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On Compassionate Killing and the *Abhidhamma*'s "Psychological Ethics"

Damien Keown¹

Abstract

Is compassionate killing really psychologically impossible, as the *Abhidhamma* claims? Previously I discussed a *Vinaya* case that seemed to show the contrary. Reviewing my conclusions in the light of commentarial literature, Rupert Gethin disagreed and restated the *Abhidhamma* position that killing can never be motivated by compassion. This paper supports my original conclusions and argues further that the *Vinaya* case reveals underlying problems with the *Abhidhamma*'s "psychological ethics."

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Introduction

Previously I discussed a *Vinaya* case in which certain monks out of compassion encourage a sick colleague to commit suicide (*Bioethics* 57-64). Rupert Gethin disagreed with my interpretation of the case and criticized aspects of the methodology (2004).² Reviewing the commentarial literature and relevant scholastic teachings, he reiterated the *Abhidhamma* position that “the intention to kill is understood as exclusively unwholesome, and the possibility that it might ever be something wholesome prompted by thoughts of compassion is not countenanced” (Gethin 175).

This article is divided into four sections. The first revisits the *Vinaya* case and argues that the commentarial interpretation of the incident is contrived; section two critically reviews arguments based on general Buddhist teachings which are thought to support the *Abhidhamma* position that killing is incompatible with compassionate motivation;³ section three examines the *Abhidhamma* theory of action; and section four discusses problems with the classification of actions “by root” (CBR).

² I do not respond to the methodological critique for reasons of space and because it has no direct bearing on the argument of this paper. The methodological objection is essentially that the interpretation of Buddhist ethics is distorted by the use of Western concepts. If, however, as is often claimed, Western ethics and philosophy can be illuminated by Buddhist concepts, there seems no reason why the reverse may not also be true.

³ It is not my intention to discuss the ethics of euthanasia again, although reference to the subject is unavoidable, especially in the second section of the paper. Lest it appear that what I say provides support for euthanasia, let me make clear that I agree with Rupert Gethin that euthanasia is contrary to Buddhist teachings: our differences concern the nature of the arguments against it. For my view of the Buddhist perspective on euthanasia see Keown (“Suicide”, *Bioethics*, and “Euthanasia”).

Some methodological clarification may be in order. This is not a comparative study: it does not argue for the equivalence (or otherwise) of Buddhist and Western psychological or ethical concepts. While the issues discussed can be situated in the context of Western metaethical debates, the article does not pursue such comparisons. Rather than a contribution to comparative ethics, it is primarily a critique of the *Abhidhamma's* psychological reductionism, in other words, the attempt to explain ethical values solely in terms of psychological phenomena.⁴ The focus is thus exclusively on an *indigenous* theory of Buddhist ethics, and we will be concerned with two central axioms of this theory:⁵

Axiom 1: The moral status of an intentional act is determined by its motivational roots.

Axiom 2: There is an *a priori* correlation between specific immoral acts and the motivational roots.

Theorems derived from these axioms (such as the alleged impossibility of compassionate killing) are asserted by the *Abhidhamma* as dogmas or necessary truths. The first axiom is a postulate of *Abhidhamma* action

⁴ Heim notes the presence of a contrasting moral realism in Buddhist teachings that provides a counterpoint to *Abhidhamma* subjectivism. This “moral empiricism” or “moral naturalism,” recognizes the existence of “a moral order in which actions are simply bad in ways that can be talked about independently of agents’ particular inner experience.” On this understanding the ten bad paths of action “are just bad to do.” Ultimately, however, Heim views such tensions simply as “internally diverse threads apparent even in Buddhaghosa’s own systematic thought” (66). My own view is that such tensions are evidence of the *failure* of Buddhaghosa’s systematic thought to accommodate the moral realism of the *Suttanta* and *Vinaya*.

⁵ By an axiom I mean a building block in a system of thought. In terms of their relationship and derivation, my speculation is that axiom 2 is prior, and originates as a mistaken inference from the teachings of the *Suttanta* (as explained in section four). Axiom 1 is then a further inference from axiom 2.

theory (to be discussed in section three) and asserts that the moral valence of an action (the property that makes it *kusala* or *akusala*) is predominantly a function of *mūla*, or the motivational roots. These motivational roots are greed (*lobha*), aversion (*dosa*), and delusion (*moha*) and their opposites, liberality (*alobha*), benevolence (*adosa*), and wisdom (*paññā*). Contrary to axiom 1 it will be suggested that it is *cetanā* (intention) rather than *mūla* (the motivational roots) that plays the central role in moral evaluation.⁶ The second axiom is the basis of the *Abhidhamma* classification of actions “by root” (CBR), which will be discussed in section four. There I will suggest that this axiom is an erroneous inference from the moral teachings of the *Nikāyas*. In short, the aim of the article is to show that axioms 1 and 2 are false and that as a consequence the *Abhidhamma*’s “psychological ethics” fails as an interpretation of Buddhist ethics.

Motive and Intent

By way of terminological clarification, throughout the discussion a distinction is made between motive and intent. *Motive* is understood as that which moves a person to act, whereas *intent* denotes the specific aim or purpose in acting. As Maria Heim observes, “one’s motivation can be money or love, for example, whereas one’s intention is always to perform some particular action” (28). In the *Abhidharma*, these psychological functions are associated with the mental factors of *mūla* and *cetanā*,

⁶ *Cetanā*, of course, is also a psychological phenomenon, but its teleological nature means that in a moral context it is directed to ends that affect the well-being of self and others. Furthermore, its identification with *kamma*, understood as an objective natural law (*kamma-niyāma*), seems to preclude a subjectivist account of its moral valence of the kind the *Abhidhamma* attributes to *mūla*.

respectively.⁷ Heim reserves the term *motivation* “primarily for the motivational roots (*hetu, mūla*), which prompt intentional action” (27f). Nyanaponika describes the roots as “the motive powers and driving forces of our deeds, words and thoughts” (*Roots* xvi). Conditioned by these wholesome or unwholesome motivational roots, the mental factor of *cetanā* formulates a purposive intention directed towards a particular goal or end.⁸ Bhikkhu Bodhi characterizes *cetanā* as “the factor which makes experience teleological, i.e., oriented to a goal, since its specific function is to direct its associated factors towards the attainment of a particular end” (“Nourishing” 253). Devdas sums up the *Abhidhamma*’s understanding of volitional action as follows: “Both wholesome and unwholesome states of consciousness condition goal-directed thoughts (*cetanās*) that instigate goal-oriented acts capable of producing commensurate karmic consequences” (“Study” 309).

In short, we might say the *Abhidhamma* understands the dynamics of volition as involving a “push” supplied by motive (the roots), and a teleological “pull” provided by intention (*cetanā*).⁹ In terms of this analysis, in “mercy killing” (the moral issue that will concern us in the first two sections), the *motive* is mercy and the *intention* is to kill as a means to relieve suffering.

⁷ Readers who find the terminology of “motive” and “intent” problematic can substitute the Pāli terms *mūla* and *cetanā*. It makes little difference to the argument one way or the other.

⁸ *Cetanā* is a complex term that has been the subject of considerable scholarly attention, notably by Devdas (2004, 2008; all citations are to her 2004 thesis) and Heim (*Forerunner*). Devdas describes *cetanā* as “goal-oriented thought and impulse,” “purposive impulse,” and “intention imbued with conative energy” (41).

⁹ See Devdas (40).

I. The *Vinaya* Case

The death of the sick monk

The context of my original discussion was the first of the case-histories (*vinīta-vatthu*) reported in the *Vinaya* (Vin.i.79) under the rubric of the third *pārājika*, the monastic rule against killing a human being. The report of the case is brief: the text tells us that certain monks “out of compassion” (*kāruṇṇena*) spoke favorably of death to a sick monk who subsequently died. The cause of death is not specified, but the commentary explains that following his colleagues’ comments the sick monk “stopped taking his food and died prematurely” (Gethin 180).¹⁰ On feeling remorse, the monks confessed to the Buddha what they had done, whereupon he found them guilty of a breach of the precept.

I suggested that in reaching this judgment the Buddha did not focus solely on motivation. Had he done so, the monks would have been guilty only of having a compassionate motive, which, of course, is no offense. On the contrary, we might have expected the Buddha to praise such motivation and commend the monks for their concern. The fact that the Buddha condemned rather than praised the monks’ conduct, however, suggests that factors other than motivation played a role in his assessment. I suggested the crucial factor in this case was intention: in other words, the monks were guilty because their intention in speaking

¹⁰ In the first case reported under this rubric (Vin.iii.71f) a layman intentionally consumes unsuitable (*asappāya*) food and drink which causes a serious illness leading to his death. Both deaths occurred after certain monks “praised the beauty of death” (*maṇavaṇṇaṃ saṃvaṇṇesum*) (Vin.iii.79). As noted by Devdas: “The meaning of the term intention is extended to include appreciating a deed or expressing pleasure with regard to it (*anumodana*) and speaking of a deed as something beautiful or splendid (*vaṇṇaṃ bhāsati*) so that another person is induced to undertake that deed” (“Study” 99). See A.v.307f.

favorably of death was to bring about the demise of their sick colleague.¹¹ Thus the case seemed to show three things, all of which are problematic in terms of *Abhidhamma* ethical teachings: first, that the intention to cause death can be motivated by compassion; second, that the intention to kill is immoral even when motivated by compassion; and third, that culpability turns on intention rather than motive.

The commentarial exegesis

The interpretation offered by the commentators proceeds along very different lines to those just described. As Rupert Gethin explains, the commentators seek to deny that the monks acted out of compassion. They claim that the phrase “out of compassion” (*kāruṇṇena*) is used only in a common way of speaking (*vohāra-vasena*) and is to be understood, Gethin suggests, as meaning that while the monks may have *initially* felt compassion, at the time they willed the death of their colleague¹² their motivation had changed from compassion to aversion, a change the monks themselves were apparently unaware of. Thus Gethin writes, “the commentary and subcommentaries want to suggest that although the monks in the present case *think* they are acting out of compassion and only have the dying monk’s welfare at heart, if they were able to see their motivations more clearly they would see that in fact this was not so” (182).

¹¹ Since the guilty monks did not kill the sick monk themselves, this was not a case of euthanasia. The wrongdoing in question was encouraging suicide. However, the offenses share a common motivation and aim.

¹² In *Abhidhamma* terminology, this is the moment when the “decisive intention” (*saniṭṭhāpaka-cetanā*) was in operation.

Reflections on the commentary

It is hard to see any basis for the commentarial assertion that the monks acted out of aversion. The only evidence for the motivation is the *Vinaya* case history. Like any good law report, it summarizes the material facts concisely and records that the monks acted out of compassion (*kāruṇṇena*).

As we might expect, it is here reporting the motivation *at the time of the offense*: from a legal point of view it would make little sense to report the motivation at some earlier time and fail to mention the motivation at the time the offense was committed. Indeed, the jurisprudential issue at the heart of the case seems precisely to arise from the simultaneous conjunction of a benevolent motive (compassion) with a wrongful intention (to cause death). The issue is a perennial one, not only for Buddhists, and can be formulated very simply: Does a benevolent motive justify wrongdoing? This is the issue on which the Buddha is asked to adjudicate, and in his judgment he gives a clear answer: No, it does not.

The very fact that such a dilemma could arise, however, presented the commentators with a problem in view of their prior commitment to axiom 2 and the CBR (classification of actions “by root”). According to this classification (which will be discussed further in section four), the intention to take life is held to be associated exclusively with the roots of aversion (*dosa*) and delusion (*moha*).¹³ For this reason, as Gethin makes

¹³ E.g., *Abhidhammatthasaṅgaha* V.23 (Bodhi *Comprehensive* 208). Bodhi is of the opinion that although a root other than hatred can sometimes be the underlying motive for killing, “the *Abhidhamma* holds that the volition that drives the act of cutting off the life faculty of another being is always rooted in hatred” (*Comprehensive* 208). The Buddha, however, says that the bad paths of action can arise from any of the three toxic roots (A.v.261), and as far as I am aware makes no mention of a *necessary* linkage between hatred and killing.

very clear, in the *Abhidhamma* framework, killing from a compassionate motive is thought to be “simply impossible” (167), “simply excluded” (175), “not countenanced,” (175), “a psychological impossibility, a psychological contradiction in terms” (178), something that the *Abhidhamma* “does not allow” and is “simply ruled out” (183).¹⁴

This left the commentators with two options with respect to the *Vinaya* report: either change the dogma to fit the facts, or change the facts to fit the dogma. Since challenging the *Abhidhamma*’s “quite uncompromising” (178) stance on the impossibility of compassionate killing would be unthinkable, the commentators devised a strategy to disconnect the motivation from the intention by suggesting that the compassionate motivation occurred at some earlier time. By this means they sought to make the facts of the case consistent with the CBR and avoid the problematic implications the case would otherwise have for *Abhidhamma* ethical theory.

This commentarial strategy, however, has its disadvantages, not the least of which is that it postulates an implausible sequence of events. The commentarial conjecture is that as the monks stood around the bedside of a sick colleague their feelings abruptly changed from compassion to aversion. This is an unusual and counterintuitive suggestion. Compassion for the sick does not in the normal course of things suddenly turn to aversion, and there is no reason to think that anything untoward happened to prompt such a change of mood. It must also be unlikely that a *group* of monks would suffer an identical attack of motivational ambivalence in the way suggested. Even more strained is the suggestion that the monks themselves remained oblivious to their sudden change of heart.

¹⁴ The dogmatic attitude in evidence here seems far from the “nuanced” and “finely grained” contextual analysis that some interpreters see as defining Buddhaghosa’s approach to ethics.

If, furthermore, events of this kind occurred, it seems odd that neither the Buddha nor the embedded *Vinaya* commentary (*vibhaṅga*) make any reference to them. *Vinaya* judgments set legal precedents, and it would have been important to clarify the facts on which the judgment was based if the *Vinaya* report required qualification in the way the commentators suggest.

There must also be some doubt, on the commentarial account, as to whether the monks would even be guilty of an offense. By attributing a state of mental confusion to the monks in order to deny that their motive was compassion, the commentators simultaneously undermine the basis for their guilt. According to the subcommentary, the monks were “not aware of the nature of the consciousness that had arisen in their own minds” (Gethin 181).¹⁵ As Gethin rightly notes, however, according to the *Samantapāsādikā*, the third *pārājika* is “rendered void by [the absence of] full awareness” (176). He confirms that “one must be fully aware of what it is one is doing for certain acts to constitute offenses” (196 n.24), and observes that “killing someone when one is in a confused state of mind is quite a different matter from deliberately and consciously killing someone” (170).

These stipulations seems to make the guilt of the monks problematic, at the very least. If the monks were confused, or not fully aware

¹⁵ Is there a suggestion here that the motivation was unconscious? This is unlikely, since the unconscious is a problematic notion in terms of Buddhist psychology. As Devdas comments, “it is difficult to find passages in the Suttas and the *Abhidhamma* texts to substantiate the idea of ‘unconscious motivation’” (“Study” 429). Heim comments: “It is noteworthy that the *Abhidhamma* mapping of mind does not attribute much weight to unconscious drives or motives as such” (120). Somewhat paradoxically, she later notes that Buddhist tales “reveal with great subtlety the workings of the subconscious mind,” apparently agreeing with Wickramasinghe that Buddhist storytellers become “instinctive psychoanalysts” (208).

of what they were doing, the Buddha should not have found them guilty; the fact that he did strongly suggests any suggestion of mental confusion is a red herring. In sum, the scenario depicted by the commentators must be rejected as implausible. On any standard of evidence there is no reason to prefer it to the straightforward and perfectly intelligible *Vinaya* account describing how compassion led certain monks to conclude that a suffering patient would be better off dead.

Corroborating evidence

As noted, the case for the commentarial reading is weak, but Gethin finds three pieces of circumstantial evidence that seem to support it. The first is intended to explain why the monks did not notice that their motivation had changed from compassion to aversion, and involves the case of a king who smilingly orders the execution of a criminal (177). In terms of the *Abhidhamma* classification of acts “by feeling,” the king, although smiling and apparently happy, is said by the *Abhidhamma* to be actually *unhappy* when he gives this order because the intention to kill, as well as being motivated by aversion, is held to be inevitably accompanied by unhappiness. This fact, however, according to the commentary is “difficult for ordinary people to notice” (177). For the same reason, it is suggested, the monks in the *Vinaya* case did not notice that their compassion had turned to aversion. The implication is that ordinary people (apparently including monks and kings) lack the self-awareness to discern their feelings and motivations accurately; as a result they confuse happiness with unhappiness and compassion with aversion. It would appear that an individual’s true emotional state can only be known by *Abhidhamma* scholastics. This explanation is not so much a justification of the commentarial interpretation as an appeal to the authority of the *Abhidhamma*: invoking the classification “by feeling” in support of the classi-

fication “by root” is simply relying on one dogma to shore up another in the face of empirical evidence that undermines them both.

The second item of supporting evidence concerns *Pācittiya* 61, which prohibits the killing of animals (Gethin 177). Here the commentary says that an offense is committed even when a person cleaning a mattress perceives a tiny creature (a bed-bug egg) as a living being and destroys it.¹⁶ The commentary contrasts this with the conduct of a compassionate person who it says will respect the rule against taking life “in such circumstances” (*evarūpesu thānesu*). The circumstances in the case of the sick monk, of course, are quite different from the casual destruction of life seen in the example: a compassionate person who refrains from the wanton destruction of life may also believe that killing may be morally justified in exceptional circumstances, for example, in order to relieve the suffering of a dying patient. In any event, as a restatement of commentarial opinion this example once again assumes what it needs to prove (the truth of the CBR), and no new argument is introduced in support of the claim that compassionate killing is psychologically impossible.

The third item once again relates to *Pācittiya* 61 (Gethin 182), and is a brief allusion to the case of a monk who, acting with a compassionate aim (*kāruṅṅādhippāya*), releases a pig from a trap (Vin.iii.62). This is the first of three cases in which monks release trapped animals, the other two being a deer and a fish. Acknowledging the compassionate aim, the Buddha declares the monk to be innocent of a breach of the second *pārājika* against stealing.¹⁷ The commentators treat this case as once

¹⁶ The *suttas* agree in linking killing to a lack of compassion (e.g. A.v.289).

¹⁷ *Anāpatti bhikkhu kāruṅṅādhippāyassa ti* (Vin.iii.62). Horner translates *kāruṅṅādhippāya* as “from a compassionate motive” (vol. 1, p. 105), but Heim is surely right that *adhippāya* generally connotes wish or aim, and only “rarely” motivation (136; see 28f). However, she follows the interpretation of the commentators noting that the monk who freed

again turning on motive: the monk is innocent, they suggest, because his motive was compassion, whereas the monks in the suicide case were guilty because their motive was aversion.¹⁸ Invoking motivation as the moral criterion seems more plausible here because in all three cases the monks who release animals with compassion are found innocent, whereas the monks who set the animals free without compassion are found guilty. On closer inspection, however, it seems that guilt or innocence in these cases is once again determined by reference to intention rather than motive. Thus the reason the monks who were found guilty were judged to be so is not that they lacked compassion but because, as the text states, they set the animals free *with the intention to steal them* (*they-yacitto*). Conversely, I suggest, the monks who were found innocent were judged to be so not because of their compassionate motive, which was commendable, but because they had *no intention to steal* the animals they

the pig “is not culpable of theft because his aim was compassion.” It is interesting that the *Vinaya* does not use the term *kāruṇṇena* here, which would convey a stronger sense of motivation. In his commentary on *Pācittiya* 61, Thanissaro (375) notes “Motive, here, is irrelevant to the offense,” providing further confirmation that compassion is unlikely to be the reason the monk was found innocent. *Adhippāya* here thus signals a teleological “pull” rather than a motivational “push,” in the sense described earlier.

¹⁸ Gethin (182), and n.50 quoting Sp-t. (Be) ii 272: *maraṇādhippāyassa sannitṭhāpakacetanā-kkhaṇe karuṇāya abhāvato kāruṇṇena pāse baddhasūkara-mocanaṃ viya na hotī ti adhippāyo*. Despite what the subcommentary says here, the *Vinaya* text does not say that the monk who freed the trapped pig acted “out of compassion” (*kāruṇṇena*), but “with a compassionate aim” (*kāruṇṇādhippāya*) (see previous note). Apparently accepting the commentarial contrast between the case of the sick monk and the trapped pig, Heim finds a further difference between them, commenting, “One of the key differences in the two accounts is that in the latter case [the death of the sick monk], the monks have remorse. Remorse is a clue that one has acted wrongly” (155 n.61). This is puzzling, since the protagonists in both cases are said to feel remorse. Feelings of remorse in any event are not necessarily an indication of guilt since monks who feel remorse are often declared innocent of any offense, as seen in the example of the trapped pig itself and other cases of theft.

released. As we shall see below in section three, this interpretation is consistent with the general *Vinaya* position that motive is not a key factor in determining culpability.

In sum, the case of the sick monk shows the commentators struggling—and ultimately failing—to explain a psychological phenomenon that according to *Abhidhamma* ethical theory should never occur, namely the conjunction of a compassionate motive with a lethal intention. Attempts to salvage the commentarial reading by showing it to be consistent with commentarial opinion elsewhere add little support. The first two examples (the smiling king and the bed-bug egg) simply repeat *Abhidhamma* dogma, and the third (the cases of freed animals), like the case of the sick monk itself, can be more convincingly explained on the alternative hypothesis that intention, and not motive, is morally determinative for the *Vinaya*.

II. Why is Compassionate Killing Impossible?

We saw in the preceding section that the commentators were obliged by their adherence to axiom 2 and the CBR to offer a far-fetched interpretation of the *Vinaya* case. But why does the *Abhidhamma* commit itself to the CBR in the first place? Noting that he is simply explicating the *Abhidhamma* position rather than defending it (197 n.34), Gethin reviews the *Abhidhamma*'s stance in the context of “the broader framework of the values that underpin Buddhist thought and practice” (178). He concludes there are “two reasons” why the *Abhidhamma* “does not allow that the decisive intention leading to the killing of a living [being] can ever be other than unwholesome and associated with some form of aversion (*dosa*)” (189). These are (1) that killing a living being does not provide a permanent solution to the problem of *dukkha* for that being; and (2) that cultivating friendliness and compassion is a more appropriate and prac-

tical response in the face of suffering (189f). Taking the discussion as a whole, I think five reasons can be identified and these are discussed below. These five reasons, to recap, are offered as empirical evidence from broadly-based Buddhist teachings to support the *Abhidhamma*'s theoretical claims as formulated in axioms 1 and 2.

Reason 1: death presents a special opportunity

In an interesting reading of the commentary, Gethin sees the notion of “untimely death” (*akāla-maraṇa*) as informing the commentator’s views, and believes this sheds light on the judgment. According to the commentary, the death of the sick monk was “untimely” (*antarā*), insofar as the intervention of the other monks caused him to die before his natural lifespan (*āyus*) was exhausted. Gethin explains:

What the commentary suggests is that it is quite proper to recommend death to the dying as an occasion when there is a special opportunity for making crucial advances on the path: it is a time when the paths and fruits of stream-entry, once-return, never-return or even *arahatship* might be attained. But this opportunity is grasped not by actively hastening death, by willing the advent of death, but rather by renewing one’s commitment to one’s practice and cultivating mindfulness (183f).¹⁹

The argument here seems to be that hastening death is incompatible with end-of-life spiritual practice because the special opportunity that death presents will not be available. Whether this is true or not, it

¹⁹ We may note in passing that as an argument against euthanasia, the fact that death presents a “special opportunity” will not carry much weight in the absence of belief in rebirth.

only shows that hastening death may be a bad idea from a soteriological perspective, not that it cannot be done with compassion.

But in any event, is it really the case that euthanasia is inherently detrimental to spiritual practice? While a patient who chooses euthanasia will clearly have less *time* for spiritual practice, the opportunity to grasp the paths and fruits will presumably still be available at the time of death *whenever it occurs*. The canonical cases of arahat suicide, while problematic in many respects, appear to show that hastening death is not a bar to attaining even the loftiest spiritual goals.²⁰ Nor does the *Vinaya* case give any reason to think that the sick monk was denied any special opportunity merely because his death was hastened. If the commentary is to be believed, the monk died because he ceased to take food, suggesting the process of dying would have taken some time, perhaps days or even weeks.²¹ One assumes this would allow time for reflection on suffering and impermanence, and as far as we can tell nothing in the manner of his death prohibited the exercise of mindful awareness when death was imminent.

The twin facts that death presents a special opportunity and that euthanasia shortens life, then, do not amount to an argument against either suicide or euthanasia as specific *modes* of death. An advocate of euthanasia may point out, furthermore, that euthanasia can provide the *optimum* spiritual conditions for dying by allowing the patient to die mindfully at a time, place, and in the manner of her choosing. From a spiritual point of view this would seem preferable to living a little longer

²⁰ On arahat suicide see Analāyo, Delhey (“Views”, “Vakkali”), Keown (“Buddhism”, “Suicide”), Kovan.

²¹ British right-to-die campaigner Jean Davies, age 86, who had “chronic health issues” lived for five weeks after refusing food, and two weeks more after additionally refusing water (*Mail Online*, 20 October 2014: “Grandmother aged 86 starved herself to death over five weeks in right-to-die battle”).

but perhaps dying in less advantageous circumstances, such as when heavily sedated or in a coma.

Reason 2: refusal to face the reality of suffering

The second reason suggests compassionate killing is wrong because it involves “some form of refusal to face the reality of suffering—a reality that real wisdom and compassion faces up to” (Gethin 184). This could mean various things. If it means that the appropriate way for the sick to face the reality of suffering is never to seek relief from pain, it would seem to be in conflict with the practice of palliative care, something that Buddhist compassion would itself seem to require.

More likely, the “refusal to face the reality of suffering” is thought to involve a *moral* failure, a lack of courage in confronting unpleasant facts. This seems to be confirmed when killing those who are suffering is described as “a quick fix that precisely avoids confronting the problem of suffering” (Gethin 184). Again, advocates of euthanasia may point out that rather than a quick fix, euthanasia is often a last resort, chosen with reluctance after years of courageously battling a debilitating condition. They may add that a decision to choose euthanasia represents not a refusal to face the reality of suffering but a willingness to bravely confront it. Someone who chooses euthanasia, it might be suggested, has faced up to her condition with realism and overcome both attachment to life and the fear of death.²²

²² The case of the husband of right-to-die advocate Margaret Battin is instructive in this respect and shows that the decision to choose euthanasia can be far from a “quick fix” (<http://www.nytimes.com/2013/07/21/magazine/a-life-or-death-situation.html>).

Reason 3: self-deception

Following on from the previous point, Gethin quotes a contemporary author to the effect that euthanasia inevitably involves an element of self-deception on the part of those who administer it:

In Buddhist psychology, “mercy killing” or active euthanasia cannot be carried out without ill-will or feeling of repugnance (*dosa*) of the perpetrator toward the fact of the patient’s suffering . . . So when a doctor performs what, he believes is “mercy killing,” actually it is due to his repugnance of the patient’s pain and suffering which disturb his mind. . . . If he understood this psychological process he would recognize the hidden hatred that arises in his mind at the time of performing the lethal deed and would not deceive himself with the belief that this deed was motivated by benevolence alone. (185)

As a modern restatement of *Abhidhamma* dogma, this view is equally speculative in its claims regarding motivation. We may wonder how the author (who is not a doctor) can be sure what is in every doctor’s mind when he performs euthanasia. We can imagine that some less-caring doctors may indeed feel aversion and not be sorry to see the back of a troublesome patient. Others may act with clinical detachment.²³ It seems likely, however, that some, and perhaps the majority, will be mo-

²³ Something of this kind would seem to apply in the case of the Australian pro-euthanasia advocate Dr. Philip Nitschke. According to the report of a medical tribunal “Nitschke admitted in his testimony that that had become rather nonchalant about requests for help in committing suicide: ‘So in that sense, I suppose I’m hardened to them. I’m not surprised when I get them and I behave to them perhaps on a way which some would see as insensitive.’” Quoted in *Bioedge* http://www.bioedge.org/index.php/bioethics/bioethics_article/11278.

tivated by compassion for their patient. If this happens in even a single case, of course, *Abhidhamma* dogma on the impossibility of compassionate killing is falsified. What must be highly unlikely, at least, is that *in every case* a doctor will be motivated by hatred and feel “repugnance” at the moment he or she administers a lethal injection.

To put the ancient case in a modern context, euthanasia became legal in the Netherlands in 1984 and upwards of 4000 cases a year are currently performed.²⁴ It stretches belief that every one of these cases involves “hidden hatred” and that not a single case is performed from a benevolent desire to ease suffering. Nevertheless, this is what the *Abhidhamma* requires. To these doctors the *Abhidhamma* effectively says: “No, you did not act out of compassion. You may think you did, but you are deceiving yourselves. While we have no knowledge of you, your patients, or their condition, we have a table of eighty-nine states of consciousness that excludes the possibility of compassionate killing, so while you may indeed have felt compassion on and off at various times we tell you with complete certainty that at the moment you performed the lethal act you were motivated by hatred and repugnance, even if you lacked the self-awareness to realize it.” One can only imagine the surprise of the Dutch medical profession at this revelation.

Apart from Dutch doctors, numerous apparently sincere people all over the world state that after years of lovingly caring for a sick partner or relative they acted solely from compassion in ending their lives on request. Such claims are routinely examined in the courts, where a

²⁴ In 2012 there were 4,188 cases of euthanasia according to official figures quoted in the press (*Mail Online*, 3 October 2014: “Number of mentally ill patients killed by euthanasia trebles in a year as doctors warn assisted suicide is ‘out of control’”). Recent estimates suggest that the annual total continues to grow and is currently (2016) over 5,000. The legalization was the result of a decision of the Supreme Court in 1984, and in 2002 the court’s ruling was translated into statutory form.

distinction is drawn between compassionate and other motives.²⁵ There seems no good reason to doubt what credible witnesses claim and the courts affirm, namely that compassionate killing is an everyday fact of life.²⁶

Reason 4: the alternative approach

The fourth reason focuses more on the “alternative approach” (Gethin 185) that Buddhism offers. The suggestion here is that “cultivating friendliness and compassion in the face of suffering is . . . a very practical response to the problem of suffering brought about by sickness and old age” (Gethin 185f). Two stories are recounted showing the therapeutic power of *mettā* when linked to affirmations of truth (*sacca-kiriyā*) with respect to the abstention from taking life. It is hard to disagree with the general point here, but an opponent could argue that the practice of *mettā* is not incompatible with compassionate killing: there seems to be no failure of *mettā* in accompanying someone in her suffering to the point where she decides she can go on no longer. When this point is

²⁵ For example, the Director of Public Prosecutions in the UK has published guidelines for prosecutors in cases of assisted suicide. The second of six factors which make prosecution less likely is that “the suspect was wholly motivated by compassion.” One of the “public interest” factors that makes prosecution more likely is “the suspect was not wholly motivated by compassion; for example, the suspect was motivated by the prospect that he or she or a person closely connected to him or her stood to gain in some way from the death of the victim” (https://www.cps.gov.uk/publications/prosecution/assisted_suicide_policy.html).

²⁶ While the *Vinaya* case has implications mainly for the ethics of suicide and euthanasia, we may note in passing that the same considerations apply to abortion: according to the *Abhidhamma*, a doctor who believes she performs an abortion out of compassion is simply deluded, since her true motivation can only be “repugnance” and “hidden hatred.”

reached, euthanasia can also be a “practical response to the problem of suffering” motivated by friendliness (*mettā*) and compassion (*karuṇā*) as its supporters claim.²⁷

Reason 5: a psycho-ethical puzzle

The final reason is simply a long-stop challenge to anyone contemplating euthanasia who finds the *Abhidhamma*’s claim about the impossibility of compassionate killing unpersuasive. Here the *Abhidhamma* is said to offer “a kind of psycho-ethical puzzle or riddle” of the following nature:

If you can intentionally kill out of compassion, then fine, go ahead. But are you sure? Are you sure that what you think are friendliness and compassion are really friendliness and compassion? Are you sure that some subtle aversion and delusion have not surfaced in the mind? (Gethin 190)

Unless one is enlightened, there is no way to be sure that subtle aversion and delusion have not surfaced in the mind. The best the unenlightened person can do is act reasonably and in good conscience, accepting that errors of judgment are always possible.

Rather than a puzzle or riddle, then, the challenge above is best seen as a straightforward question that anyone contemplating euthanasia should ponder, namely: “Am I doing the right thing?” Or, more specifically: “Are my motives indeed compassionate, as I believe them to be, and have I come to a sober and rational judgment taking into account all

²⁷ There is a hint in this answer of a possible deontological objection to euthanasia arising from the connection between the abstention from taking life and affirmations of truth, but this more promising line of argument is not developed further.

the relevant medical facts and ethical issues?” Imagine that after a period of reflection someone concludes, as many Dutch doctors and others might, that their motives are indeed friendliness and compassion and they have examined the facts of the case thoroughly before deciding to perform euthanasia. What does the *Abhidhamma* say to them now? I think it finds itself in a quandary. If it accepts their answer as truthful, it will be forced to admit that compassionate killing is indeed possible and retract its previous denial, effectively causing its theory of “psychological ethics” to unravel. The alternative is to cling to the mantra that killing from compassion is psychologically impossible and dismiss as delusory overwhelming testimony to the contrary.

Having considered the above five reasons, we are no closer to understanding why “the decisive intention leading to the killing of a living being can ever be other than unwholesome and associated with some form of aversion (*dosa*)” (Gethin 189). The five reasons discussed have little bearing on the question: at best they suggest reasons why compassionate killing may be inadvisable, but provide no support for the stronger claim that it is *psychologically impossible*.

At the end of the first two sections, we reach the interim conclusion that the *Abhidhamma*’s theoretical claims as expressed in axioms 1 and 2 are undermined by empirical evidence from both the *Vinaya* and everyday experience, as well as lacking support in broadly-based Buddhist teachings. In these circumstances the opinion of Aristotle seems pertinent: “in the matter of conduct truth is assessed in the light of the facts and of actual life . . . if it accords with the facts, we can accept it, but if it conflicts with them we must regard it as no more than a theory.”²⁸

²⁸ *Nicomachean Ethics* 1179a 20 (276).

III. *Abhidhamma* Action Theory

It is to an aspect of moral theory that we now turn. According to axiom 1, motive plays the determining role in moral evaluation. Here we ask why motivation is prioritized in this way, particularly when the Buddha identified karma not with motive (i.e., the “roots” or *mūla*), but with intention (*cetanā*) (A.iii.415). We will see that the answer lies in the *Abhidhamma*’s distinctive theory of action, and that this is the source of axiom 1. According to this theory, as Devdas explains, motive, intention, and action are regarded as different aspects of the same phenomenon:

The *Atthasālinī* interprets the act (*kamma*) to be an expression of a purposive impulse (*cetanā*), and the purposive impulse to be an expression of a specific wholesome or unwholesome state of mind (*citta*) that arises in the continuum of consciousness. The three are seen as aspects of a single process with no disparities or contradictions between them. (“Study” 423)

Scholars agree that the moral character of this “single process” is determined solely by motivation. Gethin notes:

In order to determine an act as “moral” or “immoral” in the framework of Buddhist thought assumed by the Pāli commentarial tradition, we have to ask whether it is *kusala* or *akusala*, and this is a question about the nature of the motivations (*hetu*) that function as the roots (*mūla*) of and so underlie the intention or will (*cetanā*) to act, nothing else. (180)

And again:

For the Theravāda Buddhist tradition there is in the end only one question one has to ask to determine whether an

act is wholesome (*kusala*) or unwholesome (*akusala*): is it motivated by greed, hatred, and delusion, or is it motivated by nonattachment, friendliness, and wisdom. (190)

Devdas observes, “*Kamma* is *cetanā* expressed in action” (“Study” 204), and “the factors of mental *kamma* condition *cetanā* by virtue of their identification with the ‘roots’ (*mūlāni*) of wholesome and unwholesome action” (“Study” 385). She explains that *cetanā* “actualizes” or “makes concrete the moral values that reside in the state of mind,” confirming that “without the link to the . . . ‘roots of action,’ the act would not have moral value” (“Study” 389). Nyanaponika notes that the roots are “the main criteria by which a state of consciousness is determined to be wholesome” (*Abhidharma* 127),²⁹ and with reference to the influence of the roots on other *cetasikas* observes, “Their ‘root sap’ actuates and nourishes these other factors and gives to such as are in themselves ‘colourless’, that is neutral, the ‘colour’ of a wholesome quality” (*Abhidharma* 128). Bhikkhu Bodhi notes “volition [*cetanā*] . . . is in its own nature without ethical distinctiveness. Volition acquires its distinctive ethical quality from certain other mental factors known as roots (*mula*)” (“Nourishing” 254). Devdas confirms this when she observes, “Since the purposive impulse (*cetanā*) always arises through participation in a state of mind (*citta*) and is conditioned by concomitant factors, the ethical quality of the intention is not intrinsic to it but is derived from the state of mind to which it belongs” (“Study” 424).

For the *Abhidhamma*, accordingly, an intentional act cannot be evaluated independently of motivation because intention and motive are morally identical. While in the absence of intention (*cetanā*) there would be no phenomenon which could be the subject of moral appraisal, inten-

²⁹ Other factors like shame (*hiri*) and remorse (*ottappa*) condition the mindset (*citta*) as well, but the roots are thought to exert a predominant influence on its moral status.

tion is not morally determinative, nor is the act through which it finds expression: for the *Abhidhamma*, an intentional act simply reflects the moral quality of the motivational roots like the moon reflects the light of the sun.

Vinaya v Abhidhamma

Once the above is understood, the reason why the *Vinaya* case presents such a problem for the commentators becomes clear, since the case demonstrates the opposite of what the *Abhidhamma* theory of action predicts. As noted in section one, the Buddha did *not* judge motivation to be morally determinative, and found the monks guilty *in spite of* their benevolent motivation. I have suggested for him it was intention (*cetanā*) that played the crucial role in determining guilt. Heim agrees that in the *Vinaya*, “Intention . . . is not to be confused with motivation” (218f), and confirms, “In assessing culpability in moral transgression, intention is central” (133). It follows that “A person’s motivation for committing an infraction is usually not relevant to the judgment of the case” (169). I think this is correct, but if so does it not directly contradict the *Abhidhamma* thesis that the motivational roots play the dominant role in moral evaluation (axiom 1)?³⁰

A possible explanation for the discrepancy between the two *piṭakas* is that different genres of literature are involved, and the prioritization of intention is a function of the practical nature of the *Vinaya-piṭaka*.³¹ The *Vinaya*, as a code of legal regulations governing communal life, is more concerned with observable behavior than it is with states of

³⁰ Heim does not appear to see any incompatibility between the *Abhidhamma* and *Vinaya piṭakas* as regards action theory.

³¹ On the relevance of genre see Heim (2013: 15f).

mind. As such, it may be thought, different criteria are appropriate for judging transgressions: perhaps *moral* transgressions are judged by reference to motive, while *legal* transgressions are judged by reference to intention.

This line of argument is unpersuasive, however, since the rule in question indisputably concerns a *moral* value: a breach of the third *pārājika* is also a breach of the first precept. As Gethin recognizes (176), the commentary to the third *pārājika* confirms that the rule concerns a “universal fault” (*loka-vajja*) as opposed merely to a fault by convention (*paṇṇatti-vajja*), such as a regulation solely binding on Buddhist clergy. Heim notes all four *pārājika* offenses are classified by Buddhaghosa as *sīla* rather than *ācāra*, and characterized by him as “heavy and wicked” (145). The *Vinaya* and *Abhidhamma* thus agree that intentionally to take human life is *morally* wrong. What they disagree about is why this is.

This disagreement between the two *piṭakas* over the nature of moral culpability is much deeper than a question of literary genre, and the *Vinaya* focus on intention seems to presuppose an alternative theory of action to that of the *Abhidhamma*. What is crucial to culpability in the *Vinaya* is not motivation but the intentional performance of prohibited acts. *Vinaya* jurisprudence accepts, as does common-sense morality, that a conceptual distinction can be made between the moral character of an intentional act and the actor’s motivation. Accordingly, it makes sense to say that a person can do wrong from a good motive (for example, stealing to give to charity). The actions of the monks in the *Vinaya* case, I suggest, share this moral structure, but it is one the *Abhidhamma* theory of action cannot accommodate.

Motivation

The above discussion should not be read as suggesting that motivation is unimportant. The motivational roots reveal the habitual condition of the heart (*citta*), and have an important role to play in both soteriology and ethics. The symbolic depiction of the toxic roots at the center of the “wheel of life” (*bhavacakra*) reveals their soteriological importance. These roots are to be eradicated because they are diametrically opposed to psychological well-being as epitomized in the awakened consciousness.

From an ethical point of view, the toxic roots incline one to evil acts, and living a moral life is to a large degree a matter of regulating disordered desires through the cultivation of virtue. Human behavior is often driven by complex and conflicting impulses, and the presence of such internal conflicts, along with external constraints on behavior like duress, must be taken into consideration when determining degrees of culpability and—in a legal context like the *Vinaya*—modulating penalties. Motives and intentions, however, can be appraised independently: motives are typically evaluated in terms of praise or blame, and intentional acts in terms of right or wrong. A comprehensive appraisal will take *both* into account, judging an intentional act on the basis of whether it flows from a praiseworthy (“wholesome”) motive and is in accordance with objective moral norms (such as the precepts).

It is this second criterion that the *Abhidhamma*’s psychological reductionism fails to capture,³² leaving its “psychological ethics” incom-

³² Nyanaponika seems to grasp this point in his essay “The Roots of Good and Evil” when he writes, “An intentional action performed by body or speech is immoral—an evil or a ‘sin’—when it is motivated by the unwholesome roots *and is intentionally and directly harmful to others*” (*Abhidhamma* xii, original emphasis). On the following page he continues, “When greed, hatred, and delusion, in any degree, do not cause intentional harm to others, they are not evil or immoral in the strict sense of our definition. However, they are still kammically unwholesome . . .” The distinction between “kammically

plete as a theory of Buddhist ethics. The *Abhidhamma* is right to the extent that any act motivated by the toxic roots will be morally contaminated from its inception. However, additional criteria come into play when judging human acts. The roots are like the appetite that intention seeks to satisfy, and just as particular foods can be good or bad for bodily health independently of appetite, so particular acts can be good or bad for human well-being independently of motivation.

IV. The Classification of Actions “By Root” (CBR)

In addition to its idiosyncratic theory of action described in the preceding section, the *Abhidhamma*’s “psychological ethics” depends heavily on axiom 2, as expressed in the CBR. As Devdas explains, this classification links the three motivational roots to specific items in the ten “paths of action” (*kamma**patha*) in the following manner:

the unwholesome deeds of killing living beings, slander, and harsh speech are rooted in hate (*dosa*);³³ stealing, sexual misconduct, and lying spring from greed (*lobha*); and frivolous speech is an outgrowth of delusion (*moha*). This bare list encodes many dimensions of Theravada’s “psychological ethics.” (“Study” 385)

unwholesome” and “immoral” is a useful one, and it seems to me Nyanaponika is right to focus on the property of being “intentionally and directly harmful to others” as a key characteristic of immoral action. However, in adding this further criterion he appears to go beyond the orthodox *Abhidhamma* understanding (at least as expressed by the scholars quoted in section III), which is that intention derives its moral quality from the “roots” and lacks intrinsic moral status.

³³ This is the view of the *Nettipakaraṇa*. According to *Abhidhammatthasaṅgaha* V.23 (Bodhi *Comprehensive* 207) slander can arise from either *lobha* or *dosa*.

In the *Suttanta*, references to evil actions being “rooted” in greed, hatred and delusion mean only that greed, hatred, and delusion are often the cause of wrongful acts.³⁴ The *Abhidhamma*, however, glides from the acknowledged causal (*hetu*) relationship between the roots and the ten bad paths of action (*akusala-kamma-patha*) to the view that the moral status of the ten paths is *derived* from the roots. This is the inference that generates axiom 1, and leads the *Abhidhamma* to the erroneous conclusion that evil acts like killing are wrong *because* of their association with the toxic roots and for no other reason (recall that justifications of a non-psychological nature have been comprehensively ruled out). The *objective fact* that in a case of killing a human life is lost now becomes little more than a technicality in the definition of an offense.³⁵

In reaching the conclusion that the moral status of actions is determined by the roots, the *Abhidhamma* believed it had identified a universal common denominator of moral and immoral action. It further believed, given its enthusiasm for holistic system-building,³⁶ that this prin-

³⁴ As Vélez de Cea notes, in the *Kālāma Sutta* the Buddha says, “a greedy, hating, and deluded person will kill, steal, sexually misbehave, and lie” (2004: 136). See *Itivuttaka* 84, “hatred gives rise to misfortune” (*anattahajanano doso*); A.i.216.

³⁵ The commentarial definition of the *kamma-patha* of killing includes the death of the victim (Gethin 172), but this is simply a technical requirement of the offence: the death of the victim is not what makes the act immoral. On *Abhidhamma* criteria, at least as Gethin explains the position, the immorality of the *kamma-patha* of killing is due solely to the presence of hatred and delusion in the mind of the murderer. As noted above, whether an act is *kusala* or not is said to be a function of the roots and “nothing else.” The kammic consequences of a completed (as opposed to incomplete) *kamma-patha* are graver since only a completed *kamma-patha* produces “rebirth-linking” kamma, but the difference in kammic effects seems to be due to the intensity of the motivational roots rather than to any natural property of the act.

³⁶ Heim regrets that Buddhist ethics is “unfortunately treated in a holistic fashion by many scholars” (30), but it would be difficult to find a more holistic treatment of Buddhist ethics than the *Abhidhamma*’s attempt to classify the moral status of every con-

ciple could be the foundation of a comprehensive moral taxonomy. On this basis, it embarked on its ambitious project to morally map the three psycho-cosmological realms (*avacara*), and proceeded to hardwire the supposed *a priori* linkages between roots and acts into a taxonomy of eighty-nine possible conscious states.

Although believed to be exhaustive, however, the resultant grid is less comprehensive than its authors assume because the taxonomy naturally cannot parse a situation in which an immoral act is performed from a good motive. This particular volitional configuration is problematic because, as explained in the previous section, *Abhidhamma* action theory holds that the moral quality of an intentional act cannot differ from the moral quality of its motivation. The reason compassionate killing is “psychologically impossible” in the *Abhidhamma* framework therefore turns out to be purely taxonomic: the required class of consciousness was excluded at the outset from the universe of possible permutations of morally inflected states of mind. The *Abhidhamma* thus constructed its ambitious psycho-ethical edifice using a flawed blueprint.

An anomaly: harsh speech

The theoretical flaws in the blueprint show up as anomalies in practice. Where intentional killing is concerned, the commentators treat the CBR as a kind of “categorical imperative” expressing what Gethin calls “a fundamental principle of the way in which the mind and intention operate” (178).

ceivable state of consciousness in all spheres of existence. Anālayo notes as characteristic of the *Abhidharma* “the drive towards a comprehensive coverage of all that there is,” and an aspiration to supersede the other two *piṭakas* by providing “a complete map of everything in some way related to the path” (*Dawn* 168f).

Judgments about the sixth *kamma*patha concerning harsh speech, however, appear to be reached on an *a posteriori* basis that ignores the supposedly *a priori* linkage between motivation and immoral action. The sixth *kamma*patha is classified by the *Abhidhamma* in the same way as the first *kamma*patha against taking life: both are said to be invariably broken out of aversion and delusion and to be accompanied by painful feeling; neither can be accommodated within the eight classes of wholesome sense-sphere consciousness.³⁷ Nevertheless, as Heim notes, when the Buddha harshly rebukes the monk Sudinna for having sex with his former wife, “Buddhaghosa feels moved to say that the Buddha scolded him out of compassion, just as parents sometimes need to scold their children harshly, even with terrible words” (154). And when a mother speaks harshly to her child, Buddhaghosa explains (Asl.100) there was no harsh speech because of “tenderness of heart” (*citta-saṅhatāya*).³⁸ Heim confirms with respect to harsh speech, “regardless of the apparent action, the actual thought underlying it is the essential criterion of the moral quality and results of the action” (71). Gethin states the principle more broadly when he observes, “it is indeed impossible to do wrong (such as perform an act that is *akusala*) from an immediate motive that is good (*kusala*)” (180). This means that since compassion (*karuṇā*) is a morally good (*kusala*) motive, it cannot be associated with immoral (*akusala*) conduct.

Many people would agree that the use of harsh speech in the circumstances described is not immoral. However, it is difficult to reconcile

³⁷ *Abhidhammatthasaṅgaha* v.23, Bodhi (2012: 208).

³⁸ In the same place Buddhaghosa gives the example of teachers scolding students out of concern for their welfare. Similar logic can be seen in the *Kathāvatthu* commentary which points out that “even the giving of an unpleasant thing—for example, bitter medicine—must be regarded as a morally good act, provided that it has its source in a beneficent state of mind (*hita-citta*)” (Devdas “Study” 275; See423).

this intuition with the CBR. Two problems, in particular, present themselves. First, why is it psychologically possible to use harsh speech out of compassion, but psychologically *impossible* to kill out of compassion, even though both actions share identical roots? And second, from an evaluative perspective, if no wrong is done when harsh speech is uttered from compassion, why is the same not true when killing is performed from the same motive? Perhaps it will be claimed that the use of harsh speech is different, or exceptional in some way, but in what way? In both cases a prohibited act is chosen as a means to long-term good. In both cases the victim suffers harm: psychological harm in the first case (the trauma of hearing “terrible words”), and physical harm in the second. If it is claimed that a harsh-sounding utterance is not in fact “harsh speech” when the motive is compassion, it needs to be explained why a violent-looking assault is not really an “assault” when the motive is compassion. If compassion legitimates the use of harsh speech, the same moral logic commits the *Abhidhamma* to the conclusion that compassion legitimates the taking of life. It follows further that killing from compassion is not only psychologically possible but morally good (*kusala*), since the act arises from a good motivational root.

Mahāyāna ethics

The above conclusion was not lost on Mahāyāna authors. Towards the end of his article, Gethin makes reference to the famous episode in the *Upayakauśalyasūtra* where the Buddha in a previous life is said to have assassinated a would-be murderer. He sees this as representing “a deliberate challenge to mainstream Buddhist ethics” (189) and is certainly right, since the episode presents a challenge to the traditional authority of the precepts. At the same time it is the *Abhidhamma* that undermines the precepts by holding that moral good and evil pivot solely on motivation. When, in Gethin’s words, the *Abhidhamma* extends the rhetorical

invitation “If you can intentionally kill out of compassion, then fine, go ahead” (190), it confirms that killing from compassion is *in principle morally permissible*. An influential strand of the Mahāyāna took the *Abhidhamma* at its word and began to sanction killing and other breaches of the precepts in a manner that has continued down to modern times.³⁹ The scholastic project of reducing ethics to psychology thus backfired, leaving the doctrine of “skillful means” as the *Abhidhamma*’s antinomian legacy.

Conclusion

The *Vinaya* case serves as a useful point of departure for an examination of the empirical, normative and metaethical implications of the *Abhidhamma*’s “distinctively Buddhist psychological take on ethical issues” (Gethin 169). From an empirical perspective, the dogma of the impossibility of compassionate killing involves three unlikely claims: first, that killing is always motivated by hatred; second, that at the moment of performing a lethal act the compassionate actor’s motivation flips from compassion to hatred and back again; and third, that the agent has no awareness of this abrupt change in motivation. Apart from being counterintuitive, these claims are vulnerable to everyday counterexamples

³⁹ Such appeals were usually bolstered, as in the *Upayakauśalyasūtra* itself, by consequentialist speculation about favorable karmic outcomes, whereas for the *Abhidhamma* the primary justification lies in the motivation. Perhaps even in the Mahāyāna doctrine of “skillful means” the real work of justification is done by motivation rather than consequences, since the latter are simply a ripple in the karmic continuum caused by the former. For contemporary examples of Mahāyāna rationalizations for breaking the first precept see Victoria (e.g. *Zen, Stories*).

such as euthanasia and other homicidal scenarios where there is no reason to assume that hatred plays any part.⁴⁰

From a normative perspective, we saw that the *Abhidhamma* has no moral argument against euthanasia. Essentially, it opposes the practice not because it regards the intentional taking of life as objectively wrong, but because it regards the presence of aversion in the mind as spiritually harmful. If the presence of aversion is contingent rather than necessary, however, as the empirical evidence suggests, even this limited objection evaporates. The dogma that killing inevitably involves aversion, moreover, leads to counterintuitive conclusions in other contexts. It means that the owner who lovingly puts down a sick pet; the householder who kills in self-defense or in defense of her family; the police officer who kills an armed criminal in the line of duty; and the soldier who uses lethal force against terrorists or an invading enemy army, are all at a crucial moment motivated by hatred or aversion (whether they know it or not) and hence act immorally.⁴¹ By denying there can be circumstances in which the use of lethal force is morally justified (meaning that no bad karma is produced, not even a little), the *Abhidhamma* blocked the development of an ethics of self-defense and just war, leav-

⁴⁰ The leading case that follows the inauguration of the third *pārājika* (Vin.i.71f), for example, concerns a sick layman whose death was motivated by lust for his wife on the part of the group of six monks (*chabbaggiyā*). It seems perverse to suggest, as the *Abhidhamma* must, that the “decisive” (*sanittḥāpaka*) motive for the killing was not lust for the wife but hatred of the husband.

⁴¹ In his explanatory translation of the *Abhidhammathasaṅgaha*, Ven Narada Maha Thera offers four examples to support the *Abhidhamma* claim that “killing is invariably done with illwill or aversion” (39). These concern a child who smilingly kills an ant; a hunter who kills for sport; a vivisectionist; and the mercy-killing of a wounded animal. To maintain his thesis, the author has to assume what is in question and claim (with the exception of the child who does not know right from wrong) that compassion is replaced by hatred at the precise moment of killing.

ing total pacifism as the only option—one routinely rejected in practice by Buddhist societies.

From a metaethical perspective, we saw that the foundational axioms of the *Abhidhamma*'s "psychological ethics" are false. Contrary to axiom 1, motive is not morally determinative, and contrary to axiom 2, there is no necessary correlation between motivation and immoral acts. Unfortunately for the *Abhidhamma*, the nature of moral action is too complex to be appraised solely in terms of the motivational roots (or, we might add, solely by reference to consequences, a point on which the *Abhidhamma* and *Vinaya* are in agreement). In focusing exclusively on the psychological "push" factor, the *Abhidhamma* was looking down the wrong end of the telescope, and largely ignored the teleological "pull" of intention—the moral criterion paramount in the *Vinaya*—and its implications for the well-being of self and others.⁴² In adopting psychological reductionism as a metatheory the *Abhidhamma* abandoned the nascent attempts of the *Suttanta* and *Vinaya* to formulate objective principles and guidelines for the pursuit of human good and became the unwitting intellectual author of Mahāyāna antinomianism.⁴³

⁴² Perhaps the *Abhidhamma* was reacting against the early Jain view that causing injury or harm was evil "regardless of the intention and mental attitude of the agent" (Devdas "Study" 84f). Unfortunately, rather than finding the middle way, the *Abhidhamma* went to the other extreme and deprived intentional acts of objective moral status. This contrast finds a parallel in medieval Western debates between Physicalism and Abelardianism, positions rejected as extreme by orthodox interpreters.

⁴³ Gethin suggests: "*Abhidhamma*—and hence I think mainstream Buddhist ethics—is not ultimately concerned to lay down ethical rules, or even ethical principles." "In the end," he suggests, "ethical principles cannot solve the problem of how to act in the world" (190). This seems difficult to reconcile with the moral teachings of the Nikāyas, where a variety of ethical rules and principles are laid down offering guidance on how to act in the world. The Golden Rule (Dhp. 129-130) is just one example. Such principles must be supplemented, of course, by the virtue of practical wisdom (the ability to make

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wise choices in particular situations), a virtue that goes unnamed in Buddhism. Harvey and Vélez de Cea (133ff.) provide summaries of the moral criteria found in early sources.

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