

Gihigatā vs. *Kumāribhūtā*: A Legal Perspective on the Candidate Types of Buddhist Nunhood

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Summary

According to the traditional interpretation of relevant *Vinaya* rules, the *gihigatā* (“married”) candidate type for Buddhist nunhood can be ordained at the minimum age of twelve, whereas the *kumāribhūtā* (“maiden”) type, at that of twenty. There are several issues with the aforesaid interpretation: (1) A compulsory question that a candidate must answer before ordination seemingly disqualifies any candidate under twenty years of age, (2) The minimum age requirement is supposedly required because only those old enough can be resilient to hard monastic life, but it hardly makes sense when one claims that a mere loss of virginity in marriage or otherwise is equivalent to an eight-years worth of maturity and resilience, and (3) The minimum age of twelve years for the married type suggests a marriage before ten, but there is no evidence of common child marriages at the time. However, the issue (1) exists only when we understand such compulsory questions as of polar type; if we interpret them instead as susceptible of explanatory answers, this issue would disappear. The remaining two issues can be resolved if we redefine *gihigatā* as a woman having had the experience of life in a

non-paternal household, and *kumāribhūtā* as one without. Moreover, the vast difference in minimum age requirements makes much more sense if we realize that the Buddha might have wished to keep a distance between *kumāribhūtās* and *gihigatās* after their admission to the Order so that the former's innocence can be protected during their sensitive years of life.

Keywords

Vinaya, Theravādin *vinaya*, monasticism, Buddhist monasticism, monastic law, Buddhist law, Buddhist monks, Buddhist nuns, ethics, Buddhist ethics

I. Introduction

In the Theravādin *Vinaya*, there are two types of candidates to nunhood: *gihigatā* (“married”) and *kumāribhūtā* (“maiden”). This differentiation seems meant to account for their difference of minimum age requirements for ordination. Firstly, see the following rules from the *Pācittiya* chapter of the *Pātimokkha* for nuns:

65. *yā pana bhikkhunī ūnadvādasavassam gihigataṃ vuṭṭhāpeyya, pācittiyaṃ.*
(*Pāt*, 184; *Vin*, IV. 322)

If any bhikkhunī should sponsor[for ordination] a married girl less than twelve years *of age*, there is an offence entailing expiation. (*Pāt*, 185 emphasis added)

71. *yā pana bhikkhunī ūnavāsativassam kumārībhūtaṃ vuṭṭhāpeyya, pācittiyaṃ.*
(*Pāt*, 186; *Vin*, IV. 327)

If any bhikkhunī should sponsor a maiden under twenty years *of age* [for ordination], there is an offence entailing expiation. (*Pāt*, 187 emphasis added)

These two rules cited above are extended by the rules (66) and (72) respectively; what follow are their translations:

66. If any bhikkhunī should sponsor[for ordination] a married girl fully twelve

years of age, [but] who has not trained for two years in the six rules, there is an offence entailing expiation. (*Pāt*, 185; *Vin*, IV. 323)

72. If any bhikkhunī should sponsor [for ordination] a maiden fully twenty years of age [but] who has not trained for two years in the six rules, there is an offence entailing expiation. (*Pāt*, 187; *Vin*, IV. 328)

Again, the rules (66) and (72) are further extended by the rules (67) and (73) respectively; what follow are their translations:

67. If any bhikkhunī should sponsor[for ordination] a married girl fully twelve years of age [and] who has trained for two years in the six rules, [but] who is not approved by the saṅgha, there is an offence entailing expiation. (*Pāt*, 185; *Vin*, IV. 323)

73. If any bhikkhunī should sponsor[for ordination] a maiden fully twenty years of age and who has trained for two years in the six rules [but] who is not approved by the saṅgha, there is an offence entailing expiation. (*Pāt*, 187; *Vin*, IV. 328)

The legal framework represented by those rules may be confusing at first sight, but it would be clearer if we firstly deduce from those rules the essential legal requirements that the aforesaid candidates need to fulfill for their ordination: (1) minimum age, (2) a completed period of successful probation, and (3) the approval of the Order. Then, we come to see how those rules work as follows:

1. A *gihigatā* candidate must be at least twelve years of age, whereas a *kumāribhūtā* one, at least twenty years of age. If they are not old enough, the rules (65) and (71) would respectively prohibit their ordination.
2. They must successfully complete a probation period of two years prior to their ordination. Otherwise, the rules (66) and (72) would respectively prohibit their ordination. This requirement also means that *gihigatā* candidates would usually

seek probation at the minimum age of ten, whereas *kumāribhūtās* would, at the minimum age of eighteen.

3. They must win the approval of the Order for their ordination. Otherwise, the rules (67) and (73) would respectively prohibit their ordination.

On the other hand, there are still two other rules, viz., the rules (63) and (64):

63. If any bhikkhunī should sponsor [for ordination] a trainee¹⁾ who has not trained for two years in the six rules, there is an offence entailing expiation. (*Pāṭ*, 185; *Vin*, IV 319)

64. If any bhikkhunī should sponsor[for ordination] a trainee who has trained for two years in the six rules, [but] who is not approved by the saṅgha, there is an offence entailing expiation. (*Pāṭ*, 185; *Vin*, IV. 321)

As seen above, those two rules cover the two requirements for ordination, that is, those other than the minimum age requirement. Moreover, they use the blanket term “trainee” (*sikkhamānā*) whereas the other six rules outlined above name the specific candidate types instead. All this seemingly shows that these two rules came into being prior to the introduction of the aforesaid six rules. Otherwise, the rules (63) and (64) do not add anything to the legal framework described above.

The interpretation of those rules have been problematic hitherto, especially that of the 65th rule:

One of the most controversial rules is the LXVth Pācittiya for nuns, and it seems that the correct interpretation of no other rule of the Pātimokkha has caught so much attention and created so much controversy lately as this rule did . . . (von Hinüber 2008, 6)

1) Horner (1938-66, vol. 3, 364, etc.) renders this term (*sikkhamānā*) as “probationer,” and Juo-Hsieh Shih (2000, 413, etc.) adopts her rendition.

Therefore, I attempt in this paper to make new interpretations of those rules. To do so, I would also need to have a fresh look at the candidate types mentioned therein.

II. The Extant Issues

The first issue with the aforesaid rules is the terms used to describe different types of candidates. As seen above, Norman translates *gihigatā* as “married” and *kumāribhūtā* as “maiden,” which is somewhat misleading. Why? Given the taxonomy of only two candidate types, if *gihigatā* covers all married women, *kumāribhūtā* should cover all others, including widows, divorcees, and courtesans—those who should not be termed “maidens.” However, as von Hinüber points out, the Theravādin tradition takes *gihigatā* to mean “‘a woman, who is no longer a virgin,’ married or not” (von Hinüber 2008, 12), and *kumāribhūtā*, to mean all virgins. If we agree with the tradition, the taxonomy of strictly two candidate types would hold.

On the other hand, Horner and many other scholars are not convinced by the traditional interpretation of the 65th rule as given above. There are several reasons for their doubts.

Firstly, there are respective sets of questions that candidates to monkhood and to nunhood must answer prior to their ordination,²⁾ and one identical question found in both sets is: “Did you complete twenty years (of age)?” The presence of this question seemingly disqualifies any candidate under twenty years of age:

And at *Vin. ii. 271* it is said that she on whom the *upasampadā* is being conferred, without however specifying more fully what is to be understood by “she,” must be asked if she has completed twenty years of age. (Horner 1938-66, vol. 3, li)

2) The questions for would-be monks can be found at (*Vin*, I. 92; Horner 1938-66, vol. 4, 120) whereas those for would be nuns, at (*Vin*, II. 271; Horner 1938-66, vol. 5, 375).

This [i.e., the permission to ordain twelve-years old *gihigatās*], of course, results in a glaring contradiction within the Theravāda-Vinaya: For, as it is well known, the lowest ordination age of a nun is that of twenty years, and every future nun is asked before ordination: / “Did you complete twenty years?” (von Hinüber 2008, 6)

Secondly, the Buddha gave the same reason when he prescribed the minimum age requirements for ordination of monks and nuns: only those old enough can be resilient to the hardships of monastic life. What follows is his rationale for requiring male candidates to have at least twenty years of age:

Monks, an individual under twenty years of age is not able to endure cold, heat, hunger, thirst, the sting of gadflies or mosquitoes, wind and sun, creeping things, abusive, hurtful language; he is not the kind (of person) who endures bodily feelings which, arising, are painful, acute, sharp, shooting, disagreeable, miserable, deadly. But, monks, an individual of twenty years of age is able to endure cold, heat . . . omission . . . miserable, deadly. (*Vin*, I. 78; Horner 1938-66, vol. 4, 98)

As pointed out by Horner (1938-66, vol. 3, 1), the Buddha gave the same rationale cited above for requiring *kumāribhūtā* female candidates to have at least twenty years of age (*Vin*, IV. 327; Horner 1938-66, vol. 3, 381), and for requiring *gihigatā* female candidates to have at least twelve years of age (as traditionally understood) (*Vin*, IV. 322; Horner 1938-66, vol. 3, 369). This means a twelve-years old non-virgin candidate is equivalent to a twenty-years old virgin candidate in terms of resilience to hardships of monastic life. But how can a mere loss of virginity be translated into an eight-years worth of maturity and resilience? This seemingly does not make much sense.

Thirdly, if the probation period of two years is taken into account, a *gihigatā* candidate must come to the Order maximally at the age of ten if she is to be ordained

at the prescribed minimum age of twelve. This means she must have lost her virginity at an age of less than ten. This, in turn, implies that child marriage was prevalent at the time in India. Yet, the historical development of marriage in ancient India seemingly indicates otherwise:

The development of marriage age shown by Kane suggests that one has to assume a higher marriage age than eight years in the period when the *Vinaya* was created (approx. 4th -1st century BC). As Kane points out, in the time of the *Rgveda*, girls were married off at a relatively old age. With the ancient *Grhya*- and *Dharmasūtras* (300-0 BC), the age of marriage was shifted to just before or just after the onset of menstruation.

Irrespective of the exact age at which marriage took place, the almost unanimous requirement of temporary celibacy after marriage suggests that the woman was sexually mature when she went to live with her husband.³⁾

(Von Hinüber also forwards additional arguments against the traditional interpretation of those rules. I would deal with his view in the section 4.)

Out of the issues enumerated above, *the former two* have induced Horner to differ from the tradition and translate the 65th Pācittiya rule for nuns as follows: “Whatever nun should ordain a girl *married for less than twelve years*, there is an offence of expiation.” (Horner 1938-66, vol. 3, 369 emphasis added), and she also observes:

If a girl were married at eight, which is still customary in parts of India, betrothal having taken place earlier, but if she were under twenty when she

3) Die von Kane aufgezeigte Entwicklung des Heiratsalters läßt vermuten daß man im Entstehungszeitraum des *Vinaya* (ca. 4.-1.Jh. v.Chr.) von einem höheren Verheiratsalter als acht Jahren auszugehen hat. Wie Kane ausführt, wurden Mädchen zur Zeit des *Rgveda* noch in relativ hohem Alter verheiratet. Mit den alten *Grhya*-und *Dharmasūtras* (300-0 v.Chr.) verschob sich das Heiratsalter auf die Zeit kurz vor oder nach Eintreten der Menstruation.

Unabhängig davon, in welchem Alter genau die Eheschließung erfolgte, spricht die fast übereinstimmende Forderung eines auf eine bestimmte Zeit begrenzten Zölibats nach der Eheschließung dafür, daß die Frau wenn sie zu ihrem Mann zog, geschlechtsreif war. (Kieffer-Pülz 2015, 214)

sought ordination, then she would not have been married for as many as twelve years, and this would seem to be her age as considered from the point of view of the legislation laid down in Pāc. LXV-LXVII. (vol. 3, 1)

According to Horner, *gihigatā* candidates can also be ordained only at least at the age of twenty, and the 65th rule is a roundabout way to enforce this. How? Girls at the time would usually get married at eight, and after twelve years of marriage, they would be twenty years old and be qualified to seek ordination. If they attempt to get ordained before that, their non-virgin life has not fulfilled twelve years yet, which would trigger the rule to prohibit their ordination. Being thus forced to be at least twenty years of age when they seek ordination, those non-virgin candidates would not be “obliged to lie when asked immediately before ordination: ‘Are you twenty years old?’ ” (von Hinüber 2008, 9), and their resilience to hardships of monastic life would also be on par with their virgin counterparts.

However, Horner’s interpretation brings in several new problems:

1. “The assumption of eight years as the bride’s age at the time of marriage is chosen arbitrarily in order to arrive at the minimum age of ordination of 20 years for nuns as handed down in the *Cullavagga*.⁴⁾ Apart from the arbitrariness of this assumption, it also contradicts Kieffer-Pülz’s observation cited above, viz., that girls at that time only got married when they were sexually mature enough.
2. If both *gihigatā* and *kumāribhūtā* candidates can only be ordained at the minimum age of twenty years, what is the use of classifying two candidate types and assigning different rules to them? It would have been better to prescribe the minimum age of twenty years for all female candidates to ordination, whether they are virgins or not.

4) Die Annahme von acht Jahren als Alter der Braut bei der Eheschließung ist willkürlich gewählt, um auf das im *Cullavagga* überlieferte Mindestordinationsalter von 20 Jahren für Nonnen zu kommen. (Kieffer-Pülz 2015, 213)

3. The situation of non-virgin candidates who get married later or earlier than their eighth year of age is not clear. For example, suppose a girl gets married at the age of fifteen and gets divorced soon after. She would be forced by the 65th rule to wait for ordination until the age of twenty-seven to complete the twelve years of her non-virgin life. However, there is no clear rationale behind this delay, nor even the evidence showing that such delays existed.

As we have seen above, both opposing views have their own problems. However, I argue that the issues observed by modern scholars in the traditional interpretation can be explained away if we correctly understand the compulsory question on the minimum age of ordination, and also if we modify the interpretation of the terms *gihigatā* and *kumāribhūtā*. I would elaborate my argument in the following sections.

III. The Question on the Minimum Age of a Candidate

As seen above, many scholars maintain that the presence of the question “Did you complete twenty years (of age)?” disqualifies any candidate under twenty years of age. I would firstly deal with the nature of this question.

The aforesaid question is an identical one found in both respective sets of questions that candidates to monkhood and nunhood must answer prior to their ordination. To consider the general nature of those standard sets of questions for would-be monks and would-be nuns, let us see below, as a sample, the questions that must be answered by both male and female candidates (*Vin*, I. 92; Horner 1938-66, vol. 4, 120; *Vin*, II. 271; Horner 1938-66, vol. 5, 375 enumeration added):

1. Have you diseases like this: leprosy, boils, eczema, consumption, epilepsy?
2. Are you a human being?
3. Are you a man (woman)?

4. Are you a free man (free woman)?
5. Are you without debts?
6. Are you not in the royal service?
7. Have you your parents' (and your husband's) consent?⁵⁾
8. Are you full twenty years of age?
9. Are you complete as to bowls and robes?
10. What is your name?
11. What is the name of your preceptor (woman proposer)?

Now the problem we should consider is: do these questions allow explanatory answers? Or, are these of *polar type*, i.e., only to be answered “yes” or “no”? If those questions are to accept explanatory answers like “I am not yet twenty years old, but . . .” the question: “Are you full twenty years of age?” would not, by itself, disqualify a candidate under twenty years of age. On the contrary, if the aforesaid question is of polar type, any candidate under twenty years of age can only truthfully answer “no” to that question, and as a result, has his/her bid for ordination rejected irrespective of other conditions and rules.

For many scholars like Horner and von Hinüber, those questions must have appeared as of polar type, for they think that the question “Are you full twenty years of age?” disqualifies any candidate under twenty years of age. Other traditions also seemingly maintain that those questions are of polar type:

Nor should we assume that the redactors of the other Vinayas had no knowledge of this disqualifying condition [i.e. the presence of the question: “Are you full twenty years of age?”]. Quite on the contrary, an examination of the other Vinaya traditions shows (1) that they must have been aware of this potential

5) A man would only need the permission of his parents, but a married woman, that of her husband as well as of her parents.

contradiction and made skillful modifications to avoid it; and (2) that the disqualifying condition in the Pāli just mentioned may simply mean that the Pāli Vinaya did not take the trouble to modify the question about age for ordination to suit the different requirements for a maiden and a married woman. (Juo-Hsüeh 2000, 486)

However, I argue that the Theravādin tradition “did not take the trouble to modify the question about age for ordination to suit the different requirements for a maiden and a married woman” (486), simply because it does not see those questions as of polar type. What follows is a couple of pieces of evidence for my argument.

First of all, we should remember that the Order is allowed to teach candidates beforehand how to properly answer these questions:

Anujānāmi bhikkhave paṭhamam anusāsivā pacchā antarāyike dhamme pucchitunti. (Vin, I. 93-94)

“I allow you, monks, having instructed first, afterwards to ask about the things which are stumbling-blocks.” (Horner 1938-66, vol. 4, 120)

If such questions were to be simply answered yes or no, there should have been no need for instructing candidates. On the contrary, such prior instruction should be necessary only because those questions might require explanatory answers that newcomers might find it difficult to provide properly.

Furthermore, those questions are seemingly arranged on the basis of “one issue, one question” principle, whereas each issue represented by each question may be manifested in different forms due to different circumstances. Then, if candidates are forced to answer simply yes or no to such questions, this would lead to many unnecessary complications in the ordination procedures for both monks and nuns. This can be demonstrated with a scenario.

Suppose a man, an orphan who lost the parents long ago, aspires to join the Order,

and requests for ordination. One of the standard questions that he must answer at the ordination ceremony is: “Have you your parents’ consent?”—as shown above. Given that he cannot get permission from the already dead parents, there are two possible outcomes depending on the question type.

If this is a polar question, he can answer only “No,” leading to the denial of his bid for ordination. However, such a denial would imply that all orphans are not qualified to get ordained. This sort of implication has no evidence whatsoever in the *Vinaya* to support it. Moreover, the spirit of this requirement for parental permission is explicitly to spare the feelings of the parents (*Vin*, I. 82-83; Horner 1938-66, vol. 4, 104), and implicitly to protect the Order from the angry parents who have unwillingly lost their sons to the Order (Pandita 2012). This spirit of the rule appears at odds with the denial of ordination for orphans, given that there is no need to spare the feelings of already dead parents.

On the other hand, if this question allows an exploratory answer, he should be able to respond: “No, but I cannot get their permission only because they passed away long ago.” Given that there is no need to spare the feelings of the already dead parents, his request for ordination can be granted. This is why the commentator says:

Sace pitā mato mātā vā, yo jīvati so āpucchitabbo . . . omission . . . Mātāpitāro matā . . . omission . . . Anāpucchā pabbājentassa pana āpatti natthi. (Sp, V. 1011)

If the father or the mother is already dead, the one still living should be requested (for permission). (If both) parents are already dead . . . there is no offense for one who lets (the child) renounce without requesting (other relatives) for permission.

As reflected in the scenario above, the question (“Do you have your parents’ permission?”) clearly needs to allow an explanatory answer, if the unnecessary complications as described above are to be avoided.

In the same way, the question in case belonging to the same set—i.e., “Did you complete twenty years (of age)?”—should also allow an explanatory answer as follows: “I am not yet twenty years (of age), but there are circumstances so-and-so (justifying my ordination),” if there exist certain rules to that effect. Therefore, I argue, this question by itself does not disqualify a candidate under twenty years of age, nor does it contradict the other rules that might lower the minimum age of ordination to under twenty years.

IV. Other Arguments against the Traditional Interpretation

To support Horner’s interpretation of the 65th rule, von Hinüber argues that the phrases like *ūnadvādasavassā* (“less than twelve years”) in the rules discussed in this paper refer to the duration of a person’s status, not to his or her actual age. His argument is nothing but a reiteration of Horner’s (1938-66, vol. 3, liii-liv). However, his presentation is much clearer, so I would cite him instead to give my opinion of their view.

First of all, von Hinüber interprets certain other rules in a novel way, as a kind of comparison, to prove that the term *dvādasavassā* (“twelve years”) in the 65th rule can refer only to the minimum length of non-virgin life, not to the actual age:

“If an bhikkhunī should ordain when she is less than twelve years of standing, there is an offence entailing expiation.”

yā pana bhikkhunī ūnadvādasavassā vuṭṭhāpeyya, pācittiyam, Vin IV. 329, 24**f.

Of course nobody ever doubted that the twelve years refer to the status as nun. This corresponds to a rule for monks as prescribed in the chapter on ordination:

“I prescribe, monks, that a monk may participate in an ordination, when he is

ten years or more than ten years of standing”

*anujānāmi bhikkhave dasavassena vā atirekadasavassena vā puasampādetun
ti*, Vin I. 59, 23 f.

Here, the monk who may participate in an ordination of others is ordained for ten years or more. For further instances are:

“I allow, monks, to accept a boy of less than fifteen years of age as someone who scares away crows”

*anujānāmi bhikkhave ūnapannarasavassaṃ dārakaṃ kākūḍḍepakaṃ pabbājetun
ti*, Vin I. 79, 19.

The boy of course holds not only the status of a boy since less than fifteen years, but is also less than fifteen years old: Even babies are called *dāraka* “boy”. (von Hinüber 2008, 8)

As seen above, von Hinüber notes that in the first rule cited above, the phrase “less than twelve years” refers to a nun’s duration of ordained life, whereas “ten years or more than ten years” (*dasavassena vā atirekadasavassena vā*) in the second rule refers to a monk’s duration of ordained life; this is also how the tradition has understood those rules. On the other hand, the phrase “less than fifteen years” in the third rule above refers, according to the tradition, to the candidate’s age, whereas, according to von Hinüber, to the duration of his status as a boy; if the aforesaid duration of his status is the same as his actual age, this is only coincidental—this interpretation is indeed novel. After citing such examples, von Hinüber observes:

Given these examples . . . omission . . . it is not easy to conceive how and why any unprejudiced reader of the Vinaya should understand the LXVth *Pācittiya* for nuns other than “a woman, who holds the status as a *gihigatā* (“married woman”) since twelve years,” in exact parallel to “a nun of twelve years” as clearly seen by I. B. Horner, who uses almost the same argument. (9)

However, I do not agree with him, for one of the very sample rules he has cited

seemingly contradicts his interpretation:

“No individual must be ordained knowingly if he is less than twenty years of age.”

na bhikkhave jānaṃ ūnavīsativasso puggalo upasampādetabbo, Vin I 78, 30, cf. I 93, 23. (2008, 8)

He explains the rule cited above: “In the same way, age and status coincide when ‘individuals’ are mentioned” (2008, 8). However, I do not think the status of an “individual” and his age coincide in this context. Why? From the earliest times, Buddhism has believed in the circle of rebirth, in the existence of past lives prior to the present life and of future lives after death (See the evidence at Harvey 2013, 46–47). From this perspective, a person’s status as an “individual” could not have begun at the time of his birth, nor at that of his conception, in the present life but rather at a time of countless lives ago. Then, a person’s status as an “individual” and his age in the present life could by no means coincide. This contradiction itself has thrown doubt upon his new way of interpreting such terms.

Then how should we interpret such terms instead? First of all, we should notice that in the first two rules that von Hinüber has cited, the protagonists are respectively nuns and monks, whose mutual interactions are defined not by their ages but by their seniority in ordained status:

I allow, monks, greeting, rising up for, joining the palms in salutation, proper homage, the best seat, the best water (for washing), the best alms according to seniority . . . omission . . . one ordained later is not to be greeted by one ordained earlier . . . omission . . . one ordained earlier is to be greeted by one ordained later . . . omission . . . (Vin, II. 162; Horner 1938-66, vol. 5, 227)

Then, it is no wonder that when terms like “less than twelve years” are used to

describe monks and nuns, they refer to the duration of their ordained status, not their actual age.

On the other hand, a candidate to novicehood is clearly a lay person; the term “boy” (*dāraka*) itself is the evidence. Then, any rule that regulates interaction among the members of the Order is not applicable to him. Therefore, the phrase “less than fifteen years” used to describe him can only refer to his age, nothing else. In the same way, the terms *gihigatā* and *kumārī* also refer to lay persons, given that these terms, whatever interpretation they have, obviously refer to their statuses prior to their arrival in the Order. Therefore, the phrases “less than twelve years” and “less than twenty years,” used to describe *gihigatā* and *kumārī* respectively, can only refer to their respective ages, nothing else.

The next argument of von Hinüber is concerned with the minimum age of *gihigatā* candidates. He observes:

Assuming an age of twelve years [for *gihigatā* candidates] . . . omission . . . results in an ordination of nuns considerably earlier than that of monks. This again would not concur with the spirit of the rules, but almost invert the usually rather severe restrictions for Buddhist nuns visible everywhere when compared to those for monks. The resulting privilege of an earlier ordination for nuns than monks makes the assumption of an age from birth still more unlikely. (von Hinüber 2008, 13)

I am not convinced by his argument. Why? The First Heavy Rule (*garudhamma*) states that nuns must pay homage to monks irrespective of their relative seniority (*AN*, IV. 276; *Vin*, II. 255; Anālayo 2016, 103). Accordingly, even if women were able to get ordained at their birth, monks would still be enjoying their social status elevated above all nuns. Therefore, some women’s right to get ordained at an age under twenty can hardly be called a privilege that monks are missing. On the contrary, we may rather say that this arrangement is unfair to *kumārībhūtā* candidates, who can be

ordained only when they are at least twenty. However, we will see later that the Buddha might have valid reasons for prescribing such seemingly unfair regulations.

V. The Senses of *Gihigatā* and *Kumāribhūtā*

As shown in the introduction above, two types of female candidates—*gihigatā* and *kumāribhūtā*—are traditionally differentiated by their virginity or the lack thereof. However, being married or not, being a virgin or not—why should these facts count in evaluating a candidate? There has never been a clear answer to this question.

This is why I believe we should make a new attempt to define the senses of those terms. Given that both terms are defined in the canonical commentary, I will take those definitions as my working basis and see if they really work.

First of all, *gihigatā* can be literally interpreted as “one going (or gone) to a house-holder” (Horner 1938-66, vol. 3, xlix), a rendition that, in itself, does not really help us to understand the term. However, it is defined in the canonical commentary as follows: *gihigatā nāma purisantaragatā vuccati* (Vin, IV. 322 “*purisantaragatā* is called *gihigatā*”). Simply interpreted, *gihigatā* means *purisantaragatā*. But what does *purisantaragatā* mean?

The term *purisantaragatā* is a compound consisting of three members: *purisa* (“man”), *antara*, and *gata* (“went to/has gone to”). Scholars differ regarding the literal sense of the compound; there are at least three versions.

Firstly, Ute Hüsken renders *purisantaragatā* as “one who has gone among men” (Hüsken 1997, 255 fn. 671 *die sich unter die Männer begeben hat*). In her version, the compound member *antara* has the sense “. . . between, amidst, among . . .” (Cone 2001, sv “*antara*”). This rendition is grammatically valid, but it would appear odd when we try to infer the generally accepted contextual sense “a married woman” from its literal counterpart; for, the phrase “among men” implies more than one man, and in

the context of marriage, it seems to mean polyandry, the existence of which has little evidence in early Buddhism.

Secondly, Horner's rendition of the term is "one cohabiting with a man" (Horner 1938-66, vol 3, 370). This is not exactly a literal translation, but it can be derived from the literal version in the *Majjhima-Nikāya* sub-commentary: *purisantaragatāyāti purisasamīpagatāya* (Ps-ṭ, II. 35 "The term *purisantaragatāya* means one who has gone to the proximity of a man."), according to which the compound member *antara* means "proximity." Cone's Pāli Dictionary gives this meaning under *anta* (2001, sv "*anta*"), but Monier-Williams does so under *antara* (2002, sv "*antara*").

Thirdly, Kieffer-Pülz renders the term as "one who has gone to another man" (Kieffer-Pülz 2015, 225 *eine, die zu einem anderen Mann gegangen ist*). But what does "another man" mean? In the context of marriage, "another man" should mean a man other than her own father. For, in those times, women had to leave their parental homes to join the families of their respective in-laws when they got married. In this version, the compound member *antara* means: "a different . . . another . . ." (Cone 2001, sv *antara*).

(Another sense of *purisantaragatā* used in many *sutta* contexts is explored by Bollée. However, that sense is hardly applicable to our problem; see the appendix.)

Out of three versions above, the last one has room to extend the sense of the term. How? Marriage is not the only cause that forces a girl to go and live in the household of a man other than her own father. For example, suppose a five-year old girl loses her father and has to accompany her mother who goes to live and work as a maid in another household. Then, the girl should be entitled to be called, by definition, *purisantaragatā* / *gihigatā* from the time of her arrival in the new household. Alternatively, suppose a pregnant woman whose husband suddenly passes away has to survive by working and living as a maid in the household of some relatives. Suppose she later gives birth to a baby girl. Then, that girl should be entitled to be called *purisantaragatā* / *gihigatā* from the time of her birth.

When the sense of *gihigatā* is extended as above, that of its complement, i.e., that

of *kumāribhūtā*, is also inevitably changed. The single status or virginity is no longer significant; rather, a girl who has never left her father's home before coming to the Order should be called *kumāribhūtā*. In this interpretation, the term *kumārī* literally means "a young girl." On the other hand, *kumāribhūtā* is explained by the canonical commentator as *sāmaṇerī* ("female novice"),⁶⁾ implying that *gihigatā* candidates are lay persons. This may be rather confusing (Horner 1938-66, vol. 3, xlix), but I will deal with this issue later.

Now, with this extended sense of *gihigatā* and the sense of *kumāribhūtā* accordingly modified, what differentiates those two candidate types is no longer their virginity or the lack thereof but their experience of life in a non-paternal household or the lack thereof.

Next, I argue that we should adopt these modified interpretations of these terms and consequently should interpret those rules accordingly. There are a couple of reasons for this.

Firstly, the society during the Buddha's time is a patriarchal one. For women resident in a household, the identity of the family patriarch is very important. If he is a girl's father, she is a *kumāribhūtā* and can possibly be a pampered princess. Otherwise, she is a *gihigatā*, with her life at least as tough as, if not tougher than, monastic life in the Order; even the presence of her mother could be of little help if the patriarch does not care for her. Of course, it would not be so bad if the patriarch is her husband, and there are no other rival wives. On the contrary, if she is only one of the patriarch's wives, or if her father-in-law happens to be the patriarch, she would have to fight for her survival and well-being. In such circumstances, it would not be absurd to claim that a twelve-years old girl, born and brought up as a *gihigatā* in a non-paternal household, can be as tough as, if not tougher than, a twenty-years old girl who is a *kumāribhūtā* having never left her father's home. Then, it would appear

6) *kumāribhūtā nāma sāmaṇerī vuccati* (Vin, IV. 327 "a female novice is called *kumāribhūtā*."). Cf. Horner's rendition: "Maiden means: she is called a female novice." (1938-66, III 381). I choose to differ from her version because it is not the term *sāmaṇerī* but *kumāribhūtā* that is being defined in this context.

much less unreasonable to have the minimum age requirement for *gihigatā* candidates lowered to twelve years of age per the traditional interpretation of the 65th rule.

Secondly, with the modified interpretation of *gihigatā*, we do not need to consider a candidate's marriage even when the probational period is taken into account, unlike when we interpret the term as "a married woman/a non-virgin," which I already mentioned before. For, as seen above, a girl can become a *gihigatā* even at the time of her birth. If such a girl comes to the Order at the age of ten and undergoes two years of probation, she can be ordained at the age of twelve without any problem. This is another factor that supports the modified interpretation of *gihigatā*.

VI. Female Novices

The six rules that we have dealt with above seem focused on lay women. The terms themselves, i.e., *gihigatā* and *kumāribhūtā*, literally refer to the statuses of lay persons. Furthermore, noviciation is never mentioned as a requirement for those seeking probation. This all means that lay women can directly request for probation if they are old enough.

Then, how about female novices? There are no rules explicitly made for novices seeking probation. This does not mean that novices are exempted from probation, for, there is no rule pertaining to such an effect. We cannot say either that there were no female novices at the time, for, a casual search on CSCD can show that female novices are often mentioned in the *Vinaya* canon. Therefore, the question here is: how should female novices be treated when they come to seek probation to achieve full-fledged nunhood?

I answer: female novices and lay women are treated the same when they are evaluated for the probation procedure; the former's novicehood is simply ignored. Female novices would be identified as *gihigatā* or *kumāribhūtā*, based on their lay

statuses prior to their noviciation.

My answer is based on how male novices are treated with their quest for ordination. Noviciation is not required at all for full ordination of men (See Vin, I. 85-91; Horner 1938-66, vol. 4, 108-115). Moreover, as seen above, a candidate, regardless of his status as a novice or a lay man, should answer the same compulsory questions including those only relevant to lay persons, like “Are you a free man? . . . Are you without debts? Are you not in the royal service?”. In fact, in the whole ordination procedure for men, even if the candidate is a novice, his novicehood would be treated as if entirely invisible. All of this leads to the conclusion that novices and lay men as well have equal rights, if otherwise qualified, to seek ordination.

On the other hand, women are not allowed to seek ordination directly but required to undergo probation for two years. To seek probation, they should obviously be old enough so that they would be ready for ordination two years later, but noviciation is never mentioned as a requirement. Furthermore, in the official proclamation (*kammavācā*) that the Order uses to confer probational status on a female candidate, the candidate is just addressed as “this (woman) named so-and-so” (*ayaṃ itthamāmā*), without specifying whether she is a novice or a lay woman (See Vin, IV. 323, 324, 328, 330). This is why we can infer that female novices are treated the same as lay women when it comes to the matters of seeking probation, just like it is the case with male novices and lay men seeking ordination.

Next problem. If both lay women and female novices have the right to seek probation, either candidate type, *kumāribhūtā* or *gihigatā*, can be either a lay woman or a novice. Yet, the canonical commentator define *kumāribhūtā* as *sāmaṇerī* (“female novice”) when he expounds the rules (71, 72), and (73).⁷⁾ Why?

The canonical commentator’s definition of *kumāribhūtā* seems based upon the demographic distribution of candidates to nunhood. To clarify, let us break down those women into their age groups:

7) See (*Vin*, IV. 327, 328, 329) and (Horner 1938-66, vol. 3, 381, 382, 383) in respective order.

- (1) *Less than ten years of age* Both *gihigatās* and *kumāribhūtās* in this group are too young even to undergo probation, and they would have to wait as novices.
- (2) *Ten to under eighteen years of age* The *gihigatās* in this group are old enough to seek ordination two years later. Therefore, they have the right to directly seek probation as lay persons, without having to wait as novices. On the other hand, the *kumāribhūtās* in this group must wait, as female novices, until their eighteenth year of age even to seek probation.
- (3) *Eighteen years and above of age* Both *gihigatās* and *kumāribhūtās* in this group are old enough to seek ordination two years later. Therefore, they have the right to directly seek probation as lay persons, without having to wait as novices.

When we look at the classification above, we can see that the majority of *gihigatā* candidates would request probation as lay women. Why? Only *gihigatās* of the first group would have to wait as novices, whereas all other *gihigatās* have the right to seek probation as lay women. Moreover, the first group is probably a minority compared to others, given that its members are practically still children; so, the *gihigatās* in this group would be even a smaller minority.

On the other hand, the majority of *kumāribhūtā* candidates would request probation as novices. Why? Only *kumāribhūtās* of the third group can seek probation as lay persons whereas all other *kumāribhūtās* must wait as novices until their time of seeking probation. Moreover, even in the third group, *kumāribhūtās* would be a minority, given that girls who did not leave their families until they were of age eighteen years and above would be few and far between in a society that married off their girls when they were sexually mature enough.

The circumstances described above are probably the reason why the canonical commentator identifies *kumāribhūtā* candidates with novices, while implying that *gihigatā* candidates are lay women.

VII. The Rationale of Different Age Requirements

As seen above, the *Vinaya* dictates that a *kumāribhūtā* candidate must be at least twenty years old whereas a *gihigatā* one must be at least twelve. Then, the question is: what is the reason behind this significant difference regarding their age requirements? Is the number “twelve” just a random figure as von Hinüber surmises (2008, 13)?

Part of the reason should be that, as mentioned above, the *gihigatā* type is usually much more resilient than the other type to hardships in monastic life. However, if this were the only reason, we would need to ask why the same differentiation was not made for the candidates to monkhood, given that in the case of men also there should be a difference in maturity between married men and single ones. This question has no clear answer though. Therefore, we should look for the other part of the reason that can only be relevant to female candidates.

There is no exclusive evidence revealing the answer we seek. Therefore, my opinion can only be based on circumstantial evidence. I argue, in short, that: the Buddha probably wanted to protect the innocence of *kumāribhūtā* type candidates hence the difference in age requirements. This argument is elaborated as follows.

In any given institution, the members of the same status and proximity in age tend to become close to one another. On the other hand, there is always a distance between people of the same age but different statuses. If rules are made so that people of similar ages and qualifications end up in different statuses, there should be a reason for this. In our case, if we look at the demographic distributions of would-be nuns given above, we can see that in the *second* group (ten to under eighteen years of age), *gihigatās* can request for probation directly when they join the Order, whereas *kumāribhūtās* cannot; this means that, after joining the Order, *gihigatās* in this age group would directly undergo probation for two years and go on to become full-fledged nuns, whereas *kumāribhūtās* in the same group would be still waiting as mere novices until they are eighteen years old. This difference in status is the direct consequence of the different age requirements. Therefore, we have to wonder whether

the Buddha wished to keep a distance between *gihigatās* and *kumāribhūtās* in this age group after their admission to the Order.

Yet, why should he have wished to keep the two categories apart? If we look at the age range of that second group, it covers the sensitive and transformative periods of puberty as well as of teenage years. Furthermore, *kumāribhūtā* candidates in this group, by definition, never left their paternal homes before coming to the Order; this implies they mostly have little or no exposure to sexual experience. On the other hand, *gihigatās* in this age group survived living in a non-paternal household before joining the Order. Some of them might be married, whereas some others, even though never married, might have undergone some sexual experience, before they join the Order. Anyway, on average, *gihigatās* can be presumed to be more knowledgeable than *kumāribhūtās* in that “area.” Then, I argue, it is not impossible that the Buddha might wish to discourage the latter from learning such “expertise” from the former, which led him to prescribe such different age requirements and thereby put a distance between *gihigatās* and *kumāribhūtās* in the second age group.

Yet, were such concerns justified for the Buddha? There is at least a background narrative that speaks of a nun, formerly a royal consort, who taught another nun how to use a sex toy (*Vin*, IV. 261; Horner 1938-66, vol. 3, 249). Both of them were full-fledged nuns; if such an issue can happen even with full-fledged nuns, it would be out of the question for still immature trainees and novices. It might be exactly such issues that the Buddha would wish to prevent by prescribing different age requirements.

VIII. Concluding Remarks

Now, I would like to observe on the limitations of my paper.

Firstly, this paper is primarily based upon the Theravādin *Vinaya* canon, without

having other traditions adequately treated. Yet, I offer no apology for this approach. For, as a Palicist, I believe my job is to make the best sense of Pāli sources and to present my findings as is, whereas it would be the job of other scholars to check my work against other sources and subsequently discover newer and deeper insights.

Secondly, my paper mainly deals with the legal aspect of the extant rules, rather than their historical facet. This is why I have barely touched the rules (62) and (63); as mentioned in the introduction, they add nothing of legal significance to the legal framework formed by the other six rules.

Finally, there are still other serious issues as regards trainees that I have not tackled in this paper:

The female monastic hierarchy has the roles of nun *bhikkhunī* and female novice *sāmaṇerī* as the female counterparts of monk and male novice. / However, the symmetry between the male and female monastic hierarchies is broken by the status of the probationer *sikkhamānā*; on the female side, we have three roles: nun, probationer and female novice. (Juo-Hsüeh 2000, 413)

According to the Pāli *Vinaya*, a probationer is trained only in six rules, which are the first six of the ten precepts which a female novice takes. So the training for a female novice seems stricter than that for a probationer. (414)

As seen above, there are still two serious issues concerning the concept of trainees. Why has a similar probation been not prescribed for males? Why are the rules of trainees, who are on the verge of being full-fledged nuns, appear to be laxer than those for mere novices? I hope to deal with those issues in a forthcoming paper.

Appendix

Purisantragatā in Sutta Contexts

The term *purisantragatā* is used in an altogether different context in several *suttas*. That is, when the practices of non-Buddhist ascetics are described in those *suttas*, this term is used to name a kind of potential donor whose donated food would be rejected by those ascetics:

paṭiggāṇhāti . . . omission . . . na dvinnaṃ bhūñjamānānaṃ, na gabbhiniyā, na pāyamānāya, na purisantragatāya . . . omission . . . (DN, I. 166, III. 41; MN, I. 307, I. 342, II. 161-162; AN, I. 295, II. 206)
. . . omission . . . he receives nothing . . . omission . . . from two eating together, from a pregnant woman, from a woman nursing a child, from a [*purisantragatāya*]⁸ . . . omission . . . (Bodhi 2012, 372)

As regards the term in this context, von Hinüber cites Bollée as follows: “W. B. Bollée concludes that *purisantragatā* in this enumeration should mean most likely ‘von einer, die zu einem anderen Mann (sc. als ihrem Gatten) . . . gegangen ist . . . ’ that is an ‘unfaithful wife.’ ” (2008, 11). However, the former is not satisfied with the latter’s interpretation and observes:

However, in the light of later texts, the meaning “unfaithful wife” as assumed by Bollée seems to be too narrow . . . omission . . . A more practical reason contradicting the assumed meaning “unfaithful” is that a wandering ascetic could not be expected to know whether or not a woman offering alms was a faithful wife or not. Therefore, Bollée’s suggestion might need some adjustment. (11)

8) Bhikkhu Bodhi renders this term as “a woman being kept by a man” (2012, 372), whereas Walshe’s rendition is “one [woman] living with a man” (1995, 153).

I agree with von Hinüber that Bollée should be corrected. However, how do we interpret this term instead? Should we maintain that it means “a married woman” as many scholars do, or, “a woman who no longer is a maiden or a virgin” (von Hinüber 11) as traditionally understood? Yet, what on earth is the reason of rejecting food donated by such women?

On the contrary, I argue that the text cited above is actually concerned, not with the *statuses* of those potential donors, but rather with their *states* at the moment when an ascetic approaches them to request for food. For instance, “a woman nursing a child” does not merely mean a woman who has a breast-fed baby but one who is actually nursing hers when the ascetic arrives. In this case, the ascetic would have been guilty of disturbing the baby’s feeding if he were to accept the donation of food from the mother. This is why the commentator says: *Pāyantiyā dārakassa khīrantarāyo hoti* (Sv, II. 355 “It is harmful to the milk for the child of the nursing (mother).”).

In the same way, *purisantaragatā* in this context should mean a woman who happens to be in romantic proximity with a man when the ascetic arrives. This is consistent with the explanation given in the *Majjhima-Nikāya* sub-commentary: *purisantaragatāyāti purisasamīpagatāya* (Ps-ṭ, II. 35 “The term *purisantaragatāya* means one who has gone to the proximity of a man.”), according to which the compound member *antara* means “proximity.” With this interpretation, the couple in this context may not necessarily be engaged in sex at the time; rather, they might just be uttering sweet nothings or hugging each other, etc. Anyhow, the ascetic would have been guilty of spoiling the woman’s mood and happiness if he were to accept the food donated by her. This is why the commentator says: *purisantaragatāya ratiantarāyo hoti* (Sv, II. 355 “It is harmful to the enjoyment of the woman who has approached a man.”).

If my interpretation above is correct, this sense of *purisantaragatā* in those contexts reflects a particular momentary state of a woman rather than her status. Therefore, we can conclude, it cannot be applied to identify female candidates to ordination.

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기혼녀(既婚女, *Gihigatā*) 대 동녀(童女, *Kumāribhūtā*): 비구니 출가자 유형들에 관한 적합한 관점

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비구니 출가자와 연관된 율(律, *vinaya*)에 관한 전통적인 해석에 의하면, 비구니 출가자로서 기혼녀(既婚女, *gihigatā*) 유형은 최소한 12살에 계(戒)를 받을 수 있고, 반면에 [미혼인] 동녀(童女, *kumāribhūtā*) 유형은 20살에 계를 받을 수 있다. 이러한 해석에는 몇 가지 문제점이 있다. 첫째, 출가자가 수계 이전에 대답해야 하는 필수적인 질문은 외견 상으로는 20살 미만의 특정 출가자를 실격시킨다. 둘째, 아마도 충분히 성장한 출가자들만이 힘든 승원 생활에 적응할 수 있기 때문에 최소 연령 요건이 요구될지라도, 누군가 결혼이나 다른 방식에서 처녀성의 단순한 상실이 8년치의 성숙 및 적응력에 해당한다고 주장한다면 그것은 거의 통용되기 어렵다. 셋째, 기혼자 유형에 대한 12살의 최소 연령은 10살 이전의 결혼을 암시하지만, 그 당시에 유아 결혼이 일반적이었다는 것에 관한 어떤 증거도 없다. 하지만 첫 번째 문제는 우리가 그러한 필수적인 질문을 극단적인 형태로 이해할 때에만 존재한다. 만약 우리가 대신에 그것들을 설명 가능한 답변들을 허용할 수 있다는 의미로 이해한다면 이 문제는 해소될 것이다. 남은 두 번째 문제는 우리가 기혼녀를 비-부계 가정에서 산 경험이 있는 여자로 재정의하고 동녀를 그러한 경험이 없는 여자로 재정의한다면 해소될 수 있을 것이다. 더욱이 붓다가 동녀의 순결이 그들의 민감한 생애 동안에 지켜질 수 있도록, 그들의 [비구니] 종단 입회가 허락된 후에 동녀와 기혼녀 사이에 거리를 두고 싶었을지도 모른다는 내용을 우리가 알아차린다면, 최소 연령 요구의 큰 차이는 훨씬 더 의미가 있다.

주제어

율, 상좌부 율, 승원 제도, 불교 승원 제도, 승원 규칙, 불교 규칙, 비구, 비구니, 윤리, 불교 윤리

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