

The Early History of *Āpaddharma*: Defining the Attributes Crisis, Legitimacy, Transgression

Tanni Moitra

Abstract: The conjoined yet opposed attributes of *dharma* and *adharmā* are often recognized as centrally defining Indian religions. What, however, eludes scholarly attention is the well-defined “midway” between the two expressed through the notion of *āpaddharma*. *Āpaddharma* espouses a conceptual shift in the way *dharma* and *adharmā* function as it permits the transgression of the principles of *dharma* in the context of crisis situations. It advances the notion that both *dharma* and *adharmā* are conditional and are devoid of a definite finality which renders a required flexibility to ancient religious traditions. *Āpaddharma* is made of two components: *āpad* and *dharma* which are usually translated as “laws of crises”. However, the message intended and expressed through the compound term encompasses the multiple attributes of the concept. The present paper intends to capture the meanings and nuances underlying the terminology by tracing the early semantic history of *āpad*. The aim is two-fold: firstly, to understand the rationale behind the selection of the term *āpad* to define the attributes of *āpaddharma*; secondly, to understand how the meaning of *āpad* evolved through an interaction between the Brahmanic and Buddhist traditions.

I

Philology must not simply look at the web but at the spider also. The analysis of words thus can give significant and unique insights not just into human language but into human history.¹

Linguistic studies have revealed that words, terms or phrases do not exist in *vacuum* but are “used by individuals and groups that have their own histories and interests and that change the meanings of words as they use them”.² In this context, the changing connotations of the term *dharma* are one of the finest examples of semantic evolution. The word *dharma* began to be used in the *Rig Veda* with its original meaning derived from its etymological root *dhṛ* which meant “to hold” or “to support”³ and

subsequently over centuries assumed meanings such as law, justice, ethics, morality, religion, occupation, virtue, sacrifice and so on. The meanings thus acquired reflect the usage of *dharma* not only to define new philosophies and religious practices such as Buddhism and Jainism but also incorporate newer social realities. Working within a similar premise the present paper seeks to uncover the original meaning of the word *āpad* and traces the subsequent journey of the term towards its development into a new concept of called *āpaddharma*. The paper argues that the term *āpad* primarily encompasses the essential attributes which the authors of *āpaddharma* intended to express through the concept; the meanings attributed to the term *āpad* developed through an interaction between Brahmanism and Buddhism. The interactions between the

¹ Olivelle 2009, 85.

² *Ibid.*, 85.

³ Horsch 2009, 2.

two traditions altered the meaning of *āpad* overtime to articulate a new normative category and capture newer social realities.

II *Āpaddharma*: Defining the Attributes

Āpaddharma may be defined as an autonomous category of norms specifically designed to be followed in a situation of crisis. The compound term *āpaddharma* is made up of two words viz. *Āpad* which is translated as “crisis” or “emergency” and *dharma* meaning “law” or “norm”. In case of a crisis, the provisions of *āpaddharma* substitute for the laws of normal circumstances and its provisions also allow for the transgression of laws. In other words, *āpaddharma* espoused a conceptual shift in the way’s *dharma* and *adharmā* functioned by permitting transgression of the principles of *dharma* in the contexts of urgency. It advances the notion of *adharmā* becoming *dharma* during extreme conditions. In modern legal nomenclature, *āpaddharma* may be simplistically explained as “legal exceptions” or “legal immunities”.

Āpaddharma was a new term and a new concept invented in the Brahmanical normative texts. The compound was used for the first time in the *Manusmṛti* and its use proliferated in the *Mahābhārata* to the extent that a separate section called *Āpaddharmaparvan* got incorporated in the *Śāntiparvan* to articulate an acceptable definition and usage of the provision. The term became extremely important in the early historic literature essentially because a specific set of ideas were expressed through the term. The concept of *āpaddharma* has three primary attributes. Firstly, it indicates a condition of adversity or an unforeseen crisis; secondly, it is a transgression because it violates a prescribed norm and thirdly, it is a legal injunction because it is accepted by the ancient

texts such as *Manusmṛti* and the *Mahābhārata* as a legitimate course of action. Transgression of a precept was as much a part of the definition of *āpaddharma* as the existence of a crisis. For instance, if an individual got into a crisis but did not transgress a norm to come out of the crisis, he may not be considered to have followed the provision of *āpaddharma*. Similarly, transgressing a norm in the absence of crisis would mean sin or *adharmā* and not *āpaddharma*.

Adam Bowles⁴ rightly points out that *dharma* in the compound term *āpaddharma* served the purpose of providing the required legitimacy to a code of conduct normally considered a deviation. *Dharma* is also rendered as an independent category of law. Arguably, the key term in the compound is the word *dharma* because it indicates legitimacy to the ideas that the concept implies and therefore joining of the two separate terms *āpad* and *dharma* helps in expressing the intended ideas of the provision. Bowles states that “while on the one hand *āpaddharma* denotes behavior that is in some way exceptional, on the other it also suggests that this behavior is in some way legitimate. This sense of legitimacy is carried by the word *dharma*.”⁵ He explains the widening of the meaning of *dharma* over centuries starting from the Vedic literature up to the *Mahābhārata* so as to trace its development into a fundamental concept in the Brahmanical tradition and states that the coining of *āpaddharma* was “an outcome of the rising significance of the word *dharma*”.⁶

The formation of terms compounded with *dharma* has been considered an important development in the Early Historical period since the concept of *dharma* reflected the views of the law codes, the *dharmaśāstras*, and remained closely associated with the state. B. D. Chattopadhyaya observes that “all through

⁴ Bowles 2007, 81.

⁵ *Ibid.*, 81.

⁶ *Ibid.*, 82.

the pre-Gupta early historical phase, the notion of *dharma*, in whatever form, remained embedded in the theory of the state”.⁷ The state recognized and maintained several autonomous segments in the society which were constituted as *grāmadharma*, *śreṇīdharmā*, *kuladharmā*, *nigamadharmā* etc.⁸ Besides providing legitimacy to the autonomous segments, the term *dharma* also granted legitimacy to various newly constituted ideas during the early historic period. Bowles has also placed the coining of the compound term *āpaddharma* within a similar context where it received the recognition of the state as an autonomous category of norms.

While the joining of the two terms – *āpad* and *dharma* – explain *āpaddharma* as a set of injunctions bearing the legitimate force of law, it only partly explains the attributes of the concept. What role did the term *āpad* play in defining the concept? Why was *āpad* considered an appropriate term to describe the attributes of the injunction? How far did Buddhism contribute to the changing meanings of *āpad* and *āpaddharma*? In order to understand *āpaddharma* more adequately, it is essential to study the function of the term *āpad*, which plays an important role in explaining the attributes of the provisions of *āpaddharma*. The subsequent sections discuss the history of the term and analyses the justification for its selection.

III

Āpad: Origin and Transformation

The original meaning of *āpad* was radically different from the meaning it acquired in the early historical literature. *Āpad* is a derivation from *āpat* or *āpapatyāt* which may be etymologically derived from the root *pat* which literally means “to fall”⁹ but its range of application also corresponds to verbs such as “descending” or “moving downwards.” The

earliest references are found in the *Rig Veda* and are closely associated with the etymological meaning of “falling”. The reference expresses the basic sense of an act of “descending from above” or “moving downward.” In the *Rig Veda* in a hymn addressed to the *Maruts*, they are praised for their power to bring rain on earth for the wellbeing and prosperity of the worshippers. The term *āpapata* is used in the context of inviting the *Maruts* to “descend” or “fall” on earth as rains to cause for the production of abundant food.

*ā vidyunmadbhir marutah svarkai rathebhīr
yāta ṛṣṭimádbhir aśvaparnaiḥ
ā varṣiṣṭhayā na iṣā vayo nāpaptata sumāyḥ!*
[RV I. VI. LXXXVIII]

Come, Maruts, with your brilliant, light moving, well-weaponed, steed-harnessed chariots. Doers of good deeds, descend, like birds, (and bring us) abundant food.¹⁰

The meaning of “falling” is further emphasized in examples from the *Atharva Veda*. Nevertheless, the nature of the text itself adds a nuance in the meaning which differentiates it from the Rig Vedic usage. The theme of the *Atharva Veda* largely comprises of “formulas and spells intended to counteract diseases and calamities”¹¹ and hence the term *āpat* also gets associated with imprecatory prayers to avert adverse situations. In the *ariṣṭakśayaṇasūkta*, for instance, *āpapatyāt* is used to convey the “coming down” of the ominous birds like an owl or a dove/pigeon with good luck which would prevent misfortune for the warriors in a battlefield.

*avaira hatyāyedam āpapatyāt suvīrtā
yāidamāsa sadā* [AV VI. 29.3]

Oft may it fly to us to save our heroes from slaughter, oft perch here to bring fair offspring.¹²

⁷ Chattopadhyaya 2003, 142.

⁸ *Ibid.*, 142.

⁹ Whitney 1885, 94.

¹⁰ Wilson 1866, 225.

¹¹ Monier Williams 1899, 17.

¹² Griffith 1895, 261.

In the *Śatrparājayasūkta*, it is prayed that may the hostile opponent “fall into” an unfavourable situation by becoming weak, fatigued and starve to death and may the weapons “fall from” the hands of the enemy so that they become incapable of fighting. Likewise, the *Vijayaprāptī Sūkta*, which is a charm to achieve victory against an enemy, uses the term to mean that with the help of a spell the enemy has been made to “fall into” the fire.

*mṛtyoraṣmāpaddantām kśudham
sedivadhambhayam! indra
śravāksujālābhyām śarvasenāmamhatam
[AV VIII.8.18]*

Their portion be the fire of death, hunger, exhaustion, slaughter, fear. With your entangling snares and nets, Sarva and Indra! slay that host.¹³

*āvāpaddantāmeṣāmāyudhānimāśakanprati
dhāmiṣum [AV VIII.8.20]*

Down fall their weapons on the ground: no strength be theirs to point a shaft. Then in their dreadful terror let their arrows wound their vital parts.¹⁴

*vadhaistrṇvāmahai
vyāteparameṣṭinobrahmaṇāpīpādam tam
[AV X.5.42]*

Whom we hunt, him will we lay low with deadly weapons; by our spell (*brāhmaṇ*) have we made him fall into the opened mouth of the most exalted one.¹⁵

In the references found in the *Brāhmaṇas* and *Upaniṣads*, the meaning of *āpat* continues to remain closely connected with “falling”. However, there is a significant alteration in the contexts in which the term is used. The *Aitareya*, *Kauṣītaki* and *Śatapatha Brāhmaṇas* use the term in a ritual context where the “fall”

(*āpat*) is the result of a failure to follow a prescribed procedure for conducting a religious rite. Based on the context in which the term is used, it may be interpreted as a “ritual transgression” that has a consequence. For instance, the *Aitareya Brāhmaṇa* mentions that an officiating priest must begin the chanting of the *Asvīn Śāstra* by addressing the Vedic god Agni particularly as the *hotṛ*, or the lord of the household. If the priest does not follow this rule and address Agni with any other epithet, he may “fall” into the fire¹⁶ (*agnimāpatsyatīti*) and be engulfed by it [AB IV. X. I]. The passage further states that he who addresses Agni in the prescribed way becomes free of danger and attain a long life. Similarly, the *Kauṣītaki Brāhmaṇa* [KB X.3] warns that the sacrificer himself “falls into” the jaws of Agni and *Soma* as a victim if he does not give an offering for sacrifice.¹⁷ In the *Śatapatha Brāhmaṇa* Indra warns that even after the establishment of the fire altar one may “get into” or “fall into” a trouble or may falter.

*āpato athhavā aiśwarāgnichitvā
kinchiddorith avālito! [ŚB 9.5.2.1]*

After building the fire altar, one is still apt to get into trouble or stumble¹⁸

The *Praśna Upaniṣad* offers an interesting shift in context; the “fall” may not be physical; it may also be mental when it is associated with “falling” into an erroneous belief. In the text, *prāṇa* (“breath”) is praised as the supreme power that supports the human body and life [PU II.3]. While discussing the preeminence of *prāṇa* over other senses of the body, the passage states that possessing any alternative notion on the subject may be a “fall into delusion” (*māmohamāpaddata*).¹⁹ It may be inferred that the term *āpat* primarily corresponded to its etymology in the Vedic accounts and literally meant an act of falling. While

¹³ *Ibid.*, 414–415.

¹⁴ *Ibid.*, 415.

¹⁵ Whitney 1905, 584.

¹⁶ Haug 1922, 186.

¹⁷ Keith 1971, 405.

¹⁸ Eggeling 1963, 275.

¹⁹ Sarvanand 1922, 26–27.

conforming to its root meaning of falling the term appeared with two distinct connotations – the Atharva Vedic connotation and the Brahmanic connotation. The Atharva Vedic connotation related to falling into unfavourable or threatening conditions; the Brahmanic connotation correlated with some form of ritual transgression. Both the connotations are important to understand the subsequent development of the term.

IV

Āpatti in Buddhism: Exploring the Pāli Canon

The Buddhist Tipiṭaka is a valuable source to study the further expansion of the term *āpat*. Terms like *āpatti*, *apāpata* [*apa+ā+pata*], *āpanna*, *āpajjhati*, *āpajjeyya* are etymologically derived from the root *pat* (*ā+pat*²⁰) and are used frequently throughout the Pāli canon. Because of the etymological connection with *āpat*, it would be useful to explore the links between the terms so as to examine how the meaning of *āpat* was broadened in the post-Vedic literature.

Derived from the root *pat*, terms like *apāpata*, *āpanno*, *āpajjhati*, *āpajjeyya* closely follow its root meaning and are used in the sense of “falling” in the Buddhist accounts. The contexts in which the terms are used are invariably related to forbidden actions committed by a *bhikkhu* or a *bhikkhuni*. Therefore, while the literal meaning of the terms was “falling” or “to fall”, the term’s function was to express the idea of “falling” into a transgressive act. For instance, the *Āpattibhayavagga* of the *Aṅguttara Nikāya* (*Suttapiṭaka*) uses the words to mean falling into any category of transgression like *Pārājikā*, *Samghādisesa*, *Pācittiya* and *Pāṭidesanīya*.

*anāpanno vā pārājikaṃ dhammaṃna
āpajjissati āpanno vā pārājikaṃ dhammaṃ
yathā dhammaṃ paṭikarissati.* [AN 4. 242]

I will not fall to a grave offence, that I have not yet fallen and I will do the suitable remedy for the offence I have already fallen to, according to the teaching.²¹

A similar expression is repeated in case of all the other categories like the *Samghādisesa*, *Pācittiya* and *Pāṭidesanīya*. The above reference indicates that terms following *āpat* were used in the Buddhist accounts frequently in the sense of falling into a transgression.

Interestingly, these references resonate with the interpretation of *āpat* found in the Vedic *Brāhmaṇas* and several important parallels may be drawn between the Brahmanic and Buddhist traditions. It may be said that the Brahmanic connotation of *āpat* as “ritual transgression” was probably borrowed by the early Buddhists but was transformed to mean falling into any of the categories of offences mentioned in the *Vinayapiṭaka*. Since, rituals played a subordinate role in early Buddhism, applying the term *āpat* to mean a ritual transgression, like that of the *Brāhmaṇas*, could not have been the intention of the early Buddhists. Instead, the terms were employed within a non-ritual context to designate the transgression of norms laid down by the Buddha in the form of his teachings and training for the *bhikkhus* and *bhikkhunis*.

In Buddhism, norms laid out in the *Vinayapiṭaka* played an authoritative role and practicing them according to their exact formulation prescribed by Buddha was of utmost importance for the adherents of the sect in order to realize their goals of ascetic life. The *Sikkhānisamsasuttaṃ* of the *Āpattibhayavagga* repeatedly emphasize this point and underlines that *bhikkhus* and *bhikkhunis* must consistently conform to the rules laid down without break and defects.

²⁰ Davids–Stede 1921–1925, 63.

²¹ Woodward 1933, 247.

*tathātathā so tassāsikkhāyaakhthe
utmsamādāyasikkhatissikkhāpadesu.*
[AN 4. 243]

One whose deeds are consistent, congruous, not shady, not spotted. By undertaking them he trains himself in the precepts of that training.²²

Further stressing the importance of following the precepts, the *Āpattibhayasuttam*, of the *Āpattibhayavagga* explains the consequences of not abiding by them. The *Āpattibhayasuttam* cautions the *bhikkhus* and *bhikkhunis* about the punishments to be meted out to those who fail to abide by the prescribed norms. The *sutta* states that just as the king convicts an offender in his territory according to the severity of the offence committed by him, a member of the *Samgha* too is judged and punished according to this offence. Hence, those who witness the punishment being dispensed to an offender, are also terrified by it and as a result vow not to commit such an offence or in case they do, it must be confessed and expiated adequately before an action is taken against the offender. Thus, falling into any category of offence is certainly not without consequence.

The proximity of the terms with the *Brāhmaṇas* can be clearly determined. Just as the *Aitareya*, *Kauṣītaki* and *Śatapatha Brāhmaṇas* use the term *āpat* in the ritual context meaning that a ritual transgression may have a destructive consequence, similarly the Buddhists use the term to mean that a transgression of precepts may also have a consequence in the form of punishment. The comparison suggests that precepts were accorded the same status in Buddhism as rites and rituals were accorded in the Vedic tradition. Therefore, not following the prescribed procedure was considered transgression in some form and had a destructive consequence.

The practice of borrowing terms from the Brahmanic religious vocabulary was a common practice in Buddhism. Davids and Oldenberg remark about the period of the emergence of Buddhism that

at that time a stream of scholastic and legal ideas which emanated from earlier Brahmanism was flowing in full force through the religious circles. A rich phraseology of sacred and ecclesiastical expressions, an armoury of technical terms in philosophy and theology (still preserved in the *Brāhmaṇas* and *Upaniṣads*), had been developed and made ready for use of the Buddhists, the Jainas and other reforming schools.²³

Not only terms, even the prevalent Brahmanic ritual practices and customs were adopted by the newly emerging sects. For example, as Davids and Oldenberg point out that

Vedic ceremonies of the *Darśapuraṇmāsa* sacrifice, and the feast or sacred day (*Upavasatha*) connected with it are known to have been very old, and the custom of celebrating these days would naturally be handed on from the *Brāhmaṇas* to the different *Samaṇas*, and be modified and simplified by them, in accordance with their creeds and their views of religious duty.²⁴

Two interrelated aspects emerge in the meaning and usage of *āpat* from Buddhist literature. Firstly, the original meaning of *āpat* which means “falling” survives very prominently in the Buddhist scriptures. Secondly, the context of the term’s usage in Buddhist literature is primarily in the context of a transgression of precept. The context is the transgression of precepts while the meaning still remaining the same, i.e. “to fall”.

However, it is interesting to note that *āpat* simultaneously evolves into a new meaning

²² *Ibid.*, 247.

²³ Davids – Oldenberg 1881, vii.

²⁴ *Ibid.*, vi.

when the term began to be used as *āpatti*. *Āpatti* means “an ecclesiastical offence” in Buddhist scriptures and is understood as the transgression of the ‘*sikkhāpadāni*’ or norms laid down in the *Vinayaṭṭakā*. In other words, any member of the *Samgha* acting against the precepts laid down by the Buddha is considered *āpatti*. In the *Cullavagga*, *āpatti* appears in various compounds to mean various types of offences. For instance, offences are classified into two groups: *Garukāpatti* (also known as *Adesanāgāminiāpatti* or *Duṭṭullāpatti*) which means major offence and the remaining are said to be grouped under *Lahukāpatti* (also known as *Desanāgāminiāpatti* or *aduṭṭulāpatti*) which are minor offences. Therefore, derived from the same root *pat*, *āpatti* distances itself from its original meaning of falling and stabilizes to mean an offence.

Scholars like Biswadeb Mukherjee,²⁵ however, draw our attention to the fact that *āpatti* has a fixed connotation in the early phase of Buddhism and may not mean all kinds of offences. He points out that *āpatti* means only minor ecclesiastical offences which could be atoned for by either an expiation or a confession. He draws our attention to the fact that the *lahukāpatti* and *āpatti* are used interchangeably, suggesting that *āpatti* is that class of offence which is different from the seven major offences enlisted in the *Vinayaṭṭakā*.

However, it must be pointed out that by the time of the final codification of the Theravada Vinaya, all the categories of offences began to be identified as *āpatti*. This is evident from the passages in the *Pārivāra*²⁶ section of the *Vinayaṭṭakā* which uses the term *āpatti* compounded with all the major as well as minor offences. The generic use of the term is evident in the *Pārivāra* section of the *Vinayaṭṭakā*.

The following passage may illustrate the point:

katiāpattiyo, katiāpattikhandhā,
kativinītavatthūni, katiagāravā, katigārava,
kativinītavatthūni, kativipattiyo,
katiāpattisamuttānā, katianuvādamulāni,
katisāraṇiyādhammā,
katibhedakaravattuni, katiadhikaraṇani,
katisamathā

pañcaāpattiyo, pañcaāpattikhandhā,
pañcavinītavatthūni, sattaāpattiyo,
sattaāpattikhandhahā, cha agāravā, cha
gārava, cha vinītavatthūni,
catassovipattiyo, cha āpattisamuttānā, cha
anuvādamulāni, cha sāraṇiyādhammā,
aṭṭārasabhedakaravattuni,
cattariadhikaraṇani, sattasamathā

tattha katamā pañca āpattiyo. pārājikāpatti
samghādisesāpatti pāciyyiyāpatti,
pātidēsaniyāpatti, dukkāpatti, imā pañca
āpattiyo. [Parivāra IV. 1.1–2]

How many offences, how many classes of offence, how many matters is one trained in, how many disrespects, how many respects, how many matters is one trained in, how many fallings-away, how many origins of offences, how many roots of disputes, how many roots of censure, how many things to be remembered, how many matters making for schism, how many legal questions, how many deciding.

Five offences, five classes of offence, five matters that are trained in, seven offences, seven classes of offence, seven matters that are trained in, six disrespects, six respects, six matters that are trained in, four fallings-away, six origins of offences, six roots of disputes, six roots of censure, six things to be remembered, eighteen matters making for schism, four legal questions, seven deciding.

²⁵ Mukherjee 1976–1977, 81–98.

²⁶ The *Parivāra* is dated even later than the Fourth Council held at Sri Lanka during which the Pāli Canon was written down from an oral tradition. The compo-

sition of the *Parivāra* is usually ascribed to a Sri Lankan *Therā* in the form of a manual for didactic purposes.

Herein what are the five offences? An offence involving Defeat, an offence requiring a Formal Meeting of the Order, an offence of Expiation, an offence to be confessed, an offence of wrong-doing-these are the five offences. Herein, what are the five classes of offence.²⁷

Āpatti was central in monastic Buddhism. The *Suttavibhaṅga* of the *Vinayaṭīṭaka*, which is a commentary on the *Pātimokkha*, revolves around the subject of *āpatti*; it elaborates what is an offence (*āpatti*) and what is not an offence (*anāpatti*). In other words, determining the nature of a transgression and awarding a suitable punishment for it is the concern of the *Suttavibhaṅga*. The *Suttavibhaṅga* deals in detail with each offence which helps us to understand the attributes of *āpatti*, thereby highlighting the Buddhist method of dispensing justice to the monastic community.

The *Suttavibhaṅga* portrays an image that an offence (*āpatti*) maybe committed under compulsion of circumstances, mental states or may be done either unknowingly or unintentionally. Hence, an action against the offender must be taken according to the conditions under which the offence was committed. In other words, the condition under which an offence is committed is almost always the deciding factor in determining the nature of punishment to be given to a guilty *bhikkhu*. Therefore, the punishment for a *Pārājika* offence, which is a normally a complete dissociation of a guilty *bhikkhu* from the *Samgha* (*pārājikohotiasaṃvāso'ti*), may also be decided by a confession (*dukkata*), an expiation (*pācittiya*) or a complete exemption from the punishment (*anāpatti*). The *Suttavibhaṅga* describes a range of conditions under which a *bhikkhu* shall not be considered guilty of the offence committed by him. For example, a *bhikkhu* is not held guilty if he is unaware that he is committing an offence (*anāpatti bhikkhu*

ajānatassāti); if a *bhikkhu* does not consent to a transgressive act (*anāpatti bhikkhu asādiyantassāti*) and the transgressive act is forced by others on a *bhikkhu* without his consent.

An important aspect of Buddhist jurisprudence was the tradition of assuming that there may be situations when offences may be committed accidentally, unknowingly or without intention. Therefore, situations are regarded as important before pronouncing a judgment. It is a common expression found in the *Vinayaṭīṭaka* which shows the Buddha asking the guilty *bhikkhu* under what conditions did he commit the offence.

Another remarkable dimension of the Buddhist legal code was that each rule ends with an exception to the rule which is called *anāpatti*. *Anāpatti* may be understood as a no offence clause which means that an offence committed by a *bhikkhu* shall not be considered an offence and no action against the offender shall be taken under certain conditions. They are: if a *bhikkhu* breaks a *Pātimokkha* rule committed when he is unaware, has not agreed to, is mad, is in severe pain or he is a novice.

anāpatti, ajānantassa, asādiyantassa, ummattakassa, khittacittassa, vedanāṭṭassa, ādikammikassāti.

If one is ignorant, if one has not agreed, if one is mad, unhinged, afflicted with pain, or a beginner, there is no offence.²⁸

With the rapid growth of Buddhism and the development of the *Samgha* as an organized body, monastic norms became crucial in its functioning. As a result, the *Vinayaṭīṭaka* attained an authoritative position²⁹ which could be directly applied to the administration of the *Samgha* because not only did the text lay down the normative precepts to be followed by the community but also contained norms to resolve

²⁷ Horner 2004, 132.

²⁸ Horner 1949, 51.

²⁹ Bhikkhunī 2010, 147–157.

disputes and disagreements within the community. It is within this context that terms like *āpatti* and *anāpatti* began to attain significance in the monastic life of the Buddhist community. Several accounts in the *Vinayapiṭaka* mention that *āpatti* may be a potential cause of schism within the *Samgha* if the nature of an offence remains undetermined. The *Cullavagga* IV mentions that a legal dispute relating to *āpatti* may arise if *anāpatti* is considered an *anāpatti* or a *Garukāpatti* (major offence) is considered a *Lahukāpatti* (a minor offence).

The above discussion suggests that as one enters the Buddhist tradition, one encounters a profound change in the meaning of *āpat*. As discussed earlier, the Buddhists borrowed the Brahmanic interpretation of the term *āpat* as “falling into a ritual transgression” and used it in the monastic context to mean “falling into a transgression of precepts” of the *Vinayapiṭaka*. Eventually, with the prominent use of the term *āpatti* within Buddhist monastic life, the term stabilizes to mean an offence or a transgression.

An important dimension is thereby added to the understanding of the term *āpat*: it now also means a transgressive act. Moreover, for the first time, the term separates itself from its original root meaning of “fall”.

Besides the meaning stabilizing as an offence, certain attributes are also added to the term by the Buddhists which shaped the definition of *āpatti*. Among the defining attributes of *āpatti*, two of its attributes are particularly significant. First, *āpatti* carries the understanding that an offence is context-based and hence the penalty or punishment is decided according to the condition in which the offence is incurred. Second, *āpatti* also provides for a total exemption from punishment under certain situations. It is this definition and understanding of *āpatti* which has a significant contribution in the gradual development of the meaning of *āpat* and the eventual formulation of *āpaddharma* which has its first occurrence in the *Manusmṛti* and final crystallization in the *Mahābhārata*.

Bibliography

Primary Sources

Davids – Oldenberg 1881

T.W.R. Davids – H. Oldenberg (tr.), *The Vinaya Texts. Part I, Sacred Book of the East. Vol. XIII* (Delhi 1881).

Davids – Oldenberg 1882

T.W.R. Davids – H. Oldenberg (tr.), *The Vinaya Texts. Part II, Sacred Book of the East. Vol. XVII* (Delhi 1882).

Davids – Oldenberg 1885

T.W.R. Davids – H. Oldenberg (tr.), *The Vinaya Texts. Part III, Sacred Book of the East. Vol. XX* (Delhi 1885).

Eggeling 1963

J. Eggeling (tr.), *The Śatapatha Brāhmaṇa according to the text of the Mādhyandhin school. Part IV Sacred Books of the East, Vols. XLIII* (Delhi 1963 [1897]).

Griffith 1899

T.H. Griffith (tr.), *The Texts of the White Yajur Veda* (Benaras 1895).

Haug 1922

M.Haug (tr.), *Aitareya Brahmanam of the Rigveda* (Allahabad 1922)

Horner 1949

I. B. Horner, *The Book of the Discipline. Vol. I* (London 1949).

Horner 2004

I. B. Horner, *The Book of the Discipline. Vol. VI* (Oxford 2004 [1966]).

Keith 1971

A. B. Keith (tr.), *Rigveda Brāhmaṇas. The Aitareya and Kauṣītaki Brāhmaṇas of the Rigveda* (Delhi 1971 [1920]).

Monier Williams 1899

M. Monier Williams, *A Sanskrit-English Dictionary* (Oxford 1899).

Sarvanand 1922

S. Sarvanand (tr.), *Praśna Upaniṣad* (Madras 1922).

Whitney 1885

W. D. Whitney, *The Roots, the Verb-Forms and Primary Derivatives of the Sanskrit Language* (Leipzig 1885).

Whitney 1971

W. D. Whitney (tr.), *Atharva-veda-samhitā. Harvard Oriental Society 7–8* (Delhi 1971 [1905]).

Wilson 1866

H. H. Wilson (tr.), *The Ṛig Veda Sanhitā* (London 1866).

Woodward 2001

F. L. Woodward (tr.), *The Book of the Gradual Sayings. Anguttara Nikaya* (Oxford 1933).

Secondary Sources

Bhikkhunī 2010

D. Bhikkhunī, Institutional Authority: A Buddhist Perspective, *Buddhist-Christian Studies* 30, 2010, 147–157.

Bowles 2007

A. Bowles, *Dharma, Disorder, and the Political in Ancient India: The Āpaddharmaparvan of the Mahābhārata* (Leiden – Boston 2007).

Chattopadhyaya 2003

B. D. Chattopadhyaya, *Studying Early India: Archaeology, Texts and Historical Issues* (New Delhi 2003).

Dauids – Stede 1921–1925

T. W. R. Dauids – W. Stede, *The Pali Text Society's Pali-English Dictionary* (London 1921–1925).

Horsch 2009

P. Horsch, From Creation Myth to World Law: The Early History of Dharma, in: P. Olivelle (ed.), *Dharma: Studies in its Semantic, Cultural and Religious History* (Delhi 2009) 1–26.

Mukherjee 1976–1977

B. Mukherjee, Schismatic Matters and the Early Buddhist Literature. *Journal of Research Visva-Bharati* 1, 1976–1977, 81–98.

Olivelle 2009

P. Olivelle, *Dharma: Studies in its Semantic, Cultural and Religious History* (Delhi 2009).