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Theravada Collection on Monastic Law The Small Division The chapter on the settling of legal issues 1. Resolution face-to-face

At one time the Buddha was staying at Savatthi in the Jeta Grove, Anathapindika's Monastery. At that time the monks from the group of six did legal procedures—condemnation, demotion, banishment, reconciliation, and ejection—against monks who were absent. The monks of few desires complained and criticized them, “How can the monks from the group of six do this?” They told the Buddha. Soon afterwards he had the Sangha of monks gathered and questioned them: “Is it true, monks, that the monks from the group of six are doing this?” “It's true, sir.” The Buddha rebuked them, “It's not suitable for those foolish men, it's not proper, it's not worthy of a monastic, it's not allowable, it's not to be done. How can they do this? This will affect people's confidence ...” After rebuking them ... the Buddha gave a teaching and addressed the monks: “You shouldn't do legal procedures—condemnation, demotion, banishment, reconciliation, or ejection—against monks who are absent. If you do, you commit an offense of wrong conduct. An individual who speaks contrary to the Teaching; several people who speak contrary to the Teaching; a sangha that speaks contrary to the Teaching. An individual who speaks in accordance with the Teaching; several people who speak in accordance with the Teaching; a sangha that speaks in accordance with the Teaching.”

The group of nine on the dark side “An individual who speaks contrary to the Teaching persuades an individual who speaks in accordance with the Teaching—convinces him, makes him see, makes him consider, shows him, teaches him: ‘This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.’ If a legal issue is resolved like this, it's resolved illegitimately by a face-to-face-like resolution. An individual who speaks contrary to the Teaching persuades several people who speak in accordance with the Teaching—convinces them, makes them see, makes them consider, shows them, teaches them: ‘This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.’ If a legal issue is resolved like this, it's resolved illegitimately by a face-to-face-like resolution. An individual who speaks contrary to the Teaching persuades a sangha that speaks in accordance with the Teaching—convinces it, makes it see, makes it consider, shows it, teaches it: ‘This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.’ If a legal issue is resolved like this, it's resolved illegitimately by a face-to-face-like resolution. Several people who speak contrary to the Teaching persuade an individual who speaks in accordance with the Teaching—convince him, make him see, make him consider, show him, teach him: ‘This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.’ If a legal issue is resolved like

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The group of nine on the bright side "An individual who speaks in accordance with the Teaching persuades an individual who speaks contrary to the Teaching—convinces him, makes him see, makes him consider, shows him, teaches him: 'This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.' If a legal issue is resolved like this, it's resolved legitimately by face-to-face resolution. An individual who speaks in accordance with the Teaching persuades several people who speak contrary to the Teaching—convinces them, makes them see, makes them consider, shows them, teaches them: 'This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.' If a legal issue is resolved like this, it's resolved legitimately by face-to-face resolution. An individual who speaks in accordance with the Teaching persuades a sangha that speaks contrary to the Teaching—convinces it, makes it see, makes it consider, shows it, teaches it: 'This is the Teaching, this is the Monastic Law, this is the Teacher's instruction; learn this, accept this.' If a legal issue is resolved like this, it's resolved legitimately by face-to-face resolution. Several people who speak in accordance with the

Teaching persuade an individual who speaks contrary to the Teaching—convince him, make him see, make him consider, show him, teach him: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution. Several people who speak in accordance with the Teaching persuade several people who speak contrary to the Teaching—convince them, make them see, make them consider, show them, teach them: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution. Several people who speak in accordance with the Teaching persuade a sangha that speaks contrary to the Teaching—convince it, make it see, make it consider, show it, teach it: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution. A sangha that speaks in accordance with the Teaching persuades an individual who speaks contrary to the Teaching—convinces him, makes him see, makes him consider, shows him, teaches him: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution. A sangha that speaks in accordance with the Teaching persuades several people who speak contrary to the Teaching—convinces them, makes them see, makes them consider, shows them, teaches them: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution. A sangha that speaks in accordance with the Teaching persuades a sangha that speaks contrary to the Teaching—convinces it, makes it see, makes it consider, shows it, teaches it: ‘This is the Teaching, this is the Monastic Law, this is the Teacher’s instruction; learn this, accept this.’ If a legal issue is resolved like this, it’s resolved legitimately by face-to-face resolution.” The group of nine on the bright side is finished.

2. Resolution through recollection At one time when the Buddha was staying at Rajagaha in the Bamboo Grove, Venerable Dabba the Mallian realized perfection at the age of seven. He had achieved all there is to achieve by a disciple and had nothing further to do. Then, while reflecting in private, he thought, “How can I be of service to the Sangha? Why don’t I assign the dwellings and designate the meals?” In the evening Dabba came out of seclusion and went to the Buddha. He bowed, sat down, and said, “Sir, while I was reflecting in private, it occurred to me that I’ve achieved all there is to achieve by a disciple, and I was wondering how I could be of service to the Sangha. I thought, ‘Why don’t I assign the dwellings and designate the meals?’” “Good, good, Dabba, please do so.” “Yes, sir.” Soon afterwards the Buddha gave a teaching and addressed the monks: “Monks, the Sangha should appoint Dabba the Mallian as the assigner of dwellings and the designator of meals. And he should be appointed like this. First Dabba should be asked. A

competent and capable monk should then inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. If the Sangha is ready, it should appoint Venerable Dabba the Mallian as the assigner of dwellings and the designator of meals. This is the motion. Please, venerables, I ask the Sangha to listen. The Sangha appoints Venerable Dabba the Mallian as the assigner of dwellings and the designator of meals. Any monk who approves of appointing Venerable Dabba as the assigner of dwellings and the designator of meals should remain silent. Any monk who doesn’t approve should speak up. The Sangha has appointed Venerable Dabba the Mallian as the assigner of dwellings and the designator of meals. The Sangha approves and is therefore silent. I will remember it thus.’” Dabba assigned dwellings to the monks according to their character. He assigned dwellings in the same place to those monks who were experts on the discourses, thinking, “They’ll recite the discourses to one another.” And he did likewise for the experts on the Monastic Law, thinking, “They’ll discuss the Monastic Law;” for the expounders of the Teaching, thinking, “They’ll discuss the Teaching;” for the meditators, thinking, “They won’t disturb one another;” and for the gossips and the bodybuilders, thinking, “In this way even these venerables will be happy.”

When monks arrived at night, he entered the fire element and assigned dwellings with the help of that light. Monks even arrived late on purpose, hoping to see the marvel of Dabba’s supernormal powers. They would approach Dabba and say, “Venerable Dabba, please assign us a dwelling.” “Where would you like to stay?” They would intentionally suggest somewhere far away: “On the Vulture Peak,” “At Robbers’ Cliff,” “On Black Rock on the slope of Mount Isigili,” “In the Sattapanni Cave on the slope of Mount Vebhara,” “In Cool Grove on the hill at the Snake’s Pool,” “At Gotamaka Gorge,” “At Tinduka Gorge,” “At Tapoda Gorge,” “In Tapoda Park,” “In Jivaka’s Mango Grove,” “In the deer park at Maddakucchi.” Dabba then entered the fire element, and with his finger glowing, he walked in front of those monks. They followed behind him with the help of that light. And he would assign them dwellings: “This is the bed, this the bench, this the mattress, this the pillow, this the place for defecating, this the place for urinating, this the water for drinking, this the water for washing, this the walking stick; these are the Sangha’s agreements concerning the right time to enter and the right time to leave.” Dabba then returned to the Bamboo Grove. At that time the monks Mettiya and Bhumajaka were only newly ordained. They had little merit, getting inferior dwellings and meals. The people of Rajagaha were keen to give specially prepared almsfood to the senior monks—ghee, oil, and special curries—but to the monks Mettiya and Bhumajaka they gave ordinary food of porridge and broken rice. When they had eaten their meal and returned from almsround, they asked the senior monks, “What did you get at the dining hall?” Some said, “We got ghee, oil, and special curries.” But the monks Mettiya and Bhumajaka said, “We didn’t get anything except ordinary food of porridge and broken rice.” At that time there was a householder who gave a regular meal of fine food to four monks. He made his offering in the dining hall together with his wives and children. Some of them offered rice, some bean curry, some oil, and some special curries. On one

occasion the meal to be given by this householder on the following day had been designated to the monks Mettiya and Bhumajaka. Just then that householder went to the monastery on some business. He approached Dabba, bowed, and sat down. Dabba instructed, inspired, and gladdened him with a teaching. After the talk, he asked Dabba, "Sir, who has been designated to receive tomorrow's meal in our house?" "Mettiya and Bhumajaka." He was disappointed, and thought, "Why should bad monks eat in our house?" After returning to his house, he told a female slave, "For those who are coming for tomorrow's meal, prepare seats in the gatehouse and serve them broken rice and porridge." "Yes, sir." The monks Mettiya and Bhumajaka said to each other, "Yesterday we were designated a meal from that householder who offers fine food. Tomorrow he'll serve us together with his wives and children. Some of them will offer us rice, some bean curry, some oil, and some special curries." And because they were excited, they did not sleep properly that night. The following morning they robed up, took their bowls and robes, and went to the house of that householder. When the female slave saw them coming, she prepared seats in the gatehouse and said to them, "Please sit, venerables." They thought, "The meal can't be ready, since we're given seats in the gatehouse." She then brought them broken rice and porridge, and said, "Eat, sirs." "But, sister, we've come for the regular meal." "I know. But yesterday I was told by the head of the household to serve you like this. Please eat." They said to each other, "Yesterday this householder came to the monastery and spoke with Dabba. Dabba must be responsible for this split between the householder and us." And because they were dejected, they did not eat as much as they had intended. When they had eaten their meal and returned from almsround, they put their bowls and robes away and squatted on their heels outside the monastery gatehouse, using their upper robes as a back-and-knee strap. They were silent and humiliated, with shoulders drooping and heads down, glum and speechless. Just then the nun Mettiya came to them and said, "My respectful greetings to you, venerables." But they did not respond. A second time and a third time she said the same thing, but they still did not respond. "Have I done something wrong? Why don't you respond?" "It's because we've been badly treated by Dabba the Mallian, and you're not taking an interest." "But what can I do?" "If you like, you could make the Buddha expel Dabba." "And how can I do that?" "Go to the Buddha and say, 'Sir, this isn't proper or appropriate. There's fear, distress, and oppression in this district, where none of these should exist. It's windy where it should be calm. It's as if water is burning. Venerable Dabba the Mallian has raped me.'" Saying, "Alright, venerables," she went to the Buddha, bowed, and repeated what she had been told to say. Soon afterwards the Buddha had the Sangha gathered and questioned Dabba: "Dabba, do you remember doing as the nun Mettiya says?" "Sir, you know what I'm like." A second and a third time the Buddha asked the same question and got the same response. He then said, "Dabba, the Dabbas don't give such evasive answers. If it was done by you, say so; if it wasn't, then say that." "Since I was born, sir, I don't recall having sexual intercourse even in a dream, let alone when awake." The Buddha addressed the monks: "Well then, monks, expel

the nun Mettiya, and call these monks to account.” The Buddha then got up from his seat and entered his dwelling. When the monks had expelled the nun Mettiya, the monks Mettiya and Bhumajaka said to them, “Don’t expel the nun Mettiya; she hasn’t done anything wrong. She was urged on by us. We were angry and displeased, and trying to make Dabba give up the monastic life.” “But did you groundlessly charge Venerable Dabba with failure in morality?” “Yes.” The monks of few desires ... complained and criticized them, “How could the monks Mettiya and Bhumajaka groundlessly charge Venerable Dabba with failure in morality?” They then told the Buddha. ... “Is it true, monks, that you did this?” “It’s true, sir.” ... After rebuking them ... he gave a teaching and addressed the monks: “Well then, because of his great clarity of memory, grant resolution through recollection to Dabba the Mallian. And it should be granted like this. Dabba should approach the Sangha, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say: ‘Venerables, these monks Mettiya and Bhumajaka are groundlessly charging me with failure in morality. Because of my great clarity of memory, I ask the Sangha for resolution through recollection. Venerables, these monks Mettiya and Bhumajaka are groundlessly charging me with failure in morality. Because of my great clarity of memory, for the second time, I ask the Sangha for resolution through recollection. Venerables, these monks Mettiya and Bhumajaka are groundlessly charging me with failure in morality. Because of my great clarity of memory, for the third time, I ask the Sangha for resolution through recollection.’ A competent and capable monk should then inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. These monks Mettiya and Bhumajaka are groundlessly charging Venerable Dabba the Mallian with failure in morality. Because of Venerable Dabba the Mallian’s great clarity of memory, he is asking the Sangha for resolution through recollection. If the Sangha is ready, then, because of Venerable Dabba the Mallian’s great clarity of memory, the Sangha should grant him resolution through recollection. This is the motion. Please, venerables, I ask the Sangha to listen. These monks Mettiya and Bhumajaka are groundlessly charging Venerable Dabba the Mallian with failure in morality. Because of Venerable Dabba the Mallian’s great clarity of memory, he is asking the Sangha for resolution through recollection. Because of Venerable Dabba the Mallian’s great clarity of memory, the Sangha grants him resolution through recollection. Any monk who approves, because of Venerable Dabba the Mallian’s great clarity of memory, of granting him resolution through recollection should remain silent. Any monk who doesn’t approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. Please, venerables, I ask the Sangha to listen. These monks Mettiya and Bhumajaka are groundlessly charging Venerable Dabba the Mallian with failure in morality. Because of Venerable Dabba the Mallian’s great clarity of memory, he is asking the Sangha for resolution through recollection. Because of Venerable Dabba the Mallian’s great clarity of memory, the Sangha grants him resolution through recollection. Any monk who approves, because of Venerable Dabba the Mallian’s great clarity of memory, of granting him resolution through recollection should remain silent. Any monk

who doesn't approve should speak up. Because of Venerable Dabba the Mallian's great clarity of memory, the Sangha has granted him resolution through recollection. The Sangha approves and is therefore silent. I will remember it thus.' There are five factors for the legitimate granting of resolution through recollection: the monk is pure and free of offenses; he has been accused; he asks for resolution through recollection; the Sangha grants him resolution through recollection; the legal procedure is legitimate and done by a unanimous assembly."

3. Resolution because of past insanity At one time the monk Gagga was insane and suffering from psychosis. Because of this, he did and said many things unworthy of a monastic. The monks accused him of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" "I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But they kept on accusing him in the same way. The monks of few desires ... complained and criticized them, "How can these monks keep on accusing Gagga when he says he was insane?" They told the Buddha. ... He said, "Is it true, monks, that these monks are doing this?" "It's true, sir." ... After rebuking them ... he gave a teaching and addressed the monks: "Well then, since he's now sane, grant the monk Gagga resolution because of past insanity. And it should be granted like this. The monk Gagga should approach the Sangha, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say: 'Venerables, I've been insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. The monks accused me of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" I replied, "I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But they kept on accusing me in the same way. Because I'm now sane, I ask the Sangha for resolution because of past insanity.' And he should ask a second and a third time: 'Venerables, I've been insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. The monks accused me of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" I replied, "I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But they kept on accusing me in the same way. Because I'm now sane, for the third time, I ask the Sangha for resolution because of past insanity.' A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. The monk Gagga has been insane and suffering from psychosis. Because of that insanity and psychosis, he did and said many things unworthy of a monastic. Because of that insanity and psychosis, the monks accused the monk Gagga of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" He replied, "I was insane and suffering from psychosis. Because of that insanity and psychosis, I did and said many things unworthy of a monastic. I don't

remember it. I did it because I was insane.” But even though he said this, they kept on accusing him, “Venerable, do you remember committing such-and-such an offense?” Because he is now sane, he is asking the Sangha for resolution because of past insanity. If the Sangha is ready, then, because the monk Gagga is now sane, the Sangha should grant him resolution because of past insanity. This is the motion. Please, venerables, I ask the Sangha to listen. The monk Gagga has been insane and suffering from psychosis. Because of that insanity and psychosis, he did and said many things unworthy of a monastic. Because of that insanity and psychosis, the monks accused the monk Gagga of an offense, saying, “Venerable, do you remember committing such-and-such an offense?” He replied, “I was insane and suffering from psychosis. Because of that insanity and psychosis, I did and said many things unworthy of a monastic. I don’t remember it. I did it because I was insane.” But even though he said this, they kept on accusing him, “Venerable, do you remember committing such-and-such an offense?” Because he is now sane, he is asking the Sangha for resolution because of past insanity. Because the monk Gagga is now sane, the Sangha grants him resolution because of past insanity. Any monk who approves of granting to the monk Gagga, who is now sane, resolution because of past insanity should remain silent. Any monk who doesn’t approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. ... Because the monk Gagga is now sane, the Sangha has granted him resolution because of past insanity. The Sangha approves and is therefore silent. I will remember it thus.’

There are three illegitimate and three legitimate grantings of resolution because of past insanity. What are the three illegitimate grantings of resolution because of past insanity? It may be that a monk has committed an offense. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, do you remember committing such-and-such an offense?’ Although he remembers, he says he doesn’t. If the Sangha grants him resolution because of past insanity, then that granting is illegitimate. It may be that a monk has committed an offense. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, do you remember committing such-and-such an offense?’ Although he remembers, he says, ‘I remember as if in a dream.’ If the Sangha grants him resolution because of past insanity, then that granting is illegitimate. It may be that a monk has committed an offense. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, do you remember committing such-and-such an offense?’ Although he’s sane, he acts insane, saying, ‘I do this, and so do you. This is allowable for me, and also for you.’ If the Sangha grants him resolution because of past insanity, then that granting is illegitimate. And what are the three legitimate grantings of resolution because of past insanity? It may be that a monk has been insane and suffering from psychosis. Because of that, he did and said many things unworthy of a monastic. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, do you remember committing such-and-such an offense?’ Not remembering, he says he doesn’t. If the Sangha grants him resolution because

of past insanity, then that granting is legitimate. It may be that a monk has been insane and suffering from psychosis. Because of that, he did and said many things unworthy of a monastic. The Sangha, several monks, or a single monk accuses him, saying, 'Venerable, do you remember committing such-and-such an offense?' Not remembering, he says, 'I remember as if in a dream.' If the Sangha grants him resolution because of past insanity, then that granting is legitimate. It may be that a monk has been insane and suffering from psychosis. Because of that, he did and said many things unworthy of a monastic. The Sangha, several monks, or a single monk accuses him, saying, 'Venerable, do you remember committing such-and-such an offense?' Being insane, he acts insane, saying, 'I do this, and so do you. This is allowable for me, and also for you.' If the Sangha grants him resolution because of past insanity, then that granting is legitimate."

4. Acting according to what has been admitted At one time the monks from the group of six did legal procedures—condemnation, demotion, banishment, reconciliation, and ejection—against other monks without their admission. The monks of few desires complained and criticized them, "How can the monks from the group of six do this?" They told the Buddha. ... "Is it true, monks, that the monks from the group of six are doing this?" "It's true, sir." ... After rebuking them ... the Buddha gave a teaching and addressed the monks: "You shouldn't do legal procedures—condemnation, demotion, banishment, reconciliation, or ejection—against monks without their admission. If you do, you commit an offense of wrong conduct.

And how's acting according to what's been admitted illegitimate? It may be that a monk has committed an offense entailing expulsion. The Sangha, several monks, or a single monk accuses him, saying, 'Venerable, you've committed an offense entailing expulsion.' He says, 'I haven't committed an offense entailing expulsion, but one entailing suspension.' If the Sangha makes him act according to an offense entailing suspension, then that acting according to what's been admitted is illegitimate. It may be that a monk has committed an offense entailing expulsion. The Sangha, several monks, or a single monk accuses him, saying, 'Venerable, you've committed an offense entailing expulsion.' He says, 'I haven't committed an offense entailing expulsion, but a serious offense ... but an offense entailing confession ... but an offense entailing acknowledgment ... but an offense of wrong conduct ... but an offense of wrong speech.' If the Sangha makes him act according to an offense of wrong speech, then that acting according to what's been admitted is illegitimate. It may be that a monk has committed an offense entailing suspension ... a serious offense ... an offense entailing confession ... an offense entailing acknowledgment ... an offense of wrong conduct ... an offense of wrong speech. The Sangha, several monks, or a single monk accuses him, saying, 'Venerable, you've committed an offense of wrong speech.' He says, 'I haven't committed an offense of wrong speech, but an offense entailing expulsion.' If the Sangha makes him act according to an offense entailing expulsion, then that acting according to what's been admitted is illegitimate. It may be that a monk has committed an offense of wrong speech.

The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, you’ve committed an offense of wrong speech.’ He says, ‘I haven’t committed an offense of wrong speech, but an offense entailing suspension ... but a serious offense ... but an offense entailing confession ... but an offense entailing acknowledgment ... but an offense of wrong conduct.’ If the Sangha makes him act according to an offense of wrong conduct, then that acting according to what’s been admitted is illegitimate. And how’s acting according to what’s been admitted legitimate? It may be that a monk has committed an offense entailing expulsion. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, you’ve committed an offense entailing expulsion.’ He says, ‘Yes, I’ve committed an offense entailing expulsion.’ If the Sangha makes him act according to an offense entailing expulsion, then that acting according to what’s been admitted is legitimate. It may be that a monk has committed an offense entailing suspension ... a serious offense ... an offense entailing confession ... an offense entailing acknowledgment ... an offense of wrong conduct ... an offense of wrong speech. The Sangha, several monks, or a single monk accuses him, saying, ‘Venerable, you’ve committed an offense of wrong speech.’ He says, ‘Yes, I’ve committed an offense of wrong speech.’ If the Sangha makes him act according to an offense wrong speech, then that acting according to what’s been admitted is legitimate.”

5. Majority decision At one time the monks were arguing and disputing in the midst of the Sangha, attacking one another verbally, and they were unable to resolve that legal issue. They told the Buddha. “I allow you to resolve such legal issues by majority decision. You should appoint a monk who has five qualities as the manager of the vote: he’s not biased by favoritism, ill will, confusion, or fear, and he knows who has and who hasn’t voted. And he should be appointed like this. First a monk should be asked, and then a competent and capable monk should inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. If the Sangha is ready, it should appoint monk so-and-so as the manager of the vote. This is the motion. Please, venerables, I ask the Sangha to listen. The Sangha appoints monk so-and-so as the manager of the vote. Any monk who approves of appointing monk so-and-so as the manager of the vote should remain silent. Any monk who doesn’t approve should speak up. The Sangha has appointed monk so-and-so as the manager of the vote. The Sangha approves and is therefore silent. I will remember it thus.’

There are ten reasons why a vote is illegitimate: it’s only a minor legal issue; the full process for settling it hasn’t run its course; they haven’t tried to remember offenses and remind about offenses; the manager knows that those who speak contrary to the Teaching are in the majority; the manager expects that those who speak contrary to the Teaching will be in the majority; the manager knows that the Sangha will split; the manager expects that the Sangha will split; they vote illegitimately; they vote with an incomplete assembly; they don’t vote according to their own views. And there are ten reasons why a vote is legitimate: it’s not a minor legal issue; the full process for settling it has run its course; they’ve tried to remember

offenses and remind about offenses; the manager knows that those who speak in accordance with the Teaching are in the majority; the manager expects that those who speak in accordance with the Teaching will be in the majority; the manager knows that the Sangha won't split; the manager expects that the Sangha won't split; they vote legitimately; they vote with a complete assembly; they vote according to their own views.”

6. Further penalty On one occasion, when the monk Upavala was being examined in the midst of the Sangha about an offense, he asserted things after denying them, denied things after asserting them, evaded the issue, and lied. The monks of few desires complained and criticized him, “How can the monk Upavala act like this?” They told the Buddha. ... “Is it true, monks, that the monk Upavala is acting like this?” “It’s true, sir.” ... After rebuking him ... the Buddha gave a teaching and addressed the monks: “Well then, the Sangha should do a legal procedure of further penalty against the monk Upavala. And it should be done like this. First you should accuse the monk Upavala. He should then be reminded of what he has done, before he’s charged with an offense. A competent and capable monk should then inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. The monk Upavala, while being examined in the midst of the Sangha about an offense, asserted things after denying them, denied things after asserting them, evaded the issue, and lied. If the Sangha is ready, it should do a legal procedure of further penalty against the monk Upavala. This is the motion. Please, venerables, I ask the Sangha to listen. The monk Upavala, while being examined in the midst of the Sangha about an offense, asserted things after denying them, denied things after asserting them, evaded the issue, and lied. The Sangha does a legal procedure of further penalty against the monk Upavala. Any monk who approves of doing a legal procedure of further penalty against the monk Upavala should remain silent. Any monk who doesn’t approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. ... The Sangha has done a legal procedure of further penalty against the monk Upavala. The Sangha approves and is therefore silent. I will remember it thus.’

There are five factors of a legitimate legal procedure of further penalty: the subject of the procedure is impure; he’s shameless; he has been accused; the procedure is legitimate; the procedure is done by a unanimous assembly.” The group of twelve on illegitimate legal procedures “When a legal procedure of further penalty has three qualities, it’s illegitimate, contrary to the Monastic Law, and improperly disposed of: it’s done in the absence of the accused, it’s done without questioning the accused, it’s done without the admission of the accused. When a procedure of further penalty has another three qualities, it’s also illegitimate, contrary to the Monastic Law, and not properly resolved: it’s done against one who hasn’t committed any offense, it’s done against one who’s committed an offense that isn’t clearable by confession, it’s done against one who’s confessed their offense. When a procedure of further penalty has another three qualities, it’s also illegitimate, contrary to the Monastic Law, and not properly resolved: it’s

done without having accused the person of their offense, it's done without having reminded the person of their offense, it's done without having charged the person with their offense. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done in the absence of the accused, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done without questioning the accused, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done without the admission of the accused, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done against one who hasn't committed any offense, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done against one who's committed an offense that isn't clearable by confession, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done against one who's confessed their offense, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done without having accused the person of their offense, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and not properly resolved: it's done without having reminded the person of their offense, it's done illegitimately, it's done by an incomplete assembly. When a procedure of further penalty has another three qualities, it's also illegitimate, contrary to the Monastic Law, and improperly disposed of: it's done without having charged the person with their offense, it's done illegitimately, it's done by an incomplete assembly.” The group of twelve on legitimate legal procedures “When a legal procedure of further penalty has three qualities, it's legitimate, in accordance with the Monastic Law, and properly disposed of: it's done in the presence of the accused, it's done with the questioning of the accused, it's done with the admission of the accused. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done against one who's committed an offense, it's done against one who's committed an offense that's clearable by confession, it's done against one who hasn't confessed their offense. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done after having accused the person of their offense, it's done after having reminded

the person of their offense, it's done after having charged the person with their offense. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done in the presence of the accused, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done with the questioning of the accused, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done with the admission of the accused, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done against one who's committed an offense, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done against one who's committed an offense that's clearable by confession, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done against one who hasn't confessed their offense, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done after having accused the person of their offense, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly resolved: it's done after having reminded the person of their offense, it's done legitimately, it's done by a unanimous assembly. When a procedure of further penalty has another three qualities, it's also legitimate, in accordance with the Monastic Law, and properly disposed of: it's done after charging the person with their offense, it's done legitimately, it's done by a unanimous assembly." The group of six on wishing "When a monk has three qualities, the Sangha may, if it wishes, do a legal procedure of further penalty against him: he's quarrelsome, argumentative, and a creator of legal issues in the Sangha; he's ignorant and incompetent, often committing offenses, and lacking in boundaries; he's constantly and improperly socializing with householders. When a monk has another three qualities, the Sangha may, if it wishes, do a procedure of further penalty against him: he has failed in the higher morality; he has failed in the higher conduct; he has failed in the higher view. When a monk has another three qualities, the Sangha may, if it wishes, do a procedure of further penalty against him: he disparages the Buddha; he disparages the Teaching; he disparages the Sangha. The Sangha may, if it wishes, do a procedure of further penalty against three kinds of monks: those who are quarrelsome, argumentative, and creators of legal issues in the Sangha; those who are ignorant and incompetent, often committing offenses, and lacking in

boundaries; those who are constantly and improperly socializing with householders. The Sangha may, if it wishes, do a procedure of further penalty against three other kinds of monks: those who've failed in the higher morality; those who've failed in the higher conduct; those who've failed in the higher view. The Sangha may, if it wishes, do a procedure of further penalty against three other kinds of monks: those who disparage the Buddha; those who disparage the Teaching; those who disparage the Sangha." The eighteen kinds of conduct "A monk who's had a legal procedure of further penalty done against him should conduct himself properly. This is the proper conduct: He shouldn't give the full ordination. He shouldn't give formal support. He shouldn't have a novice monk attend on him. He shouldn't accept being appointed as an instructor of the nuns. Even if appointed, he shouldn't instruct the nuns. He shouldn't commit the same offense as the offense for which the Sangha did the procedure of further penalty against him. He shouldn't commit an offense similar to the offense for which the Sangha did the procedure of further penalty against him. He shouldn't commit an offense worse than the offense for which the Sangha did the procedure of further penalty against him. He shouldn't criticize the procedure. He shouldn't criticize those who did the procedure. He shouldn't cancel the observance-day procedure of a regular monk. He shouldn't cancel the invitation of a regular monk. He shouldn't direct a regular monk. He shouldn't give instructions to a regular monk. He shouldn't ask a regular monk for permission to accuse him of an offense. He shouldn't accuse a regular monk of an offense. He shouldn't remind a regular monk of an offense. He shouldn't associate inappropriately with other monks." The Sangha then did a legal procedure of further penalty against the monk Upavala.

7. Covering over as if with grass At one time, while the monks were arguing and disputing, they did and said many things unworthy of monastics. They considered this and thought, "If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. So what should we do now?" They told the Buddha. "It may be, monks, that monks who are arguing and disputing do and say many things unworthy of monastics. If they consider this and think, 'If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism,' then I allow you to resolve that legal issue by covering over as if with grass. And it should be resolved like this. Everyone should gather in one place. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the Sangha is ready, it should resolve this legal issue by covering over as if with grass, except for heavy offenses and offenses connected with householders.' The monks belonging to one side should then be informed by a competent and capable monk belonging to their own side: 'Please, venerables, I ask you to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue

might lead to harshness, nastiness, and schism. If the venerables are ready, then, for your benefit and for my own, I will confess in the midst of the Sangha both your and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders.’ And the monks belonging to the other side should be informed by a competent and capable monk belonging to their own side: ‘Please, venerables, I ask you to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the venerables are ready, then, for your benefit and for my own, I will confess in the midst of the Sangha both your and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders.’ A competent and capable monk belonging to one side should then inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the Sangha is ready, then, for the benefit of these venerables and myself, I will confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. This is the motion. Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. For the benefit of these venerables and myself, I confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. Any monk who approves of confessing our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders, should remain silent. Any monk who doesn’t approve should speak up. We have confessed our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders. The Sangha approves and is therefore silent. I will remember it thus.’ And a competent and capable monk belonging to the other side should inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the Sangha is ready, then, for the benefit of these venerables and myself, I will confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. This is the motion. Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. For the benefit of these venerables and myself, I confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. Any monk who approves of confessing our offenses in the midst of the Sangha by covering

over as if with grass, except for heavy offenses and offenses connected with householders, should remain silent. Any monk who doesn't approve should speak up. We have confessed our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders. The Sangha approves and is therefore silent. I will remember it thus.' In this way those monks are cleared of those offenses, except for heavy offenses and offenses connected with householders, and except for those monks who voice their disapproval and those who are absent."

8. Legal issues On one occasion monks were disputing with monks, monks with nuns, and nuns with monks. Standing with the nuns, the monk Channa disputed with the monks, making others side with the nuns. The monks of few desires ... complained and criticized him, "How can the monk Channa act like this?" They told the Buddha. ... "Is it true, monks, that the monk Channa is acting like this?" "It's true, sir." ... After rebuking him ... the Buddha gave a teaching and addressed the monks: Definitions "Monks, there are four kinds of legal issues: legal issues arising from disputes; legal issues arising from accusations; legal issues arising from offenses; legal issues arising from business. What's a legal issue arising from a dispute? It may be that monks are disputing, saying, 'This is the Teaching', 'This is contrary to the Teaching', 'This is the Monastic Law', 'This is contrary to the Monastic Law', 'This was spoken by the Buddha', 'This wasn't spoken by the Buddha', 'This was practiced by the Buddha', 'This wasn't practiced by the Buddha', 'This was laid down by the Buddha', 'This wasn't laid down by the Buddha', 'This is an offense', 'This isn't an offense', 'This is a light offense', 'This is a heavy offense', 'This is a curable offense', 'This is an incurable offense', 'This is a grave offense', or 'This is a minor offense.' In regard to this, whatever there is of quarreling, arguing, conflict, disputing, variety in opinion, difference in opinion, heated speech, or strife—this is called a legal issue arising from a dispute. What's a legal issue arising from an accusation? It may be that monks accuse a monk of failure in morality, failure in conduct, failure in view, or failure in livelihood. In regard to this, whatever there is of accusations, accusing, allegations, blame, taking sides because of friendship, taking part in the accusation, or supporting the accusation—this is called a legal issue arising from an accusation. What's a legal issue arising from an offense? There are legal issues arising from offenses because of the five classes of offenses, and there are legal issues arising from offenses because of the seven classes of offenses—these are called legal issues arising from offenses. What's a legal issue arising from business? Whatever is the duty or the business of the Sangha—a legal procedure consisting of getting permission, a legal procedure consisting of one motion, a legal procedure consisting of one motion and one announcement, a legal procedure consisting of one motion and three announcements—this is called a legal issue arising from business." The roots of legal issues arising from disputes "What's the root of legal issues arising from disputes? There are six roots of disputes that in turn are the root of legal

issues arising from disputes. There are also three unwholesome and three wholesome roots of legal issues arising from disputes. What are the six roots of disputes that in turn are the root of legal issues arising from disputes? It may be that a monk is angry and resentful. One who's angry and resentful is disrespectful and undeferential toward the Teacher, the Teaching, and the Sangha, and he doesn't fulfill the training. Such a person creates disputes in the Sangha. Disputes are unbeneficial and a cause of unhappiness for humanity; they're harmful, detrimental, and a cause of suffering for gods and humans. Monks, when you see such a root of disputes either in yourself or in others, you should make an effort to get rid of it. If you don't see such a root either in yourself or in others, you should practice so that it doesn't emerge in the future. In this way that bad root of disputes is abandoned and doesn't emerge in the future. Or it may be that a monk is denigrating and domineering, envious and stingy, treacherous and deceitful, one who has bad desires and wrong views, or one who obstinately grasps his own views and only gives them up with difficulty. Such a monk is disrespectful and undeferential toward the Teacher, the Teaching, and the Sangha, and he doesn't fulfill the training. Such a person creates disputes in the Sangha. Disputes are unbeneficial and a cause of unhappiness for humanity; they're harmful, detrimental, and a cause of suffering for gods and humans. Monks, when you see such a root of disputes either in yourself or in others, you should make an effort to get rid of it. If you don't see such a root either in yourself or in others, you should practice so that it doesn't emerge in the future. In this way that bad root of disputes is abandoned and doesn't emerge in the future. What are the three unwholesome roots of legal issues arising from disputes? It may be that monks dispute with a mind of greed, ill will, or delusion, saying, 'This is the Teaching', 'This is contrary to the Teaching', 'This is the Monastic Law', 'This is contrary to the Monastic Law', 'This was spoken by the Buddha', 'This wasn't spoken by the Buddha', 'This was practiced by the Buddha', 'This wasn't practiced by the Buddha', 'This was laid down by the Buddha', 'This wasn't laid down by the Buddha', 'This is an offense', 'This isn't an offense', 'This is a light offense', 'This is a heavy offense', 'This is a curable offense', 'This is an incurable offense', 'This is a grave offense', or 'This is a minor offense.' What are the three wholesome roots of legal issues arising from disputes? It may be that monks dispute with a mind free from greed, ill will, and delusion, saying, 'This is the Teaching', 'This is contrary to the Teaching' ... 'This is a grave offense', or 'This is a minor offense.'" The roots of legal issues arising from accusations—"What's the root of legal issues arising from accusations? There are six roots of accusations that in turn are the root of legal issues arising from accusations. There are also three unwholesome and three wholesome roots of legal issues arising from accusations. The body, too, is a root of legal issues arising from accusations, as is speech. What are the six roots of accusations that in turn are the root of legal issues arising from accusations? It may be that a monk is angry and resentful. One who's angry and resentful is disrespectful and undeferential toward the Teacher, the

Teaching, and the Sangha, and he doesn't fulfill the training. Such a person makes accusations in the Sangha. Accusations are unbeneficial and a cause of unhappiness for humanity; they're harmful, detrimental, and a cause of suffering for gods and humans. Monks, when you see such a root of accusations either in yourself or in others, you should make an effort to get rid of it. If you don't see such a root either in yourself or in others, you should practice so that it doesn't emerge in the future. In this way that bad root of accusations is abandoned and doesn't emerge in the future. Or it may be that a monk is denigrating and domineering, envious and stingy, treacherous and deceitful, one who has bad desires and wrong views, or one who obstinately grasps his own views and only gives them up with difficulty. Such a monk is disrespectful and undeferential toward the Teacher, the Teaching, and the Sangha, and he doesn't fulfill the training. Such a person makes accusations in the Sangha. Accusations are unbeneficial and a cause of unhappiness for humanity; they're harmful, detrimental, and a cause of suffering for gods and humans. Monks, when you see such a root of accusations either in yourself or in others, you should make an effort to get rid of it. If you don't see such a root either in yourself or in others, you should practice so that it doesn't emerge in the future. In this way that bad root of accusations is abandoned and doesn't emerge in the future. What are the three unwholesome roots of legal issues arising from accusations? It may be that monks, because of greed, ill will, or delusion, accuse a monk of failure in morality, conduct, view, or livelihood. What are the three wholesome roots of legal issues arising from accusations? It may be that monks, because of non-greed, non-ill will, and non-delusion, accuse a monk of failure in morality, conduct, view, or livelihood. How's the body a root of legal issues arising from accusations? It may be that someone is ugly, unsightly, a dwarf, sickly, blind in one eye, crooked-limbed, lame, or paralyzed, and they blame him for that. How's speech a root of legal issues arising from accusations? It may be that someone is difficult to correct, or he stutters or dribbles while speaking, and they blame him for that." The roots of legal issues arising from offenses and business

“What's the root of legal issues arising from offenses? There are six originations of offenses that in turn are the root of legal issues arising from offenses. There are offenses that originate from body, but not from speech or mind. There are offenses that originate from speech, but not from body or mind. There are offenses that originate from body and speech, but not from mind. There are offenses that originate from body and mind, but not from speech. There are offenses that originate from speech and mind, but not from body. There are offenses that originate from body, speech, and mind. What's the root of legal issues arising from business? There's one root of legal issues arising from business: the Sangha.” Ethical qualities of legal issues arising from disputes

“Is a legal issue arising from a dispute wholesome, unwholesome, or indeterminate? A legal issue arising from a dispute may be wholesome, unwholesome, or indeterminate. What's a wholesome legal issue arising from a dispute? It may be that monks dispute with a wholesome mind, saying, ‘This is the Teaching’, ‘This is contrary to the Teaching’ ... ‘This is a grave offense’, or ‘This is a minor offense.’ In regard to

this, whatever there is of quarreling, arguing, conflict, disputing, variety in opinion, difference in opinion, heated speech, or strife—this is called a wholesome legal issue arising from a dispute. What’s an unwholesome legal issue arising from a dispute? It may be that monks dispute with an unwholesome mind, saying, ‘This is the Teaching’, ‘This is contrary to the Teaching’ ... ‘This is a grave offense’, or ‘This is a minor offense.’ In regard to this, whatever there is of quarreling, arguing, conflict, disputing, variety in opinion, difference in opinion, heated speech, or strife—this is called an unwholesome legal issue arising from a dispute. What’s an indeterminate legal issue arising from a dispute? It may be that monks dispute with an indeterminate mind, saying, ‘This is the Teaching’, ‘This is contrary to the Teaching’ ... ‘This is a grave offense’, or ‘This is a minor offense.’ In regard to this, whatever there is of quarreling, arguing, conflict, disputing, variety in opinion, difference in opinion, heated speech, or strife—this is called an indeterminate legal issue arising from a dispute.” Ethical qualities of legal issues arising from accusations“Is a legal issue arising from an accusation wholesome, unwholesome, or indeterminate? A legal issue arising from an accusation may be wholesome, unwholesome, or indeterminate. What’s a wholesome legal issue arising from an accusation? It may be that monks with wholesome minds accuse a monk of failure in morality, conduct, view, or livelihood. In regard to this, whatever there is of accusations, accusing, allegations, blame, taking sides because of friendship, taking part in the accusation, or supporting the accusation—this is called a wholesome legal issue arising from an accusation. What’s an unwholesome legal issue arising from an accusation? It may be that monks with unwholesome minds accuse a monk of failure in morality, conduct, view, or livelihood. In regard to this, whatever there is of accusations, accusing, allegations, blame, taking sides because of friendship, taking part in the accusation, or supporting the accusation—this is called an unwholesome legal issue arising from an accusation. What’s an indeterminate legal issue arising from an accusation? It may be that monks with indeterminate minds accuse a monk of failure in morality, conduct, view, or livelihood. In regard to this, whatever there is of accusations, accusing, allegations, blame, taking sides because of friendship, taking part in the accusation, or supporting the accusation—this is called an indeterminate legal issue arising from an accusation.” “Is a legal issue arising from an offense wholesome, unwholesome, or indeterminate? Ethical qualities of legal issues arising from offensesA legal issue arising from an offense may be unwholesome or indeterminate. There are no wholesome legal issues arising from an offense. What’s an unwholesome legal issue arising from an offense? When one transgresses, knowing, perceiving, having intended, having decided—this is called an unwholesome legal issue arising from an offense. What’s an indeterminate legal issue arising from an offense? When one transgresses, not knowing, not perceiving, not having intended, not having decided—this is called an indeterminate legal issue arising from an offense.” Ethical qualities of legal issues arising from business“Is a legal issue arising from business wholesome, unwholesome, or indeterminate? A legal issue arising from

business may be wholesome, unwholesome, or indeterminate. What's a wholesome legal issue arising from business? When the Sangha does a legal procedure with a wholesome mind—whether a procedure consisting of getting permission, a procedure consisting of one motion, a procedure consisting of one motion and one announcement, or a procedure consisting of one motion and three announcements—this is called a wholesome legal issue arising from business. What's an unwholesome legal issue arising from business? When the Sangha does a legal procedure with an unwholesome mind—whether a procedure consisting of getting permission, a procedure consisting of one motion, a procedure consisting of one motion and one announcement, or a procedure consisting of one motion and three announcements—this is called an unwholesome legal issue arising from business. What's an indeterminate legal issue arising from business? When the Sangha does a legal procedure with an indeterminate mind—whether a procedure consisting of getting permission, a procedure consisting of one motion, a procedure consisting of one motion and one announcement, or a procedure consisting of one motion and three announcements—this is called an indeterminate legal issue arising from business.”

Relationship between disputes and legal issues“Are there disputes that are also legal issues arising from disputes? Are there disputes that aren't legal issues? Are there legal issues that aren't disputes? Are there legal issues that are also disputes? There are disputes that are also legal issues arising from disputes. There are disputes that aren't legal issues. There are legal issues that aren't disputes. There are legal issues that are also disputes. How's there a dispute that's also a legal issue arising from disputes? It may be that monks are disputing, saying, 'This is the Teaching', 'This is contrary to the Teaching' ... 'This is a grave offense', or 'This is a minor offense.' In regard to this, whatever there is of quarreling, arguing, conflict, disputing, variety in opinion, difference in opinion, heated speech, or strife—this is a dispute that's also a legal issue arising from a dispute. How's there a dispute that isn't a legal issue? A mother disputes with her offspring; an offspring with their mother; a father with his offspring; an offspring with their father; a brother with his brother; a brother with his sister; a sister with her brother; a friend with their friend—these are disputes that aren't legal issues. How's there a legal issue that isn't a dispute? A legal issue arising from an accusation, a legal issue arising from an offense, a legal issue arising from business—these are legal issues that aren't disputes. How's there a legal issue that's also a dispute? A legal issue arising from a dispute is a legal issue and also a dispute.”

Relationship between accusations and legal issues“Are there accusations that are also legal issues arising from accusations? Are there accusations that aren't legal issues? Are there legal issues that aren't accusations? Are there legal issues that are also accusations? There are accusations that are also legal issues arising from accusations. There are accusations that aren't legal issues. There are legal issues that aren't accusations. There are legal issues that are also accusations. How's there an accusation that's also a legal issue arising from an accusation? It may be that monks accuse a monk of failure in morality,

conduct, view, or livelihood. In regard to this, whatever there is of accusations, accusing, allegations, blame, taking sides because of friendship, taking part in the accusation, or supporting the accusation—this is an accusation that's also a legal issue arising from an accusation. How's there an accusation that isn't a legal issue? A mother accuses her offspring; an offspring their mother; a father his offspring; an offspring their father; a brother his brother; a brother his sister; a sister her brother; a friend their friend—these are accusations that aren't legal issues. How's there a legal issue that isn't an accusation? A legal issue arising from an offense, a legal issue arising from business, a legal issue arising from a dispute—these are legal issues that aren't accusations. How's there a legal issue that's also an accusation? A legal issue arising from an accusation is a legal issue and also an accusation.” Relationship between offenses and legal issues“Are there offenses that are also legal issues arising from offenses? Are there offenses that aren't legal issues? Are there legal issues that aren't offenses? Are there legal issues that are also offenses? There are offenses that are also legal issues arising from offenses. There are offenses that aren't legal issues. There are legal issues that aren't offenses. There are legal issues that are also offenses. How's there an offense that's also a legal issue arising from an offense? There's a legal issue arising from an offense because of the five classes of offenses, and there's a legal issue arising from an offense because of the seven classes of offenses—these are offenses that are also legal issues arising from offenses. How's there an offense that isn't a legal issue? The attainment of streamentry—this is an offense/attainment that isn't a legal issue. How's there a legal issue that isn't an offense? A legal issue arising from business, a legal issue arising from a dispute, a legal issue arising from an accusation—these are legal issues that aren't offenses. How's there a legal issue that's also an offense? A legal issue arising from an offense is a legal issue and also an offense.” Relationship between business and legal issues“Is there business that's also a legal issue arising from business? Is there business that isn't a legal issue? Are there legal issues that aren't business? Are there legal issues that are also business? There's business that's also a legal issue arising from business. There's business that's not a legal issue. There are legal issues that aren't business. There are legal issues that are also business. How's there business that's also a legal issue arising from business? Whatever is the duty or the business of the Sangha—a legal procedure consisting of getting permission, a legal procedure consisting of one motion, a legal procedure consisting of one motion and one announcement, a legal procedure consisting of one motion and three announcements—this is business that's also a legal issue arising from business. How's there business that isn't a legal issue? The duty to a teacher, the duty to a preceptor, the duty to a co-student, the duty to a co-pupil—these kinds of business aren't legal issues. How's there a legal issue that isn't business? A legal issue arising from a dispute, a legal issue arising from an accusation, a legal issue arising from an offense—these are legal issues that aren't business. How's there a

legal issue that's also business? A legal issue arising from business is a legal issue and also business.” 9. The resolution and settling of legal issues Resolution face-to-face “There are two principles for settling a legal issue arising from a dispute: resolution face-to-face and by majority decision. Is it possible that a legal issue arising from a dispute should be settled not by majority decision, but by resolution face-to-face? It is. How? It may be, monks, that monks are disputing, saying, ‘This is the Teaching’, ‘This is contrary to the Teaching’, ‘This is the Monastic Law’, ‘This is contrary to the Monastic Law’, ‘This was spoken by the Buddha’, ‘This wasn’t spoken by the Buddha’, ‘This was practiced by the Buddha’, ‘This wasn’t practiced by the Buddha’, ‘This was laid down by the Buddha’, ‘This wasn’t laid down by the Buddha’, ‘This is an offense’, ‘This isn’t an offense’, ‘This is a light offense’, ‘This is a heavy offense’, ‘This is a curable offense’, ‘This is an incurable offense’, ‘This is a grave offense’, or ‘This is a minor offense.’ If those monks are able to resolve that legal issue, this is called the resolution of a legal issue. It’s been resolved face-to-face.

Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both sides—those who are disputing and those they’re disputing with—are present. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession. If those monks are unable to resolve that legal issue in that monastery, they should go to another monastery that has a number of monks. If they’re able to resolve that legal issue while on their way, this is called the resolution of a legal issue. It’s been resolved face-to-face. Face-to-face with what?

Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. ... When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession. If those monks are unable to resolve that legal issue while on their way, they should go to that other monastery and say to the resident monks, ‘This legal issue has come about in such-and-such a way. Please resolve it, venerables, according to the Teaching, the Monastic Law, and the Teacher’s instruction, so that this legal issue may be properly disposed of.’ If the resident monks are senior to the newly-arrived monks, the resident monks should say, ‘Now, venerables, please go to one side for a moment while we discuss this matter.’ If the newly-arrived monks are senior to the resident monks, the resident monks should say, ‘Well then, venerables, please wait right here for a moment while we discuss this matter.’ If, while

discussing that matter, the resident monks think, ‘We’re unable to resolve this legal issue according to the Teaching, the Monastic Law, and the Teacher’s instruction,’ then they shouldn’t take on that legal issue. But if they think, ‘We’re able to resolve this legal issue according to the Teaching, the Monastic Law, and the Teacher’s instruction,’ then they should say to the newly-arrived monks, ‘If you’ll tell us how this legal issue came about, we’ll be able to dispose of it properly according to the Teaching, the Monastic Law, and the Teacher’s instruction. And so we’ll take it on. If, however, you won’t tell us, we won’t be able to properly dispose of it. And so we won’t take it on.’ Having properly examined it like this, the resident monks should take it on. The newly-arrived monks should say this to the resident monks, ‘We’ll tell you how this legal issue came about. If you’re able to dispose of it properly by such and such means—according to the Teaching, the Monastic Law, and the Teacher’s instruction—then we’ll hand it over to you. If you’re unable to properly dispose of it by such and such means, then we won’t hand it over to you. We’ll take responsibility for it ourselves.’ Having properly examined it like this, the newly-arrived monks should hand it over to the resident monks. If those monks are able to resolve that legal issue, this is called the resolution of a legal issue. It’s been resolved face-to-face. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. ... When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession.” Resolution by committee “If, monks, while they’re discussing that legal issue, there’s endless talk, but not a single statement that can be understood, then they should resolve that legal issue by means of a committee. A monk who has ten qualities may be appointed to that committee: He’s virtuous and restrained by the Monastic Code. His conduct is good, he associates with the right people, and he sees danger in minor faults. He undertakes and trains in the training rules. He has learned much, and he retains and accumulates what he has learned. Those teachings that are good in the beginning, good in the middle, and good in the end, that have a true goal and are well articulated, and that set out the perfectly complete and pure spiritual life—he has learned many such teachings, retained them in mind, recited them verbally, mentally investigated them, and penetrated them well by view. He has properly learned both Monastic Codes in detail; he has analyzed them well, thoroughly mastered them, and investigated them well, both in terms of the rules and their detailed exposition. He is firmly committed to the Monastic Law. He is capable of making both sides relax, of persuading them, of convincing them, of making them see, of reconciling them. He is knowledgeable about the arising and resolution of legal issues. He knows the legal issues. He knows the origin of the legal issues. He knows the ending of the legal issues. He knows the way to the ending of the legal issues. And he should be appointed like this. First a monk should be asked, and then a competent and capable monk should inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. While we were discussing

this legal issue, there was endless talk, but not a single statement that could be understood. If the Sangha is ready, it should appoint monks so-and-so and so-and-so to a committee to resolve this legal issue. This is the motion. Please, venerables, I ask the Sangha to listen. While we were discussing this legal issue, there was endless talk, but not a single statement that could be understood. The Sangha appoints monks so-and-so and so-and-so to a committee to resolve this legal issue. Any monk who approves of appointing monks so-and-so and so-and-so to a committee to resolve this legal issue should remain silent. Any monk who doesn't approve should speak up. The Sangha has appointed monks so-and-so and so-and-so to a committee to resolve this legal issue. The Sangha approves and is therefore silent. I will remember it thus.' If those monks are able to resolve that legal issue by means of a committee, this is called the resolution of a legal issue. It's been resolved face-to-face.

Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher's instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both sides—those who are disputing and those they're disputing with—are present. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. Dealing with obstructive monks

While those monks are discussing that legal issue, there may be a monk there who's an expounder of the Teaching, but who doesn't know the Monastic Code or its analysis. Not understanding the meaning, he obstructs it by obscuring it with the wording. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask you to listen. The monk so-and-so is an expounder of the Teaching, but doesn't know the Monastic Code or its analysis. Not understanding the meaning, he obstructs it by obscuring it with the wording. If the venerables are ready, we should ask monk so-and-so to leave, with the remainder of us resolving this legal issue.' If, after that monk has left, those monks are able to resolve that legal issue, this is called the resolution of a legal issue. It's been resolved face-to-face.

Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. ... When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. While those monks are discussing that legal issue, there may be a monk there who's an expounder of the Teaching. He knows the Monastic Code, but not its analysis. Not understanding the meaning, he obstructs it by obscuring it with the wording. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask you to listen. The monk so-and-so is an expounder of the Teaching. He knows the Monastic Code, but not its analysis. Not understanding the meaning, he obstructs it by obscuring it with the wording. If the venerables are ready, we should ask monk so-and-so to leave, with the remainder

of us resolving this legal issue.’ If, after that monk has left, those monks are able to resolve that legal issue, this is called the resolution of a legal issue. It’s been resolved face-to-face. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. ... When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening.”

Resolution by majority decision “If, monks, those monks are unable to resolve that legal issue by committee, they should hand it over to the Sangha, saying, ‘Venerables, we’re unable to resolve this legal issue by committee. Can the Sangha please resolve it.’ I allow such a legal issue to be resolved by majority decision. A monk who has five qualities should be appointed as the manager of the vote: he’s not biased by favoritism, ill will, confusion, or fear, and he knows who has and who hasn’t voted. And he should be appointed like this. First a monk should be asked, and then a competent and capable monk should inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. If the Sangha is ready, it should appoint monk so-and-so as the manager of the vote. This is the motion. Please, venerables, I ask the Sangha to listen. The Sangha appoints monk so-and-so as the manager of the vote. Any monk who approves of appointing monk so-and-so as the manager of the vote should remain silent. Any monk who doesn’t approve should speak up. The Sangha has appointed monk so-and-so as the manager of the vote. The Sangha approves and is therefore silent. I will remember it thus.’ That monk should then distribute the ballots. If the majority of monks vote in accordance with the Teaching, then that legal issue has been resolved. This is called the resolution of a legal issue. It’s been resolved face-to-face and by majority decision.

Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both sides—those who are disputing and those they’re disputing with—are present. This is the meaning of by majority decision: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of majority decision. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession.”

The three kinds of voting At one time at Savatthi a legal issue had come about in this way. But there were monks who were dissatisfied with how the Sangha at Savatthi had resolved it. They heard that in a certain monastery there was a number of senior monks who were learned and masters of the tradition; who were experts on the Teaching, the Monastic Law, and the Key Terms; who were knowledgeable and competent, had a sense of conscience, and were afraid of wrongdoing and fond of the training. They thought, “If these senior monks resolve this legal issue—according to

the Teaching, the Monastic Law, and the Teacher's instruction—then it will be properly disposed of.” They then went to that monastery and said to those senior monks, “This legal issue has come about in this way. Venerables, please resolve it—according to the Teaching, the Monastic Law, and the Teacher's instruction—so that it will be properly disposed of.” Those senior monks thought, “This legal issue was properly disposed of by the Sangha at Savatthi,” and they resolved it in the same way. Those monks were dissatisfied with how the Sangha at Savatthi had resolved that legal issue and also with how that number of senior monks had resolved it. They then heard that in a certain monastery there were three senior monks ... two senior monks ... one senior monk who was learned and a master of the tradition; who was an expert on the Teaching, the Monastic Law, and the Key Terms; who was knowledgeable and competent, had a sense of conscience, and was afraid of wrongdoing and fond of the training. They thought, “If this senior monk resolves this legal issue—according to the Teaching, the Monastic Law, and the Teacher's instruction—then it will be properly disposed of.” They then went to that monastery and said to that senior monk, “This legal issue has come about in this way. Venerable, please resolve it—according to the Teaching, the Monastic Law, and the Teacher's instruction—so that it will be properly disposed of.” That senior monk thought, “This legal issue was properly disposed of by the Sangha at Savatthi, and likewise by that number of senior monks, by those three senior monks, and by those two senior monks,” and he resolved it in the same way. Since those monks were dissatisfied with how all of these had resolved that legal issue, they went to the Buddha and told him what had happened. ... The Buddha said: “Monks, this legal issue has been settled, laid to rest, and properly disposed of. To persuade those monks, I allow three kinds of voting: a secret ballot, whispering in the ear, and an open vote. What's a secret ballot? The manager of the vote should make ballots of two different colors, go up to the monks one by one and say, ‘This is the ballot for those who hold this view, and this is the ballot for those who hold that view. Take the one you like.’ When someone has taken a ballot, they should be told, ‘Don't show it to anyone.’ If the manager knows that those who speak contrary to the Teaching are in the majority, then the vote is invalid and to be postponed. If he knows that those who speak in accordance with the Teaching are in the majority, then the vote is valid and to be announced. What's voting by whispering in the ear? The manager of the vote should inform the monks one by one by whispering in the ear, ‘This is the ballot for those who hold this view, and this is the ballot for those who hold that view. Take the one you like.’ When someone has taken a ballot, they should be told, ‘Don't tell anyone.’ If the manager knows that those who speak contrary to the Teaching are in the majority, then the vote is invalid and to be postponed. If he knows that those who speak in accordance with the Teaching are in the majority, then the vote is valid and to be announced. What's an open vote? If he knows that those who speak in accordance with the Teaching are in the majority, the ballots should be distributed openly.”

Resolution through recollection “There are four principles for settling a legal issue arising from an accusation: resolution face-to-face, resolution

through recollection, resolution because of past insanity, and by further penalty. Is it possible that a legal issue arising from an accusation should be settled not by resolution because of past insanity or by further penalty, but by resolution face-to-face and by resolution through recollection? It is. How? It may be that monks are groundlessly charging a monk with failure in morality. If that monk has great clarity of memory, he's to be granted resolution through recollection. And it should be granted like this. That monk should approach the Sangha, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say: 'Venerables, monks are groundlessly charging me with failure in morality. Because of my great clarity of memory, I ask the Sangha for resolution through recollection.' And he should ask a second and a third time. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. Monks are groundlessly charging monk so-and-so with failure in morality. Because of his great clarity of memory, he is asking the Sangha for resolution through recollection. If the Sangha is ready, then, because of monk so-and-so's great clarity of memory, the Sangha should grant him resolution through recollection. This is the motion. Please, venerables, I ask the Sangha to listen. Monks are groundlessly charging monk so-and-so with failure in morality. Because of his great clarity of memory, he is asking the Sangha for resolution through recollection. Because of his great clarity of memory, the Sangha grants monk so-and-so resolution through recollection. Any monk who approves, because of monk so-and-so's great clarity of memory, of granting him resolution through recollection should remain silent. Any monk who doesn't approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. ... Because of his great clarity of memory, the Sangha has granted monk so-and-so resolution through recollection. The Sangha approves and is therefore silent. I will remember it thus.' This is called the resolution of a legal issue. It's been resolved by resolution face-to-face and by resolution through recollection. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher's instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both those who are accusing and those who have been accused are present. This is the meaning of resolution through recollection: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of resolution through recollection. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession." Resolution because of past insanity "Is it possible that a legal issue arising from an accusation should be settled not by resolution

through recollection or by further penalty, but by resolution face-to-face and by resolution because of past insanity? It is. How? It may be that a monk is insane and suffering from psychosis. Because of that, he does and says many things unworthy of a monastic. The monks accuse him of an offense, saying, 'Venerable, do you remember committing such-and-such an offense?' He replies, 'I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane.' But they keep on accusing him in the same way. If he's now sane, that monk should be granted resolution because of past insanity. And it should be granted like this. That monk should approach the Sangha, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say: 'Venerables, I've been insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. The monks accused me of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" I replied, "I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But they kept on accusing me in the same way. Because I'm now sane, I ask the Sangha for resolution because of past insanity.' And he should ask a second and a third time. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. The monk so-and-so has been insane and suffering from psychosis. Because of that insanity and psychosis, he did and said many things unworthy of a monastic. Because of that insanity and psychosis, the monks accused him of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" He replied, "I was insane and suffering from psychosis. Because of that insanity and psychosis, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But even though he said this, they kept on accusing him, "Venerable, do you remember committing such-and-such an offense?" Because he is now sane, he is asking the Sangha for resolution because of past insanity. If the Sangha is ready, then, because monk so-and-so is now sane, the Sangha should grant him resolution because of past insanity. This is the motion. Please, venerables, I ask the Sangha to listen. The monk so-and-so has been insane and suffering from psychosis. Because of that, he did and said many things unworthy of a monastic. The monks accused him of an offense, saying, "Venerable, do you remember committing such-and-such an offense?" He replied, "I was insane and suffering from psychosis. Because of that, I did and said many things unworthy of a monastic. I don't remember it. I did it because I was insane." But they kept on accusing him in the same way. Because he is now sane, he is asking the Sangha for resolution because of past insanity. The Sangha grants monk so-and-so resolution because of past insanity. Any monk who approves of granting monk so-and-so resolution because of past insanity should remain silent. Any monk who doesn't approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. ... Because he is now sane, the Sangha has granted monk so-and-so resolution because of past insanity. The Sangha approves and is therefore

silent. I will remember it thus.’ This is called the resolution of a legal issue. It’s been resolved by resolution face-to-face and by resolution because of past insanity. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both those who are accusing and those who have been accused are present. This is the meaning of resolution because of past insanity: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of resolution because of past insanity. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession.” Resolution by further penalty “Is it possible that a legal issue arising from an accusation should be settled not by resolution through recollection or by resolution because of past insanity, but by resolution face-to-face and by further penalty? It is. How? It may be that a monk accuses a monk of an offense in the midst of the Sangha: ‘Venerable, do you remember committing such-and-such a heavy offense entailing expulsion or bordering on expulsion?’ He replies, ‘I don’t.’ As he tries to free himself, the accusing monk presses him further: ‘Come on, venerable, try again to remember whether you’ve committed such-and-such a heavy offense.’ He replies, ‘I don’t remember committing such an offense, but I do remember committing such-and-such a minor offense.’ As he tries to free himself, the accusing monk presses him further: ‘Come on, venerable, try harder to remember whether you’ve committed such-and-such a heavy offense.’ He replies, ‘I’ve admitted that I’ve committed this minor offense without being asked. So when asked about a heavy offense, why wouldn’t I admit it?’ The accusing monk says, ‘But you didn’t admit that you had committed this minor offense without being asked. So when asked about a heavy offense, why would you admit it? Come on, venerable, try harder to remember whether you’ve committed such-and-such a heavy offense.’ He then says, ‘I remember committing such-and-such a heavy offense entailing expulsion or bordering on expulsion. When I said that I didn’t remember, I spoke playfully, I spoke too fast.’ They should do a legal procedure of further penalty against that monk. And it should be done like this. A competent and capable monk should inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. The monk so-and-so, while being examined in the midst of the Sangha about a heavy offense, asserts things after denying them, denies things after asserting them, evades the issue, and lies. If the Sangha is ready, it should do a legal procedure of further penalty against monk so-and-so. This is the motion. Please, venerables, I ask the Sangha to listen. The monk so-and-so, while being examined in the midst of the Sangha about a heavy offense, asserts

things after denying them, denies things after asserting them, evades the issue, and lies. The Sangha does a legal procedure of further penalty against monk so-and-so. Any monk who approves of doing a legal procedure of further penalty against monk so-and-so should remain silent. Any monk who doesn't approve should speak up. For the second time, I speak on this matter. ... For the third time, I speak on this matter. ... The Sangha has done a legal procedure of further penalty against monk so-and-so. The Sangha approves and is therefore silent. I will remember it thus.' This is called the resolution of a legal issue. It's been resolved face-to-face and by further penalty. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher's instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both those who are accusing and those who have been accused are present. This is the meaning of by further penalty: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of further penalty. When a legal issue has been resolved like this, if any of the participants reopen it, they commit an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession." Acting according to what has been admitted "There are three principles for settling a legal issue arising from an offense: resolution face-to-face, acting according to what's been admitted, and covering over as if with grass. Is it possible that a legal issue arising from an accusation should be settled not by covering over as if with grass, but by resolution face-to-face and by acting according to what's been admitted? It is. How? It may be that a monk has committed a light offense. That monk should approach a single monk, arrange his upper robe over one shoulder, squat on his heels, raise his joined palms, and say: 'I've committed such-and-such an offense. I confess it.' —'Do you recognize it?' —'Yes, I recognize it.' —'You should restrain yourself in the future.' This is called the resolution of a legal issue. It's been resolved face-to-face and by acting according to what's been admitted. Face-to-face with what? Face-to-face with the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher's instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both the one who confesses and the one he confesses to are present. This is the meaning of acting according to what's been admitted: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of acting according to what's been admitted. When a legal issue has been resolved like this, if the receiver of the confession reopens it, he commits an offense entailing confession for the reopening. If this is what happens, all's well. If not, that monk should

approach several monks, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say, ‘Venerables, I’ve committed such-and-such an offense. I confess it.’ A competent and capable monk should then inform those monks: ‘Please, venerables, I ask you to listen. The monk so-and-so remembers an offense—he reveals it, makes it plain, and confesses it. If the venerables are ready, I will receive the confession of monk so-and-so.’ And he should say: ‘Do you recognize it?’ —‘Yes, I recognize it.’ —‘You should restrain yourself in the future.’ This is called the resolution of a legal issue.

It’s been resolved face-to-face and by acting according to what’s been admitted. Face-to-face with what? Face-to-face with the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both the one who confesses and the one he confesses to are present. This is the meaning of acting according to what’s been admitted: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of acting according to what’s been admitted. When a legal issue has been resolved like this, if the receiver of the confession reopens it, he commits an offense entailing confession for the reopening. If this is what happens, all’s well. If not, that monk should approach the Sangha, arrange his upper robe over one shoulder, pay respect at the feet of the senior monks, squat on his heels, raise his joined palms, and say, ‘Venerables, I’ve committed such-and-such an offense. I confess it.’ A competent and capable monk should then inform the Sangha: ‘Please, venerables, I ask the Sangha to listen. The monk so-and-so remembers an offense—he reveals it, makes it plain, and confesses it. If the Sangha is ready, I will receive the confession of monk so-and-so.’ And he should say: ‘Do you recognize it?’ —‘Yes, I recognize it.’ —‘You should restrain yourself in the future.’ This is called the resolution of a legal issue. It’s been resolved face-to-face and by acting according to what’s been admitted. Face-to-face with what?

Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both the one who confesses and the one he confesses to are present. This is the meaning of acting according to what’s been admitted: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of acting according to what’s been admitted. When a legal issue has been resolved like this, if the receiver of the confession reopens it, he commits an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession.” Covering over as if with grass “Is

it possible that a legal issue arising from an offense should be settled not by acting according to what's been admitted, but by resolution face-to-face and by covering over as if with grass? It is. How? It may be that monks who are arguing and disputing do and say many things unworthy of monastics. If they consider this and think, 'If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism,' then I allow you to resolve that legal issue by covering over as if with grass. And it should be resolved like this. Everyone should gather in one place. A competent and capable monk should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the Sangha is ready, it should resolve this legal issue by covering over as if with grass, except for heavy offenses and offenses connected with householders.' The monks belonging to one side should then be informed by a competent and capable monk belonging to their own side: 'Please, venerables, I ask you to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the venerables are ready, then, for your benefit and for my own, I will confess in the midst of the Sangha both your and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders.' And the monks belonging to the other side should be informed by a competent and capable monk belonging to their own side: 'Please, venerables, I ask you to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the venerables are ready, then, for your benefit and for my own, I will confess in the midst of the Sangha both your and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders.' A competent and capable monk belonging to one side should then inform the Sangha: 'Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If the Sangha is ready, then, for the benefit of these venerables and myself, I will confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. This is the motion. 'Please, venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. For the benefit of these venerables and myself, I confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. Any monk who approves of confessing our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders, should remain silent. Any monk who doesn't approve should speak

up. We have confessed our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders. The Sangha approves and is therefore silent. I will remember it thus.’ A competent and capable monk belonging to the other side should inform the Sangha: ‘Please, Venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. If it seems appropriate to the Sangha, then for the benefit of these venerables and myself, I’ll confess in the midst of the Sangha both their and my own offenses by covering over as if with grass, except for heavy offenses and offenses connected with householders. This is the motion. ‘Please, Venerables, I ask the Sangha to listen. While we were arguing and disputing, we did and said many things unworthy of monastics. If we deal with one another for these offenses, this legal issue might lead to harshness, nastiness, and schism. For the benefit of these venerables and myself, I confess in the midst of the Sangha both their and my own offenses by covering over, as if with grass, except for heavy offenses and offenses connected with householders. Any monk who approves of confessing our offenses in the midst of the Sangha by covering over as if with grass should remain silent. Any monk who doesn’t approve should speak up. We have confessed our offenses in the midst of the Sangha by covering over as if with grass, except for heavy offenses and offenses connected with householders. The Sangha approves and is therefore silent. I will remember it thus.’ This is called the resolution of a legal issue. It’s been resolved face-to-face and by covering over as if with grass. Face-to-face with what? Face-to-face with the Sangha, the Teaching, the Monastic Law, and the persons concerned. This is the meaning of face-to-face with the Sangha: the monks who should be present have arrived, consent has been brought for those who are eligible to give their consent, and no-one present objects to the decision. This is the meaning of face-to-face with the Teaching and the Monastic Law: the Teaching, the Monastic Law, the Teacher’s instruction—that by which that legal issue is resolved. This is the meaning of face-to-face with the persons concerned: both the one who confesses and the one he confesses to are present. This is the meaning of covering over as if with grass: the doing of, the performing of, the participation in, the consent to, the agreement to, the non-objection to that legal procedure of covering over as if with grass. When a legal issue has been resolved like this, if a receiver of the confession reopens it, he commits an offense entailing confession for the reopening. If anyone who gave their consent criticizes the resolution, they commit an offense entailing confession. There’s one principle for settling a legal issue arising from business: by resolution face-to-face.” The fourth chapter on the settling of legal issues is finished.