

Vinaya Class Questions

Series 'B'

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LAST UPDATED ON
29th March 2023

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I.B. KILLING AND HARMING

Kiṃ nāmo si:

1.

A bhikkhu is afflicted with sleepwalking, community members have seen him walk about at night, while he doesn't remember it in the morning. This bhikkhu is disgruntled with another bhikkhu, they have frequent clashes and arguments. One morning, the other bhikkhu is found dead in his kuti in a pool of blood, with a stab wound on his chest. A knife which matches the size of the wound is found in the kuti of the bhikkhu known for sleepwalking, his robes have tears from a struggle and blood stains. Community members have seen him walk about at the previous night, but he doesn't remember anything.

Is the bhikkhu pārājika?

(a) Yes

(b) No

Solution: Can he be considered insane while sleepwalking? Psychosis is described as an acute or chronic mental state marked by loss of contact with reality, disorganized speech and behaviour, and often by hallucinations or delusions.

Did he act with the intention to kill? A normally self-controlled person, under the effects of drugs or alcohol, can also act aggressively and violently. In most jurisdictions, intoxication is not a defense to a charge of murder, as the law generally holds individuals responsible for their actions even if they were under the influence of drugs or alcohol at the time.

The situation has known legal precedent:

Homicidal Somnambulism: A Case Report ([researchgate.net](https://www.researchgate.net))

2.

An elderly relative of a bhikkhu falls into a comatose state and is taken to the hospital. On previous occasions he used to speak against his life being extended by life-support equipment. In the hospital, the doctor informs the bhikkhu that there is not much chance of recovery, and asks the bhikkhu whether they should turn off the life-support. He replies, "Turn it off. That seems to be what he wanted in such a situation". The doctor turns off the equipment and the person dies shortly thereafter.

Is the bhikkhu pārājika?

(a) Yes

(b) No

Solution: Discontinuing treatment does not cut off the life faculty, hence the factor of effort is not fulfilled.

3.

A bhikkhu is talking to himself in his kuti, "How could that evil man X steal from the Sangha. He would be better as dead."

Can such indirect statements qualify as commands or recommendations under *Pr 3*?

(a) Yes

(b) No

Solution: "O, if only so-and-so were murdered." According to the Vibhaṅga, this statement incurs a *dukkata* regardless of whether it is made in public or private, but does not fulfil effort under *Pr 3*.

4. A bhikkhu is sweeping off insects from the porch while lay visitors are standing nearby. He drops a hint, "It might be a good idea to get rid of these ant colonies."

Can such indirect statements qualify as commands or recommendations under *Pc 61*?

☒ (a) Yes

(b) No

Solution: There is no room for *kappiya-vohāra* in *Pc 61*. Whatever one says in hopes of inciting someone else to kill an animal would fulfil the factor of effort.

Pc 61 thus differs from *Pr 3*, under which commanding covers only clear imperatives.

5.

A bhikkhu is cleaning up on the monastery grounds after a festival. A paper plate with leftover food is swarming with ants, he picks it up and throws it all in a rubbish bag, knowing that with no way out, the ants will undoubtedly die in the bag.

Did the bhikkhu commit an offense?

(a) Yes, because he acts intentionally.

☒ (b) No, because he is not directly aiming at killing them.

(c) Yes, because intentionally or unintentionally taking the life of any living being is immoral.

(d) No, because his intention is to clean up.

2.B. STEALING

Kiṃ nāmo si:

1.

A bhikkhu sees a shiny new phone sitting on a bench in a park. He assumes that it has been left behind by its owner and perceives it as ownerless. Without making any effort to find the owner, he puts the phone in his yarm with the intention of keeping it for himself. The owner returns to the bench a few minutes later, looking for their phone. The bhikkhu pretends he hasn't seen anything. The owner becomes distressed as he keeps searching the area around the bench. After a few minutes, the bhikkhu tosses the phone on the bench and scolds him, "Here, that should teach you a lesson, be more mindful next time."
Did the bhikkhu commit an offense?

- (a) Pācittiya, because he deceived the owner.
- (b) Thullaccaya, because he returned the item.
- ☒ (c) Pārājika, because he knows it was not abandoned, and intends to keep it.
- (d) No offenses, because the owner has already left when the bhikkhu found the phone.

Solution: Object: Taking any object that belongs to someone else and is guarded, protected, claimed, or possessed by them is considered stealing. A phone is usually valuable enough to qualify for pārājika. The bhikkhu knows the phone must belong to somebody, and the owner retains a sense of ownership of it.

Perception: He perceives it as not given, and not abandoned.

Intention: He intends to keep it, not to borrow it or take it on trust.

Effort: He puts it in his yarm.

At this point the factors for pārājika are fulfilled.

2.

How does perception play a role in stealing?

- (a) Stealing is always an offense regardless of one's perceptions, which may be unreliable.
- ☒ (b) If a bhikkhu believes that the object is ownerless or thrown away, taking it is not an offense.
- (c) If a bhikkhu takes an object thinking that the owner will not mind, but he is later displeased, the .
- (d) If a bhikkhu takes mala-beads which were given to a Stupa, there is no offense.

3.B. SEXUAL CONDUCT

Kiṃ nāmo si:

1. A bhikkhu gets involved in a party at a lay friend's apartment, gets drunk and has sex with a woman, but he can't remember whether he disrobed or not before it happened.

The lay friend who hosted the party realizes that the bhikkhu is distressed and informs him that he was his witness for disrobing before he took the woman to bed. The bhikkhu, having been drunk, still can't remember a thing.

Is the disrobing valid?

(a) Yes

(b) No

Solution: Yes, if he was consciously and knowingly disrobing, even if somewhat intoxicated.
No, if he was so drunk as to be considered insane.

4.B. LUSTFUL CONDUCT

Kiṃ nāmo si:

6.B. ATTAINMENTS

Kiṃ nāmo si:

7.B. FALSE SPEECH

Kiṃ nāmo si:

1.

On the uposatha day, four bhikkhus are staying at the monastery, but one of them is sick and cannot get up from his bed.

Mark all correct procedures for the *uposatha*.

- (a) They avoid all contact with the sick one to prevent infections. The other three meet and one recites the *pāṭimokkha*, since there are four bhikkhus in the monastery.
- (b) A bhikkhu visits the sick one for confessions and conveys his *pārisuddhi* and *chanda* to the gathering of three bhikkhus. After this, one of them recites the *pāṭimokkha*.
- (c) A bhikkhu visits the sick one for confessions and conveys his *pārisuddhi* and *chanda* to the gathering of three bhikkhus. After this, they do *pārisuddhi-uposatha*.
- (d) All the bhikkhus go to the sick one's kuti, and do *saṅgha-kamma* with *pāṭimokkha* recitation there.
- (e) They bring the sick bhikkhu on a bed to the uposatha-hall, and do *saṅgha-kamma* with *pāṭimokkha* recitation there.
- (f) They move the sick bhikkhu outside the monastery sīma (as previously determined, e.g. the property, local county area, etc.), and the three bhikkhus do *pārisuddhi-uposatha*.

Solution: "The Observance should not be carried out by an incomplete Order. Whoever should (so) carry it out, there is an offence of wrong-doing."

Uposathakkhandhaka Kd 2 PTS 1.101–1.136

Four bhikkhus are required for a *pāṭimokkha* recitation. If one bhikkhu is left out, the other three should do *pārisuddhi-uposatha*.

DISCUSSION

A bhikkhu makes arrangements for his residence for the Vassa at the house of three different lay supporters. He spends one month at each residence.

Is this a suitable arrangement for him?

Does this break his determination made at the beginning of the Vassa?

What would be the minimum procedure he should carry out at each residence?

A bhikkhu wishes to spend the Vassa outside in a tent, but still within the monastery *sīma*.

What would be required to make this a suitable Vassa residence for him?

Solution: During the Vassa one needs to be in an accommodation that has a door that can be ‘opened and closed’ (see BMC 2, chapter Rains-residence).

A tent doesn’t fall under this definition, but if the bhikkhu is allocated an accommodation in the monastery with a proper door, which he has access to any time, he may spend the days and nights somewhere else, if it is still within the *sīma*.

The community may discuss the possible locations of the tent, in order for the bhikkhu not be disturbed by lay visitors or country-walkers passing by.

One may also determine a *sattaha* and go for a short tudong, camping outside the *sīma*, if the conditions are suitable.

22.B. EXCUSES

Kiṃ nāmo si:
