Eight *Garudhammas*

I begin by translating the narrative found in the *Cullavagga* on how Mahāpajāpatī Gotamī became a *bhikkhunī* by accepting eight “principles to be respected,” the *garudhammas*.⁷ Here and subsequently, my presentation alternates between translations of the relevant passages and attempts to draw out their implications based on a legal reading of the respective narratives.

Translation

[Ānanda addressed the Buddha]: “Venerable sir, it would be good if women could receive the going forth from home to homelessness in the teaching and discipline made known by the Tathāgata.”

[CV X 1.4]

[The Buddha replied]: “Ānanda, if Mahāpajāpatī Gotamī accepts eight principles to be respected, then that will be her higher ordination:

(1)⁸ “A *bhikkhunī* who has received the higher ordination since a hundred years should pay homage to, rise up for, put the palms of her hands together, and behave appropriately towards a *bhikkhu* who has received the higher ordination on that very day. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

⁷ The translated section is taken from Vin II 255,2 to 256,9.

⁸ The numbers are not found in the original and have been added by me to facilitate reference. The same holds for the indications regarding the subsections of the *Cullavagga*, such as “[CV X 1.4]” etc.

(2) “A *bhikkhunī* should not spend the rainy season in a residence where there is no *bhikkhu*. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

(3) “Every fortnight a *bhikkhunī* should seek two things from the community of *bhikkhus*: inquiring about [the date of] the observance day and coming for the exhortation. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

(4) “After the completion of the rainy season a *bhikkhunī* should make an invitation (*pavāraṇā*) before both communities in respect to three matters: what has been seen, heard, and suspected. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

(5) “A *bhikkhunī* who has offended against a serious rule is to undergo penance (*mānatta*) for a fortnight before both communities. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

(6) “A probationer who has trained for two years in six principles should seek higher ordination (*upasampadā*) from both communities. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one’s life.

(7) “A *bhikkhunī* should not in any way revile or abuse a *bhikkhu*. This is a principle to be revered, respected, hon-

oured, venerated, and not to be transgressed for the whole of one's life.

(8) “From today on, *bhikkhunīs* are not permitted to criticize *bhikkhus*. *Bhikkhus* are permitted to criticize *bhikkhunīs*. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one's life.

“Ānanda, if Mahāpajāpatī Gotamī accepts these eight principles to be respected, then that will be her higher ordination.”

[CV X 1.5]

Then the venerable Ānanda, having learned from the Blessed One these eight principles to be respected, approached Mahāpajāpatī Gotamī. Having approached her, he said this to Mahāpajāpatī Gotamī:

“Gotamī, if you will accept eight principles to be respected, then that will be your higher ordination:

“A *bhikkhunī* who has received the higher ordination since a hundred years . . . *Bhikkhus* are permitted to criticize *bhikkhunīs*. This is a principle to be revered, respected, honoured, venerated, and not to be transgressed for the whole of one's life.

“Gotamī, if you will accept these eight principles to be respected, then that will be you higher ordination.”

[Mahāpajāpatī Gotamī said:] “Venerable Ānanda, it is just as if there were a young man or women, youthful and fond of adornment who, having washed the head, on ob-

taining a garland of lotuses, of jasmine, or of roses, would accept it with both hands and place it on the head. Venerable Ānanda, in the same way I accept these eight principles to be respected, not to be transgressed for the whole of one's life."

[CVX 1.6]

Then the venerable Ānanda approached the Blessed One. Having approached and paid homage to the Blessed One, he sat down to one side. Sitting to one side, the venerable Ānanda said this to the Blessed One:

"Venerable sir, Mahāpajāpatī Gotamī has accepted the eight principles to be respected; the Blessed One's maternal aunt has received the higher ordination."

Study

According to the above account, in reply to Ānanda's request that women be allowed to go forth the Buddha promulgates eight *garudhammas*, stating that their acceptance will count as Mahāpajāpatī Gotamī's higher ordination. Since the Buddha presents these eight *garudhammas* in reply to a general request that women be allowed to go forth, it seems that he has now decided to start an order of *bhikkhunīs*; he is not merely making a special allowance only for his foster mother. In other words, although the procedure of receiving ordination through the acceptance of the *garudhammas* is valid for Mahāpajāpatī Gotamī alone, nevertheless her higher ordination needs to be considered a first step in a development that is aiming at "allowing women to go forth from home to homelessness in the teaching and discipline made known by the Tathāgata." The same is evident from the formulation of the *garudhammas* themselves, as most of these deal with situations that arise once an order of *bhikkhunīs*

has come into existence, not with a situation where Mahāpajāpatī Gotamī is the only existing *bhikkhunī*.

Now, these *garudhammas* are not rules given to *bhikkhus*. Nevertheless, they do indicate in what way according to the Theravāda *Vinaya* the Buddha expected *bhikkhus* to cooperate with *bhikkhunīs*, once these had come into existence. The whole set of eight *garudhammas* recurs in the *Vinaya* account of *pācittiya* 21 for *bhikkhus*, where these eight are part of an instruction that a *bhikkhu* should give to *bhikkhunīs*.⁹ No doubt, the *bhikkhus* were expected to be familiar with them.

Once the *bhikkhus* had come to know about the *garudhammas*, presumably on being informed by Ānanda of what had taken place, they would have known that they were expected to undertake the following activities, wherever a *bhikkhunī* order is in existence:

1. Inform the *bhikkhunīs* of the observance day, *uposatha* (*garudhamma* 3).
2. Give them exhortation, *ovāda* (also *garudhamma* 3).
3. Cooperate in their invitation ceremony, *pavāraṇā* (*garudhamma* 4).
4. Cooperate in their observance of penance, *mānatta* (*garudhamma* 5).
5. Cooperate in their higher ordination, *upasamapadā* (*garudhamma* 6).

The relevance of the *garudhammas* to *bhikkhus* becomes evident right away by following up the case of the first of the activities in the list above, according to which the *bhikkhus* should inform the *bhikkhunīs* of the date of the observance day, the *uposatha*. This date needs to be determined by deciding whether it falls on the fourteenth or the fifteenth

⁹ Vin IV 52,15.

day after the previous *uposatha*. On the day determined as the *uposatha*, the *bhikkhunīs* are expected to receive an exhortation from the *bhikkhus*. Whereas the issue of exhortation receives legislation also elsewhere, as far as I am able to determine the inquiry about the observance day appears to be taken up only in *garudhamma* 3 and in *pācittiya* rule 59 for *bhikkhunīs*. The narrative of what according to the *Vinaya* led to the promulgation of *pācittiya* rule 59 for *bhikkhunīs* proceeds as follows:¹⁰

At that time the Buddha, the Blessed One, was dwelling at Sāvattihī, in Jeta's Grove, Anāthapiṇḍika's Park. At that time the *bhikkhunīs* did not inquire about [the date of] the observance day and did not request exhortation. The *bhikkhus* complained, took offence, and criticized it: "How can these *bhikkhunīs* not inquire about [the date of] the observance day and not request exhortation?"

This motivates the Buddha to make it a *pācittiya* offence if the *bhikkhunīs* do not inquire about the date of the observance day from the *bhikkhus* and do not request exhortation. The above *Vinaya* passage shows the *bhikkhus* to have been clearly aware of the need for *bhikkhunīs*, as stipulated in *garudhamma* 3, to inquire about the date of the observance day, since they complain as soon as this does not happen. This confirms the impression that in the Theravāda *Vinaya* account the *bhikkhus* themselves clearly recognized the function of the *garudhammas* as regulating interrelations between *bhikkhus* and *bhikkhunīs*.

Now, in the *Cullavagga* narrative translated earlier, the Buddha is on record for promulgating *garudhamma* 6, together with the other principles to be respected, in reply to Ānanda's request to create an opportunity for women to go forth in the Buddha's dispensation. In this way

¹⁰ The translated section is taken from Vin IV 315,14 to 315,19.

the Theravāda *Vinaya* presents the Buddha as asking Mahāpajāpati Gotamī to accept a stipulation that she will not be able to carry out. Even though by accepting the whole set of eight *garudhammas* she could become a *bhikkhunī*, she would not be able to form the quorum required for carrying out the preparation for and conferring of the higher ordination of her following of Sakyan women who also wanted higher ordination. From the outset it was clear that she would be unable to act according to *garudhamma* 6 in the way this is now found in the Theravāda *Vinaya*.¹¹

Taking into account the way the Buddha is presented elsewhere in the canonical texts, it seems hardly possible to assume that the *Vinaya* is presenting him as having overlooked the fact that he was promulgating a ruling that right away was impossible to keep. In fact I am not aware of any case in the *Vinaya* where the Buddha gives a ruling that as soon as it is promulgated is impossible to put into practice. The *Vinaya* does record numerous instances where the Buddha finds a need to amend rules, but these are shown to arise because of problems that manifested subsequently, not because straight away the rule could not be followed at all.

Therefore, a more convincing interpretation of the narrative rationale of the present episode would be to assume that it shows the Bud-

¹¹ From a historical perspective it seems fairly clear that the reference to the probationary training in *garudhamma* 6 is a later addition; cf. Anālayo (“Women’s Renunciation” 83f) and again Tsedroen and Anālayo (748–750). However, this is not of relevance to my present discussion, since for anyone ordained in the Theravāda tradition the legal basis for ordination is the Theravāda *Vinaya* in the way it has been preserved in Pāli, not any historical reconstruction. For a legal reading of the Theravāda *Vinaya* the text as it is has to be taken into account. Although Sujato (184f) holds that the present formulation “does not say that all *bhikkhunī* candidates need to do *sikkhamānā* training,” this appears to be precisely what this *garudhamma* implies. Thus for any female candidate wishing to take higher ordination in the Theravāda tradition, the probationary training is a legal requirement.

dha acting on purpose in this way. This impression is supported by the fact that he could have been shown to take alternative courses of action. A simple alternative would have been for the Buddha to formulate *garudhamma* 6 in a different way. He could have simply stipulated the need for female candidates to receive ordination from *bhikkhus*, without mentioning any cooperation by *bhikkhunīs* and without bringing in the need for a probationary training.¹² Such a formulation would have been entirely unproblematic. Mahāpajāpatī Gotamī's followers could have been directly ordained by the *bhikkhus*, without any need for Mahāpajāpatī Gotamī to come back and inquire about how to proceed. Yet this is not what the Theravāda *Vinaya* reports.

The way the Theravāda *Vinaya* presents the situation gives the impression as if the Buddha is on purpose creating a situation where Mahāpajāpatī Gotamī would have to come back to him for further instructions. This would then have offered him an opportunity to legislate how one should proceed in such a situation, which is precisely what happens next in the Pāli *Vinaya*.

Ordination by *Bhikkhus* Only

*Translation*¹³

[CV X 2.1]

Then Mahāpajāpatī Gotamī approached the Blessed One.
Having approached and paid homage to the Blessed One,

¹² This is in fact the way this *garudhamma* is formulated in the Mūlasarvāstivāda, Sarvāstivāda, and Saṃmitīya *Vinayas*; cf. T 1451 at T XXIV 351a1, T 1435 at T XXIII 345c10, and T 1461 at T XXIV 670c6, and in more detail Tsedroen and Anālayo.

¹³ The translated section is taken from Vin II 256,34 to 257,25.

she stood to one side. Standing to one side, Mahāpajāpatī Gotamī said this to the Blessed One: “Venerable sir, how should I proceed in relation to those Sakyan women?”

Then the Blessed One instructed, encouraged, inspired, and gladdened Mahāpajāpatī Gotamī with a talk on the Dhamma. Then Mahāpajāpatī Gotamī, having been instructed, encouraged, inspired, and gladdened by the Blessed One with a talk on the Dhamma and having paid homage to the Blessed One, left keeping her right side towards him.

Then the Blessed One, having given a talk on the Dhamma in relation to this matter, addressed the *bhikkhus*: “*Bhikkhus*, I authorize the giving of the higher ordination of *bhikkhunīs* by *bhikkhus*.”

[CV X 2.2]

Then those *bhikkhunīs* said this to Mahāpajāpatī Gotamī: “The lady is not higher ordained, we are higher ordained.¹⁴ It has been prescribed by the Blessed One: ‘*Bhikkhunīs* should be higher ordained by *bhikkhus*.’”

Then Mahāpajāpatī Gotamī approached the venerable Ānanda. Having approached and paid homage to the venerable Ānanda, she stood to one side. Standing to one side, Mahāpajāpatī Gotamī said this to the venerable Ānanda: “Venerable Ānanda, these *bhikkhunīs* said this to me: ‘The lady is not higher ordained, we are higher ordained. For

¹⁴ Vin II 257,9: *ayyā anupāsampannā, may’ amhā* (B^e and S^e: *mayāñ c’ amhā*) *upāsampannā*. As already noted by Shih (419 note 42), the translation by Horner (357) as “the lady is not ordained, neither are we ordained” is not correct.

the Blessed One has prescribed this: ‘*Bhikkhunīs* should be higher ordained by *bhikkhus*.’”

Then the venerable Ānanda approached the Blessed One. Having approached and paid homage to the Blessed One, he sat down to one side. Sitting to one side, the venerable Ānanda said this to the Blessed One: “Venerable sir, Mahāpajāpatī Gotamī says this: ‘Venerable Ānanda, these *bhikkhunīs* said this to me: ‘The lady is not higher ordained, we are higher ordained. For the Blessed One has prescribed this: ‘*Bhikkhunīs* should be higher ordained by *bhikkhus*.’””

[The Buddha said]: “Ānanda, when Mahāpajāpatī Gotamī accepted the eight principles to be respected, then that was her higher ordination.”

Study

According to the excerpt translated above, the Buddha authorized *bhikkhus* to ordain female candidates on their own in a situation when no community of *bhikkhunīs* had yet come into existence. Two aspects of this description require further comment: the permission for *bhikkhus* to ordain *bhikkhunīs* on their own and the legal status of Mahāpajāpatī Gotamī as well as of her followers.

As I hope would have become evident from the study in part 1 of this paper, the most reasonable explanation for the Buddha’s promulgation of *garudhamma* 6, as recorded in the Theravāda *Vinaya*, is to create an opportunity for further legislation. This is precisely what happens in *Cullavagga* X 2.1, when predictably Mahāpajāpatī Gotamī approaches the Buddha to ask how she should proceed. She had accepted *garudhamma* 6, but was unable to act according to it.

Now, in this situation, to settle the situation of Mahāpajāpatī Gotamī's followers, the Buddha could have easily ordained them himself. A simple act of ordination on his part would have sufficed and been a straightforward solution, similar to the way he elsewhere ordains *bhikkhus* himself.¹⁵ An even easier solution would have been to make the acceptance of the eight *garudhammas* serve as the higher ordination for Mahāpajāpatī Gotamī's followers as well.¹⁶ Such a use of the *garudhamma* ordination procedure would have been straightforward and no further action would have been required. The *bhikkhunī* community created in this way would have been able to cooperate with *bhikkhus* in future ordinations, in accordance with *garudhamma* 6. But this is clearly not what the Theravāda *Vinaya* reports.

Instead, the Buddha is on record for delegating the task of ordination to the *bhikkhus*. The Theravāda *Vinaya* narrative reads as if the Buddha creates the conditions for further legislation and then uses this to promulgate a rule that *bhikkhus* should ordain *bhikkhunīs* on their own in a situation where no *bhikkhunī* community able to cooperate with

¹⁵ This could even have been done with the simple *ehi* type of ordination attested in Thī 109: *ehi bhadde 'ti avaca, sā me ās' ūpasampadā*, which *pace* the position taken in Thī-a 104,23 (= Thī 107 in the 1893 edition of Thī-a) does seem to refer to ordination granted by the Buddha himself. Contrary to what I assumed in Anālayo ("Women's Renunciation 84), such testimony to the *ehi* type of ordination does not stand in contrast to *garudhamma* 6 as recorded in the *Cullavagga*, since the Buddha as the legislator was not subject to his own rules and thus free to grant the "come nun" type of ordination any time he wished to do so. In the case of Mahāpajāpatī Gotamī's followers, the Buddha could have freely chosen to ordain them in whatever way he preferred, without being himself bound in this by *garudhamma* 6. On the *ehi* type of ordination cf. also Alsdorf (317f), whose suggestion that this is a later invention I do not find convincing.

¹⁶ This is in fact reported in the *Vinayas* of the Dharmaguptaka tradition and what appears to be the Haimavata tradition; cf. T 1428 at T XXII 923c8 and T 1463 at T XXIV 803b24. In these two *Vinayas*, the *garudhammas* from the outset serve the function of granting higher ordination to Mahāpajāpatī Gotamī and to her followers.

them is in existence. On this reading the circumstances and details described in the *Cullavagga* fall into place in a meaningful manner.

If one instead were to presume that the authorization for *bhikkhus* was meant to settle the situation at that one time in the past only, one would have to consider the Theravāda *Vinaya* as showing the Buddha to be acting inconsistently or even overlooking the consequences of what he is doing.¹⁷ For him to promulgate *garudhamma* 6 in the form now found in the *Cullavagga* only really makes sense if one assumes that he wanted to create an opportunity to provide additional legislation alongside the basic indication that the ordination of women should be done by both communities. To create such an opportunity in turn only really makes sense if it is meant to lead to a general rule, instead of a makeshift solution for one single occasion only. Such additional legislation then is relevant not only for the present occasion, but also for future occasions whenever the conditions that led to its promulgation recur. That is, it is relevant whenever a *bhikkhunī* order is not in existence, as already explained by the Jetavan Sayādaw, the venerable U Narada

¹⁷ Ṭhānissaro “On Ordaining” (12) argues that “to assert that the Buddha did not want Cv.X.17.2 (the rule for double ordination) to rescind Cv.X.2.1 (the rule for unilateral ordination), but forgot to limit the conditions under which Cv.X.17.2 would apply, is to assert that he was thoughtless and careless.” One could similarly argue that for the Buddha not to make more explicit his presumed wish that the rule on single ordination be rescinded is thoughtless. In the present case, however, the issue is not an absence of additional specifications that one might like to see and thus not merely an argument from silence, but rather an explicit ruling that is found in the *Vinaya*. If this ruling is interpreted according to the position taken by Ṭhānissaro, it would indeed put the Buddha in the role of being thoughtless. Instead, the thoughtlessness seems to lie with those who ignore the narrative context of the two rules, which makes it patently clear that this is not the case of an earlier rule being rendered invalid by a later rule.

Mahāthera, in his commentary on the *Milindapañha* composed in Pāli and published in 1949.¹⁸

The other aspect of the narrative in *Cullavagga* X 2.2 to be discussed is the allegation of Mahāpajāpatī Gotamī’s followers that she had not been properly ordained. The Buddha’s reply makes it unmistakably clear that Mahāpajāpatī Gotamī had indeed received the higher ordination.

The *bhikkhunī* status of Mahāpajāpatī Gotamī can also be seen, for example, from *bhikkhu pācittiya* 23. This rule prevents a *bhikkhu* from going to the dwelling place of *bhikkhunīs* to give them exhortation. The *Vinaya* reports that the Buddha made a special amendment to this rule in relation to Mahāpajāpatī Gotamī. On one occasion she had been sick. Some *bhikkhus* paying her a visit to inquire about her condition did not give her an exhortation, in order to keep this rule. When the Buddha came himself to visit her, she told him that she missed the inspiration she had earlier received from *bhikkhus* giving her an exhortation. This motivated the Buddha to give her a talk on the *Dhamma* himself, followed by amending the rule to the effect that a *bhikkhu* can give an exhortation to a *bhikkhunī* in her dwelling place if she is sick.¹⁹ This regulation is caused by an episode involving Mahāpajāpatī Gotamī as a *bhikkhunī* and is meant to enable her, as well as other *bhikkhunīs*, to receive a visit and an exhortation from *bhikkhus* to uplift them when they are sick.

Her status as a *bhikkhunī* also emerges from the listing of outstanding *bhikkhunī* disciples in the *Aṅguttara-nikāya*, which accords to Mahāpajāpatī Gotamī the rank of being foremost among the *bhikkhunīs*

¹⁸ Deshpande (195–203); translated in Bodhi (“The Revival” 135–142).

¹⁹ Vin IV 57,1.

for being of long standing.²⁰ In sum, there can be no doubt that Mahāpajāpatī Gotamī was reckoned a *bhikkhunī* in the *Vinaya* and the discourses.

That the same holds for her followers is implicit in the fact that the Buddha is not shown to object to their claim to have received higher ordination. Instead, on being informed by Ānanda of what they had said, the Buddha only objects to their assumption that Mahāpajāpatī Gotamī had not received the higher ordination, clarifying that this was a misunderstanding. In short, Mahāpajāpatī Gotamī and her followers were *bhikkhunīs*.

Now, the various rules for *bhikkhunīs* in the *Vinaya* come together with a definition of what it means to be a *bhikkhunī*. This definition, found right away in the word explanation of the first *pārājika* rule for *bhikkhunīs*, reads as follows:²¹

A “*bhikkhunī*” [means]: [being called] a *bhikkhunī* [because] “she begs,” a *bhikkhunī* [because] “she has consented to the conduct of begging,” a *bhikkhunī* [because] “she wears a patchwork robe,” a *bhikkhunī* [because] of being called such [by others], a *bhikkhunī* [because] “she acknowledges to be one,” a *bhikkhunī* [because of having been ordained by the address] “come *bhikkhunī*,” a *bhikkhunī* [because] of having received higher ordination by way of going for the three refuges, a *bhikkhunī* [because she is a source of] auspiciousness, a *bhikkhunī* [because she is like that] in substance, a *bhikkhunī* [because] she is in training, a *bhikkhunī* [because] she has gone beyond training, and a *bhikkhunī* [because] she has been higher ordained in a way that is

²⁰ AN 1.14.5 at AN I 25,18 ; a quality similarly accorded to her in the parallel EĀ 5.1 at T II 558c21, translated in Anālayo (“Outstanding Bhikkhunīs” 99f).

²¹ The translated section is taken from Vin IV 214,4 to 214,13.

unchallengeable and fit to stand by both complete communities through a formal transaction with one motion and three proclamations.

Herein a *bhikkhunī* who has been higher ordained in a way that is unchallengeable and fit to stand by both complete communities through a formal transaction with one motion and three proclamations, this is what is meant by the designation of “*bhikkhunī*.”

The main point made by this definition of the term *bhikkhunī* is to clarify that the *Vinaya* rules only apply to those who are properly ordained, they do not apply to someone just called *bhikkhunī* for any other reason. A similar definition exists for *bhikkhus*, found in the word explanation for the first *pārājika* for *bhikkhus*. This definition also contrasts a *bhikkhu* ordained by a formal transaction with one motion and three proclamations to someone who is just called a *bhikkhu* because he begs, etc:

A “*bhikkhu*” [means]: [being called] a *bhikkhu* [because] “he begs,” a *bhikkhu* [because] “he has consented to the conduct of begging,” a *bhikkhu* [because] “he wears a patchwork robe,” a *bhikkhu* [because] of being called such [by others], a *bhikkhu* [because] “he acknowledges to be one,” a *bhikkhu* [because of having been ordained by the address] “come *bhikkhu*,” a *bhikkhu* [because] of having received higher ordination by way of going for the three refuges, a *bhikkhu* [because he is a source of] auspiciousness, a *bhikkhu* [because he is like that] in substance, a *bhikkhu* [because] he is in training, a *bhikkhu* [because] he has gone beyond training, and a *bhikkhu* [because] he has been higher ordained in a way that is unchallengeable and fit to stand by a complete community through a formal transaction with one motion and three proclamations.

Herein a *bhikkhu* who has been higher ordained in a way that is unchallengeable and fit to stand by a complete community through a formal transaction with one motion and three proclamations, this is what is meant by the designation of “*bhikkhu*.”²²

Care needs to be taken when handling this definition as applicable to instances of the term *bhikkhu* in the remainder of the *Vinaya*.²³ Here room needs to be made for the fact that according to *Cullavagga* XI 1.7 Mahākassapa presided over the recitation of the *Vinaya* at the first *saṅgīti*.²⁴ Obviously, this implies that he was still alive and also still a *bhikkhu* at that time.

Now, the report of Mahākassapa’s first meeting with the Buddha in the *Samyutta-nikāya* records three instructions given to him by the Buddha, and according to the commentary these three instructions formed his higher ordination.²⁵ The commentary on the definition of a

²² The translated section is taken from Vin III 24,3 to 24,12.

²³ When considered from a historical perspective, the part of the *Vinaya* that gives such word explanations appears to have originated as a commentary that later became part of the text on which it commented; cf., e.g., Norman (19) and von Hinüber (*A Handbook* 14). The above definition of what makes a *bhikkhu* could in fact only have come into being once all the *bhikkhus* ordained by the Buddha personally had passed away. At that time, the only *bhikkhus* to be taken into account were indeed just those ordained by a formal transaction with one motion and three proclamations. In other words, from a historical perspective this passage could only have come into being at a time considerably later than the first *saṅgīti*. During the course of oral transmission of the *Vinaya*, this former commentary eventually would have become part of the canonical text itself. For my present legal reading, however, such considerations are not of direct relevance, since this definition is now part of the Theravāda *Vinaya* itself and thus carries full canonical validity.

²⁴ Vin II 286,16.

²⁵ Spk II 198,32 commenting on SN 16.11 at SN II 220,20, explains: *yo ca pan’ āyaṃ tividho ovādo therassa ayam eva pabbajjā ca upasampadā ca ahoṣi*.

bhikkhu, in fact, refers to the case of Mahākassapa’s ordination as a distinct form of ordination by “accepting an instruction” (*ovādapaṭig-gahaṇūpasampadā*).²⁶ This type of ordination is not explicitly mentioned in the *Vinaya* definition of a *bhikkhu* translated above.

This example shows why care is required in the way the definition of the term *bhikkhu* is interpreted. It seems best to assume that it refers to those ordained by a formal transaction with one motion and three proclamations as an example for an ordination that is “unchallengeable and fit to stand,” not as the only possible option for an ordination that is “unchallengeable and fit to stand.” If one were to insist that only those ordained by a formal transaction with one motion and three proclamations can be reckoned as legally valid *bhikkhus*, and nobody else, then, strictly speaking, Mahākassapa would also not count as a *bhikkhu*. One would then be forced to conclude that the Theravāda *Vinaya* does not recognize the convener of the first *saṅgīti* as a *bhikkhu*. Such a conclusion would be self-defeating, as it would result in the codification of monastic law at the first *saṅgīti* being the result of a recital undertaken at the request and under the leadership of a non-*bhikkhu*.

Instead of depriving the main protagonist in the codification of the *Vinaya* of his legal authority, it seems preferable to adopt an open interpretation that leaves room for the validity of forms of higher ordination in addition to the one by a formal transaction with one motion and three proclamations mentioned in the *Vinaya* definition of a *bhikkhu*, as long as these forms of ordination are similarly “unchallengeable and fit to stand.” This is clearly the case for Mahākassapa.

In the same vein, when interpreting the definition of a *bhikkhunī* one would have to make allowance for Mahāpajāpatī Gotamī’s higher

²⁶ Sp I 241,15 (E^e reads *ovādapaṭig-gahaṇa-upasampadā*).

ordination by accepting the eight *garudhammas* as well as for her followers being ordained by *bhikkhus* only. Both type of ordinations are not explicitly mentioned in the definition of a *bhikkhunī*, similar to the case of Mahākassapa's ordination not being mentioned in the definition of a *bhikkhu*. Yet, as discussed above, the *Vinaya* narrative of *Cullavagga* X 2.2 leaves no doubt that they should be reckoned *bhikkhunīs*.

In sum, then, in relation to the *Vinaya* definitions of a *bhikkhu* as well as of a *bhikkhunī*, the one who has been higher ordained by both complete communities is best considered as a prominent example of an ordination that is “unchallengeable and fit to stand,” instead of being an exhaustive account of valid ordinations.

Whereas the form of higher ordination received by Mahākassapa and Mahāpajāpatī Gotamī were administered by the Buddha himself and are not forms of ordination that can be given by others, the higher ordination given to Mahāpajāpatī Gotamī's followers differs, as such an ordination can be given by *bhikkhus*. Keeping in mind the above suggested conclusions, the definition as to what makes one a *bhikkhunī* would leave open the possibility of *bhikkhunīs* being ordained by *bhikkhus* on their own, if this takes place in a situation where such a form of higher ordination is legally valid. In other words, it would leave open the possibility of such an ordination taking place when no *bhikkhunī* order capable to cooperate in such an ordination is in existence. In such a situation, higher ordination by a community of *bhikkhus* alone would be “unchallengeable and fit to stand” and those ordained in this way would have to be considered as falling within the scope of the legal definition of a *bhikkhunī*.

Ordination by Both Communities

*Translation*²⁷

[CV X 17.1]

At that time there were seen among the higher ordained those who had no [sexual] organs, incomplete [sexual] organs, who did not menstruate [regularly], who menstruated continuously, who continuously had to use a sanitary cloth, who were incontinent, who had uterine prolapse, who were female *paṇḍakas*,²⁸ who were androgyne, whose [urethra and anus] were conjoined, who were hermaphrodites. They told this to the Blessed One, [who said]:

“*Bhikkhus*, I authorize who is giving higher ordination to a female candidate to question her about twenty-four stumbling blocks. *Bhikkhus*, she should be questioned in this way:

‘You are not without [sexual] organs, are you (1)? You are not with incomplete [sexual] organs, are you (2)? You are not without [regular] menstruation, are you (3)? You are not with continuous menstruation, are you (4)? You are not one who continuously has to use a sanitary cloth, are you (5)? You are not incontinent, are you (6)? You are without uterine prolapse, are you (7)? You are not a female *paṇḍaka*, are you (8)? You are not androgynous, are

²⁷ The translated section is taken from Vin II 271,17 to 272,12; I have added numbers to the inquiries about stumbling-blocks for the sake of clarity, these numbers are not found in the original.

²⁸ On this term see the appendix below.

you (9)? You are not one whose [urethra and anus] are conjoined, are you (10)? You are not a hermaphrodite, are you (11)? Do you have a disease such as leprosy (12), boils (13), eczema (14), tuberculosis (15), or epilepsy (16)? Are you a human being (17)? Are you a woman (18)? Are you a free woman (19)? Are you without debts (20)? You are not in royal service, are you (21)? Do you have the permission of your parents and your husband (22)? Are you fully twenty years old (23)? Are your robes and bowl complete (24)? What is your name? What is the name of your preceptor (*pavattinī*)?”

[CV X 17.2]

At that time the *bhikkhus* asked the *bhikkhunīs* about the stumbling blocks.²⁹ Those who wanted to be higher ordained were abashed, they were embarrassed and unable to reply. They told this to the Blessed One, [who said]:

“*Bhikkhus*, I authorize the higher ordination in the community of *bhikkhus* for one who has been higher ordained on one side and has cleared herself in the community of *bhikkhunīs*.”

At that time the *bhikkhunīs* questioned about the stumbling blocks those who wanted to be higher ordained and who had not been instructed [about this type of questioning]. Those who wanted to be higher ordained were

²⁹ Vin II 271,31: *tena kho pana samayena bhikkhū bhikkhunīnaṃ antarāyike dhamme pucchanti*. This formulation seems not entirely correct, since those to be asked about the stumbling blocks are at this point in time not yet *bhikkhunīs* (I am indebted to Martin Seeger for pointing this out to me in a personal communication on 19th June 2015).

abashed, they were embarrassed and unable to reply. They told this to the Blessed One, [who said]:

“*Bhikkhus*, I authorize that she should first be instructed and then be questioned about the stumbling blocks.”

They instructed them just there in the midst of the community. Those who wanted to be higher ordained were still abashed, they were embarrassed and unable to reply. They told this to the Blessed One, [who said]:

“*Bhikkhus*, I authorize that, having taken her aside and instructed her, she be questioned about the stumbling blocks in the midst of the community. *Bhikkhus*, she should be instructed in this way: “First she should be made to take a [female] preceptor (*upajjhā*).³⁰ Having taken a preceptor, bowl and robes should be pointed out [to her]: ‘This is your bowl, this is the outer cloak, this is the upper robe, this is the lower robe, this is the vest,³¹ and this is the bathing cloth. [Now] go and stand in that place.’”

Study

The above regulation has as its narrative background the need to avoid the embarrassment of female candidates. The *Vinaya* does not offer explicit indications regarding what happened in the interim period, after the ordination of Mahāpajāpatī Gotamī and her following of Sakyan women. Given that with *garudhamma* 6 in the way this is found in the

³⁰ As already noted by Shih (391 note 97), the *Cullavagga* uses the terms *pavattinī* and *upajjhā* interchangeably.

³¹ On the vest cf. von Hinüber (“Kulturgeschichtliches”).

Theravāda *Vinaya* the Buddha had made it clear that in principle he wanted female candidates to go through a probationary period and then receive the higher ordination from both communities, this procedure could be assumed to have come into use once *Cullavagga* X 2.1 had fulfilled its purpose in enabling the coming into existence of an order of *bhikkhunīs*.³²

Whatever happened in the interim period, the *Vinaya* narration translated above provides an amendment to the basic procedure described in *garudhamma* 6. Instead of *bhikkhus* and *bhikkhunīs* just giving higher ordination together, the procedure to be adopted now is that the *bhikkhunī* order should give ordination first, followed by ordination given by *bhikkhus*.

Ordination by Messenger

*Translation*³³

[CV X 22.1]

³² This would resemble the way ordinations are still to be done according to the Mūlasarvāstivāda *Vinaya*, where *bhikṣus* and *bhikṣuṇīs* together confer ordination on female candidates. Kieffer-Pülz (“Presuppositions” 223) explains that “in the Mūlasarvāstivāda tradition, not only the candidate for ordination, but also a saṅgha of at least twelve nuns, must join a bhikṣu saṅgha of at least ten monks. The bhikṣu saṅgha and the bhikṣuṇī saṅgha are each placed within a small boundary (Skt. *maṇḍalaka*, Tib. *'khor*), thus forming two separate and independent saṅghas. The candidate for ordination sits in front of the bhikṣu saṅgha and requests ordination. The *karmakāraka* addresses the ordination formula to both saṅghas. Thus the legal procedure is performed by a double assembly within two separate boundaries, and both assemblies have to agree.”

³³ The translated section is taken from Vin II 277,3 to 277,19.

At that time the [former] courtesan Aḍḍhakāsī had gone forth among the *bhikkhunīs*. She wanted to go to Sāvattthī, [thinking]: “I will be higher ordained in the presence of the Blessed One.” Rogues had heard that: “It seems that the [former] courtesan Aḍḍhakāsī wants to go to Sāvattthī” and they took control of the road. The [former] courtesan Aḍḍhakāsī heard that: “It seems that rogues have taken control of the road.” She sent a messenger to the Blessed One’s presence, [saying]: “I indeed wish to be higher ordained, how should I proceed?” Then the Blessed One, having given a talk on the Dhamma in relation to this matter, addressed the *bhikkhus*: “*Bhikkhus*, I also authorize the giving of the higher ordination by messenger.”

[CV X 22.2]

They gave higher ordination through a *bhikkhu* as messenger. They told this to the Blessed One, [who said]: “*Bhikkhus*, higher ordination should not be given through a *bhikkhu* as messenger. For those who give higher ordination [in this way] there is an offence of wrong-doing.” They gave higher ordination through a probationer (*sikkhamānā*) as messenger . . . they gave higher ordination through a male novice (*sāmaṇera*) as messenger . . . they gave higher ordination through a female novice (*sāmaṇerī*) as messenger . . . they gave higher ordination through a messenger who was foolish and inexperienced. [They told this to the Blessed One who said]: “*Bhikkhus*, higher ordination should not be given . . . through a messenger who is foolish and inexperienced. For those who give higher ordination [in this way] there is an offence of wrong-doing. *Bhikkhus*, I authorize the giving of the higher ordi-

nation through an experienced and competent *bhikkhunī* as messenger.”

Study

The above ruling has as its rationale the wish to protect a *bhikkhunī* candidate from the danger of being raped by rogues. In order to prevent such a thing from happening, the Buddha is on record for making a special allowance that the candidate does not have to approach the community of *bhikkhus* personally. Instead, another *bhikkhunī* who is experienced and competent can act as a messenger on behalf of the candidate.

Judging from other passages in the *Vinaya*, the danger of rape did not affect only those who had formerly been courtesans, but was a problem for *bhikkhunīs* in general.³⁴ Single *bhikkhunīs* crossing a river were raped and a *bhikkhunī* who in order to relieve herself had stayed behind a group of *bhikkhunīs* with whom she was travelling was also raped.³⁵ Whole groups of *bhikkhunīs* were raped when travelling or when crossing a river.³⁶ When informed of this, the Buddha is on record for promulgating amended versions of *bhikkhu pācittiyas* 27 and 28, according to which *bhikkhus* are to act as travel companions for *bhikkhunīs* if their journey appears risky or if they have to cross a river.

The danger of being raped was apparently not confined to being on a journey. Even being in one's hut seems not to have been safe. According to the narrative portion that comes after the first *pārājika* for *bhikkhus*, the arahant *bhikkhunī* Uppalavaṇṇā was raped by a man who

³⁴ Perera (107) comments that *bhikkhunīs* were “exposed to the danger of rape. The *bhikkhunīdusaka* ... is a known figure” in *Vinaya* literature.

³⁵ Vin IV 228,13 and Vin IV 229,25.

³⁶ Vin IV 63,8 and Vin IV 65,9; cf. also Vin I 89,10.

had hidden in her hut and assaulted her when she came back from begging for alms.³⁷

In view of this situation, it would indeed be a meaningful consideration to take into account the vulnerability of *bhikkhunīs* in this respect and adjust the ordination procedure in such a way that any endangering of the female candidate can be avoided.

Now, the rulings given by the Buddha on *bhikkhunī* ordination in the Theravāda *Vinaya* result in altogether four promulgations:

- (1) “A probationer who has trained for two years in six principles should seek higher ordination from both communities” (CV X 1.4).
- (2) “I authorize the giving of the higher ordination of *bhikkhunīs* by *bhikkhus*” (CV X 2.1).
- (3) “I authorize the giving of the higher ordination in the community of *bhikkhus* for one who has been higher ordained on one side and has cleared herself in the community of *bhikkhunīs*” (CV X 17.2).
- (4) “I authorize the giving of the higher ordination through an experienced and competent *bhikkhunī* as messenger” (CV X 22.2).

According to the presentation in the Theravāda *Vinaya*, *Cullavagga* X 1.4 is the first and foundational indication of how the Buddha wanted the higher ordination of female candidates to be done. In its original form, this is no longer relevant, as it has been replaced by subsequent amend-

³⁷ Vin III 35,7.

ments. These subsequent amendments are the rules given at *Cullavagga X 2.1*, *Cullavagga X 17.2*, and *Cullavagga X 22.2*.

In the case of these three, it is clearly not the case that only the last one mentioned is valid. Even though the authorization to ordain through a messenger is the last of the promulgations by the Buddha on the issue of *bhikkhunī* ordination recorded in the Theravāda *Vinaya*, its legal significance needs to be ascertained by examining the narrative context that precedes it. This brings to light that the first form of the ruling on ordination by messenger (CV X 22.1) reads, “I also authorize the giving of the higher ordination by messenger.” The use of the term “also” (*pi*) makes it clear that this ruling is not meant to invalidate the rule on ordination by both communities (CV X 17.2).

Such an explicit indication is required, since both rules deal with the same basic situation where an order of *bhikkhunīs* is in existence. In this respect these two rules differ from ordination by *bhikkhus* only (CV X 2.1), which is valid because it concerns a basically different situation. In the present case, because both rules are based on the same situation where an order of *bhikkhunīs* is in existence, the addition of “also” is required to clarify that the promulgation of ordination by messenger (CV X 22.2) does not invalidate ordination by both communities (CV X 17.2), that it is not the case that from this point onwards only higher ordination by messenger is possible.

Just as ordination by both communities (CV X 17.2) has not been rendered invalid by the promulgation of ordination by messenger (CV X 22.2), so too ordination by *bhikkhus* only (CV X 2.1) has not been invalidated by the promulgation of ordination by both communities (CV X 17.2). Instead, all three types of procedures are equally valid and do not conflict with each other, as together they address the following possible situations:

1. CV X 2.1: a *bhikkhunī* order is not in existence.
2. CV X 17.2: a *bhikkhunī* order is in existence and the candidate can safely approach the *bhikkhus*.
3. CV X 22.2: a *bhikkhunī* order is in existence, but the candidate cannot safely approach the *bhikkhus*.

In this way, one rule regulates how to proceed at a time when no *bhikkhunī* order is in existence. Another rule regulates how the higher ordination of female candidates should be undertaken when a *bhikkhunī* order is in existence and the female candidate can approach the order of *bhikkhus* without putting herself into danger. Yet another rule regulates how the higher ordination of female candidates should be undertaken when a *bhikkhunī* order is in existence and the female candidate would put herself into danger when attempting to approach the order of *bhikkhus* for higher ordination.

This now raises the question of why, given that close inspection of the *Vinaya* shows ordination by *bhikkhus* only to be a valid form of restoring an extinct *bhikkhunī* order, this option has not been more widely recognized in the past. In order to appreciate this, in what follows I turn to the account in the *Dīpavaṃsa* of the beginnings of the *bhikkhunī* order in Sri Lanka.

Transmission to Sri Lanka

According to the *Dīpavaṃsa*, the recently converted king of Sri Lanka requested *bhikkhu* Mahinda, the son of King Asoka, to confer ordination on queen Anulā and her followers. The passage in question proceeds as follows:

Translation³⁸

[Dīp 15.74–80]

The woman from a noble clan (*khattiyā*) named Anulā
had firm faith in the Buddha, Dhamma, and Saṅgha,
she was of straight view
and had lost interest in becoming.

Having heard the words of the queen
[expressing her wish to go forth]
the king said this to the elder [Mahinda]:

“She has firm faith in the Buddha, Dhamma, and Saṅgha,
she is of straight view
and she has lost interest in becoming;
confer on Anulā the going forth!”

[Mahinda replied]:

“Great King, it is not proper for a *bhikkhu*
to confer the going forth on a woman.

“My sister Saṅghamittā
will come here, o king;
having conferred the going forth on Anulā,
she will make her find release from all bondage.

“Saṅghamittā of great wisdom [will come],
[together with] Uttarā the discerning one,
Hemā and Māsagallā,
Aggimittā of measured speech,
Tappā and Pabbatachinnā,

³⁸ The translated sections are based on the original in Oldenberg (84,14 to 84,28).

Mallā and Dhammadāsiyā.

“These *bhikkhunīs*
are concentrated and have shaken off lust,
their mental thoughts are pure
and they delight in the true Dhamma and Vinaya.

“They have destroyed the influxes and attained [self-]
control,
[they are endowed with] the three knowledges and skilled
in supernormal feats.
Being established in the highest,
they will also come here.”

Study

The *Dīpavaṃsa* continues by reporting that queen Anulā and her followers did indeed receive ordination from Saṅghamittā and her group of eminent *bhikkhunīs*.³⁹ From the perspective of the Theravāda *Vinaya*, this was indeed the proper procedure. Mahinda and his *bhikkhus* could not just confer the higher ordination on the queen and her followers, since in India an order of *bhikkhunīs* was in existence. This is why the queen and her followers had to wait until Mahinda’s sister Saṅgamittā and her group of *bhikkhunīs* had come.

From a historical perspective, the order of Sri Lankan *bhikkhunīs* appears to have become extinct at some point in the early 11th century during a period of warfare and political turmoil in Sri Lanka, when the *bhikkhus* were so hard-pressed that they had to flee abroad. Once peace had been restored and the *bhikkhus* returned from being abroad, they would of course have realized that the order of *bhikkhunīs* had come to

³⁹ Dīp 16.37f, Oldenberg (88,16).

an end. When confronted with this situation, it would have been natural for them to turn to the account of how the Sri Lankan order of *bhikkhunīs* originally came into being. Whereas the *Mahāvamsa* is fairly short on this matter,⁴⁰ detailed information can be found in the *Dīpavaṃsa* passage translated above. The *Dīpavaṃsa*'s description, with its highlight on the accomplished *bhikkhunīs* who came to confer ordination, would have made it appear highly desirable to find *bhikkhunīs* to start the order in Sri Lanka again. Since as far as we know in the 11th century no Theravāda *bhikkhunī* order appears to have been in existence outside of Sri Lanka,⁴¹ this would not have been possible.

Given the statement by Mahinda that “it is not proper for a *bhikkhu* to confer the going forth on a woman,” it would not be surprising if in such a situation the Sri Lankan *bhikkhus* were under the influence of this wording when examining the relevant portions of the *Vinaya* on *bhikkhunī* ordination.⁴² The words of the renowned arahant who accord-

⁴⁰ Mhv 18.9–11, Geiger (141,5).

⁴¹ Cf. the detailed discussion in Skilling (36–38). Collins and McDaniel (1383) conclude that, “there is no certain evidence for ordained *bhikkhunī*-s anywhere in Southeast Asia at any time”. Tsomo (345) sums up that “there is no conclusive evidence that the lineage of full ordination for women was established in Burma, Cambodia, Laos, Mongolia, Thailand, or Tibet.”

⁴² In fact it might well be the same influence of Mahinda's statement that led to the commentarial idea that a woman can only receive the going forth as a *sāmaṇerī* from a *bhikkhunī*, just as a man can only receive the going forth from a *bhikkhu*; cf. Sp V 967,21: *purisaṃ hi bhikkhuto añño pabbājetuṃ na labhati, tathā mātugāmaṃ bhikkhunito añño*. This statement is without support in the *Vinaya* itself, making it quite possible that it has its origin in the reply by Mahinda to the king, reported in Dīp 15.76, Oldenberg (84,19): *akappiyā, mahārāja, itthipabbajjā bhikkhuno*, even though this is not a generally valid statement, but much rather reflects the specific situation in Sri Lanka at that time, where it was possible to bring *bhikkhunīs* from India to grant the going forth and the higher ordination to the queen and her followers.

ing to tradition brought Buddhism to Sri Lanka would naturally have carried great weight.

Being influenced by Mahinda's authoritative statement could easily lead to consulting the *Vinaya* rules without fully taking into account the significance of their narrative context. This would then lead to the conclusion that the rule allowing *bhikkhus* to confer the higher ordination on *bhikkhunīs* has been rendered invalid by later rulings. Once such a perception had arisen and had been passed on to subsequent generations, the weight of established tradition and respect for one's teachers would have prevented closer inquiry. In this way it could be easily understood how the firmly embedded belief arose among traditional Theravāda monastics that it is impossible to revive a *bhikkhunī* order, once this has become extinct, a belief that continues up to the present day.⁴³

In sum, given the historical circumstances of the transmission and disappearance of the order of *bhikkhunīs* in Sri Lanka, it is not surprising if the *bhikkhus* should not have realized that they could have started such an order anew on their own. Yet a close study of the *Vinaya* on its own terms, without allowing opinions and views that have long been established in tradition to exert their influence, shows this possibility to be a legally valid option.

⁴³ A recent reiteration of this position can be found in Nandamālābhivamsa (*Bhikkhunī-sāsana* 28f), who states that “the impossibility for new bhikkhunī ordination is due to [the] disappearance and non-existence of the *Bhikkhunī-saṅgha* . . . as there is no more *Bhikkhunī-saṅgha* anymore, bhikkhunī ordination is impossible . . . from the viewpoint of *Theravāda*, a revival of the *Bhikkhunī-sāsana* could not be possible anymore.”

Conclusion

From a close study of the narrative on *bhikkhunī* ordination as reported in the *Cullavagga*, it seems clear that a revival of a defunct Theravāda *bhikkhunī* order is possible. As far as I am able to see, the interpretation that makes full sense of the various details and circumstances reported in the Theravāda *Vinaya* would be that the Buddha intentionally created an occasion for promulgating a rule that enables the revival of a *bhikkhunī* order that has become extinct.⁴⁴ This is in a way an advantage resulting from the fact that ordination of *bhikkhunīs* is made dependent on *bhikkhus*. In contrast, since the ordination of *bhikkhus* does not depend on *bhikkhunīs* in any way, an extinct order of *bhikkhus* can in turn not be revived in a comparable manner.

On the understanding that it is indeed possible to revive an extinct order of *bhikkhunīs*, Theravāda *bhikkhus* keen on following the injunctions of the Buddha as recorded in the Theravāda *Vinaya* should offer their full cooperation in any attempt at reviving a *bhikkhunī* order and in offering compassionate guidance to the new *bhikkhunīs*, instead of opposing such a revival as something seen as contrary to the canonical scripture and in violation of the fundamental principles of the Theravāda tradition. In the words of the Jetavan Sayādaw:

“The *bhikkhu saṅgha* . . . should make a determined effort as follows: ‘Now that the *bhikkhunī saṅgha* has become ex-

⁴⁴ Needless to say, with this conclusion I do not intend to take a position on the actual intentions of a historical person who lived in India some two and a half millennia ago. Instead the intentions I describe are those of a literary figure in the Theravāda *Vinaya*, who in this text functions as the source of canonical law. The intentions of the literary figure of the Buddha as depicted in the Pāli *Vinaya* are crucial for determining the legal consequences and implications of regulations concerning Theravāda monastic discipline and procedure.

tinct, we will revive the institution of *bhikkhunīs*! We will understand the heart's wish of the Exalted One. We will see the Exalted One's face brighten like the full moon."⁴⁵

⁴⁵ Deshpande (203,8): *bhikkhusaṅghena ussāho kātabbo: idāni bhikkhunīsaṅghe vaṃsacchinne mayam bhikkhunīsāsanam anusandhānam karissāma, bhagavato manoratham jānissāma, bhagavato puṇṇindusaṅkāsamukham passissāmā ti*; translation by Bodhi ("The Revival" 142).

Appendix: The *Itthipaṇḍaka*

In my rendering of CV X 17.1 I have not translated the term *paṇḍaka* in the expression *itthipaṇḍaka*. In what follows I survey relevant Pāli passages and the contributions that to my knowledge have been made by other scholars on the significance of the term.

The commentary on CV X 17.1 is of no real help, as it glosses the *itthipaṇḍaka* as *animittā*.⁴⁶ Yet the *animittā* has already been mentioned as the first in the list (1), from which the *itthipaṇḍaka* (8) would have to differ in order to merit being explicitly mentioned.

Horner (375) renders *itthipaṇḍaka* as “female eunuchs” and Upasak (48) as “she-eunuch.” For the male *paṇḍaka* Woodward (51), Bapat (15), Nolot (65), von Hinüber (“Die Nonnen” 67), Shih (58), Bodhi (*The Numerical* 1387),⁴⁷ and Kieffer-Pülz (*Verlorene* 1777) have opted for the rendering “eunuch”; which according to Wezler (263) would suit the etymology of the term. Given that according to Perera (141) “the castrated eunuch . . . was an alien factor in ancient Indian sex life,”⁴⁸ in the ancient Indian context an “eunuch” could only refer to those who have come to be in this condition due to a congenital defect or an accident.

A *Vinaya* passage distinguishes in fact between three types of *paṇḍaka*, human, non-human, and animal,⁴⁹ a presentation that can safely be assumed not to intend celestial or animal “eunuchs.” Another *Vinaya* passage describes an actual *paṇḍaka* approaching various males, mo-

⁴⁶ Sp III 548,21.

⁴⁷ Bodhi (*The Numerical* 1841 note 2033) cautions that “the word *paṇḍaka* has a wider meaning than ‘eunuch’ as usually understood.”

⁴⁸ The reference to the *aṇḍahāraka* in MN 56 at MN I 383,25 does not seem to intend a gelder; cf. Anālayo (*A Comparative* 329).

⁴⁹ Vin III 28,25.

nastic and lay, asking them to have sex with him.⁵⁰ This passage shows the *paṇḍaka* to engage in passive homosexual activity.

Elsewhere in the *Vinaya* the *paṇḍaka* occurs in lists. Here the *paṇḍaka* features alongside men, women, and hermaphrodites in an attempt to present an exhaustive account of potential partners for sex.⁵¹ As pointed out by Kieffer-Pülz (*Verlorene* 1778), the fact that the *paṇḍaka* here stands in contrast to the hermaphrodite, who has the sexual characteristics of both men and women, makes it probable that it refers to someone without the sexual characteristics of either men or women.

Another such list in the *Vinaya* considers the possibility of mistaking a woman for a *paṇḍaka*, followed by the possibility of mistaking a man for a *paṇḍaka*, and then a *paṇḍaka* for being either a man or a woman.⁵² This would fit an understanding of the significance of the term, when used in the *Vinaya*, as referring to someone without the sexual characteristics of either men or women.

Turning to canonical *Abhidhamma* literature, the *Kathāvatthu* indicates that a *paṇḍaka* is unable to ejaculate,⁵³ based on which Likhitpreechakul concludes that a *paṇḍaka* is someone impotent due to seminal deficiency.

With later texts the implications of the term broadened. According to Perera (142), “the term *paṇḍaka* was extended from . . . the congenital eunuch . . . to embrace all other categories of sexual weaklings.” Based on the definition given of the term in exegetical literature, Zwillling (“Homosexuality” 205) argues that the notion of the *paṇḍaka* includes

⁵⁰ Vin I 85,26.

⁵¹ Cf., e.g., Vin III 28,23.

⁵² Vin III 121,33.

⁵³ Kv 167,8.

those who are able to have an erection or ejaculate.⁵⁴ In reply to this suggestion, Kieffer-Pülz (*Verlorene* 1779f note 31) clarifies that in the definition of the *opakkamikapaṇḍaka* in the *Samantapāsādikā* the expression *bījāni apanītāni* does not imply the ability to ejaculate,⁵⁵ as *bīja* elsewhere refers to testicle instead of semen, which would rather be *sukka* or *asuci*.

The same listing of types of *paṇḍaka* in the *Samantapāsādikā* also includes a *pakkapaṇḍaka*,⁵⁶ who is only in the condition of being a *paṇḍaka* during half of the month. This could hardly be a eunuch, wherefore Kieffer-Pülz (*Verlorene* 1780) introduces this and two other types of *paṇḍaka* as sexual deviants who are not necessarily eunuchs.⁵⁷

A listing of *paṇḍakas* in the *Nāradaśmṛti* 12.10–13, discussed in Syed (82f), also covers several types who are not just impotent. Syed (83) concludes that in this text a *paṇḍaka* is basically a male who is sexually abnormal, which could be due to psychological or physical reasons.⁵⁸

Gyatso (108) suggests that the barring of a *paṇḍaka* from ordination relates to the difficulty of clearly defining its nature in contrast to the *Vinaya*'s general concern with exact definition. Yet for a celibate single-sex monastic community it seems obvious to prevent entrance into its order of members who are suspected to be prone to same-sex activities (as evident in the *Vinaya* passage mentioned earlier, where a *paṇḍaka*

⁵⁴ Cf. also Powers (83f).

⁵⁵ Sp V 1016,5.

⁵⁶ Sp V 1016,6.

⁵⁷ Cf. also Shih (58 note 64), who speaks of the “five kinds of *paṇḍaka*, who are eunuchs as well as persons with peculiar psycho-sexual problems.”

⁵⁸ “Ein Mann, der mit Frauen hinsichtlich der Häufigkeit oder der Art nicht ‘normal’ sexuell verkehrt, entweder, weil er nicht will oder weil er nicht kann, und dies entweder wegen einer Krankheit oder wegen einer Neigung.”

asks monks to have sex with him)⁵⁹ or who are in some way crippled or abnormal. In addition to the problem of affecting public image, duly noted by Gyatso (109),⁶⁰ the whole set of rules and modes of conduct, prescribed in the *Vinaya* to prevent privacy with the other sex in order to forestall possible breaches of celibacy, shows the importance given to physical segregation. The exclusion of the *paṇḍaka* from ordination would only be a logical extension of such concerns, without any need to be motivated by the problem of clearly defining the *paṇḍaka*.

Turning to the case of female *paṇḍakas*, Zwilling (“Homosexuality” 208) suggests that the *itthipaṇḍaka* would be a lesbian, an interpretation followed by Hüsken (411 note 280).

Harvey (415) argues that “just to equate the female *paṇḍaka* with a lesbian is problematic” because the *itthipaṇḍaka* is “clearly seen as having some organic abnormality of the uterus,” followed by referring to the passage found at CV X 17.1.⁶¹ This appears to be a misunderstanding, as the reference to uterine prolapse (7) in CV X 17.1 does not qualify the *itthipaṇḍaka* (8), but rather refers to a different type of female that is also barred from higher ordination.

Likhitpreechakul (118 note 121) considers the female *paṇḍaka* to be “a biological female who lacks the female equivalent of semen (the female hormones estrogens/progesterone in modern terms).” According to Kieffer-Pülz (*Verlorene* 1778 note 26), an *itthipaṇḍaka* could be the result of an underdevelopment of the ovary.

In sum, in view of the complexity of the term I found myself unable to come up with a meaningful translation and therefore decided to

⁵⁹ Vin I 85,26.

⁶⁰ Cf. also Zwilling (“Avoidance” 47f).

⁶¹ Vin II 271,17.

retain the original term *paṇḍaka*, following the example of Mrozik (22), Grünhagen (209), and Anderson.

Abbreviations

AN	<i>Āṅguttara-nikāya</i>
B ^e	Burmese edition
CV	<i>Cullavagga</i>
Dīp	<i>Dīpavaṃsa</i>
E ^e	PTS edition
EĀ	<i>Ekottarika-āgama</i> (T 125)
Kv	<i>Kathāvatthu</i>
Mhv	<i>Mahāvaṃsa</i>
MN	<i>Majjhima-nikāya</i>
S ^e	Siamese edition
SN	<i>Saṃyutta-nikāya</i>
Sp	<i>Samantapāsādikā</i>
Spk	<i>Sāratthappakāsinī</i>
T	Taishō edition
Thī	<i>Therīgāthā</i>

Thī-a *Therīgāthā-aṭṭhakathā* (new ed. 1998)

Vin *Vinayapiṭaka*

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