

The Prohibition of Non-given Food: A Response to Schlingloff

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I. Introduction

II. The Narrative Interpretation

III. The Canonical Interpretation

IV. Issues about picking up food

V. Evaluation

VI. An Implicit Reference to the Rule in
Another Context

VII. Conclusion

Summary

In this paper, I attempt to derive an interpretation of the *Pācittiya* rule no. (40) of the *Pātimokkha* for Buddhist monks from its background narrative; I call this “the narrative interpretation.” This version is different from the version that its canonical commentary gives, which I call “the canonical interpretation.” Then, based on legal logic and textual evidence, I argue that the narrative interpretation actually reflects the original intent of the rule. I also explore another context where the rule is implicitly referred to. Finally, I observe that this rule is a rare case where the background narrative has retained the original intent of the rule, whereas the canonical commentary has lost it. Consequently, I suggest the need to reconsider Oldenberg’s theory, which views the background stories as the youngest layer in the *Vinaya*.

Keywords

Theravāda Buddhism, *Vinaya*, Theravāda *Vinaya*, Sarvāstivādi *Vinaya*, monasticism, ethics, monastic ethics

I. Introduction

Buddhist monks are prohibited from eating non-given food (*adinnaṃ āhāraṃ*) by the *Pācittiya* rule no. (40), also known as the *Dantapona* rule, of the *Pātimokkha* for monks:

If any bhikkhu should convey to the opening of his mouth food that has not been given, other than water and a tooth stick, there is an offence entailing expiation.¹⁾ (Pāt. 41)

(The versions of the same rule in the *Pātimokkhas* of other schools are essentially the same [see Pachow 2000, 130].)

The circumstances that led the Buddha to prescribe this rule are recorded in its background narrative as follows:

Now at that time a certain bhikkhu, living entirely off of what was thrown away (§), was staying in a cemetery. Not wanting to receive gifts from people, he himself took the offerings for dead ancestors — left in cemeteries, under trees, and on thresholds — and ate them. People criticized and complained and spread it about, “How can this bhikkhu himself take our offerings for our dead ancestors and eat them? He’s robust, this bhikkhu. He’s strong. Perhaps he feeds on human flesh.” (*Vin.* IV, 89; Ṭhānissaro 2018, vol. 1, 412)

Schlingloff finds this story implausible, and observes:

For example, one rule prohibits the eating of non-given food. The point of this prohibition is probably only that monks be not suspected of committing petty

1) “yo pana bhikkhu adinnanaṃ mukhadvāraṃ āhāraṃ āhāreyya aññatra udakadantaponā, pācittiyaṃ.” (Pāt. 40; *Vin.* IV, 90)

theft of food. However, the narrative tells of a monk who consumes the food that was given to the dead on the cemetery grounds, and who therefore is suspected of eating the corpses.²⁾

I am not convinced by Schlingloff's view because he has not tried to explore other possible interpretations. This paper is my attempt to do what he has not done.

II. The Narrative Interpretation

First of all, I attempt to interpret the rule based on the narrative to see whether it works, the result of which I would call "the narrative interpretation." To do so, I firstly consider the keyword "non-given" (*adinnaṃ*), which can be interpreted in two ways.

Firstly, a certain property can be "non-given" to a monk, because it has an owner who has not offered it to him. If some particular food is of this type, taking and eating it without the owner's permission is theft (*adinnādāna*) by definition. Then, the phrase "non-given food" should mean "stolen food." However, this sense seems not applicable to this precept because if the precept were a prohibition against stealing food, it would have been superfluous, for theft is already prohibited by the Second Defeat rule (Pāt. 8, 9; Vin. III, 46; Horner 1938-66, vol. 1, 73). Alternatively, if it were a prohibition against eating food that others have obtained by theft, it would have been impractical, for such a rule would have forced monks to inquire whether each and every of their food donors had stolen the food being donated.

2) "So verbietet etwa eine Bestimmung das Essen von nichtgegebener Nahrung. Der Sinn dieses Verbotes ist wahrscheinlich nur der, keinen Verdacht entstehen zu lassen, daß Mönche Mundraub begingen. Die Erzählung aber berichtet von einem Mönch, der die Speisen verzehrt, die auf den Leichenäckern den Toten beigegeben werden, und der deshalb in den Verdacht gerät, er verzehre die Leichen." (Schlingloff 1976, 538-539)

As another possibility, a certain property can be deemed “non-given” to a monk, because it does not even have an original owner to give it away. If we adopt this interpretation for the term *adinnam* in this precept, the phrase *adinnam āhāraṃ* (“non-given food”) should mean ownerless food, something having come from no donor. This sense seemingly fits the narrative. How? Given that the Buddha explicitly permitted similar ownerless requisites as basic resources (*nissaya*) for monks(1) dumped rags from a dust heap (*paṃsukūla*), with which monks must be content if there are no donors of robes, (2) the spaces under forest trees, with which monks must be content if there are no donors of residential buildings, and (3) cattle-urine (ammonia), with which monks must be content if there are no donors of medicine (Vin. I, 58; Horner 1938-66, vol. 4, 75)—we can infer that acquiring and using such ownerless requisites is not a bad deed, but a commendable religious practice in Buddhism. Then, we can understand that the monk in the narrative had been simply adopting the principle of consuming ownerless requisites for his daily food until the Buddha forbade it.

Through this reasoning based on the narrative, we can say that this precept is meant to place an exemption, regarding food and oral medicine,³⁾ to the generally commended religious practice of consuming ownerless requisites for a monk’s daily needs.

III. The Canonical Interpretation

The canonical commentary of this rule gives a different interpretation, which I call “the canonical interpretation”:

3) “Food means: anything that can be swallowed other than water and a tooth stick. This is called food.” (Vin. IV, 90 *āhāro nāma udakadantaponam ṭhapetvā yaṃkiñci ajjihoharamīyam, eso āhāro nāma*). Based on this canonical commentary, oral medicine is considered to belong to the category of “food.”

Adinna means (food or oral medicine) not yet accepted. *Dinna* means: when (food or oral medicine) is given by means of the body, or by means of something attached to the body, or by means of throwing (it towards the receiver, the receiver) stands within the reach of the hand and accepts (it) by means of the body, or by means of something attached to the body. This is termed *dinna*.⁴⁾

In the exposition above, “giving by means of the body” means, for instance, a donor holding a fruit and handing it over to a monk. “Giving by means of something attached to the body” would be exemplified by a donor using a spoon to offer food to a monk. “Giving by throwing (*nissaggiya*)” the food to the receiver is clear enough (This is still a legal act of giving even though it may appear disrespectful). On the other hand, the receiving monk should be within the reach of the donor’s hand to receive the food by means of the body (e.g., with the monk’s own hand), or by means of something attached to the body (e.g., with the bowl or plate that the monk is holding). In short, the canonical commentator seemingly interprets the keyword *adinna* as “not physically transferred,” and the whole precept as forcing donors to physically transfer food to monks for the latter’s consumption.

At first sight, the narrative and canonical interpretations do not appear fundamentally different, given that both of them insist on the role of donors, but they actually differ, as we can see from the following scenario. Suppose a monk plans going into an intensive meditation retreat, and makes arrangements to have a donor bring food daily for him. The donor would come every morning, and leave a bowl of food on a table outside the monk’s room, whereas the monk would only come out at a convenient time for him to eat the food. Is this food legal for the monk to eat? According to the narrative interpretation, it is legal, for the food comes from a donor, an original

4) “*adinnaṃ nāma appaṭiggahitakaṃ vuccati. dīnaṃ nāma kāyena vā kāyapaṭibaddhena vā nissaggiyena vā dente hatthapāse ṭhito kāyena vā kāyapaṭibaddhena vā paṭigganḥāti, etaṃ dīnaṃ nāma.*” (Vin. IV, 90)

owner. But according to the canonical interpretation, it is illegal, for there is no physical transfer of food from the donor to the monk.

IV. Issues about picking up food

There is an additional issue with the canonical interpretation. The canonical commentary says: “If he takes it, thinking: ‘I will eat, I will partake of,’ there is an offence of wrong-doing” (Horner 1938-66, vol. 2, 345-346),⁵⁾ which indicates that it is an offense of wrong-doing (*dukkata*) to pick up non-given food for eating by oneself. But neither the rule itself nor the background narrative mentions anything about picking up food. Therefore, should we maintain that this prohibition of picking up food is something originally not covered by the rule?

I answer in the negative. A fundamental concept in the *Vinaya* is that if a given act is guilty, other preliminary actions leading to it also tend to be deemed guilty. In our case, picking up non-given food is an action usually required for eating it (i.e., for the actual transgression of the rule). Then, it is understandable that picking up food for eating by oneself is also prohibited, whichever interpretation of the rule we choose to adopt.

For the sake of evidence, let us look at some other precepts. We can see that, if a given act involves an offense of Defeat (*pārājika*) or of *samghādisesa*, the preliminary action immediately preceding it usually involves a grave (*thullaccaya*) offense, whereas each of the other preliminary activities usually involves an offense of wrong-doing (*dukkata*). For instance:

If intending to steal and (thinking), “I will steal the goods located on high ground,” (he) either seeks a companion, or goes himself, there is an offense of

5) “*khādissāmi bhūñjissāmiti ganhāti, āpatti dukkatassa.*” (Vin. IV, 90)

wrong-doing. If he touches these, there is an offense of wrong-doing. If he makes them quiver, there is a grave (*thullaccaya*) offence. If he removes them from the place, there is an offense involving defeat.⁶⁾

[When a monk is building an illegal hut], in each operation there is an offence of wrong-doing. If one lump [of plaster] is (still) to come there is a grave offence, but when that lump has come there is an offence entailing a formal meeting of the Order. (Horner 1938-66, vol. 1, 257-258)

On the other hand, if a given act involves an offense of expiation (*pācittiya*), its preliminary actions may involve an offense of wrong-doing (*dukkata*). For instance, the rule about the bedchamber (*antepurasikkhāpada*) states:

If any bhikkhu, not announced beforehand, should cross over the [bedchamber] threshold of a *khattiya* king, who has been anointed on the head, when the king has not departed and the [queen-]treasure has not withdrawn, there is an offence entailing expiation. (Pāt, 79; Vin, IV 160)

Should cross the threshold means: if he makes the first foot cross the threshold, there is an offence of wrong-doing. If he makes the second foot cross, there is an offence of expiation. (Vin. IV, 160; Horner 1938-66, vol. 3, 76)

Then, in the case of the *Dantapona* rule also, the aforesaid canonical commentary can be viewed, not as adding something new to the rule, but as showing the effect of an act preliminary to the actual transgression of the rule. In other words, picking up non-given food is not a sin in itself; instead, it is guilty only as a preliminary action leading to the actual consumption of the food.

Another issue we need to consider is concerned with picking up one particular

6) “*thalaṭṭhaṃ bhaṇḍaṃ avaharissāmiti theyyacitto dutiyaṃ vā pariyesati gacchati vā, āpatti dukkaṭassa. āmasati, āpatti dukkaṭassa. phandāpeti, āpatti thullaccayassa. ṭhānā cāveti, āpatti pārājikassa.*” (Vin, III, 48)

type of food: gleaning (*uñcha*), i.e., gathering leftover grains after a harvest. Hajime Nakamura has pointed out that there are descriptions in the *Samyuttanikāya*, *Theragāthā*, and *Therīgāthā* indicating that monks and nuns were engaged in gleaning grains, and that early Buddhist practitioners performed gleaning together with *dhutaṅga* practices.⁷⁾ Furthermore, Aono has also noticed that the *Vinaya* also mentions gleaning activities of monks.⁸⁾ Therefore, the question arises: does the custom of gleaning as recorded in those sources contradict the rule prohibiting non-given food?

Aono gives the following opinion:

However, it can be pointed out that the rule on non-given food has room to allow this [i.e., gleaning, that is, collecting grains left over from harvesting]. Simmered dishes, roasted dishes, stir-fried dishes, and leftover grains require cooking to eat, unlike fruits and nuts. Monks are prohibited from cooking in principle [Vin, I 211; Horner 1938-66, vol. 4 287], so even if one picks up “fallen grains,” one cannot ingest these as is. Unlike picking up foods that do not need to be cooked and those already cooked, “gleaning” cannot be a pre-ingestion stage and may not conflict with the rule on non-given food.⁹⁾

I do not agree with Aono for the following reasons:

- (1) The prohibition of picking up non-given food, as shown in the canonical commentary, does not specify whether the aforesaid food needs to be readily edible. Considered in itself, this prohibition covers all kinds of foods, whether

7) “しかし、中村元によれば、*Samyuttanikāya*, *Theragāthā*, *Therīgāthā* に比丘・比丘尼が「落穂拾い」(*uñcha*) をしていることを示す記述があり、初期の仏教修行者は「落穂拾い」を托鉢と併せて行っていたという。” (Aono 2018, 60)

8) “この様に比丘が「落穂拾い」をする記述は *Vin* でも以下の文章に確認できる。” (60)

9) ただし、不受食学処にはこれを許容する余地があることは指摘できよう。落穂は、果実・木の実や煮物・焼き物・炒め物とは異なり、食べるのに調理が必要である。比丘は調理が原則として禁止されるため、「落穂」を採拾しても、自力では摂取できない。調理不要な食物や調理済みの食物の採拾とは異なり、「落穂拾い」は摂取の前段階とはなり得ないため、不受食学処に抵触しない可能性がある。(Aono 2018, 61)

they need to be cooked or not.

- (2) If leftover grains could be legally collected by monks because they are not edible as is, this exemption should be applicable not only to gleaned grains, but also to all other kinds of food not readily edible, like raw meat. However, there is no evidence that indicates this is the case.

Meanwhile, the *Vinaya* commentator maintains that *uñcha* is a synonym of *bhikkhācariyā* (“wandering for alms-food”):

The sentence *na sukarā uñchena paggahena yāpetuṃ* means: it is not easy to survive by gleaned with a lifted (bowl). That is: it is not easy to survive by taking the bowl and doing noble gleaned, that is, by wandering for alms-food.¹⁰⁾

According to the commentator, as cited above, gleaned in this context means wandering for alms-food. What he appears to mean is that the term “gleaned” in this context is a figurative speech, for wandering from house to house for a spoonful of food from each house is similar to gathering stray grains after harvesting.

Now, can we accept the commentator’s interpretation? In my opinion, ancient monks must actually have collected stray grains for food as part of their efforts to get food, before this rule and the rule against self-cooking (*Vin. I, 211*; Horner 1938-66, vol. 4 287) were prescribed; this should be why this term ends up in this context. However, after these rules were prescribed and, consequently, after literal “gleaned” has been practically prohibited, the term probably came to be understood as figurative speech that means wandering for alms-food.

Still another issue is concerned with picking up spilled food:

At that time, a certain guild had food for the Order; a lot of boiled rice was scattered in the refectory. People complained about this, grumbled, and

10) *na sukarā uñchena paggahena yāpetuntī paggahena yo uñcho, tena yāpetuṃ na sukarā. Pattaṃ gahetvā yaṃ ariyāuñchaṃ karonti, bhikkhācariyaṃ caranti, tena uñchena yāpetuṃ na sukarāti vuttaṃ hoti.* (Sp. I, 175)

complained about it, saying: “How can these recluses, sons of the Sakyans, not carefully accept the rice being offered to them? Each grain of boiled rice is the result of a hundredfold labor.” . . . omission . . . Then these monks told this matter to the Blessed One. He said: “Monks, whatever is given to you (but has fallen away, I allow you to pick it up yourselves, and make use of it, for monks, it has been abandoned by donors.”¹¹⁾

Now let us view the scenario described above, against the narrative interpretation of the *Dantapona* rule. The case at hand is spilled food, i.e., the food which has been given by a donor, but which has failed to properly reach the intended recipient and subsequently has dropped on the floor instead. If this is counted as “given” food, the narrative interpretation of the rule allows monks to eat it legally. On the other hand, if it is counted as thrown-away, “ownerless” food, it is not legal food for monks. Which view should be adopted? It should be to remove this uncertainty that the Buddha explicitly permitted monks to pick up the spilled food themselves, indicating that such food should be treated as given food. Interpreted in this manner, the Buddha’s this particular permission can be viewed as a clarification of the *Dantapona* rule itself.

Next, let us consider it against the canonical interpretation. This interpretation is based on the proper physical transfer of food from the donor to the recipient. Thus, spilled food, not having been properly transferred to the recipient, should be deemed as non-given food and accordingly legally not fit to eat. Then, the Buddha’s permission for monks to pick it up themselves should be viewed as providing an exemption to the rule.

Now, we can see an issue with the latter. If the Buddha’s permission were an actual

11) “*tena kho pana samayena aññatarassa pūgassa saṅghabhataṃ hoti, bhattagge bahusitthāni pakiriyimsu. Manussā ujjhāyanti khīyanti vipācenti : kathaṃ hi nāma samaṇā Sakyaputtiyā odane dīyamāne na sakkaccaṃ paṭiggahessanti, ekamekaṃ sitthaṃ kammaśatena niṭṭhāyati . . . atha kho te bhikkhū bhagavato etaṃ atthaṃ ārocesuṃ. anujānāmi bhikkhave yaṃ dīyamānaṃ patati taṃ sāmaṃ gahetvā paribhuñjituṃ, pariccattaṃ taṃ, bhikkhave, dāyakehīti.*” (Vin. II, 132-133)

exemption to the rule, it should have led to another emendation of the rule—that is, spilled food should have been enumerated in the rule together with water and tooth sticks as cases where this rule is not applicable. Yet, no such emendation can be found for this rule. Therefore, the permission to pick up and eat spilled food seems to indicate that the narrative interpretation more accurately represents the original intent of the rule.

V. Evaluation

Now, let us revisit Schlingoff’s interpretation. He maintains, as cited above, that this rule was prescribed so that “monks be not suspected of committing petty theft of food.” If he were correct, there should have been rules as well against picking up rags for making robes and against taking up space under trees for residence, for, otherwise, monks also run the risk of getting suspected as thieves of clothes and of real estate. However, such rules are nowhere to be found. On the contrary, seeking rags to make robes and living under trees are, as shown above, commendable religious practices. This is why I find his theory unconvincing.

The question then arises: which of the other interpretations, the narrative or the canonical, represents the original intent of the rule? I argue that the narrative one represents the original. My argument is based upon (1) legal logic and (2) textual evidence, both of which I explore below.

1. Legal logic

First of all, the narrative interpretation is consistent with the concept of Four Resources (*nissaya* Vin. I, 58; Horner 1938-66, vol. 4, 75), which refers to the bare minimum support that monks can expect to rely upon. Those four are as follows:

- (1) *Piṇḍiyālopabhojana* (“morsels of food [received in the alms-bowl]”);

- (2) *Pamsukūlacīvara* (“rag-robles [i.e., those made by collecting rags of cloth thrown away by people]”);
- (3) *Rukkhāmūlasenāsana* (“residence under trees”);
- (4) *Pūtimuttābhesajja* (“cattle-urine as medicine”).

If we look at the list above, we can see that monks are supposed to be able to manage all other requisites (i.e., clothes, residence, and medicine) without relying upon donors, but that their daily food should be expected from donors; this sharply contrasts with non-Buddhist ascetics of those times, who are often described as “subsisting on forest roots and fruits” (*vanamūlaphalāhāra*), and as “feeding on fallen fruits” (*pavattaphalabhojī*) (e.g., AN. I, 295; Bodhi 2012, 373). By insisting that his disciples rely upon donated food, not on wild fruits and vegetables, the Buddha deliberately parted ways from the practice of many other ascetic schools.¹²⁾ The *Dantapona* rule being discussed here seems only a corollary of this policy, and the events recorded in the background narrative seem only a prompt to let the Buddha prescribe an official *Vinaya* rule for this purpose.¹³⁾

On the other hand, it is not clear why the canonical interpretation has to insist that donation of food must be a physical transfer from the donor to the monk. For the sake of comparison, let us look at the precept that prohibits monks from accepting gold and silver:

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- 12) This is consistent with his biographical legends, which claim that he achieved enlightenment only when he gave up surviving on wild fruits and chose to have alms-food again (Nakamura 2002, vol. 1, 140-142).
- 13) If this argument is correct, it can be part of the evidence supporting Thānissaro, who maintains that the *Vinaya* is not case law:

Even in Western law, just because a law is established in response to a particular case does not make it case law. Legislatures also promulgate statutes in response to particular cases. For instance, suppose a high-ranking government official is shot, and in the aftermath of the shooting the legislature passes a law to control the sale of guns. The legislature is not deciding the guilt or innocence of the suspect in the shooting; it is simply trying to prevent similar incidents in the future. At the same time, if the law is worded so as to apply to the sale of all guns, a person who buys a gun in defiance of the law to shoot his wife cannot claim that the law does not apply to him on the grounds that, because the law was written in response to the shooting of a government official, it should apply only to guns bought with the purpose of shooting another government official. The instigating case does not play a determining role in the interpretation of the law at all. (2019, 16-17; emphasis added)

If any monk should either receive gold or silver, or should have it received, or should allow when (it is) placed nearby (for him), there is an offense entailing expiation with forfeiture.¹⁴⁾

As seen above, the acceptance of gold or silver can be accomplished via any of the three ways, which leads to an offense:

- (1) To “receive” means to accept the donated gold or silver personally, i.e., physically;
- (2) To “have it received” means to ask someone else (ordained or non-ordained) to accept it on one’s behalf;
- (3) To “allow when placed nearby” means not making any attempt to reject it, through a bodily or verbal expression, or through a mental determination, when it is placed near the monk for his sake.¹⁵⁾

Of course, it is illegal to receive gold or silver, but I cannot see any rationale why the acceptance of legal donations—like food, medicine, or robes—*should not* be accomplished via one of these three ways.

14) “yo pana bhikkhu jātarūparajataṃ uggaṇḥeyya vā uggaṇḥāpeyya vā upanikkhittaṃ vā sādiyeyya, nissaggiyaṃ pācittiyaṃ.” (Pāt. 38; Vin. III, 237) Cf. “If any bhikkhu should either receive gold or silver or have it received, or accept it when deposited [for him], there is an offence entailing expiation with forfeiture.” (Pāt. 39)

15) “upanikkhittasādiyane pana idaṃ ayyassa hotū ‘ti vutte sace pi cittena sādiyati gaṇhitukāmo hoti, kāyena vā vācāya vā “na yidaṃ kappatīti paṭikkhipati, anāpatti, kāyavācāhi vā appaṭikkhipitvāpi suddhacitto hutvā na yidaṃ amhākaṃ kappatīti na sādiyati anāpatti yeva. tisu dvāresu hi yena kenaci paṭikkhittaṃ paṭikkhittaṃ eva hoti. sace pana kāyavācāhi appaṭikkhipitvā cittena adhivāseti kāyavācāhi kattabassa paṭikkhepassa akaraṇato akiriyaṣamuṭṭhānaṃ, kāyadvāre ca vacīdvāre ca āpattim āpajjati, manodvāre pana āpatti nāma natthi.” (Sp. III 690-691)

Trans.: Regarding the permission of (gold or silver) placed nearby, when it is said (by the donor) “Let this be for the venerable,” it is no offense if (the monk) rejects (it) physically or verbally saying “This is not appropriate,” even though he is mentally pleased (with it) and willing to accept. It is still no offense if (the monk) does not reject (it) physically or verbally, but (he) has a pure mind and does not (mentally) accept it, thinking “This is not appropriate for us.” (The donated gold or silver) is legally rejected if it is refuted through any one of three doors (i.e., bodily, verbal, and mind doors). However, if (the monk) does not reject (it) physically or verbally, and mentally accepts (it), then he has not done the rejection that should have been done physically or verbally, so he commits the offense, which originates in “not doing,” both through the bodily door and verbal door. But there is no offense through the mind door.

Furthermore, the canonical interpretation has seemingly led to a loophole in another rule—the *Pācittiya* rule (38), also known as the *Sannidhikāraka* rule:

If any bhikkhu should chew or consume solid food or soft food, having stored it up, there is an offence entailing expiation. (Pāt. 58, 59; Vin. IV, 87; Horner 1938-66, vol. 2, 338-339)

Stored means: accepted today, it becomes eaten the next day. (Vin, IV 87; Horner 1938-66, vol. 2, 339)

How does the aforesaid loophole happen? Let us consider a scenario. Suppose a donor brings for monks, in the evening, some food that the latter can consume legally only in the morning. Suppose further that after meeting the donor and hearing his intention, the abbot tells him to keep the food in the fridge so that a resident novice (i.e., someone who is exempt from this rule) can offer it to the monks on the next day in the morning. Is it legal for the monks to eat that food, offered by a novice, on the next day in the morning?

According to the narrative interpretation of the *Dantapona* rule, the answer is “no,” because the abbot in the scenario accepted the food verbally, if not physically, on the previous evening, so when the morning of the next day arrives, he has practically stored it for one night.¹⁶⁾ However, if we adopt the canonical interpretation, which maintains that a monk’s acceptance of food is established only with its physical transfer, there is no issue of storing food, for the monks in this scenario legally accept it only on the next day in the morning. In short, the canonical interpretation of the *Dantapona* rule has allowed monks to store food legally as long as they do not accept it physically, which I suspect may not be the original intent of the *Sannidhikāraka* rule.

16) Nonetheless, there is still a way to work around the rule, even with this type of interpretation. If the donor brings the food in the evening, but arranges everything with a novice to have it stored for the night, and to have it offered to the monks in the morning, the monks would not be involved in storing food at all, so they can legally have the food on the next morning.

If, then, the narrative interpretation reflects the original intent of the rule, how has the canonical version appeared and risen to the status of the official interpretation? To answer this question, let us consider the scenario of a monk traveling through a forest. Suppose he sees on the way numerous wild fruits, which belong to the ownerless type of food and thereby which the narrative interpretation of this rule prohibits the monk from eating. However, if he meets a lay person on the way and expresses his wish to eat some fruits, and if the latter obliges the former by picking some from a tree, those fruits come to be the latter's property, no longer ownerless. Then, the monk can legally eat the wild fruits "given" to him by the layperson whom the former meets on the way. In short, the physical transfer of food from a layperson to a monk is a perfect way to work around this rule. (As shown later in this paper, this is not a mere hypothetical scenario.) When this method is used everywhere and every time without fail to work around the rule, the method itself probably becomes how the rule is commonly understood, whereas the true spirit of the rule is lost in due course. This is how, I believe, the narrative interpretation has evolved into the canonical one. In contrast, I cannot think of a scenario of *vice versa*—that is, how the canonical interpretation could have evolved into the narrative one.

2. Textual evidence

Another question arises. The canonical interpretation has been recorded, as shown above, in the canonical commentary, but the so-called narrative one seemingly has no record but is only something inferred from the background story. How, then, can we be sure that the latter is a historical fact? There are seemingly three pieces of evidence available indicating that the latter is probably a fact.

We have already seen the first piece of evidence, which is the case noted above of picking up spilled food as possible proof indicating that the narrative interpretation is the more accurate representation of the rule.

Secondly, a different interpretation of *adinna* can be found in the canonical

commentary of the same rule in the *Bhikṣuprātimokṣa* of the Sarvāstivādin school: “‘Not given’ means that the food is given neither by a man nor by a woman, neither by a eunuch nor by a hermaphrodite.”¹⁷⁾

The exposition above seems problematic at first sight, for its list of legal donors of food does not cover the members of the Order (i.e., monks, nuns, novices, etc.). If it means that monks cannot share food with one another, it is rather implausible, because—for instance—if a monk is too sick to go out himself for alms-rounds, he should have the right to eat the food that other monks have brought back from the donors. However, if we understand it to mean that *the food must originate with a person outside the Order*, it is perfectly consistent with the narrative interpretation, which, we can thereby conclude, has seemingly been preserved by Sarvāstivādins in their *Vinaya*.

Thirdly, there is also parallel evidence showing that the narrative interpretation might have been predominant in an earlier part of history. The aforesaid evidence can be found in the *Ghaṭikāra-sutta*, *Majjhima-nikāya*:

On one occasion when I [i.e., the Kassapa Buddha] was living at Vebhalinga, it being morning, I dressed, and taking my bowl and outer robe, I went to the potter Ghaṭikāra’s parents and asked them: “Where has the potter gone, please?” — “Venerable sir, your supporter has gone out; but take rice from the cauldron and sauce from the saucepan and eat.” I did so and went away. (MN. II, 52-53; Ñāṇamoḷi and Bodhi 2009, 674)

While the other versions [i.e., the Pāli *Majjhima-nikāya* and others] simply indicate that Kassapa did so [i.e., helped himself to the food made ready in the kitchen], the *Madhyama-āgama* version and the Sanskrit and Tibetan *Saṅghabhedavastu* further specify that he helped himself to the food in accordance with the “custom of the northern Kuru” (Anālayo 2011, vol. 1, 447-448).

17) “‘Nichtgegeben’ heißt: daß die Speise weder von einem Mann noch von einer Frau, weder von einem Eunuchen noch von einem Hermaphroditen gegeben wird.” (Rosen 1959, 160)

The interesting question here is: why do some records try to explain the Kassapa Buddha's behavior, whereas some others do not bother to do so? Bhikkhu Anālayo observes:

This specification may be related to the fact that under normal circumstance [*sic.*] it is reckoned improper for a bhikkhu (and thus implicitly also for the Buddha) just to help himself to food; cf. the *pācittiya* rule 40 in Vin. IV, 90,1, and its parallels, . . . omission . . . which agree in prohibiting a fully ordained monk from partaking of food that has not been offered to him. (2011, vol. 1, 448 fn. 39)

His observation is obviously based on the commonly known canonical interpretation of the *Dantapona* rule, but it cannot tell us why some versions like Pāli have not similarly attempted to explain Kassapa's behavior. However, if we account for both interpretations of the rule, we can infer as follows:

- (1) During the times when the narrative interpretation was predominant, Kassapa's behavior—that is, obliging Ghaṭṭikāra's parents who offered him food verbally—would appear perfectly normal, simply because it was legal for any monk to act likewise. Therefore, the records finalized in such times do not need to defend Kassapa's behavior.
- (2) On the other hand, when the canonical interpretation has become predominant, Kassapa's behavior would appear odd in the eyes of monks who are themselves obliged to accept food formally, through a physical transfer from donors. Even if they concede that a Buddha is not obliged to observe the Vinaya rules prescribed for his disciples (Pandita 2015), they would still feel that he should and would act as a role model for his followers, and accordingly that he would not bend his own rules without a good reason. In this case, did Kassapa, being a Buddha himself, not prescribe this rule for his disciples? Alternatively, was this his way of showing his appreciation to Ghaṭṭikāra? In any case, there

should be some kind of explanation for Kassapa's seemingly odd behavior; this should be why the records finalized in such times would try to somehow defend his act of helping himself to the food not physically offered to him.

To sum up, I argue that *the ability* of the narrative interpretation *to explain why some records do not attempt to defend the Kassapa Buddha's aforesaid behavior*, also proves that this interpretation was probably predominant in history before it was superseded by the canonical interpretation.

VI. An Implicit Reference to the Rule in Another Context

The *Vinaya* canon includes certain other contexts that can be only understood against the Dantapoṇa rule, even though the latter is not explicitly mentioned therein. In this section, I discuss such a context, using both interpretations of that rule, because this particular topic reveals a hidden facet of the rule.

It can be found in the *Bhesajja-kkhandhaka* as an exemption to the rule, temporarily adopted and later revoked by the Buddha himself; “According to previous studies (i.e., those of Sato and Yamagoku),¹⁸⁾ this passage is related to the precept on non-given food, and relieves it in times of need.”¹⁹⁾ However, given that, as shown above, there are two interpretations available for the rule, we should look closely at how the aforesaid exception works for each of the interpretations.

At that time, several monks . . . omission . . . going to Rājahaha to see the Buddha, did not obtain on the way mediocre or fine meals, as full as they wished for. Yet there was much edible fruit, but there was no one to make it

18) 佐藤密雄 1963 『原始仏教教団の研究』 山喜房仏書林 (Aono 2018, 459 “Sato Mitsuo 1963 A Study of Primitive Buddhist Order, Yamakibo Bushoshorin”).

19) 先行研究によれば、この一節は不受食学処と関係し、それを困窮時には緩和することを述べたものであるとされる (462).

allowable. So these monks, weary in body, approached Rājagaha . . . omission . . . Monks, wherever one sees edible fruit, but if there is no one to make it allowable, I allow (you) to take it yourselves, carry it away, lay it down on the ground when (you) see someone to make it allowable, to have (some monk) accept it (formally), and consume it. Monks, I allow you to formally receive something you have already taken.²⁰⁾

According to the text cited above, the Buddha provided a temporary solution for monks for whom there was edible fruit available but who could find “no one to make it allowable.” But what was the supposed procedure to make it allowable before the aforesaid solution came into place? The text does not explicitly mention this, but if we agree with Sato and Yamagoku in maintaining that this passage is related to the *Dantapona* rule, we can make the following inferences. If those monks were to meet a layperson on their way, let him/her know their wish to consume the available fruits, and subsequently if the latter picked and donated the fruits to the former, it would have been legal for the former to consume the fruits. Why? From the time the fruits were picked, these would have become the property of the aforesaid layperson, making them no longer ownerless. Thus, the narrative interpretation of the rule allows them to consume the fruits donated by that person. Moreover, if that person were to donate those fruits to the monks via physical transfer, the canonical interpretation

20) Cf. “Now at that time several monks . . . omission . . . going to Rājagaha to see the Lord, did not obtain on the way sufficient mediocre or fine meals, as much as they needed. Yet there was much solid food that was fruit, but there was no one to make it allowable. So these monks, weary in body, approached Rājagaha . . . omission . . . I allow you, monks, if one anywhere sees solid food that is fruit, but if there is no one to make it allowable, having taken it oneself, having carried it away, having seen someone to make it allowable, having laid it down on the ground, to make use of it, (he) having (formally) offered it to you. I allow you, monks, to receive (formally) what you have picked up.” (Horner 1938-66, vol. 4, 289)
 Original text: “*tena kho pana samayena sambahulā bhikkhū . . . omission . . . Rājagahaṃ gacchantā bhagavantam dassanāya antarā magge na labhiṃsu lūkhassa vā paṇṭassa vā bhojanassa yāvadattham pāriṇāsiṃ, bahuñ ca phalakhādānīyaṃ ahoṣi, kappiyakārako ca na ahoṣi. Atha kho te bhikkhū kilantarūpā yena rājagahaṃ . . . omission . . . ten’ upasaṅkamiṃsu, . . . omission . . . anujānāmi bhikkhave yattha phalakhādānīyaṃ passati, kappiyakārako ca na hoti, sāmāṃ gahetvā, haritvā, kappiyakārake[m] passitvā, bhūmīyaṃ nikkhipitvā, paṭiggahāpetvā paribhūjituṃ. anujānāmi bhikkhave uggahitaṃ paṭiggahitū ti.*” (Vin. I, 212)

allows them to consume these. (As I said above, it is probably from this procedure that the canonical interpretation has evolved.)

Next, let us tentatively break down the Buddha's temporary workaround into its legal steps:

- (1) When a monk sees some edible fruits, he would himself pick those to eat if there is no layperson to help him. This act precedes the act of actual eating (i.e., the transgression of the *Dantapona* rule). Therefore, it was permissible while the Buddha's temporary permission was valid, but would incur an offense of wrong-doing (*dukkata*) after the revocation of his permission.
- (2) He would carry the fruits with him until he sees a layperson.
- (3) He would put the fruits on the ground, and (probably) ask the latter to offer them back to him.
- (4) The layperson obliges the monk.
- (5) The monk (alone or with other monks) consumes the fruits; this step can be interpreted in two alternative ways:
 - (a) The fruits have been donated / physically transferred by a layperson to the monk, so they should be deemed "given" (*dinna*). Therefore, both interpretations of the rule allow the latter (and other monks) to consume the fruits whether or not the Buddha's temporary permission was still valid.²¹⁾
 - (b) OR given that it is the monk who has brought the fruits at the very beginning, the fruits he gets back from the layperson do not really count as "given" (*dinna*). So, the consumption of the fruits was permissible while the Buddha's temporary permission was valid, but after the revocation of the permission, it would have transgressed the *Dantapona* rule and incurred the

21) According to interpretation 5(a), the temporary solution does not affect the main rule; this is seemingly what Aono also means when he observes: "However, more strictly, it may have relaxed, not the rule itself, but the phrase 'If he takes it thinking: 'I will eat, I will partake of.''" (しかし, より厳密には, 学処そのものではなく, 経分別の語句解説に続く箇所にある「嚙もう, 食べようとして取ったならば突吉羅罪があり…」という文言を緩和したものであろう) (2018, 462).

offense of expiation (*pācittiya*).

However, the procedure outlined above does not agree with how the Buddha revoked his permission:

From today onward, I object to whatever was allowed by me when food was scarce, crops bad, and almsfood hard to obtain . . . omission . . . Monks . . . omission . . . you should not consume what you (formally) accept after you have already taken it. There is an offense of wrong-doing (*dukkata*) for whoever consumes (it).²²⁾

As seen above, step (1) is not mentioned at all. Instead, step (5) would incur the offense of wrong-doing (*dukkata*); this step is not deemed innocent as the interpretation (5a) stipulates, nor does it incur the offense of expiation (*pācittiya*) as (5b) indicates. Therefore, we can conclude that for a monk who adopts the already invalid procedure, the fruits he picks and eats after getting those back from a layperson should be deemed “semi-given”—that is, in a gray area between “given” and “non-given.”

VII. Conclusion

This paper is mainly based on the Pāli version of the relevant *Vinaya* texts, so it may need to be double-checked against other versions, which exist mainly in Chinese (See Prebish 1994, for details). Nonetheless, if my argument in this paper is correct, we need to reconsider Oldenberg’s theory (Vin, xxi-xxii), which claims that the

22) *yāni tāni bhikkhave mayā bhikkhūnaṃ anuññātāni dubbhikkhe dussasse dullabhapiṇḍe . . . omission . . . tān’ āhaṃ ajjatagge paṭikkhipāmi. na bhikkhave . . . omission . . . uggahitapaṭiggahitakaṃ paribhuñjitabbaṃ. yo paribhuñjeyya, āpatti dukkaṭassa.* (Vin. I, 238)

Cf. “Those things, monks, allowed by me to monks when food was scarce, crops bad and almsfood difficult to obtain . . . these things I object to from this day forth. Monks you should not make use of . . . (formally) receiving what is picked up (by you). Whoever should make use of (any of these things), there is an offence of wrong-doing.” (Horner 1938-66, vol. 4, 326)

background narratives are the youngest layer of the *Suttavibhaṅga*, the canonical commentary on the *Pātimokkha* rules. For, as argued above, at least in the case of the *Dantapona* rule, we can see that the original spirit of the rule has been retained in the background narrative (i.e., it happens to be discoverable from the latter), whereas it has been clearly lost in the canonical commentary, which supposedly belongs to a layer older than the story.

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제공되지 않는 음식의 금지: 슐링로프에 대한 답변

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이 논문에서 필자는 승려들의 바라제목차(婆羅提木叉, *pātimokkha*) 가운데 바일제(波逸提, *Pācittiya*) 40번 규율을 배경 내러티브를 통해서 해석하고자 한다. 나는 이를 ‘내러티브 해석’이라고 부른다. 이 버전은 내가 ‘성전 해석’이라고 부르는 성전의 주석서가 제공하는 버전과는 다르다. 필자는 규율상의 논리와 문헌적 증거를 기반으로 내러티브 해석이 실제로 규율의 원래 의도를 반영한다고 주장한다. 또한 규율이 암시적으로 가리키는 다른 문맥도 살펴본다. 최종적으로 필자는 이 규율이 배경 내러티브가 규율의 원래 의도를 유지하는 반면에 성전의 주석서는 원래 의도를 잃어버린 드문 경우임을 고찰한다. 따라서 배경 이야기를 율장의 가장 새로운 층으로 보는 올덴베르크(Oldenbergh)의 이론은 재고의 필요가 있음을 제안한다.

주제어

테라와다 불교, 율장, 테라와다 율장, 설일체유부 율장, 승가제도, 윤리, 승가 윤리

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