

Women, Ordination, and a Buddhist Perspective: A Violation of Rights?¹

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ABSTRACT

Taking women's ordination—a main gender issue debated in Buddhism—as an example, I reason why discrimination against women in religion not only violates women's human rights but also basic Buddhist principles such as non-violence. I question whether from a Buddhist perspective religion and rights are two mutually exclusive terms, and then discuss two areas of tension: a tension between religious and secular law, on the one hand, and a tension between religious freedom and gender equality, on the other. Based on this, I analyse how the dynamics of these areas of tension and gender issues could become a driving force for interreligious dialogue and for dialogue between religions and secular societies.

Keywords

Buddhism, women's ordination, women's human rights,
gender equality, gender justice

Introduction

In many world religions, women are discriminated against and treated as second-class citizens—Buddhism does not constitute an exception. This will be demonstrated in the context of the Buddha's teaching, on the one hand, and of contemporary societies, on the other hand. A special focus lies on the compatibility of Buddhism with the *Universal Declaration of*

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Human Rights and the Constitution, the so-called *Basic Law*, of the Federal Republic of Germany.

Human rights play an important role in this postmodern world. Therefore, religions are called upon to take a stand on it. Although the term “human rights” is not part of the Buddhist vocabulary, the basic idea of human rights is not alien to Buddhism (Schmidt-Leukel 2010; Tsedroen 2010; Roloff 2015).

Women’s ordination: a main gender issue in Buddhism

In the fifth century BCE, in India, Mahāprajāpatī Gautamī, the Buddha’s foster mother, was the first woman worldwide to be ordained. Today, more than 2,500 years later, women’s ordination is one of the main gender issues debated in Buddhism. From the eleventh and twelfth centuries onwards, full ordination of nuns, comparable to women’s priesthood, was either lost or never transmitted to the countries outside India. Today, three main strands of Buddhism are practiced: Theravāda Buddhism, East Asian Buddhism (including Zen), and Tibetan Buddhism. The ordination of nuns was only preserved in East Asian Buddhism, mainly in China, Korea, and Vietnam. But even there, gender equity is not fully reflected in the leadership of Buddhist institutions. This stands in stark contrast to the assumptions cherished by large parts of the West: that Buddhism fits best with democratic principles and modern life. By now, Western Buddhist circles had begun to realize that with the transfer of Buddhism to the West, almost imperceptibly an ancient hierarchical model of social structure is also seeping through. This is that in classical Buddhist hierarchy women are subordinate to men. Devout Buddhists believe that only if this principle of seniority and gender subordination is followed, the Buddhist community will be in harmony and the teaching of the Buddha will be ensured. This implies that every attempt to question this hierarchy—for example, by requiring gender equality—is regarded as a threat for the harmony of the Saṅgha and a risk for the very survival of Buddhism.

When the context changes:
Buddhism coming to the West

More and more Western Buddhists reject these role allocations and call for a change. A hierarchical model based on seniority and gender that disparages women as second-class beings, is neither in accordance with the ideals of European enlightenment, nor with the *Universal Declaration of Human Rights*. This declaration recognizes “the inherent dignity and [...] the equal and inalienable rights of all members of the human family” as “the foundation of freedom, justice and peace in the world” (United Nations General Assembly 10 December 1948).

Due to globalization, issues such as full ordination for nuns, and gender equality in religion have been discussed not only in the West, but also in Asia. Thus, the rising of the International Buddhist Women's movement in the 1970s and 1980s finally led to the restoration of Buddhist nun's orders in Sri Lanka, where it had died out in the eleventh and twelfth centuries. The first ordinations of Sri Lankan women took place in a Taiwanese Buddhist Temple in Los Angeles in 1988. Next followed the first women's ordination in Sarnath, India, in 1996, involving native Sri Lankan monks from the Mahābodhi Society. Since the 1998 Bodhgayā ordination, which entailed a significant variant in the ordination procedure,² the order of Buddhist nuns (*bhikṣuṇī* in Sanskrit, *bhikkhunī* in Pāli), has definitely gained momentum, and subsequent *bhikṣuṇī* ordinations have been conducted in Sri Lanka itself. This was the starting point, since the legal validity of the ordinations has been largely accepted (cf. Anālayo 2013).

Despite strong resistance from a number of conservative Buddhist monks, a similar movement started in Thailand and Burma and also among Tibetan-Buddhist communities in India. Although the number of fully ordained nuns is small compared to the number of fully ordained monks, it is constantly growing. But most Buddhist communities are still structured according to gender and seniority. Thus, adaptation is badly needed. This process involves legal, political, social, and psychological aspects. More egalitarian models, ones better suited to democratic standards, are needed.

Thailand:

women's ordination forbidden

An alliance of state and church working hand in hand against women's rights can be illustrated by the following example. In 1928, the Saṅgharāja, the head of the Buddhist monks' order in Thailand, had issued an order forbidding all Thai monks from giving ordination to women (Dhammananda 2010, 150). By now, at least a hundred fully ordained nuns, in Thailand referred to as *bhikkhunīs*, however, are spread over twenty provinces nationwide; nevertheless, the Supreme Saṅgha Council still claims that the lineage of Theravāda nuns has died out. On 29 November 2014 Ven. Dhammananda, a former professor of philosophy and women's studies at Thammasat University and abbess of a Buddhist convent, organized a *bhikkhunī* ordination on the Koh Yor Island in Southern Thailand. A few days later, on 11 December, the Thai Supreme Saṅgha Council reiterated

² The Bodhgayā ordination was followed by a *dalhikamma*, a formal act performed by Theravāda *bhikkhus* "reinforcing" that the *bhikkhunīs*, who had received ordination from the East Asian Dharmaguptaka school first, have now gained the recognition of belonging to the Theravāda school of which they wish to be part.

that all monks in Thailand must follow the Saṅgharāja's order issued in 1928. They even announced that, in cooperation with the Ministry of Foreign Affairs, a decree would be issued enacting that monks who wish to come to Thailand to perform an ordination ceremony need the Saṅgha Council's written permission. This provoked criticism, even from members of the National Reform Council (NRC), who blamed the Council for "violat[ing] religious freedom, a fundamental human right."

It is important to note that here we are not only confronted with a dispute concerning the interpretation of the *Vinaya*, the ancient Buddhist monastic law, but also concerning the local secular basic law, ensuring religious freedom for women. The *Vinaya* is one part of the threefold Buddhist canon (*Tripitaka*). For two and a half thousand years, it has provided the legal norms for the life of the Buddhist community. Thus, for Buddhism, law and religion are closely linked. The decree of the Thai Saṅgha Council is neither in accordance with the *Vinaya* nor with the Thai secular law—but it is still in effect.

Religion, women and power structures

Another question that has bothered me for a long time is: How can women reach their goals if those who hold the positions of power in the respective religions, i.e., men, are backed by largely *male*-dominated political entities and refuse to discuss religious matters on an equal footing with those affected? I think we need more interdisciplinary cooperation in the field of gender and religion in order to learn from each other's success stories and to develop effective strategies. In this way, gender issues could not only become a driving force for interreligious dialogue but also for joint action, provided that political governments take their legal responsibility seriously and protect women from all kinds of discrimination, including religious ones.

It is alarming that in Europe, even after observing some progress, we are still encountering stagnation and setbacks. During a meeting at the Council of Europe in Strasbourg in 2016, I participated together with the senior Tibetan Buddhist nun, Ven. Tenzin Palmo, in a side-event titled "Are religions a place of emancipation for women? Progress and Setbacks." During the main session, Agnes von Kirchbach, a German theologian and pastor of the United Protestant Church of France said:

today, the greater part of the historical Protestant churches in Europe also entrust more important leadership functions to women, for example the office of a bishop. But none of these decisions was made without difficulties, and significant disparities still exist. An example: The Lutheran Church of Poland has not yet opened women's access to ordained ministry the way men are able to practice it. [And] the Latvian Lutheran church decided

in June 2016 to ban women's further access to the same offices as men. (Conference of INGOs [International Non-Governmental Organizations] of the Council of Europe 2016, 40)³

From 1999 on, there had been permanent discussion in the Council of Europe about including the study of religions in its educational remit. This overall wish was implemented after the 9/11 attacks when religion became an integral part of the Council's educational program and of the public discussion.

Another possibility would be that political institutions create a neutral space for publications and dialogue on questions such as: What are the concrete reasons for women being partly excluded from equal sharing of religious leadership positions?⁴

Religious freedom and gender equality or, in short, religious freedom and equal rights for women, are not only anchored in the Charter of Human Rights, but—at least in Germany—also laid down in Articles 3 and 4 of the German Basic Law [Equality before the law and Freedom of faith and conscience] (Parliamentary Council 2014).

Rights and religion: two mutually exclusive terms?

The work of Morny Joy, the Canadian scholar of religions, made me especially aware that tensions particularly arise when the women's right to equality is not consistent with the practices of that religion. Gender equality in politics, business, and society worldwide are still not self-evident.

³ For a transcript of the event in English and in French with detailed information on the speakers, see <https://www.annenegre.com/egalit%C3%A9-equality-expert/seminar-colloque/women-and-religion/>

⁴ As Adrian Loretan, a lawyer for state church-law and expert on comparative constitutional law and religion, points out: "In state law (state church right) the exclusion of women from the consecrated offices and thus of all-important leadership functions of the church is a discrimination on the basis of sex." (2010, 221; translation mine). And Stella Ahlers states: "already earlier, W. Rübner spoke of the possibility of the Catholic priestess by virtue of European law, even though he himself considered this an 'abstruse' and unrealistic example of the indirect impact of European law on church life" (2005, 151; translation mine). And Loretan with reference to the missing women's ordination in the Roman Catholic Church even adds: "how binding are the constitutional principle of gender equality and the principle of non-discrimination on grounds of sex for the state? This question will still have to be decided by state courts in Germany, Switzerland, Brussels (European Court of Justice) and Strasbourg (European Court of Human Rights); a lawsuit has not yet been filed, although K. Sahlfeld and individual lawyers consider it desirable" (2010, 219, 226; translation mine).

Religions are jointly responsible. Joy has recorded that the Vatican has concurred with Islamic conservatives when it comes to the definition of women's rights (2008, 194).⁵

The restriction of women's rights is often justified by the protection of women's "dignity" in terms of religion, without specifying what it refers to. The Vatican has not yet ratified the *Universal Declaration of Human Rights* stating that it acknowledges human rights only insofar as these are in accordance with the doctrine of the Catholic church (United Nations Human Rights by Country 2017).⁶

This problem became particularly significant in the framework of the Vienna Declaration on the Elimination of Violence against Women (United Nations General Assembly 20 December 1993).⁷ Although it should actually be a matter of course, it was noted that women's rights are an inalienable and indivisible aspect of universal human rights and in no way could be relativized with reference to cultural and traditional mores. Acts of violence against women—including physical and sexual violence in the household and the family—were explicitly condemned as human rights violations.

The human rights debate is primarily about the justification of the universality of human rights in the context of increasing presence of different cultures, religions, and ideologies in postmodern societies. It also entails evaluating how to enforce its critical claim against ancient traditions, if necessary. Put simply: Does religion allow religious individual self-determination, or is there no other choice left than to turn away from one's religion if it violates important principles such as gender equality? On 4 October 2005, the Parliamentary Assembly of the Council of Europe adopted a resolution that reads: "states must not accept any religious or cultural relativism of women's human rights" (Parliamentary Assembly of the Council of Europe 2005, No. 6).

From a feminist theory perspective, Christine Koggel (2011, 554) observes: "[J]ust as second-wave feminists could be charged with assum-

⁵ The Vatican's machinations and interference, etc., especially with conservative Muslims, have been discussed in-depth by Joy in a paper she gave in 2004 in Helsinki, which was later published in the Finnish journal *Temenos* (2006, 17–18).

⁶ In the *Pacem in Terris* ("Peace on Earth") Encyclical of Pope John XXIII, published on April 11, 1963, Ceming sees an official acceptance of human rights by the Catholic Church (2010, 173); however, the Encyclical reads: "it is right to obey God rather than men" (John XXIII, II, 51). See also IV, 143–144.

⁷ For the list of who has ratified it, see https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en

ing the perspective of privileged white women, Western feminism more generally could be charged with assuming the perspective of privileged white women in dominant countries and cultures.”

This challenge to mainstream feminism may have led to important developments such as the theory of intersectionality, which holds that descriptions of women’s inequalities and injustices need to be placed within a complex network of intersecting kinds of oppression. Koggel states: “Women are not only women; gender intersects with one or more facts of race, class ethnicity, disability, sexual orientation, age, and so on” (Koggel 2011, 554). She does not, however, include religion. Yet I believe that it is not only possible but imperative to integrate the category of “religion” into the concept of intersectionality.

Although Koggel herself does not include religion, she thinks that the future lies in a “coalition building around specific issues and causes and not in what it means to be a woman or a feminist” (558). This means that patterns of commonalties need to be acknowledged. At the same time, historical and cultural variations need to be recognized within the overarching impact of global factors and economic globalization itself. In this context, however, we should be aware that religion has always been a significant factor not only in history but in all cultures. We cannot ignore it. As Ursula King already pointed out in 2005, there is still a harmful “double blindness,” i.e., most contemporary gender studies, whether in the humanities, in social sciences, or in natural sciences, remain extraordinarily “religion blind,” whereas far too many studies in religion are still quite “gender blind.”

In my view, politics also suffers from this double blindness with regard to gender in religion. By trying to keep “neutral,” political organizations maintain patriarchal religious structures and indirectly support structural inequity against women. During the already-mentioned side-event at the Council of Europe, for example, a group of Jewish women from Eastern Europe criticized the organizer for having—due to budget reasons—invited a (local) male religious representative to speak on their behalf. The next day, at a workshop on gender equality, it turned out that their suspicions were right. The only official Jewish representative, a rabbi and member of the Chabad Lubavitch, stated that men and women are different in nature. Because of this difference, women were quite capable in organizing the parish but unable to lead rituals. Similarly, the permanent representative of the Holy See to the Council of Europe (CoE) stressed that, in the Christian vision, the human being, as male and female, exists as irreducibly different, one from another. The fact that the Catholic Church reserves the priesthood exclusively for men has to be similarly

understood. In the natural, as well as in the supernatural, order, roles are definitely not interchangeable.

From a Buddhist perspective, this means that, for gender reasons alone, women do not have the freedom to publicly manifest their religion in practice and observance.

Before returning to this point, let me briefly comment on the term “gender equality” from a Tibetan Buddhist perspective and then explain in a nutshell which Buddhist teachings the idea of women’s human rights can be based on.

A brief comment on the term
“gender equality”

In Tibetan circles, in the religious context, I personally speak only about “equal opportunities” (Tib. *go skabs gcig pa* or *go skabs 'dra mnyam*) and not about “equal rights” or “equality” of women. Why? There have been allegations that religion and politics are being confused when talking about equal rights for men and women in religion. Women seeking full ordination or monastic academic titles have been accused of no longer seeking religious goals. They are charged with striving after purely secular ideals, such as fame and glory, which contradict monastic mores. But why should Buddhist women be blamed for expecting the same opportunities enjoyed by Buddhist men in following the spiritual path towards liberation? The Tibetan *lam rim* teachings (“Stages of the Path”) speak of a precious *human* birth, not of a precious female or male birth. Such a distinction between men and women would be seen as an obstacle on the way to liberation.

The Tibetan translation of “human rights” in modern Tibetan is *mi'i thob thang*, lit. “that which falls to a human being’s (*mi'i*) share.” Although in Modern Tibetan the term *thob thang* is used for “right(s),” the second basic meaning is “status,” rank, social position. Literally *thob thang* means a value or privilege (*thang*) that is obtained (*thob*). Similarly to the rest of the world, in Tibetan society, words such as *thob thang 'dra mnyam* (“equal rights”) or *bud med thob thang* (“women’s rights”) are only used in the secular, not in the religious, context. So if you speak about rights in the context of religion, you need to know how to frame it. The same goes for the translation of the term “human rights values;” that is, the values that are associated with “human rights.”

Values that support the idea
of human rights in Buddhism

In Buddhism, there are several values that attest to the basic idea of human rights: the dignity of the individual, for example, and the equality of all human beings and therefore also the idea of gender equality. In relation to gender justice or gender equality, I want to take three of them as an example:

1. The Buddhist principle of equality and the Buddha nature of all beings
2. Universal responsibility
3. The equality of all human beings: Buddha's rejection of the caste system and his explicit acknowledgment of women's potential for enlightenment.

I will mainly concentrate on the first of these, the Buddhist principle of equality.

*The Buddhist principle of equality
and the Buddha Nature of all beings*

In the West, about two centuries ago, Buddhism became part of mainly Judeo-Christian dominated societies where nowadays gender equality is taken for granted—at least theoretically. Thus, we must ask how gender equality is understood from a Buddhist perspective and how far it is taken into consideration within Buddhist institutional structures. Can Buddhist women participate equally in preserving, teaching, and representing their religion? No. Do they have equal access to religious leadership positions? No. Can they independently observe all of the obligatory rules and rituals? No.

In Buddhism, in general, there is no technical term for “justice” or “injustice.”⁸ When dealing with human coexistence, one can therefore only rely on the term “equanimity” because the Buddhist mental training in love, compassion, sympathetic joy, and equanimity includes *all* sentient beings without exception, irrespective of their gender, nationality, or religious affiliation.

The understanding of the Buddhist concept “Equanimity or Lack of egocentricity” (*upekṣā*; Pā. *upekkhā*),⁹ plays a key role in contemporary societies. It should not only be understood as a peaceful state of mind. Equanimity has the potential to be interpreted according to secular values,

⁸ “Buddhism does have a theory of natural justice in the concept of karma” (King 2005, 2003).

⁹ I intentionally avoid the translation as “impartiality” here because the term implies neutrality. Advocating justice, however, means not remaining impartial but to take the side of those oppressed.

and thus encourages Buddhists to become socially engaged. This would involve taking active responsibility and care for others and fighting other forms of discrimination and inequality.

One may object, stating that such reasoning can be explained as an attempt by white Western feminists to influence or patronize Asian Buddhists with Western ideas. My emphasis on equanimity, however, derives from my personal experience of living Buddhism in Asia. The first conclave of the “International Buddhist Confederation” in Delhi (India) in September 2013, for example, adopted “*equanimity*” as an argument for demanding equality of women in Buddhism.¹⁰ In December 2013, the renowned Thai reformer Sulak Sivaraksa, referring to the Thai Saṅgha Council’s stance on women’s ordination, mentioned above, asked somewhat polemically: “Is their opposition [...] based on the Dhamma and the Brahmavihāras,¹¹ or are they acting out of jealousy and ignorance?” (International Network of Engaged Buddhists 2013). This remark reveals that equanimity is also cited by Asian Buddhists in the context of gender equality.

From a Buddhist Mahāyāna point of view, it should be supplemented here that in the *Perfection of Wisdom Sūtras* (Skt. *Prajñāpāramitāsūtras*), a genre of Mahāyāna Buddhist scriptures, wisdom is called the “mother of all Buddhas.” Iconographically, the female *bodhisattva* Prajñāpāramitā embodies the completion of highest wisdom and knowledge. Already in early Buddhism, the Buddha taught the same path to *nirvāṇa* for women and men. With the advent of early Mahāyāna in the 1st century BCE all beings are said to equally possess “Buddha nature” (Skt. *tathāgathagarba*), the potential to become a Buddha. In this regard, all human beings are equal, whether female or male. Buddhists of all traditions agree that the nature of the mind is the same for all, regardless of race, color, sex, language, religion, political ideology, nationality, social origins, property, birth status, or other distinctions. Sometimes sentient beings are born female and sometimes male. The concept of evolution from a lower form as a woman to a higher form as a man does not exist. In short, from a Buddhist philosophical point of view, gender difference is not a question of mind but of body, and, like all other natural attributes, gender lacks inherent reality.

¹⁰ Roloff (2014, 250).

¹¹ The Brahmavihāras, also known as the Four Divine States or the “Four Immeasurables” (*Catvārya-pramāṇāni*, Pā. *catasso appamaññāyo*) are a set of four Buddhist virtues and the according meditation practices to develop the mental attitudes of love, compassion, sympathetic joy, and equanimity.

Universal responsibility

Another important term, based on equanimity, is “Universal Responsibility.” This term was coined by H.H. the Dalai Lama in 1989 when he received the Nobel Peace Prize in Oslo.

“Universal Responsibility” is for him the key to human survival and the best foundation for world peace. He defines it as a sense of human inter-relatedness, solidarity, and sympathy, which goes beyond all national borders. He reminds us that we are all members of one large human family. In Buddhist terms of “dependent origination,” we are all related to each other. If we change ourselves, the world changes. Peace starts within oneself. From this, it follows that we have a moral obligation to get involved for the common good. Thus, you may understand Universal Responsibility as a kind of Buddhist liberation theology, or, as we call it: Engaged Buddhism.

*The equality of all human beings:
Buddha’s rejection of the caste system and his
explicit acknowledgement of women’s potential for Enlightenment*

Article 1 of the *Universal Declaration of Human Rights* states that all human beings are born free and equal in dignity and rights (United Nations General Assembly 10 December 1948). This is not without problems, especially when it comes to the dignity of women from the perspective of religions. As Perry Schmidt-Leukel (Schmidt-Leukel 2010, 44) points out, one has to recall the numerous instances where a legally restricted status of women is justified by an alleged specific womanly dignity. Therefore, he suggests that, within the context of justifying human rights, dignity should be restricted sharply to the dignity of free individual agency and self-determination. It should be left precisely to the individual woman to determine how she understands her dignity. Just as the term “human rights” is lacking, the term, “human dignity,” cannot be found in Buddhist canonical texts. The idea, however, can be tracked. The Buddha did not adopt the caste system into which he himself was born, but said, for example, in *Sutta Nipāta* 1.7, verse 142:

One is not an outcaste by birth, by birth one is not a priest (*brahmin*),
by deeds one becomes an outcaste, one becomes a priest (*brahmin*) by
deeds.¹²

The Buddha did not intend to create two new castes, a caste of men and a caste of women. This clearly shows that he accepted the principles of human equality and dignity of the individual. At the time of the Buddha,

¹² *Na jaccā vasalo hoti, na jaccā hoti brāhmaṇo, kammanā vasalo hoti kammanā hoti brāhmaṇo.*

everyone could join the Buddhist community, irrespective of the caste he or she belonged to. The hierarchy in both the order of monks and the order of nuns follows the principle of seniority, i.e., the age of service as a fully ordained monk or nun in the order, and not the social status.

Furthermore, the Buddha explicitly acknowledged women's potential for enlightenment. "From the viewpoint of early Buddhist texts, women just as well as men can reach the final goal" (Anālayo 2016, 79). When the monk Ānanda asked the Buddha whether women can attain arhatship, the fourth and last stage in religious development, equivalent to *nirvāṇa* or *mokṣa* (liberation), the Buddha clearly stated: "They can attain it" (Anālayo 2016, 78, 185). The Buddhist canon is full of stories of women who, during the lifetime of the Buddha, became female *arhats*.

But what about the value of men and women? Are they equal or of equal value? This leads us to the question of the role of women and the question of women's human rights violations in contemporary Buddhist societies.

Women's Human Rights Violations in Contemporary Buddhist Societies

The Ambivalent Attitude toward Women in Buddhism

The role of women and their potential is depicted as controversial in Buddhist literature, especially in present-day traditions of Buddhism. Even though the Buddha had confirmed that women can attain arhatship, the source texts and exegesis are ambivalent.¹³ So it is not surprising that there are Buddhist women making aspirational prayers to be reborn as a man (Dalai Lama XIV 1988, 43). This is due to the fact that the different traditions build up on different text collections in different languages. Not every source has been translated into all the relevant languages. But all traditions agree that enlightenment, whether for man or for woman, is solely attained through the practice of ethics, concentration, and wisdom.

According to the Buddha, a Buddhist community is only complete when it includes monks (Skt. *bhikṣus*, Pā. *bhikkhus*), nuns (*bhikṣuṇīs*), laymen (Skt./Pā. *upāsakas*) and laywomen (Skt./Pā. *upāsikās*). Therefore, the establishment of the nun's orders is canonical and present in the *Vinayas* of all traditions. This documentation includes full ordination of women, teaching the Dharma and ritual observance. Nevertheless, over the centuries, the social position of women has been very limited.

¹³ Even today, many Buddhists are convinced that rebirth as a woman is inferior. cf. Bapat: "out of these two sexes, the male sex is superior, the female sex is inferior" (1970, 211), or Pabongka: "we could not have found a better rebirth than our present one—the only exception being those of us who were not born as males" (2006, 277). See also Anālayo (2014) on karma and female rebirth as well as Anālayo (2009) on women's inabilities.

Although each canon tells the story of the foundation of the nun's orders differently, the core is as follows: The foster mother of the Buddha Mahāprajāpatī and 500 women in her retinue, asked the Buddha several times for admission in the order, until he finally agreed, influenced by his favourite disciple Ānanda. But Mahāprajāpatī had to accept the eight *gurudharmas*, a set of eight rules that directly address monk-nun relationships and interaction, and subordinate the nuns to the monks. One of these states that even if a *bhikṣuṇī* is fully ordained for a hundred years, she should speak kind words, praise him, rise up, put her palms together and show respect to a *bhikṣu* who has just been ordained that day. Mahāprajāpatī, the first 'Buddhist feminist', requested the Buddha to replace this with the principle of seniority regardless of gender. The Buddha, however, refused, explaining that adherents of non-Buddhist sects would not greet women at all.¹⁴

Thus, the Buddha, as depicted in the Vinaya, did subordinate women to men, but this has to be understood in the context of the prevailing customs and traditions in ancient Indian societies. In terms of caste system, he swam against the stream, but women were cross-class, i.e., in each caste subordinated to men. This meant they were under the protection of their father, brother, or son, unless they were prostitutes. Accordingly, the order of nuns was finally put under the "protection" of the order of monks. A revolutionary for his time, the Buddha *did* found an order of nuns. But even this order, although acknowledged canonically, is controversially interpreted.

Today, the customs have changed and mutual respect is required, so now the rule should be interpreted accordingly. Actually, in contemporary communities of all three main strands of Buddhism, we already find examples of a respective change in the daily practice of local communities. Some *bhikṣus* ask senior *bhikṣuṇīs* to go first or even bow to them in return. Yet these are still exceptions.

In East Asian Buddhism, where higher ordination for women still exists, the eight *gurudharmas* still carry weight. In Taiwan, for example, nuns recite them at the end of each of their bimonthly confession ceremony (Skt. *poṣadha*). Some contemporary Taiwanese Buddhist feminists, however, demand their abolition. The most radical attempt documented is that of the Taiwanese nun Ven. Chao Hwei. Together with her disciples, Chao Hwei supports "efforts by the government and NGOs to work toward gender equality in Taiwan." In 2001, during the opening ceremony of a conference, Chao Hwei first read the eight *gurudharmas* out and then tore

¹⁴ D 6 ('*dul ba*), *da*, 121a1–b1. Cf. Gyatso (2010, 43 n17); for the Pāli Vinaya cf. Hüsken (1997, 347, 359).

them up (DeVido 2010, 107).

Whether the *gurudharmas* were established to protect women or to entrench power, today, they are largely experienced as discriminatory.¹⁵ In many places, especially in Asia, nuns sit still behind monks, walk behind monks, and receive food and accommodation after them. They are clearly second-class monastics.

From a monastic legal point of view, however, one of these eight *gurudharmas* is indispensable in order to revive the nun's orders, namely *gurudharma* 1. This gives women permission to receive all stages of women's ordination from monks when no community of nuns exists—starting with the going forth,¹⁶ and reaching all the way up to the higher ordination. This reading, which we find in the Tibetan canon as well as in the respective ancient Sanskrit manuscript, obviously presents a very early formulation of this *gurudharma*, when the nun's orders had not yet come into existence.¹⁷

*Feminist hermeneutics:
how to approach ambivalent texts*

A hermeneutical question needs to be raised asking how to approach such ambivalent authoritative religious texts while considering the 21st century's different social context. It is not helpful to apply a radical mode of hermeneutics that simply rejects uneasy passages. What we need is a hermeneutic of liberating tradition, taking the liberation of the oppressed as the norm by which texts are re-read/re-told.

Elisabeth Schüssler Fiorenza (1984) offers a model of four-stage feminist interpretation we can build on: (1) the hermeneutic of suspicion, (2) the hermeneutic of proclamation, (3) the hermeneutic of remembrance, and (4) the hermeneutic of creative actualization. The hermeneutic of suspicion encourages readers to keep in mind that the religious texts and their interpretations are androcentric and serve patriarchal functions. The hermeneutic of proclamation emphasizes the texts that are supportive of

¹⁵ Ute Hüsken has shown (1997: 480, 330–333) that, not only the *gurudharmas*, but the entire set of Vinaya rules (*prātimokṣa*) disadvantage nuns compared to monks. Nevertheless, from an academic theologian's point of view, for practitioners the larger set of *prātimokṣa* rules for nuns may be interpreted as “the more rules, the more merit” (Tib. *bsod nams*, Skt. *punya*), thus being an advantage to achieving the spiritual goal rather than a disadvantage. From a Buddhist nun's perspectives, the main problem is found in the eight *gurudharmas*, not in the *prātimokṣa*.

¹⁶ Skt. *pravrajyā*. This means to leave home to live the life of a Buddhist renunciate.

¹⁷ For further details, see Tsedroen and Anālayo (2013); cf. Jyväsjärvi (2011, 193), and Tsedroen (2016).

women. This hermeneutical strategy, however, can result in ignoring other texts that can be interpreted in a harmful, violent, or oppressive way. For such texts, we need a strategy of rebuttal or a contextual rectification. This could be part of the hermeneutic of remembrance or re-membering, a historical reconstruction of those things that give hope and inspiration to women. As Schüssler Fiorenza explains in *Wisdom Ways: Introducing Feminist Biblical Interpretation*, “texts and information must be contextualized in their variegated cultural and religious environments and reconstructed not only in terms of the dominant ethos but also in terms of alternative social movements for change” (2001, Kindle Positions 3817–3819). The hermeneutic of creative actualization means to take what one can learn from the religious texts to recreate or re-envision what it means to be a woman in the respective tradition today.

In Buddhism, we find different interpretations that have an impact on daily practice. Social reality often stands in direct contradiction to fundamental religious principles such as nonviolence. Consequently, not only the interpretation, but also the practice can be contrary and even contradictory: Thus, for example, you can witness monks and nuns in Tibet, Myanmar, and Cambodia demonstrating in support of human rights. This means, in the case of human rights violations (including the area of religion), that the nuns and monks themselves rely on the Charter of Human Rights as an authority (2009, 137). But when the question of gender equality in religion is at stake, women are asked not to mix religion and politics.

Nonetheless, Asian Buddhist women increasingly demand equal opportunities for themselves and protest against injustice. It is striking, however, that they largely avoid referring to human rights or calling themselves feminists. Some even distance themselves explicitly from these terms. At the “International Congress on Buddhist Women’s Role in the Saṅgha” held in Hamburg in 2007, there was a remarkable incident. Some Tibetan nuns stated they were not interested at all in obtaining full ordination, while others disagreed. Some European nuns even refused to discuss human rights in a religious context, while others insisted on their observance. The positions, whether in the East or West, are divergent.

*Women are demanding equal opportunities
and protest against injustice*

In 2011, exiled Tibetan women established the ACHA Tibetan Sisterhood initiative, which among other things opposes domestic violence. The social pressure not to make such abuses public is immense and requires a lot of courage (Tsering 2014). Women’s rights are being violated in all countries. Buddhist societies have been no exception.

For example, in Tibetan Buddhist institutions, all of the leading offices

are held by men. Until recently, there have not been any female monastic academic titles equivalent to *geshe* (Tib. *dge bshes*, lit. “friend of virtue, spiritual guide”) or *khenpo* (Tib. *mkhan po*, lit. “teacher, preceptor”). In addition, classes in Buddhist philosophy, even at the Central Institute of Higher Tibetan Studies in Sarnath, India, are taught only by monks. After almost 30 years of effort, this, however, is now changing. In 1987–88, several education programs for Buddhist women have been established in various Asian countries. Now, we are harvesting the fruits of these tremendous development efforts.

In 2016, in Tibetan Buddhism, for the first time in its history, the first twenty nuns successfully passed all the necessary exams after more than twenty years of studies. On 22 December 2016, they received the academic title of a *geshema*, comparable to a Doctorate in Tibetan Buddhist philosophy/theology, from H.H. the Dalai Lama. Furthermore, in 2005 at a meeting of the *Tibetan Nuns’ Project*, twenty novices from eight Tibetan nunneries decided to pursue their efforts to follow through with women’s higher ordination. On 19 August 2016, *Buddhistdoor Global* posted an interview with H.H. the Karmapa, the head of the Tibetan Karma Kagyü tradition, who says: “We would like to start the process of reviving the bhikṣuṇī ordination next year—first within the Kagyu lineage. We had hoped to begin this year, but it didn’t work out, so we will try to begin next year” (Butet 2016). In March 2017, as H.H. Karmapa posted on his blog, “The Historic Revival of Full Ordination for Tibetan Buddhist Nuns” has indeed started (Karmapa XVII, Ogyen Trinley Dorje 2017).

The situation is very different in Korea, where nuns teach Buddhism at universities alongside monks and lay scholars. In contrast, gender distinctions are still found in the Vietnamese and Chinese traditions, as is shown by the different colours of their robes. Changes, however, are under way. The Australian Saṅgha Association, for example, has included gender equity in its statutes. For the United States and Europe, the course is not yet settled. However, all countries to which Buddhism has spread have ratified not only the *Universal Declaration of Human Rights* of 10 December 1948, but also the *Convention on the Elimination of All Forms of Discrimination against Women*, adopted in 1979.

By now, it should have become clear that there is a double tension, a tension between religious and secular law, on one hand, and a tension between religious freedom and gender equality, on the other.

**Two areas of tension:
the tensions between religious and secular law
and between religious freedom and gender equality**

In summer 2016, the University of Münster, Germany, published a study on “Integration and Religion as seen by People of Turkish origin in Germany,” based on a survey of 1,200 ethnic Turks. Almost half of them agreed with the statement: “It is more important for me to follow the commandments of my religion than the laws of the country I am living in” (Pollack et al. 2016, 14, Fig.12).

In contrast, in 2008, on the occasion of the 60th Anniversary of the *Universal Declaration of Human Rights*, the Dalai Lama XIV (2008) wrote:

mere maintenance of a diversity of traditions should never be used to justify violations of human rights. Thus, discrimination against persons of different races, against women, and against weaker sections of society may be traditional in some regions, but if they are inconsistent with universally recognized human rights, these forms of behaviour should change. The universal principle of the equality of all human beings must take precedence.¹⁸

What does this mean when applied to women in religions? The Basic Law for the Federal Republic of Germany says in Article 3 [Equality before the law]:

(2) Men and women shall have equal rights. The state shall promote the actual implementation of equal rights for women and men and take steps to eliminate disadvantages that now exist. (Parliamentary Council 2014)

There is no mention that the area of religion constitutes an exemption. In my view, if one accepts human rights as being universal, these rights must also be in effect in the field of religion. It is in this context that a discussion should be launched about the question: Is it possible to build on the forces between the two areas of tension, i.e., religious and secular law, and religious freedom and gender equality, to gain momentum for interreligious dialogue?

It would seem that the statement: “no one should be discriminated against because of his/her gender,” should apply, in particular, in the field of religion, and thus set an example on ethics. Human rights are universal

¹⁸ That equality between men and women should take precedence over religious customs and traditions matches with a clear conclusion taken by the UN Commission on Human Rights on 5 April 2002. Paragraph 30 of the Report of the Special Rapporteur states: “there can be no compromise in that respect, since, without this common denominator, there can be no credible system for the enduring protection of human rights in general and those of women in particular” (United Nations Economic and Social Council 2002, 10).

and indivisible and must always be realized in their entirety. And a Basic Law, like that of the German constitution, reflects fundamental rights. In Germany, these rights have become an integral part of the canon of values. If religions want to be credible, they cannot lag behind the minimal global consensus of human rights.

This also applies to parts of Asia. Sallie King, for example, states that the superiors of the Cambodian Buddhist Saṅgha have decided that the population needs instruction in basic moral principles, stressing, in particular, teachings on the five lay precepts laid down by the Buddha, and on human rights (2009, 141). The five lay precepts are: not killing, not stealing, no sexual misconduct, not lying, and no intoxication.

With reference to the tension mentioned above between religious freedom and gender equality, the European Court of Human Rights (ECHR) came to a landmark ruling on 15 January 2013. This proclaimed that freedom of religion is an individual right. “Commenting this landmark ruling, Sophie in ‘t Veld MEP, Vice-President of the European Parliament’s LGBT Intergroup, said: ‘With this ruling, the court has established that freedom of religion is an individual right. It is emphatically not a collective right to discriminate against LGBT people, women, or people of another faith or life stance. Religious freedom is no ground for exemption from the law. The court showed conclusively that the principle of equality and equal treatment cannot be circumvented with a simple reference to religion’ ” (European Parliament’s Intergroup on LGBT Rights 2013).

**Conclusion: gender issues could become a driving force
for interreligious dialogue and for dialogue
between religions and secular societies**

From an academic theological perspective, a self-critical questioning of religious practice is needed. It is the responsibility of theologians to speak up when the traditional interpretation of the fundamental principles of their religion does not adequately respond to the requirements of a new context. Deviations and shortcomings should be critically reflected upon, common practice be questioned, and requirements for a positive change—and thus the survival of our religious traditions—highlighted. Theologians of the different world religions, depending on the local secular context and also the global religious context, should demand equal participation of all human beings, regardless of gender and sexual orientation.

The dilemma arises where religions, both globally and locally, lag behind human rights—in democratic societies; thus falling short of observing the fundamental rights by subordinating women to men. Many women are denied equal participation in the religious life, in study as well as in practice, especially when it comes to the performance of rituals.

Hamideh Mohagheghi, an Islam theologian and lawyer, originally from Teheran, recalls that the Koran “in the religious beliefs, principles and rituals [...] makes no difference between the sexes” (2011, 179–180). Nevertheless, “in some places equal participation of women” was difficult. She also speaks of the Islamic principle of self-reliance and stresses that “the rethinking and restructuring in Muslim societies requires the participation of women in theological discourses” (2011, 191–192).

Katajun Amirpur goes a step further. She envisages the possibility of reconciliation between “Islam and Democracy, Islam and Human Rights.” At the same time, she points out that in Europe one does not have to legitimize everything Islamic, but many Muslim women would seek a way “to remain authentic—i.e., Islamic—but also become equal.” She demonstrates that Islamic feminism, as a theoretical direction, has long been established and can be recorded as a successful movement in many Islamic countries (2011, 201). At the same time, she points out that many women’s rights activists in the Islamic world still “prefer not to be called feminists” (2011, 212).

In the Christian context, Volker Kuester makes similar observations: “Third World theologians [...] make [...] use of the theoretical tools of feminist theology, where it appears to them useful for the analysis of their culture. They equally repudiate paternalisation by their male colleagues, as well as othering by Western feminists” (2011, 75).

In Judaism, feminist theology seems similarly advanced as in Protestantism. Thus, the female rabbi Eveline Goodman-Thau ascertains:

In religion as well as in the general feminist revolution we are in the third phase: Today women are not only fighting for rights; they have long known that rights are never given, but only taken. They also do not perform endless discussion about the roles they like to play, if they would just get the permission. Now it comes to the rules of participation: women are no longer willing to participate, if they cannot determine the rules of the game by themselves, or have at least a say. (2011, 217, translation mine)

The Roman Catholic Church is also making progress. On 3 June 2016, Pope Francis decided to raise the celebration of a memorial of St. Mary Magdalene to the dignity of a liturgical feast (Vatican Radio 10/06/2016 12:00). And soon after that, he surprised observers by creating a commission to study whether women can be ordained as deacons.

It is striking that Morny Joy, describing the extraordinary range of meanings of the term “gender” in a concluding reflection on normativity, already in 2006, made a very similar observation, which in my view is of utmost importance. She states:

in Indonesia and Thailand, I came across two similar instances where the term “gender” was being used in markedly reformative ways. At a conference in Yogyakarta, Java, I chaired a panel on “Feminism in Islam.” One of the women participants, who was involved in teaching women’s studies at a local college, was using the word “gender” as an effective replacement for the term “feminism.” (The latter term is unwelcome in Indonesia because of specific designations of feminism that identify it only with the radical form of western feminism.) In Thailand also, where I interviewed government policy makers, as well as Buddhist nuns, on the situation of women, the word “gender” was also being used in a very deliberate way as an alternative to feminism. In particular, it was being used to argue for “gender balance” in the representation of women in the civil or public service. It also figured prominently in government documents that detailed a programme to combat sexual violence against women. It is obvious that women from these countries, as well as in the UN, have adopted the word “gender” as a substitute, not for radical feminism, but for what, in North America and Europe, would be viewed as the basic liberal feminism of equality. (2006, 19)

It seems that gender equality in the religions will become one of the most important topics for theologians in all religions, thus establishing grounds for a contextual, critical, and constructive dialogical theology.¹⁹

To undertake such a change or transformation, change cannot only come from the secular, legal side, but also from the religious side. Textual evidence must come from the direct and original source: the authoritative religious texts themselves. Many men and women, with deeply engrained conservative patterns of behaviour will resist change and attempt to justify their beliefs and actions referring to the authoritative texts. Thus, it will be necessary to appeal to the repository of the very texts themselves, and to dismantle erroneous views, by means of hermeneutics, in order to promote progress. In this process, it is the cultural approach that will need to be transformed, not only the canonical texts. Yet all such interpretations, whether local or global, will require to be both contextual and dialogical if they are to be accepted and the goal achieved.

From the political side, the state should promote the actual implementa-

¹⁹ The term “Dialogical Theology” has to be understood programmatically. To develop a dialogical theology is the aim of a five-year interdisciplinary project at the Academy of World Religions of the University of Hamburg, which started in 2013. The first results have been published in an anthology (Amirpur et al. 2016). Our research encompasses the Christian, Islamic, Jewish, Buddhist, Hindu, and Alevi traditions. We understand dialogical theology as a content-based dialogue on essential themes relevant to contemporary societies as well as a reflection of dialogue trying to describe its constitutive elements and conditions theoretically.

tion of equal rights for women and men and take steps to eliminate disadvantages that now exist. The religious sphere should not be an exception when it comes gender equality. The principle of equality must take precedence over religious freedom.

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