Chapter -2

2.0. An Analysis of Methunadhammasikkhāpada

The *Methunadhammasikkhāpada* is the first *Pārājika*. It concerns with sexual intercourse. It is vital important for a monk or nun to abstain from sexual intercourse, because the sexual desire forbids the spiritual progression. Therefore, the Buddha seriously prohibited the monk from taking part in sexual life. Therefore the Buddha laid down this first *pārājika* rule. The present chapter mentions the original *pārājika* rule, the English translation of the rule, the critical notes, the history of the rule, the comparison with Civil Laws, the seven sexual fetters and its relevance to social life. In fact, the controlling of sexual desire is very important not only for monks but also for laymen.

2.1. The original Pāli rule

"Yo pana bhikkhu bhikkhunī sikkhāsājīva samāpanno sikkham appccakkhāya dubbalyam anāvikatvā methunam dhamman dhamman patiseveya antamaso tiracchānagatāyapi, pārājiko hoti asaṁvāso."¹

¹ Vi 1, 44.
2.2. The English translation of the rule

“If any monk, having a participation in the training and livelihood of the monks, without having renounced the training, without having declared his weakness, would engage in the sexual intercourse, even with a female animal, he is defeated and no longer in communion.”2

2.3. Critical notes3

Yopana bhikkhu means any monk, or whatever monk.4

Sikkhā sājīva samāpanna: entered in the training and livelihood, according to Bhikkhu Nānamoli, Having undertaken the bhikkhus’ training, precepts and way of life, as per Horner, possessed of the training and mode of life for monks. It is divided into three words;

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3 Vi 1, 35
4 Hinuber suggest that “Yo pana” here connects this rule, and all others. Yo pana bhikkhu by which the bhikkhu who conceals offences by remaining silent is contrasted the pure bhikkhu. During the recitation it is assumed that a bhikkhu is free from offences and does not listen with unconfessed offences. Vin II, 240. The recurring pana is thus, according to him, for the sake of referring beck to the statement in the Nidāna.” Pātimokkha” by Hinuber, pg 49-50,1999. The Pātimokkha, however is not done only for bhikkhus who have fallen into offences and Hinuber overlooks the purpose of the Pātimokkha recitation as reminder for all bhikkhus, whether they have fallen into offences or not. Hinuber compares the form of the four akaraniyāni, Vin 1, 96-97, to the four Pārājika and notes that the akaraniyāni form is “yo bhikkhu” instead of “yo pana bhikkhu”. There is also an indicative in the akaraniyā instead of a portative: “yo bhikkhu methunāti dhammaññi patiseveti” instead of “yo bhikkhu methunāti dhammaññi patiseveyya”. The reason for this different is that akaraniyā are commands, while the Pārājika rules are warnings to remain the bhikkhus of the offences and their consequence, i.e, the punishment when an offence has been committed, assuming that the bhikkhus are free from offences. “A translation and Analysis of the Pātimokkha” pg 77, by Bhikkhu Nānatusita, 2008
sikkhā; three kinds of training, Sājīva and Samāpanna. Sājīva means mode of life. Whatever course of training is made known by the Buddha is called Sājīva, mode of life. One is trained in this; thereby one is called Sājīva samāpanna, possessed of the mode.

sikkhaṁ appccakkhāya means it is not disavowing the training.

Dubbalyaṁ: incapability, weakness, inability. Anāviktvā means not having disclosed.

Patiseveyya, indulges in or practice means whenever the male organ is made to enter the female, the male organ to enter the female, even for the length of a fruit of the sesame plant.

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5 (1) Adhisila Sikkhā, training in the higher morality; (2) Adhicitta Sikkhā, training in the higher taught. Vin 1, 45.

6 Dubbalyaṁ = dur; difficult, hard, bad; prefix+balyaṁ = bala, strength+ abstract suffix-ya. The doubling of the initial b of bala is due to assimilation with the final r of dur, as the consonant combination ṛḥ does not occur in Pāli. It is spelt as dubballā in the compound jigaccā dubballā in M I 13, and at A IV 456 a Burmese and a Sinhalese manuscript read sikhādubballāni instead of dubbalyāni. Often the consonant-combination-ly- is assimilated to ll. Thus dubbalya become in Pāli Grammar. “A translation and Analysis of the Pātimokkha” pg 77, by Bhikkhu ©yanatusita, 2008

7 The engagement in such act has been described as “inserting of the mark with the mark or sex organ with the six organs at least to the amount of mustard seed” patisevatināna: yo nimittena nimittatā nigajitāna nigajitān antamaso tilaphalamattapi paveseti eso patisevatināma. Vin 1, 55

In the subsequent description of engaging in sex, although involvement of two sexual organs and penetration are mentioned, giving thereby an impression of heterosexual sex, in its technical analysis what the rule specifies is not mere vaginal sex but sex in any one of the three modes, namely vaginal, anal and oral, the three modes being referred to as “three paths” tayomaggā in viṇṇa pāli text. This broadens the definition of the partner of sex, not confining to heterosexual act but sexual act between any two partners, whether or not belonging to the same sex. What really matters is whether or not sexual act involves of the “three paths” and not sex of those who are engaged in. in the technical analysis, following this convention, three females are identified as human, non-human and animal females and three males are identified as human, non-human and animal males. Although the category of non-human may be taken as including all non-human members including animals, in
Antamaso tiracchānagatāyapi, even with an animal means indulging in sexual intercourse with a female animal.

Pārājiko hoti means disqualified, one who is disqualified, excluded, deprived or dispose. Bhikkhu Ēnamoji translated as defeated and I.B. Honer translated it as one who is defeated. One whose head cut off cannot become one to live with that bodily connection, likewise, a monk indulging in sexual intercourse not a true recluse, not a true son of the Sakyans.

Asamvāsa means not in communion, not living with and not associated with. Sarivāsati means communion, live together with, associates with. In communion: one single legal act (eka kamma), one recitation (ekuddesa), and the state of equal training (samasikkhatā) are called the Pāli usage “amanussa” is usually taken to mean only non-human counterparts in sub-divine, demon or hungry-ghost spheres, and not even those who belong to the divine sphere. Although the involvement of two people has been mentioned in the definition of sex act, an incident, mentioned in the ‘case study’ (vinitavatthu), of a monk who took his own member by his own mouth and inserted his own member in his own anus have been judge to have violated the rule and guilty of pārājika offence. Series of incidents involving dead bodies show that the rule applies equally even if the ‘partner’ is not alive. (Vin 1, 56) “the Early Vinaya stand on Monastic Sexual Behavior: A study of the First pārājika of the Theravāda Vinaya” by Asanga Tilakaratne, University of Kelaniya,

8 What this term exactly means is given in the Vinaya: Pārājiko hotiti seyathāpi nāma puriso sisacchinno ababbho tena sarirabandhanena jīvītum, evameva bhikkhu methunañ patisevitvā asamano hoti asakyaputtiyo. Tena vuccati pārājiko hotiti. Vin 1, 55. Note that pārājika is not a past participle, but there is no suitable way of rendering it in English other than by a past participle. The similes given in the Padabhājaniya and the explanation in the commentary on the meaning of Pārājika involve past participles. Further, it appears to be a past participle by implication because it comes after some action has taken place. For past, participles are used as nouns. A translation and Analysis of the Pātimokkha” pg 78, by Bhikkhu Nyāmatusita, 2008/ The Saṅgha has only to take note of the fact that the offender is no more one of their fold and that they have no dealings with: na labhati bhikkhuhi saddhiñ sarivāsañ yathā pure tathā pacchā pārājiko hoti asamvāso. Vi 1, 233
communion. He is not together with that, therefore it is said not in communion.9

2.4. **The Story of Sudinna**10

The *Vinaya* literature contains many stories. There are three stories for first *pārājika*. Among them, the first story is about *Sudinna*. This story mentions how *pārājika* rule occurs in *Samgha* society. The *Vinaya* text, *pārājika pāli*, mentions as follow. At the time of the Buddha, there was a village called *Kalanda* near the town of *Vesālī*. There was a man named *Sudinna*, who was the son of a rich man of *Kalanda*. At one time *Sudinna* went to *Vesālī* for a business. At that time the Buddha seated, giving a Lecture on *Dhamma* to a large gathering of the people. *Sudinna* joined the gathering of people to listen *Dhamma*. Then he wants to join the Order of monks. Therefore, after finished the *Dhamma* lecture, he approached the Buddha and asked to join the Order of monks. The Buddha refused to give him permission

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9 Vi 1, 55. *Samantapāsādikā* 1, 260 / This shows that the sense of ‘defeat’, amounting to losing one’s monkhood, has much stronger connotation than it would usually believe to contain. By violating this rule one becomes ‘un-associable’ (*asaṅvāsa*) by the *saṅgha*. The *saṅgha* cannot execute *vinaya* acts having him /her as a member, cannot recite the *Vinaya* together and does not share the same mode of training with the particular person any more: *asaṅvāsonā ma ekakammamū ekuddeso samasikhā, eso sativāsonāma, so tena saddhim natthi, tena vuccati asaṅvāsoti*. Vi 1, 55, “the Early *Vinaya* stand on Monastic Sexual Behaviour: A study of the First *pārājika* of the *Theravāda Vinaya*” by Asanga Tilakaratne, University of Kelaniya.

10 Vin 1, 17 / “The first *pārājika* was promulgated at *Vesālī* on account of *Sudinna* with regard to sexual intercourse.
because his parents have not yet given their permission for him to join
the Order of monks.

He went back to his parents and asked for permissions up to three
times to join the Order of monks. But his parents refused to give him
permission for it. Finally, he slept on the ground without eating
anything and said that he would stay there until he either becomes a
monk or die. When some friends of Sudinna persuaded his parents they
gave him permission to become a monk. Therefore, he was ordained by
the Buddha. Soon after his ordination, Venerable Sudinna went far away
from his parents to the land of the Vajjī. There he diligently practiced
the duties of a monk, also observing some of the Dhutanga, austerities.11

Sometimes later, there came to be a great famine in the land of
the Vajjī. It was difficult for livelihood. Therefore, Venerable Sudinna
decided to return to his home village of Kalanda and looked to his
family for his basic needs. His parents were overjoyed to see their son
return after such a long time.12 The next morning Venerable Sudinna
went to his parent’s house. The parents came to Venerable Sudinna and

11 According to Vin 1, the Venerable Sudinna diligently observed the four austerities (dhutanga): (1) the practice of ārādhīyikāga, living in the forest; (2) piṇḍhapātiṇīkaṇīga, (a bagger for alms), (3) paṇisukulīkaṇīga, wearing rags taken from the dust heap and (4) Sapadhānācārīkaṇīga, one who went on continuous alms-begging from house to house. Vin 1,30

12 According to Samantapāśādikā, Venerable Sudinna has not come back to see his parents for eight
years after his ordination. (Sayañ pabbajīya atthavassiko hutvā) Samantapāśādika 1, 31
persuade him to become a layman again by showing their wealth and properties.\textsuperscript{13}

Venerable \textit{Sudinna} said that he dare not leave the Order of monks and he is carrying out the noble practice very happily. Venerable \textit{Sudinna} said to his father that “you had better get some large jute bags, fill them with gold and silver to the full, carry them in carts to the Ganges River and throw them in the middle of the river water. If you ask me why you should do like this, I say that if you have property you are bound to have fear, or trembling, or bristling of the hair of the body, and keep guard. If you have no property, you will have no fear, no trembling.” When Venerable \textit{Sudinna} said like that, his father was not pleased. At the end of the meals the mother of Venerable \textit{Sudinna} said this clan is wealthy and rich. You can leave the Order of monks, enjoy our wealth and property and perform meritorious deeds.

He refused to listen to his mother. Then, his mother said to give the seed of child-birth (\textit{bij\text{a} kamma}, generative cell). She does not want to give her wealth and property to the \textit{Licchavi} kings.\textsuperscript{14}

\textsuperscript{13} The \textit{P\text{\text{"a}}\text{\text{"a}}jika P\text{\text{"a}}\text{\text{"a}}} said the parents of venerable \textit{Sudinna} made two very large piles of gold and silver. A man standing on one side of the pile was not able to see another man standing on the other side. The mother had the two piles covered with mats and spread a mattress in the middle with a screen around it. Vi1, 35

\textsuperscript{14} At the time, the Indian tradition was that wealth and property of the family who has no heir to inherit was occupied by the king.
Venerable Sudinna accepted his mother’s suggestion. So he pulled the arm of his ex-wife, entered the Mahāvana forest and had sexual intercourse three times with her. Later she gave birth to a male child. Then the friends of Sudinna gave the name of bijaka to the young child, gave the name of bijaka-mātā to the ex-wife and Sudinna himself become bijaka pitā. Then Venerable Sudinna became remorseful for his offence. Due to this state of mores and restlessness, he became lean and emancipated through lack of flesh and blood. The friends of Venerable Sudinna asked him “are you carrying out the noble practice without happiness.”

Venerable Sudinna confessed his offence that he has had sexual intercourse with his ex-wife. The monks reproached, criticized Venerable Sudinna in many ways and reported the matter to the Buddha. Then, the Buddha reproached Venerable Sudinna and laid down the

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15 Vinaya commentary 1.212 says that he said this thinking that if he had issue his relations would no longer bother him about looking after the property, and so he would be able to follow the Dhamma of recluse at ease. “ The book of discipline 1, 32” I. B. Horner
16 Eight years later both mother and son renounced the world and attained the realization, Arahants: Arahant means one who had eradicated of the greed, hatred, and delusion.
17 The Buddha said to Sudinna: it is not fit, not proper, unworthy of a recluse, not lawful and it ought not to be done. How is that you, foolish man, having gone forth under this dhamma and discipline which are well taught are not able for your lifetime to lead the holy life. It was better for you that your male organ should enter the mouth of a terrible and poisonous snake, than that it should enter a woman. It was better for you that your male organ should enter a charcoal pit, burning ablaze, afire, than that it should enter a woman organ. (varam te moghapurisa, āsīvisassa mukhe angajātāna na tueva mātugāmassa angajātāna pakkhiṭṭhāna. Varam te moghapurisa angārakā suyā āsittīya saṁhya jitalitā ya sājonibhutā ya angajātāna pakkhiṭṭhāna na tueva mātugāmassa angajāte pakkhiṭṭhāna. vi 1, 39.
first training of rules for the ten benefits\(^{18}\) of the Order of monks. This training rule is as follow:

2.4.1. “Yo pana bhikkhu methunaṃdhhammarājika hoti asamāvāso.”\(^{19}\)

2.4.2. The English Translation: “Should any monk, indulges in sexual intercourse, he is defeated and no longer in communion.

According to the story Venerable Sudinna is a good monk before committing the sexual intercourse. Later his parents had persuaded him and destroyed his peaceful life. But there is no offence for him because he is the first offender. At the time the first pārajika disciplinary rule was not laid down by the Buddha and Venerable Sudinna had not been seen sexual intercourse as an offence.

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\(^{18}\) (1) For saṅgha to accept and practice it. (2) for the welfare of saṅgha, (3) for suppression of those who break moral conduct or discipline, (4) for saṅgha who love moral discipline to live in peace, (5) for subjugation āsavas of the present, (6) for prevention of āsavas in the future, (7) for those who have not faith to have faith, (8) for those who have faith to have more faith, (9) for perpetuation of the noble teaching and (10) for morality (sīla) concentration (Samādhi) wisdom (pañña) promotion of the rules of Vinaya (disciplinary rules)

\(^{19}\) Vi 1, 25 / Vinaya commentary 259 gives pārajikoti parājito, parājayaṁ āpanno, defeated, fallen on defeat. According to this meaning pārajika exists for those people for whom there is an offence (āpatti) against the training. Whoever transgresses against the course of training, it defeats him (parājeto). Therefore it is called a defeat. Whoever commits an offence, that defeats him, therefore that is called a defeat. The man, inasmuch as defeated, fallen on defeat, is thereby called a defeated one.
2.5. *Story of female monkey*\textsuperscript{20}

The first *pārājika* rule shows that any monk who commits the sexual intercourse is defeated. Some monk thought that it was for only with human female and not for animal female. Therefore, this story occurred to the monks. At one time a monk had sexual intercourse with a female monkey. One morning the monk entered into *Vesāli* on an alms-round. In the meantime a number of visiting monks came to the monastery of that monk.

On seeing the visiting monk, the female monkey went to them shaking her hip as well as her tail. She also bent waist as a sign of sexual attraction. They were in doubt that this monk has enjoyed sexual intercourse with this female monkey. Therefore, they hid themselves at a place to investigate the monk on his return from the alms-round in *Vesāli*. When the resident monk returned from his alms-round, the female monkey approached the monk. He ate some of the alms-food and gave some to the female monkey.

After eating the foods the female monkey lowered down her waist and the monk had sexual intercourse with the female monkey. The visiting monks reproached the resident monk. The monk said that it is true that the Buddha lay down against human female, not animal. Then

\textsuperscript{20} Vi 1, 31
these Monks reproached in many ways and reported the matter to the Buddha. In this matter, the Buddha set forth the rule for monks as follow.

2.5.1. Pāji rule: *Yo pana bhikkhu methunam dhammarājita patiseveya antamaso tirachchānagatāyapi, pārājiko hoti asaṁvāso.*

2.5.2. The English Translation: *If any monk, engage in sexual intercourse, even with a female animal, he is defeated and no longer in communion.*

2.6. The story of Vajjī monks

The last story is about the Vajjī monks. At that time, the Vajjī monks ate, slept and took a bath as much as they liked. Having eaten, drunk and bathed, not having paid attention to the training, not having disavowed it, they indulged in sexual intercourse not having declared their weakness. Later, these Vajjī monks have desire to become a monkhood again. The Buddha said that it was impossible. For this reason, the Buddha set forth the first pārājika rule as mentioned above.

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21 Vi 1, 27
22 Vi 1, 33
23 *Sikkhā apaccakkhāya,* not having denied the teaching, not having said: “I enounce (formally) my submission to the discipline,” i.e. “I am no longer a monk”. Vi 1, 45
2.7. **Comparison with Civil Law**

This first *pārājika* rule is concerning with human law; it is the rape. Concerning with rape, according to Burmese code, there are many civil enactments. The numbers for civil enactment are Code No, 375, 376, 377, 497, 415 and 417.\(^{24}\)

If a monk indulges in sexual intercourse with a female animal as to *Vinaya* rule he is defeated and must return to layman life. He cannot be still monk. Moreover the monk who indulges in sexual intercourse with a female animal has to face many problems not only in *sāṅgha* society but also in human society according to their law.

Being indulge in sexual intercourse with a female animal can be called indulged in sexual intercourse according to civil law No, 377 due to transgress the boundary of man. He is transgressor.\(^ {25}\)

Therefore he can be given the punishment by Law No, 377 as sentence of imprisonment for whole life, sentence of imprisonment for ten years and taking money as punishment.

\(^{24}\) Myanmar Code, 130, 145, 147, 172

\(^{25}\) Myanmar Code, 377
2.8. **The Punishment for Rape**

According to civil enactment one who committed the rape, law No, 375, can give the punishment. The kinds of punishment are sentence of imprisonment for whole life, sentence of imprisonment for ten years and taking money as punishment.\(^{26}\)

After giving a promise to woman that he will get married to that woman and then if he will deny his promise it is not rape. It can be called lying. He can be punished for lying by Law No, 415, 417.\(^{27}\)

This first *pārajīka* is not totally similar to the rape. Dr Hari Singh Gour in explaining the principle that is behind the offence of “rape” says. In regard to offences dealing with sexual offences under the Penal Code, rape is considered as the gravest offence. He said that a man is said to commit a rape that has sexual intercourse with a woman under circumstance falling under any of the five following descriptions:

1. Against her will.
2. Without her consent.
3. With her consent when her consent has been obtained by putting her in fear of death or of hurt.

\(^{26}\) The Law of crimes: Ratanlal and Dhirajlal. 22nd Edition, Bombay. 130. 145

\(^{27}\) Myanmar Code , 142, 147
4. with her consent, when the man (the offender) knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she believes herself to be lawfully married.

5. With or without her consent, when she is under twelve years of age.28

The exception to the said that sexual intercourse by a man with his own wife, the wife not being under twelve years of age, is not rape. It is not legally permitted. But the penetration is sufficient to constitute the sexual intercourse necessary for the offence of rape. But in the case of sexual intercourse coming within the purview of the first pārājika rule such intercourse is not limited to females only, but it covers a wide range of individuals such as animal females, three kinds of hermaphrodites, (human, non human and animal), three kinds of eunuchs (human, non human and animal) and three kinds of males (human, non human and animal males).29

If sexual intercourse takes place with the consent of the woman, then it is not rape, and the man concerned has not committed any offence under the criminal law. But consent obtained as stated in third,

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28 “An analysis of the Theravāda Vinaya in the light of the Modern legal philosophy” pg 76, C. AnandaGrero,

29 “Universal declaration of Human Rights’ article 11.2. / “An analysis of the Theravāda Vinaya in the light of the Modern legal philosophy” pg 76, C. Ananda Grero,
fourth and fifth descriptions of the section is not real consent, and if a man had sexual intercourse with a woman with such consent then he had committed the offence of rape. If a monk has sexual intercourse with a female or male, with her or his consent yet he is regarded as one who had committed the offence involving defeat.

To constitute penetration it must be proved that some part of the virile member of the accused was within the labia of the pudendum of the woman no matter how little. The only thing to be ascertained is whether the private parts of the accused did enter into the person of the woman. It is not necessary to decide how far they entered. It is not essential that the hymen should be ruptured; provided it is clearly proved that there was penetration, even though partial.30

As already mentioned, even under the vinaya, if the male organ of a monk is made to enter the female organ to the extent of mustard seed, it is sufficient to constitute the offence of sexual intercourse. The gravity of the offence is such that even the slightest penetration is sufficient to consider that the offender has committed the offence both under the vinaya as well as the law dealing with sexual offences.

30 New Law reports, pg 73/ “Universal declaration of Human Rights’ article 11, 2. / “An analysis of the Theravāda Vinaya in the light of the Modern legal philosophy” pg 77, C. Ananda Grero,
The offence of rape deals with only human females who are alive and offence of carnal intercourse deals with human females, human males and animals that is alive. It is unthinkable for a man who is sane to have any sexual indulgence with a dead woman. But the monks were forbidden from indulging in sex even with a dead woman. Therefore, the purity of a monk’s life and character is well safeguarded.

2.9. **Feature of the first Pārajīka offence**

A commentary explains this offence in the following way. Now it is time to count the rules or feature of this offence so that we can know the person who commits this first Pārajīka offence. There are two factors for it. They are (1) Having a mind to indulge in sexual intercourse and (2) The male organ is made to enter the female’s organ, the male member to enter the female. These two are vital factors for this offence.

2.10. **The Explanation of Buddhist Sexual Ethics:**

**An Historical Perspective**

The section of the *Vinayapiṭaka* leading with this *pārajīka* offence is formulated in a very wide manner to cover all kinds of sexual relations. It deals with indulgence in sexual relations not only with

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31 *Vinaya* commentary 114, vi 1, 46
human females, but also with non-human females, three kinds of eunuch, and female animals. Besides, these, three kinds of eunuch, three kinds of males are also specifically mentioned.  

All details of the act, the mode of performing the act, all exceptions etc. are given in detail. These show the various ruses adopted by the offenders to transgress the basic rule. To escape the rule a monk had sexual intercourse while being naked in the hope that he could escape guilt, for he could claim that he was not wearing the robe while engaging in the act. The rule holds that the dress is immaterial, for law applies to the particular act that one should not perform while being a member of the Samgha community.

In this rule, the term sexual act refers to all kinds of sexual intercourse. The Vibhaṅga classifies the various types of intercourse by the organs involved; the genitals, the mouth, the anus and in any of the possible combinations (except for mouth to mouth, which is treated separately under Samghādisesa second), the sexual act has been performed when one organ enters the other even if just to “the extent of a sesame seed. This means that a monk engaging in genital, oral, or anal intercourse is subject to this rule regardless of which role he plays.

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32 According to Vibhaṅga there are three kinds of females: human female, non-human female and animal female. Three kinds of eunuchs are human eunuch, non-human eunuch and animal eunuchs. Three kinds of males are human male, non human male and animals. Vin 1, 56

33 Vi 1, 56
The full penalty under this rule applies to any voluntary sexual intercourse with a human being, a “non-human” being (a \textit{Yakkha, Nāga}, or \textit{Peta}), or a common animal, whether female, male, neuter, or hermaphrodite. Performing the sexual act with a dead body; even a decapitated head; also entails the full penalty if the remains of the body are intact enough for the act to be accomplished.

For the sexual act to count as an offence, the monk must know that it is happening and give his consent. Thus if he is sexually assaulted while asleep or otherwise unconscious and remains oblivious to what is happening, he incurs no penalty. If, however, he becomes conscious during the assault or was conscious right from the start, then whether he incurs a penalty depends on whether he gives his consent during any part of the act.

From the example in the \textit{Vinitavatthu},\textsuperscript{34} it would appear that consent refers to a mental state of acquiescence, together with its physical or verbal expression. Mere physical compliance does not account, as there are cases where monks forced into intercourse comply physically but without consenting mentally and so are absolved of any offence.

\textsuperscript{34} Vi 1, 63
The rules contain two patterns concerning what does and does not count as a physical expression of consent when one is forced into a situation that would break a rule. In two of the *Vinitavatthu* cases mentioned under this rule, monks are approached by women who volunteer to fondle them to the point where they emit semen. Both monks let them go ahead, and both incur the full penalty under *sāṁghādisesa* offence, not *pārājika* offence.

In such cases, the act happened counts as physical acquiescence. Under *sāṁghādisesa* second, however, if a monk is approached by a woman who fondles his body, and he consents mentally to what she is doing, he incurs a penalty if he says something or makes a physical move to indicate that consent, but no penalty, if he remains perfectly still.

If one is sexually assaulted, one is completely absolved from an offense only if (1) one does not give one's mental consent at any time during the act or (2) one does feel mental consent during at least part of the act but puts up a struggle so as not to express that consent physically or verbally in any way. If one puts up no struggle and feels mental

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35 Vi 1, 71
consent, even if only fleetingly during the stage of inserting, being fully inserted, staying in place, or pulling out, one incurs the full penalty.\(^{36}\)

This would seem to be the basis for the Commentary's warning in its discussion of the *Vinitavatthu*\(^ {37}\) case in which a monk wakes up to find himself being sexually assaulted by a woman, gives her a kick, and sends her rolling. The warning: This is how a monk still subject to sensual lust should act if he wants to protect his state of mind.

The only *thullaccaya* offence is directly related to this rule is for the unlikely case of a monk who attempts at an intercourse with the decomposed mouth, anus, or genitals of a corpse. To attempt an intercourse with any other part of a dead body or with any part of an insentient object, such as an inflatable doll or manikin, incurs a wrong doing (*dukkaṭa*) offence.

The *Vibhaṅga*\(^ {38}\) states that if a monk attempts at an intercourse with any part of a living being's body apart from the three orifices, the case falls under the *Saṅghādisesa* rules, either first *Saṅghādisesa*\(^ {39}\) for intentional ejaculation or second *Saṅghādisesa*\(^ {40}\) for lustful bodily

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\(^{36}\) Vi 1, 64
\(^{37}\) Vi 1, 76
\(^{38}\) Vi 1, 73
\(^{39}\) *Saṅsetanikā thukkhvissatthi aññyattara supinatā*, any monk who has intentional ejaculation except in dream is gross offence. Vi 1, 236.
\(^{40}\) Any monk who has lustful physical contact with a woman is gross offence. *Yopa bhikkhu otiṇno viparinatena citena mātughāmena saddhiṇ kāyasānsaggam samāpajjeya saṅghādiseso*. Vi 1, 270
contact. The penalties assigned in the latter case are as follows: if the partner is a woman, a \textit{saṁghādisesa}, if a \textit{pandaka} (eunuch), a \textit{thullaccaya} offence; if a man or a common animal, a wrong doing \textit{(dukkatā)}. We can infer from the \textit{Vibhaṅga}'s ruling here that if a monk has an orgasm while attempting an intercourse with the decomposed mouth, anus, or genitals of a corpse, with any other part of a dead body, or with any part of an insentient object, the case comes under \textit{Saṁghādisesa} first.

At one time a monk being naked committed sexual intercourse; saying that there will be no offence for me. The Buddha said that this monk committed the \textit{pārājika} offence.\footnote{Vi 1, 67}

At one time a monk saying that there will be no offence for me and committed sexual intercourse wearing the characteristic of a layman. He also committed the \textit{pārājika} offence.\footnote{Vi 1, 67}

At one time a Brahmin youth was in love with the nun \textit{Uppalavannā}. He took the nun and took sexual intercourse. She was unwilling. The Buddha said there is no offence as she was not willing.\footnote{Vi 1, 68}
The *Vinitavatthu*\(^{44}\) also lists two examples of “self-intercourse.” A monk with a supple back takes his penis into his mouth, and a monk with an unusually long penis inserts it into his anus. Both cases carry the full penalty, which shows that one’s own anal and oral orifices can fulfill the factor of object here. Both of them committed an offence of defeat.\(^{45}\)

A monk, inflamed, had illicit relations with a wooden doll, is not defeat it is a wrong doing (*dukkaṭa*) offence.\(^{46}\) At one time a woman came to pay homage to a monk. As she was paying homage she sucked his organ. But there is no offence because he did not agree.\(^{47}\)

The first defeat deals with the sexual intercourse. Complete sexual continence is considered an essential feature of a monastic life. Intercourse of a heterosexual or homosexual character is automatically a *pārājīka* (defeat) offence. A monk who performs such an act is considered to have expelled himself from the Order and is no longer in communion with the other monks.

\(^{44}\) Vi 1, 71  
\(^{45}\) Vi 1, 71  
\(^{46}\) Vi 1, 71  
\(^{47}\) Vi 1, 72
Any act of a sexually unbecoming nature falling short of intercourse results in suspension and require expiation. Sāmaṇeras, novice, who break their training in this respect, are disrobed.

The same principle applies to the Mahāyāna schools and of course, to nuns in those schools where they exist. There is no such class as a "married monk," though in certain schools, especially in Japan, a form of "quasi-monasticism" with married teachers who retain a form of ordination is permitted under certain conditions. But all this has no relevance to the Theravada Saṅgha.48

Monasticism is the physical expression of the celibacy. Every Buddhist should know that sensuality is the first of the three cravings (Kāma-taphā) mentioned in the Second Noble Truth as the direct cause of suffering (Dukkha). Also, that such sensuality is the first of the attachments (Kāmupādāna). So those who are earnest about abandoning such craving and uprooting such attachment would naturally gravitate to the monastic Saṅgha.

2.11. Monasticism and Chastity

Buddhist monasticism led many married persons to renounce their wives or husbands; single men and women renounced the possibility of

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48 “The earliest Vinaya and the Beginning of Buddhist Literature, The Mahavastu:
marriage. In some circles, indeed, renouncing luxury, family life and sensual pleasures were regarded as difficult and heroic acts. Renouncing sexual relations was part of renouncing family life. According to the Vinaya, most members of the first days of the Community had eliminated all defilements and had no need of rules to govern their behavior. The first pūrajīka rule became necessary as a result of an incident involving a monk called Sudinna, Kalandakaputta.

There are also many passages in the Nikāya texts concerning sexual abstinence: the Sāmaññaphala-sutta\(^{49}\) insists on chastity in the religious life; in several places in āṅguttara-nikāya, in the āpāyika-vagga\(^{50}\) and in the Indriya-vagga,\(^{51}\) there are sermons prohibiting sexual intercourse; according to the Tevijja-sutta,\(^{52}\) whoever has sexual intercourse is neither a monk nor a true Brahmin; the Sutta-nipāta includes many exhortations to the ascetic ideal, frequently extolling sexual abstinence;\(^{53}\) and in one of his discourses, the venerable Ānanda explains at length the advantages of sexual abstinence.\(^{54}\)

Some scholars think that the Buddha established the first rule prohibiting sexual intercourse in the Community in order to conform to

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\(^{49}\) Di 1, Silakkhandhavagga Pāli 150/ PTS 1, 46
\(^{50}\) A 1, 265-273
\(^{51}\) A 2, 141-148
\(^{52}\) Di 1, 246-147- 250
\(^{53}\) Suttanipāta 400, 609, 814, 835
\(^{54}\) A 2, 144
the other religious systems of the time. It is not the case, however, that every contemporary religious sect regarded chastity as an essential virtue. In some Jain texts, for example, the Ājīvakas are pitied for not keeping chaste. Many ancient ascetics, including the earlier Jains who followed Parasva, did not take a vow of chastity. 55

The seers (isi) and ascetics (tāpasa) mentioned in some legends shared their ascetic life with their wives; we do not know whether they continued their conjugal relations while practicing asceticism. The Udāna pāli, in khuddaka nikāya, tells an amusing story about a brahmanical wandering ascetic who tried with great difficulty to lead the religious life in the company of his pregnant wife.

The Commentaries on the Dhammapada 56 and Udāna 57 mention some categories of ascetics who maintained a wife and children; their asceticism consisted in living outside society, but with their family. The ascetic Keniya who is mentioned in the Mahāvagga 58 was a rich Brahmin who became an ascetic in order to protect his wealth. He also kept several families. During the day he acted the part of an ascetic, but spent the night in sensual pleasures. 59 So there were, it seems, ascetics

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56 Dhammapada 1, 270
57 Udāna pāli pg 241
58 Apādāna pāli 82
living with their wives at the time of the Buddha. But they constituted exceptions to the more general tendency of the times: those who wanted to follow the path of inner progress were usually advised to avoid sexual intercourse and relationships with the opposite sex in general.

Once, some monks and nuns went outside in the street together. When people saw them they said that we go walking with our wives and here are these monks, sons of the \textit{Sakyans}, who go walking with nuns.$^{60}$ These people thought that monks should avoid the company of women that they should not even walk in the street with them.

As for nuns, three rules from the \textit{Bhikkhunī-vibhaṅga} dealt with sexuality. The first \textit{pārājika} rule from the \textit{Bhikkhunī Pātimokkha}, forbids nuns to have sexual intercourse; it is exactly similar to the one laid down for monks.

The fifth \textit{pārājika} rule was established after the following incident: one of the great banker \textit{Migāra’s} grandsons had fallen in love with a very beautiful nun called \textit{Sundarīnandā}. She would meet him often and soon came to reciprocate his feelings. She tried to fight against this improper friendship, but she was not strong enough to control herself and one day she let the young man have physical contact with her. As a result, nuns were prohibited any physical contact with a

$^{60}$ Vi IV 63
man: If a nun, filled with desire, willingly holds herself against, rubs up against, embraces, touches, or presses (any part of) the body of a man who is also filled with desire, in between the collar-bone and the knees, then she becomes one who is defeated; she is not in communion.61

The third pārājika rule for nuns, specified as follows;

If a nun, filled with desire, willingly takes the hand of a man who is also filled with desire, or the edge of his robe, or if she stands close to him, or talks to him, or goes to a rendezvous with him, or if she waits for him to visit, or enters a concealed place (with him), or prepares herself physically (for such acts and meetings), then she becomes one who is defeated; she is not in communion.62

Monks and nuns transgressing the prohibition of sexual intercourse committed the pārājika offense. Whoever committed this kind of offense was regarded as having left the community for ever. There was no possibility of ever being reordained into the community. If a monk could not control himself, if he wanted to have sensual pleasures and lead a married life, he had first of all formally to leave the community. He became a layman again and he is free to enjoy the pleasures of life as a householder. Then he was not regarded as one

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61 Vi IV 213
62 Vi IV 220
who was "defeated." If One day he wanted to come back into the Community, and take the Minor and Major Ordinations, he could always do so, if and when he could formally be freed from family ties.

The aim for monks and nuns was to remove everything which impeded inner progress. Monks and nuns trying to achieve selflessness must be detached from all sources of sensual pleasure. On the one hand, legal sexual relations entail social and familial responsibilities, and the attendant worries are an obstacle to mental concentration. On the other hand, they involve pleasure, so it is natural for the mind to dwell on them often and with delight, until it becomes a mental habit, called "desire." It was in order to avoid this danger the Buddhist monasticism decided to prohibit sexual intercourse completely.

Monks were not allowed to ask woman a permission to have sexual intercourse with her **Saṅghādisesa fourth**, to speak with a woman on obscene or erotic matters **Saṅghādisesa third**, or to touch a woman, even the edge of her clothes, with desire **Saṅghādisesa second**.

Accusing a monk of having had sexual relations was also a very serious matter. Should anyone maliciously accuse a monk or a nun of having done so, they committed an offense according to the **Saṅghādisesa** rules eighth and ninth from the **Bhikkhu vibhanga** and the
Bhikkhunī-vibhanga. Two special rules called aniyatāpatti forbade a monk to sit and talk with a woman in a private room behind closed doors, and to sleep in the same room as a woman, in secret and behind closed doors.

In addition to the rules established to prevent opportunities for heterosexual relations, the Vinaya includes other rules against certain sexual practices, such as masturbation for monks, Sarīghādisesa rule first; for nuns, pācittiya rules third and fourth and the pācittiya rule ninety third, and homosexuality (the pācittiya thirty first, thirty second, ninety first, ninety second and ninety third).

Monks and nuns were not allowed to have a eunuch, a hermaphrodite, or the seducer of a nun join the Community. If such people already were in the Community, they had to be expelled.

Monks were also prohibited from drawing erotic pictures on the walls of monasteries and residences or on their robes, or to have such pictures drawn. The disciplinary code was not only concerned with sexual abstinence; it also tried to restrict relations of friendship between monks or nuns and members of the opposite sex to a certain extent.

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63 Vi IV 237  
64 Vi III 189-193  
65 Vi 1, 84  
66 Vi 1, 88  
67 Vi II 151
Monks were not allowed to preach to a woman in private without a third person being present and able to understand what was pācittiya rule seventh.

Monks were forbidden to spend a single night in a house where a woman lived, even if there were other people in the house according to the pācittiya sixth, pācittiya rules forty third, forty fourth and forty fifth were established to avoid improper relations of friendship between monks and women during begging-rounds. Monks were not allowed to walk in the street with an unaccompanied woman according to the pācittiya rule sixty seventh, to plan outings or walk in the street with a nun according to the pācittiya rule twenty seventh.

However, monks were allowed to accompany nuns on the highway by previous agreement if the road was regarded as dangerous. According to the pācittiya rule twenty eighth, monks and nuns could go on a boat together, even by appointment, provided it was only to cross the river, not for a long voyage or the pleasure of a boat-trip. Monks were not allowed to stay alone with a nun in a private room behind closed doors according to the pācittiya rule thirtieth, nor to partake of a meal prepared by a nun without the help of some lay people according to the pācittiya rule twenty ninth.

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68 Vi II
2.12. The Seven sexual fetters

The Buddha mentioned clearly the fetters of sexual intercourse. Any relationship leading to sensual desire between a man and a woman was described as a "sexual fetter." In the *Anguttaraniyasutta* the Buddha explained to a brahmin the seven fetters of sexuality.

(1) In this *sutta* the Buddha said that there are ascetics and brahmans who practice chastity and do not have sexual intercourse with women. But they consent to be massaged, rubbed, bathed and shampooed by women. They derive pleasure from it. They enjoy and desire it. Their chastity is torn, distorted, stained and blemished. These impure men cannot be freed from birth, from old age, from illness and from death. They cannot escape from suffering because they are fettered by sexuality.

(2) There are ascetics and brahmans who practice chastity, and they avoid from having sexual intercourse and also having the massage by women. But they enjoy themselves with women, they laugh with them. They derive pleasure from it, they enjoy and desire it. Their chastity is torn.

(3) There are ascetics and brahmans who practice chastity, they avoid sexual intercourse, being massaged by women, and also enjoying

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69 *Anguttaraniya* vol. 2, 438/ commentary 167
themselves with women. But they look at women with desire. They derive pleasure from it. They enjoy and desire it. Their chastity is torn.

(4) There are ascetics and brahmins who practice chastity, and they avoid above mentioned things and they also avoid looking at women. But they remember their smiles, the talks that they had with women. They derive pleasure from it, they enjoy and desire it. Their chastity is torn.

(5) There are ascetics and brahmins who practice chastity, and they avoid sexual intercourse and they also avoid remembering women. But they look with envy at householders or at their wealthy sons. They derive pleasure from it, they enjoy and desire it. Their chastity is torn.

(6) There are ascetics and brahmins who practice chastity, and to avoid sexual intercourse. They avoid all things above mentioned. But they practice chastity with the thought that it is a virtue, a ritual and an ascetic practice which will make them be reborn as gods in a future life. Their chastity is torn.

(7) There are some ascetics and Brahmans who practice the chastity. But they have desire to listen to the pleasant voice of women. They derive pleasure from it. Their chastity is tom, stained and blemished. They derive pleasure from it. Their chastity is torn.
They cannot escape from suffering because they are fettered by sexuality.

This discourse brings out the fact that, for Buddhist monasticism, abstention from sexual intercourse did not suffice to define chastity; involvement in any kind of sensual pleasure was thought to be a "fetter of sexuality." Sexual intercourse constituted thus only one type of the desire for sensual pleasures. Buddhism does not hold that women are impure or inferior. The texts simply reminded monks of the necessity to be watchful in the face of the powerful seduction naturally exerted by women and other attractive things. The venerable Pindola Bhāradvāja, one of the Buddha's greatest disciples, explained in conversation with king Udena that the Buddha had advised monks to perceive women in three ways: "He must look upon a woman of his mother's age as a mother, upon a woman of his sister's age as a sister, upon a woman of his daughter's age as a daughter." It is also to be practiced by the layman.

This kind of practical advice shows how the Buddhist monasticism tried to go against the sexual desire and attachment. That is why the Buddha said that two extremes are to be avoided by the monk: being attached to sensual pleasure, which is low, vulgar, worldly, ignoble,

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70 An IV 110
comes to no good; and indulging in self-mortification, which is painful, ignoble and comes to no good.⁷¹

The Buddhist monasticism, renouncing the objects of sensual pleasures and controlling the mind did not suffice to destroy the roots of sensual desire. Meditation (bhāvanā) was required to change and develop the mind. Renunciation and self-control are only an aid on the path of meditation.

2.13. Exemptions from this offence

The Vinayapāli text mentioned the exemptions from this defeat. The bhikkhuvinīhaṅga⁷² states that there are six special categories of monks exempted from a penalty under this rule. There is no offence at all for these monks; one who is not aware, not consenting, mad, distracted, afflicted by pain and the first offender (ādihamika).

Sudinna after entered the order had a sexual relation with his ex-wife, not with any woman and it is not for a pleasure but for the purpose of succession of his family. Sudinna was not a sinner not because of this reason but because of the first offender (Ādihamika).

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⁷¹ Dve me bhikkhave anttā pabbajjītena nasevitabbhā , katame dve yosā yan kāmesu kāma sukhañ likamuyogo hino gammo pathājajiko anāniyo anathasamhīto, yo sā yan antthakilamatha nayogo duk kho anariyo anathasamhitā, Sāhyuttatikā yamāhā vagga, sāhyuttapāli 2, 306
⁷² Pāriyāka pāli, 66
At any rate, it notes, insane and possessed monks are exempted from penalties they incur only when their perceptions are deranged (when their mindfulness is entirely forgotten, and they don’t know what fire, gold, excrement, and sandalwood are) and not from anybody they incur during their lucid moments. As for a monk overcome with pain, he is exempted from penalties he incurs only during periods when the pain is so great that he does not know what he is doing.

These six categories are exempted from penalties under all of the rules, although the first offender for each rule is exempted only for the one time he acted in such a way as to provoke the Buddha into formulating the rule. Lastly, the *Vinitavatthu* to this rule includes an interesting case that formed the basis for an additional rule. It is as follows.

At that time a certain monk had gone to the Gobbled Hall in the Great wood at Vesāli to pass the day and was sleeping, having left the door open. His various limbs were stiff with the ‘wind forces’ (i.e. he had an erection). Now at that time a large company of women bearing garlands and scents came to the park, headed for the monastery. Seeing the monk, they sat down on his male organ and, having taken their pleasure. They went on their way, taking up their garlands and scents.

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73 Vi 1, 76
The monk incurred no penalty, but the Buddha gave formal permission to close the door when resting during the day.

According to **Vinaya** law there are many exemptions from the sins. It can be seen at the end of the any **vinaya** rule. For the first **pārajika** also mentions that there is no offence if one is ignorant, if one who does not enjoy it with pleasure, if one is mad (suffering from heart disease), if one who distracted mind, (mesmerized by ogre, a disease-ridden Monk ), or a beginner who is first time offender.  

2.14. **A critical analysis of relevance in social life**

The present chapter focuses basically on the practice of celibacy within the monastic life. Celibacy has been a key aspect of the Buddhist monastic life from the beginning. In fact it has been prescribed for both householders and monks though at two different levels. For the former, celibacy has been prescribed as a part of their more intensive religious behavior associated with the observance of **Upasatha**.  

With the gradual development of monasticism in Buddhism it seems that specific modes of religious observance were evolved for the

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74 Vin 1, 41

75 *Upasatha* (Sanskrit: *upavashatha*) observance pre-Buddhism. It seems that the practice was already there as a part of Indian religious life and the Buddhists in fact adopted it partly on popular demand. “the Early Vinaya stand on Monastic Sexual Behaviour: A study of the First pārajika of the Theravāda Vinaya” by Asanga Tilakaratne, University of Kelaniya,
laity. The third of the Five Precepts is undertaken by lay Buddhists people. Some lay people who, usually for a specified period, undertake more than the usual five precepts. They spend a day in a monastery undertaking to observe eight (*āṭṭhaṅga-sīla*) or ten precepts (*dasa-sīla*), day during which householders are expected to undertake to observe several more precepts than their regular five precepts. In the regular five precepts what comes as refraining from sexual misconduct (*kāmesu micchācārā verāmaṇī*) becomes, under this special observance, equal to what is observed by the monks and nuns, namely, refraining from non-noble behavior (*abraham-cariyā verāmaṇī*).

One who lacks morality will have to face disadvantages in social life and spiritual life. His bad reputation will spread among the people. When he approaches community he will suffer from disfavor and timidity. Furthermore, an immoral person will die confused and full of tear. Therefore, abstaining from sexual misconduct is very important. It is not only for *sangha* society but also for layman society. For a monk, if he commits the sexual intercourse he will defeat and he has no chance to take part in the *sangha* Order. According to the social point of view, for a layman, if he or she commits the sexual intercourse he or she is an

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76 *Kāmesumiccācārā verāmaṇi sikkhāpadaṁsāmādiyāmi*: I undertake the course of training in refraining from wrong doing in respect of sensuality.

77 *Abrahamcariyā verāmaṇi sikkhāpadaṁ samādiyāmi*: I undertake the course of training in refraining from non-noble behavior in respect of sensuality. These two five and eight or ten precepts of lay people are the same with restraint as the monks.
anti social law. He is a sinner. It is impossible for them to be an ideal member of the society. They will be discarded from the society and they would be treated as uncivilized men. Therefore, abstaining from the sexual misconduct is vitally important for both ascetics and laymen.

2.15. Observations

The first pärājika rule has the main prohibition with two specifications. The main rule goes as: whoever bhikkhu engages in sexual act becomes defeated and no more in communion.  

This original rule was enacted due to sexual intercourse by venerable Sudinna. It is known that the Buddha did not enact vinaya rules until the conditions that necessitated doing were there. The Sudinna’s case is considered to be first serious matter that arose within the Saṅgha.

Two clauses, ‘at least with a female animal’ and “having made commitment to the training of bhikkhus, without giving up the training

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78 Yo pana bhikkhu methunaṁ dhammaṁ patisevyaṁ pārājiko hoti asaṁvāso. Vi 1, 39
79 During the first twenty years of the saṅgha, there were no any regulated serious vinaya rules but instead the disciples were guided by the dhamma itself. By this time there was no rule prohibiting the act of this nature. The vinaya says that he did not see the disadvantages of the act. Apaṅnattāte vinaye anādinavadassas, (Vi 1, 36), but this subsequent behavior characterized by remorse shows that he was not ‘innocent’ in his mind. When the Buddha came to know the incident he enacted the rule prohibiting sexual intercourse.
80 Antanuṣo tiracchā ragatāyapi, vi 1, 42
and without admitting the weakness"⁸¹ were added due to subsequent developments.

The first had to be when a monk had a sex with a female monkey thinking that what is prohibited is only sex with humans, and the next was added when some monks who got deprived by having sex wanted to return to the Saṅgha confessing their subsequent admittance of wrong-doing. If a monk who wants to get a sex, first of all, he must stay away himself from the training and must admit his inability to conform to the rule. As long as he is a monk he must not transgress the sexual intercourse. He needs to disrobe and needs to be a layman. Then only he could return later to the Saṅgha. If not so, he has no chance to return to the Saṅgha Order.⁸²

In addition to this rule, there are four other rules belonging to the same type related to the sexual desire, namely, touching a woman’s body with a perverted mind (saṅghādisesa rule second), speaking rude words to a woman with a perverted mind (rule third), speaking with a perverted mind, in the presence of woman, in praise of administering to one’s sexual needs (rule fourth) and functioning as a go-between carrying man’s sexual intentions to a woman or vice versa (rule fifth).

⁸¹ Bhikkhuṇasikkhā sājīvasamā panno sikkhāna paccagāva dubbalyati anāvikatvā, vi 1, 44
⁸² Yo bhikkhave sikkhāna apaccagāva ya dubbalyati anāvikatvā methunānaṇḍhamman patisevati so āgato naupasampā detabbho, yoca kho bhikkhave sikkhāna pacagāva dubbalyati ā vikatvā methunānaṇḍhamman patisevati so āgato upasampā detabbho. Vi 1, 43
Although these rules do not involve any direct sexual act, such behavior has been considered serious violations due to their obvious unhealthy impact on celibate life.

It is interesting to note that the *pārājika* field for the *bhikkhunīs* is much broader than that of *bhikkhus*. In addition to their being bound by the almost identical with the first rule related to having sex with a male partner.  

The rule is not completely same for it does not have the clause concerning giving up the training and revealing weakness, which is a concession for those former *bhikkhus* wished to come back. [human, non-human or animal], they have two additional *pārājika* offences not involving direct sexual intercourse but physical touch with a man, which are as follows:

Whatever *bhikkhunī* overflowing with desire, should consent to the rubbing or rubbing up against or taking hold of or touching or pressing against, below the collarbone, above the circle of the knees, of a male person who is overflowing with desire, she too becomes defeated, not in communion (rule fifth); whatever *bhikkhunī* overflowing with desire for the sake of following what is verily not the

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83 Yāpuna bhikkhuni chandaso methunam dhamman patiseveyya antamaso tiracchānagatāyapi pārājikā hoti asaṁvāsā. Vi 1, 27
rule, should consent to the holding of the hand by a male person who is overflowing with desire or should consent to the holding of the edge of [her] outer cloak or should stand or should talk or should go to a rendezvous or should consent to a man’s approaching [her] or should enter into a covered place or should dispose the body for such a purpose, she too becomes defeated, not in communion (rule eighth). ⁸⁴

What is covered by these additional two pārājika rules Bhikkhunīs have altogether eight pārājika rules. It seems to have been included within the category of the saṅghādisesa in the case of bhikkhus. What is interesting to note is that there is no saṅghādisesa rule for the bhikkhunīs corresponding to the first of that category of rules for the bhikkhus involving sex other than three paths.

For the bhikkhunīs sexual intercourse has been conceived solely as heterosexual act involving a male partner. Although there is no evidence in the Vinaya to suggest that it was an aware of lesbianism involving two women, precaution has been taken against bhikkhunīs engaging in activities generating self-stimulation. In addition to the rules concerning sexual acts or sexually oriented behavior there are good number of rules for both bhikkhus and bhikkhunīs that make sense only in the context of sexual behaviour. For instance, in the case of

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bhikkhus, in addition to the pārājika and saṅghādisesa offences discussed above, there are two rules of varying degrees of gravity.  

In the case of bhikkhunīs, in addition to the pārājika rules, there are subsidiary rules of varying degree of gravity that can be made sense only in the context of celibate life.

In the monastic discipline, Vinaya, rules and traditions related to sexual behaviour becomes very important. The Buddhist religious practice aimed at attaining the purification or liberation (visuddhi and vimutti). It is crucial for monks to understand the doctrinal justification of celibacy within the broader context.

Although the title of this chapter highlights the first pārājika relevant to the bhikkhu Saṅgha, the similar rules relevant to the bhikkhunī Saṅgha. It is common for both bhikkhu and bhikkhunī Saṅgha.

There is no difference between them. This study of the rules involving peripheral offences other than pārājika or Saṅghādisesa

85 there are two indefinites, aniyata, offences, one involving sitting with a women privately in a screened seat convenient enough for sexual intercourse and the other sitting in a place convenient not for having sex but for addressing her with lewd words. These two are called indefinite because the wrong-doing has to be determined on the word of a female follower (Upāsikā) who is trustworthy and who brings forth the charge and the admittance by the person involved; accordingly the person may be charged either with pārājika or with saṅghādisesa offence. Offence entailing expiation with forfeiture (nissaggiya pācittiya): the fifth rule in this category prohibits a monk from accepting a robe from bhikkhuni who is not related. He may do so only when it is an exchange of robe. Vin 1, 444-453/ “The Early vinaya stand on Monastic Sexual behaviour” 323.
directly involving sexual intercourse or behaviour show how the tradition has strived to keep its monastic members right on its focus. The discussion of this section may be summarized by highlighting the emphasis put on limiting the heterosexual relations of bhikkhus and bhikkhunīs into non-sexual spheres.

We need to understand the rationale behind the first pārījīka: why having sex by bhikkhus and bhikkhunīs has been considered to be so grave that it was made the first of the most serious of offences. In a way, this is not hard to explain viewing the phenomenon from the point of view of the crux of the Buddha’s realization, namely, the four noble truths. The first two aspects of the teaching say that the people in the world are suffering and that they undergo various forms of suffering due to the ‘thirst’ (taṇhā). This intimate connection between monastic life and practice of celibacy makes clear why a person found guilty of violation of the rule had to be removed forthwith from the Saṅgha. The term used to indicate removal from the Saṅgha is “should be killed” (nāsetabba).

86 There are three kinds of thirst. Thirst for sensual pleasurable objects (Kā matanāḥ), thirst for becoming life (bhava taṇhā) and thirst for non-becoming (Vibhava taṇhā). The last two say that cessation of this thirst is the end of suffering and the path to be followed is the noble eightfold path. The root of the problem according to this diagnosis being the thirst for pleasurable things, the other two aspects of thirst being dependent on the first, the need to get rid of the thirst for pleasure is obvious. Aṅguttaramāṇḍīya 2, 106/
In the case of monasticism, abstaining completely from sex is seen as a necessity in order to reach enlightenment. Observance of celibacy is fundamental to the Buddhist practice aimed at achieving emancipation. The ‘noble life’ that is expected to be followed by a renunciant is itself called ‘brahmacariya,’ which strongly suggests that celibacy is a must for any recluse. Its importance is more with regard not only to personal well being and discipline of the disciple but also to his spiritual growth. Sexual relations were considered a severe obstruction to spiritual culture. Perhaps, one of the reasons for the abandonment of household life is to prevent sexual relations. The Pārājika offender is guilty of a very grave transgression. He ceases to be a bhikkhu. His offence, apatti, is irremediable. The essence of Buddhism is Sila (morality), Samādhi (concentration) and Pañña (wisdom). Among them, these four Pārājika rules are including in Sila (morality).

In brief, voluntary sexual intercourse, genital, anal or oral with a human being, non human being or common animal is a pārājika offence. Complete sexual continence is considered an essential feature of a bhikkhu’s and bhikkhuni’s life.