The Buddhist Monastic Code
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Preface

This book is an attempt to give an organized, detailed account of the Patimokkha training rules and the traditions that have grown up around them. It is aimed primarily at those whose lives are affected by the rules -- bhikkhus who live by them, and other people who have dealings with the bhikkhus -- so that they will be able to find gathered in one volume as much essential information as possible on just what the rules do and do not entail. Students of Early Buddhism, Theravadin history, or contemporary Theravadin issues should also find this book interesting, as should anyone who is serious about the practice of the Dhamma and wants to see how the Buddha worked out the ramifications of Dhamma practice in daily life.

The amount of information offered here is both the book's strength and its weakness. On the one hand, it encompasses material that in some cases is otherwise unavailable in English or even in romanised Pali, and should be sufficient to serve as a life-long companion to any bhikkhu who seriously wants to benefit from the precise and thorough training the rules have to offer. On the other hand, the sheer size of the book and the mass of details to be remembered might prove daunting or discouraging to anyone just embarking on the bhikkhu's life.

To overcome this drawback, I have tried to organize the material in as clear-cut a manner as possible. In particular, by analyzing each rule into its component factors, I have tried to show not only the rule's precise range but also how it connects to the general pattern of mindfully analyzing one's own actions in terms of such factors as intention, perception, object, effort, and result -- a system that plays an important role in the training of the mind.

Secondly, I have provided short summaries for the rules and have gathered them, organized by topic, in the Rule Index at the back of the book. If you are new to the subject of Buddhist monastic discipline, I suggest that you read the Rule Index first, to grasp the gist of the rules and their rela-tionship to the Buddhist path, before going on to the more detailed discussions in the body of the book. This should help you keep the general purpose of the rules in mind, and keep you from getting lost in the mass of details.

I am indebted to the many people who helped directly and indirectly in the writing of this book. Phra Ajaan Fuang Jotiko (Phra Khru Nanavisitth) and Phra Ajaan Thawng Candasiri (Phra Nanavisitth), my first teachers in Vinaya, gave me a thorough grounding in the subject. Ven. Brahmavamso Bhikkhu gave many hours of his time to writing detailed criticisms of early versions of the manuscript during the long period of research that led up to the book, forcing me to deepen my knowledge and sharpen my presentation of the topic. There was a brief period when he and I thought of co-authoring the book, but the many questions that needed to be settled concerning form and content eventually required that one person go it alone, and it fell my lot to be that person. Still, much of the precision of the book is a result of his efforts, even in cases where I had to differ with his opinions.

As the manuscript began to approach its final form, Ven. Phra Nanavarodom, Bhikkhu Bodhi, Thiradhammo Bhikkhu, Amaro Bhikkhu, Suviro Bhikkhu, Bill Weir, and Doris Weir all read copies of it and offered valuable suggestions for improvement. I, of course, remain responsible for any errors it may still contain.

I dedicate this book in gratitude and respect to my preceptor, Phra Debmoli (Samrong Gunavuddho) of Wat Asokaram, Samut Prakaan, Thailand, and to all my teachers in the path of the Dhamma-Vinaya.

Thanissaro Bhikkhu
(Geoffrey DeGraff)
Metta Forest Monastery, Valley Center, CA 92082-1409 U.S.A., May, 1994

Abbreviations

A ..... Anguttara Nikaya
As ..... Adhikarana-samatha
Ay ..... Aniyata
BD ..... Book of Discipline
Cv ..... Cullavagga
D ..... Digha Nikaya
Dhp .... Dhammapada
M ..... Majjhima Nikaya
Mv ..... Mahavagga
NP ..... Nissaggiya Pacittiya
Pc ..... Pacittiya
Pd ..... Patidesaniya
Pr ..... Parajika
Pv ..... Parivara
S ..... Samyutta Nikaya
Sg ..... Sanghadisesa
Sk ..... Sekhiya
Vism ... Visuddhi Magga

Numbers in the references to Mv, Cv, and Pv denote chapter, section and sub-section; in the references to D and M, discourse (sutta); in the references to S and A, section (samyutta or nipata) and discourse; in the references to Dhp, verse; in the references to Vism, chapter and paragraph.

Introduction: Dhamma-Vinaya

Dhamma-Vinaya was the Buddha's own name for the religion he founded. Dhamma -- the truth -- is what he discovered and pointed out as advice for all who want to gain release from suffering. Vinaya -- discipline -- is what he formulated as rules, ideals, and standards of behavior for those of his followers who went forth from home life to take up the quest for release in greater earnestness. Although this book deals primarily with discipline, we should note at the outset that Dhamma and Vinaya in practice function only together. Neither without the other can attain the desired goal. In theory they may be separate, but in the person who practices them they merge as qualities developed in the mind and character.

"Gotami, the qualities of which you may know, 'These qualities lead to dispassion, not to passion; to being unfettered and not to being fettered; to self-effacement and not to self-aggrandizement; to modesty and not to ambition; to contentment and not to discontent; to seclusion and not to entanglement; to energy and not to idleness; to being unburdensome and not to being burdensome': You may definitely hold, 'This is the Dhamma, this is the Vinaya, this is the Teacher's instruction.'" (Cv.X.5)

Ultimately, the Buddha said, just as the sea has a single taste, that of salt, so too the Dhamma and Vinaya have a single taste: that of release. The connection between discipline and release is spelled out in a passage that recurs at several points in the Canon:

"Discipline is for the sake of restraint, restraint for the sake of freedom from remorse, freedom from remorse for the sake of joy, joy for the sake of rapture, rapture for the sake of tranquillity, tranquillity for the sake of pleasure, pleasure for the sake of concentration, concentration for the sake of knowledge and vision of things as they are, knowledge and vision of things as they are for the sake of disenchantment, disenchantment for the sake of dispassion, dispassion for the sake of release, release for the sake of knowledge and vision of release, knowledge and vision of release for the sake of total unbinding without clinging." (Pv.XII.2)

In establishing his religion of release, though, the Buddha did not simply set out a body of recommendations and rules. He also founded a company (parisa) of followers. This company falls into four main groups: bhikkhus (monks), bhikkhunis (nuns), lay men, and lay women. Although the Buddha saw no need to organize the laity in any manner, he arranged for the bhikkhus and bhikkhunis -- who had given up the entanglements of the household life to devote themselves more fully to the goal of release -- to develop into communities; and saw that they needed, as all communities do, ideals and standards, rules and customs to ensure their stability. This need is what gave rise to the Vinaya.

In the early years of the Buddha's career, the texts tell us, there was no need to formulate disciplinary rules. All of the bhikkhus in his following -- the Community of bhikkhunis had not yet been started -- were men of high personal attainments who had succeeded in subduing many or all of the defilements of their minds. They knew his teachings well and behaved accordingly. The Canon tells of how Ven. Sariputta, one of the Buddha's foremost disciples, asked the Buddha at an early date to formulate a Patimokkha, or code of rules, to ensure that the holy life the Buddha had founded would last long, just as a thread holding together a floral arrangement ensures that the flowers are not scattered by the wind. The Buddha replied that the time for such a code had not yet come, for even the most backward of the men in the Community at that time had already had their first glimpse of the goal. Only when mental effluents (asava) made themselves felt in the Community would there be a need for a Patimokkha.

As time passed, the conditions that provided an opening for the effluents within the Community eventually began to appear. The Bhaddali Sutta (M.65) presents the Buddha at a later point in his career listing these conditions as five:

Ven. Bhaddali: "Why is it, venerable sir, that there used to be fewer training rules and more bhikkhus established in the knowledge of Awakening? And why is it that there are now more training rules and fewer bhikkhus established in the knowledge of Awakening?" [Bhaddali, who has been unwilling to abide by the training rules, seems to be suggesting that the rise in the number of training rules is itself the cause for fewer bhikkhus' attaining Awakening. The Buddha, however, offers a different explanation.]

The Buddha: "So it is, Bhaddali. When beings have begun to degenerate, and the true Dhamma has begun to disappear, there are more training rules and fewer bhikkhus established in the knowledge of Awakening. The Teacher does not lay down a training rule for his disciples as long as there are no cases where the conditions that offer a foothold for the effluents have arisen in the Community. But when there are cases where the conditions that offer a foothold for the effluents have arisen in the Community, then the Teacher lays down a training rule for his disciples so as to counteract those very conditions.

"There are no cases where the conditions that offer a foothold for the effluents have arisen in the Community as long as the Community has not become large. But when the Community has become large, then there are cases where the conditions that offer a foothold for the effluents arise in the Community, and the Teacher then lays down a training rule for his disciples so as to

counteract those very conditions... When the Community possesses great material gains... great status... a large body of learning... when the Community is long-standing, then there are cases where the conditions that offer a foothold for the effluents arise in the Community, and the Teacher then lays down a training rule for his disciples so as to counteract those very conditions."

Thus the rules themselves were not the cause for degeneracy in the Community, and the conditions that provided a foothold for the effluents were not themselves effluents. Rather, the growing complexity of the Community provided the opportunity for bhikkhus to act on the basis of their defilements in a growing variety of ways, and the rules -- although they could not prevent any of the five conditions -- had to become correspondingly complex to counteract the opportunities those conditions provided for unenlightened behavior.

Even when these conditions did arise, though, the Buddha did not set out a full code at once. Instead, he formulated rules one at a time, in response to events. The considerations that went into formulating each rule are best illustrated by the events surrounding the formulation of the first.

Ven. Sudinna, the story goes, had strong faith in the Buddha and had ordained after receiving his parents' grudging consent. He was their only child and, though married, was childless. His parents, fearing that the government would confiscate their property at their death if it had no heir, devised various schemes to lure Ven. Sudinna back to the lay life, but to no avail. Finally, his mother realized that he was firm in his intention to stay a bhikkhu and so asked him at least to have intercourse with his former wife so that their property would have an heir. Ven. Sudinna consented, took his wife into the forest, and had intercourse three times.

Immediately he felt remorseful and eventually confessed his deed to his fellow bhikkhus. Word reached the Buddha, who called a meeting of the Community, questioned Ven. Sudinna, and gave him a rebuke. The rebuke fell into two major parts. In the first part, the Buddha reminded Ven. Sudinna of his position as a samana -- a contemplative -- and that his behaviour was unworthy of his position. Also, the Buddha pointed out to him of the aims of the teaching and noted that his behaviour ran counter to them. The implication here was that Ven. Sudinna had not only acted inconsistently with the content of the teaching, but had also shown callous disregard for the Buddha's compassionate aims in making the Dhamma known.

"'Misguided man, it is unseemly, unbecoming, unsuitable, and unworthy of a contemplative; improper and not to be done... Have I not taught the Dhamma in many ways for the sake of dispassion and not for passion; for unfettering and not for fettering; for letting go and not for clinging? Yet here, while I have taught the Dhamma for dispassion, you set your heart on passion; while I have taught the Dhamma for unfettering, you set your heart on being fettered; while I have taught the Dhamma for letting go, you set your heart on clinging.

"'Misguided man, haven't I taught the Dhamma in various ways for the fading of passion, the sobering of pride, the subduing of thirst, the destruction of attachment, the severing of the round, the depletion of craving, dispassion, stopping, unbinding? Haven't I advocated abandoning sensual pleasures, understanding sensual perceptions, subduing sensual thirst, destroying sensual preoccupations, calming sensual fevers?... Misguided man, this neither inspires faith in the faithless nor increases the faithful. Rather, it inspires lack of faith in the faithless and wavering in some of the faithful.'"

The second part of the rebuke dealt in terms of personal qualities: those that a bhikkhu practicing discipline is to abandon, and those he is to develop.

"Then the Blessed One, having in various ways rebuked Ven. Sudinna, having spoken in dispraise of being burdensome, demanding, arrogant, discontented, entangled, and indolent; in various ways having spoken in praise of being unburdensome, undemanding, modest, content, austere, scrupulous, gracious, self-effacing, and energetic; having given a Dhamma talk on what is seemly and becoming for bhikkhus, addressed the bhikkhus."

This was where the Buddha formulated the training rule, after first stating his reasons for doing so.

"'In that case, bhikkhus, I will formulate a training rule for the bhikkhus with ten aims in mind: the excellence of the Community, the peace of the Community, the curbing of the shameless, the comfort of well-behaved bhikkhus, the restraint of effluents related to the present life, the prevention of effluents related to the next life, the arousing of faith in the faithless, the increase of the faithful, the establishment of the true Dhamma, and the fostering of discipline.'"

These reasons fall into three main types. The first two are external: 1) to ensure peace and well-being within the Community itself, and 2) to foster and protect faith among the laity, on whom the bhikkhus depend for their support. (The origin stories of the various rules depict the laity as being very quick to generalize. One bhikkhu misbehaves, and they complain, "How can these bhikkhus do that?") The third type of reason, though, is internal: The rule is to help restrain and prevent mental effluents within the individual bhikkhus. Thus the rules aim not only at the external well-being of the Community, but also at the internal well-being of

the individual. This latter point soon becomes apparent to anyone who seriously tries to keep to the rules, for they foster mindfulness and circumspection in one's actions, qualities that carry over into the training of the mind.

Over the course of time the Buddha formulated more than 200 major and minor rules, forming the Patimokkha that was recited fortnightly in each Community of bhikkhus. In addition, he formulated many other minor rules that were memorized by those of his followers who specialized in the subject of discipline, but nothing is known for sure of what format they used to organize this body of knowledge during his lifetime.

After his total nibbana, though, his followers made a concerted effort to establish a standard canon of Dhamma and Vinaya, and the Pali Canon as we know it began to take shape. The Vinaya was organized into two main parts:

1) **the Sutta Vibhanga, the 'Exposition of the Text'** (which from here on we will refer to simply as the Vibhanga), containing almost all the material dealing with the Patimokkha rules;

2) **the Khandhakas, or Groupings**, which contain the remaining material organized loosely according to subject matter. The Khandhakas themselves are divided into two parts, the **Mahavagga**, or Greater Chapter, and the **Cullavagga**, or Lesser Chapter.

Historians estimate that the Vibhanga and Khandhakas reached their present form no later than the 2nd century B.C.E., and that the Parivara, or Addenda -- a summary and study guide -- was added a few centuries later, closing the Vinaya Pitaka, the part of the Canon dealing with discipline.

Since the purpose of this book is to translate and explain the Patimokkha, we are most directly concerned with the Vibhanga. It is organized as follows: The rules in the Patimokkha are presented one by one, each rule preceded by an origin story telling the events that led up to its formulation. In some instances a rule went through one or more reformulations, in which case an additional story is provided for each amendment to show what prompted it.

After the final statement of the rule is a word-commentary, which explains in detail most of the important terms in the rule. For many of the rules this commentary includes one or more "wheels," or tables, giving the contingencies connected with the rule, working out all their possible permutations and passing judgment as to what penalty, if any, each permutation entails. For example, the discussion of the first rule contains a wheel that gives all the objects with which a person might have sexual intercourse, lists them against the variables of the sort of intercourse and whether or not the bhikkhu involved gives his consent, and announces the penalty for each possible combination of factors.

Following the word-commentary for each rule is a section of no-offence clauses, listing extenuating circumstances under which a bhikkhu would be exempted from the penalty imposed by the rule.

Finally, for the major rules, there is the Vinita Vatthu, or List of Precedents, which documents various cases related to the rule and gives verdicts as to what penalty, if any, they entail.

The Vibhanga forms the basis for most of the explanations of the training rules given in this book. However, there are occasional questions on which the Vibhanga is unclear or silent. To answer these questions, I have turned either to the Khandhakas or to the commentarial literature that has grown up around the Vinaya over the course of the centuries. The primary works I have consulted are these:

1) **The *Samanta-pasadika*** -- **"The Thoroughly Inspiring"** -- (from here on referred to as the Commentary), a commentary on the Vinaya Pitaka compiled in the 5th century C.E. by Bhadantacariya Buddhaghosa, who based his work on ancient commentaries brought to Sri Lanka from India at an unknown date and translated into Sinhalese. From internal evidence in Buddhaghosa's writings -- he compiled commentaries on a major portion of the Canon -- historians have estimated that the ancient commentaries were collected over a span of several centuries and closed in approximately the 2nd century C.E. Buddhaghosa's work thus contains material much older than his date would indicate.

By Buddhaghosa's time a belief had grown up that the ancient commentaries were the work of the Buddha's immediate disciples and thus indisputably conveyed the true intent of the Canon. However, as we shall see below, the ancient commentaries themselves did not make such exalted claims for themselves.

Still, the existence of this belief in the 5th century placed certain constraints on Buddhaghosa's work. At points where the ancient commentaries conflicted with the Canon, he had to write the discrepancies off as copier's mistakes or else side with the commentaries against the Canon. At a few points, such as his explanation of Pacittiya 9, he provides arguments against the ancient commentaries' interpretation but then backs off, saying that the ancient commentaries must be right because their authors knew the Buddha's intentions. Perhaps pressure from the elder bhikkhus at the Mahavihara in Anuradhapura -- the place where the ancient commentaries had been preserved and where Buddhaghosa was allowed to do his work -- was what made him back off in this way. At any rate, only on points where the different ancient commentaries were silent or gave divergent opinions did he feel free to express his opinions.

2) **The *Kankha-vitarani*** -- **"The Subjugator of Uncertainty"** -- (the K/Commentary), a commentary on the Patimokkha also compiled by Bhadantacariya Buddhaghosa. Although this work is largely a synopsis of material in the Commentary, it contains some independent material, in particular a system of classifying the offences under each training rule into their component factors. It also contradicts the Commentary from time to time.

3) **The *Sarattha-dipani* -- "The Essence-Meaning Illustrator"** -- (the Sub-commentary), a sub-commentary on the Commentary, written in Sri Lanka in the 12th century C.E. by a Ven. Sariputta, the first Mahasami, or head of the Sri Lankan Sangha, after that Sangha was reformed and unified under the patronage of King Parakrama Bahu I. This work not only explains the Commentary, but also deals with points in the Canon itself, sometimes indicating passages where the Commentary has deviated from the Canon. It also quotes as authoritative the judgments of three ancient texts, the Ganthipadesa, which are no longer extant, and of Ven. Buddhadatta, a scholar of the 4th century C.E. who wrote two extant Vinaya guides.

4) **The *Vimati-vinodani* -- "The Remover of Perplexity"** -- (the V/Sub-commentary), another 12th-century sub-commentary, written in southern India by a Ven. Kassapa, who also wrote the Mohavicchedani, a synopsis of the Abhidhamma Pitaka and Buddhaghosa's commentaries on it.

5) **The *Attha-yojana* -- "The Interpretation of the Meaning"** -- (the A/Sub-commentary), a sub-commentary that, unlike the works of Vens. Sariputta and Kassapa, does little more than analyze the language of the Commentary. This was written in the 18th century C.E. by a Burmese scholar named Ven. Ñanakitti

From here on "the ancient commentaries" will denote the original commentaries that Buddhaghosa had to work with, and "the commentaries" all five works listed above.

In addition to the Canon and the commentaries, I have referred to the texts listed in the Bibliography. Two of these deserve special mention here.

1) **The *Vinaya Mukha***, a guide to the Vinaya written in Thai in the early 20th century by Prince Vajirañana-varorasa, a son of King Rama IV who ordained as a bhikkhu and eventually held the position of Supreme Patriarch of the Thai Sangha for many years. This work he wrote as part of his attempt to unite the two major sects of the Thai Sangha. The attempt failed, but the book is still used as the official textbook on Vinaya for the examinations run by the Thai Ecclesiastical Board. Prince Vajirañana in his interpretations often disagrees openly not only with the commentaries, but also with the Vibhanga itself. Some of his disagreements with the commentaries are well-taken, some not.

I include the book here both for the valuable suggestions it makes for dealing with unclear points in the older texts and because it is taken as authoritative through much of Thailand. It has been translated into English, as The Entrance to the Vinaya, but I have chosen to translate anew all the passages I quote from it.

2) **The *Book of Discipline***, a translation of the entire Vinaya Pitaka into English by Miss I. B. Horner. Although I have learned much from Miss Horner's work, there are points where my translations and conclusions differ from hers. Since many readers will want to check the information in this book against hers, I have marked these points with a "." Anyone curious as to which interpretation is correct should check the passages in question against the Royal Thai edition of the Pali Canon, my major source throughout this book.

Disagreements among the texts. One of the difficulties in trying to collate all these various texts is that there are points on which the Vibhanga is at variance with the wording of the Patimokkha rules, and the commentaries are at variance with the Canon. This forces us to decide which strata of the texts to take as authoritative. As far as discrepancies between the Vibhanga and the rules are concerned, the following passage in the Cullavagga (X.4) suggests that the Buddha himself gave preference to the way the bhikkhus worked out the rules in the Vibhanga:

> "As she was standing at a respectful distance, Maha-pajapati Gotami spoke thus to the Blessed One: 'Lord, those rules of training for the bhikkhunis that are in common with those for the bhikkhus: What line of conduct should we follow in regard to them?'
>
> "'Those rules of training for the bhikkhunis, Gotami, that are in common with those for the bhikkhus: As the bhikkhus train themselves, so should you train yourselves'... (emphasis added).
>
> "'And those rules of training for bhikkhunis that are not in common with those for bhikkhus: What line of conduct should we follow in regard to them?'
>
> "'Those rules of training for the bhikkhunis, Gotami, that are not in common with those for the bhikkhus: Train yourselves in them as they are formulated.'"

This passage implies that already in the time of the Buddha the bhikkhus had begun working out a way to interpret the rules that in some cases was not exactly in line with the way the Buddha had originally formulated them. Some people have read this passage as suggesting that the Buddha, though resigned to this development, was displeased with it, but this would contradict the many passages in the Canon where the Buddha speaks in high praise of Ven. Upali, the foremost of his bhikkhu disciples in terms of his knowledge of Vinaya, who was responsible for teaching the rules to the other bhikkhus and who was largely responsible for the shape of the Vinaya as we now have it. It seems more likely that the Buddha in this passage is simply saying that, to avoid unnecessary controversy, the way the bhikkhus had worked out the implications of the rules was to be accepted as is.

Because this development eventually led to the Vibhanga, we can be confident that in adhering to the Vibhanga we are acting as the Buddha would have us do. And when we check the few places where the Vibhanga deviates from the wording of the rules, we find that almost invariably it has tried to reconcile contradictions among the rules themselves, and between the rules and the Khandhakas, so as to make the Vinaya a more coherent whole. This is particularly true with rules that touch on formal acts of the Community. Apparently many of these rules were formulated before the general patterns for formal acts were finalized in the Khandhakas. Thus, after the patterns were established, the compilers of the Vibhanga were sometimes forced to deviate from the wording of the rules to bring them into line with the patterns.

As for contradictions between the Commentary and the Vibhanga, this is a more controversial area, with two extremes of thought. One is to reject the Commentary entirely, as it is not the Buddha's word, for modern historical scholarship has shown decisively that it contains material dating many hundreds of years after the Buddha's passing away. This position assumes, though, that in the areas where the Canon is vague or unclear we have nothing to learn from the accumulated wisdom and experience of those who have lived the bhikkhu's life before us. The other extreme is to accept the Commentary as superseding the Vibhanga entirely, in line with the traditional belief that grew up around it: that it was composed at the First Council to express the true intent of those who composed the Vibhanga and yet somehow were unable to put what they really meant to say into the Canon itself.

Neither of these extremes is in line with the Great Standards for judging Dhamma and Vinaya that -- as the Maha-parinibbana Sutta (D.16) reports -- the Buddha formulated at Bhoganagara shortly before his passing away:

"There is the case where a bhikkhu says this: 'In the Blessed One's presence have I heard this, in the Blessed One's presence have I received this: This is the Dhamma, this is the Vinaya, this is the Teacher's instruction.' His statement is neither to be approved nor scorned. Without approval or scorn, take careful note of his words and make them stand against the Suttas and tally them against the Vinaya. If, on making them stand against the Suttas and tallying them against the Vinaya, you find that they don't stand with the Suttas or tally with the Vinaya, you may conclude: 'This is not the word of the Blessed One; this bhikkhu has misunderstood it' -- and you should reject it. But if... they stand with the Suttas and tally with the Vinaya, you may conclude: 'This is the word of the Blessed One; this bhikkhu has understood it rightly.'"

[The same criteria are to be used when the bhikkhu cites as his authority a Community with well-known leading elders; a monastery with many learned elders who know the tradition, who have memorized the Dhamma, the Vinaya, and the Matika (the precursor to the Abhidhamma as we know it); or a single elder who knows the tradition.]

In other words, the question is not one of the authority on whose word a claim is based, but one of consistency: Only if a statement stands up under comparison with the Canon should it be accepted as true Dhamma or Vinaya. The same principle holds for statements that are said to be not the word of the Buddha, but the opinion of respected teachers.

This point is borne out by two important passages in the texts. One is the narrative of the Second Council, during which the bhikkhus of Vesali defended ten practices on the grounds that they had learned them from their teachers. The elders who judged the case, though, insisted on evaluating the practices in terms of whether or not they adhered to the Canon. The primary point of controversy -- the question of whose authority was greater, the Canon's or the teachers' -- was point six:

"'The practice of what is habitual, sir -- is it allowable?'

"'What is the practice of what is habitual, my friend?'

"'To practice (thinking), this is the way my preceptor habitually practiced; this is the way my teacher habitually practiced -- is this allowable?'

"'The practice of what is habitual is sometimes allowable, sometimes not.'" (CV.XII.2.8)

What this means, as the elders showed in the way they conducted the meeting, is that one's teacher's and preceptor's practices are to be followed only when they are in accordance with the Canon.

The second passage is the discussion of the Great Standards in the Commentary to the Maha-parinibbana Sutta, which concludes that the commentaries are to be accepted only where they are in agreement with the Canon. Apparently the teachers who compiled the ancient commentaries took a more modest view of their authority than did the elders of the Mahavihara at the time of Buddhaghosa and did not pretend to supersede the Canon as the final word on what is and is not true Dhamma and Vinaya.

Some may object that to pass judgment on the Commentary is to lack respect for the tradition, but actually it is because of respect for the compilers of the Vibhanga that I make the following assumptions in checking the Commentary against the Vibhanga:

1) The compilers of the Vibhanga were intelligent enough to be consistent within the discussion of each rule. Any explanation based on the premise that they were not consistent should give way to an explanation showing that they were.

2) The compilers were well enough acquainted with the contingencies surrounding each rule that they knew which factors were and were not crucial in determining what is and is not an offence. Any explanation that adds or subtracts factors from those mentioned in the Vibhanga should give way to one that follows the Vibhanga's analysis.

3) The compilers, in reporting the precedents in the Vinita Vatthu -- the cases the Buddha judged against an existing rule -- were careful enough to include all the important factors bearing on the judgment. Any explanation that requires rewriting the precedents, adding extra details extraneous to the Vibhanga to account for the judgment, should give way to an explanation that can make sense out of the precedents as they are reported and in terms of the analyses presented elsewhere in the Vibhanga.

It's not that I take any joy in arguing with the Commentary. In fact, wherever possible, I have been happy to give it the benefit of the doubt, and on many points I am very much in its debt. Still, now that Buddhism is coming to the West, I feel it is time to stop and take stock of the tradition, and to check the later traditions against the earliest sources. This is especially important in a way of thought and life that, from the very beginning, has appealed to reason and investigation rather than to blindly accepted authority. In doing this, I am simply following a pattern that has repeated itself through the history of the Theravadin tradition: that of returning to the original principles whenever the religion reaches a historic turning point.

There is, of course, a danger in being too independent in interpreting the tradition, in that strongly held opinions can lead to disharmony in the Community. Thus in evaluating the Commentary against the Canon, I do not want to imply that my conclusions are the only ones possible. Important points may have slipped my attention or escaped my grasp. For this reason, even in instances where I think that the Commentary does not do justice to the Vibhanga, I have tried to give a faithful account of the important points from the Commentary so that those who wish to take it as their authority may still use this book as a guide. If there are any points on which I am mistaken, I would be pleased if knowledgeable people would correct me.

At the same time, I hope that this book will show that there are many areas on which the Vibhanga is unclear and lends itself to a variety of equally valid interpretations. For proof of this, we need only look at the various traditions that have developed in the different Theravadin countries, and even within each country. For some reason, although people tend to be very tolerant of different interpretations of the Dhamma, they can be very intolerant of different interpretations of the Vinaya and can get into heated arguments over minor issues having very little to do with the training of the mind.

I have tried to make the point throughout this book that any interpretation based on a sound reading of the Canon should be respected: that each bhikkhu should follow the interpretations of the Community in which he is living, as long as they do not conflict with the Canon, so as to avoid conflict over minor matters in daily life; and that he should also show respect for the differing interpretations of other Communities where they too do not conflict with the Canon, so as to avoid the pitfalls of pride and narrow-mindedness.

This is especially true now that monasteries of different nationalities are taking root in close proximity to one another in the West. In the past, Thais, Burmese, and Sri Lankans could look down on one another's traditions without danger of causing friction, as they lived in separate countries and spoke different languages. Now, however, we have become neighbours and have begun to speak common languages, so it is best that we take to heart the writings of the Chinese pilgrims who visited India centuries ago. They reported that even after the early Buddhists had split into 18 schools, each with its own Tripitaka and Patimokkha, and the Mahayanists had added their texts to the tradition, bhikkhus belonging to different schools could be found living together in the same monastery, practicing and conducting communal business in peace and harmony. Theirs is a worthy example. We should not let our minor differences become stumbling blocks on our way.

My aim throughout this book has been practical. I have avoided dealing with academic issues concerning the authenticity and reliability of the tradition, and instead have tried simply to report and explain what the tradition has to say. Of course, I have had to be selective. Whatever the unconscious factors that have influenced my choice of material, the conscious considerations shaping this book are briefly as follows:

We are dealing primarily with rules, but rules are not the only way to express disciplinary norms, and the texts we are surveying express their norms in a variety of forms: as rules, principles, models, and virtues. The different forms are best suited for different purposes. Principles, models, and virtues are meant as personal, subjective standards and tend to be loosely defined. Their interpretation and application are left to the judgment of the individual. Rules are meant to serve as more objective standards. To work, they must be precisely defined in a way acceptable to the Community at large. The compilers of the Canon, recognizing this need, provided definitions for most of the terms in the rules, and the authors of the commentaries continued this task, carrying it out with even greater thoroughness. Thus much of this book, in reporting these texts, is concerned with the definition of terms.

This need for precision, though, accounts for the weakness of rules in general as universal guides to behaviour. First, there is the question of where to draw the line between what is and is not an infraction of the rule. A clear break-off point is needed because rules -- unlike principles -- deal in two colours: black and white. In some cases, it is difficult to find a clear break-off point that corresponds exactly to one's sense of what is right and wrong, and so it is necessary to include the areas of grey either with the white or the black. In general, but not always, the Vibhanga's position is to include the grey with the white, and to rely on the principles of the Dhamma to encourage the individual bhikkhu to stay away from the grey.

Take, for instance, the rule against masturbation. The Vibhanga limits this rule to forbidding only those forms of masturbation that aim at ejaculation, for if it had drawn the line anywhere else, it would have become an offence for a bhikkhu simply to scratch himself. Thus self-stimulation that does not aim at ejaculation is not an offence, although in many cases it is clearly against the spirit of the Dhamma. The Vinaya Mukha notes, disapprovingly, a number of older Vinaya guides that like to dwell on these areas of grey and seem to delight in figuring out ways to avoid an offence by working around the letter of the rules. In this book I am taking a different tack: Under those rules that include large areas of grey with the white, I have noted a few relevant principles from the Dhamma to spell out a wise policy with regard to the grey areas -- not to reformulate the rule, but simply as a reminder that, as noted above, the Vinaya without the Dhamma does not suffice as a guide to the goal.

Another drawback resulting from the need for precision in rules is that the more precisely a rule is defined to suit a particular time and place, the less well it may fit other times and places. The compilers of the Canon, in order to make up for this weakness, thus provided the origin stories and precedents to show the type of situation the rule was intended to prevent, providing principles and models that indicate the spirit of the rule and aid in applying it to differing contexts. In writing this book I have often made reference to these stories, to give this added dimension.

Admittedly, the stories do not make for inspiring reading. For example, instead of reading about bhikkhus accepting a meal at a donor's house and then uplifting the donor with a talk on Dhamma, we read about Ven. Udayin accepting a meal at the dwelling of a bhikkhuni who was his former wife, and the two of them sitting there exposing their genitals to each other. Still, the stories do remind us that the more inspiring stories we read in the discourses took place in a very real human world, and they also reveal the insight and understated wit of those who framed and interpreted the rules. The element of wit here is especially important, for without it there is no true understanding of human nature, and no intelligent system of discipline.

Finally, in compiling this book, I have tried to include whatever seems most worth knowing for the bhikkhu who aims at fostering the qualities of discipline in his life -- so as to help train his mind and live in peace with his fellow bhikkhus -- and for anyone who wants to support and encourage the bhikkhus in that aim.

Chapter One Patimokkha

The Patimokkha is available to us in several recensions, some in Indic languages, others in Tibetan or Chinese translations. However, of the Indic recensions, only one -- the Pali -- is still a living tradition, recited fortnightly and put into practice by Theravadin bhikkhus throughout the world. This is the recension translated and explained in this book.

The meaning of the term *patimokkha* is a matter of conjecture. According to the Mahavagga, it means "the beginning, the head (or entrance -- mukha), the foremost (pamukha) of skilful qualities." (Mv.II.3.4) The term serves as the name not only of the basic code of training rules, but also of a sermon in which the Buddha enumerated the basic principles common to the teachings of all Buddhas: "The non-doing of all evil, the performance of what is skilful, and the purification of one's heart: this is the Buddhas' message." (Dhp.183) Thus whatever the etymology of the term patimokkha, it denotes a set of principles basic to the practice of the religion.

The basic code of training rules for bhikkhus, in its Pali recension, contains 227 rules, divided into eight sections in accordance with the penalty assigned by each rule:

parajika, defeat;
sanghadisesa, formal meeting;
aniyata, undetermined;
nissaggiya pacittiya, forfeiture and confession;
pacittiya, confession;
patidesaniya, acknowledgement;
sekhiya, training; and
adhikarana-samatha, settlement of issues.

The following chapters will discuss the precise meanings of these terms.

Three of these terms, though, do not denote penalties. The aniyata rules give directions for judging uncertain cases; the sekhiya rules simply say, "(This is) a training to be followed," without assigning a particular penalty for not following them; and the adhikarana-samatha rules give procedures to follow in settling issues that may arise in the Community. Thus there are only five types of penalty mentioned in the Patimokkha rules themselves, ranging from permanent expulsion from the Community to simple confession in the presence of another bhikkhu. None of the penalties, we should note, involve physical punishment of any kind. And we should further note that the purpose of undergoing the penalties is not somehow to absolve one from guilt or to erase any bad kamma one may incur by breaking the rules; rather, the purpose is both personal and social: to strengthen one's resolve to refrain from such behaviour in the future, and to reassure the other bhikkhus that one is still serious about following the training.

In addition to the penalties directly mentioned in the rules, there are also penalties derived from the rules by the Vibhanga and commentaries. These derived penalties deal with two sorts of cases: 1) A bhikkhu tries to commit an action mentioned in one of the rules, but the action for one reason or another does not reach completion (e.g., he tries to kill a person, but the person doesn't die). 2) A bhikkhu commits an action not directly covered in any rule, but similar to one that is (e.g., he strikes an unordained person, which is not directly covered in a rule, while the act of striking a bhikkhu is).

Penalties of this sort, when derived from the parajika and sanghadisesa rules, include **thullaccaya (grave offence)** and **dukkata (wrong doing**); those derived from the nissaggiya pacittiya, pacittiya, and patidesaniya rules -- except for the rule against speaking insults -- include only the dukkata. The penalties derived from the rule against speaking insults include **dubbhasita (wrong speech)** as well. As for the sekhiya rules, the Vibhanga states that to disobey any of them out of disrespect entails a dukkata. All of these derived penalties may be cleared through confession.

There may, of course, be times when the assigned penalties are not enough to deter an unconscientious bhikkhu from committing an offence repeatedly. In such cases, the Community in which he is living may, if it sees fit, formally impose additional penalties on him as a means of bringing him into line. These formal acts range from stripping him of some of the privileges of seniority, to banishment from that particular Community, and on to suspension from the Bhikkhu Sangha as a whole. In each case the punishment is temporary; if the

bhikkhu realizes his errors and mends his ways, the Community is to revoke the act against him and return him to his former status.

Thus, taken as a whole, the Vinaya's system of penalties makes use of three basic principles -- confession, forfeiture, and various degrees of ostracism from the Community -- as means of enforcing the rules. To understand the wisdom of this system, it is important to realize how each of these principles is related to the practice of the Dhamma and the training of the mind.

***Confession*:** There are several spots in the discourses (e.g., D.2, M.140) where the Buddha states, 'It is growth in the discipline of a Noble One that a person sees a transgression (of his own) as a transgression, makes amends for it in accordance with the Dhamma, and achieves restraint in the future.' From the context each time the Buddha makes this statement, it is clear that "makes amends" means confessing one's mistakes. In another passage (M.61), the Buddha informs his son, Rahula, that if one sees that one's words or deeds have harmed oneself or others, one should confess them to a knowledgeable companion in the Holy Life. All those who have purified their thoughts, words, and deeds in the past, all those who are doing so in the present, and all those who will do so in the future, he adds, have acted, are acting, and will act in just this way. In addition, one of the basic requisites for exerting oneself in the practice is that one not be fraudulent or deceitful, and that one declare oneself to one's knowledgeable companions in the Holy Life in line with one's actual behaviour (A.V.53). Thus a willingness to confess one's misdeeds is an essential factor in progress along the path.

Forfeiture, in most cases, is simply a symbolic adjunct to confession. One forfeits the object in question, confesses the offence, and then receives the object in return. In a few cases, though -- where the object is improper for a bhikkhu to use or own -- one must break it or forfeit it for good. In these cases, forfeiture serves as a check against greed and as a reminder of two essential principles -- contentment with little and fewness of wants -- that are absolutely basic to the practice.

***Ostracism*:** In a famous passage (S.XLV.2), the Buddha tells Ven. Ananda, "Admirable friendship, admirable companionship, admirable camaraderie is the entirety of the Holy Life. When a bhikkhu has admirable people as friends, companions, & comrades, he can be expected to develop the Noble Eightfold Path and make much of it." Thus one of the few things a bhikkhu serious about the practice would naturally fear would be to be ostracized by the well-behaved members of the Community, for that would be a true barrier to his spiritual progress. This fear would then help deter him from any action that might entail such ostracism.

In this way, the Vinaya's system of penalties provides rehabilitation for offenders and deterrence against offences -- with confession the means of rehabilitation, and ostracism the deterrent -- growing directly out of principles basic to the practice of the Dhamma.

Offences. In analyzing offences for the purpose of determining penalties, the Vibhanga divides an action into five factors:

the object
the perception
the intent
the effort
the result.

In some of the rules, all five factors play a role in determining what is and is not a full offence. In others, only two, three or four play a role. For example, under the parajika rule forbidding murder, all five factors have to be present for a full offence: The object has to be a human being, the bhikkhu has to perceive him/her as a living being, he has to have murderous intent, he has to make an effort for the person to die, and the person has to die.

If any of these factors are missing, the penalty changes. For instance, object: If the bhikkhu kills a dog, the penalty is a pacittiya. Perception: If he cremates a friend, thinking that the friend is dead, then even if the friend is actually alive but severely comatose, the bhikkhu incurs no penalty. Intent: If he accidentally drops a rock on a person standing below him, he incurs no penalty even if the person dies. Effort: If he sees a person fall into the river, but makes no effort to save the person, he incurs no penalty even if the person drowns. Result: If he tries to kill a person, but only succeeds in injuring him, he incurs a thullaccaya.

There are some rules, though, where the factors of intention, perception, and result do not make any difference in determining offences. For example, if a bhikkhu is sleeping alone in a room and a woman comes in and lies down in the room with him, he incurs the pacittiya for lying down in the same lodging as a woman even though his intention was to lie down alone and he was unaware of her presence. A bhikkhu who drinks a glass of wine, thinking it to be grape juice, incurs the pacittiya for taking intoxicants all the same. A bhikkhu who tries to frighten another bhikkhu incurs a pacittiya regardless of whether or not the other bhikkhu is actually frightened.

Another variation is that in rules where a bhikkhu may be put into a passive role in committing an act that would fulfil the factor of effort, the factor of intention is changed to consent: mental acquiescence to the act combined with a physical or verbal expression of that acquiescence. Under some rules, such as the rule against sexual intercourse, simply letting the act happen counts as physical acquiescence even if one lies perfectly still, and the question of whether or not one incurs a penalty depends entirely on the state of one's mind. Under other rules, though -- such as the rule against lustful contact with a woman, which includes cases where the woman is the agent making the contact -- simply lying still is not enough to count as a physical sign of acquiescence, and even if one consents mentally, say, to a woman's fondling, one would incur a penalty only if one says something or responds with a physical movement to what she is doing.

The factor of effort is basic to every rule and is also used to determine offences in cases where a bhikkhu intends to break a rule but does not complete the action. For instance, in the case of stealing, the efforts involved are said to begin when, acting under the intent to steal, a bhikkhu gets dressed and starts walking to the object. With each of these preliminary efforts -- literally, with every step -- he incurs a dukkata. At first glance, this may seem extreme, but when we view his state of mind as having ultimate importance, this system of assigning penalties is appropriate. In cases like this, if the bhikkhu completes the act, the penalties he incurred in the preliminary efforts are nullified, and he is left with only the penalty imposed by the rule.

Thus it is important, when reading about each training rule, to pay attention to what role these five factors play in determining the offences related to the rule. And, of course, it is important for each bhikkhu to pay attention to all five of these factors in all of his actions to make sure that he does not fall at any time into an offence. This is where training in discipline becomes part of the training of the mind leading to Awakening. A bhikkhu who is mindful to analyze his actions into these five factors, to be aware of them as they arise, and to behave consistently in such a manner that he avoids committing any offences, is developing three qualities: mindfulness; an analytical attitude towards phenomena in his thoughts, words, and deeds; and persistence in abandoning unskilful qualities and developing skilful ones within himself. These are the first three of the seven factors for Awakening, and form the basis for the remaining four: rapture, tranquillity, concentration, and equanimity.

The Parivara (VI.4), in reviewing the Vibhanga's five factors for analyzing offences, devises a number of categories for classifying offences, the most important being the distinction between rules carrying a penalty only when broken intentionally through correct perception (sacittaka), and those carrying a penalty even when broken unintentionally or through misperception (acittaka).

Although it may seem harsh to impose penalties for unintentional actions, we must again reflect on the state of mind that leads to such actions. In some acts, of course, the intention makes all the difference between guilt and innocence. Taking an article with intent to return it, for example, is something else entirely from taking it with intent to steal. There are, however, other acts with damaging consequences that, when performed unintentionally, reveal carelessness and lack of circumspection in areas where a person may reasonably be held responsible. Many of the rules dealing with the proper care of communal property and one's basic requisites fall in this category. Except for one very unlikely situation, though, none of the major rules carry a penalty if broken unintentionally, while the minor rules that do carry such penalties may be regarded as useful lessons in mindfulness.

The Parivara (IV.7.4) also lists six ways in which offences can be committed:

1) *unconscientiously*, i.e., knowing that an action is contrary to the rules, but going ahead with it anyway;

2) *unknowingly*, i.e., not realizing that the action is contrary to the rules;

3) *absentmindedly*;

4) *assuming something improper to be proper*, e.g., drinking a glass of apple wine perceiving it to be apple juice;

5) *assuming something proper to be improper*, e.g., perceiving a glass of apple juice to be apple wine, and drinking it nonetheless; and

6) *acting out of uncertainty*, i.e., not being sure if an action is proper, but going ahead with it anyway. In this last case, if the action is improper, one is to be treated according to the relevant rule. If it is proper, one incurs a dukkata in any event for having acted irresponsibly.

Another scheme introduced in the ancient commentaries for classifying offences is the distinction between those that the world criticizes (*loka-vajja*) and those that only the rules criticize (*pannati-vajja*). The Commentary defines this distinction by saying that loka-vajja offences are committed with an unskilful state of mind (i.e., greed, anger or delusion), whereas pannati-vajja offences can be committed with a skilful state of mind. Thus the concepts would seem to have been developed originally to deal with the exceptional cases in which a bhikkhu would be led by mature consideration to break a rule -- e.g., where another person's life would be at stake. Under such circumstances, the world at large would not criticize his actions, although the rules would impose a penalty.

As these concepts finally took shape in the ancient commentaries, though, they became a way of classifying rules. The compilers apparently felt that some of the rules forbade actions that necessarily were motivated by an unskilful state of mind, whereas others forbade actions that might be motivated by skilful states of mind. Given this use of the distinction, the Vinaya Mukha redefines the terms as follows:

"Some offences are faults as far as the world is concerned -- wrong and damaging even if committed by ordinary people who are not bhikkhus -- examples being robbery and murder, as well as such lesser faults as assault and verbal abuse. Offences of this sort are termed loka-vajja. There are also offences that are faults only as far as the Buddha's ordinances are concerned -- neither wrong nor damaging if committed by ordinary people; wrong only if committed by bhikkhus, on the grounds that they run counter to the Buddha's ordinances. Offences of this sort are termed pannati-vajja."

Even a cursory glance at the Patimokkha rules will show that many of them deal with the latter sort of offence, and that such offences concern relatively minor matters. The question often arises, then: Why this concern with minutiae? The answer is that the rules deal with social relationships -- among the bhikkhus themselves and between the bhikkhus and the laity -- and that social relationships are defined by seemingly minor points.

Take, for instance, the rule that a bhikkhu may not eat food unless it is handed to him or to a fellow bhikkhu by an unordained person on that day. This rule has wide-ranging ramifications. It means, among other things, that a bhikkhu may not leave human society to lead a solitary hermit's existence, foraging for food on his own. He must have frequent contact with humanity, however minimal, and in that contact he performs a service to others, even if simply offering them a noble example of conduct and giving them an opportunity to develop the virtue of generosity. Many of the other seemingly trivial rules -- such as those forbidding digging in the soil and damaging plant life -- will reveal, on reflection, implications of a similar scope.

The Great Standards. Although the Vibhanga and Khandhakas cover an enormous number of cases, they do not, of course, cover every possible contingency in the world; and from what we have seen of the way in which the Buddha formulated the rules -- dealing with cases as they arose -- there is reason to doubt that he himself wanted them to form an airtight system. As for cases that did not arise during his lifetime, he established the following four guidelines for judgment -- called the Great Standards (a separate set from those he formulated at Bhoganagara) -- for judging cases not mentioned in the rules:

"Bhikkhus, whatever I have not objected to, saying, 'This is not allowable,' if it fits in with what is not allowable, if it goes against what is allowable, that is not allowable for you.

"Whatever I have not objected to, saying, 'This is not allowable,' if it fits in with what is allowable, if it goes against what is not allowable, that is allowable for you.

"And whatever I have not permitted, saying, 'This is allowable,' if it fits in with what is not allowable, if it goes against what is allowable, that is not allowable for you.

"And whatever I have not permitted, saying, 'This is allowable,' if it fits in with what is allowable, if it goes against what is not allowable, that is allowable for you." (Mv.VI.40)

These four Great Standards, when properly applied, are an important tool for extending the principles of discipline into situations unknown in the Buddha's time. We will have occasion to refer to them frequently in the course of this book. There is evidence in the Canon that the Buddha's own attitude towards discipline was not one of strict legalism. Take, for instance, this discourse:

"At one time the Blessed One was living in Vesali, in the Great Wood. Then a certain Vajjian bhikkhu went to him... and said: 'Lord, more than 150 training rules come up for recitation every fortnight. I cannot train in reference to them.'

"'Bhikkhu, can you train in reference to the three trainings: the training in heightened virtue, the training in heightened mind, the training in heightened discernment?'

"'Yes, Lord, I can...'

"'Then train in reference to those three trainings... When you train in reference to the training in heightened virtue... heightened mind... heightened discernment, passion will be abandoned in you, aversion... delusion will be abandoned in you. Then with the abandoning of passion... aversion... delusion, you will not do anything unskilful or engage in any evil.'

"Later on, that bhikkhu trained in heightened virtue... heightened mind... heightened discernment... Passion... aversion... delusion were abandoned in him... He did not do anything unskilful or engage in any evil." (A.III.85)

Another discourse with a similar point:

"'Bhikkhus, more than 150 training rules come up for recitation every fortnight, in reference to which young men desiring the goal train themselves. There are these three trainings in which they (the training rules) are all contained. What three? The training in heightened virtue, the training in heightened mind, the training in heightened discernment. These are the three trainings in which they are all contained...

"'There is the case, bhikkhus, where a bhikkhu is fully accomplished in virtue, concentration, and discernment (i.e., is an arahant). With reference to the lesser and minor training rules, he falls into offences and rehabilitates himself. Why is that? Because it is not said to be an impossibility. But as for the training rules that are basic to the holy life and proper to the holy life, his virtue is steadfast and firm. Having undertaken them, he trains in reference to the training rules. Because of the ending of (mental) effluents, he dwells in the awareness-release and discernment-release that are free from effluent, having known and made them manifest for himself right in the present...

"'Those who are partially accomplished attain a part; those who are wholly accomplished, the whole. The training rules, I say, are not in vain.'" (A.III.88).

Chapter Two Nissaya

The Dhamma and Vinaya impinge in such detail on so many areas of one's life that no new bhikkhu can be expected to master them in a short time. For this reason, the Buddha arranged for a period of apprenticeship -- called nissaya, or dependence -- in which every newly ordained bhikkhu must train under the guidance of an experienced bhikkhu for at least five years before he can be considered competent to look after himself.

This apprenticeship has formed the human context in which the practice of the Buddha's teachings has been passed down for the past 2,600 years. To overlook it is to miss one of the basic parameters of the life of the Dhamma and Vinaya. Thus we will discuss it here first, before going on to the individual training rules of the Patimokkha.

Dependence is of two sorts: dependence on one's preceptor (upajjhaya) and dependence on a teacher (acariya). The relationships are similar -- and in many details, identical -- so the following discussion will use the word "mentor" to cover both preceptor and teacher wherever the pattern applies to both, and will distinguish them only where the patterns differ.

Choosing a mentor. Before ordination, one must choose a bhikkhu to act as one's preceptor. The Mahavagga (I.36-37) gives a long list of qualifications a bhikkhu must meet before he can act as a preceptor, while the Commentary divides the list into two levels: ideal and minimal qualifications. A bhikkhu who lacks the minimal qualifications incurs a dukkata if he acts as a preceptor; a bhikkhu who meets the minimal but lacks the ideal qualifications is not an ideal person to give guidance, but he incurs no penalty in doing so.

The ideal qualifications: The preceptor should have an arahant's virtue, concentration, discernment, release, and knowledge of release; and should be able to train another person to the same level of attainment. He should have faith, a sense of shame, fear of evil, persistence in the practice, and quick mindfulness (according to the Subcommentary, this means that he is constantly mindful of whatever mental object is before the mind). He should be free of heavy and light offences and be possessed of right view. (This last point, the Commentary says, means that he does not adhere to the extremes of eternalism or annihilationism.) He should be competent to tend to a sick pupil, or to find someone who will tend to him, and to allay dissatisfaction in a pupil who wants to leave the celibate life.

The Mahavagga does not say outright that these are ideal, as opposed to minimal, qualifications, but the Commentary offers as proof the fact that one of a pupil's duties is to try to allay any dissatisfaction that may arise in his preceptor. If all preceptors were arahants, no case of this sort would ever arise, and there would be no need to mention it. Thus the Commentary concludes that arahantship, although ideal in a preceptor, is not necessary.

The minimal qualifications: The preceptor must be learned and intelligent. According to the Commentary, this means that he knows enough of the Dhamma and Vinaya to govern a following and is intelligent enough to know what is and is not an offence. He must be competent enough to allay any anxiety a pupil may have over the rules, know what is and is not an offence, what is a light offence, what is a heavy offence, and how an offence may be removed. He must have detailed knowledge of both Patimokkhas (the one for the bhikkhus and the one for the bhikkhunis) and be able to train the pupil in the bhikkhus' customs (Com.: this means that he knows the Khandhakas), in the basic rules of the chaste life (Subcom.: he knows both Vibhangas), the higher Dhamma, and the higher Vinaya. He must be able to dissuade his pupil from adhering to a wrong view, or find someone who will help dissuade him. And -- the most basic requirement -- he must have been ordained as a bhikkhu for ten years or more.

If, for some reason, the new bhikkhu lives in a separate monastery from his preceptor, he must take dependence under a teacher, whose qualifications are precisely the same as those for a preceptor. Since the Mahavagga (I.72.1) gives a dukkata for taking dependence under an unconscientious bhikkhu, the new bhikkhu is allowed four to five days to observe his potential teacher's conduct before taking dependence under him (Mv.I.72.2).

Taking dependence. Prior to his ordination -- and usually, as part of the ceremony itself -- the candidate must make a formal request for dependence from his preceptor. The procedure is as follows:

Arranging his upper robe over his left shoulder, leaving his right shoulder bare, he bows down to the preceptor and then, kneeling with his hands palm-to-palm in front of his heart, repeats the following passage three times:

Upajjhayo me bhante hohi, which means, "Venerable sir, be my preceptor."

If the preceptor responds with any of these words -- Sahu (very well), lahu (certainly), opayikam (all right), patirupam (it is proper) or pasadikena sampadehi (manage it amiably) -- the dependence has taken hold. The Mahavagga adds that if the preceptor indicates any of these meanings by gesture, that also counts; and according to the Commentary, the same holds true if he makes any equivalent statement (Mv.I.25.7).

If, after his ordination, the new bhikkhu needs to request dependence from a teacher, the procedure is the same, except that the request he makes three times is this:

Acariyo me bhante hohi; ayasmato nissaya vacchami,

which means, "Venerable sir, be my teacher; I will live in dependence on you." (Mv.I.32.2)

Duties. The Mahavagga (I.25.6; 32.1) states that a pupil should regard his mentor as a father; and the mentor, the pupil as his son. It then goes on to delineate this relationship as a set of reciprocal duties.

The pupil's duties to his mentor fall into the following five categories:

1. *Attending to the mentor's personal needs*. The Mahavagga goes into great detail on this topic, giving precise instructions dealing with every conceivable way a pupil can be of service to his mentor. The Vinaya Mukha tries to reduce these duties to a few general principles, but this misses much of what the Mahavagga has to offer, for it is in the details that we can see fine examples of mindfulness in action -- the best way to fold a robe, clean a dwelling, and so forth -- as well as indications of how one can use this aspect of one's training to develop sensitivity to the needs of others. Still, the detailed instructions are so extensive that they would overburden the discussion in this chapter, so I have saved them for Appendix VIII. Here I will simply give them in outline form. The pupil should:

a. Arrange his mentor's toiletries for his morning wash-up.
b. Arrange his seat and food for his morning conjey (if he has any) and clean up after he is finished.
c. Arrange his robes and bowl for his alms round.
d. Follow him on his alms round, if the mentor so desires, and take his robes and bowl when he returns.
e. Arrange his seat and food for his alms meal and clean up afterwards.
f. Prepare his bath. If he goes to the sauna, go with him and attend to his needs.
g. Study the Dhamma and Vinaya from him when he is prepared to teach. (The Mahavagga describes this as "recitation" and "interrogation." Recitation, according to the Commentary, means learning to memorize passages; interrogation, learning to investigate their meaning.)
h. Clean his dwelling and other parts of his dwelling complex, such as the restroom and storage rooms, when they get dirty.

2. *Assisting the mentor in any problems he may have with regard to the Dhamma and Vinaya*. The Mahavagga lists the following examples:

a. If the preceptor begins to feel dissatisfaction with the celibate life, the pupil should try to allay that dissatisfaction or find someone else who can.

b. If the preceptor begins to feel anxiety over his conduct with regard to the rules, the pupil should try to allay that anxiety, or find someone else who can.

c. If the preceptor begins to hold to wrong views, the pupil should try to dissuade him from those views or find someone else who can.

d. If the preceptor has committed a sanghadisesa offence, the pupil should -- to the best of his ability -- help with the arrangements for penance, probation, and rehabilitation, or find someone else who can.

e. If the Community is going to carry out a formal act against the mentor, the pupil should try to dissuade them from it. According to the Commentary, this means that he should go to the various members of the Community individually before the meeting and try to dissuade them from going through with the act. If he can't dissuade them, he should try to get them to lessen its severity (say, from an act of banishment to an act of censure). If they are justified in carrying out the act, though, he should not object while the meeting is in progress. Once they have carried out the act, he should concentrate on helping his mentor behave so that they will rescind the act as quickly as possible.

3. *Washing, making, and dyeing the mentor's robes*.

4. *Showing loyalty and respect for the mentor*.

a. The pupil should neither give or receive gifts, nor give or receive services to/from others without first obtaining the mentor's permission. According to the Commentary, others here refers to people who are on bad terms with the mentor.

b. The pupil should obtain his mentor's permission before entering a village, going to a cemetery (to meditate, says, the Commentary), or leaving the district in which they live. The Commentary notes, though, that if the mentor refuses one's request the first time, one should ask up to two more times, presenting one's reasons as best one can. If the mentor still refuses, the pupil should reflect on his situation. If staying with the mentor is not helping his education and meditation, and if the mentor seems to want him to stay simply to have someone to look after his (the mentor's) needs, the pupil is justified in leaving and taking dependence with a new mentor in his new residence.

5. *Caring for the mentor when he falls ill,* not leaving him until he either recovers or passes away (Mv.I.25).

According to the Commentary, a pupil is freed from these duties when he is ill. Otherwise, he should observe all the above duties to his preceptor as long as he is in dependence on him, and the duties in sections 1-3 even after he is released from dependence, as long as both he and the preceptor are alive and still ordained.

As for the duties to one's teacher, the Commentary lists four types of teachers: the going-forth teacher (the one who gives one the ten precepts during one's ordination ceremony); the acceptance teacher (the one who chants the motion and announcements during the ceremony); the Dhamma teacher (the one who teaches one the Pali language and Canon); and the dependence teacher (the one with whom one lives in dependence). With the dependence teacher, one must observe all the above duties only as long as one is living in dependence on him. As for the other three, one should observe sections 1-3 as long as both parties are alive and still ordained.

The Commentary adds that if the mentor already has a pupil who is performing these duties for him, he may inform his remaining pupils that they need not take them on. This exempts them from having to observe them. If he neglects to do this, the pupil who is performing the duties may inform his fellows that he will take responsibility for looking after the mentor. This also exempts them. Otherwise, they incur a dukkata for every duty they neglect to perform.

The mentor's duties to his pupil:

1. *Furthering the pupil's education*, teaching him the Dhamma and Vinaya through recitation, interrogation, exhortation, and instruction.

2. *Providing requisites for the pupil*. If the pupil lacks any of his basic requisites, and the mentor has any to spare, he should make up the lack.

3. *Attending to the pupil's personal needs when he is ill*, performing the services mentioned in section 1 under the pupil's duties to his mentor.

4. *Assisting the pupil in any problems he may have with regard to the Dhamma and Vinaya,* performing the services mentioned in section 2 under the pupil's duties to his mentor.

5. *Teaching the pupil how to wash, make, and dye robes*. If for some reason the pupil is unable to handle these skills, the mentor should find someone who can help the pupil with them.

6. *Caring for the pupil when he falls ill*, not leaving him until he either recovers or passes away (Mv.I.26).

According to the Commentary, the preceptor, going-forth teacher, and acceptance teacher must observe these duties toward the pupil as long as both parties are alive and still ordained. As for the Dhamma and dependence teachers, they must observe these duties only as long as the pupil is living with them.

Dismissal. If the pupil does not observe his duties to his mentor, the mentor is empowered to dismiss him. In fact, if the pupil deserves dismissal, the mentor incurs a dukkata if for some reason he does not dismiss him, just as he would for dismissing a pupil who did not deserve it (MV.I.27.5-8). The grounds for dismissal are five:

1. The pupil has no affection for his mentor	i.e., he shows him no kindness.
2. He has no faith in his mentor	i.e., he does not regard him as an example to follow.
3. He has no shame in front of his mentor	i.e., he openly disregards the training rules in his mentor's presence.
4. He has no respect for his mentor	i.e., he does not listen to what the mentor has to say, and openly disobeys him.
5. He is not developing under his mentor --	the Commentary translates developing here as developing a sense of good will for his mentor, but it could also mean developing in his general education and practice of the Dhamma and Vinaya.

The Vinaya Mukha notes that the mentor should reflect on his own conduct before dismissing such a pupil. If he has done anything that would give the pupil valid reason for losing affection, etc., he should first correct his own conduct. Only after reflecting that there is no longer anything in his own conduct that would give the pupil valid reason to disregard him should he go ahead with the dismissal.

The Mahavagga mentions each of the following statements as a valid means of dismissal: "I dismiss you." "Don't come back here." "Take away your robes and bowl." "Don't attend to me." It also states that if the mentor makes any of these meanings known by gesture -- e.g., he evicts the pupil from his quarters and throws his robes and bowl out after him -- that also counts as a valid means of dismissal (Mv.I.27.2). The Commentary adds that any statement conveying the same basic meaning as those above would count as well.

Once a pupil has been dismissed, it is his duty to apologize. If he doesn't, he incurs a dukkata (Mv.I.27.3). Once the pupil has apologized, the mentor's duty is to forgive him (Mv.I.27.4). If, however, he sees that the pupil is still unconscientious, he should not take him back, for a mentor who takes on an unconscientious pupil incurs a dukkata (Mv.I.72.1.). Thus the mentor may, if he sees fit, inflict a non-physical punishment on the pupil before taking him back on the original footing, to make sure that he has actually seen the error of his ways. An example of such punishment, mentioned in the Vinaya Mukha, is simply asking to wait to observe the pupil's behaviour for a while to see whether or not his apology is sincere.

The Commentary recommends that if the mentor refuses to forgive the pupil, the latter should try to get other bhikkhus in the monastery to intercede for him. If that doesn't work, he should go stay in another monastery and take dependence under a senior bhikkhu there who is on friendly terms with the mentor, in hopes that the mentor will take this as a sign of the pupil's good intentions and will eventually grant his forgiveness.

Dependence lapses. Mv.I.36.1 says that if a pupil is staying in dependence with his preceptor, the dependence lapses if:

1. He leaves. According to the Subcommentary, this means that the preceptor goes to spend the night outside the monastery, regardless of whether or not he plans to return.
2. He disrobes.
3. He dies.
4. He goes over to another side -- according to the Commentary, this means that he joins another religion.

In all of the above cases, the commentaries interpret "he" as referring to the preceptor, although it would seem to refer to the pupil as well. This would fit with the passages from the Mahavagga, to be mentioned below, that refer to a new bhikkhu on a journey as not being in dependence. In such cases, the new bhikkhu is most likely the one who has left the preceptor, and his leaving is what has caused the dependence to lapse.

5. He gives a command. This is the one alternative where "he" clearly refers only to the preceptor. The Commentary interprets command here as dismissal, as discussed above, although the Vinaya Mukha would also include cases where the preceptor sees that the pupil qualifies to be released from dependence (see below) and tells him so.

In each of these cases, a pupil who is not yet released from dependence must find someone else to take dependence under on that very day, except in the following instances (taken from the Commentary):

-- The preceptor leaves, saying that he will be away only for a day or two, and that the pupil need not ask anyone else for dependence in the meantime. If it so happens that the preceptor's return is delayed, he should send word to his pupil, saying that he still intends to come back. If, however, the pupil receives word from his preceptor that the latter no longer intends to return, he should immediately look for a teacher to take dependence under.

-- The preceptor leaves, and the only other senior bhikkhu in the monastery is one whom the pupil does not know well. In this case, the pupil is allowed four or five days to observe the senior bhikkhu's behaviour (as mentioned above) before requesting dependence from him. If, though, the pupil already knows the senior bhikkhu well enough to feel confident in his conduct, he should take dependence with him on the day of his preceptor's departure.

If the pupil is staying in dependence on a teacher, the dependence can lapse for any of six reasons. The first five are identical with those above, although even the Commentary states that "he leaves," the first reason, applies not only to cases where the teacher leaves but also to cases where the pupil leaves. The sixth reason is:

6. The pupil rejoins his preceptor. The Commentary explains this by saying that, in effect, the pupil's original dependence on his preceptor always overrides his dependence on a teacher. If the pupil happens to see his preceptor and recognize him, or to hear and recognize his voice -- even if they just happen to pass on the street -- his dependence on his teacher automatically lapses, and his dependence on his preceptor is reinstated. If he then returns to live with his teacher, he must ask for dependence from the teacher all over again.

The Vinaya Mukha objects to this judgment, saying that "rejoins the preceptor" should refer to the pupil's actually living with the preceptor, either in another monastery or in the same monastery where the teacher lives. This, however, is an area where different Communities differ in their interpretation, and the wise policy is to follow the interpretation of the Community in which one lives.

Temporary exemption from dependence. Normally a junior bhikkhu is required to live in dependence under a mentor at all times. However, Mv.I.73 allows him not to take dependence when living in the following situations if no qualified bhikkhu is available as a mentor:

1) He is on a journey.
2) He is ill.

3) He is caring for an ill person who has requested his help .
4) He is living alone in the forest, meditating comfortably, intending to take dependence if a qualified mentor comes along.

The Commentary, in discussing these allowances, makes the following points:

A bhikkhu on a journey is said to have no mentor available if no qualified senior bhikkhu is travelling with him. In other words, the fact that he happens to pass by a monastery with a qualified mentor does not mean that a mentor is available, and he is allowed to continue travelling without taking dependence. If, however, he spends the night in a place where he has taken dependence before, he should take dependence on the day of his arrival. If he reaches a place where he has never been before and plans to spend only two or three days, he need not take dependence; but if he plans to spend a week, he must. If the senior bhikkhu he requests dependence from says, "What's the use of taking dependence for only a week?" that exempts him from this requirement.

As for the bhikkhu living alone in the forest, the Commentary says that "meditating comfortably" means that his tranquillity and insight meditation are going smoothly. For some reason, though, it says that this allowance applies only to bhikkhus whose meditation is at a tender stage and might deteriorate if they were to leave the forest; if a bhikkhu has attained any of the Noble Attainments -- beginning with stream-entry -- he may not make use of this allowance. Why the Commentary limits the allowance in this way, it doesn't say.

At any rate, once the month before the Rains Retreat arrives, and no suitable mentor appears, the junior bhikkhu must leave his forest abode and look for a place where he can take dependence for the Rains.

Release from dependence. According to Mv.I.53.4, a bhikkhu may be released from dependence after he has been ordained for five years, on the condition that he be experienced and competent. If he is not yet experienced and competent, he must remain under dependency until he is. If he never becomes experienced and competent, he must remain in dependence for his entire life as a bhikkhu. The Commentary adds that, in the last case, if he cannot find a competent experienced bhikkhu who is senior to him, he must take dependence with a competent, experienced bhikkhu who is his junior.

To be considered competent and experienced enough to deserve release from dependence, a bhikkhu must meet many of the same general qualifications as those for a mentor, except that he need not possess the competence to look after a pupil, and the minimum number of years he needs as a bhikkhu is five. None of the texts divide the qualifications here into ideal and minimal qualifications, as they do for the mentor, but it seems reasonable that the same division would apply here as well. This would give us the following list:

The ideal qualifications: The bhikkhu should have an arahant's virtue, concentration, discernment, release, and knowledge of release. He should have faith, a sense of shame, fear of evil, persistence in the practice, and quick mindfulness. He should be free of heavy and light offences and possess right view.

The minimal qualifications: The bhikkhu must be learned and intelligent, knowing both Patimokkhas in detail, understanding what is and is not an offence, what is a light offence, what is a heavy offence, and how an offence may be removed. And -- the most basic requirement -- he must have been ordained as a bhikkhu for at least five years (Mv.I.5-13).

The Commentary expands on the term learned here, saying that the bhikkhu must have memorized:
1. Both Patimokkhas.
2. The Four Bhanavaras -- a set of auspicious chants that are still regularly memorized in Sri Lanka.
3. A discourse that is helpful as a guide for sermon-giving. (The Commentary lists as examples the Maha-Rahulovada Sutta [M. 62], the Andhakavinda Sutta, and the Ambattha Sutta [D. 3].)
4. Three kinds of anumodana (rejoicing in the merit of others) chants: for meals; for auspicious merit-making ceremonies, such as blessing a house; and for non-auspicious ceremonies, i.e., any relating to a death.

The Commentary adds that he must also know the rules for such official acts of the Community as the Patimokkha recitation and the Invitation Ceremony at the end of the Rains, and be acquainted with themes for tranquillity and insight meditation leading to arahantship.

This definition of learned is not universally accepted, and some traditions have reworked it. As this is another area where different Communities have different interpretations, the wise policy is to adhere to the practice followed in one's Community, as long as it follows the basic requirements in the Canon, mentioned above.

Once a pupil has been released from dependence, he need no longer perform the duties mentioned in sections 4 and 5 under the pupil's duties to his mentor.

Return to dependence. The Cullavagga (I.9-12) states that a bhikkhu released from dependence may be forced, by a formal act of the Community, to return to dependence if his conduct is so bad as to warrant it. The qualifying factors are:

1. He is ignorant and inexperienced.
2. He is full of offences and has not made amends for them.
3. He lives in unbecoming association with lay people.

If these factors apply to a bhikkhu to the extent that the Community is "fed up with granting him probation, sending him back to the beginning, imposing penance, and rehabilitating him" -- these terms refer to the procedures for dealing with a bhikkhu who has committed repeated sanghadisesa offences (see Chapter 5) -- then the Community is justified in imposing a formal "act of dependence" on him. This is identical with a formal "act for further misbehaviour," to be discussed in Chapter 11, and carries the same penalties, the only difference being that the bhikkhu must live in dependence under a mentor as long as the act of dependence is in effect. If he mends his ways to the Community's satisfaction, they may rescind the act and return his independence.

At any rate, as we mentioned above, regardless of whether a pupil is under dependence or released from it, he is still expected to observe certain duties to his preceptor -- and his preceptor, certain duties to him -- as long as both are alive and ordained. This is in line with the fact that they are always to regard each other as father and son: The preceptor is to take a continuing interest in his pupil's welfare, and the pupil is to show his continuing gratitude for the initiation his preceptor has given him into the bhikkhu's life.

Chapter Three Disrobing

The first rule in the Patimokkha opens with the statement that it -- and, by extension, every other rule in the Patimokkha -- applies to all bhikkhus who have not disrobed by renouncing the training and returning to the lay life. Thus the Vibhanga begins its explanations by discussing what does and does not count as a valid act of disrobing. Because this is, in effect, the escape clause for all the rules, I am discussing it first as a separate chapter, for if a bhikkhu disrobes in an invalid manner, he still counts as a bhikkhu and is subject to the rules whether he realizes it or not. If he then were to break any of the Parajika rules, he would be disqualified from ever becoming a bhikkhu again in this lifetime.

To disrobe, a bhikkhu with firm intent states in the presence of a witness words to the effect that he is renouncing the training. The validity of the act depends on four factors:

1. The bhikkhu's state of mind.
2. His intention.
3. His statement.
4. The witness to his statement.

State of mind. The bhikkhu must be in his right mind. Any statement he makes while insane, crazed with pain, or possessed by spirits does not count.

Intention. He must seriously desire to leave the Community. If, without actually intending to disrobe, he makes any of the statements usually used for disrobing, it does not count as an act of disrobing. For example, if he makes the statement in jest or is telling someone else how to disrobe, the fact that he mentions the words does not mean that he has disrobed. Also, if he says one thing and means something else -- e.g., if he makes a slip of the tongue -- that too does not count.

The statement. The Vibhanga gives a wide variety of statements that one may use to renounce the training. The most basic one follows the form, "I renounce x," where x may be replaced with the Buddha, the Dhamma, the Sangha, the training, the discipline (Vinaya), the Patimokkha, the chaste life, one's preceptor, one's teacher, one's fellow bhikkhus, or any equivalent terms. Other examples follow similar forms, such as, "I am tired of x," "What is x to me?" "X means nothing to me," or "I am well freed of x." A separate form follows the pattern, "Consider me to be y," where y may be replaced with a householder, a lay follower, a novice, a member of another sect, an adherent of another sect, or any other equivalent term.

The Vibhanga stipulates that the statement may not be put in the conditional tense ("Suppose I were to renounce the training"), and the Commentary further stipulates that the "x" statements must be in the present tense. Thus to say, "I have renounced the training," or "I will renounce the training," would not be a valid statement of disrobing.

The witness must be a human being in his or her right mind, and must understand what the bhikkhu says. This rules out the practice legendary in Thailand of bhikkhus who disrobe by taking a Buddha image as their witness, or who disrobe in front of a Bodhi tree on the assumption that the tree deity counts.

These four factors cover all that is absolutely necessary for an act of disrobing to be valid. However, each of the different national traditions has developed a set of formal ceremonies to surround the act -- such as making a final confession of all one's offences and reciting the passage for reflection on one's past use of the four requisites -- to give psychological weight to the occasion and to help minimize any sense of remorse one may feel afterwards.

Because disrobing is a serious act with strong consequences for one's mental and spiritual well being, it should be done only after due consideration. Once a bhikkhu decides that he does want to disrobe, he would be wise to follow not only the stipulations given in the texts but also any additional customs dictated by the traditions of his particular Community, as a sign to himself and to others that he is acting seriously and with due respect both for the religion and for himself.

Chapter Four Parajika

This term, according to the Parivara, derives from a verb meaning to lose or be defeated. A bhikkhu who commits any of the four following offences has surrendered to his own mental defilements to such an extent that he defeats the purpose of his having become a bhikkhu in the first place. The irrevocable nature of this defeat is illustrated in the Vibhanga with a number of similes: "as a man with his head cut off... as a withered leaf freed from its stem... as a flat stone that has been broken in half cannot be put together again... as a palm tree cut off at the crown is incapable of further growth." A bhikkhu who commits any of these offences severs himself irrevocably from the life of the Sangha and is no longer considered a bhikkhu.

1. Should any bhikkhu -- participating in the training and livelihood of the bhikkhus, without having renounced the training, without having declared his weakness -- engage in the sexual act, even with a female animal, he is defeated and no longer in communion.

Effort. In this rule, the term sexual act refers to all kinds of sexual intercourse. The Vibhanga classifies the various types of intercourse by the organs involved -- the genitals, the mouth, the anus -- and in any of the possible combinations (except for mouth-to-mouth, which is treated separately under Sanghadisesa 2, below), the sexual act has been performed when one organ enters the other even if just to "the extent of a sesame seed." This means that a bhikkhu engaging in genital, oral, or anal intercourse is subject to this rule regardless of which role he plays. The question of whether there is a covering, such as a condom, between the organs is irrelevant, as are the questions of whether the bhikkhu is actively or passively involved, and whether or not any of the parties involved reaches orgasm.

Object. The full penalty under this rule applies to any voluntary sexual intercourse with a human being, a "non-human" being (a yakkha, naga, or peta), or a common animal, whether female, male, neuter, or hermaphrodite.

Performing the sexual act with a dead body -- even a decapitated head -- also entails the full penalty if the remains of the body are intact enough for the act to be accomplished.

The Vinita Vatthu also lists two examples of "self-intercourse": A bhikkhu with a supple back takes his penis into his mouth, and a bhikkhu with an unusually long penis inserts it into his anus. Both cases carry the full penalty, which shows that one's own anal and oral orifices can fulfill the factor of object here.

Knowledge & consent. For the sexual act to count as an offence, the bhikkhu must know that it is happening and give his consent. Thus if he is sexually assaulted while asleep or otherwise unconscious and remains oblivious to what is happening, he incurs no penalty. If, however, he becomes conscious during the assault or was conscious right from the start, then whether he incurs a penalty depends on whether he gives his consent during any part of the act.

Strangely enough, neither the Canon nor the Commentary discusses the factor of consent in any detail, except to mention by way of passing that it can apply to the stage of inserting, being fully inserted, staying in place, or pulling out. From the examples in the Vinita Vatthu, it would appear that consent refers to a mental state of acquiescence, together with its physical or verbal expression. Mere physical compliance does not count, as there are cases where bhikkhus forced into intercourse comply physically but without consenting mentally and so are absolved of any offence; but there is some question as to whether a bhikkhu who consents mentally to letting the sexual act happen would incur the penalty if he simply lies still and lets it happen, or if he would have to indicate his consent with a verbal act or physical motion.

As we mentioned in Chapter 1, the rules contain two patterns concerning what does and does not count as a physical expression of consent when one is forced into a situation that would break a rule. In two of the Vinita Vatthu cases mentioned under this rule, bhikkhus are approached by women who volunteer to fondle them to the point where they emit semen . Both bhikkhus let them go ahead, and both incur the full penalty under Sanghadisesa 1. In such cases, simply letting the act happen counts as physical acquiescence. Under Sanghadisesa 2, however, if a bhikkhu is approached by a woman who fondles his body, and he consents

mentally to what she is doing, he incurs a penalty if he says something or makes a physical move to indicate that consent, but no penalty if he remains perfectly still.

None of the texts explain why there are these two patterns, but two possibilities suggest themselves: (1) It is physically impossible to emit semen and to enjoy the emission without the body's moving in one way or another. (2) One is not necessarily responsible if a woman simply makes contact with one's body, even if one enjoys the contact; but if one is happy to let her get to the point where she has one ejaculating, one cannot deny responsibility for what is happening. In either case, this rule would seem to follow the pattern for Sanghadisesa 1: If one is sexually assaulted, one is completely absolved from an offence only if (1) one does not give one's mental consent at any time during the act or (2) one does feel mental consent during at least part of the act but puts up a struggle so as not to express that consent physically or verbally in any way. If one puts up no struggle and feels mental consent, even if only fleetingly during the stage of inserting, being fully inserted, staying in place, or pulling out, one incurs the full penalty.

This would seem to be the basis for the Commentary's warning in its discussion of the Vinita Vatthu case in which a bhikkhu wakes up to find himself being sexually assaulted by a woman, gives her a kick, and sends her rolling. The warning: This is how a bhikkhu still subject to sensual lust should act if he wants to protect his state of mind.

Derived offences. The only thullaccaya directly related to this rule is for the unlikely case of a bhikkhu who attempts intercourse with the decomposed mouth, anus, or genitals of a corpse. (!) To attempt intercourse with any other part of a dead body or with any part of an insentient object, such as an inflatable doll or manikin, incurs a dukkata.

The Vibhanga states that if a bhikkhu attempts intercourse with any part of a living being's body apart from the three orifices, the case falls under the Sanghadisesa rules -- either Sanghadisesa 1 for intentional ejaculation or Sanghadisesa 2 for lustful bodily contact. As we shall see below, the penalties assigned in the latter case are as follows: if the partner is a woman, a sanghadisesa; if a pandaka (see Sanghadisesa 2), a thullaccaya; if a man or a common animal, a dukkata. We can infer from the Vibhanga's ruling here that if a bhikkhu has an orgasm while attempting intercourse with the decomposed mouth, anus, or genitals of a corpse, with any other part of a dead body, or with any part of an insentient object, the case comes under Sanghadisesa 1.

The Commentary disagrees with the Vibhanga on these points, however, saying that the derived offences under this rule can include only dukkata and thullaccaya penalties. In its explanation of Sanghadisesa 1, it sets forth a system of eleven types of lust in which the lust for the pleasure of bringing about an ejaculation, lust for the pleasure of bodily contact, and lust for the pleasure of intercourse are treated as completely separate things that must be treated under separate rules. Thus, it says, if a bhikkhu aiming at intercourse takes hold of a woman's body, it is simply a preliminary to intercourse and thus entails only a dukkata, rather than a sanghadisesa for lustful bodily contact. Similarly, if he has a premature ejaculation before beginning intercourse, there is no offence at all.

These are fine academic distinctions and are clearly motivated by a desire to draw neat lines between the rules, but they lead to practical problems. As the Commentary itself points out, if a bhikkhu commits an act that falls near the borderline between these rules, but cannot later report precisely which type of lust he was feeling in the heat of the moment, there is no way his case can be judged and a penalty assigned. At any rate, though, there is no basis in the Canon for the Commentary's system, and in fact it contradicts not only the Vibhanga's ruling mentioned above, but also its definition of "lustful" under Sanghadisesas 2, 3, & 4, which is exactly the same for all three rules and places no limits on the type of lust involved. All of this leads to the conclusion that the Commentary's neat system is invalid, and that the Vibhanga's judgment holds: If a bhikkhu attempts intercourse with any part of a living being's body apart from the three orifices, the case falls under the Sanghadisesa rules -- either Sanghadisesa 1 for intentional ejaculation or Sanghadisesa 2 for lustful bodily contact -- rather than here.

Blanket exemptions. In addition to bhikkhus who do not know they are being assaulted or do not give their consent when they do know, the Vibhanga states that there are four special categories of bhikkhus exempted

from a penalty under this rule: any bhikkhu who is insane, possessed by spirits, delirious with pain, or the first offender (in this case, Ven. Sudinna) whose actions prompted the Buddha to formulate the rule in the first place. The Commentary notes that anyone who "goes about in an unseemly way, with deranged perceptions, having cast away all sense of conscience and shame, not knowing whether he has transgressed major or minor training rules," counts as insane here. It recognizes this as a medical condition, which it blames on the bile. As for spirit possession, it says that this can happen either when spirits frighten one or when, by distracting one with sensory images, they insert their hands into one's heart by way of one's mouth. (!) At any rate, it notes, insane and possessed bhikkhus are exempt from penalties they incur only when their perceptions are deranged ("when their mindfulness is entirely forgotten, and they don't know what fire, gold, excrement, and sandalwood are") and not from any they incur during their lucid moments. As for a bhikkhu overcome with pain, he is exempt from penalties he incurs only during periods when the pain is so great that he does not know what he is doing.

These four categories are exempted from penalties under all of the rules, although the first offender for each rule is exempted only for the one time he acted in such a way as to provoke the Buddha into formulating the rule. I will not mention these categories again, but the reader should bear them in mind as being exempt in every case.

Lastly, the Vinita Vatthu to this rule includes an interesting case that formed the basis for an additional rule:

> "At that time a certain monk had gone to the Gabled Hall in the Great Wood at Vesali to pass the day and was sleeping, having left the door open. His various limbs were stiff with the 'wind forces' (i.e., he had an erection). Now at that time a large company of women bearing garlands and scents came to the park, headed for the vihara. Seeing the bhikkhu, they sat down on his male organ and, having taken their pleasure and remarking, 'What a bull of a man!' they went on their way, taking up their garlands and scents."

The bhikkhu incurred no penalty, but the Buddha gave formal permission to close the door when resting during the day.

Summary:

1. Voluntary sexual intercourse -- genital, anal, or oral -- with a human being, non-human being, or common animal is a parajika offence.

2. Should any bhikkhu, in the manner of stealing, take what is not given from an inhabited area or from the wilderness -- just as when, in the taking of what is not given, kings arresting the criminal would flog, imprison, or banish him, saying, "You are a robber, you are a fool, you are benighted, you are a thief" -- a bhikkhu in the same way taking what is not given is defeated and no longer in communion.

This rule against stealing is, in the working out of its details, the most complex in the Patimokkha and requires the most explanation -- not that stealing is a concept especially hard to understand, simply that it can take so many forms.

The Vibhanga defines the act of stealing in terms of four factors:

1) *Object:* anything belonging to another human being or a group of human beings.
2) *Perception:* one perceives that the object belongs to another person, etc.
3) *Intention:* one decides to steal it.
4) *Effort:* one takes possession of it.

Stealing under any circumstances is always an offence. However, the severity of the offence depends on another factor, which is --

5) *The value of the object.*

Object. For an object to qualify as what is not given -- the rule's term for anything that may be the object of a theft -- it must belong to someone else. In all of the cases that the Canon discusses under this rule, that "someone else" is either an individual human being or a group of human beings. The question of property belonging to the Sangha logically fits here, but because the topic is fairly complex, I will treat it as a special case below.

A further stipulation is that the owner or person responsible for guarding the object has neither given nor thrown it away. Thus there is no offence for a bhikkhu who takes a discarded object, such as rags from a pile of refuse; or unclaimed things from a wilderness. The Vinita Vatthu mentions an interesting case in which the groundskeeper in an orchard permits bhikkhus to take fruit from the orchard, even though he was not authorized to do so. The bhikkhus committed no offence.

The Commentary, in passing, mentions objects belonging to a cetiya (e.g., a stupa or a Buddha image) as also qualifying as "not given" under this rule. Although the Vibhanga to NP 30 and Pc 81 refers to objects of this sort, for some reason the Vibhanga to this rule doesn't mention them. Nevertheless, the Commentary's judgment here reflects a custom that had become widespread by its time, that of giving very valuable items to a cetiya and dedicating them, not to the Sangha, but to the Buddha or the cetiya itself. The jewels decorating the reliquary of the Sacred Tooth in Kandy or the offerings to the Emerald Buddha in Bangkok would fall under this category.

Items belonging to common animals or petas are not covered by this rule. Thus there is no offence in taking the remains of a wolf's kill, regardless of how possessive the wolf may feel (although the Commentary wisely notes that a bhikkhu should not take the kill until after the wolf has had a chance to feed on it, for otherwise he will have trouble keeping the wolf away). The Commentary classes devas under petas here and states that a bhikkhu may take a deva's belongings with no penalty. It illustrates this point with two examples, one reasonable and the other not. In the first, a bhikkhu takes a piece of cloth left hanging on a tree as an offering to a deva. In the second, a bhikkhu with clairvoyant powers gains a vision of Sakka, the king of the devas, who is wearing an expensive cloth. The bhikkhu takes the cloth with the intention of making a robe for himself, even though Sakka keeps screaming, "Don't take it! Don't take it!" This latter example may have been included in the Commentary simply for its shock value in order to wake up sleepy students in the back of the room. Although the bhikkhu in question would probably incur no offence, there's no denying that he is a fool.

The term peta also includes human corpses. In the early days of the Sangha, bhikkhus were expected to make their robes from discarded cloth, one source being the cloths used to wrap corpses laid in charnel grounds. (The bhikkhus would wash and boil the cloth before using it themselves.) However, they were not to take cloth from undecomposed bodies, and this was for a reason.

"At one time a certain bhikkhu went to the charnel ground and took hold of discarded cloth on a body not yet decomposed. The spirit of the dead one was dwelling in the body. It said to the bhikkhu, 'Honoured sir, don't take hold of my cloak.' The bhikkhu, ignoring it, went off (with the cloak). The body, arising, followed closely on the heels of the bhikkhu until the bhikkhu, entering the vihara, closed the door, and the body fell down right there."

The story gives no further details, and we are left to imagine for ourselves both the bhikkhu's state of mind while being chased by the body and his friends' reaction to the event. As is usual with the stories in the Vibhanga, the more outrageous the event, the more matter-of-fact is its telling, and the more its humour lies in the understatement.

At any rate, as a result of this incident the Buddha laid down a dukkata for taking cloth from an undecomposed body -- which, according to the Commentary, means one that is still warm.

Perception. For the act of taking "what is not given" to count as theft, one must also perceive the object as being something not given. Thus there is no offence if one takes an object, even if it is "not given," if one sincerely believes that it is ownerless or thrown away. Similarly, if a bhikkhu takes an object mistaking it for his own or as belonging to a friend who has given him permission to take his things on trust, there is no offence. Or again, a bhikkhu who takes things from the Community's common stores, on the assumption that he has the right to help himself, commits no offence even if the assumption proves false.

Intention. The act of taking "what is not given," even when one perceives it as "not given," counts as theft only if one's intention is to steal it. Thus if a bhikkhu takes an object on loan or on trust, he commits no

offence. According to the Commentary, to take something on loan means that one has the intention that, "I'll return it," or "I'll make compensation."

As for taking an object on trust, Mv.VIII.19.1 lists five conditions that must be met if a bhikkhu is rightly to take an object on trust:

a. The owner is a friend.
b. He/she is an intimate.
c. He/she has given one permission to take from his/her things.
d. He/she is still alive.
e. One is confident that he/she will not mind.

If any of these factors is lacking -- for example, the owner is a good friend but has never given explicit permission to take from his/her things -- one has no right to take the things on trust. However, the Vinita Vatthu gives the case of a bhikkhu who takes an item mistakenly thinking that he had the right to take it on trust; the Buddha termed this a "misconception as to trust" and did not impose a penalty.

The most common problem that arises in this area is when one sincerely assumes that the owner will not mind, but it turns out that he/she does. In cases of this sort there is no offence, and the matter is left to the bhikkhu and the owner to settle on their own as amicably as possible.

A bhikkhu who, seeing an article left in a place where it might be damaged, puts it in safe keeping for the owner, commits no offence.

For some reason, none of the texts discuss the case of a bhikkhu taking an object when he is unsure as to whether it is not given. Because this case is a very real possibility, I would like to offer the following conjecture. Once the actual status of the object has been determined, the case should be judged in line with the bhikkhu's intention. If his intention was, "If this is not given, I'm stealing it. If it's not not given, I'm taking it rightly," then, if the object is actually not given, all the factors for an offence would be present. He would be guilty of stealing and would incur the penalty determined by the value of the object. If the object is not not given, then he would not be guilty of stealing, but would still incur the dukkata for acting out of uncertainty. If, however, his intention was, "If this is not given, I will return it,' then regardless of the object's actual status, the intention to steal would not be present, and he would incur no penalty.

Effort. Assuming that all of the above conditions are met -- the object belongs to someone else, one perceives it as belonging to someone else, and one intends to steal it -- if one then takes it, that constitutes stealing. The question then arises as to precisely what acts constitute taking. To summarize the Vibhanga's treatment of this question, we can classify objects into two broad types: moveable and immovable.

Moveable items are said to be taken when they are moved entirely from their "base(s)," i.e., the spot(s) on which they rest. An object such as a box or a trunk lying flat along the ground or touching its support at a single area has a single base and counts as "taken" if it has been moved entirely from its base. An object such as a table or chair touching its support at a number of separate places has that number of bases. For instance, a stool with three legs touches the floor at three points and so has three bases. An object with more than one base is "taken" when it has been moved from all of its bases. Thus a television set standing on four legs is taken when all four of its legs have been lifted or slid away from the four spots on which they were standing.

If a moveable object is placed on another moveable object, such as a television set placed on a cart, there are two ways to count it as taken -- either when it is removed from its base on the cart or when the wheels of the cart have been moved from all of their bases on the floor -- whichever occurs first.

If person A is carrying an object, and person B tries to take it from him, it is counted as taken even if B succeeds only in moving it from one spot on A's body to another.

According to the Vibhanga, if a person holding an object with the owner's permission then decides to abscond with it, it counts as taken when he shifts it to another part of his person (e.g., into his pocket) or

places it elsewhere. The Vinaya Mukha, however, takes issue with this point, saying that cases of this sort should be treated under the terms of a breach of trust, which is discussed below.

Animals are reckoned to have one base (e.g., snakes, any reclining animal) or more (e.g., chickens or dogs on their feet) in the same way as inanimate objects, and are said to be taken when they are pulled, chased, etc., completely from their base(s).

When a bhikkhu takes a moveable object in theft, the question of whether he makes off with it is irrelevant as far as the offence is concerned. For example, if he tries to steal a radio and succeeds in moving it completely from its base, but then hears the owner coming and so returns it to its original place, the owner would not even know that the object was in danger of being taken, and the civil law would regard the act at most as an attempted theft. As far as the Vinaya is concerned, though, the theft occurred when the bhikkhu first moved the object, and the fact that he returned it would not erase the theft. He would still be guilty of an offence.

As for immovable objects -- land or things such as buildings or trees affixed to the land -- these are taken when the rightful owner unwillingly abandons his claim to them of his own accord (through fear of intimidation or reluctance to incur the expense and bother of a court battle) or when he is forced to do so by a court of law and cannot, or does not, make a further appeal. In the Buddha's time, a court dispute involving land was considered fully settled when the winner of the case staked out his claim with the permission of the court. Thus the Vibhanga states that a bhikkhu who unfairly wins a court case of this sort has "taken" the land when he formally stakes out his claim after winning the case. At present we would say that he has taken the land when he receives the deed.

Immovable objects in the secondary sense -- trees, buildings, etc. -- are treated in the same light as ordinary moveable objects if a bhikkhu cuts them down or dismantles them: They count as taken when removed from their bases.

These are the general considerations for determining when an object is taken. The Vibhanga, though, cites a number of additional cases involving special contingencies, as follows:

a. *Fraudulence*: Objects are being distributed by lot to the Community. A bhikkhu desiring the portion rightfully going to another bhikkhu exchanges his ticket for the other bhikkhu's ticket. The "taking" is accomplished when the tickets have been exchanged. The Commentary to Mv.I.62 adds that if a bhikkhu claims higher seniority than is actually his, in order to obtain better donations, he should be treated under this rule when, through this ruse, he obtains donations that should have gone to another bhikkhu.

b. *Breach of trust:* A person places goods in trust with a bhikkhu. When the owner comes to ask for their return, the bhikkhu claims that he does not have them. The taking is accomplished when the owner stops pressing his claim. If the case goes to court, the taking is accomplished when the owner loses the case in the final court to which he appeals.

c. *Embezzlement:* A bhikkhu responsible for items kept in a storeroom removes one of the items from the storeroom. The taking is accomplished when the item leaves the storeroom's boundary.

d. *Smuggling*: A bhikkhu carrying items subject to an import duty hides them as he goes through customs. The taking is accomplished when the item leaves the customs area. If, however, the bhikkhu informs the customs official that he has an item subject to customs duty, and yet the official decides not to collect the duty, the bhikkhu incurs no penalty. And there is no penalty if the bhikkhu goes through customs not knowing that he has an item subject to import duties among his effects.

Special cases cited in the Commentary include the following:

a. *False dealing*: A bhikkhu makes counterfeit money or uses counterfeit weights. The taking is accomplished when the counterfeit is accepted.

b. *Extortion:* Using threats, a bhikkhu compels the owner of an object to give it to him. The taking is accomplished when the owner complies.

The value of the object. As stated above, any case of stealing counts as an offence, but the gravity of the offence is determined by the value of the object. This is the point of the phrase in the rule reading, "just as when there is the taking of what is not given, kings...would banish him, saying... 'You are a thief.'" In other words, for theft to entail a parajika, it must be a case of grand larceny, which in the time of the Buddha meant that the goods involved were worth at least five masakas, a unit of money used at the time. Goods valued collectively at more than one masaka but less than five are grounds for a thullaccaya; goods valued collectively at one masaka or less are grounds for a dukkata, the worth of the articles being determined by the price they would have fetched at the time of the theft.

This leaves us with the question of how a masaka would translate into current monetary rates. No one can answer this question with any certainty, for the oldest attempt to peg the masaka to the gold standard dates from the V/Sub-commentary, which sets one masaka as equal to 4 rice grains' weight of gold. At this rate, the theft of an item worth 20 rice grains' (1/24 troy ounce) weight of gold or more would be a parajika offence.

One objection to this method of calculation is that some of the items mentioned in the Vinita Vatthu as being grounds for a parajika when stolen -- e.g., a pillow, a bundle of laundry, a robe, a handful of rice during a famine -- would seem to be worth much less than 1/24 troy ounce of gold, but we must remember that many items regarded as commonplace now might have been viewed as expensive luxuries at the time.

In spite of this objection, there is one very good reason for adopting the standard set by the V/Sub-commentary: It sets a high value for the least article whose theft would result in a parajika. Thus when a bhikkhu steals an item worth 1/24 troy ounce of gold or more, there can be no doubt that he has committed the full offence. When the item is of lesser value, there will be inescapable doubt -- and when there is any doubt concerning a parajika, the tradition of the Vinaya consistently gives the bhikkhu the benefit of the doubt: He is not compelled to disrobe. A basic principle operating throughout the texts is that it is better to risk letting an offender go unpunished than to risk punishing an innocent bhikkhu.

There is a second advantage to the V/Sub-commentary's method of calculation: its precision and clarity. Some people have recommended adopting the standard expressed in the rule itself -- that if the theft would result in flogging, imprisonment or banishment by the authorities in that time and at that place, then the theft would constitute a parajika -- but this standard creates more problems than it would solve. In most countries the sentence is largely at the discretion of the judge or magistrate, and the factor of value is only one among many taken into account when determining the penalty. This opens a whole Pandora's box of issues, many of which have nothing to do with the bhikkhu or the object he has taken -- the judge's mood, his social philosophy, his religious background, and so forth -- issues that the Buddha never allowed to enter into the consideration of how to determine the penalty for a theft.

Thus the V/Sub-commentary's method of calculation has the benefits that it is a quick and easy method for determining the boundaries between the different levels of offence in any modern currency; it involves no factors extraneous to the tradition of the Vinaya, and -- as noted above -- it draws the line at a value above which there can be no doubt that the penalty is a parajika.

If a bhikkhu steals several items on different occasions, the values of the different items are added together to determine the severity of the offence only if they were stolen as part of a single plan or intention. If they are stolen as a result of separate intentions, each act of stealing is treated as a separate offence whose severity depends on the value of the individual item(s) stolen in that act. This point is best explained with examples:

In a case given in the Vinita Vatthu, a bhikkhu decides to steal a spoonful of ghee from a jar. After swallowing the spoonful, he decides to steal one more. After that he decides to steal another, and so on until he has finished the jar. Because each spoonful was stolen as a consequence of a separate plan or intention, he incurs several dukkatas, each for the theft of one spoonful of ghee.

If, however, he decides at one point to steal enough lumber to build himself a hut and then steals a plank from here and a rafter from there, taking lumber over many days at different places from various owners, he commits one offence in accordance with the total value of all the lumber stolen, inasmuch as he took all the pieces of wood as a consequence of one prior plan.

Derived offences. In addition to the lesser offences related to the value of the object, the Vibhanga also lists lesser offences related to two factors of the full offence under this rule.: effort and perception.

With regard to effort: If a bhikkhu tries to steal an article that would be grounds for a parajika but does not succeed -- e.g., he is going to steal a book from a shelf, but before he can remove it from its place on the shelf he hears someone approaching and so walks off without taking it -- he commits a lighter offence in accordance with the effort made. Offences of this sort are called offences committed in the pubbayoga or preliminary steps. In the case of stealing, they are determined as follows:

Inanimate moveable objects: If the article is made to budge slightly, but is not moved completely from its base, or from some but not all of its bases -- thullaccaya. All actions prior to this, beginning with the act of walking toward the object with intent to steal it -- dukkata.

Animals: If in driving the animal along the bhikkhu gets it to move its front feet -- thullaccaya. All actions prior to this -- dukkata.

Immovable objects and articles placed in trust: If the bhikkhu creates doubt in the mind of the owner as to whether he will deprive him/her of the property in question -- thullaccaya. All actions prior to this -- dukkata.

Immovable objects in the secondary sense (e.g., a tree): If with one more blow of the axe the tree will fall -- thullaccaya. All actions prior to this -- dukkata, unless (according to the Vinaya Mukha) there is a training rule imposing a higher penalty, such as the pacittiya rule concerning injury to plant life.

For ease of remembrance, if the bhikkhu is one step away from taking the object, he incurs a thullaccaya; if he does not go that far, he incurs one or more dukkatas.

In offences of this sort, when a heavier penalty is incurred, only that penalty is counted, and the preceding lighter ones are nullified. For example, in the case mentioned above, if the bhikkhu trying to steal the book simply touches it, he incurs a string of dukkatas for each step in walking up to the book and taking hold of it. If he budges the book slightly but not so much as to move it completely from its spot, the dukkatas are nullified and replaced with a thullaccaya. If he actually takes the book, that nullifies the thullaccaya and replaces it with a parajika.

As for the derived offences related to the factor of perception, these deal with the situation in which an article does not qualify as "not given" under this rule -- e.g., it has no owner, or the owner has given it up or thrown it away -- and yet the bhikkhu perceives it as not given. If he takes it with intent to steal, he incurs a dukkata for each of three stages of effort. In the case of an inanimate moveable object, these would be: touching the object, making it budge, moving it from its base. A similar set of offences would apply in the stages appropriate for taking any of the other types of objects listed above.

Shared responsibility. A bhikkhu can commit an offence not only if he himself steals an object, but also if he incites another to steal. The offences involved in the acts leading up to the crime are as follows:

If a bhikkhu tells an accomplice to steal an object that would be grounds for a parajika, he incurs a dukkata. If the accomplice agrees, the instigator incurs a thullaccaya. Once the accomplice succeeds in taking the object as instructed -- whether or not he gets away with it, and whether or not he shares it with the instigator -- the instigator incurs a parajika. If the accomplice is a bhikkhu, he too incurs a parajika. If the object would be grounds for a thullaccaya or a dukkata, the only penalties incurred prior to the actual theft would be dukkatas.

If there is any confusion in carrying out the instructions -- e.g., if the accomplice, instead of taking the book specified by the instigator, takes something else instead; or if he is told to take it in the afternoon but instead

takes it in the morning -- the instigator incurs only the penalties for proposing the theft and persuading the accomplice, and not the penalty for the theft itself. The same holds true if the instigator rescinds his order before the theft takes place, but the accomplice goes ahead and takes the object anyway.

According to the Commentary, an instigator who wishes to call off the theft before it is carried out, but who for one reason or another cannot get his message to the accomplice in time, incurs the full penalty for the completed theft.

If there is a chain of command -- Bhikkhu A telling Bhikkhu B to tell Bhikkhu C to tell Bhikkhu D to commit the theft -- then once D takes the object as instructed, all four incur the penalty coming from the theft. If there is any confusion in the chain of command -- e.g., Bhikkhu B instead of telling C tells D directly -- neither A nor C incurs the penalty for the theft itself.

If bhikkhus go in a group to commit a theft, but only one of them does the actual taking, all still incur the penalty coming from the theft. Similarly, if they steal valuables worth collectively more than five masakas but which when divided among them yield shares worth less than five masakas each, all incur a parajika.

Special cases. As mentioned above, the notion of stealing covers a wide variety of actions. The texts mention a variety of actions that border on stealing, some of them coming under this rule, some of them not.

Belongings of the Sangha. According to the Commentary to Nissaggiya Pacittiya 30, an item belongs to the Sangha when donors, intending for it to be Sangha property, offer it to one or more bhikkhus representing the Sangha, and those bhikkhus receive it, although not necessarily into their hands. Sangha property thus counts as "what is not given" as far as individual bhikkhus are concerned, for it has an owner -- the Sangha of all times and places -- and is guarded by the individual Community of bhikkhus.

Sangha property is divided into two sorts: light (lahu-bhanda) and heavy (garu-bhanda). Light property includes such things as robes, bowls, medicine, and food. Heavy property includes such things as monastery land, buildings, and furnishings. The Buddha gave permission for individual Communities to appoint certain of their members to be officials responsible for the proper use of Sangha property. The officials responsible for light property are to distribute it among the members of the Community, following set procedures to ensure that the distribution is fair. Once an individual member has received such property, he may regard it as his own and use it as he sees fit.

In the case of heavy property, though, the officials are responsible for seeing that it is allotted for proper use in the Community, but the individual bhikkhus who are allowed to use it may not regard it as their own personal property. This is an important point. At most, such items may be taken on loan or exchanged -- with the approval of the Community -- for other heavy property of equal value. A bhikkhu who gives such items away to anyone -- ordained or not -- perceiving it as his to give, incurs a thullaccaya, no matter what the value of the object. Of course, if he knows that it is not his to give or take, then in appropriating it as his own he incurs the penalty for stealing.

The Buddha was highly critical of any bhikkhu who gives away heavy property of the Sangha. In the origin story to Pr 4, he cites the case of a bhikkhu who, hoping to find favour with a lay person, gives that person some of the Sangha's heavy property. Such a bhikkhu, he says, is one of the five great thieves of the world.

A bhikkhu who takes heavy property of the Sangha donated for use in a particular monastery and uses it elsewhere incurs a dukkata. If he takes it on loan, he commits no offence.

Receiving stolen goods. Accepting a gift of goods, or purchasing them very cheaply knowing that they were stolen, would in Western criminal law result in a penalty similar to stealing itself. However, neither the Canon nor the commentaries mention this case. The closest they come is in the Vinita Vatthu, where a groundskeeper gives bhikkhus fruit from the orchard under his care, even though it was not his to give, and there was no offence for the bhikkhus. Thus the implication is that there is no offence for receiving stolen goods, even knowingly, although a bhikkhu who does so would not be exempt from the civil law and the consequent proceedings, in the course of which the Community would probably urge him to disrobe. (In

Thailand, the civil law empowers the police to force a bhikkhu to disrobe if he is charged with a criminal case.)

Compensation owed. The Commentary introduces the concept of bhandadeyya, or compensation owed, to cover cases where a bhikkhu is responsible for the loss or destruction of another person's property. It defines this concept by saying that the bhikkhu must pay the price of the object to the owner or give the owner another object of equal value to the one lost or destroyed; if he abandons his responsibility to the owner, he incurs a parajika. The Commentary applies this concept not only to cases where the bhikkhu knowingly and intentionally destroys the object, but also to cases where he borrows or agrees to look after something that then gets lost, stolen, or destroyed through his negligence; or where he takes an item mistakenly thinking that it was discarded or that he was in a position to take it on trust.

To cite a few examples: A bhikkhu breaks another person's jar of oil or places excrement in the oil to spoil it. A bhikkhu who is charged with guarding the Community storeroom lets a group of other bhikkhus into the storeroom to fetch belongings they have left there; they forget to close the door and, before he remembers to check it, thieves slip in to steal things. A group of thieves steal a bundle of mangoes but, being chased by the owners, drop it and run; a bhikkhu sees the mangoes, thinks that they have been thrown away, and so eats them after getting someone to present them to him. A bhikkhu sees a wild boar caught in a trap and, out of compassion, sets it free but cannot reconcile the owner of the trap to what he has done. In each of these cases, the Commentary says, the bhikkhu in question owes compensation to the owner of the goods. (In the case of the mangoes, he must compensate not only the owners but also the thieves if it turns out that they had planned to come back and fetch the fruit.) If he abandons his responsibility to the owner(s), he incurs a parajika.

In making these judgments, the Commentary is probably following the civil law of its day, for the Canon contains no reference at all to the concept of bhandadeyya, and some of its judgments would seem to contradict the Commentary's. For instance, the Vinita Vatthu mentions a case in which a bhikkhu knowingly sets fire to some grass belonging to the Community, and yet it assigns only a dukkata to the action without -- as is its custom when discussing out-and-out theft -- mentioning the value of the grass. When it discusses cases where a bhikkhu takes an item on mistaken assumptions, or where he feels compassion for an animal caught in a trap and so sets it free, it says that there is no offence at all. Thus it seems strange for an action that, according to the Canon, carries a dukkata or no penalty whatsoever to become grounds for a parajika. Of course, in all cases of this sort it would be a wise policy to offer the owner reasonable compensation, but it is by no means certain that a bhikkhu would have the wherewithal to do so, and nowhere does the Canon require him to do so. Thus, as the Commentary's concept of bhandadeyya is clearly foreign to the Canon, there seems no reason to adopt it.

If, however, a Community feels that a bhikkhu has acted in a destructive way that deserves more than the automatic penalty of a dukkata, they can impose a banishment transaction on him for physical injuriousness, or a reconciliation transaction for striving for the non-gain and non-benefit of householders. For details on these transactions, see Volume Two, Chapter 20.

Court actions. As stated above, if a bhikkhu knowingly starts an unfair court case against someone else and then wins it in the final court to which the accused makes appeal, he incurs a parajika. The Commentary to the Bhikkhuni's Sanghadisesa 1, however, states that even if a bhikkhu is actually mistreated by someone -- defamed, physically injured, robbed, etc. -- and then tries to take a just court action against the guilty party, he incurs a parajika if he wins. Again, this is an instance where the Commentary has no support from the Canon and, as the Vinaya Mukha points out, its assertion cannot stand. However, the training of a bhikkhu requires that he view all losses in the light of kamma and focus on looking after the state of his mind rather than on seeking compensation in social or material things.

There is no question in any of the texts that if a bhikkhu is asked to give evidence in a courtroom and does so, speaking in accordance with the facts, he commits no offence no matter what the outcome for the others involved.

Deceit. If a bhikkhu uses a deliberate lie to deceive another person into giving an item to him, the transgression is treated not as a case of stealing -- because, after all, the item is given to him -- but rather as a case of lying. If the lie involves making false claims to superior meditative attainments, it is treated under Parajika 4. If not, it is treated under Pacittiya 1. The Vinita Vatthu gives two examples:

During a distribution of requisites in the Community, a bhikkhu asks for and is given an extra portion for a non-existent bhikkhu.

A bhikkhu approaches his teacher's lay supporter and asks for medicines, saying that they will be for his teacher, although he actually plans to use them himself instead.

In both of these cases, the penalty is a pacittiya for lying.

Compassion. The Vinita Vatthu contains a case in which a bhikkhu, out of compassion, releases an animal caught in a hunter's snare. He incurs no penalty.

In another case, a bhikkhu with psychic powers uses them to retrieve a pair of kidnapped children. The Buddha states that this entails no penalty because such a thing lies in the province of those with psychic power. The Vinaya Mukha, in discussing this case, takes it as a precedent for saying that if a bhikkhu returns a stolen article to its legal owner, there is no offence. The Buddha's statement, though, was probably meant to discourage bhikkhus without psychic powers from getting directly involved in righting wrongs of this sort. If a bhikkhu happens to learn of the whereabouts of stolen goods, kidnapped children, etc., he may inform the authorities, if he sees fit, and let them handle the situation themselves.

Modern cases. The modern world contains many forms of ownership and monetary exchange that did not exist in the time of the Buddha, and so contains many forms of stealing that did not exist then either. Here are a handful of cases that come to mind as examples of ways in which the standards of this rule might be applied to modern situations.

Breach of copyright. The international standards for copyright advocated by UNESCO state that breach of copyright is tantamount to theft. They go on to state, however, that if one duplicates articles, books, cassette tapes, or video tapes for private use, for study, or for non-profit distribution, one may copy as much as one likes. In some countries, though, one is allowed to copy only small portions of copyrighted material for such purposes, although exactly how small is only vaguely defined. Thus, as local copyright laws do not always adopt the UNESCO standard, a bhikkhu should check with the law before copying anything. In particular, the agreements covering the copying of commercial computer software usually do not permit the owner to give copies of the software to anyone for any reason, and limit the number of copies one may make for one's own use. One should follow such agreements to the letter.

Credit cards. The theft of a credit card would of course be an offence. The seriousness of the offence would be determined by how much the owner would have to pay to replace the stolen card. NP 20 would forbid a bhikkhu from using a credit card to buy anything even if the card were his to use, although a bhikkhu who had gone to the extent of stealing a card would probably not be dissuaded by that rule from using it or having someone else use it. At any rate, each use of a stolen card would also count as a theft, the seriousness of which would be calculated in line with the principle of the "prior plan" mentioned above.

Long distance telephone calls. Unauthorized use of a telephone to place long distance calls would also count as a theft, and again the seriousness of the offence would be calculated in light of the principle of the prior plan.

Tax evasion. If a bhikkhu intentionally does not pay a tax to which he is subject -- say, on an inheritance he receives -- he is guilty of a theft, which would occur on the deadline for payment of the tax. Of course, a bhikkhu who fails to pay a tax out of ignorance would not be guilty of an offence.

Exchanging currency on the black market is also a form of tax evasion in countries where there is a tax on currency exchange, so a bhikkhu in such a country who directs his steward to change money on the black

market would be guilty of a theft. If, however, the steward on his own initiative exchanges money on the black market for use in the bhikkhu's account, the bhikkhu commits no offence.

Non-offences. In addition to the blanket exemptions mentioned under the preceding rule, the Vibhanga lists six exemptions to this rule. Two relate to the status of the object, two to the factor of perception, and two to the factor of intention. Although we have already discussed these exemptions under their respective factors, it is convenient to have them gathered in one place:

Object. There is no offence if a bhikkhu takes an object belonging (1) to a peta (§) or (2) to an animal (§).

Perception. There is no offence if a bhikkhu takes an object perceiving it to be (1) his own or (2) to have been thrown away (§). The Commentary states that if the object does indeed have an owner, the bhikkhu incurs the penalty for stealing if, after he refuses to return it at the owner's request, the owner abandons the idea of trying to get it back. This statement should be qualified, however, by adding that as long as the bhikkhu still perceives the object to have been rightfully his to take in the first place, he is under no obligation to return it.

Intention. There is no offence if a bhikkhu takes an object (1) on trust or (2) temporarily -- which, the Commentary says, means that he takes it with the intention of returning it or making amends to the owner.

Summary:
2. The theft of anything worth 1/24 ounce troy of gold or more is a parajika offence.

3. Should any bhikkhu intentionally deprive a human being of life, or search for an assassin for him, or praise the advantages of death, or incite him to die (thus): "My good man, what use is this wretched, miserable life to you? Death would be better for you than life," or with such an idea in mind, such a purpose in mind, should in various ways praise the advantages of death or incite him to die, he also is defeated and no longer in communion.

This rule against intentionally causing the death of a human being is best understood in terms of five factors, all of which must be present for there to be a parajika offence.

1) *Object:* a human being, which according to the Vibhanga includes human foetuses as well, counting from the time consciousness first arises in the womb immediately after conception up to the time of death.
2) *Intention:* knowingly, consciously, deliberately, and purposefully wanting to cause that person's death. "Knowingly" also includes the factor of --
3) *Perception:* perceiving the person as a living being.
4) *Effort:* whatever one does with the purpose of causing that person to die.
5) *Result:* the person dies as the result of one's act.

Object. The Vibhanga defines a human being as a person "from the time consciousness first becomes manifest in a mother's womb, up to its death-time." (The concept of death-time, since it relates most directly to questions that arise in treating the terminally ill, will be discussed in the section dealing with that topic, below.) It follows from this that a bhikkhu who intentionally causes an abortion -- by arranging for the operation, supplying the medicines, or giving advice that results in an abortion -- incurs a parajika. A bhikkhu who encourages a woman to use a means of contraception that works after the point of conception would be guilty of a parajika if she were to follow his advice.

There is a series of cases in the Vinita Vatthu in which bhikkhus provide medicines for women seeking an abortion, followed by two cases in which a bhikkhu provides medicines to a barren woman who wants to become fertile and to a fertile woman who wants to become barren. In neither of these two latter cases does anyone die, but in both cases the bhikkhu incurs a dukkata. From this, the Commentary infers that bhikkhus are not to act as doctors to lay people, an inference supported by the Vibhanga to Sanghadisesa 13. (The Commentary, though, gives a number of exceptions to this principle. See the discussion under that rule.)

The parajika offence is for killing a human being aside from oneself. A bhikkhu who attempts suicide incurs a dukkata.

A bhikkhu who kills a "non-human being" -- a yakkha, naga, or peta -- or a devata (this is in the Commentary) incurs a thullaccaya. According to the Commentary, when a spirit possesses a human being or an animal, it can be exorcised in either of two ways. The first is to command it to leave: This causes no injury to the spirit and results in no offence. The second is to make a doll out of flour paste or clay and then cut off various of its parts. If one cuts off the hands and feet, the spirit loses its hands and feet. If one cuts off the head, the spirit dies, and this is grounds for a thullaccaya.

A bhikkhu who intentionally kills a common animal is treated under Pacittiya 61.

Intention & perception. The Vibhanga defines intentionally as "having made the decision knowingly, consciously, and purposefully." According to the Commentary, having made the decision refers to the moment when one "crushes" one's indecisiveness by taking an act. Knowingly means being aware that, "This is a living being." Consciously means being aware that one's action is depriving the living being of life. Purposefully means that one's purpose is murderous. Whether one is motivated by compassion, hatred, or indifference is irrelevant as far as the offence is concerned.

All of the above sub-factors must be present for the factors of intention and perception to be fulfilled here. Thus there is no offence for a bhikkhu who causes a death --

accidentally -- e.g., accidentally dropping a rock that kills a person standing below; or toying with a gun, trying to decide whether or not to kill the person, and the gun accidentally goes off before he can make up his mind;

not knowing that a living being was there -- e.g., placing a heavy load on a pile of cloth without realizing that a person was lying underneath it;

not conscious that his action is causing death -- e.g., by unwittingly giving poisoned food to another bhikkhu who eats it and dies;

or when his actions are motivated by a purpose other than that of causing death -- e.g., giving medicine to a fellow bhikkhu, sincerely trying to help cure him, but the sick bhikkhu chokes on the medicine and dies.

One aspect of the Commentary's definition of knowingly is worth noting here: One does not need to know for sure that the living being is a human being for the factor of perception to be fulfilled. Thus if a bhikkhu hears the threatening noise of a living being in the dark and, not knowing whether it is man or beast, stabs it with intent to kill, he incurs a parajika if the being turns out to be human and dies from the wound.

Although this judgment may seem strange, it is supported by a passage in the Canon: A bhikkhu digs a pitfall with the thought that whatever living beings fall into it will perish. The penalty, if an animal dies as a result, is a pacittiya; if a human being, a parajika. This shows that the intention/perception of "living being" -- broad enough to cover human beings, even if it is not limited to them -- fills the relevant factors here.

The Vinita Vatthu contains an unusual case of a bhikkhu who uses a friend as a guinea pig for testing poison. The friend dies, and the bhikkhu incurs only a thullaccaya. The Commentary explains this by distinguishing two types of test: one to see if a particular poison is strong enough to kill a person; the other, to see if a particular person is strong enough to survive the poison. In either of these cases, the bhikkhu incurs a thullaccaya whether or not the victim dies. If, though, the bhikkhu gives poison to a person with the desire that it cause that person's death, he incurs a parajika if the victim dies, and a thullaccaya if not.

Effort. This factor covers four types of action: taking life, assisting a murderer or suicide, describing the advantages of dying, and inciting a person to die.

a) ***Taking life***. The Vibhanga defines taking life as "cutting off the life faculty," and the Commentary's discussion of this point shows clearly that this means interrupting the continuity of life before it would reach its "timely" end through the exhaustion of the victim's merit or life potential The Commentary lists six means by which one might make such an effort:

-- *One's own person*. this includes using not only one's hands or feet, but also such weapons as knives, sticks, clubs, etc.
-- *Throwing:* hurling a stone, shooting an arrow or a gun, etc.
-- *Stationary devices*: setting a trap, poisoning food, etc.
-- *Magical formulae:* calling on malevolent spirits to bring about a person's death, using voodoo, etc.
-- *Psychic powers.* using the "evil eye" or other similar powers.
-- *Commanding:* inciting another person to commit a murder. This category includes recommendations as well as express commands. A few examples:

Telling A to kill B. The way in which a bhikkhu is penalized for getting another person to commit a murder can be inferred from the discussion of shared responsibility under the preceding rule. The Commentary to this rule goes into great detail concerning the six ways the command to kill can be specified: the object [the person to be killed], the time, the place, the weapon to use, the action by which the weapon is to be used [e.g., "Stab him in the neck"], and the position the victim should be in [sitting, standing, lying down] when the act is to be done. If the instigator specifies any of these things, and yet the person following his orders does not carry them out to the letter, the instigator does not incur the penalty for the actual murder. For instance, Bhikkhu A tells his student to kill B while B is sitting in meditation at midnight. The student gets into B's room at midnight, only to find B asleep in bed, which is where he kills him. Bhikkhu A thus incurs only the thullaccaya for convincing his student to accept the command.

Inciting A to kill B. The Commentary includes a case of a socially active bhikkhu who tells people, "In such-and-such a place a bandit is staying. Whoever cuts off his head will receive great honour from the King." If any of the bhikkhu's listeners kills the bandit as a result of his instigation, the bhikkhu incurs a parajika.

Recommending means of euthanasia. The Vinita Vatthu includes a case of a criminal who has just been punished by having his hands and feet cut off. A bhikkhu asks the man's relatives, "Do you want him to die? Then make him drink buttermilk." The relatives follow the bhikkhu's recommendation, the man dies, and the bhikkhu incurs a parajika.

Recommending means of capital punishment. Again from the Vinita Vatthu: A bhikkhu advises an executioner to kill his victims mercifully with a single blow, rather than torturing them. The executioner follows his advice, and the bhikkhu incurs a parajika. This judgment indicates that a bhikkhu should not involve himself in matters of this sort, no matter how humane his intentions. According to the Vinita Vatthu, if the executioner says that he will not follow the bhikkhu's advice and then kills his victims as he pleases, the bhikkhu incurs no penalty. The Commentary adds that if the executioner tries to follow the bhikkhu's advice and yet needs more than one blow to do the job, the bhikkhu incurs a thullaccaya. As we have mentioned, though, the best course is to leave matters of this sort to the laity.

b) *Assisting a murderer or suicide*. A bhikkhu may commit an offence not only by using any of the six above-mentioned means of taking life, but also by intentionally assisting a person who uses any of them to commit a murder or a suicide. This is how the Vibhanga explains the phrase, "search for an assassin" in the rule. The act of assisting includes not only finding an assassin, but also procuring weapons for the would-be murderer or suicide.

c) *Describing the advantages of dying*. This, the third type of act covered by this rule, can include berating a sick person ("Why do you keep hanging on to life like this? Don't you realize what a burden you are to others?") or simply telling a person of the miseries of life or the bliss of dying and going to heaven in such a way that he/she might feel inspired to commit suicide or simply pine away to death. The Vibhanga notes that these statements fulfill this factor whether delivered by gesture, by voice, by writing, or by means of a messenger

d) *Inciting a person to die*, the fourth type of act, covers:

Recommending suicide. This includes not only telling a person to commit suicide, but also giving advice -- whether requested or not -- to a would-be suicide on the best ways to commit the act.

Telling a person to go to a dangerous place where he/she might die of the dangers.

Arranging a terrible sight, sound, etc. to frighten a person to death, or a beautiful, "heart-stirring" one to attract a person who will then pine away to death when it fades.

Command. Giving a command or recommendation to get another person to perform any of these last three types of action -- assisting a murder or suicide, describing the advantages of dying, or inciting another person to die -- would also fulfill the factor of effort under this rule.

Expressing a wish. According to the Vibhanga, a bhikkhu who expresses an idle wish that so-and-so be murdered would incur a dukkata, whether or not he was overheard. If, however, the bhikkhu's purpose in expressing the wish is that his listener take him up on it and commit the murder, his action would come under the category of "command," mentioned above.

Inaction does not fulfill the factor of effort here. Thus if a bhikkhu sits idle when seeing a flood sweep a person down-stream, he commits no offence -- regardless of his feelings about the person's death -- even if the person then drowns. Recommending that another person sit idle as well would also not fulfill this factor, because the category of "command" here covers only the act of inciting the listener to do any of the four actions that would fulfill the factor of effort under this rule.

Result. If a bhikkhu fulfils the factor of effort with the intention of causing a person's death, and the person dies as a result, he incurs a parajika. This holds even if the person does not die immediately, but succumbs later, say, to complications arising from a wound caused by the bhikkhu. If the person does not die, but experiences pain or injury as a result of the bhikkhu's efforts, the penalty is a thullaccaya. If the bhikkhu's efforts result in neither pain nor death, the penalty is a dukkata for each separate action leading up to them.

If a bhikkhu intends simply to injure the victim or cause him/her pain, and yet the victim dies as a result of the bhikkhu's actions, the case is treated under Pacittiya 74.

There is an apparent contradiction in the Vinita Vatthu concerning the penalty for a bhikkhu who tries to kill one person but ends up killing another instead. In one passage, it says that a bhikkhu who means to kill X but kills Y instead incurs a parajika. In another passage, it tells of a bhikkhu who gives medicine to a woman who wants to commit an abortion near the end of a full-term pregnancy. The woman takes the medicine but, instead of the foetus' aborting, the woman dies and the infant survives. In this case, the bhikkhu incurs a thullaccaya, presumably for the pain he caused the infant.

The Commentary tries to resolve this contradiction with an illustration: A bhikkhu with a grudge against A decides to ambush him. He sees B coming down the road and, mistaking him for A, shoots him dead on the spot. Since his intention was to kill the person he was aiming at, he incurs a parajika. We can call this a case of mistaken identity. In cases of this sort, whether the "right" or the "wrong" person dies is of no consequence to the offence.

If, however, the bhikkhu is a poor shot, takes aim at B but misses him, and inadvertently kills C instead, he does not incur a parajika, for he did not intend to kill C during any part of his action. His only penalties are the dukkatas he incurs while preparing for B's murder.

If a bhikkhu means to cause the death of any member of a group, then when any member of the group dies as a result of his efforts, he incurs a parajika.

Caring for the terminally ill. Some of the most highly charged issues involving this training rule concern the duties of a bhikkhu acting as nurse, and his accountability in the event that his patient dies. Not a few controversies have arisen in the past when highly respected teachers have died after an illness, for there is a tendency to blame the nurse either for the teacher's death or for being so intrusive in his care that he does not let the teacher die in peace. Recent developments in modern medicine -- such as professionally mandated care, life-support machines, and organ transplants -- have further complicated the issue of exactly how far the nurse's accountability goes. Fortunately, the texts are quite clear on these issues -- applying rules where rules are called for, and guidelines where rules would be inappropriate -- but to understand their rationale it is necessary to have some historical perspective on the subject.

Medical care in the time of the Buddha was primarily the responsibility of the ill person's family. Subsidized health care did not exist, and so families had a very real sense of the exigencies -- their time, their resources, the wishes of the patient, and the likelihood of his recovery -- that might force them to provide less than state-of-the-art care, even for a loved one. At the same time, the current Western system whereby one style of medical care can establish itself as "standard" -- and can enlist the help of the law to discredit alternative styles of treatment as bogus -- also did not exist. Patients and their families had a wide assortment of treatments to choose from and, given the means to make a choice, might select a particular style for any number of reasons: belief in the theory that lay behind it, trust in a particular doctor, rapport with the means of treatment, etc.

As a result, there was none of the belief, current in some circles, that outside professionals have the right to monopolize medical care or to impose their standards of treatment on an unwilling patient or his family. The choice of treatment was an in-family matter. If a patient balked at a particular doctor's treatment, the family was free to decide whether to honour his wishes and forego the treatment, or to force the treatment on him for his own good. On the other hand, if the patient's condition reached the point where the family felt that the doctor's treatment was futile, unaffordable, or otherwise no longer appropriate, it could dismiss the doctor and attempt treatment on its own, doing whatever was within its ability to offer moral support to the patient and alleviate his pain and discomfort while waiting for factors beyond its control -- such as the patient's present and past kamma -- to decide the outcome of the disease.

The principal ethical constraints on this arrangement, ancient medical textbooks show, were that doctors should not use their knowledge to aggravate or prolong illness -- to do so would count as malpractice -- and that no one should subject a patient to treatment designed to bring on death faster than it would if the disease were simply allowed to run its course: To defy this principle would count as murder.

This, in brief, was the accepted pattern for medical care in the Buddha's time. The only change the Buddha introduced to the pattern was to point out to the bhikkhus that, as they had no family to care for them, they were to take on the role of family for one another. If a bhikkhu falls ill, it is automatically the duty of his mentor, his students (if he has any), or fellow students of his mentor to care for him. These people are to stay with the patient until he either recovers or dies -- although the Commentary to Mv.I.25.24 points out that they may leave him if they put him into the care of another. If a bhikkhu happens to fall ill in a place where none of these people are available, it is the duty of the Community in that location to care for him. If it doesn't care for him, all the members of that Community incur a dukkata (MV.VIII.26.3-4).

The Mahavagga contains guidelines for the ill bhikkhu and his nurses to follow, so that the ill bhikkhu will be easy to care for, and the nurses will be chosen from among those best suited to the task. The ill bhikkhu ideally avoids any food, medicine, or activity that would aggravate his disease; he knows moderation in the things that will be conducive to his recovery; he takes his medicine; he reports to the nurse his condition as it actually is; and does his best to endure his pain (Mv.VIII.26.5).

The nurse ideally is one who knows how to prepare the proper medicines; knows what is conducive and unconducive to the patient's recovery; provides the patient with what is conducive and removes what is not; tends the patient out of kindness, and not from hope of gain; is not squeamish about cleaning up urine, excrement, saliva, or vomit; and is competent at encouraging the patient at the appropriate times with a talk on Dhamma (Mv.VIII.26.5).

There is no offence for a patient who does not live up to the ideal guidelines for his behaviour; and none for a bhikkhu who, though lacking any of the ideal qualities of nurse, is pressed into a position where he must care for the sick. The only penalties mentioned in the Khandhakas are the dukkatas for those who neglect to care for the ill when they are duty-bound to do so or who abandon an ill person they are caring for before he recovers or dies.

The Vinita Vatthu to this rule contains only two basic cases in which a bhikkhu acting as a nurse for an ill friend incurs a parajika: one in which the friend dies after the bhikkhu gives him a specific treatment with the purpose of killing him off; and one in which the bhikkhu, feeling pity for a friend in severe pain, praises the pleasures that await him after death so that he will give up the will to live and speed up his death: The friend does so and dies as a result of the nurse's instigation.

Aside from the parajikas for such cases of out-and-out murderous action and intent, and the dukkatas for leaving the patient helpless, the Canon imposes no penalties on a bhikkhu acting as nurse who provides his patient with less than ideal care. Instead, within the parameters of those penalties, it offers guidelines for ideal behaviour, together with the encouragement of the Buddha's remark that, "He who would tend to me should tend to the sick." (Mv.VIII.26.3) From there it leaves it up to the bhikkhu to exercise his best judgment, in light of the Dhamma, as to what is most fitting in his individual case.

A moment's reflection will suggest some obvious reasons for this. If a particular standard of care were mandated, it would give rise to countless questions stemming from the many uncontrollable variables that can surround an illness, questions that rules are ill-suited to answer: How much must one's resources be depleted before one can say that a particular type of care is unaffordable? How should limited resources be allocated when several bhikkhus fall sick at the same time? What should one do if the patient says that he does not want to undergo a treatment that a doctor is trying to press on him? If one follows the patient's request is he assisting a suicide? Should one follow the doctor's orders and thus risk damaging the patient's psychological state? The list of questions could go on, but it is obvious from even these examples that this is an area less suited for rules than for guidelines that can be adapted to suit particular circumstances. Decisions here should be based on a reasoned and compassionate assessment of the particular situation, rather than on fear of hard and fast penalties and rules.

The commentaries' treatment of the issue of a nurse's accountability follows the same general pattern as the Canon's, but we find Buddhaghosa's works -- probably following the ancient commentaries -- bringing a little more precision to the discussion by introducing a distinction between timely and untimely death that the Commentary applies to the Vinita Vatthu cases. The distinction comes from Ayurveda -- ancient Indian medical science -- although Buddhaghosa expresses it in purely Buddhist terms, most fully in the Visuddhi Magga:

"*Timely death* comes about with the exhaustion of merit, with the exhaustion of life potential (ayu), or with both. Untimely death comes about through kamma that interrupts [other, life-producing,] kamma.

"*Death through exhaustion of merit,* here, refers to the death that comes about entirely through the finished ripening of [former] rebirth-producing kamma even when favourable conditions for prolonging the continuity of the life potential may still be present. Death through exhaustion of life potential refers to the death that comes about through the exhaustion of the natural life potential of human beings, which amounts to only 100 years...

"*Untimely death* refers to the death of those whose continuity is interrupted by kamma capable of causing them to fall from their place [on a particular level of being] at that very moment... or for the death of those whose continuity is interrupted by attacks with weapons, etc., due to previous kamma. All these are included under the [term] interruption of the life faculty..." (VIII.2-3)

As we saw above, the Commentary's discussion of cutting off the life faculty refers specifically to instances where one is bringing about an untimely death. When it applies this point to the case of the bhikkhu inciting his patient to give up the will to live, it notes that the bhikkhu incurs a parajika if his act causes the patient to cut short his/her life even by a moment through such things as refusing to eat, etc. However, if the patient,

not acting on the bhikkhu's comments, simply dies in line with his/her natural life potential and continuity, there is no offence.

It is important to note that the Commentary does not at any point use the distinction of timely and untimely death to make a case that mere negligence could be the cause of an untimely demise. Instead, it restricts its use of "untimely death" to cases where the nurse's care causes the patient to die earlier than he would have in the absence of care.

From this point of view it is easy to see that the decision not to have the patient undergo a particular death-delaying treatment would not count as an offence, for such a decision would do nothing to speed up the approach of a timely death. In terms of the factor of effort under this rule, it would count as inaction and thus not fulfill the factor. Thus if a bhikkhu sees that his patient is dying and -- for reasons of the expense, the trauma, or the patient's own wishes -- opts against having him undergo an operation that would merely delay death, there is no grounds for offence.

In situations where the choice is not between action and inaction, but between different courses of action, the Commentary's distinction is helpful in gauging one's perceptions and intentions when choosing among treatments. If a bhikkhu caring for a terminally ill patient opts for an alternative, such as a strong pain-killer, in hopes that it will weaken the patient's system and make him die faster than he would otherwise, his aim would fulfill the factor of intention under this rule. But if he is presented with a number of alternatives and believes that none of them would make the patient die before he would without any treatment, he may choose any of them because neither the perception nor the intention of bringing on an untimely death would enter into his decision. Even if it turns out later that the treatment was instrumental in bringing on the patient's death, the nurse would still be without blame.

It may seem that the Vinaya is leaving the patient in an unprotected position here, but we must remember that this is an area where the Dhamma takes precedence over the Vinaya in providing the nurse with guidance. Even a nodding acquaintance with the principle of kamma should be enough to prevent the nurse from being callous in his decisions. Even a modicum of maturity will make him realize that the role of nurse provides an excellent opportunity to gain insight into illness as a natural part of life, as well as training in such valuable qualities as compassion, patience, mindfulness, strength, sacrifice, and sensitivity to the needs of others.

As we noted in the Introduction, rules and standards serve different purposes and are suited to different situations. The authors of the texts, after using rules against murderous malpractice and abandonment to delimit this area, were wise to sketch in the remaining territory with standards aimed at inspiring the best behaviour in the nurse and his patient by appealing to their higher side.

Special cases. The Vinita Vatthu includes three special cases that touch on this rule but inspired the Buddha to formulate separate rules to deal specifically with them:

A bhikkhu, for the fun of it, throws a stone from a precipice and accidentally kills a person standing below -- no penalty for the death, but a dukkata for throwing a stone from a precipice in fun.

A bhikkhu, hoping to commit suicide, throws himself over a cliff. Instead of dying, he lands on and kills a hapless basket-maker standing at the foot of the cliff -- again, no offence for the death, but a dukkata for throwing oneself from a high place.

A bhikkhu, sitting down hard on a chair without first checking it carefully, kills a child lying in the chair and covered with a blanket -- again, no penalty for the death, but a dukkata for sitting down without first checking carefully.

Summary:

3. Intentionally bringing about the untimely death of a human being, even if it is still a foetus, is a parajika offence.

4. Should any bhikkhu, without direct knowledge, boast of a superior human state, a truly noble knowledge and vision as present in himself, saying, "Thus do I know; thus do I see," such that regardless of whether or not he is cross-examined on a later occasion, he -- being remorseful and desirous of purification -- might say, "Friends, not knowing, I said I know; not seeing, I said I see -- vainly, falsely, idly," unless it was from over-estimation, he also is defeated and no longer in communion.

All conscious lies are forbidden by the first pacittiya rule, but knowingly to make a false claim to a superior human state is the most heinous lie a bhikkhu can tell, and so here it receives its own rule and the heaviest possible penalty.

The seriousness with which the Buddha regarded a breach of this training rule is indicated by his statements to the original instigators:

"You misguided men, how can you for the sake of your stomachs speak praise of one another's superior human states to householders? It would be better for you that your bellies be slashed open with a sharp butcher's knife than that you should for the sake of your stomachs speak praise of one another's superior human states to householders. Why is that? For that reason you would undergo death or death-like suffering, but you would not on that account, at the break-up of the body, after death, fall into deprivation, the bad bourn, the abyss, purgatory. But for this reason you would, at the break-up of the body, after death, fall into deprivation, the bad bourn, the abyss, purgatory... Bhikkhus, in this world with its devas, maras, and brahmas, its generations with priests and contemplatives, princes and men, this is the ultimate great thief: he who claims an unfactual, non-existent superior human state. Why is that? You have consumed the nation's almsfood through theft."

Superior human states. The Vibhanga lists a large number of superior human states that the Commentary classifies into two broad categories: mahaggata dhamma, those related to the practice of meditative absorption; and lokuttara dhamma, those related to the absolute eradication of the mental fetters that bind the mind to the cycle of rebirth.

a. *Meditative absorption* -- the Pali term is jhana -- is of two major sorts: absorption in a physical object or sensation (rupa jhana) and absorption in a non-physical object or sensation (arupa jhana). Both contain four levels and are described in the discourses as follows:

"The bhikkhu -- quite withdrawn from sensuality, withdrawn from unskilful (mental) qualities -- enters and remains in the first jhana: rapture and pleasure born from withdrawal, accompanied by directed thought and evaluation. He permeates and pervades, suffuses and fills this very body with the rapture and pleasure born from withdrawal...

"And furthermore, with the stilling of directed thought and evaluation, he enters and remains in the second jhana: rapture and pleasure born of composure, unity of awareness free from directed thought and evaluation -- internal assurance. He permeates and pervades, suffuses and fills this very body with the rapture and pleasure born of composure...

"And furthermore, with the fading of rapture, he remains in equanimity, mindful & alert, and physically sensitive of pleasure. He enters and remains in the third jhana, and of him the Noble Ones declare, 'Equanimous and mindful, he has a pleasurable abiding.' He permeates and pervades, suffuses and fills this very body with the pleasure divested of rapture...

"And furthermore, with the abandoning of pleasure and pain -- as with the earlier disappearance of elation and distress -- he enters and remains in the fourth jhana: purity of equanimity and mindfulness, neither pleasure nor pain. He sits permeating the body with a pure, bright awareness, so that nothing of his entire body is unpervaded by pure, bright awareness." (D.2; M.119)

The four levels of arupa jhana are based on the fourth level of rupa jhana.

"With the complete transcending of perceptions of (physical) form, and the passing away of perceptions of resistance, and not heeding perceptions of diversity, thinking, 'Infinite space,' one enters and remains in the dimension of the infinitude of space...

"With the complete transcending of the dimension of the infinitude of space, thinking, 'Infinite consciousness,' one enters and remains in the dimension of the infinitude of consciousness...

"With the complete transcending of the dimension of the infinitude of consciousness, thinking, 'There is nothing,' one enters and remains in the dimension of nothingness...

"With the complete transcending of the dimension of nothingness, one enters and remains in the dimension of neither perception nor non-perception." (D.15)

The Vibhanga mentions only the four rupa jhanas in its list of superior human states, but as the four arupa jhanas are based on the fourth rupa jhana, the Commentary includes them in the list as well.
In addition to these states of absorption themselves, the category of mahaggata dhamma also includes the intuitive powers (abhiñña) that can arise from them:

iddhividhi – the ability to manifest one or more images of oneself, to appear in a different bodily form, to create a "mind-made" (astral) body, to pass through solid matter, walk on water, levitate, etc.

dibba-sota -- clairaudience, enabling one to hear sounds both celestial and human, far and near.

cetopariya-ñana -- the ability to read the minds of other living beings.

dibba-cakkhu -- clairvoyance, the ability to see beings in other realms of existence, and in particular to see them pass from death in one level to rebirth in another.

pubbe-nivasanussati-ñana -- the ability to remember previous lives.

There are other occult abilities that are not based on jhana and for this reason do not count as mahaggata dhamma: such things as divination, giving protective charms, casting malevolent spells, psychic healing, practicing as a medium, etc. The discourses list these and other similar activities as tiracchana-vijja, bestial knowledge, which -- as the name implies -- is far removed from superior human states.

b. *Lokuttara dhamma*, in its fullest sense, refers to the series of mental states, called paths and fruitions, in which the fetters that bind the mind to the cycle of rebirth are eradicated; and to the ultimate state of nibbana, or liberation.

The paths and fruitions occur in four pairs. In the first pair, the path to and fruition of stream-entry, three fetters are abandoned: self-identity views (sakkaya-ditthi), uncertainty (vicikiccha), and attachment to precepts and practices (silabbata-paramasa). In the second pair, the path to and fruition of once-returning, two additional fetters -- sensual passion (kama-raga) and resistance (patigha) are weakened, only to be abandoned fully in the third pair, the path to and fruition of non-returning. In the fourth pair, the path to and fruition of arahantship, a final set of five additional fetters is abandoned: rupa-raga -- passion for physical phenomena (e.g., the objects of rupa jhana); arupa-raga -- passion for non-physical phenomena (e.g., the objects of arupa jhana); mana -- conceit; uddhacca -- restlessness; and avijja -- unawareness. With the cutting of this last set of fetters, all bonds with the cycle of rebirth are cut for good, and the mind attains nibbana.

The term nibbana literally means extinguishing, like a fire. The commentarial literature (Vism.VIII,247), derives the word etymologically from nir, a negative prefix, and vana, binding. Thus it means unbinding or liberation. In the physics of the Buddha's time, fire as it burned was said to be in a state of agitation, dependence, attachment, and entrapment -- both clinging to and being trapped by its sustenance. Extinguished, it was said to become calm, independent, and unattached. It let go of its sustenance and was released. In the mind's extinguishing, or unbinding, a parallel change occurs. Nibbana is one; the paths and their fruitions, eight. Thus there are nine lokuttara dhammas.

Aside from jhana, the other states mentioned in the Vibhanga -- such as the destruction of the mental effluents (asava), the signless emancipation, the desireless emancipation, the emptiness emancipation, and so forth -- are either synonymous with these transcendent states or -- as in the case of the "wings" to Awakening (bodhi-pakkhiya-dhamma) -- conjoined with them.

The **full offence** under this rule has five factors:

1) *Effort:* one makes a direct claim
2) *Object:* to a superior human state
3) *Perception*: that one perceives as not present in oneself.
4) *Intention:* one's intention is to misrepresent the truth.
5) *Result:* one's listener understands what one is saying.

Effort. To make a direct claim means to say outright that one has attained a superior human state, saying such things as, "I have attained the first jhana," "I have seen the heavenly realms," "I know my previous lifetimes," etc. Outright claims, here, include not only spoken statements, but also written statements and physical gestures. An example of a claim by gesture occurs in the Vibhanga: A group of bhikkhus make an agreement that the first to set out from their dwelling would, by that very gesture, be known to the rest as an

arahant. One of the group, who was not an arahant but wanted to be regarded as one, set out first from the dwelling and was soon known to the rest as an ex-bhikkhu from having committed a parajika.

Indirect claims. An indirect claim to a superior human state is not grounds for a parajika. If it is a deliberate lie, it is at most grounds for a thullaccaya. Such claims, which contain an uncertainty in their wording even though the listener may feel no uncertainty in understanding their import, may be uncertain in one of two ways: uncertain as to the person and uncertain as to the attainment.

The Vinita Vatthu contains several examples of the first sort: a bhikkhu states that whoever lives in a particular dwelling is an arahant, the dwelling being the one where he lives; a bhikkhu saying that all the disciples of his teacher are arahants, and so forth.

There is only one example in the Vinita Vatthu of a bhikkhu who makes a claim "uncertain as to the attainment": a sick bhikkhu, meaning to deceive the fellow bhikkhus nursing him, says to them, "There is no way that this sickness could be endured by an ordinary person (puthujjana)."

According to the Commentary, if the person to whom such indirect remarks are directed understands them, the penalty for the speaker is a thullaccaya. If he/she does not understand them, the penalty is a dukkata. The factor of understanding is covered in the section on "Result," below.

Claims about other people. The original instigators of this rule, instead of each making claims about his own attainments, made false claims about one another's attainments. This case is not mentioned in the Vibhanga or the commentaries and so is not an offence under this rule, but it would come under Pacittiya 1.

Perception. Claiming a superior human state that one mistakenly thinks one has achieved is no offence under this rule, although if addressed to a lay person the claim would come under Pacittiya 8. The same holds for a claim that is actually true. If, however, a bhikkhu has attained a superior human state without realizing it and then claims to have attained the state, thinking his statement to be a lie, he commits the full offence under this rule.

Intention. To fall under this rule, a claim to have attained any of these superior human states must be a deliberate lie. "Deliberate lying," according to the Commentary, requires the arising of the intention to misrepresent the truth just prior to, and motivating, the actual statement. When the intention to misrepresent the truth is absent, the statement does not come under this rule. Examples would include --

meaning to say one thing, but accidentally saying another that comes out as a claim to a superior human state;
and innocently making a statement that someone else misconstrues to be a claim to a superior human state.
Neither of these cases would involve an offence.

Equivocation. It is not uncommon for a bhikkhu to be put on the spot by lay people asking him point-blank about his attainments, and for him to respond by equivocating. The Vinita Vatthu contains a number of examples of this sort. In one of them, the bhikkhu responds by saying, "I have attained a state attainable through the exertion of effort," which of course could mean almost anything. Because his purpose was simply to avoid the question, he incurred no penalty. Had he meant the statement as an indirect claim, he would have incurred a thullaccaya.

Result. The Vibhanga, in discussing an obscure case, states that when the listener understands a deliberate lie directly claiming a superior human state, the bhikkhu making the claim incurs a parajika. If the listener does not understand, the bhikkhu incurs a thullaccaya. The Vibhanga mentions this condition only in the context of a peculiar lie -- one in which the speaker intends to lie saying one thing but actually states another lie -- but the Commentary generalizes from this case to say that this condition applies to all cases covered by this rule. Its explanations run as follows:

Understanding, here, means simply that the listener hears the statement clearly enough to know that it is a claim. Whether he/she understands the names for the states claimed -- jhana, clairvoyance, clairaudience, or whatever -- is not an issue here. The same is true of whether he/she believes the statement to be true or false. If the listener to whom the remarks are directed does not understand them, but a passer-by does, the penalty is still a parajika.

If the listener does not hear the bhikkhu clearly enough to catch all he says, the penalty is a thullaccaya. If the listener at first has some doubt as to what the bhikkhu said, but later realizes that it was a claim to a superior human state, the offence is still a thullaccaya. If the listener does not hear the bhikkhu at all, the offence is a dukkata.

As stated above, if a bhikkhu states a deliberate lie in the form of an indirect claim to a superior human state, he incurs a thullaccaya if his listener understands that it is a claim, and a dukkata if not. According to the Vibhanga, there is a dukkata for a bhikkhu sitting in solitude who states a deliberate lie directly claiming a superior human state, and another dukkata if he is overheard by a devata. The Commentary adds that the same penalty applies if he is overheard by a non-human being or a common animal.

Thus, to entail a parajika, the claim to a superior human state must be a direct claim, a deliberate lie, and must be heard and quickly understood by another human being.

Special cases in the Vibhanga:

A bhikkhu, intending to make a false claim for one superior human state, muddles his words and claims another: a parajika. The Commentary explains this by noting that all the factors necessary for a parajika offence are present: The bhikkhu makes a claim based on the intention to tell a deliberate lie, and the listener understands the claim. The fact that the intended claim and actual claim are both superior human states is crucial; the fact that they are different states is not.

In a series of cases, a person speaking with exaggerated faith or politeness addresses bhikkhus of no particular attainments as if they were arahants ("May the arahants come... May the arahants be seated"). This puts them in a quandary, and so they ask the Buddha how to behave in such a situation. His response: There is no offence in accepting invitations such as these from a "speaker with faith" -- the point being that there is no offence in coming, sitting, etc., as long as the intention is just to accept the invitation and not to imply a claim.

A bhikkhu, hoping that people will esteem him, engages in special practices -- the example given in the Vinita Vatthu is living in the jungle, but from it we can extrapolate to other practices such as long periods of sitting, any of the ascetic (dhutanga) practices, vegetarianism, etc., followed so as to impress other people. The penalty: a dukkata.

Summary:
4. Deliberately lying to another person that one has attained a superior human state is a parajika offence.

A bhikkhu who violates any of these four parajika rules is automatically no longer a bhikkhu. There is no need for him to go through a formal ceremony of disrobing, for the act of violating the rule is an act of disrobing in and of itself. Even if he continues to pretend to be a bhikkhu, he does not really count as one; as soon as the facts are known he must be expelled from the Sangha. He can never again properly ordain as a bhikkhu in this life. If he tries to ordain in a Community that does not know of his offence, his ordination does not count, and he must be expelled as soon as the truth is found out.

The Commentary, however, states that such an offender may "go forth" as a novice if he wants to, although it is up to the individual Community to consider the circumstances of his offence to decide whether or not it wants to accept him.

Ignorance of these rules does not exempt an offender from the penalty, which is why the Buddha ordered that they be taught to each new bhikkhu as soon as possible after ordination (Mv.I.77). Because the rules cover a number of cases that are legal in present day society (e.g., recommending abortion, proving to oneself how supple one has become through yoga by inserting one's penis in one's mouth) or that are common practice among people who see nothing wrong with flirting with the edges of the law (e.g., copying computer software for a friend, hiding an article subject to customs duties when entering a country), it is especially important to inform each new bhikkhu of the rules' full implications right from the very start.

If a bhikkhu suspects that he has committed a parajika, he should immediately inform a senior bhikkhu well-versed in the rules. The way the senior bhikkhu should handle the case is well-illustrated by an incident reported in the Commentary to Parajika 2: Once a king together with an enormous crowd came to worship the Great Stupa at a certain monastery. One of the crowd was a visiting bhikkhu from the South who was carrying an expensive roll of cloth. The commotion of the event was so great that the bhikkhu dropped the cloth, was unable to retrieve it and soon gave it up for lost. One of the resident bhikkhus happened to come across it and, desiring to steal it, quickly put it away before the owner might see it. Eventually, of course, he became tormented by guilt and went to the resident Vinaya expert to admit a parajika and disrobe.

The Vinaya expert, though, wouldn't let him disrobe until he had found the owner of the cloth and inquired about it more fully. Eventually, after a long search, he was able to track down the original owner at a monastery in the distant South, who told him that at the time of the theft he had given the cloth up for lost and had abandoned all mental attachment for it. Thus, as the cloth was ownerless, the resident bhikkhu had incurred not a parajika, but simply some dukkatas for the preliminary efforts with intention to steal.

This example shows several things: the great thoroughness with which a senior bhikkhu should investigate a possible parajika, the compassion he should show to the offender, and the fact that the offender should be given the benefit of the doubt wherever possible: He is innocent until the facts prove him guilty.

Finally, the Commentary concludes its discussion of the parajikas by noticing that there are altogether 24, actual and virtual, in the Vinaya. They are:
The four for bhikkhus.
The four additional parajikas for bhikkhunis

The eleven disqualified types who should not be ordained in the first place. If they happen to be ordained, their ordination does not count, and once they are found out they must be expelled for life (Mv.I.61-68). Thus they are virtual parajikas. They are --

1) a pandaka (essentially, a eunuch or a person born neuter -- see Sanghadisesa 2),
2) a "non-human" being, such as a naga or yakkha, that can assume human form,
3) a hermaphrodite,
4) a person who poses as a bhikkhu without having been ordained,
5) a bhikkhu who has ordained in another sect or religion without first giving up his status as a bhikkhu;
6) a person who has murdered his father,
7) a person who has murdered his mother,
8) a person who has murdered an arahant,
9) a person who has sexually violated a bhikkhuni,
10) a person who has injured a Buddha to the point of causing him to bleed,
11) a person who has caused a schism in the Sangha.

In addition to the above actual and virtual parajikas, the Commentary gives separate listing to the four anulomika (derived) parajikas, which refer to four cases included under Parajika 1: the bhikkhu with a supple back who sticks his penis in his mouth, the bhikkhu with a long penis who inserts it into his anus, the bhikkhu who performs oral intercourse with someone else, and the bhikkhu who receives anal intercourse.

The 24th Parajika refers to the case of a bhikkhuni who, taking up the role of a housewife, goes to live in a lay person's household.

Chapter Five Sanghadisesa

This term means "involving the Community in the initial (adi) and subsequent (sesa) acts." It refers to the fact that the Community is the agent that initially calls on the bhikkhu who breaks any of the rules in this category to undergo the penalty (of manatta, penance, and parivasa, probation), subsequently reimposes the penalty if he does not properly carry it out, and finally lifts the penalty when he does. There are thirteen training rules here, the first nine entailing a sanghadisesa immediately on transgression, the last four only after the offender has been rebuked three times as a formal act of the Community.

1. Intentional discharge of semen, except while dreaming, entails initial and subsequent meetings of the Community.

The origin story to this rule is as follows:

"Now at that time Ven. Seyyasaka was leading the celibate life dissatisfied. Because of this, he was thin, wretched, unattractive, and jaundiced, his body covered with veins. Ven. Udayin saw that Ven. Seyyasaka was thin... his body covered with veins; and seeing him, said to him, 'Seyyasaka, my friend, why are you thin... your body covered with veins? Could it be that you're leading the celibate life dissatisfied?'

"'Yes, friend.'

"'In that case, eat as you like and sleep as you like and bathe as you like; and having eaten, slept, and bathed as you like, when dissatisfaction arises and lust assails the mind, emit semen making do with your hand.'

"'But is it okay to do that?'

"'Of course. I do it myself.'

"So then Ven. Seyyasaka ate as he liked and slept as he liked... and when dissatisfaction arose and lust assailed his mind, he would emit semen making do with his hand. Then it wasn't long before he became attractive, with rounded features, a clear complexion, and very bright skin. So the bhikkhus who were his friends said to him, 'Before, friend Seyyasaka, you were thin... your body covered with veins. But now you are attractive, with rounded features, a clear complexion, and very bright skin. Could it be that you're taking medicine?'

"'No, I'm not taking medicine, my friends. I just eat as like and sleep as I like... and when dissatisfaction arises and lust assails my mind, I emit semen making do with my hand.'

"'But do you emit semen making do with the same hand you use to eat the gifts of the faithful?'

"'Yes, my friends.'

"So the bhikkhus... were offended and annoyed and spread it about, 'How can this Ven. Seyyasaka emit semen making do with the same hand he uses to eat the gifts of the faithful?"

This rule, in its outline form, is one of the simplest to explain. In its details, though, it is one of the most complex, not only because the subject is a sensitive matter, but also because the Commentary deviates somewhat from the Vibhanga in its explanations of two of the three factors that constitute the full offence.

The three factors are result, intention, and effort: Emission of semen caused by an intentional effort. When all three factors are present, the offence is a sanghadisesa. If the last two -- intention and effort -- are present, the offence is a thullaccaya. Any single factor or any other combination of two factors -- i.e., intention and result without making a physical effort, or effort and result without intention -- is not grounds for an offence.

It may seem strange to list the factor of result first, but I want to explain it first partly because, in understanding the types of intention and effort covered by this rule, it is necessary to know what they are aimed at, and also because result is the one factor where the Vibhanga and Commentary are in basic agreement.

Result. The Commentary discusses the physiology of semen as it was understood at the time, and in passing touches on the question of whether the word semen refers to the clear liquid produced in small quantities by the prostate and Cowper's glands prior to ejaculation, or to the seminal fluid released at orgasm (in its words, "having made the whole body shake, it is released and descends into the urinary tract.") It concludes that the latter is what is meant here.

As for the Vibhanga, it devotes long passages to the various colours and qualities that semen can come in, only to conclude that the colour and quality are irrelevant to the offence. This suggests that a bhikkhu who has had a vasectomy can still commit an offence under this rule, since he can still discharge the various components that go into seminal fluid -- minus only the sperm -- at orgasm.

Discharge, according to the Vibhanga, refers to the point in time when the semen "falls from its base." The Commentary explains this as the point when the semen enters the urinary tract, because from that point on the process is irreversible. Thus if the process of sexual stimulation has reached this point, the factor of result has been fulfilled, even if one tries to prevent the semen from leaving the body by pinching the end of one's penis.

Intention. The Vibhanga defines intentionally as "having made the decision knowingly, consciously, and purposefully." According to the Commentary, "having made the decision" refers to the moment when one "crushes" one's indecisiveness by taking an act. (These are the same terms it uses to explain the same phrase under Parajika 3 and several other rules. The meaning is that one has definitely made up one's mind to start with the act and is not simply toying with the idea.) Knowingly means that one knows that, "I am making an exertion." Consciously means that one is aware that one's efforts are bringing about an emission of semen. Purposefully means that one's purpose is to enjoy the bringing about of an emission.

This last point is where the Commentary deviates from the Vibhanga's discussion of the factor of intention. The Vibhanga, throughout its analysis, expresses the factor of purpose simply as "aiming at causing an emission," and it lists ten possible reasons for wanting to bring the emission about:

1) for the sake of health,
2) for the sake of pleasure
3) for the sake of a medicine
4) for the sake of a gift (to insects, says the Commentary),
5) for the sake of merit
6) for the sake of sacrifice
7) for the sake of heaven
8) for the sake of seed (to produce a child -- a bhikkhu who gave semen to be used in artificial insemination would fit in this category)
9) for the sake of investigating (to see what colour it will be -- ancient medicine sometimes used this as a way of diagnosing disease)
10) for the sake of fun.

Each of these reasons, the Vibhanga says, fulfils the factor of intention here. Thus for the Commentary to limit the question of "purpose" strictly to the enjoyment of the act of bringing about an emission (numbers 2 and 10 in the Vibhanga's list) has no basis in the Canon. And so the factor of intention under this rule is fulfilled when one wants to cause an emission of semen, for no matter what reason.

Given the way *intention* is defined, there is no offence for a bhikkhu who brings on an emission of semen --

accidentally -- e.g., toying with his penis simply for the pleasure of the contact, when it suddenly and unexpectedly goes off;

not knowing that he is making an effort -- e.g., when he is dreaming or in a semi-conscious state before fully waking up from sleep;

not conscious that his efforts are bringing about an emission of semen -- e.g., when he is so engrossed in applying medicine to a sore on his penis that he doesn't realize that he is bringing on an ejaculation;

or when his efforts are motivated by a purpose other than that of causing an emission -- e.g., when he wakes up, finds that he is about to have a spontaneous ejaculation, and grabs hold of his penis to keep the semen from soiling his robes or bedding.

Effort. The Vibhanga defines four types of effort that fulfill this factor: A bhikkhu causes an emission making an effort (1) at an internal object, (2) at an external object, (3) at both an internal and an external object, or (4)

by shaking his pelvis in the air. It then goes on to explain these terms: The internal object is one's own living body. External objects can either be animate or inanimate objects. The third type of effort involves a combination of the first two, and the fourth covers cases when one makes one's penis erect ("workable") by making an effort in the air.

The extremely general nature of these definitions gives the impression that the compilers of the Vibhanga wanted them to cover every imaginable type of bodily effort aimed at arousing oneself sexually, and this impression is borne out by the wide variety of cases covered in the Vinita Vatthu. They include, among others, a bhikkhu who squeezes his penis with his fist, one who rubs his penis with his thumb, one who rubs his penis against his bed, one who inserts his penis into sand, one who bathes against the current in a stream, one who rubs his preceptor's back in the bathing room, one who gets an erection from the friction of his thighs and robes while walking along, one who has his belly heated in the bathing room, and one who stretches his body. In each of these cases, if the bhikkhu aims at and succeeds in causing an emission, he incurs a sanghadisesa.

The Vinita Vatthu also includes a case in which a bhikkhu, desiring to cause an emission, orders a novice to take hold of his (the bhikkhu's) penis. He gets his emission and a sanghadisesa to boot, which shows that getting someone else to make the effort for one fulfils the factor of effort here.

In discussing the factor of effort, though, the Commentary makes a slight change in the Vibhanga's definition -- that one makes an effort with or upon one's own body, etc., rather than at one's own body, etc. -- and adds an additional factor: that the effort must be directed at one's own penis. If this is so, then a bhikkhu who succeeds in causing an emission by stimulating any of the erogenous zones of his body aside from his penis would incur no penalty. The Commentary itself actually makes this point, and the Sub-commentary seconds it, although the V/Sub-commentary says that such a bhikkhu would incur a dukkata -- what it bases this opinion on, it doesn't say: perhaps a misreading of the Case of the Sleeping Novice, which we will discuss below.

At any rate, the Commentary in adding this last factor runs up against a number of cases in the Vinita Vatthu in which the effort does not involve the penis: the bhikkhu warming his belly, the bhikkhu rubbing his preceptor's back, a bhikkhu having his thighs massaged, and others. The Commentary deals with these cases by rewriting them, stating in most cases that the effort somehow had to involve the penis. This in itself is questionable, but when the Commentary actually contradicts the Vinita Vatthu in the case of the bhikkhu who warms his belly, saying that this sort of effort could not involve an offence at all even if one aims at and succeeds in causing an emission, the commentators have moved beyond the realm of commenting into the realm of rewriting the rule.

As stated in the Introduction, we have to go on the assumption that the compilers of the Vibhanga knew the crucial factors well enough to know what is and is not an offence, and were careful enough to include all the relevant facts when describing the precedents in the Vinita Vatthu in order to show how the Buddha arrived at his judgments. Since the Commentary's position -- adding the extra factor that the physical effort has to involve one's own penis -- directly contradicts the Vibhanga on this point, the extra factor cannot stand.

The question then is why the commentators added the extra factor in the first place. An answer may be found in one of the cases in the Vinita Vatthu: the Case of the Sleeping Novice.

> "On that occasion a certain bhikkhu grabbed hold of the penis of a sleeping novice. His semen was emitted. He felt remorseful...'Bhikkhu, there is no sanghadisesa offence. There is a dukkata offence.'"

The issue here is whose semen was emitted. Pali syntax, unlike English, doesn't give us a clue, for there is no rule that the pronoun in one sentence should refer to the subject of the preceding sentence. There are many cases under Parajika 3 that follow the form, "A stone badly held by the bhikkhu standing above hit the bhikkhu standing below on the head. The bhikkhu died. He felt remorseful." In these cases it is obvious from the context within the story which bhikkhu died and which one felt remorseful, while with the sleeping novice we have to look for the context in terms of the other parts of the Vibhanga.

If the bhikkhu was the one who emitted semen, then perhaps there is a contradiction in the Vibhanga, and the Commentary is justified in saying that the effort must involve one's penis, for otherwise the case would seem to fulfill the Vibhanga's general definition for the factor of effort: The bhikkhu is making an effort at an outside body and has an emission. Following the general pattern of the rule, he would incur a sanghadisesa if he intended emission, and no penalty at all if he didn't. Yet the question of intention is not mentioned at all, and the bhikkhu is given a dukkata, which suggests an inconsistency.

If, however, the novice was the one who emitted, there is no inconsistency at all: The bhikkhu gets his dukkata for making lustful bodily contact with another man (see the discussion under Sanghadisesa 2, below), and the case is included here to show that the full offence under this rule concerns instances where one makes oneself emit semen, and not where one makes others emit. (Other than this case, there is nothing in the rule or the Vibhanga that expressly makes this point. The rule simply mentions bringing about the emission of semen, without explicitly mentioning whose. This would explain the bhikkhu's uncertainty as to whether or not he had committed a sanghadisesa.) And the reason there is no mention of whether or not the bhikkhu intended to emit semen is because -- as it comes under another rule -- it is irrelevant to the case.

Thus, since the second reading -- the novice was the one who had an emission -- does no violence to the rest of the Vibhanga, it seems to be the preferable one. So if this was the case that led the commentators to add their extra factor, we can see that they misread it, and that the Vibhanga's original definition for the factor of effort still stands: Any bodily effort made at one's own body, at another body or physical object, at both, or any effort made in the air -- like shaking one's pelvis or stretching one's body -- fulfils the factor of effort here.

One case that does not fulfill the factor of effort is when one is filled with lust and stares at the private parts of a woman or girl. In the case dealing with this contingency, the bhikkhu emits semen, but again no mention is made of whether he intended to. In any event, the Buddha lays down a separate rule, imposing a dukkata for staring lustfully at a women's private parts. This suggests that efforts with one's eyes do not count as bodily efforts under this sanghadisesa, for otherwise the penalty would have been a sanghadisesa if the bhikkhu had intended emission, and no offence if he hadn't. And this also suggests that the dukkata under this separate rule holds regardless of intention or result. The Commentary adds that this dukkata applies also to staring lustfully at the genitals of a female animal or at the area of a fully-clothed woman's body where her sexual organ is, thinking, "Her sexual organ is there." At present we would impose the penalty on a bhikkhu who stares lustfully at a woman's private parts in a pornographic photograph.

With reference to conscious efforts leading to nocturnal emissions, the Commentary discusses two cases. The first is that of a bhikkhu who makes an effort aiming at emission but, before it occurs, stops and purifies his mind of that intent. He then dozes off and has an emission in his sleep. Its verdict: he does not incur the full offence. It contrasts this case with one in which a bhikkhu grabs his penis tightly or presses it between his thighs and then drops off to sleep maintaining that position with the intent that it will induce the emission. He succeeds and incurs the full offence. To generalize from these two cases, it would appear that effort and intent in such cases count toward a full offence only if one's effort and intent aimed at emission were maintained up to the last moment of waking consciousness. A conscious, clean, and honest break in one's intention and effort prior to emission would absolve one of an offence even if emission later occurred.

Consent. A special contingency covered by this rule is mentioned twice in the Vinita Vatthu for Parajika 1: A woman approaches a bhikkhu and offers to make him emit semen by making do with her hand . The bhikkhu lets her go ahead, and the Buddha says that he incurs a sanghadisesa in doing so. The commentaries treat the case as self-evident and offer no extra details. Thus, given the facts as we have them, it would seem that consent under this rule can be expressed physically simply by letting the act happen. A bhikkhu who acquiesces mentally when someone tries and succeeds in making him emit semen is not absolved from the full offence here even if he otherwise lies perfectly still throughout the event.

Derived offences. As stated above, a bhikkhu who fulfils all three factors -- result, intention, and effort -- incurs a sanghadisesa. One who fulfils only the last two -- intention and effort -- incurs a thullaccaya.

People have sometimes asked how much of an effort is necessary to incur a thullaccaya and, in particular, whether the thullaccaya is only for cases where a bhikkhu tries to go all the way to an emission but cannot

have one for physical reasons beyond his control -- e.g., he is unable to have an erection or to produce semen -- or whether it also covers cases where a bhikkhu starts out trying to cause an emission but stops short and changes his mind before the emission can come.

The Vibhanga suggests indirectly that the penalty covers both cases when it says simply that the thullaccaya is for one who intends, makes the effort, but does not emit. If it had meant to limit the penalty to those who cannot emit, it would have said so and would have set some kind of standard for determining when the bhikkhu passed the threshold from does not to cannot so that there would be no doubt as to where the realm of non-offence ends and thullaccaya begins. But it doesn't.

The Commentary's discussion of a case mentioned above -- the bhikkhu who intentionally sets up a nocturnal emission prior to going to sleep -- throws light on this topic. The fact that he incurs the full offence if he succeeds, and that efforts made during sleep do not count (see below), shows that the factor of effort does not need to go all the way to ejaculation in order to count.

In discussing the case of a bhikkhu with fat thighs who develops an erection simply by walking along, the Commentary mentions that if one finds sensual "fever" arising in such a case, one must immediately stop walking and start contemplating the foulness of the body so as to purify the mind before continuing on one's way. Otherwise, one would incur a thullaccaya simply for moving one's legs. Sensual fever, here, probably refers to the desire to cause an emission, for there are several spots where the Commentary discusses bhikkhus who stimulate an erection simply for the enjoyment of the contact rather than to cause an emission, and the judgment is that they incur no penalty, even if an emission does inadvertently result.

Aside from the thullaccaya, there are no other derived offences under this rule. A bhikkhu who has an ejaculation while thinking sensual thoughts but without making any physical effort to cause it, incurs no penalty regardless of whether or not the idea crosses his mind that he would like to have an emission, and whether or not he enjoys it when it occurs. However, the Commentary notes here that even though there is no offence involved, one should not let oneself be overcome by sensual thoughts in this way. This point is borne out by the famous simile that occurred to Prince Siddhattha before his Awakening and that later, as Buddha, he related to a number of listeners:

> "'Suppose there were a wet sappy piece of timber lying on dry ground far from water, and a man were to come along with an upper fire-stick, thinking, "I'll light a fire. I'll produce heat." Now what do you think? Would he be able to light a fire and produce heat by rubbing the upper fire-stick in the wet sappy timber...?'
>
> "'No, Master Gotama. And why not? Because the wood is wet and sappy, even though it is lying on dry ground far from water. The man would reap nothing but weariness and disappointment.'
>
> "'So it is with any priest or contemplative who lives withdrawn from sensuality only in body, but whose desire, infatuation, urge, thirst, and fever for sensuality is not relinquished and stilled within him: Whether or not he feels painful, racking, piercing feelings due to his striving (for Awakening), he is incapable of knowledge, vision, and unexcelled self-awakening.'" (M.36)

Non-offences. In addition to the cases already mentioned -- the bhikkhus who bring about emissions accidentally, not knowing that they are making an effort, not conscious that their efforts are bringing about an emission, whose efforts are motivated by a purpose other than that of causing an emission, or who without making any physical effort have an ejaculation while overcome by sensual thoughts -- there is no offence for a bhikkhu who has an ejaculation during a dream.

In the wording of the rule, the phrase "except while dreaming" is expressed by an idiom that could also mean "at the end of a dream." This second possibility, though, is ruled out by the Commentary, which states that what happens in the mind while one is sleeping falls in the bounds of the Abhidhamma, but what happens after one awakens falls within the bounds of the Vinaya; and that there is no such thing as a misdeed performed when one is in a "non-negligible" state of mind that does not count as an offence. ("Non-negligible," according to the Sub-commentary, means "normal.")

In making the exception for what happens while asleep, the Buddha states that even though there may be the intention to cause an emission, it doesn't count. The Commentary goes on to say, however, that if a bhikkhu fully awakens in the course of a wet dream, he should lie still and be extremely careful not to make a move that would fulfill the factor of effort under this rule. If the process has reached the point where it is

irreversible, and the ejaculation occurs spontaneously, he incurs no penalty regardless of whether or not he enjoys it. And as the Commentary quotes from the Kurundi, one of the ancient Sinhalese commentaries on which it is based, if he wakes up in the course of a wet dream and grabs hold of his penis so that the ejaculation will not soil his robes or bedding, there is no offence.

However, the case from the Commentary mentioned above -- the bhikkhu who had the desire and made the effort towards an emission before falling off to sleep -- suggests that the exemption for emissions during a dream does not extend to cases where both the intention and the effort occur while one is fully conscious, for all three factors under this rule are fully present: One makes the conscious decision to cause an emission, makes a conscious effort aimed at causing the emission, and the emission occurs. Whether or not one is conscious that it is occurring is of no account.

Summary:

5. Intentionally causing oneself to emit semen, or getting someone else to cause one to emit semen -- except during a dream -- is a sanghadisesa offence.

2. Should any bhikkhu, overcome by lust, with altered mind, engage in bodily contact with a woman, or in holding her hand, holding a lock of her hair, or caressing any of her limbs, it entails initial and subsequent meetings of the Community.

This rule has sometimes been viewed as a sign of prejudice against women. But, as the origin story makes clear, the Buddha formulated the rule not because women are bad, but because bhikkhus sometimes can be.

"Now at that time, Ven. Udayin was living in the forest. His dwelling was beautiful, attractive, and appealing. The inner chamber was in the middle, entirely surrounded by the outer rooms. The bed and chair, the pillows and bolsters were well arranged, the water for washing and drinking well placed, the surrounding area well swept. Many people came to admire it. Even a certain Brahman together with his wife went to where Ven. Udayin was staying and on arrival said, 'We would like to admire your dwelling.'

"'Very well then, Brahman, have a look.' Taking the key, unfastening the lock, and opening the door, he entered the dwelling. The Brahman entered after Ven. Udayin; the Brahman lady after the Brahman. Then Ven. Udayin, opening some of the windows and closing others, walking around the inner room and coming up from behind, rubbed up against the Brahman lady limb by limb.

"After a while the Brahman exchanged pleasantries with Ven. Udayin and left. Delighted, he burst out with an exclamation of joy: 'How splendid are these Sakyan contemplatives who live in the forest like this! And how splendid is Ven. Udayin who lives in the forest like this!'

"When he had said this, his wife said to him, 'What's so splendid about him? He rubbed up against me limb by limb just the way you do!'

"So the Brahman was offended and annoyed and spread it about: 'How shameless these bhikkhus are, how immoral and hypocritical!... How can this contemplative Udayin rub up against my wife limb by limb? It isn't possible to go with your women-folk to a monastery or dwelling. If you go to a monastery or dwelling with your womenfolk, the Sakyan contemplatives will molest them!'"

There are two ways in which a bhikkhu can come into contact with a woman: either actively (the bhikkhu makes the contact) or passively (the woman does). Since the Vibhanga uses different terms to analyze these two possibilities, we will discuss them separately.

Active contact. The full offence for active contact here is composed of four factors:

1) *Object:* a living woman -- "even one born on that very day, all the more an older one." Whether or not she is awake to realize what is going on is irrelevant to the offence.
2) *Perception*: The bhikkhu correctly perceives her to be a woman.
3) *Intention*: He is acting under the influence of lust.
4) *Effort:* He comes into physical contact with her.

Since the system of derived offences based on the various permutations of these factors is one of the most complex in the Vibhanga, we will limit our discussion first to the full offence before going into the permutations.

Of the four factors listed above, only two -- intention and effort -- require detailed explanation.

Intention. The Vibhanga explains the term overcome with lust as meaning "impassioned, desiring, a mind bound by attraction." Altered, it says, can refer in general to one of three states of mind -- passion, aversion, or delusion -- but here it refers specifically to passion.

The Commentary adds a piece of Abhidhamma analysis at this point, saying that altered refers to the moment when the mind leaves its state of pure neutrality in the bhavanga under the influence of desire. Thus the factor of intention here can be fulfilled not only by a prolonged or intense feeling of desire, but also by a momentary infatuation.

The Commentary also tries to limit the range of passion to which this rule applies, saying that it covers only desire for the enjoyment of contact. As we noted under Parajika 1, the ancient commentators formulated a list of eleven types of lust, each mutually exclusive, and the question of which rule applies to a particular case depends on which type of lust provokes the bhikkhu's actions. Thus if a bhikkhu lusting for intercourse touches a woman, it says, he incurs only a dukkata as a preliminary to sexual intercourse under Parajika 1. If he touches her from his lust for an ejaculation, he incurs a thullaccaya as a preliminary to causing an emission under Sanghadisesa 1. Only if he touches her with the simple desire to enjoy the sensation of contact does he incur a sanghadisesa under this rule.

This system, though very neat and orderly, flies in the face of common sense and, as we noted under Parajika 1, contradicts the Vibhanga as well, so there is no need to adopt it. We can stick with the Vibhanga to this rule and say that any state of passion fulfils the factor of intention here. The Commentary's discussion, though, is useful in showing that the passion needn't be full-scale sexual lust. Even a momentary desire to enjoy the sensation of physical contact -- overwhelming enough that one acts on it -- is enough to fulfill this factor.

Effort. The Vibhanga illustrates the effort of making physical contact with a list of activities: rubbing, rubbing up against, rubbing downwards, rubbing upwards, bending down, pulling up, drawing to, pushing away, seizing hold (or pinning down -- abhinigganhana), squeezing, grasping, or touching. The Vinita Vatthu includes a case of a bhikkhu giving a woman a blow with his shoulder: He too incurs a sanghadisesa, which shows that the Vibhanga's list is meant to cover all similar actions as well. If a bhikkhu with lustful mind does anything of this sort to a living woman's body, perceiving that she is a woman, he incurs the full penalty under this rule.

Derived offences. Each of the factors of an offence allows a number of permutations that admit for different classes of offences. Taken together, they form a complex system. Here we will consider each factor in turn.

Object. Assuming that the bhikkhu is acting with lustful intentions and is perceiving his object correctly, he incurs a thullaccaya for making bodily contact with a pandaka, a female yakkha, or a dead woman; and a dukkata for bodily contact with a man (or boy), a wooden doll, or a female animal.

Pandaka is usually translated as eunuch, but eunuchs are only one of five types of pandakas recognized by the Commentary:

(1) An *asitta* (literally, a "sprinkled one") -- a man who finds sexual fulfillment in performing fellatio on another man and bringing him to climax. (For some reason, other homosexual acts, even though they were known in ancient India, are not included under this type nor under any of the types in this list.)

(2) A v*oyeur* -- a man who finds sexual fulfillment in watching other people have sex.

(3) A *eunuch* -- one who has been castrated.

(4) A *half-time pandaka* -- one who is a pandaka only during the waning moon. (! -- The Sub-commentary's discussion of this point shows that its author and his contemporaries were as unfamiliar with this type as we are today. Perhaps this was how bisexuals were understood in ancient times.)

(5) A *neuter* -- a person born without sexual organs.

According to the Commentary, the Mahavagga's statement (I.61) that pandakas cannot receive ordination refers only to the last three types, and to the half-time pandaka only during the waning moon.

As for female yakkhas, the Commentary says that this also includes female deities. There is an ancient story in Chieng Mai of a bhikkhu who was visited by a dazzling heavenly maiden late one night while he was meditating alone in a cave at Wat Umong. He couldn't resist touching her and, as soon as he did, went immediately out of his mind. The moral: This is one thullaccaya not to be taken lightly.

Also from the Commentary:

(1) The thullaccaya for lustfully touching female corpses applies only to those that would be grounds for a full offence under Parajika 1, i.e., those with an anal, oral, or genital orifice intact enough for one to perform the sexual act. Female corpses decomposed beyond that point are grounds for a dukkata here.

(2) The dukkata for lustfully touching wooden dolls (manikins) applies also to any female form made out of other materials, and even to any picture of a woman.

(3) Female animals include female nagas and other half-animal, half-woman species as well.

According to the Sub-commentary, the dukkata for lustfully touching female animals also applies to male animals.For some reason, male yakkhas and deities slipped out of the list. Perhaps they should come under "men."

Perception. Misperception affects the severity of the offence only in the cases of women and pandakas. A bhikkhu who makes lustful bodily contact with a woman while under the impression that she is something else -- a pandaka, a man, or an animal -- incurs a thullaccaya. If he makes lustful bodily contact with a pandaka while under the impression that the pandaka is a woman, a man, or an animal, the penalty is a dukkata. In the cases of men and animals, misperception has no effect on the severity of the case: Lustful bodily contact -- e.g., with a male transvestite whom one thinks to be a woman -- still results in a dukkata.

Intention. The Vinita Vatthu contains cases of a bhikkhu who caresses his mother out of filial affection, one who caresses his daughter out of fatherly affection, and one who caresses his sister out of brotherly affection. In each case the penalty is a dukkata.

The Vibhanga does not discuss the issue of bhikkhus who intentionally make active contact with women for purposes other than lust or affection -- e.g., helping a woman who has fallen into a raging river -- but the Commentary does. It introduces the concept of anamasa, things carrying a dukkata penalty when touched; women and clothing belonging to a woman top the list. It then goes into great detail to tell how one should behave when one's mother falls into a raging river. Under no circumstances, it says, should one grab hold of her, although one may extend a rope, a board, etc., in her direction. If she happens to grab hold of her son the bhikkhu, he should not shake her off, but should simply let her hold on as he swims back to shore.

Where the Commentary gets the concepts of anamasa is hard to say. Perhaps it came from the practices of the Brahman caste, who are very careful not to touch certain things and people of certain lower castes. At any rate, there is no direct basis for it in the Canon. Although the concept has received universal acceptance in Theravadin Communities, many highly-respected Vinaya experts have made an exception right here, saying that there is nothing wrong in touching a woman when one's action is based not on lust but on a desire to save her from danger. Even if there is an offence in doing so, there are other places where Buddhaghosa recommends that one be willing to incur a minor penalty for the sake of compassion (e.g., digging a person out of a hole into which he has fallen), and the same principle surely holds here.

There is no offence in touching a being other than a woman if one's intentions are not lustful, although tickling is an offence under Pacittiya 52.

Effort. Acts of lustful but indirect bodily contact with a woman one perceives to be a woman and a pandaka one perceives to be a woman carry the following penalties:

a) For the woman: Using one's body to make contact with an article connected to her body -- e.g., using one's hand to touch the hem of her dress, a rope, or stick she is holding: a thullaccaya.

b) Using an item connected with one's body to make contact with her body -- e.g., using the edge of one's robe or a flower one is holding to brush along her arm: a thullaccaya.

c) Using an item connected with one's body to make contact with an item connected with her body: a dukkata.

d) Taking an object -- such as a flower -- and tossing it against her body, an object connected with her body, or an object she has tossed: a dukkata.

e) Taking hold of something she is standing or sitting on -- a bridge, a tree, a boat, etc. -- and giving it a shake: a dukkata.

For the pandaka one assumes to be a woman, the penalty in all the above cases is a dukkata.

These penalties for indirect contact have inspired the Commentary to say that if a bhikkhu makes contact with a clothed portion of a woman's body or uses a clothed portion of his body to make contact with hers, and the cloth is so thick that neither his body hairs nor hers can penetrate it, the penalty is only a thullaccaya, since he is not making direct contact. Only if the contact is skin-to-skin, skin-to-hair, or hair-to-hair (as might be possible through thin cloth) does he commit the full offence. Thus a bhikkhu who fondles the breasts or buttocks of a fully-clothed woman would incur only a thullaccaya since the contact was indirect.

While this contention might be true in a technical sense, two points from the Vibhanga indicate that its compilers did not have this sort of thing in mind when they mentioned indirect contact.

(1) In its discussion of passive contact, the Vibhanga divides the factor of effort into two parts: effort and result. The result necessary for a full offence is that the bhikkhu detects contact. The important word here is "detect" (pativijanati): The Canon uses it to refer to cases where one perceives something that may not be readily apparent, and here it seems specifically designed to cover instances where the contact may not be skin-to-skin, but still can be felt as bodily contact. Thus if the contact is such that the bhikkhu could feel the presence of the woman's body through his or under her clothing, direct contact has been made. If this much contact is enough for a full offence under passive contact, there is good reason to assume that it should also be enough under active contact as well.

(2) The Vinita Vatthu contains the following case:

"Now at that time, a certain bhikkhu, seeing a woman he encountered coming in the opposite direction, was infatuated and gave her a blow with his shoulder. He was remorseful...'Bhikkhu, you have committed a sanghadisesa offence.'"

As mentioned in the Introduction, we have to go on the assumption that the Vibhanga compilers were careful enough to include all of the relevant facts in describing the cases in the Vinita Vatthu. Now if the Commentary's assertion were true -- that the amount of cloth between the bodies of the bhikkhu and the woman is important in determining an offence -- the compilers would have mentioned this factor at least indirectly, saying, for instance, that the encounter took place in the monastery, where he might have had his shoulder uncovered, rather than outside of the monastery, where he should have had it covered; or that he had neglected to cover his shoulders when leaving the monastery; or that he was wearing a very fine robe that allowed his hair to pass through. But they say nothing of the sort, and their silence here suggests that such questions are irrelevant.

The only cases of indirect contact mentioned in the Vinita Vatthu refer to contact of a much more remote sort: a bhikkhu pulls a cord of which a woman is holding another end, pulls a stick of which she is holding the other end, or gives her a playful push with his bowl.

Thus in the context of this rule the Vibhanga defines "object connected to the body," through which indirect contact is made, with examples: things that the person is holding. The Vinaya Mukha adds things that are hanging from the person, like the hem of a robe or a dress. In this context, contact made through cloth that the person is wearing, if the contact can be detected, would be classed as direct. This would parallel Parajika 1, in which the question of whether there is anything covering either of the organs involved in intercourse is completely irrelevant to the offence. Thus the concept of direct and indirect contact here would seem to follow general linguistic usage: If a woman is wearing a long-sleeved shirt, for instance, grabbing her by the arm and grabbing her by the shirt-sleeve are two different things, and would receive different penalties under this rule.

According to the Vibhanga, if a bhikkhu feels desire for contact with a woman and makes an effort but does not achieve even indirect contact, the penalty is a dukkata.

Passive contact. The Vibhanga's analysis of passive contact -- when the bhikkhu is the object rather than the agent making the contact -- deals with only a limited number of variables.

Agent: either a woman the bhikkhu perceives to be a woman, or a pandaka he perceives to be a woman.

The agent's effort: any of the actions that fulfill the factor of act for the full offence under active contact -- rubbing, pulling, pushing, squeezing, etc.

The bhikkhu's aim. The Vibhanga lists only two here: the desire to come together and the desire to escape . The Sub-commentary explains the first as desiring the pleasurable feeling of contact.

Effort. The bhikkhu either makes a physical effort or he doesn't. The Commentary includes under this factor even the slightest physical movements, such as winking, raising one's eyebrows, or rolling one's eyes. At present we would include such things as inviting a woman to caress one, or deliberately placing oneself in a crowded entrance to a store so that women would have to make contact with one as they walked past.

Result. The bhikkhu either detects the contact or he doesn't.

The most important factor here is the bhikkhu's aim: If he desires to escape from the contact, then no matter who the person making the contact is, whether or not the bhikkhu makes an effort, or whether or not he detects the contact, there is no offence. The Vinita Vatthu gives an example:

> "Now at that time, many women, pressing up to a certain bhikkhu, led him about arm-in-arm. He felt conscience-stricken... 'Did you consent, bhikkhu?' (the Buddha) asked.
>
> 'No, Lord, I did not.'
>
> 'Then there was no offence, bhikkhu, as you did not consent.'"

The Commentary mentions another example, in which a bhikkhu, not desiring the contact, is molested by a lustful woman. He remains perfectly still, with the thought, "When she realizes I am not interested, she will go away." He too commits no offence.

However, if the bhikkhu desires the contact, then the offences are as follows:

The agent is a woman, the bhikkhu makes an effort and detects contact: a sanghadisesa. He makes an effort but detects no contact: a dukkata. He makes no effort (e.g., he remains perfectly still as she grasps, squeezes, and rubs his body): no offence regardless of whether or not he detects contact. One exception here, though, would be the special case mentioned under "Consent" in the preceding rule, in which a bhikkhu lets a woman -- or anyone at all, for that matter -- make him have an emission and he incurs a sanghadisesa under that rule as a result.

The agent is a pandaka whom the bhikkhu perceives to be a woman, the bhikkhu makes an effort and detects contact: a dukkata. All other possibilities -- effort but no detected contact, detected contact but no effort, no effort and no detected contact: no offence.

Counting offences. According to the Vibhanga, if a bhikkhu has lustful bodily contact with x number of people in any of the ways that constitute an offence here, he commits x number of offences. For example, if he lustfully rubs up against two women in a bus, he incurs two sanghadisesas. If, out of fatherly affection, he hugs his two daughters and three sons, he incurs two dukkatas for hugging his daughters and no penalty for hugging his sons.

The Commentary adds that if he makes lustful contact with a person x number of times, he commits x number of offences. For instance, he hugs a woman from behind, she fights him off, and he strikes her out of lust: two sanghadisesas.

The question of counting sanghadisesas, though, is somewhat academic, since the penalty for multiple offences is almost identical with the penalty for one. The only difference is in the formal announcements that accompany the penalty -- e.g., when the Sangha places the offender under probation, when he informs others bhikkhus of why he is under probation, etc. For more on this point, see the concluding section of this chapter.

Non-offences. There is no offence for a bhikkhu who makes contact with a woman --

unintentionally -- as when inadvertently running into a woman in a crowded place;
unthinkingly -- as when a woman runs into him and, startled, he pushes her away;
unknowingly -- as when, without lustful intent, he touches a young tomboy he thinks to be a boy; or
when he doesn't give his consent -- as in the case of the bhikkhu led around arm-in-arm by a crowd of women.

Summary:
6. Lustful bodily contact with a woman whom one perceives to be a woman is a sanghadisesa offence.

3. Should any bhikkhu, overcome by lust, with altered mind, address lewd words to a woman in the manner of young men to a young woman alluding to sexual intercourse, it entails initial and subsequent meetings of the Community.

"Now at that time Ven. Udayin was living in the forest. One day many women came to the monastery to admire his dwelling. They went to where he was staying and on arrival said to him, 'Ven. Sir, we would like to admire your dwelling.' Then Ven. Udayin, showing the dwelling to the women and, referring to their genital and anal orifices, praised and criticized and begged and implored and asked and quizzed and advised and instructed and ridiculed them. Those of the women who were brazen, shameless, and sly giggled at Ven. Udayin, exclaimed to him, laughed aloud, and teased him; while those of the women who had a sense of decency complained to the bhikkhus as they left: 'It is improper, Ven. sirs, and unbecoming! Even from our husbands we wouldn't like to hear this sort of thing, much less from Master Udayin.'"

The K/Commentary lists five factors for a full breach of this rule:

1) *Object:* a woman, i.e., any female human being experienced enough to know what words are and are not lewd.
2) *Perception:* The bhikkhu perceives her to be such a woman.
3) *Intention:* He is lustful. As in the preceding rule, we can take the Commentary's definition of lust here as the minimum amount of lust to fulfill this factor: He wants to enjoy saying something lewd or improper.
4) *Effort:* He makes remarks referring to her genitals, anus, or to her performing sexual intercourse.
5) *Result*: The woman immediately understands.

The only factors requiring detailed explanation here are intention and effort.

Intention. The minimum level of desire required to fulfill this factor means that this rule covers cases where a bhikkhu simply gets a charge out of referring to a woman's genitals, etc., in her presence, without necessarily having any desire actually to have sex with her.

The Vibhanga makes clear that this rule does not cover statements made in anger. Thus any insults a bhikkhu may direct at a woman out of anger rather than playfully in desire -- even if they refer to her genitals, etc. -- would come under Pacittiya 2, rather than here.

Effort. The Vibhanga states that to incur a sanghadisesa under this rule when one is speaking to a woman, one must refer to her genitals, anus, or performing sexual intercourse .

The Commentary goes further and says that to incur the full penalty one must make direct mention of one of these three things, or accuse her of being sexually deformed in a way that refers directly to her genitals. Otherwise, if one refers lustfully to these matters without directly mentioning them, there is no sanghadisesa, although the Sub-commentary quotes ancient texts called the Ganthipadas as assigning a dukkata for such an act.

All of this contradicts the Vibhanga, which lists the ways of referring to the woman's anus, genitals, and sexual intercourse that would entail the full penalty under this rule -- one speaks praise, speaks criticism, begs, implores, asks, quizzes, advises, exhorts, or ridicules -- and many of the examples it gives, although referring to the woman's private parts or to her performing sexual intercourse, do not actually mention those words: "How do you give to your husband?" "How do you give to your lover?" "When will your mother be reconciled?" "When will you have a good opportunity?" Although all of these statements refer to sexual intercourse, and people in those days would have understood them in that light, none of them actually mentions it.

Thus the Vibhanga's examples seem to indicate that if a bhikkhu is referring lustfully to the woman's private parts or to her performing sexual intercourse, then whether or not he directly names those things, he fulfils this factor.

None of the texts mention the case in which a bhikkhu talks to one person about another person's private parts, etc.

Derived offences. The factors of effort, object, perception, and result permit a number of permutations that result in lesser offences. As for the permutations of intention, see the section on non-offences, below.

Effort. A bhikkhu speaks to a woman he perceives to be a woman and refers lustfully to parts of her body -- aside from her private parts -- below her collarbone and above her knees, such as her breasts or her thighs: a thullaccaya. If he refers to parts of her body outside of that area, such as her face or hair, or to clothing or jewellery she is wearing: a dukkata.

Object. A bhikkhu speaks to a pandaka (in this and the following cases we are assuming that he perceives his object correctly) and refers lustfully to his private parts or to his performing sexual intercourse: a thullaccaya. He refers lustfully to other parts of the pandaka's body, his clothing, etc.: a dukkata.

A bhikkhu speaks to a man (or boy) and refers lustfully to any part of his listener's body, clothing, etc.: a dukkata. The same penalty holds for speaking lustfully to a common animal about its body, ornaments, etc. . (This is a point with interesting implications, but unfortunately the Commentary is silent. Perhaps nagas would be included here, or perhaps the Vibhanga compilers had in mind cases where one mentions such things to an animal within earshot of a human or celestial being.)

The texts make no mention of speaking lustfully to a woman/girl too young to understand what is and is not lewd. We might argue from the cases included in the Vinita Vatthu, though -- where bhikkhus make punning references to women's private parts, and the women do not understand -- that a bhikkhu incurs a thullaccaya for referring directly to her genitals, anus, or performing sexual intercourse in her presence, and a dukkata for referring indirectly in her presence to such things.

Perception. A bhikkhu speaking to a woman whom he perceives to be something else -- a pandaka, a man, an animal -- incurs a thullaccaya if he refers lustfully to her genitals, anus, or performing sexual intercourse. If

he is speaking to a pandaka, a man, or an animal he misperceives -- e.g., he thinks the pandaka is a woman, the man is a pandaka, the animal is a man -- he incurs a dukkata if he refers lustfully to those topics.

Result. As mentioned above, the Vinita Vatthu contains a number cases of bhikkhus speaking to women and making punning references to the women's genitals that the women do not understand. In one case the penalty is a thullaccaya, in the others a dukkata. The thullaccaya case is the only one in which the bhikkhu uses a word synonymous with genitals (magga, which also means road, the meaning the woman understood). Thus we might argue that if a bhikkhu makes direct reference to the genitals, anus, or sexual intercourse -- and this includes slang expressions and euphemisms -- and the woman doesn't immediately understand that he is referring to those things, he incurs a thullaccaya. If he makes indirect mention of those things, and she doesn't immediately understand what he is referring to, he incurs a dukkata. If it so happens that she understands later, the penalty remains the same.

Counting offences. A bhikkhu making remarks of the sort covered by this rule to x number of people commits x number of offences, the type of offence being determined by the factors discussed above. Thus for lustful remarks to two women referring to their breasts, he would incur two thullaccayas; for lustful remarks to three men concerning their bodies, three dukkatas; for teasing a group of twenty old ladies about how their time for sexual performance is past, twenty sanghadisesas.

Non-offences. The Vibhanga states that there is no offence for a bhikkhu who speaks aiming at (spiritual) welfare (attha), aiming at Dhamma, or aiming at teaching. Thus, for example, if one is talking in front of women and has no lustful intent, one may recite or explain the training rules that deal with these matters or go into detail on the topic of the loathsomeness of the body as a topic of meditation, all without incurring a penalty. The Commentary here adds an example of a bhikkhu addressing a sexually deformed woman, telling her to be heedful in her practice so as not to be born that way again. If, however, one were to broach any of these topics out of a desire to enjoy saying something lewd to one's listeners, one would not be immune from an offence.

A bhikkhu who, without intending to be lewd, makes innocent remarks that his listener takes to be lewd, commits no offence.

Summary:

7. Making a lustful remark to a woman about her genitals, anus, or about performing sexual intercourse is a sanghadisesa offence.

4. Should any bhikkhu, overcome by lust, with altered mind, speak in the presence of a woman in praise of ministering to his own sensuality thus: "This, sister, is the highest ministration, that of ministering to a virtuous, fine-natured follower of the celibate life such as myself with this act" -- alluding to sexual intercourse -- it entails initial and subsequent meetings of the Community.

"Now at that time a certain woman, a widow, was beautiful, attractive, and appealing. So Ven. Udayin, arising early in the morning, taking his robe and bowl, went to her residence. On arrival, he sat on an appointed seat. Then the woman, approaching him, paying him homage, sat to one side. As she sat there, Ven. Udayin instructed, urged, roused, and encouraged her with a talk on Dhamma. Then the woman, instructed, urged, roused, and encouraged with a talk on Dhamma... said to him, 'Tell me, Ven. sir, what would be in my power to give you for your welfare: Robe-cloth? Alms-food? Lodgings? Medicines for the sick?'

"'Those things aren't hard for us to come by, sister... Give just what is hard for us to come by.'

"'What, Ven. sir?'

"'Sexual intercourse.'

"'For your welfare, Ven. sir?'

"'For my welfare, sister.'

"'Then come, Ven. sir.' Entering into an inner room, taking off her cloak, she lay back on a couch. Then Ven. Udayin approached the woman and, on approaching, said, 'Who would touch this foul-smelling wretch?' And he departed, spitting.

"Then the woman was offended and annoyed and spread it about...'How can this contemplative Udayin, when he himself begged me for sexual intercourse, say, "Who would touch this foul-smelling wretch?" and depart spitting? What's wretched about me? What's foul-smelling about me? In what am I inferior to whom?'"

At first glance this rule might seem redundant with the preceding one, for what we have here is another case of a bhikkhu advising, begging, or imploring a woman to perform sexual intercourse. However, some facts about language and belief in the Buddha's time might have led some people to feel that this was a special case not covered by the previous rule; so -- to prevent this misunderstanding -- it gets separate treatment here.

"Giving," in the Buddha's time, was a common term for having sex. If a woman gave to a man, that meant that she was willing to have sexual intercourse with him. Now, Buddhism was not the only religion of the time to teach that gifts -- of a more innocent sort -- given to contemplatives produced great reward to those who gave them, and ultimately somebody somewhere came up with the bright idea that since sex was the highest gift, giving it to a contemplative would produce the highest reward. Whether this idea was first formulated by faithful women or by clever contemplatives is hard to say. There are several cases in the Vinita Vatthu to Parajika 1 telling of bhikkhus approached or attacked by women professing this belief, which shows that it had some currency: that sex was somehow seen as a way to higher benefits through the law of kamma.

Since the preceding rule gives exemptions for bhikkhus speaking "aiming at (spiritual) welfare (attha), aiming at Dhamma," some misguided souls who did not comprehend the Buddha's teachings on sensuality might believe that welfare of this sort might fit under the exemption. Even today, although the rationale might be different, there are people who believe that having sex with spiritual teachers is beneficial for one's spiritual well-being. Thus we have this separate rule to show that the Buddha would have no part in such a notion, and that a bhikkhu who tries to suggest that his listener would benefit from having sex with him is not exempt from an offence.

The K/Commentary lists five factors for the full offence here.

Object: a woman experienced enough to know what words are and are not lewd.

Perception. The bhikkhu perceives her to be such a woman.

Intention. He is lustful. According to the Sub-commentary, this means that he wants to enjoy saying something lewd or improper. This point is borne out by the origin story, where Ven. Udayin addressed his remarks to the young widow apparently just to test her reaction. As in the preceding rules, we can take the Sub-commentary's definition to stand for the minimum amount of lust needed to fulfill this factor.

Effort. The bhikkhu speaks to the woman in praise of her ministering to his sensual needs, making reference to sexual intercourse. The Commentary maintains that his remarks must directly mention sexual intercourse for this factor to be fulfilled, but the example in the rule itself would seem to contradict its assertion.

Result. The woman immediately understands.

Derived offences. The only factors having permutations leading to lesser offences are object and perception.

Object. A bhikkhu, motivated by lust, makes such remarks to a pandaka: a thullaccaya. To a man or animal: a dukkata.

Perception. A bhikkhu, motivated by lust, makes such remarks to a woman he perceives to be something else -- a pandaka, man, or animal: a thullaccaya. To a pandaka he perceives to be something else: a dukkata.

Counting offences. Offences are counted by the number of people one makes such remarks to.

Non-offences. The no-offence clauses in the Vibhanga, in addition to the blanket exemptions mentioned under Parajika 1, read simply: "There is no offence if he speaks saying, 'Support us with the requisites of robe-cloth, alms-food, lodgings, or medicines for the sick.'" Thus there is apparently no way that a bhikkhu in

his right mind may speak in the presence of another person in praise of that person's ministering to his (the bhikkhu's) own sexual desires, without committing an offence.

Summary:
8. Telling a woman that she would benefit from having sexual intercourse with oneself is a sanghadisesa offence.

5. Should any bhikkhu engage in conveying a man's intentions to a woman or a woman's intentions to a man, proposing marriage or paramourage -- even if only for a momentary liaison -- it entails initial and subsequent meetings of the Community.

There are essentially two factors for a full offence under this rule: effort and object.

Effort. The Commentary says that to "engage in conveying" means to take on the role of a go-between. This includes helping to arrange not only marriages and affairs, but also "momentary associations" that, from the way it describes them, could include anything from appointments with a prostitute to arrangements for X to be Y's date.

The Vibhanga sets the component factors of a go-between's role at three:

1) *accepting* the request of one party to convey a proposal;
2) *inquiring,* i.e., informing the second party and learning his/her/their reaction; and
3) *reporting* what one has learned to the first party.

The penalties for these actions are: a dukkata for performing any one of them, a thullaccaya for any two, and a sanghadisesa for the full set of three. Thus a bhikkhu acting on his own initiative to sound out the possibility of a date between a man and a woman would incur a thullaccaya for inquiring and reporting. A bhikkhu planning to disrobe who asks a woman if she would be interested in marrying him after his return to lay life would incur a dukkata for inquiring.

The penalties are the same if the bhikkhu, instead of acting as a go-between himself, gets someone else to act for him. Thus a bhikkhu who agrees to convey such a proposal but then gets a lay follower or another bhikkhu to do the inquiring and reporting, would incur a sanghadisesa all the same.

If a group of bhikkhus are asked to act as go-betweens and they all accept, then even if only one of them takes the message, all incur the penalty for his actions.

Result is not a factor here, and so the Commentary mentions that whether or not the arrangements succeed has no bearing on the offence.

Intention is also not a factor, which leads the Sub-commentary to raise the issue of a man who writes his proposal in a letter and then, without disclosing the contents, gets a bhikkhu to deliver it. Its conclusion, though, is that this case would not qualify as an offence under this rule, in that both the Vibhanga and the Commentary define the action of conveying as "telling": Only if the bhikkhu himself tells the proposal -- whether repeating it orally, making a gesture or writing a letter -- does he commit an offence here.

Object. The full offence is for acting as a go-between between a man and a woman who are not married to each other. If, instead of dealing directly with the man and woman, one deals with people speaking on their behalf (their parents, a pimp), one incurs the full penalty all the same.

There is no offence for a bhikkhu who tries to effect a reconciliation between an estranged couple who are not divorced; but a full offence for one who tries to effect a reconciliation between a couple who are. "Perception" is also not a factor here, which inspires the Commentary to note that even an arahant could commit an offence under this rule if he tried to effect a reconciliation between his parents whom he assumed to be separated when they actually were divorced.

A bhikkhu incurs a thullaccaya for acting as a go-between for a pandaka; and, according to the Commentary, the same penalty for acting as a go-between for a female yakkha or peta. (!)

Non-offences. The Vibhanga states that, in addition to the usual exemptions, there is no offence if a bhikkhu conveys a message from a man to a woman or vice versa dealing with "business of the Community, of a shrine, or of a sick person." The Commentary illustrates the first two instances with cases of a bhikkhu conveying a message dealing with construction work for the Community or a shrine; and the third with a case where a bhikkhu, acting on behalf of a fellow bhikkhu who is sick, is sent by a male lay follower to a female lay follower for medicine.

The Sub-commentary adds that any similar errand is also exempt from penalty as long as it is not a form of subservience to lay people (see Sanghadisesa 13, below).

Summary:

9. Acting as a go-between to arrange a marriage, an affair, or a date between a man and a woman not married to each other is a sanghadisesa offence.

6. When a bhikkhu is building a hut from (gains acquired by) his own begging -- having no sponsor, destined for himself -- he is to build it to the standard measurement. Here the standard is this: twelve spans, using the sugata span, in length (measuring outside); seven in width, (measuring) inside. Bhikkhus are to be assembled to designate the site. The site the bhikkhus designate should be without disturbances and with adequate space. If the bhikkhu should build a hut from his own begging on a site with disturbances and without adequate space, or if he should not assemble the bhikkhus to designate the site, or if he should exceed the standard, it entails initial and subsequent meetings of the Community.

"At that time the bhikkhus of Alavi were having huts built from their own begging -- having no sponsors, destined for themselves, not to any standard measurement -- that did not come to completion. They were continually begging, continually hinting: 'Give a man, give labour, give an ox, give a wagon, give a knife, give an axe, give an adze, give a spade, give a chisel, give rushes, give reeds, give grass, give clay.' People, harassed with the begging, harassed with the hinting, on seeing bhikkhus would feel apprehensive, alarmed, would run away; would take another route, face another direction, close the door. Even on seeing cows, they would run away, imagining them to be bhikkhus."

This rule and the following one concern the procedures a bhikkhu should follow when he wants to build a dwelling for his own use. The following rule deals with cases where he has a sponsor to provide him with funds and materials. This rule deals with cases where he doesn't. The Vibhanga and Commentary define the words hut and dwelling in these rules in such a way that they apply only to a limited range of structures, but the Commentary's discussion of what a bhikkhu may and may not beg for when building anything at all, guarantees that even in cases not covered by these rules he is not allowed to be burdensome to the people he asks for help. In discussing this rule, we will first cover what kinds of begging are proper and improper in connection with any kind of construction work, and then go on to treat the particular case coming under this rule.

Begging. A bhikkhu may ask for people to give labour in any situation. Thus he may ask stone masons to carry stone posts to his construction site, or carpenters to carry boards there. If, after he has asked them to help with the labour, they volunteer to donate the materials as well, he may accept them without penalty. Otherwise, he has to reimburse them for the materials.

As for tools, vehicles, and other things he will use in the process of construction, he may ask only to borrow them from other people and may not ask for them outright (except when asking from relatives or those who have made an offer). If the tools get damaged, he is responsible for getting them repaired before returning them to the owner. The only things he needn't return to the owner are light articles (lahubhanda), which the Sub-commentary identifies as things like reeds, rushes, grass, and clay -- i.e., things having little or no monetary value at all.

In effect, this means that unless a bhikkhu is going to build his dwelling out of reeds, etc., or out of thrown-away scraps, he may not ask for any of the materials that will actually go into the dwelling. Keep in mind that these rules were made during a period when wilderness was still plentiful, and solid building materials such as timber and stones were free for the taking. At present, unless a bhikkhu has access to unclaimed

wilderness of this sort, to unclaimed garbage, or has enough funds on deposit with his steward (see NP 10) to cover the cost of materials, his only recourse if he wants a solid structure is either to rammed earth or to hinting.

The Commentary notes that while hinting is not allowed with regard to food or cloth, it is allowed with regard to construction materials. One example it gives is asking, "Do you think this is a good place to build a hut? An ordination hall?" Another example is staking out a construction site in hope that someone will ask, "What are you planning to do here?" If people get the hint and offer the materials, the bhikkhu may accept them. If they don't, he may not ask directly for any materials except the "light articles" mentioned above.

From this it should be obvious that even in cases not covered by this rule -- i.e., the dwelling he is building doesn't qualify as a "hut," or he is building something for other people to use -- a bhikkhu engaged in construction work is not allowed to be burdensome to the laity. This is an important point, as the Buddha illustrated in a story he told to the bhikkhus at Alavi. A certain bhikkhu had once come to him with a complaint, and he reports the conversation as follows:

> "'Lord, there is a large forest on the slopes of the Himalayas, and not far from it is a broad, low-lying marsh. A great flock of birds, after feeding all day in the marsh, goes to roost in the forest at nightfall. That is why I have come to see the Blessed One -- because I am annoyed by the noise of that flock of birds.'
>
> "'Bhikkhu, you want those birds to go away for good?'
>
> "'Yes, Lord, I want them to go away for good.'
>
> "'Then go back there, enter the forest, and in the first watch of the night make this announcement three times: "Listen to me, good birds. I want a feather from everyone roosting in this forest. Each of you give me one feather." In the second watch... In the third watch of the night make this announcement three times: "Listen to me, good birds. I want a feather from everyone roosting in this forest. Each of you give me one feather"...(The bhikkhu did as he was told.) Then the flock of birds, thinking, 'The bhikkhu asks for a feather, the bhikkhu wants a feather,' left the forest. And after they were gone, they never again returned. Bhikkhus, begging is unpleasant, hinting is unpleasant even to these common animals -- how much more so to human beings?"

The hut. Now we turn to the particular case covered by this rule. The Vibhanga defines a hut as "plastered inside, outside, or both." It also states that this rule does not apply to a lena, a guha, or to a grass hut. A lena, according to the Commentary, is a cave. A guha it doesn't define, except to say that guhas may be built out of wood, stone, or earth. And as for a grass hut, it says that this refers to any building with a grass roof, which means that even a dwelling with plastered walls but a grass roof would not count as a hut under this rule (although a hut whose roof has been plastered and then covered with grass would count as a hut here).

The Commentary goes on to stipulate that the plastering mentioned in the Vibhanga refers to a plastered roof, that the plaster must be either clay or white lime (plastering with cow dung or mud doesn't count, although cement would probably come under "white lime" here), and that the plastering on the inside or outside of the roof must be contiguous with the plastering on the inside or outside of the walls. Thus if the builder leaves a gap in the plastering around the top of the wall so that the plastering of the roof and the plastering of the walls don't touch at any point, the building doesn't qualify as a hut and so doesn't come under the rule.

The Commentary's stipulations on these point may seem like attempts to create gaping loopholes in the rule, but there is nothing in the Vibhanga to prove them wrong. Perhaps in those days only fully plastered buildings were considered to be finished, permanent structures, while everything else was considered makeshift and temporary and thus not worth the fuss and bother of the procedures we will discuss below.

At another point in its discussions, the Commentary adds that any building three sugata spans wide or less is not big enough to move a bed around in and so does not count as a hut under this rule. The Commentary itself defines a sugata span as three times the span of a normal person, which would put it at approximately 75 cm. More recent calculations, based on the fact that the Buddha was not abnormally tall, set the sugata span at 25 cm.

The procedures. If, for his own use, a bhikkhu is planning to build a hut as defined in this rule, he must choose a site, clear it, and ask for the local Community to inspect and approve it before he can go ahead with the actual construction.

The site. The site must be free of disturbances and have adequate space.

"Free of disturbances" means that the site is not the abode of such creatures as termites, ants, or rats who might do harm to the building, or of those such as snakes, scorpions, tigers, lions, elephants, or bears who might do harm to its inhabitant. The Commentary states that the Vibhanga's purpose in forbidding a bhikkhu from building on a site where termites and other small animals have their home is to show compassion to these and other small creatures like them by not destroying their nests. As for the stipulation against building where snakes and other dangerous animals live, this also extends, it says, to the areas where they regularly forage for food.

In addition, the Vibhanga says that a site without disturbances is one that is not near any places that will disturb the bhikkhu's peace and quiet. Examples it gives are: fields, orchards, places of execution, cemeteries, pleasure groves, royal property, elephant stables, horse stables, prisons, taverns, slaughterhouses, highways, crossroads, public rest-houses, and meeting places.

"Adequate space" means that there is enough room on the site for a yoked wagon to go around, or for a man to carry a ladder around, the proposed hut. The question arises as to whether this means that all trees within that radius of the hut must be cut down, or whether it simply means that there must be enough land around the hut so that if the trees were not there, it would be possible to go around the hut in the ways mentioned. The Sub-commentary states that the stipulation for adequate space is so that the hut will not be built on the edge of a precipice or next to a cliff wall, and the Vinaya Mukha notes that the Vibhanga here is following the Laws of Manu (an ancient Indian legal text) in ensuring that the dwelling not be built right against someone else's property. Both of these statements suggest that there is no need to cut the trees down.

The Vinaya Mukha maintains further that the procedures for getting the site approved are concerned basically with laying claim to unclaimed land, and this has led many Communities in Thailand to say that the need to have the Community approve the site does not apply to places where the Community already owns the land, such as in a monastery. If a bhikkhu in such Communities wishes to build a hut for his own use on monastery land, he need only get the approval of the abbot. The ancient texts say nothing on this point, so it is an area where the wise policy is to follow the views of the Community to which one belongs.

Clearing the site. Before notifying the local Community, the bhikkhu must get the site cleared -- so says the Vibhanga, and the Commentary adds that he should get it levelled as well. In both cases, he should arrange to have this done in such a way that does not violate Pacittiyas 10 & 11. Again, the question arises as to whether clearing the site means cutting down the trees on the spot where one proposes building the hut. In the origin story to the following rule, Ven. Channa caused an uproar by cutting down a venerated tree on a site where he planned to build, which led the Buddha to formulate the rule that the Community must inspect and approve the site to prevent uproars of this sort. This suggests that clearing the site here means clearing the underbrush. Only after the Community has approved the site should the necessary trees be cut down.

Getting the site inspected. The bhikkhu then goes to the local Community and formally asks them to inspect the site. (The Pali passages for this and the remaining formal requests and announcements are in the Vibhanga.) Either the entire Community will go to inspect the site or it will select two or three of its members to go and inspect the site in its stead. The Vibhanga says that these inspectors should know what does and does not constitute a disturbance and adequate space, and requires that they be chosen by a formal motion with one announcement. The Commentary, for some reason, says that they may also be chosen by a simple declaration (apalokana).

The inspectors then visit the site. If they find any disturbances or see that the site has inadequate space, they should tell the bhikkhu not to build there. If the site passes inspection, though, the bhikkhu may go on to the next step.

Getting the site approved. The bhikkhu returns to the Community and formally asks them to approve the site. The formal act involves a motion and one announcement. Once this has passed, the bhikkhu may start construction.

The size of the hut. As the rule states, the hut may be no more than twelve spans long and seven spans wide, or approximately 3 x 1.75 meters. For some reason the Vibhanga states that the length of the hut is measured from the outside (excluding the plastering, says the Commentary), while the width is measured from the inside. The Commentary adds that neither of these measurements may be exceeded. Thus a hut ten by eight spans wide, even though it has less floor area than a twelve by seven span hut, would exceed the standard width and so would be a violation of this rule.

Offences. The Vibhanga allots the penalties for building a hut without a sponsor, for one's own use, without regard for the stipulations in this rule, as follows:

an oversized hut -- a sanghadisesa;
a hut on an unapproved site -- a sanghadisesa;
a hut on a site without adequate space -- a dukkata;
a hut on a site with disturbances -- a dukkata.

These penalties are additive. Thus, for example, an oversized hut on an unapproved site would entail a double sanghadisesa.

The wording of the training rule, though, suggests that building a hut without a sponsor, for one's own use, on a site with disturbances and without adequate space would entail a sanghadisesa; but the Sub-commentary says -- without offering explanation -- that to read the rule in this way is to misinterpret it. Since the penalty for a multiple sanghadisesa is the same as that for a single one, there is only one case where this would make an appreciable difference: a hut of the proper size, built on a designated site that has disturbances or does not have adequate space. This is a case of a formal act of the Community improperly performed: Either the bhikkhus inspecting the site were incompetent, or the disturbances were not immediately apparent. Since the usual penalty for improperly performing an act of the Community is a dukkata (Mv.II.16.4), this may be why the Vibhanga allots penalties as it does.

As we noted in the Introduction, in cases where the Vibhanga is explaining the training rules that deal with formal acts of the Community, it sometimes has to deviate from the wording of the rules so as to bring them in line in with the general pattern for such acts, a pattern that was probably formulated after the rules and came to take precedence over them.

Getting others to build the hut. If, instead of building the hut himself, a bhikkhu gets others to build it for him, he must inform them of the four stipulations mentioned in this rule. If he neglects to inform them, and they build the hut in such a way that it does not meet any or all of the stipulations, he must either have it torn down (to the ground, says the Commentary) and have it rebuilt in line with the stipulations, give it to another, or face the full penalty for each of the stipulations they violated that he neglected to mention to them.

For example: He tells them to build a hut of the right size, but neglects to tell them to have the site approved. They build it to the right size, the site is without disturbances and has adequate space but is not approved. Unless he has it torn down or gives it to another, he incurs a sanghadisesa.

If the bhikkhu mentions the proper stipulations, but learns that the builders are ignoring them, he must go himself or send a messenger to reiterate the stipulations. Not to do so incurs a dukkata. If, having been reminded of the stipulations, the builders still ignore them, the bhikkhu incurs no penalty; but they -- if they are bhikkhus -- incur a dukkata for each of the three criteria regarding the site that they disobey. As for the standard measurement, they are not bound by it as they are building the hut for another's use.

If a bhikkhu, intending it for his own use, completes a hut that others have started, or gets others to complete a hut he has started, he is still bound by the stipulations given in this rule.

Preliminary offences. The penalties in the preliminary steps are as follows: If the hut is such that when finished it will entail a sanghadisesa or two, each act in its construction entails a dukkata, until the next to the

last act, which entails a thullaccaya. Once the hut is completed, and the bhikkhu incurs the sanghadisesa(s), the dukkatas and thullaccaya are nullified.

Non-offences. The no-offence clauses mention, in addition to the usual exemptions, that there is no offence "in a lena, in a guha, in a grass hut, in (a dwelling) for another's use, or in anything other than a dwelling." The Commentary explains that no offence here means that these cases are not subject to any of the four stipulations given in this rule. As for the last case, if a bhikkhu is building, e.g., a meeting hall for the Community, he is not bound by this rule, but if he plans to live there as well, he is. This last case suggests that if a bhikkhu is building a dwelling, planning to donate it formally to the Community but also planning to live there himself, he is not exempt from this rule.

Summary:
10. Building a plastered hut -- or having it built -- without a sponsor, destined for one's own use, without having obtained the Community's approval, is a sanghadisesa offence. Building a plastered hut -- or having it built -- without a sponsor, destined for one's own use, exceeding the standard measurements, is also a sanghadisesa offence.

7. When a bhikkhu is building a large dwelling -- having a sponsor and destined for himself -- he is to assemble bhikkhus to designate the site. The site the bhikkhus designate should be without disturbances and with adequate space. If the bhikkhu should build a large dwelling on a site with disturbances and without adequate space, or if he should not assemble the bhikkhus to designate the site, it entails initial and subsequent meetings of the Community.

The Vibhanga defines dwelling here with the same terms it uses for hut in the preceding rule. All explanations for this rule may be inferred from those above, the only difference being that, as the dwelling here has a sponsor, no begging is involved in its construction, and so there is no need to limit its size.

If a sponsor is building a dwelling for a bhikkhu, and the bhikkhu is not involved in any way in building it or getting it built, this rule does not apply.

Summary:
11. Building a hut with a sponsor -- or having it built -- destined for one's own use, without having obtained the Community's approval, is a sanghadisesa offence.

8. Should any bhikkhu, malicious, angered, displeased, charge a (fellow) bhikkhu with an unfounded case involving defeat, (thinking), "Surely with this I may bring about his fall from the celibate life," then regardless of whether or not he is cross-examined on a later occasion, if the issue is unfounded and the bhikkhu confesses his anger, it entails initial and subsequent meetings of the Community.

"Now at that time a householder who served fine food gave food to the Community on a regular basis, four bhikkhus every day. (One day) he happened to go on some business to the monastery. He went to where Ven. Dabba Mallaputta was staying and on arrival bowed to him and sat to one side... Ven. Dabba Mallaputta roused... him with a Dhamma talk. Then the householder with fine food... said to Dabba Mallaputta, 'To whom, sir, is tomorrow's meal in our house assigned?'

"'To (the) followers of Mettiya and Bhummajaka, householder.' [Mettiya and Bhummajaka were among the leaders of the group-of-six, a faction notorious for its shameless behaviour, and instigators of many of the situations that compelled the Buddha to formulate training rules.]

"This upset the householder with fine food. Thinking, 'How can these evil bhikkhus eat in our house?' he returned home and ordered his female slave: 'Hey. Those who are coming for a meal tomorrow: Prepare a seat for them in the storeroom and serve them unhusked rice porridge with pickle brine.'

"'As you say, master,' the female slave answered...

"Then the followers of Mettiya and Bhummajaka said to one another, 'Yesterday we were assigned a meal at the house of the householder with fine food. Tomorrow, attending with his wife and children, he will serve us. Some will offer rice, some will offer curry, some oil, and some dainties.' Because of their joy, they didn't sleep as much that night as they had hoped.

"Early the next morning... they went to the home of the householder with fine food. The female slave saw them coming from afar. Preparing them a seat in the storeroom, she said to them, 'Have a seat, honoured sirs.'

"The thought occurred to the followers of Mettiya and Bhummajaka, 'No doubt the food isn't ready yet, which is why we are being made to sit in the storeroom.'

"Then the female slave brought them unhusked rice porridge with pickle brine and said, 'Eat, honoured sirs.'

"'Sister, we've come for the regular meal.'

"'I know you've come for the regular meal. But yesterday the householder ordered me, "Hey. Those who are coming for a meal tomorrow: Prepare a seat for them in the storeroom and serve them unhusked rice porridge with pickle brine." So eat, honoured sirs.'

"Then the followers of Mettiya and Bhummajaka said to one another, 'Yesterday the householder with fine food went to the monastery and met with Dabba Mallaputta. No doubt Dabba Mallaputta turned him against us.' Because of their disappointment, they didn't eat as much as they had hoped.

"Then they returned to the monastery and, putting away their robes and bowls, went to the storeroom outside the gate and sat on their outer cloaks, their arms around their knees, silent, abashed, their shoulders drooping, their heads down, brooding, at a loss for words.

"Then Mettiya Bhikkhuni came along and said to them, 'I salute you, masters.' But when she had said this, they didn't respond. A second time... A third time she said, 'I salute you, masters.' And a third time they didn't respond.

"'Have I offended you, masters? Why don't you respond to me?'

"'Because you stand by doing nothing, sister, when Dabba Mallaputta treats us like dirt.'

"'What can I do?'

"'If you like, you could get the Blessed One to expel Dabba Mallaputta right this very day.'

"'What can I do? How could I do that?'

"'Come, sister. Go to where the Blessed One is and say this: "It is unfitting, Lord, and improper. The quarter without dread, without harm, without danger, is (now) the quarter with dread, with harm, with danger. Where there is calm, there is a windstorm. The water, as it were, is ablaze. I have been raped by Master Dabba Mallaputta."'

"'As you say, masters.' (And she went to carry out their bidding.)"

This is just the heart of the origin story to this rule, which is one of the longest and most controversial accounts in the Vinaya. After Mettiya Bhikkhuni made her charge, the Buddha convened a meeting of the Sangha to question Ven. Dabba Mallaputta. The latter, who had attained arahantship at the age of seven, responded truthfully that he could not call to mind ever having indulged in sexual intercourse even in a dream, much less when awake. The Buddha then told the Sangha to expel Mettiya Bhikkhuni and returned to his quarters.

According to the Commentary, the expulsion of Mettiya Bhikkhuni was one of the controversial points in the split between the Mahayanist bhikkhus in the Abhayagiri Vihara and the Theravadin bhikkhus of the Mahavihara in the old Sri Lankan capital of Anuradhapura. Even modern scholars have objected to the Buddha's treatment of Mettiya Bhikkhuni and interpret this passage as a "monkish gloss," as if the Buddha himself were not a monk, and the entire Canon were not the work of monks and nuns. The Commentary maintains that the Buddha acted as he did because he knew if he treated her less harshly, the followers of Mettiya and Bhummajaka would never have volunteered the information that they had put her up to making the charge in the first place, and the truth would never have come out. This would have led some people to remain secretly convinced of Ven. Dabba Mallaputta's guilt and -- because he was an arahant -- would have been for their long-term detriment.

At any rate, what concerns us here is that at some point after this rule was formulated, the Buddha put the Sangha in charge of judging accusations of this sort and gave them a definite pattern to follow in order to ensure that their judgments would be accurate and fair. Because the Vibhanga and Commentary to this rule are based on this pattern, we will discuss the pattern first before dealing with the special case -- unfounded charges -- covered by this rule.

Admonition. As the Buddha states in Sanghadisesa 12, one of the ways bhikkhus may hope for growth in his teachings is through mutual admonition and mutual rehabilitation. If a bhikkhu commits an offence, the responsibility is his to inform his fellow bhikkhus so that they may help him through whatever procedures the offence may entail. Now of course, human nature being what it is, there are bound to be bhikkhus who neglect this responsibility, in which case the responsibility falls to the offender's fellow bhikkhus who know of

the matter to admonish him in private, if possible, or -- if he is stubborn -- to make a formal charge in a meeting of the Community.

The pattern here is this: Before speaking to the bhikkhu, one must first make sure that one is qualified to admonish him. According to Cv.IX.5.1-2, this means one knows:

1) One is pure in bodily conduct.
2) One is pure in verbal conduct.
3) One is motivated by kindness, not vengeance.
4) One is learned in the Dhamma.
5) One knows both Patimokkhas (the one for the bhikkhus and the one for the bhikkhunis) in detail.

Furthermore, one determines that:

1) I will speak at the right time and not at the wrong time.
2) I will speak the truth and not untruths.
3) I will speak gently and not harshly.
4) I will speak what is connected with the goal and not what is unconnected with the goal.
5) I will speak out of kindness and not out of inner anger.

Cv.IX.5.7 and Pv.XV.5.3 add that one should keep five qualities in mind: compassion, solicitude for the other's welfare, sympathy, desire to see him rehabilitated, and a desire to keep the Vinaya foremost.

If one feels that one is unqualified, yet believes that another bhikkhu has committed an offence for which he has not made amends, one should find another bhikkhu who is qualified to handle the charge and inform him. Not to inform anyone in cases like this -- if the case involves a parajika or sanghadisesa offence -- is to violate Pacittiya 64, except in the extenuating circumstances discussed under that rule.

The next step, if one is qualified to make the charge, is to look for a proper time and place to talk with the other party -- e.g., when he is not likely to get embarrassed or upset -- and then to ask his leave, i.e., to ask permission to speak with him: "Let the Ven. One give me leave. I want to speak with you." To accuse him of an offence without asking leave is to incur a dukkata (Mv.II.16.1).

As for the other party, the Buddha recommends that he should give leave only after assessing the person asking for leave, for it is possible that someone might ask for leave without any real grounds, simply to be abusive. (A bhikkhu who asks for leave with no grounds -- i.e., he has not seen the other party commit the offence, has heard no reliable report to that effect, and has no reason to suspect anything to that effect -- incurs a dukkata (Mv.II.16.3).) The Parivara (XV.4.7) suggests that one should not give leave to a bhikkhu who:

1) is unconscientious,
2) is ignorant,
3) is not a bhikkhu in regular standing,
4) speaks intent on creating a disturbance, or
5) is not intent on rehabilitating the bhikkhu he is accusing.

In another passage (XV.5.4), it suggests further that one should not give leave to a bhikkhu who:

1) is not pure in bodily conduct,
2) is not pure in verbal conduct,
3) is not pure in his livelihood,
4) is foolish, childish, and unintelligent, or
5) is unable to give a consistent line of reasoning when questioned.

If the bhikkhu is not unqualified in any of these ways, though, one should willingly give him leave to speak. The Cullavagga (IX.5.7) says that, when being admonished or accused, one should keep two qualities in mind: truth, and lack of anger. The Patimokkha also contains a number of rules imposing penalties on behaving improperly when one is being admonished formally or informally: Sanghadisesa 12 for being difficult to admonish in general, Pacittiya 12 for being evasive or refusing to answer when being formally

questioned, Pacittiya 54 for being disrespectful to one's accuser or to the rule one is being accused of breaking, and Pacittiya 71 for finding excuses for not listening to a particular training rule.

If both sides act in good faith and without prejudice, accusations of this sort are easy to settle on an informal basis. If they can't be settled informally, they should be taken to a meeting of the Community so that the group as a whole may pass judgment. The procedures for this sort of formal meeting will be discussed under the Aniyata and Adhikarana-Samatha rules, below.

Abuse of the system. As the origin story to this rule shows, it can easily be the case that a bhikkhu making a charge against another bhikkhu is acting out of a grudge and has simply made up the charge. This rule and the following one cover cases where the made-up charge is that the other bhikkhu has committed a parajika. Pacittiya 76 covers cases where the made-up charge is that the other bhikkhu has broken a less serious rule.

The full offence under this rule involves four factors:

1) *Object:* The other bhikkhu is regarded as ordained.
2) *Perception:* One perceives him to be innocent of the offence one is charging him with.
3) *Intention:* One wants to see him expelled from the Sangha.
4) *Effort:* One makes an unfounded charge in his presence that he is guilty of a parajika offence.

Object. The definition of this factor -- the other bhikkhu is regarded as ordained -- may sound strange, but it comes from the K/Commentary and is phrased that way with a reason: In normal cases the object of this rule will be an innocent bhikkhu, but there may be cases where a bhikkhu has actually committed a parajika offence that no one knows about; yet instead of disrobing, he acts as if he were still a bhikkhu, and everyone else assumes that he still is. Yet even a "bhikkhu" of this sort would fulfill this factor as far as this rule is concerned.

For example, Bhikkhu X steals some of the monastery funds, but no one knows about it, and he continues to act as if he were a bhikkhu. Bhikkhu Y later develops a grudge against him and makes an unfounded charge that he has had sexual intercourse with one of the monastery supporters. Even though X is not really a bhikkhu, the fact that people in general assume him to be one means that he fulfils this factor.

Perception. If one perceives the bhikkhu one is charging with a parajika offence to be innocent of the offence, that is enough to fulfill this factor regardless of whether the accused is actually innocent or not. To make an accusation based on the assumption or suspicion that the accused is not innocent entails no offence.

Intention. If, in making an unfounded charge of a parajika offence against another bhikkhu, one's purpose is to see him expelled from the Sangha, that fulfils this factor. If one's purpose is simply to insult him, one's actions would come under Pacittiya 2. If one's purpose is both to see him expelled and to insult him, one incurs both a sanghadisesa and a pacittiya. If one has a strange sense of humour and is making the charge as some sort of joke, the penalty is either a pacittiya under Pacittiya 1 or a dubbhasita under Pacittiya 2: The texts are not clear on this point, but in either case this sort of thing is no joking matter.

According to the Vibhanga, "confessing one's anger" can simply mean admitting that one made the charge idly. Thus the amount of malice motivating one's desire to see the other bhikkhu expelled can be minimal indeed: If one wants to see him expelled just for the fun of it, that would fulfill the factor of intention here.

Effort. The act covered by this rule is that of making an unfounded charge of a parajika in the accused's presence. Whether one makes the charge oneself or gets someone else to make it, the penalty is the same. If that "someone else" is a bhikkhu and knows the charge is unfounded, he too incurs the full penalty.

The Vibhanga defines an unfounded charge as one having no basis in what has been seen, heard, or suspected. In other words, the accuser has not seen the accused committing the offence in question, nor has he heard anything reliable to that effect, nor is there anything in the accused's behaviour to give rise to any honest suspicion.

"Seeing" and "hearing," according to the Commentary, also include the powers of clairvoyance and clairaudience one may have developed through meditation. Thus if one charges X with having committed a parajika offence on the basis of what one has seen clairvoyantly, this would not be an unfounded charge, although one should be careful to make clear from the very beginning what kind of seeing the charge is based on.

If there is some basis in fact, but one changes the status of the evidence, the penalty is the same. Changing the status means, e.g., saying that one saw something when in actuality one simply heard about it or suspected it, or that one saw it clearly when in actuality one saw it indistinctly.

An example from the Commentary: Bhikkhu X goes into a grove to relieve himself. Ms. Y goes into the same grove to get something there. One sees them leaving the grove at approximately the same time -- which could count as grounds for suspicion -- but one then accuses Bhikkhu X, saying that one actually saw him having sex with Ms. Y. This would count as an unfounded charge. Another example: In the dark of the night, one sees a man stealing something from the monastery storehouse. He looks vaguely like Bhikkhu Z, but one can't be sure. Still, one firms up one's accusation by saying that one definitely saw Z steal the item. Again, this would count as an unfounded charge.

The Commentary states that for an unfounded charge to count under this rule, it must state explicitly (a) the precise act the accused supposedly committed (e.g., having sexual intercourse, getting a woman to have an abortion) or (b) that the accused is guilty of a parajika, or (c) that the accused is no longer a true bhikkhu. If one simply says or does something that might imply that the accused is no longer a bhikkhu -- e.g., refusing to show him respect in line with his seniority -- that does not yet count as a charge.

The Commentary adds that charging a bhikkhu with having committed a virtual parajika, as discussed in the conclusion to the preceding chapter, would fulfill this factor as well. For instance, if one makes an unfounded charge accusing Bhikkhu A of having killed his father before his ordination, that would constitute a full offence here.

All of the charges given as examples in the Vibhanga are expressed directly to the accused -- "I saw you have sexual intercourse," "I heard you lay false claims to a superior human state" -- and the Commentary concludes from this that the full offence occurs only when one makes the charge in the accused's presence, in line with the pattern for admonition discussed above. To make an unfounded charge behind the accused's back, it states, incurs a dukkata.

Some people have objected to this point, saying that this gives a very light penalty for backhanded character assassination, but there is nothing in the Vibhanga to indicate that the Commentary is wrong here. Remember that the correct procedures for making an accusation require that an earnest charge be made in the presence of the accused. If a bhikkhu spreads gossip about another bhikkhu, accusing him of having committed a parajika, he should be asked whether he has taken up the matter with the accused. If he hasn't, he should be told to speak to the accused before he speaks to anyone else. If he says that he doesn't feel qualified or that he fears the accused will retaliate, he should be told to take the matter up with the bhikkhus who will be responsible for calling a meeting of the Community. If he refuses to do that, he shouldn't be listened to.

For some reason, the Commentary maintains that a charge made in writing does not count, although a charge made by gesture -- e.g., pointing at the accused when one is asked who committed the parajika -- does. Perhaps in those days written charges were regarded as too cowardly to take seriously.

The rule seems to require that the accuser confess that he was acting out of anger, although the Vibhanga states that this means simply that he admits the charge was a lie. The Commentary states further that here the rule is showing the point where the rest of the Community knows that the bhikkhu making the charge is guilty of a sanghadisesa: He actually committed the offence when he made the charge.

The Commentary adds "result" as a further factor to the offence under this rule, saying that the accused must understand the charge in a reasonable amount of time -- but nothing in the Vibhanga supports this added factor. Whether or not anyone actually believes the charge is not a factor here.

Non-offences. If one understands the accused to be guilty of a parajika and accuses him accurately on the basis of what one has seen, heard, or suspected, then -- regardless of whether he is guilty or not -- one has not committed an offence. Even in a case such as this, though, one incurs a dukkata if one makes the charge without asking leave of the accused, and a pacittiya if one makes the charge so as to insult him.

Summary:

12. Making an unfounded charge to a bhikkhu that he has committed a parajika offence, in hopes of having him disrobed, is a sanghadisesa offence.

9. Should any bhikkhu, malicious, angered, displeased, using as a mere ploy an aspect of an issue that pertains otherwise, charge a bhikkhu with a case involving defeat, (thinking), "Surely with this I may bring about his fall from the celibate life," then regardless of whether or not he is cross-examined on a later occasion, if the issue pertains otherwise, an aspect used as a mere ploy, and the bhikkhu confesses his anger, it entails initial and subsequent meetings of the Community.

"At that time the followers of Mettiya and Bhummajaka, descending from Vulture Peak Mountain, saw a billy-goat copulating with a nanny-goat. Seeing them, they said, 'Look here, friends, let's name this billy-goat Dabba Mallaputta, and this nanny-goat Mettiya Bhikkhuni. Then we'll phrase it like this: "Before, my friends, we accused Dabba Mallaputta on the basis of what we had heard, but now we have seen him with our very own eyes fornicating with Mettiya Bhikkhuni!"'"

Some grudges die hard. This rule is almost identical with the preceding one and involves the same factors except for one of the sub-factors under "Effort": "Unfounded charge" here becomes "a charge based on an issue that pertains otherwise." The phrase sounds strange, but the origin story gives a perfect example of what it means.

The precise difference between the two rules is this: With an unfounded charge, one has neither seen, heard, nor suspected that an offence has been committed; or if one has, one changes the status of the evidence -- e.g., one states something one has suspected as if one has heard it, or something one has heard as if one has seen it. In a charge based on an issue that pertains otherwise, one has seen an offence being committed and one does not change the status of the evidence, but one distorts the facts of the case.

To summarize the Vibhanga, there are two basic ways in which this can be done:

1) X, who may or may not be a bhikkhu, has something in common with Bhikkhu Y -- they are both tall, short, dark, fair, have the same name, or whatever. One sees X committing an action that would amount to an offence and then, on the basis of the similarity between the two, claims that one has seen Bhikkhu Y committing a parajika. For instance, X and Y are both very tall. Late at night one sees X -- knowing that it is X -- stealing tools from the monastery storeroom. One has a grudge against Y and so accuses him of being the thief, saying, "I saw this big tall guy stealing the tools, and he looked just like you. It must have been you."

2) One sees Bhikkhu Y actually committing an offence. Although one perceives that it is a lesser offence, one magnifies the charge to a parajika. For instance, one sees him get into an argument with Bhikkhu Z and in a fit of anger give Z a blow to the head. Z goes unconscious, falls to the floor and suffers a severe concussion resulting in death. Since Y's intention was simply to hurt him, not to kill him, he incurs only a pacittiya. If one realizes the nature of Y's intention and the fact that the penalty is a pacittiya, and yet accuses him of having committed a parajika, one would incur a sanghadisesa under this rule.

If one sees Y committing an action that one knows does not violate the rules, but that bears some resemblance to an offence, and then accuses him of having committed a parajika, it would not fit under this category. For instance, Y is teaching Vinaya to some new bhikkhus and quotes a few of the statements that would count as claims of superior human states. One overhears him and, although realizing the context, later accuses him of having violated Parajika 4. Since one knows that Y committed no offence, this would count as an unfounded charge and so would come under the preceding rule.

The other explanations here are exactly the same as those for the preceding rule, except that in the no-offence clauses the Vibhanga states that if one makes a charge against the accused based on what one actually perceives, there is no offence even if the issue turns out to pertain otherwise. For instance, from the examples already given: One sees X stealing tools in the dark and, because of his resemblance to Y, actually thinks Y is the thief. One sees Y give a fatal blow to Z and actually thinks that Y's intention was to kill Z. In either of these cases, if one then accuses Y of a parajika offence, one incurs no penalty regardless of how the case comes out, although -- as in the preceding rule -- one should be careful to ask Y's leave before making the charge and to have no intention of insulting him.

Summary:

13. Distorting the evidence while accusing a bhikkhu of having committed a parajika offence, in hopes of having him disrobed, is a sanghadisesa offence.

10. Should any bhikkhu agitate for a schism in a Community in concord, or should he persist in taking up an issue conducive to schism, the bhikkhus should admonish him thus: "Do not, Ven. sir, agitate for a schism in a Community in concord or persist in taking up an issue conducive to schism. Let the venerable one be reconciled with the Community, for a Community in concord, on complimentary terms, free from dispute, having a common recitation, dwells in peace."

And should that bhikkhu, admonished thus by the bhikkhus, persist as before, the bhikkhus are to rebuke him up to three times so as to desist. If while being rebuked up to three times he desists, that is good. If he does not desist, it entails initial and subsequent meetings of the Community.

This rule dates from Devadatta's attempt to create a schism in the Sangha during the Buddha's life and is designed to help prevent such an attempt from ever happening again. Schisms arise from disputes over what the Buddha did and did not teach or, in the words of the Cullavagga,

"when bhikkhus dispute, saying:

'It is Dhamma,' or 'It is not Dhamma;'

'It is Vinaya,' or 'It is not Vinaya;'

'It was spoken by the Tathagata,' or 'It was not spoken by the Tathagata;'

'It was regularly practiced by the Tathagata,' or 'It was not regularly practiced by the Tathagata;'

'It was formulated by the Tathagata,' or 'It was not formulated by the Tathagata;'

'It is an offence,' or 'It is not an offence;'

'It is a light offence,' or 'It is a heavy offence;'

'It is a curable offence,' or 'It is an incurable offence;'

'It is a serious offence,' or 'It is not a serious offence.'

Whatever strife, quarrelling, contention, dispute, differing opinions, opposing opinions, heated words, abusiveness based on this, is an issue arising from disputes." (Cv.IV.14.2)

Thus not all disagreements on these matters are classed as issues. Friendly disagreements or differences of interpretation aren't; heated and abusive disagreements are.

The Buddha advises that a bhikkhu who wants to bring up such questions for discussion should first consider five points:
1) whether it is the right time for such a discussion;
2) whether it concerns something true;
3) whether it is connected with the goal;
4) whether he will be able to get on his side bhikkhus who value the Dhamma and Vinaya; and
5) whether the question will give rise to strife, quarrelling, disputes, cracks, and splits in the Community.

If the answer to the first four questions is yes, and to the fifth question no (i.e., it is the right time for the discussion, it concerns something true, it is connected with the goal, bhikkhus who value the Dhamma and Vinaya will be willing to join his side, and the discussion is not likely to lead to strife), he may go ahead and start the discussion. Otherwise, he should let the matter rest for the time being (Cv.IX.4).

The Cullavagga quotes the Buddha as saying that two sorts of mental states -- skilful and unskilful -- can turn disputes into issues. The unskilful states he lists are covetous, corrupt, or confused states of mind; the skilful ones are states of mind that are not covetous, corrupt, or confused. He adds, however, that six character traits can lead to issues arising from disputes that will tend toward the detriment of many people. They are when a bhikkhu --

i. is easily angered and bears ill will,
ii. is mean and spiteful,
iii. is jealous and possessive,
iv. is scheming and deceitful,
v. has evil desires and wrong views,
vi. is attached to his own views, obstinate, unable to let them go.

Such a bhikkhu, he says, lives without deference or respect for the Buddha, the Dhamma, or the Sangha, and does not complete the training. If one should see any of these traits within oneself or others, one should strive for their abandonment. If there are no such traits present, one should make sure that they don't arise in the future (Cv.IV.14.3).

Not all disputes, even when prolonged, will lead to schism. An example is the dispute that led to the Second Council. Even though it was bitterly fought, there was never a point when either faction thought of splitting off and conducting communal business separately. In fact, even after the early Buddhists had formed into 18 separate schools, and the Mahayana movement added its schools of interpretation, Chinese visitors to India reported that bhikkhus belonging to the different schools of thought could be found living together harmoniously in the same monastery, performing communal business together in peace. (Many scholars have misunderstood this point, thinking that the various schools were schismatic, but in fact they weren't.)

Thus there are two sets of procedures to follow when a dispute becomes an issue: For a dispute in which none of the partisans is aiming at a schism, there are the procedures listed in Cv.IV.14.16-26. For one that is heading towards a schism (and only for one in which at least one side is aiming at schism, the Commentary implies and the Sub-commentary states explicitly), we have this rule and the following one.

Schism. The Cullavagga (VII.5.1), states that schism occurs when the leader of a schism puts the matter to a vote in a Community of at least nine bhikkhus with at least four on either side of the split. It further adds that all the bhikkhus involved must be bhikkhus of regular standing in communion with the group as a whole (i.e., they haven't been suspended from the Community), living in the same boundary.

If one or another of these qualifications is lacking -- the issue goes to a vote in a Community of less than nine bhikkhus, one side or the other gets less than four adherents, or the bhikkhus involved are not on regular standing or do not belong to the same boundary -- the efforts at schism count as a crack (raji) in the Community, but not as a full split (bheda).

However, the Parivara (XV.10.9), drawing on material in A.X.35 & 37, lists five ways in which a schism can take place: discussion, announcement, vote, act, and recitation. The Commentary, trying to reconcile the Cullavagga and Parivara on this point, interprets the five ways as four steps in a single process (the last two ways counting as alternative forms of a single step):

1) *Discussion*. A bhikkhu aiming at schism begins a dispute over the Buddha's teachings, explaining Dhamma as not-Dhamma; not-Dhamma as Dhamma; Vinaya as not-Vinaya; not-Vinaya as Vinaya; what was not spoken by the Buddha as having been spoken by him; what was spoken by the Buddha as not; what was not regularly practiced by him as having been regularly practiced by him; what was regularly practiced by him as not; what was not formulated by him as having been formulated by him; what was formulated by him as not; an offence as a non-offence; a non-offence as an offence; a heavy offence as a light offence; a light offence as heavy; a curable offence as incurable; an incurable offence as curable; a serious offence as not serious; or a not-serious offence as serious.

2) *Announcement*. He announces that he is splitting off from the Community and asks other bhikkhus to take sides.

3) *Vote*. The issue goes to a vote in a Community of at least nine bhikkhus, with at least four on either side.

4) *Act or recitation*. The bhikkhus who side with the schismatic split from the others and recite the Patimokkha or perform other communal business separately.

According to the Commentary, the actual schism has not taken place until step 4, when the schismatic group conducts communal business or recites the Patimokkha separately. This is in accordance with A.X.35 but seems to conflict with the Cullavagga, so the Commentary explains that if the vote is taken in a split-off meeting of the Community, steps 3 and 4 happen simultaneously, and the schism has been accomplished. Otherwise, if the vote is taken outside of the boundary, the schism is not finalized until the split-off faction conducts communal business separately within the same boundary as the Community (Pv.VI.2 & XV.10.10).

We can notice from the way the Vibhanga and Commentary analyze the steps leading up to schism, that if a group of bhikkhus is living in a Community that does not adhere to the Buddha's teachings and they wish to leave the group so that they may more easily follow those teachings, they do not count as schismatics. However, they should be careful first to make sure that their views are genuinely in line with the Buddha's teachings and then conduct their departure in as amenable and unprovocative a manner as possible. In other words, instead of announcing a split, they should simply say that they want to go to a more congenial place to practice.

Schism is serious business -- one of the five most heinous crimes a person can commit. The other four are killing one's mother, killing one's father, killing an arahant, and maliciously causing a Buddha to shed blood. A bhikkhu who creates a schism is expelled and can never be readmitted into the Community during this lifetime (Mv.I.67). If he knows that his schism is against the Dhamma, then after death he will go immediately to Hell and be boiled there for an aeon. The same fate awaits those who join his schismatic group knowing that what he teaches is not the true Dhamma or Vinaya. Those, however, who follow him not knowing that his teaching is not the true Dhamma or Vinaya will not necessarily suffer that fate. If they realize their mistake and ask to be allowed back into the Community, they need only confess a thullaccaya and they are members of the Community in full standing as before (Cv.VII.4.4; Cv.VII.5.1-6).

Preventing a schism. The Vibhanga states that if a bhikkhu sees or hears of an attempt at a schism, it is his duty to reprimand the instigator three times, for the instigator, if he goes unreprimanded, may continue with his efforts as he likes without incurring a penalty. A bhikkhu who neglects this duty incurs a dukkata. The Commentary adds that this dukkata applies to every bhikkhu within a half-yojana (five-mile) radius who learns of the attempt at a schism; any bhikkhu outside that radius, even though he may not be subject to the penalty, should still regard it as his duty, if he is able, to go reprimand the instigator as well. (According to the Sub-commentary, any bhikkhu within the five-mile radius who is ill or otherwise unable to go reprimand the instigator is not subject to this penalty.) If the attempt takes place during the Rains Retreat, other bhikkhus are allowed to cut short their stay at other monasteries to help end the attempt (Mv.III.6-9).

If, after being reprimanded three times, the instigator abandons his efforts, he incurs no penalty and nothing further need be done.

If he is still recalcitrant, though, he incurs a dukkata; and the next step is to take him into the midst of a formal meeting of the Community (by force, if necessary, says the Commentary) and admonish him formally three more times. If he abandons his efforts before the end of the third admonition, well and good. If not, he incurs another dukkata. The next step is to recite a formal rebuke, by mandate of the Community, using the formula of one motion and three announcements given in the Vibhanga. If the instigator remains obstinate, he incurs an additional dukkata at the end of the motion, a thullaccaya at the end of each of the first two announcements, and the full sanghadisesa at the end of the third. Once he commits the full offence, the penalties he incurred in the preliminary stages are nullified.

Perception. The Vibhanga states that if the acts of admonition and rebuke are carried out properly -- i.e., the bhikkhu really is misstating the Buddha's teachings, is really aiming at a schism, and the various other formal requirements for a formal act are fulfilled -- then if he does not abandon his intention to agitate for a schism, he incurs the full sanghadisesa regardless of whether he perceives the act to be proper, improper, or doubtful. If the act is improperly carried out, then regardless of how he perceives its validity, he incurs a dukkata for not abandoning his intention .

The fact that the bhikkhu is not free from an offence in the latter case is important: There are several other, similar points in the Vinaya -- such as the Buddha's advice to the Dhamma-expert in the controversy at Kosambi (Mv.X.1.8) -- where for the sake of the harmony of the Community in cases that threaten to be divisive, the Buddha advises bhikkhus to abandon controversial behaviour and to yield to the mandate of the Community even if it seems unjust.

Non-offences. The no-offence clauses, in addition to the usual exemptions, state simply that there is no offence if the bhikkhu is not reprimanded or if he gives up his attempt at a schism.

Further steps. If the bhikkhu is truly stubborn, it is possible that he may continue in his efforts at a schism even after this sanghadisesa is imposed on him. However, the fact that the Community met to deal with his case should be enough to alert well-meaning bhikkhus that the schismatic is following a wrong course of action, and this should help unite the Community against his efforts. If they deem it necessary -- to keep the laity from being taken in by his arguments -- they may authorize one or more of their members to inform the lay community that the schismatic has committed this offence (see Pacittiya 9) and explain why. If the schismatic refuses to undergo the penalty or remains divisive, they may suspend him from the entire Sangha. If, unrepentant, he leaves to go elsewhere, they may send word to whatever Community he tries to join.

All of this shows one of the reasons why schism is regarded so seriously: As the Buddha states in the Discourse on Future Dangers (A.V.78), it is difficult to find time to practice when the Community is embroiled in controversy this way.

Summary:
14. To persist in one's attempts at a schism, after the third announcement of a formal rebuke in a meeting of the Community, is a sanghadisesa offence.

11. Should bhikkhus -- one, two, or three -- who are followers and partisans of that bhikkhu, say, "Do not, Ven. sirs, admonish that bhikkhu in any way. He is an exponent of the Dhamma, an exponent of the Vinaya. He acts with our consent and approval. He knows, he speaks for us, and that is pleasing to us," other bhikkhus are to admonish them thus: "Do not say that, Ven. sirs. That bhikkhu is not an exponent of the Dhamma and he is not an exponent of the Vinaya. Do not, Ven. sirs, approve of a schism in the Community. Let the venerable ones' (minds) be reconciled with the Community, for a Community in concord, on complimentary terms, without dispute, with a common recitation, dwells in peace."

And should those bhikkhus, thus admonished, persist as before, the bhikkhus are to rebuke them up to three times so as to desist. If while being rebuked up to three times by the bhikkhus they desist, that is good. If they do not desist, it entails initial and subsequent meetings of the Community.

If the schismatic mentioned in the preceding rule begins to attract adherents, they are to be treated under this rule -- and quickly, before the schismatic gains a fourth adherent. The reasons are these:

1) One Community cannot impose a penalty on another Community (four or more bhikkhus) in any one formal act (Mv.IX.2).

2) Penalties of this sort may be imposed only with the unanimous agreement of all the bhikkhus present in the meeting. If there is a fourth adherent present in the meeting, he can prevent the rebuke from being completed.

3) As the Sub-commentary points out, once a potential schismatic has gained four adherents, he has enough of a following to go through with his split.

The procedures for dealing with these partisans -- reprimanding them in private, admonishing and rebuking them in the midst of the Community -- are the same as in the preceding rule.

Summary:

15. To persist in supporting a potential schismatic, after the third announcement of a formal rebuke in a meeting of the Community, is a sanghadisesa offence.

12. In case a bhikkhu is by nature difficult to admonish -- who, when being legitimately admonished by the bhikkhus with reference to the training rules included in the (Patimokkha) recitation, makes himself unadmonishable (saying), "Do not, venerable ones, say anything to me, good or bad; and I will not say anything to the venerable ones, good or bad. Refrain, venerable ones, from admonishing me" -- the bhikkhus should admonish him thus: "Let the venerable one not make himself unadmonishable. Let the venerable one make himself admonishable. Let the venerable one admonish the bhikkhus in accordance with what is right, and the bhikkhus will admonish the venerable one in accordance with what is right; for it is thus that the Blessed One's following is nurtured: through mutual admonition, through mutual rehabilitation."

And should that bhikkhu, thus admonished by the bhikkhus, persist as before, the bhikkhus are to be rebuke him up to three times so as to desist. If while being rebuked up to three times he desists, that is good. If he does not desist, it entails initial and subsequent meetings of the Community.

If a bhikkhu breaks any of the rules of the Vinaya without undergoing the penalties they entail, or if he breaks them habitually even when undergoing the penalties, the other bhikkhus have the duty to admonish him, as explained under Sanghadisesa 8. If he shows disrespect while being admonished or refuses to mend his ways, he incurs a further penalty under Pacittiya 54. If his lack of respect while being admonished becomes habitual, he is to be treated under this rule.

The Commentary defines difficult to admonish as "impossible to speak to," and then further clarifies by saying that a bhikkhu difficult to admonish is one who cannot stand being criticized or who does not mend his ways after his faults are pointed out to him. It quotes from the Anumana Sutta (M.15) a list of traits, any one of which makes a bhikkhu difficult to admonish: He has evil desires; exalts himself and degrades others; is easily angered; because of this he harbours ill will, holds a grudge, utters angry words; accused, he throws a tantrum (literally, "explodes"); accused, he is insulting; accused, he returns the accusation; he evades back and forth; he does not respond; he is mean and spiteful; jealous and possessive; scheming and deceitful; stubborn and proud; attached to his own views, obstinate, unable to let them go.

A good number of these traits are exemplified by Ven. Channa -- according to tradition, the Buddha's horseman on the night of the great Going Forth -- in the origin story to this rule.

"Who do you think you are to admonish me? It is I who should admonish you! The Buddha is mine, the Dhamma is mine, it was by my young master that the Dhamma was realized. Just as a great blowing wind would gather up grass, sticks, leaves, and rubbish, or a mountain-born river would gather up water weeds and scum, so you, in going forth, have been gathered up from various names, various clans, various ancestries, various families. Who do you think you are to admonish me? It is I who should admonish you!"

The procedures to follow when a bhikkhu is difficult to admonish -- reprimanding him in private, admonishing and rebuking him in a formal meeting of the Community -- are the same as under Sanghadisesa 10, beginning with the fact that a bhikkhu who, hearing that Bhikkhu X is being difficult to admonish, incurs a dukkata if he does not reprimand him. The question of perception and the non-offences are also the same as under that rule.

If the bhikkhu difficult to admonish carries on as before, even after incurring the full penalty under this rule, the Community may perform an act of banishment (pabbajaniya-kamma) against him for speaking in dispraise of the Community (Cv.I.13) or -- if he admits to performing acts that are offences but refuses to see that they are offences or to undergo the penalty -- the Community may exclude him from participating in the

Patimokkha and Pavarana ceremonies (Mv.IV.16.2; Cv.IX.2) or suspend him from the entire Sangha (Cv.I.26; Cv.I.31).

Summary:

16. To persist in being difficult to admonish, after the third announcement of a formal rebuke in the Community, is a sanghadisesa offence.

13. In case a bhikkhu living in dependence on a certain village or town is a corrupter of families, a man of depraved conduct -- whose depraved conduct is both seen and heard about, and the families he has corrupted are both seen and heard about -- the bhikkhus are to admonish him thus: "You, Ven. sir, are a corrupter of families, a man of depraved conduct. Your depraved conduct is both seen and heard about; the families you have corrupted are both seen and heard about. Leave this monastery, Ven. sir. Enough of your staying here."

And should that bhikkhu, thus admonished by the bhikkhus, say about the bhikkhus, "The bhikkhus are prejudiced by favouritism, prejudiced by aversion, prejudiced by delusion, prejudiced by fear, in that for this sort of offence they banish some and do not banish others," the bhikkhus are to admonish him thus: "Do not say that, Ven. sir. The bhikkhus are not prejudiced by favouritism, are not prejudiced by aversion, are not prejudiced by delusion, are not prejudiced by fear. You, Ven. sir, are a corrupter of families, a man of depraved conduct. Your depraved conduct is both seen and heard about, and the families you have corrupted are both seen and heard about. Leave this monastery, Ven. sir. Enough of your staying here."

And should that bhikkhu, thus admonished by the bhikkhus, persist as before, the bhikkhus are to rebuke him up to three times so as to desist. If while being rebuked up to three times he desists, that is good. If he does not desist, it entails initial and subsequent meetings of the Community.

A *corrupter of families* is a bhikkhu who -- behaving in a demeaning, frivolous, or subservient way -- succeeds in ingratiating himself to lay people to the point where they withdraw their support from bhikkhus who are earnest in the practice and give it to those who are more ingratiating instead. This is illustrated in the origin story of this rule, in which the followers of Assaji and Punabbasu (leaders of one faction of the group of six) had thoroughly corrupted the lay people at Kitagiri.

"Now at that time a certain bhikkhu, having finished his rains-residence among the people of Kasi and on his way to Savatthi to see the Blessed One, arrived at Kitagiri. Arising early in the morning, taking his robe and bowl, he entered Kitagiri for alms: gracious in the way he approached and departed, looked forward and behind, drew in and stretched out his arm; his eyes downcast, his every movement consummate. People seeing him said, 'Who is this weakest of weaklings, this dullest of dullards, this most snobbish of snobs? Who would go up and give him alms? Our masters, the followers of Assaji and Punabbasu, are compliant, genial, pleasing in conversation. They are the first to smile, saying, "Come, you are welcome." They are not snobbish. They are approachable. They are the first to speak. It is to them that alms should be given.'"

The Vibhanga lists the ways of corrupting a family as giving gifts of flowers, fruit, etc., practicing medicine, and delivering messages -- although the Commentary qualifies this by saying there is no harm in delivering messages that have to do with religious activities, such as inviting bhikkhus to a meal or to deliver a sermon, or in conveying a lay person's respects to a senior bhikkhu.

Depraved conduct the Vibhanga defines merely as growing flowers and making them into garlands, but this, the Commentary says, is a shorthand reference to the long list of bad habits mentioned in the origin story, which includes such things as presenting garlands to women, eating from the same dish with them, sharing a blanket with them, eating at the wrong time, drinking intoxicants, wearing garlands, using perfumes and cosmetics, dancing, singing, playing musical instruments, playing games, performing stunts, learning archery, swordsmanship, and horsemanship; boxing and wrestling. Any one of these actions taken in isolation carries only a minor penalty -- a dukkata or a pacittiya -- but if indulged in habitually to the point where its bad influence becomes "seen and heard about," i.e., common knowledge, it can become grounds for his fellow bhikkhus to banish him from their particular Community until he mends his ways.

The Cullavagga, in a section that begins with the same origin story as the one for this rule (Cv.I.13-16), treats the act of banishment in full detail, saying that a Community of bhikkhus, if it sees fit, has the authority to perform an act of banishment against a bhikkhu with any of the following qualities:

1) He is a maker of strife, disputes, quarrels, and issues in the Community.
2) He is ignorant, inexperienced, and has many offences for which he has not made amends.
3) He lives in unbecoming association with householders.
4) He is corrupt in his precepts, corrupt in his conduct, or corrupt in his views.
5) He speaks in dispraise of the Buddha, Dhamma, or Sangha.
6) He is frivolous in word, deed, or both.
7) He misbehaves in word, deed, or both.
8) He is vindictive in word, deed, or both.
9) He practices wrong modes of livelihood.

This last category includes such practices as:

a) *running messages and errands* for kings, ministers of state, householders, etc. A modern example would be participating in political campaigns.

b) *dissembling, talking, hinting, belittling others* for the sake of material gain; pursuing gain with gain (giving items of small value in hopes of receiving items of larger value in return, making investments in hopes of profit, offering material incentives to those who make donations). (For a full discussion of these practices, see Ven. Nanamoli's translation of the Visuddhi Magga, The Path of Purification, pp. 24-30.)

c) *Practicing worldly arts* e.g., medicine, fortune telling, astrology, exorcism, reciting charms, casting spells, performing ceremonies to counteract the influence of the stars, determining propitious sites, setting auspicious dates (for weddings, etc.), interpreting oracles, auguries, or dreams, or -- in the words of the Vibhanga to the Bhikkhunis' Pacittiya 49 & 50 -- engaging in any art that is "external and unconnected with the goal." The Cullavagga (V.33.2) gives a dukkata for studying and teaching worldly arts or hedonist doctrines (lokayata). For extensive lists of worldly arts, see the Brahmajala and Samannaphala Suttas -- pp. 62-65 and pp. 35-38 in Ven. Bodhi's translations. For the connection between lokayata and hedonism (e.g., the Kama Sutra), see Warder, Outline of Indian Philosophy, pp. 38-39.

A bhikkhu banished for indulging in any of these activities is duty-bound to undergo the 18 observances listed in Cv.I.15 and to mend his ways so that the Community will revoke the act of banishment. The Commentary adds that a bhikkhu banished for corrupting families may not live in the monastery where he was misbehaving, nor enter the city or town where he was corrupting families, until after the banishment is revoked (this point is based on Cv.I.16.1). Also, even after the revoking of the banishment, he may never again accept gifts from the families he had corrupted. If they ask him why, he may tell them. If they then explain that they are giving the gifts not because of his former behaviour but because he has now mended his ways, he may then accept it.

If a bhikkhu, instead of mending his ways after being banished, criticizes the act of banishment or those who performed it, he is subject to this rule. The procedure to follow in dealing with him -- reprimanding him in private, admonishing and rebuking him in a formal meeting of the Community -- is the same as under Sanghadisesa 10, beginning with the fact that a bhikkhu who, hearing that Bhikkhu X is criticizing his act of banishment, incurs a dukkata if he does not reprimand him. The question of perception and the non-offences are also the same as under that rule.

Summary:

17. To persist -- after the third announcement of a formal rebuke in the Community -- in criticizing an act of banishment performed against oneself is a sanghadisesa offence.

A bhikkhu who commits an offence against any of these thirteen sanghadisesa rules is duty-bound to inform a fellow bhikkhu and to ask a Community of at least four bhikkhus to impose a six-day period of penance (manatta) on him. (The Canon says, literally, a six-night period: At the time of the Buddha, the lunar calendar was in use and, just as we using the solar calendar count the passage of days, they counted the passage of nights; a 24-hour period, which is a day for us, would be a night for them, as in the Bhaddekaratta Sutta (M.131), where the Buddha explicitly says that a person who spends a day and night in earnest practice has had an "auspicious night.")

Penance. Penance does not begin immediately, but only at the convenience of the Community giving it. During his period of penance, the offender is partially stripped of seniority and must observe a number of restrictions -- 94 in all (Cv.II.5-6). The four most important are:

1) He must not live under the same roof as a full-fledged bhikkhu.
2) He must live in a monastery with at least four full-fledged bhikkhus.
3) He may not go anywhere outside the monastery unless accompanied by four full-fledged bhikkhus.
4) Every day he must inform all the bhikkhus in the monastery of the fact that he is observing penance and the precise offence for which the penance was imposed. If visiting bhikkhus come to the monastery, he must inform them as well; if he goes to another monastery, he must inform all the bhikkhus there, too.

If, on any day of his penance, the bhikkhu neglects to observe any of these four restrictions, that day does not count toward the total of six. In addition, he incurs a dukkata each time he fails to observe any of the other 94 restrictions.

Once the bhikkhu has completed his penance, he may ask a Community of at least 20 bhikkhus to give him rehabilitation. Once rehabilitated, he returns to his previous state as a full-fledged bhikkhu in good standing.

Probation. If a bhikkhu who commits a sanghadisesa offence conceals it from his fellow bhikkhus past dawn of the day following the offence, he must observe an additional period of probation (parivasa) for the same number of days as he concealed the offence. Only after he has completed his probation may he then ask for the six-day period of penance.

The Commentary sets the factors of concealment at ten, which may be arranged in five pairs as follows:

1) He has committed a sanghadisesa offence and perceives it as a sanghadisesa offence.

2) He has not been suspended and perceives that he has not been suspended. (If a bhikkhu has been suspended, no other bhikkhus will speak with him, and thus he cannot tell them until after his suspension has been lifted.)

3) There are no obstacles (e.g., a flood, a forest fire, dangerous animals) and he perceives that there are none.

4) He is able to inform another bhikkhu (i.e., a fellow bhikkhu suitable to be informed lives in a place that may be reached in that day, one is not too weak or ill to go, etc.) and he perceives that he is able. A bhikkhu suitable to be informed means a one who is --
   a) in good standing (e.g., not undergoing penance or probation himself) and
   b) not on unfriendly terms with the offender.

5) He (the offender) desires to conceal the offence and so conceals it.

If any of these factors are lacking, there is no penalty for not informing another bhikkhu that day. For instance, the following cases do not count as concealment:

i) A bhikkhu is not sure whether or not the action he has done qualifies as a sanghadisesa and so waits until he can consult with a knowledgeable bhikkhu before informing anyone else.

ii) A bhikkhu lives alone in a forest and commits a sanghadisesa in the middle of the night. Afraid of the snakes or other wild animals he might encounter in the dark, he waits until daylight before going to inform a fellow bhikkhu.

iii) A bhikkhu lives alone in a forest, but the only other bhikkhu within one day's travelling time is a personal enemy who, if he is informed, will use this as an opportunity to smear the offender's name, so the offender travels another day or two before reaching a friendly bhikkhu whom he informs.

Once all of the first eight factors are complete, though, one must inform another bhikkhu before dawn of the next day or else incur a dukkata and undergo the penalty for concealment.

A bhikkhu who commits a slighter offence that he thinks is a sanghadisesa and then conceals it, incurs a dukkata (Cv.III.34.1). The restrictions for a bhikkhu undergoing probation are similar to those for one undergoing penance and are discussed in detail at Cv.II.1.

Sanghadisesas are classified as heavy offences (garukapatti), both because of the seriousness of the offences themselves and because the procedures of penance, probation, and rehabilitation are burdensome by design, not only for the offender but also for the Community of bhikkhus in which he lives -- a fact intended to act as added deterrent to anyone who feels tempted to transgress.

Chapter Six Aniyata

This term means undetermined or uncertain. The rules in this section do not determine fixed penalties, but instead give procedures by which the Community may pass judgment when a bhikkhu in uncertain circumstances is accused of having committed an offence. There are two training rules here.

1. Should any bhikkhu sit in private, alone with a woman in a seat secluded enough to lend itself (to the sexual act), so that a female lay follower whose word can be trusted, having seen (them), might describe it as constituting any of three cases -- involving either defeat, communal meetings, or confession -- then the bhikkhu, acknowledging having sat (there), may be dealt with for any of the three cases -- involving defeat, communal meetings, or confession -- or he may be dealt with for whichever case the female lay follower described. This case is undetermined.

Woman here means a female human being, "even one born that very day, all the more an older one." To sit also includes lying down. Whether the bhikkhu sits near the woman when she is already seated, or the woman sits near him when he is already seated, or both sit down at the same time, makes no difference here.

Private means private to the eye and private to the ear. Two people sitting in a place private to the eye means that no one else can see if they wink, raise their eyebrows, or nod. If they are in a place private to the ear, no one else can hear what they say in an normal voice. A secluded seat is one behind a wall, a closed door, a large bush, or anything at all that would afford them enough privacy to commit the sexual act.

For a bhikkhu to sit in such a place with a woman can be in itself a breach of Pacittiya 44 (see the explanations for that rule) and affords the opportunity for breaking Parajika 1 and Sanghadisesas 1, 2, 3, & 4 as well -- which is why this case is called uncertain or undetermined.

If a trustworthy female lay follower happens to see a bhikkhu with a woman in such circumstances, she may inform the Community and charge him on the basis of what she has seen. Female lay follower here means one who has taken refuge in the Buddha, Dhamma, and Sangha. Trustworthy means that she is at least a Stream-winner. Even if she is not a Stream-winner, the Community may chose to investigate the case anyway; but if she is, they have to. The texts do not discuss cases in which a man is making the charge but, given the low legal status of women in the Buddha's time, it seems reasonable to infer that if a woman's word was given such weight, the same would hold true for a man's. In other words, if he is a Stream-winner, the Community has to investigate the case. If he isn't, they are free to handle the case or not, as they see fit.

The wording of the rule suggests that once the matter is investigated and the bhikkhu in question has stated his side of the story, the bhikkhus are free to judge the case either in line with what he admits to having done or in line with the trustworthy female lay follower's charge. In other words, if his admission and her charge are at variance, they may decide which side seems to be telling the truth and impose a penalty -- or no penalty -- on the bhikkhu as they see fit.

The Vibhanga, however, says that they may deal with him only in line with what he admits to having done. The Commentary offers no explanations for this point aside from saying that in uncertain cases things are not always as they seem, citing as example the story of an arahant who was wrongly charged by another bhikkhu of having broken Pacittiya 44.

Actually, the Vibhanga in departing from the wording of the rule is simply following the general guideline the Khandhakas give for handling accusations. Apparently what happened was that this rule and the following one were formulated early on. Later, when the general guidelines were first worked out, some group-of-six bhikkhus abused the system to impose penalties on innocent bhikkhus they didn't like (Mv.IX.3.1), so the Buddha formulated a number of checks to prevent the system from working against the innocent. We will cover the guidelines in detail under the Adhikarana-Samatha rules, but here we may note a few of their more important features.

As explained under Sanghadisesa 8, if Bhikkhu X is charged with an offence, the bhikkhus who learn of the charge are duty-bound to question him first in private. If he admits to the charge, agrees that it is an offence, and then undergoes the penalty, nothing further need be done (Mv.IX.5.6). If he admits that he did the act, but refuses to see that it is an offence and/or refuses to undergo the penalty, then if the act really did constitute an offence, the Community may meet and suspend him (Mv.IX.5.8; Cv.I.26). The Khandhakas (Mv.IX.1.3 and Cv.XI.1.10) show that "not seeing an offence" does not mean that one denies doing the act; simply that one does not agree that the act was against any of the rules.

If, however, X denies the charge, and yet some of the members of the Community suspect him of not telling the truth, the issue has to go to a formal meeting. Once the case reaches this stage, one of only three verdicts is possible: that the accused is innocent, that he was insane at the time he committed the offence (and so absolved of guilt), or that he is not only guilty as charged but also guilty of "further misconduct" in having dragged out his confession to this point (Cv.IV.14.27-29). If the last verdict is the true one, then the bhikkhu must not only undergo the penalty for the offence but also be penalized with an act of further misconduct, which is the same as an act of censure. (Cv.IV.11-12)

When the Community meets, both the accused and the accuser must be present, and both must agree to the case's being heard by that particular group. (If the original accuser is a lay person, one of the bhikkhus is to take up the charge.) The accused is then asked to state his version of the story and is to be dealt with in accordance with what he admits to having done (Mv.IX.6.1-4). The Cullavagga (IV.14.29) shows that the other bhikkhus are not to take his first statement at face value. They should press and cross-examine him until they are all satisfied that he is telling the truth, and only then may they pass one of the three verdicts mentioned above.

If necessary, they should be prepared to spend many hours in the meeting to arrive at a unanimous decision, for if they cannot come to a unanimous agreement, the case has to be left as unsettled, which is a very bad question mark to leave in the communal life. The Commentary to Sanghadisesa 8 suggests that if one side or the other seems unreasonably stubborn, the senior bhikkhus present should lead the group in long periods of chanting to wear down the stubborn side.

If a verdict is reached but later discovered to be wrong -- the accused got away with a plea of innocence when actually guilty, or admitted to being guilty simply to end the interrogation when actually innocent -- the Community may reopen the case and reach a new verdict (Cv.IV.4.11; Cv.IV.8). If a bhikkhu learns that a fellow bhikkhu actually was guilty and yet got away with a verdict of innocence, and he then helps conceal the truth, he is guilty of an offence under Pacittiya 64.

Obviously, the main thrust of these guidelines is to prevent an innocent bhikkhu from being unfairly penalized. As for the opposite case -- a guilty bhikkhu getting away with no penalty -- we should remember that the laws of kamma guarantee that in the long run he is not getting away with anything at all.

Although these guidelines supersede both Aniyata rules, the rules still serve two important functions:

1) They remind the bhikkhus that charges made by lay people are not to be lightly ignored, and that the Buddha at one point was willing to let the bhikkhus give more weight to the word of a female lay follower than to that of the accused bhikkhu. This in itself, considering the general position of women in Indian society at the time, is remarkable.

2) As we will see under Pacittiya 44, it is possible under some circumstances -- depending on the bhikkhu's state of mind -- to sit alone with a woman in a secluded place without incurring a penalty. Still, a bhikkhu should not blithely take advantage of the exemptions under that rule, for even if his motives are pure, it doesn't look good to anyone who may come along and see him there. These rules serve to remind such a bhikkhu that he could easily be subject to a charge that would lead to a formal meeting of the Community. Even if he were to be declared innocent, the meeting would waste a great deal of time both for himself and for the Community. And in some people's minds -- given the Vibhanga's general rule that he is innocent until proven guilty -- there would remain the belief that he was actually guilty and got off with no penalty simply

from lack of hard evidence. A bhikkhu would be wise to avoid such situations altogether, remembering what Lady Visakha told Ven. Udayin in the origin story to this rule:

"It is unfitting, sir, and improper, for the master to sit in private, alone with a woman... Even though the master may not be aiming at that act, it is difficult to convince those who are unbelievers."

Summary:

18. When a trustworthy female lay follower accuses a bhikkhu of having committed a parajika, sanghadisesa, or pacittiya offence while sitting alone with a woman in a private, secluded place, the Community should investigate the charge and deal with the bhikkhu in accordance with whatever he admits to having done.

2. In case a seat is not sufficiently secluded to lend itself (to the sexual act) but sufficiently so to address lewd words to a woman, should any bhikkhu sit in private, alone with a woman in such a seat, so that a female lay follower whose word can be trusted, having seen them, would describe it as constituting either of two cases -- involving communal meetings or confession -- then the bhikkhu, acknowledging having sat (there), is to be dealt with for either of the two cases -- involving communal meetings or confession -- or he is to be dealt with for whichever case the female lay follower described. This case too is undetermined.

This rule differs from the preceding one mainly in the type of seat it describes -- private to the eye and private to the ear, but not secluded. Examples would be an open-air meeting hall or a place out in the open far enough away from other people so that they could not see one wink, etc., or hear what one is saying in a normal voice. Such a place, although inconvenient for committing Parajika 1, Sanghadisesas 1 & 2, or Pacittiya 44, would be convenient for committing Sanghadisesas 3 & 4 or Pacittiya 45. As a result, the term woman under this rule is defined as under those rules: one experienced enough to know what is and is not lewd.

Otherwise, all explanations for this rule are the same as under the preceding rule.

Summary:

19. When a trustworthy female lay follower accuses a bhikkhu of having committed a sanghadisesa or pacittiya offence while sitting alone with a woman in a private place, the Community should investigate the charge and deal with the bhikkhu in accordance with whatever he admits to having done.

Chapter Seven Nissaggiya Pacittiya

The term *nissaggiya*, used in connection with training rules, means "entailing forfeiture." Used in connection with articles, it means "to be forfeited." Pacittiya is a word of uncertain etymology. The Parivara gives a didactic derivation -- that it means letting skilful qualities fall away (patati) with a deluded mind (citta) -- but the term is more likely related to the verb pacinati (pp. pacita), which means to discern, distinguish or know.

Each of the rules in this category involves an object that a bhikkhu has acquired or used wrongly, and that he must forfeit before he may "make the offence known" -- confess it -- to a fellow bhikkhu or group of bhikkhus. Once he has made his confession, he is absolved from the offence. In most cases, the forfeiture is symbolic -- after his confession, he receives the article in return -- although three of the rules require that the offender give up the article for good.

There are thirty rules in this category, divided into three chapters (vagga) of ten rules each.

Chapter Seven Part One: The Robe-cloth Chapter

1. When a bhikkhu has finished his robe-making and the frame is destroyed (his kathina privileges are in abeyance), he is to keep an extra robe-cloth ten days at most. Beyond that, it is to be forfeited and confessed.

The origin story for this rule is retold with more detail in the Mahavagga (VIII.13.4-8). Since the added details are what make it interesting, that is the version translated here.

"(The Buddha addresses the bhikkhus:) 'As I was on the road from Rajagaha to Vesali, I saw many bhikkhus coming along buried in robe-cloth, with a mattress of robe-cloth on their heads and a mattress of robe-cloth on their backs and a mattress of robe-cloth on their hips. Seeing them, I thought, "All too soon have these foolish men come under the spell of luxury in terms of robe-cloth. What if I were to set a boundary, to lay down a restriction on robe-cloth for the bhikkhus."

"'Then travelling by stages, I came to Vesali. There I stayed at the Gotamaka Shrine. Now at that time, during the cold winter middle-eight nights (the four nights on either side of the full moon in February, the coldest time of the year in India) when snow was falling, I sat outside wearing one robe and was not cold. Towards the end of the first watch I became cold. I put on a second robe and was not cold. Towards the end of the middle watch I became cold. I put on a third robe and was not cold. Towards the end of the final watch, as dawn arose and the night smiled, I became cold. I put on a fourth robe and was not cold. The thought occurred to me, "Those in this doctrine and discipline who are sons of respectable families -- sensitive to cold and afraid of the cold -- even they are able to get by with three robes. Suppose I were to set a boundary, to lay down a restriction on robes for the bhikkhus and were to allow three robes." Bhikkhus, I allow you three robes: a double-layer outer robe, a single-layer upper robe, and a single-layer inner robe (thus, four layers of cloth).'

"Now at that time, some group-of-six bhikkhus, thinking, 'The Blessed One allows three robes,' entered the village wearing one set of robes, stayed in the monastery wearing another set, and went down to bathe in still another. Modest bhikkhus... were offended and annoyed and spread it about, 'How can the group of six bhikkhus keep extra robe-cloth?' They told this matter to the Blessed One. He... addressed the bhikkhus, saying, 'Bhikkhus, an extra robe-cloth is not to be kept.'

"Now at that time an extra robe-cloth accrued to Ven. Ananda, and he wanted to give it to Ven. Sariputta, but Ven. Sariputta was at Saketa. He thought, '...Now what should I do?' He told this matter to the Blessed One, who said, 'But how long is it, Ananda, before Sariputta will come here?'

"'Nine or ten days.'

"Then the Blessed One... addressed the bhikkhus, 'I allow an extra robe-cloth to be kept at most ten days.'

"Now at that time an extra robe accrued to the bhikkhus. They thought, 'Now what should we do?' They told this matter to the Blessed One, who said, 'I allow you, bhikkhus, to place an extra robe-cloth under dual ownership.'"

The offence under this rule involves two factors:

1) *Object:* a piece of extra robe-cloth, i.e., a piece of cloth suitable to be made into a robe or other cloth requisite, measuring at least four by eight inches (fingerbreadths), that has not been formally determined for use or placed under dual ownership. This category includes finished requisites as well as simple pieces of cloth, but does not include robe-cloth belonging to the Community.

2) *Effort:* One keeps it for more than ten days (except during the allowed period) without determining it for use, placing it under dual ownership, abandoning it (giving or throwing it away); or without the cloth's being lost, destroyed, burnt, stolen, or taken by someone else on trust within that time.

Object. According to the Mahavagga (VIII.3.1), six kinds of cloth are suitable for making into cloth requisites: linen, cotton, silk, wool, hemp or canvas (any of the five preceding types mixed with jute). By extension, nylon, rayon and other synthetic fibres would count as suitable as well. Unsuitable materials -- such as cloth made of hair, horse-hair, grass, bark, wood-shavings or antelope hide (and by extension, leather) -- do not come under this rule. (For a full list of unsuitable materials, see Mv.VIII.28.) Mv.VIII.29 gives a list of colours -- such as black, blue and crimson -- and patterns that are not suitable for robes but that, according to the Commentary, are suitable for things like handkerchiefs and bed sheets. Pieces of cloth dyed these colours or printed with these patterns would come under this rule.

If a bhikkhu receives a piece of suitable cloth measuring four by eight fingerbreadths or more but does not yet plan to use it, he may place it under dual ownership (vikappana) until he has need for it. Once he decides to make use of the cloth, he must rescind the dual ownership (see Pacittiya 59) before making it into a finished requisite (if it isn't already). Once it is finished, he may then determine it for use (adhitthana) or place it under dual ownership again, depending on the nature of the article:

Each of the three basic robes, handkerchiefs, bed sheets and the sitting cloth are to be determined, and may not be placed under dual ownership.

A *rains-bathing cloth* (see NP 24) may be determined for the four months of the rainy season, and is to be placed under dual ownership for the remainder of the year.

A *skin-eruption cloth* (see Pacittiya 90) may be determined when needed and is to be placed under dual ownership when not.

Other items of cloth may be determined as "accessory cloths." (The procedures for determining and placing under dual ownership are given in Appendices IV & V.)

Any cloth made of any of the suitable materials and of the requisite size counts as an extra cloth if --

I. it has not been determined for use or put under dual ownership,
II. it has been improperly determined or placed under dual ownership, or
III. its determination or dual ownership has lapsed.

Many of the cases in which determination and dual ownership lapse also exempt the cloth from this rule: e.g., the owner disrobes or dies, he gives the cloth away, it gets stolen, destroyed (bitten by things such as termites, says the Commentary), burnt, lost, or someone else takes it on trust. There are a few cases, however, where determination and dual ownership lapse and the cloth does fall under this rule. They are --

Under dual ownership: The first owner takes the cloth on trust; or the second owner formally rescinds the dual ownership.

Under determination: The owner rescinds the determination; or (if the cloth has been determined as one of the three basic robes) the cloth develops a hole. This latter case comes in the Commentary, which gives precise standards for deciding what kind of hole does and does not make the determination of the robe lapse:

1) *Size.* The hole has to be a full break (through both layers of cloth, if in the outer robe) at least the size of the nail on one's little finger. If one or more threads remains across the hole, then the hole makes the determination lapse only if either of the two "halves" divided by the thread(s) is the requisite size.

2) *Location*. On an upper robe or outer robe, the hole has to be at least one span (25 cm.) from the longer side and eight fingerbreadths from the shorter; on an under robe, at least one span from the longer side and four fingerbreadths from the shorter. Any hole closer to the edge of the robe than these measurements does not make the determination lapse.

Because of these stipulations, the Commentary notes that if one is patching a worn spot -- not a hole as defined above -- the requisite distance away from the edge of one's robe, the determination lapses if one cuts out the worn spot before applying the patch, but not if one applies the patch before cutting out the worn spot. If the determination lapses, it is an easy matter to redetermine the robe, but one must be mindful to do it within the time span allotted by this rule.

Effort. According to the Vibhanga, if one keeps a piece of extra robe-cloth past the eleventh dawn (except when the end-of-vassa and kathina privileges are in effect), one commits the full offence under this rule. The Commentary explains this by saying that the dawn of the day on which one receives the cloth, or lets its determination/dual ownership lapse, counts as the first dawn. Thus the eleventh dawn would actually be the tenth dawn after one receives, etc., the cloth. (The precise definition of dawn is a controversial point. See Appendix I.)

Perception is not a mitigating factor here. Even if one miscounts the days, or perceives a robe to be determined when it actually is not, one is not immune from the offence: The robe is to be forfeited and the offence confessed.

To use such a robe or piece of robe-cloth before one has forfeited it and confessed the offence, entails a dukkata. This point holds for each of the nissaggiya pacittiya rules.

Robe-season & kathina privileges. The fourth lunar month of the rainy season -- beginning the day after the first full moon in October and lasting to dawn of the day following the next full moon -- is termed the robe season, a period traditionally given over to robe-making. In the early days, when most bhikkhus spent the cold and hot seasons wandering, and stayed put in one place only during the Rains, this would have been the ideal period to prepare robes for their wandering, and would have been the ideal time for lay people who had come to know the bhikkhus during the Rains to show their gratitude and respect for them by presenting them with gifts of cloth for this purpose.

During this robe season, five of the training rules -- NP 1 & 3; Pc 32, 33, & 46 -- are automatically relaxed to make it more convenient for the bhikkhus to make robes. Also, any gift of cloth dedicated to the Community or to the bhikkhus who have spent the Rains may be shared only among the bhikkhus who spent the Rains in that Community, and not with any incoming visitors.

In addition, the bhikkhus who have spent the Rains are also entitled to participate in a kathina ceremony in which they receive a gift of cloth from lay people, bestow it on one of their members, and then as a group make it into a robe before dawn of the following day. (Kathina means frame, and refers to the frame over which the robe-cloth is stretched, much like the frame used in America to make a quilt.)

When the kathina has been spread, those who have participated in its spreading gain six privileges:

(1) They may go off without having asked permission (Pc 46).
(2) They may go off without taking all three robes (NP 2).
(3) They may participate in a group meal (Pc 32).
(4) They may participate in an out-of-turn meal (Pc 33).
(5) They may keep as much robe-cloth as they need or want without having to determine it or place it under dual ownership (NP 1, NP 3).
(6) Whatever robe cloth arises there will be theirs. This means that they have sole rights to any cloth accruing to the Community in the residence where they spent the Rains -- see Mv.VIII.24.2; Mv.VIII.24.5-6.

These privileges can extend through the four lunar months of the cold season, up to the dawn after the full-moon day that ends the season in late February or early-to-mid March (called Phagguna in Pali). However, a bhikkhu's kathina privileges may be rescinded earlier than that for either of two reasons:

1) He participates in a meeting in which all the bhikkhus in the monastery, as a formal act of the Community, voluntarily relinquish their kathina privileges. (This act is discussed under Bhikkhunis' Pacittiya 30 -- see BD, vol. III, p. 302.)

2) He comes to the end both of his commitment to the monastery (avasa-palibodha) and of his commitment to making a robe (civara-palibodha). (See Mv.VII.1.7; Mv.VII.2 & Pv.XIV.6.)

a) Commitment to the monastery ends when either of the following things happen:
-- One leaves the monastery without intending to return before the four lunar months are up.
-- One has left the monastery, planning to return, but learns that the bhikkhus in the monastery have f formally decided to relinquish their kathina privileges.

b) Commitment to making a robe ends when any of the following occur:
-- One finishes making a robe.
-- One decides not to make a robe,
-- One's robe-cloth gets lost.
-- One expects to obtain robe-cloth, but doesn't obtain it as expected.

Only if Point 1 happens, or both Points 2a and 2b happen, do one's kathina privileges lapse before the dawn after the full moon day marking the end of the cold season.

During the period in which one's robe-season privileges or kathina privileges are in effect, one may keep an extra piece of robe-cloth for more than ten days without committing an offence under this rule. Once these privileges lapse, though, one must determine the cloth, place it under dual ownership, or abandon it within ten days. If one fails to do so by the 'eleventh dawn' after the privileges lapse, the cloth is to be forfeited and the offence confessed.

Forfeiture & confession. To be absolved of the offence under this rule, one must first forfeit the robe-cloth kept over ten days, and then confess the offence. This may be done in the presence of one other bhikkhu, a group of two or three, or a Community of four or more. After confessing the offence, one receives the robe-cloth in return. This is the pattern followed under all the nissaggiya pacittiya rules, except for the few in which forfeiture and confession must be done in the presence of a full Community, and in which the article may not be returned to the offender. (We will note these rules as we come to them.)

The Pali formulae to use in forfeiture, confession and return of the article for this and all the following rules are given in Appendix VI. We should note, though, that according to the Commentary one may conduct these procedures in any language at all.

In this and every other rule under which the article may be returned to the offender, it must be returned to him. According to the Vibhanga, a bhikkhu who receives the article being forfeited without returning it incurs a dukkata. The Commentary qualifies this by saying that this penalty applies only to the bhikkhu who assumes that, in receiving an article being forfeited in this way, it is his to take as he likes. For the bhikkhu who knows that it is not his to take -- and this includes every bhikkhu who has read this passage and remembered it -- the offence is to be treated under Parajika 2, and the penalty determined by the value of the article. Viewed in this light, the act of accepting the forfeited article is like accepting an object placed in trust.

A bhikkhu who has received the robe-cloth in return after forfeiting it and confessing the offence may use it again without penalty, unless he keeps it as a piece of extra robe-cloth for more than an additional ten days.

Non-offences. Aside from extra robe-cloth kept more than ten days while one's end-of-vassa or kathina privileges are in effect, the Vibhanga says that there is no offence if within ten days the cloth is determined, placed under dual ownership, lost, stolen, destroyed, burnt, taken by someone else on trust, thrown away, or given away.

In connection with this last point, the Commentary discusses proper and improper ways of giving things away. The article counts as having been properly given if one says, "I give this to you," or "I give this to so-

and-so" or "Take this, it's yours," but not if one says things like, "Make this yours," or "May this be yours." Apparently, if one simply hands the article over without saying anything to show that one is transferring ownership, it again does not count. As we noted above, perception is not a mitigating factor under this rule. If one gives extra robe-cloth away in an improper manner, then even though one may assume that the cloth has been given away, it still counts as one's own extra robe-cloth under this rule.

Current practice. As the origin story shows, the purpose of this rule was to prevent bhikkhus from having more than one set of the three robes at any one time. With the passage of time, though, gifts of cloth to the Community became more numerous, and the need for stringency in this matter became less and less felt. Exactly when spare robes became accepted is not recorded, although the passage on a student's duties to his preceptor (Mv.I.25.9) shows that the practice of having a spare lower robe was already current when that part of the Canon was compiled (see Appendix VIII). Mv.VII.1 also makes mention of a group of forest dwelling monks who were "wearers of the three robes," as if this were a special distinguishing characteristic. The Parivara (V.5) mentions the practice of using only one set of three robes as special, and the Visuddhi Magga (5th century A.D.) classes this practice as one of the thirteen optional dhutanga (ascetic) practices.

As we will see below, Pacittiya 92 suggests that in the early days the under, upper, and outer robes were all nearly the same size, so there would have been no difficulties in washing one robe and using the other two while the first one dried. Later, when the compilers of the ancient commentaries greatly enlarged the size of the upper and outer robes after deciding that the Buddha was much larger than an ordinary human being, getting by with just one set of three robes became less convenient. Thus many teachers at present suggest that even a frugal bhikkhu, when staying in monasteries, should use one spare under robe or a spare under and upper robe -- so that he will have no trouble keeping his robes clean and presenting an acceptable appearance at all times -- and save the three-robe dhutanga practice for periods when alone in the wilderness.

At any rate, since only one set of three robes may be determined as such, spare robes -- once they became generally accepted -- were determined as "accessory cloths." This point may be inferred from the Commentary's explanation of this rule, and the Sub-commentary's explanation of NP 7. The Commentary even contains a discussion of the views of various elders as to whether or not a bhikkhu who wishes to avoid the special rules surrounding the use of the three robes (such as the following rule) may determine his basic set as accessory cloths as well. The majority opinion -- with only one dissenting voice -- was yes, although at present many Communities do not agree with this opinion.

The Sub-commentary suggests an alternative way of dealing with spare robes: placing them under dual ownership and -- since none of the three robes may be placed under dual ownership -- calling them simply "cloth" (civara). This, however, plays havoc with Pacittiya 59, and the general use of the idea of dual ownership in the Canon, as a way of keeping cloth that one is not yet using.

Still, both methods of dealing with spare robes -- determining them as "accessory cloths" and placing them under dual ownership as "cloths" -- are in practice at present. And since spare robes have been accepted, the current effect of this rule is mainly to deter a bhikkhu from hoarding up robe-cloth in secret and from letting a hole in any of his basic set of three robes go unmended for more than ten days. Nevertheless, the spirit of the rule makes it incumbent on each bhikkhu to keep his cloth requisites to a minimum.

Summary:

20. Keeping a piece of robe-cloth for more than ten days without determining it for use or placing it under dual ownership -- except when the end-of-vassa or kathina privileges are in effect -- is a nissaggiya pacittiya offence.

2. When a bhikkhu has finished his robe-making and the frame is destroyed (his kathina privileges are in abeyance): If he dwells apart from (any of) his three robes even for one night -- unless authorized by the bhikkhus -- it is to be forfeited and confessed.

In the origin story here, a number of bhikkhus went off on tour, leaving their outer robes with their friends at the monastery. Eventually the robes became mouldy, and the bhikkhus at the monastery were burdened with

having to sun them to get rid of the mould. The Buddha thus formulated this rule so that bhikkhus would be responsible for looking after their own robes. The offence here consists of two factors: object and effort.

Object: any one of the robes that a bhikkhu has determined as his basic set of three -- the antaravasaka (under robe), uttarasanga (upper robe) and sanghati (outer robe). This rule thus does not apply to spare robes or other cloth requisites.

Effort: greeting dawn at a place outside of the zone in which any of ones robes are located, except when the exemptions mentioned in the rule are in effect.

Dawn is a concept that would seem intuitive enough, but the lack of a definition for the term in the Vibhanga has given rise to a variety of later interpretations. The V/Sub-commentary defines it as "the distinctive radiance of increasingly intense red preceding sunrise." Different communities interpret this passage in different ways, and some do not follow it at all. For a complete discussion of this point, see Appendix I. As with many other controversial points of this sort, the wise policy is usually to adhere to the traditions of one's Community.

Zones. This is the most complex facet of this rule. The zone where a bhikkhu must be at dawn depends on the type of location where his robes are placed, whether or not the property around the location is enclosed (with a wall, a fence, or a body of water such as a moat, river, or lake, says the Sub-commentary) and -- if it is enclosed -- whether it belongs to one or more than one kula.

The term kula has different meanings for the different types of locations. According to the Commentary, a village, town or city is one-kula if ruled by a single ruler, and multi-kula if ruled by a council -- as in the case of Vesali and Kusinara during the time of the Buddha. At present, cities or towns governed under a social contract -- such as a town charter -- would count as multi-kula regardless of whether the highest authority in the government is invested in a single individual or not.

A building, a vehicle or a piece of land is one-kula if it belongs to one family, and multi-kula if it belongs to more than one (as in an apartment house).

According to the Sub-commentary, a monastery is one-kula if the people who initiated it belong to one kula -- of either type, apparently -- and multi-kula if they belong to several.

What follows is a synopsis of the specific places listed in the Vibhanga, together with explanations from the commentaries:

1. *A village, town, or city:*
   a. Enclosed and one-kula: If the robes are in the enclosure, one may greet dawn anywhere in the enclosure.
   b. Enclosed and multi-kula: If the robes are in a house, greet dawn anywhere in the house, in the public meeting hall, at the town gate, or one hatthapasa (1.25 meters) around any of these places . If the robes are in the public meeting hall or in the area one hatthapasa around it, greet dawn in the public meeting hall, at the town gate, or in the area one hatthapasa around either of the two.
   c. Unenclosed: If the robes are in a one-kula dwelling, greet dawn in the house, or in the area one hatthapasa around it . (See 2 & 3 below for further details.)

2. *A dwelling with a yard:*
   a. Enclosed and one-kula: If the robes are within the enclosure, greet dawn anywhere within the enclosure.
   b. Enclosed and multi-kula: Greet dawn in the room where the robes are located, at the entrance to the enclosure, or in the area one hatthapasa around either of the two .
   c. Unenclosed: Greet dawn in the room where the robes are located, or in the area one hatthapasa around it .

3. *A monastic dwelling* (vihara -- according to the Sub-commentary, this includes entire monasteries):

a. Enclosed and one-kula: If the robes are within the enclosure, greet dawn anywhere within the enclosure.
b. Enclosed and multi-kula: Greet dawn in the dwelling where the robes are located, at the entrance to the enclosure, or in the area one hatthapasa around either of the two .
c. Unenclosed: Greet dawn in the dwelling where the robes are located or in the area one hatthapasa around it .

4. *A field, orchard garden (park) or threshing floor:*
a. Enclosed and one-kula: If the robes are within the enclosure, greet dawn anywhere within the enclosure.
b. Enclosed and multi-kula: If the robes are within the enclosure, greet dawn in the area one hatthapasa around the entrance to the enclosure or in the area one hatthapasa around the robes.
c. Unenclosed: Greet dawn within one hatthapasa of the robes.

5. *Buildings with no yard (such as a fortress or city apartment block):*
a. One-kula: If the robes are in the building, greet dawn anywhere within the building.
b. Multi-kula: Greet dawn within the room where the robes are located or in the area one hatthapasa around it .

6. A boat (and by extension, other vehicles):
a. One-kula: If the robes are in the vehicle, greet dawn anywhere within the vehicle.
b. Multi-kula (as in a commercial airplane or bus): If the robe is within a room, greet dawn in the room or in the area one hatthapasa around it . (For this reason, a bhikkhu travelling in an airplane overnight should wear his complete set of robes or have it with him in his cabin baggage, rather than in his checked baggage.)

7. *A caravan* (according to the Sub-commentary, this includes groups travelling by foot as well as by cart; group hiking trips would thus be included here):
a. One-kula: If the robes are anywhere in the caravan, greet dawn anywhere up to seven abbhantaras (98 meters) in front of or behind the robes, or up to one abbhantara (14 meters) to either side.
b. Multi-kula: If the robes are anywhere in the caravan, greet dawn within one hatthapasa of the caravan.

8. *At the foot of a tree:*
a. One-kula: If the robes are in the area shaded by the tree at noon, greet dawn within that area. According to the Commentary, this doesn't include spots where sun leaks through gaps in the foliage, so be careful.
b. Multi-kula (as a tree on the boundary between two pieces of land): Greet dawn within one hatthapasa of the robes.

9. *In a wilderness area* (where there are no villages):
Greet dawn anywhere within a seven-abbhantara (98 meter) radius of the robes.

10. *In other areas*:
If the robes are located in a place other than those mentioned above (e.g., in the unshaded yard of an unenclosed monastery), greet dawn within one hatthapasa of the robes.

Exemptions.

1) As in the preceding rule, this rule does not apply when the kathina privileges are in effect.
2) In the origin story to this rule, the Buddha gives permission for a Community of bhikkhus to authorize an ill bhikkhu to be separated from his robes at dawn throughout the course of his illness without penalty. This authorization is to be given as a formal act with one motion and one announcement (natti-dutiya-kamma).

The Commentary discusses how long this authorization is to last, and concludes that once the bhikkhu has recovered, he should make every reasonable effort to get back to his robes as soon as possible without

jeopardizing his health. The authorization then automatically subsides, with no further formal act being required. If his illness returns, the authorization is automatically reinstated.

3) In Mv.II.12.1-3, the Buddha directs the bhikkhus to declare a sima -- or territory in which formal acts of the Community are enacted -- as a ticivara-avippavasa, which means that if a bhikkhu's robes are anywhere within the territory, he may greet dawn at any other part of that territory without committing an offence under this rule. In the early days, when such a territory might cover many monasteries (the maximum allowable size is 3x3 yojanas, approximately 48x48 kilometres), this was a definite convenience for bhikkhus who had to leave one monastery to join in Community meetings at another one in the same territory. Since it was possible for such territories to include villages and homes as well, the Buddha added the extra stipulation that robes left in the houses of lay people lying in such a territory were not covered by this exemption.

At present the custom is to designate much smaller areas as simas -- usually only a fraction of the land in one monastery -- and although these can also be designated as ticivara-avippavasa, this arrangement in such cases is not the great convenience it is in the larger simas.

Forfeiture & confession. If a bhikkhu greets dawn outside of the zone where any one of his three determined robes is placed -- except when the exemptions are in effect -- the robe is to be forfeited and the offence confessed. Perception and intention are not mitigating factors here. If he thinks that he is in the same zone when he actually isn't, if he thinks the robe is not determined when it actually is, or if he means to be in the same zone when circumstances prevent him, he incurs the penalty all the same. If he then uses the robe before forfeiting it and confessing the offence, he incurs a dukkata.

The procedures for forfeiture, confession, and return of the robe are the same as in the preceding rule. For the Pali formula to use in forfeiture, see Appendix VI. Once the robe has been forfeited, its determination lapses, so when the bhikkhu receives it in return he must re-determine it for use or give it away within ten days so as not to commit an offence under the preceding rule.

Non-offences. In addition to the above-mentioned exemptions, there is no offence if, before dawn, the robe is lost, destroyed, burnt or stolen; if someone else takes it on trust; or if the bhikkhu gives it away or rescinds its determination. Because of this last allowance, the Commentary recommends that if a bhikkhu realizes that he will not be able to get back to his robe before dawn, he should verbally rescind the robe's determination before dawn arrives so as to avoid an offence, and then redetermine the robe after dawn has passed.

A note on Thai practice. The author of the Vinaya Mukha missed the Sub-commentary's discussion of monastic residences under this rule, and so came to the conclusion that none of the texts discuss the question of zones in a monastery. As a result, he formulated his own system, treating each separate monastic dwelling as a lay dwelling with a yard. Furthermore, he neglected to discuss the question of what counts as single-kula and multi-kula in such a dwelling. In the absence of any other standard, Thai bhikkhus have come to view a dwelling of two or more bhikkhus, in which the bhikkhus come from different families, as a multi-kula dwelling. If the bhikkhus live in separate rooms, then the room where the robes are placed, plus a radius of one hatthapasa around it, is the bhikkhu's zone. If two or more bhikkhus are spending the night in a single room, each bhikkhu must greet dawn within one hatthapasa of his robes.

Although there is no basis in the Canon or commentaries for this practice, it is so widely accepted in Thailand that the wise policy for anyone spending the night in the same dwelling or the same room with a Thai bhikkhu is to be aware of it and abide by it, to avoid the useless controversies that can arise over minor matters like this.

Summary:

21. Being in a separate zone from any of one's three robes at dawn -- except when the end-of-vassa or kathina privileges are in effect, or one has received formal authorization from the Community -- is a nissaggiya pacittiya offence.

3. When a bhikkhu has finished his robe-making and the kathina privileges are in abeyance: If out-of-season robe-cloth accrues to him, he may accept it if he so desires. Once he accepts it, he is to make it up

immediately (into a cloth requisite). If it should not be enough, he may lay it aside for a month at most if he has an expectation for filling the lack. Should he keep it beyond that, even when there is an expectation (for further cloth), it is to be forfeited and confessed.

There are two factors for an offence here:

1) *Object:*
   (a) out-of-season robe-cloth, made of any of the proper six kinds of material, in pieces measuring at least four by eight fingerbreadths;
   (b) the cloth is not enough to make the cloth requisite one has in mind, but one expects to receive more.

2) *Effort:* One keeps the cloth for more than 30 days, except when the privileges are in effect.

Object. Any gift of robe-cloth presented to the Community when the end-of-vassa or kathina privileges are in effect is an in-season robe-cloth. Thus, out-of-season robe-cloth includes any gift of robe-cloth:

1) presented to the Community at any other time,
2) presented at any time to a bhikkhu or group of bhikkhus (except for in-season cloth allotted to him/them by the Community); or
3) presented to the Community when the privileges are in effect, with the stipulation that it be treated as out-of-season cloth.

The reason why a donor would present cloth under category (3) is because, according to Mv.VIII.24-25, in-season cloth may be shared among only the bhikkhus who spent the vassa in that particular Community, and not among any visiting bhikkhus. The Bhikkhunis' NP 2 tells of a case where well-behaved but shabbily dressed bhikkhunis visited a Community of bhikkhunis when the robe-season privileges were in effect; lay donors, wishing to help them out, gave cloth to the Community with the stipulation that it be treated as out-of-season robe-cloth so that the visiting bhikkhunis would also have a share.

Out-of-season cloth, if it is enough to make the cloth requisite one has in mind, is treated as extra robe-cloth under NP 1. If, however, it is not enough, and one expects to get further cloth from any source -- lay donors, the Community, cast-off cloth, or one's own resources -- it may be kept for up to 30 days with no need to be determined or placed under dual ownership.

The further cloth, when one receives it, has a life span of ten days, as under NP 1, and one must finish making one's requisite within the time period determined by whichever cloth has the shorter life span. Thus, if one obtains the expected cloth during the first 20 days, the requisite must be made within ten days, this being the life span of the second cloth. If one obtains it after the 21st day, the requisite must be made before the original 30 days are up.

If the second cloth turns out to be of different quality from the first, one is under no compulsion to put the two cloths together to make up the requisite if one does not want to, and may continue waiting for further cloth as long as the life span of the first cloth allows. The Commentary recommends that if the second cloth is of poorer quality than the first, one may determine it as accessory cloth; if the second cloth is of better quality, one may determine the first cloth as accessory cloth, and start a new 30-day countdown from the day of receiving the second cloth.

Effort. Days are counted by dawns. If, by the 30th dawn after one receives the original cloth, one has not determined it, placed it under dual ownership or abandoned it, it is to be forfeited and the offence confessed. The Sub-commentary adds that if at any time after the first ten days have elapsed one abandons any expectation for further cloth, one must determine the original cloth, place it under dual ownership, or abandon it before the following dawn. Otherwise, one commits an offence under NP 1.

As in the preceding rules, perception is not a mitigating factor here. If one miscounts the dawns, or thinks the cloth is properly determined, etc., when in fact it isn't, there is an offence all the same.

As for the question of out-of-season cloth that crosses the boundary between times when the privileges are and are not in effect -- i.e., cloth received less than a month before the privileges start, or less than a month before they end: The K/Commentary to NP 24 indicates that if cloth received when the privileges are still in effect is not enough to make a robe, the one-month grace period allowed in this rule begins the day after the privileges are rescinded. And the Commentary to NP 28 indicates that if the cloth covered in this rule comes toward the end of the Rains Retreat, and the day when the robe has to be finished falls in the robe season, one is allowed the entire robe season to finish it.

Still, these questions rarely come up in practice, as it is a simple enough matter to determine the original cloth as accessory cloth or place it under dual ownership until one has enough cloth to make one's requisite, remove it from those arrangements to make the requisite, and so avoid having to worry about this rule at all.

Forfeiture & confession. The procedures for forfeiture, confession, and return of the cloth are the same as in the preceding rules. For the Pali formula to use in forfeiting the cloth, see Appendix VI. Once the cloth is received in return, and it is now enough for the requisite one has in mind, it is classed as extra robe-cloth under NP 1. If not, the 30-day countdown starts all over again.

Non-offences. There is no offence if, before the 30 days are up, the original cloth is stolen, lost, destroyed, burnt; if someone else takes it on trust; or if the owner determines it for use, places it under dual ownership or abandons it. And, as stated above, this rule does not apply when the end-of-vassa and kathina privileges are in effect.

Summary:
22. Keeping out-of-season cloth for more than 30 days when it is not enough to make a requisite and one has expectation for more -- except when the end-of-vassa and kathina privileges are in effect -- is a nissaggiya pacittiya offence.

4. Should any bhikkhu have a used robe washed, dyed, or beaten by a bhikkhuni unrelated to him, it is to be forfeited and confessed.

The origin story here is one of the classics of Vinaya literature, although it is hard to say which is more memorable -- the dry, matter-of-fact style with which the narrative relates the improbable events, or the reaction of the bhikkhunis when they hear what has happened.

"Now at that time Ven. Udayin's wife had gone forth among the bhikkhunis. She often went to his dwelling, and he often went to hers. One day he went to her dwelling for a meal. Arising early in the morning, carrying his robe and bowl, he went to where she was staying and on arrival sat down in front of her, exposing his male organ. She sat down in front of him, exposing her female organ. He, full of lust, stared at her organ. His organ emitted semen. He said to her, 'Go and fetch some water, sister. I'll wash my under robe.'

"'Give it to me. I'll wash it.'

"Then she took some of the semen in her mouth and inserted some of it in her female organ. With that, she conceived a child.

"The bhikkhunis said, 'This bhikkhuni has been practicing unchastity. She's pregnant.'

"'It's not that I've been practicing unchastity.' And she told them what had happened. The bhikkhunis were offended and annoyed and spread it about, 'How can this Master Udayin get a bhikkhuni to wash his used robe?'"

There are three factors for an offence here: object, effort and result.

Object: a used robe. Robe, here, according to the Commentary, means any robe that has been dyed and properly marked (see Pacittiya 58). This is its way of saying that the robe must be a finished cloth requisite of the type suitable for wearing, but need not be determined as one of one's basic three robes. In other words, it could also be as yet undetermined, or a spare robe determined as an accessory cloth.

Used, according to the Vibhanga, means worn around the body at least once. According to the Commentary, it can mean used in other ways -- e.g., rolled up as a pillow or worn draped over the shoulder or head -- as well. Other cloth requisites, such as sitting cloths and bed sheets, are grounds for a dukkata. Non-cloth requisites are not grounds for an offence.

Effort. One tells an unrelated bhikkhuni to wash, dye, or beat the robe.

A bhikkhuni, here, means one who has received the double ordination, first in the Bhikkhuni Sangha and secondly in the Bhikkhu Sangha. A bhikkhuni who has received only her first ordination is grounds for a dukkata. Female probationers and novices and not grounds for an offence.

Unrelated is explained by the Vibhanga as meaning unrelated back through seven grandfathers, either on the father's or the mother's side. The Commentary explains further that this means seven generations counted back starting from one's grandfather. Thus all descendants of one's great-great-great-great-great-great-great-grandfathers are counted as one's relatives. In-laws, though, are not counted. This definition of unrelated applies wherever the Vibhanga mentions the word. At the time of the Buddha, perceived ties of kinship extended more widely than they do today, and a bhikkhu at present would be well-advised to regard as his relatives only those blood-relations with whom ties of kinship are actually felt.

Perception is not an issue here. If a bhikkhu perceives a bhikkhuni as related when in fact she isn't, he is subject to the penalty all the same. Telling, according to the Commentary, includes gesturing as well. Thus if a bhikkhuni is washing her robes, and a bhikkhu throws his robe down next to her, that would fulfill the factor here.

Result. The bhikkhuni washes, dyes or beats the robe as requested.

Offences. A bhikkhu who tells an unrelated bhikkhuni to wash, etc., his used robe incurs a dukkata in the telling. For every effort she then makes towards washing it, he incurs an extra dukkata. When she actually starts washing it, the robe is to be forfeited and the nissaggiya pacittiya offence confessed. He incurs a nissaggiya pacittiya and a dukkata if he gets her to do two of the three actions mentioned in the rule -- e.g., washing and dyeing the robe; and a nissaggiya pacittiya and two dukkatas if he gets her to do all three.

The procedures for forfeiture, confession, and return of the robe are the same as in the preceding rules. Once the robe is returned, it counts as an extra robe-cloth under NP 1.

Non-offences. There is no offence if the bhikkhuni is related to the bhikkhu, if an unrelated bhikkhuni washes the robe unasked, if an unrelated bhikkhuni helps a related bhikkhuni wash it, if the robe has not yet been used, if one gets an unrelated bhikkhuni to wash a non-cloth requisite, or if one gets an unrelated female probationer or female novice to wash a used robe.

The Commentary discusses the case of a bhikkhu who gives a used robe to a female probationer to wash: She takes it, becomes ordained as a bhikkhuni in the meantime, and then washes it. The verdict: He incurs the full penalty under this rule. For the fun of it, the Commentary then goes on to discuss the case of a bhikkhu who gives his used robe to a lay man to wash. The lay man undergoes a spontaneous sex change and becomes a bhikkhuni before washing the robe, and again, the bhikkhu incurs the full penalty. What lesson is intended here is hard to say.

Summary:
23. Getting an unrelated bhikkhuni to wash, dye, or beat a robe that has been used at least once is a nissaggiya pacittiya offence.

5. Should any bhikkhu accept robe-cloth from a bhikkhuni unrelated to him -- unless it is in exchange -- it is to be forfeited and confessed.

The reason behind this rule is expressed by a single sentence in the origin story: 'It's hard for a woman to come by things.' In the original version of the rule, the Buddha made no allowance for accepting robe-cloth in exchange, but this point was later changed at the request of the bhikkhunis. They had tried to exchange robe-cloth with the bhikkhus, who refused because of the rule as it stood at that time, and this upset the bhikkhunis. As the Commentary explains, their poverty was what made them complain, "If the Masters are not on familiar terms with us even to this extent, how are we supposed to keep going?"

The offence under this rule is composed of two factors: object and effort.

Object: any piece of robe-cloth of the six suitable kinds, measuring at least four by eight fingerbreadths. Other requisites are not grounds for an offence.

Effort. The bhikkhu receives such cloth from an unrelated bhikkhuni and does not give her anything in exchange.

Unrelated bhikkhuni here is defined in the same terms as under the preceding rule: a bhikkhuni who has received the double ordination and is not related to the bhikkhu back through their great x 7 grandfathers. A bhikkhuni who has received only her first ordination, from the bhikkhunis, is grounds for a dukkata. Female probationers and female novices are not grounds for an offence.

Perception here is not a mitigating factor: According to the Vibhanga, even if a bhikkhu perceives an unrelated bhikkhuni as related, he is still subject to the penalty. The Commentary adds that even if one does not know that the robe comes from a bhikkhuni -- as when many donors place robes in a pile for a bhikkhu, and one of the donors, unbeknownst to the bhikkhu, is a bhikkhuni -- this factor is fulfilled all the same. If a bhikkhuni gives robe-cloth to someone else to present to a bhikkhu, though, the bhikkhu commits no offence in accepting it.

The Commentary also states that receiving need not be hand-to-hand. If a bhikkhuni simply places robe-cloth near a bhikkhu as her way of giving it to him, and he accepts it as given, this factor is fulfilled.

As for the item given in exchange for the cloth, the Vibhanga states that it can be worth much more then the cloth or much less. Buddhaghosa quotes the Mahapaccari, one of the ancient commentaries, as saying that even if, in return for the cloth, the bhikkhu gives the bhikkhuni a piece of yellow myrobalan -- a medicinal fruit, one of the cheapest things imaginable in India -- he escapes the penalty under this rule.

Offences. If all three factors of the offence here are fulfilled, the bhikkhu incurs a dukkata in accepting the cloth. He then must forfeit the cloth and confess the additional nissaggiya pacittiya offence. The procedures for forfeiture, confession, and return of the cloth are the same as in the preceding rules.

Non-offences. There is no offence:

i. if the bhikkhuni is a relation;
ii. if the bhikkhuni is not related, but the bhikkhu gives her something in exchange;
iii. if the bhikkhu takes the cloth on trust;
iv. if he borrows the cloth;
v. if he accepts a non-cloth requisite;
vi. if he accepts robe-cloth from a female probationer or female novice.

Exchange. The origin story to this rule is where the Buddha explicitly gives permission for bhikkhus, bhikkhunis, female probationers, male novices and female novices to trade items with one another. NP 20 forbids bhikkhus from trading items with lay people and people ordained in other religions.

Summary:

24. Accepting robe-cloth from an unrelated bhikkhuni without giving her anything in exchange is a nissaggiya pacittiya offence.

6. Should any bhikkhu ask for robe-cloth from a man or woman householder unrelated to him, except at the proper occasion, it is to be forfeited and confessed. Here the proper occasion is this: The bhikkhu's robe has been stolen or destroyed. This is the proper occasion in this case.

"Now at that time Ven. Upananda the Sakyan had become skilled in giving Dhamma talks. A certain millionaire's son went to where he was, and on arrival bowed down and sat to one side. As he was sitting there, Ven. Upananda the Sakyan instructed, urged, roused, and encouraged him with a Dhamma talk. Then the millionaire's son... said to him, 'Tell me, Ven. sir, what would be in my power to give you for your welfare: Robe-cloth? Alms-food? Lodgings? Medicines for the sick?'

"'If you want to give me something, friend, then give me one of those cloths (you are wearing).'

"'I'm the son of a good family, Ven. sir. How can I go about wearing one cloth? Wait until I've returned home. After going home, I will send you one of these cloths, or a finer one.'

"A second time... A third time, Ven. Upananda said to him, 'If you want to give me something, friend, then give me one of those cloths.'

"'I'm the son of a good family, Ven. sir. How can I go about wearing one cloth? Wait until I've returned home. After going home, I will send you one of these cloths, or a finer one.'

"'Are you making an offer when you don't want to give me anything, in that having made the offer you don't give?'

"So the millionaire's son, being pressured by Ven. Upananda, left having given him one cloth. People seeing him said to him, 'Why is it, master, that you go around wearing only one cloth?'

"He told them what had happened. So the people were offended and annoyed and spread it about, 'They're insatiable, these Sakyan contemplatives, and not easily contented. It's no simple matter to make a reasonable request of them. How can they, after being made a reasonable request by the millionaire's son, take his cloth?'"

The factors for an offence here are three: object, effort, and result.

Object: a piece of any of the six suitable kinds of robe-cloth, measuring at least four by eight fingerbreadths.

Effort. One asks, except at the proper time, for such cloth from a lay person who is not related back through one's great x 7 grandfathers. Perception is not a mitigating factor here. Even if one perceives the lay person to be related when in fact he/she isn't, that fulfils the factor here.

Result. One receives the cloth.

The proper occasions. Stolen, according to the Vibhanga, refers to a robe stolen by anyone at all. Destroyed means burnt, carried away by water, eaten by such things as rats or termites, or worn out by use -- although the Sub-commentary adds here that worn out by use means worn to the point where the robe can no longer cover the body.

If all of a bhikkhu's robes are stolen or destroyed, he is not to go about naked. To do so incurs a dukkata (as opposed to the thullaccaya Mv.VIII.28.1 imposes on a bhikkhu who chooses to go about naked when he has robes to wear). A bhikkhu with no cloth to cover his body should make a covering of grass and leaves. If he happens on an unoccupied Sangha residence, he is permitted to take any cloth he finds there -- robes, sheets, mats, pillow cases, or whatever -- to wear as a makeshift robe as long as he has the intention of returning it when he obtains a proper robe.

The Commentary adds several points here:

I. If one picks leaves or cuts grass to make a covering for oneself under these circumstances, one is exempt from the penalty for damaging plant life under Pacittiya 11.

II. If, after getting one's makeshift robe, one has to go a great distance before getting a proper robe, one may leave the makeshift robe with any convenient monastery as property of the Sangha.

III. If, under these circumstances, one asks lay people for cloth and receives cloth of a type or colour that normally is not allowed, there is no offence in wearing it until one can obtain suitable cloth.

The following rule adds extra stipulations on how much cloth one may ask for in circumstances like this.

Offences. The act of asking for robe-cloth from an unrelated lay person not at the proper time entails a dukkata. The cloth, when one receives it, is to be forfeited and the nissaggiya pacittiya offence confessed. The procedures for forfeiture, confession, and return of the cloth are the same as in the preceding rules. The Pali formula to use in forfeiting the cloth is given in Appendix VI.

Non-offences. According to the Vibhanga, there is no offence if --

one asks at the right time,

one asks from one's relations,
one asks from people who have invited one to ask for cloth,
one obtains cloth through one's own resources, or
one asks for the sake of another bhikkhu.

The Commentary explains that this last point means two things: One may ask for cloth for the sake of another bhikkhu (1) from one's own relations or from people who have invited one to ask for cloth or (2) from the relatives of that bhikkhu or from people who have invited him to ask. This point applies for all rules where one is allowed to ask for the sake of another.

As for obtaining cloth through one's own resources, the Sub-commentary notes that one should be careful to do it in such a way as not to commit an offence under NP 20. Again, this applies to all rules that contain this exemption.

Summary:
25. Asking for and receiving robe-cloth from an unrelated lay person, except when one's robes have been stolen or destroyed, is a nissaggiya pacittiya offence.

7. If that unrelated man or woman householder presents the bhikkhu with many robes (pieces of robe-cloth), he is to accept at most (enough for) an upper and an under robe. If he accepts more than that, it is to be forfeited and confessed.

This rule is a continuation of the preceding one, dealing with the protocol in asking for robe-cloth when one's robes have been stolen or destroyed. The origin story is as follows:

"At that time some group-of-six bhikkhus, having approached bhikkhus whose robes had been stolen, said, 'Friends, the Blessed One has allowed those whose robes are stolen or destroyed to ask an unrelated man or woman householder for robe-cloth. Ask for robe-cloth, friends.'

"'Never mind, friends. We have already received (enough) robe-cloth.'

"'We are asking in your name, friends.'

"'Then go ahead and ask.'

"So the group-of-six bhikkhus, having approached unrelated householders, said, 'Bhikkhus have come whose robes were stolen. Give us robe-cloth for them.' And they asked for a lot of robe-cloth. Then a certain man, sitting in a meeting hall, said to another man, 'Master, bhikkhus have come whose robes were stolen. I gave robe-cloth for them.'

"And he said, 'I gave, too.'

"And another said, 'I gave, too.'

"They were offended and annoyed and spread it about: 'How can these Sakyan contemplatives, not knowing moderation, ask for a lot of robe-cloth? Will the Sakyan contemplatives deal in the cloth business? Or will they set up a shop?'"

Protocol. The Vibhanga states that when a bhikkhu's robes are stolen or destroyed, the amount of cloth he may ask for and accept from an unrelated householder who has not previously invited him to ask for cloth depends on the number of robes stolen or destroyed. If three, he may ask for and accept only enough for two. If two, he may ask for and accept only enough for one. If one, he should not ask for any cloth at all.

The K/Commentary mentions that these stipulations apply only when robes from one's determined set of three are stolen or destroyed. The way it phrases this suggests that if one's spare robes are stolen or destroyed, one has no right to ask for robe-cloth at all. The Sub-commentary, though, interprets this as opening a loophole so that if one loses any of one's spare robes, one may ask for as much cloth as one likes. It then accuses the K/Commentary of contradicting the Canon and Commentary, and of ignoring the purpose of the rule, which is to teach moderation and fewness of wants. Its conclusion: The protocol applies when any of one's robes are stolen or destroyed -- whether determined as the basic set of three, undetermined or determined as accessory cloths.

If, however, we recall that originally each bhikkhu had only one set of three robes, and that the allowance in the preceding rule was to relieve the hardship of having little or nothing to wear, we can agree with the

K/Commentary's interpretation: that the allowance in the preceding rule applies only when robes from one's basic set of three are stolen and destroyed, and that this is the case we are concerned with here. If one's spare robes get stolen or destroyed, one may not make use of the allowance to ask for robe-cloth at all.

The Vibhanga states further that if the householder presents one with a great deal of cloth, with the invitation to take as much as one likes, one should take only enough cloth to make the allowable number of robes. The no-offence clauses add that one may take excess cloth if one promises to return the excess when one has finished making one's robe(s). And if the donor tells one to keep the excess, one may do so without penalty.

The factors of the offence for overstepping the bounds of this protocol are three:

1) ***Object:*** any piece of the six kinds of suitable robe-cloth, measuring at least four by eight fingerbreadths.

2) ***Effort:*** One asks for more than the allowable amount of robe-cloth from an unrelated householder who has not previously made an invitation to ask. Perception is not a mitigating factor here: Even if one perceives the householder to be related when in fact he/she isn't -- or feels that he/she would be happy to offer the excess cloth even though he/she has given no previous invitation to ask -- this factor is fulfilled all the same.

3) ***Result:*** One gets the excess robe-cloth.

The offences here are as follows: a dukkata for asking in the way that fulfils the factor of effort, and a nissaggiya pacittiya when all three factors are fulfilled. The procedures to follow in forfeiture, confession, and receiving the cloth in return are the same as in the preceding rules. For the Pali formula to use in forfeiting the cloth, see Appendix VI.

Non-offences. In addition to the two cases mentioned above -- one takes excess cloth with the promise to return the excess when one has finished one's robe(s), and the donors tell one to keep the excess -- there is no offence in taking excess cloth if:

I. the donors are offering cloth for reasons other than that one's robes were stolen or destroyed (e.g., they are impressed with one's learning, says the Commentary);

II. one is asking from one's relatives or people who have previously made one an invitation to ask for cloth (before one's robes were stolen or destroyed, says the Sub-commentary);

III. or one gets the cloth by means of one's own property.

The Commentary calls attention to the fact that the Vibhanga's no-offence clauses make no mention of asking for the sake of another. It then draws the conclusion, based on the fact that the rule was formulated in response to bhikkhus' requesting excess cloth for the sake of others, that in the circumstances mentioned in this rule, one may not ask for excess cloth for the sake of others. The Sub-commentary takes issue with this, and presents three arguments for its case:

1) There is no requirement that the working out of a training rule has to follow from the origin story. (It gives no examples, but Parajikas 3 & 4, Sanghadisesas 8 & 9, NP 4 and Pacittiyas 8 & 58 are all cases in point.)

2) The Ganthipadas state that since this training rule deals with what to do when presented with offerings for one's own sake, there is no need for the Vibhanga to mention the case of asking for another's sake.

3) If asking for another's sake is not allowable here, it should also not be allowable in the preceding rule.

Thus it concludes that here, as under the preceding rule, there is no offence in asking for excess cloth for Bhikkhu X from one's own relatives or people who have invited one to ask, or from Bhikkhu X's relatives or people who have invited X to ask.

Summary:

26. Asking for and receiving excess robe-cloth from unrelated lay people when one's robes have been stolen or destroyed is a nissaggiya pacittiya offence.

8. In case a man or woman householder prepares a robe fund for the sake of an unrelated bhikkhu, thinking. "Having purchased a robe with this robe fund, I will supply the bhikkhu named so-and-so with a robe:" If the bhikkhu, not previously invited, approaching (the householder) should make a stipulation with regard to the robe, saying, "It would be good indeed, sir, if you supplied me (with a robe), having purchased a robe of such-and-such a sort with this robe fund" -- out of a desire for something fine -- it is to be forfeited and confessed.

"Now at that time a certain householder said to his wife, 'I will supply Master Upananda with a robe.' A certain bhikkhu on his almsround overhead the man saying this, went to where Ven. Upananda the Sakyan was staying and on arrival said to him, 'You have a lot of merit, friend Upananda. A certain man over there said to his wife, 'I will supply Master Upananda with a robe.'

"'He's my supporter, my friend.'

"So Ven. Upananda the Sakyan went to where the man was staying and on arrival said to him, 'My friend, is it true that you want to supply me with a robe?'

"'Now, wasn't I just thinking, 'I will supply Master Upananda with a robe'?

"'Well, if you want to supply me with a robe, supply me with a robe like this. What use is it to me to be supplied with a robe I won't use?'

"So the man was offended, annoyed and spread it about, 'They're insatiable, these Sakyan contemplatives, and not easily contented. It's no simple matter to supply them with a robe. How can this Master Upananda, without having first been invited by me, make stipulations concerning a robe?'"

The situation covered by this rule is this: An unrelated lay person has put aside resources to purchase a robe to present to a bhikkhu, but without yet asking the bhikkhu what kind of robe he wants. The factors for the offence here are four:

Object. The texts mention only that this rule concerns funds for a robe (civara), but without specifying whether this means funds only for finished robes or pieces of robe-cloth suitable for making into robes as well. They also do not mention whether funds for other requisites would be grounds for a lesser offence or no offence, although given the spirit of the rule, it would be a wise policy for a bhikkhu not to make stipulations, when uninvited, to a lay person who has prepared funds for purchasing any kind of requisite for his use.

Intention. One wants to get a better robe than the lay person is planning to buy.

Effort. One makes a request to the unrelated lay person that would involve raising the cost of the robe. As in the previous rules, perception is not a factor here. Even if one perceives the lay person to be related when he/she actually isn't, that would fulfill the factor here all the same.

Result. One gets the robe. The way the texts define this factor suggests that whether or not the lay person actually spends more on the robe than he/she actually planned is not an issue here.

Offences. In the act of making a request that would fulfill the factors of intention and effort, the penalty is a dukkata. When one receives the robe it is to be forfeited and the nissaggiya pacittiya offence confessed. The procedures to follow in forfeiture, confession, and receiving the cloth in return are the same as in the preceding rules. For the Pali formula to use in forfeiting the cloth, see Appendix VI.

Non-offences. According to the Vibhanga, there is no offence if:

I. the lay person is a relative or has invited one to ask for cloth;
II. one asks for another's sake;
III. one is getting the robe with one's own resources; or
IV. one asks the lay person to get a robe less expensive than the one he/she is planning to get. The Commentary adds here that there is also no offence if one's request would result in a robe equal in price to the one the lay person has in mind.

Summary:

27. When a lay person who is not a relative is planning to get a robe for one, but has yet to ask one what kind of robe one wants: Receiving the robe after making a request that would raise its cost is a nissaggiya pacittiya offence.

9. In case two householders -- men or women -- prepare separate robe funds for the sake of a bhikkhu unrelated to them, thinking, "Having purchased separate robes with these separate robe funds of ours, we will supply the bhikkhu named so-and-so with robes": If the bhikkhu, not previously invited, approaching (them) should make a stipulation with regard to the robe, saying, "It would be good indeed, sirs, if you supplied me (with a robe), having purchased a robe of such-and-such a sort with these separate robe funds, the two (funds) together for one (robe)" -- out of a desire for something fine -- it is to be forfeited and confessed.

Explanations for this training rule are the same as those for the preceding one, the only difference being in the factor of effort: One asks the two donors to put their funds together to purchase one robe. Whether or not the request would raise the amount of money they would have to spend is not an issue here, although the Vibhanga says that if one makes a request that would reduce the amount of money they would spend, there is no offence.

The Commentary adds that, under the conditions mentioned here, making requests of three or more people to combine their robe funds into one is also covered by this rule.

Summary:

28. When two or more lay people who are not one's relatives are planning to get separate robes for one, but have yet to ask one what kind of robe one wants: Receiving a robe from them after asking them to pool their funds to get one robe -- out of a desire for something fine -- is a nissaggiya pacittiya offence.

10. In case a king, a royal official, a brahman or a householder sends a robe fund for the sake of a bhikkhu via a messenger (saying), "Having purchased a robe with this robe fund, supply the bhikkhu named so-and-so with a robe": If the messenger, approaching the bhikkhu, should say, "This is a robe fund being delivered for the sake of the venerable one. May the venerable one accept this robe fund," then the bhikkhu is to tell the messenger: "We do not accept robe funds, my friend. We accept robes (robe-cloth) as are proper according to season."

If the messenger should say to the bhikkhu, "Does the venerable one have a steward?" then, bhikkhus, if the bhikkhu desires a robe, he may indicate a steward -- either a monastery attendant or a lay follower -- (saying), "That, my friend, is the bhikkhus' steward."

If the messenger, having instructed the steward and going to the bhikkhu, should say, "I have instructed the steward the venerable one indicated. May the venerable one go (to him) and he will supply you with a robe in season," then the bhikkhu, desiring a robe and approaching the steward, may prompt and remind him two or three times, "I have need of a robe." Should (the steward) produce the robe after being prompted and reminded two or three times, that is good.

If he does not produce the robe, (the bhikkhu) should stand in silence four times, five times, six times at most for that purpose. Should (the steward) produce the robe after (the bhikkhu) has stood in silence for the purpose four, five, six times at most, that is good.
If he should not produce the robe (at that point), should he then produce the robe after (the bhikkhu) has endeavoured further than that, it is to be forfeited and confessed.

If he should not produce (the robe), then the bhikkhu himself should go to the place from which the robe fund was brought, or a messenger should be sent (to say), "The robe fund that you, venerable sirs, sent for the sake of the bhikkhu has given no benefit to the bhikkhu at all. May the you be united with what is yours. May what is yours not be lost." This is the proper course here.

The protocols surrounding gifts of money and their proper use are quite complex -- much more complex than even this long training rule would indicate -- and require a detailed explanation. What follows is an attempt to make them clear. If it seems long and involved, remember that the purpose of the protocols is to free bhikkhus from the even more bothersome worries and complexities that come with participating in buying, selling, and monetary matters in general.

This rule is one of four nissaggiya pacittiya rules covering a bhikkhu's proper relationship to money. The others are # 18, 19 & 20. Although they sometimes seem to be splitting hairs, they focus precisely on the two acts involving money that are most burdensome to a sensitive mind: In the act of accepting money, or having it accepted in one's name, one is accepting all the cares, responsibilities, and dangers that come with its ownership; in the act of arranging a trade, one is accepting responsibility for the fairness of the trade: that it undervalues neither the generosity of the person who donated the money, nor the goods or services of the person receiving the money in exchange.

Thus to protect a bhikkhu from these mental burdens, this rule sets up protocols so that lay donors may have the convenience of dedicating amounts of money and other valuables to provide for a bhikkhu's needs, and so that the bhikkhu may benefit from such gifts without having to bear the responsibilities of ownership or of having to arrange fair trades.

If a bhikkhu follows the protocols recommended here, the money placed with the steward still belongs to the donor, and the responsibility for making a fair trade lies with the steward. The bhikkhu's only responsibility is to inform the original donor if, after a reasonable number of promptings, the steward entrusted with the money does not provide him with the requisite the donor had in mind, and then let the donor look after the matter if he/she cares to.

Although the rule itself mentions only funds for robe-cloth intended for individual bhikkhus, we should note from the outset that the Commentary extends it to cover all funds -- composed of money, jewels, commodities, land, livestock or other valuables that bhikkhus are not allowed to accept -- not only for individual bhikkhus, but also for Communities, groups of bhikkhus and buildings in a monastery.

The money rules & allowances: an overview. NP 18 forbids a bhikkhu from accepting gifts of money, from getting others to accept them, and from consenting to gifts of money meant for him being placed down next to him. NP 19 & 20 forbid him from engaging in buying, selling, or bartering, regardless of whether or not it involves money. In the Mahavagga, however, the Buddha makes the following allowance, called the Mendaka Allowance, after the donor who inspired it:

"There are people of conviction and confidence, bhikkhus, who place gold and silver in the hand of stewards, saying 'Give the master whatever is allowable.' I allow you, bhikkhus, to accept whatever is allowable coming from that. But in no way at all do I say that money is to be accepted or sought for." (Mv.VI.34.21)

Even given this allowance, though, it is important that the bhikkhu, in his dealings with the steward, does not say or do anything that would transgress NP 18-20. At the same time, it is important that he does not abuse the steward's services. Otherwise the steward will never want to perform this service for bhikkhus again. This is the main point of the origin story to this rule:

"Then Ven. Upananda the Sakyan approached the lay follower (his steward) and on arrival said, 'My friend, I have need of a robe.'

"'Wait just today, sir. Today there is a town meeting, and the town has made a rule that whoever comes late is fined 50 (kahapana).'

"'Friend, give me the robe this very day!' (Saying this,) he grabbed hold of him by the belt. So the lay follower, being pressured by Ven. Upananda the Sakyan, purchased a robe for him and arrived late. The people said to the lay follower, 'Why, master, have you come late? You have lost 50.' So he told them what had happened. They were offended and annoyed and spread it about, 'They're insatiable, these Sakyan contemplatives, and not easily contented. It's no simple matter even to render them a service. How can Upananda the Sakyan, being told by a layman, "Wait just today, sir," not wait?'"

Stewards. According to the Commentary, there are three ways money may be placed with a steward: the steward is either indicated by the bhikkhu, indicated by the donor or his/her messenger, or else indicated by neither.

1) *Indicated by the bhikkhu* covers two sorts of cases:

a) The donor asks the bhikkhu who his steward is, and the bhikkhu points him/her out, as mentioned in the training rule.

b) The donor, knowing that a particular lay person has volunteered to act as a steward or is on familiar terms with the bhikkhu, gives the money to the lay person and informs the bhikkhu -- or has someone else inform him -- either before or after the fact.

2) *Indicated by the donor* covers cases where the donor chooses one of his/her own friends or employees to act as the steward for that particular gift, and informs the bhikkhu -- or has someone else inform him -- either before or after the fact.

3) *Indicated by neither* covers two separate cases:

a) The donor asks the bhikkhu who his steward is, and the bhikkhu says that he has none. Another person happens to overhear the conversation and volunteers to act as the steward for that particular gift.

b) The donor gives the gift to the lay person who is normally the bhikkhu's steward or is on familiar terms with the bhikkhu, but does not inform the bhikkhu or have him informed of the fact.

According to the Commentary, this training rule covers only cases of the first sort: the steward is indicated by the bhikkhu. I will discuss this case in detail first before going on to discuss the protocol in the other two.

The protocol in accepting. The Vibhanga gives the following guidelines:

I. If donors offer money, they are to be told that bhikkhus do not accept money.

II. If they ask who the bhikkhus' steward is, one may point out any lay person at all, saying, "That's the steward." One is not to say, "Give it to him/her" or "He/she will keep (the money)," for that would be to accept ownership and responsibility for the money, and thus be an infraction of the rule against accepting money. Also, one is not to say, "He/she will buy (the requisite)" or "He/she will get it in exchange," for even this much would be an infraction of the rules against trading.

The K/Commentary adds that if the donor asks, "To whom should I give this?" or "Who will keep this?" one is not to point anyone out. It doesn't say what one may do in such a situation, although a wise policy would be to broach the topic of stewards so that the donor will ask a question to which one may give an allowable answer.

The protocol in obtaining requisites from the fund. The rule states that a bhikkhu may give his steward up to three verbal and six silent promptings in order to get a requisite from the fund. The Vibhanga works out an arrangement whereby he may exchange two silent promptings for one verbal prompting, which leads the Commentary to lay out the following scheme: A bhikkhu may make up to --

6 verbal & 0 silent promptings
5 verbal & 2 silent promptings
4 verbal & 4 silent promptings
3 verbal & 6 silent promptings
2 verbal & 8 silent promptings
1 verbal & 10 silent promptings, or
0 verbal & 12 silent promptings.

When giving a verbal prompting, one may say only, "I need a robe (or whatever the requisite may be)" or statements to that effect. One may not say, "Give me a robe," "Get me a robe," "Buy me a robe," or "Get a robe in exchange or me," for these statements would be violations of the rules against trading.

According to the Commentary, promptings are counted not by the number of visits to the steward, but by the number of times the bhikkhu states his need/desire for the requisite. Thus if, in one visit, he states his need for a robe three times, that counts as three verbal promptings.

As for silent promptings -- or "standings" -- the bhikkhu merely stands in the steward's presence. If he/she asks, "What have you come for?' the bhikkhu should say, "You know," or "You should know."

The Vibhanga also notes that during the period when a bhikkhu has yet to receive the requisite, he should not accept an invitation to sit down at the steward's place, to accept alms, or to teach Dhamma there. If he does any of these things, that cuts back his number of allowed standings. The Sub-commentary contains a long discussion of what precisely this means, and finally sides with the decision in the Three Ganthipadas: that each time a bhikkhu sits, receives alms or teaches one sentence of Dhamma (see Pacittiya 7) under these circumstances, he cuts down his allowed number of standings by one.

If one obtains the requisite after making the allowable number of verbal and silent promptings -- or less -- there is no offence. If one does not obtain the requisite after the maximum allowable number of promptings, one should inform the original donor, and then leave the issue up to him/her. Not to inform the donor here, the Commentary says, entails a dukkata. If the donor, being informed, then makes arrangements to get the requisite for the bhikkhu, there is no offence.

The factors of an offence here are three:

1) *Object:* a fund left with a steward pointed out by a bhikkhu.
2) *Effort:* One makes an excessive number of promptings.
3) *Result:* One obtains the requested requisite.

There is a dukkata for the excessive promptings, and the requisite, when obtained, is to be forfeited and the nissaggiya pacittiya offence confessed. The procedures for forfeiture, confession, and receiving the requisite in return are the same as in the preceding rules. For the Pali formula to use in forfeiture, see Appendix VI.

Cases where this rule does not apply. According to the Commentary, if the steward has been indicated by the donor, one may make any number of promptings at all without committing an offence. If the article is not forthcoming, one may get another lay person to handle the issue (although one should be careful to phrase one's request to this lay person so as not to transgress the rules against accepting money, trading, and buying). If the article is not forthcoming, one is not duty-bound to inform the original donor.

There is nothing in the Canon to contradict any of these points, but simple etiquette would suggest that one not harass the steward excessively, and that one should inform the donor if the article is not forthcoming, so as to let the donor handle the matter from there on in if he/she sees fit.

As for the third case, in which the steward is not indicated either by the donor or by a bhikkhu, the Commentary says that, as far as that fund is concerned, the steward should be treated as a person who is not related and has not made an invitation to ask. In other words, one may not make any requests of the steward at all, unless he/she happens to invite one to make a request. We can qualify this by saying that if the article is not forthcoming after a reasonable amount of time, one may inform the original donor.

Other funds. The Commentary includes a long discussion of how this rule applies to funds other than those intended for an individual bhikkhu's requisites. A few of the more relevant cases:

Monetary funds for Sangha or group requisites. If a donor comes with a gift of money and says that it is being offered to the Sangha or to a group for whatever purpose, one should follow the protocol for accepting as under this rule. For instance, if the donor says, "I'm giving this to the Sangha for you to make use of the four requisites," one may not accept it in any of the three ways covered by NP 18. As we will see under NP 18, there is a dukkata for the bhikkhu who consents to money's being placed next to him under these circumstances. There is also a dukkata, says the Sub-commentary, for every bhikkhu who uses any article bought with the money.

If, however, the donor says, "The money will be with your steward" or "with my people" or "with me: All you need to do is make use of the four requisites," then there is no offence in accepting and making use of this arrangement. The etiquette to follow in obtaining requisites depends on who the money is left with: if the bhikkhus' steward, follow the protocol under this rule; if the donor's workers, one may make any number of promptings; if the donor, follow the guidelines under Pacittiya 47.

Non-monetary funds for Sangha or group requisites. There are a number of other articles that may not be owned by bhikkhus, and that carry a dukkata penalty if they are. They include land, fields, and orchards; jewels; slaves; commodities (e.g., unhusked grain); and animals. If a donor wants to make a gift of such things to the Sangha, the Commentary says, the question of whether or not they may be accepted depends on how the donation is phrased. If the donor says, "I'm giving this to the Sangha" for whatever the purpose, the gift may not be accepted. As in the previous case, there is a dukkata for whoever receives it, and also for whoever uses an article obtained from proceeds coming from the gift.

If the donor says, "This is for the purpose of the four requisites," or "Accept whatever is allowable coming from this," without mentioning the Sangha or any bhikkhu as custodians or recipients of the unallowable object, the arrangement may be accepted without penalty. For instance, if a donor wants to present a herd of cows, saying, "These are for the purpose of milk products for the Sangha" (perhaps this sounds less stilted in Pali than it does in English), this is an acceptable arrangement. But if he/she says, "I am giving these cows to the Sangha to provide milk products for the Sangha," then it is not.

If a donor proposes to give pigs, chickens or other animals used only for their meat to the Sangha, the bhikkhus are to say, "We can't accept gifts like this, but we will be glad to set them free for you."

If, after setting up an allowable arrangement, the donor asks the bhikkhus to appoint a steward to look after it, they may. If not, they are to do nothing about the arrangement at all.

How the proceeds from such arrangements are to be used depends on what they are: If money, and a bhikkhu tells the steward, "Use this money to buy such-and-such," no bhikkhu may make use of what is bought with the money. If the proceeds are commodities, such as unhusked rice, and a bhikkhu tells the steward, "Use this rice to trade for such-and-such," the bhikkhu who makes the order may not use whatever is obtained from the trade, but other bhikkhus may without incurring a penalty. If the proceeds are allowable goods, such as fruit, and a bhikkhu tells the steward, "Use this fruit to trade for such-and-such," the Commentary says that any bhikkhu may use what is obtained from the trade, but this would seem to contradict NP 20.

Building funds. If a donor comes with money or another unallowable gift, and says, "I am giving this to the Sangha for the meditation hall (or any other building)," the gift may not be accepted. But if the donor says, "I am giving this to (or for) the meditation hall," without mentioning any individual bhikkhu, group of bhikkhus or the Sangha as custodians or recipients of the gift at all, then this arrangement is not to be refused, and the monastery steward is to be informed of what the donor said.

In the context of NP 18, this means that the bhikkhus are not to take the money directly, or to get anyone else to take it, but may consent to its being placed next to them, since it is not meant as a gift for them.

Many monasteries have donation boxes, and there is a question as to whether or not the bhikkhus may tell a donor in this case to put the money in the box. The Commentary to NP 18 states that when a donation has been placed down for a bhikkhu -- over his protests -- and someone besides the donor offers to put it in a safe place, the bhikkhu may point out a safe place to put money, but may not tell him/her to put it there, as that would imply that he is accepting responsibility for the money. If this also applies to funds given "to a building," then the bhikkhus should be able to say to the donor of such funds, "The donation box is over there," but they are not to say, "Put it there."

At any rate, after the money has been placed by the donor, the bhikkhus may then tell the monastery steward what the donor said, but are not to tell him/her to take the money, as this would violate NP 18. Since the steward in this case would be classed as "indicated by the bhikkhus," they are to follow the protocol in this

rule when they tell the steward of their need for building materials, wages for the workers, and other necessities that come up in the course of the building's construction or maintenance.

The Commentary mentions two other acceptable arrangements:

(1) The donor places the money with the workmen, and tells the bhikkhus that their only responsibility is to check on whether the work is being done poorly or well.

(2) The donor says that the money will be kept with him/her or with his/her employees, and that the bhikkhus' only responsibility is to inform them of whom the money is to be given to. At present such a donor would be able to set up a checking account for the construction and upkeep of monastery buildings. In this case, the bank would be the steward "indicated by the donor," and the authorized bhikkhu signing a check drawing on the fund would be informing the steward of where the money should go. He should not, however, be the one who hands the check over to the payee or payee's representative. This point will be discussed in more detail under NP 20.

Since the steward in both of these cases is indicated by the donor, the bhikkhus may make as many requests as they like -- i.e., in the first case, telling the workers what to do; in the second case, telling the steward or donor who is to be paid -- but here again in this second case they should be careful to phrase their requests so as not to violate the rules against trading and buying.

In addition to building funds, it would seem that any charitable fund for schools, hospitals, etc. -- such as some wealthy monasteries have -- would come under this category, as long as the fund is not for requisites for the Sangha, either as a group or individually.

Fund management. The Commentary states that if a Sangha fund has been set up for a particular requisite, it should as a general rule be used to buy only that requisite. If, however, the Sangha has enough of one kind of lahubhanda -- goods that may be shared among the bhikkhus -- but not enough for another, the fund for the first kind may be diverted to the second kind by an apalokana-kamma: a formal meeting of the Community in which the motion is phrased in one's own words and unanimously accepted.

Funds for lodgings and furniture, though, since they are garubhanda (goods that may not be shared among the bhikkhus), may not be diverted to lahubhanda at all. But if there is Sangha furniture that is going unused and is in danger of deteriorating before it gets used, the Community may arrange to have it exchanged -- using the procedure allowed under NP 20, and making sure not to let it go for less than its full value -- and then use the proceeds for lahubhanda. The Commentary adds that proceeds of this sort should be used 'frugally, just enough to keep life going.' In other words, don't use them to splurge on anything excessive.

Summary:

29. When a fund has been set up with a steward indicated by a bhikkhu: Obtaining an article from the fund as a result of having prompted the steward more than the allowable number of times is a nissaggiya pacittiya offence.

11. Should any bhikkhu have a felt (blanket/rug) made of a mixture containing silk, it is to be forfeited and confessed.

Santhata, defined here as a felt blanket/rug, is a type of cloth described in the texts simply by its method of manufacture: Instead of being woven, it is made by strewing threads over a smooth surface, sprinkling them with a glue-like mixture made from boiled rice, rolling it smooth, and then repeating the process until the felt is thick and strong enough for one's purposes. Although felt made like this can be used for a number of purposes, its major use in the time of the texts seems to have been as a small personal rug for sitting or lying down, or as a rough blanket for wearing around oneself when sick or cold. Blanket/rugs like this are still made and used in parts of India even today, and as the no-offence clauses to this and the following rules show, it is precisely to this type of blanket/rug that these rules apply.

There are three factors for the full offence here:

1) ***Object:*** a felt blanket/rug containing silk threads and intended for one's own use.

2) ***Effort:*** One either makes it oneself, gets someone else to make it, finishes what others have let unfinished, or gets someone else to finish what one has left unfinished.

3) ***Result:*** One obtains it after it is finished (or finishes it, if one is making it oneself).

According to the Commentary, intention and perception are not mitigating factors here. Thus if one is making a felt blanket/rug, and silk threads happen to float in on the breeze and land in the felt, one commits an offence all the same. Perhaps the Commentary's interpretation here is why bhikkhus no longer use felt rugs, for there is no way of knowing whether or not there are any stray silk filaments in them that would make them unsuitable for use.

There is a dukkata in the effort of making a blanket/rug with silk mixed in it -- or in having it made -- and once it is obtained (or finished, if one is making it oneself), it is to be forfeited and the nissaggiya pacittiya offence confessed. The procedures for forfeiture, confession, and receiving the blanket/rug in return are the same as in the preceding rules. Since there is a dukkata in using any felt blanket/rug made with silk in it, the bhikkhu receiving such a rug in return after forfeiting it may use it only in the ways described in the no-offence clauses.

According to the Vibhanga, there is a dukkata in making a blanket/rug with silk mixed in it for another's use, and a dukkata in acquiring or using such a blanket/rug made for someone else.

Non-offences. There is no offence in making felt with silk mixed in it to use as a canopy, a floor-covering, a wall screen, a pillow, or a kneeling mat.

Summary:
30. Making a felt blanket/rug with silk mixed in it for one's own use -- or having it made -- is a nissaggiya pacittiya offence.

12. Should any bhikkhu have a felt (blanket/rug) made of pure black wool, it is to be forfeited and confessed.

The origin story to this rule indicates that a pure black felt blanket/rug was considered stylish at that time, and thus inappropriate for a bhikkhu's use. This is a recurrent theme throughout the Vinaya: that stylish, luxurious, or elegant articles are not in keeping with the bhikkhus' way of life.

All other explanations for this training rule are the same as for the preceding rule, simply replacing "a felt blanket/rug made with silk mixed in it" with "a felt blanket made entirely of black wool."

Summary:
31. Making a felt blanket/rug entirely of black wool for one's own use -- or having it made -- is a nissaggiya pacittiya offence.

13. When a bhikkhu is making a new felt (blanket/rug), two parts of pure black wool are to be incorporated, a third (part) of white, and a fourth of brown. If a bhikkhu should have a new felt (blanket/rug) made without incorporating two parts of pure black wool, a third of white, and a fourth of brown, it is to be forfeited and confessed.

This is a continuation of the preceding rule and its purpose is to set the maximum amount of black wool a bhikkhu may include when making his felt blanket/rug or having it made for his own use. The Vibhanga gives precise measures for how much black, white, and brown wool one should use in making the rug, but the Commentary says that these quantities are relative: As long as black wool constitutes no more than half the total amount of wool used, the bhikkhu making the rug commits no offence.

As in the preceding rules, there is a dukkata in acquiring and using a felt blanket/rug that is more than one-half black wool no matter who it is made for. Thus if a bhikkhu makes such a rug, forfeits it, and receives it in return, he may use it only in the ways indicated by the no-offence clauses.

Non-offences. The Vibhanga states that there is no offence if the rug is more than one-quarter white wool, more than one-quarter brown wool, or made entirely of white wool or of brown. The Sub-commentary here reiterates that the important point is that the rug be no more than one-half black wool. There is also no offence if one is making the felt -- or having it made -- for a canopy, a floor-covering, a wall screen, a pillow, or a kneeling mat.

Summary:
32. Making a felt blanket/rug that is more than one-half black wool for one's own use -- or having it made -- is a nissaggiya pacittiya offence.

14. *When a new felt (blanket/rug) has been made by a bhikkhu, it is to be kept for (at least) six years. If after less than six years he should have another new felt (blanket/rug) made, regardless of whether or not he has disposed of the first, then -- unless he has been authorized by the bhikkhus -- it is to be forfeited and confessed.*

"Now at that time bhikkhus were (each) having a new felt blanket/rug made every year. They were constantly begging, constantly hinting, 'Give wool. We need wool.' People were offended and annoyed and spread it about, 'How can these Sakyan contemplatives have a new felt blanket/rug made every year?... The felt blanket/rugs we make for ourselves last five or six years, even though our children wet them and soil them, and they get chewed on by rats. But these Sakyan contemplatives have a new felt blanket/rug made every year and are constantly begging, constantly hinting, 'Give wool. We need wool.'"

There are three factors for an offence here.

1) ***Object:*** a new felt blanket/rug for one's own use.
2) ***Effort:*** One makes it or has it made less than six vassa after one's last one was made, even though one has not been formally authorized by the bhikkhus to do so.
3) ***Result:*** One acquires the rug when it is finished.

The texts are silent on the factor of perception here, which suggests that if a bhikkhu miscounts the passage of years -- making a new rug when six years haven't passed even though he thinks they have -- he fulfils the factor of effort all the same.

According to the Vibhanga, there is a dukkata in the effort of making the rug or having it made. Once it is obtained (or finished, if one is making it oneself), it is to be forfeited and the nissaggiya pacittiya offence confessed. The procedures for forfeiture, confession, and receiving the blanket/rug in return are the same as in the preceding rules. Since the no-offence clauses allow one under these conditions to use a felt

blanket/rug made for someone else, it would seem that the rug here, unlike those forbidden by the preceding rules, is not ipso facto unusable as a rug. Thus a bhikkhu who has forfeited his rug under this rule should be able to use it as a blanket/rug after receiving it in return.

Non-offences. There is no offence if a bhikkhu makes a new felt blanket/rug after six or more years have past; if he makes one for another's use; if he uses one made for someone else; or if he makes felt to use as a canopy, a floor-covering, a wall screen, a pillow, or a kneeling mat.

Also, as the rule indicates, there is also no offence if within less than six years he makes a felt blanket/rug for his own use after being authorized to do so by the bhikkhus. The Vibhanga explains this by saying that the Community, if it sees fit, may formally give this authorization to a bhikkhu who is too ill to do without a new felt blanket/rug before his six years are up. The pattern for this formal act -- one motion and one announcement (natti-dutiya-kamma) -- is in the Vibhanga.

Summary:
33. Unless one has received authorization to do so from the Community, making a felt blanket/rug for one's own use -- or having it made -- less than six years after one's last one was made is a nissaggiya pacittiya offence.

15. When a felt sitting rug is being made by a bhikkhu, a piece of old felt a sugata span (25 cm.) on each side is to be incorporated for the sake of discolouring it. If, without incorporating a piece of old felt a sugata span on each side, he should have a new felt sitting rug made, it is to be forfeited and confessed.

A sitting cloth -- for protecting his robes from getting soiled by any place where he sits down, and for protecting any place where he sits down from being soiled by him -- is one of the requisites a bhikkhu is allowed to have (Mv.VII.16.3). In fact, if he goes without one for more than four months, he incurs a dukkata (Cv.V.18). Pacittiya 89 gives stipulations for its size, and for the fact that it should have at least one border piece.

There is some question as to whether the felt sitting rug described in this rule counts as a sitting cloth. The Commentary to Pacittiya 89 says yes, the Sub-commentary no, but the Vibhanga's definition for sitting cloth under that rule states simply that it "has a border," and since the felt sitting rug also "has a border," it would seem to come under that definition, too.

The Commentary to that rule describes the border piece of a felt sitting rug as follows: "Having made a felt rug, then on one end in an area of one sugata span, cutting it at two points, one makes three border pieces." Whether these three pieces are to be left flapping, or are to be sewn back together, it doesn't say.

According to the Vibhanga, when one is making a felt sitting rug, one should take a piece of old felt -- at least one span in diameter or one span square -- and then either place it down in one part of the new felt as is, or else shred it up and scatter the pieces throughout the new felt. This, it says, will help to strengthen the new felt.

Old felt the Vibhanga defines as worn wrapped around oneself at least once: This is one of the few places indicating that felt was commonly used as a blanket. The Commentary rewords the Vibhanga's definition, saying "sat on or lied down upon at least once," which -- at least in the days of the commentators -- was the more common usage. The Commentary adds that, in addition to wanting to discolour the new felt sitting rug and make it stronger, one of the Buddha's purposes in formulating this rule was to teach bhikkhus how to make good use of old, used requisites, so as to maintain the good faith of those who donated them.

Offences. As with the previous rules, there is a dukkata for the bhikkhu who makes a sitting rug -- or has one made -- that violates this rule, whether it is for his own use or for that of another; and a nissaggiya pacittiya offence when he acquires the rug thus made for his own use (or finishes it, if he is making it himself). The procedures for forfeiture, confession, and receiving the rug in return are the same as in the preceding rules. Since the no-offence clauses here, as under the preceding rule, allow one to use a felt sitting rug made

without old felt for the sake of another, it would seem that a bhikkhu, having forfeited his rug, should be able to use it as a sitting rug after receiving it in return.

Non-offences. There is no offence if, being unable to find a large enough piece of old felt to provide the one-span piece, one includes a smaller piece of old felt in the sitting rug; if, being unable to find any old felt at all, one does not include any old felt in the rug; if one makes use of a felt sitting rug made without old felt for the sake of another; or if one is making a canopy, a floor-covering, a wall screen, a pillow, or a kneeling mat. It seems logical that there would also be no offence for the bhikkhu making a felt blanket/rug that does not have any border pieces and that he is not planning to use for sitting, but for some reason none of the texts mention this point.

Summary:
34. Making a felt sitting rug for one's own use -- or having it made -- without incorporating a one-span piece of old felt is a nissaggiya pacittiya offence.

16. If wool accrues to a bhikkhu as he is going on a journey, he may accept it if he so desires. Once he accepts it, he may carry it by hand -- there being no one else to carry it -- three leagues (48 km.=30 miles) at most. Should he carry it farther than that, even if there is no one else to carry it, it is to be forfeited and confessed.

"At that time wool accrued to a bhikkhu as he was on the road in the Kosalan districts, going to Savatthi. So, tying the wool into a bundle with his upper robe, he went along his way. People who saw him teased him, 'How much did you pay for it, venerable sir? How much will the profit be?'"

There are, in essence, three factors for an offence here: object, effort, and intention.

Object. Wool, under this rule, refers to wool that has not been made into goods . The Commentary explains that wool here thus does not refer to woollen cloth, woollen felt, woollen yarn, or even raw wool tied up with a thread, although this last point is in contradiction to the origin story, where the bhikkhu carried his wool tied up with a robe.

The Commentary goes on to say, though, that wool here does refer to even small quantities of "unmade" wool, such as wool placed in the ear when one has an earache, or wrapped around scissors in their sheath to protect them from rusting, so a bhikkhu should be careful not to travel more than three leagues with such things.

Effort. This factor includes not only carrying unmade wool more than three leagues oneself, but also placing it in a bundle or vehicle belonging to someone else without his/her knowing about it, and then letting him/her take it more than three leagues. Perception is not a mitigating factor here: If one travels more than three leagues, even if one thinks one hasn't, that fulfils this factor all the same.

Intention. The Vibhanga says that there is no offence for the bhikkhu who, after travelling three leagues, cannot find a proper place to stay and so carries his wool further until finding a proper place. Thus the offence under this rule is only for a bhikkhu who carries wool past the three-league mark for reasons other than looking for a place to stay.

Non-offences. In addition to the issue of intention just mentioned, the no-offence clauses say that there is no offence for the bhikkhu who is retrieving lost or stolen wool; for the bhikkhu who carries the wool three leagues and then carries it back; or for the bhikkhu who gets someone else to carry the wool for him.

Summary:
35. Carrying wool that has not been made into cloth or yarn for more than three leagues is a nissaggiya pacittiya offence.

17. Should any bhikkhu have wool washed, dyed, or carded by a bhikkhuni unrelated to him, it is to be forfeited and confessed.

The reason behind this rule is expressed succinctly in the following conversation from the origin story:

"Then Mahapajapati Gotami went to the Blessed One, and on approaching, greeting him, stood to one side. As she was standing there, the Blessed One said to her, 'I trust, Gotami, that the bhikkhunis remain uncomplacent, ardent, and resolute?'

"'Since when, Lord, is there uncomplacency among the bhikkhunis? The masters -- the group-of-six bhikkhus -- keep having the bhikkhunis wash, dye, and card wool. The bhikkhunis, washing, dyeing, and carding wool, neglect... the training in heightened virtue, the training in heightened mind, and the training in heightened discernment.'"

Wool, here, as in under the preceding rule, refers to wool that has not been made into cloth or yarn. Thus there is no offence for a bhikkhu who gets a bhikkhuni unrelated to him to wash woollen cloth or yarn that has not yet been used.

Otherwise, all the explanations for this training rule are identical with those for NP 4, except that here "beating" is replaced by "carding."

Summary:

36. Getting an unrelated bhikkhuni to wash, dye, or card wool that has not been made into cloth or yarn is a nissaggiya pacittiya offence.

18. Should any bhikkhu take gold and silver, or have it taken, or consent to its being deposited (near him), it is to be forfeited and confessed.

As mentioned under NP 10, one of the purposes of this rule is to relieve a bhikkhu of the burden of ownership that comes as the result of accepting gifts of money or having them accepted in one's name. The discourses contain passages, though, indicating other purposes for this rule as well:

"For whomever gold and silver are suitable, headman, the five strings of sensuality are also suitable. And for whomever the five strings of sensuality are suitable, gold and silver are suitable. You may take it for certain that this is not the way of a contemplative, not the way of a son of the Sakyan." (S.XLII.10)

"Bhikkhus, there are these four stains because of which the sun and moon do not glow, do not shine, are not radiant. What four? Rain clouds... snow clouds... smoke and dust... an eclipse. In the same way, there are these four stains because of which contemplatives and priests do not glow, do not shine, are not radiant. What four? Drinking alcoholic beverages... indulging in sexual intercourse... accepting gold and silver... obtaining requisites through a wrong mode of livelihood." (A.IV.50)

Bhikkhus, in abandoning the use of money, make real their abandonment of worldly pursuits and show others by example that the struggle for wealth is not the true way to find happiness.

The factors for an offence under this rule are two: object and effort.

Object. The Vibhanga defines gold so that it includes anything made of gold. Silver it defines to cover coins made of silver, copper, wood, or lac, or whatever is used as a medium of exchange in business. The Commentary adds such examples as bones, pieces of hide, fruit, seeds of trees used as currency, whether they have been stamped with a figure or not. At present, the term would include coins and paper currency, but not checks, credit cards, bank drafts, or promissory notes, as these -- on their own and without further identification of the person carrying them -- do not function as true currency.

The Commentary, in discussing this training rule, also gathers a list of items from the Canon carrying a dukkata, rather than a nissaggiya pacittiya, when accepted by a bhikkhu. They include pearls and precious stones, unhusked grain, slaves, fields, orchards, and livestock. For convenience's sake, we will refer to these items from here on as dukkata objects (dukkata-vatthu), or D.O. for short.

Effort. This factor may be fulfilled by any of three actions:

1) *Accepting*. According to the K/Commentary, this includes receiving gold or money when it is offered as a gift or picking up gold or money left lying around ownerless. (As the no-offence clauses show, this factor does not cover cases where one picks up money left lying around the monastery or a house where one is visiting if one's purpose is to keep it in safekeeping for the owner. See Pacittiya 84.) According to the Commentary, a

bhikkhu who accepts money wrapped up in a bolt of cloth would also commit an offence here, which shows that this act includes receiving or taking the money not only with one's body, but also with items connected with the body. Thus accepting money in an envelope or having it placed in one's shoulder bag as it hangs from one's shoulder would fulfill this factor as well.

The Vibhanga states that perception is not a mitigating factor. Thus a bhikkhu accepting an envelope that unbeknownst to him contains money would fall under this factor, too.

The K/Commentary adds the stipulation that in the taking there must be some movement of the money from one place to another. It offers no explanation for this point, but it probably refers to cases where money is forced on a bhikkhu, as when he is on alms round and a lay donor, against the bhikkhu's protestations, places money in his bowl. In this case, the bhikkhu could simply stand right there until he gets the donor or someone else to remove the money, and he would be absolved of an offence under this rule.

The commentaries add an extra factor -- the full offence is entailed only if the bhikkhu is taking the money for his own sake -- but there is no mention of this in the Vibhanga, so the added factor does not seem warranted. Thus whether the bhikkhu takes the money for himself or for others is not an issue here.

2) *Having money accepted*, according to the K/Commentary, includes getting someone else to do any of the actions covered under accepting, as described above. Examples from the texts include such things as telling the donor to give the money to a steward, telling the donor that so-and-so will take the money for him, telling the steward to take the money, to put it in a donation box, to "do what he thinks appropriate," or any similar command.

Anything that falls short of a command, though, would not fulfill this factor, as we have already seen under NP 10. Thus simply telling the donor that X is the bhikkhus' steward -- or that the monastery's stewards have placed a donation box in such-and-such a place -- would not be a factor for an offence here. Also, if the donor leaves money, say, on a table as a gift for a bhikkhu, then if the bhikkhu tells his steward what the donor did and said, without telling the steward to do anything with the money -- letting the steward figure things out on his/her own -- this too would not entail a penalty. The Commentary's discussion of stewards under the next point shows that while a bhikkhu who tells a volunteer steward to put such a donation in a donation box would incur a penalty, a bhikkhu who simply points out the donation box would not.

3) *Consenting to money being deposited.* The Vibhanga defines this action as follows: "He (the donor), saying, 'This is for the master,' places it, and the bhikkhu consents." According to the K/Commentary, placing covers two sorts of situations:

(1) The donor places money anywhere in the bhikkhu's presence, and says, "This is for the master;" OR

(2) The donor tells him, "I have some money placed in such-and-such a location. It's yours." (One of the implications of this second case is that any monastery with a donation box should make clear that money left in the box is being placed with the steward.)

Consenting in either of these cases, says the Commentary, means that one does not refuse either in thought, word, or deed. Refusing in thought means thinking, "This is not proper for me." Refusing in word means telling the donor that such a gift is not allowable. Refusing in deed means making a gesture to the same effect. If one refuses in any of these ways -- e.g., one wants to accept the money, but tells the donor that it is not allowable; or one says nothing, but simply reminds oneself that such gifts are not proper to accept -- one avoids the penalty here.

The question of whether or not it is best to express one's refusal outwardly lies beyond the scope of the Vinaya, and often depends on the situation. Ideally, one should inform the donor so that he/she will know enough not to present such gifts in the future, but there are also cases where the donor is still new to the idea of rules and will simply be offended if the bhikkhu objects to what he/she means as a well-intentioned gesture. This is thus a matter where a bhikkhu should use his discretion.

The Commentary contains a long discussion of what a bhikkhu should do if, after he refuses such a donation, the donor goes off leaving it there anyway: If someone else comes along and asks the bhikkhu, "What is this?", the bhikkhu may tell him/her what he and the donor said, but may not ask him/her to do anything about it. If the person volunteers to put the money into safekeeping, the bhikkhu may point out a safe place but may not tell him/her to put it there.

Once the money is in a safe place, one may point it out to other people -- one's steward, for instance -- but may not tell anyone to take it. The Commentary gives directions for how to arrange an exchange with such money so as not to violate NP 19 & 20, but I will save this part of the discussion until we come to those rules.

The Vibhanga's definition of the action of "placing" money for a bhikkhu indicates that in this case the question of who the money is for does make a difference, since the nature of the donor's action is defined by what he or she says. If the donor means the money for the bhikkhu, and the bhikkhu accepts, that fulfils the factor here. This covers cases where the donor says, "This is for you," or "This is for you to give to X."

If the donor simply says, "This is for the Community," or "This is for Bhikkhu Y," and Bhikkhu X consents to its being placed down near him, then according to the Commentary, X incurs a dukkata. It does not say, though, what should be done with the money, aside from the fact that any bhikkhu who uses anything bought with it also incurs a dukkata. Its discussion of the following rule, though, would seem to imply that it should be returned to the original donor.

If money for Bhikkhu Y is placed near Bhikkhu X in this way, and Y in turn accepts the donation for himself, then of course Y would incur the full penalty under this rule. The Commentary's discussion under NP 10 indicates that if money for the Community is placed near Bhikkhu X, the Community is said to have accepted it only when all members of the Community unanimously agree to it. If one member disagrees, he saves all the other members from committing an offence -- except for X, who still has his dukkata.

The Commentary here also says that a bhikkhu who accepts monetary donations "placed nearby" him for monastery buildings incurs a dukkata as well. This refers to cases where the donor says, "This is for the Community to use in building such-and-such," and places the money down next to the bhikkhu. As the Commentary itself says under NP 10, if the donor does not mention the name of the bhikkhu or the Community as custodians or recipients of the funds, the donations are not to be refused. Rather, they are to be left there and the steward told of what the donor said.

Forfeiture & confession. A bhikkhu who accepts money or gold, has it accepted, or consents to its being placed down for him must forfeit the money and confess the offence in the midst of a formal meeting of the Community. The formula for forfeiture is given in Appendix VI. This is one of the few rules where the offender may not confess the offence to an individual bhikkhu or to a group of less than four. Once he has forfeited the money, the Community is not to return it to him, as there is no way a bhikkhu is allowed to possess money.

If a lay person then comes along, the bhikkhus should tell him, "Look at this." If he asks, "What should be bought with this?", the bhikkhus are not to tell him to buy anything, although they may tell him what in general is allowable for bhikkhus, such as the five tonics, as under NP 23 below. If he takes the money and purchases any proper items, all the bhikkhus except for the one who originally accepted the money may make use of them. If it so happens that one of the bhikkhus tells him explicitly to buy something, then the Commentary says that the item(s) bought this way may be used by all the bhikkhus except for the original offender and the bhikkhu who gave the order to buy. If the lay person does not volunteer to buy anything with the money, the bhikkhus should tell him to get rid of it.

If he does not get rid of it, they are to choose one of their number as the "money-remover," by means of the formal act -- one motion and one announcement (natti-dutiya-kamma) -- given in the Vibhanga. The money-remover's duty is to throw the money away without taking note of where it falls. If he does take note, he incurs a dukkata. The Commentary recommends that, "Closing his eyes, he should throw it into a river, over a cliff, or into a jungle thicket without paying attention to where it falls, disinterested as if it were excrement."

None of the texts mention what a bhikkhu is to do with dukkata objects he has received, but as we shall see under the following rule, the Commentary would seem to suggest that he return them to their donors.

Non-offences. As mentioned above, there is no offence for the bhikkhu who, finding money lying around the monastery or in a house he is visiting, puts it away in safe keeping for the owner. This point is discussed in detail under Pacittiya 84.

Summary:
37. Taking gold or money, having someone else take it, or consenting to its being placed down as a gift for oneself is a nissaggiya pacittiya offence.

19. Should any bhikkhu engage in various types of monetary exchange, it (the income) is to be forfeited and confessed.

There are two factors for an offence here: object and effort.

Object. The Vibhanga defines money in the same terms it uses to define gold and silver in the preceding rule: any type of gold, whether shaped into an ornament or not; and any coins or currency used in business exchange.

Effort. The Vibhanga's description of the kind of exchange covered by this rule differs from that given in the Commentary, so it is best to discuss them separately.

The Vibhanga's interpretation. Monetary exchange refers primarily to the type of business and speculation a gold dealer would engage in -- exchanging currency, trading gold ore for gold shaped into ornaments or vice versa, trading gold ore for gold ore, or gold ornaments for gold ornaments -- but the Vibhanga's discussion of the factor of perception shows that the factor of effort here includes any exchange in which the bhikkhu ends up with gold or money as the result of the exchange. Thus it would cover cases where a bhikkhu sells any kind of item -- allowable or unallowable -- for money.

At first glance, this would seem redundant with the preceding rule against receiving money, and the following rule against engaging in trade, but actually it closes a number of loopholes in those rules. In the preceding rule, a bhikkhu may point out a steward to a person who brings money intended for him; and in the following rule he can, if he words it right, propose a trade or tell a steward to arrange a trade for him. Thus, given just those two rules, it would be possible for a bhikkhu using "proper" procedures to have his steward engage in currency speculation and other money-making activities without committing an offence.

This rule, though, includes no such exceptions for "wording things right (kappiya-vohara)," and so closes those loopholes as far as this type of trading is concerned. As a result, a bhikkhu may not express a desire to his steward that he/she sell something belonging to him or take funds dedicated for his use and invest them for monetary return. And if the bhikkhu is going abroad, he must leave it up to his steward to figure out that his funds may have to be exchanged for foreign currency if they are going to be of any use.

The Commentary's interpretation. According to the Commentary, monetary exchange refers to any trade in which money is involved -- whether as the item the bhikkhu brings into the trade, gets out of the trade, or both. Buddhaghosa states that this interpretation is based on a passage that is not in the Vibhanga but logically should be. The Sub-commentary supports him, explaining that if monetary exchange covers trades in which money forms one side of the trade, it shouldn't matter which side of the trade it is on.

This, however, contradicts a number of points in the Vibhanga. (1) Its table of the possible actions covered by this rule includes only cases where the outcome of the trade for the bhikkhu is money. As we noted in the Introduction, we have to trust that the Vibhanga arrangers knew what was and was not an offence under a certain rule, and that if they had meant the rule to cover more than the alternatives listed in the table, they would have included them. (2) In the Vibhanga's discussion of how the forfeiture is to be conducted, it consistently refers to the offender as the "one who purchased money" and to the bhikkhu who throws the forfeited object away as the "one who removes the money." (3) If monetary exchange covers cases where

the bhikkhu uses money to buy allowable things, then the discussion of how a bhikkhu could get his steward to use money rightfully placed with the steward to buy such things would have been included under this rule; instead, it is included under the following rule. All of this seems to indicate that the Commentary is on shaky ground when it tries to force its interpretation on the Vibhanga here.

Still, the Commentary's interpretation is widely followed and fairly complex, so it will be good to discuss it in some detail. As under the preceding rule, the Commentary divides articles into three sorts:

I. *nissaggiya objects* (N.O.), i.e., articles such as gold and money, which entail a nissaggiya pacittiya when they are accepted,
II. *dukkata objects* (D.O.), articles such as pearls, precious stones, unhusked grain, fields, orchards, slaves and livestock, which entail a dukkata when they are accepted;
III. *allowable objects* (A.O.), articles that a bhikkhu may rightfully accept and possess.

It then works out the following scheme to cover all possible sorts of trade involving these objects:

Using	**to buy**	**results in**
N.O. >	N.O.	a nissaggiya pacittiya
N.O. >	D.O.	a nissaggiya pacittiya
N.O. >	A.O.	a nissaggiya pacittiya
D.O. >	N.O.	a nissaggiya pacittiya
D.O. >	D.O.	a dukkata*
D.O. >	A.O.	a dukkata*
A.O. >	N.O.	a nissaggiya pacittiya
A.O. >	D.O.	a dukkata*
A.O. >	A.O.	a nissaggiya pacittiya under NP 20

The trades marked with asterisks point out one of the anomalies of the Commentary's interpretation: Why trades involving D.O. should entail only a dukkata, while A.O. > A.O. trades should entail a nissaggiya pacittiya is hard to fathom.

At any rate, to continue with the Commentary's explanations: N.O. > A.O. trades cover two possible cases, depending on whether the money was obtained properly or improperly under the preceding rule. If improperly, the object bought with the money is unallowable for all bhikkhus. This holds whether the bhikkhu makes the purchase himself or a steward makes it for him. The only way the item can be made allowable is to have an equal sum of money returned to the original donor and the item returned to the person who sold it, and then arrange for a proper exchange as allowed under the following rule. (At first glance, it may seem strange for the Commentary to insist that the price of the A.O. be returned to the original donor of the N.O., since the bhikkhus are in no way in his/her debt; this is probably the Commentary's way of ensuring that if the seller returns the purchase price of the A.O. to the bhikkhus' steward, it is not used to repurchase the A.O.)

If, however, a bhikkhu engages in a N.O. > A.O. trade using money obtained properly under the preceding rule, the item bought is unallowable only for him, but allowable for other bhikkhus once he has forfeited it. If N.O. > A.O. exchanges really were covered by this rule, though, this would contradict the Vibhanga, which insists that the item obtained as a result of this rule either has to be given to a lay person or thrown away. Thus it seems better to follow the Vibhanga in treating cases of this sort under the following rule.

The Commentary makes no mention of what should be done with items resulting from trades that carry a dukkata here, but its discussion of how to "undo" a trade so as to make the item allowable suggests the following scheme:

I. For a D.O > D.O. trade: Return the object bought to the person who sold it, return the original object to the donor, and confess the offence.

II. For a D.O. > A.O. trade: Return the object bought to the person who sold it, return the original object to the donor, and confess the offence. If one wants to, one may then approach the person who sold the allowable object and arrange a proper trade in accordance with the following rule.

III. For an A.O. > D.O. trade: Return the object bought to the person who sold it and confess the offence.

As an intellectual exercise, the Commentary considers the question of a trade that results in an A.O. that can never be made allowable, and comes up with the following scenario: A bhikkhu takes money improperly obtained under the preceding rule, uses it to get iron mined, smelted and made into a bowl. Since there is no way to undo these transactions -- the iron can never be returned to its state as ore -- there is no way any bhikkhu may ever properly make use of the iron no matter what is done with it.

As mentioned above, the Commentary's explanations here contradict the Vibhanga on a number of points, and contain several anomalies as well. It seems preferable to treat a number of cases it mentions here -- N.O. > D.O., N.O. > A.O., D.O. > D.O., D.O. > A.O., A.O. > D.O., or in other words, any trade resulting in an allowable or a dukkata object -- under the following rule instead.

Forfeiture & confession. When a bhikkhu has obtained gold or money in violation of this rule he is to forfeit it in the midst of a formal meeting of the Community, following the procedures explained under the preceding rule. The Pali formula for forfeiture is in Appendix VI.

Non-offences. The Vibhanga's no-offence clauses contain nothing but the blanket exemptions mentioned under Parajika 1.

Summary:
38. Obtaining gold or money through trade is a nissaggiya pacittiya offence.

20. Should any bhikkhu engage in various types of trade, (the article obtained) is to be forfeited and confessed.

"Now at that time Ven. Upananda the Sakyan had become skilled at robe making. Having made an outer robe of old rags, having dyed it well and stitched it nicely, he wore it. A certain wanderer, wearing a very expensive cloak, went to where he was staying and on arrival said to him, 'Your outer robe is beautiful, my friend. Give it to me in exchange for this cloak.'

"'Do you know (what you are doing), my friend?'

"'Yes, I know.'

"'Very well, then.' And he gave him the robe.

"Then the wanderer went to the wanderers' park wearing the outer robe. The other wanderers said to him, 'Your outer robe is beautiful, friend. Where did you get it?'

"'I got it in exchange for my cloak.'

"'But how long will this outer robe last you? That cloak of yours was better.'

"So the wanderer, thinking, 'It's true what the wanderers said. How long will this outer robe last me? That cloak of mine was better,' went to where Ven. Upananda the Sakyan was staying, and on arrival said, 'Here is your outer robe, my friend. Give me my cloak.'

"'But didn't I ask you, "Do you know what you are doing?" I won't give it to you.'

"So the wanderer was offended and annoyed and spread it about, 'Even a householder will give another householder the item he regrets (trading). How can one who has gone forth not give (extend the same courtesy) to one who has gone forth?'"

As we noted under NP 10, one of the purposes of this rule is to relieve bhikkhus of the responsibilities that come with making trades -- the responsibility of having to get a fair price for one's goods and at the same time offering a fair deal to the person making the trade.

The factors for an offence here are two: object and effort.

Object. The Vibhanga defines various types of trade as covering deals involving the four requisites, "even a lump of powder, a tooth-cleaner or unwoven thread" -- these being its standard examples of objects with the least possible material value. The Commentary interprets this as limiting this rule to deals involving nothing but allowable objects (A.O. > A.O.), but there is nothing in the Vibhanga to suggest that this is necessarily so.

The emphasis in the Vibhanga seems to be that this rule covers even allowable objects of the least possible value, and all the more so more valuable and restricted objects. In fact, since the Vibhanga explicitly limits the preceding rule to trades that result in money for the bhikkhu (N.O. > N.O.; D.O. > N.O.; A.O. > N.O.), it seems best to interpret this rule as covering all types of trade not covered in that rule:

N.O. > D.O.; N.O. > A.O.;
D.O. > D.O.; D.O. > A.O.;
A.O. > D.O.; and A.O. > A.O.

The Vibhanga and commentaries also mention that the goods one offers in trade are one's own goods, but they do not mention explicitly whether or not this also includes goods belonging to someone else that have been placed on trust in one's keeping (such as monastery funds placed under the supervision of a monastery official). Since the no-offence clauses make no exemptions for a bhikkhu who trades using goods received on trust from someone else, though, it would seem that such cases do fall under this rule as well.

Effort. Engaging in trading, according to the Vibhanga, involves two steps:

(1) The bhikkhu proposes an exchange, saying, "Give this for that," or "Take this for that," or "Exchange this for that," or "Purchase this with that."

(2) The goods exchange hands, the bhikkhu's goods ending up with the other person, and the other person's goods ending up with the bhikkhu.

The first step entails a dukkata; both steps together, a nissaggiya pacittiya. Perception is not a mitigating factor here: If a bhikkhu manages an exchange in a way that he thinks avoids a penalty under this rule but in fact doesn't (see below), he commits the full offence all the same.

Forfeiture & confession. Once a bhikkhu has received an article from trading, he is to forfeit it either to an individual bhikkhu, to a group of two or three, or to a full Community of four or more. Only then may he confess the offence. The procedures for forfeiture, confession, and the return of the article are the same as under NP 1. The Pali formula for forfeiture is in Appendix VI. The Vibhanga makes no mention of what the bhikkhu may and may not do with after receiving it in return, but we may borrow a page from the Commentary's discussion of the preceding rule and say that:

a) If the exchange was N.O. > D.O., he should return the D.O. to its seller. If the N.O. was properly obtained under NP 18, there is nothing further to be done. If not, the bhikkhu should confess the offence for violating that rule. (If he accepts the purchase price in return, he must forfeit it in the midst of the Community. If not, he should simply confess the pacittiya offence.)

b) If the exchange was N.O. > A.O., then if the N.O. was obtained in violation of NP 18, no bhikkhu may make use of the A.O. unless it is returned to the seller, the price of the article is turned over to the original donor of the money, and the A.O. is then repurchased in a way that does not violate this rule. (Again, if the seller refunds the purchase price, the offender should forfeit it in the midst of the Community. If not, he should simply confess the pacittiya offence.)

c) If the N.O. in this case was properly obtained, then the purchased article is allowable for other bhikkhus, but not for the offender. (Some might object that if the N.O. was properly obtained it should be treated as A.O., but we must remember that a bhikkhu who orders his steward to use money to buy an object is assuming ownership of the money, which goes against the spirit of NP 18 and the protocol of having a steward in the first place.)

d) If the exchange was D.O. > D.O., the bhikkhu should return the purchased article to the seller and the original article (if the seller returns it to him) to the original donor.

e) If the exchange was D.O. > A.O., the purchased article is not allowable for any bhikkhu unless it is returned to the seller, the D.O. is returned to the original donor, and the A.O. is then repurchased in a way that does not violate this rule.

f) If the exchange was A.O. > D.O., the bhikkhu should return the purchased article to the seller.

g) If the exchange was A.O. > A.O., the bhikkhu may make use of the article as he likes.

h) If the exchange was wages in payment for services rendered, the Commentary notes that there is no way the bhikkhu can rightfully get the payment back, so he should simply confess a pacittiya offence.

Non-offences. In the origin story to NP 5, the Buddha allows bhikkhus to trade allowable articles with other bhikkhus, bhikkhunis, female probationers, and male or female novices. The present rule thus covers trades made only with people who are not one's co-religionists.

As for trades with people who are not one's co-religionists, the Vibhanga here adds that a bhikkhu commits no offence --

i. if he asks the price of an object;
ii. if he tells a steward (wording the request properly, as under NP 10);
iii. or if he tells the seller, "I have this. I have need of such-and-such," and then lets the seller arrange the exchange as he/she sees fit.

This last point may seem like a lot of hair splitting, but we must remember that if a trade is arranged in this way, the bhikkhu is absolved from any responsibility for the fairness of the deal, which seems to be the whole point of the rule.

The Commentary, in discussing these exemptions, raises the following points:

1) A bhikkhu who tries to avoid the technicalities of what is defined as engaging in trading by saying simply, "Give this. Take that," may do so only with his close relatives. Otherwise, telling a lay person to take one's belongings as his/her own is a "theft of faith" (saddha-deyya) -- i.e., a misuse of the donations that lay supporters have sacrificed for the bhikkhu's use. (See Mv.VIII.22.1) On the other hand, telling an unrelated lay person to give something is a form of begging, which carries a dukkata unless the lay person is related or has invited one to ask in the first place. (From this we may deduce that bhikkhus should not bargain after having asked the price of goods or services -- e.g., a taxi fare -- even in situations where bargaining is the norm.)

2) A bhikkhu desiring to get an article may tell his steward, "Having taken that, give (the seller) this." This, however, contradicts other passages in the Commentary itself, in which this form of speech is said to violate this rule when spoken directly to the seller. Since the Vibhanga includes orders to X to purchase an item as coming under this rule, it would seem that only the forms of speech allowed under NP 10 -- "I have need of such-and-such;" "I want such-and-such" -- would be allowed under the no-offence clauses here as well.

3) Under the previous rule, the Commentary mentioned that a bhikkhu engaging in an otherwise allowable trade for profit incurs a dukkata. Here it says that if a bhikkhu, proposing a trade by wording it right (kappiya-vohara), deceives the seller as to the value of his goods, he is to be treated under Parajika 2.

4) If a bhikkhu goes with his steward to a store and sees that the steward is getting a bad deal, he may simply tell the steward, "Don't take it."

5) The Commentary to NP 10 describes how a bhikkhu may make a purchase when his steward has left funds in safe-keeping on the bhikkhu's premises but is not around to arrange a trade when, say, a bowl-seller comes along. The bhikkhu may tell the seller, "I want this bowl, and there are funds of equal value here, but there is no steward to make them allowable." If the seller volunteers to make them allowable, the bhikkhu may show him where they are but may not tell him how much to take. If the seller takes too much, the bhikkhu may cancel the sale by saying, "I don't want your bowl after all."

In general it is not a wise policy to have funds left for safe-keeping on one's premises -- a Community allowing this exposes itself to the dangers of robbery and assault -- but the Commentary here seems less interested in describing ideal behaviour than in simply drawing the line between what is and is not an offence.

Special cases.
1) The Bhikkhunis' Nissaggiya Pacittiya rules 4-10 show that if a lay donor gives money to a store owner to pay for whatever a bhikkhuni will request from the store, the bhikkhuni may avail herself of the arrangement. If the donor stipulates that this arrangement applies only to certain things, or to things worth a certain amount, she may request only what falls under the stipulation: This is the point of the rules. In effect, what this is doing is making the storeowner her steward. Such an arrangement would thus also seem allowable for bhikkhus, as long as they word their requests to the store owner properly, as advised under NP 10.

2) As mentioned under NP 18, checks, credit cards, bank drafts, and traveller's checks do not count as gold or money, but any trade arranged with them would come under this rule. With checks, the point where the full offence is committed is when the bhikkhu hands the check over to the seller -- or tells his steward to hand it over -- in exchange for goods or services. Simply signing a check does not come under this rule. Thus a bhikkhu responsible for monastery building funds of the sort discussed in the Commentary to NP 10 -- where the donor makes the bhikkhu(s) responsible for saying who money should go to -- may sign checks drawing on the fund without committing an offence here, unless he hands the check over to the seller or tells the steward, "Use this to buy X."

Similarly with credit cards: The offence is committed when the bhikkhu hands the signed credit card receipt -- or has it handed -- to the seller. The receipt is an acknowledgement of goods purchased or services rendered, which in the context of the card holder's agreement with the credit card company is his promise to repay the loan he is making on the company. This promise is what he is trading with the seller.

Summary:
39. Engaging in trade with anyone except one's co-religionists is a nissaggiya pacittiya offence.

Chapter Seven Part Three: The Bowl Chapter

21. An extra alms bowl may be kept ten days at most. Beyond that, it is to be forfeited and confessed.

Alms bowls. This rule deals only with alms bowls that are fit to be determined for use. According to the Commentary, this means any that are --

1) made of the proper material;
2) the proper size;
3) fully paid for;
4) properly fired; and
5) not damaged beyond repair.

Material. In the Cullavagga (V.8.2 & V.9.1), the Buddha allows two kinds of alms bowls -- made of clay and made of iron -- and forbids eleven: made either of wood, gold, silver, pearl, beryl, crystal, bronze, glass, tin, lead, or copper. Using the Great Standards, it has recently been decided that stainless steel bowls are allowable, but aluminium bowls not. In the time of the Buddha, clay bowls were the more common. At present, iron and steel bowls are.

Size. The Vibhanga contains a discussion of three proper sizes for a bowl -- the medium size containing twice the volume of the small, and the large twice the volume of the medium -- but they are based on measurements that are not known with any precision at present. The author of the Vinaya Mukha reports having experimented with various sizes of bowls based on a passage in the story of Mendaka in the Dhammapada Commentary. His conclusion: A small bowl is just a little larger than a human skull, and a medium bowl approximately 27 1/2 English inches (70 cm.) in circumference, or about 8.75 inches (22.5 cm.) in diameter. He did not try making a large bowl. Any size larger than the large size or smaller than the small is inappropriate; any size between them falls under this rule.

Fully paid for. According to the Commentary, if a bowl-maker makes a gift of a bowl, it counts as fully paid for. If a bowl has been delivered to a bhikkhu but has yet to be fully paid for, it may not be determined and does not come under this rule until paid for in full.

Fired. The Commentary states that a clay bowl must be fired twice before it can be determined, to make sure it is properly hardened; and an iron bowl five times, to prevent it from rusting. Since stainless steel does not rust it need not be fired, but the accepted practice is to find some way to make it grey -- either by painting it on the outside or firing the whole bowl with leaves that will give it a smoky colour -- so that it will not stand out.

Not damaged beyond repair. According to the Commentary, a clay bowl is damaged beyond repair if it has at least ten inches (fingerbreadths) of cracks in it, the smallest of the cracks being at least two inches long. (Cracks less than two inches long are said not to merit mending, and so do not count.) If a bowl has fewer cracks than that, they should be mended either with tin wire, sap (but for some reason not pure pine sap), or a mixture of sugar cane syrup and powdered stone. Other materials not to be used for repair are beeswax and sealing wax. If the total number of countable cracks equals ten inches or more, the bowl becomes a non-bowl, and the owner is entitled to ask for a new one.

As for iron and steel bowls, a hole in the bowl large enough to let a millet grain pass through is enough to make the determination lapse, but not enough to make the bowl a non-bowl. The bhikkhu should plug the hole -- or have a blacksmith plug it -- with powdered metal or a tiny metal plug polished smooth with the surface of the bowl and then redetermine the bowl for use.

If the hole is small enough to be plugged in this way, then no matter how many such holes there are in the bowl, they do not make it a non-bowl, and the bhikkhu should mend it and continue using it. If, however, there is even one hole so large that the metal used to plug it cannot be polished smooth with the surface of the rest of the bowl, the tiny crevices in the patch will collect food. This makes it unfit for use, and the owner is entitled to ask for a new one to replace it.

An extra alms bowl, according to the Vibhanga, is any that has not yet been determined for use or placed under shared ownership. Since a bhikkhu may have only one bowl determined for use at any one time, he should place any additional bowls he receives under dual ownership if he plans to keep them on hand. (The procedures for placing bowls under determination and dual ownership, and for rescinding their determination and dual ownership, are given in Appendices IV & V.)

Effort. According to the Commentary, once a bowl belonging to a bhikkhu fulfils all the requirements for a determinable bowl, he is responsible for it even if he has not yet received it into his keeping. For example, if a blacksmith promises to make him a bowl and send word when it is finished, the bhikkhu is responsible for the bowl as soon as he hears word from the blacksmith's messenger that the bowl is ready, even if he has yet to receive it. If the blacksmith, prior to making the bowl, promises to send it when it is done, then the bhikkhu is not responsible for it until the blacksmith's messenger brings it to him. (All of this assumes that the bowl is already fully paid for.)

If, within ten days after becoming responsible for a new bowl, a bhikkhu does not determine it for use, place it under dual ownership, abandon it (give it or throw it away), or if the bowl is not lost, stolen, damaged beyond repair, or taken on trust, then on the tenth dawn after receiving it he incurs the full penalty under this rule.

Perception is not a mitigating factor here. Even if the bhikkhu thinks that ten days have not passed when they have, or if he thinks that the bowl is damaged beyond repair or placed under dual ownership, etc., when it isn't, he incurs the penalty all the same.

Forfeiture & confession. The procedures for forfeiture, confession, and return of the bowl are the same as under NP 1. For the Pali formulae to use in forfeiting and returning the bowl, see Appendix VI. As with the rules concerning robe-cloth, the bowl must be returned to the offender after he has confessed his offence. Not to return it entails a dukkata. Once the bowl is returned, the ten-day countdown starts all over again.

Non-offences. There is no offence if within ten days the bhikkhu determines the bowl for use, places it under dual ownership, abandons it, loses it, or if the bowl is stolen, damaged beyond repair, or taken on trust.

Summary:
40. Keeping an alms bowl for more than ten days without determining it for use or placing it under dual ownership is a nissaggiya pacittiya offence.

22. Should a bhikkhu with an alms bowl having less than five mends ask for another new bowl, it is to be forfeited and confessed. The bowl is to be forfeited by the bhikkhu to the company of bhikkhus. That company of bhikkhus' final bowl should be presented to the bhikkhu, (saying,) "This, bhikkhu, is your bowl. It is to be kept until broken." This is the proper procedure here.

"Now at that time a certain potter had invited the bhikkhus, saying, 'If any of the masters need a bowl, I will supply them with bowls.' So the bhikkhus, knowing no moderation, asked for many bowls. Those with small bowls asked for large ones. Those with large ones asked for small ones. The potter, making many bowls for the bhikkhus, could not make other goods for sale. (As a result,) he could not support himself, and his wife and children suffered."

According to the Commentary, the phrase, a bowl "having less than five mends" refers to one that is not beyond repair, as explained under the preceding rule. Thus this rule does not apply to a bhikkhu whose bowl is beyond repair: As the K/Commentary notes, whether or not the damage in his bowl is actually mended is not an issue here.

A bhikkhu whose bowl is not beyond repair incurs a dukkata in asking for a new bowl, and a nissaggiya pacittiya in receiving it.

Forfeiture, confession, & bowl exchange. Once a bhikkhu has received a bowl in violation of this rule, he must forfeit it and confess the offence in the midst of the Community. (See Appendix VI for the Pali formula used in forfeiture.) He then receives the Community's "final bowl" to use in place of the new one he has forfeited.

The Community's final bowl is selected in the following way: Each bhikkhu coming to the meeting to witness the offender's forfeiture and confession must bring the bowl he has determined for his own use. If a bhikkhu has an inferior bowl in his possession -- either extra or placed under dual ownership -- he is not to determine that bowl and take it to the meeting in hopes of getting a more valuable one in the exchange about to take place. To do so entails a dukkata.

Once the bhikkhus have assembled, the offender forfeits his bowl and confesses the offence. The Community, following the pattern of one motion and one announcement (natti-dutiya-kamma) given in the Vibhanga, then chooses one of its members as bowl exchanger. The bowl exchanger's duty is to take the forfeited bowl and show it to the most senior bhikkhu, who is to choose whichever of the two bowls pleases him more -- his own or the new one. If the new bowl is preferable to his own, and yet he does not take it out of sympathy for the offender, he incurs a dukkata. The K/Commentary and Sub-commentary add that if he does not prefer the new bowl, there is no offence in not taking it.

Once the most senior bhikkhu has taken his choice, the remaining bowl is then shown to the bhikkhu second in seniority, who repeats the process, and so on down the line to the most junior bhikkhu. The bowl exchanger then takes the bowl left over from this last bhikkhu's choice -- the least desirable bowl belonging to that company of bhikkhus -- and presents it to the offender and tells him to determine it for his use and care for it as best he can.

If the offender treats it improperly -- putting in a place where it might get damaged, using it in the wrong sort of way -- or tries to get rid of it, thinking, "How can this bowl be lost or destroyed or broken," he incurs a dukkata.

Non-offences. The Vibhanga states that a bhikkhu whose bowl is not beyond repair incurs no penalty if he asks for a new bowl from relatives or from people who have invited him to ask, or if he gets a new bowl with his own resources. He is also allowed to ask for a bowl for the sake of another, which -- following the Commentary to NP 6 -- means that Bhikkhu X may ask for a bowl for Y only if he asks from his own relatives or people who have invited him to ask for a bowl OR if he asks from Y's relatives or people who have invited Y to ask. Asking for and receiving a bowl for Y from people other than these would entail the full offence.

Summary:
41. Asking for a new alms bowl when one's current bowl is not beyond repair is a nissaggiya pacittiya offence.

23. There are these tonics to be taken by sick bhikkhus: ghee, fresh butter, oil, honey, sugar/molasses. Having been received, they are to be used from storage seven days at most. Beyond that, they are to be forfeited and confessed.

Tonics. The five tonics mentioned in this rule form one of four classes of edibles grouped according to the time period within which they may be eaten after being received. The other three -- food, juice drinks, and medicines -- are discussed in detail at the beginning of the Food Chapter in the pacittiya rules. Here is the story of how this group came to be a special class:

"Then as the Blessed One was alone in seclusion, this line of reasoning occurred to him: 'At present the bhikkhus, afflicted by the autumn disease, bring up the conjey they have drunk and the food they have eaten. Because of this they are thin, wretched, unattractive, and jaundiced, their bodies covered with veins. What if I were to allow medicine for them that would be both medicine and agreed to be medicine for the world, and serve as food, yet would not be considered gross (substantial) food.'

"Then this thought occurred to him: 'There are these five tonics -- ghee, fresh butter, oil, honey, sugar/molasses -- that are both medicine and agreed to be medicine for the world, and serve as food yet would not be considered gross food. What if I were now to allow the bhikkhus, having accepted them at the right time (from dawn to noon), to consume them at the right time'...

"Now at that time bhikkhus, having accepted the five tonics at the right time, consumed them at the right time. Because of this they could not stomach even their ordinary coarse meals, much less greasy ones. As a result, afflicted both by the autumn disease and this loss of appetite for food, they became even more thin and wretched... So the Blessed One, for this cause, for this reason, having given a Dhamma talk, addressed the bhikkhus: 'I allow you, bhikkhus, having accepted the five tonics, to consume them both at the right time and at the wrong time (from noon to dawn).'" (Mv.VI.1)

The Vibhanga defines the five tonics as follows:

Ghee means strained, boiled butter oil made from the milk of any animal whose flesh is allowable for bhikkhus to eat (see the introduction to the Food Chapter in the pacittiya rules).

Fresh butter must be made from the milk of any animal whose flesh is allowable. None of the Vinaya texts go into detail on how fresh butter is made, but the Bhumija Discourse (M.126) describes the process as "having sprinkled curds in a pot, one twirls them with a churn." Fresh butter of this sort is still made in India today by taking a small churn -- looking like an orange with alternate sections removed, attached to a small stick -- and twirling it in curds, all the while sprinkling them with water. The fresh butter -- mostly milk fat plus some milk solids -- coagulates on the churn, and when the fresh butter is removed, what is left in the pot is diluted buttermilk. Fresh butter, unlike creamery butter made by churning cream, may be stored unrefrigerated in bottles for several days even in the heat of India without going rancid.

Arguing by the Great Standards, creamery butter would obviously come under fresh butter here. A more controversial topic is cheese. In Mahavagga VI.34.21, the Buddha allows bhikkhus to consume five products of the cow: milk, curds, buttermilk, fresh butter, and ghee. Apparently, cheese -- curds heated to evaporate their liquid content and then cured with or without mould -- was not known in those days, but it seems proper to include it under one of the five. The question is which one. Some have argued that it should come under fresh butter, since the composition is similar -- milk fat and solids derived from curds. Others have argued that it should come under curds, as it generally regarded to be more of a gross food. Since the texts give no guidance here, the best policy would seem to be to follow the views of the Community to which one belongs.

Oil, according to the Vibhanga, includes sesame oil, mustard seed oil, "honey tree" oil, castor oil, and oil from tallow. The Mahavagga (VI.2.1) allows oil made from five kinds of tallow: bear, fish, alligator (shark?), pig, and donkey tallow. Since bear meat is one of the kinds normally unallowable for bhikkhus, the Sub-commentary interprets this list as meaning oil from the tallow of any animal whose flesh is allowable -- and from any animal whose flesh, if eaten, carries a dukkata -- is allowable here. Since human flesh, if eaten, carries a thullaccaya, oil from human fat is not allowed. The Commentary adds that oil made from any plants not listed in the Vibhanga carries a dukkata if kept more than seven days.

Honey means the honey of bees, although the Commentary lists two species of bee -- cirika, long and with wings, and tumbala, large, black and with hard wings -- whose honey it says is very viscous and ranks as a medicine, not as one of the five tonics.

Sugar/molasses the Vibhanga defines simply as essence of sugar cane. The Commentary interprets this as meaning not only sugar and molasses, but also fresh sugar cane juice. The Vinaya Mukha disagrees here, saying that sugar cane juice, if kept overnight, can quickly turn into alcohol and so should be classed as a juice drink. The Commentary also says that sugar or molasses made from any fruit classed as a food -- e.g., coconut, date palm, sugar beet, etc. -- ranks as a food and not as a tonic, but it is hard to guess at its reasoning here, since sugar cane itself is also classed as a food. The Vinaya Mukha seems more correct in using the Great Standards to say that all forms of sugar and molasses, no matter what the source, would be included here. Thus artificial sweeteners would also come under this rule.

According to Mv.VI.16.1, even if the sugar has a little flour mixed in with it simply to make it firmer -- as sometimes happens in sugar cubes and blocks of palm sugar -- it is still classed as a tonic as long as it is still regarded simply as "sugar." If there is enough flour mixed in so that people are conscious of the flour's being there, or if the flour is meant to serve more than simply as a firming agent, the mixture counts as a food and may not be eaten after noon of the day on which it is received.

Proper use. According to Mv.VI.40.3, any tonic received today may be eaten mixed with food or juice drinks received today, but not with food or juice drinks received on a later day. Thus, as the Commentary points out, tonics received in the morning may be eaten with food that morning; if received in the afternoon, they may not be eaten mixed with food at any time at all.

Also, the Commentary says at one point, one may take the tonic at any time during those seven days regardless of whether or not one is ill. At another point, though, it says that one may take the tonic after the

morning of the day on which it is received only if one has a reason. This statement the Sub-commentary explains as meaning that any reason suffices -- e.g., hunger, weakness -- as long as one is not taking the tonic for nourishment as food. In other words, one may take enough to assuage one's hunger, but not to fill oneself up.

Mv.VI.27, though, contains a special stipulation for the use of sugar. If one is ill, one may take it "as is" at any time during the seven days; if not, then after noon of the first day one make take it only if it is mixed with water.

Forfeiture & confession. If a bhikkhu keeps a tonic past the seventh dawn after receiving it, he is to forfeit it and confess the nissaggiya pacittiya offence. Perception is not a mitigating factor here. Even if he thinks that seven days have not yet passed when they actually have -- or thinks that the tonic is no longer in his possession when it actually is -- he incurs the penalty all the same .

The procedures for forfeiture, confession, and return of the tonic are the same as under NP 1. The formula to use in forfeiting the tonic is given in Appendix VI. Once the bhikkhu receives the tonic in return, he may not use it to eat or to apply to his body, although he may use it for other external purposes, such as oil for a lamp, etc. Other bhikkhus may not eat the tonic either, but they may apply it to their bodies -- for example, as oil to rub down their limbs.

Non-offences. According to the Vibhanga, there is no offence if within seven days the tonic gets lost, destroyed, burnt, stolen, or taken on trust; or if the bhikkhu determines it for use, abandons it or -- having given it away to an unordained person, abandoning possession of it in his mind -- he receives it in return and makes use of it .
The Commentary has an extended discussion of the last three points.

1) Determining the tonic for use means that, within the seven days, the bhikkhu determines that he will use it not as a medicine, but only to apply to the outside of his body or for other external purposes instead. In this case, he may keep the tonic as long as he likes without penalty.

2) Unlike the other rules dealing with robe-cloth or bowls kept X number of days, the no-offence clauses here do not include exemptions for tonics placed under dual ownership, but the Commentary discusses "abandons it" as if it read "places it under dual ownership." Its verdict: Any tonic placed under dual ownership may be kept for more than seven days without incurring a penalty as long as the owners do not divide up their shares, but after the seventh day they may not use it for internal purposes. The Sub-commentary adds that any tonic placed under dual ownership may not be used at all until the arrangement is rescinded.

3) The Commentary reports a controversy between two Vinaya experts on the meaning of the last exemption in the list -- i.e., "having given it away to an unordained person, abandoning possession of it in his mind, he receives it in return and makes use of it." Ven. Maha Sumanatthera states that the phrase, "if within seven days" applies here as well: If within seven days the bhikkhu gives the tonic to an unordained person, having abandoned possession of it in his mind, he may then keep it and consume it for another seven days if the unordained person happens to return it to him.

Ven. Maha Padumathera disagrees, saying that the exemption "abandons it" already covers such a case, and that the exemption here refers to the situation where a bhikkhu has kept a tonic past seven days, has forfeited it and received it in return, and then gives it up to an unordained person. If the unordained person then returns the tonic to him, he may use it to rub on his body.

The K/Commentary agrees with the latter position, but this creates some problems, both textual and practical. To begin with, the phrase, "if within seven days," modifies every one of the other no-offence clauses, and there is nothing to indicate that it does not modify this one, too. Secondly, every one of the other exemptions refers directly to ways of avoiding the full offence, and not to ways of dealing with the forfeited article after it is returned, and again there is nothing to indicate that the last exemption breaks this pattern.

On the practical side, if the exemption "abandons it" covers cases where a bhikkhu may give up the tonic to anyone at all and then receive it in return to use for another seven days, bhikkhus could spend their time trading hoards of tonics among themselves indefinitely, and the rule would become meaningless. But as the origin story shows, it was precisely to prevent them from amassing such hoards that the rule was formulated in the first place:

"Then Ven. Pilindavaccha approached the residence of King Seniya Bimbisara of Magadha, and on arrival sat down on an appointed seat. Then King Seniya Bimbisara... approached Ven. Pilindavaccha and, paying homage, sat to one side. As he sat there, Ven. Pilindavaccha addressed him: 'For what reason, great king, has the monastery attendant's family been imprisoned?'

"'Sir, in the monastery attendant's house was a garland of gold: beautiful, attractive, exquisite. There is no garland of gold like it even in our own women's quarters. From where could he have gotten it? It must have been stolen.'

"Then Ven. Pilindavaccha willed that the palace of King Seniya Bimbisara be gold. And it became made entirely of gold. 'But from where did you get so much gold, great king?'

"(Saying,) 'I understand, sir. This is simply the master's psychic power,' he had the monastery attendant's family released.

"The people, saying, 'The master Pilindavaccha displayed a psychic wonder, a superior human feat, to the king and his retinue,' were gladdened and delighted. They presented Ven. Pilindavaccha with the five tonics: ghee, fresh butter, oil, honey, and sugar.

"Now ordinarily Ven. Pilindavaccha was already a receiver of the five tonics, so he distributed his gains among his company, who came to live in abundance. They put away their gains having filled pots and pitchers. They hung up their gains having filled water strainers and bags. These kept oozing and seeping, and their dwellings were crawling and creeping with rats. People, engaged in a tour of the dwellings, having seen this, were offended and annoyed and spread it about, 'These Sakyan contemplatives have inner store rooms like the king...'"

Thus it seems more likely that the Vibhanga's no-offence clauses should be interpreted like this: A bhikkhu is no longer held responsible for a tonic if he abandons it or gives it away -- no matter who he gives it to, or what his state of mind -- but he may receive it in return and use it another seven days only if he has given it to an unordained person, having abandoned all possession of it in his mind.

Summary:

42. Keeping any of the five tonics -- ghee, fresh butter, oil, honey, or sugar/molasses -- for more than seven days, unless one determines to use them only externally, is a nissaggiya pacittiya offence.

24. When a month is left to the hot season, a bhikkhu may seek a rains-bathing cloth. When a half-month is left to the hot season, (the cloth) having been made, may be worn. If when more than a month is left to the hot season he should seek a rains-bathing cloth, (or) when more than a half-month is left to the hot season, (the cloth) having been made should be worn, it is to be forfeited and confessed.

Bhikkhus in the time of the Buddha commonly bathed in a river or lake. Passages in the Canon give an indication of some of the dangers involved: They had to watch over their robes to make sure they weren't stolen or washed away by the river, and at the same time make sure they didn't expose themselves. (S.II.10 tells of a female deity who, seeing a young bhikkhu bathing, became smitten with the sight of him wearing only his under robe. She appeared to him, suggesting that he leave the monkhood to take his fill of sensual pleasures before his youth had past, but fortunately he was far enough in the practice to resist her advances.) A further danger during the rainy season was that the rivers would become swollen and their currents strong. During this time, then, bhikkhus would bathe in the rain.

Rains-bathing cloth. The Mahavagga (Mv.VIII.15.1-7) contains the story of a servant girl who went to a monastery and -- seeing bhikkhus out bathing naked in the rain -- concluded that there were no bhikkhus there, but only naked ascetics. She returned to tell her mistress, Lady Visakha, who realized what was actually happening and made this the occasion to ask permission of the Buddha to provide rains-bathing cloths for the bhikkhus, because as she put it, "Nakedness is repulsive." He granted her request, and at a later point (Mv.VIII.20.2) stated that a rains-bathing cloth could be determined for use during the four months of the rainy season -- beginning with the day after the full moon in July, or the second if there are two -- and that at the end of the four months it was to be placed under dual ownership. This training rule deals with the protocol for seeking and using such a cloth during the rains and the period immediately preceding them.

The protocol is sketched out in the Vibhanga, the details being filled in by the Commentary as follows: During the first two weeks of the fourth lunar month of the hot season -- the lunar cycle ending with the full

moon in July, or the first if there are two -- a bhikkhu may seek a rains-bathing cloth and make it if he gets enough material, but may not yet use it or determine it for use. In seeking the cloth he may directly ask for it from relatives or people who have invited him to ask, or he may approach people who have provided rains-bathing cloths in the past and give them such hints as: "It is the time for material for a rains-bathing cloth," or "People are giving material for a rains-bathing cloth." If he asks directly from people who are not relatives or who have not invited him to ask, he incurs a dukkata; if he then receives cloth from them, he incurs the full penalty under NP 6. If he gives hints to people who have never provided rains-bathing cloths in the past, he incurs a dukkata.

During the last two weeks of the fourth lunar month of the hot season he may now begin using his cloth, although he may not yet determine it for use. This shows clearly that this rule is providing an exemption to NP 1, under which he otherwise would be forced to determine the cloth within ten days after receiving it. If he has not yet received enough material, he may continue seeking for more in the way described above and make himself a cloth when he receives enough.

When the first day of the rainy season arrives, he may determine the cloth. If he does not yet have enough material to make his rains-bathing cloth, he may continue seeking it throughout the four months of the rains. If he bathes naked in the rain when he has a cloth to use, he incurs a dukkata, although he may bathe naked in a lake or river without penalty. If he has no cloth to use, he may also bathe naked in the rain.

At the end of the four months, he is to wash his cloth, place it under dual ownership, and put it aside if it is still usable. He may begin using it again the last two weeks of the last lunar month before the next rainy season and is to redetermine it for use on the day the rainy season officially begins.

Towards the end of his discussion of this rule, Buddhaghosa adds his own personal opinion on when the rains-bathing cloth should be determined for use if it is finished during the rains -- on the grounds that the ancient commentaries do not discuss the issue -- one of the few places where he overtly gives his own opinion anywhere in the Commentary. His verdict: If one receives enough material to finish the cloth within ten days, one should determine it within those ten days. If not, one may keep what material one has, undetermined and throughout the rainy season if need be, until one does obtain enough material and then determine the cloth on the day it is completed.

Offences. As the K/Commentary points out, this rule covers two separate offences whose factors are somewhat different: the offence for seeking a rains-bathing cloth at the wrong time and that for using it at the wrong time.

Seeking. The factors here are three: object, effort, and result. The bhikkhu is looking for material for a rains-bathing cloth, he makes hints to people during the time he is not allowed to make hints, and he receives the cloth. There is a dukkata in the hinting and a full offence in receiving the cloth.

Using. The factors here are two: object -- he has a rains-bathing cloth -- and effort -- he has other robes to use, there are no dangers, and yet he wears the cloth during the period when he is not allowed to wear it. (The conditions here are based on the no-offences clauses, which we will discuss below.)

In neither of these cases is perception a mitigating factor. Even if a bhikkhu thinks that the right time to hint for the cloth or to wear it has come when it actually hasn't, he is not immune from an offence.

Forfeiture & confession. A bhikkhu who has committed either of the two full offences here is to forfeit the cloth and confess the offence. The procedures for forfeiture, confession, and return of the cloth are the same as under NP 1.

Non-offences. As the rule states, there is no offence for the bhikkhu who hints for a rains-bathing cloth within the last lunar month of the hot season, or for one who wears his rains-bathing cloth during the last two weeks of that month.

The Vibhanga then refers to a situation that occasionally happens under the lunar calendar: The four months of the hot season end, but the Rains Retreat is delayed another lunar cycle due to the fact that a thirteenth lunar month has to be added to that year in order to bring the lunar year back into line with the solar year. (This usually occurs when there are two full moons in July.) In this case, it says that the rains-bathing cloth -- having been sought for during the fourth month and worn during the last two weeks of the hot season -- is to be washed and then put aside. When the proper season arrives, it may be brought out for use .

The Commentary adds that there is no need to determine the cloth in this period until the day the Rains Retreat officially starts, but it doesn't say whether the proper season to use the cloth begins with the Rains Retreat or two weeks before. It would make sense to allow the bhikkhu to begin using the cloth two weeks before, but this is simply my own opinion.

The Vibhanga then adds three more exemptions: There is no offence for a "stolen-robe" bhikkhu, a "destroyed-robe" bhikkhu, or when there are dangers. The Commentary interprets "robe" here as meaning rains-bathing cloth, and says that these exemptions apply to the dukkata offence for bathing naked in the rain. A bhikkhu whose rains-bathing cloth has been stolen or destroyed may bathe naked in the rain without incurring a penalty, as may a bhikkhu with an expensive bathing cloth who would rather bathe naked because of his fear of cloth thieves.

Strangely enough, Buddhaghosa's own K/Commentary makes the Vibhanga's exemptions refer also to the full offence. If a bhikkhu's other robes have been stolen or destroyed, he may wear his rains-bathing cloth out of season. The same holds true when, in the words of the K/Commentary, "naked thieves are plundering," and a bhikkhu decides to wear his rains-bathing cloth out-of-season in order to protect either it or his other robes from being stolen.The Sub-commentary follows the K/Commentary in holding to both interpretations.

At present, much of this discussion is purely academic, inasmuch as most bhikkhus -- if they use a bathing cloth -- tend to determine it for use as a "cloth accessory" so as to avoid any possible offence under this rule.

Summary:
43. Seeking and receiving a rains-bathing cloth before the fourth month of the hot season is a nissaggiya pacittiya offence.
Using a rains-bathing cloth before the last two weeks of the fourth month of the hot season is also a nissaggiya pacittiya offence.

25. Should any bhikkhu, having himself given a robe-cloth to (another) bhikkhu, and then being angered and displeased, snatch it back or have it snatched back, it is to be forfeited and confessed.

"At that time Ven. Upananda the Sakyan said to his brother's student, 'Come, friend, let's set out on a tour of the countryside.'

"'I can't go, sir. My robe is threadbare.'

"'Come, friend, I'll give you a robe.' And he gave him a robe. Then that bhikkhu heard, 'The Blessed One, they say, is going to set out on a tour of the countryside.' The thought occurred to him: 'In that case I won't set out on a tour of the countryside with Ven. Upananda the Sakyan. I'll set out on a tour of the countryside with the Blessed One.'

"Then Ven. Upananda said to him, 'Come, friend, let's set out on that tour of the countryside now.'

"'I won't set out on a tour of the countryside with you, sir. I'll set out on a tour of the countryside with the Blessed One.'

"'But the robe I gave you, my friend, will set out on a tour of the countryside with me.' And angered and displeased, he snatched the robe back."

As the Commentary points out, this rule applies to cases where one perceives the robe-cloth as being rightfully one's own even after having given it away, as when giving it on an implicit or explicit condition that the recipient does not later fulfill. Thus the act of snatching away here does not entail a parajika. If, however, one has mentally abandoned ownership of the robe and then for some reason snatches it back, the case would come under Parajika 2. The factors for an offence here are two.

Object: a piece of any of the six allowable kinds of robe-cloth, measuring at least four by eight fingerbreadths.

Effort. One has given the cloth to another bhikkhu on one condition or another and then, angered and displeased with him, either snatches it back or has someone else snatch it back. In the latter case, one incurs a dukkata in giving the order to snatch the robe, and the full offence when the robe is snatched. Perception (with regard to the recipient/victim) is not a mitigating factor here. If he actually is a bhikkhu, then whether or not one perceives him to be so makes no difference as far as the offence is concerned.

Forfeiture & confession. A bhikkhu who has obtained robe-cloth in violation of this rule is to forfeit it and confess the offence. The procedures for forfeiture, confession, and return of the cloth are the same as under NP 1. The formula to use in forfeiting the cloth is given in Appendix VI.

Lesser offences. There is a dukkata for angrily snatching back from a bhikkhu requisites other than cloth; and for angrily snatching back any kind of requisite -- cloth or otherwise -- that one has given to someone who is not a bhikkhu. The Sub-commentary adds that to give robe-cloth to a layman planning to be ordained, and then to snatch it back in this way after his ordination, entails the full offence.

According to the Vibhanga, there is no offence if the recipient returns the robe of his own accord or if the donor takes it back on trust . The Commentary's discussion of the first exemption shows that if the recipient returns the robe after receiving a gentle hint from the donor -- "I gave you the robe in hopes that you would study with me, but now you are studying with someone else" -- the donor incurs no penalty. But if the donor's hint shows anger -- "I gave this robe to a bhikkhu who would study with me, not to one who would study with somebody else!" -- he incurs a dukkata for the hint, but no penalty when the recipient returns the robe.

Summary:
44. Having given another bhikkhu a robe on a condition and then -- angry and displeased -- snatching it back or having it snatched back is a nissaggiya pacittiya offence.

26. Should any bhikkhu, having requested thread, have a robe woven by weavers, it is to be forfeited and confessed.

The factors for an offence here are three: object, effort, and result.

1) ***Object:*** thread or yarn of the six allowable types for robe-cloth, that a bhikkhu -- with the purpose of making a robe -- has requested from people who are not his relatives or who have not invited him to ask.

2) ***Effort****:* He takes this thread to weavers who are unrelated to him and have not offered their services for free, and gets them to weave him robe-cloth measuring at least four by eight fingerbreadths.

3) ***Result:*** He receives the cloth.

Offences. The Commentary has a table that works out the various combinations of offences here based on two variables: thread properly or improperly received, and weavers proper or improper for the bhikkhu to ask. Thread properly received is any that the bhikkhu has requested from people who are related to him or have invited him to ask. Similarly, weavers proper for him to ask are any who are related to him or have offered him their services.

If both the thread and the weavers are classed as not proper, there is a dukkata in getting them to weave cloth, and a nissaggiya pacittiya in receiving the cloth when it is done.

There is a dukkata in receiving the cloth if the thread is proper, but the weavers not; OR if the thread is not proper, but the weavers are. (For ease of remembrance: a dukkata if one variable is proper and the other not.) If both variables are proper, there is no offence.

The Commentary then has a field day working out the permutations if two different weavers -- one proper and one improper -- work on the cloth, or if proper and improper thread are used in the cloth -- proper warp and

improper woof, or alternating strands of proper and improper thread -- which if nothing else goes to show how few truly burning issues have sprung up around this rule.

Forfeiture & confession. Robe-cloth received in a way that entails the full offence under this rule is to be forfeited and the offence confessed, following the procedure under NP 1.

Non-offences. The Vibhanga says that there is no offence "to sew a robe, or in a binding, a belt, a shoulder-strap, a bag for carrying the bowl, or a water-strainer." The Commentary interprets this as meaning that there is no offence in asking for thread or yarn to sew a robe or to make any of the other things listed. Since these articles are small, and since bhikkhus are allowed looms (Cv.V.28.2), perhaps they are things that bhikkhus could be expected to make themselves.

The no-offence clauses also say that there is no offence if they -- the donors or the weavers -- are relatives, if they have invited one to ask, if the cloth is for the sake of another, or if it is by means of one's own property. These exemptions apply both to asking for thread and for getting weavers to weave cloth. As under NP 6 & 22, "for the sake of another" means that one may ask from one's own relatives or from those who have invited one to ask OR from relatives of the other person or people who have invited him to ask. Asking for his sake from people other than these would entail the full offence.

If the cloth is obtained by means of one's own property -- i.e., one arranges to pay for the thread and hire the weavers -- the Commentary states that one is responsible for the cloth as soon as it is finished and fully paid for, whether or not it is delivered into one's possession. One must therefore determine it for use within 10 days of that date so as not to commit an offence under NP 1. If the weavers have promised to send word when the cloth is done, one's responsibility starts when one receives word from their messenger; similarly, if they have promised to send the cloth when done, one's responsibility begins when their messenger delivers it.

Summary:
45. Taking thread that one has asked for improperly and getting weavers to weave cloth from it -- when they are unrelated and have not made a previous offer to weave -- is a nissaggiya pacittiya offence.

27. In case a man or woman householder unrelated to a bhikkhu has weavers weave robe-cloth for his sake, and if the bhikkhu, not previously invited (by the householder), having approached the weavers, should make stipulations with regard to the cloth, saying, "This cloth, friends, is to be woven for my sake. Make it long, make it broad, make it tightly woven, well woven, well spread, well scraped, well smoothed, and perhaps I may reward you with a little something;" and should the bhikkhu, having said that, reward them with a little something, even as much as alms food, it (the cloth) is to be forfeited and confessed.

Here the factors for an offence are four:

Object: a piece of any of the six allowable types of robe-cloth, measuring at least four by eight fingerbreadths, which is being made for one's sake by the arrangement of a donor who is unrelated and has not given an invitation to ask.

Intention. One wants to get better cloth than what the donors are planning to give.

Effort. One approaches the weavers and gets them to increase the amount of thread going into the cloth. The Commentary explains that the bhikkhu's words quoted in the rule are meant simply to be an example of any way in which one might do this. The Vibhanga defines the reward of "alms food" as covering anything of even the slightest material value -- food, a lump of powder, tooth wood, unwoven thread, or even a phrase of Dhamma. A bhikkhu who offers to pay for the extra thread in full would thus also fulfill this factor.

The Sub-commentary adds that even if the bhikkhu doesn't deliver the reward, this factor is fulfilled all the same as long as the weavers, as a result of his stipulations, actually increase the amount of thread from that which they and the donors had agreed on.

Result. One receives the cloth.

Offences. The bhikkhu incurs a dukkata as soon as the weavers add even a little extra thread to the cloth, and the full offence when he receives it. The procedures for forfeiture, confession, and return of the cloth are the same as under NP 1.

Non-offences. There is no offence if --

- the donors are relatives,
- they have invited one to ask,
- one asks for the sake of another,
- one gets the weavers to make the cloth less expensive than the donors had ordered, or if it is by means of one's own property. (This last point refers only to cases where the bhikkhu was the one who had the weavers hired in the first place.)

Summary:

46. When donors who are not relatives -- and have not invited one to ask -- have arranged for weavers to weave robe-cloth intended for one: Receiving the cloth after getting the weavers to increase the amount of thread used in it is a nissaggiya pacittiya offence.

28. Ten days prior to the third-month Kattika full moon, should robe-cloth offered in urgency accrue to a bhikkhu, he is to accept it if he regards it as offered in urgency. Once he has accepted it, he may keep it throughout the robe season. Beyond that, it is to be forfeited and confessed.

The third-month Kattika full moon is the full moon in October, or the first if there are two. This is the final day of the Rains Retreat, and the day before the beginning of the robe season.

Robe-cloth offered in urgency is any piece of the six allowable kinds of robe-cloth, measuring at least four by eight fingerbreadths, offered by a person who does not want to wait until the robe season to make an offering, either because his/her survival is in doubt -- as when a soldier is going into war, a traveller is about to set out on a journey, or a woman has become pregnant -- or because he/she has developed new-found faith in the religion.

The Commentary points out that the period allowed for giving robe-cloth offered in urgency begins on the fifth day of the waxing moon before the end of the Rains Retreat; and that robe-cloth offered to an individual bhikkhu beginning on the sixth day of the waning moon can, under NP 1, be kept throughout the robe season because the tenth dawn after the sixth waning moon is the beginning of the robe season. Thus it would seem that this rule is giving only a one-day special allowance.

However, we should note that the Vibhanga implicitly, and the Commentary explicitly, treat robe-cloth offered in urgency as in-season cloth (see NP 3): In other words, the cloth goes to the Community, and is to be divided only among those bhikkhus who spend the Rains Retreat in that Community. Thus if a bhikkhu has broken the retreat, he must return his share to the Community, as he no longer has any right to it.

The factors for an offence here are two: object -- robe-cloth offered in urgency; and effort -- one keeps it past the end of the robe season: the dawn after the full moon following the Rains Retreat, if one does not participate in a kathina; or the end of one's kathina privileges, if one does. And, as noted above, if one has broken one's Retreat, one has no right to any share in such cloth and must return it to the Community immediately.

Perception is not a mitigating factor here. Thus if the period to keep the cloth has passed even though one thinks it hasn't -- or if it is not determined for use, etc., when one thinks it is -- one is still subject to the offence all the same.

The procedures for forfeiture, confession, and return of the cloth are the same as under NP 1. See Appendix VI for the Pali formula to use in forfeiting the cloth.

Non-offences. There is no offence if, before the robe season is over, one determines the cloth, places it under dual ownership, or abandons it (gives it away or throws it away); if it is lost, destroyed, burnt, or stolen, or if someone else takes it on trust.

Summary:
47. Keeping robe-cloth offered in urgency past the end of the robe season after having accepted it during the last eleven days of the Rains Retreat is a nissaggiya pacittiya offence.

29. There are wilderness abodes that are considered dubious and risky. A bhikkhu living in such abodes after the (fourth-month) Kattika full moon has passed may keep any one of his three robes in a village if he so desires. Should he have any reason to live apart from the robe, he may do so for six nights at most. If he should live apart from it longer than that -- unless authorized by the bhikkhus -- it is to be forfeited and confessed.

As we noted under NP 2, every bhikkhu who has spent the Rains Retreat has the right to live separated from his set of three robes during the following month. This rule is a partial one-month extension of this right for bhikkhus living in dangerous wilderness areas. The reason for this extension is that this one-month period was when thieves were active -- perhaps because they knew that bhikkhus had just received new cloth, or simply because now that roads were passable again it was time for them to get back to their work.

The Commentary defines this situation in terms of four factors:

1) The bhikkhu has spent the first Rains Retreat -- the one beginning with the full moon in July, or the second full moon if there are two in that month -- without break.

2) He is staying in a wilderness abode, defined in the Vibhanga as one at least 500 bow-lengths, or one kilometre, from the nearest village, this distance being measured by the shortest walkable path between the two and not as the crow flies. At the same time, he is not so far from a village that he cannot go for alms there in the morning and then return to eat in his abode before noon.

3) The abode is dubious and risky: dubious in that thieves are known to be about, risky in that people are known to have been hurt or plundered by them.

4) The time period for the extension is one month beginning the day after the fourth Kattika moon, the full moon one month after the end of the Rains Retreat.

The dawn after this full moon day is when the robe season normally ends for those bhikkhus who have not participated in a kathina. However, a bhikkhu living in the situation outlined above may keep one of his set of triple robes in the village where he normally goes for alms, and -- if he has a reason -- may stay apart from it six nights at most. As usual, nights are counted by dawns.

The factors for an offence here are two: object -- one of a bhikkhu's basic set of three robes; and effort -- staying away from the robe past the sixth dawn after first being apart from it. Perception is not a mitigating factor here: Even if one thinks that six nights have not passed when they actually have, one is not immune from the offence.

As the Sub-commentary points out, the Commentary and K/Commentary differ in their definition of the factor of effort here. According to the K/Commentary, the bhikkhu staying in a forest abode during the period in question is counted as being apart from his robe when it is placed in the village, and thus can keep it there while he is in his forest abode only six nights at a stretch. Thus, it says, if he is in his wilderness abode at the sixth dawn, he incurs the full penalty.

The Commentary, however, maintains that the bhikkhu staying in the wilderness abode is not counted as being apart from his robe when it is placed in the village, but if he leaves that abode on business and lets his robe remain in the village, he may stay away from the abode only six nights at a stretch. Thus, it says, if in

returning from his business he cannot make it to his forest abode by the sixth dawn, and the village is closer, he may stop over in the village long enough to check up on the robe and still be immune from the offence.

The second interpretation makes more sense, in that if the bhikkhu is staying in his abode and going for alms in the village, he may check up on his robe every day. It is also more in line with the Vibhanga's definition of "any reason" -- i.e., "any business" -- which indicates situations where the bhikkhu would be away from his abode. The Sub-commentary, following Bhadanta Buddhadatta Thera, adopts the second interpretation.

Forfeiture & confession. A bhikkhu under these conditions who has been away from his robe for more than six nights is to forfeit it and confess the offence. The procedures for forfeiture, confession, and return of the robe are the same as under NP 1. The Pali formula for forfeiting the robe is in Appendix VI.

Non-offences. There is no offence for a bhikkhu who has stayed away from his robe six nights or less; or

I. if, having been apart from his robe six nights, he enters the village boundary (and, according to the Commentary, stays long enough to check up on his robe);

II. if, within the six nights, he rescinds the determination of the robe, places it under dual ownership, abandons it; or the robe gets lost, burnt, destroyed, stolen, or taken by someone on trust;

III. or if he has been authorized by the Community to be apart from his robe. (This, according to the Commentary, refers to the authorization discussed under NP 2.)

The commentaries refer the reader to NP 2 for the remaining explanations to this rule, which would seem to indicate that if a bhikkhu's kathina privileges are still in effect, he is also immune from an offence under this rule during the period in question no matter how many nights he is away from his robe.

Summary:
48. When one is living in a dangerous wilderness abode during the month after the fourth Kattika full moon and has left one of one's robes in the village where one normally goes for alms: Being away from the abode and the village for more than six nights at a stretch -- except when authorized by the Community -- is a nissaggiya pacittiya offence.

30. Should any bhikkhu knowingly divert to himself gains that had been intended for a Community, they are to be forfeited and confessed.

"Now in Savatthi at that time a certain guild had prepared a meal with cloth for the Community, (thinking,) 'Having fed (the bhikkhus) we will supply them with cloth.'

"Then some group-of-six bhikkhus went to where the guild members were staying and on arrival said, 'Give us these cloths, friends.'

"'We can't, sirs. We arrange alms with cloth for the Community (like this) on a yearly basis.'

"'The Community has lots of donors, my friends. The Community gets lots of meals. It is in dependence on you, looking to you, that we live here. If you won't give to us, is there anyone who will? Give us the cloths, friends.'

"So the guild, pressured by the group-of-six bhikkhus, gave them what cloth they had prepared and then served the meal to the Community. The bhikkhus who knew that a meal with cloth had been prepared, but not that the cloth had been given to the group-of-six bhikkhus, addressed the guild members: 'Present the cloth to the Community, friends.'

"'There isn't any, sirs. What cloth we had prepared, the masters -- the group-of-six bhikkhus -- have diverted to themselves.'

"Those bhikkhus who were of few wants... were offended and annoyed and spread it about: 'How can these group-of-six bhikkhus divert to themselves gains intended for the Community?'"

There are four factors for an offence here.

Object: any requisite -- "robe-cloth, alms-food, lodgings, medicine, even a lump of powder, toothwood, or unwoven thread" -- that donors have indicated by word or gesture that they intend to give to a Community. As the Commentary notes, donors here include not only lay people in general, but also one's fellow bhikkhus

and relatives -- even one's own mother: The fact that a gift is intended for a Community overrides all other considerations, even when one is ill.

Perception. One perceives that the donors have intended the requisite for a Community .

Effort. One tries to persuade them that they should give it to oneself instead. This in itself, following on the first two factors, entails a dukkata.

Result. One receives the article from the donors. This entails the full offence.

Forfeiture & confession. Any gains received in violation of this rule are to be forfeited and the offence confessed. The procedures here are the same as under NP 1. The Pali formula for forfeiting the gains is in Appendix VI.

Related offences. If one knowingly tries to divert gains intended for a Community to oneself, but the donors go ahead and give the gains to the Community anyway, then the Commentary says that one should not have a share in them. If one does receive a share from the Community, one should return it. If, instead of returning it, one shares it among lay people, the case is to be treated under Parajika 2.

If one is in doubt as to whether items are intended for the Community but goes ahead and diverts them anyway, one incurs a dukkata regardless of whether the items really were intended for the Community or not.

To divert items intended for a Community to another individual entails a pacittiya under Pacittiya 82. To divert items intended for one Community of bhikkhus to another Community or to a shrine, entails a dukkata. The same holds true for diverting items intended for a shrine to a Community, to an individual, or to another shrine; and for diverting items intended for an individual to a Community, to a shrine, or to another individual.

The Commentary states that the term individual here can mean common animals as well as human beings, and that this last case thus includes even such things as saying, "Don't give it to that dog. Give it to this one." This point is well-taken: A bhikkhu has no business interfering with the gains that are to be freely given to another being, no matter what that being's current status.

The Sub-commentary holds that once an item has been presented by a donor, there is nothing wrong in diverting it elsewhere. Thus, it says, taking flowers presented to one shrine and placing them at another -- or chasing a dog away from food that has been given to it so that another dog can have a share -- would be perfectly all right, but the Thai editors of the Sub-commentary state in a footnote that they disagree.

Non-offences. There is no offence in diverting items to oneself if one does not perceive them as intended for a Community, another individual, or a shrine, regardless of whether the donors intended them that way or not. Still, one should be careful not to do this in such a way as to violate any of the other rules on asking from people who are unrelated or have not given an invitation to ask.

The no-offence clauses recommend a safer line of conduct: If one is asked, "To whom should we give this?" one may answer, "Give wherever your gift would be used, or would be well-cared for, or would last long, or wherever your mind feels inspired."

Summary:

49. Persuading a donor to give to oneself a gift that he or she had planned to give to the Community -- when one knows that it was intended for the Community -- is a nissaggiya pacittiya offence.

A bhikkhu who commits an offence against any of these thirty nissaggiya pacittiya offences must first forfeit the item in question before confessing the offence. If he makes use of the item before forfeiting it, he incurs an extra dukkata -- except for money received in violation of NP 18 or 19, which would involve another nissaggiya pacittiya if used in trade. If the item gets lost or destroyed before the bhikkhu forfeits it, he may simply confess a pacittiya.

Except in cases where forfeiture must be made to a Community of four bhikkhus or more (NP 18, 19, & 22), the offender may forfeit the item to a single bhikkhu, to a group of two or three, or to a Community of four or more. Once he has confessed the offence, he is cleared of the penalty.

In cases where he must forfeit the item to the Community, he may not receive it in return. In the remaining cases, though, the item must be returned to him. Not to do so entails a dukkata for the bhikkhu(s) to whom it is forfeited. In a few cases, there are restrictions as to what use a bhikkhu may make of an item received in return after forfeiture -- e.g., he may not use the five tonics to treat his body internally or externally, and may not use felt made with silk or composed of more than 1/2 black wool as a rug -- but apart from this he is free to use the returned item as he likes.

The act of forfeiture is thus symbolic in most cases, and the effect of the rules is more internal: The offender may not make use of the item until he has confessed his wrong-doing, and this in itself should give him time to reflect on his actions. Similarly, in the act of handing the nissaggiya item over to another, he has an opportunity to reflect on whether or not it is worth whatever greed, anger, or delusion it has sparked in his mind.

Offences of this and the remaining categories in this book are classed as light offences (lahukapatti) and are also termed desana-gamini, meaning that they can be cleared through confession.

Chapter Eight Pacittiya

As explained in the preceding chapter, this term is most probably related to the verb pacinati, "to know," and means "to be made known" or "to be confessed." There are 92 rules in this category, divided into eight chapters of ten each, and one of twelve.

Chapter Eight Part One: The Lie Chapter

1. A deliberate lie is to be confessed.

"Now at that time Hatthaka the Sakyan had been overthrown in debate. In discussions with adherents of other sects, he acknowledged points after having denied them, denied points after having acknowledged them, evaded one question with another, told deliberate lies, made an appointment (for a debate) but then didn't keep it. The adherents of other sects were offended and annoyed and spread it about...

"The bhikkhus heard them... and having approached Hatthaka the Sakyan, asked him: 'Is it true, friend Hatthaka, that in discussions with adherents of other sects, you acknowledged points after having denied them, denied points after having acknowledged them, evaded one question with another, told deliberate lies, made an appointment (for a debate) but then didn't keep it?'

"'Those adherents of other sects have to be beaten in some way or another. You can't just give them the victory!'"

A deliberate lie is a statement or gesture made with the purpose of misrepresenting the truth to someone else. According to the K/Commentary, a violation of this rule requires two factors:

1) *Intention:* the intention to misrepresent the truth; and
2) *Effort:* the effort to make another individual know whatever one wants to communicate based on that intent.

Intention. The desire to misrepresent the truth fulfils this factor regardless of what one's motives are. Thus "white lies," lies made with benevolent intentions (e.g., to a person whose state of mind is too weak to take the truth), and outrageous lies meant as jokes -- to amuse rather than deceive -- would all fall under this rule.

For this reason, a bhikkhu who wants to shield an emotionally weak person from harsh truths has to be very skilful in phrasing his statements. And any bhikkhu with an active sense of humour should be careful about how he expresses it, bearing in mind a famous passage from M.61: The Buddha shows an empty water dipper to Rahula, his son, telling him that anyone who feels no shame at uttering a deliberate lie is as empty of the virtues of a contemplative as the dipper is empty of water. He then advises Rahula to train himself: "I will not utter a deliberate lie, even for a laugh."

Effort. According to the Vibhanga, to misrepresent the truth means to say that one has seen X when one hasn't, that one hasn't seen X when one has, or that one has seen X clearly when one is in doubt about the matter. This pattern holds for the other senses -- hearing, smell, taste, touch, and ideation -- as well. Thus to repeat what one has heard, seen, etc., even if it actually is misinformation, does not count as a misrepresentation of the truth under this rule, since one is truthfully reporting what one has seen, etc. If, however, one says that one believes in such misinformation -- when one actually doesn't -- this would count as a misrepresentation of the truth, and so would fulfill this factor.

According to the Commentary, effort here covers falsehoods conveyed not only by speech but also by writing or gesture, as well as the act of remaining silent in situations where silence would convey a false message (as during the recitation of the Patimokkha, where silence on the part of the listener indicates that he has no unconfessed offences).

Result is not a factor here. Thus whether or not anyone understands the lie or is deceived by it, is irrelevant to the offence.

In cases where a particular lie would fall under another rule -- such as Parajika 4, Sanghadisesas 8 or 9, Pacittiya 13, 24, or 76 -- the penalties assigned by that rule take precedence over the ones assigned here. For instance, making a false claim to a superior human state and not being understood would entail a

thullaccaya under Parajika 4; falsely accusing another bhikkhu of a parajika offence would entail a sanghadisesa under Sanghadisesa 8; falsely accusing him of a sanghadisesa would entail a pacittiya under Pacittiya 76; and falsely accusing him of a lesser offence would entail a dukkata under that rule.

The Vinaya Mukha argues that this rule should take precedence in cases where a particular lie would entail only a dukkata under any of the other rules -- as in the last example -- but this contradicts the Vibhanga.

Non-offences. A bhikkhu who misrepresents the truth unintentionally commits no offence under this rule. The Vibhanga gives two examples -- speaking quickly and saying one thing while meaning another -- and the Commentary explains them as follows: Speaking quickly means speaking before one has carefully considered the matter. Saying one thing while meaning another means making a slip of the tongue, either out of stupidity or carelessness. And, as we noted above, a bhikkhu who speaks from mistaken assumptions -- truthfully reporting any mistaken information he may have received or mistaken beliefs he may have thought up -- does not come under this rule.

Broken promises. The Mahavagga (III.14.1-14) imposes a dukkata on the act of making a promise with pure intentions but later breaking it. Since the texts make no mention of any circumstances beyond one's control that would exempt one from that penalty, a bhikkhu should be very careful of how he states his plans for the future. A special instance of breaking a promise -- accepting an invitation to a meal but then not going -- is treated under Pacittiya 33.

Summary:
50. The intentional effort to misrepresent the truth to another individual is a pacittiya offence.

2. An insult is to be confessed.

An insult is a gesture or statement, written or spoken, made with the malicious intent of hurting another person's feelings or of bringing him/her into disgrace. The Vibhanga analyzes the full offence under this rule in terms of three factors:

1) *Effort:* One insults a person directly to his face, touching on any one of the 10 topics for abuse (akkosa-vatthu) discussed below.
2) *Object:* The person is a bhikkhu.
3) *Intention:* One wants to humiliate him for malicious reasons.

Effort. The Vibhanga lists ten ways a verbal insult can be phrased: making remarks about the other person's

1. *race, class, or nationality* (You nigger! You bum! You Jew!);
2. *name* (You really are a Dick!);
3. *family or lineage* (You bastard! You son of a bitch!);
4. *occupation* (You pimp! You capitalist pig!);
5. *craft* (What would you expect from a guy who crochets?);
6. *disease or handicap* (Hey, Clubfoot! Spastic!);
7. *physical characteristics (*Hey, Fatty! Beanpole! Shrimp! Hulk!);
8. *defilements* (You control freak! Fool! Queer! Breeder!);
9. *offences or attainments* (Some stream-winner you are! You liar! You thief!); or
10. *using an abusive form of address*, such as, "You camel! You goat! You ass! You penis! You vagina!" (All five of these come from the Vibhanga.)

These ten topics are called the akkosa-vatthu -- topics for abuse -- and appear in the following training rule as well.

As the examples in the Vibhanga show, the remark that fulfils the factor of effort here must touch on one of these topics for abuse and must be made directly to the listener: "You are X." It may be phrased either as sarcastic praise or as out-and-out abuse. The Commentary and Sub-commentary say that any insulting

remark not listed in the Vibhanga would only be grounds for a dukkata, but the Vibhanga defines the topics for abuse in such a way that any term related to them in any way would fulfill this factor here.

Remarks made in an indirect or insinuating manner, though, would not fulfill this factor. Indirect remarks are when the speaker includes himself together with the target of his insult in his statement ("We're all a bunch of fools.") Insinuating remarks are when he leaves it uncertain as to whom he is referring to ("There are camels among us"). Any remark of this sort, if meant as an insult, entails a dukkata regardless of whether the target is a bhikkhu or not.

All of the insults mentioned in the Vibhanga take the form of remarks about the person, whereas insults and verbal abuse at present often take the form of command -- Go to hell! F -- off! etc. -- and the question is whether or not these too would be covered by this rule. Viewed from the standpoint of intent, they fit under the general definition of an insult; but if for some reason they would not fit under this rule, they would in most cases be covered by Pacittiya 54.

Insulting remarks made about someone behind his/her back are dealt with under Pacittiya 13.

Object. This factor is fulfilled for the full offence only if the target of one's insult is a bhikkhu. To insult an unordained person -- according to the Commentary, this runs the gamut from bhikkhunis to all other living beings -- entails a dukkata.

Intent. The Vibhanga defines this factor as "desiring to jeer at, desiring to scoff at, desiring to shame." If, with no insult intended, a bhikkhu jokes about another person's race, etc., he incurs a dubbhasita, regardless of whether the person is lay or ordained, mentioned outright or insinuatingly, and regardless of whether he/she takes it as a joke or an insult. This is the only instance of this class of offence.

The K/Commentary adds result as a fourth factor -- the target of one's insult knows, "He is insulting me" -- but there is no basis for this in either the Vibhanga or the Commentary. If one makes an insulting remark under one's breath, not intending to be heard, or in a foreign language, not intending to be understood, the intention would be to let off steam, which would not qualify as the intention covered by this rule. If one truly wants to humiliate someone, one will make the necessary effort to make that person hear and understand one's words -- but if for some reason that person doesn't hear or understand (a loud noise blots out one's words, one uses a slang term that is new to one's listener), there is nothing in the Vibhanga to indicate that one would escape from the full penalty.

For this reason, whether or not the person addressed actually feels insulted by one's remarks is of no consequence in determining the severity of the offence. If one makes a remark to a fellow bhikkhu, touching on one of the topics for abuse and meaning it as an insult, one incurs a pacittiya even if he takes it as a joke. If one means the remark as a joke, one incurs a dubbhasita even if the other person feels insulted.

Non-offences. According to the Vibhanga, a bhikkhu who mentions another person's race, etc., commits no offence if he is "aiming at Dhamma, aiming at his benefit, aiming at teaching." The Commentary illustrates this with a bhikkhu saying to a member of the untouchable caste: "You are an untouchable. Don't do any evil. Don't be a person born into misfortune and going on to misfortune."

Another example would be of a teacher who uses insulting language to shame a stubborn disciple. This would entail no offence if done without malice, but one should be very sure of the purity of one's motives and of the beneficial effect of one's words before using language of this sort. The Cullavagga (IX.5.2) states that a bhikkhu is fit to reprove another bhikkhu only if he keeps five points in mind: "I will speak at the right time and not at the wrong time. I will speak about what is factual and not about what is not factual. I will speak with gentleness and not with harshness. I will speak about what is connected with the goal and not about what is not connected with the goal. And I will speak with thoughts of kindness and not with inner hatred."

Summary:
51. An insult made with malicious intent to another bhikkhu is a pacittiya offence.

3. Malicious tale-bearing among bhikkhus is to be confessed.

Malicious tale-bearing is described in the Vibhanga as follows: X makes remarks about Y touching on his race, name, or any of the other ten akkosa-vatthu listed in the explanation to the preceding rule. Z, hearing these remarks, goes to tell someone else -- either W or Y himself -- in hopes of causing a rift between X and his listener, or of winning favour with his listener in case there is already a rift between the two. For example:

a) X calls Y a bastard behind his back. Z tells Y, in hopes of ingratiating himself with Y.
b) X makes racist remarks about Y to his face. Z knows that W is a friend of Y and hates racists, and so tells W what X said, in hopes of causing a rift between W and X.

Bhikkhu Z commits the full offence here when three factors are fulfilled: object, effort, and intent.

1) *Object*: Both Z's listener and X are bhikkhus; X has made remarks about Y that qualify as a direct insult under the preceding rule (or, if he didn't make them in Y's presence, remarks that would have qualified as a direct insult had he done so).

2) *Effort:* Z reports X's remarks to his listener verbally or by gesture (as in writing a letter),

3) *Intent:* with the intent of ingratiating himself with his listener, or of causing a rift between his listener and X.

The K/Commentary adds a fourth factor -- Z's listener understands what he is saying -- but as with the preceding rule, there is no basis for this in the Vibhanga.

Object. If either X or Z's listener -- or both -- are not bhikkhus, then the penalty for Z is a dukkata.

If X's remarks qualified only as an indirect insult under the preceding rule -- e.g., he said with reference to Y that, "There are asses among us" -- then Z incurs a dukkata if he reports them with the intent to ingratiate himself or cause a rift, regardless of whether his listener and/or X are bhikkhus or not.

The Sub-commentary states that there is a dukkata for bearing tales dealing with matters other than remarks about the ten akkosa-vatthu -- i.e., telling Y about things said or done by X, to make X appear in a bad light in hopes of winning favour or causing a rift, although some cases of this sort would come under Pacittiya 13.

Effort. This rule is sometimes translated as dealing with slander -- false tale-bearing -- but as the examples in the Vibhanga show, it actually deals with true tale-bearing: X really does say insulting things about Y, and Z gives a true report. The Vinaya Mukha comments that if Z engages in false tale-bearing, then regardless of whether or not X and Z's listener are bhikkhus, Z incurs the full penalty under Pacittiya 1.

Intent. To give a true report of such matters with motives other than those of winning favour or causing a rift entails no offence. Examples of this would include:

a) informing a senior bhikkhu when one bhikkhu has accused another of a serious offence, so that an inquiry can be made for the sake of harmony in the Community; or
b) telling a senior bhikkhu about a student of his who is making racist remarks, so that the senior bhikkhu can put a stop to it.

Summary:
52. Tale-bearing among bhikkhus, in hopes of winning favour or causing a rift, is a pacittiya offence.

4. Should any bhikkhu have an unordained person recite Dhamma line by line (with him), it is to be confessed.

This is an offence with two factors:

1) ***Effort:*** One gets a student to recite Dhamma line-by-line with oneself (which, as we shall see below, means to train the student to be a skilled reciter of a Pali Dhamma text).

2) ***Object:*** The student is neither a bhikkhu nor a bhikkhuni.

Only the first factor needs explanation, and is best treated under two headings: Dhamma and reciting line-by-line.

Dhamma the Vibhanga defines as "a saying made by the Buddha, his disciples, seers, or heavenly beings, connected with the teaching or connected with the goal." The Commentary devotes a long discussion to these terms, coming to the conclusion that connected with the Dhamma refers to the Pali Canon -- in Pali, not in translation -- as agreed on in the first three councils, while connected with the goal (attha) refers to the Maha Atthakatha, the most revered ancient commentary (only in its original Pali version, the Sub-commentary says).

The ancient commentaries disagreed as to what other works would fit under this category, but Buddhaghosa's conclusion seems to be that -- in the Milinda Panha, for example -- Ven. Nagasena's quotes of the Buddha's words would count, but not his own formulations of the teaching, and the same principle holds for other texts that quote the Buddha's words as well. The ancient commentaries are unanimous, though, in saying that "Dhamma" does not cover the Mahayana sutras or compositions (this would include translations) dealing with the Dhamma in languages other than Pali.)

This interpretation, identifying "Dhamma" with particular Pali texts, has caused no controversy in the context of this rule -- although it seems unlikely that the compilers of the Vibhanga would have had the commentaries in mind when they said, "connected with the goal" -- but it has met with disagreement in the context of Pacittiya 7, and so we will discuss it there in more detail.

Reciting line-by-line. To make someone recite line by line means to train him/her by rote to be a skilled reciter of a text.

Bhikkhus in the days of the Buddha committed the teachings in the Canon to memory so as to preserve them from generation to generation. Although writing was in use at the time -- mainly for keeping accounts -- no one used it to record teachings either of the Buddha or of any other religious teacher. The Pali Canon was not written down until approximately 500 years after the Buddha's passing away, when repeated wars in Sri Lanka threatened its survival.

The Vibhanga lists four ways in which a person might be trained to be a reciter of a text:

1) The teacher and student recite in unison, i.e., beginning together and ending together.
2) The teacher begins a line, the student joins in, and they end together.
3) The teacher recites the beginning syllable of a line together with the student, who then completes it alone.
4) The teacher recites one line, and the student recites the next line alone.

Reciters of the Vedas still use these methods at present when practicing their texts.

The origin story states that the Buddha forbade these methods of training unordained people because they caused the lay students to feel disrespect for the bhikkhus. The Vinaya Mukha explains this by noting that if a teacher made a slip of the tongue while teaching in this way, his students would look down on him for it. If this were the right explanation, though, the no-offence clauses would have listed "proper" ways of training novices and lay people to recite the Dhamma, but they don't.

A more likely explanation is that at the time of the Buddha the duty of memorizing and reciting the texts was considered the province of the bhikkhus and bhikkhunis. Although some lay people memorized discourses (Mv.III.5.9), and bhikkhus of course taught the Dhamma to lay people, there was apparently the feeling that

to teach non-ordainees to become skilled reciters of the texts was not good for the relationship between bhikkhus and laity. There are two possible reasons for this:

1) People may have felt that the bhikkhus were shirking their responsibilities by trying to pass their duty off onto lay people.

2) The Brahmans at the time were very strict in not allowing anyone outside their caste to memorize the Vedas, and their example may have led lay people to feel disrespect for bhikkhus who were not equally protective of their own tradition.

At present, the entire Canon is available in print, and even bhikkhus rarely commit it to memory, although they do frequently memorize parts of it, such as the Patimokkha, the major discourses, and other passages chanted on ceremonial occasions. To train a lay person or novice to become skilled in reciting such teachings by rote would entail the full penalty under this rule.

Perception and intent are not mitigating factors here. Thus a bhikkhu who trains a novice to recite a text in any of the ways mentioned above -- on the assumption that the novice is a bhikkhu -- incurs a pacittiya all the same. The same holds true for a bhikkhu training a mixed group of bhikkhus and novices, even if his intention is to train only the bhikkhus in the group.

Non-offences. Since this rule is aimed at methods of teaching, the Vibhanga states that there is no offence "for one made to recite in unison." This, says the Commentary, refers to a young bhikkhu who is told by his teacher to recite together with a novice who is the teacher's student.

Also, there is no offence if a bhikkhu chants a passage in unison with unordained people who have already memorized it. The Commentary extends this allowance to include cases of bhikkhus learning a text from an unordained person, probably on the model of the Itivuttaka, which -- according to its Commentary -- the bhikkhus first learned from a servant woman who had memorized some of the Buddha's teachings that the bhikkhus had overlooked.

Finally, there is no offence if a bhikkhu corrects an unordained person who has memorized most of a passage or who is reciting in a confused manner.

Summary:
53. To train a novice or lay person to recite passages of Dhamma by rote is a pacittiya offence.

5. Should any bhikkhu lie down in the same lodging with an unordained person for more than two or three consecutive nights, it is to be confessed.

As the Vinaya Mukha comments, "The Buddha originally laid down the rule forbidding the act of sleeping in the same lodging with an unordained person so that lay people would not see the unsightly attitudes a bhikkhu might assume while asleep. But then, when novices came into being, they were classed as unordained people and so had no place to stay. The Buddha therefore relaxed the rule, allowing bhikkhus to sleep in the same lodging with an unordained person no more than three nights running, thus also opening the way for them to sleep in the same lodging with ordinary lay men."

The occasion for the first formulation of the rule was this:

"Now at that time, lay men came to the monastery to hear the Dhamma. After the Dhamma had been taught, each of the elder bhikkhus went to his own dwelling, while the newer bhikkhus went to sleep right there in the attendance hall with the lay men -- careless, absent-minded, naked, mumbling, and snoring. The lay men were offended and annoyed and spread it about, 'How can revered people go to sleep careless, absent-minded, naked, mumbling, and snoring?'"

The occasion for the final formulation was this:

"The bhikkhus said to Ven. Rahula (who must have still been a novice at this point), 'There is a training rule laid down by the Blessed One that (a bhikkhu) should not lie down together with an unordained person. Find yourself a place to sleep.' So Ven. Rahula, not being able to find a place to sleep, went to sleep in the outhouse. Then the Blessed One, getting up towards the end of the night, went to the outhouse and on arriving cleared his throat. Ven. Rahula cleared his throat.

"'Who's there?'

"'It's me, sir -- Rahula.'

"'Why are you lying there?'

"So Ven. Rahula told him what had happened."

There are two factors for the full offence here:

1) *Object:* an unordained person.
2) *Effort*: (a) lying down, (b) in the same lodging with the unordained person, (c) for four nights running.

Object. The Vibhanga defines unordained person as anyone other than a bhikkhu. According to the Commentary, this includes not only human beings, but also any animal large enough to have intercourse with. The Sub-commentary, though, following the Three Ganthipadas, notes that this does not include female human beings, since there is another training rule, following immediately on this one, that deals specifically with them.

Lying down. To be lying down in the same lodging with someone else means to be prone at the same time as the other person is prone within the area defined as the lodging. This factor is fulfilled whether the bhikkhu lies down when the other person is already lying there, or vice versa, or both lie down at the same time. Although there are other training rules where lying down is included under the term sitting, sitting is not included under the term lying down here. Whether or not the bhikkhu or the other person falls asleep is of no account.

Lodging. The Vibhanga defines the lodging that can be grounds for a pacittiya here as a place completely roofed and completely walled, or mostly roofed and mostly walled. A place half-roofed and half-walled, it says, is grounds for a dukkata, while a place (a) fully roofed but with no wall (e.g., an open pavilion), (b) fully walled but with no roof (e.g., a corral), or (c) less than half-roofed and less than half-walled, is not grounds for an offence.

Buddhaghosa quotes the Maha Atthakatha, the major ancient commentary, as filling in all the other possibilities:

Grounds for a pacittiya: A place:
fully roofed and mostly walled,
fully roofed and half-walled,
mostly roofed and half-walled,
mostly roofed and fully walled,
half-roofed and fully walled, or
half-roofed and mostly walled.

Grounds for a dukkata: A place:
fully roofed and less than half-walled,
mostly roofed and less than half-walled,
less than half-roofed and fully walled, or
less than half-roofed and mostly walled.

Grounds for no offence: A place:
half-roofed and less than half-walled,
less than half-roofed and half-walled, or
less than half-roofed and less than half-walled.

The Commentary notes that tents would fit under the definition of place here, and it would seem that vehicles -- caravans in the time of the Buddha; automobiles, trains, buses and airplanes in ours -- would fit here as well.

The same lodging. Unfortunately, the Vibhanga does not say how far the boundary of a "single lodging" would extend. For example, would each separate room in a house count as a separate lodging? Would the entire house? Would an entire apartment building be a single lodging? The Commentary tries to remedy this omission by introducing the factor of "having a single common entrance" or "being part of the same enclosure." (The Pali word it uses, ekupacara, has both meanings, and the Commentary makes use of both in its discussion.)

What it says is this: Even a seven-story palace or a building with 100 rooms would count as a single lodging if all the rooms make use of a common entrance. If there are several buildings in a single enclosure, and one can go from one to another without stepping on outside ground, they would count as part of the same lodging. If there is a building divided into units that are not connected by internal doorways, each unit having a separate entrance, the different units would count as separate lodgings. Locking or closing a door does not close off the doorway. Only if the door opening is bricked up or otherwise permanently sealed off does it no longer count as a doorway.

The Commentary admits that the "single entrance" factor is not mentioned in the Canon in connection with this rule but is borrowed from the Vibhanga to NP 2. It argues that this factor is unavoidably bound up in the concept of "walled and roofed," though, and illustrates its point as follows: There is a two-room dwelling, composed of an antechamber through which one must pass to get to the inner chamber. A bhikkhu is sleeping in the inner chamber, and an unordained person in the antechamber. Now suppose that a stubborn Vinaya student maintains that if the door between the two rooms is closed, the bhikkhu is sleeping in a separate lodging from the unordained person, while if the door is open, they are in the same lodging. His teacher then asks him, "Why are they in the same lodging if the door is open?"

"Because the two rooms share the same roof and walls."
"And if the door is closed, does that destroy the roof and walls they had in common?"
"No, of course not. But the enclosure in which the bhikkhu is sleeping is marked by the door."

This, the Commentary says, shows that the notion of enclosure is part and parcel of the concept of lodging, and that the stubborn student has defeated his own argument. Its reasoning here is probably more convincing in Pali than in English, since as we noted above, Pali uses the same word for enclosure and entrance, but even so the illustration does not carry much force when applied to such places as separate apartments in an apartment building and so leaves the issue unsettled as far as they are concerned.

The Vinaya Mukha notes that the factor introduced by the Commentary has implications that go far beyond the original purpose of this rule -- and of the following rule, in which the concept of "single lodging" is even more important. It suggests borrowing an additional factor from NP 2: the factor of separate residences or zones of ownership (the Pali word kula carries both meanings). Thus in a large building composed of separate residences -- such as an apartment building, a hotel or a hospital with private rooms -- it suggests that each separate residence count as a separate lodging.

Since the Canon gives no clear guidance on this point, the wise policy for an individual bhikkhu is to follow the views of the Community to which he belongs.

Nights here, as in other training rules, are counted by dawns. Thus, if a bhikkhu is sleeping in the same lodging with an unordained person but one of them gets up before dawn, that night does not count. If a bhikkhu has slept in the same lodging with an unordained person for two or three nights running but then skips a night, the consecutive series is broken. If he then sleeps in the same lodging with an unordained person another night, the counting starts again from one.

However, once he has slept in the same lodging with an unordained person three nights running, then if after sundown on the fourth night he reclines in the same lodging in which a lay person is reclining -- even if only for a moment -- he incurs a pacittiya.

The Commentary interprets the phrase "after sundown" as meaning any time on the fourth day. In other words, there is no need to wait until the next dawn to count the fourth period of sleeping together. As we noted above in the conclusion to the chapter on the Sanghadisesa rules, there was a tendency in the time of the Canon to call a 24-hour period of day and night a "night." Perhaps this period was felt to begin at sundown, just as we now feel that a 24-hour "day" begins at midnight.

The Commentary also states that the unordained person need not be the same person each of the four nights, and the same holds true for the lodging. In other words, if a bhikkhu lies down in a lodging with novice

X one night, and then goes elsewhere and lies down in a lodging with layman Y the next night, and so on for four nights running, he commits an offence all the same.

Perception and intent are not mitigating factors here. Thus a bhikkhu lying down in the same lodging with a novice whom he thinks to be another bhikkhu commits an offence all the same, as does a bhikkhu who miscounts the nights and lies down in the same room with an unordained person for what he thinks is his third night when it is actually his fourth.

In fact, this is a training rule that one may break without ever realizing it. Suppose a novice comes to lie down in a room where a bhikkhu is sleeping, and then gets up to leave before the bhikkhu awakens. If he does this for four nights running, the bhikkhu incurs a pacittiya even though he may never have been aware of what the novice was doing. Rules like this are the reason why many bhikkhus make a practice of confessing offences even when they are not consciously aware of having committed them.

Non-offences. To lie down with an unordained person in a lodging that would qualify as grounds for a pacittiya or a dukkata is no offence as long as one does it no more than three days running. And there is no offence in lying down any number of consecutive nights with an unordained person in a lodging that would not qualify as grounds for an offence.

The Vinaya Mukha comments that although this rule as it presently stands no longer fulfils its original purpose, bhikkhus should keep the original purpose in mind and avoid sleeping in the same place with an unordained person whenever possible. It would also be a wise policy to avoid sleeping out in a public park, on a public beach, in an unwalled pavilion, etc., in full view of the public, even though no offence would be involved.

Summary:
54. Lying down at the same time, in the same lodging, with a novice or layman for more than three nights running is a pacittiya offence.

6. Should any bhikkhu lie down in the same lodging with a woman, it is to be confessed.

There are only two differences between this rule and the preceding one:

1) The factor of "object" here is fulfilled only by a female human being, "even one born that day, all the more an older one," regardless of whether or not she is related to the bhikkhu.

2) The four-night clause under "effort" is dropped, which means that the bhikkhu incurs a pacittiya the instant he lies down in the same lodging with her.

Object. The Vibhanga states that female yakkhas, petas, nagas, devas, and animals -- as well as pandakas, as defined under Sanghadisesa 2 -- are grounds for a dukkata here. The Commentary qualifies this by saying that "female animal" means one with which it is possible to have intercourse, and "female yakkhas, petas, nagas, and devas" includes only those who make themselves visible.

Even if another man is present in the lodging, it does not negate the offence.

Perception and intent are not mitigating factors here. Thus a bhikkhu who sleeps in the same room with a woman he thinks to be a man -- e.g., she has disguised herself -- commits the full offence all the same. Also, a bhikkhu lying down in the same lodging with a woman commits an offence regardless or whether or not he realizes that she is there.

The same principles apply to pandakas: A bhikkhu who lies down in the same room with a pandaka whom he thinks to be an ordinary man commits a dukkata; and the same is true for a bhikkhu lying down in a lodging not knowing that a pandaka is also lying down there.

A single lodging is defined as in the preceding rule. Thus a bhikkhu sleeping in the same house as his mother, even if they are in separate rooms and another man is present, commits an offence all the same.

Effort. ***The main point where this rule differs from the preceding one under the factor of effort is that a bhikkhu incurs a pacittiya the moment he is lying in a lodging at the same time a woman is lying there, with no need to count nights or dawns. This is expressed in the Vibhanga by saying, "If at sunset a bhikkhu is lying when a woman is lying, it is to be confessed."***

The Sub-commentary interprets this as meaning that this rule applies only at night, but the no-offence clauses in the Vibhanga give no exemptions for daytime, which suggests that the Sub-commentary's interpretation is invalid. What the Vibhanga's statement means is that there is no need to wait until dawn to count the period of lying down together. As we noted under the preceding rule, there was a tendency in the time of the Canon to call a 24-hour period of day and night a "night," and this period may have been felt to begin at sundown. The Commentary, switching to our current practice of calling a 24-hour period a day, says, "In the previous rule, the offence is on the fourth day. Here it is right from the first day."

Thus, no matter what time of day or night a bhikkhu lies down in the same lodging with a woman, he immediately incurs a pacittiya.

The purposes of this rule. Another difference between this rule and the preceding one is the obvious point that they have different purposes. As the origin story shows, this rule is to prevent situations that might tempt a bhikkhu to commit a serious offence, such as a Parajika 1 or Sanghadisesa 2.

"Then the woman, having prepared a bed inside (her house) for Ven. Anuruddha, having put on her jewellery and scented herself with perfumes, went to him and said, 'Master, you are beautiful, good-looking, and charming. I, too, am beautiful, good-looking, and charming. It would be good if I were to be your wife.'

"When she said this, Ven. Anuruddha remained silent. So a second time... a third time she said to him, 'Master, you are beautiful, good-looking, and charming. I too am beautiful, good-looking, and charming. Please take me together with all my wealth.'

"A third time, Ven. Anuruddha remained silent. So the woman, having slipped off her upper cloak, paraded up and down in front of him, stood, sat down, and then lay down right in front of him. But Ven. Anuruddha, keeping control of his faculties, didn't as much as glance at her or say even a word.

"Then it occurred to her: 'Isn't it amazing! Isn't it astounding! Many men send for me at a price of 100 or even 1,000 (a night), but this recluse, even when I myself beg him, doesn't want to take me together with all of my wealth!' So, putting her upper cloak back on and bowing her head at his feet, she said to him: 'Honoured sir, a transgression has overcome me in that I acted in such a foolish, muddle-headed and ill-considered way. Please accept this confession of my transgression as such, so that I may restrain myself in the future.'"

Ven. Anuruddha was very advanced in the practice and so was able to get through the situation with his mindfulness and precepts intact. Many a lesser bhikkhu, though, would have succumbed right from the woman's first request, and so the Buddha formulated this rule for his protection.

This rule is also meant to prevent situations where suspicious people might think a bhikkhu had committed a serious offence even when he hadn't. Like Caesar's wife, a bhikkhu must not only be pure, he must look pure if he is to uphold the religion and maintain the reputation of the Community. If a bhikkhu and a woman are seen going into a house together in the evening and leaving together the following morning, then even if they slept in separate rooms, suspicious neighbours -- and very few neighbours aren't suspicious of bhikkhus -- would be quick to jump to conclusions. Thus the wise policy mentioned in the preceding rule applies even more forcefully here: A bhikkhu would be well-advised not to lie down with a woman in such places as parks, beaches, or unwalled pavilions even though in terms of the rules no offence would be involved.

There is some overlap between this rule and Pacittiyas 44 & 45, which deal with a bhikkhu sitting or lying down together in private with a woman (or women). Special cases covered by this rule not covered by those would include, for example, a bhikkhu and a woman lying down in separate rooms of the same lodging; a bhikkhu and a woman lying down in the same lodging with another man present. Also, under those rules, the questions of the bhikkhu's state of mind and his awareness of the situation are important factors. Here they are of no consequence: Even a bhikkhu with the purest state of mind -- or completely unknowingly -- incurs a pacittiya when lying down together with a woman in the same lodging.

Non-offences. There is no offence in lying down with a woman in a lodging that under the preceding rule would not be grounds for an offence, i.e.,

fully roofed but with no walls (e.g., an open pavilion),
fully walled but with no roof (e.g., a corral),
half-roofed and half-walled,
half-roofed and less than half-walled,
less than half-roofed and half-walled,
less than half-roofed and less than half-walled.

Still, as noted above, a bhikkhu would be well-advised to avoid such situations whenever possible, and to have another man present when not.

Summary:
55. Lying down at the same time in the same lodging with a woman is a pacittiya offence.

7. Should any bhikkhu teach more than five or six sentences of Dhamma to a woman, unless a knowledgeable man is present, it is to be confessed.

"Then Ven. Udayin, having dressed early in the morning and taking his robe and bowl, went to visit a certain family. At that time the lady of the house was sitting in the main entrance, while the daughter-in-law was sitting in the door to the inner chamber. So Ven. Udayin approached the lady of the house and whispered Dhamma into her ear. The daughter-in-law thought, 'Is this recluse my mother-in-law's lover, or is he being fresh with her?' Then, having whispered Dhamma into the ear of the lady of house, Ven. Udayin went to the daughter-in-law and whispered Dhamma into her ear. The lady of the house thought, 'Is this recluse my daughter-in-law's lover, or is he being fresh with her?' After whispering Dhamma into the daughter-in-law's ear, Ven. Udayin left. So the lady of the house said, 'Hey. What did that recluse say to you?'

"'He taught me Dhamma, ma'am. And what did he say to you?'

"'He taught me Dhamma, too.'

So they were offended and annoyed and spread it about, 'How can Ven. Udayin whisper Dhamma into women's ears? Shouldn't the Dhamma be taught openly and out loud?'"

The two factors for the full offence here are:

1) *Object:* a female human being who knows what is and is not lewd and who has not asked one a question about the Dhamma.
2) *Effort*: One teaches her more than six sentences of Dhamma without a knowledgeable man present -- i.e., a male human being who also knows what is and is not lewd.

Object. The word woman covers women as well: If a bhikkhu is with two or more women, but without a knowledgeable man present, he may teach them no more than five or six sentences of Dhamma. Perception is not a factor here: If a bhikkhu teaches Dhamma to a woman he thinks is a man, this factor is fulfilled as well. According to the Vibhanga, a female peta, deva, or animal (probably a naga) in the form of a human woman, are each grounds for a dukkata here.

Dhamma the Vibhanga defines in the same terms as under Pacittiya 4: "a saying made by the Buddha, his disciples, seers, or heavenly beings, connected with the teaching, connected with the goal."

Precisely what this means is a point of controversy. The Commentary identifies "sayings made by the Buddha, his disciples, seers, or heavenly beings" with different parts of the Pali Canon -- in Pali -- and then treats "connected with the teaching, connected with the goal" as nouns, the first referring to the Canon, and the second to the ancient commentary named the Maha Atthakatha. This last point is highly unlikely, since the Maha Atthakatha did not yet exist when the Canon was being composed.

There are two alternatives to the Commentary's interpretation: One follows the Commentary in treating "connected with the teaching, connected with the goal" as nouns, but interprets them as meaning any statement dealing with the Dhamma, no matter what language it is in, and regardless of whether or not it is quoted from a text. Thus, according to this interpretation, anything a bhikkhu would say about the Dhamma -- quoted from the Canon, from a later text, or of his own invention -- would count as Dhamma here.

The second interpretation regards "connected with the teaching, connected with the goal" as adjectives modifying "sayings made by the Buddha, his disciples, seers, or heavenly beings." This makes more sense in terms of Pali syntax, but limits the meaning of Dhamma in this rule to passages from the Canon. This would not necessarily limit it to passages in the Pali language, though. Translations from the Canon would also come under the rule, since there is a passage in the Cullavagga (V.33.1) where the Buddha allows bhikkhus to learn Dhamma each in his own language, thus showing, contrary to the Commentary, that Dhamma does not have to be in Pali to be Dhamma.

There is little in the Canon to decide between these two interpretations, and the question comes down to what one perceives to be the purpose of the rule. Adherents of the first interpretation say that the rule is designed to prevent the sort of suspicions that arise when a bhikkhu is talking at length alone with a woman, but this argument does not fit with the Buddha's allowance for a bhikkhu to give a talk when a woman asks him for instruction.

It is more likely that the rule is aimed at preventing a bhikkhu from using his knowledge of Dhamma as a come-on, a way of making himself attractive to a woman. As any man who teaches Dhamma soon learns, there are women who find such knowledge irresistible. To view the rule in this light makes either of the two interpretations tenable, so the wise policy is to adhere to the interpretation of the Community to which one belongs.

This rule applies to telephone conversations as well as to conversations in person, but because the Parivara (I.5.7) notes that it deals only with the spoken word, it does not cover letters or other written communications.

Six sentences. As for the amount of Dhamma a bhikkhu may say to a woman or women without a knowledgeable man present, the Pali word for "sentence," (vaca), can also mean "word," but the Commentary states specifically that one vaca is approximately equal to a line of verse. The Sub-commentary goes on to say that the Commentary's definition here applies to poetry, while one vaca of prose is equal to the conjugation of a verb, i.e., six words. In either case, six vacas would amount to six sentences.

Conversations on other topics. Strangely enough, neither the Vibhanga nor the Commentary makes mention of conversations with women that do not touch on the Dhamma. The Sub-commentary notes this, and in one of its rare stabs at humour concludes, "It is perfectly all right to talk as much as you like about Tamils and that sort of thing."

Conversation that does not deal with the Dhamma, though, is termed "animal talk" (tiracchana-katha) in the Canon, and there are several passages (e.g., Pc. XXI.1; LXXXV.1; Mv.V.6.3-4) that criticize members of the group of six for engaging in animal talk: worldly talk about

"kings, robbers, and ministers of state (politics); armies, alarms, and battles; food and drink; clothing, furniture, garlands, and scents; relatives; vehicles; villages, towns, cities, the countryside; women and heroes; the gossip of the street and the well; tales of the dead; also philosophical discussions of the past and future (this is how the Sub-commentary to Pacittiya 85 explains 'tales of diversity'), the creation of the world and of the sea, and talk of whether things exist or not."

The Sub-commentary notes, though, that to discuss any of these topics in a way to foster an understanding of the Dhamma -- e.g., discussing the impermanence of worldly power -- is not considered improper.

Although there is no specific penalty for indulging in such worldly talk, a bhikkhu who indulges in it with lay people, bhikkhus or novices to the point where he becomes offensive to the Community may be subject to an act of censure, banishment or suspension on the grounds of "unbecoming association with householders" or "verbal frivolity." Furthermore, a bhikkhu sitting alone with a woman (or women) engaging in such talk would be subject to the conditions of Pacittiya 44 or 45 and Aniyata 1 or 2.

It is also worth noting in this regard that, unlike Pacittiyas 44 & 45 and Aniyatas 1 & 2, this rule covers situations where either the bhikkhu or the woman, or both, are standing. In other words, if a bhikkhu and a woman are conversing while standing, he may teach her at most six sentences of Dhamma unless any of the no-offence clauses apply.

Non-offences. There is no offence if, after the bhikkhu teaches the woman six sentences of Dhamma, either he or she changes position -- stands up, sits down, etc. -- and he continues with six more sentences. This point was most likely included to indicate separate conversations. Once a bhikkhu has taught five or six sentences to a woman, he may teach her again when they meet again and is not condemned to silence for the rest of his life.

Another exemption is that a bhikkhu, after teaching six sentences of Dhamma to one woman, may turn and teach six more sentences to another without incurring a penalty. Thus the Commentary notes that a bhikkhu addressing an assembly of 100 women may teach them a total of 600 sentences of Dhamma if he aims each set of six at a different woman.

A third exemption is that there is no penalty for a bhikkhu who is teaching Dhamma to someone else, and a woman happens to be listening in.

Finally, as noted above, if a woman asks a bhikkhu a question, a bhikkhu may give her a talk even if no other man is present. This exemption is common to all the rules that deal with instructing women (see Pacittiyas 21 & 22), but precisely what it means is somewhat uncertain, as none of the texts define how teaching Dhamma (dhammam deseti) differs from giving a talk (katheti), if they differ at all. The Commentary notes simply that in giving a talk one is not limited to six sentences; its example of a 'talk' is a recitation of the complete Digha Nikaya (!), which shows that, as far as the commentators are concerned, teaching Dhamma and giving a talk differ only in length. Thus a bhikkhu may answer a woman's question about Dhamma with a talk including as many sentences of Dhamma as he needs to make his point clear.

This allowance is important in that it honours women in their desire to understand the Dhamma. A wise policy, though, would be to show restraint in such situations. The relationship of male teacher to female student has a long, well-known history of getting out of hand. Even if a bhikkhu is in control of himself in such conversations, passers-by -- and the woman herself -- can easily misconstrue his words and actions. So, wherever possible, he should go out of his way to guard himself against suspicion and misunderstandings in such cases by having a man present when talking alone with a woman, even though the special exemption is made.

Summary:
56. Teaching more than six sentences of Dhamma to a woman, except in response to a question, is a pacittiya offence unless a knowledgeable man is present.

8. Should any bhikkhu report (his own) factual superior human state to an unordained person, it is to be confessed.

The factors for the full offence here are three:

1) *Object:* an unordained person, i.e., anyone -- human or not -- who is not a bhikkhu or bhikkhuni.
2) *Effort:* One reports one's actual attainment of a superior human state to such a person.
3) *Result:* The person immediately understands.

Only two of these factors -- effort and result -- require explanation.

Effort. The meaning of superior human state is discussed at length under Parajika 4. In brief, it covers (a) jhana, (b) the cognitive powers that can arise as its result, and (c) the transcendent states.

Factual is not explained in the texts, but probably means factual from the bhikkhu's own point of view. In other words, whether or not he has actually attained a superior human state, if he thinks he has and reports it to an unordained person, he commits an offence all the same. If he actually has attained such a state, e.g., jhana, but thinks he hasn't, and yet claims that he has -- in other words, he is telling what he thinks to be a lie -- he incurs a parajika.

To report, says the Vibhanga, means to speak directly of one's own attainments. To speak indirectly of one's own attainments -- e.g., "The bhikkhu who lives in this dwelling enters jhana at will" -- entails a dukkata. According to the Commentary, gestures fall under this rule as well. Thus, if a lay person asks a bhikkhu who has attained stream-entry if he has reached any of the noble attainments, and the bhikkhu nods, his nod would fulfill the factor of effort here.

The origin story to this rule deals with bhikkhus who, as a tactic for getting almsfood in a time of scarcity, had agreed to speak of one another's superior human states to householders. This would seem to suggest that to speak of another bhikkhu's actual attainment of superior human states with such motives in mind -- e.g., hoping to get a share of the increased gains he might receive -- should entail a penalty as well, but none of the texts mention this point, so it is not an offence. Still, any bhikkhu who plans to act in such a way, on the grounds that whatever is not an offence is perfectly all right, should remember that the Buddha criticized the bhikkhus in the origin story in very strong terms.

Result. As noted above, the bhikkhu incurs the full penalty only if his listener immediately understands what he has said. If the listener does not understand, the bhikkhu incurs a dukkata regardless of whether he spoke directly or indirectly of his attainments.

Whether or not the person addressed believes what is said, is of no account in determining the offence.

Non-offences. The Vibhanga states that to report one's own superior human attainments to another bhikkhu or to a bhikkhuni carries no penalty. There is, though, a series of stories in the Vinita Vatthu to Parajika 4 that raise a number of points to bear in mind in such situations. A typical example -- the stories differ only in minor details -- is this:

"Then Ven. Maha Moggallana, as he was descending Vulture Peak Mountain, smiled at a certain place. Ven. Lakkhana said to him, 'Friend Moggallana, what is the reason, what is the cause for your smile?'

"'This is not the time, friend Lakkhana, to answer this question. Ask me in the presence of the Blessed One.'

"So Ven. Lakkhana and Ven. Maha Moggallana... having approached and paid homage to the Blessed One, sat to one side. As they were sitting there, Ven. Lakkhana said to Ven. Moggallana, 'Just now, friend Moggallana... you smiled. What was the reason, what was the cause for your smile?'

"'Just now, my friend, I saw a man immersed head and all in a dung pit, eating dung with both hands. The thought occurred to me, "Isn't it amazing, isn't it astounding, that there are beings even like this..."'

"Bhikkhus were offended and annoyed and spread it about, 'Ven. Moggallana is boasting of a superior human state!'

"Then the Blessed One said to the bhikkhus, 'Actually, bhikkhus, there are disciples of vision and knowledge who will know or see or bear witness like this. Once I myself saw that being, but I didn't disclose it. Had I disclosed it, others would not have believed me, and that would have been to their pain and detriment for a long time. That being, bhikkhus, was once a corrupted Brahman right here in Rajagaha. He, in the time of the Buddha Kassapa, having invited a Community of bhikkhus to a meal, having filled a trough with dung and announcing the time, said, "Venerable sirs, eat from this and take with you as much as you like." Having been boiled in purgatory as a result of that deed for many years, many hundreds of years, many thousands of years, many hundreds of thousands of years, he is now -- through the remainder of the result of that deed -- experiencing existence as an individual like this. Moggallana spoke truly, bhikkhus. There is no offence for him.'"

Ven. Moggallana's conduct here -- waiting until he is in the presence of his teacher before relating his vision -- has become a model for conduct among meditators, for as the bhikkhus' reaction and the Buddha's comments make clear, there are situations where the act of relating one's visions, etc., even when allowed, will serve no positive purpose.

Displaying psychic powers. A related rule in the Cullavagga (V.8.2) states that to display psychic powers to lay people is a dukkata. In the origin story leading up to that rule, the Buddha levels strong criticism at such an act:

"Just as a woman might expose her sexual organ for a miserable wooden masaka coin, so too have you displayed a superior human state, a wonder of psychic power, to lay people for the sake of a miserable wooden bowl."

To display psychic powers to anyone who is not a lay person, though, is no offence. Thus, given the way these two rules are framed, one may not tell a novice of one's powers, but may levitate before his very eyes.

Summary:
57. To tell an unordained person of one's actual superior human attainments is a pacittiya offence.

9. Should any bhikkhu report (another) bhikkhu's gross offence to an unordained person -- unless authorized by the bhikkhus -- it is to be confessed.

"Now at that time Ven. Upananda the Sakyan was on bad terms with some group-of-six bhikkhus. Having committed an offence of intentional emission of semen, he asked the Community to put him on probation... It so happened that a certain guild in Savatthi was presenting food to the Community. Ven. Upananda, being on probation, sat down on the last seat in the dining hall. The group-of-six bhikkhus said to the lay people, 'Friends, this Ven. Upananda the Sakyan, your esteemed dependent, emitted semen making do with the very same hand with which he is eating your gift of faith...(This is why), being on probation, he is sitting on the last seat.'"

There are two factors for the full offence here:

1) *Object:* a gross offence committed by another bhikkhu.
2) *Effort:* One reports it to an unordained person without having been authorized to do so by the Community.

Object. The Vibhanga states that gross offence means any of the four parajika or thirteen sanghadisesa offences, while Buddhaghosa reports the ancient commentaries as saying that it covers only the sanghadisesas. His discussion of this point is interesting for the light it throws on the history of the texts: He presents two arguments for the commentaries' position, effectively demolishes them, but then backs down and ends up siding with them. Why he does this is hard to say, although it may be that he himself disagreed with the ancient commentaries on this point, but was forced to side with them by the elders of the Mahavihara who were responsible for putting the seal of approval on his work.

At any rate, the details of the argument lie outside the scope of this guide. The Vinaya Mukha has already adopted Buddhaghosa's arguments against the ancient commentaries here, and we will simply follow our usual policy of siding with the Vibhanga wherever the other texts depart from it. Gross offence means both the four parajikas and the thirteen sanghadisesas.

A bhikkhu's non-gross offences, and an unordained person's misbehaviour -- gross or not -- are grounds for a dukkata . (The passage on which this last point is based is sometimes translated, "tells one who is not ordained of a transgression" when it should read, "tells of an unordained person's transgression.") According to the Commentary, gross misbehaviour on the part of an unordained person means breaking any of the five precepts. Anything else would count as not gross.

This dukkata penalty for informing an unordained person about another unordained person's transgressions of the precepts is a point frequently overlooked in discussions of this rule, but it is important. It seems to be aimed at keeping bhikkhus from being gossips, so that novices and lay people may seek advice from a bhikkhu concerning the difficulties they have in observing the precepts without fear that the bhikkhu will spread it about to other unordained people as well.

This also helps preserve the good faith of donors: They can give their support to the bhikkhus without fear that the recipients of their support might be gossiping about their lapses in the practice behind their backs. If donors were to learn that a bhikkhu had been gossiping about them, they might become so disgusted as to withdraw their support from the religion as a whole.

Effort. Unordained person here means anyone who is not a bhikkhu or a bhikkhuni.

To report an offence to an unordained person means to tell him/her both the action and the class of the offence. Thus, to say, "Ven. Upananda committed a sanghadisesa by masturbating," would fulfill the fact of effort here; while to say simply, "Ven. Upananda committed a sanghadisesa." or "Ven. Upananda masturbated," would not, and would not even be grounds for a lesser offence.

This allowance, which looks strange on the surface, was made apparently for such cases as when a lay person, seeing a senior bhikkhu sitting at the end of the line, might ask one of the other bhikkhus why. A

bhikkhu would be well-advised, though, to examine his motives before making use of this allowance, for to take advantage of it to discredit a fellow bhikkhu would be to incur a dukkata under Pacittiya 13. Though the penalty is minor, little acts and minor offences of this sort are often the ones most destructive to the harmony of the Community.

The authorization. The Vibhanga does not give any indication of when the Community should authorize a bhikkhu to tell unordained people about another bhikkhu's gross offence. As the Vinaya Mukha sees it, the purpose of the training rule is to prevent bhikkhus from advertising one another's faults among people outside the Community. However, there are cases, it says, where a bhikkhu may commit a gross offence and refuse to acknowledge it, as when committing a parajika and yet continuing to assume the status of a bhikkhu, or committing a sanghadisesa and refusing to go through the procedures for rehabilitation. Thus the Community in such cases is allowed to authorize one of its members to inform lay people, such as the bhikkhu's supporters, as a way of exerting pressure on him to submit to his penalty.

According to the Commentary, though, the authorization is to be used in cases where the Community feels that the act of informing the laity would help to convince a well-intentioned but weak-willed bhikkhu who repeatedly commits sanghadisesa offences -- even if he willingly undergoes the period of penance -- to mend his ways.

Both interpretations fit with the Canon, although it should be borne in mind that using the authorization in line with the Vinaya Mukha's rationale -- to exert pressure on a bhikkhu who refuses to undergo a penalty -- can often backfire, for the laity may simply think that the Community is jealous of the support they are giving to the bhikkhu they assume to be innocent of any wrong-doing.

The Vibhanga also does not tell how the authorization is to be issued. According to the Commentary, it is to be made as a declaration (apalokana) stated three times and unanimously agreed to by the Community meeting within a proper boundary for formal acts.

The Vibhanga does state, though, that when giving the authorization, the Community may make it limited to families, limited to offences, limited to both or to neither. Limited to families means that the bhikkhu receiving the authorization may inform only certain specified families. Limited to offences means that he may report only certain of the guilty bhikkhu's offences. A bhikkhu who oversteps the limits of his authorization incurs a pacittiya.

Non-offences. We have already covered the cases that the Vibhanga includes in the no-offences clauses. To recapitulate: There is no penalty –

1) in telling an unordained person about another bhikkhu's serious offence if one states the action but not the class of offence, or the class but not the action; or

2) in reporting another bhikkhu's serious offence -- action and class of offence -- to an unordained person when one has been properly authorized to do so, as long as one does not overstep the bounds of one's authorization.

Summary:
58. Telling an unordained person of another bhikkhu's serious offence -- unless one is authorized by the Community to do so -- is a pacittiya offence.

10. Should any bhikkhu dig soil or have it dug, it is to be confessed.

This is an offence with four factors: object, effort, perception, and intention.

Object. The Pali word for soil, pathavi, also means ground or earth. Thus the Vibhanga distinguishes what forms of earth are and are not classed as soil:

Pure loam, pure clay, whatever is mostly loam or clay with a lesser portion of rock, stones, potsherds, gravel, or sand mixed in, is classed as soil (jata-pathavi).

Whatever is pure rock, stones, potsherds, gravel, or sand, or any of these with a lesser portion of loam or clay mixed in, is earth not classed as soil (ajata-pathavi). Also, burnt clay or loam -- according to the Commentary, this means soil that has been burnt in the course of firing a bowl, pot, etc. -- is not classed as soil. As for heaps of loam or clay that have been dug up: If they have been rained on for less than four months, they are not classed as soil, but if rained on for four months or more, they are. Also, the layer of fine dust that forms on the surface of dry soil as the result of wind erosion is not classed as soil.

As the Commentary makes clear in discussing the Vibhanga's no-offence clauses, there is no penalty in digging earth not classed as soil. Thus, for example, digging into a pile of newly dug-up loam or drawing diagrams in the dust on top of dry soil would not be an offence.

Effort. The Vibhanga says that the term digging also covers burning, i.e., firing pottery; and breaking, i.e., making a furrow with a rake or a stick. Thus, using a stick to draw in the soil or driving in a stake or pulling one out in such a way as to disturb the surrounding soil would fulfill the factor of effort here.

Non-offences. Because perception and intention are mitigating factors here, there is no offence for the bhikkhu who digs soil --

unknowingly --	e.g., digging into a pile of soil perceiving it to be sand;
unthinkingly --	e.g., absent-mindedly drawing in the dirt while talking with someone else; or
unintentionally --	e.g., raking leaves, pulling a wheelbarrow through the mud, or digging in a pile of sand and accidentally digging into the soil underneath.

Also, there is no offence in asking for clay or soil, or in indicating a need for a hole in the ground, without expressly giving the command to dig. ("Please get me some clay to make a pot." "We're going to need a hole right here.") According to the Commentary, an explicit request that a reservoir or pit, etc., be dug also entails no penalty as long as one does not say precisely where to dig it. ("We're going to have to drain the water from A to B, so dig the trench wherever you think it would do the job best.") This sort of request or hint is termed kappiya-vohara -- "allowable expression," or in plain English, "wording it right" -- and often finds use in the context of rules where an express command would be an offence but an indication of a desire or intent would not.

The Commentary quotes the ancient commentaries as saying that if another person or animal has fallen into a pit, there is no penalty for digging the victim out. The same holds true if another person or animal is trapped by a fallen but still-living tree: The bhikkhu may cut the tree to free the victim without incurring a penalty under the following rule.

Although the Commentary cannot find any justification in the Canon for these opinions, it states that they should be accepted since they are the unanimous judgment of the ancient commentaries. As we have noted before, Buddhaghosa does not always accept even the unanimous judgment of the ancient commentaries, but perhaps he felt that these were cases in which it would be better to err on the side of compassion rather than the side of strictness.

However, the Commentary goes on to say that if a bhikkhu falls into a pit himself, he should not dig any earth that would be classed as soil, even for the sake of his life. The same holds true if he is trapped by a fallen but still-living tree: He may not cut the tree even though his life is in danger.

The reason for this rule, as indicated by the origin story, is that people in general at the time of the Buddha viewed soil as having a form of one-facultied life. The Jains, who were contemporaries of the Buddha, classed life into five categories according to the number of senses or faculties the living thing possessed. In the one-facultied category, where there is only the sense of touch, they included soil and vegetation. One scholar has suggested that the Jains here were simply systematizing an animist belief, predating their theories, that soil and plants had souls. At any rate, this sort of view was so widespread at the time that any

potters who were meticulous in their precepts would take their clay only from termite nests and other piles of dug-up earth. The Ghatikara Sutta (M.81) describes a potter -- a non-returner in the dispensation of the Buddha Kassapa -- who even though he was a lay man would take the earth for his pots only from collapsed embankments and the piles of dirt around rat holes so as to avoid injuring the soil.

Another consideration, carrying more weight at present, is that the act of digging soil risks killing or injuring whatever animals may be living there.

This rule, together with the following one, also effectively prevents bhikkhus from engaging in agriculture.

Summary:
59. Digging soil or commanding that it be dug is a pacittiya offence.

Chapter Eight Part Two: The Living Plant Chapter

11. The damaging of a living plant is to be confessed.

"Now a certain Alavi bhikkhu was chopping down a tree. The devata living in the tree said to the bhikkhu, 'Sir, do not chop down my dwelling to build a dwelling for yourself.' The bhikkhu, paying no attention, continued chopping and injured the arm of the devata's child. The devata thought: 'What if I were to kill this bhikkhu right here?' Then another thought occurred to her: 'But no, that wouldn't be proper. What if I were to inform the Blessed One of this matter?' So she went to the Blessed One and on arrival informed him of what had happened.

"'Very good, devata. It's very good that you didn't kill the bhikkhu. If you had, you would have produced much demerit for yourself. Now go, devata. Over there is a vacant tree. Go into it.' (The Commentary adds here that the tree, being in the Jetavana Monastery, was one of the choicest pieces of devata real estate in those days. Other devas coming to pay their respects to the Buddha also made a point of paying their respects to the devata living in this tree. At any rate:)

"People were offended and annoyed and spread it about, 'How can these Sakyan contemplatives cut down trees and have them cut down? They are destroying one-facultied life.'"

This is another offence with the four factors of object, effort, perception, and intention.

Object. The Pali term for living plant -- bhutagama -- literally means the home of a being. This the Sub-commentary explains by saying that devatas may take up residence in plants standing in place by means of a longing on which their consciousness fastens (at the end of their previous lives) as in a dream. This rule is justified, it says, in that the etiquette of a contemplative precludes doing harm to the abodes of living beings. As the origin story shows, though, the reason this rule was laid down in the first place was to prevent bhikkhus from offending people who held to the animist belief that regarded plants as one-facultied life having the sense of touch.

The Vibhanga defines bhutagama as vegetation arising from any of five sources:

1) from bulbs, rhizomes, or tubers (e.g., potatoes, tulips),
2) from cuttings or stakes (e.g., willows, rose bushes),
3) from joints (e.g., sugar cane, bamboo),
4) from runners (e.g., strawberries, couch grass), or
5) from seeds (e.g., corn, beans).

According to the Commentary, a whole plant or part of one that has been removed from its original place is no longer classed as bhutagama. If it is capable of growing again if placed in the ground, it is classed as bijagama, which means "home of a plant." When a seed is sown, it is regarded as bijagama until the first shoot turns a fresh green colour, and the first leaf appears. After that it is regarded as bhutagama.

In line with this criterion, the Commentary classifies as bijagama such lower forms of plant life as mushrooms that still have their spores, fungi, lichens without leaves, and moulds, in that they do not pass through a fresh green stage, have no discernible leaves, and yet are capable of regeneration. Mushrooms that have lost their spores, and parts of any plants that have been removed from place and will not grow, or that have been cooked or otherwise damaged to the point where they are incapable of generation, are not grounds for an offence under this rule.

The Commentary states further that to damage bijagama entails a dukkata. The Vibhanga makes no mention of this point, but the Commentary cites as its justification a passage that occurs in a number of suttas (D.1, D.2, etc.) saying that bhikkhus refrain from harming both bhutagama and bijagama. The Mahavagga and Cullavagga give partial justification to the Commentary's assertion in two passages, dealing with bhikkhus eating fruit, which we will discuss below. The Jain ascetics follow similar observances, which suggests that both the Buddhists and the Jains adopted this point from the ancient Indian ascetics who predated both religions.

Furthermore, according to the Commentary, there are certain kinds of plants that do not count either as bhutagama or bijagama under this rule, and to damage them entails no offence. To justify this point it quotes a passage from the Cullavagga (VIII.1.2): "If a varnished wall...(or) finished floor has spots of mould , it is to be wiped off with a moistened cloth that has been wrung out." The Commentary extends the Canon's

instructions here to cover not only mould on walls but also other lower forms of plant life -- such as algae on the inside of water jars, fungus on toothbrushes, and mould on food -- that would count as filth if they were allowed to continue growing.

Effort. According to the Vibhanga, the term damaging includes such actions as cutting, breaking, picking, burning, and cooking. The Commentary defines the term as "dealing with a plant as one likes by cutting it, breaking it, and so on." Although the word "dealing with," paribhunjati, literally means "making use of," the Commentary's illustrations of what this covers include even such things as shaking a tree limb to get the dry leaves to fall off so that one can sweep them up. Thus, it says, damaging would include picking flowers or leaves, uprooting a plant, engraving one's initials in a tree trunk, etc. Since no exception is made for doing such things with "benevolent" intentions towards the plant, pruning would be included as well. Given the catch-all nature of the Commentary's definition, using herbicides to kill plants would also come under the term "damaging."

Plants growing in water, such as water hyacinths, whose roots do not extend to the earth beneath the water, have the water as their base. To remove them from the water is to damage them, although there is no offence in moving them around in the water. To move them from one body of water to another without incurring a penalty, one may take them together with some of the water in which they originally lived and place them together with that water into the new body of water.

Plants such as mistletoe, orchids, and bird vine that grow on trees have the tree as their base. To remove them from the tree is to damage them and so entails a pacittiya.

Perception. If one damages a living plant perceiving it to be something else -- say, a dead plant -- there is no offence. If one damages a plant in doubt as to whether it is living or dead, then regardless of what it actually is, the offence is a dukkata.

Intention is discussed in detail under the non-offences, below.

Making Fruit Allowable. Since fruit seeds are bijagama, the question arises as to how bhikkhus should go about eating fruit. The Commentary to this rule discusses in detail two passages, one each in the Mahavagga (VI. 21) and the Cullavagga (V.5.2), dealing with precisely this question. The Cullavagga passage reads,

"I allow you, bhikkhus, to consume fruit that has been made allowable for contemplatives in any of five ways: if it is damaged by fire, by a knife, by a nail, if it is seedless, and the fifth is if the seeds are discharged."

The Mahavagga passage reads:

"Now at that time there was a great quantity of fruit at Savatthi, but there was no one to make it allowable... (The Buddha said,) 'I allow you, bhikkhus, to consume fruit that is seedless or whose seeds are discharged, (even if) it has not been made allowable."

First, to summarize the commentaries' discussion of seedless fruit and fruit whose seeds have been discharged: According to the Commentary to the Mahavagga, "seedless fruit" includes fruit whose seeds are too immature to grow. As for fruit whose seeds have been discharged, the Sub-commentary states that this means, "Fruit, such as mangoes or jackfruit, which it is possible to eat having removed the seeds and separating them entirely (from the flesh)."

The question sometimes arises as to whether bhikkhus may remove the seeds themselves before eating fruit of this sort, or whether an unordained person has to remove them first, but given the context of the Mahavagga passage and the wording of the Sub-commentary's explanation, it seems clear that the bhikkhus themselves may discharge the seeds before or while eating the fruit. As the Commentary notes, both these kinds of fruit are allowable in and of themselves, and need not go through any other procedure to make them allowable.

Other kinds of fruit, though, such as those with numerous seeds (such as tomatoes and blackberries) or whose seeds would be difficult to remove undamaged (such as grapes) must be damaged by fire, a knife, or a fingernail before a bhikkhu may eat them. The Commentary's description of how to do this shows that the

damaging need only be symbolic: An unordained person draws a hot object or a knife across the skin of the fruit, or pokes it with a fingernail, saying "allowable" (kappiyam) either while doing the damaging or immediately afterward. The Sub-commentary notes that the word for "allowable" may be stated in any language.

If a heap of fruit, such as grapes, is brought to a bhikkhu, he should say, "Make it allowable," (Kappiyam karohi,) either to the donor or to any other unordained person who knows how. The unordained person need only make one of the grapes allowable in line with the above procedures for the entire heap to be considered allowable, although he/she should not remove the grape from the heap while doing so.

The Sub-commentary claims that the ceremony of making fruit allowable must always be performed in the presence of a bhikkhu, but the Commentary mentions this factor only in connection with this last case -- making an entire heap of fruit allowable by "damaging" only one piece -- and not in its basic description of how the procedure is done.

In Communities that follow the Sub-commentary, the custom is as follows: When a donor brings grapes, tomatoes, or similar fruit to a bhikkhu, the bhikkhu says, "Kappiyam karohi (Make it allowable)." The donor damages the fruit in any of the three specified ways and says, "Kappiyam bhante (It is allowable, sir)," while doing the damaging, and then presents the fruit to the bhikkhu.

In Communities that do not follow the Sub-commentary, the donor may perform the act of damaging the fruit beforehand, and simply inform the bhikkhu that the fruit has been made allowable when presenting it to him. In either case, the act of making a heap of fruit allowable by damaging only one piece must be done in the presence of a bhikkhu. And we should note again that seedless fruit or fruit whose seeds may be removed entirely from the flesh of the fruit are allowable in and of themselves, and do not have to go through any procedure before a bhikkhu may accept and eat them.

The two passages in the Mahavagga and Cullavagga that we have been discussing deal specifically only with fruit, but the Commentary extrapolates from them to say that the same conditions apply to other forms of bijagama, such as sugar cane and bean sprouts as well.

Non-offences. There is no offence for a bhikkhu who cuts a living plant --

a) unknowingly -- e.g., thinking it to be dead,
b) unthinkingly -- e.g., absent-mindedly pulling grass while talking with someone, or
c) unintentionally -- e.g., inadvertently uprooting grass while raking leaves or grabbing onto a plant for support while climbing a hill and inadvertently uprooting it.

Also, there is no penalty in telling an unordained person to make an item allowable; in asking for leaves, flowers, etc. without specifically saying which leaves or flowers are to be picked; or in indicating indirectly that, e.g., the grass needs cutting ("Look at how long the grass is") or that a tree needs pruning ("This branch is in the way") without expressly giving the command to cut. In other words, this is another rule where one may avoid an offence by using kappiya-vohara: "wording it right."

The Cullavagga (V.32.1) says that if a brush fire is approaching a dwelling, one may light a counter-fire to ward it off. In doing so, one is exempt from any penalty imposed by this rule. Also, according to the Sub-commentary to NP 6, a bhikkhu whose robes have been stolen and who cannot find any other cloth to cover himself, may pick grass and leaves to cover himself without incurring any penalty here.

Summary:
60. Intentionally cutting, burning, or killing a living plant is a pacittiya offence.

12. Evasive speech and uncooperativeness are to be confessed.

This rule deals with a bhikkhu's behaviour in a communal meeting when being formally questioned about a charge made against him. The factors for the full offence here are two:

1) *Intention*: One desires to hide one's own offences.
2) *Effort:* One continues engaging in evasive speech or in being uncooperative after the Community has brought a formal charge of evasive speech or uncooperativeness against one.

These factors will be easier to understand if we discuss effort and intention before going on to the formal act.

Evasive speech is illustrated in the origin story as follows:

"Now at that time Ven. Channa, having misbehaved and being examined about the offence in the midst of the Community, avoided one question with another: 'Who has committed the offence? What was committed? With regard to what matter was it committed? How was it committed? What are you saying? Why do you say it?'"

The Commentary notes that evasive speech covers any and all forms of speaking beside the point when being formally questioned, and not just the ones given in the origin story. The Sub-commentary agrees and gives an additional example of its own:

"Have you committed this offence?"

"I've been to Pataliputta."

"But we're not asking about your going to Pataliputta. We're asking about an offence."

"From there I went to Rajagaha."

"Well, Rajagaha or Brahmanagaha, did you commit the offence?"

"I got some pork there."

As for **uncooperativeness:**

"Now at a later time Ven. Channa, being examined about an offence in the midst of the Community, (thinking), 'By avoiding one question with another, I will fall into an offence,' remained silent and was uncooperative with the Community."

Thus, the texts say, to be uncooperative means to remain silent when being formally questioned in the midst of the Community.

Intention. This factor is fulfilled only if one is acting out of a desire to conceal one's own offences. If one has other reasons for remaining silent or asking questions while being questioned, there is no penalty. For example, there is no offence for a bhikkhu who, when being examined, asks questions or gives answers not to the point because he

a) does not understand what is being said,
b) is too ill to speak,
c) feels that in speaking he will create conflict or dissension in the Community, or
d) feels that the Community will carry out its formal act unfairly or not in accordance with the rule.

The formal act. If a bhikkhu speaks evasively or is uncooperative out of a desire to conceal his own offences, he incurs a dukkata. If the Community sees fit, it may then bring a formal charge of evasion or uncooperativeness against him in order to restrain him from persisting in such behaviour. If he then continues being evasive or uncooperative, he incurs a pacittiya.

Perception is not a factor here. Once a formal charge of evasion or uncooperativeness has been rightfully brought against a bhikkhu, and he continues to be evasive or uncooperative, he incurs a pacittiya regardless of whether he sees the charge as rightful or not. If the charge has been wrongfully brought against him -- e.g., the formal act was not carried out strictly in accordance with formal procedure -- then in continuing to be evasive or remain silent out of a desire to hide his offences, he incurs a dukkata regardless of whether he perceives the charge as wrongful, rightful, or doubtful. In other words, he is not let off the hook simply because the Community has not mastered formal procedure.

If, after the Community rightly brings a formal charge of evasive speech or uncooperativeness against a bhikkhu, he continues being evasive or uncooperative simply to avoid revealing his offences, he may further

be subject to a more severe penalty: a formal act of censure (tajjaniya-kamma) for being a maker of trouble and strife for the Community (Cv.I.1-8) or -- what is essentially the same thing -- an act for further misbehaviour (tassa-papiyasika-kamma) for not admitting to a true charge right from the start (see the discussion under the Adhikarana-Samatha rules, Chapter 11).

Non-offences. If a bhikkhu answers not to the point or remains silent for any of the allowable reasons, he incurs no penalty even after a formal act of evasive speech or uncooperativeness has for some reason been brought against him.

Summary:
61. Persistently replying evasively or keeping silent in order to conceal one's own offences when being questioned in a meeting of the Community -- after a formal charge of evasiveness or uncooperativeness has been brought against one -- is a pacittiya offence.

13. Maligning or complaining (about a Community official) is to be confessed.

Community officials. In the Cullavagga (VI.21), the Buddha gives allowance for a Community of bhikkhus to designate various of its members as Community officials, to handle such business as distributing food, deciding who will stay in which lodging, keeping the rosters that decide who will receive the invitations to which meals, etc. Ven. Dabba Mallaputta was the first such official and was well-equipped for the job:

"As for those bhikkhus who came at night, he would enter the fire-element for them and by that light would assign them lodgings -- so much so that bhikkhus would arrive at night on purpose, thinking, 'We will see the marvel of Ven. Dabba Mallaputta's psychic power.' Approaching him, they would say, 'Friend Dabba, assign us lodgings.'

"Ven. Dabba Mallaputta would say, 'Where would you like? Where shall I assign them?'

"Then they would name a distant place on purpose: 'Friend Dabba, assign us a lodging on Vulture's Peak. Friend Dabba, assign us a lodging on Robber's Cliff...'

"So Ven. Dabba Mallaputta, entering the fire-element for them, went before them with his finger glowing, while they followed behind with the help of his light."

Even with his special skills, there were bhikkhus who were dissatisfied with the lodgings and meals he assigned to them -- as we saw under Sanghadisesas 8 & 9 -- and in the origin story to this rule they malign and complain about him.

Object. Only a bhikkhu who has been formally agreed upon as a Community official fulfils the factor of object under this rule. All other people, ordained or not, are grounds for a dukkata.

Effort. The Commentary and Sub-commentary give the clearest description of the distinction between maligning and complaining: To malign means to speak critically of a person in the presence of one or more other people so as to make them form a low opinion of him/her. To complain means simply to give vent to one's criticisms of the person within earshot of someone else.

According to the Vibhanga, the penalty for maligning or complaining about a Community official is a pacittiya if one's listener is a fellow bhikkhu, and a dukkata if one's listener is an unordained person . The question of who one's remarks are addressed to is irrelevant if one is maligning or complaining about an unordained person or a bhikkhu who is not a Community official: The penalty is a dukkata, regardless of whether the person to whom the remarks are addressed is ordained or not.

Non-offences. The Vibhanga says that if a Community official acts habitually out of any of the four causes for prejudice -- favouritism, animosity, stupidity, or fear -- there is no offence in maligning or complaining about him. For example, if he assigns the best lodgings to certain bhikkhus simply because he likes them, gives the poorest food to certain bhikkhus simply because he dislikes them, habitually sends the wrong bhikkhus to the wrong meals because he is too stupid to handle the rotating rosters properly, or gives the best treatment to certain bhikkhus because he is afraid of them or their supporters, there is no offence in criticizing his behaviour in the presence of others.

However, one should be very sure of the facts of the case before taking advantage of this allowance. Disappointment and anger have a way of colouring one's perceptions, making another person's perfectly blameless behaviour look biased and unjust. If one maligns or complains about an official, thoroughly convinced that he has been acting out of prejudice, one is still guilty of an offence if it turns out that in fact the official's behaviour has been fair. The same considerations apply also to complaints or criticisms concerning anyone, ordained or not.

To criticize a Community official to his face, simply for the sake of hurting his feelings, would be an offence under Pacittiya 2, regardless of whether his behaviour has in fact been prejudiced or not.

The job of a Community official is often a thankless one. The procedures he must follow in distributing invitations, etc., can be fairly complex and, in large Communities, quite time-consuming. Since there is no way he can guarantee equal treatment to all, there may be times when he seems to be acting out of prejudice when he is simply following standard procedure. If he cannot receive the benefit of the doubt from his fellow bhikkhus, there is no incentive for him to undertake these duties in the first place. The Buddha likened material gains to excrement (see A.V.196), and when excrement is shared out there is rarely any point in complaining about who gets the choicest portions.

Summary:

62. If a Community official is innocent of prejudice: Criticizing him within earshot of another bhikkhu is a pacittiya offence.

14. Should any bhikkhu set a bed, bench, mattress, or stool belonging to the Community out in the open -- or have it set out -- and then on departing neither put it away nor have it put away, or should he go without taking leave, it is to be confessed.

During the four months of the rains, furniture belonging to the Community -- when not in use -- is to be kept in a place where it will not be rained on, such as a fully-roofed storeroom or lodging. During the remainder of the year, it may also be kept in a shed roofed with slats or branches, or under a tree where birds do not leave droppings. The Commentary implies, though, that this latter allowance holds only in those regions with a distinct dry season; and, according to the Sub-commentary, even where there is a dry season, if a bhikkhu sees an unseasonable rain storm approaching, he should not leave furniture in such semi-open places.

This rule deals with bhikkhus who set furnishings of the Community out in the open and then leave without getting them put away in the proper place. The factors for the full offence are three:

1) *Object:* any bed, bench, mattress, or stool belonging to the Community.
2) *Effort:* One sets such furnishings out in the open and then departs without taking leave, putting the furnishings away, or getting them put away in the proper place.
3) *Intention:* One has set them out for some purpose other than sunning them .

Object. Any bed, bench, mattress, or stool belonging to the Community is grounds for a pacittiya. Perception is not an issue here: If the item actually belongs to the Community, this factor is fulfilled regardless of whether or not one perceives it as such. Other furnishings belonging to the Community -- such as carpets, bedspreads, mats, foot-wiping cloths, chairs, even the brooms -- are grounds for a dukkata, as are furnishings of every type belonging to another individual. One's own furnishings are not grounds for an offence.

According to the Commentary, if one has made an arrangement with someone else to use his/her belongings on trust, there is no offence in leaving that person's furnishings out in the open. The Sub-commentary adds that furnishings a donor presents for the Community to use out in the open -- e.g., stone or concrete benches -- are likewise not grounds for an offence.

Effort. To depart the furnishings is defined as going further than one leddupata -- approximately 6 meters -- from them. (A leddupata is a unit of measure that appears frequently in the Canon and is defined as the distance a man of average stature can throw a clod of dirt underarm.) Taking leave, according to the

Commentary, means informing a bhikkhu, a novice, or a temple attendant who agrees to take responsibility for the furnishings.

Responsibility. A bhikkhu is held responsible for putting away furnishings that he has ordered another person to place in the open, unless the other person is also a bhikkhu, in which case he is the one responsible. The Commentary states that if a senior bhikkhu requests a junior bhikkhu to place out in the open any furnishings that may be grounds for a penalty, then the junior bhikkhu is responsible for them until the senior bhikkhu sits down on them, places an article of his use (such as a robe or a shoulder bag) on them, or gives the junior bhikkhu permission to leave, after which point the senior bhikkhu is responsible.

If there is to be an open-air meeting, the host bhikkhus are responsible for any seats set out in the open, until the visiting bhikkhus claim their places, from which point the visitors are responsible. If there is to be a series of Dhamma talks, each speaker is responsible for the sermon seat from the moment he sits in it until the moment the next speaker does.

Non-offences. As stated above, there is no offence if one departs having set furnishings belonging to the Community or another individual out in the sun with the purpose of drying them, and thinking, "I will put them away when I come back." Also, there is no offence if one departs after someone else takes possession or responsibility for furnishings one has left out in the open, or when there are dangers of any sort -- the Commentary mentions tigers, lions, ghosts, ogres, outlaws, and people who might cause one to disrobe -- that give one no time to put the furnishings away.

The Vinaya Mukha, extracting a general principle from this rule, says, "This training rule was formulated to prevent negligence and to teach one to care for things. It should be taken as a general model."

Summary:
63. When one has set a bed, bench, mattress, or stool belonging to the Community out in the open: Leaving its immediate vicinity without putting it away or arranging to have it put away is a pacittiya offence.

15. Should any bhikkhu, having set out bedding in a lodging belonging to the Community -- or having had it set out -- and then on departing neither put it away nor have it put away, or should he go without taking leave, it is to be confessed.

Here again the three factors for a full offence are object, effort, and intention.

Object. *Bedding* here includes mattresses, pillows, rugs, sheets, mats, sitting cloths, blankets, bedspreads, animal skins, throw rugs, etc., but not the beds or benches on which they may be placed. Unlike the previous rule, the question of whom the bedding belongs to is not an issue in determining the offence under this rule.

The place where it is left, though, is an issue. Bedding left in a dwelling belonging to the Community is grounds for a pacittiya. Bedding left in a dwelling belonging to another individual is grounds for a dukkata, as is bedding left in the area around a dwelling, in a meeting hall, or at the foot of a tree -- these last three places belonging to the Community or to another individual. Bedding left in a dwelling, etc., belonging to oneself is not grounds for an offence. The same holds true for bedding left in a dwelling belonging to anyone who has given one the right to use his/her belongings on trust.

Perception is not an issue here. If, for example, the dwelling actually belongs to the Community, it is grounds for a pacittiya regardless of whether or not one perceives it as such.

Effort. *Putting the item away, having it put away*, and *taking leave* are all defined as under the preceding rule. The way to determine responsibility for bedding when a bhikkhu orders someone else to spread it may also be inferred from the discussion there.

To *depart* is defined as going outside the grounds of the monastery. The absence of any reference to this rule in the duties to be done before one's almsround (pindapata-vatta) (Cv.VIII.5), however, indicates that

temporary excursions outside the monastery are not counted as "departing." This conclusion is seconded by one of the no-offence clauses, which says that in the case of a bhikkhu who goes with the expectation of returning but then changes his mind, if he then sends word back to the monastery, he avoids any penalty under this rule. This implies that a bhikkhu who leaves his bedding spread out in a dwelling belonging to the Community, leaves the monastery temporarily with the intent of returning, and returns as planned, incurs no penalty as well.

The question arises, though, as to how long a temporary period of absence is allowable. The Vibhanga itself sets no time limit. The Commentary illustrates the no-offence clause we have just mentioned with the case of a bhikkhu who leaves, thinking, "I will return today," but makes no specific statement that longer periods are not allowed.

Since the texts give no specific guidelines here, this is a matter that each Community should decide for itself, taking the following considerations into account:

1) The origin story suggests that the purpose of the rule is to prevent the bedding's being left so long in an unoccupied dwelling that it attracts ants, termites, or other pests.

2) Another consideration, raised by the Vinaya Mukha, is that if a bhikkhu goes for a long excursion, leaving his bedding and other belongings scattered about in a dwelling, this might inconvenience the resident bhikkhus in that they could not easily allot the dwelling to another bhikkhu in the interim.

Intention is a factor here, in that if one plans to return within the allowable space of time but for some reason cannot -- examples in the Commentary include flooding rivers, kings, and robbers -- there is no offence. And as mentioned above, if one leaves with the intention of returning, but then changes one's mind, one can avoid an offence by sending word back to the monastery via a messenger.

Non-offences. In addition to the above two cases, the Vibhanga says that there is no offence in departing having left bedding spread out in a dwelling if someone else has taken responsibility for the bedding or if one has taken leave of the resident bhikkhus. With regard to this latter point, though, the duties to be done when moving out of a monastery (gamika vatta) (Cv.VIII.3) include putting away the bedding one has been using. To neglect this duty, even when one takes leave of the resident bhikkhus, entails a dukkata.

Summary:
64. When one has spread bedding out in a dwelling belonging to the Community: Departing from the monastery without putting it away or arranging to have it put away is a pacittiya offence.

16. Should any bhikkhu knowingly lie down in a lodging belonging to the Community so as to intrude on a bhikkhu who arrived there first, (thinking), "Whoever feels crowded will go away" -- doing it for this reason and no other -- it is to be confessed.

There are four factors for an offence here:

1) *Object:* a bhikkhu who should not be forced to move.
2) *Perception:* one perceives him as such.
3) *Effort:* one encroaches on his space in a dwelling belonging to the Community.
4) *Intention:* one's sole motive is to force him out.

Object & perception. Knowingly is defined in the Vibhanga as knowing that the lodging's current occupant is a senior bhikkhu, a sick one, or one to whom the Community (or its official) has assigned the dwelling. The Commentary interprets this definition as a list of examples and generalizes from it to include any case where one knows, "This bhikkhu shouldn't be forced to move."

Effort. To encroach means to lie down or sit down in the area immediately adjacent to the bhikkhu's sleeping or sitting place -- which the Commentary defines as anywhere within 75 cm. of the sleeping or sitting place -- or on a 75 cm. wide path from either of those places to the entrance to the dwelling. There is a dukkata for placing one's bedding or seat in such an area, and a pacittiya for each time one sits or lies down there. To

place one's bedding or seat in any other part of the dwelling entails a dukkata; and to sit or lie down there, another dukkata -- assuming in all of these cases that the dwelling belongs to the Community.

Perception with regard to the dwelling is not an issue here. If the dwelling actually belongs to the Community, this part of the factor is fulfilled regardless of whether one perceives it as belonging to the Community or not.

There is a dukkata in encroaching on the space of a bhikkhu -- intending to force him out -- in the area immediately adjacent to such a dwelling, in a place belonging to the Community that is not the dwelling of a particular person (e.g., an eating hall), the shade of a tree, in the open air, or in a dwelling belonging to another individual. To do so in a dwelling belonging to oneself entails no offence. According to the Commentary, this last allowance also applies to a dwelling belonging to anyone who has offered to let one use his/her belongings on trust.

Intention. If there is a compelling reason -- one is ill or suffering from the cold or heat, or there are dangers outside -- one may intrude on the space of another bhikkhu without penalty. The reason for these allowances would appear obvious -- one is not aiming at forcing the other bhikkhu out -- but it turns out that the matter is not as simple as that. The Sub-commentary reports the Three Ganthipadas as saying that because of this allowance, one may make an excuse of one's illness, etc., as a pretext for intruding on the other bhikkhu's space so as to force him out of the lodging. The Sub-commentary tries to argue with this ruling, but the Ganthipadas have the support of the Vibhanga here: Only if one's sole motive is to force the other bhikkhu out is one subject to an offence under this rule. If one has mixed motives, one may take advantage of one's illness, etc., to move in on the other bhikkhu.

However, once one's illness, etc., has passed, one would commit an offence each time one continued to sit or lie down encroaching on his space.

All of this may seem very strange on the surface, but it is likely that the original occupant would not feel unduly pressured if an ill bhikkhu or one escaping dangers were to move into his dwelling, while he would start feeling pressured by the continued presence of the bhikkhu after the illness or dangers had passed, which is why the penalties are allotted as they are.

Summary:
65. Encroaching on another bhikkhu's sleeping or sitting place in a dwelling belonging to the Community, with the sole purpose of making him uncomfortable and forcing him to leave, is a pacittiya offence.

17. Should any bhikkhu, angry and displeased, evict a bhikkhu from a dwelling belonging to the Community -- or have him evicted -- it is to be confessed.

"At that time some group-of-17 bhikkhus were fixing up a large dwelling on the fringes of the monastery, thinking, 'We will spend the rains here.' Some group-of-six bhikkhus... seeing them, said, 'These group-of-17 bhikkhus are fixing up a dwelling place. Let's drive them out.' But others of them said, 'Wait, friends, while they fix it up. When it's fixed up, then we'll drive them out.'

"Then the group-of-six bhikkhus said to the group-of-17 bhikkhus, 'Get out, friends. The dwelling is ours.'

"'Shouldn't this have been mentioned beforehand so that we could have fixed up another one?'

"'Isn't this a dwelling belonging to the Community?'

"'Yes...'

"'Then get out. The dwelling is ours.'

"'The dwelling is large, friends. You can stay here, and we'll stay here, too.'

"'Get out. The dwelling is ours.' And, angered and displeased, taking them by the throat, they threw them out. The group-of-17 bhikkhus, having been thrown out, began to cry."

The three factors for the full offence here are:

1) *Object:* a bhikkhu.
2) *Effort:* one evicts him from a dwelling belonging to the Community.

3) *Intention:* one's prime motivation is anger.

Object. A bhikkhu is grounds for a pacittiya here, while the following are grounds for a dukkata: a bhikkhu's belongings, an unordained person, and an unordained person's belongings.

Effort. According to the Commentary, this rule covers both physical eviction -- picking up the bhikkhu and throwing him out -- as well as verbal eviction -- ordering him to leave. The penalty in both cases is the same. (The Mahasanghikas and Sarvastivadins write this point into their version of the rule.)

There is a dukkata in telling someone else to evict the bhikkhu -- no allowances for kappiya-vohara are given here -- and, assuming that all the other factors are fulfilled, a pacittiya once the bhikkhu has been evicted.

To evict a bhikkhu from a dwelling belonging to the Community entails a pacittiya. (Again, perception with regard to the ownership of the dwelling is not an issue here.) To evict anyone -- bhikkhu or not -- from an area immediately adjacent to a dwelling belonging to the Community, from a place belonging to the Community that is not the dwelling of a particular person, from the shade of a tree, from a spot in the open air, or from a dwelling belonging to another individual entails a dukkata. There is also a dukkata for throwing a person's belongings out from any of these places. (In all the cases mentioned in this paragraph, the assumption is that one is motivated by anger.)

To evict anyone or anyone's belongings from one's own dwelling -- or from one that belongs to an individual who has offered to let one use his/her belongings on trust -- is not grounds for an offence.

Intention. There is no offence in evicting anyone when one's primary motive is not anger. Examples given in the no-offence clauses include evicting anyone -- or the requisites of anyone -- who is insane, shameless in his/her behaviour, or a maker of quarrels, strife, and dissension in the Community. The Commentary adds here that one also has the right to throw the person out of the monastery as a whole if he/she is a maker of quarrels, strife, and dissension, but not if he/she is simply shameless.

Also, one may without penalty evict one's student from his dwelling if he is not properly observing his duties.

In all of these cases, the Sub-commentary notes, if anger happens to arise in one's mind in the course of evicting the person, there is no offence as long as it is not the primary motive.

Summary:
66. Causing a bhikkhu to be evicted from a dwelling belonging to the Community -- when one's primary motive is anger -- is a pacittiya offence.

18. Should any bhikkhu sit or lie down on a bed or bench with detachable legs on an (unplanked) loft in a dwelling belonging to the Community, it is to be confessed.

Object. A bed or bench with detachable legs on an unplanked loft is grounds for a pacittiya if it is in a dwelling belonging to a Community, a dukkata if in a dwelling belonging to another individual, and no offence if in a dwelling belonging to oneself or to anyone who has offered to let one use his/her belongings on trust. Perception of the ownership, as in the preceding rules, is not an issue here.

The purpose of this rule, as indicated by the origin story, is to guard against injury to a bhikkhu living under the loft: He might get hit on the head if any of the detachable legs fall down through the floor of the loft. Thus there is no offence if the loft is not high enough off the ground for a man of medium height to stand under it without hitting his head; if the floor of the loft is completely planked; if there is no one under the loft; if the area under the loft cannot be used as a dwelling (e.g., it is used solely for storage space, says the Commentary); if the bed or bench with detachable legs is on the ground; or if the legs of the bed or bench are securely fixed to their frame.

Effort. There is a question as to whether sitting and lying down would include standing as well, since the no-offence clauses allow one "to stand there and hang things up or take them down." The Commentary

interprets "there" as a bed or bench with detachable legs, but standing on such a thing would seem to be even more dangerous than sitting or lying down on it. More probably, "there" refers to the unplanked loft.

Some people have noted that although the bhikkhu in the origin story sat down hurriedly, the word "hurriedly" does not appear in the rule, and they speculate that it may have been dropped by mistake. If one is not allowed at all to sit or lie down on a bed or bench with detachable legs on an unplanked loft, they say, there would be no reason to have one there. Actually, beds with detachable legs do not sound like wise things to have on an unplanked loft, and perhaps the Buddha's purpose in formulating this rule was to discourage their being placed there in the first place.

Summary:

67. Sitting or lying down on a bed or bench with detachable legs on an unplanked loft in a dwelling belonging to the Community is a pacittiya offence.

19. When a bhikkhu is building a large dwelling, he may apply two or three layers of facing to plaster the area around the window frame and reinforce the area around the door frame the width of the door opening, while standing where there are no crops to speak of. Should he apply more than that, even if standing where there are no crops to speak of, it is to be confessed.

"Now at that time a chief minister who was Ven. Channa's supporter was having a dwelling built for Ven. Channa. Ven. Channa had the finished dwelling covered with roofing material again and again, plastered again and again, so that the dwelling, overloaded, caved in. Then Ven. Channa, collecting grass and sticks, despoiled the barley field of a certain brahman. The brahman was offended and annoyed and spread it about, 'How can revered ones go around despoiling our barley field?'... Bhikkhus... were offended and annoyed and spread it about, 'How can Ven. Channa have a finished dwelling covered with roofing material again and again, plastered again and again, so that the dwelling gets overloaded and caves in?'"

This rule is an extension of Sanghadisesa 7, giving further directions for how a bhikkhu should go about building a dwelling for his own use when sponsored by another person. Since it deals with techniques used in building wattle and daub dwellings 2,500 years ago, both the rule and its explanations in the Canon and commentaries contain terms whose meaning is uncertain at present. The syntax of the rule suggests one interpretation, the Commentary another, while the Vibhanga is non-committal on the points where the two interpretations differ. Since both interpretations make sense, we will present them both here.

What the rule seems to say. The area 1.25 meters around the door frame is to be covered with up to three layers of plaster or roofing material to reinforce it so that when the door is blown open or shut it will not damage the wall or be loosened from its hinges. Five kinds of roofing material are mentioned in the Vibhanga: tiles, stones, lime (cement), grass, and leaves.

Similarly, around the windows, an area the width of the window shutters is to be reinforced with up to three layers of plaster to protect it from being damaged when the shutters are blown open or shut. Three kinds of plaster were used in the Buddha's time -- white, black and red-chalk -- and bhikkhus were allowed to apply them in a number of geometrical patterns, but not to use them to make obscene pictures of men and women on the walls (!) (Cv.VI.3.1-2). Although the bhikkhus were allowed to cover the entire walls and floor with this plaster, this rule gives directions only for the minimum area that should be covered to keep the walls strong.

What the Commentary says. Because the rule refers to roofing material, the Commentary assumes that it must refer to the roof of the dwelling, even though this assumption does violence to the syntax of the rule. Its interpretation: One may reinforce the door and window frames with as much plaster or roofing material as one likes, but may cover the roof with only three layers of roofing material. A relevant point from the Canon is the passage at Cv.VIII.3.3 stating that if at a later date the roof begins to leak, the resident bhikkhu -- if he can -- should re-roof it himself or arrange for someone else to do it for him. If he can do neither, though, there is no offence.

The reasons for this rule. The origin story suggests that the Buddha imposed the three-layer limit in order to prevent the dwelling from collapsing under the weight of too much roofing material, but the no-offence clauses show clearly that the rule is aimed at preventing bhikkhus from abusing the generosity of the person sponsoring the building work by using too much roofing material. In either case, the Commentary's

interpretation has its logic, in that an overloaded roof would be more burdensome to the dwelling and to the sponsor than an overloaded window or door frame would be.

A supplementary regulation arising from the origin story is that one should not perform any building operations, including supervising, where grain is growing.

The offences here are as follows: a pacittiya for each piece of roofing beyond the allowable three layers, and a dukkata for doing or directing the work while standing where crops are growing. These offences apply regardless of whether one is doing the work oneself or having it done. They also apply whether one is building a new dwelling or having an old one repaired.

Perception is not a factor here. If one happens to miscount the number of layers of plaster or roofing material, one is still not immune from an offence.

Non-offences. According to the Vibhanga, these regulations do not apply to "an abode in a cave, a grass hut, (a dwelling) for the use of another, (a dwelling built) by means of one's own resources, or anything other than a dwelling." The Sub-commentary argues from the wording of the rule -- the fact that it refers to "a large dwelling" -- that the regulations also do not apply to small dwellings built to the standard measurement specified under Sanghadisesa 6: i.e., no larger than 3 by 1.75 meters.

Summary:
68. When a bhikkhu is building or repairing a large dwelling for his own use, using resources donated by another, he may not reinforce the window or door frames with more than three layers of roofing material or plaster. To exceed this is a pacittiya offence.

20. Should any bhikkhu knowingly pour water containing living beings -- or have it poured -- on grass or on clay, it is to be confessed.

This is an offence with four factors.

Object: water containing living creatures. The K/Commentary's contribution to the next factor shows that this includes things like mosquito larvae, but not beings so small they cannot be seen.

Perception. One knows that the living creatures are there (from having seen or heard them, says the K/Commentary) and that they will die from the factor of effort, defined below. If one is in doubt as to whether water contains living beings, then to use it in a way that would cause their death if they were there is to commit a dukkata.

Effort. Because of a peculiarity of Pali syntax, this rule can also be interpreted as reading, "Should any bhikkhu knowingly pour grass or clay -- or have it poured -- in water containing living beings, it is to be confessed." The Commentary states that both readings are correct. It also states that grass and clay includes any material that would cause death to living beings in the water. Thus actions covered by this rule would include such things as emptying old water from a flower vase onto the ground, using water to make cement, or pouring a toxic chemical or heavy pollutant into the water.

Unlike some of the other rules that deal with giving orders, simply giving the order to pour is enough to fulfill this factor. Thus, for example, a bhikkhu who tells someone else to dump an aquarium of fish on the floor incurs a pacittiya for giving the order and another pacittiya when the other person does as told.

Intention. This factor is fulfilled simply by the desire to pour the water or to have it poured (or to pour "grass and clay" into the water or to have it poured). As the K/Commentary notes, one need not have murderous intent towards the living beings in order to fulfill this factor. For example, if after perceiving that the water contains insects, one chooses to ignore their existence and pours the water on a burning log -- not to kill the insects, but to put out the fire -- one commits an offence all the same.

Result is not a factor here. Whether or not the living beings actually die is of no consequence in determining the offence.

Non-offences. There is no offence in using water containing living beings in any of the ways covered by this rule --

a) unknowingly -- e.g., not knowing that it contains living beings; pouring a toxic chemical into the water thinking it to be harmless;

b) unthinkingly -- e.g., heating a kettle of water on the stove, seeing that it has tadpoles in it and in a knee-jerk reaction dumping the water out on the ground so that they won't be boiled to death; or

c) unintentionally -- e.g., accidentally knocking over a goldfish bowl.

However, a bhikkhu should always check water before using it. One practical method for checking large amounts of water is to look at two or three cupfuls as samples: If no living being are visible in the samples, the water may be used without further check. An alternative method is to use a filter, being mindful to return any living beings caught in the filter to some other water in good time.

Watering plants. The topic of watering plants comes up in the Commentary's discussion of the bad habits of the bhikkhus at Kitagiri mentioned under Sanghadisesa 13. There it says that even if the water has no discernible life, to use it or have someone else use it to water plants with the purpose of corrupting families with gifts from the plant, entails a dukkata. In cases of this sort, one is not allowed to use kappiya-vohara or any other way of indicating one's desire that the plant be watered.

If one wants to use the fruits or flowers of the plant in other ways -- to eat the fruit oneself, to make a gift of fruit to the Community, to use the flowers as an offering to a Buddha image, etc. -- one may not water it oneself, but there is no offence in getting someone else to water it if one uses kappiya- vohara ("Look at how dry this plant is!" "If it doesn't get any water, it's going to die.")

If one wants the plant to grow for other reasons -- for the sake of its shade or as part of a decorative garden or forest -- there is no offence in watering it oneself as long as one uses water with no discernible life in it. Two of the ancient commentaries add that if one simply desires shade, a garden, or a forest, one may plant the plant oneself as long as one places it in earth that would not count as "soil" (jata-pathavi) under Pacittiya 10.

Summary:

69. Pouring water that one knows to contain living beings -- or having it poured -- on grass or clay is a pacittiya offence. Pouring anything that would kill the beings into such water -- or having it poured -- is also a pacittiya offence.

Chapter Eight Part Three: The Exhortation Chapter

21. Should any bhikkhu, unauthorized, exhort the bhikkhunis, it is to be confessed.

"Now at that time, elder bhikkhus, having exhorted the bhikkhunis, became recipients of robes, alms, lodgings, and medicines for the sick. (According to the Commentary, if a bhikkhu gave a good exhortation to the bhikkhunis, they would tell their supporters, who in turn would provide the exhorter with requisites.) The thought occurred to some group-of-six bhikkhus: 'At present, elder bhikkhus, having exhorted the bhikkhunis, have become recipients of robes, alms, lodgings, and medicines for the sick. Let's exhort the bhikkhunis, too.' So, having approached the bhikkhunis, they said, 'Approach us, sisters, and we too will exhort you.'

"So the bhikkhunis went to where the group-of-six bhikkhus were staying and, on arrival, having bowed down, sat to one side. Then the group-of-six bhikkhus, after giving just a trifling Dhamma talk and spending the day with 'animal talk,' dismissed the bhikkhunis: 'You may go, now, sisters.'

"Then the bhikkhunis went to where the Blessed One was staying and, on arrival, having bowed down, stood to one side. As they were standing there, the Blessed One addressed them: 'Was the exhortation effective, bhikkhunis?'

"'Venerable sir, since when was the exhortation effective? The group-of-six bhikkhus, giving just a trifling Dhamma talk, dismissed us after spending the day with animal talk.'"

When Mahapajapati Gotami, the Buddha's aunt and stepmother, asked him to establish an order of bhikkhunis, he did so on the condition that she and all future bhikkhunis accept eight vows of respect (garu-dhamma). In short:

1) Even a bhikkhuni who has been ordained over a century must pay homage to a bhikkhu ordained that very day.

2) A bhikkhuni must not spend the rains in a residence where there is no bhikkhu (within half a league, says the Commentary).

3) Every half month a bhikkhuni should expect two things from the Community of bhikkhus: the date of Patimokkha recitation and an exhortation.

4) At the end of the Rains Retreat, every bhikkhuni should invite criticism both from the Community of bhikkhunis and from the Community of bhikkhus.

5) A bhikkhuni who has broken any of the vows of respect must undergo penance (manatta) for half a month under both Communities.

6) A woman may become ordained as a bhikkhuni only after becoming female novice, and then, as a probationer, observing the first six precepts without lapse for two full years.

7) A bhikkhuni is not to insult or abuse a bhikkhu in any way.

8) A bhikkhuni may not instruct a bhikkhu, although a bhikkhu may instruct a bhikkhuni.

This rule deals with the bi-weekly exhortation mentioned in vow #3. The pattern for the exhortation was that once a bhikkhu had been chosen by the bhikkhus to exhort the bhikkhunis, he was to clean and prepare the place for the exhortation within the monastery where he was dwelling, then find a companion and wait for the bhikkhunis to arrive. When they had come, he was to ask if all the bhikkhunis were present and if they were observing the eight vows of respect. If they were, he was then to exhort them on any topic dealing with the Dhamma. If they weren't, he was to exhort them on the eight vows.

Since the eight vows form the heart of the exhortation, the two factors for the full offence under this rule are defined as follows:

1) *Object*: a bhikkhuni or group of bhikkhunis.

2) *Effort:* A bhikkhu exhorts her/them concerning the eight vows of respect when he has not been properly authorized to do so, or when he has not been invited by the bhikkhuni(s) to give them instruction.

Object. A bhikkhuni had to undergo a double ordination, first in the Bhikkhuni Sangha and then in the Bhikkhu Sangha, before she was considered fully ordained. Thus only a bhikkhuni with the full double ordination is grounds for a pacittiya here. A bhikkhuni who has received only her first ordination, from the Bhikkhuni Sangha, is grounds for a dukkata, while female probationers and female novices are not grounds for an offence.

Effort. A bhikkhu, not properly authorized, who exhorts the bhikkhunis on any topic other than the eight vows incurs a dukkata.

The authorization. When this rule was still newly-formulated, some group-of-six bhikkhus simply authorized one another to continue exhorting the bhikkhunis. This forced the Buddha to establish stringent standards for the type of bhikkhu who could properly be authorized. They were, in short:

- He is scrupulously virtuous.
- He is very learned.
- He thoroughly understands the qualities of the celibate life.
- He has mastered both the bhikkhus' Patimokkha and the bhikkhunis' Patimokkha.
- He has a pleasing voice and delivery.
- He is well-liked by the bhikkhunis.
- He never, before his ordination, violated a bhikkhuni, female probationer, or female novice.
- He has been a bhikkhu for at least 20 years.

As the Commentary notes, these are qualities that the group of six never possessed even in their dreams.

If a bhikkhu has been improperly authorized -- e.g., he does not meet with these qualifications -- then even if he perceives himself as properly authorized, his perception is not a mitigating factor: He does not count as authorized under this rule.

Non-offences. Although this rule grew from a time when bhikkhus were eager to exhort the bhikkhunis, times changed. The Cullavagga (X.9.5) deals with a period when the bhikkhus tried to avoid exhorting the bhikkhunis, and Cv.X.9.4 tells what should be done when there is no bhikkhu qualified to exhort them. (The bhikkhus were to tell them, "Continue striving in good faith.")

In cases such as these, though, the bhikkhunis were not left adrift. They could approach any bhikkhu they admired and ask him for instruction. Thus the no-offence clauses here say, "There is no offence in giving an exposition (the Commentary interprets this as chanting the eight vows in Pali), giving an interrogation (this, according to the Commentary, means reciting the ancient commentary, which is hardly likely; more probably, it means questioning the bhikkhunis as to whether or not they are observing the eight vows), and then, after being requested by the bhikkhunis, giving instruction. There is also no offence if, on being asked a question by a bhikkhuni, one answers her question, or if a bhikkhuni happens to overhear any instruction one is giving for the sake of another person.

Summary:

70. Exhorting a bhikkhuni about the eight vows of respect -- except when one has been authorized to do so by the Community -- is a pacittiya offence.

22. Should any bhikkhu, even if authorized, exhort the bhikkhunis after sunset, it is to be confessed.

"Now at that time it was Ven. Culapanthaka's turn to exhort the bhikkhunis. The bhikkhunis said, 'Today the exhortation won't be effective, for Ven. Culapanthaka will simply repeat the same old stanza over and over again.'

"Then the bhikkhunis approached Ven. Culapanthaka and, on arrival, having paid homage to him, sat to one side. As they were sitting there, Ven. Culapanthaka said to them, 'Are you all present, sisters?'

"'Yes, sir, we are all present.'

"'Are the eight vows of respect being observed?'

"'Yes, sir, they are being observed.'

"'This, sisters, is the exhortation.' And having given it to them, he repeated it over and over again:

Exalted in mind, uncomplacent,
The sage, trained in sagacity's ways:
He has no sorrows, one such as this,
Calmed and ever mindful.

"The bhikkhunis said, 'Didn't we say so? Today the exhortation won't be effective, for now Ven. Culapanthaka will simply repeat the same old stanza over and over again.'

"Ven. Culapanthaka heard the bhikkhunis' conversation. Rising up into the air, he walked back and forth in space, in the sky, stood, sat, lay down, emitted smoke, emitted flames, and disappeared, repeating the same old stanza and many other sayings of the Buddha. The bhikkhunis said, 'Isn't it amazing? Isn't it astounding? Never before has there been an exhortation as effective as this!'

"Then Ven. Culapanthaka, having exhorted the bhikkhunis until nightfall, dismissed them: 'You may go, sisters.' So the bhikkhunis -- the gates of the city being closed -- spent the night outside the city walls and entered the city only at morning. People were offended and annoyed and spread it about, 'These bhikkhunis are unchaste. Having spent the night with the bhikkhus in the monastery, only now are they entering the city.'"

The factors for the full offence here are two:

Object. As with the preceding rule, a bhikkhuni or group of bhikkhunis who have received the double ordination are grounds for a pacittiya here. A bhikkhuni who has received only her first ordination, from the Bhikkhuni Sangha, is grounds for a dukkata, while female probationers and female novices are not grounds for an offence.

Effort. One teaches the bhikkhuni(s) any topic related to the Dhamma after the sun has set.

Non-offences. Although the origin story suggests that it is not wise in any case to teach bhikkhunis after sunset -- because of the suspicions such an action may provoke -- the no-offence clauses give more respect to the bhikkhunis' desire for instruction than to the fear of gossiping lay people. As under the preceding rule, a bhikkhu may instruct bhikkhunis after sunset if they request it or if a bhikkhuni asks him a question. And as before, if a bhikkhuni happens to overhear any instruction he is giving for the sake of another person after sunset, no offence is entailed.

Summary:
71. Exhorting bhikkhunis on any topic at all after sunset -- except when they request it -- is a pacittiya offence.

23. Should any bhikkhu, having gone to the bhikkhunis' quarters, exhort the bhikkhunis -- except at the proper occasion -- it is to be confessed. Here the proper occasion is this: A bhikkhuni is ill. This is the proper occasion here.

Here again there are two factors for the full offence:

Object. A bhikkhuni who is not ill. Ill means that she is unable to go to an exhortation or to a "samvasa," which none of the texts define but which probably means any official communal meeting of the bhikkhunis.

As with the preceding rule, a bhikkhuni or group of bhikkhunis who have received the double ordination are grounds for a pacittiya here. A bhikkhuni who has received only her first ordination, from the Bhikkhuni Sangha, is grounds for a dukkata, while female probationers and female novices are not grounds for an offence.

Effort. One goes to her residence -- any place where a bhikkhuni has spent at least one night -- and exhorts her concerning the eight vows of respect. Exhorting about any other topic is grounds for a dukkata.

Non-offences. As the rule states, there is no offence for the bhikkhu who goes to the bhikkhunis' quarters to exhort an ill bhikkhuni. Otherwise, the no-offence clauses are identical with those for the preceding rule. Here again, a bhikkhuni's desire for instruction is considered more important than the wagging tongues of the laity.

Summary:

72. Going to the bhikkhunis' quarters and exhorting a bhikkhuni about the eight vows of respect -- except when she is ill or has requested the instruction -- is a pacittiya offence.

24. Should any bhikkhu say that the bhikkhus exhort the bhikkhunis for the sake of personal gain, it is to be confessed.

Here the factors for the full offence are three:

Object: a bhikkhu who has been properly authorized to teach the bhikkhunis and who is not teaching for the sake of personal gain. If the bhikkhu has not been properly authorized, he is not grounds for an offence.

Perception is not a mitigating factor here: The bhikkhu's actual status -- properly or improperly authorized -- is what determines whether or not this factor is fulfilled. And although the texts do not touch on this point, it would seem that if the bhikkhu actually does not aim at personal gain, one would incur a pacittiya in saying that he does, regardless of how one perceives the case.

Intention. One wants to criticize, discredit, or shame him.

Effort. One accuses him of teaching for the sake of personal gain: either material gain -- gifts of robes, almsfood, etc. -- or immaterial gain, such as respect, homage, or veneration.

Non-offences. If the bhikkhu does actually teach for the sake of personal gain, there is no offence in stating the facts of the case.

Summary:
73. Saying that a properly authorized bhikkhu exhorts the bhikkhunis for the sake of personal gain -- when in fact that is not the case -- is a pacittiya offence.

25. Should any bhikkhu give robe-cloth to a bhikkhuni unrelated to him, except in exchange, it is to be confessed.

This rule is the counterpart to NP 5. The full offence is composed of two factors: object and effort.

Object: any piece of robe-cloth of the six suitable kinds, measuring at least four by eight fingerbreadths. Other requisites are not grounds for an offence.

Effort. The bhikkhu gives the cloth to an unrelated bhikkhuni and does not receive anything from her in exchange.

Unrelated bhikkhuni here is defined in the same terms as under NP 5: a bhikkhuni who has received the double ordination and is not related to the bhikkhu back through their great x 7 grandfathers. A bhikkhuni who has received only her first ordination, from the bhikkhunis, is grounds for a dukkata. Female probationers and female novices are not grounds for an offence.

Perception is not a mitigating factor here: According to the Vibhanga, even if a bhikkhu perceives an unrelated bhikkhuni as related, he is still subject to the penalty.

The Commentary states that the giving need not be hand-to-hand. If a bhikkhu simply places the cloth near a bhikkhuni as his way of giving it to her, and she accepts it as given, this factor is fulfilled.

As for the item given in exchange for the cloth, the Vibhanga states that it can be worth much more then the cloth or much less. Buddhaghosa quotes the Mahapaccari, one of the ancient commentaries, as saying that even if, in return for the cloth, the bhikkhuni gives the bhikkhu a piece of yellow myrobalan -- a medicinal fruit, one of the cheapest things imaginable in India -- he escapes the penalty under this rule.

Non-offences. There is no offence if:

- the bhikkhuni is a relation;
- the bhikkhuni is not related, but she gives one something in exchange;
- the bhikkhuni takes the cloth on trust;
- she borrows the cloth;
- one gives her a non-cloth requisite;
- one gives robe-cloth to a female probationer or female novice.

Summary:

74. Giving robe-cloth to an unrelated bhikkhuni without receiving anything in exchange is a pacittiya offence.

26. Should any bhikkhu sew a robe or have it sewn for a bhikkhuni unrelated to him, it is to be confessed.

"Now at that time Ven. Udayin had become skilled at making robes. A certain bhikkhuni went to where he was staying and on arrival said, 'Be so good, Ven. sir, as to sew me a robe.' So Ven. Udayin, having sewed a robe for the bhikkhuni, having made it well-dyed and well-finished, having embroidered an obscene design in the middle (a man and woman in mid-intercourse, done in full colour, says the Commentary), and having folded it up, placed it to one side. Then the bhikkhuni went to him and on arrival said, 'Where is the robe, Ven. sir?'

"'Here you are, sister. Take this robe as it is folded and place it aside. When the Community of bhikkhunis comes for exhortation, put it on and come at the back of the line.'

"So the bhikkhuni took the robe as it was folded and placed it aside. When the Community of bhikkhunis came for exhortation, she put it on and came at the back of the line. People were offended and annoyed and spread it about, 'How brazen these bhikkhunis are, how shameless and sly, in that they embroider obscene designs on a robe!'

"The bhikkhunis said, 'Whose work is this?'

"'Master Udayin's,' the bhikkhuni answered.

"'A thing like this should not adorn even those who are brazen, shameless, and sly. It is Master Udayin's, isn't it?'"

The full offence here has three factors:

1) *Effort:* one sews -- or gets someone else to sew --
2) *Object:* a robe
3) *Intention:* for the sake of a bhikkhuni unrelated to oneself.

Effort. The Vibhanga says that there is a pacittiya for every stitch one makes in the robe. If one gets someone else to sew the robe, there is a pacittiya in giving the command or making the request, and another pacittiya when the other person does as commanded/requested, no matter how many stitches he/she makes.

Object. Robe here means any of the six kinds of robe-cloth made into a robe that can be worn. Other cloth requisites are not grounds for an offence.

Intention. Unrelated bhikkhuni here is defined in the same terms as under the preceding rule: a bhikkhuni who has received the double ordination and is not related to the bhikkhu back through their great x 7 grandfathers. A bhikkhuni who has received only her first ordination, from the bhikkhunis, is grounds for a dukkata. Female probationers and female novices are not grounds for an offence.

Perception is not a mitigating factor here: According to the Vibhanga, even if a bhikkhu perceives an unrelated bhikkhuni as related, he is still subject to the penalty.

The Commentary states that if Bhikkhu X is sewing a robe for a bhikkhuni related to him, and Bhikkhu Y -- who is not related to her -- helps him sew it, Bhikkhu Y incurs a pacittiya for every stitch he sews in the robe. The Sub-commentary adds, though, that if Bhikkhu Y does not know that the robe is for the bhikkhuni, he is exempt from the offence.

Non-offences. There is no offence in sewing a cloth requisite other than a robe for an unrelated bhikkhuni, in sewing anything for a bhikkhuni who is a relation, or in sewing anything for a female probationer or female novice, related or not.

Summary:

75. Sewing a robe -- or having one sewn -- for an unrelated bhikkhuni is a pacittiya offence.

27. Should any bhikkhu, by arrangement, travel together with a bhikkhuni even for the interval between one village and the next, except at the proper occasion, it is to be confessed. Here the proper occasion is this: The road is to be travelled by caravan , and is considered dubious and risky. This is the proper occasion here.

Here the full offence has two factors.

1) *Object:* a bhikkhuni
2) *Effort:* (a) One makes an arrangement together with her to travel together; (b) one actually travels together with her as arranged (c) from one village to another (d) except at the allowable time.

Object. A bhikkhuni who has received the double ordination is grounds for a pacittiya here. Any other woman would come under Pacittiya 67.

Making an arrangement. According to the Vibhanga, the bhikkhu must give his verbal consent to the arrangement for this part of the factor to be fulfilled. In other words, if the bhikkhuni proposes the arrangement, and he agrees; or he proposes it, regardless of whether or not she agrees, this part of the factor is fulfilled. The penalty for fulfilling it is a dukkata.

If the bhikkhuni proposes the arrangement but the bhikkhu does not give his verbal assent, then even if he does travel together as she proposed, he incurs no penalty in doing so.

Going as arranged. If a specific time frame was part of the arrangement, then the two parties must begin travelling together within that time frame for this factor to be fulfilled. If they happen to start out earlier or later than arranged, again the bhikkhu incurs no penalty.

From one village to another. There is some controversy as to whether this phrase -- gamantara -- means "from one village to another" or "from one house to another." According to Buddhaghosa, the ancient commentaries opted for "village," while he opts for "house." The ancient commentaries have the support of the Canon here, in that the Bhikkhunis' Sanghadisesa 3 & Pacittiya 37 also use the term in question, and there it definitely means the area outside a village, and not the interval from one house to another within a village.

There is a pacittiya for every village-to-village interval one passes. In an area where there are no villages -- i.e., says the Sub-commentary, where villages are further than half a league (8 km. or 5 miles) apart -- there is a pacittiya for every half-league one travels together as arranged.

The allowable occasions. A road to be travelled by caravan is one too dubious or risky to travel alone. (Some have translated this as a "road to be travelled with a weapon," but since bhikkhus and bhikkhunis are not allowed even to touch weapons, it's a doubtful translation at best.)

Dubious means that thieves are known to be about; risky, that people are known to have been beaten, plundered, or robbed by them.

Non-offences. There is no offence:

I. if the bhikkhu and bhikkhuni happen to travel together without having made an arrangement;

II. if the bhikkhuni proposes an arrangement, while the bhikkhu does not give his verbal assent;

III. if they travel on a dubious and risky road; or

IV. if there are other dangers. The Commentary illustrates this last contingency with a stock phrase whose meaning admits two interpretations. It starts, "Savage tribes are attacking the countryside,"

and then comes the ambiguous part, either, "People mount their wheels (their carriages, says the Sub-commentary)," or, what is more likely, "The tribes seize power (another meaning for 'wheel')."

Summary:

76. Travelling by arrangement with a bhikkhuni from one village to another -- except when the road is risky or there are other dangers -- is a pacittiya offence.

28. Should any bhikkhu, by arrangement, get in the same boat with a bhikkhuni going upstream or downstream -- except to cross over to the other bank -- it is to be confessed.

"Now at that time, some group-of-six bhikkhus, having made an arrangement with some bhikkhunis, got in the same boat with them. People were offended and annoyed and spread it about: 'Just as we amuse ourselves with our wives in a boat, so too these Sakyan contemplatives, having made an arrangement with bhikkhunis, amuse themselves in a boat...'"

(The Buddha then formulated the first version of this rule, without the exception for crossing over to the other bank.)

"Then at that time a number of bhikkhus and bhikkhunis were travelling on the road from Saketa to Savatthi. Along the way, they had to cross over a river. The bhikkhunis said to the bhikkhus, 'We'll cross over with the masters.'

"'Sisters, it isn't proper for bhikkhus, having made an arrangement, to get in the same boat with bhikkhunis. Either you go first or we'll go first.'

"'The masters are outstanding men. Let the masters go first.'
"Then as the bhikkhunis were crossing over afterward, thieves robbed them and raped them."

The factors for the full offence here are similar to those for the previous rule.

1) *Object:* a bhikkhuni.
2) *Effort:* (a) One makes an arrangement together with her to get in a boat together; (b) one actually travels together with her as arranged, going upstream or downstream along a river (c) from one village to another.

Object. A bhikkhuni who has received the double ordination is grounds for a pacittiya here. One who has received only her first ordination -- from the Bhikkhuni Sangha -- would seem to be grounds for a dukkata, and female probationers and female novices grounds for no offence, but none of the texts mention these points.

Effort. The conditions for making an arrangement here are identical with those under the preceding rule: If the bhikkhuni proposes the arrangement, and the bhikkhu agrees; or he bhikkhu proposes it, regardless of whether or not she agrees, this part of the factor is fulfilled and he incurs a dukkata.

The next part of the factor -- going as arranged -- is fulfilled only if they get in the boat together within the time frame they had agreed on. If they get in earlier or later, there is no offence.

Once they get in the boat as arranged, he incurs a pacittiya for every village-to-village interval they pass along the riverbank while going upstream or downstream. If the villages are further than 8 km. apart, he incurs a pacittiya for every 8 km. they travel together.

The commentaries try to add "intention" as an additional factor here -- the bhikkhu's purpose in travelling with the bhikkhuni(s) is to amuse himself -- but there is no basis for this in the Vibhanga.

Non-offences. As the rule says, there is no offence in making an arrangement and crossing over a river with a bhikkhuni. The Commentary adds that this applies not only to rivers but also to oceans: If one travels from one seaport to another by arrangement with a bhikkhuni, no penalty is entailed.

The K/Commentary goes even further and says that this rule applies only to rivers, and that a bhikkhu seeking to amuse himself with a bhikkhuni may make a date with her and travel around the ocean as much as he likes with no offence. The Sub-commentary disagrees here, saying that a bhikkhu travelling by

arrangement with a bhikkhuni in a boat on the ocean incurs a dukkata for every 8 km. they travel. The Sub-commentary's position here is more in keeping with the Great Standards and so carries more weight.

Finally, there is no offence if:

- the bhikkhu and bhikkhuni happen to travel together in the same boat without having made an arrangement;
- the bhikkhuni proposes an arrangement, while the bhikkhu does not give his verbal assent; or
- there are dangers.

Summary:

77. Travelling by arrangement with a bhikkhuni upriver or downriver in the same boat -- except when crossing a river -- is a pacittiya offence.

29. Should any bhikkhu knowingly eat almsfood donated through the prompting of a bhikkhuni, except for food that householders had already intended for him prior (to her prompting), it is to be confessed.

"Now at that time Bhikkhuni Thullananda regularly took her meals with a certain family. Then one day the head of the household invited some senior monks to a meal. Bhikkhuni Thullananda, dressing in the early morning, carrying her robe and bowl, went to the family's place and on arrival said to the head of the household, 'Why has so much food been prepared?'

"'I have invited some senior bhikkhus for a meal.'

"'But who, to you, are senior bhikkhus?'

"'Ven. Sariputta, Ven. Maha Moggallana, Ven. Maha Kaccana, Ven. Maha Kotthita, Ven. Maha Kappina, Ven. Maha Cunda, Ven. Anuruddha, Ven. Revata, Ven. Upali, Ven. Ananda, Ven. Rahula.'

"'But why have you invited these scoundrels masquerading as great heroes?'

"'And who, to you, are great heroes?'

"'Ven. Devadatta, Ven. Kokakalika, Ven. Katamoraka Tissaka, Ven. Khanda Deviyaputta, Ven. Samuddadatta...' At that point, Bhikkhuni Thullananda was interrupted in mid-sentence when the senior monks entered. 'Is it true, householder, that you have invited these great heroes?'

"'Just now you made them out to be scoundrels, and now great heroes.' So he threw her out of the house and put an end to her regular meals."

The factors for the full offence here are three:

1) *Object:*	any of the five staple foods (see the preface to the Food Chapter, below) offered by a lay person at the instigation of a bhikkhuni.
2) *Perception:*	One knows that it was offered at her instigation.
3) *Effort:*	One eats the food.

Object. Any of the five staple foods is grounds for a pacittiya. Any edible aside from them is not grounds for an offence.

Bhikkhuni here refers to one who has received the double ordination. The K/Commentary says that one who has received only her first ordination -- from the Bhikkhuni Sangha -- is grounds for a dukkata, while the Vibhanga notes that female novices and female probationers are not grounds for an offence.

Instigating means that the bhikkhuni praises Bhikkhu X to a lay person who is not already planning to give him food and concludes with the suggestion that food be presented to him. If the lay person was already planning to give food to X, this factor is not fulfilled. The Vibhanga defines "already planning to give food" in the following terms: Either X and the lay person are related, the lay person has previously invited X to ask for food, or the lay person already normally prepares food for X. The Commentary adds that if the lay person had already prepared food for X before the bhikkhuni's instigation, X incurs no penalty in eating the food even if none of the Vibhanga's three conditions apply.

Perception. If one is in doubt as to whether or not the food was offered at a bhikkhuni's instigation, the penalty for eating it is a dukkata regardless of whether or not it was. If one does not know, then even if it was, there is no offence.

Effort. There is a dukkata for accepting food with the purpose of eating it, and a pacittiya for every mouthful one eats.

Non-offences. There is no offence if:

I. one does not know,
II. one eats any edible aside from the five staples offered at a bhikkhuni's instigation,
III. the lay person was instigated by a female probationer or female novice, or
IV. the lay person was already planning to present one with the food before the bhikkhuni's instigation. As we noted above, one's relatives, people who have invited one to ask for food, and people who ordinarily provide one with food also fit under this allowance.

Summary:

78. Eating any of the five staple foods that a lay person has offered as the result of a bhikkhuni's prompting -- unless the lay person was already planning to offer the food before her prompting -- is a pacittiya offence.

30. Should any bhikkhu sit in private, alone with a bhikkhuni, it is to be confessed.

This rule is completely subsumed under another one -- Pacittiya 45 -- the only instance where this happens in the Patimokkha. For explanations, see the discussion under that rule.

Summary:

79. Sitting or lying down with a bhikkhuni in a place out of sight and out of hearing with no one else present is a pacittiya offence.

Chapter Eight Part Four: The Food Chapter

Many of the rules in this chapter classify food into two groups: **bhojana** (consumables) and **khadiniya** (chewables). Scholars usually translate the two as "softer food" and "harder food," although the hardness and softness of a particular food have little to do with the category it belongs to. A translation closer to the essence of each category would be "staple food" and "non-staple food." The distinction between the two is important, for it is often the deciding factor between what is and is not an offence. Note, however, that the term staple here covers only what was considered staple in the time of the Buddha. Bread, pasta, and potatoes, which are staples in the West, were not always staples in India at that time, and so do not always fit into this category.

Staple foods are consistently defined as five sorts of foods, although the precise definitions of the first two are a matter of controversy.

1) *Cooked grains.* The Vibhanga defines this as seven types of cooked grain, but there is disagreement on the identity of some of the seven. They are sali (BD translates this as rice; the Thais, wheat); vihi (BD again has rice, and the Thais agree); yava (BD has barley; the Thais, glutinous rice); godhuma (BD has wheat; the Thais, tares); kangu (both BD and the Thais identify this as millet or sorghum); varaka (BD doesn't identify this beyond saying that it is a bean; the Thais are probably right in identifying it as Job's tears); and kudrusaka (the Commentary states that this term covers all forms of grain that come from grass -- rye would be an example in the West). Whatever the precise definitions of these terms, though, we could argue from the Great Standards that any grain cooked as a staple -- including corn (maize) and oats -- would fit into this category.

2) *Kummasa.* The Commentary says that this is a staple confection made out of yava, but doesn't describe it in any detail aside from saying that if the kummasa is made out of any of the other grains or mung beans, it doesn't count as a staple food. References to kummasa in the Canon show that it was a very common staple that could form a rudimentary meal in and of itself and would spoil if left overnight.

3) *Sattu.* Any of the seven types of grain dried or roasted and pounded into meal.

4) *Fish.* The flesh of any animal living in the sea.

5) *Meat.* The flesh of any biped or quadruped, except for that which is unallowable. The following types of meat are un-allowable: the flesh of human beings, elephants, horses, dogs, snakes, lions, tigers, leopards, bears, and hyenas (panthers). Human beings, horses, and elephants were regarded as too noble to be used as food. The other types of meat were forbidden either on grounds that they were repulsive ("People were offended and annoyed and spread it about, 'How can these Sakyan contemplatives eat dog meat? Dogs are loathsome, disgusting'") or dangerous (bhikkhus, smelling of lion's flesh, went into the jungle; the lions there were offended and annoyed and attacked them).

To eat human flesh entails a thullaccaya; to eat any of the other unallowable types, a dukkata (Mv.VI.23.9-15). If a bhikkhu is uncertain as to the identity of any meat presented to him, he incurs a dukkata if he doesn't ask the donor what it is (Mv.VI.23.9).

Fish or meat, even if of an allowable kind, is unallowable if raw. Thus bhikkhus may not eat steak tartare, sashimi, oysters on the half-shell, etc. (Raw flesh and blood are allowed at Mv.VI.10.2 only when one is possessed by non-human beings (!)) Furthermore, even cooked fish or meat of an allowable kind is unallowable if the bhikkhu sees, hears, or suspects that the animal was killed specifically for the purpose of feeding bhikkhus (Mv.VI.31.14).

Non-staple foods are defined according to context:

a) in Pacittiyas 35-38: every edible outside of staple foods, juice drinks, the five tonics, and medicines (see below).

b) in Pacittiya 40: every edible outside of staple foods, water, and toothwood.

c) in Pacittiya 41 (also the Bhikkhunis' Pacittiyas 44 & 54): every edible outside of staple foods, the five tonics, juice drinks, medicine, and conjey.

The Commentary to Pacittiya 37 lists the following items as non-staple foods: flour and confections made of flour (cakes, bread and pasta made without eggs would be classed here); also, roots, tubers (this would include potatoes), lotus roots, sprouts, stems, bark, leaves, flowers, fruits, nuts, seed-meal, seeds, and resins that are made into food. Any of these items made into medicines, though, would not be classed as a non-staple food.

The Commentary also makes reference to the fact that some societies use roots, tubers, confections made out of flour, etc., as staple foods, but it nowhere suggests that the definition of staple food be altered to fit the society in which one is living. Thus in the West we are left with a somewhat zig-zag line separating what are and are not staple foods for the purposes of the rules: Meal pounded from grain is a staple; flour ground from grain is not. Bread made with oat meal, corn meal, wheat germ, etc., would thus be a staple; bread made without any grain meal or eggs (see below) would not. The same holds true for pastries, noodles, and pasta.

This means that it would be possible for a donor to provide bhikkhus with a full, strictly vegetarian meal that would include absolutely no staple foods. The wise policy in such a case, though, would be to treat the meal as if it did contain staple foods with reference to the rules (Pacittiya 33 & 35) that aim at saving face for the donor.

Conjey, the watery rice porridge or gruel commonly drunk before almsround in the time of the Buddha, is classed differently according to context. If it is so thick that it cannot be drunk and must be eaten with a spoon, it is regarded as a staple food (Mv.VI.25.7; Pacittiya 33). "Drinking conjey" is classed as a non-staple food under Pacittiyas 35-38 & 40, whereas it is considered as neither a staple nor a non-staple food under Pacittiya 41. The Commentary notes, though, that if drinking conjey has bits of meat or fish "larger than lettuce seeds" floating in it, it is a staple food.

Milk and curds are classed as "finer staple foods" under Pacittiya 39. In other contexts they fit under the definition of non-staple food.

All other dairy products -- except for fresh butter and ghee when used as tonics (see NP 23) -- are non-staple foods.

Eggs are not mentioned in the Vibhanga or Khandhakas. Presumably they come under meat. If so, raw eggs are unallowable; and bread, pastries, noodles, and pasta made with eggs are a staple food.

In addition to staple and non-staple foods, the Vibhanga to the rules in this chapter mentions three other classes of edibles: juice drinks, the five tonics, and medicines.

Juice drinks include the freshly squeezed juice of sugar cane, lotus root, all fruits except grain, all leaves except cooked vegetables, and all flowers except liquorice (Mv.VI.35.6). According to the Commentary, the juice must be strained, and may be warmed by sunlight but not heated over a fire. (What category boiled juice would fit under, the Commentary does not say. The Vinaya Mukha maintains that it would fit under sugar in the five tonics.)

In discussing the Great Standards, the Commentary says that grain is a "great fruit," and thus the juice of any one of nine large fruits -- palmyra fruit, coconut, jackfruit, breadfruit, bottle gourd, white gourd, muskmelon, watermelon, and squash -- would fall under the same class as the juice of grain: i.e., as a non-staple food and not a juice drink. From this judgment, many Communities infer that the juice of any large fruit, such as pineapple or grapefruit, would also be classed as a non-staple food.

The Commentary notes further that if a bhikkhu himself makes a juice drink from fruit, etc., he has received, it counts as a non-staple food and must be consumed before noon.

The five tonics are discussed in detail under NP 23.

Medicines. According to the Mahavagga (VI.3.1-8), any items in the six following categories that, by themselves, are not used as staple or non-staple food are medicines: roots, astringent decoctions, leaves, fruits, resins, and salts. For example, under fruits: Oranges and apples are not medicines, but pepper, nutmeg, and cardamom are. Most modern medicines would fit under the category of salts. Using the Great Standards, we can say that any edible that is used as a medicine but does not fit under the categories of staple or non-staple food, juice drinks, or the five tonics, would fit here.

Keeping and consuming. Each of the four basic classes of edibles -- food, juice drinks, the five tonics, and medicines -- has its "life span," the period during which it may be kept and consumed. Food may be kept and consumed until noon of the day it is received; juice drinks, until dawn of the following day; the five tonics, until dawn of the seventh day after they are received; and medicines, throughout one's life.

Edibles made from ingredients that have different life spans -- e.g., salted beef, honeyed cough syrup, sugared orange juice -- have the same life span as the ingredient with the shortest life span. Thus salted beef is treated as beef, honeyed cough syrup as honey, and sugared orange juice as orange juice (Mv.VI.40.3).

Tonics and medicines, such as sugar and salt, received today may be eaten mixed with food or juice drinks received today, but not with food or juice drinks received on a later day. Medicine, such as salt, tea, or cocoa, received at any time may be eaten mixed with any of the five tonics on any day of the tonic's life span (Mv.VI.40.3).

31. A bhikkhu who is not ill may eat one meal at a public alms centre. Should he eat more than that, it is to be confessed.

"Now at that time a certain guild had prepared food at a public alms centre not far from Savatthi. Some group-of-six bhikkhus, dressing in the morning, taking their bowls and robes, entered Savatthi for alms but, after not getting any almsfood, went to the public alms centre. The people there said, 'At last the reverend ones have come,' and respectfully waited on them. Then on the second day and the third day, the group-of-six bhikkhus, dressing in the morning, taking their bowls and robes, entered Savatthi for alms but, after not getting any almsfood went to the public alms centre and ate. The thought occurred to them, 'Why should we bother going back to the monastery? Tomorrow we'll have to come right back here.'

"So staying on and on right there, they ate the food of the public alms centre. The members of other sects fled the place. People were offended and annoyed and spread it about: 'How can these Sakyan contemplatives stay on and on, eating the food of the public alms centre? The food at the alms centre isn't meant just for them; it's meant for absolutely everybody.'"

A public alms centre is a place where all comers are offered as much food as they want, free of charge. Soup kitchens and shelters for the homeless, if they are run in this way, would fit under this rule. A meal is defined as one that includes any of the five staple foods. Not ill in this rule is defined as being able to leave the alms centre.

The origin story seems to indicate that this rule is directed against staying on and eating day after day in the alms centre. The Commentary, though, maintains that it forbids eating in the centre two days running, without making any mention of whether the bhikkhu stays on at the centre or not. To eat one day in a centre belonging to one family (or group) and the next day in a centre belonging to another group, it says, entails no penalty.

Non-offences. According to the Vibhanga, there is no offence in taking a meal on the second day:

I. if it does not include any of the five staple foods;
II. if one is invited by the proprietors;
III. if one is ill;
IV. if the food is specifically intended for bhikkhus ; or
V. if the centre determines the amount of food the recipients may take, rather than allowing them to take as much as they want . The reason for this last allowance is that if the owners of the centre were unhappy with having a bhikkhu eat there, they could give him very little or nothing at all.

Also, there is no offence in taking a second meal when "coming or going," which in the context of the origin story seems to mean that one may take a second meal if one simply leaves the centre and then comes back. The Commentary, though, interprets this phrase as meaning "coming or going on a journey," and even here it says a meal should not be taken from the centre two days running unless there are dangers, such as floods or robbers, that prevent one from continuing on one's way.

Summary:

80. Eating food obtained from the same public alms centre two days running, unless one is too ill to leave the centre, is a pacittiya offence.

32. A group meal, except on the proper occasions, is to be confessed. Here the proper occasions are these: a time of illness, a time of giving cloth, a time of making robes, a time of going on a journey, a time of embarking on a boat, an extraordinary occasion, a time when the meal is supplied by contemplatives. These are the proper occasions here.

This is a rule dating from Devadatta's efforts to create a schism in the Sangha.

"Now at that time Devadatta, his gain and honour lost, ate his meals having asked and asked for them among households with his friends. (Here the Commentary elaborates: 'Thinking, "Don't let my group fall apart," he provided for his friends by eating his meals among householders together with his friends, having asked for them thus: "You give food to one bhikkhu. You give food to two."') People were offended and annoyed and spread it about: 'How can these Sakyan contemplatives eat their meals having asked and asked for them among households? Who isn't fond of well-prepared things? Who doesn't like sweet things?'"

Group meals. The Vibhanga defines a group meal as one consisting of any of the five types of staple foods to which four or more bhikkhus are invited. The Parivara (VI.2) adds that this rule covers any group meal that the donor offers at his/her own initiative, as well as any that results from a bhikkhu's requesting it.

In the early days of the Buddha's career, donors who wished to invite bhikkhus to their homes for a meal would invite an entire Community. Later, as Communities grew in size and there were times of scarcity in which donors were unable to invite entire Communities (Cv.VI.21.1), the Buddha allowed:

1) *designated meals*, at which a certain number of bhikkhus were to be served. The donors would ask the Community official in charge of meal distribution (bhattuddesaka) to designate so-and-so many bhikkhus "from the Community" to receive their meals. Bhikkhus would be sent on a rotating basis to these meals as they occurred.

2) *invitational meals,* to which specific bhikkhus were invited.

3) *lot meals,* for which the bhikkhus receiving the meals were to be chosen by lot; and

4) *periodic meals*, i.e., meals offered at regular intervals, such as every day or every uposatha day, to which bhikkhus were to be sent on a rotating basis, as with designated meals. The bhattuddesaka was to supervise the drawing of lots and keep track of the various rotating schedules. (The explanations of these various types of meal come partly from the Commentary. For a fuller explanation, see Appendix III.)

The no-offence clauses to this rule state that in addition to the exceptions mentioned in the rule, which we will discuss below, this rule does not apply to lot meals or periodic meals. The Commentary concludes from this -- and on the surface it seems reasonable enough -- that the rule thus applies to meals to which the entire Community is invited and to invitational meals. (Buddhaghosa reports that there was disagreement among Vinaya authorities as to whether or not it applies to designated meals -- more on this point below.)

The Commentary's conclusion, though, creates a problem when lay people want to invite Communities of more than three bhikkhus to their homes for a meal. Perhaps this problem is what induced the Commentary to interpret the Vibhanga's definition of group meal as meaning one in which the invitations specifically mention the word "meal," "food," or the type of meal or food to be served. ("Come to my house for breakfast tomorrow." "I know you don't often get a chance to eat Indian food, so I'm inviting you all over for chapattis and curry.") This interpretation has led to the custom of phrasing invitations to eat "in the morning" or to eat "before noon," so that groups of four or more bhikkhus may be invited without breaking this rule.

The Buddha's purposes for establishing this rule, though, are listed at Cv.VII.3.13 as follows: "For the restraint of evil-minded individuals, for the comfort of well-behaved bhikkhus, so that those with evil desires will not split the Community by (forming) a faction, and out of compassion for householders."

The Commentary's definition of group meal accomplishes none of the purposes: The custom of phrasing invitations to avoid the word "food" or "meal" does nothing to restrain evil-minded individuals, etc., and it actually creates trouble for lay people who do not know the custom, a point well-illustrated by the Commentary itself in an entertaining section on how to deal with a person whose invitation contains the word "meal." After getting the run-around from the bhattuddesaka -- who apparently was not allowed to tell him in any straightforward way how to phrase his invitation and so gave him a long series of hints -- the poor man returns to his friends and makes a cryptic statement that the A/Sub-commentary translates as: "There are a lot of words that have to be spoken in this business of making an invitation. What's the use of them all?"

Two other arguments against the Commentary's interpretation are:

1) The Vibhanga's definition of invited in this rule is repeated word-for-word under Pacittiyas 33 & 46. If the factor of mentioning "food" or "meal," etc., is necessary for there to be an offence under this rule, it would have to be necessary under those rules as well, a proposal that makes no sense in their context, and that no one has ever suggested.

2) In the origin stories of two of the reformulations of the rule, bhikkhus refuse invitations on the grounds that they would break the rule against a group meal, and yet the invitations make no mention of "food" or "meal."

An alternative interpretation. To find an alternative to the Commentary's explanation, we have to go back to the origin stories leading to the reformulations of the rule, where we find an interesting point: The invitations rejected by scrupulous bhikkhus on the grounds that they would break the rule all deal with "invitational" meals. In one of them, a naked ascetic invites a group of bhikkhus to an invitational meal and is rejected on the grounds that it would constitute a group meal. He then goes to the Buddha and -- after complaining that he should not be subjected to such treatment -- rephrases the invitation, this time inviting the entire Community. This suggests that he felt an invitation of this sort would not constitute a group meal.

His reasoning has its grounds in the Vinaya itself: Throughout the Vibhanga and Khandhakas, the word "group" is used to refer to any set of bhikkhus not forming a complete Community and yet acting as an independent unit. This may be why the category of Community meal was not mentioned in the no-offence clauses: The arrangers of the Vibhanga may have felt that no mention was necessary, in that the term "group" meal automatically excluded Community meals.

Similar considerations suggest that designated meals may also be exempted from this rule even though they are not mentioned in the no-offence clauses. Invitations to such meals were customarily worded as requests for so-and-so many bhikkhus "from the Community," and thus -- as a type of Community meal -- they would by definition not be invitations to a "group" meal.

Since invitations to lot meals and periodic meals did not customarily make reference to the Community, the Vibhanga arrangers did have to make mention of those types of meals in order to exempt them. We are left with a rule that applies exclusively to invitations to specific groups -- not Communities -- of four or more bhikkhus regardless of whether or not the invitation mentions the word "food" or "meal."

The rule in this form has the virtue of fulfilling the express purposes mentioned for it in the Cullavagga: It would prevent evil-minded bhikkhus and lay people from trying to exert influence over specific groups in the Community by arranging meals especially for them; and in the same way, it would prevent people with evil desires from creating a split in the Community. (Since the smallest faction that can create a split in the Community is four bhikkhus, the maximum number allowed at a group meal is three.)

The rule in this form would also contribute to the comfort of well-behaved bhikkhus in that invitations to meals would not be pre-empted by factions; and it would protect householders from being prey to the manoeuvrings of bhikkhus who would try to arrange for such meals as part of their strategy to create and maintain such factions. (Anyone who has lived in a traditional Buddhist country knows only too well the influence of sweet-talking bhikkhus over unsuspecting or low-minded lay people. This sort of thing neither started nor ended with Devadatta.)

Since Community meals and designated meals would not form an opening for such machinations, there would be no reason to limit them to groups of three if lay people want to invite groups larger than that.

Thus the point at issue is not whether the invitation makes mention of food or meals, but whether it specifies the individual bhikkhus to be invited. If it specifies more than three individual bhikkhus -- either naming them outright or saying such things as "Ven. X and four of his friends," or "The five of you," etc. -- the meal would count as a group meal.

Effort. To accept an invitation to a group meal entails a dukkata; and to eat it, regardless of whether one realizes that it is a group meal, a pacittiya. Whether or not the bhikkhus actually eat together is not an issue. If they receive their food at the same invitation to a group meal but then split up and eat it separately, they still incur the full penalty.

Non-offences. The Vibhanga defines the proper occasions mentioned in the rule -- during which bhikkhus may eat a group meal without committing an offence -- as follows:

1) *A time of giving cloth* is when the robe-season and kathina privileges are in effect.

2) *A time of making robes* is any time the bhikkhus are making robes.

3) *A time of journeying* is any time the bhikkhus are about to go, are going, or have just returned from a journey of at least half a league (about five miles, or eight kilometres).

4) *A time of embarking on a boat* is any time the bhikkhus are about to embark, are embarking, or are disembarking from a boat. No minimum distance for the boat journey is specified.

5) *A time of illness* is, in its minimal terms, a time when the bhikkhus' feet are split (and they cannot go for alms).

6) *An extraordinary occasion* is one in which there are so many bhikkhus in proportion to the donors giving alms that three bhikkhus going for alms can obtain enough food to support themselves, but not enough to support a fourth.

7) *A meal supplied by contemplatives* is one provided by a person who has taken on the state of religious wanderer. This the Commentary explains as meaning not only those ordained in other sects, but also one's own co-religionists (bhikkhus and samaneras) as well. This interpretation, though, would completely negate the effect of the rule. The word the Vibhanga uses for religious wanderer (paribbajaka) refers throughout the Canon to members of other sects and never to Buddhist bhikkhus, bhikkhunis, samaneras, etc. We may safely assume that it carries the same range of meaning here. This exemption, as its origin story makes clear, was formulated to promote good relations between bhikkhus and members of other sects.

Aside from the proper occasions, there is no offence --

I. if groups of three or less eat a meal to which they have been specifically invited;
II. if the meal to which a group of four or more is invited does not include any of the five kinds of staple food; or
III. if bhikkhus, having walked separately for alms, eat assembled as a group.

No mention is made of whether or not bhikkhus can go for alms in groups of four or more, as is the custom at present in the rural areas of many Buddhist countries. From the various stories of bhikkhus and bhikkhunis on almsround that appear in the Canon, it seems that the custom was for them to go individually. Pacittiya 42 mentions bhikkhus going for alms as a pair, but the Vibhanga notes that they might receive less food that way than when going individually. Apparently, going as a group would not have made much sense in their cultural context.

As mentioned above, the Vibhanga also states that there is no offence for groups of any number eating periodic meals or lot meals; and as we have already stated, our interpretation would explicitly extend this exemption to cover Community and designated meals as well.

Summary:

81. Eating a meal to which four or more individual bhikkhus have been specifically invited -- except on special occasions -- is a pacittiya offence.

33. An out-of-turn meal, except on the proper occasions, is to be confessed. Here the proper occasions are these: a time of illness, a time of giving cloth (the robe season), a time of making robes. These are the proper occasions here.

"Now at that time a succession of meals of sumptuous foods had been arranged in Vesali. The thought occurred to a certain poor labourer: 'The way these people respectfully present meals isn't a bad thing at all. What if I were to present a meal?' So he went to Kirapatika and said, 'Master, I want to prepare a meal for the Community of bhikkhus with the Buddha at its head. Please give me my wage.' Now Kirapatika had faith and confidence in the Buddha, so he gave the labourer more than his wage.

"Then the labourer went to the Blessed One, paid respect, sat to one side, and said, 'May the Lord together with the Community of bhikkhus consent to a meal with me tomorrow.'

"'You should be warned, friend, that the Community of bhikkhus is large.'

"'Let it be large, Lord. I have prepared plenty of jujube fruits. The beverages will be full of jujube mixture.'

"So the Blessed One consented by remaining silent... The bhikkhus heard, '...The beverages will be full of jujube mixture,' so right before the time of the meal, they went for alms and ate. People heard, 'They say that the poor labourer has invited the Community of bhikkhus with the Buddha at its head,' so they took a great deal of staple and non-staple foods to the labourer...(When the time came for the meal) the Blessed One went to the poor labourer's house and sat on the appointed seat together with the Community of bhikkhus. Then the poor labourer served the bhikkhus in the dining area. The bhikkhus said, 'Just a little, friend. Give just a little.'

"'Don't take so little, thinking that I'm just a poor labourer. I have prepared plenty of staple and non-staple food. Take as much as you want.'

"'That's not the reason why we are taking so little, friend. Simply that we went for alms and ate just before the time for the meal: That's why we are taking so little.'

"The poor labourer was offended and annoyed and spread it about: 'How can these reverend ones eat elsewhere when they were invited by me? Am I not capable of giving them as much as they want?'"

Object. The term out-of-turn meal covers two sorts of situations: A bhikkhu has been invited to a meal consisting of any of the five staple foods but then either (1) goes elsewhere and eats another meal consisting of any of the five staple foods at the same time as the meal to which he was originally invited; or (2) eats a staple food right before going to the meal, as in the origin story.

Effort. The Vibhanga states that there is a dukkata for accepting -- with the thought of eating it -- food that will constitute an out-of-turn meal, and a pacittiya for every mouthful one eats. Whether or not one perceives it as an out-of-turn meal, the offence is the same.

Proper times. The special occasions when one may accept and eat an out-of-turn meal are defined as follows:

I. *A time of illness* is when one is unable to eat enough at one sitting and so has to eat two or more times in a morning.
II. *The times of giving cloth* and making robes are defined as in the preceding rule. The reason for exempting them is that in the days of the Buddha, cloth and thread were hard to come by, and donors who wanted to offer them usually did so in conjunction with a meal. If these exemptions were

not made, a bhikkhu making a robe, having already been invited to one meal, could not go to another meal beforehand to receive the cloth or thread offered there.

There is reason to believe that these three exemptions apply to out-of-turn meals of the type mentioned in the origin story: i.e., a bhikkhu is allowed in these cases to go to another meal before attending the meal to which he was originally invited.

Sharing invitations. As for the sort of out-of-turn meal where a bhikkhu invited to one meal goes to another meal instead, the Buddha in a story ancillary to this rule gives permission to share invitations: If a bhikkhu has received an invitation, he may give it to another bhikkhu or novice by saying, "I give my expectation of a meal to so-and-so." He is then allowed to eat elsewhere.

The Commentary regards the act of sharing as a mere formality: One may even make the statement outside of the other bhikkhu's presence without his knowing anything about it. This, though, is very unlikely to satisfy the original donor. The wise policy in this case would be to make the statement in the presence of the other bhikkhu -- "I give my expectation of a meal to you" -- making reasonably sure that he is willing and able to go.

The Vinaya Mukha adds, though, that if the donors of the meal have specifically invited one to a meal -- i.e., one is going to an invitational meal rather than a designated meal (see Pacittiya 32) -- it would be bad manners to share the invitation without making an agreement with the donors first.

Non-offences. In addition to mentioning the "proper times" during which one may eat an out-of-turn meal, the no-offence clauses state that there is no penalty for a bhikkhu who, on receiving an invitation, states, "I will go for alms." This statement the Commentary explains as a refusal, and interprets the allowance as meaning that if a bhikkhu refuses an invitation, he is still allowed to eat another meal at the time for which the invitation was made. If the Vibhanga arrangers did mean this statement to be a refusal, though, it is probably for the sake of those bhikkhus who hold to the dhutanga vow of going for alms and not accepting invitations. If a bhikkhu who does not hold to such a vow refuses an invitation for a time for which he has no prior commitment, it is considered very bad manners. And if he were to later accept an invitation for a meal served at the same time as the meal he earlier refused, it would be extremely bad manners.

An alternative explanation for the statement, "I will go for alms," is that there is no offence if the bhikkhu lets the donor know beforehand that he will go for alms before the meal: He can have his alms meal first and then go to receive the meal offered by the donor. This would make room for the custom common in village monasteries throughout Theravadin countries, where invitations are usually for the late-morning meal, and bhikkhus are expected to have an early-morning alms meal before that. (If this interpretation does not hold, most village bhikkhus would then probably claim a perpetual "time of illness" as their exemption from this rule.)

Meals that do not include any of the five staple foods are also exempted from this rule. Thus if one is invited to a meal and takes a snack of milk, drinking conjey, fruit, etc., beforehand, this would not constitute an offence -- although to be in keeping with the spirit of the rule, one should not take so much as to spoil one's appetite for the meal.

There is no offence if, when invited to more than one meal on the same day, one goes to them in the order in which one received the invitations (but see Pacittiya 35); if one puts the food from the various invitations together in one's bowl and eats them at the same time; or, if invited by an entire village, one goes to eat anywhere in the village.

The Commentary, in discussing this point, mentions a situation that often occurs where there are very few bhikkhus in proportion to the number of donors: A bhikkhu has been invited to a meal, but before he leaves the monastery to go to the meal, another group of donors arrives with food to place in his bowl; or after he arrives at the home of the original donor, another group of donors arrives with still more food. According to the Commentary he may accept the food of these various donors as long as he is careful -- when he finally gets around to eating -- to take his first mouthful from the food offered by the original donor.

Meals offered on a periodic basis and those for which bhikkhus are chosen by lot do not count as out-of-turn meals under this rule. The Canon offers no explanation for these last two exemptions, but the Commentary to Cullavagga VI shows that the custom was for many families to prepare such meals on the same day. This exemption would thus seem to provide for the situation where there are fewer bhikkhus than there are families preparing these meals: One bhikkhu would be allowed to accept more than one meal so that no family's meal would go without a recipient.

A passage in the Mahavagga (VI.25.7) implies that if the donor of the meal provides a pre-meal snack of thick conjey -- or by extension any other staple food -- there would be no offence in eating it. And the Commentary notes that if the donor gives explicit permission to eat another meal before the one he/she is providing, there would be no offence in doing so.

Summary:

82. Eating a meal before going to another meal to which one was invited, or accepting an invitation to one meal and eating elsewhere instead, is a pacittiya offence except when one is ill or at the time of giving cloth or making robes.

34. In case a bhikkhu arriving at a family residence is presented with cakes or cooked grain-meal, he may accept two or three bowlfuls if he so desires. If he should accept more than that, it is to be confessed. Having accepted the two-or-three bowlfuls and having taken them from there, he is to share them among the bhikkhus. This is the proper course here.

The purpose of this rule is to prevent bhikkhus from abusing a donor's generosity and good faith.

The origin story deals with two separate cases. In the first, a woman named Kana is about to return to her husband's house after visiting her parents. Her mother, thinking, "How can one go empty-handed?" bakes some cakes. A bhikkhu comes, and the mother -- being a faithful lay follower -- presents him with the cakes and then bakes some more to replace them. The bhikkhu, meanwhile, has informed another bhikkhu that cakes are baking at Kana's house, so the second bhikkhu goes and receives the second batch of cakes. This process keeps up until Kana's husband tires of waiting for her and takes another woman for his wife. The Commentary notes, reasonably enough, that Kana developed a long-term grudge against Buddhism as a result of this incident.

In the second case, a man is preparing provisions for a journey by caravan. A similar series of events takes place, and he eventually ends up tagging along behind the caravan and getting robbed. People become offended and annoyed as usual, and spread it about, "How can these Sakyan contemplatives accept food without knowing moderation?"

Object. In the context of this rule, the Vibhanga defines cakes so as to cover anything prepared as a present, and cooked grain-meal (sattu) so as to cover anything prepared as provisions for a journey. The word journey here refers to journeys that the donors are planning to take themselves. This rule thus does not cover gifts of food that donors have prepared to give to a bhikkhu for a journey he is planning to take.

The Vinaya Mukha, using the Great Standards, infers from the Vibhanga's definitions for cakes and cooked grain-meal that any food prepared in large quantities for sale or for a party, banquet, or reception, etc., should be covered by this rule as well.

Protocol. If the bhikkhu is presented with such things -- i.e., invited to take as much as he likes -- he may take no more than two or three bowlfuls. To take more than that would entail a pacittiya. Returning from there, he should tell every bhikkhu he sees, "I accepted two or three bowlfuls over there. Don't you accept anything there." He incurs a dukkata if, seeing a bhikkhu, he does not tell him, while there is a dukkata for the other bhikkhu if, having been told, he accepts anything at the place in question. According to the Commentary, if the first bhikkhu accepts two bowlfuls, he should tell the second bhikkhu to accept no more than one, and all other bhikkhus he meets that they should not accept anything. If he accepts only one bowlful, he should follow a similar process so that, all-in-all, the bhikkhus accept a total of no more than three.

The Commentary states further that a bhikkhu receiving two or three bowlfuls may keep one bowlful and do as he likes with it, but must share the remainder among an entire Community, i.e., not just among his friends. A bhikkhu receiving only one bowlful may do with it as he likes .

Non-offences. The Vibhanga states that there is no offence in taking more than three bowlfuls of items not intended as presents or provisions, of items left over from preparing presents or provisions, or of provisions remaining when plans for a journey have been abandoned. As explained above, the Vinaya Mukha would include items prepared for sale or for parties, etc., under the word "provisions" here.

The Vibhanga also says that there is no penalty in accepting more than three bowlfuls from relatives or from those who have offered an invitation. Here the Commentary states that if such people give more than three bowlfuls outright, one may accept them without penalty, but if they tell one to take as much as one likes from items prepared as presents or provisions, the proper thing to do is to take only two or three bowlfuls. Also, there is no offence in having more than three bowlfuls of provisions purchased with one's own resources.

Finally, the Vibhanga says that there is no offence in taking extra for the sake of another. Neither the Commentary nor Sub-commentary discusses this point, but the only way it can make sense in the context of this rule is if it refers to cases where the bhikkhu takes extra for the sake of another not on his own initiative, but because the donor asks him to.

Summary:
83. Accepting more than three bowlfuls of food that the donors prepared for their own use as presents or as provisions for a journey is a pacittiya offence.

35. Should any bhikkhu, having eaten and turned down an offer (of further food), chew or consume staple or non-staple food that is not left over, it is to be confessed.

"Now at that time a certain Brahman, having invited bhikkhus, gave them a meal. The bhikkhus, having eaten and turned down an offer of further food, went to their relatives' families. Some ate there, some left having received alms.

"Then the Brahman said to his neighbours, 'Masters, the bhikkhus have been satisfied by me. Come and I will satisfy you as well.'

"They said, 'Master, how will you satisfy us? Even those you invited came to our homes. Some ate there, some left having received alms.'

"So the Brahman was offended and annoyed and spread it about, 'How can their reverences, having eaten in my home, eat elsewhere? Am I not capable of giving as much as they want?'"

When a donor invited bhikkhus for a meal, the custom in the time of the Buddha was for him/her to offer food to the bhikkhus repeatedly while they ate, and to stop only when the supplies of food were exhausted or the bhikkhus refused any further offers. (This custom is still widespread in Sri Lanka and Burma.) Thus it was often a matter of pride among donors that their supplies were not easily exhausted and that they could continue offering food until the bhikkhus were completely satisfied and could eat no more. Now where there is pride, there is bound to be wounded pride: A donor could easily feel insulted if bhikkhus refused further offers of food, finished their meal, and then went to eat someplace else.

As the origin story shows, this rule is designed to protect generous donors from being insulted by the bhikkhus in this way. It is also designed to protect bhikkhus from being forced to go hungry by stingy or impoverished donors. If the donor stops offering food before the bhikkhus have refused further offers -- or if what he/she offers is not substantial food at all (see the discussion under Pacittiya 8 for a historic case of this sort) -- the bhikkhus, after finishing their meal, are free to accept food elsewhere that morning if they are still hungry.

Having eaten (bhuttavi), according to the Vibhanga, means having eaten any of the five staple foods, "even as much as a blade of grass." On the surface, this could mean one of two things: having taken one's first bite of a meal, or having finished a meal -- even the smallest possible one. The Commentary adopts the first interpretation, but in doing so creates two problems:

1) If having eaten means having taken one's first bite of a meal, then the word serves no purpose in the rule, because the first factor of "having turned down an offer of further food" is "the bhikkhu is eating," and as the Commentary itself notes, if one is eating then one has already taken one's first bite of the meal. It concludes that the word "having eaten," both in the rule and in the Vibhanga, is completely superfluous.

2) A more practical problem coming from the Commentary's interpretation is that if one turns down an offer of extra food when one already has more than enough food in one's bowl but has yet to finish one's meal, one cannot continue eating. The Commentary tries to get around this predicament by introducing an additional factor: As long as one does not move from the spot on which one is sitting, one may continue eating. This, though, creates further problems: Suppose a bhikkhu has turned down an offer of further food but has yet to finish his meal. If there is then some compelling reason for him to move from the spot on which he is sitting -- for example, the donor spills a pot of hot soup, or ants come crawling into his robes -- then he cannot finish his meal even if the donor begs him to continue eating.

The Sub-commentary gets around the first problem by interpreting "having eaten" as "having finished a meal," which fits better with the origin story and with the linguistic usage of the Vibhanga itself. (There is a separate term, asana, for one who is in process of eating a meal without yet having finished it.) The author of the Sub-commentary doesn't realize, though, that in adopting this interpretation he is also eliminating the need for the Commentary's extra factor concerning moving from one's spot. If the factor is unnecessary, and there is no basis for it in the Canon, there would seem to be no reason to adopt it. Thus the Commentary's factor, and not the wording of the rule, is what is superfluous. So we can say that "having eaten" means having finished one's meal, and that the question of having moved from one's spot doesn't enter into the rule.

As the Commentary itself notes when discussing the term asana, the point where one finishes eating is determined in one of two ways:

a) There is no food left in one's bowl, hand, or mouth; or
b) one has decided that one has had enough for that particular meal.

Thus, as long as the bhikkhu has not yet finished the donor's meal, he is free to refuse, accept, and eat food as he likes. In other words, if he refuses an offer of further food, he may continue eating what is left in his bowl. If he initially refuses an offer of further food but then gives in and accepts it after being pressured by the donor, he may eat what he accepts without penalty. Or if he feels, for example, that he has enough vegetables but would like more rice, he may refuse an offer of vegetables yet accept and eat an offer of rice that follows it.

But once he no longer has any food in his bowl, hand or mouth and/or has decided that he has had enough for that particular meal, he fulfils the factor of "having eaten" under this rule. If he refused an offer of further food before finishing the meal, he may not for the remainder of the day eat any staple or non-staple foods that are not leftovers.

Turning down an offer for further food. The Vibhanga defines this as an act with five factors:
1) The bhikkhu is eating.
2) There is further staple food.
3) The donor is standing within hatthapasa (1.25 meters) of the bhikkhu.
4) He/she offers the food.
5) The bhikkhu turns it down.

The Commentary adds that if the bhikkhu has finished eating before the further food is offered, factor (1) is not fulfilled, so if he turns down the food he does not fall under the terms of this rule. Similarly, if the food in factor (2) is not a staple food -- e.g., if it is fruit, chocolates, or cheese -- or if it is staple food of a sort unallowable for a bhikkhu to eat -- e.g., it has been offered as a result of a bhikkhu's claiming a superior human state or corrupting a family (see Sanghadisesa 13), or it is made of human flesh or snake meat, etc. -- the factor is not fulfilled. Since none of the texts specify that the donor under factor (3) must be unordained, a bhikkhu offering food to a fellow bhikkhu would apparently fulfill this factor as well. Thus this rule would apply

not only to meals offered by lay donors, but also to food handed out by bhikkhus and samaneras in a monastery.

Factor (5) is fulfilled by any refusal made by word or gesture.

Staple & non-staple food. Staple food, here, follows the standard definition. Non-staple food, in the context of this rule, refers to all edibles except for the five staple foods, juice drinks, the five tonics, medicines, and water.

Leftover food is of two sorts: left over from a sick bhikkhu's meal, and formally "made" leftover by a bhikkhu who is not sick. In the latter case, the formal act has seven factors:

1) The food is allowable.
2) Bhikkhu X has formally received it.
3) He offers it to Bhikkhu Y.
4) He remains within hatthapasa of Bhikkhu Y.
5) Bhikkhu Y has finished his meal.
6) Bhikkhu Y has not yet gotten up from the seat where he has finished his meal and refused further food; and
7) he says, "I have had enough of all this."

The Commentary notes that any bhikkhu except Bhikkhu Y may eat the food formally made left over in this way.

Effort. If a bhikkhu who, having eaten and turned down an offer for further food, is presented with staple or non-staple that is not left over -- e.g., a snack of milk or ice cream -- he incurs a dukkata if he accepts it with the thought of eating it, and a pacittiya for every mouthful he eats.

Perception is not a factor here. Whether or not the bhikkhu realizes that the food is not left over is irrelevant to the offence. This point is what led to the following rule.

Non-offences. There is no offence –

I. if a bhikkhu accepts the food and takes it for the sake of another,
II. if he accepts and eats left-over food, or
III. if, having a reason, he later in the day accepts and consumes juice drinks, any of the five tonics, or medicine. According to the Commentary, "having a reason" means, in the case of juice drinks, being thirsty; and in the case of the tonics and medicine, suffering from an illness that they are meant to assuage. (As we have noted under NP 23, these illnesses include hunger and fatigue as well as medical disorders.) In other words, a bhikkhu under the circumstances covered by this rule may not take these items as food. The Vibhanga says that if he accepts them with the idea of taking them as food, he incurs a dukkata; while the Commentary imposes a further dukkata for every mouthful he eats.

According to the Mahavagga (VI.14, VI.9.2, VI.20.4; V.32), this rule is relaxed during times of famine so that a bhikkhu who has eaten and turned down an offer for further food may later in the day consume food that is not left over:

I. if it was accepted before he went to his meal,
II. if it is brought back from a place where a meal has been offered, or
III. if it has been taken from a wilderness area or a pond. The texts offer no explanation for this last stipulation. Perhaps, during famines, these were places where most people would be foraging for food.

Summary:

84. Eating staple or non-staple food that is not left-over, after having earlier in the day finished a meal during which one turned down an offer to eat further staple food, is a pacittiya offence.

36. Should any bhikkhu, knowingly and wishing to find fault, present staple or non-staple food to a bhikkhu who has eaten and turned down an offer (for further food), saying, "Here, bhikkhu, chew or consume this" -- when it has been eaten, it is to be confessed.

"Now at that time two bhikkhus were travelling through the Kosalan districts on their way to Savatthi. One of them indulged in bad habits; the second one said, 'Don't do that, my friend. It isn't proper.' The first one developed a grudge. Eventually, they arrived at Savatthi.

"Now at that time one of the guilds in Savatthi gave a meal to the Community. The second bhikkhu finished his meal, having turned down an offer for further food. The bhikkhu with the grudge, having gone to his relatives and bringing back alms food, went to where the second bhikkhu was staying and on arrival said, 'Here, friend, have some of this.'

"'No thanks, my friend. I'm full.'

"'Really, this is delicious alms food. Have some.'

"So the second bhikkhu, being pressured by the first, ate some of it. Then the bhikkhu with the grudge said to him, 'You think I'm the one to be reprimanded when you eat food that isn't left over, after finishing your meal and turning down an offer for further food?'

"'Shouldn't you have told me?'

"'Shouldn't you have asked?'"

This rule covers cases in which one bhikkhu, knowingly and wishing to find fault, offers food to another bhikkhu in order to trick him into committing an offence under the preceding rule. The full offence here requires a full set of five factors:

1) *Object:* staple or non-staple food.
2) *Effort:* one gives the food to a bhikkhu who has turned down an offer of further food, as under the previous rule.
3) *Perception*: one knows that he has turned down an offer of further food.
4) *Intention:* one wishes to find fault with him.
5) *Result:* he accepts the food and eats from it.

Only three of these factors -- object, intention, and result -- require further explanation.

Object. Staple food, here, follows the standard definition. Non-staple food, in the context of this rule, refers to all edibles except for the five staple foods, juice drinks, the five tonics, medicines, and water. Whether or not the food is actually left over is not a factor in determining the offence here. The important point lies in the perception: As long as one assumes the food to be not left over, one is subject to a penalty if the other bhikkhu accepts it. If one assumes the food to be left over, one's actions would not fit under this rule.

Intention. Wishing to find fault, according to the Vibhanga, means planning to accuse, criticize or shame the bhikkhu after one has succeeded in tricking him into breaking the preceding rule.

Result. Bhikkhu X, in giving food to Bhikkhu Y "knowingly and wishing to find fault," incurs a dukkata when Y accepts the food with the thought of eating it, and a pacittiya when Y has stopped eating from it. If X then accuses or shames Y, he is to be treated under Pacittiya 2 as well. As for Y, the Commentary notes, he doesn't escape the penalty under the preceding rule even though he has been tricked into the offence. In other words, both bhikkhus in the origin story were right: The bhikkhu with a grudge should have told the second bhikkhu, while the second bhikkhu should have asked.

Non-offences. There is no offence --

I. if one gives the other bhikkhu left-over food,
II. if the other bhikkhu takes the food for the sake of another, or
III. if one gives him juice drinks, any of the five tonics, medicines, or water.

None of the texts make any mention of a bhikkhu trying to trick another bhikkhu into committing an offence under any rule other than Pacittiya 35; and apparently, a bhikkhu who tricks a fellow bhikkhu into committing an offence under Pacittiya 35 with no desire to blame or shame him, but simply for the perverse satisfaction of seeing him commit the offence, would incur no penalty under this or any other rule. There is no escaping

the fact, though, that such actions carry their own inherent penalty in terms of one's spiritual maturity. This is one of those cases where we have to look past the particulars of the rule to the general principle underlying it: that one should not deliberately trick another person into breaking a rule or vow that he or she has pledged to uphold.

Summary:
85. Deliberately tricking another bhikkhu into breaking the preceding rule, in hopes of finding fault with him, is a pacittiya offence.

37. Should any bhikkhu chew or consume staple or non-staple food at the wrong time, it is to be confessed.

Object. Staple food here follows the standard definition given in the preface to this chapter. Non-staple food refers to all edibles except for the five staple foods, juice drinks, the five tonics, medicines, and water.

The wrong time. The Vibhanga defines the wrong time as from after noon until dawn of the following day. (See Appendix I for a discussion of how dawn is defined.) Noon is reckoned as the moment the sun reaches its zenith, rather than by the clock -- in other words, by local rather than standard or daylight-savings time. Thus, for example, a bhikkhu who is offered food while travelling in an airplane should check the position of the sun in order to determine whether or not he may accept and eat it. Some have argued that one may eat after noon if one has begun one's meal before noon, but the Commentary says explicitly that this is not the case.

Effort. The verbs chew and consume in the Pali of this rule are the verbs normally paired, respectively, with non-staple and staple foods. They both mean "to eat," but the question arises as to whether eating means going down the throat or entering the mouth. This becomes an issue, for instance, when a bhikkhu has a piece of food stuck in his teeth from his morning meal and swallows it after noon.

The Commentary generally defines eating as going down the throat, but a passage from the Cullavagga (V.25) suggests otherwise. In it, the Buddha allows a ruminator who brings up food to his mouth at the "wrong time" to swallow it, and ends with the statement: "But food that has been bought out from the mouth should not be taken back in. Whoever should take it in is to be dealt with according to the rule (i.e., this rule and the following one)." This suggests, then, that eating is technically defined as "taking into the mouth."

Offences. A bhikkhu who, intending to eat it, accepts staple or non-staple food at the wrong time incurs a dukkata. If he eats staple or non-staple food at the wrong time -- regardless of whether he accepted it at the right or wrong time -- he incurs a pacittiya for every mouthful he eats. As for juice drinks, the five tonics, and medicine, there is a dukkata for accepting them to be used as food at the wrong time, and another dukkata for eating them as food at the wrong time.

Perception is not a factor here. Thus, a bhikkhu who eats food in the wrong time unknowingly -- e.g., assuming that noon has not passed when it actually has, or that the food belongs to one of the other classes of edibles when it actually doesn't -- commits an offence all the same.

No exception is granted to an ill bhikkhu, because there are a number of edibles an ill bhikkhu may consume at the wrong time without involving an offence: juice drinks, the five tonics, and medicines. Also, there is an allowance in the Mahavagga (I.14.7) for a bhikkhu who has taken a purgative to take strained meat broth, strained rice broth, or strained green gram (mung bean) broth at any time of the day. Using the Great Standards, we may say that a bhikkhu who has a similar illness or worse may take these broths at any time; and some have argued that other bean broths -- such as soybean milk -- would fit under the category of green gram broth as well. However, unlike the case with the five tonics, mere hunger or fatigue would not seem to count as sufficient reasons for taking any of these substances in the "wrong time."

A substance termed lonasoviraka (or lonasociraka) is allowed (Mv.VI.16.3) in the wrong time as a medicine for ill bhikkhus and, when mixed with water, as a beverage for bhikkhus who are not ill. No one makes it anymore, but the recipe for it in the Commentary to Parajika 3 bears some resemblance to the recipe for

miso (fermented soybean paste). Some have argued, using the Great Standards, that the special allowance for this substance should extend to miso as well, but this is a controversial point. As far as I have been able to ascertain, miso is not used to cure diseases in adults even in China, which would be the place to look for its use as a medicine. However, even if the allowance does apply to miso, taking miso broth as food in the wrong time would entail a dukkata.

Non-offences. There is no offence if, having a reason, one consumes juice drinks, any of the five tonics, medicine, or water after noon or before dawn.

Summary:
86. Eating staple or non-staple food in the period after noon until the next dawn is a pacittiya offence.

38. Should any bhikkhu chew or consume stored-up staple or non-staple food, it is to be confessed.

This is one of the few rules where the original instigator was an arahant: Ven. Belatthasisa, Ven. Ananda's preceptor and formerly the head of the 1,000 ascetics who attained Awakening on hearing the Fire Sermon. The origin story here reports that he made a practice of keeping left-over rice from his alms-round, drying it, and then moistening it to eat on a later day. As a result, he only rarely had to go out for alms. Even though he was doing this out of frugality rather than greed, the Buddha still rebuked him. The story doesn't give the precise reasons for the rebuke. Perhaps it was because he saw that such behaviour would open the way for bhikkhus to avoid going on almsround, thus depriving themselves of the excellent opportunity that alms-going provides for reflecting on their dependency on others and on the human condition in general; and depriving the laity of the benefits that come from daily contact with the bhikkhus and the opportunity to practice generosity of the most basic sort every day. Although frugality may be a virtue, there are times when other considerations supersede it.

At any rate, the Buddha showed great foresight in formulating this rule. Over the centuries, whenever bhikkhus have lived in Communities where vast stores of food were kept -- such as the great Buddhist universities in India -- bhikkhus have tended to grow lax in their practice, and a gulf of misunderstanding and suspicion has come to separate them from the laity.

Object. *Staple food* here, as usual, follows the standard definition given in the preface to this chapter. Non-staple food here includes all edibles except for the five staples, juice drinks, the five tonics, medicine, and water.

Stored-up means formally accepted by a bhikkhu (see Pacittiya 40, below) on one day and eaten on the next or a later day. The boundary between one day and the next is dawn.

According to the Commentary, though, if a bhikkhu accepts food today but then gives it to an unordained person, having abandoned possession of it in his mind, and then the person happens to present it again to that bhikkhu or to another bhikkhu on a following day, it does not count as stored-up under this rule. If, however, the bhikkhu does not abandon possession of the food in his mind, and the unordained person presents it again the following day, it still counts as stored-up even if the bhikkhu did not say with word or gesture that the food was to be kept and presented to him again.

Since this factor is difficult to determine with absolute certainty in cases where food is left over after being presented to a number of bhikkhus -- there is hardly any way of being sure that they have all renounced possession of the leftovers -- many Communities ignore the Commentary's allowance and do not permit their members to accept any food at all that they formally received on a previous day.

The story of the Second Council (Cv.XII.2.8) shows that this rule also forbids storing such medicines as salt (or pepper, vinegar, etc.) to add to any bland food one might receive on a later day. (See the discussion preceding Pacittiya 31 for more details on this subject.)

Effort. The Vibhanga says that there is a dukkata "if one accepts it, thinking, 'I will eat it'" -- the Commentary interprets this as taking or accepting, with the purpose of eating, food that has been stored up -- and a pacittiya for every mouthful one eats.

Perception is not a factor here. Thus, a bhikkhu who eats stored-up food commits an offence regardless of whether or not he perceives it as stored-up. This means --

1) If Bhikkhu X receives the food on one day and, without renouncing possession of it, lets someone else put it away, and Bhikkhu Y eats it on a later day, Y commits an offence all the same, regardless of whether or not he knows that the food was stored-up.

2) One should be careful that there are no traces of any edible received yesterday on a utensil from which one will eat food today. The duties a student should perform for his preceptor (upajjhaya-vatta) (Mv.I.25.9) show that the custom in the Buddha's time was to rinse out one's bowl before going for alms. The Commentary suggests a method for making sure that one's bowl is clean: Run a finger along the inside of the bowl while it is dry. If there is enough food residue or dust in the bowl for the finger to make a mark in it, clean the bowl again before use.

Derived offences. If a bhikkhu accepts or takes, for the sake of food, juice drinks, any of the five tonics, or medicine that has been stored overnight, there is a dukkata in the taking, and another dukkata for every mouthful he eats. The Commentary, though, asserts that when a bhikkhu takes, not for food but simply to assuage his thirst, a juice drink stored overnight, he incurs a pacittiya for every swallow he drinks.

It seems strange that drinking the juice simply as juice would entail a stronger penalty than taking it as food, and as there is no basis anywhere in the Canon for the Commentary's assertion, there seems to be no reason to adopt it. Mv.VI.40.3 states clearly that juice drinks, taken for any reason, are allowable at any time on the day they are accepted, but not after the dawn of the following day. No specific penalty is given for taking them on the following day, but we can infer from the Vibhanga to this rule that the penalty would be a dukkata.

Non-offences. There is no offence in the mere act of storing food. A bhikkhu going on a journey with an unordained person may thus carry the latter's food -- while the latter carries the bhikkhu's food -- without committing an offence.

There is also no offence in telling an unordained person to store food that has not been formally received. For example, if donors simply leave food at a bhikkhu's residence without formally presenting it, the bhikkhu may tell a novice or lay person to take it and put it away for a later day. If the food is then presented to the bhikkhu on a later day, he may eat it that day without penalty.

However, food may be stored in a monastery only in a building formally agreed on for the purpose (Mv.VI.33.2). Since bhikkhus may not use such a building as a dwelling place (Mv.VI.33.4), a bhikkhu who has food stored in his dwelling would incur a dukkata. He may, however, store medicines or the five tonics in his dwelling without penalty.

If a bhikkhu accepts, sets aside, and then eats any of the four kinds of edibles all within their permitted time periods -- e.g., he receives bread in the morning, sets it aside, and then eats it before that noon; or receives honey today, sets it aside, and takes it as a tonic tomorrow -- there is no offence.

This rule makes no exceptions for a bhikkhu who is ill, although the rule as a whole is suspended when there is scarcity and famine, and reinstated when the scarcity and famine have passed. (Mv.VI.17-20; Mv.VI.32).

Summary:
87. Eating food that a bhikkhu -- oneself or another -- formally received on a previous day is a pacittiya offence.

39. There are these finer staple foods, i.e., ghee, fresh butter, oil, honey, sugar/molasses, fish, meat, milk, and curds. Should any bhikkhu who is not ill, having asked for finer staple foods such as these for his own sake, then eat them, it is to be confessed.

The Vibhanga defines finer staple foods as any of the nine foods mentioned in the rule, either on their own or mixed with other foods. Thus milk and milk-mixed-with-cereal would both be finer staple foods. The ancient commentators, though, must have objected to including some of these items under the category of staple food (bhojana), so we have the Commentary defining "finer staple foods" as any of the substances mentioned in the rule mixed with any one of the seven types of grain. Thus, it would say, milk with cereal would be a finer food, but milk on its own would not.

As we have seen, though, the Vibhanga defines its terms to fit with the situation covered by each particular rule and is not always consistent from one rule to another. Thus, since the Vibhanga is not at fault for being inconsistent here, there is no reason to follow the Commentary in deviating from it. The rule means what it says: It covers each of the foods mentioned in it, whether pure or mixed with other ingredients.

The first five of these finer foods are discussed in detail under NP 23. Fish and meat are discussed in the preface to this chapter. Milk and curds here refers to milk and curds from animals whose flesh is allowable. The Sub-commentary, in discussing this point, maintains that tiger's milk, bear's milk, etc., are not unallowable, simply that they would not come under this rule. This is an interesting idea, but was included probably just to wake up sleepy students in the back of the room.

According to the Commentary, any food other than these nine finer foods is grounds for a dukkata under Sekhiya 37.

Effort. A bhikkhu who is not ill, requesting the foods for his own use, incurs a dukkata for every request he makes, a dukkata for accepting the food, and a pacittiya for every mouthful he eats.

Not ill means that one is able to fare comfortably without these foods. None of the texts go into detail on this point, but ill probably means something more than simply being hungry, for there is a separate allowance under Sekhiya 37 for a bhikkhu who is hungry to ask for rice and bean curry, which was the basic diet of the day, and the Commentary extends the allowance to cover all foods not covered by this rule. Here ill probably refers to any form of fatigue, weakness, or malnutrition that comes specifically from lacking any of the foods mentioned in the rule.

The Commentary adds that if a bhikkhu asks for one kind of finer food but receives another kind instead, he incurs the dukkata for asking, but no penalty for accepting and eating what he gets. It also notes that when a bhikkhu asks a lay person for any of the finer foods, and the lay person makes a donation of money to the bhikkhu's steward to buy that food, then once the food is bought it comes under this rule all the same.

Non-offences. There is no offence:

I. in asking for food -- any kind of food -- when one is ill, and then eating it, even if one has recovered in the meantime;
II. in eating food that has been requested for the sake of an ill bhikkhu and is left over after his meal;
III. in asking from relatives;
IV. in asking from those who have offered an invitation to ask;
V. in asking for the sake of another person; or
VI. in asking that food be bought with one's own resources.

Also, according to the Mendaka Allowance (Mv.VI.34.21), a bhikkhu going on a journey through a wilderness area where alms food is difficult to obtain may search for provisions of husked rice, kidney beans, green gram (mung beans), salt, sugar, oil, and ghee for the journey. The Commentary says, though, that he should first wait for spontaneous offerings of these provisions from people who learn of his plans for the journey. If these aren't forthcoming, he should ask from his relatives or from those who have given him an invitation to ask, or else see what he gets on his almsround. (This last alternative apparently applies to the salt, sugar, oil,

and ghee; people ordinarily would not be giving uncooked rice, beans, or green gram for alms.) Only when these avenues fail should he ask from people who are unrelated to him and have not given an invitation to ask. Furthermore, he should ask for no more than the journey will require.

None of the texts mention any permission for the bhikkhu, after he has searched for the provisions, to store them longer than usual or to cook them in any way. Apparently, they expect him to arrange for an unordained person -- or people -- to accept the provisions and be responsible for their storage and preparation while on the road.

Summary:
88. Eating finer foods, after having asked for them for one's own sake -- except when ill -- is a pacittiya offence.

40. Should any bhikkhu take into his mouth an edible that has not been given -- except for water and tooth-cleaning sticks -- it is to be confessed.

"Now at that time a certain bhikkhu, living entirely off of what was thrown away, was staying in a cemetery. Not wanting to receive gifts from people, he himself took the offerings for the dead -- left in cemeteries, under trees, and on thresholds -- and ate them. People were offended and annoyed and spread it about, 'How can this bhikkhu himself take our offerings for the dead and eat them? He's robust, this bhikkhu. He's strong. Perhaps he feeds on human flesh.'"

Object. An edible is whatever is fit to eat, and includes all four classes of food and medicine: staple and non-staple foods, juice drinks, the five tonics, and medicine.

Exceptions. Water, according to the Commentary, includes ice, hailstones, and snow as well. Whether such things as boiled water, bottled water, and man-made ice should also come under this exception is a controversial point, because such things are no longer in their natural state and in some instances carry a price. The texts offer no specific guidance here, so this is an area where the wise policy is to follow the dictates of one's Community. If one happens to belong to a Community that allows one to take these items when they are not formally given, one should still be careful to take them only when they are clearly intended for one's use or the Community's use in instances where they carry a price.

Tooth-cleaning sticks, as used in the time of the Buddha, were semi-edible. They were sticks of soft wood, like balsam, cut four to eight inches long, chewed until they were reduced to fibre and spat out. People in India still use tooth-cleaning sticks of this sort even today.

Here again there is a controversy as to whether toothpaste comes under this exception as well. On the one hand it fits in with the pattern for tooth-cleaning sticks -- it is semi-edible and not intended to be swallowed -- but on the other hand it contains substances, such as mineral salts, that the Canon classes as medicines (Mv.VI.8). This second consideration would seem to override the first, since it is a question of following what is explicitly laid out in the Canon, rather than of applying the Great Standards. Thus the wise policy would seem to be to regard it as a medicine that has to be formally given before it can be used, and not as coming under this exception.

The act of giving food and other edibles, as described in the Vibhanga, has three factors:

1) The donor (an unordained person) is standing within reach (one hatthapasa, or 1.25 meters) of the bhikkhu.

2) He/she gives the item with the body (e.g., the hand), with something in contact with the body (e.g., a spoon), or by means of letting go. According to the Commentary, letting go means releasing from the body or something in contact with the body -- e.g., dropping from the hand or a spoon -- and refers to such cases as when a donor drops or tosses something into a bhikkhu's bowl or hands without directly or indirectly making contact.

3) The bhikkhu receives the item with the body or with something in contact with the body (e.g., his bowl, a piece of cloth).

There is a tradition in Thailand that a bhikkhu should never receive an offering from a woman hand-to-hand. Either she must offer it with something in contact with her body (e.g., a tray) or the bhikkhu must accept it with something in contact with his body: an alms bowl, a tray, a piece of cloth, etc. Apparently this tradition arose as a means of protecting a sexually aroused bhikkhu from committing an offence under Sanghadisesa 2, or from the embarrassment that might arise if, say, yesterday he was not aroused and so could take something straight from her hand, while today he is and so can't. Many Thai eight-precept nuns, even though they don't have any precepts corresponding to Sanghadisesa 2, follow a reciprocal tradition of not receiving anything hand-to-hand from a man. Neither of these traditions is mentioned in the Canon or the commentaries, nor are they observed by Sri Lankan or Burmese bhikkhus or nuns.

A special allowance in the Cullavagga (V.26) states that if food accidentally falls while being offered, a bhikkhu may pick it up himself and eat it without committing an offence.

Effort. If a bhikkhu realizes that food is not given or improperly given, he incurs a dukkata if he takes it with the intention of eating it. As for the bhikkhu who thinks that it is properly given when it isn't, the Vibhanga does not say whether he incurs a penalty in taking it with the intention of eating it or not. The Commentary says explicitly that he doesn't. In either case, though, the Vibhanga states that the bhikkhu incurs a pacittiya for every mouthful he eats. Thus perception is not a mitigating factor when determining the full offence under this rule.

Non-offences. There is an allowance (Mv.VI.17.8-9; Mv.VI.32) that in times of scarcity and famine a bhikkhu may pick up fallen fruit, take it to an unordained person, place it on the ground, and have it formally "given" without committing an offence. At times when this allowance is not in effect, though, a bhikkhu who -- with the intention of eating it -- picks up an edible he knows has not been given may not later make it allowable by formally "receiving" it from an unordained person. Whether other bhikkhus may receive it and make use of it, though, is a controversial point discussed in the Commentary in a treatise separate from its explanation of the Vibhanga (see below).

In the Mahavagga (VI.14.6), the Buddha gives permission for a bhikkhu bitten by a snake to make an antidote of urine, excrement (burned in fire), ashes, and soil. If there is no unordained person present who can or will make these things allowable, the bhikkhu may take and prepare them himself, and then eat them without incurring a penalty under this rule. The Commentary adds that if he cuts a tree under these circumstances to burn it, or digs the earth to get soil, he is exempt from the rules dealing with those actions as well.

Controversial points from the Commentary. As mentioned above, the Commentary's discussion of this rule includes a treatise separate from its explanation of the Vibhanga, dealing with controversial points for which the Canon gives unclear answers or no answers at all. Since the treatise is a compilation of the opinions of various teachers and does not pretend to explain the meaning or intent of the Buddha's words -- and since the Buddha warned bhikkhus against making up their own rules (NP 15.1.2) -- the opinions expressed in the treatise are not necessarily normative. Many Communities do not accept them, or are selective in choosing what they do and do not accept. Here we will give a summary of some of the Commentary's opinions that have influenced practices found in some, if not all, Communities of bhikkhus at present.

1. Taking into the mouth is defined as going down the throat. As we have already noted under Pacittiya 37, though, this definition has no justification in canonical usage. The Sub-commentary attempts to justify the Commentary's stand here by defining "mouth" (literally, the door of the face) as the larynx, i.e., the back door rather than the front door to the mouth, but again this is not supported by the Canon. Sekhiya 41 -- "I will not open the door of my face when the mouthful has yet to be brought to it" -- shows decisively that this term refers to the lips and not to the larynx. "Taking into the mouth" thus means taking in through the lips.

2. Food. Pond water so muddy that it leaves a scum on the hand or on the mouth is considered to be food, and so must be given before it can be drunk. The same holds true with water into which so many leaves or flowers have fallen that their taste is discernible in the water. For some reason, though, water that has been scented with flowers need not be given, and the same is true with water taken from a stream or river no

matter how muddy. (There is a belief still current in India and other parts of Asia that flowing water is inherently clean.) Although leaves and flowers technically do count as edibles -- they are classed as non-staple foods or medicines, depending on one's purpose in eating them -- the idea of counting mud and scum as edibles seems to be taking the concept of edible a little too far.

If toothwood is chewed for the sake of its juice, it must first be given. Even if one is chewing it for the sake of cleaning the teeth, but accidentally swallows the juice, one has committed an offence all the same. These two opinions have no basis in the Canon, since intention is not a factor in determining the offence under this rule.

A long section of this treatise discusses what to do if things that are not given get into food that has been given. It concludes that they must either be removed from the food, or the food must be given again. If the items "not given" are edibles, this seems reasonable enough, but the Commentary extends the concept to include such things as dust, dirty rain water, rust from a knife, beads of sweat dropping from one's brow, etc. Again, this seems to be taking the concept too far, for the Vibhanga states clearly that the rule covers only those things generally considered as fit to eat.

3. Giving. The Commentary redefines the act of giving, expanding its factors to five:

(a) The item is such that a man of average stature can lift it.
(b) The donor is within reach (1.25 m.) of the bhikkhu.
(c) He/she makes a gesture of offering the food.
(d) The donor is a celestial being, a human being, or a common animal.
(e) The bhikkhu receives the item with the body or with something in contact with the body.

Factor (a) was included apparently to discourage the practice, still found in many places, of getting two or more men to present a table of food to a bhikkhu by lifting the entire table at once. The inclusion of this factor, though, has given rise to the assumption that the donor must lift the food a certain distance before handing it to the bhikkhu, but the Commentary itself shows that this assumption is mistaken, for it states that if a small novice too weak to lift a pot of rice simply slides it along the table or floor onto a bhikkhu's hand, it is properly given.

Factor (b): If any part of the donor's body (except for his/her extended arm) is within 1.25 meters of any part of the bhikkhu's body (except for his extended arm), this factor is fulfilled. If the donor is standing beyond reach, the bhikkhu should tell him/her to come within reach before donating the food. If for some reason the donor does not comply with the bhikkhu's request, the bhikkhu may still accept the food, but should then take it to another unordained person -- without setting it down and picking it up again in the meantime (see below) -- and have it properly "given" before eating it.

Although the donor must be within reach, the food itself need not be. Thus if the donor places many vessels on a mat while the bhikkhu touches the mat with the intention of receiving them, all of the food is considered to be properly received as long as the donor is within reach of the bhikkhu. The same holds true if the donor places many vessels touching one another while the bhikkhu touches one of the vessels with the intention of receiving them all. (The factor of the bhikkhu's intention is discussed further under factor (e) below.)

Factor (c) means that the donor cannot simply tell the bhikkhu to take the food being given. Rather, he/she should make a physical gesture of offering the food. In some places, this factor is interpreted as meaning that the donor must assume a humble or respectful manner while making the offering, and has led some to believe, for instance, that a bhikkhu going barefoot on his alms round should not accept food from a donor wearing shoes. This view is not supported by the Commentary. Although some of the gestures it cites as examples, such as tilting the head, might be interpreted as showing respect, some of them are not respectful in terms of Asian etiquette at all. For instance, a person riding on the bhikkhu's shoulders picks a piece of fruit from a tree, drops it into his hands, and it is considered properly given.

The question arises as to how much of a gesture is necessary for this factor to be fulfilled. In the West, if a donor brings a tray of food and stands in front of a bhikkhu, waiting for him to take some of the food, the fact

that he/she stands there waiting would be considered enough of a gesture to show that the food is being given. If the bhikkhu were to demand more of a gesture than that, the donor would probably be offended. Since, as we have noted, the opinions expressed in this section of the Commentary are not necessarily normative, this is an area where one can make allowances for cultural norms. The essence of this factor would seem to be that a bhikkhu should not snatch food that a person happens to be carrying past him without showing any indication that he/she wants him to take the food.

Factor (d) is not discussed by the Commentary, although it is probably inspired by such stories as that of elephants offering lotus stalks to Ven. Moggallana, and of Sakka, the king of the deities, presenting a gift of food to Maha Kassapa after the latter had withdrawn from seven days of concentration. There is at least one bhikkhu in Thailand today who has trained a pet monkey to "give" him things.

Factor (e): The effort involved in receiving the item may be minimal indeed. In fact, the Commentary's discussion of the Vibhanga quotes the Mahapaccari, one of the ancient Sinhalese commentaries, as saying that attention is the measure determining whether or not food has been received. Thus if a donor offers food by placing it on a table, the bhikkhu may simply touch the table with his finger, thinking, "I am receiving the food," and it is properly given. The same holds true if he is sitting on the table or lying on a bed and regards the act of sitting or lying there as one of receiving whatever is placed there. However, immovable objects -- such as a floor, the ground, or anything fixed to the floor or ground -- may not be used as "items connected to the body" to receive food in this way.

Food placed in a bhikkhu's hand when he is asleep or his attention is elsewhere, e.g., in deep meditation, does not count as properly given. He must be awake and paying enough attention to know that the food is being given for this factor to be fulfilled. Food placed in a bhikkhu's mouth is considered properly given if he is awake. If he is asleep or unconscious and food is put into his stomach via a feeding tube, he has not broken this rule for he is not the agent putting it there, and as the Sub-commentary notes under Sanghadisesa 1, the Vinaya does not apply to a bhikkhu when he is not in a normal, waking state of awareness.

4. Taking food that has not been given. To take food knowing that it has been improperly given or not given at all (here we are not talking about cases of stealing) is no offence if the bhikkhu has no intention of eating it. If, after he has set it down, the food is later "given" to him, he may accept and eat it with no penalty. Here the examples given in the Commentary include such things as picking up fallen fruit or the remains of a lion's kill with the thought of taking them for a novice to eat, or picking up oil or ghee with the thought of taking it to one's parents. A common example at present would be picking up food left lying around when one is cleaning up the monastery. The Sub-commentary states that this allowance does not hold if one is thinking of taking the food for other bhikkhus to eat.

To take food with the purpose of eating it, thinking that it has been properly given when in fact it hasn't, is also no offence. If one then learns or realizes that it has not been properly given, one should return it -- if possible, to its original place -- without setting it down and picking it up again in the meantime. Once the food is back in its original place, one may "receive" and eat it with no penalty. If one sets it down and picks it up again before returning it to its original place, though, then technically one incurs a dukkata for taking food that one realizes is not properly given, and so one may not later formally receive the food, as mentioned above. If for some reason there is no possibility of returning the food to its original place, one need only return it to some other spot in the building from which it was taken and then "receive" and eat it without committing an offence.

To take food with the purpose of eating it, knowing that it has not been properly given, entails a dukkata, as stated in the Vibhanga. According to the Commentary's treatise, "taking" here also includes deliberately touching the food or the vessel containing it with the intention of eating it. (Touching it accidentally it carries no penalty.) If a bhikkhu deliberately touches it in this way, he may not then properly receive it, although other bhikkhus may. Once they have received it, the first bhikkhu may not eat any of it.

If the first bhikkhu, instead of merely touching the food or its vessel, actually moves it from its place, then neither he nor any of the other bhikkhus may receive it. Thus if a donor brings a pot of stew to the monastery, and one of the bhikkhus, curious to see what is going to be offered that day, tilts the pot to peek inside, none

of the bhikkhus may eat the food, and the donor must either give it to the novices and any attendants at the monastery, if there are any, throw it to the dogs, or take it home.

Many Communities do not accept the Commentary's opinions on this point, and with good reason: The last-mentioned penalty -- even though the offence is a dukkata -- is stronger than that imposed by any of the nissaggiya pacittiya rules, and penalizes perfectly innocent people: the other bhikkhus and the donor of the food as well. An alternate opinion, which many Communities follow, is that if a bhikkhu takes -- with the thought of eating it -- food that he knows has not been properly offered, he may not then formally receive it from an unordained person, but other bhikkhus may. Once it has been properly received, any bhikkhu -- including the first -- may eat from it.

This is an area in which none of the texts gives an authoritative answer, and a wise policy is to adhere to the views of the Community in which one is living, as long as they fit into the framework provided by the Canon.

5. When food becomes "ungiven." The Commentary to Parajika 1, in its discussion of what to do when a bhikkhu's sex changes spontaneously (!), lists seven instances in which an edible given to a bhikkhu becomes "ungiven" -- i.e., no bhikkhu may pick it up and eat it until it is formally given again. The seven are --

(a) The original recipient undergoes a spontaneous sex change.
(b) He dies.
(c) He disrobes and becomes a lay person.
(d) He becomes a low person. (According to the Sub-commentary, this means that he commits a parajika.)
(e) He gives it to an unordained person.
(f) He abandons it, having lost interest in it.
(g) The item is stolen. (The Sub-commentary, in discussing this last point, refers solely to cases of out-and-out thievery, and not to the mere act of touching or moving.)

Of these seven instances, the treatise we are discussing deals with only two -- (e) and (f) -- in a series of examples, as follows:

I. A bhikkhu with rice in his hand offers it to a novice: The rice remains "given" until the novice takes it.

II. A bhikkhu places food in a vessel and, no longer interested in it, tells a novice to take it: The food is "ungiven" as soon as he says this. This point, however, does not apply to food the bhikkhu leaves in his own bowl or in any Community vessel from which the bhikkhus are served or in which their food is prepared. If he leaves food in such a vessel, he is not regarded as having abandoned interest in it.

III. A bhikkhu sets his bowl on a stand and tells a novice to take some rice from it. Assuming that the novice's hand is clean -- i.e., not "contaminated" with any food from his own bowl that might fall into the bhikkhu's bowl -- the rice remaining in the bhikkhu's bowl after the novice has taken his portion is still "given." Technically speaking, the treatise says, the rice taken by the novice still belongs to the bhikkhu until the novice puts it in his own bowl. Thus if the novice begins to take a second handful and, being told by the bhikkhu, "That's enough," puts the second handful back in the bhikkhu's bowl; or if any grains of rice from the first handful happen to fall back into the bhikkhu's bowl while the novice is lifting it out, all the rice in the bhikkhu's bowl is still "given."

IV. A bhikkhu holding a stick of sugar cane tells a novice to cut off a piece from the other end: The remaining section is still "given."

V. A bhikkhu places pieces of hardened molasses on a tray and tells other bhikkhus and novices to help themselves from the tray: If the bhikkhus and novices simply pick up their portions and take them, the remaining hardened molasses is still "given." If, though, a novice picks up one piece, puts it down, picks up another piece, puts it down, and so on, the hardened molasses remaining on the tray becomes "ungiven."

The Sub-commentary explains this by saying that the novice picking up the molasses is thinking, "This is mine. I'll take it," then changes his mind, puts it down and then lays claim to another piece, and so on. Thus, only the pieces that the novice claims and then abandons in this way become "ungiven." The other pieces on the tray still count as "given."

This last example, when taken out of context, has led to the widespread view that food given to a bhikkhu becomes "ungiven" if an unordained person touches or moves it. Viewed in context, though, the example does not imply this at all. The bhikkhu has offered the hardened molasses to the novice, and the novice in picking it up simply completes the factors for case (e): "The bhikkhu gives the item to an unordained person." The example of the novice taking rice from a bhikkhu's bowl shows that even when a bhikkhu offers food to an unordained person, the mere fact that the person touches or moves the food does not necessarily make the food "ungiven."

Thus in cases where the bhikkhu is not giving away the food and has not abandoned interest in it -- and the unordained person is not stealing it -- there is no reason to hold that "given" food becomes "ungiven" simply when an unordained person touches or moves it. This is another area, though, where different Communities hold different views, and where the wise policy is to conform to the observances of the Community in which one is living.

These points from the Commentary's treatise may seem like a lot of hair-splitting, but remember that the gift of food ranks with sexual temptation as one of the largest issues in a bhikkhu's -- or anyone's -- life. If questions of this sort hadn't arisen in practice, no one would have bothered to compile the treatise in the first place. Given the cursory manner in which the Vibhanga treats this rule, and given the large "grey" areas surrounding the act of giving -- modern anthropology started with this subject and will probably never finish with it -- it's good to have those areas spelled out in detail so as to minimize any disharmony that might arise in a Community when its members find themselves in grey situations.

Still, as we have noted several times, the guidelines in the Commentary's treatise are not binding, and the wise policy is to follow the standards of the Community in which one is living, as long as they fall within the framework of the Canon.

Summary:
89. Eating food that has not been formally given is a pacittiya offence.

Chapter Eight Part Five: The Naked Ascetic Chapter

41. Should any bhikkhu give staple or non-staple food with his own hand to a naked ascetic, a male wanderer, or a female wanderer, it is to be confessed.

There are two origin stories here, the first being the more entertaining of the two:

"Now at that time the Community had received a lot of non-staple food. Ven. Ananda told this matter to the Blessed One, who said, "In that case, give the cakes to those who eat scraps.'"

"'As you say, sir,' Ven. Ananda answered the Blessed One. Then, having had those who eat scraps sit down in a line, and giving a cake to each, he gave two cakes to a certain female wanderer, thinking they were one. The female wanderers around her said, "That contemplative is your lover.'

"'No, he's not. He just gave me two cakes thinking they were one.'

"A second time... A third time, Ven. Ananda, giving a cake to each, gave two cakes to that female wanderer, thinking they were one. The female wanderers around her said, "That contemplative is your lover.'

"'No, he's not. He just gave me two cakes thinking they were one.'

"So -- 'Lover!' 'Not a lover!' -- they kept squabbling."

The second story, though, gives a better idea of the reason for the rule:

"Then a certain naked ascetic went to a distribution of food. A certain bhikkhu, having mixed rice with a great deal of ghee, gave a large helping to the naked ascetic. So the naked ascetic, having received his alms, left. Another naked ascetic asked him, 'Where, friend, did you get your alms?'

"'At a distribution of food by that shaveling householder, the contemplative Gotama.'"

This training rule is corollary to the preceding one. Other sects at the Buddha's time observed the formalities of receiving food from their lay followers just as the Buddhist bhikkhus did, and thus a bhikkhu who gave food in such a way to a mendicant ordained in another sect would be placing himself in the position of a lay follower of that sect, as the second origin story shows. An interesting point about this rule is that the Buddha formulated it at the request of Buddhist lay followers. Having overheard the naked ascetics' conversation, they said to him, "Sire, these adherents of other sects enjoy criticizing the Buddha... Dhamma... and Sangha. It would be good if the masters did not give to adherents of other sects with their own hands."

Object. The terms naked ascetic and male or female wanderer are meant to cover all mendicants ordained in religions outside of Buddhism. Since Brahmans, which were a non-mendicant priestly caste at the Buddha's time, are not included in this definition, we may infer at present that this rule does not refer to people ordained in other religions -- e.g., Catholic priests, Protestant ministers, Jewish rabbis, Muslim mullahs, etc. -- who do not obtain their food by going for alms.

Effort. Staple and non-staple food here covers all edibles: juice drinks, tonics, and medicines as well as food, but not water or tooth-cleaning sticks. Staple and non-staple foods are grounds for a pacittiya; water and tooth-cleaning sticks, grounds for a dukkata.

To give is defined as giving with the body, with something in contact with the body, or by means of letting go, as in the preceding rule.

Non-offences. To get someone else to give edible things, to give edible things by depositing them near (as in NP 18), or to give ointments for external use -- and, by extension, other inedible things -- entails no offence.

Summary:
90. Handing food or medicine to a mendicant ordained outside of Buddhism is a pacittiya offence.

42. Should any bhikkhu say to a bhikkhu, "Come, my friend, let's enter the village or town for alms," and then -- whether or not he has had (food) given to him -- dismiss him, saying, "Go away, my friend. I don't like sitting or talking with you. I prefer sitting or talking alone," if doing it for that reason and no other, it is to be confessed.

The factors for the full offence here are four:

1) Object: another bhikkhu.
2) Intention: one wants to indulge in misconduct and does not want him to see it.
3) Effort: one dismisses him.
4) Result: he leaves one's range of hearing and sight (six meters, according to the Commentary).

Object. A bhikkhu is grounds for a pacittiya here; an unordained person, grounds for a dukkata.

Intention. The Vibhanga defines misconduct as laughing, playing, or sitting in private with a woman, or any other misbehaviour -- breaking the minor rules -- of any sort. To dismiss the other person, ordained or not, for reasons other than a desire to hide one's own misconduct entails no offence. Examples from the Vibhanga are listed in the non-offences section below.

Effort & result. To dismiss the other person means either to say outright for him/her to go away, or else to make remarks that will make him/her want to leave. The Commentary gives an example here -- "Look at how this guy stands, sits, and looks around. He stands like a stump, sits like a dog, and looks about like a monkey" -- but this would more likely come under Pacittiya 2.

The offences here are as follows:

I. a dukkata for speaking the words of dismissal;
II. a dukkata when the other bhikkhu is leaving the range of hearing and sight; and
III. a pacittiya when he has left.

Non-offences. According to the Vibhanga, there is no offence in:

I. dismissing one's companion with the thought that two bhikkhus going together won't obtain enough food;
II. dismissing him after seeing costly goods ahead, so that he won't develop a feeling of greed;
III. dismissing him after seeing a beautiful woman ahead, so that he won't lose his resolve for the celibate life;
IV. sending him back with food for a sick bhikkhu or lay worker at the monastery; or
V. dismissing him for any other proper reason, as long as one is not planning to indulge in misconduct.

Summary:

91. When on almsround with another bhikkhu: Sending him back so that he won't witness any misconduct one is planning to indulge in is a pacittiya offence.

43. Should a bhikkhu sit intruding on a family "with its meal," it is to be confessed.

The origin story here, briefly, is this: Ven. Upananda visits a woman in her private quarters. Her husband approaches him respectfully, has his wife give him alms, and then asks him to leave. The wife senses that her husband wants to have sexual intercourse with her and so -- as a game, apparently -- keeps detaining Ven. Upananda until the husband gets exasperated and goes to complain to the bhikkhus: "Sires, this master Upananda is sitting in the bedroom with my wife. I have dismissed him, but he isn't willing to go. We are very busy and have much work to do."

Object: A family "with its meal." The Vinaya Mukha tries to take this phrase literally, but the Vibhanga explains it as a euphemism meaning "a man and woman together, both not having gone out (of their bedroom), not both without lust" -- in other words, a man and woman together in their private quarters, with at least one of them desiring sexual intercourse with the other. Although the Commentary tries to justify the Vibhanga's explanation etymologically (bhoga, the root form of meal, has other forms meaning enjoyment,

indulgence, and use), there is no need to turn to etymology. Since ancient times in all cultures, eating has been commonly used as a metaphor for sex.

Effort. To sit intruding means to sit in the private area of the house, this being defined in terms of how large the house is. In one large enough to have a separate bedroom, the private area is the bedroom plus a radius of one hatthapasa (1.25 meters) outside the bedroom doorway. In a smaller house, the private area is the back half of the house. None of the texts discuss such things as one-room apartments or hotel rooms, but these would probably be treated as "separate bedrooms."

The Vibhanga states that perception with regard to the private area is not a mitigating factor here, and apparently the same holds true for perception with regard to whether or not the couple is "at its meal." As for intention, the Parivara and commentaries maintain that it is a factor, but the Vibhanga does not mention it at all. Thus, to be perfectly safe from an offence in cases like this, a bhikkhu should not sit intruding on a couple unless they both make him 100% certain that he is welcome: a wise policy in any case, whether or not one is a bhikkhu.

Cases of sitting with a woman alone in her bedroom -- or any other private place -- are covered by the following rule.

Non-offences. There is no offence --

a) if both the man and woman have left the bedroom/private area;
b) if neither of them is sexually aroused;
c) if the bhikkhu is not in the private area; or
d) if he has a second bhikkhu as his companion.

Summary:

92. To sit down intruding on a man and a woman in their private quarters -- when one or both are sexually aroused, and when another bhikkhu is not present -- is a pacittiya offence.

44. Should any bhikkhu sit in private on a secluded seat with a woman, it is to be confessed.

There are three factors for the offence here:

1) *Object:* a female human being, "even one born that very day, all the more an older one."
2) *Effort:* one sits with her in a private, secluded seat, without another man present.
3) *Intention:* one is aiming at privacy.

Object. Woman here includes women as well. In other words, even if one is sitting with many women in the secluded area, one is not exempt from this factor.

A female human being is grounds for a pacittiya; a pandaka (see Sanghadisesa 2 for details), a female peta, a female yakkha, and an animal in the form of a woman, grounds for a dukkata.

Perception is not a factor here. If one is sitting with a woman, even if one thinks she is a man or something else, this factor is fulfilled.

Effort. To sit also includes lying down. Whether the bhikkhu sits near the woman when she is already seated, or the woman sits near him when he is already seated, or both sit down at the same time, makes no difference.

Private means private to the eye and private to the ear. Two people sitting in a place private to the eye means that no one else can see if they wink, raise their eyebrows, or nod. If they are in a place private to the ear, no one else can hear what they say in an normal voice.

A secluded seat is one behind a wall, a closed door, a large bush or anything at all that would afford them enough privacy to commit the sexual act.

According to the Commentary, private to the eye is the essential factor here. Even if a man is within hearing but not within sight -- i.e., he is sitting just outside the door to the private place -- that does not exempt one from the offence here.

The Commentary states further that the presence of a man within sight absolves one from this factor only if he is knowledgeable enough to know what is and is not lewd, if he is awake, and if he is not blind or deaf. Even a distracted or drowsy man, though, if he meets these criteria, would absolve one from this factor.

Intention. The Commentary explains aiming at privacy as being motivated by any defilement related to sex, but this explanation opens as many questions as it tries to resolve. Does it refer solely to the desire for intercourse, or to other more subtle sexually-related desires? Unfortunately, none of the commentaries say. A passage in the Anguttara Nikaya (A.VII.47), though, offers a clue here: It refers to a priest or contemplative who observes the celibate life by not engaging in sexual intercourse, but whose celibacy is "broken, cracked, spotted, and blemished" by the joy he finds in any one of the following activities:

1) He consents to being rubbed down, bathed, and massaged by a woman.
2) He jokes, plays, and amuses himself with a woman.
3) He stares into a woman's eyes.
4) He listens to the voices of women outside his wall as they laugh, speak, sing, or cry.
5) He recollects how he used to laugh, converse, and play with a woman.
6) He sees a householder or householder's son enjoying himself endowed with the five sensual pleasures.
7) He practices the celibate life intent on being born in one or another of the heavenly hosts, (thinking) "By this virtue or practice or abstinence or celibate life I will be a god of one sort or another."

The joy a person finds in any of this things is termed a sexual fetter (methuna-sanyoga) that prevents him from gaining release from birth, aging and death, and from the entire round of suffering. If the Commentary is indeed referring to this sort of thing when it mentions "defilements related to sex" (methuna-nissita-kilesa), then the factor of intention under this rule would be fulfilled by such things as wanting to joke with the woman, to stare into her eyes, or to enjoy hearing her voice as she talks or laughs.

Although a bhikkhu may be convinced that he has no such motives in sitting in private with a particular woman, he should remember that this is one of the training rules where public opinion makes its claims. Aniyata 1 requires that if a trustworthy outside witness is suspicious of a bhikkhu's sitting alone with a woman -- and unless he is sitting with his mother or other elderly relative, it's rare that outsiders won't be suspicious -- the Community must meet to investigate the issue. Even though they may find him innocent of any wrong-doing, the fact that they have had to investigate his behaviour is usually enough to keep suspicions alive among the laity, and to create resentment among his fellow bhikkhus over the waste of their time due to his indiscretion.

The Vinaya Mukha avoids these problems by taking an entirely different approach to the factor of intention here. It defines "not aiming at privacy" with the following illustration: A bhikkhu is sitting in a secluded place with a man and woman present, but the man gets up and leaves before the bhikkhu can stop him. In other words, the bhikkhu is not intending to sit alone in private with the woman at all, but circumstances beyond his control force him to.

There is nothing in the Vibhanga to decide conclusively between these two interpretations. However, both the Canon and the Commentary give frequent warnings about the dangers that can arise when a bhikkhu sits alone with a woman: His own defilements may tempt him to do, say, or think things that are detrimental to his resolve in the celibate life; and even when his motives are pure, he is inviting the suspicions of others -- suspicions that do not easily fade even when the Community makes an official inquiry and declares him innocent, as mentioned above. At the same time, he is leaving himself at the mercy of the woman, who will later be free to make any claims she likes about what went on while she was alone him. As Lady Visakha said, "It is unfitting and improper, sir, for the master to sit in private, alone with a woman... Even though the master may not be aiming at that act, it is difficult to convince those who are unbelievers."

All of this suggests that the Vinaya Mukha's interpretation is the wiser and safer of the two. Still, this is another case where different Communities interpret the rule differently, and the wise policy would be to be no less strict than one's Community in interpreting this factor.

Non-offences. In addition to the bhikkhu not aiming at privacy, there is no offence for the bhikkhu who sits alone with a woman when his attention is elsewhere -- e.g., he is absorbed in his work or his meditation when a woman happens to come in and sit down in the room where he is sitting. Also, there is no offence if either the bhikkhu or the woman or both are standing, or if both are sitting when a man is present.

Summary:
93. Sitting or lying down with a woman or women in a private, secluded place with no other man present is a pacittiya offence.

45. Should any bhikkhu sit in private, alone with a woman, it is to be confessed.

The full offence here has three factors that differ slightly from those for the preceding rule.

Object. Here woman is defined as a human female being who knows what is and is not lewd. Pandakas, female petas, female yakkhas, and animals in the form of a woman are again grounds for a dukkata.

Effort. One sits with her alone -- without another person present -- in a place private to the ear and to the eye, but not secluded. Examples of such places would be spots out in the open (e.g., a bench in an open, deserted park), seats in a glassed-in porch or room, or in an open-air pavilion. The Commentary would include walled-in open areas -- such as a park with a fence around it -- here as well, but outside areas screened by a wall or a bush would fall under the preceding rule. Aniyata 1 & 2 suggest that the distinguishing factor here would be how hidden it is. If it would be convenient for committing sexual intercourse, it would fall under the preceding rule; if it wouldn't, it would fall here.

As in the preceding rule, sitting includes lying down as well. And again, whether the bhikkhu sits near the woman when she is already seated, or the woman sits near him when he is already seated, or both sit down at the same time, makes no difference.

According to the Commentary, the other person whose presence exempts one from this factor can be either a man or a woman, but must know what is and is not lewd, must be awake, must not be deaf or blind, and must be sitting "within sight," i.e., a radius of six meters. As in the preceding rule, whether or not the man or woman is distracted or drowsy is of no consequence.

Intention. One must be aiming at privacy for this factor to be fulfilled. See the discussion under the preceding rule.

Non-offences. Strangely enough, the Vibhanga's no-offence clauses here are identical with those for the preceding rule -- i.e., they make no mention of the fact that the presence of another woman would exempt one from an offence. The Commentary seems justified in assuming this fact, though, for otherwise there would be no reason to have these two separate rules on the same subject.

Summary:
94. Sitting or lying down alone with a woman in an unsecluded but private place is a pacittiya offence.

46. Should any bhikkhu, being invited for a meal and without taking leave of an available bhikkhu, go calling on families before or after the meal, except at the proper times, it is to be confessed. Here the proper times are these: the time of giving cloth, the time of making robes. These are the proper times here.

The origin story here suggests that the purpose of this rule is to prevent bhikkhus from wandering off before an appointed meal time so that they will not show up late or be difficult to track down; and to prevent them, after the meal, from using the invitation as an excuse to go off wandering without taking leave (see Pacittiya 85). However, the definition of the factor of object -- which limits this rule to visiting lay people's houses -- and

the no-offence clauses -- which allow one to visit monasteries and nunneries without taking leave -- suggest a more over-riding purpose: to prevent bhikkhus from taking the invitation as an excuse to visit lay people and spend their time in inappropriate activities.

There are two factors for the full offence here:

1) *Object:* a family residence.
2) *Effort:* one enters such a residence -- without having taken leave of an available bhikkhu -- on a morning when one has been invited to a meal, except during the time exemptions mentioned in the rule.

Object. A family residence is grounds for a pacittiya here; its yard, grounds for a dukkata.

Effort. Entering the residence is defined as having both feet inside the threshold.

Meal means one consisting of any of the five staple foods.

As for the question of how to determine whether another bhikkhu is or is not available, the Commentary draws the distinction like this: After the desire to go calling on families arises in one's mind, and one takes a normal path to leave the monastery, if one comes across a bhikkhu who is close enough to address in a normal tone of voice (within six meters, says the Sub-commentary), that means that a bhikkhu is available and one should inform him of where one is going. If one does not come across a bhikkhu that close, no bhikkhu is available, and there is no need to go out of one's way to find one.

This, though, is in direct contradiction to the Vibhanga's definition of available -- "It is possible to go, having taken leave" -- that is, if there is another bhikkhu in the monastery, and there are no obstacles to taking one's leave from him (he is asleep, he is sick, he is receiving important visitors), one is obliged to go out of one's way to inform him.

According to the K/Commentary, taking leave in the context of this rule means the simple act of informing the other bhikkhu that, "I am going to the house of so-and-so," or any similar statement. In other words, one is not asking permission to go, although if the other bhikkhu sees that one is doing something improper in going, he is perfectly free to say so. If one treats his comments with disrespect, one incurs at least a dukkata under Pacittiya 54. (See the discussion under that rule for details.)

For a new bhikkhu still living in dependence (nissaya) on his mentor, though, taking leave is a matter of asking permission at all times, whether one has been invited to a meal or not. The Mahavagga (I.25.24; II.21.1) states that one of the duties of such a bhikkhu is that he must receive permission from his mentor before entering a village, going to a cemetery, or leaving the district. Not to ask permission before going, or to go after being denied permission, is to incur a dukkata. As for the mentor, if he gives permission to go when it is not appropriate to do so, he is the one who incurs the dukkata.

Non-offences. As the rule states, there is no offence in not taking leave at the time of giving cloth -- when the robe-season or kathina privileges are in effect -- or at a time of making robes, i.e., any time when one is making a robe. These exceptions enable a bhikkhu to visit his lay supporters easily to obtain any gifts of thread, cloth, or scissors, etc., he may need at such times.

There is also no offence in going to or through a family residence when one has taken leave of another bhikkhu, or in going when one has not taken leave under any of the following circumstances:

I. There is no bhikkhu available (e.g., one is living alone, all the other bhikkhus have left, or all the bhikkhus in the monastery are going together).

II. One is going to the house where one was invited for the meal.

III. The path to the house in which the meal is to be given leads through another house or its yard.

IV. One is on one's way to another monastery, to bhikkhunis' quarters, to the residence of people ordained in another sect or religion (located in a village, says the Commentary), or one is returning from any of these places.

There are dangers. This, according to the Commentary, refers to dangers to one's life or to one's resolve in remaining celibate.)

The general principle. This rule, in conjunction with Pacittiya 85, is designed to keep bhikkhus from visiting lay people and spending their time in inappropriate ways. Pacittiya 85 deals with entire villages and towns, and covers the period from noon until the following dawn. This rule deals with family residences and covers the period from dawn until noon on days when one has been invited to a meal. The period from dawn to noon on days when one is not invited to a meal, and would be expected to go on almsround, is thus not covered by either rule. Note, however, that the Buddha reprimands Ven. Upananda for visiting families during the latter part of a morning after going for alms. This shows that he did not approve of such behaviour, even though he had practical reasons for not laying down a rule against it:

On mornings when one is going for alms -- and in his time, alms-going could often be an all-morning affair -- there is no convenient way to draw a hard and fast line between appropriate alms-going and inappropriate visiting. Thus we have the rules as they stand. At present, though, in monasteries where alms-going takes up much less of the morning, or where the bhikkhus do not go outside the monastery for alms at all, it is a wise policy to adhere to the general principle by informing a fellow bhikkhu whenever possible when one is leaving the monastery for errands or visits involving lay people, even during periods not covered by the rules.

Summary:

95. Visiting lay families -- without having informed an available bhikkhu -- before or after a meal to which one has been invited is a pacittiya offence except during the robe season or any time one is making a robe.

47. A bhikkhu who is not ill may accept (make use of) a four-month invitation to ask for requisites. If he should accept (make use of) it for longer than that -- unless the invitation is renewed or is permanent -- it is to be confessed.

Object. An invitation to ask for requisites is an offer, made by a lay person, to supply a bhikkhu with requisites whenever he (the bhikkhu) asks for them. Such invitations may be made either to individual bhikkhus, to groups, or to entire Communities. The responsibilities incumbent on the two sides in such an arrangement are well-illustrated in a passage from the origin story to this rule.

"'Now at that time some group-of-six bhikkhus wore their lower robes improperly, their upper robes improperly, and were not at all consummate in their deportment. Mahanama the Sakyan criticized them: 'Sirs, why do you wear your lower robes improperly, your upper robes improperly, and why are you not at all consummate in your deportment? Shouldn't a person who has gone forth wear his lower robe properly, his upper robe properly, and be consummate in his deportment?'

"The group-of-six bhikkhus nursed a grudge against him. They thought, 'Now how can we embarrass Mahanama the Sakyan?' Then it occurred to them, 'Listen, friends. He has made an invitation to provide the Community with medicines. Let's ask him for ghee.'

"So they went to where Mahanama the Sakyan was staying, and on arrival said to him, 'We have need of a tubful of ghee, my friend.'

"'Please wait for a day, sirs. People have just gone to the cattle pen to get ghee. You may come and fetch it in the morning.'

"A second time... A third time, they said to him, 'We have need of a tubful of ghee, my friend.'

"'Please wait for a day, sirs. People have just gone to the cattle pen to get ghee. You may come and fetch it in the morning.'

"'Did you make the invitation not desiring to give, in that having made the invitation you don't give?'

"So Mahanama the Sakyan was offended and annoyed and spread it about, 'How can revered ones, being told, "Please wait for a day, sirs," not wait?'"

As the story shows, the person making the invitation was expected to provide the goods he offered, while bhikkhus were expected to be reasonable in their requests.

The Vibhanga and Commentary, taken together, show that this rule covers invitations made to Communities to provide them with medicines. The rule and origin stories show that at first invitations of this sort had three standard forms: a four-month invitation (each of the major seasons in India lasts four months, which may have been the reason for this type of invitation), a renewed four-month invitation, and a permanent invitation. Eventually, though, the Vibhanga worked out the following fourfold schema for covering invitations of a wide variety of sorts: those that specify (1) requisites (medicines), (2) a time period, (3) both, or (4) neither.

(1) *An invitation specifying requisites* may specify merely the type of item offered -- "Let me know if you ever need any honey or sugar" -- or also the amount -- "Let me know if you ever need a bottle of honey... a pound of sugar." In cases like these, a bhikkhu may ask for the type or amount of the item that has been offered. If he asks for other items or for more of the proper item than the amount offered, if that too is specified, he incurs a pacittiya. However, since the donor mentions no time limit, the Vibhanga says that the bhikkhu may ask at any time.

(2) *An invitation specifying the time period* may be phrased, for example, "Let me know if you need any medicine during this Rains Retreat." In cases like this, a bhikkhu may ask for any type or amount of medicine during that time period. But as the origin stories to this and the other rules dealing with asking make clear, (see Sanghadisesa 6 and NP 6 & 7), he should be moderate and reasonable when making requests, and not abuse the lay supporter's generosity. If, not being ill, he asks after the period has expired, he incurs a pacittiya.

(3) *An invitation specifying requisites and the time period* might be phrased, "Let me know if you need any honey during the Rains Retreat." In cases like this, a bhikkhu incurs a pacittiya if he asks for items other than those offered -- or for more of the proper item than the amount offered, if that too is specified -- whether or not he asks during the specified time period. He also incurs a pacittiya if, not being ill, he asks for the items offered after the time period has expired.

(4) *An invitation specifying neither requisites nor the time period* may be phrased, for example, "Let me know if you ever need any medicine." In cases like this, the bhikkhu may ask for any medicine at any time. As in case (2), though, he should try to be reasonable in his requests.

Effort. A bhikkhu who asks for medicine outside of the types of medicine or time period specified in the invitation incurs a pacittiya in the asking, regardless of whether or not he is given what he asks for. If he asks for medicine, making use of an invitation to do so, but then uses it for a non-medicinal purpose -- e.g., he asks for honey and then has someone else make a desert with it -- he incurs a pacittiya as well.

Perception is not a mitigating factor here. If the time period has expired, and he asks assuming that it hasn't, he commits the full offence all the same.

Non-offences. Three of the no-offence clauses require no special explanation: There is no offence in asking from relatives, for the sake of another, or for medicine to be bought with one's own resources.

One of the two no-offence clauses requiring explanation is that there is no offence in asking from those who have made an invitation. This the Commentary explains by saying that if one has received a personal invitation, one may ask in line with its terms, but that otherwise the limits set by this rule apply only to invitations made to an entire Community, and not to those made on a personal basis to individual bhikkhus. Although the Vibhanga makes no specific mention of this point, it is the only way to make sense of this no-offence clause and the relationship between this rule and Pacittiya 39. Under that rule, a bhikkhu who is not ill and has not been invited incurs a dukkata in asking for any one of the five tonics, and there seems no reason to impose a heavier penalty for requesting one of the five tonics after a personal invitation to do so has expired. If, though, the invitation referred to in this rule is one made to an entire Community, the heavier penalty makes sense as an added protection to the donor against having his/her invitation abused by the less conscientious members of the Community. This added protection would also be a means of encouraging further invitations of this sort in the future.

The second no-offence clause requiring explanation is the one for an ill bhikkhu. Reading the rule, one would imagine that the exemption for an ill bhikkhu would read simply, "There is no offence if one is ill," but instead it reads, "There is no offence if one says, "The time period for which we were invited has passed, but we have need of medicine." This is an important point of etiquette. Normally, an ill bhikkhu may ask anyone for medicine at anytime, but in dealing with a person who has made an invitation for medicine to the Community, he has to show special consideration. In mentioning the fact that the time period for the invitation has expired, he gives recognition of the fact that the donor is no longer under any obligation to provide the medicine, thus giving the donor a convenient "out" in case he/she can no longer provide it. This simple gesture is the least consideration that can be shown to someone who has had the generosity to invite the Community to ask for medicines. And again, simple gestures of this sort help to protect donors and encourage similar invitations again in the future.

An alternative interpretation. The Vinaya Mukha tries to extend this rule to cover invitations of every sort, individual and communal, dealing with any sort of requisite. It also reads the training rule to mean that if a time limit is not specified on an invitation, a four-month time limit is to be assumed. All of this has no support in the Vibhanga, and so is not binding, but the last point is something that individual bhikkhus may adopt as a personal policy to teach themselves moderation in their requests. A donor's faith and financial position can change quickly, and it is reasonable not to depend on an invitation for longer periods of time unless the donor makes it clear that he/she is still willing to provide the item offered in the first place.

Summary:
96. When a supporter has made an offer to supply medicines to the Community: Asking him/her for medicine outside the terms of the offer when one is not ill, or for medicine to use for a non-medicinal purpose, is a pacittiya offence.

48. Should any bhikkhu go to see an army on active duty, unless there is a suitable reason, it is to be confessed.

Object. An army in the time of the Buddha was a very different affair from what an army is now. We will start with a discussion of how the Vibhanga explains this factor in terms of armies at that time, and then follow with a discussion of how it may be applied to armies at present.

Armies in those times consisted mainly of what we would call reserve units. These were organized into four divisions: elephant units, cavalry units, chariot units, and infantry units. The soldiers for the most part were citizens who would live at home until called up on active duty to engage in actual warfare or to practice manoeuvres, activities that always took place outside the city. Battles, both actual and practice, were fought according to rules -- total warfare is a modern invention -- and it was possible for non-military citizens to watch, with occasional danger to live and limb, much as people at present watch football games. (Going to a battlefield is listed in the Brahmajala Suttanta as a form of entertainment.)

With this information in mind, it is easy to understand the Vibhanga's treatment of this rule: An army on active duty -- composed of a full panoply of elephant, cavalry, chariot, and infantry units who have left the city -- is grounds for a pacittiya. Any segment of an army on duty -- even one armed archer, says the Commentary -- is grounds for a dukkata. An army not on duty -- the Commentary illustrates this with a king's pleasure trip -- is not grounds for an offence.

To apply these definitions to armed forces at present: The Vibhanga's definition for army comes close to the modern definition of a field army with a full array of artillery, armoured, airborne, and infantry divisions. Navies, marines, and air forces did not exist at that time, but the Great Standards would allow us to extend the definition of army to cover similar large units of these branches of the military as well. Since armies on active duty no longer limit their activities to areas outside of cities -- they are sometimes based in cities, run practice drills there, and can be called in to quell riots or fight enemy forces there -- the definition of "on active duty" must be changed to fit the way armies use it at present. Thus soldiers at work on base or off would count as being on duty, and the only areas of armed bases that would not be grounds for an offence here would be the areas where officers' families are housed.

With these points in mind, we may say that a full field army -- or the equivalent in naval, marine, or air forces -- on active duty would be grounds for a pacittiya here. Any smaller unit of the military on active duty -- a regiment, a division, or even one armed soldier -- would be grounds for a dukkata. Armies not on active duty, as when they organize charity affairs, would not be grounds for an offence.

Effort. This factor is fulfilled simply by standing and watching an army on duty except when one has a suitable reason. The Vibhanga gives a dukkata for every step one makes in going to watch an army on duty, and a pacittiya for standing and watching.

The origin story's example of a suitable reason is that a bhikkhu's uncle in the army had fallen ill and wished to see him. Other suitable reasons would include accepting an invitation from the soldiers to receive alms or to give a talk.

Non-offences. There is no offence --

a) if, having gone on business, one sees the army;
b) if, standing within a monastery, one watches an army fighting or holding practice manoeuvres nearby;
c) if an army comes to where one happens to be;
d) if one meets an army coming from the opposite direction; or
e) if there are dangers. The Commentary interprets this last point as referring to dangers to one's life or celibacy that one hopes to escape by taking shelter with the army.

Summary:

97. Watching a field army -- or similar large military force -- on active duty, unless there is a suitable reason, is a pacittiya offence.

49. There being some reason or another for a bhikkhu to go to an army, he may stay two or three (consecutive) nights with the army. If he should stay longer than that, it is to be confessed.

Object. None of the texts say explicitly whether this rule applies only to armies on active duty, or to armies off duty as well, but since this and the following rule are continuations of the preceding one, they would seem to apply only to armies on active duty. Thus this rule does not apply to the housing where military officers live with their families, whether on base or off.

Effort. As under Pacittiya 5 -- the rule that deals with sleeping in the same lodging with an unordained person -- nights here are counted by dawns. If a bhikkhu leaves the army before dawn of any night, that night is not counted. If he returns to spend another night/dawn with the army, the series starts over again from one. If, however, he has spent three consecutive nights with the army and is still with the army at any time beginning with sunset of the fourth night, he incurs a pacittiya. Unlike Pacittiya 5, he does not need to be lying down for this factor to count. The Commentary illustrates this point by saying that even if he is using his psychic power to sit levitating above the army at sunset on the fourth day, he still fulfils this factor.

Perception is not a mitigating factor here. Even if one miscounts the nights, one is not exempt from the offence.

Non-offences. There is no offence in staying longer than three consecutive nights:

I. if one spends another night somewhere else in the meantime;
II. if one is ill or caring for someone else who is ill;
III. if the army is surrounded by opposing forces;
IV. if one is being held captive; or
V. if there are other dangers.

Summary:

98. Staying more than three consecutive nights with an army on active duty, unless one has a suitable reason to be there, is a pacittiya offence.

50. If a bhikkhu staying two or three nights with an army should go to a battlefield, a roll call, the troops in battle formation, or to see a review of the (battle) units, it is to be confessed.

"Then a certain bhikkhu of the group-of-six, having gone to the battlefield, was pierced by an arrow. People made fun of him: 'We hope it was a good battle, venerable sir. How many points did you get?'"

A battlefield, according to the Vibhanga and Commentary here, is a place where actual fighting may be seen; according to the Commentary to the Brahmajala Suttanta, it is a place where war games are held. Both interpretations seem valid, especially considering the organized and decorous nature of warfare in those days.

The Commentary also says that a review of battle units can mean anything down to a review of a single unit. Roll call and troops in battle formation are self-explanatory.

The Brahmajala Suttanta mentions all four of these activities as forms of entertainment. From this, using the Great Standards, we may say that any show the armed forces put on for the public -- parades, air shows, etc. -- would fall under this factor as well.

Notice that these activities fulfill this factor even if they do not include the full array of forces that one would find in a field army or similar large military unit. In other words, a bhikkhu staying with the army would incur the full penalty here for watching these activities even if they involve only a small segment of a single division. If he is not staying with the army, though, then under Pacittiya 48 he would incur a pacittiya for watching these activities only if they contain the full complement of artillery, armoured, airborne, and infantry forces; and a dukkata if they contain only a segment.

Effort. As with Pacittiya 48, there is a dukkata for every step one takes toward watching these activities, and a pacittiya for standing and watching them.

Non-offences. The Vibhanga's no-offence clauses here are identical with those for Pacittiya 48. In other words, there is no offence:

I. if, having gone on business, one happens to see any of these activities;
II. if, standing within a monastery, one watches these activities;
III. if an army comes to where one happens to be;
IV. if one meets an army coming from the opposite direction; or
V. if there are dangers.

Summary:

99. Going to a battlefield, a roll call, an array of troops in battle formation, or to see a review of the battle units while one is staying with an army is a pacittiya offence.

Chapter Eight Part Six: The Alcoholic Drink Chapter

51. The drinking of alcohol or fermented liquor is to be confessed.

"Then Ven. Sagata went to the hermitage of the coiled-hair ascetic of Ambatittha, and on arrival -- having entered the fire building and spread out a grass mat -- sat down cross-legged with his body erect and mindfulness to the fore. The naga (living in the fire building) saw that Ven. Sagata had entered and, on seeing him, was upset, disgruntled, and emitted smoke. Ven. Sagata emitted smoke. The naga, unable to bear his anger, blazed up. Ven. Sagata, entering the fire element, blazed up. Then Ven. Sagata, having consumed the naga's fire with his own fire, left for Bhaddavatika.

"Then the Blessed One, having stayed at Bhaddavatika as long as he liked, left on a walking tour to Kosambi. Word reached the lay followers of Kosambi: 'They say that Ven. Sagata did battle with the Ambatittha naga!'

"Then the Blessed One, having toured by stages, came to Kosambi. The Kosambi lay followers, after welcoming the Blessed One, went to where Ven. Sagata was staying and, on arrival, having bowed down and sat to one side, said to him, 'What, honoured sir, is something the masters like that is hard for you to get? What can we prepare for you?'

"When this was said, some group-of-six bhikkhus said to the Kosambi lay followers, 'Friends, there is a strong liquor called pigeon's liquor (the colour of pigeons' feet, according to the Commentary) that the bhikkhus like and is hard for them to get. Prepare that.'

"Then the Kosambi lay followers, having prepared pigeon's liquor in house after house, and seeing that Ven. Sagata had gone out for alms, said to him, 'Master Sagata, drink some pigeon's liquor! Master Sagata, drink some pigeon's liquor!' Then Ven. Sagata, having drunk pigeon's liquor in house after house, passed out at the city gate as he was leaving the city.

"Then the Blessed One, leaving the city with a large group of bhikkhus, saw that Ven. Sagata had passed out at the city gate. On seeing him, he addressed the bhikkhus, saying, 'Bhikkhus, pick up Sagata.'

"Answering, 'As you say, Lord,' the bhikkhus took Ven. Sagata to the monastery and laid him down with his head toward the Blessed One. Then Ven. Sagata turned around and went to sleep with his feet toward the Blessed One. So the Blessed One addressed the bhikkhus, saying, 'In the past, wasn't Sagata respectful to the Tathagata and deferential?'

"'Yes, Lord.'

"'But is he respectful to the Tathagata and deferential now?'

"'No, Lord.'

"'And didn't Sagata do battle with the Ambatittha naga?'

"'Yes, Lord.'

"'But could he do battle with even a salamander now?'

"'No, Lord.'"

Object. Alcohol means any alcoholic beverage made from grain, yeast, or any combination of ingredients. Examples would include whiskey, beer, vodka, and gin. Fermented liquor means any alcoholic beverage made from flowers, fruits, honey, sugar, or any combination of ingredients. Examples here would include wine, mead, and rum. Together, the two terms are meant to cover all kinds of alcoholic beverages.

There is some controversy as to what other substances would be included in this factor in line with the Great Standards. Since the Canon repeatedly criticizes alcohol on the grounds that it destroys one's sense of shame, weakens one's discernment, and can put one into a stupor -- as happened to Ven. Sagata -- it seems reasonable to extend this rule to other intoxicants, narcotics, and hallucinogens as well. Thus things like marijuana, hashish, heroin, cocaine, and LSD would fulfill this factor. Coffee, tea, tobacco, and betel do not have this effect, though, so there is no reason to include them here.

Items that look, smell, and taste like alcohol but are non-alcoholic also do not come under this rule. Thus, for example, carbonated apple juice that resembles champagne would not fulfill this factor.

Perception is not a mitigating factor under this rule. A bhikkhu drinking champagne that he thinks to be carbonated apple juice would fall under this factor, regardless of his ignorance.

Effort. The Vibhanga defines drinking as taking even as little as the tip of a blade of grass. Thus taking a small glass of wine, even though it might not be enough to make one drunk, would be more than enough to fulfill this factor.

According to the Commentary, the number of offences involved in taking an alcoholic drink is determined by the number of separate sips. As for intoxicants taken by means other than sipping, each separate effort would count as an offence.

Non-offences. The Vibhanga states that there is no offence in taking alcohol "mixed in broth, meat, or oil." The Commentary interprets the first two items as referring to sauces, stews, and meat dishes to which alcoholic beverages, such as wine, are added for flavouring before they are cooked. Since the alcohol would evaporate during the cooking, it would have no intoxicating effect. Foods containing unevaporated alcohol -- such as rum babas -- would not be included under this allowance.

As for alcohol mixed in oil, this refers to a medicine used in the Buddha's time for afflictions of the "wind element." The Mahavagga (VI.14.1) allows this medicine for use only as long as the taste, colour, and smell of the alcohol are not perceptible. From this point, the Vinaya Mukha argues that morphine and other narcotics used as pain killers are allowable as well. In addition, the Vibhanga states that there is no offence in taking alcohol in molasses and embric myrobalan -- none of the texts explain what this means -- or in taking fermented medicines that are non-alcoholic, but whose colour, taste, or smell is like alcohol.

Summary:
100. Taking an intoxicant is a pacittiya offence regardless of whether one is aware or not that it is an intoxicant.

52. Tickling with the fingers is to be confessed.

"Now at that time some group-of-six bhikkhus were making one of the group of 17 laugh by tickling him with their fingers. Convulsed with laughter and unable to catch his breath, he died."

There are three factors for the full offence here.
1) *Object:* another bhikkhu.
2) *Effort:* one touches any part of his body with any part of one's own body
3) *Intention*: in order to make him laugh.

Object. A bhikkhu is grounds for a pacittiya here; any unordained person, grounds for a dukkata. The Commentary notes that even a bhikkhuni counts as an unordained person in the context of this rule, so a bhikkhu looking for a little fun can tickle one without incurring a penalty stronger than a dukkata. There are occasional attempts at humour in the Commentary, and we can probably write this off as one of them.

Effort. This factor is fulfilled only by body-to-body contact, as defined at length under Sanghadisesa 2. The following actions, if done with the intent of making the other person laugh, would be grounds for a dukkata here regardless of whether the person was ordained or not:
a) using an item connected with the body -- such as a stick -- to poke at the person;
b) touching an item connected with the other person's body;
c) tossing or dropping things on the other person.

Intention. If one has reasons for touching the other person aside from wanting to make him laugh, there is no penalty in doing so. Thus a bhikkhu massaging another bhikkhu's tired back commits no offence if he inadvertently happens to touch a spot where the other bhikkhu is ticklish.

Result is not a factor here. If one tickles another bhikkhu with the thought of making him laugh, one commits the full offence regardless of whether he actually laughs or not.

Summary:
101. Tickling another bhikkhu is a pacittiya offence.

53. The act of playing in the water is to be confessed.

Here again, the factors for the full offence are three.
1) *Effort:* one jumps up or down, splashes or swims

2) *Object:* in water deep enough to immerse one's ankle
3) *Intention:* for fun.

Effort. According to the Commentary, each individual effort counts as a separate offence. Thus if one is swimming for fun, one incurs a pacittiya for each hand or foot stroke.

Object. Jumping up or down in water less than ankle deep entails a dukkata, as does splashing water with the hands, feet, a stick, or a piece of tile; playing with water in a tumbler or a bowl; or playing with such things as sour gruel, milk, buttermilk, coloured dyes, urine, or mud.

The Vibhanga states that there is also a dukkata for playing in a boat. This the Commentary defines as paddling a boat with an oar, propelling it with a pole, or pushing it up on shore.

Intention. The Vibhanga defines this factor as "for a laugh," which the Commentary translates as "for fun" or "for sport" (kiladhippayo).

The question of swimming for fitness or exercise does not come up in any of the texts, and seems to have been virtually unheard of in Asia until recent times. Swimming in most Asian countries has long been regarded as a childish form of play, and the one mention in the Canon of athletic bhikkhus keeping their bodies in strong shape is disparaging: In the origin story to Sanghadisesa 8, Ven. Dabba Mallaputta assigned separate lodgings to different groups of bhikkhus -- those who studied the Suttas, those who studied the Vinaya, those who meditated, etc. -- and, finally, "for those bhikkhus who lived indulging in animal talk and keeping their bodies in strong shape, he assigned lodgings in the same place, 'So that even these venerable ones will live as they like.'" Thus it does not seem likely that the Buddha would have recognized physical fitness as an appropriate reason for bhikkhus to go swimming.

On the other hand, if a bhikkhu has a medical reason for swimming -- e.g., he has injured his shoulder, and his doctor has recommended that he swim to help speed its healing -- this would probably count as an instance of "having business to do in the water" and thus would come under the relevant no-offence clause.

Non-offences. The Vibhanga states that there is no offence in jumping in or out of the water, swimming, or using a boat --

I. if one goes into the water not for fun but because one has business to do -- examples would include bathing or helping a person who cannot swim;

II. if one is crossing to the other shore of a body of water; or

III. if there are dangers -- e.g., one is escaping a fire or a wild beast.

Summary:
102. Jumping and swimming in the water for fun is a pacittiya offence.

54. Disrespect is to be confessed.

This rule refers to cases where one has been admonished for one's behaviour. The factors for the full offence are two.

1) *Object:* one has been admonished by a fellow bhikkhu, who cites a rule formulated in the Vinaya.
2) *Effort:* one shows disrespect for the bhikkhu or for the rule.

Object. Only if the bhikkhu cites a rule in the Vinaya is this factor grounds for a pacittiya. If he criticizes one's actions, citing standards of behaviour outside of the Vinaya -- e.g., he says that one has been insensitive, out of touch with modern attitudes, or whatever -- this factor becomes grounds for a dukkata.

If the person admonishing one is not a bhikkhu, then regardless of whether he/she cites a rule in the Vinaya or standards of behaviour outside of the Vinaya, it is grounds for a dukkata.

Whether or not one views the admonition as valid is not an issue here. Even if the other person is really an ignorant fool, has misinterpreted the rule, or has cited some standard of behaviour having absolutely nothing to do with Buddhist practice, one should be careful not to show disrespect in word or deed.

Effort. There are two possible targets for one's disrespect -- the person and the rule -- and two ways of showing it: by word or by gesture.

Disrespect for the person includes --

I. saying things that show disrespect in either a crude or subtle way, e.g., "Who are you to tell me?" "It's presumptuous of you to pass judgment when you aren't in my position," "Your critical attitude shows that you have some messy emotional problems that you would be well-advised to look into," "Get lost!" or "Go to hell!"
II. or making a rude gesture or even a slight facial expression to show one's contempt.

Disrespect for the rule includes --

I. saying, "That's a stupid rule," "That rule doesn't apply to me;"
II. stubbornly repeating the action for which one was admonished (this point is covered in Mv.IV,17.1-9);
III. or making a rude gesture, saying, "This is what I think of that rule."

Further action. If one persists in acting disrespectfully when being admonished, one may also be subject to Sanghadisesa 12 or to a formal act of suspension.

Non-offences. There is no offence if, being admonished, one states simply that one was taught differently by one's teachers.

As the Dhammapada (verse 76) says, one should regard a person who points out one's faults as a guide who points out hidden treasure. If one shows disrespect to such a guide, it is unlikely that he/she will feel inclined to point out any hidden treasure ever again.

A good example of how to receive admonishment was set by Ven. Ananda during the First Council (Cv.XI.1.10). Although he was admonished for committing acts that the Buddha had not declared to be offences, and although he did not see that he had committed any error, still he willingly confessed his actions as offences so as to show good faith in his fellow bhikkhus.

Summary:

103. Speaking or acting disrespectfully when being admonished by another bhikkhu for a breach of the training rules is a pacittiya offence.

55. Should any bhikkhu try to frighten another bhikkhu, it is to be confessed.

There are three factors for the full offence here.

1) *Intention.* one wants to frighten the other person.
2) *Effort.* one arranges a frightening sight -- such as hanging a sheet in a dark room so that it looks like a ghost; makes a frightening sound, etc.; or describes dangers from ghosts, robbers, or wild animals.
3) *Object.* the other person is a bhikkhu. Anyone who is not a bhikkhu is grounds for a dukkata.

Result is not a factor here. If the three factors are fulfilled, one commits the offence regardless of whether the other person is actually frightened or not.

Non-offences. To inform another person of dangers from ghosts, robbers, etc., without intending to frighten him/her constitutes no offence.

Summary:

104. Attempting to frighten another bhikkhu is a pacittiya offence.

56. Should any bhikkhu who is not ill, seeking to warm himself, kindle a fire or have one kindled -- unless there is a suitable reason -- it is to be confessed.

"Now at that time, in the winter months, bhikkhus warmed themselves, having kindled a fire by a certain large hollow log. And in that hollow a cobra was scorched by the fire. Coming out, it sprang at the bhikkhus. The bhikkhus ran off every which way."

Here again the factors for the full offence are three.

1) *Object:* one is not ill.
2) *Effort:* one lights a fire or gets someone else to light one,
3) *Intention:* for the purpose of warming oneself.

Object. Not ill, in the context of this rule, means that one can fare comfortably without warming oneself. The Vibhanga makes the point that perception is not a mitigating factor here: Even if one perceives oneself to be ill in these terms, but actually isn't, that still fulfils this factor. What this means is that when it is chilly outside, one should be very sure that extra warmth is necessary for one's health before going ahead and lighting a fire to warm oneself.

Effort. Lighting a fire at present would include turning on the flame in a heating system in one's dwelling for the sake of the warmth. Solar or electric heating systems, which do not use flames, would not be included here.

If, when not ill, one gets someone else to light a fire for the purpose of warming oneself, there is a pacittiya in making the order/request/suggestion, and another pacittiya when the other person lights the fire. To return a burning piece of fuel to a fire is grounds for a dukkata; adding new fuel to a fire -- according to the Commentary -- is grounds for a pacittiya.

Intention. There is no offence if one lights a fire, or has one lit, for purposes other than warming oneself. Thus one may light a lamp or light a fire to boil water, burn dead leaves, or fire an alms bowl without penalty. The Cullavagga (V.32.1) says that if a forest fire is approaching one's dwelling, one may light a counter-fire to ward off its approach. In other circumstances, though, Pacittiya 10 would impose a penalty for lighting a fire on top of "live" soil, and Pacittiya 11 would impose a further penalty for damaging plant life.

Non-offences. In addition, there is no offence in warming oneself at raked-out coals or at a fire lit by someone else (not at one's request). And there is no offence in lighting a fire when there are dangers, which the Commentary says refers to cases when one is bitten by a snake (and wants to make the snake-bite medicine mentioned under Pacittiya 40), when one is surrounded by robbers, or disturbed by non-human beings or beasts of prey.

Cv.V.14.1 allows bhikkhus to use a "fire hall," similar to a sauna at present, for the purpose of inducing perspiration for health reasons. According to the Vibhanga, there is no offence in lighting a fire in a place such as this.

The purpose of this rule is suggested by a passage in the Anguttara Nikaya (V.219) that lists the five disadvantages of sitting around a fire: It is bad for one's eyes, bad for one's skin, bad for one's strength and (most importantly, in this context) groups tend to form (that can turn into factions), and they spend their time in "animal talk."

Summary:

105. Lighting a fire to warm oneself -- or having it lit -- when one does not need the warmth for one's health is a pacittiya offence.

57. Should any bhikkhu bathe at intervals of less than half a month, except at the proper occasions, it is to be confessed. Here the proper occasions are these: the last month and a half of the hot season, the first month of the rains, these two and a half months being a time of heat, a time of fever; (also) a time of illness; a time of work; a time of going on a journey; a time of wind or rain. These are the proper times here.

"Now at that time bhikkhus were bathing in the hot spring (at Rajagaha). Then King Seniya Bimbisara of Magadha, having gone to the hot spring with the thought, 'I will bathe my head,' waited to one side, thinking, 'I will wait as long as the masters are bathing.' The bhikkhus bathed until nightfall.

"Then King Seniya Bimbisara of Magadha, after having bathed his head at the wrong time (night) -- the gates of the city being closed -- spent the night outside the city walls... (The Buddha learned of the incident and rebuked the bhikkhus:) 'How can you worthless men, having seen the king, bathe not knowing moderation?'"

The original formulation of this rule -- with no allowance for "proper occasions" -- seems to have been intended as a temporary disciplinary measure for the bhikkhus who had inconvenienced the king. (There was a similar temporary rule, against eating mangoes (Cv.V.5.1), that the Buddha formulated when King Bimbisara had invited the bhikkhus to help themselves to his mangoes, and some group-of-six bhikkhus went and took all the mangoes in his park, even the unripe ones. The rule was later rescinded (Cv.V.5.2) when the Buddha allowed bhikkhus to eat any and all fruit as long as it was allowable in any of the five ways mentioned under Pacittiya 11.)

As for this rule: Once the proper occasions were added, they relaxed it considerably. For instance:

I. *a time of illness* is any time when one does not feel comfortable without bathing;
II. *a time of work* can involve as little work as sweeping out one's room;
III. *a time of going on a journey* is whenever one is about to go, is going or has gone on a trip of at least half a league (approximately 5 miles/8 kilometres);
IV. *a time of wind and rain* is whenever a dusty wind blows and at least two or three drops of rain fall on one's body.

In addition, the Mahavagga (V.13) tells the story of Ven. Maha Kaccana's leaving the middle Ganges Valley and settling in Avanti, to the south. After some time, one of his students -- Ven. Sona Kutikanna -- asked permission to visit the Buddha. Ven. Maha Kaccana gave his permission, together with a request to convey to the Buddha: that certain rules inappropriate for areas outside of the Ganges Valley -- this rule among them -- be rescinded for bhikkhus living in outlying districts. The Buddha complied with the request and defined the outlying districts in such a way that there is nowhere in the world outside of the middle Ganges Valley where this rule applies.

Offences. For those who live in the middle Ganges Valley, the offences for bathing more frequently than once a fortnight outside of the proper occasions are these: a dukkata for every time one scrubs oneself with chunam (bathing powder) or clay (soap), and a pacittiya when one has finished bathing.

Perception is not a mitigating factor here: Even if one miscounts the days, one is still subject to the offence.

Non-offences. In addition to the allowances to bathe more frequently than once a fortnight during the proper occasions or in areas outside the middle Ganges Valley, there is no offence in bathing more frequently if one is crossing a river or if there are dangers. This last allowance the Commentary explains with an example: One is being chased by bees and so jumps into the water to escape them.

Summary:
106. Bathing more frequently than once a fortnight when residing in the middle Ganges Valley, except on certain occasions, is a pacittiya offence.

58. When a bhikkhu receives a new robe, any one of three means of discolouring it is to be applied: green, brown, or black. If a bhikkhu should make use of a new robe without applying any of the three means of discolouring it, it is to be confessed.

"Now at that time many bhikkhus and wanderers were travelling from Saketa to Savatthi. On the way, thieves came out and robbed them. Royal officials, coming out of Savatthi and capturing the thieves with the goods, sent a messenger to the bhikkhus, saying, 'Come, revered sirs, let each identify his own robes and take them.' The bhikkhus could not identify their robes. People were offended and annoyed and spread it about, 'How can revered ones not identify their own robes?'"

Protocol. As this rule indicates, a bhikkhu should wear robes only that have been marked with an identifying mark. The Vibhanga does not go into any great detail on procedures for marking a robe, aside from saying that the mark may be as small as the tip of a blade of grass, and can be made with any of the colours

mentioned in the rule. (The colour green in Pali also covers the colour blue, so a mark made with blue ink would be acceptable.)

The Commentary goes into more detail: After the robe has been dyed, one should make a round mark no smaller than the size of a bedbug's back and no larger than the iris of a peacock's eye in all four corners of the robe, three corners, two, or one, as one sees fit. Only round marks are allowable. Such things as lines or angular marks (squares, triangles, or stars) are not.

As the Vibhanga notes, once the robe has been marked, there is no need to mark it again, even if the mark wears off, the marked part of the robe gets torn , one sews a marked cloth together with an unmarked one, or one patches, darns, or adds a hem to a marked robe. If Bhikkhu X marks a robe and then gives it to Bhikkhu Y, Y may wear it without having to mark it again.

In Thailand at present, the custom is to make three small dots in one corner of the robe, saying, "Imam bindu-kappam karomi," (I make this properly marked) while making each dot. This procedure does not appear in the Canon or commentaries, but does not conflict with any of them.

The factors for the offence here are two: object -- a new robe; and effort -- one makes use of it without first marking it.

Object. According to the Vibhanga, a new robe here refers to one made out of any of the six kinds of robe-cloth and not yet marked. Thus an unmarked cloth kept for a long time is still regarded as new. The Commentary adds that robe in the context of this rule refers specifically to robes that can be worn over the shoulders or around the waist -- i.e., lower robes, upper robes, outer robes, rains-bathing cloths, skin-eruption covering cloths -- and not to ordinary pieces of cloth or other cloth items such as sitting cloths, handkerchiefs, or shoulder bags. Any cloth requisite that is not a robe in this sense is not grounds for an offence. Shoulder cloths (ansa) were not worn in the time of the Commentary, but would seem to fall under this factor, as would any other item a bhikkhu might wear around his body.

Effort. The Vibhanga defines this factor with the verb "use" (paribhunjati), while the K/Commentary is more specific in saying that this factor is fulfilled when one wears the robe over the shoulders or around the waist. Since the mark is to be added only after the robe is dyed, this factor does not cover such things as trying on a new robe while it is being sewn but has yet to be dyed.

Non-offences. As noted above, there is no offence --

I. in using a robe that has been properly marked;
II. in using a robe whose mark has worn off (as in washing); or
III. in using a robe whose marked corner has been torn off or otherwise destroyed.

There is also no need to remark a marked robe if one sews it together with an unmarked piece of cloth, or if one patches it, darns it, or adds a new hem to it. The K/Commentary adds that if one's robes have been stolen, destroyed, etc., one may wear an unmarked piece of cloth without committing an offence.

Summary:
107. Wearing an unmarked robe is a pacittiya offence.

59. Should any bhikkhu, himself having placed robe-cloth under shared ownership (vikappana) with a bhikkhu, a bhikkhuni, a female probationer, a male novice, or a female novice, then make use of the cloth without the shared ownership's being rescinded, it is to be confessed.

Shared ownership. As mentioned in the explanations to NP 1, vikappana is an arrangement whereby a bhikkhu places a robe or robe-cloth under shared ownership so that he may store it for any length of time without its being counted as an extra cloth. One may share ownership with novices, bhikkhunis, female probationers, and female novices, as well as with one's fellow bhikkhus.

Passages in the Mahavagga (VIII.20.2; VIII.21.1) show that shared ownership is intended for cloth that is being stored, and not for cloth in use. Cloth that has not been made into a finished robe, rains-bathing cloths being kept during the eight months of the year outside of the rainy season, and skin-eruption covering cloths being kept when they are not needed, may all be placed under shared ownership. The three basic robes, miscellaneous requisites, handkerchiefs, and the sitting cloth may not. As this rule states, when a bhikkhu wants to use a piece of cloth placed under shared ownership, the shared ownership must first be rescinded.

Protocol. The Vibhanga to this rule explains how cloth may be placed under shared ownership, but unfortunately the explanation is rather terse, so we will have to discuss two alternative interpretations.

What the Vibhanga says. One may place a piece of cloth under dual ownership only if it is one of the six kinds of robe-cloth discussed under NP 1, and it measures at least four by eight fingerbreadths. There are two ways of placing it under dual ownership: in the presence of (the second owner presumably, although this is a controversial point) or in the absence of (again, this would seem to mean the second owner).

In the first method, one says, "I place this robe-cloth under shared ownership with you (plural)" or "with so-and-so." (The Pali formulae for this and the following procedures are in Appendix V.) This is as far as the Vibhanga explains the method, but it seems to refer to two ways of doing the procedure in the presence of the second owner: One uses "you (plural)" if the other owner is a bhikkhu with more seniority than oneself; and the second owner's name if he/she is a junior bhikkhu, a bhikkhuni, female probationer, or male or female novice. (Passages throughout the Canon show that it was considered disrespectful to refer to a senior person by his name in his presence. Buddhists, for instance, would never address the Buddha as Gotama, although members of other sects often did. At Mv.I.74.1, Ven. Ananda says that he is not worthy enough to refer to Ven. Maha Kassapa by name, as the latter is his teacher.)

The Vibhanga does not say how shared ownership is to be rescinded in a case like this, although the K/Commentary gives a formula for the second owner to say: "Use what is mine, give it away, or do as you like with it."

In the second method, one gives the cloth to a witness and says, "I give this robe-cloth to you to place under shared ownership." The witness then says, "Who are your friends and acquaintances?" One then names two of one's friends (with whom one has made an arrangement for using one another's belongings on trust), and the witness says, "I give it to them. Use what is theirs, give it away, or do as you like with it."

This second method, apparently, is for use in situations where one has an extra cloth whose time span is almost up, and one is far away from any co-religionist with whom one has made an arrangement to use one another's belongings on trust.

What is happening in the procedure is that one is giving the cloth away to the witness; the witness then places it with one as a gift to one's friends. Since one already has permission to use their things on trust, one may freely make use of the cloth if one wants to, or simply keep it for any number of days if not. (See Mv.V.13.13.) Cases of placing gifts in trust in this way are discussed in detail at Mv.VIII.31.2-3. According to those passages, the witness has no business in giving one permission to use the cloth after having given it to the two other people; perhaps the statement is included to show that all sides involved -- the witness and the two new owners of the cloth -- are agreeable to one's making use of the cloth. If the two new owners have not previously given one permission to use their belongings on trust, one may not make use of the cloth until they give express permission to do so, although one may keep it for any number of days without incurring a penalty under NP 1.

What the K/Commentary says. The Commentary has nothing to say about these procedures, while the K/Commentary goes into great detail, reworking the Vibhanga's descriptions to come up with three methods.

In the first method, "in the presence of," one says in the presence of the second owner, "I place this robe-cloth under shared ownership with you." The shared ownership is rescinded when the second owner/witness gives one permission to use the cloth, give it away, or do as one likes with it.

In the second method -- which the K/Commentary also calls "in the presence of" -- one says in the presence of a witness who is not the second owner, "I place this robe-cloth under shared ownership with so-and-so." The shared ownership is rescinded when the witness gives one permission to use the cloth, give it away, or do as one likes with it.

In the third method, "in the absence of," one gives the cloth to a witness, saying, "I give this robe-cloth to you to place under shared ownership." The witness says, "Who is a friend or acquaintance of yours?" One names a friend, and the witness says, "I give it to him/her. Use what is his/hers, give it away, or do as you like with it." The shared ownership is rescinded when the witness says this.

There are a number of problems with the K/Commentary's interpretations. First, it is hard to see any practical difference between its methods 2 and 3, why one should be called "in the presence of" and the other "in the absence of," and in method 2 why the witness should have the right to give one permission to use an article that strictly speaking belongs to someone else.

Secondly, the K/Commentary's method for "in the absence of" deviates from the Vibhanga's description of the method. In the Vibhanga's description, the witness places the cloth under shared ownership with two of one's friends, while in the K/Commentary's description, he/she places it under shared ownership with one. Why this should be the case, none of the texts explains.

For these reasons, it would seem that the previous explanation -- that there are two methods, as described in the Vibhanga -- is preferable to the K/Commentary's.

The factors for the offence here are two: object -- any one of the six kinds of robe-cloth, measuring at least four by eight fingerbreadths, that one has placed under shared ownership; and effort -- one uses the cloth without the shared ownership's being rescinded.

The K/Commentary notes that this rule applies not only to robe-cloth, but also to bowls as well. There is nothing in any of the other texts on this point, but the Great Standards would seem to support it.

Non-offences. There is no offence in using an item placed under shared ownership if the shared ownership has been rescinded, or if one makes use of the item on trust. The factors for legitimately taking an item on trust are as follows (Mv.VIII.19.1):

1) The other person is an acquaintance.
2) He/she is one's friend.
3) He/she has spoken of the matter. (According to the Commentary, this means that he/she has said, "You may take any of my property you want.")
4) He/she is still alive; and
5) one knows that he/she will not mind.

These factors are discussed in detail under Parajika 2.

The K/Commentary's analysis of the factors involved in committing an offence under this rule suggests that when an item placed under shared ownership is taken on trust, the shared ownership is automatically rescinded, and the item reverts to the status of extra cloth or an extra bowl, as the case may be.

Summary:
108. Making use of cloth or a bowl stored under shared ownership -- unless the shared ownership has been rescinded or one is taking the item on trust -- is a pacittiya offence.

60. Should any bhikkhu hide (another) bhikkhu's bowl, robe, sitting cloth, needle case, or belt -- or have it hidden -- even as a joke, it is to be confessed.

This is another rule that comes from some members of the group of six teasing the children in the group of 17. The factors for the full offence are three.

Object: any of the requisites mentioned in the rule, belonging to a bhikkhu. Robe here means any piece of robe material measuring at least four by eight fingerbreadths, except for sitting cloths, which are mentioned separately. Needle case covers not only cases that contain needles and but also empty ones. Any requisite not mentioned in the rule but belonging to a bhikkhu is grounds for a dukkata, as is any requisite belonging to a person who is not a bhikkhu.

Effort. One hides the article or has it hidden. In the latter case -- assuming that the other factors are fulfilled -- there is a pacittiya in making the request/command/suggestion, and another pacittiya when the other person does one's bidding.

Intention. One is doing it as a game. The Sub-commentary makes clear that the "game" here can either be friendly or malicious. If one hides the other bhikkhu's requisites out of the perverse pleasure of annoying him, or simply for a friendly laugh, one commits the full offence all the same.

Non-offences. There is no offence if --

a) not as a game, one puts away properly items that have been put away improperly , e.g., a bowl left hanging on a peg (see Cv.V.8.5); or

b) one puts away an item, thinking, "I will give it back (to him) after having given him a Dhamma talk." Dhamma talk here, the Commentary says, refers to such admonitions as, "A contemplative should not leave his requisites scattered around." Hiding things with this purpose in mind is sometimes an effective way for a teacher to train his students to stop being careless with their belongings, but it should be used with discretion, for it can easily backfire.

Summary:
109. Hiding another bhikkhu's bowl, robe, sitting cloth, needle case, or belt -- or having it hid -- either as a joke or with the purpose of annoying him, is a pacittiya offence.

Chapter Eight Part Seven: The Animal Chapter

61. Should any bhikkhu knowingly deprive an animal of life, it is to be confessed.

There are five factors for the full offence here.

1) *Object:* a living animal.
2) *Perception:* one perceives it to be a living animal.
3) *Intention:* one knowingly, consciously, deliberately, and purposefully wants to cause its death.
4) *Effort:* whatever one does with the purpose of causing it to die.
5) *Result:* It dies as a result of one's action.

Object. *Animal* here covers all common animals. As the Commentary notes, whether the animal is large or small makes no difference in terms of the penalty, although the size of the animal is one of the factors determining the moral gravity of the act.

Apparently, this factor does not include beings too small to be seen with the naked eye, inasmuch as the classes of medicine allowed in Mahavagga VI include a number of anti-bacterial and anti-viral substances -- some mineral salts and the decoctions made from the leaves of some trees, for example, can be antibiotic. The Commentary's example of the smallest extreme to which this rule extends is a bed bug egg. The four "Things Not To Be Done," taught to every bhikkhu immediately after his ordination (Mv.I.78.4), say that one should not deprive an animal of life, "even if it is only an ant."

On the other end of the spectrum, there is a parajika for deliberately killing a human being, and a thullaccaya for deliberately killing a peta, yakkha, or naga.

Perception. If this factor is not fulfilled, there is no offence. For example, if one steps on bed bug eggs, thinking them to be spots of dirt, there is no penalty.

Intention, in the Vibhanga, is described as "having made the decision knowingly, consciously, and purposefully." According to the Commentary, "having made the decision" refers to the moment when one "crushes" one's indecisiveness by taking an act. Knowingly means that one knows that, "This is a living being." Consciously means that one is aware that one's action is depriving the animal of life. Purposefully means that one's purpose in acting is to kill the animal.

All of this indicates that this factor is fulfilled only when one acts on a clear and consciously made decision to deprive the animal of life. Thus, for example, if one is sweeping a walk, trying carefully not to kill any insects, and yet some ants happen to die, one does not commit an offence even if one knew that there was the possibility that some might die, since one's purpose in acting was not to cause their death.

Effort. The act of taking life may take the form of any of the six types of action listed under Parajika 3:

I. using one's own person (e.g., hitting with the hand, kicking, using a knife or a club);
II. throwing (hurling a stone, shooting an arrow or a gun);
III. using a stationary device (setting a trap, placing poison in food);
IV. using magical formulae;
V. using psychic powers;
VI. commanding.

A passage in the Mahavagga (V.10.10) deals with a case of this last instance, in which a depraved bhikkhu tells a layman that he has use for a certain calf's hide, and the layman kills the calf for him. Since the bhikkhu did not give a specific command that the calf be killed, and yet the Buddha said that his action did come under this rule, this shows that there is no room for kappiya-vohara in this context. Whatever one says in hopes of inciting someone else to kill an animal would fulfill this factor.

Result. Only if the animal dies does one incur the pacittiya here. The Commentary to Pacittiya 74 imposes a dukkata on the simple act of striking an animal.

Non-offences. There is no offence in killing an animal --

a) unintentionally -- e.g., accidentally dropping a load that crushes a cat to death;
b) unthinkingly -- e.g., absent-mindedly rubbing one's arm while it is being bitten by mosquitoes;
c) unknowingly -- e.g., walking into a dark room and, without realizing it, stepping on an insect; or
d) when one's action is motivated by a purpose other than that of causing death -- e.g., giving medicine to a sick dog whose system, it turns out, cannot withstand the dosage.

Still, the Commentary states that if one notices even bed bug eggs while cleaning a bed, one should be careful not to damage them. Thus, "out of compassion, one's duties are to be done carefully." Or, in the words of the Sub-commentary: "One's duties in looking after one's dwelling are to be done with mindfulness well-established so that such creatures do not die."

Summary:
110. Deliberately killing an animal -- or having it killed -- is a pacittiya offence.

62. Should any bhikkhu knowingly make use of water with living beings in it, it is to be confessed.

This rule is similar to Pacittiya 20, differing only in the factor of effort and the way the non-offences are defined. Here, as under that rule, the factors for the full offence are four:

Object: water containing living creatures. This includes things like mosquito larvae, but not beings too small to be seen.

Perception. One knows that they are there (from having seen them or heard that they are there, says the K/Commentary), and that they will die from the factor of effort, defined below. If one is in doubt as to whether water contains living beings, then to use it in a way that would cause their death if they were there is to incur a dukkata.

Effort. The Vibhanga does not go into detail on this factor, while the Commentary defines it with examples: drinking the water, using it to wash one's bowl, using it to cool hot porridge, dipping it out of a tank or pond to bathe with it, making waves in a pool so that the water will splash over its banks. The Sub-commentary suggests that this rule covers only cases in which one is using water for one's own personal consumption, but this does not fit with the fact that, under this rule, the Commentary explains how one should go about cleaning out a dirty pool. (Place eight to ten potfuls of water containing no living beings in another place that will hold the water, and then dip the water from the pool into it.)

From all of this, it would appear that this rule covers all cases of using water containing living beings that are not covered by Pacittiya 20. Unlike that rule, though, the factor of effort here does not cover cases of telling someone else to use water containing living beings.

Intention. This factor is fulfilled simply by the desire to use the water As the K/Commentary notes, one need not have murderous intent toward the living beings in order to fulfill this factor. For example, if after perceiving that the water contains insects, one chooses to ignore their existence and boils the water -- not to kill the insects, but to use the water for bathing -- one commits an offence all the same.

Result is not a factor here. Whether or not the living beings actually die is of no consequence in determining the offence.

Non-offences. There is no offence in using water --

a) if one does not know that it contains living beings;
b) if one knows that it does not contain living beings; or
c) if one knows that the living beings it contains will not die from the use one has in mind.

Water strainers. Cv.V.13.1 gives permission for one to use a water strainer to remove dirt and living beings from water before using it, and such strainers eventually became one of a bhikkhu's eight basic requisites.

According to Cv.V.13.2, one must take a water strainer along when going on a journey. If one has no strainer, one may determine the corner of one's outer robe as a strainer and use it to filter water.

Summary:
111. Using water, knowing that it contains living beings that will die from one's use, is a pacittiya offence.

63. Should any bhikkhu knowingly agitate for the reviving of an issue that has been rightfully dealt with, it is to be confessed.

Issues. An issue (adhikarana) is a matter that, once arisen, must be dealt with formally in a prescribed manner. The Vibhanga lists four sorts:

1) *disputes* concerning Dhamma and Vinaya (see Sanghadisesa 10), which the Community must deal with by declaring which side is right and which wrong;

2) *accusations* concerning offences (see Sanghadisesas 8 & 9; Aniyatas 1 & 2), which the Community must deal with by judging them true or false;

3) *the commission of offences*, which are to be dealt with by the offenders' undergoing the prescribed penalties; and

4) *duties of the Community* -- such as giving ordination and holding the Patimokkha recitation -- which the Community must deal with by performing them fully.

An issue rightfully dealt with is one that has been handled fairly in accordance with the procedures given in the Vinaya. Some of these procedures are discussed under Pacittiyas 79 & 80, and the Adhikarana-Samatha rules. If an issue has been dealt with improperly, it may be reopened for reconsideration, but once it has been dealt with properly it is considered closed for good.

The factors for an offence under this rule are three.

1) *Object:*	an issue that has been dealt with properly.
2) *Perception:*	one knows that it was dealt with properly, either because one was directly involved or one has been told of the matter.
3) *Effort:*	one says -- in the presence of another bhikkhu -- that it was dealt with improperly. The Vibhanga gives the following examples of statements that would fulfill this factor: "The issue was not carried out." "It was poorly carried out." "It should be carried out again." "It was not settled." "It was poorly settled." "It should be settled again."

The Parivara (IX.3) contains a short discussion of this rule, and makes the point that one is subject to this rule regardless of whether or not one was involved in dealing with the issue the first time around.

Further action. If one makes a concerted effort to reopen an issue, knowing that it was properly dealt with, one is considered a maker of strife, and as such is subject to an act of censure, banishment, or suspension, depending on the gravity of the case.

Non-offences. There is no offence in agitating to have an issue re-opened if one perceives it to have been improperly dealt with: e.g., dealt with not in accordance with the rules and procedures of the Vinaya, dealt with by an incomplete group, or -- in the case of an accusation or similar acts -- performed against someone who did not deserve it. This allowance holds regardless of whether, in actuality, the issue was properly dealt with or not. For example: A Community has performed an act of censure against Bhikkhu X. One honestly believes that X did not deserve the act, and says so to a fellow bhikkhu. In this case, one commits no offence, even if it turns out that X did in fact deserve censure.

Summary:
112. Agitating to re-open an issue, knowing that it was properly dealt with, is a pacittiya offence.

64. Should any bhikkhu knowingly conceal another bhikkhu's serious offence, it is to be confessed.
Here there are four factors for the full offence.

1) *Object:* another bhikkhu has committed a serious offence, which according to the Vibhanga means a parajika or a sanghadisesa.
2) *Perception:* one knows that he has committed a serious offence.
3) Intention: one wants to hide the offence from other bhikkhus, for fear that they will reprove or remind him of the offence (steps in the formal inquiry into the offence) or that they will jeer, scoff, or shame him about it (steps in his enemies' informal reaction to the news). In other words, this factor is fulfilled if one wants to prevent a formal act from being carried out against the offender or simply to protect him from the jeering remarks of other bhikkhus who may dislike him.
4) *Effort:* a bhikkhu who may be told of the matter is available, but one abandons one's duty to tell him.

Object & perception. Another bhikkhu's non-serious offences are grounds for a dukkata here, as are the misdeeds -- serious or non-serious -- of an unordained person (i.e., a novice).

As for a bhikkhu's offences, only a serious offence that one perceives to be serious is grounds for a pacittiya; all other possible combinations of object and perception -- a serious offence that one perceives to be non-serious, a non-serious offence that one perceives to be serious, and a non-serious offence that one perceives to be non-serious -- are grounds for a dukkata.

Effort. The K/Commentary defines this factor as if it were a simple act of mind -- one decides that, "I won't tell any bhikkhu about this" -- but this goes against the basic principles of the Vinaya, in which a mere act of mind is never sufficient for an offence. It would seem better to argue from the Vibhanga and say that this factor is fulfilled if one comes to this decision when another bhikkhu is available.

The Commentary says that if one abandons one's responsibility, but then later changes one's mind and tells another bhikkhu, one has committed the offence all the same.

It also says that if one tells Bhikkhu X, asking him to help hide Bhikkhu Y's offence, this also fulfils the factor of effort here. If X then abandons his responsibility to tell, he too commits the offence under this rule.

Non-offences. There is no offence in not telling another bhikkhu --
I. if one thinks that telling will lead to strife or a split in the Community;
II. if one fears reprisals from the bhikkhu who has committed the offence;
III. if there is no suitable bhikkhu to tell;
IV. if one is not trying to hide the offence; or
V. if one feels that the wrong-doer's own behaviour will betray him and thus there is no need to tell.

Summary:
113. Not informing other bhikkhus of a serious offence that one knows another bhikkhu has committed -- out of a desire to protect him either from having to undergo the penalty or from the jeering remarks of other bhikkhus -- is a pacittiya offence.

65. Should any bhikkhu knowingly give full ordination to an individual less than twenty years of age, the individual is not ordained and the bhikkhus are blameworthy; and as for him (the preceptor), it is to be confessed.
The origin story here tells how the group of 17 came to be ordained.

"Now at that time in Rajagaha, a group of 17 boys were friends, with the boy Upali as their leader. Then the thought occurred to Upali's parents, 'By what means could Upali, after our death, live pleasantly and not grow weary (with work)?... If he studies writing, his fingers will hurt... If he studies calculation, his breast will hurt... If he studies money changing, his eyes will hurt. Now, these

Sakyan contemplatives are of pleasing virtue and conduct. Having eaten fine meals, they lie down in beds sheltered from the wind. If Upali went forth among the Sakyan contemplatives, he would live pleasantly after our death and not be weary with work.'

"The boy Upali heard his parents' conversation. Then he went to the boys... and said, 'Come, masters, let's go forth among the Sakyan contemplatives.'

"'If you go forth, master, so will we.'

"So each of the boys, having approached his parents, said, 'Permit us to go forth from home into homelessness.' Then the parents of the boys gave their permission, (thinking,) 'All these boys are unanimous. They want what is noble.'

"(The boys) having approached the bhikkhus, asked for the going forth. The bhikkhus gave them the going forth and full ordination. Then, waking up in the last watch of the night, the boys (now bhikkhus) cried out, 'Give us porridge! Give us rice! Give us food!'

"The bhikkhus said, 'Wait, friends, until it turns light. If there is porridge, you will drink it. If there is rice, you will eat it. If there is food, you will eat it. But if there is no porridge or rice or food, then you will eat having gone for alms.'

"But even then, those (new) bhikkhus cried out as before, 'Give us porridge! Give us rice! Give us food!' And they wet the bedding and soiled it."

The Buddha, in rebuking the bhikkhus who had given full ordination to the 17 boys, painted a picture of the bhikkhus' life very different from that imagined by Upali's parents:

"Bhikkhus, how can these worthless men knowingly give full ordination to an individual less than 20 years old? An individual less than 20 years old is not resistant to cold, heat, hunger, thirst, the touch of gadflies and mosquitoes, wind and sun and creeping things; or to abusive, hurtful language. He is not the sort that can endure bodily feelings that, when they arise, are painful, sharp, stabbing, fierce, distasteful, disagreeable, deadly.'"

The factors for the full offence here are three.

1) *Object:* a man less than 20 years old.
2) *Perception:* one knows that he is less than 20 years old.
3) *Effort:* one acts as the preceptor in his full ordination as a bhikkhu.

Object. As Mv.I.75 makes clear, a person's age for the purpose of this rule is counted from the time of his conception in his mother's womb. Since this is difficult -- if not impossible -- to date with any accuracy, the usual practice in calculating a person's age is to add six months to the number of years since his birth, to allow for the possibility of his having been born prematurely. As the Commentary notes, a baby born after seven months in the womb may survive, but one born after only six months in the womb won't.

Perception. If one does not know that the individual is less than 20 years old, there is no offence in ordaining him. If one is in doubt as to whether or not he is less than 20, but goes ahead and ordains him anyway, one incurs a dukkata regardless of his actual age.

Effort. There is a dukkata for every step in arranging the ordination of an individual one knows to be less than 20 years old, beginning with the act of searching out a group to ordain him, looking for robes and a bowl for him to use, etc., all the way to the second announcement in the formal act of ordination. Once the third and final announcement has been made, the preceptor incurs a pacittiya, and all other bhikkhus in the group who know that the individual is less than 20 years old, a dukkata.

In any case, if the individual is really less than 20 years old when he is ordained, then -- regardless of whether or not he or anyone else knows of the fact -- he does not count as a bhikkhu and is only novice. The Commentary notes here that if he continues in this state for long enough to become a preceptor or teacher in another person's ordination, that person counts as rightly ordained only as long as there are enough true bhikkhus in the group ordaining him, not counting the improperly ordained "bhikkhu" in question.

It adds that if one is less that 20 when being ordained, without knowing the fact, it does not act as an obstacle to one's qualifying for heaven or the transcendent states; but if one ever finds out the truth that one was improperly ordained, one should immediately arrange for a proper ordination.

Summary:

114. Acting as the preceptor in the ordination of a person one knows to be less than 20 years old is a pacittiya offence.

66. Should any bhikkhu knowingly and by arrangement travel together with a caravan of thieves, even for the interval between one village and the next, it is to be confessed.

Here the full offence has three factors:

1) *Object:* a caravan of thieves.
2) *Perception:* one knows that it is a caravan of thieves.
3) *Effort:* (a) one makes an arrangement together with the caravan to travel together and (b) one actually travels together with them as arranged (c) from one village to another.

Object. A caravan of thieves, according to the Vibhanga, is any group that has committed a theft, is on its way to commit a theft, is planning to evade a tax, or is planning to "rob the king," which the Commentary translates as planning to cheat the government in one way or another. At present this would include any person or group of people smuggling or trading in contraband goods.

None of the texts mention the minimum number of thieves needed to form a "group," but arguing from the Great Standards we can say that even a single thief would fulfill this factor.

Perception. If one does not know that a person or group would count as a caravan of thieves, there is no offence in travelling by arrangement with them. If one is in doubt, then there is a dukkata for travelling with them regardless of whether they actually are a caravan of thieves or not.

Making an arrangement. According to the Vibhanga, the bhikkhu must give his verbal consent to the arrangement for this part of the factor to be fulfilled. In other words, if the thieves propose the arrangement, and he agrees; or he proposes it, regardless of whether or not they agree, this part of the factor is fulfilled. The penalty for fulfilling it is a dukkata. If the thieves propose the arrangement, while the bhikkhu does not give his verbal assent, then even if he does travel together as they proposed, he commits no offence in doing so.

Going as arranged. If a specific time frame was part of the arrangement, then the two parties must begin travelling together within that time frame for this factor to be fulfilled. If they happen to start out earlier or later than arranged, the bhikkhu incurs no penalty. The Commentary notes, though, that if they leave from a different spot than the one they had arranged or go by a different route, that does not absolve the bhikkhu from the offence

From one village to another. There is a pacittiya for every village-to-village interval one passes. In an area where there are no villages -- i.e., says the Sub-commentary, where villages are farther than half a league (8 km. or 5 miles) apart -- there is a pacittiya for every half-league one travels together as arranged.

None of the texts mention cases of travelling long distances within a large city, but it would seem that in such cases -- arguing from the Great Standards -- one would incur the full penalty in travelling from one administrative district to the next.

Non-offences. There is no offence --

I. if the bhikkhu and thieves happen to travel together without having made an arrangement;
II. if the thieves propose an arrangement, while the bhikkhu does not give his verbal assent;
III. if they leave together at a time other than that they had previously arranged; or
IV. if there are dangers (and the bhikkhu must join the caravan for his safety).

Summary:

115. Travelling by arrangement with a group of thieves from one village to another -- knowing that they are thieves -- is a pacittiya offence.

67. Should any bhikkhu, by arrangement, travel together with a woman, even for the interval between one village and the next, it is to be confessed.

"Now at that time a certain bhikkhu, going through the Kosalan countryside on his way to Savatthi, passed by the gate of a certain village. A certain woman, leaving the village after quarrelling with her husband, saw the bhikkhu and said, 'Where are you going, sir?'

"'I'm going to Savatthi, sister.'

"'Then I'm going with you.'

"'As you wish, sister.'

"Then the woman's husband, leaving the village, asked people, 'Have you seen such-and-such a woman?'

"'She's going along with a monk.'

"So the man, having caught up with them, seized the bhikkhu, gave him a good thrashing, and set him free. The bhikkhu went and sat fuming under a certain tree. The woman said to the man, 'That bhikkhu didn't abscond with me. I was the one who went with him. He's innocent. Go and ask his forgiveness.'

"So the man asked the bhikkhu for his forgiveness."

Object. A female human being, mature enough to know what is and is not lewd, is grounds for a pacittiya here. Pandakas (see Sanghadisesa 2), female yakkhas and petas, and animals in the form of a female human being are all grounds for a dukkata.

Perception is not a mitigating factor here. Thus if one travels by arrangement with a woman disguised as a man, one still incurs the full penalty. Similarly, if one travels by arrangement with a pandaka, not knowing that that's what he is, one still incurs a dukkata.

Effort here is defined as under the preceding rule: (a) One makes an arrangement together with the woman to travel together and (b) one actually travels together with her as arranged (c) from one village to another. See the preceding rule for explanations.

Non-offences. There is no offence --

I. if the bhikkhu and woman happen to travel together without having made an arrangement;
II. if the woman proposes an arrangement, while the bhikkhu does not give his verbal assent;
III. if they leave together at a time other than that they had previously arranged; or
IV. if there are dangers.

Current practice. In the time of the Buddha, long-distance travel was mostly by foot, and the question of prior arrangement was what made the difference between whether one was travelling together with someone else or simply happened to be walking along the road at the same time. At present, when one is taking public transport -- buses, subways, trains, and airplanes -- this is still the factor determining whether one is travelling together with someone else or simply happens to be on the bus, etc., at the same time. This rule thus forbids a bhikkhu from travelling together with a woman, by prior arrangement, on the same public transport.

Private transport, though -- such as automobiles, trucks and vans -- is an area that different Communities treat in differing ways. Some treat it under Pacittiya 44, rather than here, and say that a bhikkhu may sit in an automobile with a woman as long as a knowledgeable man is present. This holds regardless of whether the automobile is sitting still or travelling any number of miles, and regardless of whether the woman or the man is driving.

Other Communities treat private transport under this rule, but say that the prior arrangement is implicitly with the driver of the transport. If the driver is a woman, there is a pacittiya in riding with her from one village to the next. If the driver is a man, there is no offence, regardless of whether or not a woman is riding along.

The Commentary would not agree with this second interpretation, for it states explicitly when discussing Mv.V.10.3 that a bhikkhu may ride in a cart driven by a woman or a man. At any rate, though, this is another area where the wise policy is to follow the practice of the Community in which one belongs, as long as one is

careful to adhere to the Vibhanga by not entering verbally into any arrangement with a woman to go travelling together.

Summary:
116. Travelling by arrangement with a woman from one village to another is a pacittiya offence.

68. Should any bhikkhu say the following: "As I understand the Dhamma taught by the Blessed One, those acts the Blessed One says are obstructive, when indulged in are not genuine obstructions," the bhikkhus should admonish him thus: "Do not say that, venerable sir. Do not misrepresent the Blessed One, for it is not good to misrepresent the Blessed One. The Blessed One would not say anything like that. In many ways, friend, the Blessed One has described obstructive acts, and when indulged in they are genuine obstructions."

And should the bhikkhu, thus admonished by the bhikkhus, persist as before, the bhikkhus are to rebuke him up to three times so as to desist. If while being rebuked up to three times he desists, that is good. If he does not desist, it is to be confessed.

Obstructions. An obstruction, the Commentary says, is anything that acts as an obstacle to the attainment of heaven or emancipation. It lists five major types:

1) *Acts*, i.e., the five anantariya kamma: patricide, matricide, the murder of an arahant, the wounding of a Buddha, the creation of a schism in a Sangha;

2) *Defilements*, i.e., firmly held wrong views (the Sub-commentary lists determinism, fatalism, annihilationism, etc.);

3) *Fruits of past actions*, e.g., birth as a neuter person, a hermaphrodite, a common animal;

4) *Disputes,* i.e., disputes with Noble Ones -- even simple contentiousness in the mind, says the Sub-commentary -- although these are obstructions only so long as one has not asked forgiveness; and finally, for a bhikkhu,

5) *Intentional transgressions of the Buddha's ordinances*, although these are obstacles only as long as one has not undergone the penalty called for in the relevant rule.

The Commentary notes that this training rule deals with a bhikkhu who holds to the view that this last category is not an obstacle, the most common example being the bhikkhu who believes that there is nothing wrong in a bhikkhu's having sexual intercourse in defiance of Parajika 1.

There are many ways that one might rationalize such an idea, and the Commentary gives an entertaining description of one of them:

"Here a bhikkhu... having gone into seclusion, reasons as follows: 'There are people living the household life, enjoying the five pleasures of the senses, who are stream-winners, once-returners, and non-returners. As for bhikkhus, they see pleasurable forms cognizable via the eye, hear... smell... taste... feel (pleasurable) tactile sensations cognizable via the body. They use soft carpets and clothing. All this is proper. Then why shouldn't the sight, sound, smell, taste, and feel of a woman be proper? They too are proper!' Thus... comparing a mustard seed with Mount Sineru, he gives rise to the pernicious view, 'Why did the Blessed One -- binding the ocean, as it were, with great effort -- formulate the first parajika training rule? There is nothing wrong with that act.'"

Simply holding such a view is not enough to bring a bhikkhu under the purview of this rule, but if he asserts it to others, other bhikkhus have the duty of reprimanding him up to three times in the manner described in the rule. If, having learned of his assertion, one does not reprimand him, one incurs a dukkata, for if he goes unreprimanded, he may continue with his assertions as he likes without incurring a penalty.

If, after being reprimanded, he abandons his view, he incurs no penalty. But if he doesn't, he should then be taken into the midst of the Community to be admonished and rebuked as described under Sanghadisesa 10, the only difference here being that the penalty is a dukkata in each of the preliminary stages, and a pacittiya after the third formal rebuke.

Perception is not a mitigating factor here. If the act of admonishment and rebuke is properly carried out, then his offence is a pacittiya regardless of whether or not he regards it as such. If the act is improperly carried out, then again -- regardless of how he perceives the validity of the act -- he incurs a dukkata .

Further action. If a bhikkhu penalized under this rule persists in asserting his wrong view, he is subject to an act of suspension, under which he is not allowed to consort or have communion with bhikkhus in any Community until he sees the error of his ways and abandons his view.

Non-offences. There is no offence for the bhikkhu if he has not been reprimanded or if, after being reprimanded, he abandons his view.

Summary:
117. Refusing -- after the third announcement of a formal rebuke in a meeting of the Community -- to give up the wrong view that there is nothing wrong in intentionally transgressing the Buddha's ordinances is a pacittiya offence.

69. Should any bhikkhu knowingly consort, join in communion, or lie down in the same lodging with a bhikkhu professing such a view who has not acted in compliance with the rule, who has not abandoned that view, it is to be confessed.

There are three factors for the full offence here.

1) *Object:* a bhikkhu who has been suspended by a formal act of the Community and has not yet been restored.
2) *Perception:* one knows that he has been suspended and has not yet been restored.
3) *Effort:* one consorts with him, joins in communion with him, or lies down in the same lodging with him.

Object. According to Cv.I.25-35, a bhikkhu may be suspended for any one of three reasons:

I. He holds to wrong views, as in the preceding rule;
II. he refuses to see an offence (i.e., he admits to having performed an act forbidden by the rules, but refuses to concede that it is an offence); or
III. he refuses to undergo the penalty for an offence he admits to having committed.

Once a bhikkhu has been suspended, it is his duty to change his ways and reject the view or position that led to his suspension, so that he may be restored to normal status.

As the Commentary makes clear, the factor of object here is fulfilled by a bhikkhu who has been suspended for any of these three reasons and has yet to be restored. The Vibhanga's no-offence clauses, though, add that if the bhikkhu was suspended for holding a wrong view and has come to abandon that view, he does not fulfill this factor even if the Community has yet to restore him to normal status.

Perception. There is no offence in consorting, etc., with a suspended bhikkhu if one does not know that he has been suspended; and a dukkata for consorting, etc., with a bhikkhu if one is in doubt as to whether he has been suspended. This last penalty holds regardless of whether he has actually been suspended or not.

Effort here covers any one of three sorts of action:

1) *One consorts with the bhikkhu*. Consorting takes one of two forms: sharing material objects, i.e., giving material objects to the bhikkhu or receiving them from him; or sharing Dhamma, i.e., reciting Dhamma for him or getting him to recite Dhamma. The penalties for sharing Dhamma are, if one recites line-by-line or gets the other to recite line-by-line, a pacittiya for each line of Dhamma recited; if one recites syllable-by-syllable or gets him to recite syllable-by-syllable, a pacittiya for each syllable.

2) *One joins in communion with the bhikkhu,* i.e., one performs a formal act of the Community in which he takes a part. An example would be sitting in the same assembly with him to listen to the Patimokkha.

3) *One lies down in the same lodging with him*. "Same lodging" here, unlike Pacittiyas 5 & 6, means one with the same roof. Thus, as the K/Commentary notes, if one is lying under the same roof with the bhikkhu, one falls under this factor even if one is lying in a room that is not connected by any entrance with the one he is lying in. And, we might add, one falls under this factor regardless of whether the lodging is walled or not. Whether one lies down first, the suspended bhikkhu lies down first, or both lie down at the same time, is not an issue here.

These three actions touch on only a few of the observances a suspended bhikkhu must follow, but they are the only ones that entail a pacittiya for the bhikkhu who has dealings with him while he is suspended. For further details, see Cv.I.25-35.

Non-offences. There is no offence in consorting, joining in communion, or lying down in the same lodging with another bhikkhu if one perceives that --

a) he has not been suspended;
b) he was suspended but has been restored; or
c) he has abandoned the wrong view that led to his suspension.

These exemptions hold regardless of whether or not one's perception is correct.

Summary:

118. Consorting, joining in communion, or lying down under the same roof with a bhikkhu who has been suspended and not been restored -- knowing that such is the case -- is a pacittiya offence.

70. And if a novice should say the following: "As I understand the Dhamma taught by the Blessed One, those acts the Blessed One says are obstructive when indulged in, are not genuine obstructions," the bhikkhus should admonish him thus: "Do not say that, friend novice. Do not misrepresent the Blessed One, for it is not good to misrepresent the Blessed One. The Blessed One would not say anything like that. In many ways, friend, the Blessed One has described obstructive acts, and when indulged in they are genuine obstructions."

And should that novice, thus admonished by the bhikkhus, persist as before, the bhikkhus should admonish him as follows: "From this day forth, friend novice, you are not to claim the Blessed One as your teacher, nor are you even to have the opportunity the other novices get -- that of sharing lodgings two or three nights with the bhikkhus. Away with you! Out of our sight! (literally, 'Get lost!')"

Should any bhikkhu knowingly support, receive services from, consort with, or lie down in the same lodging with a novice thus expelled, it is to be confessed.

The factors for the full offence here are three.

1) *Object:* a novice who has been expelled and has not given up his wrong view.
2) *Perception:* one knows that he has been expelled and has not given up his wrong view.
3) *Effort:* one supports him, receives services from him, consorts with him, or lies down in the same lodging with him.

Object. According to the Commentary, there are three types of expulsion: Expulsion from communion (this applies only to bhikkhus and bhikkhunis, and refers to the act of suspension discussed under the preceding rule); expulsion from one's status; and expulsion as a punishment. Novices are subject to the latter two.

(1) *The Mahavagga (I.60) lists ten grounds for expelling a novice* from his status as a novice: He breaks any of his first five precepts, he speaks in dispraise of the Buddha, Dhamma, or Sangha; he holds to wrong views (such things as eternalism, fatalism or annihilationism, says the Commentary), or he rapes a bhikkhuni.

A novice who breaks any of his first five precepts has cut himself off from the Triple Refuge, from his teacher, and from his right to a lodging in a monastery. He is still a novice, though, and if he sees the error of his ways and is determined to restrain himself in the future, he may take the Triple Refuge from his teacher again and so be restored to his former status. (The Commentary says that a novice who knowingly drinks alcohol in

defiance of the fifth precept may be restored to his status as a novice but may never ordain as a bhikkhu in this lifetime. Not all Communities share this view.)

If, though, he breaks any of these precepts habitually and is not determined to restrain himself in the future, he is to be expelled from his status as a novice.

As for the novice who holds to wrong views or who speaks in dispraise of the Buddha, Dhamma, or Sangha, the bhikkhus are to instruct him to show him the error of his ways. If he abandons his views, he is to undergo punishment for an appropriate period (see Mv.I.57-58) and then be allowed to confess his error, so as to return to his former status. If he does not change his ways, he is to be expelled from his status as a novice.

And as for the novice who rapes a bhikkhuni: The Commentary notes that this comes under the breaking of the third precept, but is listed separately because a novice who has sexual intercourse with anyone but a bhikkhuni may be reinstated if he sees the error of his ways, whereas one who has raped a bhikkhuni may not -- and furthermore, he can never be ordained as a novice or a bhikkhu in this lifetime.

Except in the last case, a novice who has been expelled from his status as a novice may be reordained as a novice if he sees his errors and can convince the bhikkhus that he will mend his ways in the future.

(2) *The second form of expulsion -- expulsion as punishment* -- is the one mentioned in this rule: A novice comes to think that there is nothing wrong with any novice's having sexual intercourse or breaking any of his other precepts. If he asserts this view, the bhikkhus are to instruct him to show that it is wrong, but if they cannot sway him, they are to expel him in the form described in the rule: He has no right to claim the Buddha as his teacher and loses his right to live in the same lodgings with the bhikkhus, although he retains his status as a novice. This form of expulsion lasts as long as he has yet to abandon his view. If and when he does abandon it, he is to be reinstated: The Commentary doesn't say how, but we can reason from the pattern mentioned above that he should take the Triple Refuge from his teacher again.

The Commentary states that the factor of object under this rule is fulfilled by a novice who has undergone expulsion as punishment and has yet to abandon his wrong view, but we might argue from the Great Standards to say that an ex-novice who has been expelled from his status as novice would fulfill the factor as well.

Perception. There is no offence in supporting, etc., an expelled novice if one does not know that he has been expelled; and a dukkata for supporting, etc., a novice if one is in doubt about the matter. This last penalty holds regardless of whether he has actually been expelled or not.

Effort here is fulfilled by any one of four sorts of action:

1) Supporting a novice means providing him with material requisites or instruction in the Dhamma, as a mentor would.

2) Receiving services from him means to accept the services a mentor normally receives from his student -- the Vibhanga mentions accepting powder, clay (soap) for washing, tooth-wood, or water for washing the face .

3 & 4) Consorting and lying down in the same lodging are defined as under the preceding rule.

Non-offences. There is no offence in supporting, etc., a novice if one perceives that he has not been expelled, or if one knows that he has abandoned the view/position that led to his expulsion in the first place.

Summary:

119. Supporting, receiving services from, consorting, or lying down under the same roof with an expelled novice -- knowing that he has been expelled -- is a pacittiya offence.

Chapter Eight Part Eight: In-accordance-with-the-Rule Chapter

71. Should any bhikkhu, admonished by the bhikkhus in accordance with a rule, say, "Friends, I will not train myself under this training rule until I have put questions about it to another bhikkhu, experienced and learned in the discipline," it is to be confessed. Bhikkhus, (a training rule) is to be understood, is to be asked about, is to be pondered. This is the proper course here.

This rule deals with cases where a bhikkhu tries to excuse himself from following any of the training rules, without showing out-and-out disrespect for the rule or the person admonishing him. (If he showed out-and-out disrespect, the case would come under Pacittiya 54.) The factors for the full offence here are three.

1) *Object*: one has been admonished by a fellow bhikkhu who cites a rule formulated in the Vinaya.
2) *Intention:* one does not want to train oneself in line with the rule.
3) *Effort:* one says something to the effect that one will not train in line with the rule.

Only two of these factors -- object and effort -- require explanation.

Object. Only if the other bhikkhu cites a rule in the Vinaya is this factor grounds for a pacittiya. If he criticizes one's actions, citing standards of behaviour outside of the Vinaya -- e.g., he says that one has been acting out of greed, anger, delusion, or fear -- this factor becomes grounds for a dukkata.

If the person admonishing one is not a bhikkhu, then regardless of whether he/she cites a rule in the Vinaya or standards of behaviour outside of the Vinaya, this factor is again grounds for a dukkata.

As under Pacittiya 54, whether or not one views the admonition as valid is not an issue here.

Effort. Looking at the Vibhanga's discussion of this factor, it would appear to cover only cases where one used the precise words mentioned in the training rule, but the K/Commentary -- drawing probably on the Great Standards -- expands it to cover any case where one says something as a ploy to excuse oneself from following the rule without showing disrespect. Examples might include: "I'll worry about that rule when I come to it." "I don't have time for that right now." "I've been wondering: Do you really think that that rule applies in this day and age? It gets in the way of our spreading the Dhamma." In other words, this factor closes any loopholes left by Pacittiya 54.

Non-offences. According to the Vibhanga, the only way to avoid an offence in situations like this is to say that one will learn about the rule and train in line with it. As the no-offence clauses to Pacittiya 54 make clear, though, if one has been admonished with any interpretation of a rule that differs from one's teachers', one may avoid an offence simply by stating that one's teachers taught differently.

Summary:
120. Saying something as a ploy to excuse oneself from training under a training rule when being admonished by another bhikkhu for a breach of the rule is a pacittiya offence.

72. Should any bhikkhu, when the Patimokkha is being repeated, say, "Why are these lesser and minor training rules repeated when they lead only to anxiety, bother and confusion?" the criticism of the training rules is to be confessed.

"Now at that time the Blessed One gave a talk to the bhikkhus on the subject of discipline. He spoke in praise of discipline, in praise of the mastery of discipline, and in praise of Ven. Upali, referring to him again and again. The bhikkhus (said), '...Come, friends, let's study discipline with Ven. Upali.' They and many other bhikkhus -- elders, newly ordained, and those in between -- studied discipline with Ven. Upali.

"Then the thought occurred to some group-of-six bhikkhus: 'Now, friends, many bhikkhus... are studying discipline with Ven. Upali. If they become well-versed in the discipline, they will push us and pull us around however they like, whenever they like, and as long as they like. Come, friends, let's criticize the discipline.' Then the group-of-six bhikkhus, approaching the bhikkhus, said, 'Why are these lesser and minor training rules repeated when they lead only to anxiety, bother, and confusion?'"

The full offence here has three factors.

1) *Object:* another bhikkhu.
2) *Effort*: one criticizes the discipline in his presence
3) *Intention:* so as to discourage the study of the discipline.

Object & effort. There is a pacittiya for criticizing the discipline in the presence of a bhikkhu; and a dukkata for criticizing the Dhamma in his presence, or criticizing either the discipline or the Dhamma in the presence of an unordained person.

The training rule would seem to indicate that these actions are grounds for an offence only while the Patimokkha is being recited or rehearsed, but the no-offence clauses in the Vibhanga give no allowance to criticize the discipline at other times, and the K/Commentary follows the Vibhanga in not making the recitation of the Patimokkha a necessary factor for the offence here. In other words, the factor of effort here is fulfilled if one criticizes the discipline at any time.

Intention. This factor is fulfilled either if one's intention is to keep that particular bhikkhu from studying or mastering the discipline, or if one wants the discipline in general to disappear from lack of study.

Further action. A bhikkhu who makes a concerted effort to speak in dispraise of the Dhamma or discipline may be subject to an act of censure or banishment, depending on the seriousness of the case (Cv.I.4.1; Cv.I.14.2).

Non-offences. There is no offence if, without intending to criticize the discipline, one suggests to another person that he/she master the Suttas or the Abhidhamma first, before mastering the discipline.

Summary:
121. Criticizing the discipline in the presence of another bhikkhu, in hopes of preventing its study, is a pacittiya offence.

73. Should any bhikkhu, when the Patimokkha is being recited every half-month, say, "Just now have I heard that this case, too, is handed down in the Patimokkha, is included in the Patimokkha, and comes up for recitation every half-month;" and if other bhikkhus should know, "That bhikkhu has already sat through two or three recitations of the Patimokkha, if not more," the bhikkhu is not exempted for being ignorant. Whatever the offence he has committed, he is to be dealt with in accordance with the rule; and in addition, his deception is to be exposed: "It is no gain for you, friend, it is ill-done, that when the Patimokkha is being recited, you do not pay proper attention and take it to heart." Here the deception is to be confessed.

To summarize the Vibhanga: If a bhikkhu -- when the recitation of the Patimokkha comes to a rule he has violated -- tries to excuse himself through the sort of pretence cited in the rule, he immediately incurs a dukkata if he has already listened to the Patimokkha in full three times or more. The other bhikkhus may then expose his deception through a formal act of the Community. If he then continues with the pretence, he incurs a pacittiya. If they do not bring the formal act against him, though, he incurs a dukkata for each effort he makes in keeping up the pretence. There is no offence, though, if he is not feigning ignorance or if he has not yet heard the Patimokkha in full at least three times.

Obviously, these explanations were written when Pali was the bhikkhus' native language, and the recitation of the Patimokkha in Pali offered the opportunity to learn the rules, along with the opportunity to feign ignorance without telling an out-and-out lie. In other words, one could say immediately after the recitation of a particular rule, "Just now have I heard that this rule is in the Patimokkha," and strictly speaking it would be true: One has just heard it, even if for the umpteenth time, but one hopes that the other bhikkhus will be deceived into inferring that one has just heard it for the first time.

At any rate, the discussion of this rule in the Vibhanga and commentaries makes no exceptions for bhikkhus whose native language is not Pali, and since the Patimokkha is available in a number of translations, the "grace period" in which one is expected to be ignorant -- three recitations covers a month to a month and a half -- is not too short a time for a new bhikkhu to read and remember the rules in translation.

The factors for the full offence here are three.

1) *Object:* one has heard the Patimokkha in full for at least three times, one has tried to feign ignorance, but the bhikkhus have brought a formal act against one, exposing one's deceit.
2) *Intention:* one wants to deceive the bhikkhus into believing that one is ignorant of the rule one has broken.
3) *Effort:* one says a half-truth to deceive them. (Out-and-out lies would come under Pacittiya 1.)

Perception is not a mitigating factor here. If the act exposing one's deceit has been properly carried out, then regardless of whether or not one perceives it as valid, one incurs a pacittiya for trying to deceive the bhikkhus any further. If it has been improperly carried out, one incurs a dukkata for trying to deceive them further, regardless of how one perceives the act.

Non-offences. There is no offence if one has heard the Patimokkha in full less than three times, or if one is not intending to deceive anyone.

Summary:
122. Using half-truths to deceive others into believing that one is ignorant of the rules in the Patimokkha, after one has already heard the Patimokkha in full three times, and a formal act exposing one's deceit has been brought against one, is a pacittiya offence.

74. Should any bhikkhu, angered and displeased, give a blow to (another) bhikkhu, it is to be confessed.

The factors for the full offence here are three:
1) *Object:* another bhikkhu.
2) *Effort:* one gives him a blow
3) *Intention:* out of anger.

Object. A bhikkhu is grounds for the full offence here; anyone unordained, grounds for a dukkata. According to the Commentary, anyone unordained includes animals as well as higher forms of life, such as human or celestial beings.

Effort. This factor is fulfilled whether one gives a blow –

I. with one's own body (hitting with a fist, jabbing with an elbow, kicking with a foot);
II. with something attached to the body (e.g., a stick, a knife); or
III. with something that can be "thrown" (this includes such things as throwing a rock, shooting an arrow, or firing a gun). According to the Vibhanga, this last category includes throwing "even a lotus leaf," which shows that the blow need not be painful in order to fulfill this factor.

This factor also includes such things as twisting the other person's arm behind his back or wringing his neck: It is fulfilled as soon as one touches his body with the intent to do these things.

Intention. If one gives a blow for reasons other than anger, the action does not fall under this rule. Thus, for instance, if one thumps a fellow bhikkhu on the back to help dislodge something caught in his throat, there is no offence. And as the Commentary notes, if -- motivated by lust -- one gives a blow to a woman, one incurs the full penalty under Sanghadisesa 2.

For some reason, the Commentary says that if one cuts off the nose or ear of a fellow bhikkhu in order to disfigure him, one incurs only a dukkata. As the Vinaya Mukha points out, though, there is no basis in the Vibhanga or in reason for this statement. It is hard to imagine anyone doing this unless motivated by anger, and cutting another person would come under the factor of giving a blow with something connected with the body.

Result is not a factor here. Whether or not the other person is hurt -- or how badly he/she is hurt -- does not affect the offence. If one intends simply to hurt the other person, but he/she happens to die from one's blow,

the case is treated under this rule, rather than under Parajika 3. In other words, the penalty is a pacittiya if the victim is a bhikkhu, and a dukkata if not.

Non-offences. According to the Vibhanga, there is no offence for a bhikkhu who, trapped in a difficult situation, gives a blow "desiring freedom." The Commentary's discussion of this point shows that it includes what we at present would call self-defence; and the K/Commentary's analysis of the factors of the offence here shows that even if anger or displeasure arises in one's mind in cases like this, there is no penalty.

Summary:
123. Giving a blow to another bhikkhu when motivated by anger is a pacittiya offence.

75. Should any bhikkhu, angered and displeased, raise his hand against (another) bhikkhu, it is to be confessed.

This rule is similar to the preceding one, differing only in the factor of effort: Raising one's hand means raising any part of one's body (the hand, the foot, etc.) or anything attached to the body (a stick, a rock, a gun, a bow and arrow) in a threatening manner.

The Commentary notes that if one intends only to raise one's hand, but then accidentally gives a blow, one incurs a dukkata. The Sub-commentary explains this in the only way that would make sense: One incurs the dukkata for the blow, but a pacittiya for raising the hand in the first place.

The Sub-commentary also notes that if an animal, for example, is making a mess and a bhikkhu raises his hand against it, this would be included under "desiring freedom" -- i.e., from the mess -- and so would not be an offence.

Summary:
124. Making a threatening gesture against another bhikkhu when motivated by anger is a pacittiya offence.

76. Should any bhikkhu charge a bhikkhu with an unfounded sanghadisesa (offence), it is to be confessed.

Here again the factors for the full offence are three.

1) *Object:* another bhikkhu.
2) *Perception:* one perceives him to be innocent of the offence one is charging him with.
3) *Effort:* one accuses him in his presence -- or gets someone else to accuse him in his presence -- of having committed a sanghadisesa offence.

If one makes an unfounded charge accusing another bhikkhu of having committed a lesser offence or of falling away from right views, one incurs a dukkata. The same penalty holds for making an unfounded charge accusing an unordained person of having committed a wrong doing or of falling away from right views.

The topic of unfounded charges is a complex one, and has already been covered in detail under Sanghadisesa 8. Additional points may be inferred from the discussion of that rule, the differences being that intention is not a factor here, and the change in effort -- one is accusing the other bhikkhu of a sanghadisesa or lesser offence -- changes the seriousness of the penalty.

Non-offences. As under Sanghadisesa 8, there is no offence if one makes the accusation -- or gets someone else to make the accusation -- when one thinks it to be true, even if it turns out that the other bhikkhu is actually not guilty of the offence.

Summary:
125. Making an unfounded charge to another bhikkhu -- or getting someone else to make the charge to him -- that he is guilty of a sanghadisesa offence is a pacittiya offence.

77. Should any bhikkhu purposefully provoke anxiety in (another) bhikkhu, (thinking,) "This way, even for just a moment, he will have no peace" -- if doing it for just this reason and no other -- it is to be confessed.

The Vinaya Mukha's explanation for this rule is worth quoting at length:

"There are people who normally tend to be anxious about one thing or another... If someone speaks to a bhikkhu such as this of contingencies that run counter to the Buddha's ordinances and are impossible to know -- e.g., 'When you were ordained, how can you know that all the qualifications (for a valid formal act) were fulfilled? If they were lacking, doesn't that mean you aren't really ordained?' -- even this is enough to set him worrying, giving him all sorts of anguish. A bhikkhu who is unrestrained and who -- looking for fun with no concern for how his friends will suffer -- takes such matters to tell them, is penalized with a pacittiya in this rule."

The full offence here has three factors.

1) *Object:* another bhikkhu.
2) *Effort:* one mentions that he might have broken a rule unknowingly.
3) *Intention:* one's purpose is to cause him anxiety, even if just for a moment.

Object. A bhikkhu here is grounds for a pacittiya; an unordained person, grounds for a dukkata.

Effort. The Vibhanga gives a few examples of rules the other person might have broken unknowingly: He may have drunk liquor, may have eaten food at the wrong time, or may have sat in private with a woman, all without knowing it. (Although this last would not be an offence if done unknowingly, it is close enough to an offence that the mention of the possibility would cause an ignorant bhikkhu anxiety.) In the origin story, some group-of-six bhikkhus made insinuating remarks to the group of 17 that since they were ordained when they were less than 20 years old, they were not really ordained. (Again, since the group of 17 were the instigators for that rule, they were not subject to it.) All of this shows that this factor is fulfilled by any statement one might make to another bhikkhu insinuating that he may have broken a rule, even if the action one mentions is not strictly speaking an offence.

Intention. If, not wanting to cause the other person anxiety, one has other reasons for mentioning rules he/she might have broken unknowingly -- e.g., one seriously thinks that he may have been improperly ordained -- there is no offence.

Summary:

126. Saying to another bhikkhu that he may have broken a rule unknowingly, simply for the purpose of causing him anxiety, is a pacittiya offence.

78. Should any bhikkhu stand eavesdropping on bhikkhus when they are arguing, quarrelling, and disputing, thinking, "I will overhear what they say" -- if doing it for just this reason and no other -- it is to be confessed.

"Now at that time some group-of-six bhikkhus were quarrelling with the well-behaved bhikkhus. The well-behaved bhikkhus (meeting among themselves) said, 'These group-of-six bhikkhus are shameless. There's no way you can argue with them.'

"Later, the group-of-six bhikkhus said to them, 'Why do you disgrace us by calling us shameless?'

"'But how did you overhear?'

"'We stood eavesdropping on you.'"

The factors for the full offence here are three.

1) *Object:* other bhikkhus who are involved in an argument over an issue.
2) *Effort:* one stands eavesdropping on them,
3) *Intention:* with the purpose of using what they say against them, either in a formal act (reproving, reminding, or reprimanding them) or simply to make them feel remorseful or ashamed.

Object. According to the Vibhanga, the words, arguing, quarrelling, and disputing refer to arguments over issues (see Pacittiya 63). The Commentary says that this refers to one kind of issue -- disputes -- but accusations would appear to fit here as well.

This factor is fulfilled regardless of whether the two parties in the dispute/accusation are confronting each other or -- as in the origin story -- one party is talking in private. It is also fulfilled regardless of whether or not one is already involved in the dispute oneself.

Bhikkhus involved in an argument are grounds for a pacittiya; unordained people involved in an argument, grounds for a dukkata. Perception -- e.g., whether or not one perceives the bhikkhus as bhikkhus -- is not a mitigating factor here.

People who are not involved in an argument are not grounds for an offence. Thus there is no penalty in eavesdropping on a Dhamma talk or on a bhikkhu sitting in private with a woman, to see what they will say to each other.

Effort. The Vibhanga goes into a fair amount of detail on this factor, allotting the offences as follows (assuming the other factors to be fulfilled as well):

I. One goes with the purpose of eavesdropping on the other party : a dukkata. One stays in one place eavesdropping on them: a pacittiya.

II. One is walking behind the other party, and speeds up one's steps to overhear them: a dukkata. One stays in one place eavesdropping on them: a pacittiya.

III. One is walking ahead of the other party and slows down to overhear them: a dukkata. One stays in one place eavesdropping on them: a pacittiya.

IV. One is sitting, standing, or lying down in place, and the other party happens to walk past : One should cough, clear one's throat, or (the K/Commentary states) say, "I'm here." Not to do so entails a pacittiya.

At present, surreptitiously reading another person's mail would seem to fulfill this factor as well.

Intention. According to the Vibhanga, there is no offence if one happens to overhear bhikkhus arguing and goes away thinking, "I won't get involved," or "I will free myself" ("by declaring my innocence," says the Commentary).

Summary:

127. Eavesdropping on bhikkhus involved in an argument over an issue -- with the intention of using what they say against them -- is a pacittiya offence.

79. Should any bhikkhu, having given consent (by proxy) to a formal act carried out in accordance with the rule, later complain (about the act), it is to be confessed.

"Now at that time some group-of-six bhikkhus were indulging in bad habits but protested when a formal act was being carried out against any one of their group. Now it happened that the Community was meeting on some other business, and the group-of-six bhikkhus, involved in making robes, sent their consent with one of their members. Then the Community, thinking, 'Look, friends, one of the group-of-six has come alone. Let's carry out a formal act against him,' did just that.

"He then returned to where the group-of-six bhikkhus were staying. They asked him, 'What, friend, did the Community do?'"

"'They carried out a formal act against me.'

"'That wasn't what we gave our consent for, that they would carry out a formal act against you. If we had known that they would carry out a formal act against you, we wouldn't have given our consent!'"

Formal acts. A formal act is a procedure the Community follows in settling any of the four kinds of issues: disputes, accusations, offences, or duties. The Vinaya gives the pattern for settling each of the various issues falling into these four categories: the minimum number of bhikkhus that has to be present, the qualifications (positive or negative) of the individual or situation warranting the act, and the formal procedure -- a declaration, a motion, a motion with one announcement, or a motion with three announcements -- to follow in carrying out the act. An act carried out in accordance with these patterns is said to be carried out in accordance with the rule.

However, for a formal act to be valid and irreversible, it must be carried out not only in accordance with the rule, but also by a complete assembly (Mv.IX.2.4). This point is to prevent small factions from carrying out

acts as they like. When this point was first raised, the question arose, How many bhikkhus are needed for an assembly to be complete? All the bhikkhus in the world? All the bhikkhus in a particular monastery? The Buddha's answer was, All the bhikkhus in a monastery, and he gave permission for the bhikkhus to delineate boundaries (sima) so as to determine who did and did not have to join in the act for the assembly to be complete (Mv.II.5.2,6.1,12.7). Later, he gave permission that an ill bhikkhu living within the boundary did not have to attend the meeting, but could give his consent by proxy, through word or gesture, and the assembly would still be regarded as complete (Mv.II.23.1-2).

Thus a complete assembly is defined as follows: All the bhikkhus within the boundary are either present at the meeting (sitting within 1.25 meters of one another in the meeting) or have given their consent by proxy, and no one makes a valid protest against the act's being carried out (Mv.IX.3.5-6). (An invalid protest would be one made by someone who is not a bhikkhu, by a bhikkhu who is insane, possessed by a spirit, outside the boundary, or suspended from the Community, or by the bhikkhu against whom the act is being carried out (Mv.IX.4.7-8).)

Before we go on to discuss this rule, there are a few added points concerning the origin story we should touch on:

1) When a bhikkhu makes a valid protest, he does not need to justify it. In other words, he can make protest simply because he doesn't agree with the act, and his protest stands regardless of whether or not he can find any basis for it in the Dhamma and Vinaya.

2) One Community may not carry out a formal act against another Community (Mv.IX.2.3). What this means is that they may carry it out against no more than three bhikkhus at a time. This is why the group-of-six bhikkhus were able to protect one another from being subject to a formal act, for there were usually more than three of them at any one meeting of the Community. Even though the ones against whom the formal act was being carried out had no right to protest, their friends did, and they took advantage of their right.

3) In the passage where the Buddha gives permission for bhikkhus to give their consent by proxy (Mv.II.23.1-2), he states that this permission applies to ill bhikkhus. Yet in the origin stories to this rule and the following one, the group of six are not ill, they give their consent by proxy, and the act carried out with their consent is considered to be valid. None of the texts make note of this point, but it seems to indicate that ill in this context covers not only physical illness, but also any other serious inconvenience that prevents one from joining in the meeting.

The factors for the offence under this rule are three.

1) *Object:* a valid formal act to which one has given one's consent.
2) *Perception:* one perceives it as valid.
3) *Effort:* one complains about it.

Object & perception. The various permutations of these factors are as follows:

a) a valid act that one perceives to be valid: grounds for a pacittiya;
b) an invalid act that one perceives to be valid: grounds for a dukkata;
c) an act that one is doubtful about, regardless of its actual validity: grounds for a dukkata;
d) an act that one perceives to be invalid, regardless of its actual validity: grounds for no offence.

Effort. Any expression of displeasure with the act would fulfill this factor. If, however, one states that the act was not carried out in accordance with the rule, then regardless of whether or not one had given one's consent, the case would fall under Pacittiya 63, rather than here.

Non-offences. There is no offence in complaining about the act if one perceives it as having been carried out not in accordance with the rule, by an incomplete assembly, or against someone who did not warrant such an act. This exemption holds regardless of whether, in fact, the act was valid or not.

Summary:

128. Complaining about a formal act of the Community to which one gave one's consent -- if one knows that the act was carried out in accordance with the rule -- is a pacittiya offence.

80. Should any bhikkhu, when deliberation is being carried on in the Community, get up from his seat and leave without having given consent, it is to be confessed.

The origin story here is a sequel to the one for the preceding rule.

"Now at that time the Community was meeting on some business, and the group-of-six bhikkhus, involved in making robes, sent their consent with one of their group. Then the Community, thinking, 'We'll carry out the formal act (against the one member of the group-of-six) that was our real purpose in meeting,' set forth a motion. The bhikkhu -- thinking, 'It's just in this way that they carry out formal acts against us one at a time. Well, who are you going to carry out this act against?' -- without giving his consent, got up from his seat and left."

As explained under the preceding rule, a bhikkhu has no right to protest when the Community is carrying out a formal act against him. However, the Community may not carry out an act against a bhikkhu who is not in its midst (see Adhikarana-Samatha 1), and any act is invalid if carried out when there is a bhikkhu within the boundary who is not in the meeting and who has not given his consent. The bhikkhu in the origin story took advantage of these two principles to escape from the formal act being carried out against himself, and the Buddha then formulated this rule to impose a penalty on any bhikkhu who tried the same manoeuvre in the future.

There are four factors for the full offence.

1) *Object:* a formal act has been started but has yet to be finished, and is being carried out in a valid manner.
2) *Perception*: one perceives it as being carried out in a valid manner.
3) *Intention:* one wants to invalidate the act or to keep the group from carrying it out.
4) *Effort:* one goes beyond one hatthapasa (1.25 m.) from the bhikkhus sitting in the meeting, without having first given one's consent.

Object & perception. The various permutations of these two factors are as follows:

I. a valid act that one perceives to be valid: grounds for a pacittiya;
II. an invalid act that one perceives to be valid: grounds for a dukkata;
III. an act that one is doubtful about, regardless of its actual validity: grounds for a dukkata;
IV. an act that one perceives as invalid, regardless of its actual validity: grounds for no offence.

According to the Vibhanga, the time period covered by this factor begins at the point where the matter has been brought up in the Community -- or a motion has been set forth -- and ends when the Community's decision has been announced.

The Commentary, in discussing this point, says that, in the case of an accusation, the point when the matter has been brought up is when both sides have stated their initial positions, and a bhikkhu has been authorized to cross-examine them.

Effort. The Vibhanga divides the effort here into three parts and allots the penalties as follows:

1) One gets up to go: a dukkata.
2) One reaches the distance of one hatthapasa from the meeting: another dukkata.
3) One passes beyond the distance of one hatthapasa: a pacittiya.

The K/Commentary adds that one must also remain within the boundary (sima) for this factor to be fulfilled, but the Vibhanga makes no mention of this, and there seems no reason to adopt it. If we did adopt it, it would mean that if a formal act were being carried out against a bhikkhu, and he left the meeting and the boundary to avoid it, he would be committing no offence. Thus it seems better to stick with the Vibhanga and say that this factor is fulfilled when one goes beyond one hatthapasa away from the meeting, regardless of whether one then stays within the boundary or not.

Intention. There is no offence if, without giving one's consent, one leaves the meeting for purposes other than to invalidate the act. Examples in the Vibhanga include:

a) One is ill.
b) One has to do something (e.g., prepare or give medicine) for one who is ill.
c) One is overcome with the need to urinate or defecate.
d) One leaves, without desiring to invalidate the act, with the thought, "I'll come right back."

In all of these cases, though, if possible, it is best to give one's consent before going.

Non-offences. In addition to the above cases, there is also no offence if one leaves a meeting without giving one's consent with the purpose of invalidating the act if one perceives that:

I. the act will lead to quarrelling, a crack, or a split in the Community;
II. or the act is being carried out not in accordance with the rule, by an incomplete assembly, or against/for a person who doesn't warrant it.

Summary:

129. Getting up and leaving a meeting of the Community in the midst of a valid formal act -- without having first given one's consent to the act and with the intention of invalidating it -- is a pacittiya offence.

81. Should any bhikkhu, (acting as part of) a Community in concord, give robe-cloth (to an individual bhikkhu) and later complain, "The bhikkhus apportion the Community's gains according to friendship," it is to be confessed.

Apportioning the Community's gains. The Cullavagga (VI.15.2) contains a passage saying that no one -- not even the Community itself -- can take any of the following items belonging to the Community and turn them over to individual ownership: monasteries or monastery land; dwellings or land on which dwellings are built; furnishings, such as couches, chairs, or mattresses; metal vessels or tools; building materials or articles made of pottery or wood. The collective term for these goods is garubhanda, or heavy articles. The penalty for handing any of the Community's garubhanda over to individual ownership is a thullaccaya. In the origin story to Parajika 4, the Buddha states that a bhikkhu who gives the Community's garubhanda to a lay person is one of the five great thieves in the world.

Light articles (lahubhanda) belonging to the Community, though, may be turned over to individual ownership -- of a bhikkhu or novice -- but only when the proper procedures are followed. The usual pattern is to appoint a Community official, through a formal act, to be responsible for making sure that such items be distributed fairly to the members of the Community eligible to receive them. Such officials include distributors of robe-cloth, of food, of fruit, of non-staple foods, and of small accessories, such as scissors, sandals, water strainers, etc. (Cv.VI.21).

In addition, this training rule shows that a Community acting as a whole may take light articles belonging to it and turn them over to individual bhikkhus or novices. (According to the K/Commentary to Pacittiya 79, this can be done with a simple declaration (apalokana), although the kathina ceremony, which would fall under this general category, follows the pattern of a motion with one announcement.) A typical example, apart from the kathina, would be if the Community receives a particularly fine piece of cloth and, instead of cutting it up to share the pieces out among the members, decides to present the entire piece to one of its members who has been especially helpful to the group. This is one way in which the Community may reward a Community official for his services.

Any member of the Community who disagrees with such a decision may prevent it from happening by protesting during the declaration. The purpose of this rule is to prevent members of the Community from complaining, after they have taken part in such a decision, that the Community was acting out of favouritism.

The factors for the full offence are two.

1) *Object:* one has acted as part of a Community that has given robe-cloth to a bhikkhu who has been chosen, through a prior formal act, to be a Community official.

2) *Effort:* one complains afterwards that the Community acted out of favouritism.

Object. *Acting as part of a Community* means that one is in communion with the Community that handed over the cloth, and that one was in the same boundary with them: i.e., one was either in the meeting or had given one's consent to it.

Robe-cloth means a piece of any of the six kinds of allowable cloth, measuring at least four by eight fingerbreadths.

The various permutations of articles and recipients are as follows:

I. Complaining when the Community has given robe-cloth to a Community official: a pacittiya.
II. Complaining when the Community has given any other light article to a Community official: a dukkata.
III. Complaining when the Community has given any light article -- cloth or otherwise -- to a bhikkhu who is not a Community official or to a novice: a dukkata.

Perception is not a mitigating factor here. For example, if the recipient was made a Community official through a valid formal act, then regardless of how one perceives that act, it has no effect on the penalty under this rule. (The Vibhanga is somewhat confusing on this point, not saying explicitly whether the factor of "perception with regard to the formal act" refers to the act by which the official was appointed or to the act by which the cloth was handed over to him. The first interpretation, though, is the only one that makes sense in light of the no-offence clauses, and the K/Commentary confirms that it is the correct one.)

Effort. This factor is fulfilled by any expression of personal displeasure with the Community. If, however, one accuses the Community of having carried out the act improperly -- not in accordance with the rule, or with an incomplete assembly -- the case would come not here, but under Pacittiya 63.

Non-offences. The Vibhanga says that if the article was given out of habitual favouritism, anger, delusion, or fear, there is no offence in complaining, "What is the use of giving it to him? After receiving it he'll ruin it; he won't take proper care of it." Notice, however, that even in cases of this sort one is allowed to criticize only the recipient, and not the Community -- for, after all, one had one's chance to protest during the meeting, but remained silent.

Summary:
130. After participating in a formal act of the Community giving robe-cloth to a Community official: Complaining that the Community acted out of favouritism is a pacittiya offence.

82. Should any bhikkhu knowingly divert to an individual gains that had been allocated for the Community, it is to be confessed.

This rule has already been explained under NP 30.

Summary:
131. Persuading a donor to give to another individual a gift that he or she had planned to give to a Community -- when one knows that it was intended for the Community -- is a pacittiya offence

Chapter Eight Part Nine: The Treasure Chapter

83. Should any bhikkhu, without being previously announced, cross the threshold of a consecrated noble king's (sleeping chamber) from which the king has not left, from which the treasure (the queen) has not withdrawn, it is to be confessed.

"Having sat down to one side, King Pasenadi of Kosala said to the Blessed One, 'It would be good, venerable sir, if the Blessed One would appoint a bhikkhu to teach Dhamma in our women's quarters'... So the Blessed One addressed Ven. Ananda, 'In that case, Ananda, go teach Dhamma in the king's women's quarters.'

"Replying, 'As you say, Lord,' Ven. Ananda entered the king's women's quarters time and again to teach Dhamma. Then one day early in the morning, Ven. Ananda, having put on his lower robe, carrying his robe and bowl, went to King Pasenadi's palace. At that time King Pasenadi had gone to lie down on a couch with Queen Mallika. Queen Mallika saw Ven. Ananda coming from afar and, on seeing him, got up hurriedly. Her blouse of burnished gold cloth slipped off. Ven. Ananda turned around and went back to the monastery."

The factors for the full offence here are two: object and effort.

Object. A king -- a consecrated member of the noble warrior class, pure in his lineage through the past seven generations -- is in his sleeping chamber with his queen. Sleeping chamber means any place where his bed is prepared, even if it is outside, surrounded only by a curtain or screen wall (as was the custom on royal excursions in those days, a custom often depicted in murals on the walls of Thai temples).

Effort. Unannounced, one steps -- with both feet -- over the threshold of the sleeping chamber. Perception as to whether or not one has been announced is not a mitigating factor here.

Non-offences. There is no offence if --

I. one has been announced,
II. the king is not a member of the noble warrior class or has not been consecrated,
III. the king and/or queen have left the sleeping chamber, or
IV. the room is not a sleeping chamber.

Obviously, there is little chance that a bhikkhu will break this rule at present. However, in the course of formulating the rule, the Buddha mentioned ten dangers for a bhikkhu who enters the king's inner palace even at the king's request, and some of these dangers still apply to any situation in which a bhikkhu is on familiar terms with a person of influence, royal or not:

1) "'There is the case where the king is on a couch together with the queen. A bhikkhu enters there. Either the queen, seeing the bhikkhu, smiles; or the bhikkhu, seeing the queen, smiles. The thought occurs to the king, "Surely they've done it, or are going to do it...

2) "And furthermore, the king is busy, with much to do. Having gone to a certain woman, he forgets about it. On account of that, she conceives a child. The thought occurs to him, "No one enters here but the one gone forth. Could this be the work of the one gone forth?"...

3) "And furthermore, some jewel in the king's inner palace disappears. The thought occurs to the king, "No one enters here but the one gone forth. Could this be the work of the one gone forth?"...

4) "And furthermore, secret consultations in the confines of the inner palace get spread abroad. The thought occurs to the king, "No one enters here but the one gone forth. Could this be the work of the one gone forth?"...

5) "And furthermore, in the king's inner palace the son is estranged from the father, or the father from the son. The thought occurs to them, "No one enters here but the one gone forth. Could this be the work of the one gone forth?"...

6 & 7) "And furthermore, the king establishes one from a low position in a high position...(or) one from a high position in a low position. The thought occurs to those displeased by this, "The king is on familiar terms with one gone forth. Could this be the work of the one gone forth?"...

8) "And furthermore, the king sends the army out at the wrong time. The thought occurs to those displeased by this, "The king is on familiar terms with one gone forth. Could this be the work of the one gone forth?"...

9) "And furthermore, the king sends the army out at the right time, but has it turn around mid-way. The thought occurs to those displeased by this, "The king is on familiar terms with one gone forth. Could this be the work of the one gone forth?"...

10) "And furthermore, bhikkhus, the king's inner palace is crowded with elephants... horses... chariots. There are enticing sights, sounds, smells, tastes, tactile sensations unsuitable for one gone forth. This, bhikkhus, is the tenth danger for one who enters the king's inner palace.'"

Summary:

132. Entering a king's sleeping chamber unannounced, when both the king and queen are in the chamber, is a pacittiya offence.

84. Should any bhikkhu pick up or have (someone) pick up a valuable or what is considered a valuable, except within a monastery or within a dwelling, it is to be confessed. But when a bhikkhu has picked up or had (someone) pick up a valuable or what is considered a valuable (left) in a monastery or in a dwelling, he is to keep it, (thinking,) "Whoever it belongs to will (come and) fetch it." This is the proper course here.

The purpose of this rule is to prevent a bhikkhu from picking up misplaced valuables belonging to other people, except when he finds them in a monastery or a dwelling, for as the origin story shows, there are dangers inherent in such an act even when done with the best intentions.

"Now at that time a certain bhikkhu was bathing in the Aciravati River. A certain Brahman, having placed a bag of 500 gold pieces on the dry ground, had bathed in the river and left, forgetting it. The bhikkhu, (saying to himself,) 'Don't let this bag of the Brahman's be lost,' picked it up. Then the Brahman, remembering, rushed back and said to the bhikkhu, 'My good man, have you seen my bag?'

"'Here, Brahman,' he said, and gave it to him.

"Then the thought occurred to the Brahman, 'Now how can I get away without giving the five percent reward to this bhikkhu?' So (saying,) 'I didn't have 500, my good man, I had 1,000!' he detained him for a while and then let him go."

However, a bhikkhu who comes across a fallen valuable in a monastery or in a dwelling he is visiting -- if he does not pick it up -- may later be held responsible if it gets lost: Thus the two situations mentioned as exemptions in the rule. In situations such as these, a bhikkhu is allowed even to pick up money and other items he is not normally allowed to take. In fact, the Vinaya Mukha states that if he does not pick up the valuable and put it in safe keeping, he incurs a dukkata. None of the other texts mention this point, although it is probably justified on the grounds that the bhikkhu is neglecting his duty in not following the "proper course" here.

The Vibhanga advises that if a bhikkhu has picked up a fallen valuable in this way and put it in safe keeping, he should take note of its features. (The Commentary adds that if it is a bag of money, he should open the bag and count how much it contains. The same would hold for such things as wallets at present.) He should then have an announcement made, "Let him come whose goods are lost." If a person comes to claim the item, the bhikkhu should ask him/her to describe it. If the person describes it correctly, the bhikkhu should hand it over. If not, he should tell the person to "keep looking." If the bhikkhu is going to leave the monastery to live elsewhere, he should entrust the item to another bhikkhu or -- if no suitable bhikkhu is available -- to a suitable lay person .

The Commentary adds that if, after a suitable length of time, no one comes to claim the item, the bhikkhu should have it exchanged for something of lasting use to the monastery. If, after that, the owner does come

to claim the item, the bhikkhu should tell him/her of the use to which it was put. If the owner is satisfied, there is no problem. If not, the bhikkhu should arrange to have the owner compensated.

The factors for the offence here are four.

1) *Object:* a valuable or anything considered a valuable that one finds left behind, except in a monastery or a dwelling that one is visiting.
2) *Perception:* one does not perceive it as discarded.
3) *Intention:* one wants to keep it in safe keeping for the owner.
4) *Effort:* one picks it up or has someone else pick it up.

Object. The Vibhanga defines a valuable as jewels, silver, or gold. What is considered a valuable means anything that is of use to people. Items meeting these definitions at present would include money, wallets, watches, keys, eyeglasses, cameras, etc.

According to the K/Commentary, if the owner has given one permission to take the article, it does not fulfill this factor.

The Vibhanga defines in a monastery as follows: If the monastery is walled, then within the walls. If not, then in the immediate vicinity (according to the Commentary, a radius of one leddupata -- the distance a man of average height can throw a clod of dirt underarm -- around the monastery buildings). As for in a dwelling: If the area around the dwelling is walled, then within the walls. If not, then in the immediate vicinity (according to the Commentary, the distance one can throw a basket or a pestle (!) from the dwelling).

For some reason, the Commentary says that if the item has fallen in an area of the monastery where many people come and go -- e.g., the doorway to the Bodhi tree or public shrine -- one should not pick it up. What its reasoning is here, is hard to say, but it does note that the Kurundi -- one of the ancient commentaries -- does not agree with this position.

It also notes that if someone asks to put his/her belongings in safe keeping with a bhikkhu, the bhikkhu should not accept -- so as to avoid being responsible for them -- but if he/she leaves the things with the bhikkhu and goes off in spite of his objections or before giving him a chance to object, he should take the belongings and put them away in safe keeping.

Perception & intention. According to the Commentary, if one picks up money for one's own use, for the Community, or for anyone aside from the owner, the case would come under NP 18, rather than here. The same holds true with dukkata objects, such as jewels and semi-precious stones. This judgment, though, would seem to hold only in the case where one perceives the money, etc., as thrown away. If one does not perceive it as thrown away, and one is not borrowing it or taking it on trust, the case would come under Parajika 2, regardless of what the item is.

The Commentary also makes the peculiar point that if one sees an item belonging to one's mother or other close relative left behind on the roadside, one would incur the full penalty under this rule for picking it up to put in safe keeping for the owner, but no offence if one took the item, on trust, for one's own. Of course, after taking it on trust like this, one could then without penalty give it back to the owner as one liked.

Effort. For some reason, none of the texts go into detail on the question of getting someone else to pick up the item. Does one incur the pacittiya simply in the act of asking/commanding, or only if the other person actually picks the item up as asked? None of the texts say, but the usual pattern in other pacittiya rules is one pacittiya for the asking, and another one when the other person does as asked.

Non-offences. There is no offence if, within a monastery or a dwelling, one picks up an item or has it picked up with the thought, "Whoever this belongs to will come for it."

Also, according to the Vibhanga, there is no offence in taking an item left behind anywhere if one takes it on trust, borrows it, or perceives it as having been thrown away . The Commentary notes, though, that these last

three allowances apply only if the item is something a bhikkhu may normally touch and take; and not, for instance, a dukkata or nissaggiya object as defined under NP 18.

Summary:

133. Picking up a valuable, or having it picked up, with the intent of putting it in safe keeping for the owner -- except when one finds it in a monastery or in a dwelling one is visiting -- is a pacittiya offence.

85. Should any bhikkhu, without taking leave of an available bhikkhu, enter a village at the wrong time -- unless there is a suitable emergency -- it is to be confessed.

As the origin story here indicates, the purpose of this rule is to prevent bhikkhus from passing their time among householders talking of things inappropriate for a bhikkhu to discuss. The term used here, "animal talk," means worldly talk about:

"kings, robbers, and ministers of state; armies, alarms, and battles; food and drink; clothing, furniture, garlands, and scents; relatives; vehicles; villages, towns, cities, the countryside; women and heroes; the gossip of the street and the well; tales of the dead; also, philosophical discussions of the past and future (this is how the Sub-commentary explains 'tales of diversity'), the creation of the world and of the sea, and talk of whether things exist or not."

The Sub-commentary notes here that to discuss any of these topics in such a way as to foster an understanding of the Dhamma -- e.g., discussing politics to illustrate the impermanence of worldly power -- is not improper.

The factors for the full offence here are two.

1) *Object:* a village (this would include larger inhabited areas, such as towns and cities, as well).
2) *Effort:* one enters the village at the wrong time -- without having taken leave of an available bhikkhu -- except when there is an emergency.

Object. The Vibhanga says that if the village as a whole is enclosed, everywhere inside the enclosure is considered to be in the village. If not, the area in the village includes all the buildings and their immediate vicinity. According to the Sub-commentary, this means everywhere within a 2 leddupata radius of the buildings. (One leddupata is the distance a man of average height can throw a clod of dirt underarm.)

If one is staying in a monastery located within a village or town, the area covered by this factor begins at the boundary of the monastery.

Effort. The Vibhanga defines the wrong time as from after noon until the following dawn. This rule thus dovetails with Pacittiya 46, which deals with the period from dawn until noon on days when one has been invited to a meal.

Perception is not a mitigating factor here. Even if one perceives the time to be morning when it is actually after noon, one's actions would still fall under this rule.

As under Pacittiya 46, another bhikkhu is said to be available for taking one's leave if, in the Vibhanga's words, "It is possible to go having taken leave of him." That is, if there is another bhikkhu in the monastery, and there are no obstacles to taking one's leave from him (he is asleep, he is sick, he is receiving important visitors), one is obliged to go out of one's way to inform him.

According to the K/Commentary, taking leave in the context of this rule means the simple act of informing the other bhikkhu that, "I am going into the village," or any similar statement. In other words, one is not asking permission to go, although if the other bhikkhu sees that one is doing something improper in going, he is perfectly free to say so. If one treats his comments with disrespect, one incurs at least a dukkata under Pacittiya 54. (See the discussion under that rule for details.)

The Commentary states that if there is no bhikkhu in the monastery to take leave from, there is no need to inform any bhikkhu one may meet after leaving the monastery. If many bhikkhus are going together, they need only take leave from one another before entering the village.

For a new bhikkhu still living in dependence (nissaya) on his mentor, though, taking leave is a matter of asking permission from his mentor at all times, "wrong" or not. The Mahavagga (I.25.24; II.21.1) states that one of the duties of such a bhikkhu is that he must receive permission from his mentor before entering a village, going to a cemetery, or leaving the district. Not to ask permission before going, or to go after being denied permission, is to incur a dukkata. As for the mentor, if he gives permission for his student to go when it is not appropriate, he is the one who incurs the dukkata.

As for the suitable emergencies under this rule -- which would seem to exempt even new bhikkhus from having to take leave from their mentors -- the Vibhanga gives the example of a bhikkhu rushing to get fire to make medicine for another bhikkhu bitten by a snake. Examples more likely at present would include rushing to get a doctor for a sick bhikkhu or to get help when a fire has broken out in the monastery.

Further action. Although there is no penalty for engaging in "animal talk," a bhikkhu who enters a village frequently and engages in it, even if he takes leave of other bhikkhus, can be subject to an act of censure for "unbecoming association with householders" (Cv.I.4).

Non-offences. There is no offence in entering a village when one has taken leave of another bhikkhu, or in going when one has not taken leave if --

I. There is an emergency.

II. There is no bhikkhu available (e.g., one is living alone; all the other bhikkhus have left; all the bhikkhus in the monastery are going together).

III. One is on one's way to another monastery , to bhikkhunis' quarters, to the residence of people ordained in another sect or religion (located in a village, says the Commentary), or one is returning from any of these places.

IV. One is going along a road that happens to pass through a village. (According to the Commentary, a bhikkhu who wants to leave the road and enter the village proper should take leave of another bhikkhu if one is available.)

V. There are dangers. (Examples in the Commentary include seeing lions or tigers approaching, or clouds building up and threatening a storm.)

Summary:
134. Entering a village, town, or city during the period after noon until the following dawn, without having taken leave of an available bhikkhu -- unless there is an emergency -- is a pacittiya offence.

86. Should any bhikkhu have a needle case made of bone, ivory, or horn, it is to be broken and confessed.

The origin story here echoes the one for NP 22.

"Now at that time a certain ivory-worker offered an invitation to the bhikkhus: 'If any of the masters need a needle case, I will supply them with needle cases.' So the bhikkhus asked for many needle cases. Those with small needle cases asked for large ones; those with large ones asked for small ones. The ivory-worker, making many needle cases for the bhikkhus, was not able to make other goods for sale. He could not support himself, and his wife and children suffered."

There are three factors for the full offence here.
1) *Object:* a needle case made of bone, ivory, or horn.
2) *Effort:* one acquires it after making it or having it made
3) *Intention:* for one's own use.

Object. Anything aside from a needle case -- such as a fastener or ointment box -- is not grounds for an offence here, even if it is made of bone, ivory, or horn.

Effort. The permutations under this factor are as follows: the act of making the needle box or having it made -- a dukkata; acquiring the finished box -- a pacittiya. This last penalty applies regardless of whether the box was made entirely by oneself, entirely by others, or whether one finished what others began or let others finish what one began oneself. In any event, one must break the case before confessing the offence.

Intention. There is a dukkata in using a bone, ivory, or horn needle box made for the sake of another person; and in making such a box -- or having it made -- for another's use.

The general principle. The Vinaya Mukha derives a general principle from this rule: The Buddha, in formulating this rule, was putting a halt to the sort of fad that can occur among bhikkhus when certain requisites become fashionable to the point of inconveniencing donors, and senior bhikkhus at present should try to put a halt to any similar fads.

Summary:

135. Acquiring a needle box made of bone, ivory, or horn after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one break the box before confessing the offence.

87. When a bhikkhu is making a new bed or bench, it is to have legs (at most) eight fingerbreadths long -- using Sugata fingerbreadths -- not counting the lower edge of the frame. In excess of that it is to be cut down and confessed.

Tall furnishings. The purpose of this rule is to prevent bhikkhus from making and using furnishings that are high and imposing.

The Canon contains many rules dealing with furnishings, especially in the Khandhakas, and since furnishings in the time of the Buddha were somewhat different from what they are now, it is often a matter of guesswork as to what, precisely, the rules are referring to. The bed (manca) in this rule almost certainly refers to what we mean by a bed. The bench (pitha), according to the K/Commentary, is shorter than a bed, but not so short that it is square. This comment comes from the passage in the Cullavagga (Cv.VI.2.4) that allows bhikkhus to use an asandika -- apparently a square stool, large enough to sit on but not to lie on -- even if the legs are long. Another piece of furniture with long legs allowed in the same passage is the sattanga, a chair or sofa with a back and arms. The Vinaya Mukha includes a pancanga -- a chair or sofa with a back but no arms -- under this allowance as well. The Canon and commentaries make no mention of this point, but it seems valid: Armless chairs and sofas are less imposing than those with arms.

The factors for the offence here are three.

1) *Object:* a bed or bench whose legs, measuring from the lower side of the frame to the floor, are longer than eight Sugata fingerbreadths (approximately 16.6 cm.)
2) *Effort:* one acquires it after making it or having it made
3) *Intention:* for one's own use.

Object. As mentioned above, Cv.VI.2.4 shows that stools, as well as chairs and sofas with backs -- with or without arms -- would not fulfill this factor.

The Sugata measures are a matter of controversy, discussed in Appendix II. For the purposes of this book, we are taking the Sugata span to be 25 cm., and since there are twelve Sugata fingerbreadths in a Sugata span, that would put eight Sugata fingerbreadths at 16.6 cm.

Effort. The permutations under this factor are as follows: the act of making the bed/bench or having it made -- a dukkata; acquiring the finished article -- a pacittiya. This last penalty applies regardless of whether the bed/bench was made entirely by oneself, entirely by others, or whether one finished what others began or let others finish what one began oneself. In any case, one must cut down the legs to the proper size before confessing the offence.

Intention. There is a dukkata in making a bed or bench with extra long legs -- or having it made -- for the sake of another person, and in using such a bed or bench made for another's use. This last penalty would seem to

apply only inside the monastery, for Cv.VI.8 allows bhikkhus to sit -- but not to lie down -- on furnishings in a lay person's house even if the furnishings are the sort not allowable in the monastery. There are three exceptions to this allowance, the one piece objected to on account of its height being the asandi -- apparently a square platform, large enough to lie on, and very high. Bhikkhus are not allowed to sit on such a thing, even in a lay person's house.

Non-offences. There is no offence in making a bed or bench -- or having one made -- if the legs are eight Sugata fingerbreadths or less; or in receiving a bed or bench with overly long legs if one cuts the legs down to regulation size before using it. The Commentary notes that if one buries the legs in the ground so that no more than eight fingerbreadths separate the ground from the lower frame, that is also allowable.

Summary:
136. Acquiring a bed or bench with legs longer than eight Sugata fingerbreadths after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the legs down before confessing the offence.

88. Should any bhikkhu have a bed or bench upholstered, it (the upholstery) is to be torn off and confessed.

Upholstery & cushions. Cotton down was apparently the most luxurious material known in the Buddha's time for stuffing furniture, cushions, and mattresses, inasmuch as bhikkhus are forbidden from making beds and benches upholstered with cotton-down (under this rule), and from sitting on cushions stuffed with cotton down, even in the homes of lay people (Cv.VI.8). The only article of furnishing stuffed with cotton down allowed to bhikkhus is a pillow (not a squatting mat, as translated in some places), although the pillow should be made no larger than the size of the head (Cv.VI.2.6).

The Commentary's explanations of this point show that the pillow used in those days was an oblong cushion, looking like a rectangle when viewed from above and like a triangle when viewed from either the right or left side (like the old style of pillow still in use in Thailand). Such pillows, the Commentary says, should be no more than two cubits (1 meter) long, and one span plus four fingerbreadths (32 cm.) from corner to corner on the sides. A bhikkhu who is not ill may use such a pillow for his head and feet; an ill bhikkhu may line up a series of pillows, cover them with a cloth, and lie down on them with no offence.

Hair -- such as human hair and horse-hair -- was another forbidden form of stuffing. Cv.VI.8, in addition to forbidding bhikkhus from sitting down on an asandi and cushions stuffed with cotton down, also forbids them from sitting down on a pallanka -- a couch stuffed with horse-hair -- even in the house of a lay person. According to Cv.VI.14, though, if the bhikkhus are presented with asandis, pallankas, and cushions stuffed with cotton down, they may use the asandis after cutting the legs down to size, the pallankas after removing the hair stuffing, and the cotton-down cushions only after tearing them up and making them into pillows.

Mattresses and cushions stuffed with other materials, though, are allowed even for use in the monastery. Cv.VI.7 mentions five kinds of allowable stuffing: wool, cloth, bark, grass, and leaves. (According to the Commentary, wool here includes all kinds of animal fur and bird feathers. Goose down would thus be allowable. It also mentions that, according to the Kurundi, mattresses and cushions stuffed with these materials are allowable whether covered with leather or cloth.)

The purpose of all this is to keep bhikkhus from using furnishings that are extravagant and ostentatious. As the Vinaya Mukha mentions, though, standards of what is extravagant and ostentatious vary from age to age and culture to culture. Some of the things allowed in the Canon and commentaries now seem exotic and luxurious; and other things forbidden by them, common and ordinary. Thus the wise policy, in a monastery, would be to use only those furnishings allowed by the rules and regarded as unostentatious at present; and, when visiting a lay person's home, to avoid sitting on furnishings that seem unusually grand.

The factors for the offence here are three.
1) *Object:* a bed or bench stuffed with cotton down.
2) *Effort:* one acquires it after making it or having it made

3) *Intention:* for one's own use.

Object. Cotton down, according to the Vibhanga, includes any cotton down from trees, vines, and grass. The Commentary to Cv.VI interprets this as meaning cotton down from any plant, since "trees, vines, and grass" is the Canon's usual way of covering all plant life. Kapok, flax fibres, jute, and cotton would thus all come under this category.

Because cotton-down cushions are forbidden in all situations, bed and bench here would seem to include all forms of furniture, including the stools, chairs, and sofas exempted from the preceding rule.

Effort. The permutations under this factor are as follows: the act of making the bed/bench or having it made -- a dukkata; acquiring the finished article -- a pacittiya. This last penalty applies regardless of whether the bed/bench was made entirely by oneself, entirely by others, or whether one finished what others began or let others finish what one began oneself. In any case, one must tear off the upholstery before confessing the offence.

Intention. There is a dukkata in making a bed or bench upholstered with cotton down -- or having it made -- for the sake of another person; and in using such a bed or bench made for another's use.

Non-offences. There is no offence in using cotton down to stuff a pillow, a belt, a shoulder strap, a binding, or a bag for carrying the alms bowl; or to form the filter in a water strainer. If one obtains a bed or bench stuffed with cotton down made for another person's use, there is no offence in using it if one removes the upholstery first.

Summary:
137. Acquiring a bed or bench stuffed with cotton down after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one remove the stuffing before confessing the offence.

89. When a bhikkhu is making a sitting cloth, it is to be made to the standard measurement. Here the standard is this: two spans -- using the Sugata span -- in length, 1 1/2 in width, the border a span. In excess of that, it is to be cut down and confessed.

The origin story here follows on the passage in Mv.VIII.16.3, where the Buddha allows bhikkhus to use a sitting cloth in order to protect their robes from getting soiled by their furnishings, and their furnishings from getting soiled by their robes and bodies.

"Now at that time the Lord had allowed a sitting cloth for the bhikkhus. Some group-of-six bhikkhus... used sitting cloths, without any limit in size, that hung down in front and behind even on beds and benches." (As a result, the Buddha set the limit at 2 spans by 1 1/2.) Now, Ven. Udayin was very large. Setting out his sitting cloth in front of the Blessed One, he stretched it out on all sides before sitting down. The Blessed One said to him, 'Why is it, Udayin, that when setting out your sitting cloth you stretch it out on all sides like an old skin?'

"Because the sitting cloth the Blessed One has allowed for the bhikkhus is awfully small.'" (Thus the Buddha added the allowance for the border.)

There are three factors for the full offence here.
1) *Object:* a sitting cloth larger than the standard measure.
2) *Effort:* one acquires it after making it or having it made
3) *Intention:* for one's own use.

Object. A sitting cloth, by definition, has to have a border, regardless of whether it is made of felted or woven material. However -- as none of the texts give any clear indication as to how many borders it should have or how they should be patterned -- there is no definitive measurement as to how large the overall cloth should be. A wise policy, then, is to take the origin story as a guide: Make the cloth large enough so that one can sit cross-legged on it without soiling one's robes or furnishings, but not so large that it extends out on any one side.

Effort. The permutations under this factor are as follows: the act of making the sitting cloth or having it made -- a dukkata; acquiring the finished article -- a pacittiya. This last penalty applies regardless of whether the

cloth was made entirely by oneself, entirely by others, or whether one finished what others began or let others finish what one began oneself. In any case, one must cut down the cloth to the proper size before confessing the offence.

Intention. There is a dukkata in making an overly large sitting cloth -- or having it made -- for the sake of another person; and in using such a cloth made for another's use.

Non-offences. There is no offence if one receives an overly large sitting cloth made for another person's use and cuts it down to size before using it oneself.

Summary:
138. Acquiring an overly large sitting cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence.

90. When a bhikkhu is making a skin-eruption covering cloth, it is to be made to the standard measurement. Here the standard is this: four spans -- using the Sugata span -- in length, two spans in width. In excess of that, it is to be cut down and confessed.

Object. The Mahavagga (VIII.17) allows bhikkhus to use a skin-eruption covering cloth to protect their robes when they are suffering from boils, running sores, rashes, or "thick scab" diseases (large boils? psoriasis?). The Vibhanga to this rule states that the cloth is to cover the area from the navel down to the knees, thus suggesting that the cloth is intended to be worn as an inner robe beneath the lower robe. As we already mentioned under NP 1, one should determine these cloths for use when one is suffering from such a disease and place them under shared ownership when not.

As mentioned under Pacittiya 87, above, the Sugata measures are discussed in Appendix II. Here we take the Sugata span to equal 25 cm., which would put the standard measurement for the skin-eruption covering cloth at 1 meter by 50 cm. If either of these measurements is exceeded, the cloth would fulfill this factor for the full offence.

Effort, intention, & non-offences. The permutations of these factors are the same as under the preceding rule.

Summary:
139. Acquiring an overly large skin-eruption covering cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence.

91. When a bhikkhu is making a rains-bathing cloth, it is to be made to the standard measurement. Here the standard is this: six spans -- using the Sugata span -- in length, 2 1/2 in width. In excess of that, it is to be cut down and confessed.

Object. The rains bathing cloth has already been discussed in detail under NP 24. Taking the Sugata span to equal 25 cm., the standard measurement for the rains-bathing cloth would be 1.5 meter by 62.5 cm. If either of these measurements is exceeded, the cloth would fulfill this factor for the full offence.

Effort, intention, & non-offences. The permutations of these factors are the same as under Pacittiya 89.

Summary:
140. Acquiring an overly large rains-bathing cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence.

92. Should any bhikkhu have a robe made the size of the Sugata robe or larger, it is to be cut down and confessed. Here, the size of the Sugata robe is this: nine spans -- using the Sugata span -- in length, six spans in width. This is the size of the Sugata's Sugata robe.

Object. The term Sugata -- meaning well-gone or accomplished -- is an epithet for the Buddha.

Robe is not defined in the Vibhanga but apparently means any of the three basic robes: the lower robe, the upper robe, and the outer robe. This raises an interesting point: Perhaps in the Buddha's time all three of the basic robes were approximately the same size. This would have made it much more convenient than it is at present to hold to the practice of using only one set of three robes. When washing one robe, one could wear the other two without looking out of place.

At any rate, taking the Sugata span to be 25 cm. would put the size of the Buddha's robes at 2.25 m. by 1.50 m. -- much larger that the lower robes used at present, but much smaller than present-day upper and outer robes.

As we will see under Appendix II, various theories have been offered over the centuries as to the length of the Sugata span. Beginning at least with the time of the Maha Atthakatha, one of the ancient commentaries, the Buddha was assumed to be of super-human height, and his handspan, cubit, etc., were assumed to be three-times normal length. Only recently, within the last century or so, have Vinaya experts taken evidence from the Canon to show that the Buddha, though tall, was not abnormally so, and thus the estimate of the Sugata span, etc., has shrunk accordingly. Still, the traditional estimates of the Buddha's height continue to influence the size of the robes that bhikkhus wear today throughout the Theravadin countries; and although there was a movement in Thailand during the mid-19th century to return to the original size and style as shown in the earliest Indian Buddha images, the idea never caught on.

Effort, intention, & non-offences. The permutations of these factors are the same as under Pacittiya 89.

Summary:
141. Acquiring an overly large robe after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the robe down to size before confessing the offence.

Chapter Nine Patidesaniya

This term means "to be acknowledged." As a name for training rules, it means "entailing acknowledgement." The four training rules here are unique in that they mention, as part of the rule, the words to be used in acknowledging the violation; the second rule is especially unique in that it depicts the violators as acknowledging their offence as a group.

1. Should any bhikkhu chew or consume staple or non-staple food, having received it himself from the hand of an unrelated bhikkhuni in an inhabited area, he is to acknowledge it: "Friends, I have committed a blameworthy, unsuitable act that ought to be acknowledged. I acknowledge it."

A long series of events led up to the formulation of this rule.

"Now at that time a certain woman whose husband was away from home was made pregnant by her lover. She, having caused an abortion, said to a bhikkhuni who was dependent on her family for alms, 'Come, lady, take this foetus away in your bowl.' So the bhikkhuni, having placed the foetus in her bowl and covering it up with her outer robe, went away. Now it so happened that a certain alms-going bhikkhu had made this vow: 'I won't eat from the first almsfood I receive without having given some of it to a bhikkhu or bhikkhuni.' Seeing the bhikkhuni, he said to her, 'Come, sister, accept alms.'

"'No, master.' -- "A second time... A third time... -- "'No, master.'

"'Look, sister, I have made this vow: "I won't eat from the first almsfood I receive without having given some of it to a bhikkhu or bhikkhuni." So come on, accept alms.'

"Then the bhikkhuni, being pressured by the bhikkhu, took out her bowl and showed it to him. 'You see, master: a foetus in the bowl. But don't tell anyone'...

(Of course the bhikkhu couldn't help but tell his fellow bhikkhus, and word reached the Buddha, who formulated a double rule:) 'A bhikkhuni should not take a foetus in a bowl. I allow a bhikkhuni, when seeing a bhikkhu, to take out her bowl and show it to him.'

"Now at that time some group-of-six bhikkhunis, on seeing a bhikkhu, would turn their bowls upside down and show him the bottom side... 'I allow a bhikkhuni, when seeing a bhikkhu, to show him her bowl right side up. And she is to offer him whatever food there is in the bowl.'" (Cv.X.13)

"Now at that time a certain bhikkhuni, on the way back from going for alms in Savatthi, seeing a certain bhikkhu, said to him, 'Come, master, accept alms.'

"'Very well, sister.' And he took everything. As the time (for alms-going) was almost up, she was unable to go for alms and so was deprived of her meal.

"On the second day... the third day... he took everything... she was deprived of her meal.

"On the fourth day, she went staggering along the road. A rich merchant, coming the opposite direction in a chariot, said to her, 'Get out of the way, lady.'

"She went and fell down right there.

"The rich merchant apologized to her, 'I'm sorry, lady, for making you fall.'

"'It wasn't that you made me fall, householder. It's just that I'm weak.'

"'But why are you weak?'

"And she told him what had happened. The rich merchant, having taken her to his house and having fed her , was offended and annoyed and spread it about, 'How can the revered ones take food from the hand of a bhikkhuni? It's difficult for women to come by things.'"

There are two factors for the full offence here.

1) *Object:* staple or non-staple food that a bhikkhu has accepted from the hand of a bhikkhuni -- unrelated to him -- while she is in a village area.
2) *Effort:* he eats the food.

Object. Actually, there are two elements to this factor: the food sub-factor and the bhikkhuni sub-factor. Under the food sub-factor: Staple food follows the standard definition given in the Food Chapter under the pacittiya rules. Non-staple food includes all edibles except juice drinks, tonics, and medicines. Staple and non-staple food are grounds for a patidesaniya; juice drinks, tonics, and medicines taken as food, grounds for a dukkata.

As for the bhikkhuni sub-factor: Bhikkhuni refers to one who has received the double ordination. A bhikkhuni who has received only her first ordination -- in the Bhikkhuni Sangha -- is grounds for a dukkata. Unrelated means sharing no common ancestor back through seven generations.

Perception as to whether or not the bhikkhuni is related is not a mitigating factor here.

A village area is defined as a house or roadway in a village, town, or city.

Effort. There is a dukkata in accepting staple or non-staple food with the purpose of eating it, and in accepting juice drinks, tonics. or medicine with the purpose of taking them as food; while there is a patidesaniya for every mouthful of the staple or non-staple food one eats, and a dukkata for every mouthful one takes of the juice drinks, tonics, or medicine for the sake of food.

Non-offences. There is no offence if a bhikkhu accepts and eats food from a related bhikkhuni, and no offence in the following situations even if the bhikkhuni is unrelated:

I. She gets someone else to give him the food.
II. She gives it by placing it near him (as in NP 18 and Pacittiya 41).
III. She gives it to him in a monastery, nuns' quarters, a dwelling of members of other sects, or on the way back from such places.
IV. She gives it to him after she has left the village.
V. She gives him juice drinks, tonics, or medicine, and he uses them as such, rather than as food.
VI. She is a female novice or probationer.

Even in these cases, though, it would be a wise policy not to take so much of her food that she is deprived of a full meal.

Summary:
142. Eating staple or non-staple food, after having accepted it from the hand of an unrelated bhikkhuni in a village area, is a patidesaniya offence.

2. *In case bhikkhus, being invited, are eating in family homes, and if a bhikkhuni is standing there as though giving directions, (saying,) "Give curry here, give rice here," then the bhikkhus are to dismiss her: "Go away, sister, while the bhikkhus are eating." If not one of the bhikkhus should speak to dismiss her, "Go away, sister, while the bhikkhus are eating," the bhikkhus are to acknowledge it: "Friends, we have committed a blameworthy, unsuitable act that ought to be acknowledged. We acknowledge it."*

This rule refers to situations where lay donors invite bhikkhus to a meal, and a bhikkhuni stands giving orders, based on favouritism, as to which bhikkhus should get which food. The duty of the bhikkhus in such cases is to tell her to go away. If even just one of them does, they are all exempted from the offence here. If none of them does, and the following factors are fulfilled, they all incur the penalty and must acknowledge their offence as a group.

Object. As with the preceding rule, there are two objects here: the food and the bhikkhuni. Any one of the five staple foods received in the above situation would fulfill the food sub-factor. A bhikkhuni who has received double ordination would fulfill the bhikkhuni sub-factor. A bhikkhuni ordained only in the Bhikkhuni Sangha would be grounds for a dukkata.

Effort. There is a dukkata in accepting the staple food received under such circumstances, and a patidesaniya for every mouthful one eats.

Non-offences. There is no offence --

I. if the bhikkhuni gets others to give her food to the bhikkhus;
II. if she herself gives the food of other people to the bhikkhus;

III. if she gets the donors to give food they have forgotten;
IV. if she gets them to give to a bhikkhu they have passed over;
V. if she gets them to give the food equally to all;
VI. if she is a female probationer or novice; or
VII. if she gets them to give anything but the five staple foods.

Summary:
143. Eating staple food accepted at a meal to which one has been invited and where a bhikkhuni has given directions, based on favouritism, as to which bhikkhu should get which food, and none of the bhikkhus have dismissed her, is a patidesaniya offence.

3. There are families designated as in training. Should any bhikkhu, not being ill, uninvited beforehand, chew or consume staple or non-staple food, having received it himself at the homes of families designated as in training, he is to acknowledge it: "Friends, I have committed a blameworthy, unsuitable act that ought to be acknowledged. I acknowledge it."

The term in training (sekha) is usually used to refer to anyone who has attained at least the first noble path but has yet to become an arahant. Here, though, the Vibhanga uses it to refer to any family whose faith is increasing but whose wealth is decreasing -- i.e., a family whose faith is so strong that they become generous to the point of suffering financially. In cases such as these, the Community may, as a formal act, declare them as families in training so as to protect them with this rule from bhikkhus who might abuse their generosity.

The factors for the offence here are two.
1) *Object:* staple or non-staple food accepted at the home of a family designated as in training when one is not ill and has not been invited by them beforehand.
2) *Effort:* one eats the food.

Object. Staple food follows the standard definition given in the Food Chapter under the pacittiya rules. Non-staple food includes all edibles except juice drinks, tonics, and medicines. Staple and non-staple food are grounds for a patidesaniya; juice drinks, tonics, and medicines taken as food, grounds for a dukkata.

Ill is defined as being unable to go for alms.

Invited means that one has been invited on that day or a previous day by a member of the family -- or a messenger -- standing outside of the house or its yard/compound. If they invite one while they are inside the home or its yard/compound, one is not exempted from the offence in accepting and eating their food.

Effort. There is a dukkata in accepting staple or non-staple food with the purpose of eating it, or in accepting juice drinks, tonics, or medicine with the purpose of taking them as food; a patidesaniya for every mouthful of the staple or non-staple food one eats; and a dukkata for every mouthful one takes of the juice drinks, tonics, or medicine for the sake of food.

Non-offences. There is no offence in eating food that one has accepted from the house of a family in training if --
I. one is ill;
II. one was invited;
III. the food was set out in the house or its yard by people other than the members of the family in training ;
IV. the family has made an arrangement to provide food by drawing lots or on a regular or rotating basis, and one accepts the food as part of that arrangement;
V. one eats the leftovers of one who received the food at their house when he was invited or ill; or

VI. the members of the family give the food outside of their home or yard/compound. The Commentary quotes the Mahapaccari, one of the ancient commentaries, as saying that this last exemption holds regardless of whether they take the food out of the home before or after seeing one approach.

Summary:

144. Eating staple or non-staple food, after accepting it -- when one is neither ill nor invited -- at the home of a family formally designated as "in training," is a patidesaniya offence.

4. There are wilderness abodes that are dubious and risky. Should any bhikkhu, not being ill, living in such abodes, chew or consume unannounced (gifts of) staple or non-staple food, having received them himself in the abode, he is to acknowledge it: "Friends, I have committed a blameworthy, unsuitable act that ought to be acknowledged. I acknowledge it."

"Now at that time the Sakyan slaves were rebelling. The Sakyan ladies wanted to make a meal (for the bhikkhus) in wilderness abodes. The Sakyan slaves heard, 'The Sakyan ladies, they say, want to make a meal in the wilderness abodes,' so they infested the way. The Sakyan ladies, taking exquisite staple and non-staple foods, went to the wilderness abodes. The Sakyan slaves, coming out, plundered and raped them. The Sakyans, having come out and captured the thieves with the goods, were offended and annoyed and spread it about, 'How can the revered ones not inform us that there are thieves living in the monastery?'"

Here again there are two factors for the full offence.

1) *Object:* an unannounced gift of staple or non-staple food that one has received, when not ill, in a dubious and risky wilderness abode.
2) *Effort:* one eats the food.

Object. The Vibhanga defines a wilderness abode as one at least 500 bow-lengths, or one kilometre, from the nearest village, measuring by the shortest walkable path between the two, and not as the crow flies. Such an abode is considered dubious if thieves are known to be about, and risky if people are known to have been hurt or plundered by them.

Staple food follows the standard definition given in the Food Chapter under the pacittiya rules. Non-staple food includes all edibles except juice drinks, tonics, and medicines.

Staple and non-staple food are grounds for a patidesaniya; juice drinks, tonics, and medicines taken as food, grounds for a dukkata.

The Vibhanga gives specific instructions for how the gift of food should be announced. The donor(s) or a messenger must come to the abode and tell one of the inhabitants that a gift of food will be brought. The inhabitant must then tell the informant that the area is dubious and risky. If the informant says, "Never mind, the donor(s) will come anyway," then someone in the abode must tell the thieves, "Go away. People are coming to serve food." This is unlikely to make the thieves go away but, as the Commentary explains, it absolves the bhikkhus from any responsibility if the thieves attack the donors.

Even if the informant specifies that only certain types of food will be brought, anything that comes along with those foods counts as announced . Here the Commentary adds that if other people learn of the intended donation and bring food to add to it, their food counts as announced as well. The Vibhanga also states that if the informant says a particular group is coming to bring food, the announcement covers anything brought by any member of the group.

The Vibhanga makes clear that the announcement is valid only if the donor makes it in the abode or its yard/compound. Thus, for example, if the donors announce their intended donation to the bhikkhu while he is in the village for alms, the donation is still considered unannounced. And, for the same reason, such things as telephone calls, letters, and faxes would also not count.

The Commentary adds that if the donors send a bhikkhu or novice to the monastery to announce the donation, it does not count as announced. In other words, the messenger must be a lay person.

Perception is not a mitigating factor here. If the food is not properly announced, then regardless of whether one perceives it as properly announced or not, it still fulfils this factor.

A bhikkhu counts as ill if he is unable to go for alms.

Effort. There is a dukkata in accepting staple or non-staple food with the purpose of eating it, or in accepting juice drinks, tonics or medicine with the purpose of taking them as food; a patidesaniya for every mouthful of the staple or non-staple food one eats; and a dukkata for every mouthful one takes of the juice drinks, tonics, or medicine for the sake of food.

Non-offences. There is no offence in eating food accepted in the monastery if one is ill or if the gift was announced. There is also no offence –

a) in using roots, bark, leaves, or flowers growing in the abode;
b) in eating left-over announced food or food given to one who is ill;
c) in accepting food outside the abode and eating it inside; or
d) in accepting and eating juice drinks, tonics, and medicines as such and not as food.

The Commentary, in discussing these allowances, makes the following points: 1) If lay people take any of the fruits, roots, etc., growing in the abode and cook them at home, they must announce the gift before bringing them back to the abode. 2) If the donors, after announcing the gift, bring large amounts of food, some of it may be set aside -- without presenting it to the bhikkhus -- to be presented on a later day.

All of this causes no hardships in communities where everyone knows that they have to announce a gift of food before bringing it to the dangerous abode, but there are bound to be cases where donors do not know that the abode is dangerous or that they should announce their gifts before bringing them, and they are likely to show up at the abode with unannounced gifts of food. In such cases, the Commentary recommends: 1) Either have the donor take the food outside the area of the abode, come back in to announce it, and then go out to bring the food back in to present it; or 2) have the donor take the food outside and have a bhikkhu follow him/her out to accept it there.

In order to minimize the need for doing this, though, it would be a wise policy for a bhikkhu who finds himself living in such an abode to announce to all his supporters beforehand -- and ask them to spread the word -- that if they want to bring him gifts of food, they have to come and announce them in advance.

Summary:
145. Eating an unannounced gift of staple or non-staple food after accepting it in a dangerous wilderness abode when one is not ill is a patidesaniya offence.

Chapter Ten Sekhiya

This term, as an adjective qualifying a duty, means "to be practiced" or "to be trained in." As the name of a training rule, it means "to be followed." There are 75 training rules in this category, divided by subject into four groups:

I. etiquette in dressing and behaving when in inhabited areas
II. etiquette in accepting and eating alms food
III. etiquette when teaching the Dhamma
IV. etiquette in urinating, defecating, and spitting.

The rules themselves do not impose a direct penalty. Instead, they simply say, "(This is) a training to be observed." The Vibhanga, though, says that to violate any of these rules out of disrespect incurs a dukkata. To violate them unintentionally, unthinkingly, or unknowingly, or to disobey them when there are dangers or (in most cases) when one is ill, incurs no penalty.

The Commentary adds that "unknowingly" in this case does not mean not knowing the rule. For a new bhikkhu not to make the effort to know the rules, it says, would qualify as disrespect. So "unknowingly" here means not knowing that a situation contrary to the rules has developed. For instance, if one does not know that one's robes have gotten out of kilter, that would not count as a breach of the relevant rule.

Part One: The 26 Dealing with Proper Behaviour

The Canon contains several stories in which a bhikkhu's behaviour causes another person to become interested in the Dhamma. The most famous example is the story of Ven. Sariputta's first encounter with Ven. Assaji.

> "Now at that time the wanderer Sanjaya was residing in Rajagaha with a large company of wanderers -- 250 in all. And at that time Sariputta and Moggallana were practicing the celibate life under Sanjaya. They had made this agreement: Whoever attains the Deathless first will inform the other.
>
> "Then Ven. Assaji, arising early in the morning, taking his robe and bowl, entered Rajagaha for alms: gracious in the way he approached and departed, looked forward and behind, drew in and stretched out his arm; his eyes downcast, his every movement consummate. Sariputta the wanderer saw Ven. Assaji going for alms in Rajagaha: gracious... his eyes downcast, his every movement consummate. On seeing him, the thought occurred to him: 'Surely, of those in this world who are arahants or have entered the path to arahantship, this is one. What if I were to approach him and question him: "On whose account have you gone forth? Who is your teacher? In whose Dhamma do you delight?"'
>
> "But then the thought occurred to Sariputta the wanderer: 'This is the wrong time to question him. He is going for alms in the town. What if I were to follow behind this bhikkhu who has found the path for those who seek it?'"

Even though the following rules deal with minor matters, a bhikkhu should remind himself that the minor details of his behaviour can often make the difference between sparking and killing another person's interest in the Dhamma.

Sekhiya 1 and 2

146[147]. I will wear the lower robe [upper robe] wrapped around (me): a training to be observed.

To wear the lower robe wrapped around means to wear the upper edge circling the waist, covering the navel, and the lower edge circling the knees. The Commentary states that when standing, the lower edge should be not more than eight fingerbreadths below the knees, although if one's calves are disfigured, it is all right to cover them more than that.

To wear the upper robe wrapped around means, according to the Vibhanga, keeping both ends of the top and bottom edges level. The bottom edge of the upper robe, though, does not have to be level with the bottom edge of the lower robe. Given the size of the upper robe in the Buddha's time, it would not have extended down that far.

Intentionally to wear either robe hanging down in front or in back is a breach of these rules. The Commentary states that the purpose of this rule is to prevent bhikkhus from wearing their robes in any of the various ways that lay people in those days wore theirs -- e.g., pleated "with 100 pleats," tied up, or tucked up between the legs. It also comments that since these rules are not qualified, as the following ones are, with the phrase, "in

inhabited areas," they should be followed in the monastery and wilderness areas as well. As a practical matter, though, if one is working on a high ladder or in a tree, it is a wise policy to tuck one's lower robe up between the legs for decency's sake.

Sekhiya 3 and 4

148 [149]. I will go [sit] well-covered in inhabited areas: a training to be observed.

The Vibhanga does not define inhabited areas in this or any of the following rules. The term thus probably has the same meaning as under Patidesaniya 1: in the homes of lay people, or along the streets and alleys of villages, cities, or towns. This does not include, however, monasteries located in inhabited areas, although many such monasteries make it a rule that bhikkhus living with them observe many of these rules when outside of their personal quarters, even though they are still within the monastery grounds.

Well-covered, according to the Commentary, means not exposing one's chest or knees. One should have the upper edge of the upper robe around the neck, and the lower edge covering the wrists. The lower edge of the lower robe, as stated above, should cover the knees. When seated, only one's head, hands and legs from the calves on down should show.

Sekhiya 4 here has an added no-offence clause: There is no offence if one sits not "well-covered" within one's residence . According to the Vinaya Mukha, this means within one's room if one is staying overnight in a lay person's home; when outside of one's room, though, one should follow the rule.

Sekhiya 5 and 6

150 [151]. I will go [sit] well-restrained in inhabited areas: a training to be observed.

Well-restrained, according to the Commentary, means not playing with the hands or feet. This would include such things as dancing, cracking one's knuckles, wiggling one's fingers or toes.

Sekhiya 7 and 8

152 [153]. I will go [sit] with eyes lowered in inhabited areas: a training to be observed.

The Vibhanga says that a bhikkhu should keep his gaze lowered to the ground the distance of a plough's length ahead of him -- this equals two meters, according to the Commentary. The purpose of this rule, it adds, is to prevent one from gazing aimlessly here and there at the sights as one walks along. There is nothing wrong, though, in looking up when one has reason to do so. An example given in the Commentary is stopping to look up and see if there are dangers from approaching horses or elephants. A more modern example would be checking the traffic before crossing a road.

Sekhiya 9 and 10

154 [155]. I will not go [sit] with robes hitched up in inhabited areas: a training to be observed.

According to the Commentary, to hitch up one's robes means to lift them so as to expose either side or both sides of the body. Sekhiya 10 here, like Sekhiya 4, does not apply when one is sitting in one's residence in an inhabited area.

Sekhiya 11 and 12

156 [157]. I will not go [sit] laughing loudly in inhabited areas: a training to be observed.

According to the Vibhanga, if there is any reason for amusement, one should simply smile.

Sekhiya 13 and 14

158 [159]. I will go [sit] (speaking) with a lowered voice in inhabited areas: a training to be observed.

The Commentary defines a lowered voice as follows: Three bhikkhus are sitting in a row at intervals of three meters. The first bhikkhu speaks. The second can hear him and clearly catch what he is saying. The third can hear his voice, but not what he is saying. If the third can clearly catch what he is saying, it maintains, the first bhikkhu is speaking too loudly. As the Vinaya Mukha notes, though, when one is speaking to a crowd of people, there is nothing wrong in raising one's voice provided that one does not shout. And as the no-offence clauses show, there is nothing wrong in shouting if there are dangers -- e.g., someone is about to fall off a cliff or be hit by a car -- or if one's listener is partially deaf.

Sekhiya 15 and 16

160 [161]. I will not go [sit] swinging the body in inhabited areas: a training to be observed.
This means that one should keep one's body straight. Sekhiya 16, like Sekhiya 4, does not apply when one is sitting in one's residence in an inhabited area.

Sekhiya 17 and 18
162 [163]. I will not go [sit] swinging the arms in inhabited areas: a training to be observed.
According to the Commentary, this means that one should keep one's arms still, although as the Vinaya Mukha points out, there is nothing wrong in swinging one's arms slightly to keep one's balance as one walks. Sekhiya 18, like Sekhiya 4, does not apply when one is sitting in one's residence in an inhabited area.

Sekhiya 19 and 20
164 [165]. I will not go [sit] swinging the head in inhabited areas: a training to be observed.
This refers to swinging the head from side to side or letting it droop forward or back. Of course, there is no offence if one is dozing off, and like Sekhiya 4, Sekhiya 20 does not apply when one is sitting in one's residence in an inhabited area.

Sekhiya 21 and 22
166 [167]. I will not go [sit] with arms akimbo in inhabited areas: a training to be observed.
Akimbo means with the hand on the hip. This rule, the Commentary says, forbids having one arm or both arms akimbo. Sekhiya 22 does not apply when one is sitting in one's residence in an inhabited area.

Sekhiya 23 and 24
168 [169]. I will not go [sit] with my head covered in inhabited areas: a training to be observed.
Covered, here, means covered with a robe, a scarf, or other similar piece of cloth. Sekhiya 24 does not apply when one is sitting in one's residence in an inhabited area. The allowance for "one who is ill" under both rules means that one may cover one's head when the weather is unbearably cold or the sun unbearably hot.

Sekhiya 25
170. I will not go tiptoeing or walking just on the heels in inhabited areas: a training to be observed.
This translation of the rule follows the Commentary.

Sekhiya 26
171. I will not sit holding up the knees in inhabited areas: a training to be observed.
This, the Vibhanga says, refers to sitting with one or both arms or hands hugging one or both knees; or with a strap or a strip of cloth around one or both knees and the torso. The bas reliefs at Borobudur show royalty using this latter position as a way of keeping the body erect when tired or weak.

In addition to the rules listed here, there are others in the Khandhakas concerning behaviour in inhabited areas. These include:

A bhikkhu entering an inhabited area must wear all three of his basic set of robes unless --

I. he is ill;
II. it is during the four months of the rains;
III. it is during the period when his kathina privileges are in effect;
IV. he is going to have to cross a river; or
V. he has a secure dwelling (or other hiding place, the Commentary says, such as a hollow in a tree or a rock) in which to place the robe he leaves behind (Mv.VIII.23.2).

He should also wear his waistband. The bhikkhu who instigated this rule had the unforgettable experience of having his lower robe slip off in front of a group of people who thoroughly enjoyed the spectacle (Cv.V.29.1).

A bhikkhu entering an inhabited area, though, should not spread out his outer robe to sit on (Cv.VIII.4.3) and, unless he is ill, should not wear footwear -- shoes, sandals, boots, etc. -- (Mv.V.12) or use an umbrella or sunshade (Cv.V.23.3). The Commentary to the umbrella rule includes physical or mental discomfort under ill in this case, and says that one may also use the umbrella to protect one's robes from the rain.

Sekhiya 27

172. I will receive alms food appreciatively: a training to be observed.

This rule was formulated in response to an incident in which some group-of-six bhikkhus accepted alms food unappreciatively, as if -- to quote the Vibhanga -- "they wanted to throw it away." The Commentary explains appreciatively as "with mindfulness established." One should also remind oneself of the trouble and expense the donors went to in providing the food.

Sekhiya 28

173. I will receive alms food with attention focused on the bowl: a training to be observed.

The purpose of this rule is to prevent one from looking at the donor's face or gazing aimlessly in other directions while he/she is placing food in the bowl. However, one of the "duties to be observed on alms round," (Cv.VIII.5) is that one should not stand too long or turn away too soon. This means that one should glance at what the donor has prepared to give, so that one will not stand waiting for more when the donor has finished giving, or turn away when he/she has more to give.

Sekhiya 29

174. I will receive alms food with bean curry in proper proportion: a training to be observed.

This rule refers specifically to eating habits at the time of the Buddha. Bean curry means sauces made with gram, pulses, vetch, etc., thick enough that they can be placed in the bowl by the hand. In proper proportion, according to the Commentary, means no more than one-quarter of the total food. The Vinaya Mukha tries to interpret this rule as covering curries and soups of all kinds, but the Vibhanga and commentaries state unequivocally that it covers only bean curries. Other gravies, soups, stews, and sauces are exempt.

This rule probably refers to situations in which bhikkhus are offered food from a serving dish from which they help themselves -- as was the custom when they were invited to homes in the Buddha's time, and still is the custom when they are invited to homes in Sri Lanka and Burma -- for the Vibhanga states that there is no offence in receiving more than the proper proportion if one is invited to accept more than that. There is also no offence in taking more than the proper proportion if one is accepting it from relatives, for the sake of another, or if one has obtained the food through one's own resources. (This interpretation follows the Commentary. The K/Commentary, for some reason, maintains that all of these no-offence situations -- accepting from one's relatives, from people who have offered an invitation, for the sake of another, or from food obtained through one's own resources -- apply only to dishes that are not bean curries, but this interpretation does not fit with the Vibhanga.)

Sekhiya 30

175. I will receive alms food level with the edge (of the bowl): a training to be observed.

Iron bowls in the past had a hoop approximately 1 cm. wide around the inside of the mouth: According to the Commentary, edge here means the bottom edge of this hoop. A bhikkhu is prohibited from accepting more than this, although of course there is nothing against accepting less.

The Commentary contains a long discussion of what does and does not come under alms food in this rule, and concludes that it covers only staple and non-staple foods. Thus if one receives a sweet, the "tail" of whose wrapper extends above the edge of the bowl (such sweets are still common in Asia today), it would not count as an infraction of this rule. The same holds true if one receives foods that do not fill the bowl but extend above the edge -- such as a length of sugar cane -- or if the donor places on top of one's bowl another vessel containing food, such as a box of sweets or a bag of fruit.

Sekhiya 31

176. I will eat alms food appreciatively: a training to be observed.

According to the Vinaya Mukha, this rule forbids doing other things -- such as reading -- while eating one's food. The Recollection at the Moment of Using One's Requisites requires that one reflect that one is eating "not playfully, nor for intoxication, nor for fattening, nor for beautification; but simply for the survival and continuance of this body, for ending its afflictions, for the support of the celibate life, (thinking) 'I will destroy old feelings of hunger without creating new feelings from overeating: Thus will I maintain myself, be

blameless, and live in comfort.'" One should also remind oneself of the effort and expense the donors went to in providing the meal.

Sekhiya 32

177. I will eat alms food with attention focused on the bowl: a training to be observed.

The purpose of this rule is to prevent one from gazing aimlessly about while eating. The Vinaya Mukha notes, though, "To look elsewhere in ways related to one's eating -- e.g., looking with the thought of providing a nearby bhikkhu with whatever he is lacking -- is not prohibited." (See Sekhiya 38, below.)

Sekhiya 33

178. I will eat alms food methodically : a training to be observed.

The purpose of this rule is that a bhikkhu work steadily across his food while eating, from one side to another, and not pick at it here and there. Special treats, though, may be passed over -- either as a form of self-denial or to save them for the end of the meal. Also, there is no offence in picking here and there when taking food from one's bowl to give to another person.

Sekhiya 34

179. I will eat alms food with bean curry in proper proportion: a training to be observed.

The non-offences here are the same as under Sekhiya 29: This rule does not apply to foods that are not thick bean curries, or to situations where one has received the food from relatives, from people who offered an invitation to take more, for the sake of another, or from one's own resources.

Sekhiya 35

180. I will not eat alms food taking mouthfuls from a heap: a training to be observed.

This refers to the rice in one's bowl. The Commentary translates from a heap as from the top or from the middle. The Vinaya Mukha notes that it is a custom among bhikkhus before eating to level off the rice in their bowls so that its surface is even. One would then work from one side, as under Sekhiya 33. The no-offence clauses state that if a little food remains scattered in one's bowl, there is no offence in gathering it together in a small heap and eating from that . The Vinaya Mukha adds that if one is served other foods -- such as sweets -- stacked on a platter, it would be impolite to level them off, so in such cases one may take from the top of the heap.

Sekhiya 36

181. I will not hide bean curry and foods with rice out of a desire to get more: a training to be observed.

Some donors, if they see that a bhikkhu has nothing but rice in his bowl, will go out of their way to provide him with extra food. This rule is to prevent bhikkhus from taking advantage of their kind intentions.

According to the Vibhanga, there is no offence if donors cover the food in one's bowl with rice, or if one covers it with rice oneself for some reason other than a desire for more. The Commentary notes that there is no exception here for a bhikkhu who is ill.

Sekhiya 37

182. Not being ill, I will not eat rice or bean curry that I have requested for my own sake: a training to be observed.

The Commentary to Pacittiya 39 says that rice or bean curry here covers all foods not covered in that rule.

There is no offence in requesting these foods from relatives, from people who have offered an invitation to request, or if one is ill (weak from hunger would be included here). There is also no offence in obtaining these foods by means of one's own resources.

The Mendaka Allowance (Mv.VI.34.21) permits a bhikkhu to search for provisions of husked rice, kidney beans, green gram (mung beans), salt, sugar, oil, and ghee when going on a journey through a wilderness area where alms food will be hard to find. For details, see the discussion under Pacittiya 39.

Sekhiya 38

183. I will not look at another's bowl intent on finding fault: a training to be observed.

The K/Commentary defines finding fault as taking note of the fact that the other bhikkhu or novice has something. What this probably means is that he has some especially nice food that he is not sharing. The Vinaya Mukha provides an alternative suggestion, that this rule refers to finding fault with another's sloppy manner of eating. Sloppiness, though, is something about which bhikkhus may admonish one another, so the K/Commentary's interpretation seems more to the point.

The Vibhanga states that there is no offence in looking at another's bowl if one is not meaning to find fault or if one wants to provide him with whatever he may be lacking. Here again, the Commentary notes that there is no exception for a bhikkhu who is ill.

Sekhiya 39

184. I will not take an extra-large mouthful: a training to be observed.

According to the Commentary, a mouthful the size of a peacock's egg is too large, while one the size of a chicken egg is too small. (!) One midway between these two sizes is just right. This seems hard to fathom, unless chicken eggs in those days were much smaller than they are now.

According to the Vibhanga, this rule does not cover fruits, solid foods such as roots, or special confections (sandwiches at present would fit here). Apparently, if these items are a little large, it is all right to stick them whole into the mouth, although if they are very large, it would be better to take bites out of them (see Sekhiya 45).

Sekhiya 40

185. I will make a rounded mouthful: a training to be observed.

People at that time ate food with their hands, and formed mouthfuls of the food with their fingers before taking them to the mouth. This rule, like the preceding one, does not cover fruits, solid foods such as roots, or special confections such as sandwiches. In other words, one does not have to mash these things up and form them into rounded mouthfuls before eating.

Sekhiya 41

186. I will not open the mouth when the mouthful has yet to be brought to it: a training to be observed.

Sekhiya 42

187. I will not put the whole hand into the mouth while eating: a training to be observed.

The Commentary and K/Commentary are in agreement that this is the proper translation for this rule. The Sub-commentary insists that it should be "any part of the hand" rather than "the whole hand," but according to the Commentary the act of sticking a finger in one's mouth while eating comes under Sekhiya 52.

Sekhiya 43

188. I will not speak with the mouth full of food: a training to be observed.

According to the Commentary, if the amount of food in one's mouth is not enough to affect the clarity of one's pronunciation, it is all right to speak.

Sekhiya 44

189. I will not eat from lifted balls of food: a training to be observed.

What this means is that one should not lift food from the bowl in one hand and then use the other hand to take parts of that handful to put in the mouth. According to the Vibhanga, this rule does not cover fruits, solid foods, or special confections. Thus, for example, it is all right to pick up a bunch of grapes in one hand and then take the grapes one by one with the other hand to put them in the mouth.

This rule is often translated as, "I will not eat tossing up balls of food," but as it seems unlikely that there would be an allowance for tossing fruit, etc., into the air and catching it in the mouth, the above translation is probably more correct.

Sekhiya 45

190. I will not eat nibbling at mouthfuls of food: a training to be observed.

After forming a mouthful of food (see Sekhiya 39 & 40), one should place it all into the mouth at one time, rather than biting it off bit by bit.

Again, this rule does not cover fruits, solid foods, or special confections. In other words, there is nothing wrong in taking bites from any of these foods that are too large to fit into the mouth, although the etiquette in many Asian countries at present frowns on taking bites even out of things such as these.

Sekhiya 46

191. I will not eat stuffing out the cheeks: a training to be observed.

In other words, one should swallow one's food before putting another mouthful in the mouth.

This is another rule that does not cover fruits, solid foods, or special confections. Apparently this allowance covers cases where the fruits, etc., would make up a mouthful a little on the large side, as mentioned under Sekhiya 39.

Sekhiya 47

192. I will not eat shaking (food off) the hand: a training to be observed.

According to the Vibhanga, there is no offence in shaking dust or dirt off the hand while eating .

Sekhiya 48

193. I will not eat scattering rice about: a training to be observed.

If one happens to be shaking dirt off the hand, and a few rice grains on the hand happen to get scattered in the process, there is no offence.

Sekhiya 49

194. I will not eat sticking out the tongue: a training to be observed.

Sekhiya 50

195. I will not eat smacking the lips: a training to be observed.

Sekhiya 51

196. I will not eat making a slurping noise: a training to be observed.

In the origin story to this rule, a certain Brahman prepared a milk drink for the bhikkhus, who drank it making a hissing or slurping sound. One of the bhikkhus, a former actor, made a joke about the fact: "It's as if this entire Sangha were cooled." (This of course, is a pun on the higher meaning of the word "cooled.") Word got to the Buddha, who in addition to formulating this rule, also imposed a dukkata on the act of making a joke about the Buddha, Dhamma, or Sangha.

Sekhiya 52

197. I will not eat licking the hands: a training to be observed.

According to the Commentary, this rule also covers the act of sticking a finger into the mouth. There are times, though -- it says -- when one is eating a semi-liquid food with one's hand, in which case it is all right to stick the tips of the fingers into the mouth so as to get as much of the food as possible into the mouth without spilling it.

Sekhiya 53

198. I will not eat licking the bowl: a training to be observed.

The Commentary shows that the verb lick here also means scrape, when it says that scraping the bowl even with one finger is a breach of this rule. The Commentary is surely correct here, for otherwise there is no making sense of the Vibhanga's allowance that if there are a few scattered crumbs left in the bowl, one may gather them into one last mouthful, scrape them up, and eat them.

If the crumbs are not enough to form a mouthful, though, the Vinaya Mukha recommends leaving them as they are. One would then throw them out with the bowl-washing water (see Sekhiya 56). This practice of

leaving a little food uneaten is a point of etiquette common throughout Asia. If one is a guest and has been offered food or drink, one should not eat it to the last crumb or drink it to the last drop, for that would imply that one was not offered enough and is hungry or thirsty for more. Wasting a few bits of food is less serious than hurting the feelings of one's host. (For more on this point, see Pacittiya 35.) Even when one is eating in a situation where the donor is not around to watch, it is generally a good practice to leave a few crumbs -- to be thrown away a good distance from one's dwelling -- as a gift to insects or other small, hungry beings.

Sekhiya 54
199. I will not eat licking the lips: a training to be observed.

Sekhiya 55
200. I will not accept a water vessel with a hand soiled by food: a training to be observed.
According to the Commentary, this rule applies to anything from which one would drink water, whether it belongs to oneself or to others. If one's hand is partially soiled, it says, one may pick up a water vessel with the unsoiled part.

The Vibhanga says that if one's hand is soiled, one may take the water vessel with the thought that, "I will wash it or get it washed," although this allowance might be qualified with the consideration that one should try to get it washed before someone else wants to use it.

Sekhiya 56
201. I will not, in an inhabited area, throw away bowl-rinsing water that has grains of rice in it: a training to be observed.
The custom in those times, when bhikkhus were invited to eat at a lay person's home, was for the donor to offer water to the bhikkhus to rinse out their bowls before the meal and again at the end. In both cases, each bhikkhu was to hold his bowl in both hands, receive the water into the bowl, swish it around without scraping it (against the ground or floor), and pour it into a receptacle if there was one -- or on the ground if not -- taking care not to splash any nearby people or one's own robes (Cv.VIII.4-6).

This rule applies to the after-meal rinsing. The Vibhanga says that there is no offence in throwing away bowl rinsing water if the rice grains are removed, if they are squashed so as to dissolve in the water, or if the water is poured into a receptacle and later thrown outside .

In addition to the above rules, the duties observed on alms round and in eating at a lay person's home include the following points of etiquette:

While on alms round. One should go unhurriedly, and stand neither too close to nor too far from the donor (Cv.VIII.5.2).

While eating in a home. One should select a seat that does not encroach on the senior bhikkhus' spaces, but that also does not deprive the junior bhikkhus of a place to sit (Cv.VIII.4.3).

If there are any special foods, the most senior bhikkhu should tell the donor to make sure that everyone gets equal portions. He should also not begin eating until everyone is served, nor should he accept water for rinsing his bowl until everyone is finished eating (Cv.VIII.4.5).

The Vinaya Mukha notes that some of the rules and allowances in this section outline "table manners" that would be regarded either as excessively fussy or messy by polite modern standards. Thus wherever ancient and modern codes of etiquette are at variance, the wise policy would be to adhere to whichever code is more stringent on that particular point.

Three: The 16 Dealing with Teaching Dhamma

The Canon records that the Buddha himself had the highest respect for the Dhamma he had discovered; that, as others might live under the guidance of a teacher, honouring and revering him, the Buddha lived under, honoured, and revered the Dhamma. He enjoined his followers to show the same respect for the

Dhamma not only when listening to it but also when teaching it, by refusing to teach it to a person who shows disrespect.

The following set of rules deals with situations in which a listener, in terms of the etiquette at that time, would be regarded as showing disrespect for a teacher or his teaching. As the Vinaya Mukha notes, a few of these cases -- such as those concerning footwear -- are not considered disrespectful under certain circumstances at present, although here the exceptions given for listeners who are "ill" might be stretched to cover any situation where the listener would feel inconvenienced or awkward if asked to comply with the etiquette of the Buddha's time. On the other hand, there are many ways of showing disrespect at present that are not covered by these rules, and an argument could be made, reasoning from the Great Standards, that a bhikkhu should not teach Dhamma to a person who showed disrespect in any way.

Dhamma here is defined as any statement spoken by the Buddha, his disciples, seers, or devatas, connected with the teaching or with its goal. See Pacittiya 7 for a more detailed discussion of this point.

Sekhiya 57

202. I will not teach Dhamma to a person with an umbrella in his hand and who is not ill: a training to be observed.

An umbrella or sunshade, at that time, was considered a sign of rank. According to the Commentary, this rule applies regardless of whether the umbrella is open or closed, as long as one's listeners has his/her hand on it. If, however, the umbrella is on the listener's lap, resting against his/her shoulder, or if someone else is holding it over the listener's head, there is no offence in teaching him/her any Dhamma.

Sekhiya 58

203. I will not teach Dhamma to a person with a staff in his hand and who is not ill: a training to be observed.

According to the Vibhanga, a staff is a pole two meters long. For some reason, any pole shorter or longer than that would not come under this rule.

Sekhiya 59

204. I will not teach Dhamma to a person with a knife in his hand and who is not ill: a training to be observed.

The term knife here includes anything with a blade. According to the Commentary, if the knife is not in the listener's hand -- e.g., it is in a sheath attached to the belt -- there is no penalty in teaching him/her any Dhamma.

Sekhiya 60

205. I will not teach Dhamma to a person with a weapon in his hand and who is not ill: a training to be observed.

The Vibhanga defines weapon as a bow, and the Commentary includes arrows here as well. The Vinaya Mukha adds guns; and in fact any weapon that does not have a blade would seem to fall under this rule. Again, if the weapon is not in the listener's hand -- e.g., it is in a holster attached to the belt -- there is no penalty in teaching him/her any Dhamma.

Sekhiya 61

206. [207] I will not teach Dhamma to a person wearing non-leather [leather] footwear who is not ill: a training to be observed.

The Pali terms for non-leather and leather footwear -- paduka and upahana -- cover all forms of shoes, sandals, and boots (see Mv.V.1.30-8.3).

Wearing means any one of three things: placing one's feet on top of the footwear without inserting the toes; inserting the toes without fastening the footwear; or fastening the footwear with the toes inside.

Sekhiya 62

208. I will not teach Dhamma to a person in a vehicle and who is not ill: a training to be observed.

The Commentary makes the point that if the vehicle is large enough to seat two or more, the bhikkhu may sit together with his listener and teach Dhamma without penalty. The same holds true if the bhikkhu and his listener are in separate vehicles, as long as the bhikkhu's vehicle is the same height or higher than his listener's and is not following along behind it.

Sekhiya 63

209. I will not teach Dhamma to a person lying down who is not ill: a training to be observed.

The Commentary goes into great detail on this rule, listing the various permutations of the bhikkhu's position and his listener's, saying which ones are allowable and which ones not:

A bhikkhu lying down may teach any listener who is standing or sitting down. He may also teach a listener lying down on a piece of furniture, a mat, or the ground, as long as the bhikkhu's position is on an equal level or higher than his listener's.

A bhikkhu sitting down may teach a listener who is standing or sitting down (see also Sekhiyas 68 & 69), but not one who is lying down, unless the listener is ill.

A bhikkhu standing may teach a listener who is also standing, but not one who is sitting or lying down, again unless the listener is ill (see Sekhiya 70).

Sekhiya 64

210. I will not teach Dhamma to a person who sits holding up his knees and who is not ill: a training to be observed.

The position of holding up the knees is discussed in detail under Sekhiya 26.

Sekhiya 65

211. I will not teach Dhamma to a person wearing headgear who is not ill: a training to be observed.

This rule applies only to headgear -- such as turbans or hats -- that hide all of the hair. If the hat/turban does not hide all of the hair, or if the listener adjusts it so as to expose some hair, it would not come under this rule.

Sekhiya 66

212. I will not teach Dhamma to a person whose head is covered (with a robe or scarf) and who is not ill: a training to be observed.

There is no offence in teaching if the listener adjusts the robe or scarf to uncover his/her head.

Sekhiya 67

213. Sitting on the ground, I will not teach Dhamma to a person sitting on a seat who is not ill: a training to be observed.

According to the Commentary, a seat here includes even a piece of cloth or a pile of grass.

Sekhiya 68

214. Sitting on a low seat, I will not teach Dhamma to a person sitting on a high seat who is not ill: a training to be observed.

The Commentary states that this rule also covers cases where the bhikkhu and his listener are both sitting on the ground, but the listener is sitting on a higher piece of ground than the bhikkhu.

Sekhiya 69

215. Standing, I will not teach Dhamma to a person sitting who is not ill: a training to be observed.

Sekhiya 70

216. Walking behind, I will not teach Dhamma to a person walking ahead who is not ill: a training to be observed.

There is no offence, the Commentary says, if the bhikkhu and his listener are walking side by side; or if two bhikkhus are walking along, one in front of the other, and they practice reciting a passage of Dhamma together.

Sekhiya 71
217. Walking beside a path, I will not teach Dhamma to a person walking on the path and who is not ill: a training to be observed.

Four: The 3 Miscellaneous Rules

Sekhiya 72
218. Not being ill, I will not defecate or urinate while standing: a training to be observed.
Arguing from the Commentary's allowance under the following rule, it would seem that a bhikkhu who needs to urinate, finds himself in a public restroom, and can no longer hold himself in while waiting for a toilet, would qualify as "ill" here and so would be able to use a urinal without penalty.

Sekhiya 73
219. Not being ill, I will not defecate, urinate, or spit on living crops: a training to be observed.
The Vinaya Mukha says that crops here includes all plants that are tended -- such as in gardens, farms, or lawns -- but not plants growing wild. The Commentary includes roots of living trees that appear above ground, in addition to green plants running along on top of the ground. It also notes that the Mahapaccari, one of the ancient commentaries on which it is based, includes blowing the nose under the term spitting in this rule and the next.

According to the Vibhanga, there is no offence in using plants to cover up faeces, urine, or saliva; and the Commentary states that a bhikkhu looking for a place without crops to do his business, can't find one, and is unable to hold himself in any longer, would qualify as "ill" under this rule.

Sekhiya 74
220. Not being ill, I will not defecate, urinate, or spit in water: a training to be observed.
According to the Commentary, water here includes water fit for drinking or bathing, but not water unfit for such use -- e.g., salt water, stagnant water -- or water in a toilet. If there is a flood with no dry ground available, there is no offence in relieving oneself in the water.

As under the preceding rule, the Vibhanga says that there is no offence in using water to cover up faeces, urine, or saliva, or to wash them away.
The Cullavagga (VIII.10) contains a series of rules on the etiquette in using a restroom. Among them:

I. The restroom should be used in order of arrival, rather than in order of seniority. ("Now at that time, bhikkhus used the restroom in order of seniority. Newly-ordained bhikkhus, having arrived first in dire need to go, had to wait and keeled over stiff from holding themselves in.")

II. One's robes should be hung up on a line or rod before entering. This, according to the Vinaya Mukha, refers to one's upper and outer robe.

III. One should not go bursting into the restroom. Before entering, one should cough or clear one's throat; if a bhikkhu is inside, he should cough or clear his throat in response.

IV. One should not have one's lower robe open or pulled up while entering, and instead should wait to pull up one's robe only when astride the toilet.

V. One should not make grunting or groaning noises while relieving oneself.

VI. If the toilet or restroom is dirty, one should clean it for the next person.

VII. One should not go bursting out of the restroom when finished -- again, taking care not to have one's lower robe pulled up or open.

VIII. Cv. VIII.9 adds that after one has defecated -- inside a restroom or not -- one should always rinse oneself if water is available.

Chapter Eleven Adhikarana-samatha

This term means, "the settlement of issues." The seven rules in this section are actually principles and procedures for settling the four sorts of issues mentioned under Pacittiya 63: disputes, accusations, offences, and duties. The Canon's explanations of these procedures are given not in the Vibhanga, but in Cullavagga IV, which starts with a sketch of the procedures, followed by a detailed discussion of how to apply them to each of the four types of issues. We will follow the same mode of presentation here.

For the settling, the resolution of issues that arise:

221. When the Community is dealing formally with an issue, the full Community must be present, as must all the individuals involved in the issue; the proceedings must follow the patterns set out in the Dhamma and Vinaya.

In the presence of the Community means that the group of bhikkhus that has gathered is competent to carry out the formal act under question. In other words, it contains the minimum number of bhikkhus required, all the bhikkhus in the designated area (sima) either are present or have sent their consent, and none of the bhikkhus in the meeting makes protest against having the matter settled by the group -- although as we noticed under Pacittiya 80, if a formal act is being carried out against a bhikkhu, his protest does not invalidate the act; any protest made by any other member of the group, though, would invalidate it, even if he only informs the bhikkhu sitting next to him (Mv.IX.4.8).

In the presence of the individuals means that all the individuals involved in the matter are present. For instance, in a dispute, both sides of the dispute must be in the meeting; when the Community is carrying out a formal act against one of its members, the accused must be there; in an ordination, the bhikkhu-to-be must be present. There are a few cases where this factor is not followed -- such as the ordination of a bhikkhuni by messenger and the act of turning the bowl upside down (refusing to accept donations from a lay person who has mistreated the Community) -- but these are rare.

In the presence of the Dhamma and Vinaya means that all the proper procedures laid down in the Vinaya are followed, and that bhikkhus who advocate what is not truly Dhamma or Vinaya are not holding sway over the group.

222. If the Community unanimously believes that a bhikkhu is innocent of a charge made against him, they may declare him innocent on the basis of his memory of the events.
A verdict of this sort is valid only if --

1) The bhikkhu is pure and without offence.
2) He is accused of an offence.
3) He asks for the verdict.
4) The Community gives him the verdict.
5) It is in accordance with the Dhamma, the assembly of bhikkhus being complete and competent to give it (Cv.IV.4.11).

According to the Commentary, factor (1) here -- the bhikkhu is pure and without offence -- applies only to arahants, but the Canon makes no mention of this point. There are other places in the Khandhakas where the phrase "pure and without offence" is used to refer to any bhikkhu who has not committed the offence of which he is accused (e.g., Mv.IX.1.7; Mv.IX.4.9), with nothing to indicate that he would have to be an arahant. If the Commentary's interpretation were correct here, there would be no way that a bhikkhu in his right mind who is not an arahant could be declared innocent of an offence at all, since the only three verdicts that may settle an accusation are this one, the verdict of past insanity (for a bhikkhu who was insane when he committed the offence in question), and the act of (punishment for) further misconduct, for a bhikkhu who committed the offence in question when he was in his right mind. The fourth rule below -- acting in accordance with what is admitted -- which is sometimes assumed to cover cases of innocence, actually applies only to cases where the bhikkhu admits to having committed an offence before the matter goes to interrogation, and not to cases where he is innocent and asserts his innocence.

Thus we will follow the general usage in the Khandhakas and say that the factor "pure and without offence" is fulfilled by any bhikkhu -- arahant or not -- who has not committed the offence in question.

223. If the Community unanimously believes that a bhikkhu was insane while committing offences against the rules, they may absolve him of any responsibility for the offences.
This is another verdict of innocence given in an accusation, Such a verdict is valid only if given to a bhikkhu who:

1) does not remember what he did while insane;
2) remembers, but only as if in a dream; or
3) is still insane enough to believe that his behaviour is proper. ("I act that way and so do you. It is allowable for me and allowable for you!") (Cv.IV.6.2).

224. If a bhikkhu commits an offence, he should willingly undergo the appropriate penalty in line with what he actually did and the actual seriousness of the offence.
This refers to the ordinary confession of offences, where no formal interrogation is involved. The confession is valid only if in accord with the facts, e.g., a bhikkhu actually commits a pacittiya offence and then confesses it as such, and not as a stronger or lesser offence. If he were to confess it as a dukkata or a sanghadisesa, that would be invalid.

225. If an important dispute cannot be settled by a unanimous decision, it should be submitted to a vote. The opinion of the majority, if in accord with the Dhamma and Vinaya, is then considered decisive.
This refers to cases in which bhikkhus are unable to settle a dispute unanimously, even after all the proper procedures are followed, and -- in the words of the Canon -- are "wounding one another with weapons of the tongue." In cases such as these, decisions can be made by majority vote. Such a vote is valid only if --

1) The issue is major.
2) The proper procedures have already been followed (in at least two or three Communities, says the Commentary) and have failed to achieve a result.
3) Those on the side of the Dhamma are in the majority and are perceived to be in the majority.
4) It is felt that such an act will not divide the Community.
5) The Community present is competent to settle the issue.
6) All the bhikkhus present agree to take a vote.
7) There is no cheating (e.g., one bhikkhu taking two voting tickets).
8) Each bhikkhu honestly votes in accordance with his views, and not, for example, under fear of intimidation (Cv.IV.10).

226. If a bhikkhu admits to an offence only after being interrogated in a formal meeting, the Community should carry out an act of censure against him, rescinding it only when he has mended his ways.
This refers to cases where a bhikkhu admits to having committed the offence in question only after being formally interrogated about it. He is then to be reproved for his actions, made to remember the offence and to confess it, after which the Community carries out a formal act of "further misconduct" against him as an added punishment for being so uncooperative as to require the formal interrogation in the first place.

The Cullavagga (IV.11.2-12.2) contains three separate discussions of the conditions that are necessary for the act to be valid. The discussions overlap, but can be summarized as follows:

The act is essentially the same thing as an act of censure, and as such can be given to a bhikkhu who --

1) is a maker of strife, quarrels, and dissension in the Community;
2) is ignorant, full of offences, and has not undergone the penalty for them; or
3) lives in unbecoming association with lay people.

What makes this act special is that it is aimed primarily at a bhikkhu who has committed an offence that requires confession, but he does not confess it until being formally interrogated. This is shown by the factors required for the act to be valid:

1) *The accused is impure* (i.e., he actually did commit the offence, and it is an offence that requires confession).

2) *He is unconscientious* (i.e., he didn't voluntarily confess the offence on his own in the first place).

3) *A formal meeting has been called* in which he is present and has been interrogated: reproved for his actions, made to remember the offence, and formally accused of having committed it. (The Commentary translates this word -- sanuvada -- as meaning argumentative -- saupavada -- which also fits the context. If the bhikkhu has been accused of the offence but at first denies it, that would fulfill this factor.)

4) *He finally acknowledges the offence and confesses it.*

5) *The Community carries out the act*

6) *in accordance with the Dhamma and Vinaya,* and with a complete assembly.

Once such an act has been carried out against a bhikkhu, he must observe the following rules:

1) He may not act as preceptor or teacher for another bhikkhu, nor is he to have a novice attend to him.

2) He may not accept authorization to exhort bhikkhunis; even if authorized, he is not to exhort them.

3) He should not commit the offence for which he is being punished, a similar offence, or a worse one.

4) He should not find fault with the formal act or with those who carried it out.

5) He should not accuse others of offences or participate actively in any of the procedures involved in a formal accusation -- e.g., suspending another bhikkhu's right to join in the Patimokkha recitation, asking leave to accuse, reproving, making remember, etc.

6) He should not quarrel with bhikkhus (Cv.IV.12.4).

If he abides by all these rules, and the Community is satisfied that he has seen the error of his ways, they are to rescind the act and restore him to his former status as a full-fledged bhikkhu.

227. 'Covering over as with grass'. If, in the course of a dispute, both sides act in ways unworthy of contemplatives, and the sorting out of the penalties would only prolong the dispute, the Community as a whole may make a blanket confession of its light offences.

This refers to situations in which both sides of a dispute realize that, in the course of their dispute, they have done much that is unworthy of a contemplative. If they were to deal with one another for their offences, the only result would be greater divisiveness. Thus if both sides agree, all the bhikkhus gather in one place. (According to the Commentary, this means that all bhikkhus in the sima must attend. No one should send his consent, and even sick bhikkhus must go.) A motion is made to the entire group that this procedure will be followed. One member of each side then makes a formal motion to the members of his faction that he will make a confession for them. When both sides are ready, the representative of each side addresses the entire group and makes the blanket confession, using the form of a motion and one announcement (natti-dutiya-kamma).

This clears all offences except for --

1) any heavy offence (parajika and sanghadisesa, says the Commentary) committed by anyone in the group;
2) any offences dealing with the laity;
3) any offences of any member of either side who does not approve of the procedure; and
4) any offences of any bhikkhu who does not attend the meeting. (This is the reason for the Commentary's statement that even sick bhikkhus must attend.)

Point (3) here is interesting. If any member of either side were to dissent, that would invalidate the whole procedure. This point is thus probably added as a reminder to any bhikkhu who might be vindictive enough to want to deal with his enemies case-by-case, that his offences will also have to be dealt with case-by-case. This might be enough to discourage him from dissenting.

The Commentary explains the name of this procedure by comparing the offences cleared in this way to excrement that has been so thoroughly covered with grass that it can no longer send an oppressive smell.

According to the Cullavagga, the principle of "in the presence of" applies to all four types of issues: disputes, accusations, offences, and duties. In addition, disputes may be settled "in accordance with the majority"; accusations must be settled either by a verdict of mindfulness, a verdict of past insanity, or an act "in accordance with further misconduct"; and offences may be settled by acting in accordance with what is admitted or by covering them over as with grass.

What follows it a more detailed discussion of how these principles and procedures apply in each of the four cases:

Disputes are heated disagreements over what the Buddha did and did not teach, or -- in the words of the Cullavagga -- "when bhikkhus dispute, saying:

'It is Dhamma,' or 'It is not Dhamma;'

'It is Vinaya,' or 'It is not Vinaya;'

'It was spoken by the Tathagata,' or 'It was not spoken by the Tathagata;'

'It was regularly practiced by the Tathagata,' or 'It was not regularly practiced by the Tathagata;'

'It was formulated by the Tathagata,' or 'It was not formulated by the Tathagata;'

'It is an offence,' or 'It is not an offence;'

'It is a light offence,' or 'It is a heavy offence;'

'It is a curable offence,' or 'It is an incurable offence;'

'It is a serious offence,' or 'It is not a serious offence.'

Whatever strife, quarrelling, contention, dispute, differing opinions, opposing opinions, heated words, abusiveness based on this, is an issue arising from disputes." (Cv.IV.14.2)

Thus not all disagreements on these matters are classed as issues. Friendly disagreements or differences of interpretation aren't; heated and abusive disagreements are.

The Buddha advises that a bhikkhu who wants to bring up such questions for discussion should first consider five points: 1) whether it is the right time for such a discussion; 2) whether it concerns something true; 3) whether it is connected with the goal; 4) whether he will be able to get on his side bhikkhus who value the Dhamma and Vinaya; and 5) whether the question will give rise to strife, quarrelling, disputes, cracks and splits in the Community. If the answer to the first four questions is yes, and to the fifth question no (i.e., the discussion is not likely to lead to strife), he may then go ahead and start the discussion. Otherwise, he should let the matter rest for the time being (Cv.IX.4).

The Cullavagga quotes the Buddha as saying that two sorts of mental states -- skilful and unskilful -- can turn disputes into issues. The unskilful states are covetous, corrupt, or confused states of mind; the skilful ones are states of mind that are not covetous, not corrupt, and not confused. The Buddha adds, however, that six character traits can lead to issues arising from disputes that will act towards the detriment of many people. They are when a bhikkhu:

a) is easily angered and bears ill will,
b) is mean and spiteful,
c) is jealous and possessive,
d) is scheming and deceitful,

e) has evil desires and wrong views,
f) is attached to his own views, obstinate, unable to let them go.

Such a bhikkhu, he says, lives without deference or respect for the Buddha, the Dhamma, the Sangha, and does not complete the training. If one should see any of these traits within oneself or others, one should strive for their abandonment. If there are no such traits present, one should make sure that they don't arise in the future (Cv.IV.14.3).

As noted under Sanghadisesa 10, there are two sorts of disputes: those in which one of the parties is aiming at schism and those in which neither is. Disputes of the first sort are to be dealt with in line with the procedures listed under Sanghadisesas 10 & 11; those of the second sort, as follows:

In the presence of –

Step 1: a) The Community meets, with at least four bhikkhus -- the minimum to form a quorum -- present. All of the bhikkhus in the sima are either present or have sent their consent, and none of the bhikkhus present protests having the matter settled by the group.

b) Both sides of the dispute are present.

c) The meeting is carried out in accordance with the procedures laid down by the Buddha, and the unanimous decision of the Community is in line with what the Buddha actually laid down. This point is important: It means that no Community -- even if it follows the proper form for the meeting -- can legitimately replace the Buddha's teachings with its own preferences on any point.

If the Community can settle the manner in this way, it is properly settled and should not be reopened.

Step 2: If the Community cannot settle the matter, they should go to a monastery where there are more bhikkhus, and ask them to help settle the matter. If it so happens that the group is able to settle the matter among themselves on the way to the other monastery, then it is properly settled, and they may return home to their own monastery.

Step 3: If the matter is still unsettled by the time they reach the second monastery, they should ask the resident bhikkhus there to help settle the matter. The resident bhikkhus should then meet and consider among themselves whether or not they are competent to settle the matter. If they feel they aren't, they shouldn't take it on. If they feel they are, they should then ask the incoming bhikkhus how the dispute arose. (The Commentary here adds that the residents should first stall for two or three days -- saying that they have to wash their robes or fire their bowls first -- as a way of subduing the pride of the incoming bhikkhus.)

Once the resident bhikkhus have asked the history of the dispute, the incoming bhikkhus are to say that if the resident bhikkhus can settle the dispute, they (the incoming bhikkhus) will hand it over to them; if they can't settle it, the incoming bhikkhus will still be in charge of the matter. If the resident bhikkhus can then settle the dispute, it is properly settled.

Step 4: If they can't settle it in this way -- and, in the words of the Canon, "endless disputes arise, and there is no discerning the meaning of a single statement" -- the disputants should, with a motion and announcement, hand the matter over to a panel of experts. The Commentary recommends a panel of ten. Each member of the panel must meet the following qualifications:

1) He is moral, abiding scrupulously by the rules of the Vinaya.
2) He is learned in all things dealing with the celibate life.
3) He has memorized both Patimokkhas in detail.
4) He is firm in his knowledge of the Vinaya and is not easily led off-track.
5) He is skilled at reconciling both sides of a dispute.
6) He is skilled at settling an issue.
7) He knows what constitutes an issue.

8) He knows how an issue arises (i.e., through skilful, unskilful, or neutral states of mind).
9) He knows when an issue is stopped.
10) He knows the way leading to the stopping of an issue. (Notice that these last four qualifications are similar in form to knowledge of the four Noble Truths.)

The Commentary notes that while the panel is discussing the issue, none of the other bhikkhus is to speak. If the panel can settle the issue, it is properly settled and should not be reopened.

Step 5: If the panel has trouble in settling the issue, and there are members of the panel who "hide the Dhamma under the shadow of the letter" -- i.e., use the letter of the rules to go against the spirit -- they may be removed from the panel through a formal motion. If the panel can then settle the issue, it is properly settled.

If not -- and by this time, the Commentary says, at least two or three monasteries have become involved -- the procedures of "in the presence of" have been exhausted, and the dispute must go on to a settlement "in accordance with the majority."

In accordance with the majority: A decision by majority vote is valid only in the following situation:
1) The issue is important.
2) The procedures of "in the presence of" have all been followed but have not succeeded in settling the issue.
3) Both sides have been made to reflect on their position.
4) The distributor of voting tickets knows that the majority sides with the Dhamma, or
5) that the majority probably sides with the Dhamma.
6) The distributor of voting tickets knows that the procedure will not lead to a split in the Sangha, or
7) that the procedure will probably not lead to a split in the Sangha.
8) The tickets are taken in accordance with the rule (e.g., only one ticket per bhikkhu, and the Dhamma side wins).
9) The assembly is complete.
10) The bhikkhus take the tickets in accordance with their views (and not, for example, under fear of coercion).

When these factors are all present, the group should first ask one of its members to act as a distributor of voting tickets. He should be free of the four kinds of prejudice, and know what does and does not constitute the taking of a voting ticket. Before accepting the role, he should reflect on whether the situation meets the ten qualifying factors, and accept only when it does. Once he accepts the role, he is to be authorized by means of a formal motion and announcement.

He is then to have voting tickets made -- a different colour for each side -- and conduct the ballot in one of three ways: secretly, by whispering in the ear, or openly.

1) In *secret* balloting, he is to tell each bhikkhu, "This colour is for this side, and that colour for that. Take one, but don't show it to anyone." According to the Commentary, this method is to be used when there are many unconscientious bhikkhus in the assembly.

2) In "*whispering in the ear"* balloting, he is to whisper to each bhikkhu, "This colour is for this side, and that colour for that. Take one, but don't tell anyone." This method, the Commentary says, is for assemblies in which there are many foolish or trouble-making bhikkhus.

3) In *open* balloting, the bhikkhus are to take the voting tickets openly. This method is for assemblies where the distributor is certain that the conscientious bhikkhus are in the majority.

Once the vote is taken, the distributor is to assess the result before announcing it. If he sees that the anti-Dhamma side has won, he is to annul the balloting and take the vote all over again. According to the Commentary, he may take the vote up to three times. If the anti-Dhamma side is still in the majority, he

should announce that the time is not right for a vote, adjourn the meeting, and try to find more bhikkhus on the side of the Dhamma to join the next meeting.

These procedures make two interesting assumptions: One side of the dispute is clearly in the right, and the distributor must belong to the right side. If he belongs to the wrong side, the whole balloting is invalid, and the issue may later be reopened without penalty. If neither side is clearly in the right, the composers of the Cullavagga would probably consider the issue unimportant and not worthy of a vote in the first place. If this is true, then even if a vote is taken, it would not be a valid use of the procedure, and the results would not be binding.

In all of these steps for settling disputes, the important point to remember is that in no way is a group of bhikkhus to rewrite the Dhamma or Vinaya in line with their views. Even if they attempt it, following the procedures to the letter, the fact that their decision goes against the Buddha's teachings invalidates their efforts, and the issue may be reopened at any time without penalty.

Accusations. When a bhikkhu has committed an offence, it is his responsibility to undergo the penalty voluntarily so as to make amends for it. If his fellow bhikkhus see, hear, or suspect that he has committed an offence without undergoing the penalty, it is their duty to question and admonish him in private, in accordance with the procedures discussed under Sanghadisesa 8. The issue may be settled informally in one of two ways: (1) The accused admits to the act, sees it as an offence, and undergoes the penalty; or (2) he is truly innocent, professes his innocence, and can convince his admonishers that their suspicions were ungrounded. If both sides act in good faith and without prejudice, issues of this sort are relatively easy to settle informally in this way.

If the issue can't be settled, it should be taken to a meeting of the Community for a formal interrogation and verdict.

When the Community meets, both the accused and the accuser must be present, and both must agree to the case's being heard by that particular group. (If the original accuser is a lay person, one of the bhikkhus is to take up the charge.) The accused is then asked if he remembers having committed the offence in question, and is to be dealt with in accordance with what he admits to having done (Mv.IX.6.1-4). The Cullavagga (IV.14.29) shows that the other bhikkhus are not to take his first statement at face value. They should press and cross-examine him until they are all satisfied that he is telling the truth, and only then may they pass one of three verdicts:

1) If he is innocent of the offence and can convince the group of his innocence, he is to request a verdict of mindfulness -- expressing the request three times -- and the Community is to give it to him by means of a formal motion with three announcements.

2) If he committed the offence while insane or possessed, he should request a verdict of past insanity -- again, expressing the request three times -- and the Community is to give it to him by means of a formal motion with three announcements.

3) If he committed the offence while in his right mind, but admits to it only after the interrogation has begun, the other bhikkhus are to make him confess the offence and then give him a verdict of further misconduct by means of a formal motion with three announcements.

As we noted above, each of these three verdicts is valid only if in line with the truth. If it so happens that a guilty bhikkhu is given a verdict of mindfulness, a bhikkhu who committed the offence in question while he was in his right mind is given a verdict of past insanity, or an innocent bhikkhu is given a verdict of further misconduct, the case may be reopened when new evidence surfaces, and the verdict rescinded or reversed.

There are, however, two situations in which none of these three verdicts applies, and the accusation -- at least for the time being -- remains unsettled:

(1) If a bhikkhu, in the course of an interrogation, admits to an action that is an offence, but either refuses to see it as an offence or refuses to confess it, he is subject to an act of suspension. Though this too may later be rescinded on the basis of good behaviour -- when he admits that his action was an offence and confesses it -- it is a much stronger penalty than the act for further misconduct.

(2) If a bhikkhu denies having committed the act in question, and the bhikkhus are not convinced of his innocence, there are various ways to pressure him to tell the truth: The Cullavagga suggests intensive interrogation; the Commentary, long bouts of group chanting. If neither works, and the Community still has doubts about his innocence, the issue is to be abandoned for the time being as unsettled: The accused is neither to be punished nor declared innocent. As long as the issue remains unsettled, though, there will be no peace of mind either for the accused or for the Community as a whole.

Offences. All offences are settled by means of the principle of *in the presence of*. Most are also settled by means of the procedure of *in accordance with what is admitted*. Rare cases may be settled by *covering over as with grass*.

In accordance with what is admitted: When a bhikkhu has committed an offence requiring confession and then confesses it truthfully in the presence of another bhikkhu, group of bhikkhus, or complete Community, that is called settlement in accordance with what is admitted. It also counts as having been settled in the presence of the Dhamma and Vinaya and the individuals -- i.e., the bhikkhu making the confession and the bhikkhu(s) witnessing it are face to face.

If a bhikkhu has committed a sanghadisesa offence, it is settled only after he has confessed it and undergone penance and probation, both of which require further confessions. Only then, when a Community of at least 20 bhikkhus has met to lift the penalty from him, is the offence considered settled. Here, in the presence of would include not only the Dhamma, Vinaya, and individuals, but also the Community, when it imposes the penance and/or probation, and again when it lifts the penalty.

If a bhikkhu has committed a parajika offence, it is settled only when he admits that he is no longer a bhikkhu and returns to lay life. Here, in the presence of would have the same factors as under confessable offences, above.

Covering over as with grass: This procedure has already been discussed in detail above, and there is no need to add any further details here. In the presence of, here, means in the presence of the Dhamma, Vinaya, individuals, and the Community: In the presence of the individuals means that those who make the blanket confession and those who witness it are face to face. In the presence of the Community means that enough bhikkhus for a quorum (four) have arrived, the assembly is complete (all the bhikkhus in the sima have joined the meeting) and none of the bhikkhus, having met, makes any protest.

Duties are settled *in the presence of --*

(1) when they are properly carried out in line with the procedures set out in the Dhamma and Vinaya,

(2) if the relevant individuals are present (e.g., the ordinand in an ordination, the bhikkhu-to-be-banished in a formal act of banishment, etc.), and

(3) the Community that has met to carry them out forms a quorum and a complete assembly, with none of those present -- except the bhikkhu against whom a formal act is to be carried out, if such is the case -- makes any protest.

Chapter Twelve Appendices

I. Controversial points: Dawn

The Canon lacks a clear-cut definition of precisely when dawn takes place. This lack is especially felt in connection with NP 2, but it also affects a number of other rules as well. The V/Sub-commentary is the only commentarial text that tries to define dawn with any precision. Its definition: "'Dawn' should be understood as the distinctive radiance of increasingly intense red preceding sunrise." This definition is generally followed in Burma, although it is not of much help when the horizon is not visible. The Thais have worked out a more practical measure by defining dawn as the period just prior to the point when, by natural light, one can see the lines in one's hand while holding it out at arm's length. On a bright moonlit night, they define dawn as just prior to the point where leaves appear green. In Sri Lanka, however, dawn is defined as happening much earlier, when the first faint white light on the horizon preceding sunrise can be discerned from Adam's Peak, the tallest mountain on the island. This means that Sri Lankan monks recognize dawn as happening at a time when it is still quite dark outside. There is evidence from the Canon, however, suggesting that this interpretation places dawn at a point too early in the day.

Pacittiyas 37 & 38, taken together, require that a bhikkhu not accept alms before dawn. If he did go for alms before dawn, he would not be able to eat any of the food he accepted at that time, since Pacittiya 37 forbids him from eating before dawn, and Pacittiya 38 forbids him from eating after dawn any food received before dawn of that day. If the first reddening or whitening on the eastern horizon did count as dawn, then bhikkhus would be able to go for alms when it is still dark, since the dark of night does not lift until the second reddening and whitening. A passage in the Latukikopama Sutta (M. 66), however, states specifically that once the rules were established, one of their benefits was that they prevented bhikkhus from going for alms in the dark. This suggests that in the time of the Canon, the first reddening and whitening did not count as dawn. The passage runs as follows:

"(Ven. Udayin -- the good Udayin, not the lax Udayin of the first five sanghadisesas -- is addressing the Buddha:) 'It used to be, venerable sir, that we ate in the evening, in the morning, and in the afternoon. Then there was the time when the Blessed One addressed the bhikkhus, saying, "Come now, bhikkhus, give up this afternoon meal." Because of that, I felt sorry and upset: "The fine staple and non-staple food that householders give us in the afternoon -- the Blessed One has us give them up! The Sugata has us abandon them!" But on considering our love and respect for the Blessed One, our sense of shame and conscience, we gave up that afternoon meal, and ate (only) in the evening and in the morning.

"'Then there was the time when the Blessed One addressed the bhikkhus, saying, "Come now, bhikkhus, give up this evening meal." Because of that, I felt sorry and upset: "The more highly regarded of our two meals -- the Blessed One has us give it up! The Sugata has us abandon it!" It has happened, venerable sir, that a man has gotten ingredients for curry during the day and has told his wife, "Come, let's put this aside, and we'll all have it together in the evening." Almost all cooking is done at night, sir, and very little during the day. But on considering our love and respect for the Blessed One, our sense of shame and conscience, we gave up that evening meal.

"'It used to be that bhikkhus going for alms in the dark gloom of night would walk into a mud hole, fall into a cesspool, stumble into a thorny hedge, stumble into a sleeping cow, encounter teenage gangs on the way to or from a theft, and be propositioned by women. Once it happened when I was going for alms in the dark gloom of night that a certain woman washing a bowl saw me by a lightning flash. As soon as she saw me, she shrieked out in terror, "I'm doomed! A demon is after me!"

"'When she said that, I said to her, "I'm not a demon, sister. I'm a bhikkhu waiting for alms."

"'"Well then you're a bhikkhu whose mom is dead and pop is dead. It would be better for you, bhikkhu, that your belly be cut open with a sharp butcher's knife, than that you go prowling around for alms for your belly's sake like this in the dark gloom of night!"

"'When I remember this, sir, the thought occurs to me: "There are so many painful things the Blessed One has rid us of, and so many pleasant ones he has provided; so many unskilful things he has rid us of, and so many skilful ones he has provided!"'"

This shows clearly that once the rules were in effect, bhikkhus were saved from the dangers of going for alms in the dark; and suggests that dawn can be no earlier than the distinct reddening of the eastern sky.

II. Controversial points: Sugata measures

The Commentary to Sanghadisesa 6 states that the Buddha's cubit -- the distance from his bent elbow to the tips of his fingers -- was three times that of a normal man. This puts all the Sugata measures -- based on the Buddha's cubit, handspan, and breadth of his fingers -- at three times normal length and makes the Buddha freakishly tall.

How the Commentary arrived at this figure is hard to say, for the Vinaya Mukha cites several passages from the Canon showing that the Buddha, though tall, was not abnormally so. The most telling passage is the one from the Samaññaphala Sutta (D. 2), in which King Ajatasattu visits the Buddha while the latter is sitting in an assembly of bhikkhus, and he is unable to tell which one of the assembly the Buddha is. This, of course, is meant to indicate the king's spiritual blindness, but if the Buddha had been remarkably tall, it would have certainly been part of his general reputation, and the king would not have had to ask.

The Vinaya Mukha then goes on to suggest a variety of ways of calculating the Buddha's measurements, the most useful being to assume the Buddha's cubit to be 50 cm. This, at least roughly, fits a number of passages from the Canon, as follows:

According to the Lakkhana Sutta (D. 30), the spread of the Buddha's arms, outstretched, was equal to his height. Since a person's cubit is one-fourth the spread of his outstretched arms, this would put the Buddha's height at 2 meters, or approximately 6 feet 7 inches. The origin story to Pacittiya 92 states that his half-brother, Nanda, was four fingerbreadths shorter than he, and that when bhikkhus saw him coming from afar, they would mistake him for the Buddha, partly on the basis of his tall height. One fingerbreadth is said to be 1/24 cubit, or a little more than 2 cm. by this reckoning, which would put Nanda at 1.92 meters, or approximately 6 feet 4 inches tall.

These figures would seem to fit the information in the Canon fairly well, in that they allow for both Nanda and the Buddha to be tall, but not outlandishly so.

Another pair of passages supporting these measurements is the ruling under Pacittiya 87 that the legs of a bhikkhu's bed not be more than eight Sugata fingerbreadths tall, taken together with the passage in the Cullavagga (VIII.1.5) that one should grope under the bed with one's hand to make sure that nothing is there before placing one's bowl there. Our measurements would put the maximum height for the bed legs at 18 cm. If they were much taller than that, there would be no need to grope, for one could easily see under the bed with a glance. If they were much shorter than that, even a small bowl wouldn't fit.

Although there is no way of determining the Sugata measures with 100% accuracy, the above considerations suggest that the following estimates are reasonable:

The Sugata cubit = 50 cm.
The Sugata span = 25 cm.
The Sugata fingerbreadth = 2.08 cm.

Applied to the various rules, this would give us a hut 3 x 1.75 meters -- small, but adequate; a rains-bathing cloth 1.5 x .625 meters -- enough to cover one from the waist to the knees; and an skin-eruption covering cloth 1 x .5 meters -- enough to cover one from the waist to just above the knees. All of these figures seem appropriate, and so have been accepted for the purposes of this book.

III. Controversial points: Meals

The Cullavagga (VI.21.1) contains a passage in which the Buddha allows bhikkhus to accept seven kinds of specially arranged meals, in addition to the meals they receive on almsround. The passage runs as follows:

"Now at that time Rajagaha was short of food. People were not able to provide a meal for the Community, but they wanted to provide a designated meal, an invitational meal, a meal by lots, a meal on a day of the waxing or waning of the moon, on Observance (uposatha) days, and on the day after each Observance day. They told this matter to the Blessed One. He said, 'I allow, bhikkhus, a Community meal, a designated meal, an invitational meal, a meal by lots, a meal on a day of the waxing or waning of the moon, on an Observance (uposatha) day, and on the day after an Observance day.'"

Unfortunately, the Canon does not give any detailed explanation of these terms. The Commentary explains Community meals as meals for the entire Community, and the other terms as follows:

"(Having said,) 'Give 1, 2...10 bhikkhus designated from the Community,' they wanted to provide a meal for the bhikkhus they got through that designation. Later, having decided on bhikkhus in the same way (i.e., 1, 2...10 bhikkhus), and having invited them, they wanted to provide a meal for them. Later, they wanted to provide a meal having decided on a lottery. Later, having fixed a date -- the waxing or waning moons, the Observance day or the day after -- they wanted to provide a meal for 1, 2...10 bhikkhus. This is the extent of the meals that fall under the terms "designated meals, invitational meals (the Sub-commentary adds an 'etc.' here.)"

These definitions seem fairly clear: a designated meal is one in which the donors do not specify which bhikkhus are to receive it, but simply ask for x number of bhikkhus from the Community, leaving it up to the bhattuddesaka (the "meal designator" -- the Community official responsible for managing these various meals) to designate who the recipients will be. An invitational meal is one in which the donors decide on the recipients themselves. A lot meal is one in which the recipients are chosen by drawing lots, while the remaining meals -- periodic meals -- are given regularly to a rotating roster of x number of bhikkhus every time the specified date comes around.

However, the Commentary's discussion of how the bhattuddesaka should manage these meals blurs the lines between the first three categories. It gives no detailed discussion of Community meals, but divides designated meals into the following two types:

1a) Meals for which the number of bhikkhus to be designated is equal to the total number of bhikkhus in the Community.

1b) Meals for which the number of bhikkhus to be designated is less than the total number of bhikkhus in the Community.

Invitational meals come in the four types:

2a) Meals to which the entire Community is invited.
2b) Meals to which specific individuals or types of bhikkhus (e.g., no one but senior bhikkhus) are invited.
2c) Meals to which one bhikkhu is invited and asked to bring x number of his friends.
2d) Meals for which the donor simply asks for x number of bhikkhus, without specifying in any way who they should be.

This typology raises two questions. For one, why aren't #1a and #2a grouped under Community meals? Is it because the donor uses the words "designated" and "invited" when announcing his/her plans for the meal? If so, how does one arrange for a Community meal that would not fall into these two types, in line with the fact that a Community meal is said to be a separate category?

The second question is how type #2d differs from a designated meal. Is it, again, because the donor does not use the word "designated" in announcing the meal? If so, the difference is only formal, for the Commentary itself states that the bhattuddesaka is to treat such a meal as he would a designated meal, which shows that in essence it is the same thing.

As we reasoned in the discussion of Pacittiya 32, that rule applies only to invitational meals. If we follow the Commentary's original definitions of the various categories of special meal -- and eliminate types 1a, 2a and 2d as redundant -- it is easy enough to determine in essence which types of meals fall into this category and which don't. If we follow the detailed typologies, though, the distinctions become more a matter of formality and technicalities: For example, if the donor asks the bhattuddesaka to "designate nine bhikkhus from the Community," the meal would not violate Pacittiya 32, but if he simply asked for nine bhikkhus -- even if he did not specify who they were to be -- the meal would be a group meal, and any bhikkhus who ate it would be committing an offence. Or again, if he asked that the entire Community be "designated" to come to his meal, they would not incur a penalty in going, but if he simply asked the entire Community to a meal, they would.

Since the Commentary is a compendium of the opinions of many generations of teachers, it may have been that the definitions of the categories of meals were agreed on by one generation of teachers, and the typologies by another. This would explain the discrepancies between the two. Or it may have been that the entire discussion -- definitions and typologies -- was the product of one generation, who did mean the categories to depend on questions of formalities.

At any rate, as with many areas where the Canon gives no definite guidance, this is an issue where the wise policy for each bhikkhu is to follow the standards of the Community to which he belongs.

IV. Pali formulae: Determination

The articles a bhikkhu must determine for his use have already been mentioned under NP 1, 21, & 24.

Determination, according to the Commentary, may be done in either of two ways: by the body or by word. To determine by the body means to grasp or touch the object in question with any part of the body and to determine in the mind that the object is for one's own particular use, in line with the formula given below. To determine by word means to speak the formula out loud. In this case, if the object is within the reach of the hand, use the same formula as for determination with the body. If it is beyond the reach of the hand, alter the formula, changing imam, this, to etam, that. Articles to be worn -- i.e., robes, the rains-bathing cloth -- must first be dyed the proper colour and marked with small round dots at the corners in accordance with Pacittiya 58.

The Canon and commentaries make no mention of any formula to repeat while marking, but the tradition in Thailand is to repeat:

Imam bindu-kappam karomi, which means, "I make this properly marked."

The words for determination, taking the bowl as an example, are:

Imam pattam adhitthami, which means, "I determine this bowl" or "I determine this as a bowl."

To determine other requisites, replace the word pattam, bowl, with the appropriate name, as follows:

for the outer robe: **sanghatim**
for the upper robe: **uttarasangam**
for the lower robe: **antaravasakam**
for the sitting cloth: **nisidanam**
for the skin-eruption cloth: **kandu-paticchadim**
for the rains-bathing cloth: **vassikasatikam**
for the sleeping cloth: **paccattharanam**
for the handkerchief: **mukha-puñchana-colam**
for other cloth requisites: **parikkhara-colam**

To determine many cloths of the same sort at the same time, use the plural forms: Change imam to imani; etam to etani; and the -am ending for the name of the article to -ani. For example, to determine many miscellaneous cloth requisites within reach of the hand, the formula is:

Imani parikkhara-colani adhitthami.

A bhikkhu may determine only one of each of the following five items for use at any one time: the bowl, the basic set of three robes, and the sitting cloth. If he wishes to replace an old one with a new one, he must first withdraw the determination of the old item before determining the new one. The formula for withdrawal, again taking the bowl as an example, is:

Imam pattam paccuddharami, which means, "I relinquish this bowl."

To withdraw the determination of other items, replace the word pattam with the appropriate name, as above.

If an item has been stolen, burnt, destroyed, lost, given away, or taken away on trust, its determination automatically lapses, and there is no need to withdraw the determination before determining a new item to replace it. The Commentary explains destroyed as meaning that the bowl or any of the three robes develops a hole of a certain size: for a clay bowl, a hole large enough for a millet grain to pass through; for an iron bowl, a hole large enough to let liquid pass through; for the robes, a complete break at least the size of the fingernail of the small finger, located at least one handspan in from the long edge of the robe, and four fingerbreadths from the short edge of the lower robe, or eight fingerbreadths from the short edge of the upper and outer robes.

Once the robe or bowl develops a hole of this sort, it reverts to the status of an extra robe or bowl. If the owner still wishes to use it, the hole must be mended and the article redetermined before ten days elapse. Otherwise, he is subject to the penalties imposed by NP 1 or 21.

V. Pali formulae: Shared ownership

The topic of shared ownership, together with the various controversies connected with it, are discussed in detail under Pacittiya 59. Here we will simply give the formulae. There are two formulae for sharing ownership in the presence of the second owner. The first -- taking as an example a piece of robe-cloth within reach of the hand -- is this:

Imam civaram tuyham vikappemi, meaning, "I share ownership of this robe-cloth with you (plural)."

To place a bowl under shared ownership, change civaram to pattam. For more than one piece of cloth, change imam civaram to imani civarani. For more than one bowl, change imam pattam to ime patte. For articles beyond the reach of the hand, change imam to etam; imani to etani; and ime to ete.

The second formula -- less formal than the first -- is:

Imam civaram itthannamassa vikappemi, which means, "I share ownership of this robe-cloth with so-and-so."

Suppose, for example, that the person's name is Nando. If he is one's senior, change itthannamassa to Ayasmato Nandassa; if he is one's junior, change it to Nandassa Bhikkhuno; if he is a novice, change it to Nandassa Samanerassa. If he is very much one's senior, use the first formula, above. (Mv.I.74.1 shows that the tradition in the Buddha's time was not to use a very senior or respected person's name when referring to him.)

To share a bowl in this way, change civaram to pattam. Other changes, as called for, may be inferred from the previous formulae.

To place a piece of robe-cloth under shared ownership with two persons who are absent, say to a witness:

Imam civaram vikappanatthaya tuyham dammi, which means, "I give this robe-cloth to you to share."

The witness should ask the original owner the names of two bhikkhus or novices who are his friends or acquaintances. In Pali, this is:

Ko te mitto va sandittho va.

After the original owner tells the names, the witness says:

Aham tesam dammi, which means, "I give it to them."

To rescind the shared ownership, the Vibhanga says that the witness in the last case should say,

Tesam santakam paribhuñja va vissajjehi va yatha-paccayam va karohi,

which means, "Use what is theirs, give it away or do as you like with it."

As for cases in which the article is placed under shared ownership in the presence of the second owner, the Vibhanga gives no formula for rescinding the arrangement. The K/Commentary suggests that the second owner should say,

Mayham santakam paribhuñja va vissajjehi va yatha-paccayam va karohi,

which means, "Use what is mine, give it away or do as you like with it."

The Pubbasikkha Vannana, though, suggests the following formula (for robe-cloth within reach, rescinded by a bhikkhu who is senior to the original owner):

Imam civaram mayham santakam paribhuñja va vissajjehi va yatha-paccayam va karohi,

which means, "Use this robe-cloth of mine, give it away, etc."

If the bhikkhu rescinding the shared ownership is junior to the original owner, the verb endings are more formal:

Imam civaram mayham santakam paribhuñjatha va vissajjetha va yatha-paccayam va karotha.

For a bowl, change civaram to pattam. If more than one piece of cloth is involved, the formula begins, Imani civarani mayham santakani... If more than one bowl, Ime patte mayham santake... Changes for articles outside the reach of the hand may be inferred from those for the earlier formulae.

VI. Pali formulae: Forfeiture

As noted in the conclusion to the chapter on Nissaggiya Pacittiya rules, articles received in defiance of NP 18, 19, & 22 must be forfeited to a Community. The words of forfeiture in these cases are:

NP 18. For receiving gold and silver (money):

Aham bhante rupiyam patiggahesim. Idam me nissaggiyam. Imaham sanghassa nissajjami.

This means, "Venerable sirs, I have received money. This of mine is to be forfeited. I forfeit it to the Community."

NP 19. For engaging in monetary exchange:

Aham bhante nanappakarakam rupiya-sanvoharam samapajjim. Idam me nissaggiyam. Imaham sanghassa nissajjami.

This means, "Venerable sirs, I have engaged in various types of monetary exchange. This of mine is to be forfeited. I forfeit it to the Community."

NP 22. For asking for a new bowl when one's original bowl is still usable:

Ayam me bhante patto unapañca-bandhanena pattena cetapito nissaggiyo. Imaham sanghassa nissajjami.

This means, "This bowl of mine, venerable sirs, asked for when the (previous) bowl had less than five mends, is to be forfeited. I forfeit it to the Community."

Articles used or received in violation of the remaining NP rules may be forfeited to the Community, to a group, or to an individual. Here only the formulae for forfeiting to an individual will be given. Formulae for rules rarely broken -- e.g., involving bhikkhunis or felted rugs -- are not listed.

NP 1. For an extra robe (or robe-cloth) kept beyond ten days.

Idam me bhante civaram dasahatikkantam nissaggiyam. Imaham ayasmato nissajjami.

This means, "This robe (robe-cloth) of mine, venerable sir, kept beyond ten days, is to be forfeited. I forfeit it to you."

If the speaker is senior to the listener, change bhante to avuso. If many pieces of cloth are to be forfeited at once, the forms should be changed to plural:

Imani me bhante civarani dasahatikkantani nissaggiyani. Imanaham ayasmato nissajjami.

For robes beyond the reach of the hand, change idam to etam; imaham to etaham; imani to etani; and imanaham to etanaham. For example, for one robe, one would say:

Etam me bhante civaram dasahatikkantam nissaggiyam. Etaham ayasmato nissajjami.

For more than one robe beyond the reach of the hand, one would say:

Etani me bhante civarani dasahatikkantani nissaggiyani. Etanaham ayasmato nissajjami.

Once the offence has been confessed, the robe (robe-cloth) is to be returned to the original owner, using this formula:

Imam civaram ayasmato dammi, which means "I give this robe (robe-cloth) to you."

For more than one piece:

Imani civarani ayasmato dammi.

Changes in the formula for robe-cloth beyond the reach of the hand may be inferred from the preceding example. These two formulae for returning cloth are used in every case involving cloth and will not be repeated below.

NP 2. For a robe separated from one for a night or more:

Idam me bhante civaram ratti-vippavuttham aññatra bhikkhu-sammatiya nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe of mine, separated (from me) for a night without authorization of the bhikkhus, is to be forfeited. I forfeit it to you."

Change civaram to dvi-civaram for two robes, and to ti-civaram for three. Other changes, as necessary, may be inferred from the formulae for rule #1, above. The formulae for returning the robe(s) are also given there.

NP 3. For out-of-season robe-cloth kept more than a month:

Idam me bhante akala-civaram masatikkantam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This out-of-season robe-cloth of mine, venerable sir, kept beyond a month, is to be forfeited. I forfeit it to you."

For more than one piece of cloth:

Imani me bhante akala-civarani masatikkantani nissaggiyani. Imanaham ayasmato nissajjami.

Other changes, as necessary, may be inferred from the formulae for rule #1.

NP 6. For a robe (robe-cloth) requested from an unrelated householder:

Idam me bhante civaram aññatakam gahapattikam aññatra samaya viññapitam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe (cloth) of mine, venerable sir, requested from an unrelated householder at other than the proper occasion, is to be forfeited. I forfeit it to you."

For more than one robe:

Imani me bhante civarani aññatakam gahapattikam aññatra samaya viññapitani nissaggiyani. Imanaham ayasmato nissajjami.

NP 7. For a robe (robe-cloth) requested from an unrelated householder during an allowable occasion, but beyond the allowable limit:

Idam me bhante civaram aññatakam gahapattikam taduttarim viññapitam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe (cloth) of mine, requested beyond that (allowable) from an unrelated householder, is to be forfeited. I forfeit it to you."

For more than one robe:

Imani me bhante civarani aññatakam gahapattikam taduttarim viññapitani nissaggiyani. Imanaham ayasmato nissajjami.

NP 8. For a robe (robe-cloth) received after making a stipulation to an unrelated householder:

Idam me bhante civaram pubbe appavarito aññatakam gahapattikam upasankamitva civare vikappam apannam nissaggiyam. Imaham ayasmato nissajjami,

which means, "Without prior invitation, I approached an unrelated householder and made stipulations about a robe (cloth). This robe (cloth) of mine, venerable sir, is to be forfeited. I forfeit it to you."

NP 9. For a robe (robe-cloth) received after making stipulations to two or more unrelated householders, use the same formula as for the preceding rule, changing aññatakam gahapattikam to aññatake gahapattike.

NP 10. For a robe (robe-cloth) received after reminding one's steward too many times:

Idam me bhante civaram atireka-tikkhattum codanaya atireka-chakkhattum thanena abhinipphaditam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe (cloth) of mine, venerable sir, produced after more than three reminders, after more than six standings, is to be forfeited. I forfeit it to you."

NP 18 & 19. The formulae for these rules are given at the beginning of this appendix.

NP 20. For an article received in trade:

Aham bhante nanappakarakam kaya-vikkayam samapajjim. Idam me nissaggiyam. Imaham ayasmato nissajjami,

which means, "Venerable sir, I have engaged in various types of trade. This of mine is to be forfeited. I forfeit it to you."

To return the article:

Imam ayasmato dammi, which means, "I give this to you."

NP 21. For an extra bowl kept beyond ten days:

Ayam me bhante patto dasahatikkanto nissaggiyo. Imaham ayasmato nissajjami,

which means, "This bowl of mine, venerable sir, kept beyond ten days, is to be forfeited. I forfeit it to you."

To return the bowl:

Imam pattam ayasmato dammi.

NP 22. The formula for this rule is given at the beginning of this appendix.

NP 23. For any of the five tonics kept beyond seven days:

Idam me bhante bhesajjam sattahatikkantam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This medicine of mine, venerable sir, kept beyond seven days, is to be forfeited. I forfeit it to you."

To return the medicine:

Imam bhesajjam ayasmato dammi.

NP 25. For a robe (robe-cloth) snatched back in anger:

Idam me bhante civaram bhikkhussa samam datva acchinnam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe (cloth) of mine, venerable sir, snatched back after I myself gave it to a bhikkhu, is to be forfeited. I forfeit it to you."

NP 28. For a robe (robe-cloth) offered in urgency kept beyond the robe season:

Idam me bhante acceka-civaram civara-kala- samayam atikkamitam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe-cloth-offered-in-urgency of mine, venerable sir, kept beyond the robe season, is to be forfeited. I forfeit it to you."

NP 29. For a robe separated from one for more than six nights:

Idam me bhante civaram atireka-cha-rattam vippavuttham aññatra bhikkhu-sammatiya nissaggiyam. Imaham ayasmato nissajjami,

which means, "This robe of mine, separated (from me) for more than six nights without authorization of the bhikkhus, is to be forfeited. I forfeit it to you."

Change civaram to dvi-civaram for two robes, and to ti-civaram for three.

NP 30. For gains intended for the Community that one has diverted to oneself:

Idam me bhante janam sanghikam labham parinatam attano parinamitam nissaggiyam. Imaham ayasmato nissajjami,

which means, "This gift, intended for the Community and knowingly diverted for myself, is to be forfeited. I forfeit it to you."

To return the article:

Imam ayasmato dammi.

VII. Pali formulae: Confession.

Six types of offence may be expiated through confession: thullaccaya, nissaggiya pacittiya, pacittiya, patidesaniya, dukkata, and dubbhasita.

The formula for confessing a patidesaniya is given in the training rules themselves:

Garayham avuso dhammam apajjim asappayam patidesaniyam. Tam patidesemi,

which means, "Friend, I have committed a blameworthy, unsuitable act that ought to be acknowledged. I acknowledge it."

The five remaining types of offences are confessed as follows: One arranges one's upper robe over the left shoulder, approaches another bhikkhu, kneels down and, with hands raised palm-to-palm in respect, repeats the formula of confession. The bhikkhu to whom the offence is to be confessed must be part of the Community -- i.e., he does not belong to a schismatic faction and has not been suspended -- and he must not be guilty, without having made confession, of the same offence that one is confessing.

If all the bhikkhus in a particular residence are guilty of the same offence, one of them must go to another residence to confess the offence, and then return to let the remaining bhikkhus confess their offences in his presence, or one after another in the presence of those who have already confessed. If this cannot be arranged, then on the day of the Patimokkha recitation one of the bhikkhus should announce the fact of their common offence in the midst of the gathering. Only then may they go ahead with the recitation.

As bhikkhus are to declare their purity of unconfessed offences before listening to the Patimokkha, a bhikkhu who listens to the Patimokkha knowing that he has an unconfessed offence must tell one of his neighbouring bhikkhus of the offence when the recitation comes to the relevant rule and promise that he will confess it when the recitation is over. Otherwise, if he tells no one, he incurs a pacittiya for telling a conscious lie.

The Cullavagga (IV.14.30) gives a formula for confessing an offence in the presence of another bhikkhu:

Aham avuso ittannamam apattim apanno. Tam patidesemi,

which means, "Friend, I have fallen into an offence of such-and-such a name. I confess it."

The bhikkhu acknowledging the confession says,

Passasi? which means, "Do you see it (the offence)?"

The bhikkhu confessing the offence says,
Ama, passami, which means, "Yes, I see it."

The bhikkhu acknowledging the confession then says,
Ayatim sanvareyyasi, which means, "You should restrain yourself in the future."

The formula most generally used at present is expanded from this. The major changes include a vow, made by the confessant at the end of the exchange, that he will exercise restraint; and the inclusion of the words "many" and "of various sorts" to qualify offence(s) in the original confession. This latter change is to streamline the confession. Rather than confessing each offence of a particular class separately, one gathers them into a single statement. As one is allowed to confess more offences than one has actually committed, and as it is possible in some cases to commit offences unknowingly, the current formula has been adopted to cover such unwitting offences.

Since the formula is repeated by every bhikkhu before the recitation of the Patimokkha, the procedure has become little more than a formality. The Vinaya Mukha thus recommends that a bhikkhu conscious of having committed a particular offence should mention it to the other bhikkhu in their own language before making use of the Pali formula.

If the bhikkhu making confession is junior to the one acknowledging him, the exchange is as follows (taking thullaccaya offences as an example):

Confessant:	**Aham bhante sambahula nana-vatthukayo thullaccayayo apattiyo apanno. Ta patidesemi.**
Acknowledger:	**Passasi avuso?**
C:	**Ama bhante, passami.**
A:	**Ayatim avuso sanvareyyasi.**
C:	**Sadhu sutthu bhante sanvarissami. (Three times.)**

This last sentence means, "Very well, venerable sir, I will be restrained."

If the bhikkhu making confession is senior to the other bhikkhu, the exchange is as follows:

C: Aham avuso sambahula nana-vatthukayo thullaccayayo apattiyo apanno. Ta patidesemi.
A: Passatha bhante?
C: Ama avuso, passami.
A: Ayatim bhante sanvareyyatha.
C: Sadhu sutthu avuso sanvarissami. (Three times.)

For other categories of offences, change **thullaccayayo** to
nissaggiyayo pacittiyayo,
pacittiyayo,
dukkatayo, or
dubbhasitayo,

as the case may be. In confessing dubbhasita offences, drop the word nana-vatthukayo, as there is only one rule in this class

VIII. A pupil's duties as attendant to his mentor

As mentioned in Chapter 2, one is required to act as one's mentor's personal attendant if he does not already have one. There I sketched out these duties in general terms. What follows is a translation from Mv.I.25.8-19, which lays them out in very specific terms. Some Communities have their members follow these duties to the letter; others have adapted them to fit in with what they see as changes in culture and technology (e.g., bathing practices now differ from what they were then). Even in the latter cases, though, it is useful to have the original standards down in writing as practical guides to mindful action in daily life and sensitivity to one's mentor's needs, for the role of attendant is an excellent opportunity for learning the Dhamma and Vinaya in action on a day-to-day basis. A bhikkhu who approaches this role with the proper attitude will benefit greatly from it, much as Ven. Ananda benefited from the care and attention he brought to bear in attending to the Buddha.

In the following passages, statements in parentheses are from the Commentary; statements in brackets are my own.

Having gotten up early, having taken off his sandals, having arranged his upper robe over one shoulder, the pupil should provide tooth-cleaning sticks [see Pacittiya 40] and water for washing the face. (On the first three days when one is performing these services, one should provide the mentor with three lengths of tooth-cleaning sticks

-- long, medium, and short -- and notice which one he takes. If he takes the same length on all three days, provide him only with that length from then on. If he is not particular about the length, provide him with whatever length is available. A similar principle holds for the water: On the first three days, provide him with both warm and cold water. If he consistently takes either the warm or the cold, provide him only with that kind of water from then on. If not, provide him with whatever water is available.) [The Commentary suggests that in "providing" these things, one need only set them out, rather than hand them to the mentor. Once they have been set out, one should proceed to sweep out the bathroom and its surrounding area while the mentor is using the tooth-cleaning sticks and water. Then, while the mentor is using the bathroom, one should proceed to the next step.]

Make a seat ready. If there is conjey, then having washed a bowl, place the conjey near the mentor. When he has drunk the conjey, then having given him water, having received the bowl, having lowered it [so as not to let the washing water wet one's robes], wash it properly without scraping it (i.e., knocking it against the floor) and then put it away. When the mentor has gotten up, remove the seat. If the place is soiled, sweep it.

If the mentor wishes to enter the village for alms, give him his lower robe, receiving the lower robe [he is wearing] from him in return. [This is one of the few passages showing that the practice of having spare robes was already current when the Canon was being compiled.] Give him his belt; give him his upper and outer robe, arranged so that the upper robe forms a lining for the outer one [%]. Having rinsed out the bowl, give it to him while it is still wet [i.e., pour out as much of the rinsing water as possible, but don't wipe it dry].

If the mentor desires an attendant, one should put on one's lower robe so as to cover the three circles all around (see Sekhiyas 1 & 2). Having put on the belt, having put the upper and outer robes together and having put them on, having fastened the ties, having washed and taken a bowl, be the mentor's attendant. Do not walk too far behind him, do not walk too close. (One to two steps behind him is appropriate.) Receive the mentor's bowl and its contents. (If the mentor's bowl is heavy or hot to the touch, take his bowl and give him one's own bowl [which is presumably lighter or less hot to the touch] in return.)

Do not interrupt the mentor when he is speaking. If he is bordering on an offence (e.g., Pacittiya 4 or Sanghadisesa 3), one should speak in an indirect way so as to call him to his senses. (These two duties apply everywhere, not only on almsround.) [The Sub-commentary adds that, unlike the pupil's other duties, these must also be observed even when one is ill.]

Returning ahead of the mentor, one should make a seat ready. Set out water for washing the feet, a foot scraper, and a towel for drying the feet. Having gone to meet him, receive his bowl and robe. Give him his lower robe; receive the lower robe [that he has been wearing] in return. If the upper and outer robes are damp with perspiration, dry them for a short time in the sun's warmth, but do not leave them there long in the sun. Fold up the robes [separately, says the Sub-commentary], keeping the edges four fingerbreadths apart so that neither robe becomes creased in the middle. [One should follow the same practice in folding and hanging one's own robes.] Place the belt in the fold of the robe. [From these statements it would appear the bhikkhus in those days wore only their lower robes while inside their dwellings.]

If there is almsfood, and the mentor wishes to eat, give him water and place the almsfood near him. Offer him drinking water. (If there is enough time before noon, one should wait by the mentor while he is eating, in order to offer him drinking water, and eat one's own meal only when he is finished. If there is not enough time for this, one should simply set out the water and proceed to one's own meal.)

When he has finished eating, then having given him water, receive the bowl, lower it, and wash it properly without scraping it. Then, having emptied out the water, dry it for a short time in the sun's warmth, but do not leave it there long.

Put away the bowl and robes. When putting away the bowl, take the bowl in one hand, feel under the bed or bench with the other hand, and place the bowl there, but do not place it on the bare ground (any place where it will get soiled). When putting away the robe, take the robe with one hand, stroke the other hand along the rod or cord for the robes [to check for any rough spots or splinters on the cord or rod that will rip the cloth], place the robe over the cord or rod with the edges away from one and the fold towards one. (The fold should not be placed on the side of the wall, for if there is a splinter in the wall, it may rip the robe in the middle [making its determination lapse].) [Again, one should follow these same practices in putting away one's own robe and bowl.]

When the mentor has gotten up, remove the seat. Put away the water for washing the feet, the foot-scraper, and the towel for drying the feet. If the place is soiled, sweep it.

If the mentor wishes to bathe, prepare a bath. Prepare a cold bath if he wants a cold one, a hot bath if he wants a hot one.

If the mentor wishes to enter the sauna, knead the chunam (bathing powder), moisten the bathing clay, take a chair for the sauna, and follow closely behind him. Give him the chair, receive his robe in return, and lay it to one side (where there is no soot or smoke). Give him the chunam and clay. If one is able to, enter the sauna, having smeared one's face with the bathing clay and covering oneself front and back.

Sit so as not to encroach on the senior bhikkhus, at the same time not depriving the junior bhikkhus of a seat. Look after the mentor's needs (stoking the fire, providing him with clay and hot water). When he is leaving the sauna, take the chair and, covering oneself front and back, leave the sauna. Provide the mentor with bathing water. When both have bathed, the pupil should come out of the water first, dry himself, and put on his lower robe. Then he should dry off his mentor, give him his lower robe and then his outer robe.

Taking the chair, the pupil should return first, make ready a seat, put out water for washing the feet, a foot-scraper, and a towel for drying the feet. When the mentor has sat down, offer him drinking water.

If the mentor wants one to recite (memorize passages of Dhamma or Vinaya), one should recite. If he wants to interrogate one (on the meaning of the passages), one should answer his interrogation.

If the place where the mentor is staying is soiled, the pupil should clean it if he is able to. First take out the bowl and robe and lay them to one side. Take out the sitting cloth and the sheet and lay them to one side. Then take out the mattress and pillow and lay them to one side.

Having lowered the bed [from its supports], take it out properly, without scraping it (along the floor) or knocking it against the door or door posts, and then lay it to one side. Lower the bench, take it out properly, without scraping it (along the floor) or knocking it against the door or the door posts, and lay it to one side. Take out the supports for the bed... the spittoon... the reclining board [a board or stone for resting the head, arms or elbows] and lay them to one side. Take out the ground-covering, after observing how it was laid down, and put it to one side.

If there are cobwebs, sweep them out, starting from the ceiling and working down. Wipe the windows, the doors, and the corners. If the wall or floor have become mouldy [%], moisten a rag, wring it out, and wipe them with it. If the floor of the room is finished with blackening (polished), moisten a rag, wring it out, and wipe the floor with it. If the floor is bare ground, sprinkle it all over with water before sweeping it, so that the dust does not fly up and soil the room. Look for any rubbish and throw it away.

Having dried the ground-covering in the sun, clean it, shake it out, bring it back in, and lay it down as it was laid down before. Having dried the supports for the bed in the sun, wipe them, bring them back, and place them where they were before. Having dried the bed... the bench in the sun, clean them, shake them out, lower them, bring them back in properly without scraping them (against the floor) or knocking them against the door or door posts, and place them where they were placed before. Having dried the mattress and pillow... the sitting cloth and sheet in the sun, clean them, shake them out, bring them back in, and place them where they were before. Having dried the spittoon in the sun, wipe it, bring it back in, and place it where it was before. Having dried the reclining board in the sun, wipe it, bring it back in, and place it where it was before. [One should follow these same procedures in cleaning one's own room.] Put away the bowl and robes [as above].

If dusty winds blow from the east, close the eastern windows. If from the west, close the western windows. If from the north, close the northern windows. If from the south, close the southern windows. If the weather is cool, open the windows by day and close them at night. If the weather is hot, close them by day and open them at night. [Again, one should follow these same procedures in looking after one's own room.]

If a courtyard is dirty, sweep it . If a porch... attendance hall... fire hall (sauna)... restroom is dirty, sweep it. If there is no drinking water, provide it. If there is no washing water, provide it. If there is no water in the pitcher for rinsing [in the restroom], pour it into the pitcher.

As noted in Chapter 2, a pupil who is not ill is expected to perform these services for his mentor unless the mentor tells him that he already has another pupil acting as his attendant or the other pupil says that he will accept responsibility for them. On the other hand, if the pupil is ill, the mentor is expected to perform these services for the pupil until the latter recovers. This reflects the Buddha's statement that the pupil should regard the mentor as his father; and the mentor, the pupil as his son. If both bear this relationship in mind, they are sure to prosper in the practice of the Dhamma Vinaya.

Glossary

This Glossary is designed to help the reader in two sorts of situations: (1) when encountering a Pali term in this book in a passage where it is not explained; and (2) when encountering Vinaya terminology in other books or conversations and wanting to know how it is defined and/or where it is discussed here. For terms that have entire chapters devoted to them -- such as nissaya and pacittiya -- see the relevant chapter.

Acariya: teacher. See Chapter Two and Appendix VIII.

Acittaka: a class of offences carrying a penalty even when committed unintentionally or with incorrect perception.

Adhitthana: determining for use. See NP 1, 3, 21, & 24 and Appendix IV.

Akkosa-vatthu: a topic for abuse. See Pacittiyas 2 & 3.

Anupasampanna: anyone who has not received full ordination. With some rules, this includes bhikkhunis; with others, it doesn't.

Apalokana: declaration; the simplest form for a formal act of the Community, in which a decision is proposed to the Community in the announcer's own words.

Bhattuddesaka: the Community official in charge of meal distribution. See Pacittiya 32 and Appendix III.

Bhikkhu: a male mendicant ordained in the Bhikkhu Sangha, subject to the training rules of the Bhikkhu Patimokkha and the Khandhakas (the Mahavagga and Cullavagga).

Bhikkhuni: a female mendicant ordained by both the Bhikkhuni and the Bhikkhu Sanghas, subject to the training rules of the Bhikkhuni Patimokkha and the eight vows of respect (garu-dhamma). See Pacittiya 21.

Bhojaniya: staple food. See the introduction to the Food Chapter in Chapter Eight.

Bhutagama: a living plant in its place. See Pacittiya 11.

Bijagama: a plant or part of a plant removed from its place but capable of growing again if replanted. See Pacittiya 11.

Chanda: consent by proxy. See Pacittiya 79.

Deva (devata): literally, a "shining one" -- a celestial being.

Dubbhasita: wrong speech. See Pacittiya 2.

Dukkata: wrong doing, the lightest penalty.

Garu-bhanda: a heavy article. Garu-bhanda belonging to the Sangha includes monasteries and monastery land; dwellings, land on which dwellings are built; furnishings such as couches, chairs, and mattresses; metal vessels and tools; building materials, except for such things as rushes, reeds, grass, and clay; and articles made of pottery or wood. See Parajika 2, Sanghadisesa 6, and Pacittiya 81.

Garu-dhamma: a vow of respect mandatory for all bhikkhunis. See Pacittiya 21.

Hatthapasa: a distance of 2 1/2 cubits, or 1.25 meters.

Jhana: mental absorption. See Parajika 4.

Kappiya-vohara: a proper expression, i.e., a way of expressing a hint or desire allowable in the context of a rule where an outright command would be a breach of the rule.

Kathina: a ceremony, held in the fourth month of the rainy season, in which a Community of bhikkhus receives a gift of cloth from lay people, bestows it on one of their members, and then makes it into a robe before dawn of the following day. See NP 1-3 and Pacittiya 81.

Khadaniya: non-staple food. See the introduction to the Food Chapter in Chapter Eight.

Lahu-bhanda: a light article. Lahu-bhanda of the Sangha includes such things as cloth, food, and medicine; small personal accessories such as scissors, sandals, and water strainers; and light building materials, such as rushes, reeds, grass, and clay. See Parajika 2, Sanghadisesa 6, and Pacittiya 81.

Leddupata: the distance a man of average height can toss a clod of dirt underarm -- approximately 18 meters.

Loka-vajja: acts criticized by people in general. See Chapter One.

Lokuttara-dhamma: a transcendent state. See Parajika 4.

Mahapadesa: Great Standard for deciding what is and is not in line with the Dhamma and Vinaya. See Chapter One.

Manatta: penance. See the conclusion to Chapter Five.

Naga: a special kind of serpent, classed as a common animal but having magical powers, including the ability to assume human appearance. Nagas have long been regarded as protectors of the Buddha's teachings.

Ñatti-kamma: a form for a formal act of the Community in which a decision is proposed to the Community in a motion following a set wording.

Ñatti-dutiya-kamma: a form for a formal act of the Community in which a decision is proposed to the Community in a motion and one announcement.

Ñatti-catuttha-kamma: a form for a formal act of the Community in which a decision is proposed to the Community in a motion and three announcements.

Niyasa-kamma: a stripping of status (also called

Nissaya-kamma, an act of dependence) -- a formal act whereby a bhikkhu released from dependence is required to return to dependence under a mentor until he mends his ways. See Chapter Two.

Pabbajaniya-kamma: an act of banishment whereby a bhikkhu is denied membership in a particular Community until he mends his ways. See Sanghadisesa 13.

Pabbajja: going forth -- ordination as a samanera.

Paccuddharana: rescinding from use. See Appendix IV.

Palibodha: commitment. See NP 1.

Pana: juice drink. See the introduction to the Food Chapter in Chapter Eight, and Pacittiya 38.

Pandaka: a man sexually deviant or deformed. See Sanghadisesa 2.

Pannatti-vajja: acts criticized by the training rules. See Chapter One.

Parivasa: probation. See the conclusion to Chapter Five.

Pavarana: (1) an invitation whereby a donor gives permission to a bhikkhu or a Community of bhikkhus to ask for requisites. See Pacittiya 47. (2) a ceremony, held at the end of the Rains Retreat (see vassa), in which each bhikkhu invites the rest of the Community to inform him of any transgressions they may have seen, heard, or suspected that he has committed.

Peta: a hungry shade -- one of a class of beings in the lower realms, sometimes capable of appearing to human beings.

Pubbayoga: a preliminary effort leading up to the commission of an offence.

Sacittaka: a class of offences that carry a penalty only when committed intentionally and with correct perception.

Samana: contemplative. This word is derived from the adjective sama, which means "in tune" or "in harmony." The samanas in ancient India were wanderers who tried through direct contemplation to find the true nature of reality -- as opposed to the conventions taught in the Vedas -- and to live in tune or in harmony with that reality. Buddhism is one of several samana movements. Others included Jainism, Ajivakan fatalism, and Lokayata, or hedonism.

Samanera: literally, a small samana -- a novice monk observing ten precepts. See Pacittiya 70.

Sangha: Community. This may refer to the entire Community of bhikkhus or bhikkhunis, or to the Community living in a particular location. In this book I have tried to distinguish between the two by calling the first Sangha, and the second Community, but there are some contexts where it is difficult to draw a clear line between the two.

Sangha-bheda: a schism in the Sangha. See Sanghadisesas 10 & 11.

Sangha-raji: a crack in the Sangha. See Sanghadisesa 10.

Sima: boundary or territory related to the performance of formal acts of the Community. See Pacittiya 79.

Sugata: Well-gone, an epithet for the Buddha. Sugata measures are discussed in Appendix II.

Sutta (suttanta): discourse.

Tajjaniya-kamma: an act of censure, whereby a Community may strip a bhikkhu of some of his communal rights if he is a maker of strife, if he refuses to see or confess an offence he admits to having committed, or if he criticizes the Buddha, Dhamma, or Sangha. If he mends his ways, the act can be repealed. See Sanghadisesa 8, Aniyata 1, and Chapter Eleven.

Thullaccaya: grave offence, the most serious derived offence.

Tiracchana-katha: "animal talk," topics of conversation inappropriate for bhikkhus. See Pacittiyas 46 & 85.

Tiracchana-vijja: "bestial/animal knowledge," occult abilities inappropriate for bhikkhus to practice. See Parajika 4 and the Samaññaphala Suttanta.

Ukkhepaniya-kamma: an act of suspension, whereby a Community may deprive a bhikkhu of his right to associate with the Sangha as a whole until he mends his ways. See Pacittiyas 68 & 69.

Upajjhaya: preceptor. See Chapter Two and Appendix VIII.

Upasampada: acceptance -- full ordination as a bhikkhu or bhikkhuni.

Uposatha: Observance day, the day of the new and of the full moon; traditionally, in India, a time of special spiritual practices. The Buddha adopted this as the day for reciting the Patimokkha.

Vassa: Rains Retreat -- a three-month period, generally beginning the day after the full moon in July (or the second, if there are two), during which certain restrictions are placed on the bhikkhus' wanderings; usually considered a time to accelerate one's efforts in study or practice.

Vikappana: an arrangement whereby an item not in use is placed under shared ownership. See NP 1, Pacittiya 59, and Appendix V.

Vissasa: trust between friends. See Parajika 2 and Pacittiya 59.

Yakkha: one of a special class of powerful "non-human" beings -- sometimes kindly, sometimes murderous and cruel -- corresponding roughly to the fairies and ogres of Western fairy tales. The female (yakkhini) is generally considered more treacherous than the male.

Yojana: a league -- a distance of ten miles or sixteen kilometres.

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Rule index by topic

This index lists the summaries of the training rules given in this book, organized by topic. The Sekhiya rules have not been included, because they are short, deal almost exclusively with etiquette, and are already organized by topic in their own chapter. I have included short summaries of the Adhikarana-Samatha rules, even though these summaries do not appear in the chapter discussing those rules.

The rules are divided into five major categories, dealing with Right Speech, Right Action, Right Livelihood, Communal harmony, and the etiquette of a contemplative. The first three categories -- the factors of the Noble Eightfold Path that make up the training in heightened virtue -- show in particular how the training rules relate to the Buddhist path as a whole.

These five categories are not sharply distinct types. Instead, they are more like the colours in the band of light thrown off by a prism -- discernably different, but shading into one another with no sharp dividing lines. Right Speech, for instance, often shades into Communal harmony, just as Right Livelihood shades into personal etiquette. Thus the placement of a particular rule in one category rather than another has been a somewhat arbitrary process. There are a few cases -- such as Pacittiyas 46 & 85 -- where the reason for the placement of the rule will become clear only after a reading of the detailed discussion of the rule in the text.

Each rule is followed by a two-part code. The first part, before the slash, gives the rule's number in its section of the Patimokkha. The second part gives the page number for the discussion of the rule in this book.

Right Speech

M.117 defines wrong speech as lying, divisive speech, abusive speech, and idle chatter.

Lying

Making an unfounded charge to a bhikkhu that he has committed a parajika offence, in hopes of having him disrobed, is a sanghadisesa offence. (Sg 8/73)

Distorting the evidence while accusing a bhikkhu of having committed a parajika offence, in hopes of having him disrobed, is a sanghadisesa offence. (Sg 9/74)

The intentional effort to misrepresent the truth to another individual is a pacittiya offence. (Pc 1/137)

Making an unfounded charge to a bhikkhu -- or getting someone else to make the charge to him -- that he is guilty of a sanghadisesa offence is a pacittiya offence. (Pc 76/234)

Divisive speech

Tale-bearing among bhikkhus, in hopes of winning favour or causing a rift, is a pacittiya offence. (Pc 3/139)

Abusive speech

An insult made with malicious intent to another bhikkhu is a pacittiya offence. (Pc 2/138)

Idle chatter

Visiting lay families -- without having informed an available bhikkhu -- before or after a meal to which one has been invited is a pacittiya offence except during the robe season or any time one is making a robe. (Pc 46/205)

Entering a village, town, or city during the period after noon until the following dawn, without having taken leave of an available bhikkhu -- unless there is an emergency -- is a pacittiya offence. (Pc 85/245)

Right Action

M.117 defines wrong action as killing living beings, taking what is not given, and engaging in sexual misconduct.

Killing

Intentionally bringing about the untimely death of a human being, even if it is still a foetus, is a parajika offence. (Pr 3/43)

Pouring water that one knows to contain living beings -- or having it poured -- on grass or clay is a pacittiya offence. Pouring anything that would kill the beings into such water -- or having it poured -- is also a pacittiya offence. (Pc 20/166)

Deliberately killing an animal -- or having it killed -- is a pacittiya offence. (Pc 61/221)

Using water, knowing that it contains living beings that will die from one's use, is a pacittiya offence. (Pc 62/222)

Taking what is not given

The theft of anything worth 1/24 ounce troy of gold or more is a parajika offence. (Pr 2/37)

Having given another bhikkhu a robe on a condition and then -- angry and displeased -- snatching it back or having it snatched back is a nissaggiya pacittiya offence. (NP 25/129)

Making use of cloth or a bowl stored under shared ownership -- unless the shared ownership has been rescinded or one is taking the item on trust -- is a pacittiya offence. (Pc 59/218)

Sexual Misconduct

Voluntary sexual intercourse -- genital, anal, or oral -- with a human being, non-human being, or common animal is a parajika offence. (Pr 1/28)

Intentionally causing oneself to emit semen, or getting someone else to cause one to emit semen -- except during a dream -- is a sanghadisesa offence. (Sg 1/54)

Lustful bodily contact with a woman whom one perceives to be a woman is a sanghadisesa offence. (Sg 2/59)

Making a lustful remark to a woman about her genitals, anus or about performing sexual intercourse is a sanghadisesa offence. (Sg 3/61)

Telling a woman that she would benefit from having sexual intercourse with oneself is a sanghadisesa offence. (Sg 4/63)

Getting an unrelated bhikkhuni to wash, dye, or beat a robe that has been used at least once is a nissaggiya pacittiya offence. (NP 4/96)

Getting an unrelated bhikkhuni to wash, dye, or card wool that has not been made into cloth or yarn is a nissaggiya pacittiya offence. (NP 17/112)

Lying down at the same time in the same lodging with a woman is a pacittiya offence. (Pc 6/146)

Teaching more than six sentences of Dhamma to a woman, except in response to a question, is a pacittiya offence unless a knowledgeable man is present. (Pc 7/148)

Exhorting a bhikkhuni about the eight vows of respect -- except when one has been authorized to do so by the Community -- is a pacittiya offence. (Pc 21/168)

Exhorting a bhikkhuni on any topic at all after sunset -- except when she requests it -- is a pacittiya offence. (Pc 22/169)

Going to the bhikkhunis' quarters and exhorting a bhikkhuni about the eight vows of respect -- except when she is ill or has requested the instruction -- is a pacittiya offence. (Pc 23/170)

Giving robe-cloth to an unrelated bhikkhuni without receiving anything in exchange is a pacittiya offence. (Pc 25/171)

Sewing a robe -- or having one sewn -- for an unrelated bhikkhuni is a pacittiya offence. (Pc 26/172)

Travelling by arrangement with a bhikkhuni from one village to another -- except when the road is risky or there are other dangers -- is a pacittiya offence. (Pc 27/173)

Travelling by arrangement with a bhikkhuni upriver or downriver in the same boat -- except when crossing a river -- is a pacittiya offence. (Pc 28/174)

Sitting or lying down alone with a bhikkhuni in a place out of sight and out of hearing with no one else present is a pacittiya offence. (Pc 30/175 & 45/)

Sitting or lying down with a woman or women in a private, secluded place with no other man present is a pacittiya offence. (Pc 44/203)

Sitting or lying down alone with a woman in an unsecluded but private place with no one else present is a pacittiya offence. (Pc 45/203)

Travelling by arrangement with a woman from one village to another is a pacittiya offence. (Pc 67/227)

Right Livelihood

M.117 defines wrong livelihood as dissembling, persuading, hinting, belittling, and pursuing gain with gain.

General

Deliberately lying to another person that one has attained a superior human state is a parajika offence. (Pr 4/47)

Acting as a go-between to arrange a marriage, an affair, or a date between a man and a woman not married to each other is a sanghadisesa offence. (Sg 5/64)

Engaging in trade with anyone except one's co-religionists is a nissaggiya pacittiya offence. (NP 20/120)

Persuading a donor to give to oneself a gift that he or she had planned to give to the Community -- when one knows that it was intended for the Community -- is a nissaggiya pacittiya offence. (NP 30/134)

Telling an unordained person of one's actual superior human attainments is a pacittiya offence. (Pc 8/151)

Persuading a donor to give to another individual a gift that he or she had planned to give to a Community -- when one knows that it was intended for the Community -- is a pacittiya offence. (NP 30/240 & Pc 82)

Robes

Keeping a piece of robe-cloth for more than ten days without determining it for use or placing it under dual ownership -- except when the end-of-vassa or kathina privileges are in effect -- is a nissaggiya pacittiya offence. (NP 1/90)

Being in a separate zone from any of one's three robes at dawn -- except when the end-of-vassa or kathina privileges are in effect, or one has received formal authorization from the Community -- is a nissaggiya pacittiya offence. (NP 2/93)

Keeping out-of-season cloth for more than 30 days when it is not enough to make a requisite and one has expectation for more -- except when the end-of-vassa and kathina privileges are in effect -- is a nissaggiya pacittiya offence. (NP 3/95)

Accepting robe-cloth from an unrelated bhikkhuni without giving her anything in exchange is a nissaggiya pacittiya offence. NP 5/97)

Asking for and receiving robe-cloth from an unrelated lay person, except when one's robes have been stolen or destroyed, is a nissaggiya pacittiya offence. (NP 6/99)

Asking for and receiving excess robe-cloth from unrelated lay people when one's robes have been stolen or destroyed is a nissaggiya pacittiya offence. (NP 7/101)

When a lay person who is not a relative is planning to get a robe for one, but has yet to ask one what kind of robe one wants: Receiving the robe after making a request that would raise its cost is a nissaggiya pacittiya offence. (NP 8/102)

When two or more lay people who are not one's relatives are planning to get separate robes for one, but have yet to ask one what kind of robe one wants: Receiving a robe from them after asking them to pool their funds to get one robe -- out of a desire for something fine -- is a nissaggiya pacittiya offence. (NP 9/102)

Making a felt blanket/rug with silk mixed in it for one's own use -- or having it made -- is a nissaggiya pacittiya offence. (NP 11/108)

Making a felt blanket/rug entirely of black wool for one's own use -- or having it made -- is a nissaggiya pacittiya offence. (NP 12/109)

Making a felt blanket/rug that is more than one-half black wool for one's own use -- or having it made -- is a nissaggiya pacittiya offence. (NP 13/109)

Unless one has received authorization to do so from the Community, making a felt blanket/rug for one's own use -- or having it made -- less than six years after one's last one was made is a nissaggiya pacittiya offence. (NP 14/110)

Making a felt sitting rug for one's own use -- or having it made -- without incorporating a one-span piece of old felt is a nissaggiya pacittiya offence. (NP 15/111)

Seeking and receiving a rains-bathing cloth before the fourth month of the hot season is a nissaggiya pacittiya offence. Using a rains-bathing cloth before the last two weeks of the fourth month of the hot season is also a nissaggiya pacittiya offence. (NP 24/128)

Taking thread that one has asked for improperly and getting weavers to weave cloth from it -- when they are unrelated and have not made a previous offer to weave -- is a nissaggiya pacittiya offence. (NP 26/130)

When donors who are not relatives -- and have not invited one to ask -- have arranged for weavers to weave robe-cloth intended for one: Receiving the cloth after getting the weavers to increase the amount of thread used in it is a nissaggiya pacittiya offence. (NP 27/131)

Keeping robe-cloth offered in urgency past the end of the robe season after having accepted it during the last eleven days of the Rains Retreat is a nissaggiya pacittiya offence. (NP 28/132)

When one is living in a dangerous wilderness abode during the month after the fourth Kattika full moon and has left one of one's robes in the village where one normally goes for alms: Being away from the abode and the village for more than six nights at a stretch -- except when authorized by the Community -- is a nissaggiya pacittiya offence. (NP 29/133)

Wearing an unmarked robe is a pacittiya offence. (Pc 58/216)

Acquiring an overly large sitting cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. (Pc 89/249)

Acquiring an overly large skin-eruption covering cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. (Pc 90/249)

Acquiring an overly large rains-bathing cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. (Pc 91/249)

Acquiring an overly large robe after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the robe down to size before confessing the offence. (Pc 92/250)

Food

Eating any of the five staple foods that a lay person has offered as the result of a bhikkhuni's prompting -- unless the lay person was already planning to offer the food before her prompting -- is a pacittiya offence. (Pc 29/175)

Eating food obtained from the same public alms centre two days running, unless one is too ill to leave the centre, is a pacittiya offence. (Pc 31/179)

Eating a meal to which four or more individual bhikkhus have been specifically invited -- except on special occasions -- is a pacittiya offence. (Pc 32/182)

Eating a meal before going to another meal to which one was invited, or accepting an invitation to one meal and eating elsewhere instead, is a pacittiya offence except when one is ill or at the time of giving cloth or making robes. (Pc 33/184)

Accepting more than three bowlfuls of food that the donors prepared for their own use as presents or as provisions for a journey is a pacittiya offence. (Pc 34/185)

Eating staple or non-staple food that is not left-over, after having earlier in the day finished a meal during which one turned down an offer to eat further staple food, is a pacittiya offence. (Pc 35/187)

Eating staple or non-staple food in the period after noon until the next dawn is a pacittiya offence. (Pc 37/190)

Eating food that a bhikkhu -- oneself or another -- formally received on a previous day is a pacittiya offence. (Pc 38/191)

Eating finer foods, after having asked for them for one's own sake -- except when ill -- is a pacittiya offence. (Pc 39/193)

Eating food that has not been formally given is a pacittiya offence. (Pc 40/198)

Eating staple or non-staple food, after having accepted it from the hand of an unrelated bhikkhuni in a village area, is a patidesaniya offence. (Pd 1/252)

Eating staple food accepted at a meal to which one has been invited and where a bhikkhuni has given directions, based on favouritism, as to which bhikkhu should get which food, and none of the bhikkhus have dismissed her, is a patidesaniya offence. (Pd 2/253)

Eating staple or non-staple food, after accepting it -- when one is neither ill nor invited -- at the home of a family formally designated as "in training," is a patidesaniya offence. (Pd 3/254)

Eating an unannounced gift of staple or non-staple food after accepting it in a dangerous wilderness abode when one is not ill is a patidesaniya offence. (Pd 4/255)

Lodgings

Building a plastered hut -- or having it built -- without a sponsor, destined for one's own use, without having obtained the Community's approval, is a sanghadisesa offence. Building a plastered hut -- or having it built -- without a sponsor, destined for one's own use, exceeding the standard measurements, is also a sanghadisesa offence. (Sg 6/68)

Building a hut with a sponsor -- or having it built -- destined for one's own use, without having obtained the Community's approval, is a sanghadisesa offence. (Sg 7/68)

When a bhikkhu is building or repairing a large dwelling for his own use, using resources donated by another, he may not reinforce the window or door frames with more than three layers of roofing material or plaster. To exceed this is a pacittiya offence. (Pc 19/165)

Acquiring a bed or bench with legs longer than eight Sugata fingerbreadths after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the legs down before confessing the offence. (Pc 87/247)

Acquiring a bed or bench stuffed with cotton down after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one remove the stuffing before confessing the offence. (Pc 88/248)

Medicine

Keeping any of the five tonics -- ghee, fresh butter, oil, honey, or sugar/molasses -- for more than seven days, unless one determines to use them only externally, is a nissaggiya pacittiya offence. (NP 23/126)

When a supporter has made an offer to supply medicines to the Community: Asking the him/her for medicine outside of the terms of the offer when one is not ill, or for medicine to use for a non-medicinal purpose, is a pacittiya offence. (Pc 47/207)

Money

When a fund has been set up with a steward indicated by a bhikkhu: Obtaining an article from the fund as a result of having prompted the steward more than the allowable number of times is a nissaggiya pacittiya offence. (NP 10/107)

Taking gold or money, having someone else take it, or consenting to its being placed down as a gift for oneself, is a nissaggiya pacittiya offence. (NP 18/115)
Obtaining gold or money through trade is a nissaggiya pacittiya offence. (NP 19/117)

Bowls and other requisites

Carrying wool that has not been made into cloth or yarn for more than three leagues is a nissaggiya pacittiya offence. (NP 16/111)

Keeping an alms bowl for more than ten days without determining it for use or placing it under dual ownership is a nissaggiya pacittiya offence. (NP 21/122)

Asking for a new alms bowl when one's current bowl is not beyond repair is a nissaggiya pacittiya offence. (NP 22/123)

Acquiring a needle box made of bone, ivory, or horn after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one break the box before confessing the offence. (Pc 86/246)

Communal Harmony

To persist in one's attempts at a schism, after the third announcement of a formal rebuke in a meeting of the Community, is a sanghadisesa offence. (Sg 10/77)

To persist in supporting a potential schismatic, after the third announcement of a formal rebuke in a meeting of the Community, is a sanghadisesa offence. (Sg 11/78)

To persist in being difficult to admonish, after the third announcement of a formal rebuke in the Community, is a sanghadisesa offence. (Sg 12/79)

To persist -- after the third announcement of a formal rebuke in the Community -- in criticizing an act of banishment performed against oneself is a sanghadisesa offence. (Sg 13/80)

When a trustworthy female lay follower accuses a bhikkhu of having committed a parajika, sanghadisesa, or pacittiya offence while sitting alone with a woman in a private, secluded place, the Community should investigate the charge and deal with the bhikkhu in accordance with whatever he admits to having done. (Ay 1/85)

When a trustworthy female lay follower accuses a bhikkhu of having committed a sanghadisesa or pacittiya offence while sitting alone with a woman in a private place, the Community should investigate the charge and deal with the bhikkhu in accordance with whatever he admits to having done. (Ay 2/85)

Telling an unordained person of another bhikkhu's serious offence -- unless one is authorized by the Community to do so -- is a pacittiya offence. (Pc 9/151)

Persistently replying evasively or keeping silent in order to conceal one's own offences when being questioned in a meeting of the Community -- after a formal charge of evasiveness or uncooperativeness has been brought against one -- is a pacittiya offence. (Pc 12/158)

If a Community official is innocent of prejudice: Criticizing him within earshot of another bhikkhu is a pacittiya offence. (Pc 13/159)

When one has set a bed, bench, mattress, or stool belonging to the Community out in the open: Leaving its immediate vicinity without putting it away or arranging to have it put away is a pacittiya offence. (Pc 14/160)

When one has spread bedding out in a dwelling belonging to the Community: Departing from the monastery without putting it away or arranging to have it put away is a pacittiya offence. (Pc 15/161)

Encroaching on another bhikkhu's sleeping or sitting place in a dwelling belonging to the Community, with the sole purpose of making him uncomfortable and forcing him to leave, is a pacittiya offence. (Pc 16/162)

Causing a bhikkhu to be evicted from a dwelling belonging to the Community -- when one's primary motive is anger -- is a pacittiya offence. (Pc 17/163)

Sitting or lying down on a bed or bench with detachable legs on an unplanked loft in a dwelling belonging to the Community, is a pacittiya offence. (Pc 18/164)

Saying that a properly authorized bhikkhu exhorts the bhikkhunis for the sake of personal gain -- when in fact that is not the case -- is a pacittiya offence. (Pc 24/170)

Deliberately tricking another bhikkhu into breaking Pacittiya 35, in hopes of finding fault with him, is a pacittiya offence. (Pc 36/189)

Speaking or acting disrespectfully when being admonished by another bhikkhu for a breach of the training rules is a pacittiya offence. (Pc 54/213)

Agitating to re-open an issue, knowing that it was properly dealt with, is a pacittiya offence. (Pc 63/223)

Not informing other bhikkhus of a serious offence that one knows another bhikkhu has committed -- out of a desire to protect him either from having to undergo the penalty or from the jeering remarks of other bhikkhus -- is a pacittiya offence. (Pc 64/223)

Acting as the preceptor in the ordination of a person one knows to be less than 20 years old is a pacittiya offence. (Pc 65/225)

Refusing -- after the third announcement of a formal rebuke in a meeting of the Community -- to give up the wrong view that there is nothing wrong in intentionally transgressing the Buddha's ordinances is a pacittiya offence. (Pc 68/228)

Consorting, joining in communion, or lying down under the same roof with a bhikkhu who has been suspended and not been restored -- knowing that such is the case -- is a pacittiya offence. (Pc 69/229)

Supporting, receiving services from, consorting, or lying down under the same roof with an expelled novice -- knowing that he has been expelled -- is a pacittiya offence. (Pc 70/230)

Saying something as a ploy to excuse oneself from training under a training rule when being admonished by another bhikkhu for a breach of the rule is a pacittiya offence. (Pc 71/231)

Criticizing the discipline in the presence of another bhikkhu, in hopes of preventing its study, is a pacittiya offence. (Pc 72/232)

Using half-truths to deceive others into believing that one is ignorant of the rules in the Patimokkha, after one has already heard the Patimokkha in full three times, and a formal act exposing one's deceit has been brought against one, is a pacittiya offence. (Pc 73/233)

Giving a blow to another bhikkhu, when motivated by anger, is a pacittiya offence. (Pc 74/234)

Making a threatening gesture against another bhikkhu when motivated by anger is a pacittiya offence. (Pc 75/234)

Saying to another bhikkhu that he may have broken a rule unknowingly, simply for the purpose of causing him anxiety, is a pacittiya offence. (Pc 77/235)

Eavesdropping on bhikkhus involved in an argument over an issue -- with the intention of using what they say against them -- is a pacittiya offence. (Pc 78/236)

Complaining about a formal act of the Community to which one gave one's consent -- if one knows that the act was carried out in accordance with the rule -- is a pacittiya offence. (Pc 79/238)

Getting up and leaving a meeting of the Community in the midst of a valid formal act -- without having first given one's consent to the act and with the intention of invalidating it -- is a pacittiya offence. (Pc 80/239)

After participating in a formal act of the Community giving robe-cloth to a Community official: Complaining that the Community acted out of favouritism is a pacittiya offence. (Pc 81/240)

When the Community is dealing formally with an issue, the full Community must be present, as must all the individuals involved in the issue; the proceedings must follow the patterns set out in the Dhamma and Vinaya. (As 1/267)

If the Community unanimously believes that a bhikkhu is innocent of a charge made against him, they may declare him innocent on the basis of his memory of the events. (As 2/267)

If the Community unanimously believes that a bhikkhu was insane while committing offences against the rules, they may absolve him of any responsibility for the offences. (As 3/268)

If a bhikkhu commits an offence, he should willingly undergo the appropriate penalty in line with what he actually did and the actual seriousness of the offence. (As 4/268)

If an important dispute cannot be settled by a unanimous decision, it should be submitted to a vote. The opinion of the majority, if in accord with the Dhamma and Vinaya, is then considered decisive. (As 5/268)

If a bhikkhu admits to an offence only after being interrogated in a formal meeting, the Community should carry out an act of censure against him, rescinding it only when he has mended his ways. (As 6/268)

If, in the course of a dispute, both sides act in ways unworthy of contemplatives, and the sorting out of the penalties would only prolong the dispute, the Community as a whole may make a blanket confession of its light offences. (As 7/269)

The Etiquette of a Contemplative

Training a novice or lay person to recite passages of Dhamma by rote is a pacittiya offence. (Pc 4/141)

Lying down at the same time, in the same lodging, with a novice or layman for more than three nights running is a pacittiya offence. (Pc 5/144)

Digging soil or commanding that it be dug is a pacittiya offence. (Pc 10/153)

Intentionally cutting, burning, or killing a living plant is a pacittiya offence. (Pc 11/156)

Handing food or medicine to a mendicant ordained outside of Buddhism is a pacittiya offence. (Pc 41/199)

When on almsround with another bhikkhu: Sending him back so that he won't witness any misconduct one is planning to indulge in is a pacittiya offence. (Pc 42/200)

To sit down intruding on a man and a woman in their private quarters -- when one or both are sexually aroused, and when another bhikkhu is not present – is a pacittiya offence. (Pc 43/201)

Watching a field army -- or similar large military force -- on active duty, unless there is a suitable reason, is a pacittiya offence. (Pc 48/208)

Staying more than three consecutive nights with an army on active duty -- even when one has a suitable reason to be there -- is a pacittiya offence. (Pc 49/209)

Going to a battlefield, a roll call, an array of the troops in battle formation, or to see a review of the battle units while one is staying with an army is a pacittiya offence. (Pc 50/209)

Taking an intoxicant is a pacittiya offence regardless of whether one is aware or not that it is an intoxicant. (Pc 51/211)

Tickling another bhikkhu is a pacittiya offence. (Pc 52/211)

Jumping and swimming in the water for fun is a pacittiya offence. (Pc 53/212)

Attempting to frighten another bhikkhu is a pacittiya offence. (Pc 55/213)

Lighting a fire to warm oneself -- or having it lit -- when one does not need the warmth for one's health is a pacittiya offence. (Pc 56/214)

Bathing more frequently than once a fortnight when residing in the middle Ganges Valley, except on certain occasions, is a pacittiya offence. (Pc 57/215)

Hiding another bhikkhu's bowl, robe, sitting cloth, needle case, or belt -- or having it hid -- either as a joke or with the purpose of annoying him, is a pacittiya offence. (Pc 60/219)

Travelling by arrangement with a group of thieves from one village to another -- knowing that they are thieves -- is a pacittiya offence. (Pc 66/225)

Entering a king's sleeping chamber unannounced, when both the king and queen are in the chamber, is a pacittiya offence. (Pc 83/242)

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70. Exhorting a bhikkhuni about the eight vows of respect -- except when one has been authorized to do so by the Community -- is a pacittiya offence. 168

71. Exhorting bhikkhunis on any topic at all after sunset -- except when they request it -- is a pacittiya offence. 169

72. Going to the bhikkhunis' quarters and exhorting a bhikkhuni about the eight vows of respect -- except when she is ill or has requested the instruction -- is a pacittiya offence. 170

73. Saying that a properly authorized bhikkhu exhorts the bhikkhunis for the sake of personal gain -- when in fact that is not the case -- is a pacittiya offence. 170

74. Giving robe-cloth to an unrelated bhikkhuni without receiving anything in exchange is a pacittiya offence. 171

75. Sewing a robe -- or having one sewn -- for an unrelated bhikkhuni is a pacittiya offence. 172

76. Travelling by arrangement with a bhikkhuni from one village to another -- except when the road is risky or there are other dangers -- is a pacittiya offence. 173

77. Travelling by arrangement with a bhikkhuni upriver or downriver in the same boat -- except when crossing a river -- is a pacittiya offence. 174

78. Eating any of the five staple foods that a lay person has offered as the result of a bhikkhuni's prompting -- unless the lay person was already planning to offer the food before her prompting -- is a pacittiya offence. . 175

79. Sitting or lying down with a bhikkhuni in a place out of sight and out of hearing with no one else present is a pacittiya offence. 175

80. Eating food obtained from the same public alms centre two days running, unless one is too ill to leave the centre, is a pacittiya offence. 179

81. Eating a meal to which four or more individual bhikkhus have been specifically invited -- except on special occasions -- is a pacittiya offence. 182

82. Eating a meal before going to another meal to which one was invited, or accepting an invitation to one meal and eating elsewhere instead, is a pacittiya offence except when one is ill or at the time of giving cloth or making robes. 184

83. Accepting more than three bowlfuls of food that the donors prepared for their own use as presents or as provisions for a journey is a pacittiya offence. 185

84. Eating staple or non-staple food that is not left-over, after having earlier in the day finished a meal during which one turned down an offer to eat further staple food, is a pacittiya offence. 187

85. Deliberately tricking another bhikkhu into breaking the preceding rule, in hopes of finding fault with him, is a pacittiya offence. 189

86. Eating staple or non-staple food in the period after noon until the next dawn is a pacittiya offence. 190

87. Eating food that a bhikkhu -- oneself or another -- formally received on a previous day is a pacittiya offence. 191

88. Eating finer foods, after having asked for them for one's own sake -- except when ill -- is a pacittiya offence. 193

89. Eating food that has not been formally given is a pacittiya offence. 198

90. Handing food or medicine to a mendicant ordained outside of Buddhism is a pacittiya offence. 199

91. When on almsround with another bhikkhu: Sending him back so that he won't witness any misconduct one is planning to indulge in is a pacittiya offence. 200

92. To sit down intruding on a man and a woman in their private quarters -- when one or both are sexually aroused, and when another bhikkhu is not present -- is a pacittiya offence. 201

93. Sitting or lying down with a woman or women in a private, secluded place with no other man present is a pacittiya offence. 203

94. Sitting or lying down alone with a woman in an unsecluded but private place is a pacittiya offence. 203

95. Visiting lay families -- without having informed an available bhikkhu -- before or after a meal to which one has been invited is a pacittiya offence except during the robe season or any time one is making a robe..... 205

96. When a supporter has made an offer to supply medicines to the Community: Asking him/her for medicine outside the terms of the offer when one is not ill, or for medicine to use for a non-medicinal purpose, is a pacittiya offence. 207

97. Watching a field army -- or similar large military force -- on active duty, unless there is a suitable reason, is a pacittiya offence. 208

98. Staying more than three consecutive nights with an army on active duty, unless one has a suitable reason to be there, is a pacittiya offence. 209

99. Going to a battlefield, a roll call, an array of troops in battle formation, or to see a review of the battle units while one is staying with an army is a pacittiya offence. 209

100. Taking an intoxicant is a pacittiya offence regardless of whether one is aware or not that it is an intoxicant. 211

101. Tickling another bhikkhu is a pacittiya offence. 211

102. Jumping and swimming in the water for fun is a pacittiya offence. 212

103. Speaking or acting disrespectfully when being admonished by another bhikkhu for a breach of the training rules is a pacittiya offence..... 213

104. Attempting to frighten another bhikkhu is a pacittiya offence..... 213

105. Lighting a fire to warm oneself -- or having it lit -- when one does not need the warmth for one's health is a pacittiya offence. 214

106. Bathing more frequently than once a fortnight when residing in the middle Ganges Valley, except on certain occasions, is a pacittiya offence. 215

107. Wearing an unmarked robe is a pacittiya offence. 216

108. Making use of cloth or a bowl stored under shared ownership -- unless the shared ownership has been rescinded or one is taking the item on trust -- is a pacittiya offence. 218

109. Hiding another bhikkhu's bowl, robe, sitting cloth, needle case, or belt -- or having it hid -- either as a joke or with the purpose of annoying him, is a pacittiya offence. 219

110. Deliberately killing an animal -- or having it killed -- is a pacittiya offence. 221

111. Using water, knowing that it contains living beings that will die from one's use, is a pacittiya offence. .. 222

112. Agitating to re-open an issue, knowing that it was properly dealt with, is a pacittiya offence. 223

113. Not informing other bhikkhus of a serious offence that one knows another bhikkhu has committed -- out of a desire to protect him either from having to undergo the penalty or from the jeering remarks of other bhikkhus -- is a pacittiya offence. 223

114. Acting as the preceptor in the ordination of a person one knows to be less than 20 years old is a pacittiya offence..... 225

115. Travelling by arrangement with a group of thieves from one village to another -- knowing that they are thieves -- is a pacittiya offence. 225

116. Travelling by arrangement with a woman from one village to another is a pacittiya offence. 227

117. Refusing -- after the third announcement of a formal rebuke in a meeting of the Community -- to give up the wrong view that there is nothing wrong in intentionally transgressing the Buddha's ordinances is a pacittiya offence. 228

118. Consorting, joining in communion, or lying down under the same roof with a bhikkhu who has been suspended and not been restored -- knowing that such is the case -- is a pacittiya offence. 229

119. Supporting, receiving services from, consorting, or lying down under the same roof with an expelled novice -- knowing that he has been expelled -- is a pacittiya offence. 230

120. Saying something as a ploy to excuse oneself from training under a training rule when being admonished by another bhikkhu for a breach of the rule is a pacittiya offence. 231

121. Criticizing the discipline in the presence of another bhikkhu, in hopes of preventing its study, is a pacittiya offence. 232

122. Using half-truths to deceive others into believing that one is ignorant of the rules in the Patimokkha, after one has already heard the Patimokkha in full three times, and a formal act exposing one's deceit has been brought against one, is a pacittiya offence..... 233

123. Giving a blow to another bhikkhu when motivated by anger is a pacittiya offence..... 234

124. Making a threatening gesture against another bhikkhu when motivated by anger is a pacittiya offence. 234

125. Making an unfounded charge to another bhikkhu -- or getting someone else to make the charge to him -- that he is guilty of a sanghadisesa offence is a pacittiya offence. 234

126. Saying to another bhikkhu that he may have broken a rule unknowingly, simply for the purpose of causing him anxiety, is a pacittiya offence. 235

127. Eavesdropping on bhikkhus involved in an argument over an issue -- with the intention of using what they say against them -- is a pacittiya offence. 236

128. Complaining about a formal act of the Community to which one gave one's consent -- if one knows that the act was carried out in accordance with the rule -- is a pacittiya offence. 238

129. Getting up and leaving a meeting of the Community in the midst of a valid formal act -- without having first given one's consent to the act and with the intention of invalidating it -- is a pacittiya offence. 239

130. After participating in a formal act of the Community giving robe-cloth to a Community official: Complaining that the Community acted out of favouritism is a pacittiya offence. 240

131. Persuading a donor to give to another individual a gift that he or she had planned to give to a Community -- when one knows that it was intended for the Community -- is a pacittiya offence. 240

132. Entering a king's sleeping chamber unannounced, when both the king and queen are in the chamber, is a pacittiya offence. 242

133. Picking up a valuable, or having it picked up, with the intent of putting it in safe keeping for the owner -- except when one finds it in a monastery or in a dwelling one is visiting -- is a pacittiya offence. 244

134. Entering a village, town, or city during the period after noon until the following dawn, without having taken leave of an available bhikkhu -- unless there is an emergency -- is a pacittiya offence. 245

135. Acquiring a needle box made of bone, ivory, or horn after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one break the box before confessing the offence. 246

136. Acquiring a bed or bench with legs longer than eight Sugata fingerbreadths after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the legs down before confessing the offence. 247

137. Acquiring a bed or bench stuffed with cotton down after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one remove the stuffing before confessing the offence. 248

138. Acquiring an overly large sitting cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. 249

139. Acquiring an overly large skin-eruption covering cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. 249

140. Acquiring an overly large rains-bathing cloth after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the cloth down to size before confessing the offence. 249

141. Acquiring an overly large robe after making it -- or having it made -- for one's own use is a pacittiya offence requiring that one cut the robe down to size before confessing the offence. 250

142. Eating staple or non-staple food, after having accepted it from the hand of an unrelated bhikkhuni in a village area, is a patidesaniya offence. 252

143. Eating staple food accepted at a meal to which one has been invited and where a bhikkhuni has given directions, based on favouritism, as to which bhikkhu should get which food, and none of the bhikkhus have dismissed her, is a patidesaniya offence. 253

144. Eating staple or non-staple food, after accepting it -- when one is neither ill nor invited -- at the home of a family formally designated as "in training," is a patidesaniya offence. 254

145. Eating an unannounced gift of staple or non-staple food after accepting it in a dangerous wilderness abode when one is not ill is a patidesaniya offence. 255

146[147]. I will wear the lower robe [upper robe] wrapped around (me): a training to be observed. 256

148 [149]. I will go [sit] well-covered in inhabited areas: a training to be observed..... 257

150 [151]. I will go [sit] well-restrained in inhabited areas: a training to be observed. 257

152 [153]. I will go [sit] with eyes lowered in inhabited areas: a training to be observed..... 257

154 [155]. I will not go [sit] with robes hitched up in inhabited areas: a training to be observed..... 257

156 [157]. I will not go [sit] laughing loudly in inhabited areas: a training to be observed. 257

158 [159]. I will go [sit] (speaking) with a lowered voice in inhabited areas: a training to be observed. 257

160 [161]. I will not go [sit] swinging the body in inhabited areas: a training to be observed. 258

162 [163]. I will not go [sit] swinging the arms in inhabited areas: a training to be observed. 258

164 [165]. I will not go [sit] swinging the head in inhabited areas: a training to be observed. 258

166 [167]. I will not go [sit] with arms akimbo in inhabited areas: a training to be observed. 258

168 [169]. I will not go [sit] with my head covered in inhabited areas: a training to be observed. 258

170. I will not go tiptoeing or walking just on the heels in inhabited areas: a training to be observed. 258

171. I will not sit holding up the knees in inhabited areas: a training to be observed. 258

172. I will receive alms food appreciatively: a training to be observed. 259

173. I will receive alms food with attention focused on the bowl: a training to be observed. 259

174. I will receive alms food with bean curry in proper proportion: a training to be observed..... 259

175. I will receive alms food level with the edge (of the bowl): a training to be observed..... 259

176. I will eat alms food appreciatively: a training to be observed. 259

177. I will eat alms food with attention focused on the bowl: a training to be observed. 260

178. I will eat alms food methodically : a training to be observed. 260

179. I will eat alms food with bean curry in proper proportion: a training to be observed. 260

180. I will not eat alms food taking mouthfuls from a heap: a training to be observed. 260

181. I will not hide bean curry and foods with rice out of a desire to get more: a training to be observed. 260

182. Not being ill, I will not eat rice or bean curry that I have requested for my own sake: a training to be observed. 260

183. I will not look at another's bowl intent on finding fault: a training to be observed. 261

184. I will not take an extra-large mouthful: a training to be observed. 261

185. I will make a rounded mouthful: a training to be observed. 261

186. I will not open the mouth when the mouthful has yet to be brought to it: a training to be observed..... 261

187. I will not put the whole hand into the mouth while eating: a training to be observed. 261

188. I will not speak with the mouth full of food: a training to be observed. 261

189. I will not eat from lifted balls of food: a training to be observed. 261

190. I will not eat nibbling at mouthfuls of food: a training to be observed. 262

191. I will not eat stuffing out the cheeks: a training to be observed. 262

192. I will not eat shaking (food off) the hand: a training to be observed. 262

193. I will not eat scattering rice about: a training to be observed. 262

194. I will not eat sticking out the tongue: a training to be observed. 262

195. I will not eat smacking the lips: a training to be observed. 262

196. I will not eat making a slurping noise: a training to be observed. 262

197. I will not eat licking the hands: a training to be observed. 262

198. I will not eat licking the bowl: a training to be observed. 262

199. I will not eat licking the lips: a training to be observed. 263

200. I will not accept a water vessel with a hand soiled by food: a training to be observed. 263

201. I will not, in an inhabited area, throw away bowl-rinsing water that has grains of rice in it: a training to be observed. 263

202. I will not teach Dhamma to a person with an umbrella in his hand and who is not ill: a training to be observed. 264

203. I will not teach Dhamma to a person with a staff in his hand and who is not ill: a training to be observed. 264

204. I will not teach Dhamma to a person with a knife in his hand and who is not ill: a training to be observed. 264

205. I will not teach Dhamma to a person with a weapon in his hand and who is not ill: a training to be observed. 264

206. [207] I will not teach Dhamma to a person wearing non-leather [leather] footwear who is not ill: a training to be observed. 264

208. I will not teach Dhamma to a person in a vehicle and who is not ill: a training to be observed. 264

209. I will not teach Dhamma to a person lying down who is not ill: a training to be observed. 265

210. I will not teach Dhamma to a person who sits holding up his knees and who is not ill: a training to be observed. 265

211. I will not teach Dhamma to a person wearing headgear who is not ill: a training to be observed. 265

212. I will not teach Dhamma to a person whose head is covered (with a robe or scarf) and who is not ill: a training to be observed. 265

213. Sitting on the ground, I will not teach Dhamma to a person sitting on a seat who is not ill: a training to be observed. 265

214. Sitting on a low seat, I will not teach Dhamma to a person sitting on a high seat who is not ill: a training to be observed. 265

215. Standing, I will not teach Dhamma to a person sitting who is not ill: a training to be observed. 265

216. Walking behind, I will not teach Dhamma to a person walking ahead who is not ill: a training to be observed. 265

217. Walking beside a path, I will not teach Dhamma to a person walking on the path and who is not ill: a training to be observed. 266

218. Not being ill, I will not defecate or urinate while standing: a training to be observed. 266

219. Not being ill, I will not defecate, urinate, or spit on living crops: a training to be observed. 266

220. Not being ill, I will not defecate, urinate, or spit in water: a training to be observed. 266

221. When the Community is dealing formally with an issue, the full Community must be present, as must all the individuals involved in the issue; the proceedings must follow the patterns set out in the Dhamma and Vinaya. 267

222. If the Community unanimously believes that a bhikkhu is innocent of a charge made against him, they may declare him innocent on the basis of his memory of the events. 267

223. If the Community unanimously believes that a bhikkhu was insane while committing offences against the rules, they may absolve him of any responsibility for the offences. 268

224. If a bhikkhu commits an offence, he should willingly undergo the appropriate penalty in line with what he actually did and the actual seriousness of the offence. 268

225. If an important dispute cannot be settled by a unanimous decision, it should be submitted to a vote. The opinion of the majority, if in accord with the Dhamma and Vinaya, is then considered decisive. 268

226. If a bhikkhu admits to an offence only after being interrogated in a formal meeting, the Community should carry out an act of censure against him, rescinding it only when he has mended his ways. 268

227. 'Covering over as with grass'. If, in the course of a dispute, both sides act in ways unworthy of contemplatives, and the sorting out of the penalties would only prolong the dispute, the Community as a whole may make a blanket confession of its light offences. 269