

**Changing Principle in the Samantapāsādikā's
Commentary on the First Rule of the Defeat Peculiar
to Nuns**

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Journal of the Center for Buddhist Studies

Vol. 5 (2000)

pp. 135-158

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Journal of the Center for Buddhist Studies, Vol. 5 (2000)

Abstract

The ruling against physical contact with the opposite sex is shared by monks and nuns. In commenting on this rule for nuns, the Samantapāsādikā -- the commentary on the Pāli Vinaya -- raises a hypothetical case of physical contact between a monk and a nun. In the same situation, the monk is not to be accused of an offence, but the nun is. The reason given is because the rule for nuns contains the word *sādiyeyya* (should consent to). Consent indicates passivity.

The investigation of this issue involves three criteria: consent, activity vs passivity, and immobility. As the rule for nuns is expressed passively but that for monks actively, this paper firstly demonstrates that passivity or activity is no crucial factor. So the word *sādiyeyya* is irrelevant to deciding penalties. Secondly, this paper looks carefully into the rule prohibiting sexual intercourse in order to extract some principles for determining guilt in sexual offences. This discussion shows that the offender's mental attitude (i.e. consent to the act after its performance or initial intention to do the act), not his/her physical reaction to the act serves as the criterion for determining guilt. In the rule against monks' physical contact with women, however, there exists one dubious case, which seems to present conflicting principles.

But our interpretation excludes the superficial inconsistency. Moreover, immobility as a factor for innocence is fairly likely to be of later origin. This paper goes on to examine the corresponding or relevant texts of the other Vinaya traditions. We find consistency in the primary principle (i.e. consent or no consent) for determining guilt. The consideration of immobility is shared only by the Dharmaguptaka Vinaya, and for this Vinaya immobility never leads to innocence. The Chinese recension of the Samantapāsādikā also demonstrates that immobility does not guarantee innocence.

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Thus we may conclude that the Samantapāsādikā switches the principle for determining innocence from mental attitude to physical reaction. This new principle, however, applies only to monks. So in the case of physical contact if a monk is the passive partner and he remains motionless, he is not to be accused of an offence even though he consents to it. Consent implies pleasure derived from the act. Such growing tolerance does not apply to nuns.

Keywords: Vinaya, Buddhist ethics, Buddhist nuns

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1. Introduction

In the Bhikkhu Pātimokkha (monastic code for monks) the first class of offence, i.e. the category of Defeat (Pārājika) contains four rules, but in the Bhikkhunī Pātimokkha (monastic code for nuns) there are eight rules in the same category. The first four of the eight rules are common rules (i.e. to be observed by both monks and nuns) and hence are adopted from the Bhikkhu Pātimokkha. The latter four rules are peculiar to nuns, among which the first one prohibits physical contact with men. I shall refer to this rule as Defeat 1 (N). In commenting on this rule, the Samantapāsādikā (Sp hereafter) raises a hypothetical case of physical contact between a monk and a nun. The penalties for them respectively are, however, not the same: in the same situation, the monk is not to be accused of an offence but the nun is. Why is there such discrepancy? The Sp then refers to the authority of the commentarial tradition, according to which, the pivot lies in the word *sādiyeyya* (should consent to) in the rule for nuns.

The ruling against physical contact with the opposite sex is shared by both monks and nuns, however, in the nuns' Vinaya it falls into the first (the most serious) category, i.e. Defeat, but in the monks' counterpart it belongs