

## Chapter IV

### ORIGIN AND GROWTH OF BUDDHIST CODE OF CONDUCT

Veda is the fountain-head of the code of conduct in Indian society. Veda comprises of both the Mantra and Brahmana parts. The word 'Vidhi' mentioned in the Vedas means injunctions in particular rites. In those period there existed sharp differences among the learned Brahmanas concerning what to do or what not to do. So, after detailed discussions and removal of differences, the learned Brahmanas prescribed some minor codes of conduct for future use of the society. Code of conduct in religion, and in other social matters had taken a definite shape in the later Vedic period with the development of the society. Specially, the evolution of caste system developed economic and social condition, re-ascertained the code of conduct prescribed by the Brahmanas. Establishment of Dharma was one of the basic and ultimate purpose for the learned Brahmanas. The law of rita or the law of nature are connected with the basic code of conduct or the religious injunction in ancient times. The code of conduct in ancient Hindu society arose from thinking and reasoning. Professor P.V. Kane remarks - "Vidhis are the very core of the Veda. The doctrine of bhavana is the very heart of vidhis and is therefore one of the most important doctrines of the mimansa."<sup>1</sup>

The Vidhi or code of conduct is not the command of sovereign authority, but it is just a religious injunction or moral injunction.<sup>2</sup> Idealism is the source of Hindu code of conduct. Achara, Vyavahara and Prayascitta etc. are later development in Hindu society.

In Buddhism also, certain norms for the monks and also for the layman arose along with the development of Buddhism. "The Vinaya was the discipline governing and regulating the outward life of the monks and nuns who had entered the monastic orders the foundation of which is attributed to Gautama."<sup>3</sup> Some basic rules were necessary to govern the monastic life. That is why Buddha framed certain rules and these rules are available in the Vinaya pitaka.

In early Buddhism, there appeared two branches of the Sangha.- Theravada and Mahasanghika. Before the third Buddhist council at Patna under the patronage of Ashoka, there developed as many as eighteen schools of Buddhism. In Dipavansa the eighteen division of Buddhist schools is described very nicely. In Buddhism both pabhajja and Upasampada ceremony have a close relationship with the establishment of the Sangha. The Buddhist monks had to repeat three determinations for the admission in Sangha. The three formulas are "going to the refuge of Buddha, Dharma and Sangha."<sup>4</sup> The Buddhist ceremony

of pabbajja and upasampada developed simultaneously, but later on these two ceremonies separated from each other. When Buddha was the supreme commander and the undisputed leader of the Sangha, he himself admitted all the Bhikkhus in the order, and the pabbajja and upasampada ceremonies were performed together. With the growth of the Sangha and the passage of time these two ceremonies were separated from each other. Because, it was impossible for Buddha to admit all the monks by himself. The pali-term pabbajja means admission and upasampada means ordinations. Buddha uttered the following words :

"Come, monk, well taught is the Dhamma, fare the Brahmacharina for utter ending of the ill."

"Ahi, bhikkhu, Svakkhato Dhammo, care Brahmachariyan Sammadukkhassa antakiriyayati."<sup>5</sup>

As it was impossible for Buddha to admit all the monks, the powers to admit monks in the Sangha were delegated to other monks also. Buddha himself instructed, and pointed out the procedure to them. Because of the impossibility of attending the function personally by the Buddha himself, a new method was introduced. In the new method, every candidate was asked to repeat the three 'goings for refuge'. But many senior monks, even Buddha himself, were doubtful about the

efficacy of this method of three going for refuge. Some initial training and education was essential for those persons, before admission in the Sangha. Again a new method was introduced, the candidate who came for admission in the Sangha was entrusted to preceptor to train him for the admission in the Sangha. The Sangha was the final authority to admit him in the Sangha or not. In this way the Sangha came into being. Before admitting a candidate in the Sangha, it is the duty of the Sangha to see, whether the candidate is properly trained or not. Preliminary admission or pabbajja and ordination or final admission are the two stages in the admission of the Sangha. Because of the separation of these into two stages, Buddhism was more popular religion than other religions in those days. A candidate could become a novice if he was conferred pabbajja and become a monk by conferment of upasampada. Almost all candidates were admitted in the Sangha irrespective of their caste and creed. The order was based mainly on the principles of equality and brotherhood. Buddha did not recognise the caste system and he made it clear when he declared -

"As the great stream, O monks, however, many they may be, the Ganga, Yamuna, Acirevodi, Sarabhu, Mahi. When they reach the great ocean, lose their old name and their old descent and bear only one name, "the great ocean". So also

monks, these four castes, Khattiyas, Brahmanas, Vessas and Sudras, when they in accordance with the law which the perfect one has preached forsake their home and go into homelessness, lose their old name and old paternity, and bear only one designation, Ascetics, who follow the son of Sakya house."<sup>6</sup>

In many cases lower caste people had also taken some important position. For example, Upali, a barbar had taken the position vinayadhara and was one of the great exponent of vinaya. Regarding age also, there was no pre-condition mentioned in the Buddhist texts, but later on some types of reservation was made, while admitting the persons in the Sangha. The person admitting in the Sangha had to wear a yellow robe, after that he has to take the following three refuge.

"I take refuge with the Buddha. I take refuge with the Dharma or law. I take refuge with the Sangha or order."<sup>7</sup>

After taking the three refuge, the next step is the administration of ten precepts to the candidates. The ten precepts are, abstinence from (1) taking life, (2) taking what is not given, (3) indulging in sexual intercourse, (4) telling a lie, (5) intoxicating drinks, (6) eating out of time, (7) dancing, singing and seeing shows, (8) using

garlands, scents, unguents, ornaments, and finery, (9) use of a high large couch or seat, and (10) receiving gold and silver. When a candidate accepted these ten precepts, he became the full fledged samanera or novice. Generally the Sangha was open to all men irrespective of their caste and creed. Of course in some cases some conditions were imposed upon some people.

The conditions recorded in the Mahavagga are as follows :

(1) The permission for a youth to enter into the Sangha was granted when he secured the permission of his parents. During that time a serious allegation was levelled against Buddha, that he destroyed the family life of the society by instigating the person to take refuge in Buddha. A serious disturbance was arose in the society in those days. People openly criticised Buddha by saying such words like -

"The recluse Gautama gets along by making (us) childless, the recluse Gautama gets along by making (us) widows, the recluse Gautama gets breaking up families .. .. ."<sup>8</sup>

When some sort of misunderstanding arose in the society, king Suddhodhana made a personal appeal to the Buddha, that he should make some rules, so that these types of criticism

may not arise in the society.

(2) Those persons who suffered from serious physical disabilities or defects like serious illness, bodily deformities, leprosy, boils, etc. were not admitted in the Sangha.<sup>9</sup>

(3) Another restrictions on the ground of admission in the Sangha are on some moral defects, e.g., a seucer of a nun was in no case ordained.<sup>10</sup>

(4) Dreaded criminals were also not admitted in the Sangha, for example, a person who kills his mother, father or an Arhanta or a perfect one etc.<sup>11</sup>

(5) Buddha did not give permission for admission to a royal servant, and a debator in the order. From various instances, it is clear that, Buddha was always helpful to the kings and the chieftans of the class. In this way, his main support was coming from the feudal class compromising the business class and bankers.

Apart from these rules, there are some other minor rules also for example a person who is not generally modest, or if that person is shameless, then in that case he was not allowed to enter into the Sangha.

To ascertain the nature and characters of the pupils in early times, they were kept into the constant observation for some days, till it was known to them of the behaviour of the pupils.<sup>12</sup>

Probation system was so popular in those days that in Vinaya pitaka also, various kinds of probation were mentioned there.

Preliminary admission or pabbajja generally completed with the Upasampada or final ordination. It leads to the candidates for full monkhood. The Upasampada ceremonies were modified in various times till the period of the composition of Atthakathas or commentaries.

In various Pali texts, all total eight kinds of ceremonies are found -

1. Ehi bhikkhu Upasampadā
2. Sarana-gamana Upasampadā
3. Ovada-patiggahana Upasampadā
4. Panha-vyakarana Upasampadā
5. Atthagarudhamma-patiggahana Upasampadā
6. Dutana Upasampadā
7. Attayacika Upasampadā
8. Nantticaluttha Kamma Upasampadā.



In this way from time to time, the ordination ceremony were gradually changing in those days, but it had taken a definite shape in the period of composition of Atthakathas.

The pabbajjā ceremony is a simple ceremony in comparison with Upasampada ceremony. To perform the Upasampada ceremony, a special meeting should be convened, and a quorum of ten qualified elder monks was necessary, of course in certain cases specially if the state is located in border area, then the quorum may be fixed only five elder monks. In the meeting the definition of Sangha was clearly made. In the meeting the specific number of members, Minimum and Maximum etc. are also clearly mentioned.

"In order to constitute a Sangha the number should be at least four, but such a Sangha was not empowered to perform the Upasampada ordination."<sup>13</sup>

Some other specific rules were also specially mentioned in the Upasampada ceremony, for example, every step of Upasampada ceremony was complete, when it was decided by three readings. The voting methods of the meeting was also something peculiar. If the members remain silent in the meeting, then it was held that there were no objection in the meeting, if any objection is there, then the members are

free to discuss the issue. In some cases a sub-committee was appointed to sort out some disputed matters. In some cases arbitrator was appointed to resolve the tangle. If the sub-committee and the arbitrator failed to resolve the tangle then the matter was put to vote.

"The rule were so framed that no member was allowed to leave the meeting without declaring his vote."<sup>14</sup>

The proceedings of the Upasampada ceremony also have some peculiarities. The ceremony is quite lengthy also. The Sangha for the first time determines its constitution. The ten learned members of the Sangha had to determine each and every aspects of the constitution. One of the elder was elected to take the seat as the president. The new candidates were asked many questions in order to ascertain about their eligibility. After asking some preliminary questions, like names, instructor's (Upajjhaya) names about their bowls etc., the candidates were formally presented before the assembly of the monks. It is the duty of a candidate to present himself in the assembly of the monk in a proper and respectful manner. There are many other formalities also which were both the candidates and the members of the ceremony had to be performed. Everything was recorded at the end of the ceremony to know the candidates

ecclesiastical age. After that the candidate was taught about the four nissayas or reamisities and four akaraniyas or interdicts of the monastic life.

The four nissayas are :

- (1) Pindiyalopabhojana or eating of the food collected in the almsbowl only.
- (2) Pamsukulacivara or wearing robes made of rags collected.
- (3) Rukkhamulase asana or lodging at the foot of a tree, and
- (4) Putimuttabhesajja or using cow's urine as medicine.

The four basic nissayas mentioned in the culla Vagga's are the four basic food, clothing, lodging and medicine. Without these four basic essentials, a person cannot survived without the fulfilments of these basic essentials. There are some identical causes which was forcing the Buddha to delegate some powers to the elders of the Sangha. He clearly instructed the elders of the Sangha for the conferment of the pabbajja and Upasampada ordinations on desiring candidates. Buddha formally advised to his disciples or the elders of the Sangha.

"If a person seeks pravrajya, let him approach the Sangha or order, wear the robes, salute the elder bhiksus sit down squatting, and then with folded hand utter the (trisarana)

prayer thrice."<sup>15</sup>

The Upasampadā ceremony was considered complete when the following vows and duties were performed by the candidate or the Bhikṣu.

- (1) The four nissayas or requisites,
- (2) The four pataniya dharmas,
- (3) The four srammakaraka dharmas,
- (4) The observance of the silas or precepts, and
- (5) The duties to the Upadhyaya or preceptor.

Regarding the performance and observation of Upasampada ceremony, various pali texts differ in various circumstances. So, the pali text pravrajyavastu and Mahavagga provides many similarities and dissimilarities regarding the Upasatha ceremony. But, definitely, the sources of all the Upasatha ceremonies was the palixinaya. In comparison with pali vinaya, the Mulasarvastivaci vinaya took place quite late. The main sources of Mulasarvastivadi vinaya was the details flourished in India from the beginning of Buddhism in India. The period of the composition of Mulasarvastivadi vinaya, was the early centuries of the Christian era. With the development of the time various philosophical and doctrinal change has taken place, but in comparison with the nature of various ceremonies like Upasampada and Upasatha

ceremonies are remained as it is. Of course with the developments of various doctrine and time, and to suit the society, some technical change of these ceremonies had taken place when the chinese traveller I-tsing came to India, he enquired in details regarding the various ceremonies. Because some erroneous views has taken place in China regarding the various practices of Vinaya. After details enquiry I-tsing had observed that the various ceremonies of Buddhism have remained same since their beginning.

The Institution of Achariyas and Upajjhayas is also closely related with the origin and growth of Buddhist code of conduct. Buddha made some provisions of an acariya and upajjhaya, because Buddha got many complaint from various persons regarding the rough behaviour of the newly entered monks. The new monks were very much confident that they will very easily attain Nirvana, the highest goal of Buddhism. So, to solve this problem, Buddha himself instituted the institution of Achariyas and upajjhayas, Buddha specially mentioned five kinds of acariyas and two kinds of upadhyayas.

The five kinds of acaryas are :

- (1) One who was an acarya of the sramanera, i.e., he who gave Tri saranas or Three Refuges and Dasa Silas or Ten precepts.

- (2) One who was trained in the esoteric doctrine.
- (3) One who taught how to perform a work, i.e., he who was entrusted with the duty of making formal announcement thrice.
- (4) One who was an acarya giving nisraya to his pupils, i.e., he on whom one lived in dependence even for a day only, and
- (5) One who was an acarya teaching how to read, i.e., he from whom one learnt even gatha, stanza of four padas or lines, recited it thrice and kept it in mind.

The two kinds of the Upadhayas :

- (1) One who gave the pravrajya or preliminary admission, and
- (2) One who gave the upasampada or ordination.<sup>16</sup>

The relationship between the student and teacher was an excellent one. The teachers regarded the students as their own son and the students also regarded their teachers as their own father. In Mahavagga it is clearly stated, "The acariya, O bhikkhus, ought to consider the antevasikas (pupil living with his teacher) as a son, the antevasika ought to consider the acariya as a father. Thus these two

united by mutual reverence, confidence and communion of life, will progress, advance and reach a high stage in this doctrine and discipline."<sup>17</sup>

In Tibetan vinaya also described the various qualifications of a teacher. Buddha himself described the following five qualifications of a teacher :

- (1) Completion of ten years or more since his upasampadā ordination.
- (2) Ability to nurse or cause to be nursed a saddhiviharika/antevasika at the time of his illness.
- (3) Ability to dispel or cause to be dispelled the grief of a saddhiviharika/antevasika.
- (4) Competence to remove or cause to be removed the erroneous view of a saddhiviharika/antevasika, and
- (5) Competence to remove or cause to be removed any outward expression of dissatisfaction of a saddhiviharika/antevasika.

The original teachers of the vinaya's are, according to samatapasadika of Buddhaghosa are - (1) The Buddha, (2) Upali, (3) Dasaka, (4) Sonaka, (5) Siggava, and (6) Moggaliputta Tisa. This list is the unbroken chain of the vinaya

teachers in India, before the third Buddhist council. The necessity of Acharya and Upajjaya was felt only after, when the chain of vinaya teachers was broken. Buddha emphasised maximum importance on the role of teachers in that period, because other religious teachers had caused serious problems to the Buddha and his Dharma. Other religious teachers were in the habit of attacking frequently the Buddhist sects. One of the best examples of philosophical height reaching in those days, was the discussion between King Milinda and Nagasena in Milindapanha. The role of teachers were more or less contribute in the growth of the Sangha and the Buddhist code of conduct. The same rules of vinaya, which the Buddha framed centuries ago, are still in force in most of the Buddhist countries.

Buddha's teaching in the early period of the developments of Buddhist Sangha, was a calculative one. Buddha advised to his disciples.

"Walk, monks, on tour for the blessings of the many folk, for the happiness of the many folk out of compassion for the world, for the welfare, the blessing, the happiness of devas and men. Let not two (of you) go by one (way). Monks teach Dhamma which is lovely at the beginning, lovely in the middle, lovely at the ending. Explain with the spirit and the letter the Brahma - faring completely fulfilled, wholly



pure. There were beings with little dust in their eyes, who not hearing Dhamma are decaying, (but) if they are learners of Dhamma they will grow.<sup>18</sup>

In those days education was not systematic for the common people. State was not concern with the general education of the people. So, Buddha was duly bound with the general education for the lay followers of Buddhism. For the general followers of Buddhism some sort of moral pressure were put on them, for example, the bowl was turned down in respect of the offenders. The monks were also not bound to offer any religious instructions to these types of common people. General rules for the Sanghas as well as for the new comers were strictly followed in those days. The duties of the pupils and the teachers are nicely described in the following words :

"The pupils should honour his teachers by (1) rising in their presence, (2) ministering to them, (3) obeying them, (4) supplying their wants, (5) attention to instruction. The teachers should show his affection for his pupils by (1) training them in all that is good, (2) teaching them to hold knowledge fast, (3) instruction in science and lore, (4) speaking well of them to their friends and companions, (5) guarding them from danger."<sup>19</sup>

Buddha always prescribed various rules for the monks, because of the non-obedience of the students to his teachers, and the complaints coming from the general people about the unbecoming conduct of monks. The credit of compelling the Buddha to formulate the vinaya rules were always goes to the layman. These rules were again developed with the developments of times. The origin and development of Buddhist code of conducts originates from these incidents. So, the interest taken by the laymen was very significant in the growth and developments of Buddhist code of conduct. The mercantile class did a lot for the growth of Buddhist Sangha. They have offered various stupas and viharas for the developments of Buddhist Sangha. These viharas were the great assets in the developments of Buddhist Sangha. These viharas provided not only the elementary education to the new comers, but some sort of advance guidance was also provided to the senior monks. These viharas served another two purposes firstly as the place of all sorts of religious activities, and secondly as place of Buddhist learning.

Apart of these Buddha used to assign work to the senior monks on the basis of his own studies about their nature and outlook to the Buddhist Dharma and Sangha. It helps a lot in the growth of the Buddhist code of conduct, because apart from the Buddha, other senior and respectable

monks were also involved in enacting the Buddhist code of conduct.

Many new rules were formulated on behest of many senior monks. Some vinaya rules were formulated on the veluvana vihara and are mentioned as follows :

The rules on the keeping of Vassa.<sup>20</sup>

The use of food cooked in the monestary.<sup>21</sup>

The picking of edible (Kappiya) fruit in the absence of any laymen from who permission to do so could be obtained.<sup>22</sup>

Surgical operations on monks.<sup>23</sup>

The use of the kinds of dwelling.<sup>24</sup>

Though Buddha himself permitted the women to enter into the Sangha, but he gave permission to them in the later period of his life, with some doubts in his mind that whether the Dharma he has preached will continue for many years, after the entry of women in the Sangha or not. The entry of women in the Buddhist Sangha was one of the most significant developments in the Buddhist history, and it has contributed a lot in the developments of Buddhist code of conduct.

Buddha gave permission to five hundred sakyan women led by Maha prajapati Gotami to enter into the Sangha, and

subsequently they were regarded as the nuns of Buddhist religion. The ordination of five hundred women as nuns was not only a significant development in the Buddhist code of conduct, but it was a significant development in the entire Buddhist history. After the entry of the nuns, many new problems arose in the Buddhist Sangha, specially education, training and discipline etc. So new rules were framed to train the Buddhist nuns, and the task was given to the efficient and reliable monks, so that they could train the nuns effectively.

Though the Buddha gave permission for the entry of the nuns into the Sangha with reluctance, on the insistence of Ananda, he did not accept them as equal to the monks. He had laid some conditions for the nuns; for instance the nuns would show respect to the monks, nuns could not spend rainy-recess in the families where there were no monks, every fortnight the nuns would get lessons from the monks etc. He is also reported to be pessimistic about the future of Buddhism because of the nuns; that, were there no nuns in Buddhism, it would last a thousand years; because of them it would last only five hundred years.<sup>25</sup>

The growth of Buddhist code of conduct was continuing after the death of the Buddha also. Of course the picture

which emerged after the death of the Buddha was some what different. The death of the Buddha was definitely a setback for the Buddhist community. But the set-back was overcome by the able handling of the matters by the venerable monks like Ananda, Mahakassapa, Upali etc. Of course the change of the Buddhist rules, which had taken place after the death of the Buddha, was a minor modification, where necessity arose. In the second Buddhist council, an attempt was made by some senior monks to preserve the purity of the order and rules, which was taught by the Buddha himself. Because of their fundamentalist attitude, they were unable to preserve the unity of the Sangha. The need of the time was a basic change of some of the rules and regulation of Buddhist Sangha. That is why a split had taken place under the banner of Mahasanghikas, with the developments of time many divisions had taken place in Buddhism and every divisions had made their own rules, claiming to represent the true words of the master.

Ashoka intervened in some of the internal matters of the Buddhist Sangha during his rule. It is said that Ashoka supported only the Theravada Buddhism. So, it created a lot of problems to the other sects of Buddhism. That is why monks of the other sects shifted from Magadha to other congenial places. Various ups and downs of the Buddhist sects, their divisions in various sects etc. contributed a lot in the

growth of Buddhist Code of conduct.

Most of the Buddhist sects realised that education was necessary to maintain the balance in the Sangha. Meditation might not solve the immediate problems of the Sangha. A monk should possess every knowledge, Dharma, Vinaya and meditation. But with the developments of time, specialization of every branches in Buddhism, was the need of the hour. To meet the new situations some rules were modified. For example, monks were not allowed to practise medicine, but according to canonical literature, the rules were liberalised for the benefit of the Sangha as well as for the close relatives of the monks.

"The monks residing in the monasteries were allowed to treat their fellow monks. Certain very close relations such as parents and some other closely associated with them in their monastic life."<sup>26</sup>

When F-hsien visited India, he was very much particular to see whether the vinaya rules were fully observed or not by the monks. Though various modifications had taken place in the vinaya rules, with the developments of time they always tried to follow the rules and regulation, which were prescribed by the Buddha himself.

"The disciplinary rules are strictly observed by them. The laws regulating their demeanour in sitting, rising and entering when the others are assembled, are those which have been practised by all the saints, since Buddha was in the world down to the present day."<sup>27</sup>

Lately the vinaya sutra of Gunaprabha has discussed the vinaya rules in a very systematic way. In the vinaya pitaka the rules were discussed giving many instances and similies. But in the vinaya sutta of Guna Prabha discussed only the vinaya rules. The first chapter described the Pravrajya virtue. It includes the two ceremonies the pravaja and upasampada, which we have already discussed in the same chapter.

The second chapter is the posadha vastu. In posadha vastu, four parajika offences are described in the details. The prajika offences are Abrahmacarya (sexual intercourse or unchastity), Adattadana (theft or stealing), Vadha (deprivation of life of human being) and Uttara pratapa (false proclamation of super human faculties). After the prajika offences the sangha vasasa offences are mentioned. For these types of offences, the punishment was suspension from the Sangha.

The Third chapter is called varsika vastu. In varsika vastu, various rules of rain retreats are mentioned very vividly. The rules have a very close relationship with the

theory of cult of non-violence, and every Buddhist monks follow these rules. The cult of non-violence become popular in the Buddhist community, when they realised that they caused pain to the smaller insects, when they walked from one place to other place. Under the pressure of facts. That is why, it was obligatory to a Buddhist monks to remain in one place during the rainy season and that is known as varsha-vasha.

The fourth chapter is known as pravaraṇa vastu. After the varsha-vasha, the monks used to assemble at one place. Earlier, it was before the Buddha, and after the parinirvana of the Buddha, it was before the ablest monk of the order. It was a convention for the monks that, the rain retreats, were not to be spent idle. The monks have to discuss the various discourses of Dharma, specially the vinaya. The monks, who have completed the varsavasa have to make confession, of his sins, if anything was heard, seen suspected by him.

The fifth chapter is known as Kathina vastu. Kathina means the civara or the robe of a monk, and the robe was specially offered to a monk, who have already completed the varsavasa. A special function was invited to offer the kathina civara. The Kathina dana ceremony is still prevalent among the Buddhists. Devotees offer the garments and other cloths, but it is the duty of the monks to make it comfortable to use.



"The main function of this ceremony was to entrust certain monks with the eating, sewing and dyeing of the robes, and all this was to be finished in one day, when the robes were ready, they were distributed among the residents."<sup>28</sup>

The Sixth chapter is the Civara vastu. The civara, which were used by the Buddhist monks, was given specific type and measurement, and in this way it has taken a definite shape. The civaras are divided into three divisions -

- (1) Antarasaka or the lower garment,
- (2) Uttarasanga, or Uttarasanga to cover one shoulder of the body,
- (3) Sanghati, a two-fold stitched garment.

Apart from these three Civaras, one-fold pratyas-tarema. One kanduprati CC hana was also permitted. The rules regarding the cloths of the monks, are specifically described in the civara vastu.

The Seventh chapter described in the vinaya suttas of Gunaprabha is known as cama-vastu. In early periods, Indian saints never used any kind of shoes. But there was no any restriction on Buddhism in wearing shoes, of course, there were some restrictions also in wearing variegated colours shoes etc. Monks were restricted in wearing the wooden

sandals.

The Eighth chapter of Vinaya Sutta of Guna Prabha is known as Bhaisajya vastu. The monks are allowed to use the bhaisajya (medicine) whenever they required for that. Bhaisajya includes the herbs, ghr̥ta (clarified butter), various oils, honey etc. In these way various types of plants, flowers and fruits etc. are also mentioned as medicine. In this chapter various types of salts are also mentioned as medicine.

The Nineth chapter of vinaya sutta of Guna Prabha is called Karma Vastu. Two types of karmas are mentioned here. Some Karmas, where rules are not strictly followed and performed without rules are known as karma. The other karmas should not be performed in violation of the rules, and those rules are Upasampada. Upasampada consists of Jnapti (resolution) and vacana (repetition). In this way the recitation of patimoksa should not be in violation of the rules. There are many rules which are not strict in nature, for example, generally the Sangha consists twenty or more than twenty monks, but for performance of the Upasampada ceremony ten or more than ten monks are sufficient for that. Again in Madhya desa five or more than five monks are sufficient to constitute a Sangha, but there must be one vinayadhara (expert in vinaya) among them.

The Tenth chapter of vinaya sutta of Guna Prabha is known as pratikriya vastu. When the monks live together, there may be every possibility of committing lapses. Those lapses committed by the monks are known as "Apatti". A monk who has committed any offence should not hide his offence. A monk who has committed the offence be confessed before the Sangha. In this chapter the conduct of the monks are vividly described, for example, the highest punishment for a monk was the expulsion from the Sangha. Here, the duty of a monk towards laymen are also nicely described by the author. If a layman puts forward any allegation towards monk, in that case that particular monk should not give any religious discourses to that laity.

The Eleventh chapter of vinaya sutta of Guna Prabha is Kalakalasanghata vastu. In this chapter, how long a delinquent monk, who has already punished by the Sangha, kept out of the Sangha by way of punishment. The punishment prescribed for the monks are elaborately discussed in this chapter.

The Twelfth chapter of vinaya sutta of Guna Prabha is known as Bhumiataracorana vastu. In this chapter the cleanliness and arrangements of drains are mentioned here. The monk should keep clean the floor of the viharas. They

should use the cowdung while washing the floor of the vihara etc. Provisions are made to praise the merits of the blessed one in the assembly of the monks. Provisions are made to unite the senior monks to deliver the discourses.

The Thirteenth chapter of vinaya sutta of Guna Prabha is called parikama vastu. Any work which is done with the help of any representative, and that particular work is called parikama.

The Fourteenth chapter of vinaya sutta is Kamabheda vastu. If any action is likely to cause difference in the order, then in the kamabheda vastu, it is instructed that, one should save himself from such allegation. Some special instructions are given in the sutta, for example, one should not invite such person who always indulge him in quarrels. One should not greet such person who indulge himself in quarrels etc.

The name of the Fifteenth chapter is the Chakrabheda vastu, chakrabheda or Sangha veda means split in the order. A Sangha may split when difference arises regarding Sangha.

The Sixteenth chapter of vinaya sutta of Guna Prabha is called Adhikarama vastu. Adhikarama means a type of Justice Unit the Sangha. If any quarrel occurs in them, means

among the monks, then four categories of Justice Units appear. The first category of the unit dealt with the correctness of a particular object. The second category of Justice Unit taken up the baseless allegations of a monk to another fellow monk. The third category of Justice Unit taken up the matters of sexual indulgence, and any other gross lapses, for example, falsehood in the matter of various discussions among themselves. The fourth category of Justice Unit was, regarding the split in the order. The discussion established the Unity and integrity in the order. When the adharma is realised, then it is the duty of the fourth category of Justice Unit to defeat the Adharma, and uphold the dharma.

The Seventeenth chapter of Vinaya sutta of Guna Prabha is known as sayanasana vastu. Sayanasana means to acquire some space for one's seat. In the assembly of the monks, equal treatment should be given to all. If any monk visits a monastery, the monk residing in the monastery should be greeted with all respect and equal treatments. In these way though the Vinaya sutta appears small in size, it contains the valuable suttas or aphorism.

Buddhist code of conduct, though it appears very systematic and can be compared with the modern laws, but in a

strict sense, Buddhist laws are just some influence of Buddhist ethics. We cannot differentiate Buddhist law from morality, religion, ethics etc. Buddhist norms and code of conducts are one of the most civilizing forces in past and present days society also. Rule of law was strictly followed in Buddhist religious society. The growth of Buddhist code of conduct was continuing till the period of Tantrayana. But, during the period of Tantrayana, the concept of Buddhist ethics, and code of conduct had been departed, and during that period monks were taking pleasure from both wine and women. According to them, Buddhisattava is full of love and compassion, so definitely, he will forgive them. In these way, it was a setback to whole Buddhist ideas and code of conduct. Buddhist Silas have tremendous influence, while forming the Buddhist code of conduct. Silas are the moral base of a person. So Buddhist laws are the influence of Buddhist ethics, morals etc. "Buddhist law is not a criminal law in strict sense but its intend is to keep the order pure."<sup>29</sup>

An important aspect of the growth of Buddhist Sangha in the management of which, as a matter of fact, Buddhist codes of conduct grew - is its impact on the Indian system of education itself. Till the beginning of the Sanghas, the Indian education system was largely the famous 'gurukula

system'. But the advent of Buddhist Sangha and Vihara transformed that into a school-like or university-like system. The forms of university education in India can be traced to the growth of Buddhist Sanghas. The later universities of Nalanda, Taxasila etc. grew out of Buddhist Sanghas.

Hence, the impact of the emergence of Buddhist legal system (in the moral sense) meant largely for the management of the Sanghas and the monks had a wider socio-cultural effect. As far as pure jurisprudence is concerned, however, we have to admit that like in Hinduism, in Buddhism also that was not there. Pure jurisprudence is the contribution of the West only.

Notes and References

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2. cf. "Vedic command is in the form of both do's and  
don'ts. The positive command is called vidhi, and  
negative command nisedha. The commands of the Veda should  
not be mistaken for these of ordinary morality. It is  
true that ordinary morality is required for a man before  
gaining competence to perform the rituals enjoined in the  
Veda. But the rituals themselves belong to the super-  
natural order."  
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pp. 252-3
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Introduction, p. vii
4.   Buddham saranam gacchami  
      Dharmam saranam gacchami  
      Sangham saranam gacchami.
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9. Ibid., pp. 76, 94 etc.
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12. Ibid., p. 95
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15. (Quoted in) The Sarvastivada Literature, Banerjee, A.C.,  
p. 106
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27. Legge, J., A Record of the Buddhist Kingdoms (1886),  
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28. Bapat, P.V. (ed.), 2500 Years of Buddhism, p. 152
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