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## THE SIGNIFICANCE OF DOCTRINAL PURITY: BURMESE MONASTIC REGULATORY SYSTEM (VINICCHAYA TRIAL)

**Yan Naing Linn**

College of Religious Studies, Mahidol University, Thailand

Author for correspondence email: linyannaing569@gmail.com

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### ABSTRACT

Buddhism in Myanmar today may be characterized as conservative. Among many Buddhist schools across the world, only the teachings maintained by the Theravada sect are accepted as authentic teachings in Myanmar. The teachings, ideologies, and practices that challenge the core principles of Theravada or imperil its purity are regarded as heretical and systematically suppressed through the collaborative efforts of state and Sangha authorities. This paper explores two distinct approaches to monastic regulation: the self-regulatory system of the early Buddhist era, which relied on moral penalties, and the contemporary state-backed regulatory system, which incorporates moral and legal enforcement. The study further explores how religious freedom, tolerance, and equality in Myanmar are granted with significant limitations, operating under the principle of safeguarding Theravada orthodoxy. Unorthodox or new Buddhist movements, such as the Present Kammavāda Buddhist sect, face considerable obstacles in gaining the right to practice or propagate their beliefs. Such movements are unlikely to thrive in Myanmar if deemed by Sangha authorities to deviate from standardized core Theravada texts (tipitaka). This paper highlights the enduring rigidity of Theravada orthodoxy in Myanmar and its implications for religious diversity within the Buddhist framework.

## INTRODUCTION

This paper examines how immoral behaviors, unorthodox teachings, and non-standard practices in Buddhism are dealt with and eradicated in Myanmar through a collective effort involving the state and the Sangha's authorities. The case study of Ashin Nyana and his Present Kammavāda sect will be explored in this context. The controversial case of Ashin Nyana is a highly sensitive case settled in 2011 by the State Special Vinicchaya Committee (SSVC), the highest level of monastic jury consisting of three or five Dhamma and Vinaya experts. Ashin Nyana (1938-present), an ex-Theravada monk, developed the Present Kamma doctrine which challenges core Theravada concepts such as the previous lives, next lives, heaven, and hell, asserting that these metaphysical realms are not part of the Buddha's original teachings. According to his interpretation, "one's current life is solely shaped by present actions; past actions do not influence this life's successes or failures; this life's actions bear no consequences for a future life."<sup>1</sup> He further claimed that the circle of rebirth occurs as an internal process within the human body, and deities and ghosts are the signs of mental states that can be experienced at any time in this very life.<sup>2</sup> Based on these unorthodox views, in 1983, Ashin Nyana renounced Theravada Buddhism in 1983, which he followed in his youth, and established a new sect known as "Present Kammavāda Buddhism" (*Paccupanna Kammavāda Buddha Bhatha*), commonly known as Moepyar *Gaing*<sup>3</sup> (the Burmese word *Gaing* means monastic sect). In this new religious movement, Ashin Nyana chose sky-blue color robes for religious garments instead of the typical saffron robes. The Burmese authorities, however, refused to recognize his sect as an official Buddhist sect as well as rejecting the Present Kamma discourse. In response, a long-term imprisonment was imposed on Ashin Nyana, totalling 35 years.

According to the mainstream view of Buddhists in Myanmar, Buddhism is synonymous with the Theravada tradition, rather than being understood as a larger umbrella term encompassing all Buddhist schools. The Buddha's teachings are synonymous with the Theravada scriptures, known as three *pitaka* (Vinaya, Suttanta, and Abhidhammā). The widespread belief is that Theravāda teachings are still maintained in Myanmar with their origins intact as a carefully preserved tradition. Although the Buddhist canon has been compiled over centuries and displays various historical levels of its origin, traditional Burmese Buddhists regard the canon as an infallible and veracious source of teaching. With this belief, the movements that drift away from Theravada orthodoxy, whether doctrinal or disciplinary, were extensively oppressed by the official Sangha authorities associated with the state, particularly from the 11<sup>th</sup> century onward, when King Anawratha introduced Theravada Buddhism to Bagan.<sup>4</sup> However, the notion of a "pure" Theravada in Myanmar is not without controversy. Mendelson (1957), argued that Theravada Buddhism maintained in Myanmar is not a pure form but rather is a syncretic form of Buddhism intermingled with traditional Animist beliefs and neighboring religious beliefs. Several Animist, Hindu, Mahayanist, and Tantric elements could be found in Bagan at the time of Anawratha, as well as in Thaton from where the Theravāda

<sup>1</sup> Ashin Nyana Dhammadhārī, *Nyana Life, Nyana Theory*. Vol-II (Free Press, 2018), 138.

<sup>2</sup> Thutawar ariyathawaka. *New History of Buddhism (Buddhabathar tharthana thaminethit)* (Free Press, 2014), 31.

<sup>3</sup> The Present Kammavāda Buddhist sect is labelled "Moe Pyar Gaing" by Burmese Theravadins based on the sky-blue color dress worn by Ashin Nyana. In Burmese, sky-blue color is called *moe pyar*.

<sup>4</sup> Bagan is understood as the Burmese kingdom that initiated Theravāda Buddhism in Myanmar though the evidence of Theravāda was found in the Pyu era before the 11th century.

teachings (Tipiṭaka) were brought to Bagan.<sup>5</sup> During his reign, King Anawratha vigorously patronized the Buddha *sāsanā* (the Buddha's teachings)<sup>6</sup> by providing the Sangha with the four requisites (food, clothing, lodging, and medicine) constructing numerous pagodas, and purging unruly monks and heterodox teachings that conflicted with normative Theravada. King Anawratha's example influenced subsequent Burmese kings, who prioritized the purification, propagation, and perpetuation of the *sāsanā*. A notable exception to this pattern was King Thohanbwar (r. 1527–1543), who disrupted this tradition by killing 3000 monks and destroying monasteries and sacred Buddhist texts.<sup>7</sup>

The king's integration into monastic affairs, however, is not only related to religious concerns but also involved his political interests. The king's religious and ritual obligations were fundamental to his political power. The king's religious role was an important source of legitimacy in pre-modern Burma.<sup>8</sup> Traditionally, the king's status and authority were determined by his possession of merit that was stored-up over previous lives as well as his collection of new merit in the present lifetime.<sup>9</sup> Establishing oneself as a protector of Buddhism granted Burmese kings the status of a righteous ruler (*Dhammarājā*) on the one hand and provided political legitimacy on the other. Fox (2013) notes that religion can legitimize governments, political parties, opposition movements, institutions, leaders, and policies.<sup>10</sup> Through this religious legitimacy, the kings were able to govern the country without resorting to coercive power.<sup>11</sup> Whenever the *sāsanā* required purification or reformation, kings actively took part in those affairs, collaborating with Sangha leaders, particularly with the *Thathanabaing*<sup>12</sup> (Sangha patriarch), who was granted centralized authority over monastic affairs.<sup>13</sup> While the *Thathanabaing*'s office handled minor monastic issues, major disputes or challenges beyond its scope were resolved through royal decrees. For instance, king Bodawpaya ended a century-long dispute over robe-wearing styles between the Ekaṇsika party (exposing one shoulder) and Pārupana party (covering two shoulders) through a decisive royal decree.<sup>14</sup>

In the contemporary period, however, the ultimate authority over monastic affairs rests with the State Sanghamahānāyaka Committee (SSC), commonly known as *Ma Ha Na*, which operates with the state's support of Buddhism and legal backing. The state avoids direct intervention in monastic affairs, although they are involved in cases where moral authority alone is insufficient. When the offenders refuse to comply

<sup>5</sup> E. M. Mendelson, *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*, edited by J. P. Ferguson (London: Cornell University Press, 1975), 33-35.

<sup>6</sup> *Sāsanā* refers to the teachings expounded by the Buddha for forty-five years (Abhi-a II, 327).

<sup>7</sup> N. Ray, *Theravāda Buddhism in Burma* (Calcutta: Calcutta University Press, 1946), 196-197.

<sup>8</sup> Schober, Juliane. *Modern Buddhist Conjunctures in Myanmar* (Honolulu: University of Hawai'i Press, 2011), 18.

<sup>9</sup> L. Harris. *Buddhism, Power and Political Order* (Oxon Ox144RN: Routledge Press, 2007), 3.

<sup>10</sup> J. Fox. *An Introduction to Religion and Politics* (New York: Routledge Press, 2013), 77.

<sup>11</sup> D. E. Smith, *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 308,309.

<sup>12</sup> As to the tradition of *thathanabaing*, scholars argued that forming Sangha hierarch within the Order is contrary to the Buddha's teachings. The Buddha did not talk about superiority in rank but in Dhamma (Smith. 1965, 15). It also contradicts with the statement “yo vo Ānanda mayā dhammo ca vinayo ca desito paññatto so vo mām accayena satthā” (Dī II 126,127). According to this text, no leader of the *sāsanā* was left by the Buddha other than the Dhamma and Vinaya itself.

<sup>13</sup> N. Ray, *Theravāda Buddhism in Burma* (Calcutta: Calcutta University Press, 1946), 270.

<sup>14</sup> E. M. Mendelson, *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*. edited by J. P. Ferguson (London: Cornell University Press, 1975), 66.

with the SSC's decision and the court's rulings, the state forces them to obey the SSC and court's decision. Undisciplined monks, unorthodox teachings, ideologies, and practices within the Order are handled through the moral authority of the SSC. If the offenders discontinue immoral behaviors and unorthodox teachings declared false by the monastic juries, or if they obey the court's decision, no further actions are taken against them. However, in cases where offenders defy their decisions, the SSC seeks state intervention to enforce compliance. Since its establishment in 1980, the SSC has adjudicated numerous cases involving the teachings and practices suspected of deviating from Theravada orthodoxy, totaling 17 cases, including that of Ashin Nyana.

## EARLY SANGHA REGULATIONS AND ROYAL INTERVENTION OF MONASTIC DISPUTES

The current Burmese Sangha administrative and regulatory system operates as a centralized structure, combining moral authority (monastic punishments) and secular authority (civil punishments), referred to as *dhammacak* and *anacak* in Burmese. However, this system appears to have developed only after the reign of Asoka, the Mauryan king, who reformed the Sangha by removing heretics and heretical teachings in the Order during his reign in the mid 3<sup>rd</sup> century BCE. In the early period, particularly during the Buddha's lifetime, the Sangha resolved its internal issues independently, without relying on civil authorities. Disciplinary or doctrinal conflicts were handled through moral means, such as making the offenders confess their offenses and letting them cure the curable offenses (e.g., non-*pārājika* offenses), and imposing a social boycott or ostracism in more serious cases. As *pārājika* offenses are incurable offenses, they require defrocking as the remedy. As Huxley (1996) noted, such self-regulation, including the use of social boycotts, was an effective mechanism for expelling undisciplined monks during the canonical period.<sup>15</sup> Despite these developments, textual evidence indicates that the early Sangha occasionally sought lay intervention to effectively manage unruly monks. For example, in the case of the monks at Kosambī, lay residents imposed a four-requisite sanction (withholding food, lodging, clothing, and medicine) on the monks involved in a conflict between groups divided by expertise in the Vinaya or Suttanta subjects. These sanctions served as an act of penance for defiance of the Buddha; eventually, the intervention of the laity helped to reconcile the two groups.<sup>16</sup>

Several methods were commonly employed within the Order to address wayward monks and unorthodox interpretations in the early years of Buddhism. These included: promulgating new training rules, reprimanding offenders by publicly revealing their transgressions, imposing social ostracism or Brahma punishment, exposing offenders' wrongdoing to laypeople, and sometimes imposing four-requisite sanction (termination of offering four requisites to the offender monks by laypeople).<sup>17</sup> Among these measures, the first two are considered moral warnings or punishments, whereas the later actions, such as social ostracism or requisite sanctions, function as social punishments. Formal acts like *ukkhepaniyakamma* (ex-communi-

<sup>15</sup> A. Huxley, "The Vinaya: Legal System or Performance-Enhancing Grug," In *The Buddhist Forum*. Vol-IV, edited by T. Skorupski (London: SOAS, 1996), 151.

<sup>16</sup> V IV 189-191.

<sup>17</sup> Ibid, 68; Dhp-a 34-37; Ashin Janaka, *Die-Human, Born-Human: The Life and Posthumous Trial of Shin Ukkattha, a Pioneering Burmese Monk during a Tumultuous Period in a Nation's History* (Ph.D. Thesis) (London: King's College London, University of London, 2016), 64.

cation) and *pakāsanīyakamma* (public exposure of wrongdoing) were later actions after the disobedience of moral warnings. Persistence of unorthodox ideologies or practices, without abiding by training rules and listening to the Sangha's admonishment, would result in the penalty of social boycott or excommunication. In this context, the Sangha employed a social boycott to pressure offenders into compliance with the Buddha's teachings and Sangha's speeches, and for abandonment of unorthodox views. The Sangha resorted to such actions only when an offender failed to listen to the Buddha and Sangha.<sup>18</sup> However, no further actions would be taken against an offender who demonstrated repentance by abandoning improper behaviors and unorthodox views in accordance with the Buddha's guidance.<sup>19</sup>

The case of Ariṭṭha, who held an unorthodox view on sexual misconduct, serves as a notable paradigm to illustrate the *Vinicchaya* process or the ecclesiastical mechanism in the early Buddhist period (5<sup>th</sup> century BCE). Ariṭṭha maintained the belief that "sexual misbehaviors may obstruct the attainment of heavenly benefit, *jhāna*, *magga*, *phala*, and *nibbāna*, but it does not entirely prevent a monk who commits it from achieving these attainments."<sup>20</sup> Just as laypeople can attain the Path Knowledge while indulging in five-sense pleasures, including physical contact with the opposite sex, monks, too, can achieve higher spiritual attainments through similar means, including sexual relations. Sexual misconduct, therefore, cannot obstruct a monk from obtaining higher attainments." Ariṭṭha further argued that monks already enjoy pleasurable five sense objects, such as hearing pleasant sounds or using luxurious items like mattresses, blankets, sofas, and couches. In his view, if these utensils are permissible for monks, then sexual intercourse should not be considered inappropriate." Based on this reasoning, Ariṭṭha refused to acknowledge that engaging in sexual misbehavior constituted a violation of the first *pārājika* offense, a serious offense which needs a defrocking.<sup>21</sup> Eventually, this matter was brought to the Buddha. After examining Ariṭṭha, the Buddha declared that Ariṭṭha's views were in direct contradiction to his teachings. As a response, the Buddha banned Ariṭṭha from holding unorthodox views against his teachings by promulgating Pācittiya training rule no. 68 (Ariṭṭha Sikkhāpada). This training rule is effective in the offender's persistence of his view without listening to the monks' admonishment.<sup>22</sup> Ariṭṭha would have created Pācittiya offense, a light offense, as a penalty if he continued to hold his unorthodox view without listening to the Buddha and Sangha's admonishment.

This episode offers valuable insights into the early Sangha regulatory system and its approach to addressing unorthodox views, highlighting different punishments for doctrinal deviation between historical and contemporary accounts. Ariṭṭha's case is, indeed, similar to that of Ashin Nyana, whose teachings were deemed *a-Dhammavāda* (false teachings) by ecclesiastical juries. However, the penalties imposed in these two cases were different. Ariṭṭha, for his unorthodox view, received a penalty of Pācittiya offense, one of the lighter monastic offenses, which would be effective only when Ariṭṭha persisted in his view without

<sup>18</sup> Ibid, 2016, 62-63.

<sup>19</sup> It should be noted that the Buddha came to a decision for the first commitment by setting up the training rule. Then, the similar commitment would be assessed in accordance with it by the Sangha. The rejection of the Buddha's judgment or training rules would have social punishment.

<sup>20</sup> V IV 69.

<sup>21</sup> V III-a 870.

<sup>22</sup> V II 157.

obeying the monks' admonishment.<sup>23</sup> In addition, Ariṭṭha faced the penalty of social ostracism (*ukkhepanīyakamma* = the formal act of social ostracism), imposed as a means of pressuring him to renounce his unorthodox views.<sup>24</sup> Nonetheless, he underwent neither defrocking nor legal punishment while such cases are subject to legal penalties in this contemporary era. Notably, in Ariṭṭha's case, the ultimate arbiter or authoritative judge was the Buddha himself. The Buddha personally adjudicated disputes occurred in his present and determined the correctness of certain teachings or practices. After his death, however, the authority to decide the teachings and practices in the *sāsanā* came to the Dhamma and Vinaya (his teachings), as the Buddha appointed no individual successor to his role except the Dhamma and Vinaya.<sup>25</sup> Following textual instructions, the Sangha assessed the teachings, ideologies, and practices within the Order to be right or wrong.

The tradition of self-regulation, however, evolved into a common regulatory system that combined monastic authority with state-backed legal enforcement during the reign of King Asoka, the 3<sup>rd</sup> century BCE.<sup>26</sup> Aiming at purified Sangha and healthy *sāsanā*, Asoka undertook sweeping reforms in the Order, by purging sixty thousand monks of heretical notions from the Order with their teachings and practices.<sup>27</sup> This became an important paradigm for later Buddhist kings and statesmen, significantly impacting the later monastic regulatory system. Although the early Sangha considered monastic disputes as internal problems that need to be solved within monastic community, in the view of later the Sangha, the state's involvement with legal enforcement was needed in regulating unruly monks and unorthodox teachings. Following Asoka's model, Burmese kings intervened in the monastic affairs associating with Sangha leaders. When the monastic order or Buddhist teachings required renewal or correction, they themselves dealt with them by using royal decree or through the *Sangharājā* (the king's preceptor), also known as *Thathanabaing*<sup>28</sup> (a primate or the king's teacher), empowering juridical prerogative. For example, King Anawrahta, intending to uplift the role of Theravāda Buddhism and create pure Theravāda land, made several attempts to purify the *sāsanā* such as diminishing domination of traditional spirit worship and expulsion of Arī monks practicing heretical beliefs from *sāsanā*.<sup>29</sup>

<sup>23</sup> Ibid.

<sup>24</sup> V. IV 26.

<sup>25</sup> *Yo vo Ānanda mayā dhammo ca vinayo ca desito paññatto, so vo mamaccayena sattā* = Ānanda, the dhamma and vinaya I expounded would serve as your teacher after my death (D II 153-155).

<sup>26</sup> Ashin Janaka, *Die-Human, Born-Human: The Life and Posthumous Trial of Shin Ukkatṭha, a Pioneering Burmese Monk during a Tumultuous Period in a Nation's History* (Ph.D. Thesis) (London: King's College London, University of London, 2016), 11.

<sup>27</sup> V I-a Vol-I 42-43.

<sup>28</sup> The Senior or junior monk by monk years can be appointed as a *Thathanabing* for the position of *Thathanabing* just depends on the king's favor rather than quality and seniority. The king appoints a Thathanabine who taught him at his young age when he ascends the throne regardless of juniority or seniority (E. M. Mendelson. *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*. edited by J. P. Ferguson (London: Cornell University Press, 1975), 70).

<sup>29</sup> Aung Thwin, *The Mists of Rāmañña* (Honolulu: University of Hawai'i press, 2005), 124.

## ECCLESIASTICAL MECHANISM THROUGH SELF-REGULATION AND SELF-ADMINISTRATION

The traditional Sangha regulation system, rooted in the centralized authority of the king and *Thahanabaing* (Sangha patriarch), was dismantled by the colonial government of Burma in 1886. In its place, the colonial administration adopted policies of secularization, religious pluralism, and neutrality.<sup>30</sup> During their control, the British refrained from intervening in doctrinal or disciplinary matters, except when violations of civil law and threats to political stability occurred. This hand-off approach forced monks to handle their internal disputes independently. In reality, abolishing the authoritative structure of the Burmese monarchy, including *Thathanabaing*, was a key objective of British colonial policy. However, the immediate removal of *Thathanabaing* position brought unwanted problems to the British government. Thus, in the early years, the British reluctantly allowed the office of *Thathanabaing* with strict limitations.<sup>31</sup> In 1895, eight years after the death of Taungdaw Sayadaw, the last royal-appointed *Thathanabaing*, the British approved Taunggwin Sayadaw's *Thathanabaing* position being selected by the Sangha's votes, but limited his jurisdiction and authority.<sup>32</sup> The British confined Taunggwin Sayadaw's jurisdiction to Upper Burma, offering no authority over civil court matters and no authority to conduct anything superseding civil or criminal law.<sup>33</sup> After he died in 1983, the reluctant acquiescence of *Thathanabaing* was also terminated entirely, leaving the Sangha without centralized oversight. Thereafter, the tradition of *Thatanabaing* and his office came to a complete end in Burma.<sup>34</sup> This marked the end of state-supported ecclesiastical regulation and created a regulatory vacuum in monastic adjudication.<sup>35</sup>

In the absence of centralized control, the Burmese Sangha developed a self-regulatory system, also known as the inter-*gaing* supervision method (here *gaing* means monastic faction, i.e., Shwekyin *gaing*, Thudhamma *gaing*, etc.) for regulating unruly behaviors and heterodox teachings. Under this system, no monks possessed centralized authority to intervene in other *gaings* ' affairs. In Myanmar, nine Sangha *gaings* are allowed as official *gaings*. On 1 February 1980, nine Sangha *gaings* (Thudhammā *gaing*, Shwekyin *gaing*, Dhammānudhamma mahādvāra nikāya *gaing*, Dhammadvinayānuloma mūladvāra nikāya *gaing*, Anaukkhyanungdvāda *gaing*, Veluwun nikāya *gaing*, Catubhummikamahāsatipaṭṭhan hngettwin *gaing*, Gaṇavimote kudo *gaing*, and Dhammadayutti nikāya mahāyin *gaing*) out of several Sangha divisions were promulgated by the state to be official Sangha *gaings* in accordance with Sangha Organization Basic Principles section 1, No. 2 (gha), permitting them to pursue their religious practices. They all pursue Theravada membership, though they are different in name and have dissimilar perspectives on the interpretations of some minor doctrinal and disciplinary points. Each *gaing* handled its internal doctrinal

<sup>30</sup> D. E. Smith, *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 40.

<sup>31</sup> Tin Maung Maung Than, "Sangha Reforms and Renewal of Sasana in Myanmar: Historical Trends and Contemporary Practice." In *Buddhist Trends in Southeast Asia*, edited by L. Trevor (Singapore: Institute of Southeast Asia Studies Press, 1993), 16.

<sup>32</sup> Ibid, 49-50.

<sup>33</sup> Ibid, 47-50.

<sup>34</sup> Ibid, 57.

<sup>35</sup> Nyi Nyi Kyaw, "Regulating Buddhism in Myanmar: The Case of Deviant Buddhist Sects," In *Regulating Religion in Asia: Norms, Modes, and Challenges*, edited by Jaclyn L. Neo, Arif A. Jamal, and Daniel P. S. Goh (Cambridge: Cambridge University Press, 2019), 173.

or disciplinary issues independently, without interference from other *gaings* or the state. For example, the disputes within the Shwekyin *gaing*,<sup>36</sup> were resolved exclusively by its members, as was the case for the Dvāda *gaing*.<sup>37</sup>

In addition to inter-*gaing* supervision, group decision-making became a significant method for resolving monastic disputes during the colonial period. Various Buddhist organizations and nationalist groups emerged, such as the General Councils of Sangha Sāmaggī, the Young Men's Buddhist Association, and the We Burma Association (*Dobama Asiayoun* in Burmese). These groups aimed to promote unity and purity within the *sāsanā* on the one hand and fulfill the void left by the absence of state-supported regulation on the other.<sup>38</sup> As Janaka (2016) noted, the individual organizations of *Vinaya* (monastic discipline) experts, including monks and laypersons, became influential in resolving ecclesiastical disputes at that time. They passed the judgment collectively in terms of a group decision that came from the judicial meetings within the Sangha or between the Sangha and laity.<sup>39</sup> This independent judicial system or supervision was, in some ways, helpful for maintaining monastic discipline and unity at that time although there existed an expectation for a centralized administrative, legislative, and regulatory body for effectively managing monastic conflicts.

## STATE'S RETURN TO SANGHA AFFAIRS AND EMERGENCE OF JUDICIAL STRUCTURES

The relationship between the state and Sangha became active again after Burma regained independence from British rule in 1948. Under the leadership of Prime Minister U Nu, a devout Buddhist, the independent government sought to restore the responsibilities for the purification and proliferation of the *sāsanā*, previously fulfilled by the Burmese kings. U Nu's first attempt at Sangha reform was the enactment of the Ecclesiastical Courts Act (Vinicchaya-Htana Act of 1949), which returned jurisdiction in monastic disputes to ecclesiastical courts that had been abandoned under British rule.<sup>40</sup> This act created a three-tiered

<sup>36</sup> Shwekyin *gaing* is the second largest monastic *gaing* in Myanmar. It appeared during the reign of King Mindon in the 19<sup>th</sup> century. It emphasized strict adherence to the Vinaya. The monks from Shwekyin *gaing* have to cover both shulders when going out and eat the meals with alms-bowl. Moreover, Dvāra *gaing* was established by Okhpo Sayadaw U Ukkamṣa (1817-1905) in Okhpo, Henzada, Lower Burma under British rule in 1855. Based on suspicion of the validity of udakukkhepa sīmā (ordination hall built over water) used by Thudhammā monks in the vicinity of his native town Okpho, U Ukkamṣa reached to Vinaya puritan movement against Thudhammā monks, that resulted in the formation of a new Sangha gaing (Ashin Janaka. *Die-Human, Born-Human: The Life and Posthumous Trial of Shin Ukkattha, a Pioneering Burmese Monk during a Tumultuous Period in a Nation's History* (Ph.D. Thesis) (London: King's College London, University of London, 2016), 89.

<sup>37</sup> E. M. Mendelson, *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*. edited by J. P. Ferguson (London: Cornell University Press, 1975), 113.

<sup>38</sup> Apart from the purpose of internal unity and purification, anti-colonialism was also one of the aims of the appearance of these groups. Bringing back Buddhist values and culture to Burma was the aim of their groups. They considered the Japanese occupation that made an end the colonialism as “retribution for British defiance of moral and historical law and a chance to give Buddhism back to the Burma and greatness back to the Buddhism” (E, Sarkisyan. *Buddhist Backgrounds of the Burmese Revolution* (The Hague: Martinus Nijhoff, 1965), 177).

<sup>39</sup> Ashin Janaka, *Die-Human, Born-Human: The Life and Posthumous Trial of Shin Ukkattha, a Pioneering Burmese Monk during a Tumultuous Period in a Nation's History* (Ph.D. Thesis) (London: King's College London, University of London, 2016), 88.

<sup>40</sup> D. E. Smith, *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 117; E. M. Mendelson. *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*. edited by J. P. Ferguson (London:

judicial system comprising township-level courts, district-level courts, and a union-level court. The plaintiffs or defendants dissatisfied with decisions from lower courts could appeal to higher-level courts for final judgments.<sup>41</sup> Additionally, two Sangha authoritative bodies were formed under this act: the Vinayadhara Sayadaws group (ecclesiastical juries expert at Vinaya and Dhamma) and the Ovādācariya Sayadaws group (advisors responsible for helping and advising Vinayadhara Sayadaws in doctrinal matters).<sup>42</sup> In 1951, this act was accommodated in the Provisional Vinicchaya-Htana Act of 1951, which provided the president with the authority to directly appoint the ecclesiastical juries in case of difficulty in electing Vinayadhara Sayadaws and Ovādācariya Sayadaws in a specific geographical area.

Through these acts, U Nu implemented a blueprint for Sangha regulation. However, certain monastic groups, such as Shwekyin and Dvāra *gaing*, expressed dissatisfaction with the state's intervention in the Sangha's internal affairs as well as the centralized administrative and regulatory systems. These groups preferred to resolve monastic disputes independently without centralized interference.<sup>43</sup> Furthermore, the trust of monks in the state-supported monastic courts also gradually declined. While initially supported by leading monks, the monastic courts faced criticism and resistance over time. Many monks accused the courts of lacking impartiality since the majority of seats in the courts, as well as its jurisdiction, were dominated by politically minded monks, and the juries were incompetent in civil law, enjoyed political patronage, and were guilty of bias, and corruption.<sup>44</sup> As a result, the government's efforts to purify and unify the Sangha through these courts failed to achieve their intended goals.

U Nu's strong favoritism toward Buddhism, however, continued under his leadership. He made a call for Buddhism to be recognized as the state religion, which further complicated his administration. A number of ethnic groups, many of whom were predominantly Christian or from other religious minorities, opposed U Nu's state religion proposal and resisted it by various means. These strong reactions to efforts to establish Buddhism as the national religion threatened national unity and federalism. The resulting political tensions provided an opportunity for General Ne Win to stage a military coup in 1962, ousting U Nu under the pretext of safeguarding national unity, ensuring economic stability, and preventing potential ethnic secession.<sup>45</sup> Once in power, the military government led by Ne Win abandoned the pro-Buddhist policies of U Nu's administration, adopting a policy of state religion separatism.<sup>46</sup> Ne Win's regime overturned the Ecclesiastical Acts and dismantled Buddhist Organizations established by U Nu,<sup>47</sup> and further reduced the state's patronage of Buddhism and animistic beliefs. The new regime asserted that U Nu's

Cornell University Press, 1975), 240.

<sup>41</sup> Ibid, 241.

<sup>42</sup> Ibid, 240.

<sup>43</sup> D. E. Smith, *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 214

<sup>44</sup> Ibid, 219.

<sup>45</sup> B. Matthews, "The Legacy of Tradition and Authority: Buddhism and The Nation in Myanmar." In *Buddhism and Politics in Twentieth Century Asia*. edited by L. Harris (London: 1999), 35.

<sup>46</sup> Ibid.

<sup>47</sup> For a reason of failing to achieve the purpose of enacting these Acts, the New Win government abolished the Buddha Sāsana Council in 1962 and repealed the Ecclesiastical Court Act of 1949, the Pāli University and Dhammācariya Act of 1950, and the Pāli Education Board Act of 1952 in 1965 (D. E. Smith. *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 285-305).

policies which overemphasized one religion, encouraged the Sangha activism, and promoted irrational superstitious religious beliefs and practices.<sup>48</sup> For example, the military government halted the state-funded printing and distribution of Buddhist texts and the construction of spirit shrines.<sup>49</sup> In his first public declaration, Ne Win openly criticized unnecessary and extravagant donations as vain activities while he simultaneously promoted socialist ideology.<sup>50</sup>

Ne Win's policies had a significant impact on the Sangha regulation and reformation process based on a centralized administrative regulatory system. Between 1962 and 1980, prior to the establishment of the State Sanghamahānāyaka Committee (SSC), religious movements deemed deviant were exempted from moral or legal persecution due to the absence of the *Vinicchaya* Court (ecclesiastical court) and lack of centralized Sangha oversight. During this period, movements promoting unorthodox ideologies and practices had more opportunities to establish a social presence and to earn public awareness of their teachings.<sup>51</sup> These situations provoked monks to resist the Revolutionary Council government, which they viewed as a first-class communist government. In response to the Revolutionary Council, the monks became to be involved in the anti-Revolutionary Council movements as well as political activities, such as the monks' participation in the U Thant (a former United Nations General Secretary) riot. These monks joined with students and other political activists in December 1974.<sup>52</sup> This political unrest served as a wake-up call for Ne Win, who had previously underestimated the political agency of the monastic community. He had assumed monks could be easily controlled by reinforcing their primary roles: teaching, learning, meditation, and observing Vinaya rules. However, having experienced resistance from monks, Ne Win became aware that monks could be a threat to political stability and thus ought to be put under the supervision of a centralized administration.<sup>53</sup>

Recognizing the need to bring the Sangha under closer supervision, Ne Win returned to monastic affairs that he had overlooked since 1962. For effective control over wayward monks and unorthodox teachings, Ne Win initiated the "All Sangha Gaings Convention" in 1980. This event was held at Mahāpāsāñā cave in Yangon and led to the establishment of three central Sangha bodies: 1. State Central Working Committee of the Sangha (Naingantaw Baho Sangha Wunsoung Aphwe), 2. State Sanghamahānāyaka Committee (Naingantaw Sanghamahānāyaka Aphwe), and 3. State Advisory Body of the Sangha (Naingantaw Ovādacariya Sayadaw Aphwe).<sup>54</sup> Each committee worked to achieve its respective objectives. The State Central Working Committee is responsible for advising the State Sanghamahānāyaka Committee and implementing tasks to administer various levels of Sangha organizations as assigned by the State

<sup>48</sup> B. Matthews, "The Legacy of Tradition and Authority: Buddhism and The Nation in Myanmar." In *Buddhism and Politics in Twentieth Century Asia*. edited by L. Harris (London: 1999), 35.

<sup>49</sup> M. W. Charney, *A History of Modern Burma* (Cambridge: Cambridge University Press, 2009), 116-117.

<sup>50</sup> D. E. Smith, *Religion and Politics in Burma* (Princeton, New Jersey: Prince University Press, 1965), 287.

<sup>51</sup> Ashin Janaka, *Die-Human, Born-Human: The Life and Posthumous Trial of Shin Ukkattha, a Pioneering Burmese Monk during a Tumultuous Period in a Nation's History* (Ph.D. Thesis) (London: King's College London, University of London, 2016), 159.

<sup>52</sup> Ibid, 162-163.

<sup>53</sup> Ibid, 163-164.

<sup>54</sup> Ministry Home and Religious Affairs 1980, 157.

Sanghamahānāyaka Committee, while the State Advisory Body has the responsibility to issue admonitory letters and guide the State Sanghamahānāyaka Committee.<sup>55</sup>

Among these three Sangha bodies, the State Sanghamahānāyaka Committee (SSC) played a pivotal role in the administrative and legislative affairs of the Sangha. Despite this, the SSC did not operate as a solitary regulatory body. Instead, it decentralized its administrative authority to regional Sangha organizations to manage religious, educational, and judicial affairs on a more local level. For example, the disputes arising in specific regions, states, or villages were addressed by the regional Sanghamahānāyaka Committee within the jurisdiction where the disputes occurred.<sup>56</sup> The regional courts held the executive authority to manage monastic matters and take disciplinary actions, including expelling unruly monks from their specific localities. Nonetheless, four types of disputes (*adhikaraṇa* in Pāli), such as *Vivādādhikarana* (dispute over *Dhamma* vs. *a-Dhamma* and *Vinaya* vs. *a-Vinaya*), *Anuvādādhikarana* (accusation involving seven kinds of offenses, wrong view and wrong livelihood), *Āpattādhikarana* (dispute of transgression of offenses), and *Kiccādhikarana* (dispute related to *sanghakamma*), were beyond the jurisdiction of regional level courts as these disputes are related to critical matters of the *sāsanā*. These issues were adjudicated by the State Special Vinicchaya Committee<sup>57</sup> that was directly appointed by the SSC.<sup>58</sup> The decisions of the State Special Vinicchaya Committee were final, with no option for further appeals. Plaintiffs or defendants dissatisfied with the lower court's verdict could appeal to a higher level, but no appeals were allowed against the decisions of the State Special Vinicchaya Committee.<sup>59</sup> Noncompliance with the tribunal's decision could result in a prison sentence of five years. If the tribunal declared the teachings and practices false, the individuals or groups were required to abandon them. Herein, one notable aspect is that the state and SSC's intention is to stop the spread of false teachings, ideologies, and practices within the Order. If the sects disown their teachings and practices that are deemed false after the tribunal's verdict, then no further punitive actions are taken against the sects.<sup>60</sup>

## THE CASE STUDY OF VINICCHAYA TRIAL (JUDICIAL PROCESS) OVER ASHIN NYANA'S TEACHINGS AND PRACTICES

According to the traditional Burmese Sangha, after the death of the Buddha, the *Tipiṭaka* itself serves the role of ultimate arbiter of doctrinal authenticity. Following the instructions in the *Tipiṭaka*, monastic juries determine whether specific teachings and practices align with the Buddha's doctrines or deviate from them. Since its establishment in 1980, the State Sanghamahānayaka Committee (SSC) has overseen 17

<sup>55</sup> Tin Maung Maung Than, "Sangha Reforms and Renewal of Sasana in Myanmar: Historical Trends and Contemporary Practice." In *Buddhist Trends in Southeast Asia*, edited by L. Trevor (Singapore: Institute of Southeast Asia Studies Press, 1993), 23.

<sup>56</sup> Ibid, 23-24.

<sup>57</sup> To deal with doctrinal or disciplinary problems, the SSC needs to form the State Special Vinicchaya Committee, selecting three or five juries from the State Central Working Committee members with two reverse juries.

<sup>58</sup> Ibid, 31; Janaka, 2016, 183-184.

<sup>59</sup> Ibid, 55-56.

<sup>60</sup> Nyi Nyi Kyaw, "Regulating Buddhism in Myanmar: The Case of Deviant Buddhist Sects." In *Regulating Religion in Asia: Norms, Modes, and Challenges*, edited by Jaclyn L. Neo, Arif A. Jamal, and Daniel P. S. Goh (Cambridge: Cambridge University Press, 2019), 183.

cases of alleged deviations from the Theravada texts,<sup>61</sup> organizing the State Special Vinicchaya Committee (SSVC) to adjudicate those cases. Of these cases, only two led to punitive measures for non-compliance with the tribunal's decision: the case of Daw Saccavādī (case 13), whose Bhikkhunī ordination accepted from Sri Lanka in 2003 was deemed invalid according to Vinaya rules, and the case of Ashin Nyana (case 17), whose teachings were declared heretical. Ashin Nyana established a sect called "Present Kammavāda Buddhism" in 1983, adopting unorthodox teachings and practices, and promoting the present action-oriented concept which rejected the concept of past lives, future lives, heaven, and hell. Referring to ten undetermined points (*dassa abyakata dhamma*),<sup>62</sup> he reinterpreted the Buddha's doctrines as teachings liberated from concepts of supernatural beings and realms. Ashin Nyana further developed controversial views that directly challenged the core principles of normative Theravada. Ashin Nyana proposed that "The Buddha possessed no miraculous powers, just like an ordinary person. Arahants are subject to anger (*dosa*) and sexual misconduct as they are also human. Monks can attain enlightenment without adhering to the monastic codes (*Vinaya*), as higher attainments are unrelated to the three types of *sāsanā*. Actions such as killing animals, stealing the public, government, or divine properties, lying to others with good intentions, consensual sexual intercourse, and drinking alcohol for health reasons do not constitute breaches of precepts. The absence of desire is the root cause of suffering as having nothing leads to hardship."<sup>63</sup>

These reinterpretations or unorthodox teachings were, in the view of the Burmese Sangha, contrary to the central tenets of Theravada. As a response, the Burmese Sangha, specifically the six monk members, namely U Aggnāṇa (Myaungmya), U Tikkhīndariyābhivamṣa (Mandalay), U Nārada (Hopin), U Indācakkābhivamṣa (Mandalay), U Nandābhivamṣa (Mandalay) and U Indācariyābhivamṣa (Yangon), prepared to prosecute Ashin Nyana for transmitting unorthodox teachings. They submitted a proposal of accusation (*codanā*), combining 52 points of Ashin Nyana's teachings, to the SSC on July 8, 2009. Following the dispute settlement procedures, the SSC informed the Present Kammavāda members to submit their response (*sodhanā*) against the accusation letter to the SSC on September 3, 2009.<sup>64</sup> Nonetheless, the sect's members refused to defend against the plaintiffs as well as their accusations, viewing that they are no longer Theravada Buddhists and have already converted to the Present Kammavāda sect. The SSC proceeded with the Vinicchaya trial without a response from the sect's members and formed the State Special Vinicchaya Committee (SSVC) to settle the Ashin Nyana's case. By Section 7, clause 57 (f) of the Procedures of Eccle-

<sup>61</sup> In Section (d) of the Law Related to Sangha Organization (1990), the definition of Theravada is mentioned thus "Theravāda means *Piṭaka* or *Tipiṭaka* such as original texts (*Pāli*), commentaries (*Atṭhakathā*) and sub-commentaries (*Tīkā*) approved by the Six Buddhist Councils." Following above definition, the teachings or practices are judged by the juries as accurate or faulty (Ibid, 117).

<sup>62</sup> The ten undetermined points (*dasa abyākata dhamma*) that the Buddha left unanswered: "Lord, is the world eternal? Is the world not eternal? Is the world infinite? Is the world not infinite? Is the soul the same as the body, or is the soul one thing and the body another? Does the Tathāgata exist after death or not exist after death or both exist and not exist after death or neither exist nor not exist after death? Is only this true, and is the opposite false?" D I 189; (Translation is from Maurice Walshe. *The Long Discourses of The Buddha* (Boston: Wisdom Publications, 2005) 164).

<sup>63</sup> The tribunal 17's Verdicts over the Dhamma / a-Dhamma Dispute of Moepyar Gaing's Vāda.

<sup>64</sup> The SSC has to send a copy of the accusation to the defendants within 21 days after receiving the letter of accusation with the order to send back two response letters to the SSC within 21 days. The SSVC consisting of 5 members with two reserves, whether received the response letter from the defendants or not, is to be formed by the SSC after exceeding the limited period for submitting the response, (Religious Affairs, 2020, p - 17, 73).

siastical Disputes and Section 13, clause 32 (b) of the Vinicchaya Handbook, the SSC has the authority to set up the SSVC to address disputes whether or not they receive a response from the defendants. On November 15, 2011, the SSVC, after examining Ashin Nyana's teachings for ten months, came to a final decision and declared Ashin Nyana's teachings as false (*a-Dhammavāda*) and contrary to the canonical texts, commentaries, and sub-commentaries approved by the Six Buddhist Councils.<sup>65</sup> Following the tribunal's decision, the Ministry of Religious Affairs issued an executive order on December 16, 2011, declaring a legal ban on the sect's religious activities such as preaching, teaching, distributing books, CDs, DVDs, and posting on social media. The order from the Ministry of Religious Affairs greatly impacted the sect's religious activities and religious freedoms. Disobedience of these legal orders would result in a prison sentence of three years under Sections 6 and 10 of the Law to Protect Solution of Cases and Conflicts.<sup>66</sup>

Indeed, this was not the sole punishment Ashin Nyana received for his religious conduct. Since the establishment of the Present Kammavāda sect, he faced several punitive actions under various legal provisions. In 1984, he was arrested and sentenced to five years of imprisonment under Section 295 of the Penal Code, Sections 5 and 9 of the Law to Protect the Solution of Cases and Conflicts (1983). These charges were for insulting other religions and impersonating a monk or novice. Ashin Nyana was released in 1986 after serving two and a half years in prison. He was again imprisoned for 10 years in 1991 under Section 5 (j) of the Emergency Provisions for establishing a separate *gaing* (sect). His third imprisonment again occurred in 2010 when he was given a 15 years jail sentence for breaching Sections 295 and 295(a) of the Penal Code, Section 10 of the Law to Protect the Solution of Cases and Conflicts (1983), and Sections 12 and 13 of the Sangha Organization Law. Although the punishments against Ashin Nyana were very severe, the state's punitive actions did not stop there. It was reportedly known that the state wanted to liquidate the whole institution of the Present Kammavāda sect, including their followers and belongings. While serving in Myitkyina prison, in Kachin state, Ashin Nyana was given an additional five-year sentence under Section 6 of the Law of Formation of Organization (1988).<sup>67</sup> However, in 2016, he was released for the third time under a presidential amnesty.<sup>68</sup> Notably, during his third imprisonment in Myitkyina prison, the SSVC made a final verdict against Ashin Nyana's teachings and ordered the abandonment of his views together with related materials.

<sup>65</sup> Verdict of State Ecclesiastical Jury No. (17/2011). 15. 11. 2011.

<sup>66</sup> "The Law to Protect Solution of Cases and Conflicts" (1983) in "The Laws Related to Sangha Organizations," Ministry of Religion and Culture, 6-7.

<sup>67</sup> According to section 8 of the Sangha Organization Law, no monk or novice is permitted to establish a new sect (*gaing*) outside of the official Sangha *gaings* recognized by the Ministry of Home and Religious Affairs as of February 1, 1980. Any monk or novice who contravenes this law faces a penalty ranging from a minimum of six months to a maximum of three years imprisonment under Section 12 of the Sangha Organization Law. (Ministry of Home and Religious Affairs 1996: "Sangha Organization Law," 12-13). The existence of Present Kammavāda Buddhism, therefore, violates the Sangha Organization Law.

<sup>68</sup> U Vicittasārābhivamṣa, *The Battle for the Truth in History (Thamine Htelka Saccā Tikepwe)* (Yangon: Hoshanna Press, 2019), 15.

Ashin Nyana and his adherents disagreed with the tribunal's verdict against them. In an interview, Ashin Nyana asserted that the tribunal's judgment was delivered in the absence of the accused, the sect's members, and therefore without their consent.<sup>69</sup> In a final hearing, the SSC forced a monk named U Aggadhamma who was not an official representative of the Present Kammavāda sect, (though he spread its teachings), to sign a pledge to abandon the group's teachings during the final hearing.<sup>70</sup> None of the sect's members participated in legal proceedings or attended the hearing as defendants, arguing that they are neither Theravada Buddhists nor practicing Theravada teachings, and thus were outside the jurisdiction of the tribunal. However, the special tribunal's decision is final and contempt of its rulings has legal consequences. As per Vinaya and Dhamma Dispute Settling Procedures, the ecclesiastical juries are authorized to render a final judgment even in the absence of defendants or plaintiffs if any of them failed to attend tribunal.<sup>71</sup>

Disagreeing with the tribunal's verdict, Ashin Nyana continued to challenge Sangha authorities, asserting that the SSVC, which is composed of five Theravada jurors, lacked the jurisdiction to determine the Present Kamma doctrines as deviant or false because his teachings do not belong to Theravada but rather are the Buddha's teachings. Sangha authorities, however, disregarded Ashin Nyana's response against the tribunal's decision and their actions. In their perspective, the SSC or SSVC had the authority to evaluate Ashin Nyana's teachings, ideologies, and practices because his teachings are included in the Theravada texts approved by the Six Buddhist Councils despite Ashin Nyana's claim that the Present Kamma discourses are neither Theravada nor Mahāyāna. In this context, Burmese Theravadins seem to conceive that all the Buddha's teachings maintained through the Six Buddhist Councils are under their authority. Ashin Nyana again argued that the Buddha's Dhamma (three piṭakas) belongs not only to Theravada but also other Buddhists including the Present Kammavādins. Theravada is not the owner of the Buddhist Dhamma rather the preservers of the Buddhist teachings. Although they preserved the Dhamma by holding the Six Buddhist Councils, the Theravada tradition should not be perceived as the exclusive owners of Dhamma.<sup>72</sup>

Despite the many rulings against them, the Present Kammavāda sect persisted in seeking the right to freely publicize its beliefs, particularly in the new political environment under the democratically elected government led by Daw Aung San Su Kyi. They even appealed to the democratic government to overturn the order from the Ministry of Religious Affairs that restricted their activities. However, their attempt was again unsuccessful and further provoked the wrath of the SSC.<sup>73</sup> In response, the SSC urged the state authorities to take legal action against the sect. On December 12, 2016, Thu Ra Aung Ko, the Minister of Religious Affairs and Culture, issued a firm warning that "the Present Kammavāda sect (commonly known

<sup>69</sup> Interview with Ashin Nyana, July 14, 2020.

<sup>70</sup> Vicittasārābhivamsa Dhammavihārī *My Master's Experiences (Kyanute Sayarei Ahpitpyat)*. (Free Press, 2016), 4.

<sup>71</sup> Religious Affairs 2020: "Procedures to Settle Dhamma and Vinaya Dispute", 42.

<sup>72</sup> Vicittasārābhivamsa Dhammavihārī *My Master's Experiences (Kyanute Sayarei Ahpitpyat)*. (Free Press, 2016), 49-53.

<sup>73</sup> Nyi Nyi Kyaw, "Regulating Buddhism in Myanmar: The Case of Deviant Buddhist Sects." In *Regulating Religion in Asia: Norms, Modes, and Challenges*, edited by Jaclyn L. Neo, Arif A. Jamal, and Daniel P. S. Goh (Cambridge: Cambridge University Press, 2019), 185.

as Moepyar *gaing*) will face legal action if they publish the Present Kammavāda books or distribute related materials to the public without adhering to the Religious Affairs' order and the court's decision.”<sup>74</sup> This case demonstrated that the state's position on Ashin Nyana and the Present Kammavāda sect remained steadfast and unchanged across various political administrations. Moreover, this unyielding stance highlights the enduring collaboration between the state and Sangha in regulating religious orthodoxy.

## CONCLUSION

This study examines the monastic regulatory systems exercised in the early Buddhist period contrasted with the system in post-colonial Myanmar. The Vinicchaya trial of Tribunal 17, the court case involving Ashin Nyana and the Present Kammavāda sect, is a focal point in exploring the contemporary monastic regulatory system in Myanmar. The findings reveal that the Burmese Sangha regulatory system operates on a dual foundation of moral authority (*dhammasak*) and civil authority (*anasak*). Initially, disciplinary or doctrinal deviations are addressed through the moral authority which may impose penalties such as excommunication or public disclosure of the offender's misconduct. Subsequently, the civil authority enforces legal actions against individuals or groups who defy the moral authority. This coaction between Sangha authorities and the state has a significant impact on regulating immoral behaviors and doctrinal matters that are judged for their purity or impurity.

This paper reveals the enduring belief among most Burmese Buddhists that Theravada Buddhism preserves the original and pristine form of the religion, without any additions or deletions from the original texts (*Tipiṭaka*). This perception underscores a rigid adherence to orthodoxy, leaving little room for alternative interpretations or practices. As a result, any Buddhist movements or individuals promoting teachings that deviate from established Theravada doctrine face significant challenges in Myanmar, regardless of the prevailing political system - autocratic, military, or democratic. Such movements are inevitably subjected to ecclesiastical penalties, and if the accused are defiant, result in serious legal consequences. Even the sects that claim to have officially withdrawn from Theravada Buddhism, such as the Present Kammavāda sect, are not exempt from scrutiny and punishment if their teachings are perceived to be connected to or derived from Theravada texts. This strict regulatory framework ensures that both doctrinal uniformity and the perception of purity remain central to Burmese Buddhism, effectively marginalizing or eliminating unorthodox movements within the country.

## ABBREVIATIONS

D I	Sīlakkhandhavagga Pāli
D II	Mahāvagga Pāli
V II	Pācittiya Pāli
V III	Mahāvagga Pāli

<sup>74</sup> Aung Kyaw Min, “Making an Appeal to the Parliament for the Publication of Moepyar Gaing’s Books,” *the Myanmar Times*, (DEC 14, 2016).

V IV	Cūlavagga Pāli
Abhi-a II	Vibhaṅga Aṭṭhakathā
V I-a	Pārājika Aṭṭhakathā
V III-a	Pācittiya Aṭṭhakathā
Dhp-a	Dhammapada Aṭṭhakathā

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