

On the auspiciousness of compassionate violence

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In light of the overwhelming emphasis on compassion in Buddhist thought, Buddhist sources that allow for compassionate violence have been referred to as “rogue sources” and equivocations. A recent article states that, “Needless to say, this stance [that one may commit grave transgressions with compassion] is particularly favored by the Consciousness-Only school and in esoteric Buddhism.”¹ However, the same stance is presented in the Mādhyamika tradition by Bhāviveka, Candrakīrti, and Śāntideva, as well as in a variety of *sūtras*.² Allowances for compassionate violence, even killing, are found among major Buddhist thinkers across philosophical traditions and in major scriptures. It is also remarkable how broadly influential a singular source like the *Upāyakauśalya-sūtra* can be.

This paper reflects on the question of whether killing can be auspicious in Mahāyāna Buddhism with secondary reflections on the problems that arise in attempting to apply Western metaethical categories and modes of analysis.³ Studies so far have been reluctant to accept that compassionate killing may even be a source of making merit, choosing instead to argue that even compassionate killing has negative karmic consequences.⁴ If it is true that the

¹ Kleine 2006: 80.

² Nāgārjuna and Āryadeva do not explicitly allow for deadly violence, but do allow for inflicting pain or performing normally inauspicious action based on intention.

³ This is a preliminary report on one dimension of a long-term research project, on compassionate violence. Other dimensions of this study of Buddhist ethics of violence will include a reappraisal of Aśoka’s edicts, comparison with the *Dharmaśāstras*, “mainstream” and abhidharmic traditions, tantric ethics, and the violence of warfare. See also Jenkins 2010.

⁴ See Harvey 2000: 135–138.

compassionate bodhisattva killer takes on hellish karmic consequences, then it would seem that this is an ethic of self-abnegating altruism. Buddhist kings would seem to be in an untenable ideological situation in which even the compassionate use of violence and deadly force to maintain order and security will damn them to hell. Buddhist military and punitive violence, which has historically been a consistent feature of its polities, often including monastic communities, appears to be radically and inexplicably inconsistent with the values expressed by its scriptures and inspirational figures.

If there are negative karmic consequences to compassionate killing, then these acts must be read at best as necessary or “lesser evils.” However, altruism and negative karmic consequences rarely go together in Buddhist thought. A review of the remarkable spectrum of great Buddhist thinkers who have discussed this issue, many of them with reference to the *Upāyakauśalya-sūtra*, shows general agreement that compassionate violence can be an auspicious merit-making opportunity without negative karmic consequences.

Since I started working on this issue, which was integral to my doctoral dissertation, others have written on compassionate violence basing their thoughts primarily on Asaṅga’s *Bodhisattvabhūmi* and *Mahāyānasamgraha*, and the *Śikṣāsamuccaya* and *Bodhicaryāvatāra* attributed to Śāntideva. Building on the pioneering work of Mark Tatz, I am going to add examples from Candrakīrti’s commentary on Āryadeva’s *Catuhśatakam*, and examine the views of Bhāviveka brought to light by David Eckel’s recent work.⁵ I also highlight some overlooked details of the *Upāyakauśalya-sūtra*, which has been misread on this issue, and take a fresh look at Asaṅga’s foundational work in the *Bodhisattvabhūmi*.⁶

⁵ Special thanks to David Eckel for directing me to Bhāviveka’s treatment in his then unpublished translation.

⁶ Any merit of this work is largely due to Dr. Sangye Tandar Naga, of the Library of Tibetan Works and Archives in Dharamsala, and the scholars of the Central College of Higher Tibetan Studies, particularly Venerable Lobsang Dorjee Rabling and Professor K. N. Mishra. Geshe Ngawang Samten kindly granted me free housing during an extended research period at what was then called the Central Institute for Higher Tibetan Studies. I am

Auspicious killing

Without question the writing of Asaṅga has been one of the principal sources on the ethics of compassionate killing both within Mahāyāna traditions and the academic study of religion. He describes a hypothetical situation in which a bodhisattva observes a thief about to commit a mass murder of persons of the highest moral status for the sake of a pittance. Although he does not directly cite the *sūtra*, Asaṅga is almost certainly referring to the Ship Captain *Jātaka* of the *Upāyakauśalya-sūtra*, the focus for most of the discussion of compassionate killing.⁷ Killing people such as *arhats*, bodhisattvas and *pratyekabuddhas* is the worst kind of murder, which results after death in immediate rebirth in a hell realm. There are no intermediate rebirths in which to moderate the effects of such terrible crimes. They are known in Buddhist traditions simply as the “immediates.” The bodhisattva, seeing this imminent tragedy, realizes that if he kills the thief then he himself may go to hell. But he decides that it is better that he go to hell than allow this person to suffer such a fate.⁸

With this attitude, the *bodhisattva*, having discerned either a neutral or auspicious mind; regretting and employing a mind of empathy alone, then takes that living being’s life. [That *bodhisattva*] becomes blameless and produces abundant merit.⁹

also indebted to Professor Premasiri Pahalawattage for guiding my reading of many of the Pāli sources.

⁷ The commentator, Jinaputra, merely says that the argument is the same as in the *sūtra* (Tatz 1986: 323).

⁸ My use of the masculine pronoun is based on the fact that Asaṅga speaks in ways that assume the bodhisattva is male, for instance in discussing sexual transgression.

⁹ BoBh 113.24–114.2. *evam āśayo bodhisattvas taṃ prāṇinaṃ kuśalacitto ’vyākṛtacitto vā viditvā ṛtīyamānaḥ anukampācittam evāyatyām upādāya jīvitād vyaparopayati / anāpattiko bhavati bahu ca puṇyaṃ prasūyate /*; cf. BoBh–Wogihara 166; Peking Bstan-ḥgyur, Sems-tsam, Shi, 100b3; Tatz 1986: 70–71; note that *upādāya* has a strong idiomatic relationship with *anukampācittam*.

In the discussion of a variety of cases of compassionate ethical transgression, Asaṅga drives his point home by repeatedly closing with the final phrase expressing the bodhisattva's faultlessness and generation of abundant merit, *anāpattiko bhavati bahu ca puṇyaṃ prasūyate*, a total of nine times.

One aspect of his description is not entirely clear. He describes the bodhisattva, before the act of killing, as observing a mind that is either auspicious, *kuśala*, or neutral, *avyākṛta* [often translated as “indeterminate”].¹⁰ This refers to a common abhidharmic classification that distinguishes between auspicious, neutral and inauspicious states of mind. Only the last are affected by the *kleśas*, attraction, revulsion, and delusion, and so have negative karmic outcomes.¹¹ There is disagreement in both modern and classical scholarship about whether this represents a concern for the killer's state of mind or the victim's.¹² Both interpretations have some

¹⁰ In a highly recommended article, Rupert Gethin elaborates the Theravādin view that killing can never be based on auspicious, *kuśala*, or neutral, *avyākṛta*, states of mind. Therefore killing can never be based on compassion, nor can it be auspicious. The key example is of a king who seems to take pleasure in ordering the execution of a criminal. On a subtle level, the commentaries say his mind is still qualified by aversion. However, all killing is not equally inauspicious; he also shows the broad range of conditions that qualify an act of killing, including the moral status of the victim (Gethin 2004).

¹¹ See Rahula 2001: 149, n. 169, *avyākṛta* defined; see 49 on a mind neither bad nor pure; Holt 1981: 80. Referring to this threefold division, he discusses how actions which are not affected by the *kleśas* do not have karmic outcomes; see *Samyuktābhidharmahṛdaya* i.153–154, on three types of *citta-samprayukta*, i.e. *avyākṛta*, *kuśala* and *akuśala*. He says that “neutral awarenesses [*citta*] are weak and only strong awarenesses can produce bodily and verbal action.” The context is unclear and there is disagreement on this theme, but if this point were generally agreed, then the concern for *avyākṛtacittasamprayukta* could not be related to the compassionate killer, since killing would not be possible from a neutral perspective.

¹² Bhāviveka, discussed below, identifies the concern with the bodhisattva's state of mind (Eckel 2008: 188); Tsong-kha-pa notes disagreement, but without identifying the sources, and states that it makes no sense to attribute it to the bandit (Tatz 1986: 215); Paul Demiéville reads it as a concern for the bandit's sake, perhaps based on the Chinese (1973: 379); in an expansive article that should be the starting point for all interested in these issues, Lambert

merit. Regarding the thief, the concern would be to assure that the victim die in at least a morally neutral moment. Rebirth has a strong relationship to a person's dying thought, *maraṇacitta*. Out of compassionate concern for the victim, one would attempt to take their life in a positive or neutral state, rather than in an inauspicious one. Killing a murderer while they are in a moment of homicidal rage would defeat the purpose, because death in that state of mind would lead to a bad rebirth.

On the other hand, if the compassionate killer did not maintain at least a neutral state of mind, they themselves would go to hell. By affirming that they generate abundant merit, Asaṅga makes clear that the bodhisattva acts with an auspicious intention. One would not expect a neutral intention to result in great merit or for Asaṅga to advocate killing with a neutral, rather than auspicious, intention. The *Upāsakaśīla-sūtra*, though not cited by our sources, puts this in striking terms.

Someone may say that one commits an offense of killing whether one's mind is good, bad, or neutral, just as anyone who is burnt by fire or takes poisons will die even if the mind is good, bad, or neutral. Such an argument is not true. And why is it not? Just as some people in the world do not die even if they are burnt by fire or drink poison, so one who kills without a vicious mind does not commit the crime.¹³

Jinaputra's commentary on the *Bodhisattvabhūmi*, from several centuries after Asaṅga, indicates that the bodhisattva is concerned with his own state of mind.¹⁴ This suggests a concern for the compassionate killer's own karmic wellbeing. This may seem incon-

Schmithausen also identified the concern with the bandit's state of mind. He gives preference to manuscripts that support this, but without explanation (1999: 59 and n. 67); Tatz also notes differences in Sanskrit manuscripts, but follows the commentary of Jinaputra which appears to identify the concern with the bodhisattva's state (Tatz 1986: 326 and n. 403).

¹³ Shih Heng-ching 1994: 171. For an extended discussion of killing see Chapter XXIV. The text was translated into Chinese in the early fifth century. Its origins are unclear, but Paul Groner takes it as an "authentic Indian source." See Groner 1990: 244; for a similar discussion using the same metaphors in an abhidharmic source see *Samyuktābhidharmahṛdaya* i.188–189.

¹⁴ See Tatz 1986: 326.

sistent with the bodhisattva ideal, but all the treatments of compassionate killing show a strong concern for the protection and benefit of the killer. This is a crucial point for understanding what often appear to be acts of self-abnegating altruism. The benefit of both self and other is one of the strongest themes in Buddhist thought. In the “Benefit of Self and Other Chapter,” *Svapārāthapaṭala*, of the same text, Aśaṅga explicitly rejects an intention that is strictly interested in benefiting others as inferior to one that benefits both self and others.¹⁵ Using an old model from the Nikāyas, he divides the possibilities into four: interest in benefiting nobody, only oneself, only others, and both oneself and others.¹⁶ Being interested only in others is superior to being interested in only oneself or being interested in nobody’s well being. But being interested in the benefit of both self and other is best, since developing oneself is necessary in order to have the ability to benefit others. This is simply expressed in the bodhisattva’s vow to attain the pinnacle of self-empowerment, buddhahood, for the sake of benefiting others. A circularity between the benefit of self and others is evident in the fact that it is only through helping others that a bodhisattva can accumulate the vast merit required to attain buddhahood. This relationship can become highly ironic, as the benefit of self and other are profoundly interrelated. As Śāntideva famously put it:

... upon afflicting oneself for the sake of others, one has success in everything. The desire for self-aggrandizement leads to a miserable state of existence, low status, and stupidity. By transferring that same desire to someone else, one attains a fortunate state of existence, respect, and wisdom. ...All those who are unhappy in the world are so as a result of their desire for their own happiness. All those who are happy in the world are so as a result of their desire for the happiness of others.¹⁷

As I have discussed at length elsewhere, although compassion should be disinterested, it is also regarded throughout Buddhist

¹⁵ BoBh 21–22; Jenkins 2003: 57–62.

¹⁶ AN ii.95; tr. Woodward 1933: 104. This is a common theme. For cross-referencing and commentary see Jenkins 2003: 56–64.

¹⁷ Bca Chapter VIII, verses 126–9; Wallace and Wallace 1997: 105–106.

traditions as highly beneficial to the agent, providing karmic and even physical self-protection.¹⁸

The passage above is naturally and correctly read as encouraging suffering for the sake of others. On the other hand, it presents this as a key to happiness, status, respect, good rebirth and wisdom for the agent. Self-benefit is based on benefiting others. This can easily lead to misreading, since the most dramatic examples of self-sacrifice, feeding oneself to a starving tigress or offering one's head, are also incredibly beneficial to the apparent martyr. So when the bodhisattva-killer takes care to have only empathy, *anukampā*, as he performs the action, he is concerned to protect both himself and his victim from falling into the hell realms.¹⁹

The concern for states of mind also bears on another difficult point that bears on the attitude toward this action. I translate Asaṅga above as saying that the bodhisattva is “regretting” as he kills. The Sanskrit term here is *ṛtīyamānaḥ*, and it has been previously understood either as “full of horror”²⁰ or “feeling constrained.”²¹ The object of negative emotion is unclear, and surely the intention is to express that the situation is regrettable. Demiéville loosely, but elegantly, renders this as “full of both horror for sin and mercy for the sinner.”²² But, in English at least, “horror” is too strong here

¹⁸ See Jenkins 2003, 2010. The *Mahāvamsa* gives an amusing example from the Sri Lankan myth of origin. Sihabahu drew his bow to murder his father the lion, progenitor of the Sinhalese. But, because the sight of his son aroused affection in the lion, his arrows only bounced off. It is only after he realized what was happening that: “Anger weakened his compassion and made him vulnerable. The third arrow pierced his body and killed him” (tr. Geiger 1986: 53).

¹⁹ *Anukampā* is a common substitute for both *maitrī* and *karuṇā*. When specifically defined, it signifies emotional sensitivity to the suffering of others.

²⁰ For extensive notes on this obscure and difficult term, see *artiyati* in Edgerton 1985. It can be understood as meaning ‘grieved,’ ‘pained,’ ‘perturbed,’ ‘disgusted,’ ‘offended,’ also, when used as a noun, as meaning ‘shame,’ ‘humility,’ ‘distress’ etc., often in regard to morality.

²¹ Tatz 1986: 70.

²² “plein à la fois d’horreur pour le péché et de pitié pour le pécheur” (Demiéville 1973: 379).

and an equivalent for “sin” does not occur in the text. If the bodhisattva were experiencing horrific revulsion, then this could not be a merit-making, and therefore auspicious, action. Tatz apparently takes *ṛṭiyamānaḥ/dzem bzhin du* as “feeling constrained,” with the sense of moral constraint, or lacking options.²³ There is no question that in all accounts the Ship Captain *Jātaka* is framed in a way that makes killing a last resort. So this does no violence to the meaning.²⁴ However, I use “regret” with the purpose of relating a more literal meaning of the Sanskrit to the English idiomatic sense of regretting what one must do or that something is one’s painful duty.

All this emphasis on intention and states of mind sometimes leads to an exaggeration of its importance in Buddhist ethics to the point of claiming that killing is the mental intention to kill. In fact, all sources seem to agree that for there to be killing, there must be an actual living being, and the intention to kill must result in death. Unintentional killing is not murder, but the intention to kill alone does not entail the karma for murder.²⁵

The moral status of the murder victim also has a crucial effect on the karmic repercussions. This is generally true in Indian thought. In the *Manusmṛti*, for instance, killing an untouchable may have no more karmic cost than killing an animal.²⁶ So Aśaṅga presents this as an extremely dangerous situation for the bandit by describing the people he is about to murder as bodhisattvas, *pratyekabuddhas*, etc., i.e. persons of the highest moral quality.

²³ In this passage, Tatz translates “feeling constrained.” The same Tibetan verb occurs twice more in the root text and in the commentary. There Tatz first translates it as “embarrassed” and the second time as “feeling constrained.” Tatz 1986: 72, cf. BoBh 115.22 and Tatz 1986: 75, 222, cf. BoBh 117.16. In both cases the meaning associated with the Sanskrit is more fitting. The same Tibetan term is, however, used to render *lajjā*, shame, in Aśaṅga’s *Mahāyānasamgraha*. See Nagao 1994.

²⁴ Jinaputra comments that this is because the bodhisattva has no other means (Tatz 1986: 326).

²⁵ For abhidharmic cross-referencing see *Samyuktābhidharmahṛdaya* ii.171, n. 502; for Theravāda sources see Gethin 2004: n. 19.

²⁶ tr. Olivelle 2004: 199–200.

He notes that to kill such persons is one of the grave sins called “immediates.” [The moral calculus becomes even more complex when we consider that the killer’s relationship to the victim matters too. Killing one’s own mother is an “immediate,” but not killing someone else’s.] By the same logic, the situation is entirely reversed for the bodhisattva who is about to kill the depraved bandit. The karmic liability for killing such a person is the lowest possible. This is extremely important for understanding Buddhist penal codes, which have almost always included capital punishment, and Buddhist warfare.²⁷ To give an extreme example cited by Harvey, the *Mahāparinirvāṇa-sūtra* describes killing the morally hopeless, *icchāntika*, as less than killing an ant.²⁸ In any case, the more morally depraved or potentially harmful a person is, the less karmic demerit there is in killing them.

So military enemies or slanderers of the dharma are in a dangerous moral category. Even those who merely hold wrong views are destined to be reborn as animals or in hell. This should be taken into account in interpreting the famous case of the Sri Laṅkan King Duṭṭhagāmaṇi.²⁹ According to the *Mahāvamsa*, he marched to battle against the Tamils with a relic in his spear and a great company of monks, not for the sake of conquest, but to establish the dharma of the *Samḥuddha*. Seeing that he took no joy in the bloody victory, eight *arahants* flew through the air to comfort him. They reassure him that having killed millions will be no obstruction to his entry into heaven, because his non-Buddhist war victims were accounted as being no more than animals.³⁰ These people were active enemies of the Buddhadharmā. The Buddhists he killed count for only one and a half persons. One who had taken refuge counted as half a person, while the other, who had taken precepts, counted as a full person. The story closes with a commitment by Duṭṭhagāmaṇi to never take a meal without offering to the *saṅgha*. The spear with

²⁷ Florida 2005: 57.

²⁸ Harvey (2000: 138) cites Taishō 12.562b. He thanks Victor He.

²⁹ Mhv 170–178.

³⁰ The term used for “animals” here, *pasu*/Sanskrit *paśu*, is also the technical term for a sacrificial animal. In the Hindu homologization of warfare with sacrifice, this term is often used for victims killed in battle.

the relic became the axis of a great *stūpa*. This emphasizes that the king also has an ability to make massive merit through his support of the *saṅgha* that helps compensate for his negative acts. There is no question that this is an exceptional text that seems shocking, but these are basic Buddhist arguments that particularly support the violence of kings.³¹

Bhāviveka, the great sixth century Mādhyamika, brought out another aspect of karmic causality, which ameliorates the karmic vulnerability of the compassionate killer and harkens back to the Nikāyas.³² A person of high moral quality may be affected far less by a grave sin than a degenerate may be affected by a minor one. As heavily salted water may be rendered undrinkable by just a little more salt, while pure water may take much more and still be drinkable, so a small crime could lead to bad rebirth for a degenerate, while a large one might not for a saint.³³ This would also be important for kings, who are generally considered to have large stores of merit.

The points drawn out above only begin to explicate the complexity of the factors that condition the act of killing.³⁴ The vulnerability of the compassionate killer is ameliorated by the fact that he has empathy, auspiciousness, and a reservoir of positive merit. Furthermore, his target is the worst sort of person, and the intention is to benefit both himself and his potential victims.³⁵ The vulnerability of the villain, on the other hand, is enhanced by the fact that he is pitiless, has defiled inauspicious intentions, and has no

³¹ I do not see this story as being as inconsistent with normative Buddhist values as it is often perceived to be. For a different perspective and a variety of contrasting views, see Gethin 2007.

³² Eckel 2008: 186.

³³ This seems to be a generally held idea. *Loṇaphala Sutta*, AN i.249, offers the same analogy, except that the large body of water is the Gaṅga. Eckel (2008: n. 327) directs us here to a rich note by La Vallée Poussin on the various contingencies on karmic outcomes (La Vallée Poussin 1990: 730, n. 217).

³⁴ For a detailed technical discussion in abhidharmic style see La Vallée Poussin 1990: 642–666.

³⁵ In Asaṅga's case, we can say the ideal intention would also include benefiting himself.

reservoir of counterbalancing merit. Furthermore his targets are the best sorts of persons, and he seeks petty personal gain for himself alone.

A last point we should note from the *Bodhisattvabhūmi* is that it is also a moral downfall to refrain from engaging in various harsh actions, when they are called for to benefit others.³⁶ Candragomin, a seventh century Yogācāra remembered as a competitor of Candrakīrti, included this point when he famously and influentially summarized Asaṅga's "Śīlapaṭala" in only twenty verses.³⁷ Actions performed out of compassion or love with an auspicious intention are without fault. Indeed, even to refrain from harsh or threatening action when it is necessary to benefit others is a moral failure.³⁸

Amputation with kindness

Āryadeva, who is considered the next great figure after Nāgārjuna in the Mādhyamika lineage, wrote in the third to fourth century C. E., "Because of their intention both bad, *aśubham*, and good, *śubham*, [actions] become auspicious for a *bodhisattva*."³⁹ Many

³⁶ *bodhisattvo yena kaṭukaprayogena tīkṣṇaprayogena sattvānām arthaṃ paśyati taṃ prayogaṃ daurmanasyārakṣayā na samudācarati / sāpattiko bhavati*[...] BoBh 116; Tatz 1986: 74, 221; following Tatz's translation of Tsong-kha-pa's commentary, Harvey claims that such an assertion does not occur in the *Bodhisattvabhūmi* (Harvey 2000: 140); however, both Tatz's translation of the root text and Tsong-kha-pa's commentary contain this statement. Yet, Tatz also reads Tsong-kha-pa a bit earlier, in commenting on "With mercy there is no [deed] without virtue," as saying, "[...] the two commentaries on the Chapter on Ethics teach that there are occasions when the seven of body and speech – murder and the rest – are permitted. Aside from this, they do not state that to not engage in them for the sake of others is a fault." Tatz observes here that three Chinese translations of the *Bodhisattvabhūmi* omit "this passage," while that of Hsüan Tsang includes it. The extent of the omission is not clear (Tatz 1986: n. 396).

³⁷ For rich textual cross-references and commentary see Tatz 1985: 36–38; for cross-referencing on compassionate transgression see Tatz 1982: 38, 64.

³⁸ Tatz 1985: 28, v. 12, "not to give treatment even comprising affliction." See also 29, v. 20.

³⁹ CŚ Chapter V, v. 105, pp. 249–250 (tr. Sonam 1994: 136): *bsam pas byang chub sems dpa' la // dge'am gal te mi dge'ang rung // thams cad dge legs*

cases of similar statements can be cited from both the *sūtras* and *śāstras* and all the figures considered here, Asaṅga, Vasubandhu, Śāntideva, Āryadeva, Bhāviveka, and Candrakīrti agree on the basic point that a bodhisattva may do what is normally forbidden or inauspicious, *akuśala*.⁴⁰

Candrakīrti, in the early seventh century, first comments on Āryadeva's verse by defining the inauspicious as that which leads to lower forms of rebirth and the auspicious, *kuśala*, as that which reverses the process of *saṃsāra*. Auspicious actions result in good births and happiness, while inauspicious actions result in the suffering of birth, old age, and death etc.⁴¹ This is a general principle, but it is one which raises the level of ambiguity. Since, for Candrakīrti, any act that reverses the cycle of rebirth becomes auspicious, the possibility is opened that any action may be auspicious depending on a variety of factors. If an act of killing may make merit, then it is neither a necessary evil, nor merely value free, but is clearly auspicious.

In typical Buddhist fashion, he then proceeds to offer a catalogue of narrative case studies, rather than an abstract analysis. The first example is of a physician, certainly one of the most important and pervasive metaphors for a bodhisattva, amputating a finger that has been bitten by a poisonous snake, thus preventing the spread of greater suffering. Jinabhadra, a sixth century Jain, used the same example:

nyid 'gyur te // gang phyir yid de'i dbang 'gyur phyir // Karen Lang has been very generous in sharing her forthcoming translation (see Lang tr. 2011) of this section of Candrakīrti's commentary and has supported my work on this text for years.

⁴⁰ To cite some examples that do not otherwise occur in the text: "As long as a Bodhisattva does not give up *bodhicitta* he has not broken the precepts" (*Upāliparipṛcchā-sūtra*, tr. Chang 1983: 269); "Even that which is proscribed is permitted for a compassionate person who sees it will be of benefit." (Bca Chapter V, v. 84; Crosby and Skilton 1996: 41)

⁴¹ *dge ba yang bde ba dang bde 'gro'i rnam par smin pa'i 'bras bu can yin du zin kyang skye ba dang / rga ba dang 'chi ba la sogs pa'i sdug bsngal sgrub par byed pa nyid kyi phyir na dge legs ma yin nol /* (CS 250).

A doctor has to cause pain, but is still non-injuring and innocent because his intention is pure ... There can be nonviolence even when an external act of violence has been committed.⁴²

The awkwardness of this translation, in which there is no violence even when there is violence, is eased somewhat if we substitute “non-harm” for “nonviolence,” which is a misleading translation of *ahiṃsā* in Buddhist, Hindu, or Jain thought. Henk Bodewitz points out that the term “non-violence,” which was never taken before modern Indian times to forbid war or capital punishment, is absent in older English dictionaries and is strongly associated with Gandhi.⁴³ With the use of this term, the Gandhian conception, inspired by Tolstoy, is projected onto the past. In many examples below, it is important to recognize that being harmless may actually require violent action and that restraint from violent action may be harmful.

Dictionary definitions of “violence” often include not only harmful physical force, but also the sense of being morally unwarranted or unjust. We would not normally describe surgery as violence, because it is neither harmful nor unwarranted. For this reason, Tibetan scholars I have worked with have sometimes objected that the compassionate killing of bodhisattvas is not violence. However, the interpretive problem in Indian thought in general is that warfare, torture, animal sacrifice, the horrific punishments of the *dharmaśāstras* etc. all may fall within the definition of *ahiṃsā*, since they are both warranted and beneficial.⁴⁴ The same text from which one may pluck apparently unqualified statements of support for *ahiṃsā* may also advocate torture. This is not usually a failure of internal inconsistency. Therefore the word “violence” is being used in the context of this paper without any moral connotation, since the question is whether violent action, such as killing, may be moral. This also avoids a use of the term that would require one

⁴² Dundas 1992: 140.

⁴³ Bodewitz 1999: 17. He also notes that many scholars have misinterpreted *ahiṃsā* as the desiderative of the verb root *han*, to kill. He suggests “non-injury” as a translation, but this would not work with examples like killing.

⁴⁴ See Jenkins 2010 on compassionate warfare and torture.

to call morally warranted killing, such as a bodhisattva stabbing to death a thief, nonviolent. A morally justified war would even have to be called nonviolent. My use of the term “violence” indicates injurious physical force, including killing, warfare, punishment and torture regardless of its moral character.

An authoritative Buddhist precedent for Candrakīrti is found in Nāgārjuna’s *Ratnāvalī*, an epistle by the foundational Mahāyāna figure to a Buddhist king. Citing the word of the Buddha from an unknown text,⁴⁵ Nāgārjuna writes:

It is called beneficial to cut off a finger when it has been bitten by a [poisonous] snake. So the Buddha says to even cause extreme pain, if it will help another.⁴⁶

Chopping off a finger is a painful and violent act that brings to mind the famous Buddhist criminal Aṅgulimāla, “Finger-garland,” who decorated his neck with fingers cut from his victims. The simple act of cutting off a finger might be very similar, but, because of the differing intentions and outcomes, the moral implications are completely different. The action itself is morally neutral, even though we might assume that a compassionate doctor would perform such an amputation with a sense of regret and as a last resort, as described by Asaṅga. Candrakīrti emphatically states that the physician certainly does not accrue demerit for preventing the spread of even greater harm.

⁴⁵ *Bodhisattvagocaropāyaviṣayavikurvaṇanirdeśa* 111.a.1, cited in the *Sūtrasamuccaya* attributed to Nāgārjuna, also uses the example of a doctor inflicting pain in advising a king to discipline the unruly, but not in relation to snakebite.

⁴⁶ *Ratnāvalī* 181–182. Hopkins translates “mi bde ba yang bya bar” as “One should even bring discomfort.” This accords with the literal Tibetan, but seems mild for the example of cutting off a finger. For *mi bde ba*, Lokesh Chandra’s *Tibetan-Sanskrit Dictionary* gives *śūla* or simply *duḥkha*, which both seem stronger than discomfort; see Hopkins 1998: v. 264, 128; cf. the *Mahāyānasaṃgraha* on bodhisattvas assuming the role of a king “even inflicting torment on sentient beings to establish them in the code of discipline” (Keenan 1992: 88). It is also worth noting, in light of the fact that Nāgārjuna is addressing a king, that amputation was a common form of punishment in ancient and more recent Buddhist polities.

In the Majjhima-Nikāya, the *Abhayarājakumārasutta* uses a very similar analogy of saving a choking child to explain that the Buddha may sometimes use harsh speech. It was well known that the Buddha had spoken harshly to Devadatta and angered him by saying that he was incorrigible and destined for hell. Speech is a form of karmic action capable of causing harm. Most discussions of compassionate transgression include harsh speech and often begin with it. Here the Nigaṇṭha Nātaputta prompted Prince Abhaya to ask Gotama whether he would speak unwelcome and offensive words to others, a question which he predicted would be like an iron spike stuck in the Buddha's throat. The Buddha explains his use of harsh speech as follows:

Now on that occasion, a young tender infant was lying on Prince Abhaya's lap. Then the Blessed One said to Prince Abhaya: "What do you think, prince? If, while you or your nurse were not attending to him, this child, were to put a stick or a pebble in his mouth, what would you do to him?" "Venerable sir, I would take it out. If I could not take it out at once, I would take his head in my left hand, and crooking a finger of my right hand, I would take it out, even if it meant drawing blood. Why is that? Because I have compassion for the child." So too prince... Such speech as the Tathāgata knows to be true, correct, and beneficial, but which is unwelcome and disagreeable to others: The Tathāgata knows the time to use such speech. ... Why is that? Because the Tathāgata has compassion for beings.⁴⁷

This should not be taken as a general endorsement of compassionate transgression, but, for Mahāyānists, for whom harsh speech is a basic example, this would be very recognizable in terms of their own ideas. Compassion leads a person, who skillfully knows when it is appropriate, to cause pain in another when it has practical benefit. The Buddha makes use of the prince's ordinary common sense ethics, rather than a supererogatory model, to illustrate his point. The *sutta* makes clear that, even if he is correct, the Buddha does not use harsh speech if it will not benefit others. To the degree that we can regard this as an earlier stratum of Buddhist thought, this appears to be a precedent for the basic type of thinking employed by the Mahāyāna.

⁴⁷ MN i.392, *Abhayarājakumārasutta* (tr. Ñāṇamoli and Bodhi 1995: 499).

Candrakīrti offers another example of a hunter who kills one of his sons to prevent both from dying. The two sons are arguing at the edge of a precipice and one of them grabs the other with the intention of hurling them both over. Since he cannot reach them, and so has no other option, the hunter shoots one son with an arrow to prevent them both from dying. This case shows a concern for reducing the proportional extent of harm, as in the example of amputation.

The Buddha is also often compared to a caravan leader, and in another example we find one whose fellow travelers are cornered by a lion. The caravan leader shoots the lion in the head to protect his company. Demiéville cites another caravan story, from the *Mahā-Upāyakauśalya-sūtra*, to be distinguished from the *Upāyakauśalya-sūtra*, which appeared very early in China and has had enduring influence.⁴⁸ In this account a Brahmin is traveling with a caravan, which comes into proximity with a horde of five hundred bandits. The Brahmin kills the scout of the bandits, who was apparently his own personal friend, to prevent him from alerting the murderous band of thieves about his caravan's location. Part of his consideration is that, if he tells his companions about the scout, they will kill the scout and become murderers themselves. In this way he prevents 999 people from becoming murderers, i.e. the 500 bandits and the 500 merchants minus himself, by taking on the karma of murder himself.⁴⁹

Candrakīrti also relates the story of a bodhisattva born among lions who saves a large group of people caught in the coils of a

⁴⁸ He cites Taishō 156, vii, 161b–162a. Demiéville 1973: 379. According to Lewis Lancaster, the *Mahā-Upāyakauśalya-sūtra* was first translated into Chinese in the third century (Lancaster 1979: 140).

⁴⁹ It is not clear if the killer actually goes to hell. One would expect this tale to be a *jātaka* or *avadāna*, but the Brahmin is not identified as a bodhisattva. Demiéville does not give the karmic outcome of the story, except to say that the bandits and travelers are all converted. If he does go to hell, it would be a strong exception to my argument, and the first case I have found of compassionate transgression resulting in karmic penalty. This would also make it an irrational choice for motivating Chinese Buddhists to kill in war, since the assumption would be that they go to hell as a result.

huge snake. The bodhisattva frightens the snake by mounting the head of an elephant and releasing a great roar. In terror, the snake relaxes its grip and its captives are freed. This is an example of harsh speech as a violent act.

In another example, a father accidentally kills his own beloved son. His only son had returned from a long period abroad in a very fragile state of health. The father brings about his son's death by strongly embracing him. This clever example illustrates the fundamental importance of intention by making deep affection result in killing. Most of these stories are told in just a few lines, as if he takes for granted that his readers know the tales.

The ship captain

Candrakīrti also uses one of the most famous and influential, yet often misread, passages in Buddhist thought from the *Upāyakaśālyā-sūtra* of the ship captain who kills a bandit. This *jātaka* is cited by both Madhyamaka and Yogācāra sources and has continued to be important in modern times.⁵⁰ It seems to be a combination of two older stories, one in which the Buddha under the same name, “Greatly Compassionate,” saved five hundred passengers at sea and another in which, as a king, he stabbed a man to death with a spear.⁵¹ In this example, Captain Compassionate is faced with the knowledge that a thief intends to kill the five hundred merchant bodhisattvas riding in his ship. He gives this long reflection. If he tells the merchants, they will kill the thief and so suffer the bad karmic results.⁵² So, forming the compassionate intention to take the negative results upon himself, the ship captain

⁵⁰ For examples, see Williams 2009: 152 and 340, n. 12; Welch 1972: 272–288. Thanks to Chris Queen.

⁵¹ See n. 56 below.

⁵² The early *sūtras* have many examples of stupid and backsliding bodhisattvas, even bodhisattvas who have forgotten they were bodhisattvas. The fact that the text sees bodhisattvas as capable of killing in anger shows that it does not just indicate near deities with this term. Texts on bodhisattva ethics show a general concern for the fact that bodhisattvas make regular mistakes that require confession and contrition.

stabs the thief to death with a short spear. In this way, he skillfully benefits the potential mass murderer by saving him from eons in the hell realms. In fact, the thief is reborn in a heaven. [Perhaps this is an early source for the idea seen later in tantric contexts that a compassionate killer can direct the continuum of their victim to a heavenly rebirth.]

In the case of someone about to commit a heinous crime, not only is there less sense of negative consequence for the killer, there is even the sense that one is benefiting them by executing them before they can accrue more time in the richly described Buddhist hell realms. This raises the issue of what other crimes also have such bad karma that it would be better to kill the person rather than allow them to be performed. For instance, the “immediates” often include splitting the *saṅgha* and sometimes slandering the dharma. That would imply that enemies from both within and without Buddhism could merit the same violence as someone about to kill a parent or saint. The *Mahāparinirvāṇa-sūtra*, for instance, says that if one’s motivation is pure, it is possible to kill someone who is persecuting Buddhists or deriding the Mahāyāna without incurring karmic retribution.⁵³

The captain also saves the bodhisattva-merchants either from being murdered or becoming murderers themselves by attacking the thief.⁵⁴ This is highly double edged; the very motivation for killing is based on the devastating negative consequences of murder. One would be better off to be murdered, than to kill without compassion. All these sources agree that killing may be used to prevent others from taking on the karma of murder.

The entire story, like many in the *Upāyakauśalya-sūtra*, is framed as an explanation of a problematic event in the Buddha’s hagiography. Here the issue is that his foot was punctured by a thorn, which seems to suggest that the Buddha could be affected

⁵³ Taishō No. 375, 12.676b5–6). Thanks to Jan Nattier. For more examples see Schmithausen 1999: 57–58 and n. 60.

⁵⁴ This is a very potent example in the age of terrorism. On August 11, 2000, the Associated Press reported that Jonathan Burton, a teenage passenger who became combative on a Southwest Airlines flight, was killed by the passengers.

by karma. The thorn is homologous with the spear with which he stabbed the thief in a past life. As part of a general effort to show that compassionate killing remains an evil, albeit a necessary one, Harvey argues that the thorn shows that “the act had various bad karmic consequences, though not as bad as if it had been done without a compassionate motivation.”⁵⁵ But the final word of the *sūtra*’s account explicitly rejects this interpretation. The Buddha merely shows himself to be punctured by the thorn as a skillful technique to teach the law of karma.⁵⁶ In the process, he prevents another murder by demonstrating the law of karma to some potential killers. “For those reasons the Thus-Come-One has a thorn of Acacia stuck in his foot. That also is the skill in means of the Thus-Come-One; *it is not an obstacle caused by past deeds.*”⁵⁷

In another episode from the *Upāyakaṣālya-sūtra*, not long after the story of Captain Compassionate, the Buddha knowingly allows a non-Buddhist female ascetic to be murdered.⁵⁸ Part of the explanation for this is based on the common idea that our days are numbered. The Buddha saw that her lifetime was exhausted in any case. But what about her murderers, who will certainly go to one of the fantastically horrific hells so elaborately described in Buddhist texts? Killing just anyone is not an “immediate,” but surely the killers of this ascetic will suffer a horrible fate in the hell realms. Shouldn’t they be protected by the Buddha’s compassion? The murderous death of the ascetic will also have a negative kar-

⁵⁵ Harvey 2000: 136.

⁵⁶ Ap verses 21–22, gives another story in which the Buddha’s foot is hurt as the result of a past life as a king in which he killed a man with a spear. “I became a king and killed a person with a spear. By the ripening of that karma, I was boiled vigorously in hell.” In the present life, the Buddha is shown to still experience pain in his foot for that past killing and the karmic effects are not yet exhausted. This Apadāna is a catalogue of past-life misdeeds of the Buddha, including several murders. There is no sense that these were compassionate or dharmic acts. A central purpose of the *Upāyakaṣālya-sūtra* is to reread such tales, which seem to indicate that the Buddha could continue to suffer karmic consequences, in terms of Mahāyāna buddhology (Ap i.300).

⁵⁷ tr. Tatz 1994: 77.

⁵⁸ *Ibid.*, 460.

mic effect, if she dies in terror. The *sūtra* argues that, in this case, bringing dishonor to the opponents of the dharma is a compensating benefit.⁵⁹ It turns out that the killers were religious competitors of Buddhism. They are referred to as *tīrthika*, a name often erroneously translated as “heretic,” which probably refers to the antecedents of traditions we call Hindu today. The *sūtra* explains that the Buddha allowed the woman to be murdered, so that the discredit would fall on her *tīrthika* killers. Perhaps this should be read in the light of the fact that, since early times, holding wrong views is in itself sufficient to result in rebirth as an animal or in hell. The opponents of Buddhism, or a misguided Buddhist, would be understood to be leading others to such misfortune.

So, both allowing and preventing murder is validated. No specific outcomes or actions are essentially evil. Killing, preventing murder, and allowing a murder are all auspicious within one narrative context.

Making merit with murder and mercy sex

Like Asaṅga, Candrakīrti also says that the Ship Captain benefits himself as well by reversing *saṃsāra* by myriad ages.⁶⁰ On this point, I suspect an old mistranslation has been influential. In his *Śikṣāsamuccaya*, Śāntideva directly cites the *Ratnamegha-sūtra* on the allowance to kill someone who intends to commit an “immediate” [and also points out that the *Śrāvaka Vinaya* allows for the euthanasia of animals.] However a large part of his discussion of permitted transgressions is focused on the *Upāyakauśalya-sūtra*. He cites the *jātaka* of Jyotis, a *Brāhmaṇa* youth who broke his vow of abstinence in order to save the life of a woman who threatened to kill herself, if he would not engage in sex with her. In his translation of the *Śikṣāsamuccaya*, Bendall rendered a key phrase from the *Upāyakauśalya-sūtra*, cited by Śāntideva as “And so I myself

⁵⁹ In the *Bodhisattvabhūmi*, Asaṅga often makes allowances for more negative behavior in the case of *tīrthikas*, for instance in terms of harsh speech or returning abuse. See Tatz 1986: 221–223.

⁶⁰ *dge ba'i rtsa ba des kyang bskal pa stong phrag brgyar 'khor ba la rgyab kyis phyogs par byas so ||* (CS 253.1).

young sir, by an impulse of pity, though vile, and full of desire, was set back for ten thousand ages.”⁶¹ He thus reversed the meaning and presented compassionate transgression as an enormous karmic setback. In his translation of the *sūtra* itself, Tatz rendered this instead, “Because I generated a thought that was endowed with great compassion but conjoined with transitory passion, birth and death was curtailed for ten thousand years.”⁶²

Asaṅga says in the *Mahāyāna-saṃgraha* that: “Even if a bodhisattva in his superior wisdom and skillful means should commit the ten sinful acts of murder etc., he would nevertheless remain unsullied and guiltless, gaining instead immeasurable merits.”⁶³ Śāntideva, again quoting the *Upāyakauśalya-sūtra*, similarly says in the *Śikṣāsamuccaya*, “Behold, son of good family, the very action which sends others to hell sends a bodhisattva with skill in means to the *Brahmaloka*” heaven realms, [a traditional result of generating compassion].⁶⁴ There is no question of the compassionate bodhisattva killer going to hell in these sources. This is consistent with a general pattern in Mahāyāna thought wherein the more pure a bodhisattva’s intention is to go to hell, the less likely she is to do it. The bodhisattva dramatically shortens the path to buddhahood, precisely because of being willing to sacrifice his own spiritual progress. The motivational conception and its actual results can be completely different. In fact the motivation can produce the opposite of what is intended; those who intend to endure hell realms do not, precisely because they are willing to do so.

⁶¹ Bendall and Rouse 1971: 163; *So 'haṃ kulaputra mahākāruṇyacittot-pādena-itvareṇa kāmopasaṃhītena daśakalpasahasrāṇi saṃsāram akār-saṃ*; Tatz 1994: 35, n. 49; Śikṣ 167.

⁶² Tatz 1994: 34; for a similar phrase, see *Suvarṇaprabhāsottama-sūtra*, tr. Emmerick 1970: 31. Thanks to Mark Tatz for supplying me with the unpublished manuscripts of his Tibetan editions of the *Upāyakauśalya-sūtra*. Note that this also accords with Chang’s translation from the Chinese (Chang 1983: 456–457). Another translation of this episode from the Chinese can be found in Welch 1972: 284–286.

⁶³ Keenan 1992: 88.

⁶⁴ *paśya kulaputra yad anyeṣāṃ nirayaśaṃvartanīyaṃ karma, tad upāyakauśalyasya bodhisattvasya brahmalokopapattisaṃvartanīyaṃ //* (Śikṣ 167).

I have not yet located an example where a compassionate killer suffers negative karmic consequences. Bhāviveka may offer a highly qualified exception. In arguing that even great evil, *pāpa*, can be overcome, he points to the famous cases of the mass murderer, Aṅgulimāla, the patricidal King Ajātaśatru, and the wicked King Aśoka who turned their lives around by subsequently forming positive intentions.⁶⁵ As with the thorn in the Buddha's foot, Bhāviveka argues that it is only taught that they were reborn in hell to generate confidence in the law of karma, in fact their negative karma had been completely eliminated. They were born there, he then says, "like a silk ball that falls down and rises up. They were not touched by the flames of hell. In this way evil can be uprooted without denying the laws of karma."⁶⁶ The objection is then raised that even the Buddha suffered negative karmic consequences, such as his foot being pierced by a thorn. Bhāviveka specifically rejects this, referring directly to the *Upāyakauśalya-sūtra*. He then follows with a discussion of killing with compassion.

Others see someone on the verge of committing a heinous crime (*ānantarya*), know that this action will cause suffering for a long time, and kill that person out of compassion. They certainly know that they will be born in hell, but they adopt a wholesome or indeterminate (*avyākṛta*) motivation (*citta*) and kill in order to protect [others]. They accept their own rebirth in hell, but their wholesome [motivation] is sustained by wholesome thoughts like: "This is great suffering, but it will not last long." This [motivation] is wholesome, because it is like a

⁶⁵ The fact that a thematic study of Aṅgulimāla and Ajātaśatru could easily comprise a book length study shows how important the issue of avoiding the fruition of past inauspicious action was to Indian Buddhists. There are entire *sūtras* and sections of others focused on them. The *Mahāparinirvāṇa-sūtra* has an extensive discussion. The study of the theme of overcoming the karma of murder will have strong implications for the understanding of Buddhist ethics. This is particularly true for tantric texts, which, with their claim to achieve liberation in the present lifetime, can even avoid the fruition of the "immediates" which lead directly to hell on rebirth.

⁶⁶ Eckel 2008: 185. The reference to *either* neutral or auspicious states of mind still seems unclear to me, since he immediately follows by indicating that the killer's intention is auspicious.

thought that is free from desire and so forth.⁶⁷ ... A *bodhisattva* who commits murder out of compassion, cannot be reproached for this action, because it is not generated by hatred, ...⁶⁸

Bhāviveka's exposition, including the reference to wholesome [auspicious] or neutral motivation, is very close to that of the *Bodhisattvabhūmi*, with which he was familiar. He does not say whether the killer actually goes to hell. Nothing would prevent this more than the intention to do so. However, his description of how the compassionate killer considers that the hell experience will not last long may be related to the description of bouncing in and out of hell without being touched by the flames. We can be certain that, if Aṅgulimāla is untouched by the flames of hell, that a bodhisattva would have at least as positive an outcome. It would seem incongruous to even correlate the karmic outcomes for a reformed mass murderer and a compassionate bodhisattva killer. But if we take these two together and assume that Bhāviveka is indicating that even such a bodhisattva bounces in and out of hell, it would explain the broadly held view of contemporary Tibetan scholars that compassionate killers have an extremely brief experience of hell.⁶⁹ The

⁶⁷ According to Eckel, Vasubandhu presents the identical paragraph in his *Vyākhyāyukti*. This seems remarkable, since this is not a citation of the *sūtra* (Eckel 2008: 187, n. 333). Demiéville notes that the ship captain story is recited in the commentary to Asaṅga's *Mahāyānasamgraha* as an example of *gāmbhīriya śīla* (Demiéville 1973: 380). He cites Lamotte 1939: 215–216.

⁶⁸ Eckel 2008: 188. The term “wholesome” is commonly used as a translation alternative for “auspicious.”

⁶⁹ As Eckel acknowledges, the comparison to the bounce of a silk ball, which suggests a momentary contact, remains a difficult translation problem. In a rich footnote, Eckel observes that Sthiramati uses a similar metaphor in commenting on verse 3.8 of Asaṅga's *Mahāyānasūtrāṅkāra* (Eckel 2008: 185, n. 324); in any case, the passage commented on by Sthiramati asserts that anyone possessing the *bodhisattva-gotra*, who takes rebirth in the lower realms, has a brief stay and minimal suffering. The intention of the metaphor is clearly to minimize either the extent or duration of suffering. For the purpose here, the fact that they do not experience the flames of hell is sufficient. Xuanzang offers a similar idiom of the time it takes for a ball of thread to fall to the ground after being tossed up (tr. Li Rongxi 1996: 105). The repeated closeness of Bhāviveka's treatment to that of Asaṅga, Vasubandhu, and Sthiramati, is remarkable. See also *Mahāyānasūtrāṅkāra*, tr. Jamspal,

great Tsong-kha-pa cites Bhāviveka here with approval.⁷⁰ However Bhāviveka does not emphasize the production of great merit as do Asaṅga, Śāntideva and the *Upāyakauśalya-sūtra* itself, instead focusing on overcoming karmic negativity.⁷¹

Some qualifications

Candrakīrti clearly realizes the possibilities for exploitation in this idea. Later in the same commentary he launches into a jeremiad against a king who seeks to justify violence for the sake of maintaining moral order.⁷² For Candrakīrti, the reason bodhisattvas are not destroyed by such violence, while others are, is that they possess a controlled mind with compassionate intent.⁷³ The opposite is also obviously true. Those who do these things without these qualities face fantastically negative consequences. The tension between these two is perfectly expressed in the *Upāyakauśalya-sūtra* itself, where the express purpose of the story is to actually discourage others from murder, rather than to validate compassionate violence. The Buddha demonstrates the power of karma to a group of potential murderers by showing himself to be pierced by a thorn as an outcome of spearing the thief in his earlier life as Mahākāruṇika the Ship Captain.⁷⁴ So, even the portrayal of compassionate murder

L. et als. 2004: 27.

⁷⁰ tr. Lamrim Chenmo Translation Committee 2000: 256.

⁷¹ The apparent contrast between Bhāviveka and his *Prāsaṅgika* opponents raises the interesting question of the relationship between ethics and ontology. *Śūnyavāda* traditions seem to be more ethically liberal than abhidharmic ones. We would expect Bhāviveka, with his concern for firmly establishing conventional norms, to perhaps be more conservative than Candrakīrti. There is a striking correlation between *tathāgatgarbha* traditions and vegetarianism that is based perhaps on their strong sense of a base consciousness. Sources that validate killing on the basis of emptiness are another further area of exploration.

⁷² See Lang 1992: 232–43.

⁷³ *gzhan dag la yang de ltar ci'i phyir mi 'gyur zhe na / sems la dbang thob pa med pa'i phyir dang / sems kyi rgyud nyon mongs pa mkhrang zhing nye bar sad pas bzung ba nyid kyi phyir ro //* (CS 251.3).

⁷⁴ Tatz 1994: 34–9; 73–4. cf. Chang 1983: 431–440, 456–457.

is used to discourage murder by malicious people. However, the *sūtra* has already shown, consistent with the later interpretations of Asaṅga, Śāntideva and Candrakīrti, that the ship-captain in fact made enough merit through this murder to reverse *saṃsāra* by one hundred thousand *kalpas* and the thorn is merely an *upāya* of the Buddha, not an actual karmic outcome.

Compassionate violence as common sense

In general, compassionate killing is a supererogatory ethic, not one of imitation. It is double edged in opening the possibility for murder precisely to prevent its horrific karmic outcome. Yet Candrakīrti's earthy examples also suggest that there is something commonsensical about compassionate violence. Part of the power of Candrakīrti's hypothetical cases is that they appeal to natural human responses to protect children and companions. They draw on issues and choices that doctors, leaders, parents or pilots may face in everyday life and derive their force from the fact that they make intuitive sense to people. If bodhisattvas are like ordinary folk, then ordinary folk may be like bodhisattvas. The possibility that this discourse merely elaborates a supererogatory ethic without general significance seems dubious. All the sources view compassionate killing as dangerous. But one would expect Buddhists to attempt, as far as they were able, to behave like bodhisattvas when faced with difficult moral choices. If a bodhisattva is like a physician cutting off a poisoned finger, then a physician is also like a bodhisattva. As in the teachings for bodhisattvas, a good doctor must know what she is doing, have a compassionate intention, and would regret the pain that she causes. Surely, as in the Jain understanding, a doctor performing an amputation need not be a great bodhisattva to avoid terrible karma. When Nāgārjuna uses the finger amputation analogy to advise a king that he may have to inflict great pain, he is not speaking to a bodhisattva, but to a very dangerous person. Kings routinely used amputation as a punishment in ancient India.

In the broadly cited *Bodhisattvagocara-upāyaviṣaya-vikurvaṇa-nirdeśa-sūtra*, the same thinking is applied to penal codes and war-

fare.⁷⁵ A king is encouraged to compassionately punish and even torture the unruly in order to discipline them and protect society, but he is not to kill or permanently damage them. He may go to war to protect his family and his people. He should try to avoid war in the first place and carefully consider how his policies are responsible for the creation of enemies. But even if he kills the enemy, as long as he avoids the destruction of life, infrastructure, and nature, he will be blameless and produce great merit. This is stated with almost the same phrasing as Asaṅga's. There is no sense that the king, his warriors, or law enforcement officials must be bodhisattvas.

As we consider these sources, all of them framed within or focused on narrative, we should remember that even the early mainstream narrative traditions of Buddhism are full of stories of Buddhist warfare that feature the Buddha in past lives as a weapons master, king, warhorse, execution elephant, elephant mahout engaged in a siege etc.⁷⁶ In Āryaśūra's *Jātakamālā*, a Mahāyānist collection of birth-stories, the Buddha is described as being born as Śakra, i.e. Indra, in a past life. Indra is king of the *devas* and a model of the ideal king. The demonic *daitiyas*, another class of lesser deities, challenge him to battle. The battle is described in vivid dramatic detail.

Despite his scruples, everything inclined the *bodhisattva* to engage in the frenzy of battle: the enemies' presumption; the fear people felt, which put an unpleasant curb on their amusements; his own dignity; and the course of action that prudence dictated. ... There then took place a battle that shattered the nerve of the cowardly and in which armor splintered at the clash of weapon on weapon. ... "Watch out!" "Now how are you going to escape me?" "Attack!" "That's the end of you!" – such were the cries as the combatants killed one another.⁷⁷

⁷⁵ See Jenkins 2010.

⁷⁶ Ibid.

⁷⁷ trans. Khoroche 1989: 81–82. Pāli texts also refer to this battle. See for instance SN i.221. Here Indra's conduct toward the defeated and bound enemy king is lauded.

The *devas* broke ranks and fled under a shower of arrows, and finally Indra himself turned his chariot in retreat. But as he turned his huge chariot to flee the field, he saw that he was about to overrun some nests full of baby birds. “I would rather that the demon chiefs battered me to death with their terrible clubs than that I live on with my reputation ruined, under the reproach of having slaughtered these creatures who are distraught with terror.”⁷⁸ In order to avoid crushing them and at the risk of his life, he turned directly back at the pursuing *daityas*. Shocked by this turn of events, the demonic forces broke rank in turn and were routed by the *devas*. Victory turned on the compassionate response to baby birds and once again *karuṇā* proved to be protective. The story is typically ironic in simultaneously validating both deadly warfare and that “all decent men should cultivate sympathy for living things.” The bodhisattva-king of the *devas* surely provides a model for the good Buddhist king here.

Closing reflections on metaethics

This paper has been an effort to begin to understand what Indian Buddhist texts say about compassionate killing. I think we are going to keep discovering a Buddhism very different than the one we think we know. Important *sūtras* and large bodies of narrative literature are in many cases untranslated. Even major figures such as Candrakīrti, Asaṅga, and Bhāviveka have only been partially translated, not to speak of the commentaries. I was fortunate to have the very recent work of David Eckel on Bhāviveka. Paul Harrison has recently shown that in many cases we do not even know when Śāntideva, who has been at the absolute center of the study of Buddhist ethics, is composing or quoting.⁷⁹ It seems critical for the inherently comparative application of metaethical analysis to Buddhist thought to have a clear object of analysis or pole of comparison, but we have not yet clarified what we intend to analyze even in regard to individual thinkers.

⁷⁸ trans. Khoroché 1989: 83.

⁷⁹ Harrison 2007: 215–248.

The ethics of compassionate violence are a complex matrix of multiple interrelated and competing concerns, including proportionality, intention, virtue, situation, and consequences conceived from a multiple-life perspective. The basic principle that the auspicious is defined by that which leads to positive karmic outcomes only increases the level of ambiguity by removing the possibility that any action is essentially inauspicious. Although there are many warnings of hell and promises of heaven for specific acts in Buddhist ethical rhetoric, there are as many reminders that the workings of karma are ultimately inconceivable. If karma is inconceivably complex, then the auspicious is equally inconceivable, and so follows Buddhist ethics. I do not mean by “ambiguity” to say that Buddhists are befuddled or that they do not have clear moral principles. I mean this in the positive sense that lack of moral certainty, appreciation for narrative complexity, rejection of oversimplification, and a high toleration for the almost unfathomable complexity of moral situations can be positive things.

I suspect that Buddhist ethics constantly resort to narrative, because it is capable of maintaining tensions and ambiguities and representing diverse voices and multiple levels of concern.⁸⁰ In Buddhist thought, narrative is as likely to be the commentary itself as it is to be the object of analysis.⁸¹ This makes the application of Western metaethics especially challenging, since it tends to function in the opposite way, that is, by clarifying narrative through systematic analysis.

The *jātakas*, *avadānas*, hagiographies etc. are at least as important for the understanding of Buddhist ethics as any subtle psychological or philosophical analysis, but these are the most neglected texts in modern studies. Legends of Śāntideva and Asaṅga may tell us more about how Buddhists understood their ethics than the *Bodhicaryāvatāra* or *Bodhisattvabhūmi*, at least in regard to the contexts that held those legends dear. Certainly, in my experience, relatively few Buddhists know the commentarial literature to

⁸⁰ I am indebted here to conversations with John Strong.

⁸¹ I acknowledge the influence of my dissertation advisor, Charles Hallisey, on this point.

which most of this paper is devoted, while the story of the ship captain is known throughout the Buddhist world. It is remarkable that Asaṅga, Vasubandhu, Bhāviveka, Candrakīrti, and Śāntideva all resorted to the same brilliant little story of Captain Compassionate, which holds the possibility of auspiciously killing with compassion in dynamic tension with the horror of killing without it. One gets the feeling that Buddhist thinkers are deliberately enhancing the ambiguity, as if only an ambiguous ethic could do justice to lived reality.

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