

**A Critical Study of the Social Dimension of the
Causes and Conditions that influenced the Origin
of the Buddhist Vinaya**

**A Thesis Submitted in Fulfillment of the
Requirements of the University of Kelaniya for the
Degree of Doctor of Philosophy**

By

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The Declaration of the Candidate

I certify that this dissertation "**A Critical Study of the Social Dimension of the Causes and Conditions that influenced the Origin of the Buddhist Vinaya**" is my own work based on my original research and my investigations. Further, I do hereby assert that this was not submitted to any other University.

Date

Candidate's signature

The Declaration of the Supervisor

I certify that this dissertation "**A Critical Study of the Social Dimension of the Causes and Conditions that influenced the Origin of the Buddhist Vinaya**" was successfully completed under my supervision and recommend the submission of this dissertation for the PhD. Degree Examination.

Date

Supervisor's signature

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Abstract

This thesis consists of seven chapters. Chapter I is the Introduction. It lays out the scope and objective of the thesis, the methodology adopted in carrying out the research, and the important sources used in gathering data.

Chapter II examines the aims and objectives of ‘*Monastic Vinaya*’. In doing this focus has been directed on such matters as relation between *Vinaya* and *Brahmacariyā*, reasons that led to the promulgation of formal *Vinaya*, how in the *Theravāda* Buddhism *Vinaya* took precedence over *Dhamma* etc.

Chapter III is devoted to critically examine the social dimension of *Vinaya*. Special attention was paid to examine such issues as asylum seekers in the *Saṅgha*, monk’s role as missionaries, influence of *Saṅgha-laity* links on the formulation of *Vinaya* rules, influence of the prevailing practices and norms on *Vinaya*, the impact of the establishment of *bhikkhu* Order on *Vinaya* and so on.

Chapter IV is totally devoted to the examination of the functional relevance of the *Sekhiyā-dhammā* with regard to the practice of *Brahmacariyā* and realization of *Nibbāna*.

Chapter V is about the nature of offences and punishments. The *Pārājika* and other offences have been examined, and the purpose of punishment meted out to offenders who are found guilty is also critically appraised.

Chapter VI contains data obtained through a study of character traits of some offenders. An attempt has been made here to see whether there is any relation between offences, offenders and the socio-cultural background to which they belonged.

Chapter VII presents the conclusion. It is found that though *Vinaya* is primarily based on '*Sīla*' and '*Sikkhāpadas*', in application *Vinaya* is of much wider scope than *Sīla* and *Sikkhāpadas*. The *Vinaya* rules are of multiplex purpose; all are not directly related to the practice leading to the realization of the goal. The major offences that affect the successful practice of *Brahmacariyā* are related to sexual misbehaviour; *Vajjis* stand out as major offenders, though some *Vajjis* have been leading very exemplary lives as members of the Order.

Abbreviations

[All Pāli texts, if not otherwise indicated are editions of the Pāli Text Society,
London]

A.	Aṅguttaranikāya
DA.	Dīghanikāya-aṭṭhakathā (=Sumaṅgalavilāsīnī)
Dhp.	Dhammapada
DhpA.	Dhammapada – Aṭṭhakathā
DPPN.	Dictionary of Pāli Proper Names
EB.	Encyclopaedia of Buddhism
M.	Majjhimanikāya
PTS.	Pāli Text Society, London
S.	Saṃyuttanikāya
Vin.	Vinaya Piṭaka
VinA.	Vinaya- aṭṭhakathā (Samantapāsādikā)

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Chapter I

Introduction

This introduction is focused mainly on three aspects:

- a) The scope and objective of the research.
- b) The methodology adapted.
- c) The source material used for the research.

a) **The scope and objective:**

In modern times a considerable amount of research has been done on *Vinaya* by both Western and Eastern scholars. This is not surprising as *Vinaya* forms the foundation or the life of *Sāsana* or the dispensation according to the *Theravāda* tradition¹. In fact in the enumeration of the three “Baskets” or “*Tipiṭaka*” that comprise the *Theravāda Tipiṭaka*, *Vinaya Piṭaka* is mentioned before the *Sutta Piṭaka* which contains the “Teaching” or the *Dhamma*. This is, in spite of the fact, that *Vinaya* or to be more precise formal *Vinaya*, arose much after the *Buddha* began his missionary career of expounding the *Dhamma*. Even the old term used by the *Buddha* himself to refer to his Teachings is *Dhamma-Vinaya*², “*Dhamma*” being mentioned first.

Most of the researches on *Vinaya* are concerned about the origin and evolution of the *Vinaya*, which undoubtedly is a very important area of study.

These researches have brought to light very valuable information regarding the first beginning of the *Saṅgha* Order, how it functioned originally without a formal code of disciplinary rules, and how, due to numerous reasons, the *Buddha* was compelled to promulgate a formal code of discipline.

These researches are, therefore, mainly focused in scope to the origin and evolution of *Vinaya*. There is not much attention directed to find out the social background of the time, of the members of the Order, especially those who were involved in misconducting themselves, the customs prevalent at the time in the society, the disciplinary codes adopted by the members of other religious orders etc. As there is no research especially focused on the sociological background that gave rise to the promulgation of *Vinaya* as well as to the religio-sociological context in which the rules were formulated it was felt necessary to engage in a research of this nature.

In scope, therefore, the focus of this research will be directed to the religio-sociological aspect and its influence on the promulgation of the rules as well as the context of the rules. However, in doing this, the historical origin and the evolution of formal *Vinaya* will not be totally neglected. That aspect will also be dealt with as far as it is relevant to the main objective of the research. Hence, an attempt will be made to study the characters of the individuals involved in the formulation of rules, their social background, the relation between the rules so formulated and the goal aimed at by the members of the *Saṅgha* who were bound by these rules and such other related aspects.

Methodology

This study will be based on textual evidence. When using textual evidence due attention will be paid to the chronological structure of the texts used. Though there is no total consensus regarding the chronology of the *Theravāda* canon, there are some generally accepted views on it. Many scholars have done research on the chronology of the canon. Some of them are:

1. Rhys Davids, *Buddhist India*³.
2. B.C. Law, *A History of Pāli Literature*⁴.
3. G.C. Pande, *Studies in the Origins of Buddhism*⁵.

None of these studies are conclusive. Most of the views presented are hypothetical and subjective. Yet, these studies point to the fact that the *Theravāda* ‘*Tipiṭaka*’, as it exists at present, is not a compilation done within a short period; these researches show beyond doubt that the *Tipiṭaka* is the result of a fairly long process, running into a number of centuries, of redactions carried out collectively by monks well versed in the *Dhamma-vinaya* and approved at councils held for the purpose.

All these researches highlight the important fact that the *Tipiṭaka* contains both very old as well as comparatively late material. So, in using the *Tipiṭaka* as the primary research source for this study due attention has been paid to this early and late composition of the texts. In this research the primary literary source is the *Vinaya Piṭaka* which also contains early and late material. The *Sutta Piṭaka* which

is similar in chronological composition is used to supplement whatever evidence that is gathered from the *Vinaya Piṭaka*.

With regard to the *Sutta Piṭaka* there is general agreement among scholars that the four major *Nikāyas* namely, *Dīgha*, *Majjhima*, *Samyutta* and *Aṅguttara* contain early material than most of the texts included in the *Khuddakanikāya*. The best known exception to this is the *Suttanipāta*, which contains very old material, especially in the *Aṭṭhakavagga* section.

These textual materials have been used with much care, keeping in mind the problem of chronology. The *Abhidhamma Piṭaka* has not been used as it was found that this *Piṭaka* has no direct bearing to the subject of study. The relevant commentaries have been used wherever and whenever it was found necessary to provide further supportive evidence.

The method applied in sifting evidence from a vast mass of source material is selective, analytical and critical. No evidence has been accepted on its face value. The evidence has been analyzed, and weighed against the views presented by various scholars who have contributed much to this area of study, the *Vinaya*. Whatever interpretation adopted and whatever new interpretations suggested has been supported by evidence from texts.

Source material

As this is a research involving *Vinaya* the primary source material is the *Vinaya Piṭaka*, this is the first ‘Basket’ or ‘*Piṭaka*’ of the ‘Three Baskets’ or

Tipiṭaka (Skt. *Tripitaka*), the term by which the canon of the *Theravādin* is known. This was the ‘*Basket*’ that was first ‘rehearsed’ at the First Council, held three months after the passing away of the *Buddha*. Venerable *Mahākassapa* chaired this Council or ‘*Sangīti*’ and the prominence given to *Vinaya* at this Council clearly suggests the dominant role played by venerable *Mahākassapa* at this Council and also the overall influence he appears to have exerted on the formation of what later came to be called *Theravāda*⁶.

The emphasis placed on *Vinaya* in the *Theravāda* tradition, perhaps, is due to venerable *Mahākassapa*’s influence.

The *Cullavagga* account, in somewhat summary form, presents how, the First Council was held, how its activities were conducted and such other information. Though it is said that the *Dhamma-vinaya* was rehearsed at this Council and the five *Nikāyas* were settled, this is hardly acceptable. Scholars such as Rhys Davids (*Buddhist India*), Winternitz (*History of Indian Literature*, vol. II), G.C.Pande (*Studies in Origin of Buddhism*) and Norman (*A Philological Approach to Buddhism*) have proved, with irrefutable evidence that the *Tipiṭaka*, as it is extant now, is the outcome of a process of compilation, redaction, addition, deletion etc. that ran into a couple of centuries.

The *Cullavagga* very briefly says that venerable *Mahākassapa* posed certain question with regard to *Vinaya*. Venerable *Upāli* answered them in the same brief manner and that through this process the *Vinaya Piṭaka* was fixed. This account is not at all acceptable, for not only external evidence but even internal

evidence disprove this. The *Cullavagga* gives also a brief account of the proceedings of the Second Council. This was held about one-hundred years after the passing away of the *Buddha*. If the *Vinaya Piṭaka* was fixed in the First Council, how could the *Cullavagga* contain information of an event that took place one-hundred years later?

This itself proves that the *Vinaya Piṭaka*, of which the *Cullavagga* is a section, was not fixed in its present format at the First Council. Besides, there is strong doubt about the compilation of the section called '*Parivāra*'. This seems to be a supplementary work. Scholars are unanimous in holding that this is a late work. Some among them strongly hold that this was compiled in Sri Lanka⁷.

The *Vinaya Piṭaka* consists of the following sections:

- 1) *Suttavibhaṅga*
- 2) *Khandhaka*
- 3) *Parivāra*
- 4) *Pātimokkha*

Of these the, *Suttavibhaṅga* is the section about which the present study is more concerned and, hence, it would be dealt with in detail later. The *Khandhaka* is constituted of *Mahāvagga* and *Cullavagga*. The *Mahāvagga*, amongst other things, presents an uninterrupted account of the *Buddha*'s life from his enlightenment up to the conversion of *Upatissa* and *Kolita* who became the two chief disciples of the *Buddha* under the names *Sāriputta* and *Moggallāna*. Besides, the *Mahāvagga* presents also a wealth of information about the origin and growth

of the *Saṅgha* Order. Other than these, it contains also details about the duties toward the preceptor (*upajjhāya*), the gradual evolution of the Higher Ordination (*upasampadā*), ‘*uposatha*’ recital of *Pātimokkha* etc. Promulgation of certain rules, as for example, the rule prohibiting granting admission to individuals suffering from specifically mentioned diseases is also contained in the *Mahāvagga*.

The *Cullavagga*, as the name itself indicates, is the minor of the two divisions. Its first nine chapters deal with disciplinary proceedings, various offences, their expiation, settlement etc. The tenth chapter deals with the duties of nuns. The last two chapters are about the two Buddhist Councils, the First and the Second.

This section is important with regard to procedural rules, for it explains in detail procedural methods that should be adopted in dispensing justice over ecclesiastical issues. Hence, it is of much significance for the study of the judicial system that was adopted in the *Saṅgha*. Besides, this section also contains rules laid down to regulate the day to day conduct of the members of the Order. Most of these rules are not directly concerned with the practice leading to the attainment of the final goal.

The *Parivāra* is described as a digest or a manual of instructions. Though Ven. *Buddhaghosa* says that *Parivāra* was rehearsed under *Vinaya* in the First Council⁸, the commonly accepted view is that it is a later addition. It has nothing special other than serving as a kind of compendium to the *Vinaya*. *Pātimokkha*

contains in summary all the monastic rules, and it is closely connected with the observance of ‘*uposatha*’ at which the *Pātimokkha* is recited (*pātimokkhuddesa*). This connection between the ‘*uposatha*’ and ‘*pātimokkhuddesa*’ appear to have made some to consider *Pātimokkha* as the origin of *Vinaya*, and that ‘*Pātimokkha*’ is the earliest specimen of Buddhist *Vinaya* literature⁹. But it is clear that a large number of rules came into being after *Pātimokkhuddesa* came to be practised. *Pātimokkha*, therefore, was a list of a growing body of disciplinary rules and in its final form it may have been drawn from the *Suttavibhaṅga* itself.

With regard to monastic rules it is the *Suttavibhaṅga* that is of great importance, and for this research, also, it is *Suttavibhaṅga* that is of special significance. B.C Law commenting on the *Suttavibhaṅga* says:

The ‘*Suttavibhaṅga*’ means the explanation or expositions of the *Suttas*. The word ‘*Sutta*’ corresponds to the *Sanskrit* ‘*Sūtra*’ and literally means ‘thread’.

“It is applied to a kind of book, the content of which are, as it was, a thread, giving the gist or substance of more than is expressed in them in words. This sort of book was the latest development in *Vedic* literature, just before and after the rise of Buddhism (Rhys Davids, *American lectures, Buddhism Its History and Literature*, pp.53-54). Buddhism used this word to mean a discourse, or a chapter¹⁰.”

This word ‘*Sūtra*’ in *Sanskrit* is very commonly used to refer to tersely worded aphorisms which convey wider and deeper meanings than what the words in the ‘*Sūtra*’ indicate. It’s compact and precise in meaning, very technical and

formal in its format. It is by taking in this sense that the commentaries equate the term ‘*Sutta*’ with ‘*Mātikā*’, which are used in the *Pātimokkha* (and also in the *Abhidhamma*) to refer to longer lists or accounts it represents. It is a kind of ‘code’ language which when analyzed gives a fuller meaning than what it appears to give.

Thus, in the term ‘*Suttavibhaṅga*’ ‘*Sutta*’ is used to refer to ‘codes’ and ‘*Vibhaṅga*’ to the ‘analysis’ or detailed explanation of these ‘*Suttas*’ or ‘coded’ rules. Thus the ‘*Suttavibhaṅga*’ is a very detailed explanation of each rule to be followed by monks and nuns. Von Hinuber observes that the “structure of the *Suttavibhaṅga* is determined by the sequence of rules in the *Pātimokkhasutta* upon which is comment¹¹.” This suggests that *Pātimokkhasutta* is earlier than the *Suttavibhaṅga*. However, this view is not accepted by all¹².

The *Suttavibhaṅga* is a comprehensive analytical commentary on all *Vinaya* rules. Every rule is set out giving an introductory story (*vatthu*) narrating the cause that led to the laying down of a particular rule. This is followed by the promulgated rule itself (*paññatti*), with supplementary conditions (*anupaññatti*). Then comes the word by word explanation (*padabhājanīya*). Exception to the promulgated rules (*anāpatti*) is then given.

Often the introductory background story is derived from the particular rule itself. These are some others taken over from the other parts of the *Tipiṭaka*. These are instances where the introductory story does not fully accord with the particular rule promulgated.

The *Suttavibhaṅga* consists of two major divisions:

1) *Mahāvibhaṅga* which contains rules pertaining to the conduct of *bhikkhus* and *bhikkhunī-vibhaṅga* which, as the name denotes, contains rules pertaining to *bhikkhunīs*. This is structured on the model of the *Mahāvibhaṅga*.

The main difference between the two is the difference in the number of rules:

two-hundred and twenty (220) for *bhikkhus* and three-hundred and four (304) for *bhikkhunīs*¹³.

B.C.Law explains that the *Suttavibhaṅga* which analyses all the rules is broadly divided into two books:

a) *Pārājika*

b) *Pācittiya*

These two books deal with all the rules, all 227 that is 220 substantive rules and 7 procedural rules. These 227 rules are grouped under eight separate heads:

- 1) *Pārājika dhammā*: deeds leading to loss of membership in the Order. These are 04 for monks and 08 for nuns.
- 2) *Saṅghādisesa dhammā*: deeds calling for a formal meeting of the Order for adjudication. 13 for monks, 17 for nuns.
- 3) *Aniyata dhammā*: rules pertaining to deeds whose nature is undetermined. 02 for *bhikkhus* only.
- 4) *Nissaggiyā-pācittiyā dhammā*: deeds involving forfeiture. 30 in numbers for both.

- 5) *Suddha-pācittiyā dhammā*: deeds calling to repentance. 92 for monks, 166 for nuns.
- 6) *Pāṭidesaniyā dhammā*: deeds calling for confession. 04 for monks, 08 for nuns.
- 7) *Sekhiyā dhammā*: rules pertaining to behavioral etiquette. 75 in all.
- 8) *Adhikaraṇa samatha*: procedural rules which are 07 in all.

These make up the 220 and 304 substantive rules for *bhikkhus* and *bhikkhunīs* respectively, and the seven procedural rules applicable commonly when adjudicating matters related to either party.

Of these *Pārājika* offences are the gravest. These briefly are:

- 1) Indulgence in sexual intercourse (*methunaṃ dhammaṃ paṭiseveyya pārājiko hoti*).
- 2) Taking or stealing what has not been given (*adinnaṃ theyyasaṅkhātaṃ ādiyeyya yathārūpe adinnādāne*).
- 3) Intentional killing of a human being (*manussaviggahaṃ jīvitā voropeyya*).
- 4) Intentional lying about one's spiritual attainments (*yo pana bhikkhu anabhijānaṃ uttarimanussadhammaṃ attūpanāyikaṃ*).

These are so grave among deeds that they are considered as totally against the “Noble Life” a recluse avows to follow when he enters *bhikkhuship*. These affect the very core of recluseship and, hence, these are irremediable. One who

commits any of these four offences automatically loses his membership in the Order. All these offences are totally incompatible with the conduct of an individual who has very sincerely committed himself to the practice of the “Noble Life” (*brahmacariyā*). Though those four have some relation with the ‘*pañcasīla*’, an analysis of the two sets will clearly show that as *Pārājika* offences they are grave in relation to the practice of *brahmacariyā*.

Saṅghādisesa offences, though lesser in gravity than *Pārājika* offences, are serious enough to call for punishments. These are thirteen in the case of monks and seventeen in the case of nuns. Some of them are related to sexual misconduct like willful emission of semen, touching a woman. There are yet other offences which are made offences because they adversely affect the unity of the *Saṅgha* community as well as its good name, for example; any act leading to a schism in the Order is a *Saṅghādisesa* offence. So in the leveling of a groundless charge is against a fellow monk.

Aniyatas, which are two in number, are also serious depending on the circumstances under which they are committed or undecided because the act itself does not make it possible to categorize it under *Pārājika*, *Saṅghādisesa* or *Pācittiya*. Its nature has to be determined after inquiry, and then legally dealt with.

Nissaggiya-pācittiya are lesser in their gravity than the above three offences mentioned and, therefore, the usual punishment meted out is “forfeiture” (*nissaggiya*). Thirty such offences are listed in the case of monks and nuns and these are related to the use of robes and other items.

Suddha-pācittiya offences are even lesser in gravity and are ninety-two for *bhikkhus* and one-hundred and sixty-six for *bhikkhunīs*, this large number itself show that these are rather minor offences. These are all connected with day to day activities of the members of the *Saṅgha* community. They relate to minor lapses in behaviour such as that could take place when exhorting *bhikkhus*, taking more than a meal at one place or accompanying a monk for a meal to a neighbouring village or taking liquor or any strong drinks, sports in water etc.

Repentance for the lapse and sincere pledge to prevent repetition of such lapses is the remedy or the penalty for these offences. This penalty itself shows that these offences are not very serious when compared with what were described before.

There are four *Paṭidesaniya* for monks and eight for nuns. These are related to acceptance of alms, and partly to relation between monks and nuns in partaking alms. For example, a monk is guilty of a *Pāṭidesaniya* offence if he accepted and ate food given by a *bhikkhunī* who is not related to him. Similarly, if a nun gives direction with regard to serving a meal to a member of nuns and if *bhikkhus* fail to admonish her that too is a *Pāṭidesaniya* offence. These offences are expiated by confession which means admission and acceptance of the infringement of the rule and, of course, the resolve to refrain from committing such offences in the future (*āyatim saṃvarāya*).

The seventy-five *Sekhiyā dhammā* are all regarding etiquette in day to day behaviour. For example, when laughing neither a *bhikkhu* nor a *bhikkhunī* should

laugh aloud; they should not stand with their hands on the hips; should not swing arms body or head when walking; should not make noise when eating, nor should talk while eating. Such are the rules that come under *Sekhiyā dhammā*. All those rules have relevance to outward behaviour of the members of the Order. This was undoubtedly to present a separate refined and dignified identity to the members of the *Saṅgha*. In fact, it is such outward behaviour that initially contributed to arouse faith in those who had no faith and increase faith in those who already had faith.

Nikāya contains numerous references to expression of appreciation of such behaviour on the part of *bhikkhus* by kings, especially *Pasenadī Kosala*. The *Kosala Saṃyutta* of the *Saṃyuttanikāya* as well as the *Bhikkhu-saṃyutta* contain references to such refined and serene outward appearance of monks.

The last seven of the 227 rules are not substantive rules but rules about procedure that should be followed when conducting activities of formal ecclesiastical forums to decide on matters that are to be settled according to monastic law. These are seven in number and, hence, referred to as *satta adhikaraṇa-samatha-dhammā*. These are as follows:

- 1) *Sammukhā-vinaya*: the case to be heard in the presence of the offender.
- 2) *Sati-vinaya*: this is regarding finding out the intention of offender.
- 3) *Amūḷha-vinaya*: this pertains to the possibility of presenting a plea of insanity at the time of the commission of the offence.

- 4) *Paṭiññātakaraṇa*: is about the possibility of tendering a confession.
- 5) *Yebhuyyasikā*: is about the possibility of deciding a case by the majority vote of the jury.
- 6) *Tassapāpeyyasikā*: this is about handling an obstinate offender who attempt to escape punishment.
- 7) *Tiṇavatthāraka*: amicable settlement of disputes.

These procedural rules are not directly related to the present study, and hence, these will not be directly focused upon. In the *Vinaya* too, *Suttavibhaṅga* would be the prime source. *Aṭṭhakathā* will be consulted whenever needed. Similarly secondary sources regarding the *Vinaya* as well on the social conditions of the time also would be consulted as and when necessary to find more information about the social conditions of the time and to see what are the societal causes and conditions that influenced the origin of the Buddhist *Vinaya*.

Similarly, wherever information is available an attempt would be made to list the offenders and make a sort of a sociological study of their characters, and see whether their characters in any way influenced the promulgation of the *Vinaya* rules.

Endnotes

1. Theravāda School or Southern School or Original School.
2. D.II, 154.
3. T.W. Rhys Davids, *Buddhist India*, First edition London, 1903.
A recent reprint in 1997 was done by Motilal Banarsidass, Delhi.
4. B.C. Law, *A History of Pāli Literature*, Indica Books, Varanasi, India, 2000.
This was first published in 1983.
5. G.C. Pande, *Studies in the Origins of Buddhism*. First Ed. 1957. Fourth revised Ed. 1995. Motilal Banarsidass, Delhi.
6. Buddhism as it prevails at present is divided into two major divisions: Theravāda and Mahāyana. The origin of this division is traced to the Second Buddhist Council, at the conclusion of which the Saṅgha Order divided into two, making the first schism, as Theravāda and Mahāśāṅghika.
7. See B.C. Law, *op. cit.* p. 99.
8. DA. I, 13.
9. *Vinaya Piṭaka* Ed. Oldenberg, London, pp. xv-xvi.
10. B.C. Law, *op. cit.* pp. 69-70.
11. Oskar von Hinuber, *A Handbook of Pāli Literature*, p. 13.
12. Jotiya Dhirasekera, *Buddhist Monastic Discipline*, pp. 43-54; 91-107.

13. The Bhikkhunī-vibhaṅga is non-operative now in Theravāda Buddhist countries. This is because in these countries the bhikkhunī Order has become extinct. There are only ‘Dasa-sīla-mātās’ or those who observe the ten precepts.

Chapter II

Monastic Vinaya: Its Aims and Objective

Vinaya and Brahmachariyā

Just as there is one taste in the ocean, that is the taste of salt, there is one taste in the *Dhamma*, which is the taste of freedom or emancipation (*vimutti-rasa*)¹. The *Buddha* was eager to make his listeners taste this freedom. This is why, in spite of the initial hesitation to preach the *Dhamma*, he subsequently made up his mind to share this bliss of freedom with as many as possible². The *Mahāvagga*³ very clearly explains how the *Buddha* dispatched his sixty *Arahant* disciples on different directions, and he set out himself towards *Uruvelā*.

However, the *Buddha* was convinced that household life is a great hindrance to the practice leading to taste this freedom⁴. This he realized before attainment of enlightenment himself. The *Ariyapariyesana Sutta*⁵ very graphically describes how the *Bodhisatta*, bent on his noble quest, renounced household life.

“Later, while still young, a black-haired young man endowed with blessing of youth, in the prime of life, though my mother and my father wished otherwise and wept with tearful faces, I shaved off my hair and beard, put on the yellow robe, and went forth from the home life into homelessness.”

However, it should be remembered that the *Buddha* did not hold the view that only *bhikkhus* can partake of this ‘taste of freedom’ and the lay people are not

qualified to do so. This definitely is not the *Buddha's* position. Both clergy and lay people can realize emancipation. There is reference to lay people attaining Arahantship⁶. But they are not many. This is because household life is not very conducive to the practice. The *Dhammika Sutta* brings this out very clearly when it says:

“*Gahaṭṭhavattaṃ pana vo vadāmi
yathākaro sāvako sādhu hoti,
na h'eso labbhā sapariggahena
phassetuṃ yo kevalo bhikkhudhammo*” (stanza, 393)

The *Muni Sutta* with a beautiful simile brings out the difference between *bhikkhu* and a lay person. It says:

“Even as the crested (peacock), the blue-necked (the bird) that soars in the sky never will reach the speed of the swan, even so the householder cannot emulate (to match) the monk, the sage (leading a life) of seclusion contemplating in the forest⁸”

It is because of the numerous problems in the home life that the *Buddha* encouraged the converts to leave household life and enter recluseship. This life of a recluse is far more conducive to the practice of the Noble Life (*brahmacariyā*) set out by the *Buddha*. Thus, when any early convert expressed his desire to renounce, the *Buddha* readily agreed, for he knew that it will expedite the converts experiencing of the taste of freedom. For this he used the simplest method of

granting admission to reslueship (*pabbajjā*) and conferment of higher ordination (*upasampadā*).

Thus, when the first person to get fully converted namely, *Koṇḍañña* requested for admission and higher ordination the *Buddha* granted the request by saying:

“Come O! Monk, well declared is the *Dhamma*, follow the Noble Life for the complete ending of suffering⁹.”

This method of granting admission and higher ordination came to be known as the “*Ehi bhikkhu pabbajjā*”¹⁰. From the above given formula of granting admission it is clearly seen that admission to the recluse life is an admission to a new way of living. This is called ‘*brahmacariyā*’, the Noble Life. Buddhism holds the proper living of this ‘Noble Life’ as the assured way for ending suffering (*dukkha*). This is clear from the *Buddha*’s injunction to the new converts when granting admission:

‘*Cara brahmacariyaṃ sammā dukkhassa antakiriyāya*’.

Leading this ‘Noble Life’ in the perfect manner is not a simple undertaking. It is not easily practicable for one in the household life. Therefore, all those who were sincerely committed to its practice desire to renounce household life¹¹. Then, it is seen that “renunciation” is an essential aspect of ‘*brahmacariyā*’. One who truly renounces after confirmed conviction does not again revert to home life.

What is this ‘*brahmacariyā*’? As the texts make it clear it is the Noble Eightfold Path¹². Noble Eightfold Path itself is constituted of a scheme of

“Threefold training” (*tisikkhā*). This scheme is referred to in the *Cūlavedalla Sutta*¹³. From this it is seen that to truly live the life of a recluse following the ‘Noble Life’ it is necessary to undergo systematic training. In the *Suttas* one finds numerous references to the effect that this course of training is a graduated one¹⁴. Thus, in the *Gaṇakamoggallāna Sutta*¹⁵ it is said:

“When the Tathāgata obtains a person to be tamed he first disciplines him thus: “come, bhikkhu, be virtuous, restrained with restraint of Pātimokkha, be perfect in conduct and resort, and seeing fear in the lightest fault, train by undertaking the training precepts.”

That in this disciplining virtue forms the foundation is abundantly clear from both canonical and post-canonical references. Thus, the *Samyuttanikāya* in the *Jaṭṭā Sutta*¹⁶ directly says that an intelligent man should establish himself in virtue and then culture the mind and wisdom. This is in a primary requirement of one who enters *bhikkhuhood*.

It is seen that this training in virtue or ‘*sīla*’ is one of the threefold training of the Noble Eightfold Path (*aṭṭhaṅgikamagga*). As pointed out in the *Cūlavedalla Sutta* (loc.cit.) this training consists of regulating three factors of the path: right speech (*sammā-vācā*), right action (*sammā-kammanta*) and right livelihood (*sammā-ājīva*). These three collectively represents an individual’s external behaviour. It is through behaviour that is through verbal and physical behaviour the defilements in an individual come to the surface. In *Pāli* this level of

manifestation of defilements is called “*vītikkama*”¹⁷. ‘*Sīla*’ is cultivated to check the defilements at this initial manifestation level through one’s behaviour.

Basically this appears to be the purpose of *Vinaya* that regulates the monks’ or nuns’ behaviour. That this is what is meant by *Vinaya* even according to the age old, long cherished *Theravāda* tradition is seen from the definition given to *Vinaya* by venerable *Buddhaghosa* in the *Samantapāsādikā*¹⁸. Therein it is said that it is referred to as *Vinaya* in the sense of restraining physical and verbal actions in numerous, special ways. Thus *Vinaya* primarily is restraining an individual’s behaviour that gets manifest through his bodily and verbal deed. Yet, this does not however, mean that the restraining of the mind is not involved. Buddhism holds the view that all deeds have mind at their bases. Mind is the most important element.

In this regard Jotiya Dhirasekera¹⁹ quite rightly observes:

“The Buddhist monastic life being what we have shown it to be, the content of discipline had to embrace every aspect of life as viewed in Buddhism. According to Buddhism life activity goes on through the three media of thought, word and deed. Progress or depravity is reckoned in terms of refinement or deterioration of these.

Therefore the total content of Buddhist monastic discipline had to be in terms of thought, word and deed. Even in what appears to be a modified statement of old material *Buddhaghosa* clearly upholds this view”

Thus, it is seen that the primary objective of monastic discipline is to check and restrain the behaviour of monks and nuns. This restraint operates at different levels. Some rules are focused on grave misdemeanors as for example to debar monks, nuns from engaging in sexual relations. Others are much simpler. For example, they are concerned with etiquette and manners. The whole of “*Sekhiyās*” running into seventy-five rules are concerned with such simple matters as how serenely and calmly a monk or nun should walk, sit, and eat and so on.

What is shown is that *Vinaya* naturally covers a very wide range of activities of an individual. The rules laid down clearly show how minutely the *Buddha* has paid attention to monks’ behaviour, both external and internal. This was very necessary because the Buddhist monastic Order was new and it had to formulate its own constitution to regulate the conduct of its members. Though the *Buddha* in setting up the *bhikkhu* Order, and perhaps, later in establishing the *bhikkhunī* Order was influenced by the prevailing monastic systems, he did not totally emulate any of them. There are many similarities between the Buddhist monks, nuns and members of other Orders and there are also marked differences between them²⁰.

Going through the Buddhist monastic code of discipline it becomes quite clear that the *Buddha* wished to have a separate identity for his Order. The dress he adopted the shaving off of head hair and beard, the use of the bowl, discarding of the trident, a symbol of *Brāhmaṇas*, something like the sling-bag usually carried by many wandering ascetics and such other features suggest that *Buddha*

wished to have a particular, new identity for the members of the Buddhist monastic Order. In fact the *Buddha* himself gives ten reasons for officially formulating *Vinaya* rules. An analysis of these also help to understand the objective of laying such rules, and through it the nature of these rules.

The *Vinaya Piṭaka*²¹ gives the following ten reasons as the motivating factors for the promulgation of formal rules of discipline:

- 1) Well being of the *Saṅgha* (*saṅghasuṭṭhutāya*)
- 2) Convenience of the *Saṅgha* (*saṅghaphāsutāya*)
- 3) Restraint of evil-minded individuals (*dummaṅkūnaṃ puggalānaṃ niggahāya*).
- 4) For the comfort of well-behaved monks (*pesalānaṃ bhikkhūnaṃ phāsuvihārāya*)
- 5) For the restraint of influxes that is here and now (*diṭṭhadhammikānaṃ āsavānaṃ saṃvarāya*)
- 6) For the destruction of influxes of next life (*samparāyikānaṃ āsavānaṃ paṭighātāya*)
- 7) For developing confidence in those who yet have no confidence (*appasannānaṃ pasādāya*)
- 8) For the increase of confidence of those who are already having confidence (*pasannānaṃ bhiiyobhāvāya*)
- 9) For the firm establishment of the good doctrine (*saddhammaṭṭhitiyā*)

10) To enhance discipline (*vinayānuggahāya*).

These ten reasons reveal that the primary aim of promulgation of formal rules was:

- a) The firm establishment of the true doctrine and enhancement of *Vinaya*;
- b) Comfort and well-being of the members of the Order, both in this life and next;
- c) Facilitation of spiritual development;
- d) Winning confidence of the public.

All these are valid reason for the promulgation of formal rules of *Vinaya* to regulate the conduct of the members of a newly established Order. As already shown, the main objective of the *Buddha* in encouraging converts to renounce home life and enter homelessness was to make them, as soon as possible, put an end to suffering (*sammā dukkhassa antakiriyāya*). It is seen that a fair number of major rules were focused to achieve this objective. For example, the emphasis laid on the four *Pārājika* offences show this. Strict observance of celibacy is crucial for one's spiritual development. So are abstentions from sexual intercourse, stealing, killing and lying. One of the main purposes of formulating formal rules was for the restraint against defilements (*kilesas*) in this life and next life. Thus, it is not hard to see that by nature a fair number of *Vinaya* rules are meant to help a *bhikkhu* attain this purpose.

Naturally the *Sāsana's* stability depends on the good behaviour of the members of the Order. So, it is understandable why, when the *Buddha* found that *bhikkhus* were rather loose in their behaviour, thought it proper to lay down formally rules regarding their behaviour. Besides, though Order started as itinerant group of recluses, soon it began to turn to a bad community life. When leading a community life it is very necessary that members of the community should be well aware of their responsibilities to themselves as well as to their fellow *bhikkhus*. Above this, all had to safeguard the interest of the *Saṅgha* institution as a whole. In doing this it was necessary to see that the rights of individual members were protected and at the same time these rights did not adversely affect the proper functioning of the *Saṅgha* institution. Many rules show that the *Buddha* had this, too, in his mind when he decided to declare disciplinary rules formally.

Another major reason was the consideration paid to public opinion. The ten reasons cited above contain two reasons directly pointing to this consideration. These two reasons are:

- a) Developing confidence in those who yet have no confidence, and
- b) Increasing the confidence of those who already have confidence.

When one considers the background in which Buddhism arose one would not fail to see the significance of these two reasons. India of the *Buddha's* time was a beehive of activities in the sphere of religion. If one was to go by the account of religious and philosophical background given in the *Brahmajāla Sutta*²², there were sixty-two widely known religious views and beliefs²³. Though

it is generally assumed that there was total religious harmony, in actual practice this was not the true situation. There seem to have been much rivalry among different religionists, if not the religious leaders, to win converts and increase their members. On this point one writer makes the following observation:

“There was open rivalry between the two mainstream traditions as well as among different sections of each tradition. While having differences among themselves, the various sections of the *Śramaṇa* tradition were united against their common rival namely, the *Brāhmaṇa* tradition and were making a concerted effort to revile it. The *Brāhmaṇa* tradition neither lay low against these attacks nor remained indifferent. The *Upanishadic* teachings appear to be a vigorous fresh attempt to reorganize and direct the old Vedic tradition to withstand the scathing attacks levelled against it by some of the major *Śramaṇa* schools, especially the Materialists²⁴.”

In such competitive religious background it is natural that adherents of religions did their best to win the confidence of patrons, as their survival depended on the popular patronage. Different religionists adopted different methods to win popular support. The most common method adopted was to claim ability to perform miracles, for this was considered the hallmark of spirituality. It was one such incident that made the *Buddha* lay a rule prohibiting the display of miracles. This was with regard to venerable *Pinḍola Bharadvāja* who went through the sky

displaying his ability in performing miracles and taking the sandal-wood bowl placed on the top of high pole²⁵.

Naturally the *Buddha* was also fully aware of the public patronage for the maintenance of his *Saṅgha* community. In fact he often reminded the *bhikkhus* that they are dependent on the lay support for their sustenance and, hence, advised them to develop cordial relations²⁶. While admitting the importance of public support to maintain the *Saṅgha* community, the *Buddha* did not resort to mean methods of winning public respect and honour. Instead, what he did was to win over converts by good behaviour on the part of *bhikkhus*. It was because of venerable *Assaji*, a new *bhikkhu* in the Order, that *Upatissa* (later venerable *Sāriputta*) became attracted to Buddhism²⁷. Kings such as *Pasenadi Kosala*, *Udayana* were much impressed by the good behaviour of monks²⁸.

It is also seen that a fair number of *Vinaya* rules had been laid down on the request of lay supporters such a King *Bimbisāra*, female lay-patron *Visakhā*, the famous physician *Jīvaka* and so on. Thus, the observance of *Uposatha*, *Vassāvāsa*, and non-admission of individuals suffering from certain disease were incorporated as mandatory rules on the suggestions of such lay members²⁹. This is the remarkable feature in Buddhism that is this willingness on the part of the *Buddha* to listen to the views, opinions and suggestions of the laity in regulating monks' behaviour. It is recorded that the *Buddha* even consented to adjust the date of *Vassa* in agreeing to a request by king *Bimbisāra*³⁰.

Such evidence clearly shows that *Vinaya*, though defined even by venerable *Buddhaghosa* as restraining verbal and physical deed for some ethical purpose, is not merely limited to controlling day to day activities of monks or nuns. It has a wider application and significance. As some of the above mentioned rules show nurturing of cordial relations with the laity, building up understanding with the royalty also were considerations for formulation of disciplinary rules.

Precedence of Vinaya over Dhamma

But certain rules are directly concerned with the fulfillment of the obligations of monks' life aimed at realization of emancipation. The four *Pārājika* rules are such. These go to the core of the practice of the life of a recluse. Hence, they are very elaborately dealt with, paying attention to all minute details. Perhaps, it is such rules which are quite fundamental to the successful practice of recluseship that really made *Vinaya* more important than a mere constitution applicable to the *Saṅgha*. This, perhaps, is why *Vinaya*, at a later stage came to be considered as the life of the *Buddha*'s Dispensation, and led to the belief as long as *Vinaya* remains intact the Dispensation will last.

In the *Buddha*'s own opinion it is the *Dhamma* that is more important than *Vinaya*. A hint to this effect is found in the *Sāmagāma Sutta*. In a discussion between the *Buddha* and venerable *Ānanda* regarding the conflicts that arose among the disciples of *Nigaṇṭha Nātaputta* after the latter's demise, the *Buddha* asked venerable *Ānanda*:

“What do you think *Ānanda*? These things that I have taught you after directly knowing them - that is the four foundations of mindfulness, the four right kinds of striving, the four bases of spiritual power, the five faculties, the five powers, the seven enlightenment factors, the Noble Eightfold Path - do you, *Ānanda*, even two *bhikkhus* who make differing assertions about these things?”

“No, venerable sir, I do not see even two *bhikkhus* who make differing assertions about these things. But, venerable sir, there are those who live deferential towards the Blessed One who might, when he has gone, create a dispute in the *Saṅgha* about livelihood and *Pātimokkha*. Such a dispute would be for the harm and unhappiness of many, for the loss, harm and suffering of gods and humans.”

“A dispute about livelihood or about the *Pātimokkha* would be trifling, *Ānanda*. But should a dispute arise in the *Saṅgha* about the path or the way, such a dispute would be for the harm and unhappiness for many, for the loss, harm and suffering of gods and humans³¹.”

This suggests that the *Buddha* was more concerned about the *Dhamma* and its understanding, than about the misunderstanding about *Vinaya*. This is not to say that the *Buddha* disregarded *Vinaya*. He did pay heed to *Vinaya*. In fact as

seen from *Mahāparinibbāna Sutta*³² the *Buddha* referred to his teaching as *Dhamma-vinaya*, giving equal importance to both the doctrine and discipline. But, at this stage *Vinaya* was not considered more important than the *Dhamma*. In fact, at this initial stage it was through the *Dhamma* itself that *Vinaya* was taught to disciples.

The *Theravāda* tradition found in the commentaries is that there was no formal promulgation of *Vinaya* at the beginning. In fact it is said that there was no formal declaration of *Vinaya* rules during the first twenty years of the *Sāsana*³³. What these suggest is that at the beginning there was not real need for the laying down of formal *Vinaya* rules. The text recorded instances where senior disciples like *Sāriputta* suggested to the *Buddha* to make formal rules³⁴. But the *Buddha* knew that there was not such necessity at that time. This was because the members of the Order at that time were fully dedicated to the practice and, hence, did not need any “goadings” to lead them on the right path. Whenever the *Buddha* found even a minor lapse in the conduct of the monks, he warned them about it. Thus he did so not by laying down rules, but by persuading the monks, by way of advice, to behave in a way that is quite in keeping with the life of a recluse. For this the *Buddha* used his discourses or the *Suttas*. That is why it is often pointed out by scholars that the *Dhamma* served as the *Vinaya* also at the early phase of the *Sāsana*. It is to bring out this unitary sense of doctrine and discipline, not as separate entities but as one unit with two aspects that the *Buddha* used the term *Dhamma-vinaya* to refer to his teaching³⁵.

That this was the position during the earlier stages of the *bhikkhu-sāsana* is seen clearly from *Suttas* such as the *Kakacūpama*. This *Sutta* is occasioned by the behaviour of a monk called *Moliya Phagguṇa*³⁶ who was in the habit of associating too closely with the *bhikkhunīs*. The *Buddha* in this instance, too, did not lay down a rule with regard to such behaviour on the part of monks. Instead, he advised them to refrain from such behaviour. *Moliya Phagguṇa*, however, did not pay heed to the *Buddha*'s advice and it is thus resistance on the part of particular *bhikkhus* that made the *Buddha* recall the good old days in which the *bhikkhus* were quite amenable to advice,

‘*Bhikkhus*, there was an occasion when the *bhikkhus* satisfied my mind. Here I addressed the *bhikkhus* thus: “*Bhikkhus*, I eat at a single session. By so doing, I am free from illness and affliction, and I enjoy health, strength and comfortable abiding. Come, *bhikkhus*, eat at a single session. By doing so, you will be free from illness, affliction, and you will enjoy health, strength, and comfortable abiding. And I had no need to keep on instructing those *bhikkhus*. I had only to arouse mindfulness in them³⁷.”

But this situation changed and there was much indiscipline in the *Saṅgha* community. This decline in discipline among the monks is well brought out in the *Bhaddāli Sutta*³⁸. In this *Sutta* the same advice regarding eating at a single session is suggested by the *Buddha* to monks. Immediately a monk called *Bhaddāli* rose in protest saying: “Venerable sir, I am not willing to eat at a single session, for if I was to do so, I might have wrong and anxiety about it.” The *Sutta* makes it clear

that *Bhaddāli*'s worry and anxiety was whether he would have the strength to carry on the practices of holy life. The *Buddha* suggested a relaxation to this saying: "Then *Bhaddāli* eat one part where you are invited and bring away one part to eat. By eating that way you will maintain yourself." *Bhaddāli* did not agree to this, also.

Then the *Buddha* laid it down as a formal rule³⁹. On this occasion *Bhaddāli* absented himself and kept away for three months of the 'vassa' period. Later, however, he realized his mistake and mended his way. *Bhaddāli* out of curiosity inquires from the *Buddha*:

"Venerable sir, what is the cause, what is the reason, why there were previously fewer training rules and more *bhikkhus* became established in the final knowledge. What is the cause, what is the reason, why there are now more training rules and fewer *bhikkhus* become established in the final knowledge?"

The *Buddha* explained saying:

"That is how it is *Bhaddāli*, when beings are deteriorating and the true *Dhamma* is disappearing, though there are more training rules and fewer *bhikkhus* become established in final knowledge. The Teacher does not make known the training rules for disciples until certain things that are the basis for taints become manifest in the *Saṅgha*."

Then the *Buddha* enumerates a number of taint generating causes:

- 1) *Saṅgha* reaching greatness

- 2) *Saṅgha* reaching acme of worldly gain
- 3) *Saṅgha* reaching acme of fame
- 4) *Saṅgha* reaching acme of great learning
- 5) *Saṅgha* reaching acme of long-standing renown⁴⁰.

These causes were the result of the numerical growth and territorial expansion of the community of monks. As the members of the *Saṅgha* community grew in number, there entered into the Order many who were not genuinely interested in striving to attain the goal of completely ending *dukkha* (*sammā dukkhassa antakiriyāya*). Many sought entrance into the Order to find an easy living. Patronage by kings, nobles and even by average devotees made life in the Order more comfortable than in most homes of the poor and destitute. So, it is not surprising to find some seeking admission to have a comfortable living. Some sought asylum in the Order to escape from the army or to escape arrest. There were others who entered the Order to obtain free specialist medical treatment⁴¹.

Besides, some who entered the Order were more interested in gain and fame in spiritual development. They were more concerned about great learning, seniority etc. and this led to unnecessary conflict. Thus, such shifts in the objectives made *bhikkhus* veer away from the true ideal for which individuals renounce household life and enter homelessness.

The establishment of the *bhikkhunī* Order also appears to have contributed to a great extent to shape the nature of *Vinaya*. Though, in sense, both *bhikkhu Vinaya* and *bhikkhunī Vinaya* are same, the mere fact of gender difference itself, to

an extent, affected its content. This is seen from the increase in number of rules with regard to the case of *bhikkhunīs*. Whereas there are two-hundred and twenty rules for *bhikkhus*, this number got increased to three-hundred and four as regard *bhikkhunīs*. The four *Pārājika* rules themselves got increased to eight in the case of *bhikkhunīs*. The 13 *Saṅghādisesas* rose to 17; 92 *Pācittiyas* to 166 and 4 *Pāṭidesanīya* to 8. This naturally changed the nature of *Vinaya*.

As already shown all rules did not directly have a bearing on the attainment of the final goal. Though *Vinaya* is meant to help the practice leading to the ending of *dukkha* all rules are not directly concerned with that. There are many that have no relation to the goal. For example, most of the “*Sekhiyās*” are such. Rules restricting the admission of those suffering from particular type of diseases have no direct bearing on the realization of truth. Such rules were made more to prevent individuals seeking asylum enter the Order. When, compared to ‘*Pārājika*’ and some ‘*Saṅghādisesa*’ offences these rules appear even beyond the periphery of true *Vinaya* of recluse.

Perhaps, this is one of the reasons for the *Buddha*’s declaration that if the *bhikkhus* so wished they could do away with the minor rules⁴². These minor rules, though it is not fixed as to what these are, was not considered by the *Buddha* to be directly related to the practice. To these belong rules made at the request of individuals who were the patrons of Buddhism. This was done as the *Buddha* was quite well aware of the fact that devotees support is necessary for the existence of

the *Saṅgha* community. Hence, he gives the two reasons:

- 1) *Appasannānaṃ pasādāya*
- 2) *Pasannānaṃ bhiyyobhāvāya*

Codification

From the way the *Vinaya* rules are formulated it is clearly seen that the growth of a set of codified rules is the result of a process. If *Sudinna's* case is considered as the beginning point in this formal promulgation, it is certain that it took sometime for the whole set of *Vinaya* rules as found in the extant *Vinaya Piṭaka* to evolve. As these rules began to be laid down they were put into effective form through the *Uposatha-kamma* observance at which the rules formulated up to a particular point in time were recited. This recital of the available rules known as '*Uddesa (recitation)*' or '*Pātimokkhuddesa*' became an important feature in monks' life.

That the rules are the result of a gradual process is also seen from the *Aṅguttaranikāya* reference to the recital of one-hundred and fifty rules⁴³. As the *Vinaya Piṭaka* stands at present it contains two-hundred and twenty rules to which are added seven procedural rules called "*Adhikaraṇasamathas*." These procedural rules lay down what problems are to be adjudicated, and how these should be legally settled. Hence, these are also the result of gradual growth, through trial and error, calling for additions, deletions, amendments etc.

What all these suggest is that the codified set of rules as they appear in the extant *Vinaya Piṭaka* is the outcome of much editorial work done by the redactions of the *Vinaya Piṭaka*. This process of redaction had its beginning at the First - Buddhist - Council. This Council was chaired by venerable *Mahākassapa*. He, as evident from various incidents connected with his recluse life, was a strict disciplinarian⁴⁴. The emphasis laid quite rightly of course, on *Vinaya* by him speak for his great concern about the monks' conduct. It was, perhaps, his decision to recite *Vinayas* ahead of *Dhamma*, thus giving precedence over *Dhamma*.

It was venerable *Mahākassapa* who advised the assembly of monks gathered for the “*Saṅgīti*” not to change even minor and subsidiary rules, though the *Buddha* had suggested that they could be changed. These rules were recited at the subsequent ‘*Saṅgīti*’ also. The present *Vinaya Piṭaka*, specially the *Suttavibhaṅga*, in which the proper formal code of disciplinary rules is included, is the outcome of such a number of recitals.

The *Vinaya Piṭaka*, extant at present, contains these following codified rules for the *bhikkhus*. The numbers differ in the case of *bhikkhunīs*:

04 *Pārājika*

13 *Saṅghādisesa*

02 *Aniyata*

30 *Nissaggiya pācittiya*

92 *Suddha pācittiya*

04 *Pāṭidesanīya*

75 *Sekhiya*

07 *Adhikaraṇasamatha*

227 rules

As pointed out before the number of rules pertaining to the conduct of *bhikkhunīs* are 304, with increases in *Pārājika*, *Saṅghādisesa*, *Pācittiya* and *Pāṭidesaniya* offences. Of course, it has to be noted that as at present the code of rules for *bhikkhunīs* has no effective operation; this is because the *bhikkhunī* Order is non-existent in *Theravāda* countries.

Endnotes

1. A. I, 36; IV, 203.
2. The Buddha's understanding of the true nature of reality was so novel that he thought that people might not accept what he teaches for many were firmly holding to tradition and, hence, unable to see clearly. However, he overcame this initial hesitation and decided to preach. This is clearly described in the Ariyapariyesana Sutta (No. 26) of the Majjhimanikāya.
3. Vin. I, 21: "Caratha bhikkhave cārikaṃ. Bahujanahitāya bahujansukhāya lokānukampāya atthāya hitāya sukhāya devamanussānaṃ mā ekena dve agamittha,"
4. D. I, 63: "Bahusambādho gharāvāso abbhokāso pabbajjā" (Full of hindrances in household life, like open air is the life of a recluse). Compare D. I, 250; S. II, 219, V, 350.
5. See Bhikkhu Bodhi, the Middle Length Discourses, p. 256.
6. See Bhikkhu Bodhi's article on "The Jhānas and the lay disciple" in Essays in Honour of Prof. Lily de Silva, ed. P.D. Premasiri et. et. Dept. of Pāli and Buddhist Studies, university of Peradeniya, 2001, p.36 ff.
7. See Suttanipāta Text and Translation by N.A Jayawikrama, Postgraduate Institute of Pāli and Buddhist Studies, University of Kelaniya 2001, p. 154;
 "Now I tell you of the obligatory vows of a householder fulfilling
 which a disciple becomes commendable; whatever practice of a

monk there is, in its entirety, is incapable of being fulfilled by one trammeled with household possessions.”

8. See N.A. Jayawickrama, op.cit. pp. 83-84.

9. Vin. I, 12: “Ehi bhikkhū’ti bhagavā avoca, svākkhāto bhagavatā dhammo, cara brahmacariyaṃ sammā dukkhassa antakiriyaṃ.”

10. Encyclopedia of Buddhism, s.v. Ehi-bhikkhu pabbajjā. However, this underwent many changes, and the method now followed is referred to as “ñatticatuttha-kamma”.

11. M. II, 55 f: “Yathā yathāhaṃ bhante bhagavatā dhammaṃ desitaṃ ājānāmi nayidaṃ sukaraṃ agāraṃ ajjhāvasatā ekantaparipuṇṇaṃ ekantaparisuddhaṃ sarikhalikhitaṃ brahmacariyaṃ caritaṃ. Icchāmaṃ bhante kesamassaṃ ohāretvā kāsāyāni vaṭṭhāni acchādetvā agārasmā anagāriyaṃ pabbajitaṃ.”

12. S. V, 26: “Katamañ ca bhikkhave brahmacariyaṃ. Ayaṃ eva ariyo aṭṭhaṅgiko maggo...”

13. M. I, 301 f. This Sutta says that these three trainings are not included by the Noble Eightfold Path, but the Noble Eight fold Path is included by the threefold training. According to the account right speech, right action and right livelihood comprise virtue or “sīla”. Right effort, right mindfulness and right concentration comprise concentration or “samādhi”; and right view and right intention constitute wisdom or “paññā”.

14. M. III, 2 f. This Sutta says that the Dhamma and Vinaya consist of a gradual training, gradual practice and gradual progress.

15. Ibid. “Tathāgato purisadammaṃ labhitvā paṭhamam eveṃ vineti: ehi tvam, bhikkhu, sīlavā hohi, pātimokkhasaṃvarasaṃvuto viharāhi ācāragocasampanno, aṇumattesu vajjesu bhayadassāvī samādāya sikkhassu sikkhāpadesūti.”

16. S. I, 13: “Sīle patitṭhāya naro sapañño cittaṃ paññaṅca bhāvayaṃ.”

17. There are these phases: vītikkama pariyuṭṭhāna and anusaya. Which ‘sīla’ is antidote to the first phase, ‘samādhi’ and ‘pañña’ are antidotes to the next two phases.

18. VinA. I, “Tasmā vividhanayattā visesanayattā kāyavācānaṅ ca vinayanato vinayoti akkhāto.” Compare DA. I, 17. Dhs A. 19.

19. Jotiya Dhirasekera, Buddhist Monastic Discipline, Ministry of Higher Education Research Publication Series Sri Lanka, 1981, p. 19.

20. See Chandima Wijebandara, Early Buddhism: Its Religious and Intellectual Milieu, Postgraduate Institute of Pāli and Buddhist Studies, 1993, p. 36 ff.

21. Vin. III, 21; IV, 9. For a little elaborate list see A. I, 98.

22. D. I. Brahmajāla Sutta (Sutta No. 01)

23. For a detailed discussion about this see Bhikkhu Bodhi, the All-Embracing Net of Views: The Brahmajāla Sutta and its commentaries (BPS, 1978).

24. See Sanath Nanayakkara, “Abbhakkhāna – Its effect on Buddhism” in Arcana Prof. M.H.F. Jayasuriya felicitation Volume, ed. Ven. Nawagamuve Revata etc. Arcana, Felicitation Volume Committee, Colombo, p. 202 ff.

25. Vin. II, 110 f, See also DPPN. s.v. Piṇḍola Bhāradvāja.

26. See the Dasadhamma Sutta of the Aṅguttaranikāya.

27. See DPPN. s.v. Assaji.

28. See DPPN. under respective names of these kings.

29. See Vin. I, 74, 101. See also Sanath Nanayakkara,

“The Impact of Sicknesses, Deformities/Disabilities and Punishments on the Granting Admission (Pabbajjā) and development of Emancipatory Knowledge (Paññā)” in, *Dhamma-Vinaya. Essays in Honour of Venerable Professor Dhammavihari (Jotiya Dhirasekera) Ed. Asanga Tilakaratne et. al, Sri Lanka Association for Buddhist Studies, 2005, pp. 141-152.*

30. Vin. I, 138.

31. M. I, 245; See bhikkhu Bodhi’s trsl. p. 845.

32. D. II, 154: “Yo vo Ānanda mayā dhammo ca vinayo ca desito paññatto, so vo mam’ accayena satthā.”

33. VinA. I, 213.

34. Vin. III, 9; See also S. II, 224.

35. D. II, 154.

36. It is recorded that this particular monk did not change his way and later reverted to lay life.

37. M. I, 124.

38. M. I, 437 f.

39. See Pācittiyā, 37. (Vin. IV, 35).

40. This is referred to also at Vin. III, 9-10.

41. Vin. I, 72, 76 f, 91 f.

42. See Pañcasatikakhandha of Cullavagga: ākaṅkhamāno Ānanda saṅgho mamaccayena khuddānukhuddakāni sikkhāpadāni samūhaneyyā ti.

43. A. I, 230: “Sādhikaṃ idam bhante diyaḍḍha-sikkhāpadasataṃ anvaddhamāsaṃ uddesaṃ āgacchati.”

44. See DPPN. s.v. Mahākassapa.

Chapter III

A Critical Appraisal of the Social Dimension of Vinaya Rules

Relation between Saṅgha and Laity

Vinaya refers to the rules of discipline laid down from time to time by the *Buddha* himself to guide and regulate the life of the community of *bhikkhu* and *bhikkhunī Saṅgha* (monk and nun communities). This *Saṅgha* community represents a micro society so when compared with the general society which could be called the macro society. Though both are communities comprising of male and female human beings, these two communities are basically different on the basis of the vocation each follows. The *Saṅgha* community represents a society of “renouncers”, that is those who have given up household life and adopted a life of homelessness (*anagāriya*); and naturally, of course, along with the giving up of household life, various responsibilities and encumbrances that are part and parcel of household life are also abandoned.

It is not, therefore, difficult to understand the use for a special ‘*code of rules*’ to govern the life of the *Saṅgha* of both *bhikkhus* and *bhikkhunīs*. Though this is a different society from that of the lay people, yet it exists within the frame of the same time and space. Besides, it comprises of members drawn from lay life, members who have been following norms and customs prevalent in lay life. And

further, though this renunciation of household life meant admission to a new vocation of recluship this, however, did not bring about a total cutting-off of links between the recluse society and the lay society. There was a mutual dependence between them. The *Saṅgha* society given to the full-time practice of the path did not engage in any form of livelihood¹. Therefore, the *Saṅgha* had to depend on the lay for their sustenance. This fact is very emphatically stated in the *Dasadhamma Sutta*, wherein it is said that it should be constantly thought by a recluse that his sustenance is dependent on others, which means lay persons.²

On the other hand lay people too depended on recluses for spiritual guidance, and hence, they were obligated to show gratitude by sustaining the *Saṅgha* community and paying them due homage. The *Sigālovāda Sutta* of the *Dīghanikāya*³ explains these mutual obligations and duties. It was *Dhamma-dāna*, giving of *Dhamma* that is spiritual advice on the part of the *Saṅgha*⁴, and provision of basic requirement (*paccaya*) on the part of the laity.

At the beginning, numbers in the *Saṅgha* community being limited, and the members of the *Saṅgha* themselves being self restrained, there was no need for any formal rules to regulate this behaviour. But as time passed when numbers increased, the Order expanded territorially and also when the members with less commitment entered the Order, there arose problems. These developments made it necessary for the *Buddha* to lay down rules to regulate various aspects of these relations between the members of the Order and the laity.

The laity considered charity towards the members of the Order as an effective way of acquiring merit for well being here and hereafter.⁵ Thus, the *Seṭṭhī* of *Rājagaha* volunteered to build houses for monks with the hope of acquiring merit, and besides, provision of residences came to be considered as a sublime offering to the *Saṅgha*.⁶ The *Mahāvagga* says that the people were overjoyed when they came to know that they could offer robes to monks⁷. There are constant references in the *Suttas* to devotees voluntarily inviting the *Buddha* and his disciples for alms. The *Mahāparinibbāna Sutta* records how much the *Vajjis* tried to persuade the courtesan *Ambapālī* to allocate to them the opportunity she obtained to offer alms to the *Buddha*.⁸ The other basic requirement was medicine. The *Buddha* and the monks were well provided with medical attention and care. In fact the rulers were so considerate about the medical care of the *Buddha* and the disciples that King *Bimbisāra* assigned his royal physician *Jīvaka* as the physician to the *Buddha* and the *Saṅgha*.⁹

This relationship between the *Saṅgha* community and the laity greatly contributed to the spread and establishment of Buddhism. But it also led to problems. Therefore, it became necessary to regulate this relationship between the two parties based on the discharge of reciprocal duties and obligations. As the monks and nuns increased in number, the laity had to bear a greater responsibility in maintaining them. Provision of meals may have become a problem. Some of the rules regulating food habits may be due to attempts made to ease this burden on the laity.

The rule which says that monks and nuns should have one meal a day may be, at least partly, promulgated to lessen this burden of maintaining monks that fell upon the laity. In fact many of the *Vinaya* rules relate to simplicity that should be observed by monks in leading their lives. This insistence on simple living is not only intended to help the monks to successfully follow their practice but also to reduce the burden the laity had to bear in providing the requisites for the monks and nuns.

Though the *Buddha* and the *Saṅgha* were patronized by the royalty and the rich elite of the time, the ordinary average devotees, too, contributed in no small measure in providing the daily requirements of the members of the Order, especially their food requirements. The *Buddha* as well as the disciples went on alms round in villages, townships and cities. With the laying down of the rule that monks could have only a single meal a day the lay devotees would have found it easier as well as convenient to serve alms to them. Not only did the burden become less, but there happened to be some regularity about the alms round. This regularity would have facilitated offering of ‘*piṇḍapāta*’, for the laity now knew when to be ready with the offering.

Asylum-seekers

The special patronage shown to the renouncers specially to the members of the Buddhist Order, provided room for prevailing social inequalities to come to the forefront. With the patronage of royalty, the rich noble elite as well as the devoted

general public the life in the *Saṅgha* became far more comfortable than in the average household at the time. Just as now, even at the time of the *Buddha* social inequality was rampant. The gap between the “haves” and the “have-nots” was very wide. As clearly hinted at in *Suttas* such as the *Aggañña*, *Cakkavattisīhanāda* and even the *Kūṭadanta*, all occurring in the *Dīghanikāya*, there was economic inequality. Some rulers were insensitive to social problems of the people. As pointed out in the *Kūṭadanta Sutta* the rulers were interested in their own prosperity. They even celebrated their prosperity, being totally indifferent to the suffering undergone by the people. Some rulers had no proper economic planning. This made unemployment spread in the country, leading to poverty and finally to social unrest and upheaval, and some even being encouraged entering the Order for easy living.

In such a background the life in the Order was safe, secure and peaceful. Basic needs were provided; food, lodging, clothing and even medicine freely supplied to the recluses. So, it is natural to find a fair number individuals seeking asylum in the Order safely for the purpose of leading a life better than what they had in the household. *Vinaya Mahāvagga* clearly records how individuals, who were unable to obtain expert medical treatment for their serious diseases, entered the Order to get medical treatment.¹⁰ In such a social background seeking asylum in the Order was considered a reasonable option for a good life.

The devotees were charitable towards the recluses, for they considered it as meritorious and, hence, beneficial for happiness here as well as hereafter. But

monks did not consider charity to the laity as their duty. So they complained to the *Buddha* about “asylum seekers”. And consequently the *Buddha* had to lay down rules precluding such “asylum seekers” entering the Order. An analysis of the origin of such rules clearly shows that those rules were made necessary due to the prevailing social conditions of the time. Had there been better economic conditions for the life of laity, with job opportunities available and basic necessities accessible, they would not have resorted to such ruses as entering the Order to obtain the basic needs.¹¹

It is clearly seen that the members of the Buddhist Order opted out of new the general society and entered into a new society, the *Saṅgha* society. By doing so, they also abandoned certain norms, customs and practices in force in society of the time. But, this renunciation naturally had certain links with society, and as such they could not function totally ignoring certain norms and rules applicable to the members of the society in general. Though some scholars are of the view that the *Saṅgha* community being a different society could function, ‘above and beyond the conventional laws’, this in fact was not really so.

Monks as missionaries

From the nature of the *Saṅgha* community such total aloofness was not possible. As pointed out already, the Order of the *Saṅgha* which consisted of “renouncers”, within two months of its inception took upon itself a new role. This is the role of *Dhamma-dūtas* – *Dhamma* missionaries. This was a social need of

the time. Buddhism is not a religious movement operating in a vacuum; nor is it now, nor was it then. In fact, as the *Ariyapariyesana Sutta* of the *Majjhimanikāya* makes it clear the *Buddha* was concerned not only about his *dukkha* but of the *dukkha* of the others.¹²

The *Mahāparinibbāna Sutta*¹³ also presents this concern for others as an important motive that urged to *Buddha* to engage in the ‘Noble Quest’ (*ariya pariyesana*), the search for a way out of *dukkha*. It is out of compassion for others, and with the intention of sharing with others that the *Buddha* in spite of the initial hesitation decided to preach his novel discovery about the real nature of things.¹⁴

This compassion is clearly brought out in the *Vinaya*.¹⁵ Addressing the first sixty liberated beings, the *Arahants*, the *Buddha* said:

“O monks go on tour for the good and happiness of many, out of compassion, for the well being, benefit and happiness of the gods and men. Do not two of you go by the same route! O monk preach the *Dhamma* good in the beginning, middle and the end, make known, in its true meaning and spirit the noble life totally complete and fully purified”.

Influence of Saṅgha-Laity links on Vinaya

Once this close link was set up between the laity and the recluse, it gradually got further spread and extended. And the result was that the recluses had to mould their own society in a way that is acceptable to the society which the recluse had already given up. This close relationship between the lay society and

the *Saṅgha* society as well as their mutual dependence had much influence in moulding *Vinaya* rules. A fair number of *Vinaya* rules were formulated and promulgated on the requests and suggestions made by the laity who tried to make the *bhikkhus*' conduct appealing to them. Just consider how the rule pertaining to the observance of Rains Retreat came to be laid down. As the *Mahāvagga* shows this practice of observing the Rains Retreat (*vassāvāsa*) was not prevalent among the monks at the beginning. The Buddhist monks were of the habit of touring in all three seasons: autumn, summer and the rainy season. Seeing this, the people agitated and protested against this practice of indiscriminate engagement in tours. They specially protested about monks' touring in the rainy season as it affected the wholly growing flora and fauna and insect life.¹⁶

In the predominantly agricultural society such a protest is natural and understandable. Besides, the other eremitical religious groups had already set precedent by avoiding touring during the rainy season. The public wondered why the Buddhist monks could not follow the same practice. When this was brought to the notice of the *Buddha* he approved the observance of Rains Retreat by his disciples,¹⁷ and one could see how a number subsidiary rules connected with this came into operation. For example, the rule, making observance of *vassa* mandatory on all came into operation in response to the *Chabbaggiya bhikkhus* refusal to observe *vassa*; relaxation of the original rule was a result of the protest lodged by the lay devotee called *Udena*.¹⁸

Again the *Buddha* made a rule regarding the observance of the *Uposatha* on the request of king *Bimbisāra*.¹⁹ Non-admission of “army deserters” to the Order was also approved on such a request. The men in the army, for some reason or the other deserted, and entered Order. This created problems for king *Bimbisāra*. The commander in chief began to complain about this. Then the king had to approach the *Buddha* and request him not to admit such army deserters.²⁰ Similarly, perhaps, it was on the initiative of king *Bimbisāra* that thieves who broke jail were debarred from gaining admission into the Order (loc.cit). Similarly, those who escaped custody too were not to be given admission (loc.cit). Once again it was acceding to a request made by king *Bimbisāra* that the *Buddha* sanctioned the commencement of the ‘*vassāvāsa*’ observance from the second full moon.²¹

This sort of instances showing the source of origin of certain rules is very significant. What is clearly seen from these instances is that the *Buddha* has been very accommodating in these matters. He has, wherever and whenever possible, tried to facilitate state administration by preventing the creation of opportunities that opened way and means to disrupt administration of the state. Unscrupulous individuals attempted to make use of the entrance into the Order as a means of escaping arrest by state officers. The king, out of his high regard to the *bhikkhu* Order, had declared that no one who has entered the Order should be arrested. Taking use of this some escaped custody and sought refuge in the Order. But with the recurrence of such instances the *Buddha*, on the request of the king, promulgated a rule prohibiting the admission of “escapees”.²²

Even in the case of venerable *Dhaniya* who was involved in the second *Pārājika* the *Buddha* complied with the current law of the country. That the *Buddha* did not on his own whim and fancy, promulgate rule is very clearly seen in this instance. When he was informed of *Dhaniya's* stealthy act he did not immediately pronounce a rule. What he first did was to consult one of his disciples who was a former Minister of Justice.²³ This was for the purpose of finding out about the punishment that king *Bimbisāra* would mete to a thief.²⁴

This very well shows how keen the *Buddha* was to be in conformity with the law of the country, and how keen he was to help the administration of the country and maintain law and order. This the *Buddha* did with a clear and deep understanding of the necessity of royal patronage for the sustenance and efficient functioning of the *Saṅgha* Order. The importance of royal patronage becomes quite clear if one was to consider the plight of Buddhism if king *Bimbisāra* was not in favor. Had the king not been favorable towards Buddhism and not volunteered to donate *Veḷuvana* for the residence of the *Buddha* and the disciples, Buddhism would not have taken root with such ease. Had the king, by some turn of events, been antagonistic towards Buddhism, it would have suffered death at its birth itself.

Hence, under such circumstances it is not surprising to find the *Buddha* showing an attitude of accommodation towards the request from the king. However, in doing so, he did never compromise the interest and declared aims of the *Saṅgha* Order. In making rules on the request of king and authorities in power,

therefore, the *Buddha* maintained a fine balance and always attempted to be within the accepted norm.

Such an attitude is quite in keeping with the *Buddha's* purpose in promulgating rules of discipline for the Order. Among the reasons are:

- 1) For the increase in confidence of those who are not convinced.
- 2) For the increase of confidence of those who are already convinced.

Kings like *Bimbisāra* had initial confidence in the *Buddha* and this confidence had to be further cemented with regard to requests for promulgation of disciplinary rules for the members of the Order from the laity. In such instance, too, the *Buddha* did not forget the important fact that the Order is 'others dependent' for material sustenance.²⁵ With this in view whatever reasonable requests made by the laity were acceded by the *Buddha* when making rules. The *Buddha* was much concerned about public opinion. An often repeated phrase with regard to promulgation of rules "*manussā ujjhāyanti khīyanti vipācenti*".²⁶

The *Vinaya Piṭaka* shows that whenever people saw monks behaving in an unbecoming manner they objected and openly showed their displeasure. On such instances the *Buddha* immediately took steps to remedy the issue. They very well knew that if such situations are not immediately remedied, the people would get disgusted and stop their patronage. Thus, it is seen that a considerable number of rules were made in response to such public protests.

Buddha's concern about the dignity and stability of the Order

Besides, there was another reason that prompted the *Buddha* to make laws. As seen throughout his dispensation the *Buddha* was very keen to have a spiritually strong, ethically blameless and practically very effective Order of the community of monks and nuns. Though there was no formally promulgated rule at the beginning, this does not mean that the *Buddha* did not pay heed to discipline. It is seen that in the early state of the development of the Order the *Dhamma* (*i.e. Sutta*) itself served as the *Vinaya*. Already reference has been made to *Suttas* such as *Kakacūpama* (*M.Sutta no.21*) in which the *Buddha* in a very casual way presents advice for monks regarding the need to regulate their meals. The *Mahāparinibbāna Sutta* shows the expectations the *Buddha* entertained with regard to the *bhikkhu – bhikkhunī sāsana*. It records how the *Buddha* declined *Mara's* request to pass away until he found that the Order is firmly established with its members well-equipped in all aspects that befit recluseship. Thus in the *Mahāparinibbāna Sutta* the *Buddha* says:

“I shall not die. O Evil One! Until the brethren and sisters of the Order, and until the lay disciples of either sex shall have become true hearers, wise and well trained, ready and learned, carrying the doctrinal books in their memory, masters of the lesser corollaries that follow from the larger doctrine, correct in life, walking according to the precepts until they, having thus themselves learned the doctrine, shall be able to tell others, of it, preach it, make it known, establish it, open it, minutely explain it, and make

it clear - until they, when others start vain doctrine easy to be refuted by truth, shall be able in refuting it, to spread the wonder-working truth abroad!”²⁷

From this it is very clear that the *Buddha's* main concern was the establishment of a perfect Order of monks and nuns who could serve effectively the cause of the *Dhamma* and also communicate it correctly to the lay followers. This naturally made the *Buddha* become quite concerned about the admission-seekers to the Order. This concern is also reflected in the changes he brought about in the method of admission. At the beginning it was very simple. It was the method of proclamation by the *Buddha* himself by addressing the admission-seekers as “Come monk” (*Ehi-bhikkhu*).

But soon for various reason this method had to be changed. Then came “*Saraṇāgamana*” method and finally the very formal method, current even now, called “*Ñatti catuttha kamma*”. There were also many other exceptions to this generally approved formal method.²⁸

A few more subsidiary rules, too, were promulgated to safeguard the purity of the Order. Thus, admission (*pabbajjā*) and higher ordination (*upasampadā*) were separated; a set of necessary qualification for entrance into the Order was listed; similarly a list of disqualifications was also listed.

It is clearly seen that such regulation were necessary to safeguard the good name of the Order and to maintain its dignified status. This was more so because there developed a tendency among some to consider the ‘Order’ as a comfortable

“asylum” and adopt all type of ruses to obtain admission into it. There is clear reference in the *Vinaya* that certain ‘Bars to Admission’ were formulated to prevent asylum-seekers making the Order a haven for an easy and comfortable life.

Thus, the rules were laid down prohibiting the admission of individual suffering from particular diseases. This was carried out on the request of famed physician *Jīvaka* who complained to the *Buddha* that unscrupulous individuals suffering from certain sicknesses were entering the Order purely to obtain medical treatment from him.²⁹ This list of “Bars to Admission” was further enlarged by including those individuals who were officially punished for various offences they had committed. Similarly, people who are handicapped and are deformed, too, had to be kept away, as many such individuals began to seek asylum in the Order.

Besides, some who were following other religious teachings and traditions also began to seek admission as they found the teachings of the *Buddha* far more conducive to religious well being. At the beginning such individuals were given direct admission. These individuals, being entrenched in different traditions, could not well fit into the Order immediately. This led to problems within the Order. Such situations necessitated the amendment of rules related to admission. A rule was laid down to the effect that such individuals coming from other religious traditions should be placed on “probation for four months”.³⁰

Influence of prevailing practices and norms

Sociologically it was very important for the *Buddha* to adopt certain long cherished practices and norms followed by other religionists. This was more so because the *Buddha* also, in setting up his Order, primarily modeled it on the existing *Samaṇa* systems, mainly the *Paribbājaka* Orders.³¹ As these Orders were well established and were held in esteem by the public the *Buddha* also had to follow certain customs, practices and norms followed by them. When the public pointed out that such practices are not followed by the members of the Buddhist Order, the *Buddha* willingly adopted them and made their practice mandatory. Thus, the observance of ‘*Vassāvāsa*’, ‘*Uposatha*’ etc. were such adoption.

The Buddhist Order of monks and nuns clearly shows that even though it belonged to the *Samaṇa* group and though it accepted some practices generally agreed upon by the *Samaṇa* followers, the *bhikkhu-bhikkhunī* Order by itself had its own identity. The *Buddha* was keen on having and maintaining such a separated identity. He did not wish to be just another ‘group’ of *Samaṇas*. Both outwardly and inwardly he made this identity very clear. For example, the shaving off of head-hair and beard was mandatory, a bowl and an extra-robe were necessary. There was no shoulder sling-bag or any other receptacle, a trident was not used, and the robe was specially designed to bring out this separate identity very clearly.³²

However, what is noticeable here is that while adopting these norms, practices and traditions the *Buddha* did not merely adopt them bodily, but made

necessary changes to suit the objective for which he established the Order. Thus in the case of adopting ‘*Uposatha*’ he did not merely follow the prevailing practice. He made this observance the occasion for members to personally reflect on their conduct. As the observance of ‘*Uposatha*’ brought together the monks of particular ‘*āvāsas*’ the *Buddha* considered it a very good opportunity to examine themselves and open up their ‘behaviour’ for other members’ scrutiny. This turned out to be an effective method of ‘checking’ misdemeanor on the part of individual members.

This the *Buddha* did by connecting “*Pātimokkhuddesa*” to ‘*Uposatha*’. Thus, he turned out the ‘*Uposatha*’ observance into a very effective method of “disciplinary assessment” of each member of the Order. Similarly, he by affixing ‘*Pavāraṇā*’ ceremony to ‘*Vassāvāsa*’, gave a completely new significance and meaning to the observance of ‘Rains Retreat’. This ceremony of ‘*Pavāraṇā*’ marked the end of ‘*Vassāvāsa*’ observance. In this too the main purpose was to make a self-analysis of one’s behaviour and confess any lapses that had taken place (seen, heard or apprehended). Elaborate rules were laid down regarding the procedure to be followed in the observance of ‘*Pavāraṇā*’.

It is of much interest to note how the ‘*Vassāvāsa*’ observance was oriented to bring about ‘harmonious living together’ of the members. The *Mahāvagga* (Vin. I, 157 ff) describe in detail how the members of the Order agreed to make use of this observance to lead an extremely co-operative way of life. This change in the procedure of the observance was effected by common consensus of the

members themselves. This is a novel feature added to ‘*Vassāvāsa*’ observance to make it more meaningful to the progress of the Order and the unity of the members.

But in doing this they went to the extreme of following total silence, the observance of the practice *Munis*, the silent sages. The *Buddha* did not appreciate this. He cautioned the monks of following such a practice and admonished saying that this observance of the ‘dumb practice’ (*mūgabbatam*) followed by some other heretical groups should not be followed. The *Buddha* explained that the observance of such a practice would make people lose their confidence in the *Saṅgha*. Instead, he ordained that the *Saṅgha* should observe ‘*Pavāraṇā*’ by making self-assessment and confession of their conduct.

This makes it very clear that the *Buddha* in formulating *Vinaya* rules, though conceding to public opinion, did not become blindly bound by it. He made use of every opportunity to utilize *Vinaya* rules for the benefit and betterment of the *Saṅgha*, to make *Saṅgha* win the admiration of the public and also make them quite conscious of the need to be in blameless conduct.³³ The primary aim of *Vinaya* was to make monks above blame and criticism; but at the same time the *Buddha* was aware of the need of adhering to long-cherished practices and customs. It was his far-sightedness that enabled the *Buddha* to blend these aims and evolve a very effective code of discipline that helped to maintain a very high standard of discipline that made the *Saṅgha* community the cynosure of all the other religionists as well as the public.

Writing on ‘*Pavāraṇā*’ Jotiya Dhirasekera clearly brings out how cleverly the *Buddha* made use of an old religion practice to help *Saṅgha* community win high esteem of the public.

The *Pavāraṇā* is the ritual which comes usually at the end of the third month of the Rains-retreat and is part of the observance of the *Vassāvāsa*. It is used like the ritual of *Pātimokkha* as a means of safeguarding monastic discipline. *Pavāraṇā*, as the name itself suggests, is the request which a *Bhikkhu* makes to the *Saṅgha* with whom he has spent the rains-retreat to judge his conduct and declare according to what the *Saṅgha* has seen, heard or suspected³⁴ where he is guilty of any transgression.

Observing further he says: “the benefit resultings from this form of self correction are given as

- a) being agreeable to and tolerant of one another
(*aññamaññānulomatā*)
- b) making amends for the wrong done by safeguarding against their recurrence (*āpattivuṭṭhānatā*)
- c) developing a regard and respect for the rule of discipline
(*vinayapurekkhāratā*)”.

The ‘*Kaṭhina*’ ceremony added yet another special dimension to the observance of ‘*Vassāvāsa*’. Though this has no direct relation to discipline, the ceremony, perhaps, was added to give more significance to ‘*Vassāvāsa*’ and ‘*Pavāraṇā*’ as well as to draw the attention of the laity to the importance of those

ceremonies. Through ‘*Kaṭhina*’ ceremony the laity is also given an opportunity to make material contribution to the success of ‘*Vassāvāsa*’ ceremony. This, perhaps, was evolved for the purpose of further cementing of the devoted followers and drawing the attention of the not so devoted to the disciplined lives the *Saṅgha* community leads.

Among the number of purposes of laying down formal rules two are:

- a) well-being of the *Saṅgha* (*saṅghasutṭhuta*)
- b) convenience of the *Saṅgha* (*saṅghaphāsuta*).

Rules against miscreants

It is well known that individuals renounced household lives because it is full of obstacles (*bahusambādho gharāvāso*). The life of renunciation is expected to provide a far more congenial environment for the practice of the path. In this life there should be total peace of mind. The *Saṅgha* is of very few needs, just the minimum with regard to food, lodging, clothing and medicine. Hence, they had just a few possessions. These possessions had to be safe, for the basic possessions were needed for leading simplest form of life. So these few possessions had to be safe, and monks could not make a special effort with regard to their safety. However, as no society whether big or small, is totally free of miscreants, the *Saṅgha* community also was at times troubled by mischief-makers and wrong doers.

So, one could see among *Vinaya* rules some pertaining to misappropriation of other articles of use. Thus, the *Vinaya* (III, 265) refers to such misappropriation of articles knowingly by *Chabbaggiyā bhikkhus*. This kind of unscrupulous behaviour on the part of some naturally disturbed the harmony that is so vital in a society given to spiritual culture. Such behaviour not befitting recluses who are supposed to be of few needs (*appicchā*), had to be arrested and when the *Buddha* was informed of such unbecoming he formulated rules prohibiting such misappropriations.

Not only misappropriation of articles belonging to the *Saṅgha* (*saṅghikaṃ lābhaṃ*) but even the use of articles which are not suitable for the use of recluses was a problem. The use of the high seats and couches etc. were also considered as not suitable for the recluses who opted for simpler way of living. Naturally rules had to be formulated regulating the use of such articles, especially because the people complained saying that monks were turning out to be, too luxurious in their way of living. Naturally the lay-devotees must have detested the hypocritical life style of the monks which became more conspicuous when compared with the difficult lives led by some other ascetic groups.

Regulating bhikkhu-bhikkhunī relations

Another very important area which prompted the *Buddha* to take extra-precaution was the relations between the *bhikkhus* and *bhikkhunīs*. The *Buddha*, as it is very clearly evident from numerous references in the canonical texts, did not

wholeheartedly endure the establishment of the *bhikkhunī* Order. This was not because of any discriminatory attitude of the *Buddha* towards women. In fact the *Buddha* in no way did make any such discrimination. On the contrary *Buddha*, perhaps, is the foremost (trước tiên) among the religious teachers of the time who spoke on behalf of women against *Bramaṇic* discrimination against them. The *Suttas* are full of such references showing the *Buddha's* attitude to equality. By his persuasive arguments the *Buddha* established that intellectually women are equal to men.³⁵

In this context, that is in the context of *bhikkhu-bhikkhunī* relationship the *Buddha* saw the problems involved and the consequences that would follow with the slightest lapse in such relationships. Even without *bhikkhunīs*, the behaviour of *bhikkhus* had declined. Undoubtedly other religionists were waiting for such lapses to blow them out of proportion to discredit the whole *Saṅgha sāsana*. In fact there are references to various ploys employed by heretics to discredit even the *Buddha*.³⁶ The monks' behaviour left much room for criticism.³⁷

In such a background it is natural to find the *Buddha* taking many precautions to prevent any kind of misbehaviour in the relationship between *bhikkhus* and *bhikkhunīs*. This, therefore, served as a spring for many rules in the *Vinaya piṭaka*. Thus Jotiya Dhirasekera points out that, “There is yet another collection of 16 *Sikkhāpadas* (including rules from the *Nissaggiya pācittiya* and *Pāṭidesanīya* groups) whose purpose is to safeguard the mutual relations of the *Bhikkhus* and the *Bhikkhunīs*. Irregular performance of the monastic duties and

excesses in personal relationships which are detrimental to the progress of the religious life also would provoke public censure and came within the purview of these regulations”.³⁸

In fact Jotiya Dhirasekera (loc.cit) has given a classified list of such rules as follows:

“*Nissaggiya* 4 and 17: monks engaging in the service of nuns.

Pācittiya 26: Monks rendering services to nuns.

Nissaggiya 5 and *Pācittiya* 59: Monks accepting or using robes belonging to the nuns.

Pācittiya 25: Monks giving robes to nuns.

Pācittiya 29 and *Pāṭidesanīya* 1 and 2: Nuns expressing their personal attachment to the monks.

Pācittiyas 21-24: Irregular performance of monastic duties by monks towards the nuns.

Pācittiyas 27, 28 and 30: Irregular social relationships of monks towards nuns.”

These rules were laid down by the *Buddha* not to undermine position of women, not to restrict their freedom but to help the *Saṅgha sāsana* as a whole to maintain its authority and dignity. This was very necessary at that time when there were groups working hard to defame and degrade the members of the Order. In fact the *Buddha*'s very progressive attitude towards women itself was considered by traditionalists as anti-social. The *Brahmins* did not at all appreciate the

Buddha's liberal approach towards women. The *Buddha's* strong arguments urging the society to treat women as equal to men were detested by the orthodox *Brahmins*. In their view such teachings were against the prevailing customs and accepted traditions; they were merely undermining the supremacy of the male, which has been the normally accepted fact. So, such *Brahmins*, too, were waiting for opportunities to attack the *Buddha*, his *Dhamma* and the *Saṅgha*. The easiest way of attacking was to find lapses in discipline and then publicize them.

Such conditions made the *Buddha* become especially concerned about the *bhikkhu-bhikkhunī* relations. A careful analysis of the numerous rules the *Buddha* promulgated in relation to *bhikkhunī* discipline makes it quite clear that the *Buddha* was aiming both at safeguarding the honour and dignity of *bhikkhunīs* and also the good name and stability of the whole *Saṅgha* community. The increase in the number of rules for *bhikkhunīs* was for this purpose. When one examines the particular *Saṅghādisesa* rules applicable to *bhikkhunīs* it is seen that those rules had been laid down to save the *bhikkhunīs* falling victims to different rules adopted by unscrupulous men.

Thus, the *Saṅghādisesa* No. 3 says:

“No *bhikkhunī* shall leave the village alone, cross the river, and go beyond, shall be out in the night, or be out of the company of a group.

One who does so is guilty of a *Saṅghādisesa* offence.” (Vin. IV,

229)

Saṅghādisesa 5 reads as:

“No *bhikkhunī* with lustful intention shall accept and partake of any food from a man with similar lustful intentions.” (Ibid, 223)

Saṅghādisesa 6 is:

“No *bhikkhunī* shall tell another, ‘whatever shall this man will do to you, whether he is lustful or not, as long as you have no such lustful thoughts. Therefore accept and partake whatever such a man offers.’” (Ibid. 234)

Given below are some of the *Pācittiya* applicable to *bhikkhunīs*.

Pācittiya 11:

“No *bhikkhunī* in the night, in darkness, where there is no lamp stay in the company of a man or talk with him.”

Pācittiya 12:

“No *bhikkhunī* shall stay in the company of a male or talk with him in a secluded place.”

Pācittiya 13:

“No *bhikkhunī* shall stay with a male or talk with him in an open place.”

Pācittiya 14:

“No *bhikkhunī* shall stay in the company of a male in the street, in a blind alley or at cross-roads; converse with him, whisper in the ear or send away a *bhikkhu* her only companion.”

Pācittiya 36:

“No *bhikkhunī* shall live in close association with a householder or a householder son.”

These rules were laid down to remedy the living instances of misbehaviour that were brought to the notice of the *Buddha*. Hence, these should not be regarded as strictures on them or as restrictions imposed on them preventing them from acting freely. As said before, *Saṅgha* community is a micro society, and it is also the *Buddha*'s ideal society which he tried to make conflict-free and blame-free. To produce such a society a special constitution was necessary and this constitution had to be updated, expanded, and amended as time and circumstances demanded. The rules are the net outcome of such a long process. And, it is not surprising to see considerable number of these rules pertain to relations between *bhikkhus* and *bhikkhunīs*. This is because this was a very vulnerable act.

Endnotes

1. Brahmin Kasībhāradvāja directly accuses the Buddha that he attempts to sustain himself without making a living. Of course, the Buddha replies: “I too, o brahmaṇa, do plough and sow and thereof.” But this ploughing and sowing is used in an allegorical sense and not in the literal sense. See Sn. II. 76 ff.
2. Para paṭibaddhā me jivikāti pabbajitena abhiṇhaṃ paccavekkhitabbaṃ.
3. D. III, 180 ff.
4. See Dhp. V. No. 354 “Sabbadānaṃ dhammadānaṃ jināti.”
5. Vin. Cullavagga, p.240.
6. Ibid. loc.cit. “Vihāra dānaṃ saṅghsassa aggamaṃ buddhena vaṇṇitaṃ.”
7. Vin. I, 298-299.
8. D. II, 966: “Ambapāli gives up this meal for a hundred thousand pieces.”
“Young sirs, if you were to give me all Vesāli, with its revenue, i would not give up such an important meal.”
9. See Dppn. V.v. Jīvaka.
10. Vin. I, 72: This reference shows how individuals afflicted with certain sicknesses approached Jīvaka and asked him treat them. The latter said he was too busy as he had to attend on the Buddha and the Saṅgha. Then they thought: “Ime kho samaṇā sakyaputtiyā sukhasīlā sukhasamācārā subhojanāni bhujjivā samaṇesu sakyaputtiyesu pabbajeyyūṃ.”

11. See Tharpar, R, Renunciation: The Making of a Counter Culture, Ancient Indian Social History, Delhi, Orient Longman, 1978, p. 81.
12. M. I, 162.
13. D. II.
14. M. I, p. 167.
15. Vin. I, 21: “Caratha bhikkhave cārikaṃ bahujanahitāya bahujanasukhāya lokānukampāya atthāya hitāya sukhāya devamanussānaṃ, mā ekena dve agamittha, desetha bhikkhave dhammaṃ ādikalyāṇaṃ majjhekalyāṇaṃ pariyośānakalyāṇaṃ sātthaṃ sabyañjanaṃ kevalaparipuṇṇaṃ parisuddhaṃ brahmacariyaṃ pakāsetha.”
16. Vin. I, 137: “Manussā ujjhāyanti khīyanti vipācenti: kathaṃ hi nāma samaṇā sakyaputtiyā hemantaṃ pi gimhaṃ pi vassaṃ pi cārikaṃ carissanti haritāni tiṇāni sammaddantā ekindriyaṃ jīvaṃ viheṭhentaṃ bahū khuddake pāṇe saṃghātaṃ āpādentā.”
17. Vin. I, 137: “Anujānāmi bhikkhave vassaṃ upagantaṃ.”
18. Vin. I, 138, 139.
19. Vin. I, 101.
20. Vin. I, 74: “Santi bhante rājāno assaddhā appasannā, te appamattakena pi bhikkhū viheṭheyyaṃ. Sādhu bhante ayyā rājabhaṭaṃ na pabbājeyyaṃ.”
21. Vin. I, 138: “Tena kho pana samayena rājā Māgadho Seniyo Bimbisāro vassaṃ ukkaḍḍhitakāmo bhikkhūnaṃ santike dūtaṃ pāhesi, yadi pan ayyā

- āgame juṇhe vassaṃ upagaccheyyunti. Bhagavato etaṃ atthaṃ arocesuṃ,
 anujānāmi bhikkhave rājūnaṃ anuvattitun ti.”
22. Vin. I, 75: “Na bhikkhave kārabhedako coro pabbājetabbo.”
23. The Vin. III, 45: “Purāṇa vohārika mahāmatta.” Compare D. Bhagavat,
 early Buddhist Jurisprudence, p. v.
24. Ibid. loc.cit: “Kittakena kho bhikkhu rājā Māgadho Seniyo bimbisāro
 coraṃ gahetvā hanati vā bandhati vā pabbājeti vā ti.”
25. Dasadhamma Sutta: “Parapaṭibaddhā me jīvikāti pabbajitena abhiṇṇhaṃ
 paccavekkhitabbaṃ.”
26. Vin. I, 91, 102, 137 etc. “The people agitated, took offence and spoke
 disparagingly.”
27. Trsl. From Dialogues of the Buddha, II, p. 112.
28. See ‘Higher Ordination’ in the Encyclopedia of Buddhism.
29. Vin. I, 72-73.
30. Vin. I, 69. However an exception to this rule was made with regard to the
 admission of Aggika Jaṭilas and Sakyan. They were exempted from this
 probationary period. The reason given for these exceptions are as follows:
- “Ye te bhikkhave aggikā jaṭilakā, te āgatā
 upasampādetabbā, na tesāṃ parivāso dātabbo, taṃ kissa
 hetu. Kammavādino ete bhikkhave kiriyavādino. Sace
 bhikkhave jātiyā sākiyo aññatithiyapubbo āgacchati, so āgato

upasampādetabbo, na tassa parivāso dātabbo. Imāhaṃ

bhikkhave ñātīnaṃ āveṇiyaṃ parihāraṃ dammīti.” (Vin. I. 71).

31. For a detailed discussion on this see Chandima Wijebandāra, *Early Buddhism. Its Religious and Intellectual Milieu*.

32. This attempt to maintain a distinct identity becomes further clear by analyzing the ‘Sekhiyā dhammā. More about this will follow.

33. Vin. I, 159: “Na bhikkhave mūgabbataṃ titthiyasamādānaṃ samādiyitabbaṃ. Yo samādiyeyya, āpatti dukkaṭassa. Anujānāmi bhikkhave vassaṃ vutthānaṃ bhikkhūnaṃ tīhi ṭhānehi pavāretuṃ diṭṭhena vā sutena vā parisaṅkāya vā ti.”

34. Jotiya Dhirasekera, *Buddhist Monastic Discipline*, p. 105.

35. See the Dhīta Sutta in the Kosala Saṃyutta of the Saṃyuttanikāya; compare also Somā therā’s bold answer to Māra recorded in the Bhikkhunī Saṃyutta.

36. The heretics employed a paribbājikā called Sundarī to discredit the Buddha. See DPPN. s.v. Sundārī.

37. See L.P.N. Perera, *Sexuality in Ancient India*.

38. Jotiya Dhirasekera, *op.cit.* p. 88.

Chapter IV

Influence of Observance of Etiquette on the Formation of Vinaya Rules

Influence of Paribbājaka system

The ‘*Sekhiyā dhammās*’ that form a section of the *Vinaya* also throws much light on the objectives the *Buddha* appears to have entertained when formally promulgating rules. It is an accepted fact that the *Buddha* when establishing his *Saṅgha*, took the prevalent *Śramaṇa* religious clergy organizations as the model. As the *Vinaya Mahāvagga* shows it was a rather informal organization at the outset. The most distinctive feature in it was renunciation of household-life and entrance into the life of homeless. The oft-recurring phrase “*agārasmā anagāriyaṃ pabbajitvā*” clearly shows this. In fact the word ‘*pabbajjā*’ from the root *vraj* with prefix *pa* = (*pra*) is evidence for this. *Paribbājakas*, the wandering religious men of the *Śramaṇa* tradition were members of a well established religious institution of the time. This ‘going forth from household-life’ was the most salient feature of most of the *Śramaṇa* religions. This was in contrast to *Brāhmaṇas* who were “priests” religious men who discharged the role of “mediators” or ‘facilitators’ between gods and men. In contrast to these the

‘household renouncers (*pabbajitas*) were known by such designations as *Paribbājaka*, *Pabbajita*, *Ajīvaka*, *Samaṇa*, *Nigaṇṭha*, *Muni* etc. Some of these designations were common to many, whereas some referred to particular groups of religious men. But all of them shared one feature in common and that is, they all were ‘renouncers of household-life’ (*pabbajitas*), and hence, had no permanent dwelling place. They were all itinerant clergy-men, going from place to place, depending on begged or offered alms.

In fact it is this homeless-life which attracted the *Bodhisattva* who was quite convinced that the household-life is full of encumbrances and the homeless-life is like the open-air.¹ There is much in common between a number of *Śramaṇa* school traditions and Buddhist monks’ way of life. And, certainly there is no doubt that the *Buddha* was influenced by this *Paribbājaka* institution when he established his own *Saṅgha* institution. Even subsequently, he adopted certain religious practices and observances from those followed by *Paribbājaka* group. The observance of *Uposatha* is one such practice.²

Yet the *Buddha* did not adopt in totality the *Paribbājaka* way of life and practices. In fact he was to have a separate identity for his *Saṅgha*. This is seen from the practice he adopted with regard to the external appearance of the members of his *Saṅgha*. The shaving head and beard, the donning of a robe made from discarded pieces of cloth, doing away with a sling-bag usually carried by the *Paribbājakas*, the discarding of any kind of walking stick, instead carrying of a bowl and robe (*patta-cīvaramādaya*) are features distinctive of the outward

appearance of a member of the Buddhist *Saṅgha*. In fact the *Vinaya* subsequently incorporated a number of rules regarding these.

Focus on external behaviour

The *Buddha* very rightly understood that the outward appearance or the manifest behaviour of the members of an Order had much significance in rousing faith and trust in devotees. This is what made him pay special attention to the external, manifest behaviour of his disciples. In a society in which many religious institutions were vying for popularity and acceptance by the masses this sort of external appearance was of special significance. From the numerous rules the *Buddha* promulgated with regard to the external appearance and manifest behaviour of his clergy, the importance attached to this aspect by him is clearly seen.

Significance of Sekhiyā dhammā

The *Sekhiyās* were formulated to regulate such manifest general behaviour. An examination of these rules will make it very clear they are neither directly relevant to nor have any special impact on the practices leading to the realization of emancipation. The purpose of these rules is to give the members of the Buddhist *Saṅgha* a distinctive appearance, so that they would cut a figure among the numerous members of diverse religious Orders. As it has already been pointed out that winning of confidence of those who are not yet convinced and the increase

of confidence of those who are already convinced were two of the major motivative factors that made the *Buddha* finally formulate rules for the conduct of monks. The monks being dependent on others for their existence (*parapaṭibaddha*) had to conduct themselves in a way that is quite acceptable and attractive to the public. The *Buddha's* concern about public opinion, as already discussed, had been greatly instrumental in prompting him to lay down the *Sekhiyā dhammā*.

Sekhiyā dhammās are seventy-five in number and are common to both *bhikkhus* and *bikkhunīs*. This, itself shows that those are of equal importance to all members of the *Saṅgha* community. The *Sekhiya* is from *Sekha* meaning, belonging to training. This is from the root *sikṣ* meaning to train. Thus, '*Sekhiyā dhammās*' means aspects of training. All those 'who are want of training' are referred to in *Pāli* as *Sekha* (trainee). They are in need of training. Hence, those who have completed training or those who are trained in contrast called *asekha*, meaning 'not needing training'. It is really the *Arahants* who are designated as '*asekhas*' and, therefore, all below *Arahants* do need to undergo certain kinds of training. Thus, the perfection of the threefold training is also thus achieved only with the complete fulfillment of the path, which in the case of *Arahants* is not 'eightfold' but tenfold.³

The *Sekhiyā dhammās* though connected with the first training of the 'threefold training' (*tisikkhā sīla*), as '*Sekhiyā dhammās*' these are more concerned with etiquette of behaviour than with 'ethics' of conduct. Etiquette

refers to accepted and often conventional rules of personal behaviour in a polite society. Ethics are more related to the moral quality of such behaviour, and hence, ethics are also related to the mind. But etiquettes have no such relation to the mind. These pertain to modes of behaviour acceptable to the society, or in keeping with a particular vocation followed by individuals. Ethics (*sīla*) have more broader application and in the practice of the Buddhist path, it is fundamental to the success of the practice. If one does not establish himself in morality first, in practising the path, he is bound to fail. *Sīla* is almost like the launching pad in one's spiritual flight.⁴ But 'Sekhiyā dhammās' are not of such moral significance. They are more related to the charisma or in other words charm of behaviour that inspire admiration and devotion in the minds of others. This undoubtedly was and is a characteristic that enhance the position of a *bhikkhu* or *bhikkhunī* in the public-eye.

Possible reasons for formulating Sekhiyā-dhammā

The two extreme religious paths or practices namely, 'attakilamathānuyoga (practice of self-mortification)' and 'kāmasukhallikānuyoga (practice of self-indulgence)' popularly adopted by the religious men of the time made them incline towards some kind of extreme personal behaviour. Those who followed severe ascetic practices did not pay much care to personal appearance. Religious men with long-matted hair and unshaven, shabby beards were a common sight. They were indifferent to their dress and there was no uniformity in it, either from a mere

loin-cloth just sufficient to cover the privy parts of the body to sheer nakedness; this was adopted by religious men as the accepted 'attire'. Some shunned the use of water and, consequently, never bathed or even washed their bodies. Cleanliness or hygiene did not find a place in their day to day life.

There were some who understood the observance of peculiar vows to live like and to follow the behavioural pattern of goats (*ajavṛta*), cattle (*govṛta*), dogs (*kukkuravṛta*) etc. When observing such practices the life pattern had to be adjusted accordingly, and etiquette of life, as generally understood accepted in normal human society, was not valid for them. In fact observance of such etiquette would have been infringements of the vows undertaken by them. Perhaps, deliberately those practitioners disregarded the observance of normal behavioural patterns in order to safeguard their *vṛtas*.

There were others, as they led itinerant lives, who had to take along with them whatever little possessions they had. For this they had to carry a kind of a shoulder-bag or a sling-bag, which became an almost a hallmark of some *Śramaṇa* recluses. As they carried this kind of a bag, in their outward appearance they gave the impression of 'possessors', 'hoarders', though they in reality were total renouncers.

On the other hand, those who followed the extreme practice of self-indulgence led lives which rather appeared indisciplined to those who observed them from outside.

The Vedic *Brahmaṇas*, in spite of their religious vocation and commitment, led a life not very different from the ordinary lay. They, perhaps, were inclined to make their outward appearance appealing by paying extra-attention to adorn and decorate their faces and limbs. Because of their close association with lay peoples of different status they tended to behave more like the lay. The kings often lavished their generosity on important eminent *Brahmaṇas*, thus making them wealthy landowners. As they wielded power, authority and wealth they appeared a special class of clergy by themselves. Naturally, most of them indulged in excessive enjoyment of sensual pleasures, and behaved in a worldly manner.

So were the Materialists who advocated a totally materialistic philosophy, encouraging enjoyment of worldly pleasures denying ethics, rebirth, and next life etc.

They, too, led the itinerant lives of wandering ascetics. But their materialistic philosophy made them adopt a very worldly attitude to life, grossly engaging in all worldly pleasures. This attitude to life made them behave more lay-like than even the ordinary lay people.

In such a religious milieu the *Buddha* had to be very cautious about the external appearance and manifest behaviour of his clergy disciples. The ‘*Sekhiyā dhammās*’ were promulgated to invest the members of the *Saṅgha* community with a distinct identity befitting a community that has, in the true sense of the word, totally shunned the way of lay life.

Examination of Sekhiyā-dhammā

An examination of this twenty-five ‘Sekhiyā dhammās’ makes it clear that a majority of the rules pertain to alms, accepting alms and how to partake alms. There are thirty rules pertaining to this. This suggests that in general the clergy of the time did not accept and partake of food in a manner befitting the status of members of a religious Order. Some of the etiquettes to be observed in partaking alms food makes one feel that the *Buddha* had minutely observed the unacceptable ‘eating manners’ of some classes of recluses. Some of the rules are:

- I will not make up too large a mouthful.
- I will not open the mouth when the mouthful is not brought close.
- I will not talk with a mouthful in the mouth.
- I will not eat tossing up balls of food.
- I will not eat breaking up mouthful.
- I will not eat stuffing the cheeks.

For the *Buddha* to make rules of this sort related to etiquette of eating or in the modern parlance ‘table manners’, some recluses may have behaved in an improper manner when partaking alms. Perhaps, the laity may have disapproved and criticized their manners of eating. One can easily understand how ugly it would have appeared when a member of the clergy begins to talk while his mouth is full of food. Eating mouthful after mouthful, some seem to have been in the habit of just stuffing the cheeks with lumps of food. Some seem to have made too

large mouthfuls of food and then opened out their mouths large enough to accept such large lumps of food. An ugly sight indeed!

Some seem to have been in the habit of shaking their hands vigorously while eating, thus scattering all round grains of rice and curry stuff. Another common misdemeanour in partaking of food appears to have been the habit of smacking lips while eating. This certainly would have looked extremely indecent. Yet others jutted out their tongues while taking mouthful of food, and this may have reminded the on lookers the eating habits of animals. So these are *sekhiyā* rules to say:

- I will not eat putting out the tongue.
- I will not eat smacking the lips.
- I will not eat licking the hand.

This last mentioned rule of etiquette reminds one of the habits of licking fingers while partaking of food, a habit that could be seen even now among some in India. Perhaps, as now even then, this sort of licking of hands and fingers may have been common among certain sections (*khu vưc*) of the society. The *Buddha*, coming from a cultured, well-to-do *ksatriya* or *khattiya* family does not seem to have condoned such habits. In his eyes these appear to have been signs of lack of culture and etiquette (*gamma*). Decent table manners are even today regarded as signs of good upbringing. *Buddha* seems to have considered such manners as reflecting culturedness of the individuals concerned.

To make undue noise while eating either chewing too loud or rolling tongue too noisily is a common bad habit that is observed even now. The *Buddha* pinpointed this and promulgated a rule to check this bad habit.

- I will not eat making a hissing sound.

The meticulous care with which the *Buddha* drew up these rules of etiquette is well demonstrated by the following:

- I will not accept drinking utensil while hands are soiled with food.
- I will not throw out amidst the houses raising the bowl with grains of boiled rice.

Though minor, these pertain to cleanliness and general hygiene. Most of the Indians of the time may not have been of the habit of meticulously observing these. But the *Buddha*, who was much concerned about cleanliness and personal hygiene, paid attention to all these details and made the members of his *Saṅgha* community be role-models for the large society.

Then there are a number of rules regarding the way how a *bhikkhu* should conduct himself when he is visiting places, especially when he is on his alms-round. This is the time that a *bhikkhu* comes often into public scrutiny. This brings to mind the meeting between *Upatissa* (latter venerable *Sāriputta*) and the recently ordained *bhikkhu Assaji*. The *Vinaya Mahāvagga* very graphically records this meeting. Describing how venerable *Assaji* set on his alms-round it says:

“*Atha kho āyasmā Assaji pubbaṅsamayaṃ nivāsetwā pattacīvaraṃ
 ādāya rājagahaṃ piṇḍāya pāvīsi pāsādikena abhikkantena
 paṭikkantena ālokitena vilokitena sammiñjitena pasāritena
 okkhittacakkhu iriyāpathasampanno.*”

This disciplined posture appears to have been very important and this was one way of asserting a distinct identity as a member of the Buddhist Order. It may be that many other recluses of different religious traditions did not pay any special attention to this posture. Such disciplined movements, bodily postures, movement of limbs certainly create an impression on the onlooker. This really is what happened to *Upatissa*. By this time the two *Brahmin* youths *Upatissa* and *Kolita* (latter venerable *Sāriputta* and *Moggallāna* respectively, were living, the holy-life under a teacher called *Sañjaya*.⁵ These two friends were not quite satisfied with *Sañjaya*'s guidance. Therefore, they came to an agreement among themselves that whomsoever that meets a more competent teacher should inform the other. *Upatissa* happened to see venerable *Assaji* on his alms-round, taking measured steps with his eyes cast down. He was so impressed by venerable *Assaji*'s demeanour that he thought:

“*Ye vata loke arahanto vā arahatta-maggaṃ vā samāpannā, ayaṃ
 tesam bhikkhūnaṃ aññataro, yan nūnāhaṃ imaṃ bhikkhuṃ
 upasaṅkamitvā puccheyyaṃ.*”⁶

This shows the strong impact such disciplined demeanour has on onlookers. Such behaviour, at it is rather unusual or out of ordinary, attract the interest and attention.

This reminds one also about an incident connected with Emperor *Asoka's* conversion. It is said that Emperor *Asoka* was rather unhappy about the behaviour of *bhikkhus*. But one day he happened to see a *sāmaṇera* (novice) called *Nyagrodha*.⁷ Emperor *Asoka* was greatly impressed by the way this *sāmaṇera* walked in measured steps, with serenity and down-cast eyes that he invited the *sāmaṇera* to his palace. Tradition suggests that this was the turning point in Emperor *Asoka's* conversion to Buddhism.

Thus, one can very well understand the importance attached to such disciplined demeanour of *bhikkhus*. The *Sekhiyā-dhammās* say:

“Well controlled I will go amidst the houses.”

“Well controlled I will sit down amidst the houses.”

“With eyes cast down I will go amidst the houses.”

“With eyes cast down I will sit amidst the houses.”

If this was the common practice followed by all recluses it is hard to understand why the *Buddha* taught it necessary to lay down these norms of simple etiquette for *bhikkhus*. The real situation could be the other way about. A majority of the recluses may have not paid special attention to these details of postures.

Often they may have walked about hurriedly, not paying much attention to the fact that such hurried and brisk walking is not quite compatible with the life of

a recluse. Though these are rather very simple observances, undoubtedly these may have contributed to add distinction to the behaviour of Buddhist monks making them markedly different from most other recluses of different religious groups.

Rules of etiquette included among the *Sekhiyā-dhammās* as for example:

- Properly clad will I go amidst the houses.
- Not lifting up the robe will I go midst the houses.
- Not lifting up the robe will I sit down amidst the houses etc.

clearly suggest that some recluses seem to have completely disregarded these minor manners. Otherwise the *Buddha* would not have had any reason to include these rules among the *Sekhiyā-dhammās*. The manner in which the robe should be worn was of special importance for the demeanour of the monks. It is interesting to note in this regard that that on one occasion venerable *Sāriputta* unwittingly wore the robe in such a manner that the fold of his robe hung down far too much touching the ground. A novice who noticed this politely requested venerable *Sāriputta* to drape the robe properly; venerable *Sāriputta* thanked the novice, and adjusted his robe.⁸

What this shows is that even the novices in the Buddhist *Saṅgha* community were well aware of the proper way in which they should drape themselves with the robe. Dress undoubtedly is an important feature that affects one's external appearance. If one is shabbily dressed that reflects very badly on him. So it is if one is not properly dressed. Draping robe properly therefore, was

considered very important. In fact there are particular rules regulating draping of the robe. Thus the first of the *Sekhiyā-dhammās* is:

- I will dress with the inner robe all round me.

Draping the robe could not be done in a haphazard manner. It had to be draped properly, well covering the body. Thus, the above mentioned rule shows how the inner robe should be worn. Then there was the upper or the outer robe. That, too, had to be draped all round the body. This is in utter contrast to ‘*digambara*’ (naked) *Jains*, and some *parivrajakas* whose torso was left uncovered. When going out of the *vihāra* premises, proper draping of the robe was very essential. One meets with oft-recurring phrase: “*Bhagavā pubbaṅhasamayam nivāsetvā pattacīvaram ādāya.*” The term ‘*nivāsetvā*’ meant the proper draping of the robe. All *bhikkhus* when they set forth from the *vihāra* drape themselves properly, for they had to look decently clad in the eyes of the public. Not only that, the *bhikkhus* had to drape the robes properly but also when going amidst people and sitting, they were expected not to lift up the robe unduly. This lifting of the dress while walking or sitting is more a lay habit and certainly not a very decent one at that. The *Buddha* was so particular to see that the *bhikkhus* appeared extremely decent in their demeanour, that he particularly instructed as to how they should manage the robe when walking or sitting.

From some of the *Sekhiyā-dhammās* it appears that certain recluses did not consider preaching a very serious affair. Perhaps, for most of them it was just a dialogue or giving some instructions at random. For the *Buddha* it was a very

serious matter. The importance he attached to preaching is seen from the advice he gave to the first sixty *Arahant* disciples when he dispatched them on *Dhamma*-missions:

“*Caratha bhikkhave cārikaṃ bahujanahitāya bahujanasukhāya lokānukampāya atthāya hitāya sukhāya devamanussānaṃ...*”⁹

This shows that *Dhamma*-preaching is a serious task, performed for a very noble purpose; therefore, it had to be done with all seriousness and commitment. There should be some decorum in the act of preaching, for its objective is to bring about happiness and well being of the listeners. And besides, the *bhikkhus* revered *Dhamma* the *Buddha-vacana* (words spoken by the *Buddha* himself) and hence, never did anything to demean its value. The *Dhamma* is what is well declared by the Fortunate One (*svākkhāto bhagavatā dhammo*). Therefore, this *Dhamma* is not to be preached at random, in a haphazard manner, in whatever place, in whatever posture. The *Dhamma* being the *Buddha-vacana* had to be delivered with the respect and dignity it deserves. Hence, there are a number of *Sekhiyā-dhammās* pertaining to this area. These are worthy of note to understand why these are important as well as to understand the possible practices that prevailed during the time. Some of these *Sekhiyā-dhammās* are as follows:

- I will not teach the *Dhamma* to someone who is not ill, yet carries a sunshade in his hand.
- I will not teach the *Dhamma* to someone who is not ill, yet has a staff in his hand.

Preaching the *Dhamma* and listening to it was considered by the *Buddha* a very serious matter. The *Buddha* not only observed the mental level and condition of the listeners, but was also careful to communicate in a methodical way. So, he did not preach higher teachings immediately to all alike. There are numerous references in the canon showing how he structured his method of preaching. First he observed the mental level and the prevailing state of mind and then if he found that the listener or listeners concerned were not ready mentally to grasp the profound teaching, he carefully took steps to attune the mind. This he did by what the texts refer to as delivering the ‘graduated sermon’ (*ānupubbīkathā*).

Thus *Yasa*¹⁰ came to the *Buddha* almost immediately after the latter had shown the ‘*pañcavaggiyās*’ the way to *Arahantship*. The *Buddha* at once realized that *Yasa* was in a confused state of mind not knowing as to what course of action he should take to pacify and calm himself. The *Buddha* realizing *Yasa*’s condition decided not to teach him anything deep and profound. Instead, he adopted a simpler approach. He assured *Yasa*, who was highly agitated and mentally disturbed, that he was safe and there is no reason for him to think otherwise. This assurance was very necessary to calm *Yasa*. *Yasa* as recorded in the *Mahāvagga* of the *Vinaya*, told the *Buddha* as soon as he saw him:

“*Upaddutaṃ vata bho, upassaṭṭhaṃ vata bhoti*”

The *Buddha* immediately responded:

“*Idaṃ kho Yasa anupaddutaṃ idaṃ anupassaṭṭhaṃ*”

This assurance was strong enough to calm down *Yasa*. And then the *Buddha* asked *Yasa* to sit down “*Ehi, Yasa nisīdana.*” Then *Yasa* paid homage to the *Buddha* and sat on a side. These preliminaries are very necessary to build not only a good rapport between the preacher and listener, but also to rouse confidence and trust in the listener’s mind regarding the preacher. This paying honour quietly sitting on a side added solemnity to the occasion turning this conversation into a more serious affair than a mere talk or a dialogue. When *Yasa* was thus calmly seated the *Buddha* came out with his graduated talk:

“*Dānakathaṃ sīlakathaṃ saggakathaṃ kāmānaṃ ādīnavaṃ
okāraṃ saṅkilesaṃ nekkhamme ānisaṃsaṃ...*”¹¹

This graduated talk was delivered to attune the mind of the listeners to receive the higher teaching. This shows that *Dhamma* talk is not something done at random. Before delivering the *Dhamma* talk it was customary to make the listener sit calmly on a side. Such a posture helped to settle the mind of the listener. If he is a newcomer to the doctrine, then it is necessary to gradually incline his mind towards religiosity. This could not be done without establishing the mind on correct view at least in the mundane level. The ‘*ānupubbikathā*’ (graduated sermon) helps to attain this mental level. It is subsequent to this, when the *Buddha* knew that the mind had become receptive to higher teaching that he delivered to the listener the ‘completely uplifting preaching of doctrine’ (*sāmuḅkaṃsika dhamma-desanā*) which in other word means the preaching about the Four Noble Truths.

This, shows that ‘*dhamma-desanā*’ is a serious task and should not be done haphazardly. Both the preacher and the listener had to be seriously committed. Thus, it is easy to understand why the *Buddha* formulated the above referred to *Sekhiyā-dhammās*. There are a number of *Sekhiyā-dhammās* related to decorum in preaching.

- I will not teach the *Dhamma* to someone who is not ill and who has a weapon in his hand.

One should not carry a weapon when listening to the *Dhamma*, for it would appear utterly ironical if this happens. Even if the listener was to carry a weapon, once he begins to hear the *Dhamma* he has to lay the weapon down. Besides, listening to *Dhamma* is a very solemn act. The Buddhist – and the general Indian religious practice – is to removal all foot and head-wear when listening to *Dhamma*. In fact, removal of foot-wear and any hat or head-cover is mandatory when entering a *vihāra*. This is mandatory also when listening to discourses delivered in *vihāras*.

Of course, it is seen that there are a number of concessions made in the case of those who are ill, if the listener happens to be ill many of these ‘*Sekhiyā-dhammās*’ are not strictly applied. Thus, he could remain wearing sandals, head-cover etc. Normally the preacher is given a special seat to preach. It is usual for the preacher to sit on a higher level and the listener on a lower level. Special *Dhamma-āsanas* (pulpits) are made in *vihāra* for this purpose. Even otherwise it is the preacher-*bhikkhu* who alone sits on a chair while the listeners sit on the ground.

If the preacher-bhikkhu is on a chair below the stage, the listeners may sit on the chair below the stage. But unscrupulous religious men seem to have at times disregarded this sort of decorum connected with preaching. Some of the *Sekhiyā-dhammās* clearly suggest the occurrence of breach of observance of decorum. Hence, the *Sekhiyā-dhammās*:

- “Having sat down on the ground I will not teach *Dhamma* to someone sitting on a seat and who is not ill”
- I will not teach the *Dhamma* having sat down on a low seat, to someone sitting on a high seat and who is not ill”
- I will not teach the *Dhamma* standing to someone who is sitting down and who is not ill”

If this sort of incidents did not occur there is no reason for the *Buddha* to formulate *Sekhiyā-dhammās* of this nature. So the reasonable presumption is that at least some *bhikkhus* – for whatever reason it may be – acted without any concern for etiquette.

There are a few more rules which show carelessness of some *bhikkhus* with regard to preaching.

- I will not teach the *Dhamma* going behind to someone going in front and not ill.
- I will not teach the *Dhamma* going at the side of the path to someone going along the path and not ill.

As it was shown earlier *Dhamma* was never preached by the *Buddha* while walking. The *Buddha* was always seated when he discoursed. The listeners also were seated. This is very clear from references in the *Suttas* to the *Buddha*'s preaching to a single person and large audiences. But, as the numbers in his Order grew, bringing in undesirable elements into the Order, there seems to have taken place some erosion in accepted practices and etiquettes. Hence, these *Sekhiyā-dhammās* were promulgated to arrest further decline in decorum.

There is a rule pertaining to passing of excrement and urine. Such calls of nature had to be attended to in a decent manner in sitting posture, if one is in good health. But some *bhikkhus* seem to have disregarded even such simple accepted norms of behaviour.

Two of the rules pertaining to passing of excrement and urine are also related to protection of environment. It is very well known that the *Buddha* was especially concerned with the protection of environment. The *Buddha* was much concerned about the environment, the flora and the fauna. There are quite a large number of other rules in the *Vinaya* that directly have relevance to the protection of environment. Thus, monks are prohibited to harm any kind of vegetation. As the *Petavatthu* points out the cutting of a branch of a tree that had provided shade is considered in Buddhism as an act of betrayal of friendship.¹² Even the observance of *Vassa* was laid down to safeguard the newly grown grass and insect life. Thus it is not surprising to see two rules pertaining to passing of excrement

and urine being specifically aimed at safeguarding environment; these *Sekhiyā-dhammās* say:

- I will not pass excrement, urine or spit if not ill on green vegetation.
- I will not pass excrement, urine or spit in the water if not ill.

One could easily understand why these rules of etiquette are relaxed in relation to those who are ill. In such circumstances the strict observance of certain *Sekhiyā-dhammās* are rather cumbersome on the *bhikkhus*. Therefore, these exceptions are allowed.

Besides, such relaxation in rules of etiquette was possible because the observance of these did not directly affect the main objective for which the *Brahmacariya* is lived. This objective is the complete ending of the *dukkha*.¹³

But the observance of these *Sekhiyā-dhammās* had no direct relation to the achievement of this goal. These rules were more for the purpose of making *bhikkhus* better behaved. Such decorous behaviour that did not violate the good state of the public naturally contributed to give a distinct identity to the member of the Buddhist *Saṅgha* community and make them become highly esteemed by the devotees.

Endnotes

1. D. I, 63, 253: bahu sambādho gharāvāso abbhokāso pabbajjā.
2. See Chandima Wijebandara, 'Early Buddhism: Its Religion and Intellectual Milieu', regarding to the paribbajaka and other Śramana influences on Buddhist Saṅgha.
3. See Mahācattārīsaka Sutta.
4. See Jaṭu Sutta (S. II.) Sīle patiṭṭhāya naro sapañño cittaṃ paññañ ca bhāvayaṃ.
5. Whether this is same as Sañjaya Belaṭṭhiputta is doubtful evidence available suggests that this is another Sañjaya.
6. This incident is narrated with minor variation in the Dhammapada Aṭṭhakathā.
7. The Northern tradition calls this Sāmaṇera Upagutta.
8. This is found recorded in the Theragāthā commentary. See also DPPN.
9. Vin. I, 21.
10. Vin. I, 15 f. Similar instances are of frequent occurrence in the Sutta.
11. This is graduated talk and this deals with talk related to charity, development of virtue, heaven, the dangers, the defilements and low nature of sense pleasure, and the advantages in renunciation.
12. Petavatthu, II, 9; cf. Jātaka, IV, 352; V, 240; VI, 310, 375.

13. It is often said that the brahmacariyā should be followed for the utter ending of dukkha.

Vin. I, 12: cara brahmacariyaṃ sammā dukkhassa antakiriyaṃ.

Chapter V

The Nature of Offences and Punishment

Some monks' attitude to rules

From canonical references both *Vinaya* and *Sutta* it is evident that all members of the *Saṅgha* did not much appreciate the promulgation of disciplinary rules. Though some disciplinary rules, often minor ones, were formulated on the request of monks, monks in general, especially those who were not sincere to their vocation, resented the formulation of disciplinary rules. For example, this dislike to observe some *Vinaya* rules is clearly reflected in the *Bhaddāli Sutta*.¹ When the *Buddha* suggested that taking one meal a day is conducive to good health and the practice of the path, venerable *Bhaddāli* showed resentment. This venerable *Bhaddāli* was an elder disciple of the *Buddha*. However, venerable *Bhaddāli* was humble and modest enough to admit his transgression and make amends.

This *Sutta* states also that there were instances when such admonitions openly were resented and even resisted. It says;

“Here *Bhaddāli*, some *bhikkhu* is a constant offender with many offences. When he is corrected by the *bhikkhu* he prevaricates, leads the talk aside, shows disturbance, hate, and bitterness; he does not proceed rightly, he does not comply, he does not clear

himself, he does not say: “Let me so act that the *Saṅgha* will be satisfied.”²

Venerable *Bhaddāli* who was an obedient monk then inquires from the *Buddha* as to why there are more rules now than before.³

“Venerable Sir, what is the cause, what is the reason, why there were previously fewer training rules and more *bhikkhus* became established in the final knowledge?”

“That is how it is *Bhaddāli*. When beings are deteriorating and the true *Dhamma* is disappearing, then there are more training rules and fewer *bhikkhus* became established in final knowledge.”

The *Aṅguttaranikāya*⁴ shows that a *Vajjiputtaka* monk came out with his inability to abide by such a large number of rules which were over one hundred and fifty.

The culmination of these resentments came to forefront and more open after the *parinibbāna* of the *Buddha*. This is seen from the unbecoming behaviour of the monk called *Subhadda* who had entered the Order in his old age. As recorded in the *Cullavagga*⁵ this monk rejoiced at the passing away of the *Buddha*. He went further and urged other monks not to lament. His argument was that they were fortunate that the *Buddha* passed away, for when he was living he constantly admonished not to do this and that. As he had passed away, *Subhadda* felt a great relief. This sort of incident very clearly shows how much the monks disliked the strict observance of numerous rules.

In spite of such resentments and open expressions of disapproval and protest the *Buddha* promulgated disciplinary rules to prevent the *Saṅgha* from declining and falling into disrepute. As it is clearly evident the code of *Vinaya Piṭaka*, is a result of a gradual growth. These rules are formed following the lapses found in the Order. As shown before, there was a time when the numbers of disciplinary rules were just over one-hundred and fifty. Finally, it rose to two-hundred and twenty with regard to *bhikkhus* and three-hundred and four pertaining to *bhikkhunīs*.

Type of legal procedure

As already pointed out all these disciplinary rules were not either of equal importance or relevance to the attainment of the primary objective for the sake of which the sons and good householders (*kulaputtā*) renounce household life and adopt a life of homelessness. The *Sekhiyā dhammās*, which are seventy-five in number, are good examples to illustrate this fact. Of the remaining 145 rules applicable to *bhikkhus* and 229 rules applicable to *bhikkhunīs*, all are not of same gravity. That the offences concerning which rules are formulated were not dealt with through the same legal procedure. This is seen from the existence of four types of legal procedure to be followed. These four procedures (*adhikaraṇas*) are:

1. *Vivādādhikaraṇa*. These are disputes pertaining to specific issue related to the teaching (*dhamma*), discipline (*vinaya*), matters

connected with practices or ordinances of the *Buddha*, or about the nature of an ecclesiastical offence.

2. *Anuvādādhikaraṇa*. Issues related to a member's opinion, his moral character, conduct etc.
3. *Āpattādhikaraṇa*. Issues arising from the transgression of a particular disciplinary rule.
4. *Kiccādhikaraṇa*. Disputes pertaining to the mode of operation of the procedure.⁶

Of these what is of greater interest to this research is the third procedural mode. This directly deals with breach not merely of discipline, but breach of disciplinary rules. Thus, breach of discipline could be on a very minor lapse which is not covered by any particular rule. Yet, it becomes an offence only if such a lapse amounts to breach of a particular rule formulated to prevent such a lapse.

Besides, all these offences or *āpatti* are not of equal gravity. Their gravity varies in relation to how these impact on the conduct of a *bhikkhu* and how these hinder the achievement of the goal. Their gravity is seen also from the punishments prescribed for the offences. All offences were thus not treated at the same level.

Categories of offences

Pārājika

Taken very broadly these offences can be gradually categorized into major (*garu*) and (*culla*) *āpattis*. And in this regard the gravest offences are the four *Pārājika* offences. As venerable *Buddhaghosa* defines, disciplinary rules are aimed at physical and verbal transgression⁷ though, when interpreted according to Buddhism this also covers disciplining the mind. This is because mind is the source or the focal point of all deeds.⁸The *Pārājika* falls under *āpattādhikaraṇa*⁹ which includes offences coming under those listed in the *Pātimokkha*. Therefore, their importance is more with regard not only to personal well being and discipline of the disciple but also with regard to his spiritual growth. These four *Pārājika* offences are also found listed under the four *Akaraṇiyāni* (or deeds that should not be done) by a recluse belonging to the Buddhist *Saṅgha*.¹⁰The four *pārājika* offences are:

1. Indulgence in sexual intercourse (*methunaṃ dhammaṃ paṭiseveyya pārājiko hoti*)
2. Taking by way of theft anything that has not been given (*adinnaṃ theyyasaṅkhātaṃ ādiyeyya...*)
3. Intentional killing of a human being (*manussaviggahaṃ jīvitā voropeyya*)
4. Uttering a falsehood about one's spiritual attainment (*anabhijānaṃ uttarimanussadhammaṃ attūpanāyikaṃ*)¹¹

It is easily seen that these four offences are closely related to the first four of the five precepts, though not exactly same either in the order of enumeration or content. The five precepts are called natural virtues and hence, of universal relevance. They are very wide in the scope and application. The first four of these are a necessary feature of an individual who decides to commit himself to the practice of Buddhist path. These are mandatory precept for all Buddhists including the members of the *Saṅgha* community. This is clear from their enumeration under the ‘*cattāri akaraṇīyāni*’ as at *Vinaya* (I, 96-97) *Sukumar Dutt* considers these ‘*cattāri akaraṇīyāni*’ as the precursors of the four *Pārājika* offences.¹² However, *Jotiya Dhirasekera* considers them to be “result of a fusion of the legal statement pertaining to the *Pārājika* from the *Suttavibhaṅga* with the general spirit of the *sīlas* from the *Sutta Piṭaka*.”¹³

Whatever their chronological sequence is, it is clear that the four precepts are at the base of the four *Pārājikas*. But as *Pārājikas* they have assumed specific forms and greater significance. This change of form and significance is due to the difference between ‘*pakati sīla*’ (natural virtue) and ‘*paṇṇatti sīla*’ (promulgated virtue). Thus, former is the common, natural virtue, which is wider in scope and general in application; the latter, as a legally promulgated rule, is limited in scope, and specific in application. The latter is applicable only to the members of the Buddhist recluse Order - *bhikkhu* and *bhikkhunī*.

Of the four *Pārājikas* the first enumerated is the one that deals with the prohibition of sexual intercourse. It is interesting to note that the under the five

precepts this falls under the third precept namely, the one concerned with unlawful sexual conduct.¹⁴ Sexual intercourse is not taboo for the laity. They are admonished not to indulge in sexual relations with certain categories of women who are under the care, ward and protection of guardians.¹⁵ Laity could enjoy sexual relation with his wife, and the ideal relationship is, to be satisfied with one's own wife.¹⁶

But for monks the rule pertaining to sexual relation was very strictly applied. Sexual relations were considered a severe obstruction to spiritual culture. Perhaps, one of the reasons for the abandonment of household life is to prevent sexual relations. The members of the Buddhist Order are expected to follow total observance of celibacy. Hence, for the members of the Order the precept pertaining to sexual conduct is not '*kāmesu-micchācārā veramaṇī sikkhāpadaṃ samādiyāmi*' but "*abrahmacariyā veramaṇī sikkhāpadaṃ samādiyāmi.*" this according to commentarial explanation denotes abstention from all kinds of erotic behaviour.¹⁷ Observance of celibacy is fundamental to the Buddhist practice aimed at achieving emancipation. The 'noble life' that is expected to be followed by a renunciator is itself called '*brahmacariyā*', which strongly suggests that celibacy is a must for any recluse. Perhaps, one of the main reasons for *Buddha's* unwillingness to grant permission for women to join the Order was his apprehension that entrance of women would provide not only opportunities, but also urges for *bhikkhus* to indulge in sexual relations. It is possible to consider that the first of the eight major conditions (*garu-dhamma*) that the women, who sought

admission into the Order, were subjected to was formulated with the intention of building up some sort of a barrier between the two sexes. From numerous canonical sources it is quite obvious that the *Buddha* considered the mutual attraction between males and females as a major obstacle to the successful practice of the path.

When a monk called *Ariṭṭha*¹⁸ held the pernicious view:

“As I understand the *Dhamma* taught by the Blessed One, those things called obstructions by the Blessed One are not able to obstruct one who engages in them.”

What things are called obstruction (*antarāyikā dhammā*)? The statement does not directly refer to sexual relations, but the context strongly suggests such a meaning. The commentary, too, supports such an interpretation. This is further established by the *Buddha*'s utter condemnation of this thought as a pernicious view. The *Buddha* in a strongly worded condemnation says:

“Misguided man, to whom have you ever known me to teach the *Dhamma* in that way? Misguided man, in many discourses have I not stated how obstructive things are obstructions, and how they are able to obstruct one who engages in them? I have stated how sensual pleasures provide little gratification, much suffering, and much despair, and how great is the danger in them. With the simile of the skeleton... piece of meat... the grass torch... snakes head, I have stated how sensual pleasures provide little gratification...”¹⁹

Thus, from canonical *Sutta* references also it is very clearly seen that engagement in sexual relation was a grave danger to the perfect accomplishment of a recluse's vocation. Therefore it is not surprising to find '*methuna-dhamma*' being enumerated at the head of the list of offences, and that, too, under the most grave offences.

The section of the *Vinaya Piṭaka* leading with this *Pārājika* offence is formulated in a very wide manner to cover all kinds of sexual relations. It deals with indulgence in sexual relations not only with human females, but also with non-human females, three kinds of eunuch, and female animals. Besides, these, three kinds of eunuch, three kinds of males are also specifically mentioned.²⁰ All details of the act, the mode of performing the act, all exceptions etc. are given in detail. These show the various ruses adopted by the offenders to transgress the basic rule. To escape the rule a monk had sexual intercourse while being naked in the hope that he could escape guilt, for he could claim that he was not wearing the robe while engaging in the act. The rule holds that the dress is immaterial, for law applies to the particular act that one should not perform while being a member of the *Saṅgha* community. The attempts to creep in through whatever loop-holes one could find, also suggest how intense this urge is.

Not only *bhikkhus*, *bhikkhunīs* too have been culprits. There are incidents recorded where *bhikkhunīs* are the real offenders, and sometimes the instigators. This justifies the *Buddha*'s thrice-refusal to grant permission for women to enter the Order. But the *Buddha* was careful and far-sighted to lay down that an

offender becomes guilty only if he is a consenting party to such an offence. Thus, the *Vinaya* records an instance where monk had sexual relation with a woman, but in that case the monk was unaware of what was happening. The reference in this instance is to a certain monk who lay down in *Mahāvana* in *Vesali*. A certain woman seeing this monk got tempted, sat on his male organ and fulfilled her desire. When the monk awoke he found this woman standing by him laughing. But when this matter was brought the notice of the *Buddha* he found that the monk was unaware of this act, and he did not enjoy it. Therefore he exonerated the monk on ground of his unawareness.²¹

This sort of incidents also reveal that just as *bhikkhus* were often perpetrators of these kind of heinous act, at least rarely they happened to be innocent victims of such acts. Sometimes such relations carried out through there ignorance made one guilty not of a *Pārājika* offence but of an offence of a lesser degree. The cases involving *Supabbā* and *Saddhā* two female devotees who voluntarily offered their service to satisfy monks are cases of this nature.²² A decisive factor on which depended the guilt is whether the offender ‘enjoyed’ the act. This shows that intention is necessary to make one become guilty of a *Pārājika* offence. Thus, dreaming of having sexual intercourse is not an offence. Such an incident is referred to concerning a *Bhārukacchaka* monk. As he felt guilty after having such a dream, he was mentally disturbed. When informed about this to venerable *Upāli*, he declared that there is no offence in that.²³

What is seen from these instances is that while some were without any scruples at all with regard to such grave misdeeds, some got extremely worried. These later instances show that there were monks, though unable to completely control their passionate emotions, who were genuinely committed to follow the path.

The rule regarding this first of the four *Pārājika* offences was promulgated concerning an act committed by a monk called *Sudinna*. As the *Vinaya* records this monk was coaxed by his former wife to have sexual intercourse so that she may conceive a child by him. Thus, he is mentioned as the first to violate the observance of complete celibacy. The words of admonition uttered by the *Buddha* bring out with what gravity the *Buddha* treated this offence. He said:

“It is not fit, foolish man, it is not becoming, it is not proper, it is not worthy of a recluse, it is not lawful, it ought not to be done. How is that you, foolish man, having gone forth under this *Dhamma* and discipline which are well taught are not able for your lifetime to lead the noble-life which is complete and pure... It was better for you foolish man, that your male organ should enter the mouth of a terrible, poisonous snake, than it should enter a woman... It was better for you... that it should enter a burning fire than that it enter a woman.”²⁴

As *Vinaya* rules do not operate retrospectively *Sudinna* himself was not penalized, for there was no such rule for *Sudinna* to breach. But ever since then indulgence in sexual intercourse was considered as coming under *Pārājika*.

The second *Pārājika* involves theft, and the first named offender was *Dhaniya*. In this instance a *bhikkhu* called *Dhaniya* through a fraud, took some timber belonging to king *Bimbisāra*. When this was brought to the notice of the *Buddha* he inquired from another monk, who had formerly been a dispenser of justice (*purāṇa vohāriko mahāmatto*). Through him the *Buddha* came to know that the king considered theft a grave crime and meted out severe punishment. It is then that the *Buddha* decided to categorize this under *Pārājika* offences.

From the reasons given by the *Buddha* for considering *Dhaniya's* act of theft as a crime serious enough to warrant it to be classed under *Pārājika* offence; it appears that it was so considered because it was an anti-social act. Undoubtedly theft, too, degrades the mind, and hence, hinders spiritual growth. But when compared to sexual intercourse, it appears lesser offensive and less adversely affecting the spiritual progress. It is true that both sensual lust and theft are basically prompted by desire or greed. But of these two, former appears to be more harmful to an individual committed to the practice of the path, for sexual intercourse strike at the very base of noble life (*brahmacariyā*). Of the ten reasons the *Buddha* gave as motivating factors for his promulgation of *Vinaya* rules²⁵ in this particular instance he cites two namely, *appasannānaṃ vā pasādāya pasannānaṃ vā bhiyyobhāvāya*.²⁶ Thus, more than anything else it was the

disrepute and displeasure that such thieving cause that appear to have made the *Buddha* take a firm stand on this and group theft among the *Pārājika* offences.

Besides, this was theft of royal property, and that made matters worse. It is well known that royal support was very essential for the survival of the *Saṅgha* organization. As the *Buddha* had often point out the *Saṅgha* community is dependent on others (*parapaṭibaddha*), and in this context royal patronage was a must. The *Buddha's* acknowledgement of the importance of royal patronage is well demonstrated by his acceding to requests from king *Bimbisāra* even to make certain *Vinaya* rules; for example non-granting of admission to army deserters and postponing observance of *vassa*.²⁷ Perhaps, it may be that the theft of timber by venerable *Dhaniya* was taken serious note of because it involved state property. Cheating and defrauding royal officers is certainly a grave offence, and that would have certainly tarnished the image of the *Saṅgha* in the eyes of the most ardent supporters.

Besides, theft is a serious crime against the society. The *Buddha* could not have just ignored it or considered it a minor offence. The *Buddha's* attitude becomes further clear when one considers that two of the reasons given by him for promulgating rules: well-being of the *Saṅgha* (*saṅghasutṭhuta*) and convenience of the *Saṅgha* (*saṅghaphāsuta*). Theft had been a feature in the life of the *Saṅgha* community that would have caused much problem to them. Though the *Saṅgha* did not have much possession, even the little they had had to be safe. In fact, safety of one's possession is not only a basic human right, but also necessary

condition for mental peace and calm. If a monk is forced to be concerned about the safety of his meager possession, then he would not be able to fix his mind on spiritual cultivation.

All such condition may have made the *Buddha* to seriously consider theft and take necessary preventive measures. This he had to do for the sake of individual members as well as for the sake of the whole *Saṅgha* institution. The presence of thieves in the *Saṅgha* naturally lowers the reputation of the *Saṅgha* as an institution. Besides, tendency to steal lowers one's personal reputation, and standing in the *Saṅgha* community. So, the *Buddha* took the most reasonable and effective measure to safeguard the interest of the individual members as well as *Saṅgha* institution, and grouped theft under the category of *Pārājika* offences.

It is seen that subsequently the rule was expanded to cover a much wider area. Thus, taking of what is not given from either a village or a jungle was included under it; this rule says that an act to constitute 'theft' should have five conditions:

1. The article taken should be in the possession or belonging to another (*parapariggahita*)
2. Known to belong to another (*parapariggahitasaññī*)
3. Should be of some importance (*garuka*)
4. Should be of required value (*parikkhāro pañcamāsako vā atirekapañca māsako vā*)

5. Presence of the intention of stealing (*theyyacittañca paccupaṭṭhitam*)

Only if these conditions are found an act of theft comes under *Pārājika*. Otherwise, such an act falls under the category of a lesser offence. This rule extends to cover theft of things belonging to the Order. Thus, it is seen that the *Buddha* clearly had in his mind the well-being of both the individual members as well as the institution as a whole when he promulgated this second *Pārājika* offence.

The third *Pārājika* offence is about intentional killing. Hence, it has some resemblance to the first of five precepts. However, the first of the five precepts covers very wide area and forms a part of fundamental *Sīla* in the Buddhist path. This abstention includes abstention from depriving life of ‘any’ living being. In the case of its application to monks or when observed as an aspect of higher *Sīla* this covers not only living beings but even ‘vegetation’ (*bhūtagāmaḥ*). Sometimes, this is interpreted not only as referring to deprivation of life, but even to serious physical harming.

But as a *Pārājika* offence its scope has got much narrowed down. In this it refers to killing of a “human being”. It is not difficult to understand why this is included under *Pārājika* category. Killing or murder by itself is heinous. When it is done by one who has undertaken to lead the life of non-violence, its gravity naturally gets increased. It goes beyond not being conducive to rouse the faith of non-believers and increase the confidence of believers. Simply, it leads to

revulsion and total condemnation. On the face of it, it is even more heinous than sexual intercourse (*methunadhamma*), for its consequence to others is more serious and dreadful.

As in the other instances, in this case too, the rule is not applied retrospectively. One becomes subject to the rule only when one obtains higher ordination and becomes voluntarily binding by the rules to abide by them. Therefore, it is seen that murderers are not prevented from obtaining admission (*pabbajjā*) receiving higher ordination (*upasampadā*). This is seen even by the case of venerable *Aṅgulimāla*.²⁸ By chance if a murder is found out, proved guilty and subject to some severe punishment such as whipping (*kasāhata*) or branding (*lakkhaṇāhata*) then he is not given admission.²⁹ If not found out and meted out with severe punishment and happened to survive, he has the opportunity of entering Order.

The *Pārājika* rule appears as specifically focused on members of the Order who are found guilty of murder. Of course, murder of even those outside the *Saṅgha* community is covered by the rule. This rule is specially meant to assure the safety of co-resident of the *Saṅgha* community. Just as the second *Pārājika* rule guarantees safety of possessions, this third rule against intentional killing of human being assures the safety of life. Such assurance was very essential under circumstances in which monks led community life. If the first precept had significance and relevance in the society at large, the *Pārājika* rule intensified such significance and relevance within the limited *Saṅgha* society. This assurance

of safety of life enables members of *Saṅgha* community to lead peaceful, fear-free lives and concentrate on their spiritual striving without being unduly concerned about their safety.

As it is well known the *Saṅgha* community is constituted of individuals coming from different regions, different ethnic backgrounds, previously holding different faiths and beliefs, and above all of different habits, way of thinking and temperaments. In such a mixed society in which members had to live closely knit lives opportunities for conflict, leading even to violence were many. Therefore, a rule of this nature must have been a necessity, though it was formulated only after the occurrence of an incident. In the *Vinaya*³⁰ this rule was promulgated with regard to a monk called *Migalaṇḍika* who was not a murderer in the proper sense of the word but one who killed others at their own request. What he did was to “assist” in getting rid of their ‘*life*’ of which they are utterly disgusted. These are instances verging on euthanasia or assisted killing, or even mercy killing.

However, from the Buddhist ethical point of view intentional deprivation of life is a very grave offence. This is why even abortion is not permitted in Buddhism. Euthanasia is not approved in Buddhism, for it involves depriving someone of his life whatever the reason it is done for. All such deprivation of life is categorized under “intentional killing”. Instance of euthanasia if allowed to exist in a society as that of the *Saṅgha* could be used to gain selfish motive. *Migalaṇḍika* himself consented to be a party to it because of the small personal

gain he obtained. Such temptation would even lead some to encourage “assisted killing”, so that their gain would be more.

Perhaps, it is after considering all these and more that the *Buddha* decided to formulate a rule to stop such killing which appears as ‘mercy killing’. The Buddhist position is that, if there is ‘mercy’ of any sort there cannot be killing. ‘Mercy’ and ‘killing’ are poles apart. To kill out of mercy in itself is a contradiction of terms. Thus, this comes under *Pārājika*, one of the four gravest offences a monk could commit.

The fourth *Pārājika* rule pertains to conscious lying of a specific nature. The fourth precept of the five precepts is wide and covers almost all forms of abuse of speech: But the fourth rule of *Pārājika* is concerned about consciously making false claims to supernatural spiritual attainments. Commentary on this however observes:

“The curious fourth *Pārājika* concerned with the offence of claiming a state of quality of further-men (*uttari-manussa-dhamma*) seems to have been fashioned in some different mould, and to belong to some contrasting realms of values. It by no means a mere condemnation of boasting or lying in general, for it is the particular nature of the ‘boast or lie which makes the offence one of the grave kind that a monk can commit; the boast of having reached some stage in spiritual development, only attainable after a long training in the fixed and stable resolve to become more perfect.”³¹

Horner also is of the view that this does not find any corresponding matter among the *Sīlas*.³² Perhaps, she has overlooked that the *Buddha* was very particular about the *Sīla* training of the *bhikkhus*. It is in this respect that *sammā-ājīva* of the Noble Eightfold Path becomes relevant to monks.³³ Its significance becomes more striking when one considers the fact that the *Buddha* prohibited even the display of such super-normal powers for the mere sake of establishing one's superiority and winning the respect of the laity.³⁴ The *Buddha* does not prohibit an attainer declaration of his true attainment, not to publicized the matter but to make it known to his colleagues. This was done usually by way of an utterance of a eulogistic statement (*udāna*). In such instances there is no motive, to deceive anyone. It is done as making a mere statement of fact, whether in the presence or absence of his colleagues, and very often made as a self-utterance, expressing one's own inner joy.

What is prohibited through the fourth *Pārājika* is making a "false-claim" to deceive others and obtain self-gain. Therefore, the *Buddha* is very right in describing such a false-claimant as a "worse thief". Such a monk is not merely boasting. He is consciously deceiving the devotees for his personal gain and benefit. The *Pācittiya* rule number 08 even makes such non-false claim an offence. How much more grave and damaging should be a false-claim made to consciously deceive the laity.³⁵

It is clearly seen that all these four offences, though of varying intensity and relevance to the successful accomplishment of the path, are serious enough to

disqualify an offender from becoming a member of a community that has fervently pledged to follow the “noble life”, the foundation of which is virtue. In a society where there were many religious Orders competing with each other for stability and popular support, it is virtue that first attracts the attention of the people. Reputation of any Order, especially of those that are dependent on the support of the laity, is founded basically on the virtuous conduct of its clergy members. Spiritual attainments certainly enhance such support. Yet, it is so only if such claims are true. A false claim will ultimately boomerang and ruin the whole Order bringing it into utter disrepute.

Thus, it is natural for the *Buddha* to categorize certain type of offences that are in total opposition to the vocation the members have chosen to follow as the gravest offences which are not remediable. The term *Pārājika* literally meaning, ‘defeat’ connote such offences that defeat one completely from the purpose for which he had set forth. No longer can he follow the noble life, for he has dug his own grave; he becomes guilty of breaching the most fundamental conditions necessary to qualify one for membership. When one is guilty of such a breach there is no way of rectifying the breach. The breach itself operates to disqualify an offender. So, the inevitable outcome of ‘breaching’ any of the four *Pārājika* rules is automatic loss of membership for life. This consequence is understandable both from the well being of the individual concerned and from the well-being of the *Saṅgha* institution. Such an offender will not be successful in his practice of the noble life; the presence of such an offender will be a taint on the institution.

Therefore, removal from membership is the most appropriate consequence of such breach.

In the case of *bhikkhunīs* the *Pārājika* are increased to eight. Thus increase, perhaps, was effected as further safeguards to the Order. These show how concerned to the *Buddha* was about the purity of the *bhikkhu-bhikkhunī* Order. By increasing rules which are rather peculiar to women the *Buddha* attempted to close as many loop-holes as possible in the *Vinaya*. Most of these additional rules are in fact secondary to *Pārājika* in nature. Yet, for the good of the *bhikkhunīs* and the good name of their institution the *Buddha* categorized them under *Pārājikā*.³⁶

Besides, these four major offences there are a large number of lesser and even minor ones. They are so categorized as their impact on the practice of the path of the individual concerned as well as on the *Saṅgha* institution in general is lesser, or at times minimal. Next in gravity are the offences falling under the category called '*Saṅghādisesa*'. They are those offences that call for suspension of the offender, and these offences have to be necessarily decided only by a formal *Saṅghakamma*.³⁷ There are thirteen rules under this category binding on *bhikkhus* and seventeen binding on *bhikkhunīs*.

A number of *Saṅghādisesa* offences are also concerned with sexual behaviour between *bhikkhus* and *bhikkhunīs*. For example, one such offence is coming into close physical contact with a woman with lustful and perverted intentions. Even if a monk affected by lust and perversion speaks to a woman just as a youth speaks to a young woman, this comes under *Saṅghādisesa* offence

category.³⁸ Even if a monks happens to talk about sensual pleasures, praising them and sort of tempting a woman to engage in them is a *Saṅghādisesa* offence.

How much the *Buddha* was concerned about the monks' and nuns' vulnerability to fall victims to sexual desire is seen by these rules. The *Buddha* even went to the extent of prohibiting *bhikkhus* and *bhikkhunīs* acting as go-betweens among men and women. Such behaviour, the *Buddha* very rightly considered, would make the one who acts as the go-between finally fall victim.

That sex urge and ruses adopted to find ways to get relieved of this urge is a common offence. Talking about sexual matters was one such ruse. Some even resorted to masturbation. Thus, intentional emission of semen by a monk comes under the category of *Saṅghādisesa* offence.

It is seen that seven *Saṅghādisesa* rules are applicable to *bhikkhus* and *bhikkhunīs* in common (*sādhāraṇa paññatti*). Out of seventeen, ten are applicable to *bhikkhunīs* alone. As mentioned above sex abuses take precedence over other offence, even with regard to *Saṅghādisesa*. The first four rules of *Saṅghādisesa* of *bhikkhu* deal with sex abuses or related offence of a *bhikkhu* with a woman. These have no direct relevance to *bhikkhunīs*. Sexual relations of *bhikkhunī* with a male of the lay society are categorized under the *pārājika*, thus increasing the *Pārājika* offences into eight with regard to *bhikkhunīs*. Thus, *bhikkhunī Pārājika* number 01 and 04 deal with such offence.

There are two *Saṅghādisesa* rules related to the construction of a dwelling place (rules Nos. 06 and 07) and these are applicable only to *bhikkhus*.³⁹ The ten

rules of *Saṅghādisesa* specifically applicable to *bhikkhunīs* deal with variety of offences and theme of these No. 01 makes entering into hostilities with laymen an offence. Then there two rules Nos. 02 and 04 which prohibit haphazard granting of admission to entrants into the *bhikkhunī* Order. Nos. 03, 05, 06 are safeguard for nuns from possible trouble and danger arising from lustful men. The next four, Nos. 07-10 are rules made to prevent disobedience and rebellious behaviour of *bhikkhunīs* that would lead to the breakdown of discipline in the *bhikkhunī* Order.⁴⁰

Thus, these offences, though not as grave as *Pārājika* offences that are irremediable, are serious enough to call for ecclesiastical action. If left unattended these would naturally cause a total deviation from the accepted norms of *bhikkhu/bhikkhunī* vocation, and would ultimately bring about total disruption of the Order.

On one occasion a monk called *Udāyin* was discovered having a conversation with a married girl in a secluded place on a seat. The circumstances were such there was ample opportunity for any sort of sexual misconduct. He was not seen to be having any physical contact with her, yet the matter was brought to the notice of the *Buddha* who very precisely framed the following rule:

“Whatever monk should sit down together with a woman in a secret place on a secluded convenient seat , and if a trustworthy⁴¹ woman lay-follower seeing him should speak concerning a certain one of the three matters: either one involving defeat or one entailing a

formal meeting of the Order or one involving expiation and the monk himself acknowledging that he was seated down, it should be dealt with according to one of the three matters: namely, as to whether it is one involving defeat, or as to whether it is one entailing a formal meeting of the Order, or as to whether it is one involving expiation that monk should be dealt with according to what that trustworthy woman lay-follower should say.”⁴²

The other *Aniyata* is also of a similarly undetermined nature and Dhirasekera⁴³ observes that “the two *Aniyatas* are themselves a further development out of *bhikkhu pācittiya* 44 and 45...” What is remarkable herein is the way the *Buddha* had dealt with this kind of ‘undetermined’, yet offences serious enough not only to force the follower of the vocation to wilderness but also cause the whole *Saṅgha* community to fall into utter disrepute and suspicion, thus losing its foothold in the patronage of the laity. Such acts would undoubtedly be extremely harmful to the existence of the *Saṅgha* community.

There are other categories of offences which are of lesser gravity: *Nissaggiyas* or *Nissaggiya pācittiyas*. There are thirty rules for both *bhikkhus* and *bhikkhunīs*. However, only the following of the *bhikkhu Nissaggiyas* are common to both. They are Nos. 1-3, 6-10, 18-20, 22, 23, 25-28 and 30. Thus, the total of the common *Nissaggiyas* is 18; 12 are of those have no relevance to *bhikkhunīs*. Most of the *Nissaggiya* rules are related to issues arising out of use of robes, sheep-wool, gold, silver, bowl etc. Basically, these were framed to make the

members of the Order abide according to the ideal for the sake of which the renunciators have vowed to strive.

The next come the *Pācittiyas* which consists of the largest group of rules with also a large collection of additional rules. *Bhikkhus* have ninety-two and *bhikkhunīs* one hundred and sixty-six. Seventy of the *bhikkhu Pācittiyas* are also common to *bhikkhunīs*. Of the twenty-two rules which are solely meant for *bhikkhus*, ten are concerned with the *bhikkhu-bhikkhunī* relationship (eg. Nos. 21-30). Out of the rules categorized under *Bhojana vagga* of the *bhikkhus*, that is rules leading with food, four rules do not apply to *bhikkhunīs*. (Nos. 33, 35, 36, 39). *Bhikkhu Pācittiya* No. 41 is not found in *bhikkhunī Pātimokkha*; instead there is another rule with slight modification (No.46). There are a number of such differences between *bhikkhu* and *bhikkhunī Pācittiyas*, which was necessitated by circumstances as well as on gender considerations.

There are four ‘*Pāṭidesaniya*’ offences applicable to *bhikkhus*. This is doubled in the case of *bhikkhunī*, and hence, they have to abide by not breaching eight such rules. Some of them deal with food, some with *bhikkhu-bhikkhunī* relations at meals. Some specifically relate to forest dwelling. Some specific rules coming under this category show how concerned the *Buddha* was about inconvenience caused by members of the Order who exploited the generosity and piety of the lay devotees. In this the *Buddha* very emphatically lay down that the *bhikkhus* should pay consideration to the plight of lay devotees and do nothing to worsen the condition of such devotees who are in rather dire economic states. In

such instances the members of the Order are admonished not to visit such houses with depleted resources, but to go to them only if invited.

This sort of consideration must have immensely contributed to spread the good name of the *Saṅgha-sāsana*. This sort of rules makes it very clear that all *Vinaya* rules are not directly related to the final objective of the attaining the goal of *Nibbāna*. The *Buddha*, as the reasons he gives for formulating rules show, was also conscious of maintaining good clergy-laity rapport. These kinds of rules are mainly to achieve such harmonious relations and rapport between the members of the Order and the laity. The *Sekhiyā-dhammās* which are 75 in number and common to both *bhikkhu* and *bhikkhunī*, are also more related to etiquette of the members of the Order. The purpose of these also, as it has been often pointed out before, is to enhance the dignity of these members in the eyes of the public. These rules undoubtedly contributed in large measure to give the Buddhist *Saṅgha-sāsana* an identity of its own. Such a unique identity was essential when one considers the circumstances that prevailed in the religious milieu of that time.

The operation of these rules that were laid out in all minute details to cover all verbal and physical activities and much more certainly appear to have contributed to discipline the members of the Order in all their manifest behaviour. They served to curb all kinds of misdemeanor that were common among the members of Orders of other religious sects. These rules also reflect upon the fact that the *Buddha* was greatly concerned about the behaviour of the monks and nuns not merely from the point of their own individual well-being and success in

achieving the goal they strived at, but also with regard to the *Saṅgha-sāsana* as a whole.

The clergy Order set up by the *Buddha* was a new one. There were numerous other Orders that were well established and held in high esteem. The *Buddha* very rightly realized that discipline is not only the foundation for successful spiritual growth, but also the launching-pad for popularity, respect and honour among the devotees. The method followed in framing those rules, as well as the promptness in which these lapses and offences are dealt with also show the multiplex purposes for which *Vinaya* rules were promulgated.

Punishment and Penalties

In this regard it is worthy of considering the punishments meted out to monks found guilty of committing these offences. Both *Vinaya* and *Sutta* mentions four types of circumstances that call for disciplinary actions that should be taken on legal bases.⁴⁵ For the present purpose it is *āpattādhikaraṇa* that is of more importance, since legal proceeding against any commission of an offence comes under this category. The purpose of proceeding under this category is more relevant for personal well-being, whereas those coming under the other three categories are more related to the stability and purity of the *Saṅgha* institution.

It is very clear from the *Vinaya* that except the four or eight *Pārājika* offences (with regard to *bhikkhunīs*) all other offences are remediable. As the word itself suggests, an offender who is guilty of a *Pārājika* offence is ‘defeated’.

This means the commission of any of the four *Pārājika* acts itself suffices to make one lose his membership in the Order. A *Pārājika* strikes at the very root of the vocation of *bhikkhu* or a *bhikkhunī*. Being cut at the root of recluseship, or in other words being completely uprooted, he loses his right to lead the community life. He loses his membership forever. This is called “*asaṃvāsa-unfit to associate*”, and a member who is guilty of such a *Pārājika* not only loses his membership, he is debarred from ever regaining full-membership. He may obtain admission (*pabbajjā*), but not ever again receive higher ordination (*upasampadā*).

Thus, *Pārājika* is the gravest penalty in the judicial system promulgated in the *Vinaya*. This punishment could be understood when one considers the harm that would be caused by the presence of such offenders in the Order. If a member who is known to have committed a *Pārājika* offence were to retain his membership, the whole *Saṅgha* community will lose its dignity and honour. The only way by which the honour of the *Saṅgha* constitution could be safeguarded is by completely cutting of all connections with such miscreant members, and hence, the best penalty is ‘expulsion’ of such members, laying down strict rules that completely debar the re-ordination of such offenders. In fact the penalty is self-operative, for the moment such an act is committed, the offender loses his membership.

While the *Saṅgha* institution’s reputation is safeguarded in this manner, the right to membership in the Order of offenders who are found guilty of lesser offence is assured by meting out appropriate penalties to them. The *Buddha*

deemed that some of these lesser offences, though grave enough to be dealt with severely by imposing penalties, do not call for expulsion from the Order. This is because these offenders could be rehabilitated by adopting corrective measures. The penalties imposed on some offenders very clearly show the *Buddha*'s general attitude to crime and punishment. Penalties meted out are never corporal punishment. A basic motive of imposing penalties was deterrence. In the case of those found guilty of *Pārājika* offences the question of deterring them does not arise. Their very presence is a stigma on the Order. The gravity of their offence is such that their undertaking, however genuine it may be, to abstain from future indulgence in them does not do any good either to them or to the *Sāsana*. So, imposing (*asamvāsa*) on them, they are completely alienated.

In the case those who are found guilty of *Saṅghādisesa* offence, the legal procedure adopted by *Vinaya* considers that yet there is room for rehabilitation of the offenders. But herein, too, *Vinaya* takes into consideration the aftermath behaviour of the offender and then mete out punishment accordingly. Thus, the *Cullavagga*⁴⁷ makes clear distinction between such offences which are admitted on the day of commission itself and those which are kept unrevealed. Thus, it speaks of two categories of such offence the “unconcealed” (*appaṭicchanna*) and the “concealed” (*paṭicchanna*). The offence, if admitted without any attempt at concealing, is treated with some leniency, the penalty imposed on a guilty offender of a *Saṅghādisesa* that is promptly revealed is referred to as “*Mānatta*”. This is a suspension of membership for a period of six days, and it is imposed on the

offender, at his voluntary admission of the commission of the offence and request for appropriate penalty.⁴⁸

If the offence is concealed, then when it is discovered and admitted the penalty begins with '*Parivāsa*' which is imposed for the same number of days up to which the offender had 'concealed' his offence. This is because *Vinaya* considers concealment of any offence as an intensification of the gravity of the offence. Concealment really invalidates the true effect of the *Pātimokkha*, and hence, such concealment is treated with severity. So, such an offender first has to undergo '*Parivāsa*' and then become subject to '*Mānatta*' which really is the penalty fixed for *Saṅghādisesa* offences.

The *Khandhakas* explain in detail the procedure in which these penalties are imposed.⁴⁹ Both '*Parivāsa*' and '*Mānatta*' are penalties that entail some kind of humiliation to the offender and cause mental pain and regret in him. This is because the offender himself has to admit that he is undergoing such punishment; this publicity causes a lot of embarrassment to him. Once one is meted out with these punishments the offender loses a number of privileges which otherwise he would have been normally entitled to. For example, during that period he is not allowed to function as a preceptor for the conferment of higher ordination; not allowed to accept the services of a *sāmaṇera*; debarred from giving advice to *bhikkhunīs*; not entitled to issue disciplinary orders to others, not allowed to assume leadership in monastic function etc.

These and other deprivations of right normally enjoyed by a higher-ordained *bhikkhu* or *bhikkhunī* cause severe mental pain forcing the offender to pay attention and heed to his or her lapses and make up his or her mind to abstain from falling into lapse in the future (*āyatim samvarāya*).

There are other minor offences which are not overlooked, but dealt rather leniently with the imposition of lesser penalties such as forfeiture (*nissaggiyaṃ pācittiyaṃ*)⁵⁰ and confession in the case of *pācittiya* offence.⁵¹ What this shows is that the *Buddha* used penalties as a corrective measure and not as an act of revenge. Penalties are used for their deterrent effect on the offenders as well as would be offenders. Except in the case of those guilty of the four major offences (*pārājika*), the *Buddha* felt that other offenders are corrigible and should be provided with opportunities to rehabilitate themselves.

With this the *Buddha* was attempting to introduce a new legal culture to the society. The existing system, though nominally considered as just, was in operation more or less autocratic, and often a rigidly fixed system. Such a system did not allow fair-play, democracy and justice to operate. The *Buddha*, understanding the true human nature, adopted the law and legal procedure in a humanistic way. As it is always the case with the *Buddha*, when dealing with societal issue, herein too he held *Dhamma* – the Rule of Law – to be supreme.⁵² It is this approach to the application of *Vinaya* rules that made it possible for justice and fair-play to operate at its best. This completely blocked the intervention of such other consideration as social status, ethnicity, caste, religion and such other

divisive forces. *Vinaya*, therefore, was able to ‘operate’ in a very impersonal manner; yet it was regulated in such way that there was a marked humanistic and democratic overtone in its operation.

The procedural law namely, the ‘*satta-adhikaraṇa-samathas-seven law-suit settlements*’ guided and regulated the working of the law-enforcing machinery. These procedural rules safeguarded both the interest of the individual and the *Saṅgha* institution and there is a fine blend in the manner in which these separate interests are safeguarded, without coming into any kind of compromise at the expense of one. The *Buddha*’s strong commitment to uphold “righteousness” is clearly seen in the operation of *Vinaya* rules.

Endnotes

1. M. I, 437 ff.
2. M. I, 442.
3. A. I, 230 f. refer to a time when there was lesser number of rules exceeding 150.
4. Ibid.
5. See Cullavagga, Pañcasatikakkhandhaka.
6. Vin. III, 164; also M. II, 247.
7. VinA: I, 19; DA. I, 17; Dhs A. 19: “Tasmā vividhanayattā visesanayattā kāyavācānañca vinayanato vinayoti akkhāto”.
8. Compare Jotiya Dhirasekera, Buddhist Monastic Discipline, p. 19.
9. The Khandhakas refer to fivefold and sevenfold āpattis which are essentially included in the Pātimokkha. In fact the rules pertaining to these derive authority and validity from the Pātimokkha itself.
10. Vin. I, 96-97:
 “Anujānāmi bhikkhave upasampādetvā dutiyaṃ dātum cattāri ca akaraṇīyāṇi. There are methuna dhamma, adinnaṃ theyyasaṅkhātaṃ na ādātappaṃ, sañcicca pāṇo jīvitā na voropetabbo, uttarimanussadhammo na ullapitabbo.”
11. Vin. I, 21, 46, 70, 90.
12. S, Dutt, Early Buddhist Monarchism, p. 66.

13. Jotiya Dhirasekera, *Buddhist Monastic Discipline*, p. 83.
14. This is *kāmesu micchācārā veramaṇi sikkhāpadaṃ samādiyāmi*.
15. Vin. III, 139: These ten types of women are:
 “Māturakkhitā, piturakkhitā, mātupiturakkhitā, bhāturakkhitā,
 bhaginirakkhitā, ñātirakkhitā, gottarakkhitā, dhammarakkhitā, sārakkhā,
 saporidaṇḍā.
16. *Sehi dārehiya santuṭṭho*: it should be noted that in the society of the Buddha’s time visiting a prostitute was not taboo for the laity. But addiction to women (*itthidhutta*) is listed as one of the avenues for waste of wealth (*bhoga-apāya-mukkha*).
17. See the DA. On the *Brahmajāla Sutta*.
18. See *Alagaddūpama Sutta* (*Sutta No. 22*) of the *Majjhimanikāya*.
19. *Ibid*; for a good discussion on this see also Jotiya Dhirasekera, *Parable of the Snake. A Translation of the Alagaddūpama Sutta*, *Encyclopedia of Buddhism, Research Studies series I*, Ministry of Cultural Affairs, Sri Lanka, 1983.
20. The need for such enlargement of the scope of application of the rule could be easily understood when one considers the immoral practices in which some monks were engaged. See L.P.N. Perera, *Sexuality in Ancient India*.
21. Vin. III, 38: “*Anāpatti bhikkhu ajānantassā ti*”.
22. *Ibid*. 39.
23. *Ibid*. *loc.cit*.

24. Ibid. 20.
25. See Ibid. 21.
26. Ibid. 45.
27. Vin. I, 138.
28. Aṅgulimāla Sutta, Majjhimanikāya.
29. Vin. I.
30. Vin. III, 71 ff.
31. I. B. Horner, the Book of Discipline, I, Intro. p. xxiv.
32. Ibid. loc.cit.
33. Oliver Abeynayaka.
34. Compare the case of Ven. Piṇḍolabhāradvāja.
35. See Jotiya Dhirasekera, Buddhist Monastic Discipline, p. 85 ff; Ananda Grero, Analysis of the Theravāda Vinaya... p. 98 ff.
36. Vin. IV, 211-251.
37. See Vin. II, 38 ff; III, 112, 185 f; IV, 110 ff, 225; A. II, 242 Vism – 22.
- “Saṅghādiseso’ ti: saṅgho va tassā āpattiyā parivāsaṃ deti
 mūlāya paṭikassati mānattaṃ deti abbheti, na sambahulā na
 ekapuggalo, tena vuccati saṅghādiseso’ ti tass’eva
 āpattinikāyassa nāmakammaṃ adhivacanaṃ tena pi vuccati
 saṅghādiseso ti”.

Thus, I. B. Horner observes:

“This type of offences is next in gravity after pārājikas, because it can not be settled by many people or one man. It therefore has to be settled by the Order, which presumably has to be convened for that purpose”(The Book of Discipline, p. 195).

38. Vin. III, 128:

“Yo pana bhikkhu otiṇṇo viparinatena cittena mātugāmaṃ
duṭṭhullāhi vācāhi obhāseyya yathā taṃ yuvā yuvatim
methunūpasamhitam saṅghādisesoti.”

39. However, there is a Pacittiya rule that covers such an offence even by a bhikkhunī. See rule 19.

40. Jotiya Dhirasekera (Buddhist Monastic Discipline p.151) says:

“These four new rules of the bhikkhunīs seem more or less, to reinforce the bhikkhu saṅghādisesa 9-13 which are also applicable to the bhikkhunīs and which deal with similar situations.”

41. This reference is to one who has attained the fruit of Stream-entry (i.e. sotāpatti etc).

42. See I. B. Horner, Book of Discipline, I, p. 332.

43. Buddhist Monastic Discipline, p. 149.

44. Vin. IV, 258-345.

45. Vin. II, 88; III, 164; IV, 126; M. II, 247, cf.

“Cattāri imāni Ānanda adhikaraṇāni katamāni cattāri?
vivādādhikaraṇaṃ, anuvādādhikaraṇaṃ āpattādhikaraṇaṃ,
kiccādhikaraṇaṃ.”

46. Vin. III, 28:

“Asaṃvāso’ti: saṃvāso nāma ekakammaṃ ekuddeso
samasikkhatā, eso saṃvāso nāma. So tena saddhiṃ natthi,
tena vuccati asaṃ vāso’ti.”

47. Vin. II, 38 ff.

48. Cf. Vin. II, 38:

“Vyattena bhikkhunā paṭibalena ñāpetabbo. Suṇātu me bhante saṅgho.
Ayaṃ udāyi bhikkhu ekam āpattiṃ āpajji, sañcetanikaṃ sukkavissatṭhim
appaṭicchannaṃ. So...mānattaṃ yācati.”

49. Vin. II, 48 ff.

50. Vin. III, 195, 211 etc.

51. Vin. III, 59; IV, 122, 124 ect.

52. See the Cakkavattisīhanāda Sutta of the Dīghanikāya in which the Buddha presents the ideal of good governance with Dhamma as its foundation. For an enlightening discussion see K. N. Jayatikeke ‘Dhamma, man and the Law’.

Chapter VI

A Study of the Character Traits of Some of the Offenders

As already noted there are 220 disciplinary rules for *bhikkhus* and 304 for *bhikkhunīs*. Some of these deal with real offences, and a quite a large number is either breach of etiquette or breach of very minor disciplinary injunction. In dealing with most of them the *Vinaya* gives the particular incidents involving the breach of rules. Sometimes the offenders are identified and named with some bio-data given; and at other times merely referring to the perpetrators as a certain *bhikkhu* (*aññataro bhikkhu*). Therefore, it is not possible to study and analyses the nature and character of all perpetrators involved.

Besides, whether all these incidents are real happenings is also arguable. While some incidents have a historical nature, many others appear to be what scholars refer to as ‘precautionary imaginations’.¹ As it is now accepted the *Vinaya Piṭaka* is the result of a gradual process of growth. It took its present shape at the hands of redactors. It is possible that these redactors ‘made up situations’ in anticipation of possible lapses. Such an assumption goes quite well with emphasis laid on *Vinaya* as the “Life” of *Sāsana* by the *Theravāda* Elders.

As it is well known *Saṅgha* was a very open institution. It paid no consideration to class, caste, social status, creed etc. when admitting membership. At the beginning membership was open to all. It is only later, due to numerous

circumstances that certain rules and conditions were laid down governing admission and conferment of higher ordination. Therefore, unlike the *Brahmanic* religious Order the Buddhist *Saṅgha* community also, just as other *Śramaṇa* religious organization, constituted of members coming from various strata of life. Some were refined and ardently committed to the practice and some were not at all. In such a mixed community it is natural to find members with diverse modes of behaviour.

Among them, as the *Vinaya* and sometimes also *Sutta* shows there were particular groups of monks who were generally delinquent by nature. These members seem to have taken their vocation as a past-time, and perhaps, even as an easy means of securing a comfortable living.

Chabbaggiya-bhikkhus and bhikkhunīs

One such oft-referred to group of recalcitrant members is the *Chabbaggiya*, so called because they formed a 'group of six'. These six are: *Assaji*, *Punabbasuka*, *Paṇḍuka*, *Lohitaka*, *Mettiya* and *Bhummaja*. These six *bhikkhus* are said to have formed into three sub-groups: *Assaji* and *Punabbasuka*, *Paṇḍuka* and *Lohitaka*, *Mettiya* and *Bhummaja*. They seem to have been fairly popular, having their own followers who held them in high esteem. Nothing much is known about their lives. It is said that *Assaji* and *Punabbasuka* had headquarters at *Kīṭagiri*; *Paṇḍuka*, *Lohitaka* at *Jetavana*, and *Mettiya* and *Bhummaja* at *Rājagaha*.

The *Samantapāsādikā* says that they were all originally at *Sāvattihī* and were acquainted with each other. According to this same source they entered the Order as disciple of venerable *Sāriputta* and *Moggallāna* in order to find an easy means of living. As they thought it's better to live separately, they are said to have settled down in different places, each group having a fair number of followers. As they were not genuinely committed to the vocation, they often misbehaved, disregarding (bất chấp, coi thường) *Vinaya* rules. However, *Paṇḍuka* and *Lohitaka* are said to be comparatively better than the other four in discipline.²

Assaji and *Punabbasuka* were by nature delinquent. In the DPPN account it is said that these two grew flowers, made bouquets and garlands and sent them to young girls soliciting sexual favors. They were also violent by nature and, therefore, the *Buddha* had to send a fair number of monks to assist venerable *Sāriputta* and *Moggallāna* who were asked to mete out the *Pabbājaniyakamma* on them. It is said that these two not only refused to undergo the penalty but left the Order, and subsequently the *Buddha* withdrew the penalty as it served no purpose.³

These two were highly critical of both venerable *Sāriputta* and *Moggallāna*; also paid scant respect to the *Buddha*. There is no evidence to show that they ever reformed themselves.

Paṇḍuka and *Lohitaka*, though less corrupt than the rest, have been involved in numerous infringements of *Vinaya* rules.

Mettiya and *Bhummajaka* were rather vicious in their behaviour. It is said that they, on two occasions, framed false charge on venerable *Dabba Mallaputta*. This they did by persuading a nun called ‘*Mettiyā*’ to accuse venerable *Dabba Mallaputta* of violating her chastity. As the charge was found to be false, the nun was expelled. On another occasion they instigated a *Licchavi* householder to accuse *Dabba Mallaputta* of having an illicit affair with his wife. But, however, this *Licchavi* named *Vaḍḍha* finally admitted that the charge was false.

Their connection with *Vaḍḍha*, a *Licchavi*, suggests the possibility of their being of closely linked to *Licchavi*. And *Licchavi* monks were very often involved with events connected to infringement of disciplinary rules. It is to be noted, that there is reference also to a group of six *bhikkhunīs* who were also referred to as *Chabbaggiya*. They were, perhaps, followers and admirers of the *Chabbaggiya bhikkhus* and hence, their common designation. The nun called *Mettiyā*, referred to earlier as an accuser of venerable *Dabba Mallaputta*, could be one of the six members of this group of six recalcitrant *bhikkhunīs*.⁴

Thullanandā, too, was a *bhikkhunī* of bad reputation, and is a rather notorious character for her misdemeanors. It is not certain whether she also belonged to this group of six. She is said to have been an admirer of venerable *Ānanda*, and she became rather harsh when *Mahākassapa* called venerable *Ānanda* “a boy”.⁵ However, this appear to show more her dislike towards venerable *Mahākassapa*, who was a very strict disciplinarian, than her genuine admiration of venerable *Ānanda*.

With all her misbehaviour she seems to have been popular well-learned and a clever-preacher.⁶ Yet, she could not shine in the *bhikkhunī* Order because of her delinquent behaviour. She was greedy of possession. She desired male company and frequented cross-roads and streets so that she could enjoy male company.⁷

Thus, by nature she was unrestrained and inclined towards sexual relations. The *Cullavagga* suggests that both the *Chabbaggiya bhikkhus* and *bhikkhunīs* often indulged in lewd speech (*duṭṭhullā vācā*).⁸ This is known as ‘coprolalia’ and it is a mental illness. This lewd speech is carried out as a means of obtaining sexual stimulation.⁹ The *Cullavagga*¹⁰ contains reference to *Chabbaggiya bhikkhus* making pornographic paintings in *vihāras*. *Vinaya* also records¹¹ both *Chabbaggiya bhikkhus* and *bhikkhunīs* indulgence in group exhibitionisms in order to attract members of opposite sex.

All these suggest that *Chabbaggiya bhikkhus* and *bhikkhunīs* were suffering probably from some kind of sexual deprivation, and hence, constantly engaged themselves in different forms of sexual deviations. Perhaps, most of these monks and nuns were from upper social classes and hence generally given to ‘voluptuous life-styles’ with little regard to chastity and other accepted social restraints. In spite of their learning and irrespective of the vocation they voluntarily chose to follow, their inborn sexual urges and loose-behavioral life style appear to have compelled them to behave in the way they did.

Vajjiputtaka bhikkhus

Another notorious group of monks are the *Vajjiputtakas*, also called *Vajjiputtiyā*. They belong to *Vajji* clan and generally were residents of *Vesali*. It should be remembered that it was a group of *Vajjiputtaka* monks that presented the ‘Ten Points’ (*dasa-vatthu*), and agitated for relaxation of *Vinaya* rules one-hundred years after the *Buddha*’s *parinibbāna*.¹² *Vajjiputtaka* monks generally appear to have been averse towards observance of *Vinaya* rules. Thus, the *Āṅguttaranikāya*¹³ records an incident where a *Vajji* monk complains to the *Buddha* saying that he is unable to recite a long list of *Vinaya* rules twice a month at the *Pātimokkhu*ddesa.

Vajjis belonged to a confederate and were more liberal in their attitude and life styles. They were usually given to enjoyment of worldly pleasures, taking life in a rather relaxed manner. They were generally handsome and pleasure enjoying and are compared to gods of *Tusita*.¹⁴ They adorn themselves in beautiful, colourful attire.¹⁵ Most of the *Vajji* monks continued this life style even after entering the Order, with little concern for the rules and regulations of the *Saṅgha* institution.

Thus, their cultural and social upbringing was carried on into the new vocation. And this is much evident from the numerous incidents involving these monks in breach of discipline. The *Vinaya* make reference to numerous such events. Their carefree life-style and the evil consequences that resulted due to such corrupt life styles, and the remorse they finally underwent are well recorded.¹⁶

If *Vinaya* records are taken as presenting a true picture, a majority of the *Vajjiputtaka* monks were of delinquent behaviour. Thus *Vinaya* (III, 23) says:

“*Tena kho pana samayena sambahulā vesālika vajjiputtakā bhikkhū
yāvadatthaṃ bhuñjimsu, yāvadatthaṃ supimsu, yāvadatthaṃ
nhāyimsu, ... ayonisomanasikarivā sikkhaṃ apaccakkhāya
dubbalyaṃ anāvikatvā methunaṃ dhammaṃ paṭisevimsu.*”

This unrestrained behaviour put them in great misery. Feeling utterly helpless they begged venerable *Ānanda* to intervene on their behalf and convince the *Buddha* to grant them re-admission and re-ordination by revoking the *Pārājika* penalty. But the *Buddha* did not consent to this plea. He said:

“*Aṭṭhānam etaṃ Ānanda, anavakāso yaṃ tathāgato vajjīnaṃ vā
vajjiputtakānaṃ kāraṇā sāvakānaṃ pārājikaṃ sikkhāpadaṃ
paññattaṃ samūhaneyyāti.*”

This very clearly shows that the *Vajji* monks, in general were by nature a carefree, pleasure seeking lot. They were conscious of their recalcitrant, unbecoming behaviour. Yet, the urge in them to enjoy sensual pleasures was so intense that they were vulnerable to it, and often succumbed to it. It is only when things have gone beyond their control putting them in great misery that they thought of reforming. Yet, whether this desire to reform is genuine is also doubtful, for most of the *Vajji bhikkhus* have often demonstrated their inner urge to be more libertine in their behaviour. There are many such incidents involving

Licchavis of *Vesāli*.¹⁷The commentarial tradition is also that the *Licchavis* are generally given to libertine ways of life.¹⁸

Perhaps, this was a part of general *Vajji* culture. They led more open carefree lives.¹⁹*Vajji* is a name of a country and its people, and it is one of the sixteen *Mahājanapadas*. This constituted of the number of confederate clans, amongst which *Licchavis* were prominent. On one occasion one of the prominent *Licchavi* elders called *Mahānāma* is said to have complained to the *Buddha*:

“The *Licchavi* youths are quick tempered rough and greedy fellows;... they loot and eat; they slap the women and girls of their tribe on the back.”

This sort of remark bears evidence to the carefree, unrestrained attitude of the *Vajjis*. In fact, such loose sexual behaviour seems to have created much problems in the *Vajji* society that a rule had to be promulgated to the effect that violation of chastity is considered a serious offence. In fact, one of the conditions laid by the *Buddha* in the *Satta-aparihāniya dhamma* is about abstaining from abduction of young girls.²⁰That they were rather relaxed and liberal in their attitude to sexual relation is seen also by the fact that they are very well known for the institution of *gaṇikās* (courtesans). It is also seen that it is the *Vajjiputtaka* monks, who belonged to *Licchavis* that considered offering of sex as the highest offering.²¹

Bhikkhus Seyyasaka and Udāyin

Regarding these two monks who have been involved in the breach of a number of *Vinaya* rule not much bio-date is available. From scanty information found, it is seen that both of them were of passionate characters, being oversexed by nature. It is with regard to monk *Seyyasaka* that the first *Saṅghādisesa* rule, that is the rule pertaining to the willful emission of semen (*sañcetanikā sukkavisatṭhi*) was promulgated.²² It is really *Udāyin*, whom sometimes the commentarial tradition identifies with *Lāḷudāyi*,²³ that is the real culprit and offender. That he is of extremely worldly nature is seen by the fact that he maintained a very luxurious and beautiful residence. Perhaps, he was from a *Brahmin* clan and *Brahmin* visited his residence. On one occasion a *Brahmin* female lay-devotee expressed her desire to see the interior of the monastic residence. While taking the couple to the inner section *Udāyin* very surreptitiously touched her privy parts. Of this she later complained to her husband and this created much commotion among the people.²⁴

Then again it is described (*Vin.* III, 127) how *Udāyin* engaged in lewd talk with women about the privy parts of their bodies, again this *Udāyin* is said to be engaged in marriage brokering (*Ibid.* 135). It is this very same *Udāyin* who is said to have encouraged *bhikkhu Seyyasaka* to engage in masturbation to find sexual satisfaction.

Bhikkhu Seyyasaka was a non-willing follower of the ‘Noble Life’. This made him dejected and unhappy, his complexion changing and body getting emaciated. It is at this point that he meets *Udāyin* who advises him to practice

masturbation to find release, *Udāyin*, in order to convince *Seyyasaka*, confessed that he himself is in the practice of masturbation and that he finds it very pleasant.

Another incident records how *Udāyin* requests a *Brahmin* woman to have sex with him and when she willingly offers him her body, he refuses to have sex. What made him change his mind in a moment is not clear. Perhaps, the naked sight of the woman may have been rather repulsive to him. But this does not suggest the innocence of *Udāyin*, for he has been by nature perverted. He also was engaged in painting pornographic painting in robes and offering them to *bhikkhunīs*.²⁵ His sexual perversion is further seen by the fact that on one occasion, in order to take some food to the *Buddha* on the request of *bhikkhunī Uppalavaṇṇā*, he demanded her inner robe as his fee.²⁶ His sexual aberrations were such that he and his former wife, who at that time was a *bhikkhunī*, engaged in mutual exposure of their naked bodies, and engaged in further perverse acts (Vin. III, 205).

All these provide concrete evidence to prove that *bhikkhu Udāyin* was an oversexed monk, given to all kinds of sexually deviant behaviour and sexual aberration such as voyeurism, exhibitionism, frottage etc. it is this recalcitrant conduct of his that exerted evil influence over such other monks as *Seyyasaka* who were rather innocent and gullible. It is such behaviour that brought disrepute to the *Saṅgha* institution. Hence, the *Buddha* had taken stern action not only to safeguard the interest of such monks but also to maintain the good name of the Order.

Bhikkhu Sudinna

Bhikkhu Sudinna is well known because of his involvement with the event that led to the promulgation of the first *Pārājika* rule. This *Sudinna* is said to have had sexual intercourse with his former wife (Vin. III, 1. ff). This, however, is not the only instance of a monk having sexual intercourse with his former wife.²⁷ Yet, perhaps, this event is of special significance as this happened to be the first known instance of such a happening. Hence, this is given much importance as the incident leading to the promulgation of the first *Pārājika* rule.

Sudinna is a son of a wealthy family in *Kalandakagāma*, a village near *Vesali*, and hence, his full name *Sudinna Kalandakaputta*. This shows that he is also a *Vajji*. This does not mean that his misbehaviour is to be attributed to the usual laxity discipline among *Vajji* monks.

Sudinna entered the Order on his own with much dedication and sincerely followed the Noble life.²⁸ He himself admits that he enjoys that life (*abhirato ahaṃ brahmacariyaṃ carāmi*, Vin III, 18). Yet, *Sudinna* falls into a grave lapse. This is very unfortunate when one considers the difficulties he had to undergo to obtain parental consent to leave household life. Having entered the Order under such condition and commitment, why did *Sudinna* fall victim to this sort of desire?

The commentarial tradition attempt shows some leniency on *Sudinna* over the commission of this sexual misdemeanour by saying that, he did not know the gravity of its consequence since there was no rule that prohibited sexual

cohabitation with one's former wife.²⁹ But very rightly Jotiya Dhirasekera points out:

“Two things preclude us from accepting this position. Sometime after the commission of the act *Sudinna* is stricken with remorse that he had not been able to live to perfection his monastic life... Secondly, even in the absence of any restrictive regulations it seems to have been very clear to all members of the Buddhist *Saṅgha* that according to what the *Buddha* had declared in his *Dhamma*, the offence of *methunadhamma* contradict the spirit of true renunciation.”³⁰

What appears from his behaviour is that he seemed to have succumbed under pressure from his mother who insisted on his engaging in sexual intercourse with his former wife for some valid reason. Here it should be rendered that *Sudinna* was the only son in the family. The family was a rich one with lot of property and wealth. *Sudinna* obtained parental permission to enter the Order with the greatest difficulty. Surely, he could not have failed to recollect the sacrifice the parents, especially his mother, made even reluctantly granting him permission to enter the Order. He very well understood that he was the cause of this trouble. So, it is not surprising to see his heart softening.

Besides, it was the mother who contrived the whole plan. She had a reason to do it. No sane person would like to see his or her private property being vested in the government for no fault of theirs. This mother had a son, and he is yet alive.

She is not childless. The *Vajji* rule was that the properties of heirless families get vested in the government. She did not come under that childless category! So why should she suffer!

Besides, she was not demanding from her son to leave robes. She merely wanted a progeny from him to be heir to his family heritage. Being a *Vajji* lady she may not have been well aware of the importance of protecting celibacy so strictly by the members of the Order. She was merely asking his son to have intercourse with his own former wife. It is quite possible that she did not consider it a grave offence. This is more so because there was no *Vinaya* rule making it an offence of the severest type. So she had no reason to worry about.

One cannot definitely rule out that *Sudinna*, though first was unwilling and reluctant, and did not enjoy the act. It is said that he copulated thrice. This was in order to make sure that he properly planted the “seed”, and that this will relieve him from future trouble. Yet, how could he be certain that having sexual intercourse thrice will assure conception? Had he never have had sexual intercourse with her in his lay life? Surely, he must have had, and definitely more than thrice!

This having intercourse thrice suggests that he, at least in his sub-conscious, was enjoying the act. Perhaps, he may have relieved his former days as her husband. When the mother brought his former wife to presence and said:

“*Idaṃ tāta sudinna, kulaṃ aḍḍhaṃ maddhanaṃ mahābhogaṃ
 pahūtajātarūparajataṃ pahūtavittūpakaranaṃ
 pahūtadhanadhaññaṃ, tena hi tāta sudinna bījakaṃ pi dehi, mā no
 aputtakaṃ sāpateyyaṃ Licchaviyo atiharāpeyyun ti*”

Hearing this *Sudinna* readily agrees in a very business-like manner saying, ‘*etam kho me amma kātum sakkāti*’. And then he takes hold of his former wife by her hand, takes her deep into the forest and has intercourse thrice with her. That *Sudinna* was a man of strong character and will power is clearly seen from the way he behaved when he firmly resolved to obtain parental permission to enter the Order. On this occasion he does not display such character. Couldn’t he have resisted if he was really unwilling?

Though it cannot be assured with certainty, it is quite possible that he succumbed to an “inner urge” and this coupled with other circumstance made it easy for him to gloss over the gravity of the act he consented to commit. This may have made him feel gravely guilty subsequently. This is why he is shown as being highly dejected and full of remorse about his act. He was not aware that this amounts to an act calling for expulsion from the Order. Yet, he felt it is grave and contrary to the “spirit” of the vocation he had undertaken to follow.

Being pressurized on various sides and perhaps at the sometime being tempted through visualizing his former days in household-life, *Sudinna* appears to have fallen victim to his inner urge. Thus, *Sudinna* cannot be considered as an innocent victim. Judging from his character, and the strong will he displayed when

he wanted to obtain parental consent to leave household-life it is reasonable to conclude that he knowingly committed this offence. This is the very reason for his subsequent remorse.

However, *Sudinna* was spared of being expelled from the Order. This was because these rules were not promulgated with retrospective effect. As there was no rule to this effect when *Sudinna* committed the offence, he could not be charged for any breach of rule. So, *Sudinna* escaped punishment. However, what was *Sudinna's* ultimate fate is not known. There is no mention whether *Sudinna* managed to successfully complete his practice of Noble Life. If we go by his earlier commitment and the behaviour subsequent to the commission of the offence, it is possible to conclude that he was successful in mission.

In spite of *Sudinna's* offence he is allowed to continue his membership in the Order. The reason adduced for exempting him from subjecting to punishment is that a rule prohibiting sexual intercourse was not in force when he committed the offence. If *Sudinna*, after committing this offence could continue in his pursuit of the goal of *Nibbāna*, it has to be concluded that sexual intercourse, per se is not a permanent bar for the realization of *Nibbāna*. According to the *Sandaka Sutta* of *Majjhimanikāya*³¹ it is only an *Arahant* who is incapable of indulging in sexual intercourse.

If so why was this offence regarded as so severe deserving expulsion from the Order? This is because it is totally in contradiction to the vocation one has undertaken as a member of the Order. “*Abrahmacariyā veramaṇī*”, that is absolute

protection of celibacy, is a fundamental requirement for the successful practice of *Noble Life*. Giving up of household life (*pabbajja*) itself symbolizes total abstention from sexual relations. Hence, this offence is considered most severe with regard to members of the Order.

Bhikkhu Dhaniya

Name of *Dhaniya* also occurs prominently with regard to the promulgation of *Pārājika*. It is concerning *Dhaniya* that the *Buddha* promulgated the second *Pārājika* rule and this pertains to commission of theft.³²

Dhaniya was a potter, hence, not of high class. It is in his potter-shed that the *Buddha* met *Pukkusāti*.³³ It is through hearing *Pukkusāti's* conversion and emancipation that he was inspired to join the Order. He is said to have lived in the slope of *Isigili*, in a grass hut made by himself. He spent the rainy season there, but continued to stay on even after other monks had left. On three occasions his hut was broken by women who had come in search of firewood. Being somewhat annoyed, *Dhaniya* made a beautiful hut of bricks and tiles. The *Buddha* considered this, too, lavish for a monk and chided *Dhaniya*.

Dhaniya, then made a hut of timber. But he appears to have obtained timber for this purpose in a rather surreptitious manner. He appeared before the guild-master who is in-charge of king's timber-stores and asked for timber. The storekeeper made him understand that he could provide timber necessary if the

king grants it. *Dhaniya* promptly said that the king had granted. The storekeeper of timber immediately gave the timber accepting *Dhaniya*'s declaration.

However, king's chief minister discovered some stored-timber missing and made inquiries. The storekeeper informed him of *Dhaniya*. The chief minister was unhappy. He knew that some misappropriation had taken place. He informed the king about it. King ordered the arrest of the storekeeper. When *Dhaniya* saw the storekeeper being led before the king under arrest, he got perturbed. *Dhaniya* followed the storekeeper and went to the royal court.

When questioned by the king *Dhaniya* admitted taking the timber but pleaded that the king had already granted it for the use of the clergy. As evidence he said:

“*Sarasi tvaṃ mahārāja, paṭhamābhisitto evarūpaṃ vācaṃ
bhāsitaṃ: dinnāṃyeva samaṇabrāhmaṇānam, tiṇakaṭṭhodakaṃ
paribhuñjantū ti*”.

However, the king pointed out that this particular provision pertained only to timber obtained direct from the forest and not from the royal-stores. The king severely warned *Dhaniya* and discharged him saying that ‘you have had narrow escape and don't repeat this’.³⁴

This incident led to a big uproar. There was lot of criticism leveled against the *Saṅgha*. The *Buddha*, therefore, had to take serious note of *Dhaniya*'s act. In very strong terms the *Buddha* condemned *Dhaniya*'s act. Then he called a member of the Order, who had formerly been a minister of justice,³⁵ ascertained how the

king would have dealt with a case of this nature and promulgated this as *pārājika* offence.

When analyzing *Dhaniya's* behaviour it appears that he was an honest person, who was truly committed to his monk-hood. He was a voluntary entrant into the Order. But, of course, being a potter he seems to have been rather artistically bent in his approach. His potter's shed in which the *Buddha* and *Pukkusāti* met too could be an attractive place, even though it was a mere potter's shed. The beauty of the wood-hut he built subsequently also demonstrates his aesthetic inclination.

That he was a sensitive man is no doubt. In the same vein, he was a person of very sharp intellect. This is seen by his bold declaration before the king, quoting one of the provisions the latter had made with regard to use of grass, wood and water by monks. However, this also reveals his stealthy attitude of mind when he told the royal timber storekeeper that he had the king's permission to take the timber. He may not have really thought that taking some timber from the king's stores for the purpose of building a hut for himself is such a grave offence. If not, he would not have been surprised when he saw the storekeeper being led under arrest. Besides, he did not try to hide his act or to implicate another.

This shows that he was a man of character; and this is proven by his attainment *arahantship*.

Bhikkhu Migalaṇḍika

It is with regard to this monk that the *Buddha* proclaimed the third *Pārājika* rule. This monk is described in the *Suttavibhaṅga* (Vin III, 68) as a ‘*Samaṇa-kuṭṭaka*’ (bogus-monk), a hireling brought over by bowl and robes (*pattacīvarehi bhaṭo*). This monk is said to have assisted other monks to commit suicide. This he did for the sake of obtaining the bowls and robes of the monks who committed suicide.

This behaviour of his justifies the *Suttavibhaṅga* reference to him as a ‘*Samaṇa-kuttika*’ and ‘*pattacīvarehi bhaṭo*’. However, he too soon realizes his folly and begins to feel remorse, though it is rather late. It was in this account that the *Buddha* promulgated the third *Pārājika* rule. As it is the case with other offenders he also was not subject to the penalty of *Pārājika*, as the rule was not in operation at the time of the commission of this offence.

Besides, there are many other offenders. But there is not enough bio-data about them to make a character study of them. In most case it is seen that it is the usual human failings that have made the offenders commit these offences. As shown above in some instances, it was partly inability to understand and weigh the gravity of the contemplated action that made them commits some of the offences. Except in the case of *Vajji* monks and perhaps also with regard to *Chabbaggiya* monks there is not sufficient evidence to trace a relation between these offences and the collective cultural traits of the offenders. Very often it is personal weaknesses that appear to have pushed them to commit the offences. Many of

these offenders, like *Dhaniya*, may have ultimately changed their ways and reached the goal for which they set out. This must have been the case of even *Sudinna*, though it is not clearly stated in texts. His commitment and his post-infringement behaviour strongly suggest that he must have successfully completed the mission.

Taken as a whole it is seen that these offences, for the most part, are not unnatural. All the offenders were mere ordinary members of the Order; in other words they were *puthujjana-sāvakas*. Therefore, there is no reason to be surprised about their lapses. In some instances the offending monks were those who were sincerely committed to their vocation. Yet, at moments human weaknesses overpower them and force them to cross the red-line.

Of course, this does not mean that there were not monks who were recalcitrant and delinquent by nature. As shown above there were numerous recorded instances of monks very purposefully trying to circumvent the rules by adopting various ruses. But whether all these recorded instances refer to real situations cannot be ascertained with any certainty. This is mainly because these instances are too numerous and are presented in a somewhat hypothetical manner. It is this that had led some scholars to label these incidents as instances of 'precautionary imaginations'.

Endnotes

1. Horner Book of Discipline, p.xiv. cf. ibid. p. xxi

Where she says: “It is perhaps not necessary to believe that each of the many and curious forms of unchastity, mentioned in Pārājika I, ever was actually perpetrated by a monk... It is possible, of course, that some of the delinquencies did occur while other did not, but we do not know. When viewed against this moderate view Rhys David’s view (ERE. III, s.v. Celibacy, (Buddhist), p.271 that “almost all the cases are clearly hypothetical and were drawn up with a view to having a recorded decision on every possible occurrence” seems to be not quite acceptable.

2. See DPPN under Chabbaggiyā and also under individual names.
3. Vin. II, 1,5,6.
4. Vin. III, 162, 1666.
5. S. II, 219.
6. Vin. IV, 254-256.
7. Ibid, 270, 273.
8. Vin. II, 262.
9. See L. P. N. Perera, Sexuality in Ancient India, p. 174 f.

10. Such paintings are referred to in the Vin. II, 151 f. as paṭibhānacitta. These paintings depict figures of men and women, perhaps in sexual postures or naked.
11. Vin. II, 262 ff.
12. The Cullavagga deals about this in detail – Vin. II, 294 ff.
13. A. I, 230 f.
14. See Mahāparinibbāna Sutta (D. II, ...):
 “Yesam bhikkhave bhikkhūnaṃ devā tāvatimsā adiṭṭhā oloketha
 bhikkhave, Licchavīparisaṃ avaloketha bhikkhave Licchavīparisaṃ
 upasaṃharatha bhikkhave Licchavīparisaṃ tāvatimsasadisanti.
15. Ibid, p.
16. Vin. III, 23.
17. Vin. III, 39 f.
18. VinA. 284.
19. However, see DPPN. s.v. Licchavi. In this it is pointed out that though Licchavis were prosperous and rich they did not indulge in undue enjoyment or idleness.
20. The Mahāparinibbāna Sutta says that these norms were taught by the Buddha himself to Vajjis at the Sārandada Cetiya. One such norm says:
 “Yāvakīvaṅca Ānanda vajji yā tā kulitthiyo kulakumāriyo, tā na okkassa pasayhā vāsessanti, vuddhiyeva Ānanda, vajjīnaṃ pāṭikaṅkhā no parihāni”.
21. (Aggadāna) Vin. III, 39.

22. Vin. III, 110.
23. See DPPN. s.v.v. Udāyi and Lāḷudāyi.
24. Vin. III, 119 ff.
25. Vin. IV, 60 f.
26. Vin. III, 208 f.
27. See Vin. I, 96,150; III, 23,34,36,67.
28. Vin. III, 11 ff.
29. VinA. 213: “Anādīnavadasso ti yaṃ bhagavā idāni sikkhāpadam
paññāpento ādīnavam dasseti taṃ apassanto anavajjasaññi hutvā...”
30. Jotiya Dhirasekera, *Buddhist Monastic Discipline*, p. 47.
31. M. I, 154.
32. Vin. III, 45: “Yo pana bhikkhu adinnaṃ theyyasaṅkhātaṃ ādiyeyya
yathārūpe adinnādāne rājāno coraṃ gaḍḍevā haneyyūṃ vā bandheyūṃ vā
pabbājeyyūṃ vā coro’si bālo’si mūḷhosi theno’si, tathārūpaṃ bhikkhu
adinnaṃ ādiyamāno ayaṃ pi pārājiko hoti asaṃvāso”.
33. M. III, 237 ff, Dhātuvibhaṅga Sutta.
34. Vin. III, 44: “Lomena tvaṃ mutto’si mā puna pi evarūpaṃ akāsī ti”.
- See also DPPN. s.v. Dhaniya.
35. Loc. cit: purāṇa vohāriko mahāmatto.

Chapter VII

Conclusion

The *Saṅgha* institution¹ is as old as Buddhism is. Any institution generally has a set rules or some form of constitution that regulates and directs the conduct of its members. However, the *Theravāda* tradition is that there was no such constitution during the first twenty years of the Order. But it is seen that during these early stages there was an ‘undeclared’ understanding among the members of the order to conduct themselves in a way that suits their vocation. Besides, the *Buddha* whenever the need arose, made use of his discoursing to make the membership of the Order aware about the way in which they should conduct themselves. Once the formal promulgation of the rules began, the number of rules began to increase in rapid succession. As already shown, some members even openly showed their displeasure regarding this increase of rules.² At fortnightly meetings whatever rules that had by then been collected were recited as a measure to make the members aware of the importance of observing them. As the rules grew in number this recital-list must have got expanded.³

When the *Tipiṭaka* was compiled all what belong to *Vinaya* or discipline was grouped and put in the *Vinaya Piṭaka*, the Basket of Rules of discipline.⁴ *Theravāda* tradition considers *Vinaya* to be the very life (*āyu*) of the dispensation (*sāsana*). Therefore, strict observance of *Vinaya* and the operation of an effective machinery to implement this observance was a marked feature in early Buddhism.

Penalties, depending on the gravity of the offence, were meted out to offenders who were legally found guilty of breaching rules. Though the system was not one-hundred percent successful in stopping indiscipline, it certainly served as an effective preventive measure and greatly contributed to arrest the decline of discipline among membership.

Venerable *Buddhaghosa* defines *Vinaya* as: “.....*vividhanayattā visesanayattā kāyavācānañ ca vinayanato vinayoti akkhāto*”.⁵ This does not mean that the mind is totally disregarded. In Buddhism all deeds are connected to the mind. However, as the emphasis is on the discipline of bodily and verbal deeds *Vinaya* is closely related to “*Sīla*”, virtue. “*Sīla*” is one of the Threefold Trainings (*tisso sikkhā*) which embraces the ‘Noble Life’ (*brahmacariyā*). The objective of recluseship (*sāmañña*) is the successful living of this ‘Noble Life’. Hence, observance of *Vinaya* is an essential feature in the life of a recluse. The *Sāmaññaphala Sutta* of the *Dīghanikāya* itself shows the prominent role ‘*Sīla*’ plays in the life a recluse. Hence, the observance of *Vinaya* by a recluse means his observance of ‘*Sīla*’ in the path, which is same as *brahmacariyā*.⁶ The *Ākañkheyya Sutta* clearly stresses the importance of the observance of ‘*Sīla*’ for the successful living of recluseship.⁷ Thus, it is clearly seen that *Vinaya* of a recluse is primarily founded on ‘*Sīla*’ and ‘*Sikkhāpada*’. It is seen that most of the *Vinaya* rules depict different aspects and facets of ‘*Sikkhāpada*’, adopted adjusted, amended and even expanded to suit the needs of this particular vocation of the Buddhism clergy.

Though *Vinaya* is primarily founded on ‘*Sīla*’, *Vinaya* as embodied in the *Vinaya Piṭaka* is wider in scope, application and even objectives. The *Suttavibhaṅga*⁸ itself presents a list of ten reasons, attributed to the *Buddha* himself, as motivating factors for the formal promulgation of *Vinaya*. These reasons clearly show that the observance of *Vinaya* was not for the sole purpose of successfully completing the ‘Noble Life’ and realizing the fruits thereof.

An important objective of observing *Vinaya* was to win new converts (*appasannānaṃ pasādāya*) and further stabilizing the already converted (*pasannānaṃ bhīyyobhāvāya*). There are yet other objectives. Two of them are well being, and convenience of the *Saṅgha*. Among these are also rules that are directly conducive to the proper cultivation of the ‘Noble Life’. For example, restraint against defilements in this life (*diṭṭha-dhammikānaṃ āsavānaṃ samvarāya*), eradication of the defilements in the next life (*samparāyikānaṃ āsavānaṃ paṭighātāya*).

That by their nature *Vinaya* rules are of multiplex purpose is clearly seen by the rules themselves. For example, *Sekhiyās* are mere rules of etiquette and has either remote or even no direct relation to the practice of Noble Life. Some are very minor rules which have little impact on the practice of Noble Life. This is why the *Buddha* himself suggested the possibility of amending or even annulling them, if the members of the Order desire so. It is also seen that a fair number of rules have been promulgated on the basis of social necessity and demand. Some rules have been made to accommodate customs and practices of certain sections of

the society and religion groups. Some have been laid down to comply with request from rulers on reasonable grounds; yet others from the disciples as well as from members of the public. Most of these have no direct impact on the practice of “Noble Life”.

Offences themselves are of varying nature; some are grave and some are trifle. Penalties and punishments also vary according to the gravity of the offences. It is very clear that these penalties are imposed to protect the interest of the *Saṅgha* institution as well as to safeguard the individual members. Penalties imposed are never corporeal. Penalties are imposed solely for their deterrent effect. Through the imposition of penalties it is attempted to rehabilitate the offenders and provide them the opportunity to strive hard to achieve the goal. Except for the four major offences (*pārājikas*) which are listed as irremediable, most of others are settled through the imposition of non-corporeal, rather benign punishments that provide the offenders the opportunity of reflecting over again and resolving to abstain in the future. Some are disposed of with very lenient penalties as forfeiture and confession.

It is seen that most of the offences that directly affect the practice of the Noble Life are sex-related ones. This, of course, is quite understandable as indulgence in any kind of sexual relation is in direct conflict with the practice of the Noble Life. Observance of celibacy is the core of Noble Life. In such a context it is natural to find all sexual activities being tabooed. It is not only sexual intercourse that is listed among such offences. The first of the four *Pārājikas* is

concerned with sexual intercourse, but not limited to human male-female sexual intercourse. As with sexual intercourse between human male and human female also with regard to other sexual relations, references are made to various deviant forms of sexual behaviour.

These deviant modes of sexual relations are so numerous and unusual, there is a view that all such instances referred to in the *Vinaya* may not be reflecting actual happenings. Some suggest that these are imaginary situations presented to cover all imaginable sexual relations. These instances are referred to as 'precautionary imaginations', and they may be so. But what is noteworthy is the emphasis laid on the possible lapses on the part of members of the Order in this area.

In a majority of instances the offenders are clearly identified. In instances where the offenders are named and identified not much bio-data about them are available. Therefore, it is not possible to make an in-depth study regarding the relation between the character traits of the offenders and the particular offences committed. Some such broad identification could be made with regard to recalcitrant behaviour of the *Vajji* monks and also the *Chabbaggiyas*, who also appear to be close to *Vajjis*.

As it is well known *Vajjis* were generally liberal in their outlook and attitude, and often rather libertine with regard to sexual relations. It is seen that *Vajjis* are the main culprits with regard to breach of rules pertaining to sexual relations. This perhaps is fairly good evidence to show that *Vajji* culture which

may not have been very strict on these matters may have had some impact on their recalcitrant and delinquent behaviour even as members of the Buddhist *Saṅgha* institution.

What is noticeable is that most of these sexual misconducts were due to personal traits. Some members have been oversexed, and hence, far too inclined to get involved in sexual enjoyment at the slightest opportunity available. Some of them, however, had the strength of character to reflect on their lapses and firmly resolve to abstain from falling into such misconduct in the future. It is mentioned that some of them rectified their lapses and successfully completed their mission, fulfilling the objective for which they adopted the life of a recluse. On this basis it could be reasonably surmised that even those who are found guilty of *Pārājika* offences and ‘excommunicated’, are not debarred from attaining emancipation. They irrevocably lose full membership in the Order. Yet, if they so desire, resolve and genuinely strive fully dedicating themselves to the practice of the ‘Noble Life’, they are capable of becoming ‘Liberated individuals’ as lay persons.

Endnotes

1. The Saṅgha institution begins with the admission of venerable Koṇḍañña and soon after his other four colleagues. Within a short period of two months the membership increased to sixty (Vin. I, 20).
2. See Bhaddāli Sutta (M. Sutta. No. 65).
3. This is what is known as Pātimokkha, and its recital is called Pātimokkhuddesa. This was recital at Uposatha meetings.
4. The commentarial definition of Vinaya Piṭaka is:
 “Tattha paṭhama-saṅgītiyaṃ saṅgītañ ca asaṅgītañ ca sabbampi”.
5. VinA. I, 19; DA. I, 17.
6. S. V, 26: “Katamañ ca bhikkhave brahmacariyaṃ ayam eva ariyo aṭṭhaṅgiko maggo...”
7. M. I, 33: “Sampannasīlā bhikkhave viharatha sampannapātimokkhā pātimokkhasaṃvarasaṃvutā viharatha ācāragocarasampannā aṇumattesu vajjesu bhayadassāvī samādāya sikkhatha sikkhāpadesu”. Cf. S. V, 187 also.
8. Vin. III, 21.

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