THE OFFENCES AND RETRIBUTIONS IN THE VINAYAPITAKA

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Offences And Retributions In The Sūtradhāka (1)

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

The Sāgha As A Living Organism

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

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

Aptari (Offence)

According to the monastic rules an offence (Aptari) may be either major (paramāptari) or minor (Lahulāptari). A major one, as a potential cause of schism, must be different from all other ecclesiastical minor offences referred to in the canonical texts. In this regard Dr. Balamohan Mahabir has rightly pointed out: Aptari can therefore only mean the minor offences which are outside the scope of the seven types of major offences included in the 'Vinaya' (5).
Apatti may be derived from a *pad-Pali-English Dictionary* by Raya David and Skenda, *any transgression of the "silakkāpadā" or precepts laid down by the Buddha is considered to be an apatti. Among the offences enshrined in the Pātimokkha (Skt. *Pātimokṣa*) the Pārājika and the Sāhyātāsāsena are said to be included among the Gaurukṣapa (also known as *Aṣāsanāgatimini apatti* or *Duṭṭhaliṣṭhapatti*) and the remaining are said to be grouped under Lahuḍapatti (also known as Deseṇāpamini apatti or *aduṭṭhaliṣṭhapatti*). There is also another classification of the apattis viz. *ānuvāsapaṭṭi* and *ānuvāsapaṭṭi*. Among the offences of the Pātimokkha, only the Pārājika is said to belong to the *ānuvāsapaṭṭi* while the remaining are all said to belong to the *ānuvāsapaṭṭi*.

**Dukkaṭaśaṅkara (6)**

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

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

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

3. The offence of dukkaṭa was also to be inflicted upon the persons who committed the following offences:
   - a) Asking questions on the contents of the Vinaya while the assembly is in progress;
   - b) Responding to questions on the Vinaya uncalled upon in the midst of the assembly;
   - c) Rescuing a monk for an offence without taking his leave;
   - d) To perform indisciplinary acts in the midst of the assembly (10).

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

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

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The opinion of Rhs Davids & Oldenberg may be cited: "Those slight offences which were not embodied in the Pātimokkha are called dukkha offenses. They range, as to their gravity, with the Pācittya offenses of the Pātimokkha. For him who had committed a dukkha offense, no further penance was required than a simple confession of his fault" (11).

Dubbhāśīśāpatti (12)

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

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

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

Thullaccaya (15)

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

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

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

Some examples may be cited from the Vinaya-Piṭaka (Theravāda) regarding the infliction of the Thullaccaya. In the Upasatha khaṇḍha of the Mahāvagga in Pāḷi, it has been recorded that on the day of the Upasatha if four or more resident or guest monks have assembled to carry out the Upasatha and a number of monks neither fewer, equal or greater in number arrive during the course of the Upasatha, if the monks already present carry out the Upasatha and recite the Pātimokkha with the intention of creating schism among the Saṅgha, then the offence of Thullaccaya is inflicted upon them (18).

Similarly, on the day of the Upasatha if four or more resident or guest monks have assembled to carry out the Upasatha and having seen or heard signs of the presence of other resident or guest monks, carry out the Upasatha and recite the Pātimokkha with the intention of creating schism among the Saṅgha, then the offence of Thullaccaya is inflicted on the monks concerned (19).
As regards the retribution of the Thullaccayya offence, it has already been mentioned above that the Thullaccayya is the most serious of the offences that may be amended for by confession.

**Dutthulāppatti (20)**

The Pārijāka and Saṅghādisesa are called Dutthulāppatti. It is also known as Garudapatti (21). A dutthulāppatti is a grave transgression of the Rules of the Order, viz, the four Pārijākas and the thirteen Saṅghādisesas (22).

"The term dutthulāppatti is used also in the ninth Pācittiya rules, and the Old Commentary (Sutta bhaṅgā) there states that by 'grave offences' those belonging to the Pārijākas and Saṅghādisesa are understood" (23).

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

Pācittiya 9. "Yo pana bhikkhu bhikkhussa dutthullaṁ āpattim anupasampannassa kroḍaya aññatra bhikkhu sammutiyā pācittiyaṁ. [Trans.—If a monk tells an unordained (anupasampanna) about the grievous offence (dutthulāppatti) of another monk without his permission, a pācittiya shall be inflicted upon him.]

Pācittiya 64. Yo pana bhikkhu bhikkhussa ānāṁ dutthullaṁ āpattim pañcachāḍaya pācittiyaṁ. [Trans.—If a monk knowing conceals a grievous offence (dutthulāppatti) of another monk—a pācittiya shall be inflicted on him.]

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

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

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

As it has been rightly pointed out by I. B. Horner regarding the origin of such rulings, it is probable that some of the rules were prescribed during the lifetime of
Sākyamuni Gautama, and some by his disciples after his parinirvāṇa and when
the need arose. It is also quite likely that some of the offences were actually
committed by the monks while other rules were prepared beforehand as a
preventive measure for the monks and nuns.

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

“How many offences are associated with that? Three offences are associated
with it. Pācchika, if it is an article worth five māsās or more, ‘Thulaccaya’ if it is an
article worth more than one māsā, but less than five; and ‘Dukkata’, if it is an
article worth one māsā or less” (26).

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

NOTES

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

2. Sāṃgharṣasana (Theravāda) Vīśeṣapāṭha, Dharmottārya, Bhadrayānikas,
Sammittas, Mahāsāsanas, Dharmaguptakas, Kāyapiyas, Sakkāntikas,
Uttarāyas, Mahāśāṅghikas, Ākṣayavādaṭika, Lokottaravādaṇī, Bahusamājas,
Prajñaptiśādinas, Cattiyakas, Purvavājas, Aparajeyatas, Sarvāstivadīnas (Vide
Buddhist Sects in India—Nalinakeha Dutt Ch.4)

3. P. Chavaggaṭha Bikkhu (Sktr. Sādhanagga Bikkhu) Ch. Lui-Chun Pi Chin. A
group of monks who lived during the Buddha’s time and are known to have
committed different vinaya offences. The names of these monks are Assaji,
Parabhasu, Parṇḍuka, Lohitaka, Mettiya and Bhunaja. These monks were all
form Sāvatthi and are said to have divided into three groups after entering the
Buddhist Order. Each group had about five hundred followers. Of them, the
followers of Parṇḍuka and Lohitaka were said to be the most virtuous. They
accompanied the Buddha on his tours and did not transgress Vinaya rules like the
others.

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6. Skt. Dusakta Ch. Tu Chi Luo Tib.Nyes Byas MahAvajyapti (abbrev Mvy, 9225). The Mulasaravatikadina (Transliteration) hold Setisara bhavati (Gilgit Manuscripts Vol. 3, Pt. 4) Posadhavanta for dukkata (Tib.Hag-chel cha ag tu Hugur ro) whereas the Chinese versions record Tu, Chi, Luo in all the cases.
8. Fuxue Ta Tau Tien—Ting Fu Pao, Pg. 1578, Wrong-doing has been translated in Chinese as Wu Tsuo.
In the other Vinaya versions, viz. the Dharmaguptaka and the Mahāyāna preserved in Chinese, similar incidents have been narrated although the infliction of the dukkata offence has not been mentioned. (Comp. Dh. Vinaya Taiho Vol. 22, Pg. 817c22d; Mi Vinaya Pg. 121b17d). However, the point that the Pali rules were to be recited only once a fortnight (the fourteenth or the fifteenth) has been emphasized in all the cases.
It may be noted in this connection that these rules have not been mentioned in any of the other Vinaya versions.
"Dubbhāsitaṁ ti yathā vuttaṁ, taṁ sunohi yathāthāthāṁ Dubbhbhāsitaṁ durbhāgāṁ, saṁkikīthāṁ ca yathā padehat. Taṁ ca vinmī garahanti, tenetaraṁ iti vucceti."
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20. Skt. Daśṭhūla or Dausthūlya Ch. Kuć Wu Tih. Gnas Nan Len Moy, 2102 8424, 8473


22. Pali English Dictionary—Rhyś Davids & Steiele under "duṭṭhulīpatti".


24. Rhyś Davids & Oldenberg


Also Vinaya Pitakam Vol. I. Edited by Hermann Oldenberg. Introduction Pp. XIX-XX.

Similar opinions have also been shared by Vidhusekhara Sastri (Pātimokkhāma, with Bengali translation and commentary Introduction Pp. 18).
