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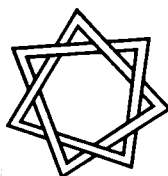
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A SANSKRIT MANUSCRIPT ON BIRCH-BARK FROM BAIRAM-ALI:
I. THE *VINAYA* OF THE SARVĀSTIVĀDINS

The manuscript under discussion here has been known since 1966, when the first report appeared about a unique find in the Merv oasis, not far from the city of Bairam-Ali [1]. It was indeed a lucky find: while levelling a field by a bulldozer, a small hill was removed and among the lumps of earth a shattered clay pitcher was discovered. Scattered on the earth were old coins, a statuette, and a sheaf of birch-bark folios, stuck together and covered with unintelligible signs. The discovery was delivered to the Institute of History of the Turkmen SSR. Later, archaeologist Ganialin brought the treasures to Leningrad where the head of the Eastern Section of the State Hermitage, Prof. V. G. Lukonin (1932—1984), determined that the pitcher contained Sasanian bronze coins with the date: "eighteenth year of the rule of Khosrow". This date corresponds to A.D. 549. The clay statuette was damaged, but specialists at the State Hermitage attributed it as a depiction of the Buddha Śākyamuni. The gummed-together folios of birch-bark were handed over to the Leningrad (St. Petersburg) Branch of the Institute of Oriental Studies, where restorer G. S. Makarikhina laboured for an entire year to split it into separate layers.

A study of the first restored folios showed that it was a manuscript written in black Indian ink in Brāhmī script. In all, restoration recovered 150 folios consisting of two layers of birch-bark pasted together with restoration paper. Palaeographic dating allows us to spread the dates of copying over several centuries, since the manuscript contains folios which were copied in the post-Kushan period (no later than the 2nd century A.D.), while the bulk of the folios were most likely copied no later than the 5th century A.D.

Significant difficulties arose as the folios were being separated. First, not all of the folios were originally two-layered. Some used folios from another, apparently damaged or unwanted, manuscript as an inner layer. They differed both in hand and in the text, which was also Buddhist. This discovery demonstrated yet again an established rule of the ancient Indian cultural tradition: no sacred remnants were thrown away. Archaeologists know this well, as they have frequently found pieces of old sculpture inserted into new statues. Another difficulty was presented by the fragility of the birch-bark itself: each folio had to be assembled line by line, and even *akṣara* by *akṣara*. And finally, the person who last held the manuscript in his hands and placed

it in the pitcher was either not especially literate or in a great hurry. When all of the folios were reconstructed layer by layer, it became clear that many of them bore pagination in Brāhmī numbers. But they had been reshuffled in the sheaf, and the pagination which the restorer recorded in the process of restoration differed significantly from the actual, preserved pagination. No small amount of time was required to restore the original order.

The pagination reveals that the manuscript is divided into three sections which differ in handwriting and content. The first part contains the longest work of 68 folios. 41 of them were at the end of the sheaf, 25 — in the middle, and two folios were found separately in other parts of the manuscript. Pagination was preserved for fols. 5—68. The first two folios, which lack pagination, can be established by content as folios 3 and 4. The original pagination is off in two places, which we discuss below.

In content, the first part of the manuscript is a selection of tales with plots of *avadāna* and *jātaka* type which illustrate various aspects of Śrāvakayāna doctrine. The work has not reached us in its entirety. Compositionally, the tales are linked with the aid of *uddāna*, in each of which we find enumerated the titles of 10—12 tales. All in all, one counts 17 *uddāna*s and 190 titles of tales, but not all of them have been preserved. There are stories not listed in the *uddāna*s and *uddāna*s not found in the text.

The work is clearly conspectual in nature. The plots of most stories are not elaborated; only the names of some heroes and certain details are given, which makes it difficult identifying the tale. Sometimes, instead of a tale, we find cited a single concluding *gāthā* or saying, or a maxim from a *sūtra*, that is, text which had to be learned by heart and repeated accurately. Finally, the work abounds in notations left by the copyist, sometimes in the form of notes to himself: for example, "tell how such-and-such happened", "how he went to this place", "tell about in more detail". In general, these remarks are abbreviated to relative pronouns or adverbs.

All this suggests that the text consists of notes for a preacher who wrote out for himself (or had copied) texts necessary for sermons. They allowed him to quickly refresh in his memory the basic thread of a tale or to cite certain details and positions accurately.

Even more indicative in this regard are the other two works in the manuscript: notes from the *Vinaya* of the

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Sarvāstivādin school and notes from *sūtra*s which present Sarvāstivādin dogmatics in a form close to that of the *abhidharma*. They form a set of terms and quotes which describe *sūtra*s. The text takes up 48 folios without pagination and the order of the folios is not always easy to determine.

To clarify our reasons for confidently assigning the given manuscript to the Sarvāstivādin school, we turn to the second work (judging by the pagination). Although it lacks a title, it has been preserved in full. The beginning is the traditional Indian good wishes — Siddham — which is followed by an *uddāna*, completely unfolded in the text. The work has a colophon and occupies 13 paginated folios (69 to 81). The text is written on both sides of the folio, four lines per side on the first ten folios. The three final folios contain denser writing in a smaller hand, 5—6 lines per folio on each side.

The work represents a compilation based on the main texts of the Sarvāstivādin *Vinaya*: *Prātimokṣa-sūtra*, *Vinaya-Vibhaṅga*, and Vinaya-*vastu*. The text can be divided into three parts:

1. a summary of the main tenets of the *Vinaya* in the following areas, as established in the *uddāna*: collection of rules for debate, collection of rules on misdeeds, collection of rules on *kleśa* ("pollutions", or "affects of consciousness"), collection of rules for individual cases (including distant locations), collection of rules to be observed at all times. The text presents a list of *Vinaya* terms in these areas, although they are poorly linked by overall context (overall, it resembles a *mātrikā*), fols. 69r (1)—73r (3);

2. abstract of rules governing the life of a monk in a community, fols. 73r (4)—78v (4). The rules are not linked by content but are arranged in convenient order for memorisation (in ascending numerical order). The rules are broken down into two groups. The first (34 rules) focuses on units of time — from 1 to 10 nights, from 1 to 10 months, from 1 to 7 years, from 9 to 12 years, from 18 to 20 years. The second group contains 12 rules, designated as the "rule of one", "rule of two", etc. (to the "rule of 10"), after which two rules follow without special indication (on 20 people and on 40 people). The numbers here designate quantities people, times, *pātra*s, *civāra*s, and years;

3. rules regarding *pātra*, *civāra*, needle, needle-case, knife, and a detailed description of means of painting the *civāra*s, fols. 79r (1)—81v (4).

The questions discussed in the text were of great practicial significance to Buddhists. They are broadly reflected in the texts of *Vinaya* of all schools and there was generally no divergence between the various schools on these issues. The arrangement of the material in the text testifies to the need for memorisation and use during preaching. The material is clearly intended for a wide audience. A comparison with the canonical text of the Sarvāstivādin school's *Vinaya*, preserved in small excerpts in Sanskrit and in Chinese, as well as with the canon of the Mūlasarvāstivādin in Sanskrit and Tibetan and the Theravādin in Pālī confirmed the compilative nature of the work in question. In structure, the text should be closest to the *Vinaya-uttara-grantha*, but one cannot assert it with certainty, since the Sanskrit text of that work has not survived. Fortunately, a Tibetan translation of the Mūlasarvāstivādin school's *Vinaya-uttara-grantha* has been preserved, which is close to the text of the Pālī *Parivāra-pātha* and the eighth part of the Chinese transla-

tion of the Sarvāstivādin *Vinaya* — *Shi-sun-lü*. The *Vinaya-uttara-grantha* presents the abridged version of the *Vinaya-pitaka* text. The length of the work, as it has been reconstructed from translations exceeds 300 folios.

The work which has survived in the manuscript confirms the existence of a living tradition of transmitting the *Vinaya* and demonstrates the form in which the missionary memorised basic tenets for his proselytising activities.

As was noted above, the work has a colophon which throws light both on the work and on the history of the Sanskrit Sarvāstivādin canon. The colophon enables us to speak of the affiliation of the text preserved to the Sarvāstivādin school. It also gives the idea of the structure of the Sarvāstivādin *Vinaya* and the time of the written codification of the Sarvāstivādin canon relative to the canons of other schools.

We reproduce here a translation of this colophon (fol. 81r (3)—81v (4)):

> "[They] (intended are cases in which one can deviate from the rules, see below — *M. V.-D.*) are not [cited] neither [by] the *Prātimokṣa-[sūtra]* nor [by] the *Vibhaṅga*. [Nor are they cited by] the *Vinaya-vastu* [comprising] 18 sections. [They] are [also] absent in the separate *nidāna*, in the *Vinaya-mātrikā*, in the *Vinaya-paṃcika*, in the *Vinaya-ṣoddaśika*, [and] in the *Vinaya-uttarika*. The chapter on the collection of rules entitled "Gathering of the five-hundred [*bhikṣu*] and no less than five-hundred" has been completed. Praise be unto he who ordered this copy with the aid of the "best friend", expert in the *Vinaya*, [representative of the] Sarvāstivādin [school], for his own benefit [and] for the benefit of others [and] unto all buddhas".

At present it has been established that the Sarvāstivādins (*vaibhāsikās*) first appeared as an independent school after the schism which occurred under Aśoka (*ca*. 244—243 B.C.). According to the Buddhist tradition, this took place at the assembly at Pātaliputra [2]. The main point on which the Sarvāstivādins opposed the Sthāviras was their recognition of the *Abhidharma-pitaka* as the highest authority. In the mid-second century B.C., the Sarvāstivādins lived on the territory of Peshawer, Western Kashmir, Mathurā, and Śrāvasti [3]. By the seventh century A.D., the Sarvāstivādins had spread to significant territorities encompassing all of North-West India, Kashmir, Afghanistan and East Turkestan [4]. The discovery of a Sarvāstivādin manuscript in the Merv region allows us to extend the boundary of this school's dispersion far to the West.

As the Sarvāstivādin *Vinaya*, unlike the Mūlasarvāstivādin *Vinaya*, has been survived in Sanskrit only in fragments, we cannot judge of its full contents. Juxtaposing extant *Vinaya* texts in Chinese, Tibetan, and Pālī, we can only state that they all must contain two parts: the *vibhaṅga*, or commentary on the *Prātimokṣa-sūtra*, and the *skandhaka*, or "Statutes of the Bhikṣu Community". The Pālī *khandhaka* consists of the Mahāvagga and the *Cullavagga*. E. Frauwallner points out that the Sarvāstivādin *skandhaka* also consists of two parts — the *Saptadharmaka* and the *Astadharmaka* [5]. This conclusion is based on the study of the Chinese translation of the Sarvāstivādin *Vinaya*. As concerns the Sanskrit texts, the term *skandhaka* is not yet attested for any section of the *Vinaya*. It was evidently introduced into the Sarvāstivādin and Mūlasarvāstivādin *Vinaya*s from the Pālī *Vinaya*. At present, there is no basis for the claim that *skandhaka* for

the Sarvāstivādins *Vinaya* was thought to be *Saptadharmaka* plus *Aṣṭadharmaka*. It is all the more so, since in the *Mahāvyutpatti* these terms are absent. The sections *Saptadharmaka* and *Aṣṭadharmaka* of the Chinese translation are broader in contents than the Pālī *Mahāvagga* and *Cullavagga*.

The structure of the Sarvāstivādin *Vinaya* listed in the colophon of the manuscript from Bairam-Ali coincides with the Chinese translation and is close to the structure of the Mūlasarvāstivādin *Vinaya* in the Tibetan translation. In the Chinese translation *Shi-sun-lü* (Skr. *Daśādhyāya*) [6] *Prātimokṣa-sūtra* and *Vibhaṅga* also come first, constituting the first three parts [7]. In the index to the Chinese version of the *Tripiṭaka* (*Hôbôgirin*), the *Shi-sun-lü* is erroneously called *Vinaya-Vibhaṅga*. In fact, the *Vinaya-Vibhaṅga* forms only three of 10 parts. In the Tibetan Mūlasarvāstivādin *Vinaya*, the *Prātimokṣa-sūtra* and *Vibhaṅga* occupy the second and third places [8]. In the Bairam-Ali manuscript, there is no mention of the *Bhikṣuṇī-prātimokṣa-sūtra* and *Bhikṣuṇī-Vinaya-vibhaṅga*. In the Chinese translation they occupy the seventh place (pp. 342—6). In the Tibetan translation, these works follow after the *Vibhaṅga* for *bhikṣu* under numbers 4 and 5 (vol. *ta*, fols.1v—328r(6)). The Bairam-Ali manuscript mentions (in the *uddāna* before the beginning) the *Bhikṣu-vinaya* and *Bhikṣuṇī-vinaya*. In the text, they appear as rules of parts 2 and 3.

The *Prātimokṣa-sūtra* is not included in the Pālī *Vinaya*; the *Suttavibhaṅga* comes first there. The second place in the Sanskrit Sarvāstivādin *Vinaya*, according to the manuscript's colophon, is occupied by the *Vinaya-vastu*, which consists of 18 sections. In the *Shi-sun-lü*, this work occupies four parts which follow after the *Vibhaṅga* from 4 to 7 [9]. In the Tibetan *Vinaya*, the *Vinaya-vastu* occupies the first place; in the Pālī, the *Vinaya-vastu* corresponds to the *Mahāvagga* and partly to the *Cullavagga*, which together form the *khandhaka* and stand after the *Suttavibhaṅga*.

In the number of sections in the *Vinaya-vastu* indicated in the colophon (in all, 18) this work differs from all others: both Chinese and Tibetan translations comprise 17 sections; the Sanskrit text from Gilgit — 17; the *Mahāvyupatti* — 17, while the *khandhaka* consists of 22 sections.

Comparison shows that the Chinese translation of the *Vinaya-vastu* lacks chapters on the assemblies; they are removed to the end of the work and occupy a place after the *Vinaya-uttara-grantha* (another title for the *Ekottara-dharma*), that is, they make up part 8 of the *Shi-sun-lü*, although part 7 is dedicated to the *Bhikṣuṇī-Vinaya*. In the Tibetan *Vinaya*, the *Bhikṣuṇī-Vinaya* does not receive its own section; the account of the organisation of the *bhikṣuṇī* community is placed at the beginning of part 16 — the *Adhikaraṇa-vastu*, although part 17 is the *Saṃghabhedaka-vastu*. It partially coincides with part 15 of the *Shi-sun-lü*, presenting a text on relations between the Buddha and Devadatta, but the greater part of the text of part 17 is paralleled in neither the Pālī or Chinese versions: names of rulers, origins of the Śākya lineage, birth of Śākya Gautama, his life, etc. The corresponding Sanskrit text in the Gilgit manuscripts are surviving in the form of small fragments. The Tibetan translation lacks a special section entitled *Kṣudraka-parivarta* and accounts of the assemblies. In content, both of these sections form part of a different Tibetan work, the *Vinaya-kṣudraka-vastu* [10]. The work's title indicates its connection to the *Vinaya-vastu*, while in

content it coincides to a significant degree with the *Cullavagga* (especially chapters 5, 11, and 12), but is broader. In the colophon of the Bairam-Ali manuscript, the *Vinaya-kṣudraka* is not listed as an independent work. It is also absent in the Chinese translation *Shi-sun-lü*. One can assume that one should search for the 18th section of the *Vinaya-vastu*, which distinguishes the Sarvāstivādin *Vinaya* from all others, in the text of the *Vinaya-kṣudraka-vastu* which is similar to the *Cullavagga*.

In the Tibetan translation of the "*Vinaya-kṣudraka-vastu*", the text is divided into 8 parts and 59 chapters; they all lack titles, although the contents are reflected in *uddāna*. There are 88 of the latter, including "general lists of contents" (*bsdus-pa'i sdom-ni*) and "inserted lists of contents" (*bar-sdom-ni*). The presence of late additions and insertions in the text is indicated in the colophon [11]:

"[We have] translated the Indian *paṇḍit Vidyākaraprabha, Dharmaśrīprabha* and *lotstshaba Bande dPal-'byor*. During the translation of this *Vinaya-kṣudraka-vastu* many translators worked individually after having divided the work up into sections. While the book was being put together, because the [excerpts] were translated individually, they put [them] together in such a way that an error was made. A large number of instructions on certain questions were omitted during the codification of the text. Later, in the monastery sTod-'ol rgod, *sthāvira* Dharmasiṃha, while compiling the instructions of the four types [12], included [in the text] everything that in practice was established by *Vinaya-dhara kalyānamitra* "great plough-man" (?) Bodhisiṃha and everything that was gathered in the monasteries dBus and gTsang ...".

Later, the colophon specifies which additions were made to the text. For example, the tale about sMan-chen-po was added to chapter 33; the story about the ugly son of a *brāhman* was added to the end of chapter 46; the story about Ananda was moved from the end of chapter 50 to the beginning of chapter 52, etc. Thus, the colophon to the Tibetan translation of the *Vinaya-kṣudraka* describes in detail how the text was reworked, evidently in the ninth—eleventh centuries. A comparison with the Pālī *Cullavagga* and the Chinese *Shi-sun-lü* allows one to identify the most ancient parts of this text.

In content, one can divide the *Vinaya-kṣudraka-vastu* into four parts:

1. The *Vinaya-kṣudraka* itself or a collection of individual rules which governed the life of *bhikṣu* and *bhikṣuṇī* in the community (chapters 1—35, parts 1—4).

2. *Vinaya* for *bhikṣuṇī* — the formation of the community, the acceptance ceremony, basic rules, relations between the *bhikṣu* and *bhikṣuṇī* communities (chapters 36—44, end of part 6, all of part 7, and the beginning of part 8). This section is marked as inserted, and was evidently taken from the *Prātimokṣa-sūtra* for *bhikṣuṇī* and the *Bhikṣuṇī-vinaya-vibhaṅga* commentary on it.

3. Description of the Buddha's life after enlightenment — sermons, addresses to pupils, final admonishments, retreat to *nirvāṇa*, division of the Buddha's remains (chapters 45—56, part 8, up to fol. 303 v (4)). In content it corresponds to the *Mahāparinirvāṇa-sūtra*.

4. Tale of the assembly in Rājagṛha (chapter 56, from fol. 303 v (4) to chapter 58, up to fol. 316 v (3)). Tale of the assembly in Vaiśālī (chapters 58 and 59, from fol. 316 v (3) to the end of the text).

It is among these chapters that we must seek the basis for the independent, eighteenth section of the Sarvāstivādin *Vinaya-vastu.*

The colophon of the Bairam-Ali manuscript contains direct evidence of a link between the tradition of the Sarvāstivādin *Vinaya* and the assembly in Rājagrha. Despite a *lacuna* in the last line of fol. 80r (5), one can still glimpse in the colophon a concluding formula very close to that found in the colophon to the eleventh part of the *Cullavagga* entitled *Pañcasatikakkhandhaka*: "*imāya kho pana vinayasamgītiyā pañca bhikkhu satāni anunāni anadhikāni ahesum, tasmā ayam vinayasamgītī pañcasatītī vuccatītī*" ("Now that 500 *bhikṣu*, not one less, not one more, have taken part in the collection of the rules of the *Vinaya* (lit., "in singing the *Vinaya* together" — *M. V.-D.*), for this reason the collection of rules of the *Vinaya* is called [the collection of the] 500").

The *Vinaya* recorded at the assembly in Rājagrha enjoyed the greatest authority as the most ancient, for it was drawn up before the Vaiśālī "heresies". It is with this assembly, as we see from the colophon, that the text of the Sarvāstivādin *Vinaya* was linked. One can presume that a description of the assembly at Rājagrha (cf. part 4 of the Tibetan *Vinaya-kṣudraka-vastu* above) was included as the independent, eighteenth part of the Sarvāstivādin *Vinaya-vastu.*

As concerns the other works enumerated in the colophon of the Bairam-Ali manuscript, they can be correlated with a number of well-known works from other schools.

Thus, the crux of the Sarvāstivādin *Vinaya* consists of three works indicated in the colophon of the manuscript and preserved in Chinese and Tibetan translations. They are the *Prātimokṣa-sūtra* and commentaries on it: the *Vinaya-vibhaṅga* and *Vinaya-vastu.* The remainder of the works mentioned in the colophon expand on particular questions or are compilations. First, we find mentioned a "separate *nidāna*", that is, the *Vinaya-nidāna*, which makes up the first chapter or introduction to the Chinese translation *Shi-sun-lü* [13]. It was evidently considered an independent work in the Sarvāstivādin *Vinaya.*

Named second is the *Vinaya-mātrikā.* Two works with this title have reached us in Chinese translation — from the Sarvāstivādin school [14] and the Mūlasarvāstivādin. Japanese researchers describe this work as compilative. It contains 9 *juan*s with stories about the first and second assemblies and the *hetupratyaya.* The independent text of this work has not survived in the Tibetan tradition.

The next two works listed in the manuscript's colophon have not reached us. They are the *Vinaya-pañcika* and *Vinaya-ṣoḍaśika.* Judging by the titles, they were compilations as well — "*Vinaya* in five sections" and "*Vinaya* in 16 sections". Similar works of other schools have survived in Chinese translation [15].

The last work named in the manuscript's colophon is the *Vinaya-uttarika*, which was evidently an index to the Sarvāstivādin *Vinaya* (*Vinaya-uttara-grantha*). It corresponds to the eighth part of the *Shi-sun-lü* (*Ekottara-dharma*). In the Pālī *Vinaya*, an analogous work is entitled *Parivāra*, in the Tibetan translation of the Mūlasarvāstivādin *Vinaya* — *'dul-ba-gžung-bka'-ma* [16].

TRANSLITERATION

FOL. [69r]

1. *siddham vinayāti*[1] *vivāda-vinayah āpatti*[2]*-vinayah kleśa vinayah prādeśiko-vi*[*nayah*]
2. *sarvvatra-vinayah bhikṣu-vinayah bhikṣuni vinayah* // *vivāda vinayo katamah*
3. *yam ta kalaho bhaṇḍana vigraha vivādah tat va paiśumnyam*[3] *anyamanyam vipratya-*
4. *ni vādatah ayamucyate vivāda-vinayah* // *so samnga*[*mayitavya*][4]

TRANSLATION

1. It is good! Expounded here is the collection of rules regarding disputes [1], the collection of rules regarding misdeeds [2], the collection of rules regarding *kleśa* [3], the collection of rules appropriate [in individual cases] [4],
2. the collection of rules [appropriate] in all cases, the collection of rules for *bhikṣu*, the collection of rules for *bhikṣunī.* What is the collection of rules regarding disputes?
3. When there arises a] squabble, argument, disagreement, dispute [5] or [when] one [person] in relation to another [person]
4. speaks calumny in anger, this is considered [a reason to employ] the collection of rules about dispute. A gathering must be convened [6] ...

Commentary

[1] Actions taken by the community in the case of various disputes between *bhikṣu* are detailed in the *Vinaya-vastu*, sections *Kośāmbakavastu* (see *Gilgit Manuscripts*, vol. III, p. 2), *Pāṇḍulohitavastu* (*ibid.*,p. 3), *Vivādavastu* (not preserved in the Gilgit manuscripts). In the Pālī *Vinaya-piṭaka*, actions taken because of differences within the community are treated in the following sections: *Cullavagga*, 1: *Kammakkhandhaka*; 3: *Samuccaya-kkhandhaka* (beginning); 4: *Samathakkhandhaka.*

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1 A slip of the pen: *vinayati.*
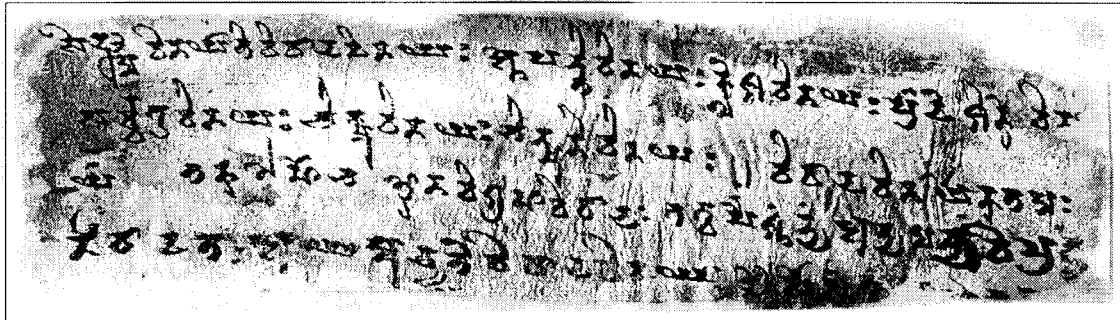2 *Āpati=.*
3 *paiśunyam.*
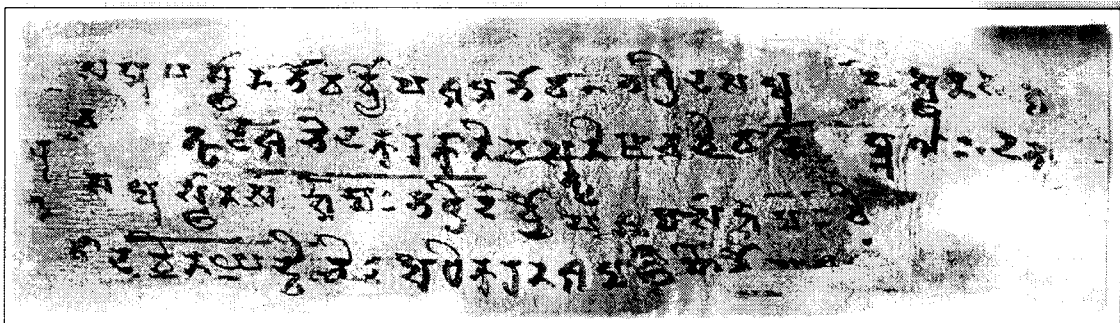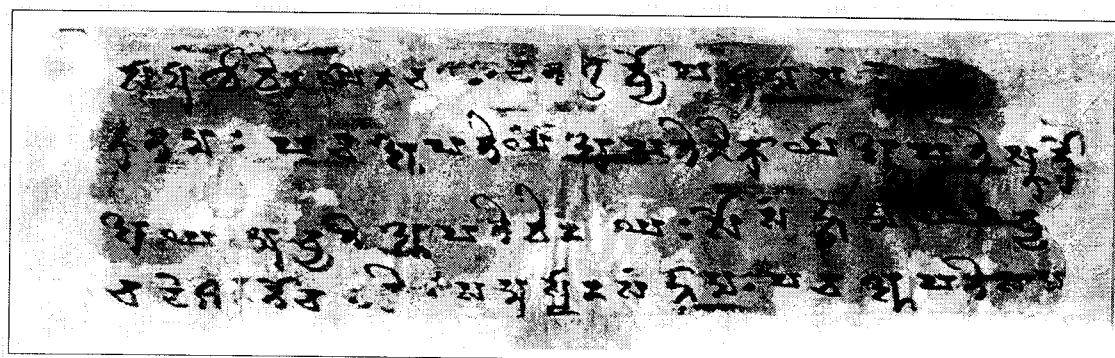4 *Samga*[*mayitavya*].
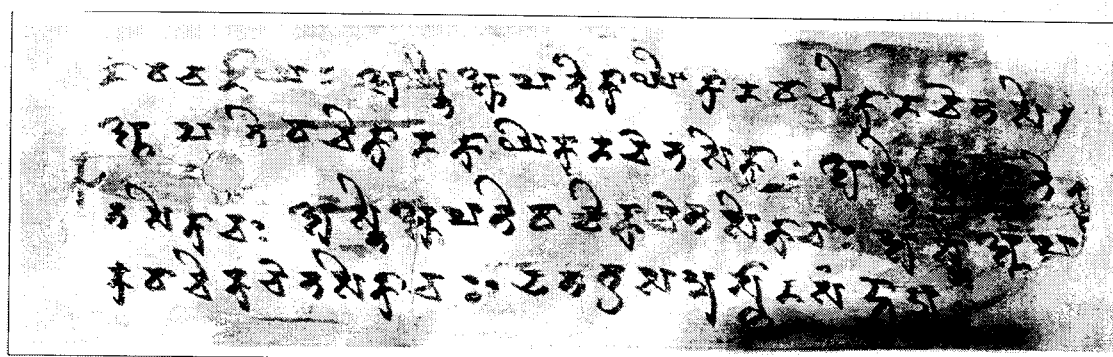
Fig. 1

Fig. 2
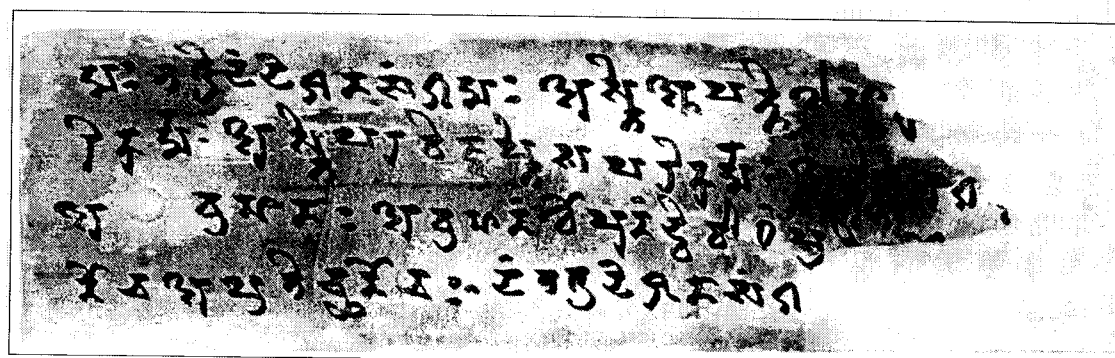
Fig. 3

Fig. 4

Fig. 5

[2] *Āpati* — "misdeeds" — make up the basic content of the *Prātimokṣa-sūtra* , which classifies them and provides corresponding commentary in the *Vinaya-vibhaṅga*. The *Vinaya-vastu* describes certain more minor misdeeds. In the manuscript, this term is written either as *āpati* or as *āpatti*.

[3] The term *kleśa* here is apparently to be treated not in the *abhidharma* sense as "emotional instability, emotional breakdown" (see A. Guenther, *Buddhist Philosophy in Theory and Practice*, Baltimore, 1972, pp. 39, 43, 59, 64) or as a "state of affect" (see V. I. Rudoĭ, *Vasubandhu. Abhidharmakośa*. Section 1, Moscow, 1990, p. 45), but in the *vinaya* sense as "passions, pollution of consciousness". The collection of rules regarding *kleśa* is absent in the *Vinaya* texts which have reached us.

[4] The term *prādeśiko-vinayaḥ* is not attested in *Vinaya* texts. Its literal translation is "collection of rules for [individual] regions". In the text itself it appears as "collection of rules appropriate in individual cases". One should most likely interpret it in accordance with the following *Mahāvagga* text, V, 13 (1—13): "In the east lies the city of Kajan, beyond it, Mahāsālā. Further still lies the border country. This is in the vicinity of Madhyadeśa... In these border countries, I proscribe for *biksu* that, having gathered together, four *bhikṣu*, together with their leader, can perform the ceremony of *upasampāda*". This is an allowance. Similar allowances affect the rules regarding clothing and footware, certain rules of conduct, etc., in accordance with the climatic conditions of various locations. This interpretation is bolstered by the fact that together with the term *prādeśika-vinaya*, we find employed the term *sarvatra-vinaya*, that is, "collection of rules appropriate in all cases". Cf. *Parivāra*, VI : *sabbatthapaññatti jānitabbā; padesapaññatti jānitabbā*. The term *paññatti* is used here in the meaning "rule, resolution", that is, a synonym for *vinaya*. Thus, the term *prādeśika-vinaya* can be viewed as a synonym of the Pālī *padesapaññatti*.

[5] Cf. *Kośāmbhakavastu*, p. 176: *satyaṃ yūṣmakaṃ bhikṣava utpannaḥ kalaho bhaṇḍanaṃ vigraho vivādo yadu āpanna it pūrvavadyavat kopyena sthāparheṇeti*. Cf. also *Cullavagga*, I, 11.

[6] In the manuscript, the term *saṃgama* or *saṅgama* is used in the meaning "gathering, assembly". This term is not attested in the Gilgit manuscripts. In the Pālī *Vinaya*, the term *saṃgīti* (lit., "singing together") is used in this meaning.

TRANSLITERATION

FOL. 69v

1. *samupastānato ca vyopaśamato vā, tatrida[ṃ] samupasthāna
saṅga [ma]*
2. *catūrdaśa bhedakarakāni vastūni sa ca vivādamūlā [5] ida[ṃ]
ta[tra]*
3. *samusthāna[6] saṃṅgamaḥ tatridaṃ vyopaśama saṃṅgamaḥ
vi...[vi]*
4. *vāda-vinayaṃ dvibhiḥ adhikarana[7] śamathehi vyopaśama...*

TRANSLATION

1. at which [disputed questions] are acknowledged and resolved [7]. A gathering for acknowledgement [is convened] [when]
2. there are 14 things [on the basis of which one can determine, that a *bhikṣu*] is inclined toward heresy [8], and there are 6 reasons for dispute on legal questions [9]. Then
3. a gathering [is convened] for acknowledgement. A gathering for resolution [is convened] ...
4. [in order to] resolve in accordance with the collection of rules legal questions which arise during dispute, with the aid of two methods of resolution — [through action] in presence and [by a majority vote] — the legal question was resolved [10].

Commentary

[7] *samupasthānato* (from the root *samupastānat*) is used as a term to designate acknowledgement. Cf. the Pālī *samuṭṭhāna*. Below we find *āpati-samupasthāna* — "acknowledgement of a misdeed".

[8] *catūrdaśa bhedakarakāni vastūni* — cf. *Parivāra*, IV: *tattha katamāni **aṭṭhārasa bhedakarvatthūni**. idha bhikkhu adhammaṃ dhammo'ti dīpeti... aduṭṭhullaṃ āpattiṃ duṭṭhullā āpattīti īpeti. imāni aṭṭhārasa bhedakaravatthūni // 16 //*. In the *Mahāvagga*, X, 5, 4 "18 things" are enumerated which can serve as an indication that a *bhikṣu* is falling into heresy. As is evident from the text of the manuscript, the number was 14 for the Sarvāstivādins.

[9] *sa ca vivādamūlāni* — cf. *Parivāra*, IV: ***tattha katamāni cha vivādamūlāni**. Idha bhikkhu kodhano hoti upānāhi. yo so bhikkhu kodhana hoti upānāhi so satthari pi āgaravo viharati appatisso ... evaṃ etassa pāpakassa vivādamūlassa āyatiṃ anavassavo hoti. imāni cha vivādamūlāni // 13 //*. For an analogous text, see *Cullavagga*, IV, 14, 3.

[10] *adhikaraṇa-*, cf. *Parivāra*, IV: *tatha katamāni cattāri adhikaraṇāni. vivādādhikaraṇaṃ anuvadādhikaraṇaṃ apatādhikaraṇaṃ kiccādhhikaraṇaṃ. imāni cattāri adhikaraṇāni // 17 //*. Cf. also *Cullavagga*, IV, 14, 2.

Regarding the term *śamatha* "resolution of disputed questions" see *Parivāra*, IV: *tattha katame satta samathā sammukhāvinayo sativinayo amūḷhavinayo paṭiññatakaraṇaṃ yebhuyyassikā tassapāpiyyasikā tiṇavatthārako. ime satta samathā // 18 //* ("What are the seven means of resolving disputed questions? In the presence [of the accused *bhikṣu* in the community], [by means of] vindicating [the *bhikṣu* of a misdeed which he did not commit], [by accepting the vindication of a *bhikṣu* of a misdeed he committed] in a delirious state]; [by means of the] acknowledgement [of the *bhikṣu* of a minor misdeed]; [with the aid of] a majority vote; [by overcoming the] stubborn [refusal of the *bhikṣu* to recognise] the sinful misdeed; [by completely forgiving the *bhikṣu*], as though all had become overgrown with grass"). See also *Cullavagga*, IV. Cf. *Mahāvyutpatti*, section 263, p. 555.

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[5] *mūlāni*.

[6] Cf. below: *samupashāna*, Pālī *samuṭṭhāna*.

[7] *adhikaraṇa*.

Skr. ...*vivāda-vinayaṃ dvibhiḥ adhikaraṇa śamathehi vyopaśama* [*ti*] ... *samukhī-vinayena*. To this the following text corresponds in Pālī: *vivādādhikaraṇaṃ katīhi samathehi sammati. vivādādhikaraṇaṃ dvīhi samathehi sammukhavinayena ca yebhuyyasikāya ca*, cf. *Cullavaha*, IV, 14, 16). The term *vivāda-vinaya* is evidently used in this context in the meaning of *vivāda-adhikaraṇa-vinaya*, a "collection of rules for the resolution of legal questions which arise during dispute".

TRANSLITERATION

FOL. [70R]

1. *samukhī vinayena ca, idaṃ tatra vyopaśama saṅgama //* [*āpati vinayaḥ*]
2. *katamaḥ pa*[*ṃ*]*ca āpatiyo āpati-nikāyā āpati-skandho...*
3. *ayamucyati āpati-vinayaḥ so samṅgamayitavya*[8] *...*
4. *ca deśanato ca tatridaṃ samusthāna samṅgamaḥ*[9] *pa*[*ṃ*]*ca āpati-samu*[*sthā*]-

TRANSLATION

1. Then this is a gathering for resolution. What is [the collection of rules regarding misdeeds]?
2. Five types of misdeeds [11], [five] *nikaya* on misdeeds [12], [five] groups of misdeeds [13] ...
3. this makes up the collection of rules regarding misdeeds.
4. and he admits to [acknowledges] the misdeed. Then the gathering [is convened] for acknowledgement. Five types of acknowledgement of a misdeed [14] ...

Commentary

[11] The five types of misdeeds are given detailed treatment in the Sanskrit *Prātimokṣa-sūtra* and commentaries on it. These texts are part of the Sarvāstivādin school, but have not been preserved in their entirety. Cf. the Pālī commentaries *Parivāra*, IV: *tattha katamā pañca āpattiyo. pārājikāpati saṃghādisesāpatti pācittiyāpatti pāṭidesaniyāpatti dukkaṭāpatti ima pañca āpattiyo //2//*. Cf. also *Mahāvyutpatti*, 255, pp. 630—1: 1. *catvāraḥ pārājikā dharmāḥ*; 2. *trayodaśa saṃghāvaśeṣaḥ*; 3. *pāyattikāḥ*; 4. *carvāraḥ pratideśanīyāḥ*; 5. *sambahulā-śaikṣa-dharmāḥ*.

[12] *āpati-nikāyā* instead of *pamca āpati-nikāyāḥ*? The term *nikāyā* on misdeeds is not attested in Sanskrit texts of the *Vinaya*. In northern Buddhism, the term *nikāyā* is replaced by the term *āgama*, cf. *Mahāvyutpatti*, 65, p. 109.

[13] [*pamca*] *āpati-skandha* — cf. *Parivāra*, IV: *tattha katame* **pañca** **āpattikkhandhā**. *pārājikāpattikkhandho sāmghadise-sāpattikkhandho pācattiyāpattikkhandho pāṭidesaniyāpattikkhandho dukkaṭapatti-kkhandho, ime pañca āpattikkhandhā //3//*. Cf. also *Mahāvagga*, II, 3, 5.

[14] *pamca-āpati-samusthāna* — cf. *Parivāra*, IV: *tattha katame cha āpattisamutthānā...*. In the Sanskrit text, there are six such methods, rather than the five found in the Pālī (see below).

TRANSLITERATION

FOL. 70V

1. *nā vacanīyaḥ asti āpatti*[10] *kāyīkā na vācikā na cetasikā*[*ḥ asti*]
2. *āpati vācikā na kāyika*[11] *na cetasikāḥ asti āpati* [*kāyikā ce*]-
3. *tasikā caḥ*[12] *asti āpati vācikā cetasikā caḥ*[13] *asti āpa*[*ti kāyi*]-
4. *kā vācikā cetasikā ca ida*[*ṃ*] *tatra samusthāna samṅga-maḥ*[14] [*saṅga*]-

TRANSLATION

1. it must be said: there [exists] a misdeed which is [acknowledged] through actions, [but is] not [acknowledged] in words and thoughts; there is
2. a misdeed, which [is acknowledged] in words, [but is] not [acknowledged] through actions and in thoughts; there is a misdeed, which [is acknowledged] through actions and in
3. thoughts; there is a misdeed which [is acknowledged] in words and in thoughts; there is a misdeed which [is acknowledged] through actions,
4. in words and in thoughts [15]. Such is the gathering for acknowledgement. The gathering

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[8] Instead of *saṅgamayitavya*.
[9] Instead of *saṅgamaḥ*.
[10] Instead of *āpati*.
[11] Instead of *kāyikā*.
[12] Instead of *ca*.
[13] Instead of *ca*.
[14] Instead of *saṅgamaḥ*.

Commentary

[15] The text on fol. 70 v is a list of the above-indicated "five types of acknowledgement of a misdeed" — *paṃca āpati-samusthānā*. Having presented these types schematically with recourse to the *akṣara* *k* instead of *kāyikā*, *v* instead of *vācikā*, and *c* instead of *cetasikā*, we juxtapose the Sanskrit text with the Pāli from the Theravādin canon. The first, second, and fifth type of acknowledgement of misdeeds in the Sanskrit text coincide with the first, second, and sixth types in the Theravādin canon: 1. *k — v — c*; 2. *v — k — c*; 5. *k — v — c*. The third and fourth types represent varieties of the fourth and fifth types of the Pāli *Vinaya*: 3. *k + c* (Pāli *k + c — v*); 4. *v + c* (Pāli *v + c — k*). Absent in the Sanskrit text is the sixth type, which is presented in the Pāli *Vinaya* as the third: *k + v — c*. Cf. *Cullavagga*, IV, 14, 6; *Parivāra*, IV, 5.

TRANSLITERATION

FOL. [71 R]

1. *maḥ tatridaṃ deśana-saṃgamaḥ asti āpatti*[15] *lahuk*[*a-garukaḥ sa pa*]-
2. *rikarmaḥ asti paravijñapti sa parikarmaḥ asti ag ...*
3. *avrahanaḥ avrahanaṃ kho punaṃ*[16] *dvi vidhaṃ pra*[*ti-cchanna-apraticcha*]-
4. *no ca apraticchano*[17] *ca idaṃ tatra deśana saṃga*[*maḥ // kleśa vinayaḥ*]

TRANSLATION

1. it is considered a gathering for [resolution] on the matter of acknowledgement [16], when there is a misdeed, and [the gathering] adopts a resolution, be it mild [or severe] [17];
2. when [the *bhikṣu*] announces [his misdeed] to others, it adopts a resolution ... [When the punishment has been completed, and there is a need for]
3. rehabilitation, [it performs the act of] rehabilitation [18]. And also [a misdeed can be of] two types: acknowledged and unacknowledged [19].
4. If a misdeed is not acknowledged by the *bhikṣu*, then there [is convened] a gathering [for resolution] on the matter of the acknowledgement. [The collection of rules regarding *kleśa*].

Commentary

[16] *deśana-saṃgamaḥ* — "gathering for [resolution] on the matter of acknowledgement" is a term not attested in the Pāli *Vinaya*. In *Cullavagga*, IV, the term *deśana* signifies "acknowledgement, confession" in sections which describe the gathering of the community which is supposed to accept the acknowledgement of a *bhikṣu* that he has committed a misdeed of the sort "resolvable within the community (that is, legal) by means of dispute" — *adhikaraṇa* — with the use of the seven above-indicated methods: *satta samathā* (cf. n. 10): *yassāyasmato khamati aṃkhākaṃ imāsaṃ āpattinaṃ saṃghamajjhe tiṇavatthākarakena desanā ṭhapetvā thūlavajjaṃ ṭhapetvā gihapaṭisaṃyuttaṃ so tuṇh'assa...* (*Cullavagga*, IV, 13, 3). The verb *deśayati* ("he acknowledges") is widely used in the Sanskrit text of the Mūlasarvāstivādin *Vinaya-vastu* (Gilgit manuscript), see, for example, *Pudgalavastu*, p. 79: *dvau pudgalau saṃghāvaśeṣām-āpattimāpannau deśayiṣyāvo deśayiṣyāva iti* ("two people committed *saṃghāvaśeṣa* misdeeds. Both must acknowledge them, [they decided] that both must acknowledge them").

[17] *lahuka*[*garukaḥ*] — is a constant epithet to the term *āpati* when there is a situation of choice. See, for example, *Parivāra*, XV: *apattānāpattiṃ na jānāti, lahukagarukaṃ āpattiṃ na jānāti...* ("If [the community] does not know, [whether he committed] a misdeed or not; if [the community] does not know [whether he committed] a mild misdeed or a severe [one] ..."). Cf. also *Cullavagga*, IV, 14, 2.

[18] The term *avrahanaḥ* is written incorrectly in the manuscript; the correct spelling is *āvarhana*, cf. *Mahāvyutpatti*, 264, p. 556, No. 8656. In Pāli, it has the form *abbhana* ("purification, rehabilitation").

[19] *praticchanna, apraticchanna* — are two constant, established terms in the *Vinaya* ("acknowledged" and "unacknowledged, concealed"). In the current text, both terms refer to minor misdeeds which can be resolved by the community itself (cf. n. 16). The rules regarding "concealed" and "unacknowledged" misdeeds are detailed in the Mūlasarvāstivādin *Vinaya-vastu*, see *Pudgalavastu*, pp. 61—77. If a misdeed was acknowledged by a *bhikṣu* or not acknowledged by him, the community could set for the *bhikṣu* a period of probation after which a "purification" ritual was performed (see n. 18) and the *bhikṣu* once again became a fully fledged member of the community. The probationary period is called *apraticchanna parivāsa* ("probationary period [when a misdeed has been] acknowledged") and *praticchanna parivāsa* ("probationary period [when a misdeed has not been] acknowledged"). See *Cullavagga*, III, 28.

Notes

1. M. I. Vorob'eva-Desiatovskaia, E. N. Temkin, "Indiĭskie rukopisi v Turkmenii" ("Indian manuscripts in Turkmenia"), *Nauka i zhizn'*, 1 (1966), p. 26; M. I. Vorob'eva-Desiatovskaia, "Nakhodki sanskritskikh rukopiseĭ pis'mom brāhmī na territorii sovetskoĭ Sredneĭ Azii" ("Discoveries of Sanskrit manuscripts in Brāhmī script on the territory of Soviet Central Asia"), in *Sanskrit i drevneindiĭskaia*

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[15] Instead of *āpati*.
[16] Instead of *punar*.
[17] Instead of *apraticchanno*.

kul'tura, 1 (Moscow, 1979), pp. 123—33; *idem,* "Pamiatniki pis'mom kharoṣṭhī and brāhmī iz sovetskoĭ Sredneĭ Azii (obshchiĭ obzor)" ("Documents in Kharoṣṭhī and Brāhmī writing from Soviet Central Asia: general overview"), in *Istoriia i kul'tura Tsentral'noĭ Azii* (Moscow, 1983), pp. 22—96.

2. A. Bareau, Les sectes bouddhiques du petit véhicule (Saigon, 1955), p. 131.

3. *Ibid.,* p. 132.

4. *Ibid.,* pp. 36—7.

5. E. Frauwallner, *The Earliest Vinaya and the Beginning of Buddhist Literature* (Roma, 1956), p. 9. — Serie Orientale Roma, VIII.

6. *Tripiṭaka Taisho,* No. 1435, translated by Kumārajīva and Puṇyatara. The work is divided into 10 parts (*adhyāya*), 29 sections, 65 chapters; it fills 470 folios of volume 23 (fols. 1—470).

7. *Ibid.,* pp. 1—147.

8. *bKa'-'gyur* Derge, *'dul-ba,* **No. 2:** vol. *ca,* fols. 1b—20b(7), **No. 3:** vol. *ca,* fols. 21a(1)—292a(7), vol. *cha,* fols. 1b—287a(7); vol. *ja,* fols. 1b—287a(7); vol. *ña,* fols. 1b—269a(6).

9. *Tripiṭaka Taisho,* No. 1435, vol. XXIII, pp. 148—346.

10. *bKa'-'gyur* Derge, *'dul-ba,* **No. 6:** vol. *tha,* fols. 1—310; vol. *da,* fols. 1—333.

11. *Ibid.,* vol. *da,* fols. 332a(5—7): *rgya-gar-gyi mkhan-po vidyākaraprabha dang/ dharmaśrīprabha dang/ lotstshaba ban-de dpal-'byor-gyis bsgyur // 'dul-ba lung-phran-tshegs-kyi gži-'di sgyur-ba'i dus-su lotstsha-ba mang-pos dum-bu mang-por bgos-te so-sor-tha-dad-du bsgyur-bas glegs-bam-du sdom-pa'i dus-su gnas tha-dad-du 'thor-nas mtshang bžin-du bsdebs-pas / lung-phran-tshegs phal-che-ba mtshang-bar bžugs-pa-la / skad-kyis-la sdod-'ol-rgod-kyi gtsug-lag-khang-du gnas-brtan dar-ma seng-ges lung sde-bži bžengs-ba'i tshe dge-ba'i bśes-gñen 'dul-ba 'dzin-pa žing-mo (žing-rmo?) che-ba byang-chub-seng-ges phyag-len mdzad-nas sbyir dbus gtsang-gi gtsug-lag-khang-rnams-na bžugs-pa dang /...*.

12. The word *lung* here is used with the meaning *lung-bstan-pa,* that is, *vyākaraṇa.* Intended is the *vyākaraṇa* or four types: 1. *mgo-gcig-tu lung-bstan-pa* (Skr. *ekāmśa vyākaraṇa*); 2. *rnam-par phye-ste lung-bstan-pa* (Skr. *vibhajya vyākaraṇa*); 3. *yongs-su dres-te lung-bstan-pa,* (Skr. *paripṛccha-vyākaraṇa*); 4. *gžag-par lung-bstan-pa,* (Skr. *sthāpanīya-vyākaraṇa*). See *Mahāvyutpatti,* publ. by Sakaki, No. 86, pp. 132—3.

13. *Tripiṭaka Taisho,* No. 1144, translation by Vimalākṣa (A.D. 405—418).

14. *Tripiṭaka Taisho,* No. 1132, translation by Saṅghavarman (A.D. 445).

15. A. Ch. Banerjee, "The *Vinaya* Texts in Chinese", *IHQ,* 25 (1949), pp. 90—1.

16. *bKa'-'gyur* Derge, *'dul-ba,* No. 7: vols. *na, pa.*

Illustrations

Fig. 1. Sanskrit manuscript SI Merv 1 from the St. Petersburg Branch of the Institute of Oriental Studies, fol. 69r, 18.5×5.0 cm.

Fig. 2. The same manuscript, fol. 69v, 18.5×5.0 cm.

Fig. 3. The same manuscript, fol. 70r, 16.5×5.0 cm.

Fig. 4. The same manuscript, fol. 70v, 16.5×5.0 cm.

Fig. 5. The same manuscript, fol. 71r, 15.0×5.0 cm.