



The Philosophizing Procedure of a Judicial Council of Monks in Buddhist Philosophy and its Relevance in Modern Era

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ABSTRACT

This study examines the philosophizing procedure of a judicial council of monks within Buddhist philosophy and evaluates its relevance in the modern era. In early Buddhist traditions, particularly, within the *Sangha*, councils functioned as deliberative bodies that addressed doctrinal disputes, ethical violations, and interpretative ambiguities. Their procedure was grounded in principles such as consensus-building, adherence to the *Vinaya* (monastic code), rational dialogue, and the prioritization of collective wisdom over individual authority. These councils employed structured debate, critical inquiry, and ethical reflection, embodying a pragmatic and dialogical approach to truth-seeking. The paper argues that this method of philosophical engagement reflects a sophisticated model of conflict resolution and knowledge production. Rather than relying on dogmatism, the councils emphasized experiential validation, logical reasoning, and moral accountability. Such an approach resonates with contemporary democratic practices, restorative justice systems, and interdisciplinary discourse, where inclusivity, transparency, and reasoned argumentation are valued. In the modern era, marked by ideological polarization and ethical complexity, the Buddhist council's method offers a framework for constructive dialogue and decision-making. Its emphasis on mindfulness, ethical integrity, and communal harmony provides insights for governance, legal systems, and organizational leadership. Furthermore, the



integration of compassion with rational deliberation presents a holistic alternative to purely adversarial models of justice. This study concludes that the philosophizing procedure of Buddhist monastic councils is not only historically significant but also practically relevant, offering enduring principles that can inform modern approaches to conflict resolution, ethical reasoning, and collective decision-making.

Introduction

Siddhārtha was born into a privileged family as a prince, but he became dissatisfied with the materialistic and worldly life. At the age of twenty-nine, he refused his princely status and set out on a quest for spiritual understanding. Leaving behind his palace, family and luxurious life, Siddhārtha embarked on a spiritual journey seeking answers to the nature of suffering and the way to attain liberation. Under the Bodhi tree at Bodh Gaya in India, Siddhārtha achieved enlightenment, or ‘Bodhi,’ after years of self-discipline and meditation. This event marked the birth of Buddhism. Buddha was born at Kapilavastu (modern Nigliwa in the Nepal Terai) about 570 B.C. and attained *nirvāṇa* at Kuśīnagara (modern Kuśīnārā or Kasia near Gorakhpur) about 490 B.C. He spent almost his whole life in Magadha (modern Behar). Although the exact historical timeline of Gautama Buddha’s birth is a subject of scholarly debate and Siddhartha Gautama was his childhood name. King Suddhodana, the Śākya community’s leader, was his father. They have belonged to the Śākya community. Queen Māyā was his mother.

We notice that Buddhist logic, which developed and came into existence inside Buddhist philosophy, is of special significance. It influenced *Brāhmanic* and Jaina logical thinking. Even though they don’t agree with one another in some respects, all schools of *Brāhmanic* philosophy have common ground in their criticisms of Buddhist logical theories, although from different perspectives. The Buddhist logicians were criticized by the Jaina logicians. As a result, the Buddhists were habitual to debate among themselves about the weak points of Buddha philosophy and they tried to find out the truth. It influenced the entire scenario of Indian logical history. Because of this, we cannot ignore the *Brāhmanic* and Jaina perspectives in our study of Buddhist logic. For several centuries, these distinct communities of logicians engaged in a passionate and continuous intellectual fight.

The practice of reasoning and discussion is a broad pathway for many. The study of argumentation and reasoning will be beneficial regardless of how intelligent and logical the learner is. This is actually beneficial to understand logic and argumentation whether or not one is a Buddhist. We all want to be



better at understanding others, evaluating other people's words and explaining oneself intelligibly. Argument practice helps increase these abilities. Rationality and argumentation have always been respected in Buddhism. Buddhist argument and reasoning have the deep objective of eliminating false beliefs about our true natures that will set us free from suffering and death. However, the vast majority of us can't go directly to the point. Thus, in order to achieve there, the Buddhists have made an attempt to establish reliable techniques and methods. We refer to dependable methods and instruments as 'reliable' because they assist us to distinguish between what is authentic and what is not, as well as between what is precise and practical. That is why the techniques of Buddhist argumentation shouldn't be confined to Buddhist philosophy but should also be relevant to whichever subject we choose to study. A large number of individuals might benefit from the real instruments and procedures of discussion. Buddhist argumentation and reasoning provide a useful structure for structuring one's own thoughts and statements and evaluating the constant stream of information that is being presented to us. In a traditional dispute, the challenger stands and asks the defense, while the opponent takes a seat and replies. It appears that the challenger remains respectful to the defender.

The argument was essential to refute the opponent's viewpoint. If a philosophical system is not able to refute the viewpoint of the opponents', it is bound to accept the opponent's viewpoint. Discussion is a means through which we can eliminate ignorance and foster wisdom. Its aim is not only to win, but it develops compassion so that the opponent may come to the same conclusion. Buddhist discussion requires a tremendous amount of cultural sensitivity to establish truth, trust, and good communication.

- **Logical Development:**

Many thinkers have written on Buddhist thoughts and they have defended the opposing viewpoints. The logic developed under Buddhism is known as 'Buddhist logic'. *Ācārya* Diñnāga and *ācārya* Dharmakīrti were considered the two shining stars of this system. Before them, teachers like Nāgārjuna, Ārya Deva, Maitreya, Asaṅga, Vasubandhu, etc. also handled logical topics in a stray manner in their philosophical works. But *ācārya* Diñnāga and Dharmakīrti have systematically constructed logical topics. So, Diñnāga is known as 'The father of Buddhist logic'. Dharmakīrti made further importance after Diñnāga. Dharmakīrti is recorded as a central figure not only in the scenario of Buddhist logic but in the development of Indian philosophical thinking also. His contributions are related to epistemology, ontology and logic. This work *Hetubindu* is written based on logical applications. The general tendency of Indian philosophers is to show some lenience towards inferential knowledge as part of the supreme logical application. So, it gets the most predominance in the theories of knowledge. Dharmakīrti believes



that the right knowledge leads participant to the position of highest well-being (*pūrūṣārthasiddhi*) and to attain the right knowledge one should be reasonable with proper use of knowledge. Through the study of this work, one should gain a scholar for applying the right *hetu* and it becomes very helpful to people to recognize the affairs logically in day-to-day life. One should acquire sharp excellence in this way because becoming a reasonably talented participant is essential to attain the accomplishment of all desires through the right knowledge. The most important feature of Dharmakīrti was concerned with the soundness of an argument he did not accept mere validity because he aimed at the attainment of the right knowledge (*samyakjñāna*) with reasonable positions. His contribution is the field of this logical thinking is noteworthy. He was a strong defender of Buddhist doctrines. Among these, the most famous theory given by Dharmakīrti, the theory of momentariness is very similar to the fundamental doctrine of Buddhism that ‘everything is impermanent’. He also established the general idea that logical relations are based on reality. Most of his thoughts are developed with an epistemological approach to enrich their contents. He influenced his followers and later logicians of other schools.

Buddhist thinkers have a remarkable place in the development of logical thinking in Indian philosophical systems. We should have reconstructed the origin and development of Buddhist logic from the basic principles of Buddhism at the grass root level to the highest doctrines of logical thinking. So, we have to go through the history of the teachings of Buddha to the logical foundation laid by great teachers like Nāgārjuna upto Dharmakīrti in this perspective.

- **Philosophizing Procedure of a Judicial Council of monks in Buddhist philosophy:**

In Buddhism, philosophical discussion typically refers to a formalized and structured method of intellectual inquiry and discussion used to explore and increase understanding of Buddhist philosophy and teachings. Argumentation has been a traditional method of learning and transmitting knowledge in many Buddhist monastic traditions. Buddhist discussion involved the exchange of questions and answers, where participants engaged in a rigorous examination of various aspects of Buddhist doctrine. The format often involved one person presenting a thesis or proposition, and others responding with challenges, questions or counterarguments. The goal was not necessarily to win or lose but to facilitate a deeper understanding of the subject matter through critical examination. Debates in Buddhist monks often emphasize logical reasoning as a means to explore and clarify concepts. Participants were expected to use reason and analysis to support their positions. In many Buddhist monastic institutions, debate is an integral part of the educational curriculum. Monks and nuns are engaged in debates to refine their understanding of Buddhist philosophy and to prepare for higher studies. The discussion always followed



a structured dialectical method, where participants took turns presenting arguments and counterarguments. This helps to thoroughly explore a topic from different perspectives. It is seen as a way to cut through misunderstandings and arrive at clearer insights into the nature of reality and the path to enlightenment.

In the Buddhist Judicial council, the monks have settled the participant case in the process of - a complaint, a judicial council of monks, Members of a council, and the judge or umpire (*anuvijjaka*).

- **A Complaint (*codanā*) in Buddhist monks' Discussions:**

A complaint is intended to humiliate a person by reminding him of the nature of his criminal action. The complaint may be well-founded or unfounded. It may arise from anything seen, heard, or apprehended. The complainant or plaintiff must institute his complaint at the proper time, in its true detail, in gentle and relevant terms, and good spirit. The respondent, accused or defendant must speak the truth and must not show temper. In the Buddhist philosophical discussion, a complaint (*codanā*) refers to a specific type of argument or objection that a debater presents to challenge or question the position or statement made by their opponents'. The use of complaints allows participants to critically examine the assertions and positions put forth by their opponents. In this context, a monk raises objections, asks for clarification, or challenges the logical coherence of a statement. This process is not confrontational in the usual sense, rather it is a structured and systematic way for monks to explore and refine their understanding of Buddhist teachings.

- **A Judicial Council of Monks (*saṅgha*) in Buddhism:**

A council of monks (*saṅgha*) engaged in trying a case, must receive the arguments of the complainer and the respondent who are the parties of the case. Deliberation (*matikamma*) must be shared by each member of the council. In Buddhism, a judicial council of monks refers to a body within the monastic community or *Saṅgha*. This is responsible for dealing with matters related to disciplinary issues and disputes among the monks. The *Saṅgha* is a community of Buddhist monks and nuns who have chosen a monastic lifestyle to pursue spiritual development and the path to enlightenment. This judicial council is responsible for handling cases involving violations of the monastic code or rules. This can include issues such as ethical misconduct, breaking of discipline and conflicts among members of the monastic community. The council conducted hearings, reviewed evidences and made decisions on appropriate measures or sanctions to address the transgressions. When disputes or disciplinary issues arise among monks or nuns, a judicial council of monks is assembled to address the matter. The council typically



consists of senior and respected members of the monastic community who have a deep understanding of the debating subject and are recognized for their ethical conduct and wisdom. The purpose of the council is to investigate the issue, listen to the involved parties and make decisions or recommendations based on the principles of Buddhist philosophical discipline.

- **Members of the Buddhist Council (*saṅgāmāvacara bhikkhu*):**

Members of a judicial council, entitled *Samgāmāvacarabhikkhu* in *Pāli*, are commanded to approach the council in a manner that is respectful. They are supposed to be able to take their positions correspondingly. They avoided talking about pointless and insignificant matters. They could approach their brother for anything we do or they might have a conversation about excellent law. Monks can decide to keep quiet or express their opinions. The members must have to find out what kind of moral violation there is and what kind of case is currently being investigated. In case of discussion the moral code portion and participants' qualities are very much relevant. They aren't permitted to be prejudiced. They should sometimes express their appreciation with the respondent's performance and when required, use encouragement and instructions. They must not, on account of their superiority in knowledge or seniority in age, hold anybody in contempt. The term '*Samgāmāvacarabhikkhu*' refers to a monk who participates in or is a member of a *Samgāma*, which can be translated as a council. This council of monks has come together for various purposes, such as resolving disputes, making decisions, or discussing matters related to the monastic discipline.

- **The Council's Judge or Umpire (*anuvijjaka*):**

The council chose the judge (*anuvijjaka*) and as such, he or she has to speak attentively and without impatience. He should avoid addressing any topic that is not profitable in and of itself or that might create conflict or discontent. He has to listen to what each side has to say paying attention. He must not beforehand accept the account of one side as truthful since he has the well-being of every person in mind at all times. The complainant will say that the respondent 'is guilty', *āpanno*, while the respondent himself will plead "not guilty", *ānāpanno*. Instead of discarding the statement of either of the parties, the judge must see that each party is consistent with his first statement. The judge must satisfy himself that the complainant understands the nature of the complaint he makes. As regards the respondent the judge must not put to him questions that may refer to his preceptor, teacher, brother-priest, resident pupil, cast, name, family, tradition, clan or native place. The reason is that the judge may be biased toward or prejudiced against the respondent, and his judgment may be influenced by affection, hatred, fear or delusion.



The judge must have respect for the whole council and not for a particular individual for justice and not for private interest, for what is good and not for what is agreeable to a particular company in which he is interested. He must investigate the case in season and not out of reason, as it is and not as it is not, gently and not rudely, with goodwill and with his limbs and sense-organs duly restrained. He must control the complainant and the respondent and should take note of what they say and should not add anything that they do not say. He must make the languid cheerful, the timid hopeful, and the angry cool. He must not act from affection, hatred, fear, or delusion. A judge who behaves himself in this way is a true follower of Buddha and is justly loved by all people. The term '*Anuvijjaka*' refers to a judge or umpire and it is often associated with the role of an individual who presides over or oversees a council or assembly. This is used in the context of monastic gatherings, where groups of monks convene to discuss and make decisions on various matters related to monastic discipline, community affairs, or dispute resolution. This kind of debate in Buddhism typically holds a position of authority and is responsible for ensuring that the proceedings are conducted following the monastic rules and that decisions are fair and just.

Example: Here is a fictionalized example of a dialogue involving judge or umpire (*anuvijjaka*) in a Buddhist monastic discussions:

Chief Monk (judge or umpire): Esteemed brothers, we are gathered here today to address a matter of great importance to our *Saṅgha*. As the *anuvijjaka*, my role is to ensure that our proceedings adhere to the rule and that we reach a fair resolution. The matter at hand involves the use of monastery resources for a community project initiated by brother Kassapa.

Council member 1: Brother Kassapa, please share the details of your project.

Brother Kassapa: Respectable members, I initiated a project to build a meditation hall for the community's benefit. While I used some monastery resources, I believed it was in line with our collective goals for spiritual growth.

Council member 2: I raise a concern. The rule is clear about the proper use of monastery resources. Did you seek approval from the senior monks before undertaking such a project, Brother Kassapa?

Brother Kassapa: I admit that I did not seek explicit approval. However, I thought it aligned with our common aspirations for spiritual development.



Chief Monk (judge or umpire): Thank you, Brother Kassapa. Council members, let us consider the guidelines on the use of monastery resources. Brother Kassapa, while your intentions are commendable, it is crucial to adhere to established procedures. Council members, what are your thoughts?

Council member 3: The rule emphasized the importance of seeking approval for major projects. However, brother Kassapa's intentions are in line with our spiritual goals. Could we find a compromise that respects both the rules and the spirit of his initiative?

Chief Monk (judge or umpire): A valid point, council member 3. Brother Kassapa, while your intentions are appreciated, we must uphold the rule. I suggest that in the future, all major projects be brought before the council for discussion and approval. In this case, let us work collectively to find a resolution that respects both our rules and your aspirations.

Brother Kassapa: Thank you, respectable chief monk. I appreciate your guidance and I am willing to work within the established procedures moving forward.

This dialogue illustrates the role of the Chief Monk in guiding the discussion, ensuring adherence to the rule and working towards a fair resolution within the context of a monastic council.

- **The Components (parts) of a discussion according to Buddha Ācārya Maitreya:**

In Buddhist philosophy, particularly within the context of classical Buddhist thought, discussion played a significant role in the exploration and clarification of doctrinal and philosophical issues. Debates were a common method for resolving differences of opinion and gaining a deeper understanding of Buddhist teachings. The debate tradition in Buddhism is closely associated with the monastic education system. Debate is seen as a tool for understanding and clarifying complex philosophical concepts. It is not necessarily aimed at proving one's opponent wrong but rather at deepening one's understanding and refining one's views. The Tibetan Buddhist debate followed a structured format where one person poses a question or makes a statement (the defender) and another person (the challenger) responds with counterarguments. The defender must then counter these challenges and the process continues.

In the 15th volume of Maitreya's 'Ṣaptadaśa-bhūmi-Śāstra-Yogācārya' there is a treatise on the art of debate. In this treatise, he has addressed some components or the important things which are essential for a discussion. Below is an explanation of them:



- **The Subject Matter of Discussion:**

Understanding the significance of a subject's relevance is necessary before we are capable of starting an argument about it. A pointless topic needs to be dismissed. The 'subject of debate' refers to the specific topic or proposition that is being discussed, analyzed and debated within the context of formalized debates. The subjects of debate can cover a wide range of topics, including discussions on the nature of reality, existence and the nature of self, investigation of the origins of knowledge, the nature of perception and the implementation of various cognitive procedures, examination of logical arguments, inference and reasoning processes. This includes discussions on valid and invalid forms of reasoning. The interpretation and analysis of Buddhist texts, including *sūtras* and commentaries are to be comprehended their significance and implications; thinking about moral frameworks, moral behavior and the essence of virtue. It includes exploration of various philosophical tenets proposed by different Buddhist schools. Debates often involve the presentation and refutation of incorrect views to strengthen one's understanding and to clarify the correct interpretation and practical application of Buddhist philosophy to everyday situations and dilemmas.

The choice of subject depends on the level of the participants' study and their progress within the monastic education system. As monks advance in their studies, they engage in more complex and nuanced debates, delving deeper into the subtleties of Buddhist philosophy. There are some important tools for required in a meaningful discussion.

- i. The place of debate
- ii. The means of debate
- iii. The requirements regarding a debater
- iv. Points of defeat (*nigrahasthāna*)
- v. Attending a place of debate
- vi. Confidence of a debater

These tools for a debater in Buddhist philosophy is not about dominating opponents'; but rather about embodying a deep understanding of the *Dhamma* and contributing to a collaborative and respectful intellectual community within the monastic tradition.

CONCLUSION

The philosophizing procedure of a judicial council of monks in Buddhist philosophy plays a crucial role in shaping the ethical and doctrinal boundaries of the Buddhist community. These councils, as seen in



early Buddhist traditions, were not merely judicial bodies concerned with administrative functions but were instrumental in preserving the essence of the Buddha's teachings. At their core, these councils embodied a collective, rational, and ethical approach to decision-making that integrated both doctrinal clarity and moral integrity. In these councils, the *Sangha* (the community of monks) would gather to deliberate on important issues such as the interpretation of the *Vinaya* (monastic rules), doctrinal disputes, and ethical challenges faced by the community. This procedure was marked by consensus-building, logical debate, and a focus on the communal well-being of the Buddhist community. The foundational philosophy that guided these councils was deeply rooted in the principles of mindfulness, rational inquiry, and ethical accountability. These councils did not rely on the authority of an individual but instead emphasized the collective wisdom of the community. Through deliberation, debate, and rational examination, the councils aimed to preserve the purity of the Dhamma (the teachings of the Buddha) while addressing issues arising in the monastic community. In particular, councils like the First and Second Buddhist Councils, held shortly after the Buddha's death, were pivotal in formalizing the *Sangha's* practices and ensuring that the teachings remained consistent across diverse geographical and sectarian divides.

Moreover, the relevance of these councils in the modern era cannot be understated. As modern societies grapple with issues of justice, conflict resolution, and governance, the principles embedded in the Buddhist judicial councils offer valuable insights. The modern world, marked by ideological polarization and growing ethical complexities, stands to benefit from the Buddhist approach of deliberative consensus, where differing viewpoints are addressed through reasoned dialogue, and collective wisdom is valued over individual authority. In particular, the Buddhist councils' emphasis on ethical decision-making, restorative justice and mindfulness offers a model for contemporary systems of governance and legal frameworks that seek to prioritize the well-being of the collective over punitive measures or rigid hierarchies.

Additionally, the method of philosophical reflection used in the Buddhist judicial councils, where decisions are based not only on doctrinal purity but also on the moral consequences of those decisions, can serve as a guide for modern ethical debates. For instance, in legal and organizational systems, fostering inclusive dialogue, ensuring that decisions align with shared ethical values, and integrating compassion into the resolution process are increasingly recognized as vital for creating just and harmonious communities. The practice of dialogical ethics, wherein conflicting ideas are explored and reconciled through thoughtful discussion, is highly applicable to contemporary debates around justice and



moral accountability. In a world that often finds itself divided by ideologies, this method offers an alternative to adversarial approaches to conflict resolution, promoting instead an attitude of collective responsibility, mutual respect, and understanding. The philosophical procedures of Buddhist judicial councils not only serve as a historical and doctrinal anchor for the Buddhist community but also offer profound lessons for modern society. The councils' focus on rational debate, communal decision-making and ethical responsibility provides a model of governance and justice that is increasingly relevant in today's complex, globalized world. As modern systems of governance, law, and conflict resolution continue to evolve, the wisdom of these early Buddhist councils presents an opportunity to revisit and integrate ancient principles of ethical decision-making, mindfulness, and collective reasoning. The enduring relevance of these councils highlights the timelessness of their approach to resolving disputes and maintaining harmony, making them a valuable resource for both individuals and societies seeking to navigate moral and philosophical challenges in the contemporary era.

Buddha spent the remaining period of his life for teaching and established a community of followers after the achievement of enlightenment. Buddhism gradually spread throughout India and subsequently to other parts of the world including Asia. Buddha was eighty years older when he went away. His death is referred to as *Mahāparinirvāna*, signifying his release from the cycle of birth and death. Buddha's teachings have concentrated on the temporary nature of existence, the very nature of suffering and the path to liberation by righteous conduct, self-control and awareness. Various forms of Buddhism have developed over the centuries, each with its interpretations and practices, but they all trace their roots back to the foundational teachings of Gautama Buddha. Buddhism is undoubtedly one of the world's most influential and prominent philosophies. Buddha in his teachings said that behind everything there was cause and *avidyā* was the root of all causes. Our end was to remove *avidyā* with the help of *vidyā* or enlightenment. In this way, he tried to attain a state that was free from all selfishness, fear and passion, a state of perfect peace that one could not describe in words.

In accordance with their non-Buddhist counterparts the Buddhist scholars have been significantly concerned with logical and argumentative issues of both valid and invalid reasoning. Which justifications are effective? When are the generalized statements acceptable? Buddhist's discussions have taken on a wide range of topics, including East-West conflicts, metaphysics, the philosophy of language and ethics. Such as the problem of universal, technical issues like identity challenges, referential transparency problems with significant questions in the philosophy of mind. A few examples are the simultaneous existence of mind and matter, mental causality and reflexive consciousness. Obviously, different



Buddhist schools, as well as various geographical regions and periods in history, have different concerns on logic, argumentation and philosophy. The Buddhist schools of thought in Tibet, China and India questioned the use of reasoning and arguments in general. As a result, they gave more emphasis on ritual, devotion, traditional yoga practices or meditation. The religious significance of logic has even become an issue of contention dividing Buddhist traditions. To this we witness a powerful Buddhist defense of debate practice. A common Buddhist response is that this need not be the situation and that there are discussions between individuals with great virtue. As a result, Buddhist schools were strong in promoting discussion as a necessary and acceptable practice for transparent those looking for truth.

Furthermore, it has been promoted as a path that leads to truths without reference to scripture, scholarly associations or belief systems. In fact, logical thinking and reasoning definitely takes priority over religion and ideological dedication in the theoretical literature, argumentation and epistemology (*pramāṇa*). Buddhists have continually advocated an idealized form of reasoning that is unbiased, objective and capable of achieving truth without the need for previous faith commitments or even participation in a particular philosophical or religious school of thought.

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