Chapter V

BUDDHIST CODE OF CONDUCT, WITH SPECIAL REFERENCE TO THE PATIMOKKHA

The aim of Buddhist code of conduct was to purge society of sin, not like the present day concept of purging society of crime only. While purging the society of sin, the principles of equity, justice and good consciousness were adopted and applied by the ancient Buddhists. Of course, the causes of sin and crimes today are many, and the steps necessary for preventing them are not easy to formulate. Buddhist code of conduct is only an influence of Buddhist ethics, and now-a-days it is regarded as a custom. Buddhism believes that they lead to the direction of gradual purification of a person. Buddhist code of conduct is mainly codified in patimokkha rules. The word patimokkha or pratimoksha means abandonment of sin, and the pratimoksha rules must be recited twice in a month. A Buddhist monk has to follow the code of conducts prescribed in the Vinaya pitaka.

Buddhist Sangha was organised wholly on democratic basis. The Buddha advised his followers to follow the path of Dhamma, which he taught to his disciples. He did not nominate any monk to supervise the Dhamma. The Buddhist code of conduct prescribed in the Vinaya pitaka was formulated by the Master himself. In Vinaya pitaka also, it can
be clearly asserted that the Patimoksha suttas are the earliest composition among the Vinaya rules. In this way, not only the Patimokkha but the entire Vinaya pitaka is regarded as the constitution of Buddhist religion. For a pure Buddhist, Abhidharma philosophies were sufficient to follow in order to attain the Nirvana. But in the later period many notorious people entered into the Sangha and polluted the whole Sangha. That is why Vinaya rules were framed by the Buddha himself. "Hence, the Vinaya pitaka, as it stands today is a growth of centuries out of the basic rules formulated by the teacher himself."1

The Patimokkha sutta which is the subject matter of our study is again divided into two divisions: (1) Bhikkhu patimokha, and (2) Bhikkhuni patimokha. It is the central and also the oldest part of the Vinaya pitaka. The offences and the punishments prescribed for the offences are systematically arranged and classified accordingly. Parajika offences are regarded as the worst offences of Buddhist Sangha. They are lack of self control, theft, murder etc. and the punishments for Parajika offences are expulsion from the Sangha.

Another groups of offences are sanghadisesa. In sanghadisesa are mentioned thirteen types of offences arising
out of the relation between monk and women, false accusations etc. Here, in sanghadisesa the punishment is the temporary suspension of the offending monks.

The third group of offences are called Anjyata (uncertain). The fourth group of offences are called Nissaggiya pacittiya. It deals with twenty six offences. For example, who used only particular objects which they were not entitle to use. The fifth section is called pacittiya and it enumerates ninety two offences relating to some minor offences; for example, disrespect to Buddhist teachings, careless use of beds, seats etc. The sixth section mentioned only four offences relating to taking food by a monk, which has not been offered to the delinquent monk. The seventh chapter is known as sekhiya. It gives seventy five instructions to be followed by the monks in their daily life. For example, instructions were given to the monks as to how he was to enter into a village, the way of taking food etc.

The last section is called Adhikarana-samatha. It deals with settling disputes within the Sangha. Seven means of settling disputes are mentioned. Nalinaksha Dutta summarises them thus - The first is to place the two quarrelling monks face to face, the second to make one admit that his memory had failed in regard to the point of dispute, while
the third is to make a monk admit that he was not in his normal mind when the point of dispute arose. The fourth relates to the formality of confession, the fifth to the use of salaka (voting sticks), the sixth to prevarication and punishment for it, and the last to the avoidance of publicity to a dispute within the Sangha.  

The meaning of the Patimoksha is confession of the sin committed by a monk and determination for future, not to do the offence. In Bhikkhu patimokkha, the introductory chapter is technically known as "Nidana" which means the first duty of the patimokkha patha. In the Nidana, it is clearly mentioned that if the day is the full moon day and if it is convenient to all monks then they can recite the patimokkha. Then they recite accordingly, what is the duty of the Sangha, and whether the members of the Sangha are pure or not.

"King sanghasha pubbakicca, parisuddhi, ausmanta, arosetha, patimokkha uddiswami tang sabbesa santa sadhukang sumamo Manasi karam yasha seya appati so abikarasha, asantia apatiya tunhi bhabiteyba tunhibhabena kho pansayaamanto parisuddha ti bediswami."  

Maximum importance was given in the purity of mind, when every monk of the order has given word that, he is pure
in that case, the recitation of Patimokkha would be started. If there arises any mistake in the recitation of Patimokkha sutta, then any monk may clear it, before the Sangha. If there arises no mistake in the recitation of Patimokkha sutta, then the monks should remain silent. So silence is the indication of purity.

In the Nidana maximum importance was given to the purity of mind. Only the pure mind can concentrate in the Dharma. The enlightened is free, only the pure mind can enlighten a person. The enlightened can break all bonds. He gained mastery over himself. The monk should be reasonable in every sphere of life. For example, man is subject to old age, sickness, death etc.; if anybody condemns death old age etc. to other person, then he himself is unjust to him and to that particular person. In that case he is not pure himself, and the person who himself is not pure cannot attain Nirvana, the highest goal of Buddhism. So, in the assembly maximum importance was given to the purity of mind, and to a particular monk, at least three opportunities were given to confess whether the monk was pure from all evil and sins or not. If, after three times of repetition, the monk never confessed his evil and sins, then in that case, the monk was regarded as sinner and his evil action in this way would be a bond to his realization of Nirvana.
So, in this way in Nidana, which is the introduction of patimoksha, repeatedly, three times were given the opportunity to confess, whether the monk was pure from all evils or not. If nobody confessed about his evils or sin, then they were regarded as pure. To make them pure and perfect, Buddhist teachers like Upajjhayas and Acaryas had also played some important role. They taught education not like the educational institutions of our times. Their education related only with the monkish education.

"The teacher's discourses no doubt related to the monkish learning of the age - the monastic regulation (Vinaya), the holy legends (the making of which seems to have been a continuous literary industry in the convents over several centuries), the Buddhist moral fables (Jatakas) hymnology and fundamental doctrines. The teaching was reinforced by the practice of frequent recitation of the texts and their chanting by the whole congregation in chorus on special occasions (Sangiti). The object was to fix the texts of the canon in the memory." ⁴

So, by reciting the Patimoksha suttas very frequently, they tried to fix it in their memory. Only that which is fixed in memory can keep the mind pure and help to attain the highest Buddhist goal. In the monastery, full freedom was given to argue and debate, and everybody was also given to
think and reason relating to Dharma and Vinaya. Maximum importance was given to make a monk intellectually perfect.

In Buddhist Patimokha sutta the worst offences are grouped under the heading parajika. The highest punishments for the worst offences are expulsion from the Sangha of the delinquent monk. There are all total four parajika Dharma. The first offence is lack of contingency, which is described in Patimokkha sutta as following:

"Ya pana bhikkhu bhikkhuno sikkhajiva sampaupo sikkhino upesakasaya durvalyatay anavikatya mathunā dhamma patisebashya anta mase tirasyanagatayapi, parajiko hoti asambaso."5

Bhikkhus related with the education which is full of morality, and teaching by the God (Buddha) himself, and who is related with the teaching and not leaving the teaching of the Buddha or without showing the weakness to the teachings of the master, indulge himself in sexual intercourse, it may be with the animals. It is regarded as parajika offence. We are not aware whether the secular laws of that time were more severe than the communal laws. But in every society and in our present society also sexual intercourse with animal is regarded as a heinous crime. Though voluntary sexual intercourse is allowed in most of the civilised countries. Voluntary sexual intercourse is permissible, but still it is
regarded as an immoral act. During that period sexual
offences were regarded as worst crime, because it was totally
immoral act. But today, in modern societies, murder, dacoity
etc. are regarded as the most heinous crime in comparison
with sexual offences. They regarded sexual offences as
social evil, which led to social injustice. A monk had to
control his brutal instincts to achieve the highest goal, the
Nirvana, and also to purify his body, mind and the society.
When Buddha was engaged in the practice of austere penances
for gaining the supreme reality, various offers were made by
the Mara to fulfil the worldly enjoyment including the sexual
enjoyment. Buddha had rejected all the offers. In later
period, clear instructions were given to all the monks that
they should not engage in any sexual intercourse, otherwise
it would be a parajika offence. The other parajika offence
is -

"Ya pana bhikkhu gāma va aranaya va yadhinya thesasaṃ-
khata abiyanna, yathārūpa adinayadana rajano chorana
hanetu va bandheshu va paba jesu va chora si, balosi, mubbusi
thenasi ti, taṭṭharupang bhikkhu abinaya abiyamano-ayampi
parajiko hoti asambasi."^6

Any Bhikkhu, who took anything from village or from
jungle, and if it was considered as a thing which was not
given by the owner, or a thing which was considered as "stolen
thing" was considered by the king "you are a thief" or saying it, awarded death sentence to him. Or, calling him looter, sent to the Jail or calling him a fool, non-sense banished him from the country. In this way the monk who took away any thing without its being given to him, was regarded as thief. This type of offence was called parajika. For this reason, he lost his ability to remain with the Bhikkhus.

In ancient period, theft was regarded as one of the heinous crime, and for the monks, it was regarded as worst kind of offence. Even in Shastras also it was regarded as worst kind of offence. According to Manu, "King must exert his utmost to punish thieves, for by doing so his fame grows and his kingdom prospers." It is surprising to note that both in Hindu and Buddhist legal literature, a clear distinction was made between robbery and thief, thief and dacoity etc. If the offence is committed in the presence of the owner then it was robbery, if it was committed in the absence of the owner then it was regarded as theft. In early period, both Hindu and Buddhist penal justice had given maximum importance on "Niyaya". Niyaya is an independent element and is equivalent with the English term "equity". It should be followed everywhere in dispensing Justice. It is against any tyranny, injustice and arbitrariness. Robbery, theft, dacoity, whatever it may be, but ancient penal philosophers
were mainly concerned with the idea of Niyaya. Specially Buddhist penalties were mainly based on bhabana or thinking and also reasoning. Perhaps that was the reason why Buddhist penal justice is so much liberal. Originally in Buddhist penal justice, only the injunctions were prescribed, but in the later period some penal sanctions were also prescribed. The immoral action, which did not permit by the society was prescribed as moral injunction and who violates the moral injunction has to obey the religious sanction including expulsion from the Sangha.

The third parajika offence is regarding murder. "If any Bhikku kills some one, or abet some one to commit suicide who is already frustrated from his life, reciting from the shastras, praised the death or abeding him, saying that what is the use of living this useless life, death is better than it. In this way, if he praise the death reciting from the shastras, then it is regarded as prajaka offence."8

Abetment or instigation was regarded as one of the most heinous crime in ancient India. Specially in Buddhism. Like the modern criminal law, Buddhism regarded abetment as one of the parajika offence. Of course in Hinduism, Hindu law givers did not pay much attention regarding abetment. The reason behind it, most probably the spies of the king,
were available everywhere to detect the crimes. On the other hand during that period things were available everywhere, people did not feel any crisis as today. Contrary to that Buddhism was more realistic in this regard. In parajika, section of patimokkha sutta, it is nicely explain the abetment and ingredients of abetment. Buddha holds the view that the whole universe is full of suffering, everything is subject to destruction, and everything is substanceless. Though everything is subject to destruction, including the human life, but it is regarded as a heinous crime, if someone praise the death with the intension to kill some one. Though, according to Buddhism, everything including the human life is substanceless, it is not proper to advise any person to commit suicide. During Buddha's life time, some one (not Buddha's six contemporary thinkers) proponed a theory that only way of salvation is suicide, but his theory did not get any place in the Indian society, though the Indian people did not regard that life is full of enjoyment, but contrary to that, they regarded their life as substanceless. In case of minor offence, if the Bhikkhu confesses his involvement in the offence, he may be excused, but in case of major offence, for example, for the parajika offences, there is little possibility of excuse by the assembly of monk, and in this way the accused monk was treated as householder. But the Sangha had punished the
wrongdoer or the delinquent monk due after due enquiry. Sangha never punished a person without proper enquiry and it was necessary for the systematic and regular functioning of the Sangha.

The last offence of the parajika is showing divine power among the people.

"If any Bhikkhu unknowingly, claims himself that, I knew the trikal, i.e., future, past and present". On the other, to become a huge holder or to become a novice, claim himself that, though I am unknown about it but I know it, though I have never seen it, but I have seen it. My words are substanceless etc., then offence, and he is unqualified to remain there as a monk."9

Buddhism always has regarded that, ego-problem of the human being is one of the main enemy for general people, but for a Buddhist monk it is one of the greatest enemy. The enlighten is free from all these problems, and for an ordinary monk, it is one of the great enemy. The main object of Buddhism was to bring a reformation in religion, and in this way return to the basic principles of religion. Contrary to that in Hinduism, showing miracles by the Hindu Tantrikas was the part of Hindu religion in ancient India. In ancient Indian society claiming superiority among the common people
by some religious minded people was regarded as a style. They regarded themselves as a part of God. So, to exhibit their ego, sometimes the Bhikkhus claimed that they knew about the past, present and future, and also claimed that he or they knew everything, though he or they are ignorant about it. The Buddha prescribed it as a parajika offence, because of the fact that, ego problem is the main enemy of a man. To achieve the highest goal, Nirvana, one has to remove his ego problem. Ego is the main hindrance in achieving the Nirvana. The essence of his religion is the change of mind nature. To achieve the ultimate goal, one must wake up, and harmonious within himself. Man is not a complete being, he can change himself, he can transform himself, if he overcomes his ego problem. After recitation of the delinquent monk, that he should confess his sin, if he committed any sin in this regard. If a monk is regarded as parajika offender then he has lost his ability to give company to other monks, and also he has lost his Bhikkhu status and achieve his original status of householder. After the parajika dhamma, there are all total thirteen Sanghadisesa Dhamma mentioned in the Patimokkha. The punishment for the sanghadisesa are the temporary suspension of the delinquent monks. The delinquent monk could be re-admitted to the Sangha, if the monk is found innocent or permitted by at least twenty monks. The thirteen offences arising out of the relation between monks and women
the construction of a hermitage, false accusations, dissensions in the Sangha and obstinacy.

According to the first sandhadisesa dhamma, "Apart from the dreams, knowing ejaculations is regarded as sanghadesa." \(^{10}\)

Buddha regarded mental elements as the supreme element of a human being. The modern concept of mens rea or guilty mind was systematically analysed by the Buddha himself. In modern period, only ejaculation is not at all an offence, but in the ancient period specially in Buddhism, it was regarded one of the heinous crime. The ancients were stricter than we are, and today we can explain it in this way that in the present and modern society, some relaxation is necessary, because of the changed outlook in our modern society.

The second sanghadisesa is known as "Kaya Samsaroa", means the touching of the body.

"If any Bhikkhu with evil intention touches the hand, hair and any other part of a woman's body, is regarded as sanghadisesa." \(^{11}\)
The psychological aspect was present in the mind of Buddha. Lust is one of the most powerful incentives for crime. All sexual offences, all bestial crimes, all have their root in the nasty nature of human being. For a monk committing sexual offences or eve teasing was regarded as a heinous crime. In Buddhism maximum importance was always placed in the mind of the human being. The highest aim of the Buddhist religion, Nirvana is only possible, if a monk can overcome his worldly desire lust anger etc. So, if a monk touches the hand, hair, and any other part of a woman it is regarded as sanghadisesa offence. In modern Indian penal code also, eve-teasing is regarded as serious offence. But the main difference between the ancient Buddhist penal code and the modern penal code is, Buddhist penal code was applicable for the monks only, but in the modern penal code, it is applicable for the entire people of the nation. Though the Sanghadisesas were regarded as an offence, but it is a precautionary measure for a monk, because all sexual offences have their root in the lusty nature of human being. The aim of the Buddha was to create a pure Buddhist society by confessing the sinners of their misdeeds, began apology for the misdeeds he has already committed and to promise before the Sangha that, he will not do all those offences in future. By doing these, the delinquent monk got relief from all his previous misdeeds.
The third Sanghadisesa offence is regarding eve-teasing. "If any Bhikkhu, with lustful intention to any woman or specially painting the private part of her body, speaks any filthy words like a Juvenile offender, speaks it to a girl, who attains her puberty is regarded as sanghadisesa offence." 

The third sanghadisesa offence is also regarding the sexual offence, a holy person should not be indulge himself in the sexual offences. For a Juvenile offender, if it is not as heinous crime, but for a monk it is regarded as heinous crime, because he is a holy person, and he has come to the Sangha to attain the highest Buddhist goal, Nirvana. Though the sanghadisesa offence is less severe in comparison with the parajika offence, but still it is regarded as a heinous crime for a Buddhist monk. The Sanghadisesa offences are generally settled by the members of the Sangha themselves. Hindu religious offences are mostly settled by the Brahmana pandits, but contrary to that, Buddhist religious offences, specially the sanghadisesa offences are settled by the members of the Sangha only. It is sanghadisesa offence, because the members of the Sangha settled the offence committed by a monk, by themselves.
The fourth Sanghadisesa Dhamma is regarding the fulfilment of sexual pleasure. If the monk intentionally deceived a woman for the fulfilment of his sexual pleasure, then it is also regarded as Sanghadisesa offence.

The fifth Sanghadisesa offence is regarding toutism. A monk should not behave himself like a tout in case of matrimonial relations.

The sixth Sanghadisesa offence is regarding construction of hermitage. There are some rules available for construction of hermitage for the monks. So proper guidance should be taken when constructing the hermitage. If any monk violates the rule of construction then the offence will come under Sanghadisesa groups of offence.

The seventh Sanghadisesa offence is also regarding the construction of hermitage.

The eight Sanghadisesa offence is regarding false accusations.

The ninth Sanghadisesa offence is also regarding false accusations.

The tenth Sanghadisesa offence is regarding dissensions in the Sangha.
The eleventh Sanghadisesa is regarding support to the dissident groups of Bhikkhus.

The twelveth Sanghadisesa is regarding ignorance of good advice.

The last Sanghadisesa is regarding obstinacy.

It is clearly mentioned in the commentary the various ways, how the incidents took place, and how it is within the purview of the rule as well as those cases, which deserve exemptions. For example, in case of touch of the body of a woman it is necessary to see, whether it is intentional or accidental touch. If the touch is with one's mother, sister, or daughter then it will not come within the purview of the rule. It laid down only the religious rules to be observed and observance of the same helped to transform a person from the lower to the higher standard of conduct.

The third section called the "Aniyatā" means uncertain. Aniyatā comprises with two cases, which requires the circumstancial evidence to ascertain the offence. If circumstancial evidence ascertain the offence, then it will come under "Aniyatā" section of offence.

The two Aniyatā offences are:
(1) If any Bhikkhu talks with any woman sitting in a lonely place, and any nun framed a charge upon him that he is committing parajika, sanghadisesa and paccittya offence, and the monk also admits his fault, then it will be regarded as Aniyata offence.

(2) If the monk, instead of sitting in a lonely place, sitting in an open place, welcome a woman, but with слова words, and if any nun heard it, and framed a charge upon him that he is committing parajika, Sanghadisesa and paccittya offence, and the monk also admits his fault, then it will be regarded as Aniyata offence, and he deserved the punishments of the offence.

In ancient period, if a nun accused the monk and the monk confess his misdeeds, then it is Aniyata offence. No other evidence is required in this regard. But in case of secular law in ancient period also, if the statement of the party, with respect to time, shape, age, matter, place caste and quantity etc. satisfied the court only in that case, the evidential value was considered.

"The party could be given a chance in all such cases to adduce evidence of other witnesses, and a fresh trial was possible for those who were defeated by witnesses or judges on account of disqualification."13
In case of "Aniyata" offence, the statement made by a nun, and confirmed her entire statement, and the delinquent monk confess about the offence, then in that case the offence was confirmed to be true. In case of both ancient Hindu and Buddhist law, circumstantial evidence was required, like our present day modern criminal law, but the only difference is, our ancients believed to remove the sin from the society, whereas it is the crime in the present day society.

The fourth section is the Nissaggiya-paccitta, which deals with thirty offences that can be committed by a monk who appropriates certain articles of use which were not permissible. In the Nissaggiya pacitta offence, the delinquent monk confess his offence and purify himself through prayascitta, and in this way for the article for which he has committed the offence, has to return the same article. Most of the offences are regarding the begging bowls. The offences regarding the wearing clothes are those, if any Bhikkhu preserved sufficient wearing clothes, if any Bhikkhu begs wearing clothes to a householder in a time, which is not appropriate to ask for clothes etc. are regarded as Nissaggiya pacitta offence. In this way preserving sufficient begging bowls without any reason taking revenge on another person etc. are also regarded as Nissaggiya offence. Nissaggiya pacitta offences reminded the Bhikkhus regarding some small offences, which needs some purifications also. All the Bhikkhus have to learn the
minimum spiritual culture of the Sangha. In ancient period the monasteries were regarded as seats of learning, rather than a place of religion. Through purification, the Sangha try to remove the root of the greedyness.

The fifth section entitled pacittiya enumerates ninety two offences relating to careless acts which requires purification or prayscotta for the act done by a Bhikkhu. The main pacittiya offences are careless acts leading to insecticide. Lack of respect for the Buddhist teachings and disciplinary code and to non-compliance with the directions given in the latter, indiscreet acts in the use of beds, seats, robes etc., while dwelling in the monastery. Most of the pacittiya offences are not criminal offence in modern criminological sense, rather it is a moral offences which effect the religious sentiment of the Buddhist community. For example,

"Knowingly, speaking false is a pacittiya offence."^{14}

People speak false, mostly to established his "ego" in the society. But in the Buddhist view, the concept of individuality is completely denied. Speaking false in the court, both in ancient and modern days are regarded a serious offence, because in this way, the person try to suppress the evidence of the particular offence. In this
way, back batting of other persons. Residing two three days or more than three days, with a person who is not conversant with the Buddhist religion, sleeping with a woman in the same bed, advice regarding miracles. Try to defame another Bhikkhu, Religious advice to Bhikkhuni, without permission from the Sangha, advice given to a Bhikkhuni with due permission from the Sangha, but after Sun set, advice given to a Bhikkhuni in her residence. Any Bhikkhu sits with a Bhikkhuni in an isolated place. If any Bhikkhu takes meat one after another, taking meat after midday (bikala-Bhojanana) preserved meal. Taking delicious food, Rough behaviour to another Bhikkhu, Residing in an Army cantonment, Drinking wine, playing with water in a river, terrifying another Bhikkhu, violation to animal, Injury or heart to another Bhikkhu. In this way, there are all total ninety two paccittya offences. Most of the paccittya offences are not criminal offence in modern sense of criminal law, most paccittya offences are moral offence, and most of the offences are regarding the violation of religious morals not general moral offences.

The sixth section called patidesaniya, patidesaniya offences consist with four offences, relating to a monk's taking food, which is not offered to him. Generally in the patidesaniya offences, confirmation regarding the offence can be found from the confession of the monk, before the
Sangha, patidesaniya not only includes confession, it also includes the purification or prayascitta.

The first patidesaniya offence is regarding taking food from a Bhikkhuni, who is not related with the Bhikkhu from seven generation.

"If any Bhikkhu arriving in a residence of another person takes food from the hand of a Bhikkhuni, to his own hand who is not related to him from seven generation then he should repent for his misdeeds that, I have committed a shameful, wrong misdeeds, it is excusable, I may be excused for that."15

Patidesaniya Dhammas means purification from the wrong doings. It is a way to reducing the sins. Perhaps Buddha prescribed the four Patidesaniya Dhamma to regulate the food and sexual behaviour. Here in the Patidesaniya Dhamma, no evidence or circumstantial evidence is required, on the other hand complain from another Bhikkhu is also not required, but the only requirement is confession from the delinquent monk. After confession, prayascitta or self purification is required. The first patidesaniya offence is taking food from an unknown Bhikkhuni. Secondly, knowing it well by the monk that, the householder has order to Bhikkhuni to give food to the monk, and the monk do not restrain her
from giving foods. Thirdly, taking food from the householder without invitation. Fourthly taking food in a disturb area from a householder inviting him to that area.

The seventh section, Sekhiya gives seventy five instructions to the monks, to be observed in the daily life of a monk. For example, how he must enter a village or a town, way of taking food, etc. Sekhiyas are some advice to the monks, it is not an offence, therefore punishment is not prescribed for it. Sekhiya Dhamma includes general behaviour of the monks. The way of wearing cloths, way of taking food etc.

The last section is called the Adhikarana Samatha or the way of settling disputes within the Sangha. It consisted of seven rules. The first one is to place the two monks face to face, Secondly one must admit that his memory had failed in regard to the point of dispute. Thirdly, the monk must admit of dispute arose. The fourth one is relating the formalities of confession, the fifth one is the use of salaka (voting sticks). The sixth one is punishment for the offence, and the last one is avoidance of publicity to a dispute within the Sangha.

Buddha's idea was to get life of purity, to attain the highest goal Nirvana. Though Buddha had drawn certain
guideline towards monks, but he never drawn any sharp line between the laity and the monks. Entry into the Sangha was not dependent on qualification. Of course some customs were followed in this regard. Buddha prescribed the rules to the monks, not only to maintain discipline in the Sangha or to achieve the highest goal Nirvana, but also to create a good atmosphere in the society. He had given maximum importance on begging the alms going door to door of the lay devotees.

"The daily begging excursion of the monks maintain the usual contract between them and the believing laity, and gave a natural opening for attentions of a pastoral kind. The laity also on their part come to the parks of the community near the gate of the town with gifts of every kind, with food and medicine, with garlands and perfumes, there they paid their respects to the monks and listened to the expositions of the sacred discourses and sayings."16

Buddha's experience in various places, for which he had made various rules and regulations for the Sangha, described in the sutta vibhanga, a commentary on the patimokkha sutta. For example, when Buddha was visiting Vesali, a rich banker's son Sudinna be came his disciple, one day when Sudinna went to begging alms his wife met him and requested for a child. He granted her request, but when he came back to the monastery became repented, and reported the
matter to his fellow monks, when it was brought to the notice of Buddha, he had laid down a rule that if any monk committed sexual intercourse, then he would be guilty of parajika offence. Commentators of the patimokkhā sutta not only described the incident, apart from the incident, discussions were made on what female is, the probable ways of sexual indulgence etc.

The second rule of parajika offence is regarding theft, and the commentator enumerated a story of one monk, namely, Dharmiya, who collected wood without anybody's permission to construct a hermitage. The commentator described the various theft and probable ways of theft.

In this way the other two parajika offences were also described by the commentator by giving various examples of suicide, personal gain, and probable ways of suicide and personal gains etc.

The Sanghadisesa offences were also came into discussion in this way. The commentator discussed every things including, whether the touch of the women is intentional or accidental, whether the contract is with his mother, sister or with other women. Various types of girls and wives. What constitutes an offence and the exceptions of the offence etc.
Fatimokkha not only carrying the ancient customary Buddhist rules, it also carried the vivid history and sociology of India from sixth century B.C. The commentator had little left to unexplain the Buddhist history, sociology etc.

In the Nissaggiya pacittiya section also, the commentator explain many illustration and similies, or what circumstances the Buddha had to formulate the rules for the monks. The Nissaggiya pacittiya open with giving one example of one Hatthaka, a Sakayan monk, who had made a false statement. That is why the Buddha laid down rules that any one who utter false words would be guilty of paccittiya offence. In this way, the commentator discussed many things regarding false statement, disrespectful words towards others. In this way, patidesaniya and sekhlya rules are also concisely commented by the commentator. The Bhikkhuni Vibhanaga consisted of seven groups of offences. Apart from the four parajika offences mentioned in the Bhikkhu patimokkha, other four offences are also included in the Bhikkhuni patimokkha. For example, with the evil intention, a Bhikkhuni must not touch the middle part of a male person. The commentator mentioned the four rules with some real stories of the lustful intention of the Bhikkhuni's.
In the Sanghadisesa seven rules are taken from the Bhikkhu patimokkha, apart from these seven rules, other ten rules are also specially mentioned for the Bhikkhnis. These ten rules are regarding law suits, regarding the restrictions of nuns moving alone, contract with male etc.

The Nissaggiya pacittiya consist of thirty rules, out of which eighteen rules are taken from Bhikkhu patimokkha. The rules are framed for some petty offences, and the commentator laid down the rules describing some stories.

In the pacittiya section the commentator commented on ninety six rules. All total rules of the pacittiya is one hundred and sixty six rules.

In the patidesaniya sections, nuns are restricted to take some thing like oil, honey, fish, meat etc.

The Sekhiya and Adhikarana samatha are same with the Bhikkhu patimokkha.

Apart from the Bhikkhu and Bhikkhuni patimokkha, the Mahavagga and cullavagga are two most important books. The Mahavagga described the development of the Buddhist Sangha. Here various conversion of the Buddha with Yasa and fifty four other friends are nicely described and the Buddha also
laid down certain rules regarding the admission of new comers in the Sangha.

The next chapter of the Mahavanga is regarding the institution of Uposatha. If any Bhikkhu committed any serious offence, he was not permitted to remain as a member in the assembly. The third and fourth chapter regarding the residence of the monks during rainy season, which is technically called vassavasa. During the time of vassavasa, a monk was allowed to go outside only for some urgent reason. The period of vassavasa is three months, during the time of rainy season. Various rules of the Kathina ceremony are also available here.

The fifth chapter deals with the story of one kolivisa, how Buddha had permitted the monks to use the shoes and various rules regarding the wearing of shoes.

The sixth chapter deals with the use of various medicines by the monks, here special treatment of Jivaka's the famous physician of that time is also mentioned. The chapter not only deals with the Buddhist rules and regulations, apart from that, interesting accounts of surgical operations, various surgical instruments, and its use also mentioned there.
The cullavagga is the continuation of the Mahayavagga, and in this way many rules and regulations are available in the cullavagga also. For example, various interesting descriptions of monasteries are available in the sixth chapter of the cullavagga.

The entire story of dissension of Devadatta with the Buddha is also mentioned in the seventh chapter. The chapter mostly deals with how a monk may be treated as a dissident, and the various rules of Sangha Veda.

The eight chapter is regarding the rules of how a monk received the other monks coming from outside or forest. In this way, in the other chapters, various rules regarding the formation of order of nuns, the admission of Mahaprajapati Gautami in the Sangha and various rules and procedure laid down to the nuns, full descriptions of the two Buddhist councils etc.

The influence of patimokkha in Buddhism is tremendous. In Hinduism, prayaścitta or any kind of secular punishments were awarded to the wrongdoers, if they committed the crime. But in Buddhism, apart from the punishment awarded by the Sangha or by the king, they had taken some preventive measure so that crime may not be happened in future. In the "ull
moon day, they have to confess before the assembly of the monk that they are free from all the evils and pure by heart. They are bound to learn some morals precepts, for example,

(a) No killing,
(b) No stealing,
(c) No sexual indulgence,
(d) No false talk,
(e) No alcoholism etc.

Maximum importance was given upon the morality of the monks. The patimokkha itself is a moral code of conduct, rather than penal laws. That is why repentance was also regarded as a form of punishments. Buddha's view was abstain from all evils, and purify the mind. Greed, ill will, jealousy etc. were considered dangerous for the welfare of the people. The patimokkha sutta appears to be a great work of the Buddha, but he failed to anticipate, what the unrighteous monk may do in future, which may destroy the image of the Buddha, Dhamma and Sangha. Some delinquent monk misinterpreted the Vinaya and also specially the patimokkha rules. During the period of Tantrayana, some monks misinterpreted the text that Buddha is full of love and compassion. So, definitely he will forgive them, if they enjoy women and wine also. But in fact Buddha was dead against about the concept of enjoying women and wine.
Apart from his failure of anticipation regarding the future of patimokkha, the patimokkha of Mula-sarvastivadin and the general patimokkha of Buddhism have some differences also. The chapters of the Mula-sarvastivadin patimokkha are given below:

(i) Pravrajya,
(ii) Posadha,
(iii) Pravarana,
(iv) Varsha,
(v) Carma,
(vi) Bhaisajya,
(vii) Civara,
(viii) Kathina,
(ix) Kosambaka,
(x) Karma,
(xi) Pandulohitaka,
(xii) Pudgala,
(xiii) Parivasika,
(xiv) Posadhasathapana,
(xv) Sayanasena,
(xvi) Sanghabheda.

Both the Pali and Sanskrit preserved the old tradition of Buddhism, though slight changes are also there in the Mula Sarvasti Veda or the Sanskrit Patimokkha Sutta.
In the Sanskrit version of the patimokkha, various stories were given in details, but in Pali patimokkha, they tried to avoid the stories, similies etc. Despite their differences, they followed the same disciplinary rules of Buddhism.

The first chapter of the Sanskrit text is pravajya. Here Buddha laid down certain rules and regulations for the new monks and also for the ordination of the new comers.

The second chapter is known as posadha in Buddhist Sanskrit and uposatha in Pali. It deals with the institution of the fortnightly assembly or the upasatha. A monk has to attain the ceremony, but if any serious charges levelled against him, then the monk is not allowed to attend the assembly.

The pavarana and the Varsa the third and fourth chapters deal with the monks residence during the rainy season. The practice, stay in one place in the rainy season, was common during Buddha's time among the Jainas and also among some of the recluses. But Buddhism was very much strict in the application of the rules of varsa. During the three months of rainy season the monks were asked to stay in one place. Of course in some special circumstances, a monk may be allowed to go outside only for one week. At the end of the assembly the general gathering or the assembly
of the monks are known as pavarana.

The fifth chapter described how on certain conditions Buddha allowed to use the shoes to all monks, here the chapter begins with the story of a monk, known as Sona Kolivisa. His body was so delicate that without using the shoes he cannot walk in outside. Buddha specially permitted him to use the shoes. But he objected that being a monk, he alone never use the shoe. Then the Buddha allowed to all monks to use the shoes.

The sixth chapter deals with the medicines used by the sick monks at the instance of the famous physician, Jivaka. Here, how the monks enjoyed the various medicines and surgical aids offered by the famous physician Jivaka is nicely described. Apart from that, the ability of the Jivaka as a physician is also mentioned from place to place. Other references regarding the monasteries fixed with doors and windows, provided furnishers for seats and beds etc. are described very nicely, various stories and similes are also available in this chapter.

The seventh chapter deals with the dissensions of the monks among the Sangha during the life time of the teacher. A relative of the Buddha, Devadatta always tried to create some trouble in the Sangha. Devadatta was the lesser
of the dissident group of the monks. Here, some special references are available regarding the discussion of the various sakyan youth, Devadatta, Ananda, Upali, Bhaddiya, Bhagu, Kimbila etc. Devadatta, even tried to kill the Buddha with the help of his friend King Ajatsatru. Devadatta demanded that some special rules should be made for the Sangha, and the rule should be followed by every monk. He demanded that (1) the monk should live only in forest, (2) the monk should exist only on, (3) monk should dress in robes made out of rags, (4) monk should not eat fish or meat.

The absurd demand made by the Devadatta totally rejected by the Buddha, and Devadatta formed a group of dissident monks, which was known as Songhaveda in the later period.

The eighth chapter related with the instruction that how a monk of particular locality received the monks of other place, and the monk who is coming from the forest. The monk has to look every comfort of the guest monk.

The tenth chapter, regarding the admission of the women in the Sangha and formation of the order of the nuns. Women were admitted in the Sangha or the order of the nuns at the instance of Mahaprajapati Gautami, the mother of lord Buddha and venerable Ananda advocated on behalf of the
Gautami and other nuns for their admission in the order of the nun. It is mentioned in other chapters also that Buddha was reluctant to give admission, the women in the order of the nun. Though he admitted the women in the order of the nun, but he imposed eight disabilities (garudhamma) on the nuns. The master first gave advice to the nuns that they should follow the instructions of the monks, and they should take guidance of Dhamma and Vinaya from the monks, but later on, it was found that, in many times the monks were not well versed in Dhamma and Vinaya to help the nuns in the ecclesiastical matters. That is why Buddha permitted the nuns to perform the ecclesiastical work by themselves, and special code of conduct were laid down for the nuns. Here, detailed discussions were made regarding the dress, toilet, seats, beds etc. for the nuns.

In the Mula Saravastivada Vinaya, a historical description is also available regarding the first two councils held respectively at Sattapannigha of Rajagoha and Valikarana of Vessali. The aim of the first two councils was to record the Buddha vasana or the Sayings of the Buddha. The first council was presided by Mahakassapa and Ananda took an active part in the first council. He recited the whole discourses delivered by the Buddha, and Upali recited the whole Vinaya rules or the disciplinary code of conduct.
After a long period of one hundred years the second Buddhist Council took place in Vessali. Some dissident monks created trouble regarding the applicability of some of the disciplinary code of conduct. Specially the Vajji puttaka monks of Vessali created the troubles. The deviations were declared illegal by a group of eight monks, four from the dissident group and four from the orthodox group of monks. Though the main problem was solved by the eight monks both from the dissident group and the orthodox group, but not all the monks accepted the findings of the groups and a new sect emerged from them and they were known as "Mahasanghikas".

The growth of Buddhist code of conduct was continuing after the death of the Buddha also. The death of the Buddha was a setback to the entire Buddhist community. Though Mahakassayapa, Ananda etc. confidently handled the situation, in the later period many deviations had taken place in the Buddhist Sangha. Specially in Mahayana, Hinayana and Tantrayana Buddhism.
Notes and References

1. Bapat, P.V. (ed.), 2500 Years of Buddhism, p. 143
2. Ibid., pp. 144-5
5. Swami Darikadas Shastri (ed.), op.cit., p. 4
6. Ibid., p. 5
9. Ibid., p. 6
10. Ibid., p. 6
11. Ibid., p. 6
12. Ibid., p. 6
15. Ibid. p. 25
16. Hoay William, Buddha : His Life, His Doctrine, His Order, p. 385