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## **CONTENTS**

• RESEARCH ARTICLES:	
Bhikkhu Anālayo:	
Pārājika Does Not Necessarily Entail Expulsion	3
DHAMMADINNĀ:	
Soreyya/ā's double sex change:	9
on gender relevance and Buddhist values [4 figures]	
Petra Kieffer-Pülz:	
"[If some]one says in this connection" The usage of etthaha in Pali commentarial literature	35
Katarzyna MARCINIAK:	
Editio princeps versus an old palm-leaf manuscript Sa: Verses in the Mahāvastu revisited (II)	59
Seishi Karashima and Katarzyna Marciniak:	
Sabhika-vastu	71
Seishi Karashima and Katarzyna Marciniak:	
The story of Hastinī in the Mahāvastu and Fobenxingji jing	103
Peter SKILLING and SAERJI:	
Jātakas in the Bhadrakalpika-sūtra: A provisional inventory I	125
James B. APPLE:	
The Semantic Elucidation (nirukta) of Bodhisattva Spiritual Attainment:	171
A Rhetorical Technique in Early Mahāyāna Sūtras	
Liu Zhen:	
An Improved Critical Edition of Maitreyavyākaraņa in Gilgit Manuscript	193
LU Lu:	
An Analogy of Pots in Dao di jing 道地經 and its Sanskrit Parallel	209
Péter-Dániel SZÁNTÓ:	
A Fragment of the <i>Prasannapadā</i> in the Bodleian Library [2 figures]	213
Li Xuezhu:	
Diplomatic Transcription of the Sanskrit Manuscript of the Abhidharmasamuccayavyākhyā	217
Jonathan A. SILK:	
Chinese Sūtras in Tibetan Translation: A Preliminary Survey	227
Mauro MAGGI:	
Bits and bites: the Berlin fragment bi 43 and Khotanese *druṣ- [2 figures]	247
Yutaka YOSHIDA:	
On the Sogdian articles	261
Tatsushi TAMAI:	
The Tocharian Maitreyasamitināṭaka	287
Peter ZIEME:	
A fragment of an Old Uighur translation of the Śatapañcāśatka [2 figures]	333
Isao KURITA:	
The Great Passing of the Buddha and Māra [7 figures]	345

### M. Nasim KHAN:

Studying Buddhist Sculptures in Context (I):	347
The Case of a Buddha Figure from But Kara III, Gandhāra [20 figures]	
Tadashi TANABE:	
Gandhāran Śibi-Jātaka Imagery and Falconry —Gandhāra, Kizil and Dunhuang— [20 figures]	359
Haiyan Hu-von HINÜBER:	
From the Upper Indus to the East Coast of China:	377
On the Origin of the Pictorial Representation of the Lotus Sūtra [8 figures]	

#### • EDITORIALS:

Contributors to this Issue

New Publications:

Gilgit Manuscripts in the National Archives of India, vol. II.2. Mahāyāna Texts: Prajñāpāramitā Texts (2). Ed. by Seishi Karashima and Tatsushi Tamai.

The Mahāvastu. A New Edition. Vol. III

Ed. by Katarzyna Marciniak. Bibliotheca Philologica et Philosophica Buddhica vol. XIV, 1.

Contents of Back Issues [ARIRIAB, BPPB, BLSF, StPSF, GMNAI]

### • PLATES

DHAMMADINNĀ: Soreyya/ā's double sex change	PLATES	1–2
P. SZÁNTÓ: A Fragment of the <i>Prasannapadā</i> in the Bodleian Library	PLATE	3
M. MAGGI: Bits and bites: the Berlin fragment bi 43 and Khotanese *druṣ-	PLATES	4–5
P. ZIEME: A fragment of an Old Uighur translation of the Śatapañcāśatka	PLATE	6
I. KURITA: The Great Passing of the Buddha and Māra	PLATES	7–9
M. Nasim KHAN: Studying Buddhist Sculptures in Context (I)	PLATES	10-16
T. TANABE: Gandhāran Śibi-Jātaka Imagery and Falconry	PLATES	17 - 22
Haiyan Hu-von HINÜBER: From the Upper Indus to the East Coast of China	PLATES	23–24

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## Pārājika Does Not Necessarily Entail Expulsion

## Bhikkhu Anālayo

#### **Abstract**

In this brief note, I argue that a breach of a *pārājika* rule does not necessarily result in an act of expulsion, contrary to a recurrent assertion made in *Vinaya* scholarship.

## **Keywords**

Expulsion, Full Ordination, pārājika, saṃvāsa, śikṣādattaka.

## Introduction

In an entry on "Vinaya" in the *Oxford Handbook of Buddhist Ethics*, Prebish (2018: 98) asserts that:

Violation of any one of the pārājika-dharmas results in permanent expulsion from the saṃgha.

This exhibits a standard position taken in current scholarship on the repercussions a fully-ordained monastic incurs by violating one of the *pārājika* rules. However, in an article originally published in 2016 and republished in a monograph with collected papers on *Vinaya* in 2017, I argued that such a simple equation is not tenable (Anālayo 2017: 7–33). Given the time it usually takes for a contribution to a handbook to be published, it can safely be assumed that, at the time of writing, Prebish would simply not have been aware of my discussion.

A position similar to that of Prebish is taken by Heirman (2016/2017: 160), who states that:

The so-called  $p\bar{a}r\bar{a}jika$  rules comprise the first category of regulations in the  $pr\bar{a}timok \bar{s}a$ —a list of rules for monks  $(bhik \bar{s}u)$  and nuns  $(bhik \bar{s}u)$ . Offending against any of these rules results in permanent expulsion from full monastic status.

In a footnote appended to this affirmation, Heirman (2016/2017: 160n1) refers to publications on the śikṣādattaka observance by Clarke 2000 and 2009 (as well as by Greene 2017) and to my own contribution as "a recent critical reply to Shayne Clarke's hypothesis". Although she thus must have been aware of my argument, perhaps her reference to my paper was a last-minute addition to a completed article and thus did not result in either a reformulation of the statement quoted above or a reply to my position.

Another case is an assertion by Kieffer-Pülz (2018: 41) that:

In the Theravada tradition, breaking of the  $P\bar{a}r\bar{a}jika$  rules leads to irreversible exclusion from the Buddhist community.

Here, too, the statement is accompanied by a footnote referencing my study and in this case with a criticism of my position. I will return to this criticism below.

The above-quoted recently published statements by three Vinaya scholars have left me with the impression that it would perhaps be useful if I summarize my position here in order to clarify why, as far as I can see, an equation of  $p\bar{a}r\bar{a}jika$  with expulsion or exclusion (be it for Vinaya traditions in general or for the Theravāda tradition in particular) is not tenable, at least as long as such expulsion or exclusion is understood to refer to some action undertaken by others.<sup>1</sup>

## Breach of Celibacy by a bhikşu

In what follows I take, by way of example, the case of a fully ordained male monastic, a *bhikṣu*, who intentionally engages in sexual intercourse without having previously renounced his monastic status. As a result, at the very moment of penetration he becomes one who is "not in communion", *asaṃvāsa*. This is the terminology used in the formulation of the relevant *pārājika* rule itself.² Here the term *saṃvāsa* refers to "communion" in a legal sense,³ it does not concern residential rights in a particular monastery. As a technical term in *Vinaya* usage, *saṃvāsa* reflects the need for fully-ordained monastics to be in communion with each other, so as to be able to form the quorum required for the performance of valid legal acts.

If a *bhikṣu* intentionally engages in sexual intercourse, this does not require others to take any action to expulse or exclude him from communion. Loss of communion has been incurred simply by the fact of the violation itself. From that very moment onwards, he is no longer a *bhikṣu* and has lost the rights that come with that status. This much has in fact already been pointed out by Hüsken (1997: 93), who notes that "if an offender is aware of his *pārājika* offence and leaves the order on his own initiative, the *Vinaya* describes no concrete act of expulsion."

The impression that some action needs to be taken to expulse or somehow ensure the exclusion of a *bhiksu* who has broken a  $p\bar{a}r\bar{a}jika$  rule might in part result from a well-known

1

The Oxford English Dictionary 1971: 383 and 450 gives for "exclusion" the sense of "shutting from a place, a society, etc., debarring from privilege" and for "expulsion" the sense of "the action of expelling, or driving out by force (a person or thing); the turning out (of a person) from an office, a society, etc.".

<sup>&</sup>lt;sup>2</sup> Dharmaguptaka *Vinaya*, T 1429 at T XXII 1015c7: 不共住, Kāśyapīya *Vinaya*, T 1460 at T XXIV 659c26: 不應 共住, Mahāsāṅghika-Lokottaravāda *Vinaya*, Tatia 1975: 6,21: *na labhate bhikṣuhi sārddha saṃvāsaṃ*, Mahīśāsaka *Vinaya*, T 1422 at T XXII 195a10: 不共住 (cf. also T 1422b at T XXII 200c22: 不應共事, and on this differing code of rule the remarks in Clarke 2015: 70), Mūlasarvāstivāda *Vinaya*, Banerjee 1977: 14,6: *asaṃvāsyaḥ*, Sarvāstivāda *Vinaya*, von Simson 2000: 163,7: *asaṃvāsyaḥ*, and Theravāda Vinaya, Pruitt and Norman 2001: 8,7: *asaṃvāso*.

<sup>&</sup>lt;sup>3.</sup> See also the Pāli commentary, Sp I 260,10.

story that reports such an action taken by Mahāmaudgalyāyana.<sup>4</sup> The basic story line that emerges, based on a comparative study of a range of versions of this event (Anālayo 2017: 8–14), is as follows: In spite of repeated requests, the Buddha does not recite the *prātimokṣa* because an immoral person is present in the community of *bhikṣu*s. Mahāmaudgalyāyana spots the culprit and escorts him outside of the building in which the *uposatha* ceremony was to be held.

Closer examination of this narrative makes it clear that the act of expulsion was warranted because the person was still pretending to be a *bhikṣu*. He had come to the *uposatha* ceremony and seated himself among the other *bhikṣu*s pretending to be one of them. In fact, he tried to keep up this pretense throughout the whole night, even though the Buddha's refusal to recite the *prātimokṣa* made it clear that something was wrong. Thus Mahāmaudgalyāyana's act was required to remove a sham monk from the *uposatha* hall. It was this act of hypocrisy that led to his expulsion from the hall, in addition to whatever breach of a *pārājika* the culprit would had committed earlier.

Another point to be kept in mind is that this particular act of expulsion or exclusion concerned the building in which the *uposatha* ceremony was held. The sham monk had no right to join the community of *bhikṣu*s for this legal act because he had lost his privilege to participate in the *uposatha* ceremony. This differs from residential rights in a monastery. One who has broken a *pārājika* rule could in principle still continue to live at the same monastery where he previously dwelt. If a former *bhikṣu* honestly acknowledges his breach of a *pārājika*, there would be no reason for him to be expulsed or excluded from the monastery where he had been living as a *bhikṣu* (or from any other monastery). He could continue to dwell there as a layman or else by becoming a novice.

In sum, instead of employing terms like "exclusion" or "expulsion" that give the impression of an action taken by others, a preferable way of describing the situation would be to rely on the terminology employed in the very formulation of the  $p\bar{a}r\bar{a}jika$  rules themselves. This could be achieved with a formulation like this: Violation of a  $p\bar{a}r\bar{a}jika$  rule results in a permanent loss of communion ( $samv\bar{a}sa$ ) with the community of fully-ordained monastics.

## Novicehood and śikṣādattaka

Quoting from my study, Kieffer-Pülz (2018: 41n58) expresses her criticism in the following way:

"The institution of the *śikṣādattaka* is in this respect comparable to the option of becoming a novice, mentioned in the Pāli commentary, by confessing that one has lost one's status as a fully ordained monk" (Anālayo 2017: 29). In the Theravāda tradition, a monk who commits a *Pārājika* offence is automatically excluded from the order. The question is whether he is only excluded from the status of a monk, or also from the status of a novice. In the earlier case his years as a novice would still count.

-

Another relevant factor could be a derivation proposed for the term  $p\bar{a}r\bar{a}jika$  as involving  $p\bar{a}r + aj$ ; on which see in more detail von Hinüber (forthcoming).

Relating my proposition to the idea that one who has incurred a  $p\bar{a}r\bar{a}jka$  could still be a novice seems to be based on a misunderstanding. In my presentation I did not suggest that committing a  $p\bar{a}r\bar{a}jika$  offence would in itself result only in a downgrade from bhikşu to novice. The point of my discussion is about the possibility of continuing to stay at the same monastery by taking novice ordination, after having confessed a  $p\bar{a}r\bar{a}jika$ . Thus my suggestion is only that one who has broken a  $p\bar{a}r\bar{a}jika$  and honestly acknowledges his breach may be allowed to live in robes at the same monastery after "having become a novice" (Anālayo 2017: 26, italics added). This of course requires first taking novice ordination.

The part of my study that immediately precedes the sentence quoted by Kieffer-Pülz proceeds as follows:

The śikṣādattaka observance, in the way summarized by Clarke based on what is common among the different Vinayas that recognize this procedure, only institutionalizes the way in which a monk, who has offended against a pārājika rule, can continue to live in robes at a monastery in a position situated between novices and fully ordained monks. It does not change the nature of the pārājika offence itself. One who has actually committed a pārājika offence is still no longer considered a fully ordained monk according to these Vinayas. In fact, if these Vinayas did not recognize that having sex, etc., entails a breach of the pārājika rule, there would hardly have been any need for them to get into devising the śikṣādattaka option in the first place.

## Kieffer-Pülz (2018: 41n58) objects that:

the śikṣādattaka-stage, therefore, definitely is more than "a more institutionalized version of the basic option of remaining in robes at a level below that of a fully ordained monk" (Anālayo 2017: 30). It rather reminds one of a Theravāda *bhikkhu* who has to live under probation (*parivāsa*) because he has concealed a *Saṅghādisesa* offence.

This formulation risks obfuscating the difference between the irreversible and permanent loss of status incurred by one who has violated a  $p\bar{a}r\bar{a}jika$  and the temporary loss of such status that results from a  $sangh\bar{a}disesa$  offence. With or without the option of undertaking the  $siks\bar{a}dattaka$  observance, violation of a  $p\bar{a}r\bar{a}jika$  has definite and lasting consequences that go beyond temporary suspension.

Another criticism raised by Kieffer-Pülz (2018: 41n58) is as follows:

Anālayo's (2017: 29) reference to the possibility of withdrawing from the monk's status by wishing to become a novice (i.e. deliberate downgrading from monk to novice) – which is completely independent of the  $P\bar{a}r\bar{a}jika$  offences – does not fit in here ... in the Theravāda tradition the  $P\bar{a}r\bar{a}jiko$  would be newly initiated as a novice and – unlike a śikṣādattaka who is hierarchically placed between monks and novices (Clarke 2000: 163) – would be at the lowest end of the hierarchy of the novices. Thus he cannot be equated with the śikṣādattaka from this point of view.

In my presentation I did not propose a simple equation of *śikṣādattaka* and novice. This much could be gathered from the following part (Anālayo 2017: 30):

What happened with the śikṣādattaka observance appears to be that some Vinayas carved out a more institutionalized version of the basic option of remaining in robes at a level below that of a

fully ordained monk. This might have occurred in response to an increase in the number of such cases, leading to a felt need for more explicit legislation that also ensures that one who is willing to confess and thereby incur the resultant loss of status as a fully ordained monk can ensure that, following his demotion in status, at least he will be placed within the monastic hierarchy above the level of a novice. In several *Vinaya*s the attractiveness of admitting a breach of a *pārājika* seems in fact to have been increased by offering a few additional privileges, while at the same time keeping the *śikṣādattaka* observance still clearly distinct from the condition of being fully in communion.

The above should suffice to show that I did not just equate the *śikṣādattaka* observance with novice-hood and that I also duly recognized that one who undergoes this observance has more privileges than a novice. At the same time, however, these still fall short of the full set of privileges that come with full ordination as a *bhikṣu*.

In sum, my main point is that the śikṣādattaka option does not change the nature of a pārājika offence. Instead, it seems to be a further development of a possibility recognized in all Vinayas, namely that someone who has violated a pārājika rule can in principle still live in robes at the same monastery if he takes novice ordination. My intention is certainly not to equate the śikṣādattaka with becoming a novice, but much rather to clarify that becoming a novice can be seen as a precedent to what in some Vinaya traditions eventually became the śikṣādattaka observance.

This in turn makes it clear that this observance is considerably less dramatic a development than has sometimes been assumed. It certainly does not involve a substantially different understanding of the nature of a  $p\bar{a}r\bar{a}jika$  offence. In other words, there is no need to set apart the Theravāda tradition as differing substantially from other monastic traditions on the implications of a  $p\bar{a}r\bar{a}jika$ . Even in those Vinayas that recognize the  $siks\bar{a}dattaka$  option, breach of a  $p\bar{a}r\bar{a}jika$  rule still has its consequences. Although not invariably requiring an act of expulsion or exclusion by others, the breach does definitely entail a loss of the complete set of privileges that had earlier been acquired when taking full ordination as a bhiksu.

## **Conclusion**

Violation of a *pārājika* offence has definite consequences in the different *Vinaya* traditions, in that the one who intentionally incurs such an offence has thereby lost "communion", in the sense of being able to function as a fully-fledged member of the monastic community in legal matters. Such loss of communion does not necessarily require an act of expulsion or exclusion, which is only needed when someone who has lost communion pretends otherwise.

## Acknowledgement

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### **Abbreviations**

Sp: Samantapāsādika

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