Understanding the Law and the Legal System as practiced in the Buddhist Tradition

Nandana Sri Talaguné

Abstract

Buddhism has a long history of a legal system within the order. In the Buddhist tradition law-making was principally for the training of the saṅgha towards guiding their conduct within and outside the Order and finally attaining emancipation. Unlike other religions Buddhism does not impose any rules on lay people but on the saṅgha as a measure of addressing the steady decline in morality when the latter increased in numbers. This is quite evident from the Vinayapiṭaka; the rules of discipline. This paper examines how Buddhist law and legal system came into existence through the introduction of vinaya rules and how later it gained reception in Buddhist countries like Burma the manner in which they have been promulgated and enforced to date.

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