It is probably fair to say that, because of the way they have been studied, neither Indian Buddhist monasticism nor the Buddhist monastery in India have been allowed to have anything like a real history. Whether implicitly or explicitly, conscious or not, most modern scholars have either unquestioningly assumed, or worked hard to show, that extant monastic or vinaya sources, for example, must be early, some even asserting—or again assuming—that they must go back to the Buddha himself. But the necessary consequences of this have rarely been examined: if the extant vinaya sources are early, if they go back anywhere near the time of the Buddha, then Buddhist monasticism could not have any real institutional history—it could only have sprung all but fully formed from the head of the Buddha. Moreover, since these extant vinaya sources already know and are meant to govern fully developed, well-organized, walled monasteries that had infirmaries, refectories, bathrooms, steam rooms, locks and keys, the Buddhist monastery too could have had no real development, and consequently no actual history. It would have been architecturally finished from its very start.

Such pictures—one is tempted to say fantasies—fit, of course, not at all well with what is known about monasticisms elsewhere. More importantly, and in specific regard to the Indian Buddhist monastery for which we have some independent, non-literary sources as well, it does not fit at all with what is found in the archaeological record of Buddhist monastic sites in India. The earliest Buddhist “monasteries” that are known in India—and none of these are pre-Asokan—are not “monasteries” at all. They are either
only barely improved, unorganized, natural caverns or caves, or poorly con-
structed and ill-organized shelters built of rubble or other cheap materials. Communities living in these environments could not have produced our elaborate vinayas, nor would they have had any use for them. Since such communities had no steam rooms (jentaka), for example, how could they possibly have generated elaborate rules governing their construction and use?

Clearly there is something curiously wrong here, and the early history of Buddhist monasticism and Buddhist monasteries in India must be fundamentally rethought and reexamined. But there are other equally interesting projects that also must be undertaken. Once it is allowed that, yes, both Buddhist monasticism and Buddhist monasteries had histories, that both developed and changed over time, then “early” Buddhist monasticisms—and we should probably begin to use the plural seriously here—and the “early” Buddhist monastery, become only one, and certainly not the only important, object of investigation. We need no longer be implicitly or explicitly concerned primarily with the question of what Buddhist monasticisms originally were. We might be equally—and probably more fruitfully—concerned with what at given places at given points in time they had become. We might begin to meaningfully talk about “early” and “early medieval” and “medieval” and “late” Buddhist monasticisms, and study each of these in their own right and not, for example, as mere exemplifications of the decline and degeneration of some “early” and largely assumed single “ideal.” Each of these monasticisms will need to be understood and evaluated on their own terms, and this, of course, will not be easy.

If, for example, we want to know what Buddhist monasticism had become in North India in the period between the mature Kušāṇ and the 5th/6th centuries—the period that for lack of a better term might be called “the early medieval”, and the period which is generally taken to be that of “the Mahāyāna”—then the Mulasārvaśivāda-vinaya becomes a primary source. There is an almost general agreement that this vinaya is “late” and was redacted and used during this period. There is the same sort of agreement that during this period this vinaya had clear connections with North India,

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with Gandhara, Mathura, and perhaps Kashmir. This is the good part. The bad part follows almost immediately: the Mulasarvastivāda-vinaya is enormous. Sylvain Lévi has described it as “une vaste compilation,” as “presque épique,” as an “immense pot-pourri de la discipline bouddhique,” as “monstrueux” and “en soi un canon déjà complet.” Huber, too, refers to it as “cette énorme compilation,” and Lalou as “cet énorme vinaya”—here too there is general agreement and it is not difficult to see why. The Tibetan version of the Mulasarvastivāda-vinaya in, for example, the Derge edition is almost four thousand folios long and takes up thirteen volumes, and even it may not be complete. It seems to lack two texts often quoted by Gunaprabha entitled the Matrkā and the Nidāna, although both may now be represented in the Tibetan traditions by what is there called the Uttaragrantha(s). Large portions of its Vinayavastu have also been preserved in Sanskrit in the manuscripts from Gilgit, and significant portions of its Vibhanga are also available—usually in truncated or crudely condensed form—in the Divyāvadāna. There is as well a Chinese translation, although it is incom-


6 See most recently Satoshi Hiraoka, “The Relation between the Divyāvadāna and the
plete, “full of gaps,” and “much less exact than the Tibetan one”; Lamotte, in fact, characterizes it as “mêdiocre.”

The bulk of the Mulasarvāstivāda-vinaya is, however, only a part of the bad news. This Vinaya is not only huge, it has also been little studied, and only a tiny portion of it has been critically edited in any language. This means—at the very least—that anything said about it at this stage can be only tentative and provisional.

These are all serious problems, but an equally serious obstacle to any understanding of this “monster” is the fact that much of what it seems to contain does not correspond to what we thought we knew about the character and defining characteristics of monastic Buddhism. It has, for example, been commonly assumed or asserted that becoming a Buddhist monk involved—or even required—renouncing all personal property. But the Mulasarvāstivāda-vinaya seems to assume, or even require, something quite different. According, for example, to the Mulasarvāstivādin ordination formulary which has come down to us in a Sanskrit manuscript from Tibet, the candidate for ordination must be asked: “Do you have any debt (deya, bu lon), either large or small, to anyone?” If he says yes, then he must be asked: “Will you be able to repay this after you have entered the order (sakṣyasi pravrajyāyam dātum)?” If he says no, the text says he must be sent away and he cannot be admitted into the order. Only if he says that he will be able to pay can the ordination proceed. Here, in other words, the expectation—indeed the rule—is that a successful candidate for Mulasarvāstivādin ordination would not renounce private wealth, but in fact retain it, and be responsible for and able to pay any debt that was contracted prior to ordination.

These sorts of expectations are moreover found elsewhere in this Vinaya in a startling variety of contexts. The Vinayavibhaṅga, for example, repeat-

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edly assumes that monks will be subject to tolls and road taxes and gives rules that require monks to pay them (Derge Ca 72b.6ff). This must mean that the redactors of this Vinaya also assumed two other things: that monks while traveling would be transporting taxable goods, and that monks would have the means to pay the taxes. That it was assumed that these were their own personal goods and that the payments were made from their own resources, is made virtually certain by the fact that the Vibhaṅga has a separate set of rules dealing with the payment of tolls on goods that are for ritual purposes and are corporately owned; i.e., that belong to the Buddha or the Dharma or the Sangha. In this case it is explicitly stated that the tolls must be paid from corporate funds (Derge Ca 76b.4–78a.4). In the Kṣudrakavastu there is a rule explicitly stating that when a monk borrows (brnyas pa) a mat from another monk and that mat is damaged by him, the borrowing monk must compensate the owner: “He must either give him the price of its full value or what will satisfy him.” (ri ba ’i rin shyin par bya ba’am / de’i sems mgu bar bya’o—Derge Tha 49a.1). In the same Vastu monks are explicitly told that when their property is stolen, they must not take the thieves to court but buy back from them what they stole, even if they have to give the full price (rgyal po’i pho brang du sbron par mi bya’i ‘on kyang sngar chos bshad nas bsflag bar bya’o / gal te mi ster na rin phyed kyis blang bar bya’o / gal te de ltar yang mi ster na rin tshang bar byin la blang bar bya ste—Derge Tha 233b.2). And the Kṣudrakavastu also explicitly declares that monks must carry seals (rgya bcang bar bya’o). Such seals were meant to mark property and the text, again, explicitly says there are two sorts of seals, seals of the community, and seals of individuals (rgya ni gnyis te / dge ’dun gyi dang gang gi’o—Derge Tha 7b.6–8a.7. Cf. Vinayavibhaṅga, Derge Ca 79b). This distinction here is particularly interesting as one of numerous instances where this Vinaya formally acknowledges the existence of individual private property (paudgalika) and distinguishes it from corporate or communal property (sāmghika). Yet another example occurs in the Civaravastu. Here the problem is that terminally ill monks were dying on bedding belonging to the community (glānāh asamvidita eva sāmghike śayanāsane kālam kurvanti). As a consequence the Buddha himself is made to order the attending monk to watch closely for the signs of imminent death and, when they occurred, to move the dying monk on some pretext onto his personal bedding (śaṅrāvaśṭhām jñātvā paudgalike śayanāsane vyājenaivaśraya śāyitavya iti—GMs iii 2, 123.16). And this same distinction also comes into play elsewhere in the Cīvaravastu in regard to dying monks.
In one passage, for example, it is clearly assumed that monks normally owned or were expected to pay for any medicines they required or for any rituals that were performed on their behalf. This seems at least to follow from the fact that only in the case of very poor monks (alpajñāta) could these be paid for out of corporate funds (sāṃghika), and even then those corporate funds were to be repaid if at all possible (GMs iii 2 124.11–125.9; cf. 128.1–131.15). In fact the acknowledgement of pāudgālīka, of a monk’s private property, also occurs in the Mūlasarvāstivadīn Prātimokṣa.⁹

The mere existence of the distinction between sāṃghika and pāudgālīka, and the formal acknowledgement of the latter in Mūlasarvāstivadīn monastic law, should in themselves put to rest any doubts about whether Mūlasarvāstivadīn monks were expected to have personal property. But to well and truly bury them we probably need only glance again at the last part of the Cīvaravastu. There are there more than thirty-five pages detailing what can only be called Mūlasarvāstivadīn monastic inheritance law. There are rules detailing what should happen to the property of a monk from one “residence” (āvāsa) who dies in another (GMs iii 2, 113.14–117.4); rules dealing with the disposition of the estate of a monk some of whose property was held in trust (pratīvastu) by other monks or even laymen (GMs iii 2, 143.15–145.13); rules laying down the formal procedures (karman) required when the community takes formal possession (adhitisthati) of a deceased monk’s estate in order to distribute it (GMs iii 2, 117.8–121.5 and 145.2–9); rules establishing the proper times for distributing a dead monk’s estate and for determining who can participate in that distribution (GMs iii 2, 120.3–20); etc. Rules dealing with monastic estates are, moreover, not found only in the Cīvaravastu. There are, for example, rules in the Kṣudrakavastu stipulating that property that a monk “designates” (bṣngo ba) for another monk while he is alive reverts to his estate upon his death (Derge Tha 254a.1–.6), and, conversely, that property that was “designated by one monk for another does not belong to the latter’s estate when he dies, but continues to belong to the former” (Derge Tha 254a.6–254b.2). There is as well a large number of rules governing monastic estates and inheritance law in the Uttaragrantha(s), rules—for example—governing what must happen

when a monk borrows money from a laymen (dge slong gzhan zhit gis khyim bdag cig las kár shā pa na zhit bskyes pa . . .) but dies without repaying the loan (Derge Pa 132b.7–133a.3; see also Derge Pa 85a.3–86a.2; 86a.2–6; 86a.6–b.4; 86b.4–7; 86b.7–87a.4; etc.). The size, finally, of some of the monastic estates that are mentioned is also impressive, and it seems clear that the redactors of this Vinaya assumed that some monastic estates would be very large indeed. One such estate is described as worth or consisting of “a great deal of gold, three hundred thousand of gold” (prabhūtam suvraṇaṁ tīraḥ suvraṇalakṣāḥ-GMs iii 2, 118.11), and this elicits no comment in the text and appears to pass as completely acceptable. In fact the Civaṇavastu even has a set of rules specifically framed to deal with large estates left by monks who were “rich and famous” (jñātamahāpupya-GMs iii 2, 123.10–15), and here again there is not the slightest indication that such estates were considered irregular or undesirable.

At least two things, it seems, are then already reasonably clear from the material quickly summarized to this point. A great deal of the Mulasarvāstivāda-vinaya takes for granted that the monks it was meant to govern had and were expected—even required—to have personal property and private wealth. If Buddhist monks were ever required to renounce private property—and there are good reasons for doubting this—they certainly were not by the time the Mulasarvāstivāda-vinaya was redacted. Some Mulasarvāstivadin monks, those who were “well known and of great merit,” were in fact expected to be quite wealthy. Rather than suggest that such wealth should be renounced or avoided, this Vinaya redacted detailed rules to transmit that wealth to other monks and to shelter it from the state. The estates of men who died aputra, “sonless”—and monks at least normally did—otherwise went to the king, and this issue of law is twice directly addressed in the Civaṇavastu (GMs iii 2, 118.11ff; 140.14ff).

In fact this preoccupation with specifically legal issues is the second seemingly characteristic feature of Mulasarvāstivadin monasticism to emerge. The redactors of this Vinaya appear to have been just as much jurists.
as they were monks. They appear to apply to the questions of ownership and inheritance, for example, the same sort of care and precision that their colleagues working on the *Abhidharma* applied to the classification and definition of *dharmas*. In fact how much the “style” of thinking that dominates the *Abhidharma* owes to these monastic jurists is an open and emerging question.\(^{11}\) It may be that many of the techniques and styles of exposition were first employed in constructing the *vinayas*. The two bodies of material at the very least have many methods in common, and Vasubandhu, for example, deals not infrequently with what are in fact issues of monastic law. One of the best examples, perhaps, is his treatment of the rights and status of a monk who violates one of the *pārājika* rules but who had no intention of concealing it (Shastri, ii 646)—the same topic is treated as well in the *Kṣudrakavastu* (Derge Tha 102a.5–104b.2). But even putting these considerations aside, what we have seen so far would seem to suggest that in regard to legal questions the *Mūlasarvāstivāda-vinaya* has a degree of sophistication that is certainly notable, and it appears that the redactors of this Vinaya were certainly concerned with legal precision. But this same legal sophistication and concern is also found elsewhere in the *Mūlasarvāstivāda-vinaya*.

The redactors of the *Mūlasarvāstivāda-vinaya* either adapted or invented a significant number of sophisticated financial instruments and economic devices. They knew and made rules governing the use of both oral and written wills, written loan contracts, permanent endowments, monetary deposits, interest-bearing loans, negotiable securities, and even what might be called a form of health insurance. The *Cīvaravastu*, for example, disallows the use of nuncupative or oral wills by monks to dispose of their property in favor of other monks (GMs iii 2, 124.1–10). But this rule is also amended and clarified in both the *Kṣudrakavastu* and the *Uttaragranthas* where it is explicitly established that Buddhist monastic law does not apply to laymen and that, therefore, a nuncupative will made by a layman in favor of monks is both allowable and valid (Derge 252b.3–254a.1; and Pa 130a.4–131a.3).\(^{12}\) The oral disposition of property prior to death was, of course, a subject of discussion in *dharma-sastric* law as well. More striking


\(^{12}\) The *Kṣudraka* text is discussed in some detail in Schopen, “Monastic Law Meets the Real World: A Monk’s Continuing Right to Inherit Family Property in Classical India,” *History of Religions* 35 (1995): 101–23. When this was written I was not aware of the text in the Uttaragranthas.
still is the sanctioned use of a written will (patrābhilekhya, patrābhilikkhita) by a layman of sorts to leave all of a considerable fortune to the community (GMs iii 2, 140.14ff). This is most certainly the earliest reference to a written will in all of Indian literature and—apart from a possible second reference in the Divyāvadāna’s account of the death of Aśoka—virtually unique.¹³ Not quite so unique are the detailed rules in both the Vibhaṅga and the Uttaragrantha(s) requiring monks to accept permanent endowments of cash (aksayanivi) and to lend that cash out on interest (Derge Ca 154b.3–155b.2 and Pa 265a.6–265b.2). Both the rate of interest and the instructions to be followed in writing up the loan contract here are very close to what is found in dharma-śāstric sources, especially in Yājñavalkya.¹⁴

And while in the Vibhaṅga, but not in the Uttaragrantha(s), it is the monks themselves who are to lend out the money, draw up the contract, and service the loan, the Kṣudrakavastu contains a passage describing an arrangement, sanctioned by the Buddha, whereby a monetary deposit for the benefit of the monks is made by a lay person with a merchant, who in turn uses it as venture capital, the profit from which—how much is not specified—is to be distributed to the monks (Derge Tha 258a.3–259a.3). There is good inscriptive evidence for just such arrangements, especially from the Western Caves.¹⁵

There are also references in our Vinaya to both monks and nuns making use of what might be called negotiable securities or promissory notes (patralekhya, chags rgya). In fact our Vinaya distinguishes between two sorts of such notes and gives separate rules for dealing with each. The Cīvara-vastu rules that when promissory notes come to the community as a part of an estate, whatever is realized from those that can be quickly liquidated (yacchighram sakyate sādhayitum) must be distributed among the monks,


¹⁴ On the Vibhaṅga text, see Schopen, “Doing Business for the Lord,” 527ff. Here again when this was written I did not know of the Uttaragrantha(s) text.

¹⁵ See, for example, Emile Senart, “The Inscriptions in the Caves at Nasik,” Epigraphia Indica 8 (1905–06): 59–96; esp. nos. 12, 15. But see also no. 17 where an endowment of 100 kārṣāpanas is given samghasa hathe.
while those that cannot be so liquidated must be deposited in the strong­room as property in common for the Community of the Four Directions (GMs iii 2,143.7–9). In the Bhiksuni-vibhanga the nun Sthulanandā all but forces a layman to give her a promissory note (chags rgya), which he is holding, as a “gift” for reciting the Dharma for him. Neither the practice nor the note is presented as problematic. The problem arises only when Sthulanandā tries to collect on it. She goes to the debtor and demands quick payment. The debtor, apparently a little surprised, asks “do you, Noble One, own this? (i.e., the note—‘phags ma khyod mnga’ ‘am.’)” Her answer, from the point-of-view of monks, nuns and private property, is both interesting and unequivocal: she says, “I am the owner” (bdag dbang ngo). And this too is not problematic. The only problem is that the nun then threatens to take the man to court to collect on the debt—this, and this alone, is an offense against monastic rule, and even it is allowed, or at least involves no offense, if the nun is “one who earns with some difficulty” (tshegs chung ngus khugs pa—Derge, Ta 123a.5–124a.2).

The final example of a financial instrument we might note here is not formally contractual and requires a short excursus. Although the whole topic has received little attention, it appears that Buddhist monasteries in India and Buddhist monastic communities of the sort envisioned in the Mulasarvastivāda-vinaya were ideally suited to provide care to the old and infirm, and to the sick and dying. There was, moreover, a distinct social need for such services, or at least the redactors of our Vinaya seem to have thought so. They seem to have thought that because of taboos concerning purity and pollution, brahmanical groups at least were not willing to provide services of this sort, even for their own. This much, it seems, can be deduced, for example, from texts like one that is found in the Śayanāsanavastu (GMsŚā. 13.24–33). Here it is said that a young brahmin was staying in a hostel for young brahmins (māṇavakāśāla),16 but he fell ill with vomiting and diarrhea. Rather than attend to him, however, the other brahmins, “from fear of pollution” (asucibhayād) threw him out and abandoned him. It was only the Buddhist monks Śāriputra and Maudgalyāyana who, when they chanced upon him, “cleaned him with a bamboo brush, rubbed him with

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16 Raniero Gnoli prints māṇavakah śālām, but the facsimile clearly has māṇavakāśālām (Raghu Vira and Lokesh Chandra, Gilgit Buddhist Manuscripts [Facsimile Edition. New Delhi: 1974]: vi. fol. 948.2) and the Tibetan (Derge Ga 195a.3) braṃ ze ’i khye ’u zhig gi khyim du.
white earth and bathed him.” Since they also “taught” the Dharma for him—and here this almost certainly can only refer to a kind of death-bed recitation—he died in a good state of mind and was reborn in heaven. The function of Buddhist monks here is hard to miss—they, not one’s fellow brahmins, care for the sick and dying.

This story, however, concerns a chance encounter. Buddhist monasteries, on the other hand, at least those envisioned by the Mūlasarvāstivāda-vinaya, were—unlike brahmanical hostels—ideologically, organizationally, and even architecturally suited to provide such services. Such monasteries would not only have had infirmaries, they also would have had the man-power and organization to provide nurses and care to those who would otherwise not have them. The Mūlasarvāstivāda-vinaya, moreover, put a great deal of emphasis on just such services. We have already seen a rule that was designed to provide funding for such services for poor monks who could not themselves afford it, and this is not the only rule of this kind. Elsewhere (GMs iii 2, 128.1–131.15), when the Buddha himself finds another poor monk sick and “lying in his own urine and excrement,” he does exactly what Śāriputra and Maudgalyāyana had done for the young brahmin—with his own hands he cleans and bathes him. He then gives orders to the monks:

“Monks, apart from you, their fellow-monks, those who are sick have no mother, nor father nor other relative. As a consequence, fellow-monks must attend to one another (tasmāt sabrahmacāribhiḥ parasparam upasthānam karanīyam)! A preceptor (upādhyāya) must do so for his co-residential pupil (sārdhamviharin); a co-residential pupil for his preceptor; a teacher (ācārya) for his disciple (antevāsin); a disciple for his teacher [and so forth]. One who is bereft of an assembly and little known (alpa-jñāta), to him the community must give an attendant monk after determining the state of his illness—one or two or many, even to the extent that the entire community must attend to him!”

This is a remarkable passage. If, for example, the roles of preceptor (upādhyāya) and teacher (ācārya) were ever conceived of primarily in terms of teaching functions, they certainly are not here. Here both roles are defined exclusively in terms of care-giving functions, and they are also so defined elsewhere in the Mūlasarvāstivāda-vinaya. Entering into the relationship of “preceptor/co-residential-pupil” or “teacher/disciple” is known as “entering
into dependence” (gnas bcas pa), and this is the one essential and indispen­sable relationship that every Mulasarvāstivādin monk must enter into. The Kṣudrakavastu, for example, says that a monk can be without a recitation teacher (klog pa'i slob dpon) but not without a monk on whom he is dependent (Derge Tha 214a.6); in the same vastu monks are forbidden to travel without a monk in regard to whom they have entered into dependence; and numerous monasteries were said to have passed ordinances forbidding traveling monks who lacked such a supporting monk the right to accommoda­tions for even one night (Derge Tha 71b.7–72b.4). And it is repeatedly said, “... the Blessed One has ordered entering into dependence for the sake of assisting one another, and for the purpose of attending to the sickness of those who are ill...” (bcom ldan 'das kyi s kyang... gcig gis gcig bstang zhing na ba'i nad g-yog bya ba'i phyir gnas bca' bar gnangs ba—Derge Tha 213a.1), not, be it noted, for the purposes of instruction.

These rules make, of course, for a very attractive arrangement which if implemented would have provided for Mulasarvāstivādin monks unparalleled security for long-term care. Embedded, as this arrangement would have been, in a “permanent” enduring institution, there would have been nothing like it in early medieval India. These monks would have been very well looked after in their final days, and this, in turn, may have been a pow­erful motivating factor in an individual’s decision to enter the order. It is at least notable that in the overwhelming majority of cases in our Vinaya in which a motive is given for an individual’s becoming a monk, that motive is connected with the fact that the individual concerned is either old or poor or without living relatives or sonless, and usually it is a combination of all four. Examples of this may be found throughout the Mulasarvāstivāda-vinaya, in the Vibhaṅga (Derge Ca 90b.6; 61 a.4), in the Pravrajyavastu (Eimer ii 193), in the Kṣudraka (Derge Tha 100a.4; 114b.6; Da 138b.5), etc.

There are, of course, parallels for some of the arrangements and facilities at least envisioned by the redactors of the Mulasarvāstivāda-vinaya. David Knowles, for example, has said in regard to medieval England that “in the fully developed monastery of the twelfth century facilities for care of the sick were probably greater than in any other place in the kingdom.”17 But in the English case—indeed in much of medieval European monasticism—we know that such “facilities” came to be an important part of monastic

economies and important sources of revenue by being made available, on a limited basis, not to the poor, but to the rich laity. By a series of arrangements—none of which were very precisely defined—"confraternity," "corrodies," entry "ad succurrendum," the old, the sick, the almost certainly terminally ill were allowed the benefits of a monk and of the monastic facilities while they were alive, with the expectation and sometimes formal promise that when they died, some, all, or a good share of their estates would go to the monastery. Although the bald "exchange" or "purchase" nature of these arrangements was often muted in the documents that recorded them, the effect was not, and both the basic arrangement and the verbal vagueness seem to have a parallel in the Mūlasarvāstivāda-vinaya.

The parallel occurs again in the Cīvaravastu in a passage already referred to—the text that makes explicit reference to the use of a written will. It concerns a very wealthy layman who, in spite of repeated attempts and repeated invocations of various gods, remains childless. As a consequence, the text says, he repudiated all the gods and came to have faith in the Blessed One (sarvadevātāḥ pratyākhyaḥ bhagavaty abhiprasannah—GMs iii 2, 139.20), though the transition here is rather abrupt. He approaches a monk and asks for admission into the order. The initial motivating factor is here again the fact that the man is "sonless"; the implications are that he is also old and—as we shall see—he is about to become seriously ill. The monk shaves his head and begins to give him the rules of training (sikṣāpada) but the rich man becomes ill, which creates an obstacle to his admission into the Order (pravrajyantarayakareṇa ca mahatā jvarenābhībhūtaḥ). Here it is hard to miss the hand of the monastic lawyer: whoever wrote this little narrative must have been fully aware of the fact that there were rules against admitting the sick into the Order and deftly avoided that difficulty by having the man’s illness become manifest only after the initial and most visible aspects of his admission—the shaving of his head—had occurred. The result, of course, was a thoroughly ambiguous situation from the point of view of monastic law which involved the status of the "shaven-headed householder"—visibly a monk—who had not been fully admitted into the Order. What obligations did the monastic community have in regard to such individuals? The monks, as was their usual practice in such ambiguous situ-

ations, asked the Buddha—that is to say, our text would have been seen as providing a definitive solution. The Buddha rules that monastic care must be provided for the sick man (upasthānam asya karāṇiyam); he rules in other words that, in this regard at least, such an individual must be treated as a member of the community—Gunāprabha, incidentally, makes this interpretation explicit. But the Buddha then specifically adds that such an individual must not be given the rules of training until he recovers (na tāvāc chikṣāpadāṇi deyāni yāvat svasthāḥ samvṛttāḥ—GMs iii 2, 140.5), and specifically rules that the monks themselves must attend to him. The Buddha’s rulings in effect create a new category: a sick layman who has undergone the most visible act of admission to the Order, but who cannot, because of his illness, be fully admitted. The text goes on to indicate that the monks are obligated to attend to such individuals even if they are taken back to their own homes. This seems to clearly indicate that the redactor was fully conscious of the fact that he was inventing a new category. He says: “In regard to him [the sick householder] the designation ‘shaven-headed householder’ arose” (tasya mundo grhapatir iti samjñāḥ samvṛttāḥ—140.13).

The obligations of the monks to “shaven-headed householders” were then made matters of explicit monastic rules, but what of the obligations of the “shaven-headed householders” to the monks: what did they owe them? As in the case of medieval European monasticism, the language used in regard to this question is careful, ambiguous, and avoids any direct reference to sale or purchase. We move from a language of rule and obligation to a situation of unexpressed—but probably nonetheless definite—expectation. We are simply told that when the “shaven-headed householder” knew he was on the point of death, he drew up a will leaving all of his enormous estate to the monastic community, and we are explicitly told that the state itself (i.e. the king) confirmed the monastic community’s rightful ownership of such an estate. The arrangement here was, then, not a formally contractual one; it was rather a matter of unstated but understood practice. A wealthy layman without heirs could undergo the initial and most visible aspects of the ritual of admission into the Mulasarvāstivādin Order. As a result, the monks

19 For the passage in question we have a Sanskrit text for both the sūtra and Gunāprabha’s auto-commentary: pravrajitavat atra prārabdhā-tallingah :... yah pravrajārtham munḍanādinā veṣamātreṇa yojitāḥ nādyāpi pravrajātāḥ sa pravrajitavat draṣṭavyāḥ // P. V. Bapat and V. V. Gokhale, Vinaya-Sūtra (Patna: 1982): 46.19. A few lines later Gunāprabha actually uses the term munḍagrhapati and Bu-ston (’dul ba pha’i gieng ’bum chen mo 'A 55b.5) gives our Čivaṭa text as Gunāprabha’s source.
would be obliged to care for him, especially in his final days even if he remained at home. He in turn was expected, though not contractually obliged, to leave his entire estate to the community, and the state formally acknowledged the legitimacy of such an arrangement.

It is also worth noting that the redactors of the *Mulasarvastivāda-vinaya* seem to have anticipated that such an arrangement would or could have resulted in considerable amounts of cash or precious materials going directly to individual monks. This, again, would seem to follow from the provisions they put in place for dealing with specific forms of property or wealth that might form a part of such an estate. They stipulated, for example, that any *mani* gems, lapis lazuli or conch shells included in the estate must be divided into two lots, one for the Dharma, and one for the Community, and that, further, the Community’s share must then be divided among the monks (GMs iii 2, 143.1). They stipulated that if the estate included any books or manuscripts containing non-Buddhist *śāstras* (*bahiḥśāstrapustaka*) those books must be sold (*vikṛīya*) and the profit, again, divided among the monks (GMs iii 2, 143.7). They stipulated too that any gold, money, or other precious metals, either worked or unworked (*suvarṇaṁ ca hiranyam cāṇyacca kṛtākṛtam*) must be divided into three shares and the share for the Community must again be divided among the monks themselves.\(^{20}\) These provisions are completely in line, moreover, with a host of rules and practices throughout the *Mulasarvastivāda-vinaya*. In the passage from the *Kṣudrakavastu* dealing with monetary deposits made by donors with merchants that has already been mentioned, the Buddha himself explicitly orders the monks to accept money (*kārṣāpanas*) from the merchants (Derge Tha 258a.3–259a.3).\(^{21}\) In yet another passage from the *Kṣudrakavastu*, the Buddha himself also orders monks not to divide certain kinds of expensive cloth that is given to them, but insists that the monks must first sell the cloth for money and then divide the money among themselves (*de lta bas na dge 'dun la gos kyi rnyed pa de lta bu grub pa gang yin pa de kār shā pa na dag tu bsgyur la / kār shā pa na dag hgo bar bya'o*—Derge Tha 263a.6). In the *Cīvavavastu* again monks are told that they must divide the profits among themselves after they have sold (*vikṛīya*) property that makes up part of the

\(^{20}\) In all three cases the wording is similar and explicit: *yah samghasya sa bhikṣubhir bhājīyatavyaḥ* in the first and third case; *bhikṣubhir vikṛīya bhājīyatavyāḥ* in the second.

\(^{21}\) In this case it is also made explicit that the money then belongs absolutely to the monks: *... kār shā pa na dag blangs nas ci 'dod par yongs su spyad par bya ste'/.
estate of a deceased monk (GMs iii 2, 121.2; see also 119.14). In the Kṣudraka, the Vibhaṅga, and the Uṣitaragrantha(s), finally, monks volunteer to act as “assistants for merit” (both the terms punya-sahāya and dharma-sahāya are used) on construction projects paid for by laymen and meant for the monks. In this role the monk receives the money (kārṣāpanas)—usually a substantial amount—from the laymen, hires, oversees and pays the laborers; buys the necessary tools; and is told, for example, to use the construction funds for his food, that is to say, to buy it (mkhar len byed pas mkhar len gyi nor kho na las bsod snyoms yongs su spyad par bya’o—Derge Tha 193b.7; see also Derge Ca 146a.2–148a.6; Pa 123a.7–124a.6; cf. GMs iii 4, 139.9).

There are, of course, rules in the Mūlasarvāstivādin Prātimokṣa which have been understood at least by modern scholars to forbid monks from engaging in almost all of these activities—handling “money,” buying and selling, etc. And here we have a particularly interesting problem. It is almost certainly not safe to assume that the Vinayadhāras, the monastic lawyers, who compiled, shaped and probably wrote the Vinayaśāstras and the Vinayavibhaṅga were unfamiliar with their own Prātimokṣa, especially since the Vibhaṅga is at least structurally based on it. But if the Vinayadhāras knew their Prātimokṣa, then there would seem to be at least two possible explanations for what we have seen here. It is possible that the Vinayadhāras chose to ignore the Prātimokṣa—and could so choose—that it was much less binding and authoritative than has been assumed. At the very least we may have to look much, much more carefully at the differences and divergencies between the Prātimokṣas and the other expository parts of the Vinaya. Those differences may be much broader and more significant than even Schlingloff has said.22 Certainly the differences between the Mūlasarvāstivādin Bhikṣuṇī-prātimokṣa and Bhikṣuṇī-vibhaṅga, for example, are so great that Bu-ston at least thought that the Vibhaṅga was not Mūlasarvāstivādin at all.23 We may also have much to learn about the force and construction of monastic rules from medievalists working on western monastic codes. Louis Lekai, for example, in discussing early Cistercian

monastic legislation has said, “The founders of Cîteaux assumed a peculiarly ambivalent attitude toward the Rule of Saint Benedict. They declared their utter devotion to it, but in fact they used that venerable document with remarkable liberality. They invoked and applied it when it suited their purpose, ignored or even contradicted it when they thought that they had better ideas.”

Even more helpful perhaps is what he says about the form of early Cistercian legislation:

A further proof of both the tentative nature of new regulations and the broad-minded, always compromising disposition of the chapter fathers is the wording of virtually countless statutes before as well as after 1180. The beginning of such a paragraph is always a firm command or rigid prohibition, but the end lists the exceptions, often enfeebling the text to such an extent that it can hardly qualify for more than a fatherly advice.

The last sentence in particular here could do good service as a description of the Prâtimokṣa rules as they occur in the Vibhaṅga: they almost all begin with a “firm command or rigid prohibition,” but end with a list of “exceptions” (anâpatti) which—in the Buddhist case as well—can render them little more than “fatherly advice.” An example of this sort of thing has already been cited above where the rule stated unequivocally that it is an offense if a nun goes to court to collect on a promissory note, but the exception, which immediately follows, says there is, however, no offense if the nun is “one who earns with difficulty.” In the Buddhist case it has been assumed or argued that these “exception” clauses represent a later chronological strata, but this need not necessarily be the case. In the case of the Cistercian texts, it is in fact known that such exemption clauses were a part of the original legislation—they were there from the beginning—and their presence has been taken at least by Lekai as evidence for “a tolerant and flexible attitude” and, he says, should not be taken as “a sign of decay,” but as “evidence of health and vitality.”

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Prātimokṣas were ever—apart from liturgical contexts—used without their Vibhāṅgas. It is at least hard to imagine that their rulings were ever actually applied without interpretation or discussion. But even if the anāpattis—the exemptions, exclusions, extenuations—turn out to be later additions, that will make them not less, but even more important for tracking the development and gradual maturation of Buddhist monastic rules.

A second possible explanation for what we have seen—although this is rarely the explanation of our first choice—is that Mūlasarvāstivādin Vinayadhāras may have known their texts far better than we, and applied to them a far more sophisticated exegesis than we can. The Prātimokṣa rule that has been taken to forbid the “handling” of “money” by monks may be a case in point. We do not actually know what activity is forbidden. The verb in the Sanskrit text of the Mūlasarvāstivādin Prātimokṣa is udgrhniyād, but this has a very wide range of possible meanings, none of which are very close to “accept” or “have” (this would be rather pari or prati √grah), and it has been translated in an equally wide range of ways.28 Worse still, we do not actually know what was intended or understood by jātarūparrājata, the object of the action that was forbidden, that is conventionally translated by “gold and silver.” What, however, is clear to even us—and we must therefore assume was far clearer to Mūlasarvāstivādin monastic lawyers—is that the rule does not refer to suvarṇa, or hīranya or kārṣāpanaṇas (“gold”, “silver”, “money”) and it is these things that monks own, accept, handle and inherit in the Vibhāṅga, the Vinayavastus and the Uttaragranthas. This can hardly be an accident and must point again to the fact that Vinaya texts, like Abhidharma texts, represent a very sophisticated system of thought that works from a particular and precise definition of terms. It, again, can hardly be an accident that what is called the “old commentary” that is embedded in the Vibhaṅga is—as Norman says of the Pāli Vinaya—“really an analysis of words (pada-bhājaniya).”29 And conversely—even perversely—a part of

28 The same verb occurs in a closely related rule, Pāyantikā 59: yah punar bhikṣu ratnam vā [ratna]saṃmatam vā svahastam udgrhniyāt udgrāhayet vā . . . (Lokesh Chandra, “Unpublished Gilgit Fragment of the Prātimokṣa-sūtra”, Wiener Zeitschrift für die Kunde Süd- und Ostasiens 4 [1960] 8.6) and here can, it seems, only mean—and is almost always taken to mean—something like “pick up.” See also the discussion in the Bhāṣājñya-vastu dealing with jāta-rūpa-rajata where prati √grah and ud √grah are explicitly and clearly distinguished: tasmāt śrāmanerakenodgrhātayam/ no tu pratigrāhah svikartavyah / GMs iii 1, 248.6–16.

this sophistication may in fact be an element of intentional ambiguity. Here too an observation of Lekai in regard to Cistercian texts may not be inap­propriate: “In other cases the careful reader of the records may come under the impression that the wording of important statutes was made deliberately so vague or complicated that it left open a number of possible interpreta­tions.” Unless I am much mistaken, this too will have numerous parallels in Buddhist Vinayas. In fact the Mulasarvāstivādin rule which has been understood to mean that monks are forbidden to engage in “buying and selling” may be another case in point.

It does not refer to unqualified “buying and selling”; nor does it refer—which it could easily have—to “all” (sarva) “buying and selling.” It refers to nānā-prakāram kraya-vikrayam which, of course, could mean “buying and selling of various sorts” or “buying and selling of many sorts.” Neither interpretation precludes “all”, but neither requires it either. Mulasarvāstivādin exegesis, moreover, clearly did not take it to have absolute application. The Vibhanga, for example, says that there is no fault in engaging in both unqualified buying and selling if a monk is not seeking to gain (dge slong gis rnyed pa mi ’dod pas nyo bar byed cing rnyed pa mi ’dod pas ’tshong bar byed na gnyis ka la ltung ba med do—Derge Cha 156b.3).

But what can be learned specifically about the Mulasarvāstivāda-vinaya from our larger discussion? We now know that the Buddhist monks who wrote or redacted it in early medieval North India did not share our assump­tions about Buddhist monks and the renunciation of private wealth or prop­erty, and we—under the enormous influence of St. Benedict—think that this is an important element of any monastic ideal. Those same monks also apparently did not have the same attitude that we do in regard to monks’ involvement with money. They either knew monks who did, or wanted monks to do, all sorts of things that do not fit our assumptions: pay debts and tolls and transport taxable goods; own their own furniture and have the means to pay for any damage they might do to that of other monks; carry personal seals; pay for their own medicine and healing rituals; leave estates—sometimes huge; borrow money from laymen; inherit property

31 For the Gilgit text of the rule see Banerjee, Two Buddhist Vinaya Texts in Sanskrit, 29.20.
both from other monks and laymen; accept and service permanent endowments; make loans and charge interest; accept and use negotiable securities; provide care for sick and dying laymen with the understanding that when the layman died his estate would go to the monastery; receive precious and semi-precious materials, sell books, receive gold in various forms, accept money (kārṣāpanas), sell the property of deceased monks, hire and oversee laborers and buy food. And this, of course, is only a provisional list of the sorts of things that Mulasarvāstivādin monks were—in most cases—not only expected, but required to do by their own monastic rule. If they did not, then—at least in terms of monastic discipline—they would not be “good” monks. Exactly how many such “good” monks there were we obviously do not know, although it is at least certain that Indian monks accepted permanent endowments and monetary deposits made with merchants; it is also certain that some Indian monks had personal seals. But whether all the things described in our Vinaya actually happened matters far less than the fact that Buddhist monks who were, presumably, the acknowledged authorities on monastic discipline spent a great deal of time thinking about them in North India in the early medieval period. These were—again presumably—monks who were in a position to influence actual communities, literate monks who were concerned with things other than asceticism, meditation and doctrinal study, monks who, again in their own terms, were the “good” monks. That they had a very different perspective than we do is confirmed by at least one further observation: unlike modern scholars, these “good” monks did not have very much good to say about monks who did engage in asceticism, meditation, and doctrinal learning. If they mention them at all—and they do so infrequently—it is almost always with a tone of marked ambivalence, if not actual ridicule. Ascetic monks, meditating monks, and learned monks appear in our Vinaya by and large only as slightly ridiculous characters in unedifying, sardonic and funny stories, or as nasty customers that “good” monks do not want to spend much time around.

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33 See for example—and this seems to be the earliest example so far—Richard Salomon, “Five Kharoṣṭhī Inscriptions,” Bulletin of the Asia Institute (Studies in Honor of Vladimir A. Livshits) n.s. 10 (1996): 233–46; esp. 244–45. Salomon says, “These archaic features suggest an early date for this seal, possibly as early as the second century B. C.”

34 As a sampling of such texts, see GMs iii 1, 79.3–84.2; Derge Ja 154b.2–156b.7; Tha 222b.2–224b.1; GMs iii 4, 71.6ff, iii 1.56.2ff; Derge Da 35b.2–36a.2; Tha 39a.6–39b.5; GMs iii 1, 56.20–57.18; Derge Ja 79b.7–80b.3; Tha 180b.1–181a.4; 71b.7–72b.4; GMs iii 2, 173.5–178.1; GMs iii 1, 55.8–56.19; etc.
The monks that the redactors of the *Mulasarvāstivāda-vinaya* envisioned, and the monks that modern scholarship has imagined, are then radically different, and this difference is extremely important for the historian of Buddhism in India. The monastic ideal found in the *Mulasarvāstivāda-vinaya*, for example, is almost certainly one of the most prominent monastic ideals that the authors of the Mahāyāna sūtras encountered, and much of what these Mahāyāna authors said is probably only fully intelligible as a reaction against this ideal. If we are ever to understand more about the Mahāyāna we obviously are going to have to know, then, much, much more about what they were reacting to. This is our future task.

**ABBREVIATIONS**

In citing Sanskrit and Tibetan texts, the following abbreviations are used.


