

## Local Buddhist Monastic Agreements among the (Mūla)sarvāstivādins

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Recently, there have been an increasing number of studies on the Buddhist monastic community as a whole and on individual Buddhist monks and nuns in *Vinaya* literature. However, we do not know much about how a local Buddhist monastic community was administered. In order to consider just an aspect of the administration in a local monastic community, I will in this paper investigate descriptions of agreements (Skt *kriyākāra*-) that local monastic communities or local Buddhist monks conclude in *Vinaya* texts belonging to the (Mūla)sarvāstivādins.

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*Vinaya* literature principally regulates the action of the Buddhist monastic community as a whole and of individual Buddhist monks and nuns. In this paper I will investigate descriptions in *Vinaya* literature of agreements (Skt *kriyākāra*-)<sup>1</sup> that local monastic communities or local Buddhist monks conclude. Although there were many Buddhist schools in India, I will use only the texts belonging to the (Mūla)sarvāstivādins,<sup>2</sup> with a view to obtaining a concrete picture of local monastic agreements in (Mūla)sarvāstivāda communities.

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1. Gregory Schopen has already in part dealt with this term mainly based on a portion in the *Varṣāvastu* (Schopen 2002). In the Pāli Canon, on the other hand, the word *katikā*- corresponds to *kriyākāra*- (Schopen 2002, 362, cf. CPD s.v.). Furthermore, Pāli commentaries make use of the word *katikāvatta*- also (See CPD s.v. and Furuyama 2002). For *katikāvata* in Sri Lanka, see Ratnapala 1971, Kitsudō 1986, 1989, and Schopen 2002, 362, cf. von Hinüber 1990, 127.
  2. For the unsettled issue of the denomination of the (Mūla)sarvāstivādins, see Enomoto 2000, 2001 (p. 35), 2004, 2009 (p. 18f., note 32), Skilling 2002 (pp. 374–376), Yao 2007, Wynne 2008, and Clarke 2016 (p. 177, note 38).
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## 1. Observing local monastic agreements

First we will consider the following description<sup>3</sup> in the *Kauśāmbakavastu*:<sup>4</sup>

*saṃghena cāyam evaṃrūpaḥ kriyākāraḥ kṛto yaḥ paśyed varcaskumbhikāṃ riktāṃ tucchāṃ nirudakāṃ tenodakasya pūrayitvā (280v6) yathāsthāne sthā(payi)tavyā<sup>5</sup> upadhivārikasya vārocayitavyaṃ varcaskuṃbhikā riktā tiṣṭhatīti • na ced ātmanā pūrayati nāpy upadhivārikasyārocayati • tasyānādarō bhavati • anādarāc ca taṃ vayaṃ pāyattikāṃ<sup>6</sup> āpattiṃ deśayisyāma iti<sup>7</sup>*

And such an agreement as this was made by a (local monastic) community: ‘He who would see that the pot for defecation is empty, void, and without water should fill (it) with water and put (it) in a proper place,<sup>8</sup> or should report to a supervisor [one in charge of physical properties]<sup>9</sup>: “The pot for defecation is empty.” Unless he fills (it) by himself, or reports to a supervisor, he has [shows] disrespect. And on account of disrespect we will make him confess a *Pāyattikā* [Expiation] offence<sup>10</sup>.’

Here, we have a local monastic community that comes to an agreement for which it is a *Pāyattikā* offence when a monk acts in a way that is not in accord with it. The agreement explains a monk’s responsibilities in using the pot for defecation, and then says that, if a monk is negligent in his responsibilities, he shows disrespect, and on account of that disrespect he commits a *Pāyattikā* offence. As far as I know, however, only here in the *Kauśāmbakavastu* and in the *Naissargikā Pāyattikā* 4 are local agreements carrying *Pāyattikā* offences found. We will deal with the *Naissargikā Pāyattikā* 4 below, in section 2. Furthermore, important here is that there is no precept that prescribes this agreement itself in the *Prātimokṣasūtra*. We will consider this issue in the next section (1.1).

3. The following symbols are used in the Sanskrit text in this paper: square brackets [ ] signify damaged *aḥṣaras* or uncertain readings, pointed brackets ( ) omitted *aḥṣaras* without gap, double pointed brackets (《 》) omitted *aḥṣaras* written interlinearly, curly brackets { } superfluous *aḥṣaras*, the apostrophe ’ denotes the *avagraha* not written in the MS, the asterisk \* the *virāma*, H-Macron below ḥ *jihvāmūliya*, H-breve below ḥ *upadhīmāniya*, the circle ○ room for the string-hole, and the middle-placed dot • a punctuation mark in the MS.
4. The title of this *vastu* reads, ‘*k[au]śāmbakavastu*’ on MS 285r10 (GMNAI 1, pp. 180, 272); cf. GMNAI 1, Bibliographical Survey, p. 27, where my explanation is provided, but it was changed without my knowledge after I confirmed the draft on 15 August, 2013.
5. For this emendation, see MS 281r2 (GBM (Fac.Ed.) 874.2 and GMNAI 1, p. 176).
6. Cf. ‘Beide Ligaturen [sc. -nt- and -tt-] sind in vielen Schriften und eben in der etwas jüngeren Proto-Śāradā der Prātimokṣa-Handschriften aus Gilgit nicht zu unterscheiden’ (von Hinüber 1985, 64).
7. MS 280v5–6 (GBM (Fac.Ed.) 873.5–6 and GMNAI 1, p. 175 (cf. GilMs III 2.174.5–10)) = bKa’ ’gyur, ’Dul ba; D Ga (No. 1) 124b6–7, P Ņe (No. 1030) 120a7–8, S Ga (No. 1) 166b4–6.
8. The pot for defecation is portable and usually seems to be set outside an enclosure; cf. GilMs III 2.174.13 (MS 280v7): ‘However, a monk of Vaiśālī, having seized a pot for defecation, entered an outhouse (*vaiśālakas tu bhikṣur varcaskumbhikāṃ ādāya varcaskuṭiṃ praviṣṭaḥ*).’
9. For *upadhivārika-*, see BHSD s.v. *upadhi-vāraka*, regularly \**vārika*, Mvy (IF) 9004, Schopen 2004, Index of Subjects s.v. Provost/Monk-in-Charge-of-Physical-Properties, Silk 2008, 55, 85f., 103ff., 132, 141ff. and von Hinüber 2012.
10. For the name of this offence, see von Hinüber 1985, 63–66. Cf. also von Hinüber 1995, 12 with note 17 and von Hinüber 1999, 17 with note 36.

Subsequently, the *Kausāmbakavastu* says that, after this agreement was concluded, a monk violated the agreement. However, the monk did not confess the offence and a dispute arose as to whether it was an offence or not. The dispute lasted for twelve years. And finally the monk who violated the agreement confessed the offence as follows: 'I myself have fallen into (the offence), it is not (the case) that (I) have not fallen into (the offence) ... (so 'ham āpanno nānāpannaḥ...)'<sup>11,12</sup>

Thus, the *Kausāmbakavastu* attests that, when a Buddhist monk violates this agreement, he commits a *Pāyattikā* offence. In other words, Buddhist monks must observe agreements concluded by their local monastic communities.

### 1.1 The 'legal' basis for local monastic agreements

As stated above, in the *Prātimokṣasūtra* there is no precept that prescribes the agreement in the *Kausāmbakavastu*. Now, we will examine whether the agreement has some 'legal' basis or not. The agreement in the *Kausāmbakavastu* says that, if a monk does not observe the right use of a pot for defecation, he shows disrespect, and he commits a *Pāyattikā* offence on account of that disrespect. When we direct our attention to the word 'anādara- (disrespect)', we realise that the word is used in the precept of *Pāyattikā* 78. This says: *anādarāt pāyattikā* •||<sup>13</sup>, 'On account of disrespect there is a *Pāyattikā* offence.' It thus prescribes a *Pāyattikā* offence by using the same word 'anādara-' as the *Kausāmbakavastu* does.

We have a text, the *Vinayavibhaṅga*, which explains the *Prātimokṣasūtra*. The portion of *Pāyattikā* 78 in the *Vinayavibhaṅga* does not exist in Sanskrit, but only in Tibetan and Chinese. Thus, we will check the relevant explanation in the Tibetan *Vinayavibhaṅga*:

*gus par mi byed na ltuñ byed do ||*  
*gus par mi byed na źes bya ba ni<sup>a)</sup> gñis ka<sup>b)</sup> la gus par mi byed na ste | dge 'dun la<sup>c)</sup> dan<sup>d)</sup> gañ*  
*zag la'o || de la dge 'dun ni de bźin gśegs pa'i ñan thos kyi dge 'dun dan | dge 'dun gyi tha sñad*  
*pa'o || gañ zag ni mkhan po dan<sup>e)</sup> slob dpon dag go<sup>f)</sup><sup>14</sup>*

a) S adds |. b) S omits ka. c) S omits la. d) S omits |. e) D ||.

On account of disrespect (\*anādarāt) there is a *Pāyattikā* offence [the precept of *Pāyattikā* 78]

11. MS 284r4,6; v4 (GBM (Fac.Ed.) 880,4,6; 881.4 and GMNAI 1, pp. 179, 272 (cf. GilMs III 2.190.16; 191.3; 192.13)). The word *nāpannaḥ* on MS 284v10 (GBM (Fac.Ed.) 881.10 and GMNAI 1, pp. 179, 272) is miswritten for *nā(nā)pannaḥ* due to haplography.

12. Cf. In Pāli the *Kosambakkhandhaka* (Vin I 337–360) refers to nothing definite about the cause of the dispute as to whether it was an offence or not, whereas the *Kosambijātaka* (No. 428) expressly states that the dispute arose over the use of water after defecating (Ja III 486.12–26). However, the way to use water is different between the *Kosambijātaka* and the *Kausāmbakavastu*.

13. MS [20]v3 (GBM (Fac.Ed.) 12.3 and GMNAI 1, p. 232 ≈ PrMoSū (Mū/LCh), p. 9). Cf. also PrMoSū (Mū/Hu) 21B2. Incidentally, the precept of *Pāyattikā* 78 is missing in the manuscript which Banerjee utilized (PrMoSū (Mū/Ba), p. 43).

Cf. PrMoSū (Mū/Tib.), p. 121 (*Pāyattikā* 78) (= Taishō 24 (No. 1454), 506a3): *gus par mi byed na ltuñ byed do ||*.

14. bKa' 'gyur, 'Dul ba; D Ņa (No. 3) 18a6–7, P Te (No. 1032) 16b6–7, S Ja (No. 3) 178a6–7 ≈ Taishō 23 (No. 1442), 857a1–3.

‘On account of disrespect’ means: On account of disrespect for the two, that is, for a (local monastic) community and a person. Among them, a (local monastic) community is a (local monastic) community of disciples of the *Tathāgata* and a speech act (?) (\*vyavahāra-)<sup>15</sup> of a (local monastic) community; a person is a preceptor (\*upādhyāya-) and an instructor (\*ācārya-).

Subsequently, the *Vinayavibhaṅga* to *Pāyattikā* 78 enumerates some cases:

*dge sloṅ gi<sup>a)</sup> dge 'dun gyis 'dug cig<sup>b)</sup> ces bsgo ba na<sup>c)</sup> mi 'dug na ltuñ byed du 'gyur ro || ma 'dug cig<sup>b)</sup> ces bsgo ba na<sup>c)</sup> 'dug na ltuñ byed du 'gyur ro || soñ žig<sup>d)</sup> ces bsgo ba na<sup>c)</sup> mi 'gro na ltuñ byed du 'gyur ro ||<sup>e)</sup> ma 'gro žig<sup>d)</sup> ces bsgo ba na<sup>c)</sup> 'gro na ltuñ byed du 'gyur ro || gnas mal loñ žig<sup>d)</sup> ces bsgo ba na<sup>c)</sup> mi len na ltuñ byed du 'gyur ro || gnas mal len cig ces bsgo ba na<sup>c)</sup> len na ltuñ byed du 'gyur ro || gtsug lag khañ loñ žig<sup>d)</sup> ces bsgo ba na<sup>c)</sup> mi len na ltuñ byed du 'gyur ro || gtsug lag khañ ma len cig ces bsgo ba na<sup>c)</sup> len na ltuñ byed du 'gyur ro || smros śig ces bsgo ba na<sup>c)</sup> mi smra na ltuñ byed du 'gyur ro || ma<sup>f)</sup> smra žig<sup>d)</sup> ces bsgo ba na<sup>c)</sup> smra na ltuñ byed du 'gyur ro || ... dge 'dun gyi tha sñad pas bsgo ba la yañ de bžin du sbyar ro ||<sup>16</sup>*

a) DP omit *gi*. b) DP *śig*. c) S adds *|*. d) DP *śig*. e) P *|*. f) P *mi*.

When a (local monastic) community of monks instructs (monks) ‘Stay!’ (but a monk) does not stay, (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Do not stay!’ (but a monk) stays, (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Go!’ (but a monk) does not go, (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Do not go!’ (but a monk) goes, (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Accept a bed and seat!’ (but a monk) does not accept (them), (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Do not accept a bed and seat!’ (but a monk) accepts (them), (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Accept a cell (\*vihāra)!’ (but a monk) does not accept (it), (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Do not accept a cell!’ (but a monk) accepts (it), (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Speak!’ (but a monk) does not speak, (then it) becomes a *Pāyattikā*. When (a local monastic community of monks) instructs (monks) ‘Do not speak!’ (but a monk) speaks, (then it) becomes a *Pāyattikā*. ... In that way, (the same) is also to be applied to a case directed by a speech act of a (local monastic) community.<sup>17</sup>

From the above description in the *Vinayavibhaṅga*, it turns out that, when a monk does not observe an instruction from a local monastic community or a speech

15. The Tibetan word *tha sñad pa* corresponds to the Sanskrit *vyavahāra-* (VinSū MS 32r2, below cited, and Negi s.v. *tha sñad pa*). The Chinese translation does not have the word corresponding to *tha sñad pa* in the relevant portion.

16. D Ņa 18b1–4, P Te 17a1–4, S Ja 178b2–7 ≈ Taishō 23, 857a5–9.

17. Cf. for disrespect for a person, see D Ņa 18b4–7, P Te 17a4–7, S Ja 178b7–179a4 = Taishō 23, 857a9–11:

*dge slon mkhañ pos 'dug cig<sup>a)</sup> ces bsgo ba na<sup>b)</sup> mi 'dug na ñes byas su 'gyur ro || ... slob dpon rnams kyis bsgo ba la yañ de bžin du sbyar ro ||* a) DP *śig*. b) S adds *|*.

When a preceptor orders (pupils) ‘Stay!’ (but a pupil) does not stay, (then it) becomes a *duṣkṛtā*. ... In that way, (the same) is to be applied to a case ordered by an instructor.

act of a local monastic community, then on account of his disrespect for the local monastic community or the speech act of the local monastic community, he commits a *Pāyattikā* offence.

In addition, we have another Vinaya text also in Sanskrit, the *Vinayasūtra*, against which we can check the above description in the *Vinayavibhaṅga*. It says as follows:

*sthānagamanaśayanāsanavihāragrahaṇabhāṣatadviparyayāder  
upanītasyārthasyānādarād*<sup>18</sup> ... *vyati(32r2)krāntau* ||  
*bhikṣusamghena maulaṃ* || ...  
*mukhaṃ*<sup>19</sup> *saṃghasya tadvyavahārakah* ||<sup>20</sup>

In transgressing on account of disrespect regarding the instructed matter of staying, going, accepting a bed, seat and cell, speaking and vice versa [sc. not-staying and so forth], etc., (it is a transgression).

(In transgressing on account of disrespect regarding the matter instructed) by a (local monastic) community of monks, it is the root (transgression prescribed in *Pāyattikā* 78)....<sup>21</sup>

The ‘mouth’ of a (local monastic) community is its speech act.<sup>22</sup>

In consideration for the above description of *Pāyattikā* 78 in the *Prātimokṣasūtra*, the *Vinayavibhaṅga* and the *Vinayasūtra*, *Pāyattikā* 78 could be considered to be the ‘legal’ basis for the agreement in the *Kauśāmbakavastu* concluded by the local monastic community.

In the *Kauśāmbakavastu* it is regarded as an important factor that one shows disrespect regarding the matter instructed by the local monastic community, and that on account of disrespect one commits a *Pāyattikā* offence. Thus, with the help of *Pāyattikā* 78, the agreement in the *Kauśāmbakavastu* is presumably provided with the offence of *Pāyattikā*. In other words, the local monastic community in *Kauśāmbī* presumably applies *Pāyattikā* 78 to monks in *Kauśāmbī*.

18. MS reads *upanītasyārthāsyā*. Cf. Tib. *bsgo ba'i don la*.

19. MS reads *sukham*. This emendation is based on Tib. *dge 'dun gyi tha sñad pa ni de'i kha yin no*.

20. VinSū MS 32r1–2 (= VinSū (Re-ed) 68.12–14) = bsTan 'gyur, 'Dul ba/'Dul ba'i 'grel pa, D Wu (No. 4117) 46b4–6, P Zu (No. 5619) 52a5–7.

21. Cf. for disrespect for a person, see VinSū (Re-ed) 68.15 (= D Wu 46b5, P Zu 52a7):

*ācāryopādhyāyāiḥ duṣkṛtaṃ* ||

(In transgressing on account of disrespect regarding the matter instructed) by preceptors and instructors, it is a *duṣkṛta* (transgression).

22. One of the commentaries on the *Vinayasūtra*, *Vinayasūtravṛtyabhīdhanāsvayākhyāna* or 'Dul ba'i mdo'i 'grel pa mñon par brjod pa rañ gi rnam par bśad pa, explains the last sūtra as follows (bsTan 'gyur, 'Dul ba/'Dul ba'i 'grel pa, D Źu (No. 4119) 270a7–b1, P 'U (No. 5621) 317b8–318a1):

*dge 'dun gyi tha sñad pa ni de'i kha yin no zes bya ba ni dge 'dun gyi tha sñad pa ni dge 'dun gyi kha yin te | de bas na dge 'dun ñid kyis*<sup>a)</sup> *bsgo ba gañ yin pa de ni dge 'dun gyi bsgo ba yin te | dge 'dun gyi tha sñad pa zes bya ba'i don to* || a) P *kyi*.

‘The speech act of a (local monastic) community is its mouth’ means: The speech act of a (local monastic) community is the mouth of a (local monastic) community, and therefore a thing that is ordered by a (local monastic) community is an order of a (local monastic) community and a speech act of a (local monastic) community.

## 2. Local monastic agreements also apply to visiting monks

Next, we will examine the description of *Naissargikā Pāyattikā* 4<sup>23</sup> in the *Vinayavibhaṅga*, which presents important information on *kriyākāra*- (agreement). The Buddha and Upasena appear in this portion. Upasena comes from a different region. He does not know the agreement of the local monastic community concerned, and goes to see the Buddha. Then the following is said:

*ñe sde khyod dge 'dun gyi khrims su bya ba mi sruñ nam |<sup>a)</sup> btsun pa bdag gis dge 'dun gyi khrims ni gañ lags | khrims su bgyi ba ni gañ lags ma 'tshal to || ñe sde 'di na rias dge sloñ rnam la 'di skad ces<sup>b)</sup> dge sloñ dag na zla ba gsum po 'di la nañ du yañ dag 'jog bzed kyis | na'i spyan snar dge sloñ bsod sñoms stobs pa gcig<sup>c)</sup> dan | 'di ñid kyi gso sbyon<sup>d)</sup> bco<sup>d)</sup> lña pa'i tshes ma gtogs par<sup>b)</sup> dge sloñ gañ gis kyañ 'on bar<sup>e)</sup> mi bya'o zes bka' stsal pa dan | dge sloñ gi dge 'dun gyis kyañ tshes dan ldan pa dag dbyar gyi nañ dag tu dge sloñ bsod sñoms stobs pa gcig<sup>c)</sup> dan | 'di ñid kyi gso sbyon<sup>d)</sup> bco<sup>d)</sup> lña pa'i tshes ma gtogs par<sup>b)</sup> bdag cag las gañ gis kyañ bcom ldan 'das la ltar<sup>f)</sup> 'gro bar mi bya ste | dbyar gyi nañ dag tu dge sloñ bsod sñoms stobs pa gcig<sup>c)</sup> dan | 'di ñid kyi gso sbyon<sup>d)</sup> bco<sup>d)</sup> lña pa'i tshes ma gtogs par<sup>b)</sup> bdag cag las gañ bcom ldan 'das la ltar<sup>f)</sup> 'gro ba de bdag cag gis ltuñ byed kyi ltuñ ba byed du gzug go zes khrims su bya ba bcas so || btsun pa bdag ni glo bur du mchis pa lags te | don de ni dge sloñ gñug mar gnas pa rnam kyis bsruñ bar bgyi ba lags so || ñe sde dge sloñ glo bur du<sup>g)</sup> 'ons pa dan | gñug mar gnas pas kyañ dge 'dun gyi khrims su bya ba bsruñ bar bya ba kho na yin no || ñe sde 'di ltar rias dge sloñ glo<sup>h)</sup> bur du lhags pa rnam kyi kun tu<sup>i)</sup> spyod pa'i chos dag bca' bar bya ste | dge sloñ glo bur du 'ons pas gtsug lag khañ du zugs nas<sup>b)</sup> dge sloñ dag la gnas 'di na khrims su bya ba ji lta bu yod ces dri<sup>j)</sup> bar bya'o || gal te 'dri na de lta na legs | gal te mi 'dri na 'gal tshabs can du 'gyur ro ||<sup>24</sup>*

- a) P omits |. b) S adds |. c) P *ciq*. d) DP *bcwa*. e) P *bas*. f) S *bltar*.  
g) S omits *du*. h) S *blo*. i) DP *du*. j) P *bri*.

'O \*Upasena, do you not observe the agreement (*khrims su bya ba*) of the (local monastic) community?' 'Reverend One, I did not know what the rule<sup>25</sup> of the (local monastic) community was, nor what the agreement (*khrims su bgyi ba*) (of the local monastic community) was.' 'O \*Upasena, here I said to monks as follows: "O monks, because I would like to enter retreat for these three months (of the rainy season), no monk should come into my presence except the monk with the authority to (bring) alms or on the \**Poṣadha* (*Uposatha*) day, the 15th." And then the (local monastic) community of monks likewise concluded the agreement (*khrims su bya ba*): "Venerable ones, no monk among us should go to see the Blessed One during the rainy season except the

23. This portion belongs to the introductory story in *Naissargikā Pāyattikā* 5 in the Chinese translation, while the Tibetan translations of the *Vinayavibhaṅga* place it in *Naissargikā Pāyattikā* 4. Moreover, the *Vinayasūtra* also treats the relevant portion under *Naissargikā Pāyattikā* 4. This portion is here indicated under *Naissargikā Pāyattikā* 4, for Tibetan translations of the *Vinayavibhaṅga* and Sanskrit text of the *Vinayasūtra* are utilized in this paper.
24. D Cha 86b6–87a5, P Je 81a7–b5, S Cha 12b2–13a4 ≈ Taishō 23, 723a1–16. Sanskrit fragments of *Naissargikā Pāyattikā* 4 and 5 in the *Vinayavibhaṅga* have been discovered (Hartmann and Wille 2014, 145–149), and I have been preparing an edition of the fragments of the *Vinayavibhaṅga*. Regrettably, however, fragments relevant to this portion have not yet been identified.
25. The word *khrims* is used here. It is uncertain what the word exactly means and what difference there is between *khrims* and *khrims su bya ba* (*khrims su bgyi ba*). According to Negi (Negi s.v. *khrims*), however, *kriyākāra*- is one of the Sanskrit words corresponding to *khrims*. Cf. also the correspondence of *khrims su bcas pa* to *kriyākāraḥ kṛtaḥ* in note 32 below.

monk with the authority to (bring) alms or on the \*Poṣadha day, 15th. We are going to make any one of us who goes to see the Blessed One during the rainy season, other than the monk with the authority to (bring) alms or on the \*Poṣadha day, 15th, deal with [atone for] a \*Pāyattikā offence”.<sup>26</sup> ‘Reverend One, I am a visiting (\*āgantuka-)<sup>27</sup> (monk). The matter is to be observed by resident (\*naivāsika-)<sup>28</sup> monks.’ O \*Upasena, an agreement (*khirms su bya ba*) of the (local monastic) community is to be exactly observed by both a visiting monk and a resident monk. O \*Upasena, I will in this way establish rules for the proper behaviour of visiting monks: a visiting monk, having entered a monastery, should ask monks: “What kind of agreement (*khirms su bya ba*) is there in this residence (\*āvāsa)<sup>29</sup>?” If (he) asks (them), that is good. If (he) does not ask (them), (he) becomes guilty of a violation.’

We will first concentrate our discussion on the Tibetan term *khirms su bya ba* (*khirms su bgyi ba*). The Sanskrit *kriyākāra-* is in most cases translated with *khirms su bca’ ba* in Tibetan translations.<sup>30</sup> Therefore, *khirms su bya ba* is a slightly different translation. However, we have a parallel passage in the *Saṅghabhedavastu* to a part of the above portion,<sup>31</sup> which refers to *kriyākāra-*:

*tatra bhagavān bhikṣūn āmantrayate sma: icchāmy ahaṃ bhikṣavaḥ imām traimāsīm pratisaṃlātum; na me kenacit (sic) bhikṣuṇā upasaṅkramitavyam, sthāpayitvā piṇḍapātānirhāraḥ; tad eva poṣadham iti; bhikṣusaṅghena kriyākāraḥ kṛtaḥ na kenacid asmākam imām traimāsīm bhagavantam darśanāyopasaṅkramitavyam, sthāpayitvā piṇḍapātānirhāraḥ; tad eva poṣadham iti.*<sup>32</sup>

26. For this occurrence in the Buddha’s explanation, see D Cha 85b2–5, P Je 80a4–7, S Cha 10b2–7 = Taishō 23, 722b24–c1.
27. For a visiting monk, see Mvy (IF) 6904, 8686, Hu-von Hinüber 1994, 191–192, Kieffer-Pülz 1992, 366, and Silk 2008, 150–151.
28. For a resident monk, see Hu-von Hinüber 1994, 191–192 and Kieffer-Pülz 1992, 366.
29. For a residence, see Hu-von Hinüber 1994, 189–190 and Kieffer-Pülz 1992, 365.
30. Cf. Negi, s.v. *khirms su bca’ ba*.
31. The settings are different between the portions of *Naissargikā Pāyattikā* 4 and of the *Saṅghabhedavastu*: \*Śrāvastī/mNān yod is referred to as the setting in *Naissargikā Pāyattikā* 4, while the *Saṅghabhedavastu* mentions Rājagṛha/Gyal po’i khab.
32. SBhV II 204.5–11. Cf. bKa’ gyur, ‘Dul ba; D Ņa (No. 1) 250b1–3, P Ce (No. 1030) 231b2–3, S Ņa (No. 1) 342a2–5 = Taishō 24 (No. 1450), 202c6–8:

*de nas<sup>a)</sup> bcom ldan ‘das kyis<sup>b)</sup> dge sloṅ rnam la bka’<sup>c)</sup> stsal pa | dge sloṅ dag ṅa<sup>d)</sup> dbyar gyi zla ba gsum po ‘di la nan du yaṅ dag par<sup>e)</sup> ‘jog par bzed kyis | bsod<sup>f)</sup> sñoms stobs pa dan<sup>g)</sup> gso sbyon de ṅid kyī tshē ma gtogs<sup>h)</sup> par<sup>b)</sup> dge sloṅ<sup>i)</sup> su yaṅ ṅa’<sup>j)</sup> spyān sñar ma<sup>k)</sup> ‘on śig<sup>l)</sup> | dge sloṅ gi dge ‘dun gyis kyaṅ khirms su bcas pa | tshē dan ldan pa dag dbyar gyi zla ba gsum po ‘di la bsod<sup>f)</sup> sñoms stobs pa dan<sup>g)</sup> gso sbyon de ṅid kyī tshē ma gtogs par<sup>b)</sup> bcom ldan ‘das la blta<sup>m)</sup> ba’i phyir bdag cag su yaṅ ‘gro bar mi bya’o zēs bcas so ||*

a) S na. b) S adds |. c) S ‘ka’. d) P da. e) S omits par. f) P gsoḍ. g) S omits |.

h) P btogs. i) S adds dag. j) P de’i. k) P ‘on śig, P ‘on śig. l) P lta.

The Tibetan translation of this portion in the *Saṅghabhedavastu*, however, uses *khirms su bcas pa*, corresponding to *kriyākāraḥ kṛtaḥ*. Furthermore, the agreement here is not provided with the offence of *Pāyattikā*.

Cf. the word *kriyākāra-* is used also in the story of Upasena belonging to the Sarvāstivādins: Vin-Vibh (Sa), *Naiḥsargika-Pātayantika-Dharma* 3.5,6,8.

Cf. for the story of Upasena in *Vinaya* texts belonging to various schools, see Yamagiwa 2002.

Incidentally, there is a parallel passage also in the *Za-ahan-jing* 481 (Taishō 2 (No. 99), 122b14–17, cf. SN V 12.10–15 = Vin III 230.3–8 (Vin III 230.8–12 describes *katikā*) which, however, has no



Then the Blessed One addressed the monks: ‘O monks, I want to go on retreat for these three months. No monk should approach me except the monk bringing alms or on the Poṣadha day.’ The (local monastic) community of monks concluded an agreement: ‘No monk among us should go to see the Blessed One during these three months except the monk bringing alms or on the Poṣadha day.’

Moreover, the *Vinayasūtra* provides the following description of the above portion of *Naissargikā Pāyattikā* 4:

*sāṃghikaṃ kriyākāram anurakṣet\* ||*  
*anī[s]araṇam atrāgantukatvaṃ <||>*  
*sadasa(t)tvarūpanirjñānārtham asya tena praśnaḥ ||*<sup>33</sup>

(A monk) should observe an agreement (*kriyākāra*-) of the (local monastic) community.

The state of visiting monk constitutes no exception to this [the above *sūtra*].

(It is obligatory) for him [a visiting monk] to ask this [an agreement of the local monastic community] in order to realise the existence, non-existence, or a form (of an agreement of the local monastic community).

Furthermore, there is an attested example where the Tibetan term *khirms su bya ba* corresponds to the Sanskrit term *kriyākāra*- in the *Vinayasūtra*; see note 38.

Thus, it would seem to be safe to assume that the Tibetan term *khirms su bya ba* (*khirms su bgyi ba*) in the description of *Naissargikā Pāyattikā* 4 corresponds to the Sanskrit *kriyākāra*-.

If the above argument is sound and valid, the description of *Naissargikā Pāyattikā* 4 is important: agreements of the local monastic community must be observed not only by resident monks, but also by visiting monks. For that reason, visiting monks must ask monks in a particular monastery about agreements of the local monastic community at the time they arrive at the monastery. If they do not ask them about agreements, they will be guilty of an offense.<sup>34</sup> That is, the excuse that visiting monks do not know the agreements of the local monastic community is invalid. Furthermore, agreements concluded by a local monastic community turn out to have a limited scope of validity, that is, they are valid only within the relevant residence.<sup>35</sup> It is noted that, although the rule about the way to apply agreements was established by the Buddha, specific agreements themselves are concluded by the local monastic community concerned.

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word corresponding to *kriyākāra*-. Sanskrit fragments (MS 2627/1 + PCV F 22.2) corresponding to the *Za-ahan-jing* 481 have recently been identified (Chung, forthcoming).

33. VinSū MS 14v5 (≈ VinSū (Re-ed) 33.47–49) ≈ D Wu 24a5, P Zu 28a1–2. Cf. *Vinayasūtra-ṛtyabhidhānasavyākhyāna* (D 148a7–b2, P 173b7–174a1).

34. However, the Buddha made a partial alteration to the agreement in *Naissargikā Pāyattikā* 4: the agreement is not applicable to monks who live in the wilderness (*\*āraṇyaka*-), on alms-food (*\*piṇḍapātika*-), etc. (D Cha 87a5–b1, P Je 81b5–7, S Cha 13a4–7 ≈ Taishō 23, 723a16–24, cf. VinSū (Re-ed) 34.2, *Vinayasūtra-ṛtyabhidhānasavyākhyāna* (D 148b3–5, P 174a3–4). Cf. also Mvy (IF) 1131–1142 and BHSD s.v. *dhūta-guṇa*).

35. See also section 3 and Schopen 2002.



### 3. Announcing local monastic agreements before monks enter the rains retreat

Now we will look at the description in the *Varṣāvastu* concerning the time before monks enter the rains retreat:

*tataḥ paścāt kriyākāra ārocayitavyaḥ. śṛṇotu bhadantās saṃghaḥ. asminn āvāse ayaṃ cāyaṃ ca kriyākāraḥ. yo yuṣmākam utsahate anena cānena ca kriyākāreṇa<sup>36</sup>) varṣā upagantum, sa śalākāṃ grhṇātu.<sup>36</sup> a) MS reads krayākāreṇa.*

Thereafter, an agreement is to be announced: ‘Venerable ones, the (local monastic) community must listen, please! The agreement is this and that in this residence. Who among you is able to enter the rains retreat with this and that agreement, should take a stick (for the counting of participants in the retreat)<sup>37, 38</sup>

As Gregory Schopen has already pointed out,<sup>39</sup> it turns out from this description that, before monks enter the rains retreat, the agreement (*kriyākāra-*) in the relevant residence should be announced and monks who can observe the agreement spend the rains retreat in the relevant residence.

### 4. Abrogation by the Buddha of local monastic agreements

Next, we will check the description of *kriyākāras* that are abrogated by the Buddha. In the *Pravāraṇāvastu* of the *Vinayavastu*, the *Pravāraṇā* ceremony is introduced with this story:

*de’i tshes dge sloṅ rab tu maṅ po dag ljoṅs śig tu khrims su bca’ ba ’di lta bu dag byas nas dbyar gnas par dam bcas te | tshes dañ ldan pa dag bdag cag gi nañ na dge sloṅ gañ gis kyañ dbyar gyi nañ logs su dge sloṅ la tshul khrims ṅams śe’am | lta ba ṅams śe’am | spyod pa ṅams śe’am | tsho ba ṅams śes gleñ bar mi bya dran par mi bya’o || ... gcig la gcig mi smra bar kha rog ste ’gro bar bya’o zes de lta bu’i khrims su bca’ ba dag byas nas ljoṅs su dbyar gnas par dam bcas so || ... skyes bu gti mug dag ’di lta ste mi smra ba ni mu stegs can gyi rgyal mtshan yin no || de lta bas na dge sloṅ gis mi smra bar dam bca’ bar mi bya’o || dge sloṅ gis mi smra bar dam ’cha’ na ’gal tshabs can du ’gyur ro ||<sup>40</sup>*

At that time very many monks entered the rains retreat in a certain region, having concluded such agreements (*khrims su bca’ ba*)<sup>41</sup> (as these): ‘Venerable ones, no monk among us should accuse or remind a monk during the rainy season due to a falling away from (good moral) habits, a falling away from (right) view, a falling away

36. Varṣ (Sh) § 1.2.5.3.

37. For *śalākā-*, see Durt 1974, Durt 1979 and Schopen 2002, 360–361 with note 10.

38. The *Vinayasūtra* has a similar description (*VārṣVinSū* (Sh), *sūtra* 12):

*āyañ cāyaṃ cāsminn āvāse kriyākāro. yo yuṣmākam<sup>a)</sup> utsahate tena kriyākāreṇāsminn āvāse varṣā vastum, sa śalākāṃ grhṇātu<sup>b)</sup>. a) MS reads yusmākam. b) MS reads grihṇātu. See Varṣ (Sh), Introduction § 2.1.4 (p. 12).*

*= gnas ’di na khrims su bya ba ’di dañ ’di yod de | khyed cag las gañ khrims su bya ba ’di dañ ’dis gnas par spro ba des ni tshul śiñ loñ žig.*

39. See Schopen 2002, especially p. 361.

40. *Pravār* (Ch) §§ 1.1.1–1.2.3.

41. In *Pravār* (Ch) § 8.1 *kriyākāra-* is correspondent to *khrims su bca’ ba*. Sometimes *r* is used instead of *ri*; cf. *Pravār* (Ch), *Einleitung* § 7.1.3.1.6 (p. 125) and *Varṣ* (Sh), *Introduction* § 1.1.4 (p. 3).

from (good) behaviour, or a falling away from (right) livelihood. ... (We) should leave silently without speaking with each other'. After having concluded such agreements (*khriṃs su bca' ba*), (they) entered the rains retreat in the region. ...

(The Awakened One said:) 'Foolish men, it is the sign of an adherent of a religion other than Buddhism to not speak in this way. Thus, a monk should not spend (the rains retreat) without speaking. If a monk spends (the rains retreat) without speaking, (he) becomes guilty of a violation.'

The agreements here concluded by monks are abrogated by the Buddha. Thus, we see that what is concluded as an agreement is not always valid.<sup>42</sup>

In addition, the Buddha partially alters concluded agreements in the above-cited *Naissargikā Pāyattikā* 4<sup>43</sup> and the *Ṭsudrakavastu*.<sup>44</sup>

### Conclusions

To sum up, Buddhist monks must observe agreements established in specific residences. Monastic agreements are concluded mainly by local monastic communities<sup>45</sup> and are valid only within the particular residence. Agreements can be provided with the offence of *Pāyattikā* if a monk goes against them.<sup>46</sup> Agreements in a particular residence must be observed not only by resident monks, but also by visiting monks. For that reason, visiting monks must ask monks in a particular monastery about agreements in the relevant residence at the time they arrive at the monastery. Furthermore, before monks enter the rains retreat, the agreement(s) in force in the particular residence should be announced and thereafter monks spend the rains retreat while observing the agreement(s). However, even after an agreement is concluded, it can in some cases be altered or abrogated by the Buddha, if it is inappropriate. That is, what is concluded as an agreement is not necessarily valid. Finally, although the validity of agreements is restricted to particular localities,<sup>47</sup>

42. Cf. it is not permitted that *kriyākāras* leading to injury are concluded (VinSū (Re-ed) 11.11 and Bapat/Gokhale 42.13–14).

Cf. in Pāli literature also the Buddha abrogates the *katikās* on Vin I 153<sup>6–23</sup> and Vin III 104<sup>21–27</sup>. Cf. also Furuyama 2002, 61.

43. See note 34.

44. bKa' 'gyur, 'Dul ba; D Da (No. 6) 174a1–7, P Ne (No. 1035) 168a7–b5, S Tha (No. 6) 259b2–260a5 ≈ Taishō 24 (No. 1451), 370c24–371a8. See Schopen 1996, 575–576 = 2004, 341–342.

45. In addition, *kriyākāras* can be concluded not only between monks, but also between laymen. That is, there are secular *kriyākāras* as well as monastic *kriyākāras*: e.g. GBM (Fac.Ed.) 878.5f. and GMNAI 1, p. 178 (*Kauśāmbakavastu*) (GilMs III 2.186.18–187.2; D Ga 129b5–7, P Ñe 125a2–4, Ga 173b5–7), GilMs III 1.224.18–225.2, 244.16–19, 246.4–6, 282.9–12, etc. Cf. also BHSD s.v. *kriyākāra*, and Schopen 2002, 381, note 4.

46. The 'legal' basis for the agreement in the *Kauśāmbakavastu* is presumably *Pāyattikā* 78. It is, however, uncertain whether, in the case that all *kriyākāras* are violated, a *Pāyattikā* offence is inflicted on monks violating *kriyākāras*. Cf. we have two portions describing the similar content of the *kriyākāra*-, which is not prescribed in the *Prātimokṣasūtra*. One is provided with the offence of *Pāyattikā* without mentioning *anādara*- (the passage in *Naissargikā Pāyattikā* 4 in the above section 2), and the other does not refer to anything about the offence of *Pāyattikā* (the passage in SBhV in the above section 2).

47. Cf. some regulations issued by the Buddha are, however, exceptionally limited to a special region, e.g. MS 87r5 (GBM (Fac.Ed.) 756.5 and GMNAI 1, p. 42 (Carmavastu, cf. GilMs III 4.189.14f.)

agreements are important in considering the enlargement of Buddhist ‘legislation.’

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### Abbreviations

BHSD	Franklin Edgerton. 1953. <i>Buddhist Hybrid Sanskrit Grammar and Dictionary</i> , Volume II: Dictionary. New Haven, CT: Yale University Press.
Bapat/Gokhale	Bapat, P. V., and V. V. Gokhale. 1982. <i>Vinaya-sūtra and Auto-Commentary on the Same by Guṇaprabha: Chapter I — Pravrajyā-vastu</i> . Tibetan Sanskrit Works Series, 22. Patna: Kashi Prasad Jayaswal Research Institute.
CPD	V. Trenckner <i>et al.</i> , <i>A Critical Pāli Dictionary</i> , Copenhagen 1924–.
D	sDe dge (block print)
GBM (Fac.Ed.)	<i>Gilgit Buddhist Manuscripts, Revised and Enlarged Compact Facsimile Edition</i> . 1995. Edited by Raghu Vira and Lokesh Chandra, Bibliotheca Indo-Buddhica, 150–152. Delhi: Sri Satguru.
GilMs	<i>Gilgit Manuscripts</i> . Edited by Nalinaksha Dutt, Volume III.1, Delhi 21984 [1 <sup>ed.</sup> : Srinagar 1947]; Volume III.2, Delhi 21984 [1 <sup>ed.</sup> : Srinagar 1942]; Volume III.4, Delhi 21984 [1 <sup>ed.</sup> : Calcutta 1950].
GMNAI 1	<i>Vinaya Texts</i> . Edited by Shayne Clarke, New Delhi/Tokyo 2014 (Gilgit Manuscripts in the National Archives of India, Facsimile Edition, 1).
Ja	<i>The Jātaka Together with Its Commentary Being Tales of the Anterior Births of Gotama Buddha</i> . 1877–1897. Edited by V. Fausbøll, 6 volumes, London.
MS	Manuscript
Mvy (IF)	<i>A New Critical Edition of the Mahāvvyūtpatti: Sanskrit-Tibetan-Mongolian Dictionary of Buddhist Terminology</i> 新訂翻訳名義大集. 1989. Edited by Yumiko Ishihama and Yōichi Fukuda. Tokyo.
Negi	<i>Bod skad dañ legs sbya gyi tshig mdzod chen mo: Tibetan-Sanskrit Dictionary</i> . 1993–2005. Edited by J. S. Negi, 16 volumes. Sarnath.
P	Peking (block print)

≈ D Ka (No. 1) 266a4–5, P Khe (No. 1030) 250a1–2, S Ka (No. 1) 380b2–3; Taishō 23 (No. 1447) 1053a2f.:

*bhaḡavān āha. tasmād anujānāmi pratyantimeṣu janapadeṣu vinayadhara(ṃ)paṃcamena gaṇenopasaṃ[pa]t ...*

The Blessed One said: ‘Therefore, I allow in border districts ordination by a group with, as fifth, an expert on discipline ...’

- Pravār (Ch) Jin-il Chung, *Die Pravāraṇā in den kanonischen Vinaya-Texten der Mūlasarvāstivādin und der Sarvāstivādin*. 1998. Sanskrit-Wörterbuch der buddhistischen Texte aus den Turfan-Funden, Beiheft 7. Göttingen: Vandenhoeck & Ruprecht.
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- PrMoSū (Mū/Hu) Haiyan Hu-von Hinüber, *Das Bhikṣu-Prātimokṣasūtra der Mūlasarvāstivādins anhand der Sanskrit-Handschriften aus Tibet und Gilgit sowie unter Berücksichtigung der tibetischen und chinesischen Übersetzungen*, 2003 [<https://www.freidok.uni-freiburg.de/data/9535>].
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- PW Otto Böhtlingk and Rudolph Roth. 1855-1875. *Sanskrit-Wörterbuch*, 7 volumes. St. Petersburg: Kaiserl. Akad. der Wiss.
- S sTog palace (manuscript)
- SBhV *The Gilgit Manuscript of the Saṅghabhedavastu: Being the 17th and Last Section of the Vinaya of the Mūlasarvāstivādin*. 1977-1978. Edited by Raniero Gnoli. Rome: Istituto italiano per il medio ed estremo oriente.
- SN *The Samyutta-Nikāya of the Sutta-Piṭaka*. 1884-1898. Edited by M. Léon Feer, 5 volumes. London: Pali text society.
- Taishō *Taishō Shinshū Daizōkyō* 大正新脩大藏經. 1924-1932. Edited by Junjirō Takakusu and Kaigyoku Watanabe, 100 Volumes.
- Varṣ (Sh) and VārṣVinSū (Sh) Masanori Shōno. 2010. 'A Re-edited Text of the Varṣāvastu in the Vinayavastu and a Tentative Re-edited Text of the Vārṣikavastu in the Vinayasūtra'. *Acta Tibetica et Buddhica* 3: 1-128.
- Vin *The Vinaya Piṭakaṃ: One of the Principal Buddhist Holy Scriptures in the Pāli Language*. 1879-1883. Edited by Hermann Oldenberg, 5 Volumes. London: Williams.
- VinSū MS *The Facsimile Edition of a Collection of Sanskrit Palm-leaf Manuscripts in Tibetan dBu med Script*. 2001. Edited by Study Group of Sanskrit Manuscripts in Tibetan dBu med Script. Tokyo.
- VinSū (Re-ed) *The Digital Data of Preliminary Transliteration of the Vinayasūtra*. 2001. Edited by Study Group of Sanskrit Manuscripts in Tibetan dBu med Script. Taisho University [[http://www.tais.ac.jp/wp/wp-content/uploads/2015/07/vinayasutra\\_trlt.pdf](http://www.tais.ac.jp/wp/wp-content/uploads/2015/07/vinayasutra_trlt.pdf)].
- VinVibh (Sa) Valentina Rosen. 1959. *Der Vinayavibhaṅga zum Bhikṣuprātimokṣa der Sarvāstivādins: Sanskritfragmente nebst einer Analyse der chinesischen Übersetzung*. Sanskrittexte aus den Turfanfunden, II. Berlin: Akademie-Verlag.

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