

Journal of Buddhist Ethics

ISSN 1076-9005

<http://jbe.gold.ac.uk/>

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J. Duncan M. Derrett

Emeritus Professor of Oriental Laws  
School of Oriental and African Studies  
University of London

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# Musāvāda-virati and “privileged lies”<sup>1</sup>

J. Duncan M. Derrett

Emeritus Professor of Oriental Laws  
School of Oriental and African Studies  
University of London

## Preamble

The four components of *micchā-vācā* (“wrong speech”)<sup>2</sup>—that is lies (specifically “conscious lying”), vulgar abuse, backbiting, and idle chatter—can hardly ever have hindered the average talker. However, “A liar should have a good memory” (a maxim used by Quintilian). The Cretans were famous for lying (Titus 1:12) and the Parthians were champion liars (Horace, *Epistle* 2.1, 112). The Old Israel was, we are told complacently, well equipped with lies, and proud of it.<sup>3</sup> People who are lacking independence will find lying essential. Malicious comments, too, find ready ears (Horace, *Satires* 1.3, 38-75). Modern “soaps” present characters of all ages lying imaginatively and with verve. Early Christians developed the virtue of truthfulness on slender authority, for so had their Jewish background.<sup>4</sup> Judeo-Christianity presented “false accusation” as a malady (Luke 19:8; 2 Timothy 3:3; Titus 2:3) and how to punish false witnesses preoccupied their predecessors (Deuteronomy 19:16, 18; Psalms 7:12, 35:11; Temple Scroll 61:7-11). We may compare the *Vinaya*’s rich material on “wrong speech” with the meager Jewish *halakhic* (traditional normative) and sectarian material on the same subject, for if they are of equal antiquity they are quite dissimilar, and each may throw light on the other.<sup>5</sup> A key is to be found in “privileged lies,” present in Judaism, Christianity, and even more significantly in Hinduism, but totally missing from Buddhism.

A privileged lie cannot exist where (1) lies are totally forbidden, or (2) lying is so common that no excuse for it is expected. A lie is “privileged” where it is commonly excused, granted that lying in general is reprehended. A good illustration is to tell a terminally ill patient that there exist hopes of his recovery. In a system knowing privileged lies these are usually harmless to the hearer. The answer “Not at home” is conventional, a piece of politeness. “I do not know” may well be a lie, but may avoid much trouble. In Buddhism, where there are no privileged lies, one may conclude that lies are so injurious that no convenience can excuse lying. One may confirm this from other indications, but to tell the tale a series of comparisons is called for. If Judaism and Christianity provide material, Hinduism, approximating to the matrix from which Buddhism sprung, is more interesting. If Hindu “privileged lies” may do calculable harm, the victim’s convenience is ignored.

### Renunciation

The laity opting for Buddhism, after the three “refuges,” renounces five activities, the fourth of them being lying.<sup>6</sup> Fortunately for daily life he/she does not have to renounce abuse, backbiting, and idle chatter. If this were required laywomen in particular might wonder. But young aspirants to noviceship alert to the ten *sikkhāpadas* (Vin.iv.105-106) had a surprise awaiting them. He/she renounces *musā-vāda* (Skt. *mṛṣā-vāda*) (lying) in solemn form,<sup>7</sup> and then discovers that by doing so he/she has renounced three quite separate disapproved uses of speech which may not contain “conscious lying.” This recurs when the renunciation is repeated before ordination as a monk or nun.<sup>8</sup> They come up against *pharusa* (Skt. *paraṣa, pārūṣika*), alternatively *omasavāda* (*omṛṣyavāda*),<sup>9</sup> implying words that “touch” their victim, rude or harsh speech (for nuns see Vin.iv.308-309); *pisuṇa* (Skt. *piśuna, piśunya*), backbiting (apart from defamation: D.iii.15); and then *samphappalāpa* (Skt. *sambhinna-pralāpa*), frivolous, inconsequential speech.<sup>10</sup> For lying the monk may be submitted to *sangha* discipline under *pācittiya* number 1 (Vin.iv.1.5ff.); again under *pācittiya* number two for abuse; and under

*pācittiya* number three for backbiting of a monk including slander of the same. For nuns the Pāli *Pātimokkha* makes these offences numbers 97-99.<sup>11</sup> But abuse, backbiting, and frivolous talk (itself not penalized) can all occur without any deception intended. For verbal assault can well be reprehensible even if true (*The Laws of Manu* (hereafter *Manu*) 8:267-277). For novices' information *musā-vāda* covers both truthful and untruthful communications, and the rubric *musā-vāda-vagga*, found in some places,<sup>12</sup> suggests that the entire group protects the *sangha*.

We may look into "conscious lying" (cf. Vin.iv.214), for which a novice may be expelled (Vin.i.85; iv.84),<sup>13</sup> but first we should notice that lying has three aspects, only one of which is obvious. Firstly lies deceive and the victim has a ground for complaint. Rarely indeed may the liar encounter a skeptic who believes nothing without corroboration, or the awesome cynic who is impervious to flattery (S.ii.243-244). From these we pass to categories of lies that operate to the hearer's advantage, and again others which the hearer suspects to be false but wants to believe (for example, "You are the most beautiful woman I have met"). Slander and gossip are intensified where one elicits it from others or approves of the result (Sn.397). Secondly lying may be viewed as an aspect of liars' personalities. Lying is required for confidence-trickery, upon which a career may be founded. A capable liar may achieve anything disreputable (Dhp.176). Thirdly a lie, particularly flattery, may undermine a monk's or nun's search for the "incomparable peace" (S.ii.242 paragraph 6, 243 paragraph 4). This aspect will hold our attention.

## Lying

Buddhists could distinguish factual lies from lies with philosophical or religious contexts.<sup>14</sup> Lying included equivocation (D.i.25) and it was punishable (D.iii.92-93). There are no privileged lies that played a colorful role in other cultures.<sup>15</sup> Every *musā-vāda* must have its ingredients, which the *Vinaya* lays out with casuistic detail.<sup>16</sup> There must be words uttered (though gestures may serve); the utterance is part of an intelligible conversation; and there

must be an intention to deceive (Vin.iv.2). Five ingredients are listed: the object itself; the consciousness of falsity; the attentive mind; consciousness of the lie containing the intention to deceive (Sn.129); and the speech itself.<sup>17</sup> A common example (M.i.286; iii.47-48) is where a witness before a tribunal states he was where he was not, or saw what he did not see, or the reverse (cf. *Manu* 8.13). One can tell lies about one’s opinions, equally reprehensibly. Truth-telling will include honoring one’s promises (D.iii.170). The purpose of the deceit is irrelevant. There are exceptions, not however “privileged.” Lies are excused if they are jokes (Vin.iv.3), though not always (Vin.iv.11). No rigorist has been recorded who would not utter a lie even by way of a joke, like Epaminondas.<sup>18</sup> One might falsely claim an enlightened status out of mistaken elation (monks’ *pārājika* four; nuns’ *pārājika* six); this did not count as a lie. Alas, not to reveal one’s offences was a “conscious lie” (*Pātimokkha, nidānuddesa*).<sup>19</sup>

The Textbook for novices of the Mahāsāṃghika school, after handling lying, goes immediately to describe calumny. A baseless accusation may suffice to revile a monk,<sup>20</sup> but a well-founded imputation may be an offence under *pācittiya* 2. False accusations intended to “ruin” a monk<sup>21</sup> are naturally offences. Malicious defamation of a monk comes under *sanghādisesa* 8 (Vin.iii.157-166), indirect defamation under *sanghādisesa* 9 (Vin.iii.161-170). The Textbook’s author categorizes abuse under birth, name, clan, work, craft, marks, disease, passion, attainment, and low mode of address (following Vin.iv.4, 6-9). “You black thing; your family are sweepers” may be truthful, but it leads to expulsion of the speaker from the *sangha*. Ironical praise can be insulting and comes under this heading (Textbook trans. IV.8). No one is too low to be insulted (Vin.ii.7-11).

Leaving calumny the Textbook takes up backbiting (Textbook trans. IV.14, text p. 58). The Pāli *Vinaya* is thin on this topic. *Pisuṇa* attempts to divide friends or obtain friendship by, for example, causing dissension (Vin.iv.12, 14). The *Vinaya* title *bhikkhu-pisuṇa* indicates monks as possible victims (others suggest the slander is by a monk),<sup>22</sup> but the offence of *pisuṇa* is general. The words might be true or false. The Textbook goes no further (trans. p. 65, n. 28). *Samphappalāpa* is not an offence within the *Pātimokkha*.

Perhaps it should have been, seeing that it is a version of “animal-talk.”<sup>23</sup>

The section linking *musā-vāda* with *pharusa* and *pisuṇa* is only apparently anomalous, because lies can figure in both. The novice or monk, having renounced all lies, appreciates that abuse and backbiting make pawns of their hearers. Expulsion results from either misconduct (Textbook text p. 58, IV.16, trans. p. 65). Meanwhile to be abused was welcomed amongst Hindus because the victim’s merit grew at the expense of the abuser.<sup>24</sup> The *sangha* would have none of that—the victim’s situation was irrelevant. Jain casuistic rules regarding truth and lies are comparable with the Buddhist, save that certain lies are privileged.<sup>25</sup>

### Privileged Lies

The *Vinaya*, as we have seen, allows certain untruths to pass unpunished when due to a misunderstanding and innocent of a desire to deceive (Vin.iii.103-108). This is not an exception to the ban on privileged lies. A glance at Hindu ideas may be helpful. In Vedic times, truths, both factual and imaginary, reflecting myths, were understood. Likewise in Manu’s time truth and religion were still related (*Manu* 1.82; 4.175). Manu appreciates truth-telling (1.29; 3.40), unless tactless (4.138; cf. *Mahābhārata* 1.77, 28; cf. M.iii.230). When he requires the religious student to tell the truth (*Manu* 2.179; cf. A.iii.153) he includes both types of truth; perhaps not merely to ease the guru’s task. The role of student required truth-telling and chastity: competing attachments were excluded. This we shall find useful. Truth-telling was generally admired especially where cheating was possible (*Manu* 9.71). Lies incurred punishments in other lives (8.94-96) and purification in this (5.145). With this as the background one notices a list of lies which one might tell without qualms. One should lie to save a life (8.104). With this Jains naturally agreed. There was no crime in a Hindu’s false oath about desired women, or marriages, fodder for cows, fuel, and helping a Brahmin (8.112). Hindu authorities defend lies to protect wealth, even that of non-Brahmins.<sup>26</sup> Long ago Anglo-Indian judges studied *Manu* in the Sanskrit, and it is no wonder they fantasized about Hindu mendacity. They did not en-

counter Buddhism. They tended to follow Cicero (*De Divinatione* 2.71, 146) in disbelieving liars even when they spoke the truth.

### **Jewish Attitudes to Lying**

Hindu and Buddhist precepts concerning lies are contemporary with ancient Judaism. Praise of truth and complaints against liars are common in Hebrew scriptures (for example Psalms 4:3, 5:7), yet a want of general prohibitions (see below) is striking. By the time this was noticed privileged lies had arisen. Rab Judah said in the name of Mar Samuel (who died about 257 C.E.) that a scholar could be presumed reliable in a question of lost property provided he told lies in three contexts only. He might lie concerning a tractate (whether he knew it); a bed (whether he performed his conjugal duties); and hospitality (whether it was adequate)—a short but intriguing list.<sup>27</sup> One might praise a bride’s beauty notwithstanding her manifest squint and limp (Babylonian Talmud, *Ket.* 17a). One may lie for the sake of peace (Babylonian Talmud, *Yev.* 62b). The list hardly developed; but what of the Jewish Law’s prohibitions of lies? If Buddhism was comprehensive in condemning lies Judaism had only a list of prohibited lies. These are (1) raising a false report (Exodus 23:10); (2) being a tale-bearer (Leviticus 19:16); (3) joining in deceitful proceedings (Exodus 23:7); (4) false testimony in court (Exodus 20:16; Deuteronomy 5:10; cf. Matthew 19:10); (5) false weights and measures (Leviticus 19:35-36; Deuteronomy 25:13-15; Proverbs 11:1) and deceit in commerce (Josephus, *Apion* 2.216); (6) false swearing (Exodus 20:7; Leviticus 6:5, 19:12); (7) misdirecting travelers (Deuteronomy 27:18); and (8) false prophecy (Deuteronomy 13:1-5, 18:20-23; Jeremiah 5:31, 43:2). The frauds of Jacob are extenuated: Rebecca was the culprit and the Lord connived at a lie of exigency (Genesis 27:13-24; Jubilees 26:9-19). Furthermore it was a civil wrong falsely to accuse a bride of lacking virginity (Deuteronomy 22:13-21). An innovative teacher could be accused of seducing the people,<sup>28</sup> whether his words were unverifiable or not (John 5:30-31).

Despite his encomium of the Pentateuch (*Apion* 2.147) and his praise of fellow-Jews for their skill in detecting deceit in others (2.292) Josephus does

not credit the Law with prohibition of lying as such; yet post-biblical Judaism developed a condemnation of cheating (Babylonian Talmud, *Hullin* 94a) as G. F. Moore shows.<sup>29</sup> True, many translations find a prohibition of lying even in the Pentateuch; but Leviticus 19:11c can be rendered “thou shalt not cheat” (cf. the Jewish Publication Society’s *Tanakh* (1985) and the *New Jerusalem Bible* (1990)), and in its context (cf. Leviticus 6:1-5) verse 11c refers primarily to commerce.<sup>30</sup>

At this point we should glance at the Qumran sectaries’ ideas. Their codes penalized severely one who lied about property (Community Rule VI 24-25; Damascus Document XIV; cf. Acts 5:4,9), other lies being less harshly punished, even general deceit (Community Rule VII.151; Damascus Document XXV) and false accusation of a comrade (Community Rule VII.17). None of these regulations claims scriptural authority; monastic conditions suggested (evidently) an amplification of the Law. Rabbis of the post-Christian era developed awareness of the sin of deceit, some cases being gathered by Moore. Authentic opinions are reflected, in Maimonides’s *Code*, volume 2 (the *Book of Knowledge*), chapter two, paragraph six, the particulars of which would exceed our space.

Church casuistry on lying hangs from Exodus 20:16 (above). Thus mere lying is not a grievous sin. Privacy and secrets must be protected; the “emergency” and “officious” lies are venial. If Kant held (after St Augustine) that lying was always wrong, the utilitarian view about privileged lies gains favor. Mental restrictions are known; jokes are no lies; and there are legitimate reasons for lying. Scandal and defamation are indeed reprehended (Romans 1:29-30), but these are not necessarily lies (as we have seen). The demands for truth at Ephesians 5:37 are subject to limitations.<sup>31</sup> The word “liar” can be a term of abuse.<sup>32</sup> Revilers and those given to “foolish talking” have hell as their destination (Revelation 21:8) and Leviticus 19:11c seems to be applied widely at Ephesians 4:25. But it is significant that in none of the Christian lists of evildoers who shall not enter the Kingdom of God (1 Corinthians 6:9-10; Galatians 5:20-21; Ephesians 5:4-5) do liars figure. The religious aspect of “truth” persists in Christianity as it did in Qumran,<sup>33</sup> but no Christian penalty for “liars” as such emerged in ancient times.

It could be surmised that the net difference between the Buddhists and the Jews derives from the *sangha*'s needs (A.iii.153). A monastic community can easily lose its reputation. A member guilty of *musā-vāda* might well be unfit for monastic life. The Qumran folk, with their experience of monasticism might well supplement the Law of Moses, which they revered. But Christians, inveighing in passing<sup>34</sup> against lying (Ephesians 4:25) well before their monasteries developed, issued no comprehensive prohibition and on the contrary expanded the scope of privileged lying, which came to include “lies of exigency.”<sup>35</sup>

### Conclusion

Can the discrepancy between Buddhist and Pentateuchal laws be explained by reference to religion? In Hinduism lying was forbidden during sacrifices (cf. *Manu* 3.41). The patron of a Vedic sacrifice even had to avoid boasting of his munificence after it, or he lost his merit (*Manu* 3.229-230; 4.236-237). He had to remain chaste and plainly aspects of probity were required.<sup>36</sup> From Vedic times “truth,” implying reality,<sup>37</sup> had been associated with *ṛta* (the cosmic order):<sup>38</sup> to tamper with one would prejudice the other. Truth-telling was virtuous.<sup>39</sup> Untruth drew up the liar's roots.<sup>40</sup> *Varuṇa* punished the liar with dropsy (*Rgveda* 7.49,3; 59.3-4; *Manu* 8:82). If a lie would vitiate a sacrifice the patron's wife must confess her adulteries. But we note that lying here appertains to the patron only—no harm would come to anyone else if he failed to obey the rules. This line of thought pre-existed the Buddha. Has he built upon it? The Jews had no such rules. Indeed lying in matters of religion alarmed the Qumran folk (Damascus Document I.15), and they penalized certain lies in their communities. By the time rabbis had come to recognize privileged lies their system regarded all other deceits as reprehensible.

The supersensory results of being a liar deserve closer attention. According to *Manu* liars suffer penalties in the way of inauspicious rebirths and may be liable to fines (8.89-108; 8.36, 59-60, 119-123). What harm they may have done is disregarded—the lie is a subjective experience. Irrespec-

tive of what may take place within the *sangha*, Buddhists agree (M.i.286, ii.149, 179, iii.209) that liars are reborn with bad teeth and breath<sup>41</sup> and throat diseases. Those guilty of *pharusa-vācā* encounter dust and unpleasing sounds and sights, and those indulging in *pisuṇa-vācā* contact harmful things, are elated by false reports and become involved in general dissension.<sup>42</sup> Such learning cannot be traced in Judaism, where certain deceits may be avenged in heaven but in general the effects of lies remain in this world.

A solution to our question may lie more in Judaism's regarding each lie as an injury. Insults, too, and injuries deserve a judicious punishment rather than retaliation. Such deeds are viewed from the victim's stand-point. In commerce lying is common. Truth may be suppressed and what is false may be suggested. To insist on truth-telling hardly fits life as we know it. The Pentateuchal prohibitions of specific lies attempt to obviate private and public injuries. The case is different with the Buddhist *sikkhāpadas* with which the novice and postulant for ordination are confronted. We look for our solution in them. The series betrays a common element. *Noscitur a sociis* ("he is known from his companions") is a useful maxim. *Musā-vāda* must have something in common with the other nine *sikkhāpadas*.

To renounce the taking of life protects, indeed, even invisible, insignificant, and inedible creatures in water and turf, but it benefits the novice him/herself. Murder is not the sole consideration. To renounce "what has not been given" indeed protects householders and others but it controls covetousness. Chastity is a personal condition: to renounce breach of chastity will achieve more than protect novices from suspicion of rape or seduction. Likewise intoxicating liquors fuddle the head—they injure no one else. To avoid sleeping on high beds asserts a humble status (cf. *Manu* 2.198), indifferent to comfort. To eschew dancing, music, and other public entertainments retains command over one's mind. To reject garlands, perfumes, and ornaments is to escape honorific or other adornments that others admire. To avoid eating at the "wrong time" is to discipline the stomach, however helpful such a rule might be for kitchens. Gold, silver, and even copper corrupt the recipient and reinforce an interest in markets.

So the prohibition of lying, equally with those of *pisuṇa* and *pharusa*, is devised to preserve the quest of the member or intending member of the *sangha*, the same who must simply ignore gossip and chatter whatever their content (S.i.201). That quest is prejudiced by watching the opinions of others. Even enmity and especially jealousy are invisible ties to the victim. Backbiting exemplifies this: one wishes the friendship of X who is presently attached to Y; one is therefore emotionally tied to X. Even the intention to deceive implies concern for another’s beliefs or plans. The liar requires dupes as a spider requires flies. Though monks were not expected to litigate in state courts, the rule that a nun may be expelled for bringing a suit against one who defames her (Bhikkhunī-sanghādisesa 1; V.iv.223-224)<sup>43</sup> confirms that the nun’s perfection is foreign to civil law. She demeans herself by retaliation on an enemy.

All these instances of dependence upon others are hostile to a quest for the freedoms<sup>44</sup> of Buddhism, freedom of mind and freedom of insight. Nor is this outlook confined to monasteries. Even the committed Buddhist layperson had punishment to expect in some bad fate, a much less significant consequence being the factual outcome (*vipāka*) of misconduct. Taking life involves a person’s life being shortened; lying involves a person’s being slandered; backbiting involves the breaking of friendships; rude speech involves “unpleasing noise”; frivolous talk indeed involves irrelevant communication—but it is the supernatural results to the speaker that matter. He has not actually left the world.<sup>45</sup>

The happy rebirths or even *nibbāna* that the *sangha* facilitates are prejudiced by every act of lying, and so forth. As soon as these offences are confessed under the *pācittiya* rules the individual returns to his path, purified (however temporarily) from those handicaps. No such idea has as yet been found in non-Buddhist traditions.<sup>46</sup> Even the concept “privileged lies” sounds absurd in Buddhist ears, having no more sense than “privileged pilfering”—which in fact Hinduism had (*Manu* 8:37, 339, 341, 350-351).

## Notes

<sup>1</sup> This supersedes J. D. M. Derrett (1980).

<sup>2</sup> M.iii.73; cf. *vācāya adhammacariyā-visamacariyā* (M.i.286). To practice “right speech” (*sappurisā vācā*) is to abstain from the entire series (M.iii.23; cf. 230).

<sup>3</sup> E. Hershey Sneath (1927:183) with abundant citations. W. D. Paterson in J. Hastings (1900:113). Emphasis may be placed on John 1:47.

<sup>4</sup> 2 Samuel 15:6; Psalms 7:14, 15:2, 24:4, 34:13-141, 120:3, 119:118; Proverbs 19:22, 30:6; Isaiah 59:13; Hosea 7:1; Micah 2:11. Neziqin 13.50-62 in Lauterbach (1961:105) (stealing hearts of people).

<sup>5</sup> Popular works on Buddhist ethics include Tachibana (1980, ch. 18) and Saddhatissa (1970:106-108). These abstain from comparison save that Tachibana gives abundant references to Hindu “privileged lies” at p. 250, n. 1.

<sup>6</sup> Ananda (attribution uncertain), *Upāsakajanālakāra*, 220-224. For this work see Oskar Von Hinuber (2000, paragraph 386).

<sup>7</sup> Sanghasen Singh (1968:52-58) (hereafter this is referred to as “Textbook text”); Derrett (1983:59-65) (hereafter this is referred to as “Textbook trans.”). Sanghasen Singh wrote on this compendium in Sanghasen Singh (1975) and Sanghasen Singh (1986). He attributes the text to the sixth to eighth centuries C.E. For all forms of “wrong speech” see Textbook p. 8 and Pachow (1955:121-122). Cf. M.ii.35-36, 51, 101.

<sup>8</sup> Sn 158; D.i.4, 135, iii.70-71, 232, 269. The series is developed at M.iii.22, 33-34. At A.i.414 separate *viratis* are required from *musā-vāda* and the set commencing with *pisuṇa-vācā* up to *samphappalāpa* (cf. M.181-182). Even as late as *Divyāvādāna* 301.23 *mṛṣā-vādikā* appear in a catena of sinners including *paśunikāḥ*. For a king’s admonition see D.ii.174.

<sup>9</sup> Pruitt and Norman (2001:46), *Pācittiya* 2 (V.iv.6.5), also p. 194, no. 98 (for nuns). See also Thakur (1975:19, *pācattika* 2).

<sup>10</sup> *Tiracchāna-kathā*, “animal talk,” is dealt with by Derrett (2005:101-103).

<sup>11</sup> Pruitt and Norman, *Pātimokkha*, p. 46, p. 194.

<sup>12</sup> Pruitt and Norman, p. 46. At p. 194-195 we find *musāvādavagga* placed correctly at the head but wrongly at the foot. There are doubts at no. 106. For the connection see D.iii.106.

<sup>13</sup> For expulsion as loss of status see Ste Hüsken, “The application of the *vinaya* term *nāsanā*,” *Journal of the international Association of Buddhist Studies* 20 (1997) 93-111, p. 100.

<sup>14</sup> For the *first* see Sn.122 (false witness), 242, 397, and D.ii.174; for the *second* see Sn.757, 885, 1131, A.1.149. For prohibitions see Sn.400, 967.

<sup>15</sup> Textbook trans. IV.6 and 8.

<sup>16</sup> Huxley (1999:315-319).

<sup>17</sup> Textbook trans. IV.10, cf. *pācittiya* 1 (V.iv.2). Whether one indeed deceives is irrelevant—the problem is subjective. False accusations of a *pārājika* figure as *sanghādisesa* 8; of a *sanghādisesa* is *pācittiya* 76. To falsely arouse remorse in others is *pācittiya* 77 (V.iv.147-148).

<sup>18</sup> Cornelius Nepos, *Epaminondas*. 3,1.

<sup>19</sup> Pruitt and Norman, *Pātimokkha*, p. 4, l. 22. Also V.i.102; ii 85.

<sup>20</sup> Abuse and insults: Textbook text p. 57, IV.13. Cf. V.i.84; iii.168; iv.4-11.

<sup>21</sup> Textbook text p. 57, IV.12.

<sup>22</sup> Horner (1992:156 and n. 4). This might fit Textbook text IV.14, p. 58 and V.i.84; iv.12-13.

<sup>23</sup> See n. 9 above. Cf. Damascus Document X.17-18.

<sup>24</sup> Derrett (1997).

<sup>25</sup> Derrett (1980-1981). One may add MBh i.77,16; 8,49; 29,53; 12.35,25; 110,16; 159, 28.

<sup>26</sup> See *Manu* 8.103-4, 112, 123.

<sup>27</sup> Babylonian Talmud, *B.M.* 23b-24a; *Ket.* 17a; *Yev.* 65b, 62a. Moore (1958:189).

<sup>28</sup> For references see Derrett (2002:87, n. 9). See also Derrett (1994).

<sup>29</sup> Moore (1958), 168-191. See also Ecclesiasticus 7:12-13; Babylonian Talmud, *Sanhedrin* 92a.

<sup>30</sup> Maimonides’ Negative Commandment no. 249 (deceit). Philo, *On the Special Laws* 4, 39-40: lies as part of a catena of immoral acts commencing

with theft. Jeremiah 23:32 and Babylonian Talmud, *Sanhedrin*. 55a. Zephaniah 3:13: on the Day of the Lord lies will cease.

<sup>31</sup> See above n. 3 (Paterson, 1900), p. 113 citing Genesis 20:2 and 1 Samuel 21:13. Davis (1943:410-428); Anon. (Dutch Hierarchy) (1967:442-443); Jones (1984:227-229); MacNiven (1993:30, 55-56). The Gospel of Thomas, log.6, line 18 attempts to correct the want of a prohibition (cf. also Colossians 3:9). *Catechism of the Catholic Church* (2004), paragraphs 2452, 2484-2486, 2488-2489.

<sup>32</sup> Josephus, *Apion* 2.144; Vermes (2004:54, 61, 63, 137y 510, 519).

<sup>33</sup> 4Q270, frag. 7, Vermes (2004:145); cf. John 8:14, 14:6, 18:37-38.

<sup>34</sup> Burton (1977:282, pt. 1, sec. 2, subsection 11).

<sup>35</sup> Davis (1943:414-415).

<sup>36</sup> Note *Manu* 3.250. Scrupulousness stretches to the ritual for the dead (*śrāddha*). Moral purification is required (*Manu* 3.235). Buddhists ignore this requirement.

<sup>37</sup> RV 1.85.11; 10.190.1; 10.34.2; 12.7.5, and elsewhere. Truth is sight: B.U. 5.14.4.

<sup>38</sup> Note RV 1.165.13; 1.165.10; 9.113.41; 10.5.7. Kauś. U. 4.5. Truth and myth: .RV 10.85.1. Gods revere *satyam*: B.U. 5.5.1. The liar is destroyed by an ordeal: Ch. U. 6.16.1-2.

<sup>39</sup> RV 4.5.5; 7.10.6; 8.79.6. There is an earnest search for truth: B.U. 1.3.28. Injunction to speak truth: T.U. 1.1; 1.12.

<sup>40</sup> B.U. 5.6.1.

<sup>41</sup> Cf. Williams (1963:78).

<sup>42</sup> Cf Lévi (1932:76-79, trans., p. 142).

<sup>43</sup> Horner (1992:179, n. 7) enlarges on the point.

<sup>44</sup> *Chittanvimutta*: D.i.80; A.ii.216; iii.21; *paññāvimutta*: S.i.191; ii.123-125; *vimutta-citta*: A.ii.198-199; *ceti-vimutta*: A.iii.290-292; cf. John 8:32-36.

<sup>45</sup> A.iv.247-248, paragraph 40. *Upāsakajanālaṅkāra*, p. 223, paragraph 127. According to William Shakespeare (*As You Like It*, Act 5, scene 4), lying blemishes the gentlemanly image.

<sup>46</sup> Mahāyāna sees the renunciations as directed to the needs of others. Suzuki (1990:94-95).

### Abbreviations

- A. Aṅguttara-nikāya  
B.U. Bṛhadāraṇyaka Upaniṣad  
D. Dīgha-nikāya  
Dhp. *Dhammapada*  
Ket. *Ketubot*  
Kauś. *Kauśītakī Upaniṣad*  
M. *Majjhima-nikāya*  
R.V. *Ṛgveda*  
S. *Samyutta-nikāya*  
Sn. *Sutta-nipāta*  
Skt. Sanskrit  
T.U. *Taittirīya Upaniṣad*  
V, Vin. Vinaya  
Yev. *Yevamot*

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