

# How Was an Āgama/Nikāya Scripture Composed? The Case of *Sāmagāmasutta*

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## 1. Abstract

The structure of this article is fairly complicated, so I first provide a skeletal overview.

*Sāmagāmasutta* (*Majjhima Nikāya* No. 104) and the two corresponding Chinese translations are largely parallel to the Vinaya *Samathakkhandhaka*. However, when they are compared in detail, there is a significant difference, which is due to the circumstance of the composition of *Sāmagāmasutta*.

*Sāmagāmasutta* disregards trivial disputes arising from the daily behavior of monks (*bhikkhus*), as defined by Vinaya Pitaka, while it asserts that disputes concerning the Way and Practice (*magge vā paṭipadāya vā vivādo*) are a serious problem for the *saṃgha*. Furthermore, it presents a method for resolving such disputes. At that time, *Sāmagāmasutta* took sentences from *Samathakkhandhaka* and used them in different meanings. However, the use of these sentences in *Sāmagāmasutta* was extremely careless. As a result, the intent of *Samathakkhandhaka* was seriously misrepresented and explained in a totally incorrect way.

Meanwhile, there is a statement in *Samathakkhandhaka* in which *dhammakathikas* are unexpectedly criticized, completely out of context, as “those who do not understand the Vinaya rules.” *Samathakkhandhaka* strangely stipulates that such *dhammakathikas* should be expelled from the meeting at which decisions are made regarding the resolution of a dispute. It is exactly here that *Sāmagāmasutta* misused the text of *Samathakkhandhaka*.

From the above, the following situation can be inferred:

1. In order to justify their own position, the *dhammakathikas*, who downplayed the Vinaya rules, stated in *Sāmagāmasutta* that resolving disputes concerning doctrinal matters such as the Way and Practice was what was important for maintaining the *saṃgha*. At that time, the compiler of the *sutta* quoted from *Samathakkhandhaka* but without fully understanding the Vinaya. As a result, an important mistake was made.

2. Knowing this, the monks who specialized in Vinaya (*vinayadharas*) became angry and blamed the *dhammakathikas* for misusing the Vinaya. Therefore, they inserted in *Samathakkhandhaka* the statement, “*Dhammakathikas* who do not understand Vinaya should get out!” This statement was totally out of context, but it became part of formal Vinaya procedure.

(This article also includes various details that support this hypothesis.)

## 2. The structure of *Sāmagāmasutta*

The following are the relevant materials:<sup>(1)</sup>

*Sāmagāmasutta*: M no. 104, 2, 243-251.

*Zhouna jing* 周那經: *Zhong a han jing* 中阿含經 T. 26 no. 196, 1, 752c8-755c16.

*Xi zheng yin yuan jing* 息靜因緣經 T. 85, 1, 904b25-907a6.

*Samathakkhandhaka*: Vin 2, 73-104 (*Cullavagga* no. 4).

The general theme of *Sāmagāmasutta* is the prevention of disputes harmful to the Order. Before discussing the content of the *sutta* in detail, I explain its overall structure. (Hereafter, SG = *Sāmagāmasutta*)

*Sāmagāmasutta* can be divided into 14 sections (SG1-SG14) according to the contents. In SG-1, we learn that, after the death of Nīgaṇṭhanātaputta, there was a fierce dispute among his disciples, which resulted in the loss of faith among the believers.<sup>(2)</sup> In SG-2, Cunda Samañuddesa and Ānanda report the situation to the Buddha.<sup>(3)</sup> Taking this opportunity, the Buddha says in SG-3, “A dispute about the Path and the Practice can cause severe damage to the Order.”<sup>(4)</sup> An explanation of concrete methods for resolving disputes within the Order begins in SG-4. Starting with SG-4, the contents are as follows:

SG-4: Six sources of dispute<sup>(5)</sup>

SG-5: An introduction to four *adhikaraṇas* (names only)<sup>(6)</sup>

SG-6: An introduction to seven *adhikaraṇasamathas* (names only)<sup>(7)</sup>

SG-7, 8: Methods of carrying out *sammukhāvinaya* and *yebhuyyasikā*<sup>(8)</sup>

SG-9: Method of carrying out *sativinaya*<sup>(9)</sup>

<sup>(1)</sup> Translations: Tachibana 1933; Ñānamoli 1995; Horner 1959; Katayama 2001; Naniwa 2005. Anālayo has published a comparative study of these three texts: *Sāmagāmasutta*, *Zhouna jing*, and *Xi zheng yin yuan jing* (Anālayo 2011: 603-610). However, Anālayo’s article does not contain any information directly related to my discussion in this paper.

<sup>(2)</sup> M 2, 243.17-244.9; *Zhouna jing* T. 26.1.752c12-752c26; *Xi zheng yin yuan jing* T. 85.1.904c2-904c19.

<sup>(3)</sup> M 2, 244.10-245.6; *Zhouna jing* T. 26.1.752c27-753b19; *Xi zheng yin yuan jing* T. 85.1.904c19-905a17.

<sup>(4)</sup> M 2, 245.7-245.24; *Zhouna jing* T. 26.1.753b19-753c7; *Xi zheng yin yuan jing* T. 85.1.905a17-905b9.

<sup>(5)</sup> M 2, 245.25-247.2; *Zhouna jing* T. 26.1.753c7-754a20; *Xi zheng yin yuan jing* T. 85.1.905b9-905c2.

<sup>(6)</sup> M 2, 247.3-247.6; *Zhouna jing* (missing); *Xi zheng yin yuan jing* (missing).

<sup>(7)</sup> M 2, 247.6-247.10; *Zhouna jing* T. 26.1.754a20-754a25; *Xi zheng yin yuan jing* T. 85.1.905c2-905c6.

<sup>(8)</sup> M 2, 247.10-247.27; *Zhouna jing* T. 26.1.754a25-754b11 and 755a9-755a24; *Xi zheng yin yuan jing* T. 85.1.905c6-905c.15 and 906a10-906a21. This procedure, which is described in one place in *Sāmagāmasutta*, is explained in two parts in the two Chinese translations. For the reason, see below, pages 24-28.

<sup>(9)</sup> M 2, 247.28-248.4; *Zhouna jing* T. 26.1.754b11-754b22; *Xi zheng yin yuan jing* T. 85.1.905c16-905c22.

SG-10: Method of carrying out *amūlḥavinaya*<sup>(10)</sup>

SG-11: Method of carrying out *paṭiññātakaraṇa*<sup>(11)</sup>

SG-12: Method of carrying out *tassapāpiyyasikā*<sup>(12)</sup>

SG-13: Method of carrying out *tiṇavatthāraka*<sup>(13)</sup>

SG-14: Six ways of maintaining harmony in the Order<sup>(14)</sup>

The term *adhikaraṇa* here refers to four types of disputes within the Order under specific conditions. Although Horner translates *adhikaraṇa* as “a legal question,” I translate it as “conflict” in this paper except in quotations from Horner’s translation. Originally, the word *adhikaraṇa* simply meant “matter” or “disagreement in general,” but it was redefined in the *Samathakkhandhaka* chapter in *Cullavagga* as a technical term referring to four types of conflict that arise in the Order under specific conditions. The historical process by which the word *adhikaraṇa* was redefined is complicated.

I have previously published detailed studies on this subject. However, in this paper, the issue of the historical transition of the word *adhikaraṇa* is not directly relevant. The meaning of *adhikaraṇa* in *Sāmagāmasutta* is the same as in *Samathakkhandhaka*, where the four types of *adhikaraṇa* were finally defined.<sup>(15)</sup>

The word *samatha* refers to the procedure for resolving the four kinds of *adhikaraṇa*. The seven *samathas* are listed as the seven *adhikaraṇasamathadhammas* at the end of *Pātimokkha* and *Suttavibhaṅga* for both monks and nuns, and the actual procedures are explained in detail in *Samathakkhandhaka*.<sup>(16)</sup> In other words, the basic structure in *Samathakkhandhaka* is that the four *adhikaraṇas* are resolved by the seven *samathas*.

Since the text of SG-4 to SG-13 in *Sāmagāmasutta* corresponds almost completely to the text of *Samathakkhandhaka*, it is clear that *Sāmagāmasutta* is closely related to *Samathakkhandhaka*. However, a close examination of the corresponding points in *Sāmagāmasutta* and *Samathakkhandhaka*, which have been thought to be almost identical, reveals that there are surprising differences. These differences are important sources of information for understanding

<sup>(10)</sup> M 2, 248.5-248.20; *Zhouna jing* T. 26.1.754b22-754c11; *Xi zheng yin yuan jing* T. 85.1.905c22-906a2.

<sup>(11)</sup> M 2, 248.21-248.31; *Zhouna jing* T. 26.1.754c11-754c24; *Xi zheng yin yuan jing* T. 85.1.906a2-906a10.

<sup>(12)</sup> M 2, 249.1-249.31; *Zhouna jing* T. 26.1.754c24-755a9; *Xi zheng yin yuan jing* T. 85.1.906a21-906b2.

<sup>(13)</sup> M 2, 250.1-250.21; *Zhouna jing* T. 26.1.755a24-755b20; *Xi zheng yin yuan jing* T. 85.1.906b2-906c10.

<sup>(14)</sup> M 2, 250.22-251.28; *Zhouna jing* T. 26.1.755b20-755c15; *Xi zheng yin yuan jing* T. 85.1.906c11-907a5.

<sup>(15)</sup> Sasaki 2007, 2008, 2009, 2010, 2011, 2012, 2013a, 2013b, 2014, 2015. In Sasaki 2013b, I discussed the relationship between *Samathakkhandhaka* and *Sāmagāmasutta*, but my conclusions were incorrect due to insufficient research. When I reread the materials, the true situation, which I point out in the current paper, became clear. Previous studies on *adhikaraṇa* and *samatha* include the following: Hirakawa 1953; Frauwallner 1956; Satō 1963; Upasak 1975: 9-10 and 223-224; Nolot 1996; Borgland 2014a; Borgland 2014b; Borgland 2016-2017.

<sup>(16)</sup> Vin 4, 207.1-207.6; 351.1-351.7; Pruitt and Norman 2001, 108.5-18; 248.1-248.13.

the formation of Āgama/Nikāya *sūtras*.

### 3. Summary of *Sāmagāmasutta*

#### SG-1

Niḡaṇṭhanātaputta died in Pāvā when the Buddha was in Sāmagāma. After Niḡaṇṭhanātaputta's death, there was a fierce dispute among his disciples, which resulted in the loss of faith among the believers.

#### SG -2

Cunda Samaṇuddesa and Ānanda report the event to the Buddha.<sup>(17)</sup>

#### SG -3

And then Ānanda told the following to the Buddha: “It occurs to me, revered sir, that we should take care lest, after the Lord's passing, dispute arises in the Order—dispute for the woe of the many folk, for the grief of the many folk, for the misfortune of the populace, for the woe, the sorrow of *devas* and mankind.”

“What do you think about this, Ānanda? Those things taught by me to you out of super-knowledge, that is to say the four applications of mindfulness, the four right efforts, the four bases of psychic power, the five controlling faculties, the five powers, the seven links in awakening, the ariyan eightfold Way—do you, Ānanda, see even two monks professing differently about these things?”

“Revered sir, those things taught to me by the Lord out of his super-knowledge, that is to say the four applications of mindfulness . . . the ariyan eightfold Way—I do not see even two monks professing differently about these things. Yet, revered sir, those people who dwell dependent on the Lord might, after the Lord's passing, stir up dispute in the Order concerning either the mode of living or the Obligations (*Pātimokkha*)—this dispute would be for the woe of the many folk, for the grief of the many folk, for the misfortune of the populace, for the sorrow of *devas* and mankind.”

“That dispute which concerns either the mode of living or the Obligations (*Pātimokkha*) is a trifle, Ānanda. But, Ānanda, if there should arise in the Order a dispute either concerning the Way

<sup>(17)</sup> Cunda Samaṇuddesa, the “novice Cunda,” is said to have been the younger brother of Sāriputta, and because he was known as “novice” before his *upasampadā*, he was called “novice” even after he became a monk (Malalasekera 1974, 1: 877-879; Akanuma 1931: 359-360).

and Practice, this dispute would be for the woe of the many folk, the grief of the many folk, the misfortune of the populace, the sorrow of *devas* and mankind.”<sup>(18)</sup>

#### SG -4<sup>(19)</sup>

From then on, Buddha’s sermon continues until the end.

There are six sources of dispute: 1. a monk is angry and bears ill-will; 2. a monk is harsh and unmerciful; 3. a monk is envious and grudging; 4. a monk is crafty and deceitful; 5. a monk has evil desires and wrong views; 6. a monk is infected with worldliness and is obstinate and stubborn. These, Ānanda, are the six sources of dispute.<sup>(20)</sup>

#### SG -5

There are four *adhikaraṇas*:<sup>(21)</sup> conflict caused by a dispute (*vivādādhikaraṇa*), conflict caused by an accusation (*anuvādādhikaraṇa*), conflict caused by an offense (*āpattādhikaraṇa*), and conflict caused by a procedure of the Saṃgha (*kiccādhikaraṇa*).<sup>(22)</sup>

#### SG -6<sup>(23)</sup>

There are seven *adhikaraṇasamathas* (more simply *samathas*) for the purpose of resolving a conflict: 1. resolving a conflict by confrontation (*sammukhāvinaya*); 2. resolving a conflict by taking into account a monk’s memory (*sativinaya*); 3. resolving a conflict by taking into account a monk’s insanity (*amūlḥavinaya*); 4. resolving a conflict after an admission of guilt

<sup>(18)</sup> Horner 1959: 31-32.

<sup>(19)</sup> Starting here, SG-4, 5, 7, 8, 9, 10, 11, 12, and 13 correspond to *Samathakkhandhaka*, while SG-6 corresponds to the explanation of seven *adhikaraṇasamatha-dhammas* located at the end of *Pātimokkha* and *Suttavibhaṅga*.

<sup>(20)</sup> For the six bad features listed here, see Mizuno 1964: 562, 717, 727, 731.

<sup>(21)</sup> The meaning of *adhikaraṇa* in Vinaya has changed over the course of history. In the final stage, it was defined in the second half of *Samathakkhandhaka* as four kinds of conflicts. However, because the definition was inadequate, it included some meanings that had nothing to do with the conflict. Therefore, it is not correct to translate *adhikaraṇa* simply as “a conflict.” However, it is impossible to find a perfect one-word translation for *adhikaraṇa*, so for convenience I translate it as “conflict.” Horner’s English translation is “legal question.”

<sup>(22)</sup> Strangely, although the four types of *adhikaraṇa* are listed here, these names do not appear at all in the explanations of how to carry out the seven types of *samatha* after SG-6. They appear here, contextually isolated, in SG-5. Given that the main subject of *Sāmagāmasutta* is not the resolution of *adhikaraṇa*, but the resolution of dispute (*vivāda*), this passage seems unnecessary. Considering the fact that this passage is found only in the Pāli *Sāmagāmasutta* and not in the two corresponding Chinese texts, it is highly possible that it was inserted later within Theravāda, the sect that inherited the Pāli Nikāya.

<sup>(23)</sup> This section (SG-6) alone corresponds to the explanation of seven *adhikaraṇasamathadhammas* located not in *Samathakkhandhaka* but at the end of *Pātimokkha* and *Suttavibhaṅga* (Vin 4, 207.1-207.6; 351.1-351.7; Pruitt and Norman 2001, 108.5-18; 248.1-248.13).

(*paṭiññātakaraṇa*); 5. resolving a conflict by majority decision (*yebhuyyasikā*); 6. resolving a conflict by judgement of a monk's ill will (*tassapāpiyyasikā*); 7. resolving a conflict by covering the act with grass (*tiṇavatthāraka*).

### SG -7

The first (order according to the *Pātimokkha*) *samatha* is a method involving confrontation (*sammukhāvinaya*). The conflict is resolved by discussion in an assembly of all interested parties in the conflict.

### SG -8

The second *samatha* is a method involving the speech of many people (*yebhuyyasikā*). If the conflict cannot be resolved by *sammukhāvinaya*, the parties go to a place where a larger number of monks live, and the conflict is resolved by discussion in which everybody speaks. This procedure is called *yebhuyyasikā* here.<sup>(24)</sup>

### SG -9<sup>(25)</sup>

The third *samatha* is a method that involves taking into account of the monk's memory (*sativinaya*). If a monk who is accused of a serious offense denies the charges, the resolution of *sativinaya* is imposed.

### SG -10

The fourth *samatha* is a method involving taking into account the monk's insanity (*amūḥhavinaya*). When a monk is accused of having committed a serious offense in a state of insanity and he insists on his own state of insanity, the resolution of *amūḥhavinaya* is imposed.

### SG -11

The fifth *samatha* is a method involving the admission of guilt (*paṭiññātakaraṇa*). A monk who has committed an offense apologizes for his offense in front of an older monk.

<sup>(24)</sup> There is a very serious problem here. The compilers of this *sutta* did not understand the content of *yebhuyyasikā* and misinterpreted it here. The details will be discussed later.

<sup>(25)</sup> Below, all sections from SG-9 through SG-13 also differ from the procedure defined in *Samathakkhandhaka*, although it is not as strikingly as in SG-8. This will be discussed in detail later.

**SG -12**

The sixth *samatha* is a method involving judgement of the ill will of a monk (*tassapāpiyyasikā*). If a monk, when he is accused of a serious offense, changes his story trying to avoid punishment, the resolution of *tassapāpiyyasikā* is imposed on him.

**SG -13**

The seventh *samatha* is a method that involves covering the act with grass (*tiṇavatthāraka*). When the members of the Saṃgha split into two factions and commit many offenses, they all gather together, confess their offenses, and settle their conflict.

**SG -14**

There are six important ways to maintain harmony. (Below, these six ways are explained one by one, but since this section is not related to *Samathakkhandhaka* or to my argument, I stop my analysis of *Sāmagāmasutta* here.)

**4. Noteworthy points in *Sāmagāmasutta***

In this section, I discuss some noteworthy points in *Sāmagāmasutta*.

**4.1 First point**

In SG-3, Ānanda is worried that the members of the Order will argue over the norms of everyday life, and he says, “Yet, revered sir, those people who dwell dependent on the Lord might, after the Lord’s passing, stir up dispute in the Order concerning either the mode of living or the *Pātimokkha*.<sup>(26)</sup>”

In response to this remark, the Buddha rejects Ānanda’s way of thinking: “A dispute related to either the mode of living or the *Pātimokkha* is insignificant, Ānanda.” Furthermore, the Buddha says that, for many people, the truly serious problems are disputes concerning either the Way or Practice.<sup>(27)</sup>

<sup>(26)</sup> *ye ca kho, bhante, puggalā bhagavantaṃ patissayamānānarūpā viharanti, te bhagavato accayena saṃghe vivādaṃ janeyyunt ajjhājīve vā adhipātimokkhe vā. so ’ssa vivādo bahujanāhītāya bahujanāsukhāya bahuno janassa anattāya ahītāya dukkhāya devamanussānan ti* (M 2, 245.15-245.19).

<sup>(27)</sup> *appamattako so, ānanda, vivādo yadidaṃ ajjhājīve vā adhipātimokkhe vā. magge vā pi ānanda, paṭipadāya*



The mode of living and the *Pātimokkha* are, in other words, the norms concerning the behavior of the monks and nuns. Therefore, *Sāmaḡāmasutta* says that disagreements about the norms of the mode of living and the *Pātimokkha* are trivial and that the emphasis should be on disagreements concerning the Way or Practice. Here, we can see the attitude of the compilers of the *sutta*, who downplay the Vinaya and attach great importance to doctrine. If the Vinaya specialists (Vinayadhara) heard what was said in this *sutta*, they must have been enraged.

The relevant passages of two Chinese texts are as follows:

*Zhouna jing*<sup>(28)</sup>

With regard to this, the Bhagavan asked Ānanda as follows: “Ānanda, among disputes that people (in the Saṃgha) cause, what kinds do you think disadvantage many people, cause many people to suffer, have no meaning and no value, bring no tranquility and no joy, and cause extremely great affliction to gods and men?” The venerable Ānanda answered as follows: “Bhagavan, disputes that arise among people (in the Saṃgha) regarding superior morality, superior concentration, and superior meditation, Bhagavan, disadvantage many people, cause many people to suffer, have no meaning and no value, bring no tranquility and no joy, and cause extremely great affliction to gods and men.” The Bhagavan said to Ānanda, “Ānanda, disputes that arise regarding superior morality, superior concentration, and superior meditation are extremely trivial. Ānanda, if disputes arise among people (in the Saṃgha) regarding the path and the course of the path, Ānanda, these disputes disadvantage many people, cause many people to suffer, have no meaning and no value, bring no tranquility and no joy.”

*Xi zheng yin yuan jing*<sup>(29)</sup>

The Buddha said to Ānanda. “There are monks who increase the precepts and decrease them, increase proper conduct and decrease it. Ānanda, if they increase and decrease the precepts and proper conduct, Ānanda, when they increase and decrease the precepts and proper conduct, they

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*vā saṃghe vivādo uppajjamāno uppajjeyya, so 'ssa vivādo bahujanāhitāya bahujanāsukhāya bahuno janassa anattāya ahitāya dukkhāya devamanussānan ti* (M 2, 245.19-245.24).

<sup>(28)</sup> 於是世尊問曰。阿難。汝見何等衆中有鬪諍者。謂此鬪諍不益多人。多人有苦。非義非饒益。非安隱快樂。乃至天人生極苦患耶。尊者阿難答曰。世尊。謂有鬪諍。因增上戒增上心增上觀。於其衆中生而生者。世尊。謂此鬪諍不益多人。多人有苦。非義非饒益。非安隱快樂。乃至天人生極苦患。世尊告曰。阿難。此鬪諍甚少。謂因增上戒增上心增上觀。阿難。若有鬪諍。因道因道迹。於其衆中生而生者。阿難。謂此鬪諍不益多人。多人有苦。非義非饒益非安隱快樂。(T. 26, 1, 753b19-753c1).

<sup>(29)</sup> 佛言阿難。謂有苾芻於戒有增或時有減。威儀有增或時有減。阿難。若戒及威儀有增有減即失常法。隨所行處乃有外道。見是事已即起鬪諍。若鬪諍起即令多人乃至諸天人衆。無所利益咸生苦惱。(T. 85, 1, 905b2-905b7).

lose the right way of living, and everywhere non-Buddhists see this and give rise to dispute. If dispute arises, it will harm many men and gods, and they will suffer.”

Here *Zhouna jing* and *Sāmagāmasutta* agree in general. *Xi zheng yin yuan jing*, on the other hand, is completely different. There, a dispute that arises between the Buddhist monks and the heretics is regarded as a serious problem. However, the overall theme of *Xi zheng yin yuan jing* clearly concerns methods of resolving dispute that occur within the Buddhist Order. Therefore, the content of this passage is inconsistent with the subject of the entire scripture. Regarding this passage, probably *Xi zheng yin yuan jing* originally agreed with *Sāmagāmasutta* and *Zhouna jing*. Since in both *Zhouna jing* and *Sāmagāmasutta*, dispute concerning daily conduct of the monks and nuns was said to be a trivial problem, an assertion like this was probably the essential contention of *Sāmagāmasutta*.

#### 4.2 Second point

According to *Samathakkhandhaka*, there are four types of conflict (*adhikaraṇa*, “legal question” in Horner’s translation). In *Sāmagāmasutta* (SG-5), only their names are listed: *vivādādhikaraṇa*, *anuvādādhikaraṇa*, *āpattādhikaraṇa* and *kiccādhikaraṇa*. As for the first of these, *vivādādhikaraṇa* is conflict that is caused by disputes (*vivāda*), which is the main theme of *Sāmagāmasutta*.

However, the *vivāda* mentioned in *Samathakkhandhaka* as a cause of *vivādādhikaraṇa* is not limited to disputes concerning the Way and Practice; it also includes disputes related to the mode of living or to the *Pātimokkha*, concerning whether something is an offense, and if so, to what degree, which *Sāmagāmasutta* considers to be “trivial.”<sup>(30)</sup>

In other words, *Samathakkhandhaka* treats all disputes, from doctrinal disputes concerning

<sup>(30)</sup> *tattha katamaṃ vivādādhikaraṇaṃ. idha bhikkhave bhikkhū vivadanti dhammo 'ti vā adhammo 'ti vā vinayo 'ti vā avinayo 'ti vā bhāsitaṃ lapitaṃ tathāgatenā 'ti vā abhāsitaṃ alapitaṃ tathāgatenā 'ti vā āciṇṇaṃ tathāgatenā 'ti vā anāciṇṇaṃ tathāgatenā 'ti vā paññattaṃ tathāgatenā 'ti vā apaññattaṃ tathāgatenā 'ti vā āpattīti vā anāpattīti vā lahuḁā āpattīti vā garuḁā āpattīti vā sāvasesā āpattīti vā anavasesā āpattīti vā duṭṭhullā āpattīti vā aduṭṭhullā āpattīti vā. yaṃ tattha bhaṇḁanaṃ kalaho viggaho vivādo nānāvādo aññathāvādo vipaccatāya vohāro medhakam idaṃ vuccati vivādādhikaraṇaṃ. (Vin 2, 88.20). What is here a legal question arising out of disputes? This is a case, monks, where monks dispute, saying: ‘It is dhamma’ or ‘It is not dhamma’ or ‘It is discipline’ or ‘It is not discipline’ or ‘It is spoken, uttered by the Truth-finder’ or ‘It is practiced by the Truth-finder’ or ‘It is not practiced by the Truth-finder’ or ‘It is laid down by the Truth-finder’ or ‘It is not laid down by the Truth-finder’ or ‘It is an offense’ or ‘It is not an offense’ or ‘It is a slight offense’ or ‘It is a serious offense’ or ‘It is an offense that can be done away with’ or ‘It is an offense that cannot be done away with’ or ‘It is a bad offense’ or ‘It is not a bad offense.’ Whatever here is strife, quarrel, contention, dispute, difference of opinion, other opinion, because the common appellation of heatedness is ‘quarrel’, this is called a legal question arising from disputes (Horner 1952: 117).*

things such as the Way or the course of practice to disputes concerning the daily behavior of monks, as *vivāda*. *Sāmagāmasutta*, on the other hand, considers only doctrinal disputes as serious problems and ignores the daily behavior of monks.

#### 4.3 Third point

In *Samathakkhandhaka*, three types of *adhikaraṇa* in addition to *vivādādhikaraṇa* are defined: *anuvādādhikaraṇa*, *āpattādhikaraṇa*, and *kiccādhikaraṇa*. Among them, *anuvādādhikaraṇa* is a conflict that is caused by the censuring of one monk by another.<sup>(31)</sup> *Anuvādādhikaraṇa* is conflict that arises from criticism regarding various matters, including the mode of living or the *Pātimokkha*, which *Sāmagāmasutta* regards as insignificant.

The third *adhikaraṇa*, *āpattādhikaraṇa*, is conflict that arises from offenses in the Order.<sup>(32)</sup>

The fourth *adhikaraṇa*, *kiccādhikaraṇa*, is conflict arising from formal acts in the Order.<sup>(33)</sup>

*Āpattādhikaraṇa* and *kiccādhikaraṇa* are both conflicts over the mode of living or the *Pātimokkha*, which *Sāmagāmasutta* regards as insignificant.

Thus, the four types of *adhikaraṇa* defined in *Samathakkhandhaka* generally apply to the daily behavior of monks. From the viewpoint of *Sāmagāmasutta*, they are procedures that deal with trifles. Among the four types of *adhikaraṇa*, only a portion of *vivādādhikaraṇa* deals with conflicts concerning the Way or the course of practice. *Samathakkhandhaka* lays down procedures for resolving all forms of conflict including conflicts caused by various kinds of disputes that may occur within the Order, while the *Sāmagāmasutta* emphasizes only procedures for resolving

<sup>(31)</sup> *bhikkhū bhikkhuṃ anuvadanti sīlavipattiyaṃ vā ācāravipattiyaṃ vā diṭṭhivipattiyaṃ vā ājīvavipattiyaṃ vā. yo tattha anuvādo anuvadanaṃ anullapanā anubhaṇānā anusampavaṇikatā abbhussahanatā anubalappadānaṃ idaṃ vuccati anuvādādhikaraṇaṃ* (Vin 2, 88.31). Monks censure a monk for falling away from moral habit or for falling away from a right mode of livelihood. Whatever here is censure, fault-finding, talking to scolding, bickering, inciting, instigating, this is called a legal question arising from censure (Horner 1952: 117).

<sup>(32)</sup> *pañca pi āpattikkhandhā āpattādhikaraṇaṃ satta pi āpattikkhandhā āpattādhikaraṇaṃ. idaṃ vuccati āpattādhikaraṇaṃ* (Vin 2, 88.36). Both the five classes of offenses (yield) legal questions arising from offenses, and the seven classes of offenses (yield) legal questions arising from offenses. This is called a legal question arising from offenses (Horner 1952: 117-118). According to this definition, the offenses themselves, not the conflict caused by them, are *āpattādhikaraṇa*. This is a case of an inadequate definition of *adhikaraṇa*. See Sasaki 2009 for the causes behind such incomplete definitions. In any case, however, from the standpoint of *Sāmagāmasutta*, the scope of *āpattādhikaraṇa* is either the mode of living or the Obligations (*Pātimokkha*), and the offenses are trivial.

<sup>(33)</sup> *yā saṃghassa kiccayatā karaṇīyatā apalokanakammaṃ ñattikammaṃ ñattidutiyakammaṃ ñatticatutthakammaṃ. idaṃ vuccati kiccādhikaraṇaṃ* (Vin 2, 89.2). Whatever is an Order's business and ought to be done (by it): act at which a motion is put, a (formal) act at which a motion is put, a (formal) act at which a motion is put and followed by one resolution, a (formal) act at which a motion is put and followed by a resolution made three times. This is called a legal question arising from obligations (Horner 1952: 118). According to this definition, the formal acts in the Order themselves, not the conflict caused by them, are *kiccādhikaraṇa*. As in the case of the *āpattādhikaraṇa*, the definition of *kiccādhikaraṇa* is inadequate (Sasaki 2009).

disputes about the Way or the course of practice. *Sāmagāmasutta* and *Samathakkhandhaka* have many sentences in common, and there is no doubt that they are closely related, but they differ in that respect.

#### 4.4 Fourth point

*Samathakkhandhaka* explains in detail how to settle four *adhikaraṇas* by means of seven *samathas*. They are matched as follows:

1. *Vivādādhikaraṇa* is resolved by *sammukhāvinaya* and *yebhuyyasikā*.<sup>(34)</sup>
2. *Anuvādādhikaraṇa* is resolved by *sammukhāvinaya*, *sativinaya*, *amūḷhavinaya* and *tassapāpiyyasikā*.<sup>(35)</sup>
3. *āpattādhikaraṇa* is resolved by *sammukhāvinaya*, *paṭiññātakaraṇa* and *tiṇavatthāraka*.<sup>(36)</sup>
4. *Kiccādhikaraṇa* is resolved only by *sammukhāvinaya*.<sup>(37)</sup>

Thus, the basic structure of *Samathakkhandhaka* is that four *adhikaraṇas* (conflicts) are resolved by means of seven *samathas*. In *Sāmagāmasutta*, on the other hand, the seven *samathas* settle only disputes (*vivāda*) concerning the Way or the course of practice. And *Samathakkhandhaka* includes these disputes among the causes of *vivādādhikaraṇa*, which is the first of the four *adhikaraṇas* defined in *Samathakkhandhaka*.

From this point, I postulate the following situation. Prior to the creation of *Sāmagāmasutta*, *Samathakkhandhaka* already existed in its present form. In *Samathakkhandhaka*, four *adhikaraṇas* (*vivādādhikaraṇa*, *anuvādādhikaraṇa*, *āpattādhikaraṇa* and *kiccādhikaraṇa*) and procedures for resolving them by means of seven *samathas* were defined.<sup>(38)</sup>

After that, *Sāmagāmasutta* was composed by someone who criticized the mundane and detailed rules of the Vinaya. The compiler's principle was as follows: Rules such as those in the Vinaya are trivial and unimportant. Therefore, disputes that arise over such trivial matters should be ignored. The key to maintaining the Order is resolving disputes concerning the Way or the course

<sup>(34)</sup> *vivādādhikaraṇaṃ dvīhi samathehi sammukhāvinayena ca yebhuyyasikāya ca* (Vin 2, 93.24).

<sup>(35)</sup> *anuvādādhikaraṇaṃ catūhi samathehi sammati sammukhāvinayena ca sativinayena ca amūḷhavinayena ca tassapāpiyyasikāya ca* (Vin 2, 99.20).

<sup>(36)</sup> *āpattādhikaraṇaṃ tīhi samathehi sammati sammukhāvinayena ca paṭiññātakaraṇena ca tiṇavatthārakena ca* (Vin 2, 102.11).

<sup>(37)</sup> *kiccādhikaraṇaṃ ekena samathena sammati sammukhāvinayenā 'ti* (Vin 2, 104.9).

<sup>(38)</sup> To repeat, the compilers of *Samathakkhandhaka* had intended for these to be the definitions of the conflict in the Order (*adhikaraṇa*). However, the definitions were inaccurate because the definition statement contained flaws. This has led to various sorts of confusion, but that fact is not relevant to my discussion because the editors of *Sāmagāmasutta* were unaware of such problems in the definitions and understood the four types of *adhikaraṇa* in the way that we have seen above.

of practice. Therefore, in our *sutta*, only the method of resolving disputes that occur concerning the Way or the course of practice should be presented. To settle these disputes, seven *samathas* are employed. They are enumerated at the end of the *Pātimokkhas* of monks and nuns, and the specific procedures for carrying them out are defined in *Samathakkhandhaka*.

This is only a working hypothesis, but it will be confirmed by a comparison of *Sāmagāmasutta* and *Samathakkhandhaka*. Next, I present the portion of *Samathakkhandhaka* that corresponds to *Sāmagāmasutta* and explore the subject further.

### 5. The *adhikaraṇas* and *samathas* in the Pāli Vinaya

*Samathakkhandhaka* is a chapter of *Cullavagga* that explains the seven *samathas* and four *adhikaraṇas*. *Samathakkhandhaka* can be roughly divided in half. In the first half, the seven *samathas* are taken up one by one, and the procedure for carrying them out is prescribed.<sup>(39)</sup>

At the beginning of the second half, the four *adhikaraṇas* are defined, followed by a classification of each of them, according to their source, etc.<sup>(40)</sup> After that, there is a detailed explanation of which of the four *adhikaraṇas* are resolved by which of the seven *samathas* described in the first half.<sup>(41)</sup>

The seven *samathas* and four *adhikaraṇas* also appear in *Sāmagāmasutta* and have already been mentioned frequently in the previous sections, but they are presented here again for the convenience of the reader:<sup>(42)</sup>

The seven *samathas*:

1. *sammukkhāvinaya*
2. *sativinaya*
3. *amūḷhavinaya*
4. *patiññātakaraṇa*
5. *yebhuyyasikā*
6. *tassapāpiyyasikā*
7. *tiṇavatthāraka*.

<sup>(39)</sup> Vin 2, 73.1-88.7.

<sup>(40)</sup> Vin 2, 88.8-93.23.

<sup>(41)</sup> Vin 2, 93.24-104.12.

<sup>(42)</sup> Seven *samathas* called *adhikaraṇasamathā dhammā* are mentioned at the end of *Pātimokkha* and *Suttavibhaṅga*, but they are consistently called *samathas* in other parts of the Vinaya, such as *Samathakkhandhaka*. Therefore, in this paper, we will refer to them all as *samathas*.

The four *adhikaraṇas*:

1. *vivādādhikaraṇa*
2. *anuvādādhikaraṇa*
3. *āpattādhikaraṇa*
4. *kiccādhikaraṇa*.

## 6. A comparison between *Sāmagāmasutta* and *Samathakkhandhaka*

### 6.1 The six sources of *adhikaraṇas*

Correspondences between *Sāmagāmasutta* and *Samathakkhandhaka* can be seen in items SG-4 to SG-13 of *Sāmagāmasutta*, presented in section 3 of this article. SG-4 describes the six sources (*mūla*) of dispute within the Order, and an almost identical passage is found in *Samathakkhandhaka*.<sup>(43)</sup> However, there is a very significant conceptual difference between the two texts. The six sources of dispute (*vivāda*) in *Sāmagāmasutta* are considered in *Samathakkhandhaka* to be the six sources of dispute (*vivāda*), which are the source of *vivādādhikaraṇa* (conflict caused by dispute).<sup>(44)</sup>

As pointed out in the previous section, *Samathakkhandhaka* defines four *adhikaraṇas* and determines ways of resolving them by means of seven *samathas*. And, for each of the four, analytical questions, such as “What is the source?” are posed and answered. Thus, in *Samathakkhandhaka*, there are descriptions of the sources of the four *adhikaraṇas*: *vivādādhikaraṇa*, *anuvādādhikaraṇa*, *āpattādhikaraṇa* and *kiccādhikaraṇa*.<sup>(45)</sup>

On the other hand, *Sāmagāmasutta* indicates the source of the dispute (*vivāda*) rather than the source of the *adhikaraṇa*. However, the descriptions of the sources of the disputes in *Sāmagāmasutta* are exactly the same as the descriptions of the sources of the disputes that are the sources of *vivādādhikaraṇa* in *Samathakkhandhaka*. The following explanation can support my working hypothesis in part regarding this situation.

According to *Samathakkhandhaka*, *adhikaraṇa* is the general term for the four kinds of conflicts (“legal questions” in Horner’s translation) that occur within the Order. The first of these, *vivādādhikaraṇa*, refers to conflict caused by disputes between monks. The themes of dispute include everything from disagreements concerning the Way or the course of practice to arguments

<sup>(43)</sup> Vin 2, 89.8-89.32.

<sup>(44)</sup> M 2, 245.21; 247.2; Vin 2, 89.5; 89.31; *Zhouna jing* T. 26.1.753c9-753c10; *Xi zheng yin yuan jing* T. 85.1.905b1.

<sup>(45)</sup> Vin 2, 89.4-90.38.

concerning the daily activities of monks and nuns, for example, whether or not an action is an offense. Whatever the cause of the dispute, all conflicts resulting from dispute are included in *vivādādhikaraṇa*.

On the other hand, *Sāmagāmasutta* emphasized only disputes concerning the Way or the course of practice and gave instructions on how to settle them. Therefore, *Sāmagāmasutta* considers only disputes concerning the Way or the course of practice among the various disputes that are the causes of *vivādādhikaraṇa*, the first of four conflicts listed in *Samathakkhandhaka*, and explains how to settle them. In doing so, the composer of *Sāmagāmasutta* reproduced the descriptions of six sources of disputes that cause *vivādādhikaraṇa* in *Samathakkhandhaka* as six sources of disputes concerning the Way or the course of practice. In this way, the six items that were described in *Samathakkhandhaka* as the six sources of disputes that are the source of *vivādādhikaraṇa* are explained in *Sāmagāmasutta* as the six sources of dispute concerning the Way or the course of practice.

In *Samathakkhandhaka*, the following items are explained after the explanations of the six sources of dispute that are the sources of *vivādādhikaraṇa*. However, since they are not related to my argument in this paper, they will not be discussed.

Three unwholesome sources of *vivādādhikaraṇa*

Three wholesome sources of *vivādādhikaraṇa*

Six sources of *anuvādādhikaraṇa*

Three unwholesome sources of *anuvādādhikaraṇa*

Three wholesome sources of *anuvādādhikaraṇa*

Body and speech as a source of *anuvādādhikaraṇa*

Six sources of *āpattādhikaraṇa*

One source of *kiccādhikaraṇa*

Classification of each of the four *adhikaraṇas* into good, bad and neutral

Tetrallemmas for each of the four *adhikaraṇas*

## 6.2 Procedure for resolving *vivādādhikaraṇa*

After the analytical explanations of the four *adhikaraṇas* listed above, *Samathakkhandhaka* explains the procedure for resolving the four types of *adhikaraṇas* by means of seven *samathas*. (For the correspondence between the *adhikaraṇas* and the *samathas* by which they are resolved, see pages 12.)

First, the procedure for resolving *vivādādhikaraṇa* by means of two *samathas*, *sammukhāvinaya* and *yebhuyyasikā*, is described. This corresponds to SG-7 and SG-8 in *Sāmagāma-*

*sutta*.

This passage in *Samathakkhandhaka* is the most important for my current argument, so after an overview of this section, I provide a detailed comparison between *Samathakkhandhaka* and sections SG-7 and SG-8 in *Sāmagāmasutta*, which have been discussed above.

Sections SG7 through SG13 refer to settlement of “conflict” (*adhikaraṇa*) instead of settlement of “dispute” (*vivāda*). The purpose of *Sāmagāmasutta* is to show how to settle a dispute (*vivāda*) that arises over the Way and Practice, not how to settle an *adhikaraṇa*. However, the compilers of *Sāmagāmasutta* diverted the methods in *Samathakkhandhaka* for resolving the four *adhikaraṇas* by means of seven *samathas* as a specific method for resolving disputes (*vivāda*). As a result, in *Sāmagāmasutta*, the keyword “dispute” (*vivāda*), which appears at the beginning of the *sutta*, has been changed to “conflict” (*adhikaraṇa*) in the specific method for resolving disputes described in SG7-SG13. This confusion of terms within *Sāmagāmasutta* is one piece of evidence that *Sāmagāmasutta* borrowed its description from *Samathakkhandhaka*.

Procedures for resolving *vivādādhikaraṇa* in *Samathakkhandhaka* are as follows. If there is a dispute within the Order that causes a *vivādādhikaraṇa*, the parties should first discuss the problem and try to settle it. If that is not possible, the parties should go to another Order with many members and leave the decision to them. If the *vivādādhikaraṇa* is resolved through discussion while the parties are en route to the other Order, this resolution is also correct. If the *vivādādhikaraṇa* is not resolved on the way to the other Order or in consultation with the other Order, then a committee called *ubbāhikā* (committee for the settlement of conflict) is selected, and the decision is left up to the members of the committee.<sup>(46)</sup> If there is a preacher of dhamma (*dhammakathika*) on the committee who does not understand the Vinaya correctly, he must be expelled. This is also a correct resolution. Everything described up to this point is the resolution of *vivādādhikaraṇa* by means of *sammukhāvinaya*. If the committee cannot settle it, then another *samatha*, *yebhuyyasikā* (majority decision), should be carried out in the Order.<sup>(47)</sup> In this case, *vivādādhikaraṇa* is resolved through a combination of *sammukhāvinaya* and *yebhuyyasikā*.<sup>(48)</sup> The way the system works is to attempt to settle the *vivādādhikaraṇa* through several stages of *sammukhāvinaya*, and if that fails, to finally use *yebhuyyasikā*.

Here, it is particularly noteworthy that, in an explanation of the committee, there is suddenly

<sup>(46)</sup> Concerning *ubbāhikā*, see Borgland 2014a: 357 note 310.

<sup>(47)</sup> Vin 2, 97.17-97.38.

<sup>(48)</sup> Of the seven types of *samatha*, only *sammukhāvinaya* can be used in two ways: alone and in combination with other *samathas*. When used in combination with other *samathas*, basic conditions, for example, the presence of the parties necessary for resolution of the *adhikaraṇa* settlement, are called *sammukhāvinaya*. It seems that the reason why the *sammukhāvinaya* has two different meanings is related to the fact that *Samathakkhandhaka* was composed in two stages. This issue will be discussed in a separate publication.



a statement that implies that *dhammakathika* monks are not capable of functioning properly in a Vinaya committee. The concepts of *adhikaraṇa* and *samatha* are not at all relevant to *dhammakathika* monks, and so, in this context, there is no need to denigrate them. Moreover, whenever the word *dhammakathika* appears, it is almost always used, together with words such *vinayadhara* and *bhussuta*, as an epithet of excellent monks. So it is very strange for *dhammakathikas* to be treated as inferiors who should be excluded from the committee.<sup>(49)</sup>

A fairly long passage from *Samathakkhandhaka* on how to resolve *vivādādhikaraṇa* by means of *sammukhāvinaya* and *yebhuyyasikā* can help clarify this situation. (“Viv” is an abbreviation for *vivādādhikaraṇa*. The translation is adapted from Horner 1952, but portions marked “...(Sasaki)...,” which are not relevant to the present discussion, have been omitted.)

Viv-1 <sup>(50)</sup>

“By how many kinds of decision is a legal question arising from disputes (*vivādādhikaraṇa*: Sasaki) agreed upon? A legal question arising from disputes is (agreed upon) by two (kinds of) decisions (*samathas*: Sasaki): by a verdict in the presence of (*sammukhāvinaya*: Sasaki) and by the decision of the majority (*yebhuyyasikā*: Sasaki).”

Viv-2 <sup>(51)</sup>

Agreement on *vivādādhikaraṇa* by the verdict in the presence of (*sammukhāvinaya*) alone:

“... (Sasaki)... monks dispute, saying: ‘It is *dhamma*’ or ‘It is not *dhamma*’ ... (Sasaki)... ‘It is an offense’ or ‘It is not an offense’ or ‘It is a slight offense’ or ‘It is a serious offense’ ... (Sasaki)... If, monks, these monks are able to settle that legal question, this, monks, is called a legal question that is settled. By what is it settled? By a verdict in the presence of.”

Viv-3 <sup>(52)</sup>

“And what here (is needed) for a verdict in the presence of? The presence of an Order (*saṃghasammukhatā*: Sasaki), the presence of rule (*dhammasammukhatā*: Sasaki), the presence of discipline (*vinayasammukhatā*: Sasaki), the presence of individuals (*puggalasammukhatā*: Sasaki). And what here is the presence of an Order? When as many monks as are competent for (formal) acts have arrived, when the consent of those deserv-

<sup>(49)</sup> Vin 1: 169.7; Vin 2: 2, 75.35; 161.12. Vin 3: 159.14. Vin 4: 7.21; 9.21; 9.26; 10.15; 10.21; 10.26; 10.33; 10.38; 10.32; 11.20; 11.31; 13.15; 13.26; 13.33; 13.37; 67.28; 141.30; 142.6; 142.12.

<sup>(50)</sup> Vin 2, 93.24-93.26.

<sup>(51)</sup> Vin 2, 93.26-93.32.

<sup>(52)</sup> Vin 2, 93.32-94.8.

ing (to send their) consent has been brought, when being face to face they do not protest. This is here the presence of an Order. And what is here the presence of rule, the presence of discipline? If that legal question is settled by whatever is rule, by whatever is discipline, by whatever is the Teacher's instruction, that is here the presence of rule, the presence of discipline. And what is here the presence of individuals? Whoever quarrels and whoever he quarrels with, both, hostile about the matter, come face to face. This is here the presence of individuals. Monks, if a legal question is settled thus, and if one who carries it out opens it up again, in opening up there is an offense of expiation (*pācittiya*: Sasaki). If one who has given his consent criticizes it, in criticizing there is an offense of expiation.”

Viv-4 <sup>(53)</sup>

“If, monk, these monks are not able to settle that legal question in that residence, then, monks, these monks should go to some residence where there are more monks. If, monks, these monks as they are going to that residence are able to settle that legal question on the way, this, monks, is called a legal question that is settled. By what is it settled? By a verdict in the presence of.”<sup>(54)</sup>

Viv-5 <sup>(55)</sup>

“And what here (is needed) for a verdict in the presence of? The presence of an Order, the presence of rule, the presence of discipline, the presence of individuals. . . . (Sasaki). . .”

Viv-6 <sup>(56)</sup>

“If, monks, these monks as they are going to that residence are not able to settle that legal question on the way, then, monks, these monks, having arrived at that residence, should speak thus to the resident monks.” (An explanation follows of how the processing of this *adhikaraṇa* is assigned to the monks of the residence. The translation is omitted: Sasaki)

Viv-7 <sup>(57)</sup>

And what here (is needed) for a verdict in the presence of? The presence of an Order,

<sup>(53)</sup> Vin 2, 94.8-94.14.

<sup>(54)</sup> Here is the relevant text of the Pāli passage: *te ce, bhikkhave bhikkhū na sakkonti taṃ adhikaraṇaṃ tasmim̐ āvāse vūpasametum̐ tehi bhikkhave bhikkhūhi yasmim̐ āvāse bahutarā* [Vin VRI:sambahulā] *bhikkhū so āvāso gantabbo. te ce bhikkhave bhikkhū taṃ āvāsaṃ gacchantā antarā magge sakkonti taṃ adhikaraṇaṃ vūpasametum̐ idaṃ vucati bhikkhave adhikaraṇaṃ vūpasantaṃ. kena vūpasantaṃ. sammukhāvinayena.*

<sup>(55)</sup> Vin 2, 94.14.

<sup>(56)</sup> Vin 2, 94.15-95.24.

<sup>(57)</sup> Vin 2, 95.24.

the presence of rule, the presence of discipline, the presence of individuals. . . . (Sasaki). . . ”

Viv-8 <sup>(58)</sup>

“If, monks, while those monks are investigating that legal question both endless disputations arise, and of not one speech is the meaning clear, I allow you, monks, to settle a legal question like this by means of referendum (by consultation of committee, *ubbāhikā*: Sasaki).” (An explanation follows of how the members of the committee are appointed. The translation is omitted: Sasaki)<sup>(59)</sup>

Viv-9 <sup>(60)</sup>

“And what is here needed for a verdict in the presence of? The presence of rule, the presence of discipline, the presence of the individuals....(Sasaki)...”

Viv-10 <sup>(61)</sup>

“If, monks, while these monks are investigating that legal question there should be there a monk who is a speaker of *dhamma* (*dhammakathika*: Sasaki) but to whom neither the rule (*sutta*: Sasaki) comes to have been handed down nor the analysis of the rule (*suttavibhaṅga*), if he, not considering the meaning, holds back the meaning under the shadow of the letter, these monks should be informed by an experienced, competent monk, saying: ‘Let the venerable ones listen to me. This monk So-and-so is a speaker of *dhamma*, but he is one to whom neither the rule nor the analysis of the rule has been handed down; not considering the meaning, he holds back the meaning under the shadow of the letter. If it seems right to the venerable ones, let the remainder, having had this monk removed, settle that legal question.’ If, monks, these monks, having had that monk removed, are able to settle that legal question, this, monks, is called a legal question that is resolve. By what is it settled? By a verdict in the presence of (*sammukhāvinaya*: Sasaki)”.<sup>(62)</sup>

<sup>(58)</sup> Vin 2, 95.25-96.26.

<sup>(59)</sup> *tehi ce bhikkhave, bhikkhūhi tasmim̐ adhikaraṇe vinicchiyamāne anaggāni [Vin VRI: anantāni] c’ eva bhassāni jāyanti, na c’ ekassa bhāsītassa atthaṃ viññāyati, anujānāmi bhikkhave evarūpaṃ adhikaraṇaṃ ubbāhikāya vūpasametum.*

<sup>(60)</sup> Vin 2, 96.26-96.30.

<sup>(61)</sup> Vin 2, 96.30-97.5.

<sup>(62)</sup> Here is the Pāli text of the relevant passage: *tehi ce bhikkhave bhikkhūhi tasmim̐ adhikaraṇe vinicchiyamāne tatr’ assa bhikkhu dhammakathiko, tassa n’ eva suttaṃ āgataṃ hoti no suttavibhaṅgo, so atthaṃ asalakkhento vyañjanacchāyāya atthaṃ paṭibāhati, vyattena bhikkhunā paṭibalena te bhikkhū nāpetabbā: suñantu me āyasmantā. ayaṃ itthannāmo bhikkhu dhammakathiko, imassa n’ eva suttaṃ āgataṃ no suttavibhaṅgo, so atthaṃ asallakkhento vyañjanacchāyāya atthaṃ paṭibāhati. yad’ āyasmantānaṃ pattakallaṃ itthannāmaṃ bhikkhuṃ vuṭṭhāpetvā avasesā imaṃ adhikaraṇaṃ vūpasameyyamā ’ti. te ce bhikkhave bhikkhū taṃ bhikkhuṃ vuṭṭhāpetvā sakkonti taṃ adhikaraṇaṃ vūpasametum, idaṃ vuccati bhikkhave adhikaraṇaṃ vūpasantaṃ. kena vūpasantaṃ.*

Viv-11 <sup>63</sup>

“And what is here needed for a verdict in the presence of? The presence of rule, the presence of discipline, the presence of the individuals. . . (Sasaki). . .”

Viv-12 <sup>64</sup>

“If, monks, whilst those monks are investigating the legal question there should be there a monk who is a speaker of *dhamma* and one to whom the rule has been handed down but not the analysis of the rule, if he, not considering the meaning, holds back the meaning under the shadow of the letter, these monks should be informed by an experienced, competent monk”. (The following wording is the same as in Viv-10.)<sup>65</sup>

Viv-13 <sup>66</sup>

“And what is here needed for a verdict in the presence of? The presence of rule, the presence of discipline, the presence of the individuals. . . (Sasaki). . .”

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*sammukhāvīnayaena.*

The commentary in *Samantapāsādikā* on this passage is as follows (Sp 6, 1197.26-33): *tatr' assā 'ti tassaṃ parisati bhavēyya. n' eva suttaṃ āgatan ti na mātikā āgatā. no suttavibhango ti vinayo na paḷaṇḍa. byañjanachāyāya atthaṃ patibāhati 'ti byañjanamattam eva gahetvā atthaṃ paṭisedheti. jātarūparajatakhetta-vatthupaṭiggahaṇādīsu vinayadharehi bhikkhūhi āpattiyā kāriyamāne disvā kim ime āpattiyā kāretha nanu jātarūparajatapaṭiggahaṇā paṭiviratā hotī 'ti evaṃ sutte paṭiviratimattam eva vuttaṃ, n' atthi ettha āpattī 'ti vadati.*

**There** (*tatr'assa*): if a person is in the group. **He does not know the *sutta*** (*n' eva suttaṃ āgataṃ hoti*): he does not know *mātikā* (= *sikkhāpada*: Vin 5, 86.13 ; Sp 1, 29.16). **He is not familiar with *suttavibhanga*** (*no suttavibhango*): he is not familiar with Vinaya. **To hide the meaning behind the words** (*byañjanachāyāya atthaṃ patibāhati*) means to grasp only the wording and exclude the meaning. Seeing those who are charged by *vinayadhara* monks with the offense of receiving gold and silver or arable land, etc., such a person says, “Why do you charge them with an offense? Doesn't the *sutta* only say to abstain (as in the statement.) ‘He abstains from accepting gold and silver.’? (M 1, 180.9) Therefore there is no offense here.”

<sup>63</sup> Vin 2, 97.5-97.8.

<sup>64</sup> Vin 2, 97.9-97.15.

<sup>65</sup> Here is the Pāli text of the relevant passage: *tehi ce bhikkhave bhikkhūhi tasmim̐ adhikaraṇe vinicchīyamāne tatr' assa bhikkhu dhammakathiko, tassa suttāṃ hi kho āgataṃ hoti no suttavibhango, so atthaṃ asallakkhento vyañjanachāyāya atthaṃ paṭibāhati, vyattena bhikkhunā paṭibalena te bhikkhū nāpetabbā.*

The commentary in *Samantapāsādikā* on this passage is as follows (Sp 6, 1198.1-5): *aparo dhammakathiko suttassa āgatatā olambetvā nivāsantānaṃ āpattiyā āropiyamānāya kim imesaṃ āropetha, nanu parimaṇḍalaṃ nivāsessāmi 'ti sikkhā karaṇīyā 'ti evaṃ sikkhākaraṇamattam ev' ettha vuttaṃ, n' atthi ettha āpattī 'ti vadati.*

Another *dhammakathika*, because he knows *sutta*, says [to the accusing monks] concerning persons who are accused of the offence of wearing the under-robe loosely, “Why do you accuse them? When it is said [in the *sikkhāpada*], ‘You should wear the under-robe properly; this is training to be done,’ it is only said in the context of training. Therefore there is no offense here.”

<sup>66</sup> Vin 2, 97.15-97.16.

Viv-14 <sup>(67)</sup>

“If, monks, these monks are not able to settle that legal question by a referendum, monks, that legal question should be given into the charge of an Order by these monks, saying: ‘We, honoured sirs, are not able to settle this legal question by a referendum. Let the Order itself settle this legal question.’”

Viv-15 <sup>(68)</sup>

“I allow you, monks, to settle a legal question like this by the decision of the majority.<sup>(69)</sup> ... (Sasaki: An explanation follows of the procedure whereby the *salākācāraka bhikkhu* is chosen. The translation is omitted.)... This, monks, is called a legal question that is settled. By what is it settled? By a verdict in the presence of (*sammukhāvinaya*: Sasaki) and by the decision of the majority (*yebhuyyasikā*: Sasaki).”

Viv-16 <sup>(70)</sup>

And what here (is needed) for a verdict in the presence of? The presence of an Order, the presence of rule, the presence of discipline, the presence of individuals. ... (Sasaki)...”

Viv-17 <sup>(71)</sup>

“And what is here the decision of the majority? Whatever is the carrying out of, the performance of, the undertaking of, the assenting to, the acceptance of, the non-protesting against a (formal) act (settled) by the decision of the majority, this is here the decision of the majority. If, monks, a legal question is settled thus, and if one who carries it out opens it up again, in opening up there is an offense of expiation; if one who has given his consent criticises it, in criticising there is an offense of expiation.”

According to *Samathakkhandhaka*, the procedure for resolving *vivādādhikaraṇa* has two stages: resolution solely by *sammukhāvinaya* (stage 1) and resolution by both *sammukhāvinaya* and *yebhuyyasikā* (stage 2). In stage 2, *sammukhāvinaya* merely entails that basic conditions such as the presence of all parties and all members of the Order are in place. The actual procedure is a decision of the majority.

The first stage, resolution solely by *sammukhāvinaya*, involves the following steps.

Stage one, step one: Monks who are involved in *vivādādhikaraṇa* due to dispute try to resolve it by discussion among themselves (Viv-2, 3).

<sup>(67)</sup> Vin 2, 97.16-97.21.

<sup>(68)</sup> Vin 2, 97.21-97.29.

<sup>(69)</sup> *anujānāmi bhikkhave evarūpaṃ adhikaraṇaṃ yebhuyyasikāya vūpasametuṃ.*

<sup>(70)</sup> Vin 2, 97.29-97.32.

<sup>(71)</sup> Vin 2, 97.32-97.38.

Stage one, step two: If they cannot settle it in the first step, they must go to another Order, where many monks are located, and entrust the processing of the *vivādādhikaraṇa* to them. But if the parties talk to each other on the way to the other Order and resolve the *vivādādhikaraṇa*, this is also a correct resolution (Viv-4, 5).

Stage one, step three: If the monks fail to resolve it on the way to the other Order, they leave the decisions to the monks of that Order (Viv-6, 7).

Stage one, step four: If the monks of the other Order cannot resolve it in the third step, they organize an *ubbāhikā* committee and leave the decisions to it (Viv -8, 9).

Stage one, step five: While the *ubbāhikā* committee is judging the *vivādādhikaraṇa*, if there is a *dhammakathika* monk who does not understand *sutta* and *suttavibhaṅga* (or does not understand *suttavibhaṅga*), they have to remove him from the meeting. This is also said to be a correct resolution (Viv-10, 11, 12, 13).

The five steps above constitute the first stage, which is a way to resolve *vivādādhikaraṇa* by *sammukhāvinaya* alone. Next, the second stage is a way to resolve *vivādādhikaraṇa* by *yebhuyyasikā* (with *sammukhāvinaya* as a basic condition).

Stage 2 (only one step): If the committee is unable to resolve *vivādādhikaraṇa*, a *salākācāraka bhikkhu* will be chosen, and he will manage the majority decision. This is *yebhuyyasikā* (Viv-14, 15, 16, 17).

As I have pointed out, the reason for the existence of the fifth step of the first stage is incomprehensible. A *dhammakathika* monk, completely unrelated to the context, suddenly appears here. Moreover, the *dhammakathika* is considered to be an inferior person: “A speaker of *dhamma* but to whom neither the rule (*sutta*) comes to have been handed down nor the analysis of the rule (*suttavibhaṅga*), if he, not considering the meaning, holds back the meaning under the shadow of the letter” (Viv-10); “a monk who is a speaker of *dhamma* and one to whom the rule has been handed down but not the analysis of the rule, if he, not considering the meaning, holds back the meaning under the shadow of the letter” (Viv-12).

Since *sutta* and *suttavibhaṅga* appear in pairs, it is clear that *sutta* here refers to *pātimokkha*. Therefore, this *dhammakathika* is “a monk who does not understand the Vinaya and says mistaken things about the Vinaya.” Everywhere else in the Vinaya where the epithet *dhammakathika* appears, the monk is described with the utmost respect. Here, he is treated as a bad monk who should be removed from the committee.

It is even more surprising that the act of removing the *dhammakathika* from the *ubbāhikā* committee is considered to be part of the formal procedure for resolving *vivādādhikaraṇa* through

*sammukhāvinaya*. It is completely unclear how removing the *dhammakathika* could be a formal step in resolving the conflict arising from dispute (*vivādādhikaraṇa*).

To clarify the incongruous mention of the *dhammakathika* here, I compare *Sāmagāmasutta* and *Samathakkhandhaka*, focusing on the procedure for resolving *vivādādhikaraṇa* (*vivāda* in *Sāmagāmasutta*) through *sammukhāvinaya* and *yebhuyyasikā*. Horner's translation of *Sāmagāgasutta* is given below. (See the note for the original Pāli.<sup>(72)</sup>)

#### SG -7

“And what, Ānanda, is the ‘verdict in the presence of’? As to this, Ānanda, monks dispute, saying: ‘It is *dhamma*’ or ‘It is not *dhamma*’ or ‘It is discipline’ or ‘It is not discipline.’ Ānanda, one and all of these monks should assemble in a complete Order; having assembled, what belongs to *dhamma* should be threshed out; having threshed out what belongs to *dhamma* according to how it corresponds here, so should that legal question be settled. Thus, Ānanda, is the ‘verdict in the presence of’; but here (and here: Sasaki) there is the settlement of a particular type of legal question, namely by the verdict in the presence of” (Horner 1959, 33.14).

#### SG -8

“And what, Ānanda, is the ‘decision of the majority’? If these monks, Ānanda, are not able to settle that legal question in this residence, then, Ānanda, these monks must go to a residence where there are more monks, and there one and all must assemble in a complete Order; having assembled, what belongs to *dhamma* must be threshed out . . . so should that legal question be settled. Thus, Ānanda, is ‘the decision of the majority’; but here (and here: Sasaki) there is the settlement of a particular type of legal question, namely by the decision of the majority” (Horner 1959, 33.24).

According to this account in *Sāmagāmasutta*, the parties meet and immediately have a discussion to resolve the *adhikaraṇa*. In *yebhuyyasikā*, when the *adhikaraṇa* cannot be resolved through discussion, the parties go to a residence where there are more monks, and these other monks

<sup>(72)</sup> *Kathaṅ ca Ānanda, sammukhāvinayo hoti? Idh’ Ānanda, bhikkhū vivadanti: dhammo ti vā adhammo ti vā, vinayo ti vā avinayo ti vā. Teh’ Ānanda, bhikkhūhi sabbe’ eva samaggehi sannipatitabbaṃ. sannipatitvā dhammanetti samanumajjitabbā; dhammanettiṃ samanumajjitvā yathā tatha sameti, tathā taṃ adhikaraṇaṃ vūpasametabbaṃ. Evaṃ kho, Ānanda, sammukhāvinayo hoti; evañ ca paṇ idh’ ekaccānaṃ adhikaraṇānaṃ vūpasamo hoti yadidaṃ sammukhāvinayena. Kathaṅ c’, Ānanda, yebhuyyasikā hoti? Te ce, Ānanda, bhikkhū na sakkonti taṃ adhikaraṇaṃ tasmiṃ āvāse vūpasametum. teh’, Ānanda, bhikkhūhi yasmīṃ āvāse bahutarā bhikkhū, so āvāso gantabbo. tatha sabbe’ eva samaggehi sannipatitabbaṃ sannipatitvā dhammanetti samanumajjitabbā. dhammanettiṃ samanumajjitvā yathā tatha sameti, tathā taṃ adhikaraṇaṃ vūpasametabbaṃ; evañ kho, Ānanda, yebhuyyasikā hoti, evañ ca paṇ’ idh’ ekaccānaṃ adhikaraṇānaṃ vūpasamo hoti yadidaṃ yebhuyyasikāya (M 2, 247.10).*

resolve the *adhikaraṇa* through discussion.

Clearly, this is completely different from the procedure prescribed by *Samathakkhandhaka*. *Yebhuyyasikā* as defined in *Sāmagāmasutta* involves going to a residence where there are more monks, who resolve the *adhikaraṇa* there through discussion. However, *yebhuyyasikā* as defined in *Samathakkhandhaka* is nothing like that. In *Samathakkhandhaka*, *yebhuyyasikā* is simply a majority decision. No Vinaya text interprets *yebhuyyasikā* in the same way as *Sāmagāmasutta*.<sup>(73)</sup>

The procedures for resolving *vivādādhikaraṇa* in *Samathakkhandhaka* and *Sāmagāmasutta* correspond as follows: *sammukhāvinaya* Stage I, steps 1 and 2 in *Samathakkhandhaka* (resolution through discussion by the monks who caused the *vivādādhikaraṇa* [Viv-2, 3, 4, 5]), correspond to *sammukhāvinaya* in *Sāmagāmasutta*; *sammukhāvinaya* Stage I, step 3 in *Samathakkhandhaka* (adjudication by monks at a larger residence [Viv-6, 7]) corresponds to *yebhuyyasikā* in *Sāmagāmasutta*.

There are only two steps in *Sāmagāmasutta* regarding resolution of *vivādādhikaraṇa* by *sammukhāvinaya* and *yebhuyyasikā*, which correspond to Viv 2-7 in *Samathakkhandhaka*. Therefore the Vinaya definition of *yebhuyyasikā* corresponds to Viv 15-17 of *Samathakkhandhaka* does not appear in *Sāmagāmasutta*. The Vinaya definition of *yebhuyyasikā* is similarly missing in the two corresponding Chinese translations.

### *Zhouna jing*

In the case of *Zhouna jing*, the procedures for carrying out *sammukhāvinaya* and *yebhuyyasikā* are presented as separate items. This is because, in the first half of *Samathakkhandhaka*, *sammukhāvinaya* and *yebhuyyasikā* are explained separately. In the second half, however, they are combined and explained as a continuous series. In *Zhouna jing*, *sammukhāvinaya*, as explained in the first half of *Samathakkhandhaka*, is rendered as 面前止淨律 (*sammukhāvinaya*), while the continuous series of the combined procedures of *sammukhāvinaya* and *yebhuyyasikā*, as explained in the second half of *Samathakkhandhaka*, is rendered as 展轉止淨律 (*yebhuyyasikā*). The discrepancy between *Sāmagāmasutta* and *Samathakkhandhaka*, discussed in the current section, appears in the series of procedures that combine *sammukhāvinaya* and *yebhuyyasikā*, so it is necessary to refer to the description of 展轉止淨律 (*yebhuyyasikā*).<sup>(74)</sup>

<sup>(73)</sup> In Sp, there is no special comment on this section (4, 48).

<sup>(74)</sup> 阿難。云何應與展轉止淨律。云何斷此淨。謂因展轉止淨律也。阿難。有二比丘。於其中間若干意起淨。謂是法非法。是律非律。是犯非犯。或輕或重。可說不可說。可護不可護。有餘無餘。可悔不可悔。阿難。彼比丘猥處止此淨。若猥處止者。此淨當言止。若猥處不止者。此淨可白衆。若於衆中止者。此淨當言止。若於衆中不止者。阿難。相近住者。於中若有比丘。持經持律持母者。此比丘共往至彼。說此淨事。若在道路止者此淨當言止。若道路不止者。此淨當復向衆說。若在衆止者。此淨當言止。若在衆不止者。阿難。若多伴助者。持經持律持母者。阿難。彼比丘應者止此淨。以法以律如尊師教。面前令歡喜。阿難。是謂應與展轉止淨律。如是斷此淨。謂因展



“Ānanda, How should *yebhuyyasikā* be applied? How does it stop this conflict? Ānanda, there are two monks between whom various disagreements arise, for example: ‘This is *dharma*,’ ‘This isn’t *dharma*’; ‘This is moral,’ ‘This is immoral’; ‘This is an offense,’ ‘This isn’t an offense’; ‘This is slight,’ ‘This is serious’; ‘This is explicable,’ ‘This is inexplicable’; ‘This is to be guarded,’ ‘This isn’t to be guarded’; ‘This has a remainder,’ ‘This doesn’t have a remainder’; ‘This can be repented,’ ‘This can’t be repented.’ Ānanda, if those monks can resolve their conflict in a place by themselves, this is a correct resolution of their conflict. If they cannot resolve their conflict in a place by themselves, they should report their conflict to the entire monastic community. If the monastic community can resolve the conflict, this is a correct resolution of their conflict. If the monastic community cannot resolve the conflict, they should go to a nearby community in which there are monks who are *sūtradharas*, *vinayadharas* and *māṭṛkādharas* and report the conflict. If they can resolve the conflict on the way, this is a correct resolution of their conflict. If they cannot resolve the conflict on the way, they should report the conflict to the nearby community in which there are monks who are *sūtradharas*, *vinayadharas* and *māṭṛkādharas*. If that community can resolve the conflict, this is a correct resolution of their conflict. If that community cannot resolve the conflict, Ānanda, if there are many cooperating *sūtradharas*, *vinayadharas* and *māṭṛkādharas*, those monks should resolve the two monks’ conflict according to *sūtra*, *vinaya*, and the Teacher’s teaching and make them happy in person.”

This is how *yebhuyyasikā* is applied in *Zhouna jing*. As in *Sāmagāmasutta*, the procedure described here is actually the procedure of *sammukhāvinaya*; it does not mention a real *yebhuyyasikā*. *Zhouna jing*, like *Sāmagāmasutta*, interprets the procedures of *sammukhāvinaya* and *yebhuyyasikā* completely differently from *Samathakkhandhaka*.

The structure of *Xi zheng yin yuan jing* is basically the same as that of *Zhouna jing*. In *Xi zheng yin yuan jing*, *sammukhāvinaya*, as explained in the first half of *Samathakkhandhaka*, is rendered as 現前毘尼滅諍法 (*sammukhāvinaya*), while the continuous series of the combined procedures of *sammukhāvinaya* and *yebhuyyasikā*, as explained in the second half of *Samathakkhandhaka*, is rendered as 多人語滅諍法 (*yebhuyyasikā*). *Yebhuyyasikā* is explained in *Xi zheng yin yuan jing* as follows:<sup>(75)</sup>

轉止諍律也。(T. 26.1.755a09-755a21).

<sup>(75)</sup> 云何名為多人語滅諍法。阿難謂若二苾芻共一住處。諍事忽起出種種語廣興諍論。各執一言。有言是法有言非法。有言是毘尼有言非毘尼。有言是有罪有言非有罪。是二苾芻諍事起時息滅者善。若不息滅。此二苾芻離本住處異處興諍。離是處已。能於中路息滅者善。若不息滅即多苾芻眾共為滅諍有以經為分別說者。有以律為分別說者。有以摩怛里迦為分別說者。以是多人為分別說故。是二苾芻諍事息滅。如是名為多人語滅諍法。以此法故能令諍事而得息滅。(T. 85.1.906a10-906a21).

“What is *yebhuyyasikā*? Ānanda, if two monks live in the same place, various conflicts arise, for example: ‘This is *dharmā*,’ ‘This isn’t *dharmā*’; ‘This is moral,’ ‘This is immoral’; ‘This is an offense,’ ‘This isn’t an offense.’ If the two monks can resolve the conflict when it arises, that is good. If they cannot resolve it, they should leave their own residence, go to another place, and report the conflict. If the two monks resolve the conflict by themselves on the way from their own residence to the other place, that is good. If they cannot resolve the conflict on the way, they should resolve the conflict together with many monks who know *sūtra*, *vinaya*, and *māṭṛkā*. The two monks resolved their conflict due to the knowledge of those many people. Thus it is called *yebhuyyasikā*. By this method, it is possible to resolve a conflict.”

*Xi zheng yin yuan jing*, like *Sāmagāmasutta* and *Zhouna jing*, refers to having many monks in another residence resolve a conflict as *yebhuyyasikā*. *Sāmagāmasutta* and the two corresponding Chinese texts all misunderstand the procedure included in *sammukhāvinaya* as *yebhuyyasikā*. This *yebhuyyasikā* is quite different from *yebhuyyasikā* as defined in *Samathakkhandhaka*. Therefore, the discrepancy between *Sāmagāmasutta* and *Samathakkhandhaka* is not a simple mistake regarding a small point that occurred during transmission in the Mahāvihāra sect but a serious inconsistency that has persisted since the early period of the compilation of the Āgama/Nikāya.

It is possible that the interpretation of *yebhuyyasikā* in *Sāmagāmasutta* is completely different from the definition in the Vinaya. *Yebhuyyasikā* originally meant the decision of the majority, but in *Sāmagāmasutta*, it is the relocation of monks who are unable to resolve a conflict to a residence where there are more monks (*Te ce bhikkhū na sakkonti taṃ adhikaraṇaṃ tasmim āvāse vūpasametum, tehi bhikkhūhi yasmim āvāse bahutarā bhikkhū, so āvāso gantabbo*).<sup>(76)</sup>

It is possible that this procedure was misunderstood as *yebhuyyasikā* because of an association with the word *bahutara*. Whatever the reason, *Sāmagāmasutta* and the two Chinese texts misunderstand the provisions of the Vinaya and make a significant mistake. These texts, by completely misunderstanding the meaning of *yebhuyyasikā*, erase the original account of *yebhuyyasikā*.

Given that *Sāmagāmasutta* disregards the norms related to the daily activities of monks/nuns, which are defined in the Vinaya, and emphasizes only disputes concerning the Way and the Practice and that it misunderstands the content of the Vinaya and makes very serious mistakes about extremely basic matters, it is clear that the *vinayadhara* monks reacted emotionally. They would have been angry at the compiler of *Sāmagāmasutta*. It makes sense to think that their anger was expressed in the description of the expulsion from the *ubbāhikā* committee of the *dhammakathika* monk who does not understand the Vinaya. This confirms that the compiler of *Sāmagāmasutta*

<sup>(76)</sup> M 2, 247.19.

was called *dhammakathika* in *Samathakkhandhaka*.

It is also clear why the criticism of the *dhammakathika* appears precisely where it does in *Samathakkhandhaka*. This is the point of the procedure at which *Sāmagāmasutta* makes a very serious error in changing the wording of the Vinaya. Therefore, the *vinayadhara* compiler of *Samathakkhandhaka* inserts a sentence that severely attacks the *dhammakathika* compiler of *Sāmagāmasutta* for his ignorance. Based on the above, the order of events may have been as follows:

1. The procedure for resolving four *adhikaraṇas* by means of seven *samathas* was specified in *Samathakkhandhaka*.
2. In order to justify their position, the *dhammakathikas*, who did not place importance on the Vinaya rules, composed *Sāmagāmasutta*, the main theme of which is that only resolving disputes concerning the Way and the Practice is important for maintaining the Order. At that time, the *dhammakathikas* changed the text of *Samathakkhandhaka*, without fully understanding the Vinaya.<sup>(7)</sup> As a result, they made a serious mistake at the place where the application of *sammukhāvinaya* and *yebhuyyasikā* was explained.
3. When they became aware of this, the *vinayadharas* were angry and, in order to criticize the *dhammakathika* editors, inserted the sentence: “If there is a *dhammakathika* who does not understand the Vinaya, banish him from the spot.” This sentence has no relation to the context, i.e., the formal procedure for resolving *vivādādhikaraṇa*.

If this is indeed what happened, we can come to the following conclusions:

1. Some of the scriptures included in the Āgama/Nikāya were composed by the *dhammakathikas*.
2. Since the *vinayadharas* criticized the *dhammakathikas* who created *Sāmagāmasutta* for not understanding the rules of the Vinaya, it must have been widely recognized that the *dhammakathikas* sometimes composed their own scriptures.
3. Since the *vinayadharas* included the criticism of the *dhammakathikas* as part of formal Vinaya procedures, it must have been possible for the *vinayadharas* to expand the Vinaya as they saw fit.

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<sup>(7)</sup> It is unclear why the *dhammakathikas* took sentences from Vinaya and used them in a different meaning when they compiled *Sāmagāmasutta*. However, one can hypothesize that it is related to the *sida jiaofa* 四大教法 described in *Mahāparinibbānasuttanta* in *Dīgha-Nikāya*. According to the *sida jiaofa*, wording that corresponds to *sutta* or *vinaya* can be recognized as the legitimate teaching of the Buddha. Therefore, when the *dhammakathikas* created a new *sutta*, if the wording was found in the Vinaya, the *sutta* could be claimed to be legitimate. This may have been why the *dhammakathikas* felt that they had to appropriate wording from Vinaya.

### 6. 3 Other Inconsistencies in *Sāmagāmasutta*

I have pointed out that there is a significant discrepancy between *Samathakkhandhaka* and *Sāmagāmasutta* (and the two corresponding Chinese texts) concerning the procedures of *sammukhāvinaya* and *yebhuyyasikā*. If, as I suggest, the editor of *Sāmagāmasutta* did not know enough about the Vinaya, a similar lack of knowledge should also be found in other sections of *Sāmagāmasutta*. Below, I investigate corresponding parts of *Sāmagāmasutta* and *Samathakkhandhaka* to determine whether this is in fact the case.

#### 6. 3. 1 Method of carrying out *sativinaya* (resolving a conflict by taking into account a monk's memory) (SG-9)

After the explanation of the methods of carrying out *sammukhāvinaya* and *yebhuyyasikā* (SG-8), *Sāmagāmasutta* explains the method of carrying out *sativinaya* (SG-9).

According to *Sāmagāmasutta*, *sativinaya* is carried out in the following three steps.

1. Monks accuse a certain monk of a serious offense, such as one involving expulsion from the order (*pārājika*), or one nearly as serious, and they urge him to admit his guilt.
2. The accused monk refuses, saying, "I don't remember having committed such an offense."
3. The monk is granted *sativinaya*.

According to *Sāmagāmasutta*, *sativinaya* is carried out in this three-step procedure, by which the conflict is resolved. But this explanation is unclear. *Sāmagāmasutta* here simply describes a situation in which a monk, when accused by another monk of a serious offense and forced to enter a plea, denies the charge, after which *sativinaya* is granted. It is totally unclear how this will resolve the conflict.

*Samathakkhandhaka*, on the other hand, describes a different procedure. It is carried out in the following way:<sup>(78)</sup>

1. Monks accuse another monk of a certain offense.
2. The accused monk, claiming his innocence, petitions for *sativinaya* in front of all members of the Order.

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<sup>(78)</sup> Vin 2, 79.37-80.31; 99.23-100.14.

3. The Order, through *ñatticatutthakamma* (an ecclesiastical act in which the motion is followed by three proclamations, after which it is passed), approves *sativinaya* for the monk.

*Sativinaya* is an affirmation of innocence granted by the Order to a monk or nun who has been accused of committing an offense and pleads innocence. Therefore, once the monk is granted *sativinaya*, he will not be accused of the same crime again. As a result, the conflict between the accuser and the accused is resolved. This is the original meaning of *sativinaya*.

If we compare the descriptions of *sativinaya* in *Sāmagāmasutta* and *Samathakkhandhaka*, *Sāmagāmasutta* is obviously mistaken. *Sativinaya* has some meaning because the Order grants it to the monk through a formal procedure, *ñatticatutthakamma*. It is possible to resolve the conflict because the innocence of the monk is guaranteed by the authority of the Order. It is clear that the procedure presented in *Sāmagāmasutta*, which omits the most important element, namely, approval through *ñatticatutthakamma*, cannot be effective in resolving a conflict.

Moreover, there is another mistake in the description of *sativinaya* in *Sāmagāmasutta*. *Sativinaya* applies to all types of offenses, not just serious ones such as offenses involving expulsion from the Order (*pārājika*). A monk who is accused of an offense crime, whether serious or minor, insists on his innocence, and if the Order approves through *ñatticatutthakamma*, he is granted *sativinaya*. The main question is guilt or innocence; the seriousness of the offense is irrelevant in this case. This is because it is quite possible for monks/nuns to have a conflict over a misdemeanor. However, *Sāmagāmasutta* says that *sativinaya* is granted only to an innocent monk who has been accused of an offense involving expulsion from the order or one nearly as serious. This is inconsistent with the intention of the Vinaya.

A comparison between the descriptions of *sativinaya* in *Sāmagāmasutta* and *Samathakkhandhaka* clearly show that *Sāmagāmasutta* did not sufficiently understand *sativinaya*.

The accounts of the two Chinese texts are discussed below.

According to *Zhouna jing*, *sativinaya* is carried out as follows:<sup>(79)</sup>

1. A monk who commits an offense does not remember it.
2. The other monks tell him to ask the Order for *sativinaya*.
3. The monk asks the Order for *sativinaya*.
4. The Order grants the monk *sativinaya*.

<sup>(79)</sup> 阿難。云何應與憶止諍律。云何斷此諍。謂因憶止諍律也。阿難。若有一人。犯戒而不憶。諸比丘見已便語彼曰。汝曹犯戒而不自憶。汝應從眾求於憶律。眾當共與賢者憶律。阿難。若處有眾和集會者。彼比丘應詣偏袒著衣脫屣入眾。稽首禮長老上尊比丘足。長跪叉手白長老上尊比丘曰。諸尊。聽我曾犯戒而不憶。我今從眾求於憶律。願眾和合與我憶律。阿難。為彼比丘故眾共和集。應與憶律。以法以律如尊師教。面前令歡喜。阿難。是謂應與憶止諍律。如是斷此諍。謂因憶止諍律也。(T. 26.1.754b11-754b22)

*Sativinaya* is a procedure that ensures that, if other monks accuse a monk of an offense of which he is innocent, the Order will confirm the falseness of the accusation and prevent him from being accused any further. As a result, the conflict between the monk and the other monks is resolved. However, this is not the situation in *Zhouna jing*, and its description of *sativinaya* is very difficult to understand. It does not make sense for the accusing monks to advise the monk to ask the Order for *sativinaya*. The description in *Zhouna jing* is not the same as the description in *Sāmagāmasutta*, but it is equally incomprehensible.

According to *Xi zheng yin yuan jing*, on the other hand, *sativinaya* is carried out in this way:<sup>80)</sup>

1. A monk who commits an offense does not remember it.
2. The other monks tell him to ask the Order for *sativinaya*.
3. The monk asks the Order for *sativinaya*.
4. The Order grants the monk *sativinaya*.
5. In this way, the monk's offense is nullified and the conflict is resolved.

The description in *Xi zheng yin yuan jing* is similar to that in *Zhouna jing*, but the fifth and final step sets it apart. The original purpose of *sativinaya* was not to nullify offenses committed by monks or nuns. It was originally a way for those who have not committed an offense to make the Order recognize their innocence. Therefore, this description in *Xi zheng yin yuan jing* is totally mistaken.

Although the interpretations in *Sāmagāmasutta* and the two corresponding Chinese texts are different, they all are different from the original definition of *sativinaya* in *Samathakkhandhaka*. It is not possible to determine which of the three scriptures is the oldest, but it can be confirmed that none of the three correctly understands *Samathakkhandhaka*.

### 6. 3. 2 Method of carrying out *amūlḥavinaya* (resolving a conflict by taking into account a monk's insanity) (SG-10)

*Sativinaya* is a way to deal with an innocent monk or nun who has been accused of committing an offense. *Amūlḥavinaya*, on the other hand, is a way to deal with a monk or nun who commits an offense while mentally disturbed and is accused of the offense by others. According to *Sāmagāmasutta*, *amūlḥavinaya* is carried out in the following five steps.

1. Monks accuse a certain monk of a serious offense, such as one involving expulsion from

<sup>80)</sup> 云何名為憶念毘尼滅諍法。阿難。謂有苾芻隨犯罪已不自憶念。餘苾芻謂言。汝犯是罪應當憶念。於大眾中求哀大眾作憶念毘尼。是苾芻即入眾中求哀大眾。作憶念毘尼。是時大眾如大師教。與作憶念毘尼。是苾芻得出罪已息滅諍事。如是名為憶念毘尼滅諍法。以此法故能令諍事而得息滅。(T. 85.1. 905c16-905c22).

the Order (*pārājika*), or one nearly as serious, and they urge him to admit his guilt.

2. The accused monk refuses, saying, “I don’t remember having committed such an offense.”
3. The monks accuse the monk in harsher words.
4. The accused monk refuses to admit his guilt, saying, “I was mentally disturbed at that time, so I don’t remember.”
5. That monk is granted *amūḥhavinaya*.

*Sāmagāmasutta* says that the conflict is resolved through this multi-step procedure. Here, too, as in the case of *sativinaya*, it is clear that *Sāmagāmasutta* does not correctly understand the rules of the Vinaya. Conflict cannot be resolved just by this procedure. According to *Samathakkhandhaka*, *amūḥhavinaya* is carried out in the following way.<sup>(81)</sup>

1. A monk commits an offense while mentally disturbed. After that, this monk regains his sanity.
2. The surrounding monks accuse him of the offense and urge him to admit his guilt.
3. The accused monk refuses, saying, “I don’t remember the offense because I was mentally disturbed at that time, so I cannot admit guilt.”
4. The accusing monks do not stop accusing him, and they urge him to admit his guilt.
5. The accused monk, claiming in front of the Order that he is unaware of the offense because he was mentally disturbed at that time, asks to be granted *amūḥhavinaya*.
6. The Order approves *amūḥhavinaya* for this monk through *ñatticatutthakamma*.

Through the above procedure, the mentally disturbed state of the monk is confirmed by the Order, and he will no longer be accused of the offense. Therefore, *amūḥhavinaya*, like *sativinaya*, is coherent because the Order grants it to the monk through a formal procedure, *ñatticatutthakamma*. The description in *Sāmagāmasutta*, which lacks this important procedure, is completely unreasonable and irrational. Here, too, it is evident that the editor of *Sāmagāmasutta* was ignorant of the Vinaya.

The accounts of the two Chinese texts are discussed below.

According to *Zhouna jing*, *amūḥhavinaya* is carried out as follows:<sup>(82)</sup>

<sup>(81)</sup> Vin 2, 80.32-83.9; 100.14-101.5.

<sup>(82)</sup> 阿難。云何應與不癡止諍律。云何斷此諍。謂因不癡止諍律也。阿難。若有一人。狂發而心顛倒。彼狂發心顛倒已多不淨行非沙門法。不順法行而說違犯。彼於後時還得本心。諸比丘見已便語彼曰。汝曹狂發而心顛倒。狂發心顛倒已多不淨行非沙門法。不順法行而說違犯。賢者於後還得本心。賢者可從眾求不癡律眾當共與賢者不癡律。阿難。若處有眾和集會者。彼比丘應詣偏袒著衣。脫屣入眾。稽首禮長老上尊比丘足。長跪叉手白長老上尊比丘曰。諸尊。聽我曾狂發而心顛倒。狂發心顛倒已多不淨行非沙門法。不順法行而說違犯。我於後時還得本心。我今從眾求不癡律願眾和合與我不癡律。阿難。為彼比丘故。眾共和集。應與不癡律。以法以律如尊師教。面前令

1. A monk commits an offense while mentally disturbed. After that, the monk s sanity.
2. The other monks tell him to ask the Order for *amūlḥavinaya*.
3. The monk asks the Order for *amūlḥavinaya*.
4. The Order grants the monk *amūlḥavinaya*.

The pattern here is the same as in the case of *sativinaya*. *amūlḥavinaya* is a procedure that ensures that, if a monk who has been accused by other monks of an offense committed while he was mentally disturbed, the Order will confirm that he was mentally disturbed and prevent him from being accused any further. As a result, the conflict between the monk and the other monks is resolved. However, this situation is not mentioned in *Zhouna jing*. It is completely unreasonable for the surrounding monks to advise the monk to ask the Order for *amūlḥavinaya*.

According to *Xi zheng yin yuan jing*, *sativinaya* is carried out as follows:<sup>63)</sup>

1. A monk commits an offense while mentally disturbed. After that, the monk s sanity.
2. The other monks tell him to ask the Order for *amūlḥavinaya*.
3. The monk asks the Order for *amūlḥavinaya*.
4. The Order grants the monk *amūlḥavinaya*.
5. In this way, the monk's offense is nullified and the conflict is resolved.

Here, we see the same pattern as in the case of *sativinaya*. Although the descriptions in *Xi zheng yin yuan jing* and *Zhouna jing* are similar, the final point, that the monk can be pardoned through *amūlḥavinaya* is a peculiar point in *Xi zheng yin yuan jing*. Like *sativinaya*, *amūlḥavinaya* is not a procedure for nullifying an offense but a procedure through which the Order can recognize unjust accusations. Therefore, the description in *Xi zheng yin yuan jing* is completely mistaken.

### 6. 3. 3 Method of carrying out *paṭiññātakaraṇa* (resolving a conflict after an admission of guilt) (SG-11)

Originally, *paṭiññātakaraṇa* was described as follows: A monk, who has been accused by other monks of an offense and has caused a conflict by not admitting his guilt, later confesses. In this way, the conflict is resolved. This is a *samatha* that resolves a conflict through a monk's confession of guilt. However, its meaning changed with the passage of time, and by the time that *Sama-thakkhandhaka* was completed, it had come to mean the confession of guilt and an apology in front

歡喜。阿難。是謂應與不癡止諍律。如是斷此諍。謂因不癡止諍律也。(T. 26.1.754b22-754c11).

<sup>63)</sup> 云何名為不癡毘尼滅諍法。阿難。謂若苾芻癡狂心亂痛惱所纏。雖復多聞不能順行於所聞法翻謂雜說。作是言已捨衆而去。是苾芻。後時還得本心。餘苾芻謂言。汝犯是罪。當入衆中求哀大衆。作不癡毘尼。是苾芻即入衆中求哀大衆。作不癡毘尼。是時大衆如大師教。與作不癡毘尼。是苾芻得出罪已息滅諍事。如是名為不癡毘尼滅諍法。以此法故能令諍事而得息滅。(T. 85.1. 905c22-906a02).



of other monks and a subsequent return to innocence. In other words, it came to be equated with a procedure that nullifies lesser offenses, such as *pācittiya*. Since both *Samathakkhandhaka* and *Sāmagāmasutta* were composed after this understanding of *paṭiññātakaraṇa* had become current, their basic frameworks for carrying out *paṭiññātakaraṇa* are almost identical.

In addition, given that the *paṭiññātakaraṇa* procedure in *Sāmagāmasutta* corresponds with the *paṭiññātakaraṇa* procedure in the second half which is newer than the first half, rather than the first half, of *Samathakkhandhaka*, *Sāmagāmasutta* must have been created after the seven *samatha* procedures were reestablished under the definition of four *adhikaraṇas*. Therefore, we cannot infer that the not fully developed *Sāmagāmasutta*, was composed first, and that *Samathakkhandhaka* was created by refining the material from *Sāmagāmasutta*. In Sasaki 2013b, I came to the incorrect conclusion that *Sāmagāmasutta* is older than *Samathakkhandhaka* due to the common prejudice that the *suttas/sūtras* of *Majjhima-Nikāya/Zhong a han jing* (中阿含經) are older than the *khandhaka* portion of the Vinaya. Later, when I reconsidered the procedure of *paṭiññātakaraṇa*, I realized my mistake and decided to revise my research. This paper is the result.

*Sāmagāmasutta* SG-11 defines *paṭiññātakaraṇa* as the confession of guilt in front of an older monk by a monk who has committed an offense. When the older monk accepts his confession, the *paṭiññātakaraṇa* has been completed.<sup>(84)</sup>

The procedure of *paṭiññātakaraṇa* defined in *Samathakkhandhaka* is almost the same as in *Sāmagāmasutta*, but there are three points of difference. First, in *Samathakkhandhaka*, *paṭiññātakaraṇa* is applied only to minor offenses. This limitation is not mentioned in *Sāmagāmasutta*.<sup>(85)</sup> Second, in the case of *Samathakkhandhaka*, the monk to whom the guilty monk confesses does not have to be, as in *Sāmagāmasutta*, an older monk.<sup>(86)</sup> Third, according to *Samathakkhandhaka*, if the monk cannot confess in front of one monk, he must confess in front of several monks. If cannot do that, he must confess it in front of the Order. In *Samathakkhandhaka*, it is recognized that the process of confession might require several steps.<sup>(87)</sup> Although these differences are not serious, it is clear that the procedures in *Sāmagāmasutta* and *Samathakkhandhaka* are not exactly the same.

The accounts of the two Chinese texts are as discussed below.

According to *Zhouna jing*, the guilty monk confesses in front of many monks.<sup>(88)</sup>

<sup>(84)</sup> The question naturally arises as to why this action can resolve the conflict. Originally, *paṭiññātakaraṇa* was a rational way to resolve conflicts that arise as to whether or not an offense has been committed, but due to the mistaken definition of the *adhikaraṇas* in the last half of *Samathakkhandhaka*, the procedure of *paṭiññātakaraṇa* also changed and became very difficult to understand. For more information, see Sasaki 2009.

<sup>(85)</sup> Vin 2, 102.17.

<sup>(86)</sup> Vin 2, 102.17-102.20.

<sup>(87)</sup> Vin 2, 102.33-103.23.

<sup>(88)</sup> 阿難。云何應與自發露止淨律。云何斷此淨。謂因自發露止淨律也。阿難。若有一人犯戒。或有語者或不語者。

The descriptions of *paṭiññātakaṛaṇa* in *Xi zheng yin yuan jing* and *Zhouna jing* are almost the same. Only the following points are different. *Xi zheng yin yuan jing* specifies that the guilty monk confesses in front of a large number of monks (or the Order). Furthermore, he is said to act under the instruction of other monks. This element is not found in other texts.<sup>(89)</sup>

Regarding *paṭiññātakaṛaṇa*, there are no significant differences among *Samathakkhandhaka*, *Sāmagāmasutta*, and the two corresponding Chinese scriptures.

### 6. 3. 4 Method of carrying out *tassapāpiyyasikā* (resolving a conflict by judgement of a monk's ill will) (SG-12)

The *samatha*, *tassapāpiyyasikā*, is defined as follows: When a monk, accused of an offense by other monks, confesses, and later reneges or equivocates, the punishment of *tassapāpiyyasikā* is imposed on him on the grounds that he has altered his confession.

According to *Sāmagāmasutta*, *tassapāpiyyasikā* is carried out in the following eight steps.

1. A monk is accused of a serious offense, such as one involving expulsion from the order (*pārājika*) or one nearly as serious, by other monks, who urge him to confess.
2. The accused monk refuses, saying that he doesn't remember having committed that offense.
3. The monks accuse the monk more harshly.
4. The accused monk says that he doesn't remember having committed such a serious offense, but he remembers having committed a minor offense.
5. The monks accuse the monk even more harshly.
6. The accused monk argues that he confessed a minor offense without being asked about it. Therefore, if he were guilty, he would certainly confess a serious offense if he were asked.
7. The accusing monks question whether the accused monk would confess a serious offense when asked about it, given the fact that, if he hadn't been asked (about a serious offense), he would not have confessed to the minor offense. They accuse the monk more harshly

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或有憶者或不憶者。阿難。若處有衆和集會者。彼比丘應詣袒著衣脫屣入衆。稽首禮長老上尊比丘足。長跪叉手白長老上尊比丘曰。諸尊。聽我犯某戒我今向長老上尊比丘。至心發露。自說顯示不敢覆藏。更善護持後不復作。阿難。諸比丘衆當問彼比丘曰。賢者自見所犯耶。彼應答曰。實自見所犯。衆當語彼。更善護持莫復作也。阿難。是謂應與自發露止諍律。如是斷此諍。謂因自發露止諍律也。(T. 26.1. 754c11-754c24).

<sup>(89)</sup> 云何名為自言治滅諍法。阿難。謂若苾芻不知罪相。言廣知廣解。復於衆中發如是言。尊者我於利養難所得故。餘苾芻謂言。汝於罪相不知不解言廣知廣解。汝犯是罪。當於衆中求哀大衆悔謝其罪。是苾芻即入衆中。求哀大衆而自悔責。是時大衆如大師教。與自言治法。是苾芻得出罪已息滅諍事。如是名為自言治滅諍法。以此法故能令諍事而得息滅。(T. 85.1. 906a02-906a10).

still.

8. The accused monk then confesses the serious offense. He claims that, when he said that he did not remember, he was only joking.

The explanation of *tassapāpiyyasikā* in *Sāmagāmasutta* suddenly ends here and is followed by a concluding remark that this is “judgement of the ill will of a *bhikkhu*.”<sup>(90)</sup> There seems to be a problem with this explanation: It only describes the debate between the accusing monks and the accused monk and does not offer a method of resolving the conflict.

According to *Samathakkhandaka*, *tassapāpiyyasikā* is carried out in the following way:<sup>(91)</sup>

1. Monk A accuses Monk B of a serious offense, for example, one involving expulsion from the Order or one almost as serious, and he is urged to confess the offense.
2. Monk B refuses, saying that he doesn't remember having committed the offense.
3. Monk A accuses Monk B more harshly.
4. Monk B says that he doesn't remember having committed such a serious offense but that he remembers having committed a minor offense.
5. Monk A accuses Monk B even more harshly.
6. Monk B says that he confessed this minor offense without being asked about it and asks how, when asked, he could fail to confess a serious offense.
7. Monk A says that Monk B did not confess to the minor offense when he hadn't been asked about it and questions whether, without being asked, he would confess a serious offense. Monk A accuses Monk B still more harshly.
8. Monk B says that he remembers having committed a serious offense. He claims that, when he said that he did not remember, he was only joking and he spoke in haste.
9. *Tassapāpiyyasikā* is imposed on him by the Order on the grounds that he has changed the content of his confession.

The first eight steps are the same as in *Sāmagāmasutta*, but in *Samathakkhandhaka*, a ninth step is added. Needless to say, this ninth step is indispensable for carrying out *tassapāpiyyasikā*. In this step, the punishment, *tassapāpiyyasikā*, is imposed on the monk by the Order through *ñatticatutthakamma*. If, as in *Sāmagāmasutta*, this ninth step were missing, the actual process of *tassapāpiyyasikā* would be completely obscure. Clearly, the editor of *Sāmagāmasutta* very irresponsibly altered the text of *Samathakkhandhaka*.

The accounts of the two Chinese texts are discussed below.

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<sup>(90)</sup> Horner 1959: 35.

<sup>(91)</sup> Vin 2, 85.15-86.30.

According to *Zhouna jing*, *tassapāpiyyasikā* is carried out as follows:<sup>(92)</sup>

1. A bad-hearted monk who has committed an offense takes back what he said, telling other monks that he did called 一処知一處見。<sup>(93)</sup>
2. The other monks gather, accuse the monk, and impose *tassapāpiyyasikā*.

Although the meaning of the Chinese sentence is unclear, the general meaning of the sentence can be inferred to be the same as in *Sāmagāmasutta*. In addition, the imposition of *tassapāpiyyasikā*, which is not found in *Sāmagāmasutta*, shows a certain degree of familiarity with the regulation in *Samathakkhandhaka*.

According to *Xi zheng yin yuan jing*, *tassapāpiyyasikā* is carried out as follows:<sup>(94)</sup>

1. A monk who has committed an offense goes to another monk and confesses his guilt.
2. *Tassapāpiyyasikā* is completed when the other monk accepts the confession.

Here, the procedure of *tassapāpiyyasikā* is simply a monk's confession of an offense to another monk. This is, in fact, *paṭiññātakaraṇa*, not *tassapāpiyyasikā*. Since *Xi zheng yin yuan jing* has already described *paṭiññātakaraṇa* (T 906a02-906a10), this therefore is a repetition of the description of *paṭiññātakaraṇa*, while *tassapāpiyyasikā* has been omitted. Presumably, there was a transmission error unique to *Xi zheng yin yuan jing*, but we do not know the details.

### 6. 3. 5 Method of carrying out *tiṇavatthāraka* (resolving a conflict by covering the act with grass) (SG-13)

*Tiṇavatthāraka* is the last of the seven *samathas*. The monks in the Order are split into two factions, and members of both parties commit a number of offenses during their disagreement. To settle this turmoil, the two sides confess their own various offenses in the Order, and, except

<sup>(92)</sup> 阿難。云何應與君止諍律。云何斷此諍。謂因與君止諍律也。阿難。若有一人。不知羞恥不悔見聞。從他疑者惡欲。彼犯戒已。稱一處知稱一處見。稱一處知已稱一處見。稱一處見已稱一處知。在衆中稱一處知。在衆中稱一處見。稱一處知已稱一處見。稱一處見已稱一處知。阿難。爲彼比丘故。衆共和集。應與君律。君無道無理。君惡不善。所以者何。謂君犯戒已。稱一處知稱一處見。稱一處知已稱一處見。稱一處見已稱一處知。在衆中稱一處知。在衆中稱一處見。稱一處知已稱一處見。稱一處見已稱一處知。阿難。是謂應與君止諍律。如是斷此諍。謂因與君止諍律也。(T. 26.1.754c24-755a09).

<sup>(93)</sup> The meanings of *yichu jian* 一處見 and *yichu zhi* 一處知 here are unclear. No corresponding phrase is found anywhere in *Sāmagāmasutta*, *Xi zheng yin yuan jing*, or *Samathakkhandhaka*. However, from the context, it is clear that the *bhikkhu* is reversing his remarks.

<sup>(94)</sup> 云何名爲知所作滅諍法。阿難。謂若苾芻隨犯罪已。自知有犯。或語他人或不語人。而自思念已。詣餘苾芻所脫去革屣。於苾芻前偏袒一肩右膝著地。三稱己名及自族氏。我犯是罪不敢覆藏。來尊者所求哀憐悔唯願尊者布施歡喜時彼尊者即聽懺悔。是苾芻得清淨已。彼尊者言。汝見是罪相不。苾芻答言我已見是罪相。尊者復言。汝當如法奉持律儀。苾芻答言。我今如法奉持律儀如是三說如是名爲知所作滅諍法。以此法故能令諍事而得息滅。(T. 85.1.906a21-906b02).

for serious ones and those related to laypeople, wipe them off the ledger. This is *tiṇavatthāraka samatha*.

According to *Sāmagāmasutta*, *tiṇavatthāraka* is carried out in the following three steps:

1. If a number of monks quarrel in the Order and commit a number of offenses during their quarrel, they should all gather in one place.
2. A wise monk in one party offers to confess to the Order all offenses committed by members of his party except for serious ones and those related to laypeople.
3. A wise monk in the other party offers to confess to the Order all offenses committed by members of his party except for serious ones and those related to laypeople.

This concludes the explanation. The most important part of the procedure, the carrying out of *karman* is not mentioned.

According to *Samathakkhandhaka*, *tiṇavatthāraka* is carried out in the following steps:<sup>(95)</sup>

1. If monks quarrel with each other in the Order and commit a number of offenses in their quarrel, they should all gather in one place.
2. A wise monk announces to the Order that they will settle the *āpattādhikaraṇa* through *tiṇavatthāraka*.
3. A wise monk from Party A says that his own party will confess to the Order all offenses committed by members of his party except for serious ones and those related to laypeople.
4. A wise monk from Party B says that his own party will confess to the Order all offenses committed by members of his party except for serious ones and those related to laypeople.
5. A wise monk from Party A proposes a motion to the Order that his party confesses in front of the Order their offenses except for serious ones and those related to laypeople.
6. The motion is approved by the Order through *ñattidutiyakamma* (an ecclesiastical act in which a motion is followed by a single announcement, after which it is passed).
7. A wise monk from Party B proposes a motion to the Order that his party members confess in front of the Order their offenses except for serious ones and those related to laypeople.
8. The motion is approved by the Order through *ñattidutiyakamma*.

The procedure of *tiṇavatthāraka* in *Samathakkhandhaka* makes sense. First of all, resolution through *tiṇavatthāraka* is approved within each party. After that, representatives of each party ask the Order to carry out *ñattidutiyakamma* to approve both parties' confessions, and all of the

<sup>(95)</sup> Vin 2, 86.31-88.7; Hin · er 1991:30.10-32.15.

offenses except serious ones and those related to laypeople are nullified.

In contrast, the procedure of *tiṇavatthāraka* in *Sāmagāmasutta* does not make sense. It is simply stated that the two opposing parties are requesting reconciliation through *tiṇavatthāraka*. If we compare this with the description in *Samathakkhandhaka*, it is obvious that the procedure in *Sāmagāmasutta* is flawed.

The accounts of the two Chinese texts are discussed below.

According to *Zhouna jing*, *tiṇavatthāraka* is carried out as follows:<sup>(6)</sup>

1. Monks argue with each other in the Order and commit a number of offenses while arguing.
2. They are divided into two groups in separate places.
3. An elder monk or a leader in one group proposes to his group that they confess all their offenses except for serious ones and those related to laypeople and nullify them.
4. If no one objects, he goes to the opposing group, and, in front of an elder monk, confesses the offenses committed by the monks in his group. The elder monk accepts his confession, by which they are absolved of all their offenses. At this point, all the offenses are nullified.
5. The opposing party performs Steps 3 and 4 in the same way. As a result, *tiṇavatthāraka* is completed.

*Tiṇavatthāraka* as described in *Zhouna jing* is fundamentally different from the regulation in *Sāmagāmasutta* or *Samathakkhandhaka*. The biggest difference is that, in *Zhouna Jing*, the two opposing parties do not gather in one place for *tiṇavatthāraka*. This is at odds with the basic principle of *tiṇavatthāraka*, namely, that the offenses of all are nullified at once under the consensus of the entire Order. The difference between *Zhouna jing* and *Samathakkhandhaka* is thus greater than the difference between *Sāmagāmasutta* and *Samathakkhandhaka*.

According to *Xi zheng yin yuan jing*, *tiṇavatthāraka* is carried out as follows:<sup>(7)</sup>

<sup>(6)</sup> 阿難。云何應與如棄糞掃止諍律。云何斷此諍。謂因如棄糞掃止諍律也。阿難。若有住處諸比丘衆鬪訟憎嫉相憎共諍。阿難。彼諸比丘分立二部。分立二部已。若於一部中有長老上尊者。或有次者。有宗主者。或有次者。阿難。此比丘語彼比丘曰。諸賢。聽我等無道無理。我等惡不善。所以者何。我等於此善說法律至信捨家無家學道。鬪訟憎嫉相憎共諍。諸賢因此諍。我等犯戒者除偷羅柘。除家相應。我自爲己。亦爲彼諸賢故。今向賢至心發露自說顯示不敢覆藏。更善護持後不復作。阿難。若此部中無一比丘應者。阿難。此比丘應往至彼第二部。到已稽首禮長老上尊比丘足。長跪叉手白長老上尊比丘曰。諸尊。聽我等無道無理。我等惡不善。所以者何。我等於此善說法律至信捨家無家學道。鬪訟憎嫉相憎共諍。諸賢。因此諍我等犯戒者除偷羅柘。除家相應。我自爲己。亦爲彼諸賢故。今向長老上尊至心發露。自說顯示不敢覆藏。更善護持後不復作。阿難。彼比丘當語此比丘曰。賢者。汝自見犯戒耶。彼應答曰。實自見所犯。彼當語此。更善護持莫復作也。第二部亦復如是。阿難。是謂應與如棄糞掃止諍律。如是斷此諍。謂因如棄糞掃止諍律也。(T. 26.1.755a24-755b20).

<sup>(7)</sup> 云何名爲如草覆地滅諍法。阿難。謂諸苾芻衆共在一處。互起鬪諍分兩朋住。時一朋中。耆年者耆年者一處。知

1. Monks argue with each other in the Order, split into two groups, and live in separate places. In addition, in each group, old monks, monks who know *dharma*, and high-ranking monks all live together.
2. A monk from one group, who caused an argument for his own profit, tells his group that he preached at a layperson's home because it was easy to profit thereby, but this caused contention with other monks. Therefore, he committed an offense. He promises never to do this again, and he confesses all offenses, from the offense of causing contention to the offense of entering the house of the layperson, with the exception of minor offenses. He confesses without hiding any offenses.
3. When the monk confesses in this way, if one monk in his group does not accept the confession, the monk who wants to confess should go to the other group, explain the circumstances so far to everyone there, and confess on the spot, as in Step 2.
4. Similarly, a monk in the opposing group who preached at a layperson's home because it was easy to profit thereby should confess his guilt as in Steps 2 and 3.
5. The two monks who have nullified their offenses in this way greet when they meet. This ends the dispute.

This description in *Xi zheng yin yuan jing* makes no sense. It implies that going to the home of a layperson and preaching there is a cause of contention. This may be due to a misunderstanding of the phrase, “except for serious offenses and those related to laypeople” in the description of *tiṇavattḥāraka* in *Samathakkhandhaka*. Several descriptions of the situation do not make sense, for example: “Monks argue with each other in the Order, split into two groups, and live in separate places”; “When the monk confesses in this way, if one monk in his group does not accept the confession, the monk who wants to confess should go to the other group.” This is clearly a situation in which the original meaning of *tiṇavattḥāraka* is not fully understood.

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法者知法者一處。上首者上首者一處。於是朋中有苾芻。爲利養故而起諍事。起諍事已。於自衆中作如是言。某處白衣舍利養易得。我於彼中如法律說。有餘苾芻以是緣故於我起諍諸大德。若我以是事故犯諍罪者。願諸大德。捨我是罪乃至我故入白衣舍亦悉聽懺除。犯突吉羅罪故。我從今已往不作是事。若有所作。當於諸大德所求哀懺悔。我有所作不敢覆藏。是苾芻作是懺時。而自朋中唯一苾芻不聽許懺時。彼苾芻即入他朋。脫去革屣偏袒一肩。從耆年上座次第問訊已還至上座前右膝著地合掌而往。即白衆言。諸大德某處白衣舍利養易得。我於彼中如法律說有餘苾芻以是緣故於我起諍。我即於自衆中如法求懺。時我衆中有一苾芻不聽許懺我故來此求哀懺悔。諸大德。若我以是事故犯諍罪者。願諸大德。捨我是罪乃至我從白衣舍出。亦悉聽懺除犯突吉羅罪故我今於諸大德前求哀懺悔。我有所作不敢覆藏。願諸大德聽許我懺布施歡喜。時彼大衆即聽許懺是苾芻得清淨已。彼上座謂言。汝見是罪相不。苾芻答言。我已見是罪相。彼上座復言。汝當如法奉持律儀。苾芻答言。我今如法奉持律儀。如是三說。時他朋中亦如此朋。耆年者耆年者一處。知法者知法者一處。上首者上首者一處。於是朋中有苾芻爲利養故而起諍事。起諍事已。於自衆中作如是言。某白衣舍利養易得。我於彼中如法律說。有餘苾芻以是緣故起鬪諍事。如是乃至第二第三問答等事廣如前說。阿難。彼彼苾芻知自有犯。往來陳懺已。互相見時恭敬問訊。息滅諍緣止諸語論。無復少法而起分別。如是名爲如草覆地滅諍法。以此法故能令諍事而得息滅。(T. 85.1.906b02-906c09).

## 7. The situation in which *Sāmagāmasutta* was composed

As we have seen in previous chapters, the descriptions in *Sāmagāmasutta* and *Samathakkhandhaka* seem to be the same at first glance, but a detailed examination reveals very serious differences. Obviously, the procedures in *Sāmagāmasutta* for carrying out the seven *samathas* have many problems, and they are not in a form that is actually usable. The situation is the same for the two corresponding Chinese texts, which are full of misinterpretations because they do not reflect a correct understanding of *Samathakkhandhaka*.

Among the many mistakes, the most prominent is in the procedure of *yebhuyyasikā*. The problems regarding the other six *samathas* can be characterized as misunderstandings in *Sāmagāmasutta* and the corresponding Chinese texts of the procedures prescribed in *Samathakkhandhaka*. However, in the case of *yebhuyyasikā*, the degree of error is much more serious. *Sāmagāmasutta* and the corresponding Chinese texts mistakenly substitute a portion of the procedure of *sammukhāvinaya* for *yebhuyyasikā* and completely omit the actual procedure of *yebhuyyasikā*.

In *Sāmagāmasutta*, disputes about the norms of the mode of living and the rules (*ajjhājīva* and *adhipātimokkha*) are regarded as trivial, while disputes concerning the Way and Practice are considered to be serious. Moreover, *Sāmagāmasutta* alters the provisions of *Samathakkhandhaka* so that they become meaningless. Therefore, it is natural to suspect that the *vinayadharas* had a strong antipathy to this *sutta*. From their standpoint, the most unforgivable mistake in *Sāmagāmasutta* is probably the complete omission of the procedure for *yebhuyyasikā*. We can suppose that this serious mistake was included in the original version of *Sāmagāmasutta* from the beginning since it also clearly appears in the corresponding Chinese texts.

Therefore, if the *vinayadharas* wanted to criticize this unforgivable error of *Sāmagāmasutta*, the most natural and effective thing would have been for them to insert criticism in the regulations for carrying out *sammukhāvinaya* and *yebhuyyasikā*, regarding which *Sāmagāmasutta* made its most serious errors. And, as we have seen, *Samathakkhandhaka* contains, as part of the formal procedure for resolving *vivādādhikaraṇa*, a fierce criticism, unrelated to the context, of the *dhammakathikas*, demanding that *dhammakathikas* who do not understand the Vinaya be expelled from the *ubbāhikā* committee. Thus, this passage is a harsh criticism of the *dhammakathikas* who probably produced *Sāmagāmasutta*, which the *vinayadharas* considered to be an inferior scripture.

*Sāmagāmasutta* and the corresponding Chinese texts differ on many points in their explanations, but the three scriptures agree on the two most important ones. First, each scripture includes serious mistakes in the regulations for carrying out *sammukhāvinaya* and *yebhuyyasikā* that would



be unacceptable from the standpoint of the *vinayadharas*. Second, all three scriptures do not sufficiently understand the seven *samathas* in general and contain numerous inconsistencies. The reason there are so many differences among the three scriptures is that their presumed original was created in an unintelligible form and included many misunderstandings and errors concerning the provisions of the Vinaya. Thereafter, it became more and more confused by being transmitted in this incorrect form without being corrected through comparison with the Vinaya.

*Sāmagāmasutta* and the corresponding Chinese texts do not understand how to interpret *Samathakkhandhaka* correctly. Considering this, we can trace the disagreement between the *dhammakathikas* and the *vinayadharas* to *Samathakkhandhaka* and the three *sūtras*. It is not found only at a later period within the Mahāvihāra school. In the discord between the *dhammakathikas* and the *vinayadharas*, the *dhammakathikas* composed *Sāmagāmasutta* and the *vinayadharas* countered by inserting into *Samathakkhandhaka* a description critical of the *dhammakathikas*. We can say that this event happened at a very early date, when the Āgamas and Nikāyas were being composed, because this version of *Sāmagāmasutta* was later transmitted to each of the Buddhist sects.

If this hypothesis is correct, the *vinayadharas*' insertion into *Samathakkhandhaka* of a critical description of the *dhammakathikas* is also as old as *Sāmagāmasutta*. Therefore, the inserted passage must be found in Vinayas other than the Pāli Vinaya. I will confirm this point in the next section.

## 8. Descriptions criticizing the *dhammakathikas* in Vinayas other than the Pāli Vinaya

Below, I establish that criticism of the *dhammakathikas*, like that in the Pāli *Samathakkhandhaka*, can be found in other Vinayas as well.

### 8. 1 Dharmaguptaka Vinaya

The following passage describes the situation of resolving *vivādādhikaraṇa* by appointing an *ubbāhikā* committee that occurs during the process of resolving *vivādādhikaraṇa* through *sam-mukhāvinaya* and *yebhuyyasikā*. It corresponds to Viv-10 to Viv-13 in *Samathakkhandhaka*.<sup>(8)</sup>

<sup>(8)</sup> 斷事比丘中。有不誦戒者。不知戒毘尼。便捨正義作非法語。僧應白遣此比丘出。應如是白。大德僧聽彼某甲比丘。不誦戒不知戒毘尼。便捨正義作非法語。若僧時到僧忍聽。僧今遣此比丘出。白如是。應作如是白已遣出。佛語阿難。彼坐斷事比丘中。有誦戒不誦(知?)戒毘尼。彼捨正義說少許文。佛告阿難。僧應作白遣此斷事比丘出。應如是白大德僧聽。彼某甲比丘。誦戒不誦戒毘尼。彼捨正義說少許文。若僧時到僧忍聽。僧今遣此比丘出。白如是。白已遣出。若評斷事比丘中。有法師在座。彼捨正義。以言辭力強說。佛告阿難。僧應作白遣此比丘出。作如是白。大德僧聽。此某甲比丘法師。捨正義以言辭力強說。若僧時到僧忍聽。僧今遣此比丘出。白如是。應作如是白已遣出。若評斷事比丘坐中。誦戒誦毘尼。彼順正義如法說。佛告阿難。僧應如法如毘尼如佛

(The Buddha said to Ānanda,) “Among the judges, there is one who cannot recite the moral practices (*prātimokṣa*?) vows and does not understand the moral practices and Vinaya. He rejects the correct decision and says improper things. The Order should move to expel this monk.” (The text of the procedure that follows is omitted.)

The Buddha said to Ānanda, “Among the judges, there is one who can recite the moral practices but does not understand the moral practices and Vinaya. He rejects the correct decision and says a few improper things. The Order should move to expel this monk.” (The text of the procedure that follows is omitted.)

“If, among the judges, there sits a *dharmakathika* (法師) who rejects the correct decision speaking with powerful words,” the Buddha said to Ānanda, “the Order should move to expel this monk.” (The text of the procedure that follows is omitted.)

“If, among the judges, there one who follows the correct decision and speaks properly,” the Buddha said to Ānanda, “the Order should support this monk according to *dharma* and *vinaya* and what the Buddha taught.”

## 8. 2 Mahīśāsaka Vinaya

Like the passage in the Dharmaguptaka Vinaya above, the following passage describes the situation of resolving *vivādādhikaraṇa* by appointing an *ubbāhikā* committee that occurs during the process of resolving *vivādādhikaraṇa* through *sammukhāvinaya* and *yebhuyyasikā*. It corresponds to Viv-10 to Viv-13 in *Samathakkhandhaka*.<sup>(9)</sup>

If unauthorized monks, even they are wise and learned, are seated in the room and wish to disrupt the process of resolving an *adhikaraṇa*, the Order should expel them, whether it is one person, two people, or three people. Furthermore, if there are monks who can recite much but do not understand the meaning, and they disrupt the process of resolving an *adhikaraṇa*, the judge should say, “That is not what the *sūtra* means!”

## 8. 3 Mahāsāṃghika Vinaya

No term in the Mahāsāṃghika Vinaya corresponds to “*ubbāhikā* committee.” However, in a description of the *sammukhāvinaya* procedure, a method is mentioned by which a monk, wishing

所教佐助此比丘。(T.1428.22.918a05-918a24).

<sup>(9)</sup> 若不被差比丘若一若二若三。雖聰明智慧於座中坐。欲干亂斷事者。僧應驅出。若復有比丘雖多誦習不解其義。而干亂斷事者。斷事人應語言。經義不如此。(T. 1421.22.154c05-154c08).

to resolve an *adhikaraṇa*, assembles other appropriate monks to listen to the disputing parties and adjudicate.<sup>(100)</sup> In fact, this is the equivalent of an *ubbāhikā* committee.<sup>(101)</sup>

At that time, there is a monk who is not a judge (*sthalastha*) but acts like a judge and says, “Listen, all you Worthy Ones, what you are saying now contradicts what you said before.” At that time, if this person is gentle and easy to persuade, they speak in the Order to shame him: “You are bad. You cause disharmony. Your opinion is contrary to the harmony of the Order. Today, the Order of monks has gathered here due to this affair.” If this bad person is stubborn and violent and is likely to increase the conflict, they should say gently, “Venerable One, the Order of monks has gathered today to put an end to this affair. We want to work together with you to resolve this conflict.”

#### 8. 4 Sarvāstivāda Vinaya and *Adhikaraṇavastu* of Mūlasarvāstivāda Vinaya<sup>(102)</sup>

Neither Sarvāstivāda Vinaya<sup>(103)</sup> nor Mūlasarvāstivāda Vinaya,<sup>(104)</sup> in the portions that are equivalent to *Samathakkhandhaka*, has a provision to expel a bad monk from the *ubbāhikā* committee.

The methods of carrying out *saṃmukhavinaya* (Pāli: *sammukhāvinaya*) and *yadbhūyaiṣikaśālākāgrahaṇa* (Pāli: *yebhuyyasikā*) in Sarvāstivāda Vinaya and in the *Adhikaraṇavastu* of Mūlasarvāstivāda Vinaya are almost the same. They are very different from other Vinayas and are much more complicated.<sup>(105)</sup> Apparently, a unique method was developed within Sarvāstivādins.

<sup>(100)</sup> In Mahāsaṃghika Vinaya, the account corresponding to *Samathakkhandaka* in the Pāli Vinaya is included in the *sūtravibhaṅga* on the fourth *pāyattika* rule (Sasaki 2013a, 2014).

<sup>(101)</sup> 時坐中有比丘。非闍賴吒比丘。作闍賴相。作是語。聽諸大德。本作如是語。今作如是語。不相應時。此人皆性軟可折伏者。應僧中語令羞愧。汝不善作不和合事。作不和合見眾僧。今日爲是事故。於此中集。若是惡人執性剛暴。能增長諍事。應作軟語。語言。長老。眾僧今日聚集爲滅此事故。我當共長老作伴和合滅此諍事。(T. 1425.22.328a28-328b06).

<sup>(102)</sup> In the case of Sarvāstivāda Vinaya, the description corresponding to *Samathakkhandhaka* is repeated in two places: the passage on the seven *adhikaraṇasamatha dharmas* (七滅諍法) at the end of the *sūtravibhaṅga* and the passage on *adhikaraṇa dharmas*” (諍事法 [the part corresponding to *Samathakkhandhaka*]). This is the result of a structural modification unique to Sarvāstivāda Vinaya. For this process, see Sasaki 2015.

<sup>(103)</sup> *Shisong lü* 十誦律 (T. 1435, 23): 144b ff., 252b ff.

<sup>(104)</sup> Gnoli 1978 (*Adhikaraṇavastu*): 79.1-95.8; Borgland 2014b: 47.18-69.23.

<sup>(105)</sup> The procedure in Sarvāstivāda Vinaya (applied in the order listed) is: 1. The monks who are the parties to the conflict entrust the resolution of the *adhikaraṇa* to *sthalastha* monks (闍賴吒比丘); 2. The resolution is entrusted to the order; 3. The resolution is entrusted to two *vyūḍhaka* monks in the order who have been selected by *jñaptidvīṭiyakarman*; 4. The resolution is entrusted to two other *vyūḍhaka* monks in the order who have been selected by *jñaptidvīṭiyakarman*; 5. The resolution is again entrusted to the first two *vyūḍhaka* monks; 6. The resolution is again entrusted to the order; 7. A messenger is sent to another order nearby to explain the situation, and the resolution is entrusted to that order; 8. The resolution is entrusted to two *vyūḍhaka* monks in the neighboring order who have been selected by *jñaptidvīṭiyakarman*; 9. The resolution is entrusted to two other *vyūḍhaka* monks in the order who have been selected by *jñaptidvīṭiyakarman*; 10. The resolution is again entrusted to the first two

It is very likely that, at that time, the procedure of expelling from the committee a monk with a poor knowledge of Vinaya was discontinued.

Above, I have shown that four of the six existing Vinayas, not including Sarvāstivāda Vinaya or the *Adhikaraṇavastu* of Mūlasarvāstivāda Vinaya, include a provision for what to do when there is a bad monk on the *ubbāhikā* committee (or an equivalent group). The descriptions in Dharmaguptaka Vinaya and Mahīśāsaka Vinaya clearly correspond to the procedure in *Samathakkhandhaka* of expelling a monk who does not know enough about Vinaya. The inclusion of the Mahāsāṃghika Vinaya here is somewhat questionable. In any case, however, Vinayas other than Pāli Vinaya definitely include a procedure for expelling a bad monk that is not directly related to the resolution of *adhikaraṇa*.

Thus, *Sāmagāmasutta* was compiled at a time when there was disagreement between the *dhammakathikas* and the *vinayadharas*. The *vinayadharas* inserted criticism of the *dhammakathikas* into *Samathakkhandhaka* to attack *Sāmagāmasutta*. This did not occur within the Mahāvihāra; rather, it happened in the early period when the Āgamas and Nikāyas were being composed.

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*vyūḍhaka* monks of the neighboring order. 11. The resolution is again entrusted to the neighboring order; 12. If they (the monks of the neighboring order) hear that there is a monk who is an excellent *sthavira* who is well versed in *prātimokṣa* or in *sūtra*, *vinaya*, or *māṭṛkā*, they send a messenger who has been selected in the nearby order by *jñaptidvīṭiyakarman* to him. The messenger must resolve the *adhikaraṇa* on the way to it (meaning is unclear); 13. The messenger, going to the place where there is a monk who is an excellent *sthavira* who is well versed in *prātimokṣa* or in *sūtra*, *vinaya*, or *māṭṛkā*, explains the situation to a knowledgeable monk there and ask him if he can settle. If he replies that it is possible, a promise to process the resolution within nine months should be obtained (Then the procedure for holding a vote is suddenly explained. This is clearly out of context. There is some kind of problem here.); 14. The entrusted monk return the issue to the messenger. The messenger should settle the *adhikaraṇa* on the way to his own order. 15. If they (the monks of the neighboring order) hear that there are one or two or three monks who are well versed in *sūtra*, *vinaya*, or *māṭṛkā* nearby, they should go there and ask for arbitration. (After this, the procedure for holding a vote is explained again. It is not clear how the *saṃmukhavinaya* and *yadbhūyaiṣyaśalākāgrahaṇa* are related.)

The procedure of the *Adhikaraṇavastu* in Mūlasarvāstivāda Vinaya: 1. The monks who are the parties to the conflict entrust the resolution of the *adhikaraṇa* to *sthalastha* monks; 2. The resolution is entrusted to the order; 3. The resolution is entrusted to five or ten *vyūḍhaka* monks in the order who have been selected by *jñaptidvīṭiyakarman*; 4. The resolution is entrusted to eight or nine *vyūḍhaka* monks in the order who have been selected by *jñaptidvīṭiyakarman*; 5. A messenger (*saṃcāraka*) in the order who has been selected by *jñaptidvīṭiyakarman* is sent to another order where there is a monk who is well versed in *prātimokṣa*. The messenger asks the other order to resolve the *adhikaraṇa* within six months; 6. The messenger goes to monks well versed in *sūtra*, *vinaya*, or *māṭṛkā* and asks them to resolve the *adhikaraṇa* within a year; 7. (The messenger) asks the eldest or most knowledgeable monk to arbitrate the issue; 8. The order resolves the *adhikaraṇa* by *yadbhūyaiṣyaśalākāgrahaṇa*.

## 9. Conclusion

*Sāmagāmasutta* in *Majjhima Nikāya* and the two corresponding Chinese texts ignore disputes concerning the daily norms of monks and nuns, as prescribed by the Vinaya, and assert that only disputes concerning the Way and Practice are important to the Order. It presents methods for resolving these kinds of disputes by altering the wording of seven *samatha* procedures prescribed in *Samathakkhandhaka* of the Vinaya. However, the alteration was extremely defective because the compilers did not understand Vinaya.<sup>(106)</sup> Among the mistakes, the most serious one concerns the carrying out of *yebhuyyasikā* (resolving a conflict by majority decision). The procedures in *Sāmagāmasutta* and the corresponding Chinese texts are completely different from those in the Vinaya and introduce under the term *yebhuyyasikā* provisions totally unrelated to *yebhuyyasikā*.

In response, the *vinayadharas* inserted an incendiary sentence saying that a *dharmakathika* who does not understand the Vinaya should be expelled. This sentence is unrelated to the context, the formal procedure for resolving a conflict. From this, it is clear that the composers of *Sāmagāmasutta* and the corresponding Chinese texts were identified as *dharmakathikas*.

Information regarding this situation can be found not only in the Pāli scriptures but also in the two Chinese texts that correspond to *Sāmagāmasutta*, as well as in the Dharmaguptaka Vinaya and Mahīśāsaka Vinaya (and perhaps even in the Mahāsāṃghika Vinaya). This indicates that the insertion of criticism of the *dharmakathikas* occurred at an early period, when the Āgamas and Nikāyas, as well as the Vinaya, were being composed. Therefore, this is the first study to clarify the actual situation in which the Āgamas and Nikāyas and the Vinaya were gradually completed.

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<sup>(106)</sup> This paper has consistently assumed that the reason for the ambiguity in the description of the *samathas* found in *Sāmagāmasutta* is the immaturity of the knowledge on the Vinaya of the compilers of *Sāmagāmasutta*. However, this is just a working hypothesis, and it is quite possible that the compilers of *Sāmagāmasutta* intentionally changed the contents of the *samathas* for some purpose (for instance, for refusal to practice *karmans* in *samatha* procedures). In the future, it is necessary to proceed with research while considering this possibility.

### Abbreviations

- M *Majjhimanikāya*. ed. V. Trenckner, R. Chalmers, PTS London 1887-1902.
- Ps *Papañcasūdanī*. ed. J.H. Woods, D. Kosambi, I.B. Horner, PTS London 1933-1938.
- Sp *Samantapāsādikā* (Vinaya-aṭṭhakathā), ed. J. Takakusu and M. Nagai. 1924–1947.
- T. *Taishō shinshū daizōkyō* 大正新脩大藏經, ed. J. Takakusu and K. Watanabe. 1924–1935.
- Vin *The Vinaya-Piṭakaṃ*, ed. H. Oldenberg, PTS London [1879–1883] 1969–1982.
- VRI *Dhammagiri-Pāli-Granthamālā*, Vipassana Research Institute 1998

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**keywords** adhikaraṇa, Sāmagāmasutta, Vinaya, Samathakkhandhaka, dhammakathika