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Genital Malfeasances (Kāmesumicchācāra): The Poisonous Social

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Abstract

No poisonous trees yield non-poisonous fruits. Similarly, poisonous social shall yield poisonous societies led first by family wraths, family violence, abandonment of children and finally broken homes until becoming social catastrophes which are only temporally break by heavenly fire like Sodom and Gomorrah as in the Genesis 19 of the Old Testament of Christianity. Yet even being destroyed, such malfeasance dies hard. Genital malfeasances (*kāmesumicchācāra*), the third precept in the Buddhist doctrine means sensual pleasures with another's wife or someone's husband and in the same *sutta* of the '*asatdhammadipāyena*', it is referred to having sex with a prohibited person. Rājavoramunī remarks *kāmesumicchācāra* is demanded to directly and indirectly avoid and forbidden in the five precepts, the eight precepts and the ten precepts. Remarkably, *kāmesumicchācāra acts* in Buddhism are compared to the acts of a hungry dog, a hungry vultures, burns by mal-carrying a blazing grass torch, a burning pit, a speedily faded dream, a show-off vanity, a fruit tree risky to be climbed and cut by rogues, a risky meat chopping block, a painful wound pierced by spear or a lance and an endangering snakehead. In this article, the author shall trail though the moribus principia of 'genital malfeasances (*kāmesumicchācāra*)' with its criteria of violation while inevitably discussing the dilemmas within Buddhist ethics on its avoidances and some alternative perspectives about genital malfeasances (*kāmesumicchācāra*) through the lenses of some leading scholars.

Keywords: Genital Malfeasances, *Kāmesumicchācāra*, The Poisonous Social

Introduction

No poisonous trees yield non-poisonous fruits. Similarly, poisonous social shall yield poisonous societies led first by family wraths, family violence, abandonment of children and finally broken homes until becoming social catastrophes. His Lord Buddha hints that any homosexual and/or lesbian indulging in oral sex, anal sex, or sodomy with boys will, upon their death, be reborn into the evil realms, particularly Hell (M III 179; S I 149; AA II 853). Genital malfeasances (*kāmesumicchācāra*) and deviances are even devastated by holy fire like Sodom and Gomorrah as in the Genesis 19:4-27 of the Old Testament still they are just

temporally halted only. Even misconducts and deviances die hard and consecrate mega-social-ills; yet some followers of these beliefs enjoy.

They adore not just normal misconduct and human-rights deviances but skype deeper into pro-human-rights paraphilia disorders or sexual perversions to venture new sexual dishes. The 'American Journal of Psychiatry' in 1981, explained it as "recurrent, intense sexually arousing fantasies, sexual urges, or behaviors generally involving non-human objects, the suffering or humiliation of oneself or one's partner, children, and non-consenting persons" (Spitzer, 1981, pp. 210-215) or "psychopathic personality with pathologic sexuality" (Laws & O' Donohue, 2008, pp. 384-385).

'The Diagnostic and Statistical Manual of Mental Disorders' classifies sexual deviance in to five groups: 1) The DSM-I (1952) is sexual deviance as a disorder of personality in the sociopathic subtype, which includes: homosexuality, paedophilia, transvestism, fetishism, rape, sexual sadism, mutilation and sexual assault" (Laws & O' Donohue, 2008, pp. 384-385; Aggrawal, 2008, p. 47). 2) The DSM-II (1968) resumes to use the word 'sexual deviances', which are homosexuality or sexual orientation disturbance, fetishism, pedophilia, transvestitism (sic/ just as), voyeurism, exhibitionism, masochism, sexual sadism, necrophilia, and other sexual deviance (Laws & O' Donohue, 2008, p. 385). 3) The DSM-III-R(1987) has previously used the term 'psychosexual disorder', but renamed this into a broader category of sexual disorders, including: renaming unusual paraphilia as paraphilia NOS (not otherwise specified), renaming transvestism to transvestism fetishes, and added up frotteurism while moving zoophilia to the NOS group. Seven non-exhaustive examples are provided on NOS paraphilias, and apart from zoophilia, there were phone scatologia or obscene phone calls, necrophilia, partialism, coprophilia, klismaphilia and Europhilia (Laws & O' Donohue, 2008, p. 385).

In 1994, the DSM-IV (1994) has kept the sexual disorders category of paraphilias, but added up a broader category: 'gender and sexual identity disorders', which embraces the previous list. The DSM-IV has kept the same sort of paraphilias enlisted in DSM-III-R and the NOS examples, but altered the descriptions of some particular types (Laws and O' Donohue, 2008, p. 386). The DSM-IV-TR defines paraphilias as: "recurrent, intense sexually arousing fantasies, sexual urges or behaviors generally involving: 1) nonhuman objects, 2) the suffering or humiliation of oneself or one's partner, or 3) children or other non-consenting persons that occurs over a period of 6 months", that: 4.1) Criterion A, "causes clinically significant distress or impairment in social, occupational or other important areas of functioning", 4.2) Criterion B, the DSM-IV - TR has eight definite paraphilic disorders, which are: fetishism, exhibitionism, pedophilia, frotteurism, sexual masochism, sadism, transvestism fetishes, voyeurism and adding the residual category, paraphilia NOS. Criterion B is different in frotteurism, exhibitionism and pedophilia adding the act on these impulses, but for sadism, it is and act on these impulses with a non-consenting individual (Malin, Martin H., Saleh, Fabian, M.,

(2007). Paraphilias: Clinical and Forensic Considerations. *Psychiatric Times*: April 15, 2007, Vol. 24 No. 5.

The DSM-V, the paraphilias sub-workgroup agreed with a “consensus that paraphilias are not ipso facto psychiatric disorders”, and advised “that the DSM-V to make a distinction between paraphilias and paraphilic disorders”. A paraphilia by itself would not automatically justify or require psychiatric intervention. A paraphilic disorder is a paraphilia that causes distress or impairment to the individual or harm to others. One would ascertain a paraphilia according to the nature of the urges, fantasies, or behaviors but diagnose a paraphilic disorder on the basis of distress and impairment. In this concept, having a paraphilia would be a necessary but not a sufficient condition for having a paraphilic disorder”. The ‘Rationale’ of any paraphilia in the e- DSM-V draft persists, “This approach leaves intact the distinction between normative and non-normative sexual behavior, which could be important to researchers, but without automatically labeling non-normative sexual behavior as psychopathological” (Laws & O' Donohue, 2008, p. 386).

Genital malfeasances (*kāmesumicchācāra*) and pro-human rights paraphilia disorders or sexual perversions begin from mental disorder to rape, to masochism and unthinkable sexual possibilities. Sociologically, the major causes of sexual misconduct and sexual deviance could have come from traditionalism, social values, behavioral aims, conflict of love, irresponsiveness and misbiogenetics, while Hick claims evil rises from physical and psychological suffering, selfishness and greed (Hick, 1990, p.39). Buddhism believes that evils like misconduct and deviance are caused by ignorance (*avijjā*), volition (*saṅkhāra*), consciousness (*viññāṇa*), name-and-form (*nāmarūpa*), the six-fold sense (*saḷāyatana*), contact (*phassa*), sensation (*vedanā*), craving (*taṇhā*), attachment (*upādāna*), growing to be karmic force, like volitional formations (*bhava, kammabhava*), and rebirth consciousness (*jāti*) (D II 56).

The researcher contends that every religion prohibits committing adultery or sexual misconduct and perversion like the 3rd precept of 5 in Buddhism, Sins Nos.10 and 11 of 70 in Islam and the 7th Commandment of 10 in Christianity and Judaism. The concepts of Buddhist ethics on ‘sexual misconduct’ (*kāmesumicchācāra*) and philosophical proposition of genital malfeasances or perversion in texts, and contemporary Buddhist sexual ethics, need to be revisited, on the basis of moral criteria held in the ‘five precepts’, especially the ‘third precept’, in order to regain the moribus principia of ‘genital malfeasances (*kāmesumicchācāra*)’ with its criteria of violation; the dilemmas within Buddhist ethics on its avoidances and scholarly alternative perspectives debates about genital malfeasances (*kāmesumicchācāra*).

Moribus Principia of “Genital Maleasances(*kāmesumicchācāra*)” With Its Criteria of Violation

The origin of *kāmesumicchācāra* is *kāmesu* and *micchācāra*, the *Pali* words which mean abstaining from sexual misconduct. *Kāma* in *Pali* means gratification, sensuality, initiative, lustfulness and desire (VinA I 145). However, what is wrong is elucidated. In the same *sutta* of the ‘*asatdhammadipāyena*’, it is referred to having sex with a prohibited person (Maṅgal II 204). Buddha evidently defined genital maleasances, and he also emphasized the criteria of sexual misconduct in his teachings about abstinence of sexual misconduct, as below:

“One conducts oneself wrongly in matters of sex; one has intercourse with those under the protection of father, mother, brother, sister, relatives or clan, or of their religious community; or with those promised to someone else protected by law, and even with those betrothed with a garland.” (M I 291)

The Buddhism maintains four rudiments to palpably ascertain ‘genital maleasances’ as in *Maṅgalaṭṭhadīpanī* (Maṅgal II 205) in four elements: 1) individuals impermissible to have sex with the prohibited persons; 2) having impious thoughts to have sex with the prohibited person; 3) attempting to have sexual affairs, and, 4) already engaged in sexual affairs. The forbidden women for men as of the first element are twenty classes of women who must not be violated beginning with, i.e.

The ten types of the wife and they are 1) slavery-girls; 2) spouses with willingness; 3) wealth and properties-gained spouses; 4) apparels-gained spouses; 5) nuptial ceremony-consecrated spouses; 6) being spouses by men unloading freights from their head; 7) slave-status spouses; 8) hired spouses; 9) slave-taken spouses, and 10) temporal couples. The two categories protected by customs or religious life and by laws are 11) the engaged girls, and 12) the engaged girls since in the womb. Another eight categories are girls under guardianship of their parents and affinity kinships, who are 13) girls under the maternal protection; 14) girls under paternal protection; 15) girls under sibling protection (either elder brother/sisters); 16) girls under guardianship of either the elder/younger brothers; 17) girls under guardianship of the fathers and the mothers; 18) girls under guardianship of the relatives; 19) girls under guardianship of either the clan or the race; and 20) girls under guardianship of the religious persons (DhsA 98).

Twenty classes of woman are disallowed by Buddhism but just two types of man are disallowed, i.e. men not being their husbands and men guarded by traditions or religions. In the patriarchal era, women are easily taken advantages. As such third precept is enacted to safeguard women while shortening choices for men to beguile them. Buddhism endeavor to liberate sex discrimination through rationale, fact and precepts. However, ‘genital maleasances’, is not decided by one-side but the consent of both. Thousands of men never fear deadly punishment like lapidating or stoning or

their miseries in afterlife even many extreme Islamic countries and Brunei has recently announced and imposed lapidating or stoning.

The author contends that Buddha and his disciples are dedicating to explain the road to everlasting happiness to their believers. On the contrary, some of them choose to enjoy long-life worldly hells. They use their human rights freewill to unfree their own born free human rights. The ‘no-otherwise wrong’ statement of Buddha is so vivid that the *Theravāda* scholars have to add intention, psychological drives and situations, whereas the *Mahāyāna* scholars believe that super human-right deviance or perversion is not wrong, if it comes from ignorance. The sexual malfeasants then comprehend that it is incorrect if they disagree with perverse sex that gives sensual pleasure. The author is inquisitive that occidental religious scholars, *Mahāyāna* scholars and *Theravāda* scholars have no unanimous agreement on the taxonomy of genital malfeasances, could common people differentiate such malfeasances and what those malfeasants do, in what they have committed with the excuse of, human rights, freewill and liberty but disregarded lethal consequences left to social ills? Humans admire liberty in order to allow themselves to be enslaved in the *dukkha* freewill.

The Dilemmas Within Buddhist Ethics on it Avoidances

Walshe (2006) claims sex circled around the sense of sin is extensively debated. Sexual affairs simply for pleasure by the puritans are ‘sinful’. The pessimists see that ‘sin’ itself is possibly senseless and meaningless. They further that sexual pleasure is not evil but lawful and, in principle everyone has a right to it. Christians with an unsound or sound background are blind to the puritanical sense. Even devout Buddhists may not have a clear explanation of sexual misconducts or perversions, neither being too technical or too incomprehensible, especially in clarifying about *kamma* which some Buddhists may take it for granted.

Extramarital misconduct; spousal infidelity and sexual deviance quake societies. These dilemmas are sensitive and complicated problems since before Buddha’s epoch until today. ‘Sexual misconduct’ and deviance, such in the case of Queen *Mallikā*, critically challenge Buddhist ethical practices and ethical accountability, not only for married couples, but also amongst the royal courts, monks and common laities, because of the misunderstanding of Buddhist teachings on *kāmesumicchācāra* or ‘sexual misconduct’, and deviances in texts and commentaries (DhA.iii.119ff). Critiques should be made about *kāmesumicchācāra*, so as to help medicate social malaise.

Its avoidance is to cut carnal desires for evil deeds. *Saṅgharakkhita* claims that genital malfeasances involve other kinds of corporeal desires, such as over consumption under the individual five senses. Yet, *Buddhakosacarya*, contends that genital malfeasances focuses just ‘the affair’. Self-development ideally in Buddhism is to achieve enlightenment- the detachment from any erotic activities or to accept

celibacy as nuns and monks. *Theravāda* permits time-based celibacy as customarily practiced for young men to become monk before marriage. A better option is to scope sexual acts within moral limits, and evade sexual malfeasance altogether (Tricycle Winter, 2003, pp. 40-41 cited in P.Y. Payutto, 2015, p.39).

The 3rd precept is to motivate avoidance of rape, adultery and abduction. Adultery is the infringement of the wedding vows. Homosexuality and fornication are under widely controversial debates. Occidental Buddhists prefer liberality, whereas *Theravāda* prefers conservativeness, but Buddhists in Tibet seem to prefer the moderation though they are customarily free about sex. It appears; “your profligacy is bad but my profligacy is harmless and acceptable, just on the edge of sinfulness” and “sex is the natural, fairly fondling and validated on personal liberty”. Sex fabricates the world, but genital malfeasance spoils it (Harvey, 2007).

In April 22, 2014; Mr. Chaturong Chong-asa a Buddhist scholar says 10% monks are (cited in P.Y. Payutto, 2015, p.129). It is the failure of ordination process as: (1) children are forced to enter monkhood unconscious of their sexual misbehaviors, which is against the *Vināya*. (2) The abbots though knowing such misbehavior allow ordination. Progressive monks believe that monks such behaving but they can also behave piously and they are met with reticence from most monks, most homosexual monks and novices. This is incorrect but the *Vināya* must be applied and explaining public to comprehend what leads to such things. If the case been overlooked, the problems will never be ended. However, teaching *Vināya* to people is critical particularly the ordination. Had the Buddhists understood; the good ones would be ordained rather than the unfit ones. Buddhism should not encounter such dilemmas like today. Monks should be selective and exemplary worldly and religiously to all ordinary people (ITC: ONB, 2014 cited in PY Payutto, 2015, p.130).

Fire never ends fire, and analogously sexual fire never ends having fiery sex. War never ends war and violence never ends violence; abusers will go on abusing. The researcher observes that if sex is fire, he is justified to prohibit his followers to avoid getting burned, or analogously discover non-tranquillity. His criterion is simplified reasonably, that fire never does not burn and never extinguishes its own diffusion. Fire never ends fire. Therefore, illegal sex or sexual misconduct must be extinguished at first, as a Thai proverb says; “Nip something in the bud (*Dap Fai Tae Ton Lom*)”. Any misconduct is in itself wrong and never initially harmonises the abuser with the victim, but the worst is that misconduct disharmonises the abuser group and the victim group, and finally disharmonising communities. It is then rational that Buddha imperatively uses the word ‘NO’ sexual misconduct, and uses the word ‘WRONG’ ethically and traditionally, to have sexual misconduct with guarded persons. (PY Payutto, 2015, p.124).

In summary, sexual affairs just for pleasure are ‘sinful’. Pessimists believe ‘sin’ is meaningless and senseless, is not evil but legitimate and all own the rights to it. Marital infidelity and sexual perversion quaver societies. Sexual dilemmas are

complicated and sensitive since before Buddha's time until this moment. 'Genital malfeasances and perversion, such in the case of Queen *Mallikā*, deadly challenge Buddhist ethics not only for wedding couples, but also the royals, religious persons and seculars, because of the misled Buddhist teachings on *kāmesumicchācāra* or genital parody. (DhA.iii.119ff). Western Buddhists like liberality; *Theravāda* admires conservativeness, but the *Mahayana* and the *Vajrayāna* prefer the moderation though they are customarily free about sex. *Saṅgharakkhita* advocates that genital misconducts and perversion involve corporeal desires the personal five senses. Its avoidance is to end sensual desires for wicked deeds. Fire never ends fire, and similarly sex never ends sex but more sex.

Scholarly Alternative Perspectives Debates about Genital Malfeasances (*kāmesumicchācāra*)

Homosexual affairs have not been labelled by Buddhism at the early age, because the subjects were not informed (Coleman, 2002, p. 146). They are rigidly prohibited in the later Buddhist traditions (Hurvitz, tr. 1976, p. 209; Davids, tr. 1975, p. 48). Customs, cultures, traditions, and thinkers distinguished sexual orientation even in the Buddhist practices. The American Psychiatric Association, 2008, p.56) has classified five sexual deviance since 1952 until 2008 with 27 deviances, as described in 'The Diagnostic and Statistical Manual of Mental Disorders I-V TR. Yet, male-male sex is found in the *Vināya Piṭaka* or the ascetic code of practices proscribed for monks regarding sexual activities (Zwilling, 1992, p. 203).

Dalai Lama's Perspectives - Gampopa (1079-1153) convinces that anal or oral sexes with any genders are improper sexual behavior. Longchenpa (1308-1363) includes masturbation while Je Tsongkhapa (1357-1419) accept them. On the contrary, Lama Thubten Yeshe (1981) does not think homosexuality is sexual misdeed. However, the current Dalai Lama Tenzin Gyatso (1994/1997/1998/1999/2007) maintains that improper sexual acts includes lesbian, gay sex, lesbian and any sexes and not only penis-vagina acts with one's own monogamous partner, oral sex, anal sex, and masturbation if unharmed each other (PY Payutto, 2015, p.73-75). Thich Nhat Hanh (1993) is unclear about sexual deviance, or he would not want to dig deep into details because they are personal. However, he seems to say that any type of sexual misconduct (natural or deviant) is wrong. (P.Y. Payutto, 2015, pp.76-77).

The utilitarians speculate actions are rightful if they augment pleasures and shrink pains, and contrariwise. Deific decision cannot conceptualize wrong or right but consequences can (Bentham, 1981, p.1; Van de Weyer, 2001, pp. 94-95). Bentham's hedonic calculus contains seven trajectories or elements to measure pleasures and pains. They are 1) intensity - how resilient shall pleasures be? 2) Duration - to what extent will pleasures endure? 3) Uncertainty/certainty - how unlikely or likely shall pleasures happen? 4) Remoteness or propinquity - how soon

will pleasures happen? 5) Fecundity act - the probability the actions will be needed by the similar sensations. 6) Purity - the plausibility that it will not be drawn by the contradictory sensation, and 7) the extent the people shall be affected by actions. Therefore, sexual perversion for Jeremy Bentham (1748-1832) by his scheme and his 7 vectors is right, to the extent it rises pleasures and it minimizes pains of sexual desires. But, it is perilous to be wrong when it meets some vectors, like in 'Duration' (vector 2), the sexual pleasure by perversion shall not last long, because he/ she will repeatedly solicit for it. But John Stuart Mill (1806-1873) maintains morality as the course of conduct favors maximum happiness for all. Utilitarianism counts all in only the consequences of actions, "*if any actions produce greater gains than detriments then they are moral otherwise immoral*" (P.Y. Payutto, 2015, pp.77-78).

Deontologists find that the foundation of moral deeds is duty and its imperative completion. Principally, goodwill mandates individuals to complete it as duty and foster it as moral value. Kant (1724-1804) advocates the unqualifiedly good thing is one's goodwill. That is human deeds are best clarified by their intentions, and explaining morality and immorality. Kantian ethics contends that if any completed actions coming from goodwill and based upon duty are considered to be the moral actions; if not, they are immoral. The act of adultery is also unacceptable for Kantian ethics because such action infringes the categorical imperative that; "Act only according to that maxim by which you can at the same time will that it should become a universal law" (Kant, 1785, p. 9 cited in P.Y. Payutto, 2015, pp.78-79).

In 1989, the 'Thai Sangha' proclaimed that 'gays' were prohibited in ordination (Khamhuno, 1989, pp. 37-38) but disregarded until Phra Pisarn Thammaphātee (AKA Phra Payom Kalayano) persisted in 2003 that 1,000 gay monks be expelled from monkhood, and enforced stricter selecting process to disrobe any gay monk novices (Hacker, 2003, p. 47). Most Thai Buddhist contemporary thinkers and people in general contend that perversive sex is so disgusting. (Isaramunī, 1989, p. 4). The Vināya evidently explains about monk practice code. Anti-sex views are found in the debates of the Thai Buddhist authors on lay genital ethics. In a wedding life discourse, Phra Buddhādāsa names the non-reproduction is "distasteful, tiring, dirty, cheating and *kilesa* (defilement) and risen from *avijjā* (ignorance), which the doctrine delineates as the root of human suffering (Buddhadāsa Bhikkhu, 1987, pp. 24-25). Phra Phothisak recommends ethical practice code is not necessitated only for laypersons but monks too especially, the public figures like politicians and stars. (P.Y. Payutto, 2015, pp.81-84).

Thailand could be the first nation in South East Asia to legitimize civil partnerships, with a landmark bill that would permit same-sex partners the same legitimate rights as heterosexual life-partners. The advised law is registerable as "life couples" (Yas Nedccati, April 27, 2018). Specialists say Thailand is not prepared for same-sex wedding, but life couples is likely recognized. The advised same-sex marriage might be dropped because conservative lawmakers overshadow legislative

system, but youth are more liberal towards LGBTIQ (lesbian, gay, bisexual, trans, intersexed and queer) rights groups, comments the Life Partnership Bill discriminating other perverse people (Pratch Rujivanarom, May 05, 2018).

Does it mean having sex with prostitute does not considered sexual misconduct? - It does not break the third precept, if both parties are proper (not belonging to the 20 kinds of improper partners). Even not infringing the third precept, it does not mean the couple do not commit unwholesome Kamma. Every sexual affair is unwholesome even if both are not violating the third precept. Due to the roots are always delusion and lust. Another question; is it true that oral sex and sodomy will reborn one an animal? Any kinds of genital activity is possible to lead one to a non-preferable birth at one's dead-bed. The mind at the time of death as N.K.G. Mendis (2006) describes that the object that presents itself to the mind-door just before death is specified by kamma on a primary basis as follows:

(1) Weighty actions previously done by the dying person. They might be meritorious or demeritorious like *jhaanic* ecstasy or thinking as on is Buddha, or heinous or wicked crime. They will be so strong as to eclipse every other *kamma* in deciding rebirth depicted *garuka kamma*. (2). If without weighty action, there would be either bad or good habitually done depicted *aaci.n.na kamma*. (3). Were habitual kammas not ripen what is called death-proximate kamma fructifies; at the time of a bad or good deeds in the recent recurs at the time of death as *aasanna kamma*. (4). Were the first three not found, some stored up kamma from the past will ripen and depicted *ka.tatta kamma*. For example, a butcher might see a knife, a hunter might see a gun or the slain animal, a pious devotee might see flowers at a shrine or the giving of alms to a monk and a sign of the place where the dying person would be reborn (*gati nimitta*), a vision of heaven, hell, etc. As the *Dhammapada* (Dhp.) states in verses 288 and 289:

*“There are no sons for one's protection,
Neither father nor even kinsmen;
For one who is overcome by death
No protection is to be found among kinsmen.*

*Realizing this fact,
Let the virtuous and wise person
Swiftly clear the way
That to nibbaana leads.”*

— Dhp 288-289

Most scholars like Coleman (2002), Hurvitz (1976) Davids, (1975), Zwilling, (1992) agree that homosexual misconducts are sinful and against the third precepts. Most Dalai Lamas are conservative while just few does not think homosexuality is sexual misdeed. Thich Nhat Hanh (1993) from Vietnam reserves to comment. The utilitarian like Bentham (1981) postulates his hedonic calculus

contains seven trajectories or elements to measure pleasures and pains but J.S. Mill counts all in only the consequences of actions if any actions produce greater gains than detriments then they are moral otherwise immoral. Kantian ethics contends that if any completed actions coming from goodwill and based upon duty are considered to be the moral actions; otherwise immoral. In 1989, the 'Thai Sangha' proclaimed that 'gays' were prohibited in ordination. Most Thai Buddhist contemporary thinkers and people in general contend that perverse sex is so disgusting. Thailand might be the first nation in South East Asia to legitimize civil partnerships but experts say Thailand is not prepared for same-sex wedding, but life couples is likely recognized. Whatever conducts, well or wicked N.K.G. Mendis (2006) ascertain that they will be rerun on dead-bed.

Conclusion

Moribus principia of 'genital malfeasances (*kāmesumicchācāra*)' with its criteria of violation are based on the Buddhist dogma that one conducts oneself wrongly in matters of sex; one has intercourse with those under the protection of father, mother, brother, sister, relatives or clan, or of their religious community; or with those promised to someone else protected by law, and even with those betrothed with a garland (M I 291). Twenty classes of woman are disallowed by Buddhism but just two types of man are disallowed. However, 'genital malfeasances (*kāmesumicchācāra*), is not decided by one-side but the consent of both. In the patriarchal era, women are easily taken advantages as such third precept is enacted to safeguard women while shortening choices for men to beguile them. Buddha and his disciples are dedicating to explain the road to everlasting happiness to their believers. On the contrary, some of them choose to enjoy long-life worldly hells. The malfeasants use their human rights freewill to unfree their own born free human rights. The author is thus inquisitive that western religious theorists, *Mahāyāna* and *Theravāda* theorists have no accord agreement on the taxonomy of genital malfeasances (*kāmesumicchācāra*); could common people differentiate such malfeasances and what those malfeasants do, in what they have committed with the excuse of human rights, freewill and liberty but disregarded lethal consequences left to social ills? Humans admire liberty in order to allow themselves to be enslaved in the *dukkha* freewill.

The dilemmas within Buddhist ethics on its avoidances - sexual affairs just for pleasure are 'sinful'. 'Sin' is pointless and empty and not wicked but valid and everyone owns his/her rights to sin as most pessimists believe. Infidelity in marriage and sexual perversions bomb societies. Carnal dilemmas are intricate and sensitive since before Buddha's time until present. 'Genital malfeasances and perversion, such in the case of Queen *Mallikā*, strongly challenge Buddhist ethics and all the Buddhist believers because of the misled Buddhist teachings on *kāmesumicchācāra* or genital parody. Buddhists in the west like liberality; *Theravāda* keep conservativeness,

whereas the *Mahayana* and the *Vajrayāna* adhere to the middle way though traditionally free about sex. *Saṅgharakkhita* advocates that genital malfeasance is avoided by ending sensual desires for wicked deeds. Fire never ends fire, and similarly sex never ends sex but more sex.

Scholarly alternative perspectives debates about genital malfeasances (*kāmesumicchācāra*) - most scholars agree that homosexual misconducts are sinful and against the third precepts. Most Dalai Lamas are conservative while just few does not think homosexuality is sexual misdeed. Thich Nhat Hanh reserves to comment. The utilitarians like Bentham maintains his hedonic calculus involves seven trajectories or variables to gauge pains and pleasures but J.S. Mill counts sinful or not in only the consequences of actions if any actions produce greater gains than detriments then they are moral otherwise immoral. ON the contrary, Kantian ethics contends that if any completed actions coming from goodwill and based upon duty are considered to be the moral actions; otherwise immoral. In 1989, the ‘Thai Sangha’ announced that ‘gays’ were prohibited in ordination. Most Thai Buddhist contemporary thinkers and people in general contend that perverse sex is so disgusting. Thailand might be the first nation in South East Asia to legitimize civil partnerships but experts say Thailand is not prepared for same-sex wedding, but life couples is likely recognized. Whatever conducts, well or wicked N.K.G. Mendis (2006) ascertain that they will be rerun on their dead-bed.

Lady Pornthip Rojjanasunant, FMD, Counselor of the Thai Forensic Science Institute and a Committee Member of the National Reform (2018) observes and advocates that today all good persons fear the single bad one. Implicationally, after being pro and/or coerced democratic as many occidental, sub-Saharan and oriental countries crave, the good fears the bad. as the researcher understands, the good politicians (hard to find), congressmen and congresswomen, armies-navies-airforces, police, judges and jurists, the religious persons and citizens ultimately fear the bad and even allow and promote the bad to enact laws to save, secure and resort themselves but to impose deadly punishment over their enemies. Should we leave such for ourselves and our next generations? Do we have to behave like the Romans, when in Rome the Romans adore paraphilia under the pro-human rights watch?

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Appendix

Comparative Covenants of the Four Religions

Five+3 austere Precepts of Buddhism AnguttaraNikaya 3.70	Islam http://www.al-islam.org/invitation/	Christianity and Judaism
<ol style="list-style-type: none"> 1. Abstain from causing harm and taking life (both human and non-human). 2. Abstain from taking what is not given (for example stealing, displacements that may cause misunderstandings). 3. Abstain from sexual activity. 4. Abstain from wrong speech: telling lies, deceiving others, manipulating others, using hurtful words. 5. Abstain from using intoxicating drinks and drugs, which lead to carelessness. 6. Abstain from eating at the wrong time (the right time is after sunrise, before noon). 7. Abstain from singing, dancing, playing music, attending entertainment performances, wearing perfume, and using cosmetics and garlands (decorative accessories). 8. Abstain from luxurious places for sitting or sleeping, and overindulging in sleep 	<p>Twelver Shia Islam has 5 Usul al-Din and 10 Furu al-Din, i.e.,</p> <ol style="list-style-type: none"> 1. Tawhid (Monotheism: belief in the Oneness of God) 2. Adl (Divine Justice: belief in the Almighty's justice) 3. Nubuwwah (Prophethood) 4. Imamah (Succession to the Muhammad) 5. Mi'ad (The Day of Judgment and the Resurrection) <p>In addition to these Five Pillars, there are ten practices that Shia Muslims must perform, called the Ancillaries of the Faith (Arabic: furū' al-dīn).</p> <ol style="list-style-type: none"> 1. Salat the practice of formal 2-4 worships/day in Islam. 2. Sawm (plural: <i>Siyam</i>) is an Arabic word for fasting during daylight hours 3. Zakāt, similar to Sunni Islam, but only applies to cattle, silver, gold, dates, raisins, wheat, and barley, but not money. 4. Khums: an annual taxation of one-fifth (20%) of all gain. Khums is paid to the Imams or to poor and needy people. 5. Hajj an Islamic pilgrimage to Mecca and the largest gathering of Muslim people in the world every year 6. Jihad a religious duty of Muslims; meaning "struggle". It refers to struggle against those who do not believe in the Abrahamic God (Allah). 7. Amr-bil-Marooif ordering for acknowledged virtues 8. Nahi Anil Munkar forbidding from sin () 9. Tawalla: expressing love towards God. 10. Tabarra: expressing disassociation and hatred towards Evil. <p>Adultery is the Islamic Sin No. 10 and 11/ out of 70 sins</p>	<ol style="list-style-type: none"> 1. I am the Lord thy God. Thou shalt have no other God before me.: Mosiah 12:34 Mosiah 12:35 2. Thou shalt not make unto thee any graven image, or any likeness of anything in heaven above, or things which are in the earth beneath: Mosiah 12:36 3. Thou shalt not take the name of the Lord thy God in vain; for the Lord will not hold him guiltless that taketh his name in vain. :Mosiah 13:15 4. Remember the sabbath day, to keep it holy.: Mosiah 13:16 5. Honor thy father and thy mother, that thy days may be long upon the land which the Lord thy God giveth thee.: Mosiah 13:20 6. Thou shalt not kill.: Mosiah 13:21 7. Thou shalt not commit adultery.: Mosiah 13:22 8. Thou shalt not steal.: Mosiah 13:22 9. Thou shalt not bear false witness against thy neighbor: Mosiah 13:23 10. Thou shalt not covet.: Mosiah 13:24

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