

THE OFFENCES AND RETRIBUTIONS IN THE VINAYAPITAKA

— JAYEETA GANGULY

Offences And Retributions In The Skandhaka (1)

The organization of the Buddhist Order (Saṅgha) developed through a continuous process, as it may be seen in the different versions of the Vinaya texts available to us. After a few centuries from the Mahāparinirvāna of Gautama Buddha, the Buddhist Saṅgha was divided into numerous sects (2). Each sect might have possessed a Vinaya-Pitaka of their own, amongst which some texts have come down to us in different languages. The Vinaya-Pitaka is a code of Buddhist monastic discipline. Śākyaputra Gautama came across several unprecedented happenings on which he had to lay down different monastic rules for the maintenance of discipline. These rules have been enumerated in details in the Skandhaka sections of the Vinaya-Pitaka. Often the Group of six monks (3) is said to be responsible for doing certain misdeeds which led Gautama to prescribe such rules. He used to specify the nature of offence (Āpatti) for which punishment was to be inflicted on the monks in every case according to the gravity of the misconduct. The offences likewise received different appellations such as Dukkata, Thullaccaya, etc.

The Saṅgha As A Living Organism

It may appear to be a lofty ideal for those who are conversant with the Science of Organizations. The Buddhist Order basically consists of a group of persons coming from different strata of society and having their distinct mental attitudes and aptitudes. The Buddha claimed that his teachings had been imbued with the eight great characteristics of the ocean (4).

It is well known that there were no restrictions of Vedic caste or social Order among the members of the Saṅgha. But a human being (sattva) always bear an individual outlook on account of their mental conditions and efficacies. Consequently, the Buddha had to face several incidents of resistance, disorderliness and even insubordination amongst the members of his Saṅgha. These incidents prove that the Saṅgha was comparable to a living organism in which the monks were like living cells.

Āpatti (Offence)

According to the monastic rules an offence (āpatti) may be either major (garukāpatti) or minor (Lahukāpatti). A major one, as a potential cause of schism, must be different from all other ecclesiastical minor offences referred to in the canonical texts. In this regard Dr. Biswadeb Mukherji has rightly pointed out: Āpatti can therefore only mean the minor offences which are outside the scope of the seven types of major offences included in the 'vinaya' (5).

Apatti may be derived from a +pad (Pali-English Dictionary by Rhys Davids and Stede). Any transgression of the "sikkhāpadāni" or precepts laid down by the Buddha is considered to be an āpatti. Among the offences enlisted in the Pātimokkha (Skt. Prātimokṣa) the Pārājika and the Saṅghādisesa are said to be included among the Garukāpatti (also known as Adesaṅgāmini āpatti or Duṭṭhullāpatti) and the remaining are said to be grouped under Lahukāpatti (also known as Desanāgāmini āpatti or aduṭṭhullāpatti). There is also another classification of the apattis viz. sāvasesāpatti and anāvasesāpatti. Among the offences of the Pātimokkha, only the Pārājika is said to belong to the anāvasesāpatti while the remaining are all said to belong to the sāvasesāpatti.

Dukkatāpatti (6)

Dukkaṭa refers to a fault or transgression or a kind of offence on account of "wrong action". All the Sekhiya rules if violated involve the Dukkaṭa offence. The dukkaṭa offence has also been classified into eight groups (7). According to the Dharmaguptaka Vinaya preserved in Chinese, "wrong-doing" has been distinguished under two heads—of body and speech, which are together known as "wrong-doing" (8). Some examples of the infliction of the dukkaṭa offence may be cited from the Skandhaka of the Theravada tradition.

1. After the Buddha had granted the monks the permission to carry out the Uposatha like the other heretic sects, he further enjoined the monks to recite the Pātimokkha rules during the Uposatha assembly. But a few of the monks began to recite the Pātimokkha daily being ignorant of how often the pātimokkha ought to be recited. The matter was reported to the Buddha, whereupon he prescribed that the Pātimokkha ought not to be recited daily but only on the day of the Uposatha. Whoever transgressed this rule, the offence of dukkaṭa would be inflicted upon him.

2. Similarly, the Buddha laid down that the recital of the pātimokkha thrice a fortnight (i.e. on the 8th, 14th and 15th days) would also lead to the infliction of the offence of dukkaṭa and it was permissible to recite the Pātimokkha only on one day, i.e. the fourteenth or the fifteenth (9).

3. The offence of dukkaṭa was also to be inflicted upon the persons who committed the following offences:

- a) Asking questions on the contents of the Vinaya while the assembly is in progress;
- b) Responding to questions on the Vinaya uncalled upon in the midst of the assembly;
- c) Rebuking a monk for an offence without taking his leave;
- d) To perform indisciplinary acts in the midst of the assembly (10).

Many other instances of infliction of the dukkaṭa offence may be cited from other chapters of the Vinaya which require a separate study.

As regards the retribution of the dukkaṭa offence, it may be said that the retributions depended on the gravity of the offences.

The opinion of Rhys Davids & Oldenberg may be cited 'Those slight offences which were not embodied in the pātimokkha are called dukkaṭa offences. They range, as to their gravity, with the Pācittiya offences of the Pātimokkha. For him who had committed a dukkaṭa offence, no further penance was required than a simple confession of his fault' (11).

Dubbhāsītāpatti (12)

(Skt) Durbhāṣita, (Ch) Wu Shuo refers to "An offence of bad speech. It may be against the Buddha, Dharma or Saṅgha or against any person. It is one of the āpattis grouped under Aduṭṭhāpatti or Lahukāpatti or Desanāgāmini Āpatti (i.e. light offence)" (13).

The Parivāra mentions "Dubbhāsita is that which has been heard according to the truth. Dubbhāsita is bad speech, those words that are impure are termed in this way (dubbhāsita). (14) The dubbhāsita is of rare occurrence as compared to the other offences mentioned. It is clear that all kinds of offensive language or speech used by the monks when speaking to anyone was considered to be an offence of "Dubbhāsita".

As it has been grouped under minor offence, its retribution would therefore evidently correspond to that of other minor offences, viz. a simple confession before any other monk or before the Saṅgha would probably suffice in this case.

Thullaccaya (15)

Thullaccaya is however "A grave offence. Thullaccaya is one of the offences which may be amended for by confessing the "offence" before another monk, it is the most serious one amongst all such offences"..... An offence similar to Pārājika or Saṅghādisesa may be considered as Thullaccaya" (16).

In the parivāra we find the following interpretation of "Thullaccaya":—

"The Thullaccaya is that which has been heard according to the truth. That which is confessed for one reason, is considered to be (a Thullaccaya). A transgression of which there is no equal, is known as (the Thullaccaya) (17).

Some examples may be cited from the Vinaya-Piṭaka (Theravāda) regarding the infliction of the Thullaccaya. In the Uposatha-khandhaka of the Mahāvagga in pāli, it has been recorded that on the day of the Uposatha if four or more resident or guest monks have assembled to carry out the Uposatha and a number of monks either fewer, equal or greater in number arrive during the course of the Uposatha, if the monks already present carry out the Uposatha and recite the Pātimokkha with the intention of creating schism among the Saṅgha, then the offence of Thullaccaya is inflicted upon them (18).

Similarly, on the day of the Uposatha if four or more resident or guest monks have assembled to carry out the Uposatha and having seen or heard signs of the presence of other resident or guest-monks, carry out the Uposatha and recite the Pātimokkha with the intention of creating schism among the Saṅgha, then the offence of Thullaccaya is inflicted on the monks concerned (19).

As regards the retribution of the Thullaccaya offence, it has already been mentioned above that the Thullaccaya is the most serious of the offences that may be amended for by confession.

Duṭṭhullāpatti (20)

The Pārājika and Saṅghādisesa are called Duṭṭhullāpatti. It is also known as Garukāpatti (21). A duṭṭhullāpatti is a grave transgression of the Rules of the Order, viz. the four Pārājikas and the thirteen Saṅghādisesas (22).

“The term duṭṭhullāpatti is used also in the ninth Pācittiya rules, and the Old Commentary (Suttavibhaṅga) there states that by ‘grave offences’ those belonging to the Pārājika and Saṅghādisesa are understood” (23).

In the Pātimokkha, the word duṭṭhullāpatti appears in the ninth and the sixty fourth Pācittiya rules as follows:

Pācittiya 9. “Yo pana bhikkhu bhikkhussa duṭṭhullam āpattim anupasampannassa āroceyya aññatra bhikkhu-sammutiyā, Pācittiyam. [Trans.—If a monk tells an unordained (anupasampanna) about the grievous offence (duṭṭhullāpatti) of another monk without his permission, a pācittiya shall be inflicted upon him.]

Pācittiya 64. Yo pana bhikkhu bhikkhussa jānam duṭṭhullam āpattim paticchādeyya pācittiyam. [Trans.—If a monk knowing conceals a grievous offence (duṭṭhullāpatti) of another monk—a pācittiya shall be inflicted on him.]

Its retribution may correspond to that of the Pārājika or Saṅghādisesa according to the gravity of the offence committed.

The offences discussed in the present paper are mostly to be found in the Skandhakas. These names have not been used in the Pātimokkha (except Duṭṭhulla) although some of the offences referred to in the Pātimokkha are equivalent to those mentioned in the Skandhakas. Similarly, we find no mention of the offences of the Pātimokkha in the Skandhakas. The reason may be presumably that “the authors of the final recension of the Vinaya” did not consider it reasonable to introduce new names into the Pātimokkha or to the later offences, in order to retain the original character of the Pātimokkha (24).

In the Suttavibhaṅga, consisting of two books—the pārājika and the Pācittiya—the different kinds of offences (āpatti) in the Pātimokkha have been classified in details. The occasion for the offence as given in the pārājika has been quoted, along with the injunctions by the Buddha, followed by the commentary on each of the rules and the different conditions for the perpetration of the offences. Apart from the main offences enumerated in the Pātimokkha, the Thullaccaya dukkaṭa etc. also have been enlisted, among which the offence of dubbhāsita also rarely appears.

As it has been rightly pointed out by I. B. Horner regarding the origin of such rulings, it is probable that some of the rules were prescribed during the lifetime of

Sākyaputra Gautama, and some by his disciples after his parinirvāna as and when the need arose. It is also quite likely that some of the offences were actually committed by the monks while other rules were prepared beforehand as a preventive measure for the monks and nuns.

Similarly regarding the authorship of the rules, although all the rules were attributed to the Buddha himself, we cannot be sure that all the rules enunciated in the Skandhaka were prescribed by the Buddha in person. It does not seem probable that each and every rule and sub-rule was framed by the Buddha personally nor that every trivial matter was reported to him. Inconsistencies in the fixing up of the penalties also leave room to hold that the rules were drawn up on different occasions (25). For example, an incident from the "parivāra" may be cited :

"How many offences are associated with theft ? Three offences are associated with it. Pārājika, if it is an article worth five māsas or more, 'Thullaccaya' if it is an article worth more than one 'māsa', but less than five; and 'Dukkata', if it is an article worth one 'māsa or less" (26).

On scrutiny of such offences and retributions, some new light may be thrown on the development of the monastic organization founded by Sākyaputra Gautama in the pre-Christian period in India. In this regard, the Chinese sources help us to make a survey of the growth of the saṅgha from its earliest times and that requires a separate study.

NOTES

2. Skandhaka (P. Khandhaka) refers to the different sections in the Vinaya-Piṭaka dealing with ordination. Uposatha, (monastic observance for self-purification) rainy-season retreat, etc. in Pāli, the Khandhaka includes two books—The Mahāvagga and the Cullavagga. In Chinese it is translated as Fa and in Tibetan as Gshi. Tibetan Gshi suggests "vastu" in Sanskrit, Fa in Chinese means dharmaka.

2. Sthaviravādins (Therāvādins) Vātsīputriya, Dharmottariya, Bhadrāyānikas, Sammitiyas, Mahīsāsakas, Dharmaguptakas, Kāsyapias, Saṅkrāntikas, Uttariyas. Mahāsāṅghikas, Ekavyavahārika, Lokottaravādins, Bahusrutiyas, Prajñaptivādins, Caityakas, Pūrvasēliyas, Aparasēliyas, Sarvāstivādins (Vide Buddhist Sects in India—Nalinaksha Dutt Ch, iv)

3. P. Chavaggiya Bjikkhu (Skt. Sadvargiya Bhiksu) Ch. Liu Chun Pi Chin. A group of monks who lived during the Buddha's time and are known to have committed different vinaya offences. The names of these monks are Assaji, Punabbasu, Paṇḍuka, Lohitaka, Mettiya and Bhumajja. These monks were all form Sāvathī and are said to have divided into three groups after entering the Buddhist Order. Each group had about five hundred followers. Of them, the followers of Paṇḍuka and Lohitaka were said to be the most virtuous. They accompanied the Buddha on his tours and did not transgress Vinaya rules like the others.

4. Cullavagga (Nālandā Edition) Pāli Publication Board 1958 Ch. IX, Pg. 353 ff. Also Aṅguttaranikāya (Uposathasutta, Paharādasutta).

5. Journal of Research, Visva-Bharati, Vol. I, Part 1 (Humanities and Social Science) Visva-Bharati, Santiniketan, Visva-Bharati Research Publications 1976-77. Article entitled "The Schismatic Matters and the Early Buddhist Literature" by Dr. Biswadeb Mukherji, Pg. 93.

6. Skt. Duṣkṛta Ch. Tu Chi Luo Tib. Nyes Byas, Mahavyutpatti (abbrev Mvy, 9225). The Mūlasarvastivadins (Transliteration) hold Satisara bhavati (Gilgit Manuscripts Vol. 3, Pt. 4 Posadhavastu for dukkaṭa (Tib. Hgal chabs can tu Hgyur ro) whereas the Chinese versions record T'u, Chi, Luo in all the cases.

7. A Dictionary of Early Buddhist Monastic terms—C. S. Upasak Pg. 114 (abbrev. D.E.B.M.T)

8. Foxue Ta Tzu Tien—Ting Fu Pao, Pg. 1578, Wrong-doing has been translated in Chinese as Wu Tsuo.

9. Mahāvagga, Nālandā Edition, Ch. II. Uposathakhandhaka. Pg. 107-108.

In the other Vinaya versions, viz. the Dharmaguptaka and the Mahīsāsaka preserved in Chinese, similar incidents have been narrated although the infliction of the dukkaṭa offence has not been mentioned. (Comp. Dh. Vinaya Taisho Vol. 22, Pg. 817c22ff; Mi Vinaya Pg. 121b17ff). However, the point that the Pmk. rules were to be recited only once a fortnight (the fourteenth or the fifteenth) has been emphasized in all the cases.

10. Mahāvagga, Nālandā Edition Pg. 115-116.

It may be noted in this connection that these rules have not been mentioned in any of the other Vinaya versions.

11. Sacred Books of the East, Vol. 13. Part 1. Vinaya Texts. Rhys Davids & Oldenberg Pg. 166 f.n.No. 1

12. Skt. Durbhāṣita. Ch. Wu Shuo

13. D.E.B.M.T. C.S. Upasak. Pg. 115.

14. Parivāra. Nālandā Edition Pg. 263 "Thullacayaṃ ti yaṃ vuttam, taṃ sunohi yathātatham. Ekassa mūle yo deseti, yo ca taṃ paṭiganhati. Accayo tena samo natthi, tenetaṃ iti vuccati."

15. Skt. Sthūlātyaya Ch. Tou Lan Che (Transliteration) Tib. Nes Pai Sbon Po, (Mvy. 9224)

16. D.B.M.T. — C.S. Upasak. Pg. 110

17. Parivāra. Nālandā Edition. Pāli Publication Board, 1958, Pg.264.

"Dubbhāsitaṃ ti yaṃ vuttam, taṃ sunohi yathātatham. Dubbhāsitaṃ durābhaṭṭam, saṅkilittham ca yaṃ padaṃ. Tam ca vinnū garahanti, tenetaṃ iti vuccati".

18. Mahāvagga, Nālandā Edition Uposathakhandhaka Pg. 134. 137 Also Comp. Dh. Vinaya Taisho Vol. 22 Pg. 828a2ff; Sa Vinaya Taisho Vol. 23 Pg. 162c26ff; Mu Vinaya Tib. Bksh-Hgyur-Mdul-Ba Khe Vol. 41. F. 155a4ff.

19. Mahāvagga Nālandā Edition. Uposathakhandhaka Pg. 138-139. Also Comp. Dh. Vinaya Taisho Vol. 22 Pg. 828a2ff, Mi Vinaya Taisho Vol. 22 Pg. 127c3ff; Mu Vinaya Skt. Gilgit Ms Vol.3 Pt. IV. Pg. 107, Pg. 110 ff; Tib, Bksh-HGyur, Mdul-Ba-Khe Vol, 41.F.191b2ff;

20. Skt. Duṣṭhūla or Daṣṭhūlya Ch. Kuo Wu Tib. Gnas Nan Len Mvy, 2102 8424, 8473

21. D.E.B.M.T.—C.S. Upasak Pg. 114.

22. Pali-English Dictionary—Rhys Davids & Stede under “duṭṭhullāpatti”.

23. Sacred books of the East. Vol. 17. Vinaya Texts Pt. II, Pg. 316. f.n. no. 2.

24. Rhys Davids & Oldenberg

Sacred Books of the East Vol. XIII, Pt. I, Vinaya Texts Introduction Pg. XXV-XXVI

Also Vinaya Pitakam Vol. I. Edited by Hermam Oldenberg. Introduction Pg. XIX-XX.

Similar opinions have also been shared by Vidhusekhara Sastri (Pātimokkham. with Bengali translation and commentary Introduction Pg. 18)

25. The Book of the Discipline (Vinaya-Piṭaka), Vol. I (Suttavibhaṅga) translated by I. B. Horner. Sacred Books of the Buddhists Vol. X. Pt. I, London, Luzac & Co. 1970 Introduction Pg. XIV ff.

26. Parivāra Nālandā Edition. Pali Publication Board 1958 Introduction Pg. XI. vide pg. 55 for Pāli text.