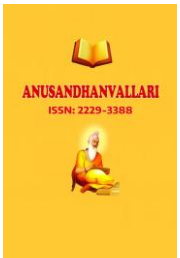

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Āpatti and *Anāpatti*: Understanding Sectarian Division in the Early Buddhist *Saṅgha*

Priyanka Verma [1] and Tanni Moitra [2]
[1] Research Scholar, Department of History (SSHSS), Sharda University, Greater Noida, U.P. India
Corresponding Author E-mail: vpriyanka2097@gmail.com
[2] Assistant Professor, Department of History (SSHSS), Sharda University, Greater Noida, U.P. India
E-mail- tanni.moitra@sharda.ac.in

Abstract: This paper examines the role of *anāpatti*, the Vinaya concept of 'no offence,' denoting conditions under which an otherwise transgressive act is exempt from penalty in the formation of the early Buddhist schisms. While scholarly accounts of sectarian division in early Buddhism have foregrounded doctrinal disputes and regional diversification, the specific role of exceptions to monastic norms has received little sustained attention. Drawing on the *Pāli Vinaya Piṭaka*. This paper argues that the ten-point controversy (*dasavatthu*) of the Second Buddhist Council at Vaiśālī, along with the five-point (*pañcavatthu*) disputes attributed to Mahādeva, are best understood not simply as violations of precepts but as contested claims about the legitimate scope of *anāpatti* . The paper traces the historical development of the *Saṅgha* from the post-*parinibbāna* period through Aśoka's missionary expansion, establishing the political and geographical conditions under which divergent interpretations of exception arose. It then re-reads the major schism events through the lens of *anāpatti*, drawing on the Devadatta episode and the Bimbisāra ordination adjustment as illustrations of how the Buddha himself operationalised the concept of legitimate exception. The analysis suggests that schism was not merely doctrinal disagreement but a consequence of irreconcilable interpretations of when the rules could be set aside.

Keywords: *Anāpatti*, *Āpatti*, Buddhist Schism, Vinaya Piṭaka, Dasavatthu, Second Buddhist Council, Monastic Discipline

1. Introduction

The Buddhist community, or *Saṅgha*, represents a fundamental aspect of Buddhist practice and identity, often conceptualised as a 'harmonious order.' The *Saṅgha* embodies the ideals of unity, discipline, and collective spiritual pursuit. This conceptualisation highlights the *Saṅgha*'s role not merely as a collection of individuals, but as a structured and purposeful community dedicated to achieving spiritual enlightenment and fostering harmony among its members.

'The nature of the *Saṅgha* is likened to the ocean through eight analogies that highlight its distinctive qualities: (1) just as the ocean becomes gradually deeper, so does study in the order gradually progress; (2) just as the waters of the ocean never exceed its shores, so do the Buddha's disciples never break the precepts; (3) just as the ocean never keeps a body and always casts it back on shore, so does the order always charge those who violate the precepts with their offences; (4) just as various rivers flow into the ocean and lose their names, so do those who enter the order abandon their social classes and lay names to be called only "disciples of the Buddha" or "monks"; (5) just as a salty taste is diffused throughout the ocean, so is the "taste" of salvation diffused throughout the order; (6) just as the ocean does not increase or decrease no matter how many rivers flow into it, so does the order not increase or decrease no matter how many of its members enter *nirvāṇa*; (7) just as a variety of treasures is hidden in the ocean, so are profound teachings and precepts found in the order; (8) just as great fish live in the ocean, so do illustrious disciples of the Buddha live in the order. These eight analogies, known as the eight wonderful qualities (*aṣṭa adbhuta-dharma*) of the order, eloquently capture the unique character of the *Saṅgha*.'[1]

The *Vinaya Piṭaka*, one of the three *Tipiṭaka*, serves as the foundation of monastic discipline within the Buddhist tradition. Understanding Buddhist monastic discipline requires more than just examining these canonical texts. The broader corpus of *Vinaya* literature, including paracanonical and non-canonical texts, these texts provide additional perspectives and interpretations that contribute to the understanding of monastic rules and their application over time.[2]

A central concept in the *Vinaya Piṭaka* is *āpatti* and *anāpatti*. *Āpatti,* meaning 'an ecclesiastical offence,' refers to actions that constitute violations of the monastic rules and require specific disciplinary measures. The *Suttavibhaṅga*, which serves as a commentary on the *Pātimokkha*, revolves around this concept, elaborating on what constitutes an offence (*āpatti*) and what does not (*anāpatti*).[3] It details each offence provides guidance on the appropriate responses, offering a comprehensive understanding of the attributes of *āpatti* and the Buddhist method of administering justice within the monastic community.

The text describes conditions under which a *bhikkhu/bhikkhunī* might not be considered guilty of an offence, such as cases where the *bhikkhu/bhikkhunī* is unaware of committing an offence or when a transgressive act is performed under duress without consent. This approach reflects an important aspect of Buddhist jurisprudence, the consideration of circumstances surrounding an offence before pronouncing judgment. The Buddha frequently inquired about the conditions under which an offence was committed, emphasising the importance of context in judicial decisions.

The concept of *anāpatti* has often been overshadowed by the more prominent focus on *āpatti* in scholarly discussions. This oversight has led to an incomplete understanding of how exceptions to monastic norms function within the framework of *Vinaya*. The concept of *anāpatti*, which denotes situations or actions that do not constitute violations of the rules, allows for flexibility and contextual adaptation within the rigid framework of monastic discipline.

Despite its structural importance, *anāpatti* has remained peripheral in scholarly accounts of the early Buddhist schisms. Those accounts have tended to foreground doctrinal disputes, the nature of the arahant, to invoke regional diversification and political patronage as the primary engines of sectarian division. This paper argues that such accounts are incomplete. The early schisms were, at their core, disputes about where the boundary of legitimate exception lay: about which acts fell under *anāpatti* and which did not. By recovering this dimension of the historical record, the paper offers a revised account of the mechanics of Buddhist schism.

The argument proceeds in three stages. The first reconstructs the historical development of the early *Saṅgha*, from the councils immediately after the Buddha's *Mahāparinibbāna* through the Aśokan missions and the establishment of geographically distinct communities. The second re-reads the Second Council controversy at Vaiśālī and the Pañcavatthu disputes as contests over the limits of *anāpatti*. The third situates these controversies within a broader pattern of adaptive exception-making illustrated by the Devadatta episode and the Bimbisāra ordination case.

2. Schisms and Historical Development

The historical context surrounding the early Buddhist schisms is complex and multifaceted, involving a confluence of doctrinal, geographical, political, and social factors. The division of the Buddhist community into

[1] Hirakawa, *History of Indian Buddhism*, 61.
[2] Prebish, *Buddhist Monastic Discipline*, 10
[3] Moitra, "The Early History of 'Āpaddharma," 133-34.

various schools was not an isolated event but rather a gradual process influenced by the evolving landscape of Indian society and the development of Buddhist thought. This section provides a comprehensive analysis of the factors that contributed to the early Buddhist schisms.[4]

The First Council and its Historicity

The period immediately after the Buddha's *Mahāparinibbāna* is crucial for understanding the early developments within the Buddhist community. Traditional accounts, such as those found in the *Pāli* chronicles *Dīpavaṁsa* and *Mahāvaṁsa*, describe the First Council at *Rājagṛha*, where the Buddha's teachings were supposedly recited and codified by his leading disciples. T.W. Rhys Davids and Hermann Oldenberg[5] were among the first Western scholars to engage with these texts, establishing a foundational narrative for early Buddhist history. However, the historicity of the First Council remains debated, with some scholars suggesting that these accounts were later constructions aimed at legitimising the *Theravāda* tradition.[6]

The designation of eighteen schools may be symbolic rather than literal, suggesting that the historical reality might have been different. Nevertheless, there is a consensus that, during the second and third centuries following the Buddha's *mahāparinibbāna*, the *Saṅgha* Buddhist monastic community began to split into various lineages of teachers (*ācariyakula*), doctrinal traditions (*vāda*), or fraternities (*nikāya*). Over time, these terms became synonymous, though they may not have been interchangeable in earlier periods.

Political Context and Royal Patronage

The political and social dynamics of the Indian subcontinent significantly influenced the early Buddhist schisms. The rise of the Mauryan Empire under Aśoka (c. 268-232 BCE) was particularly impactful. Aśoka's edicts, inscribed on pillars and rocks across his empire, had a profound influence on the spread and institutionalisation of Buddhism.[7] As Frauwallner notes, 'In my view everything becomes quite clear once we admit that all these schools were originally communities which owed their foundation to missions in distant countries and only later developed (in greater or lesser measure) into schools.'[8]

Aśoka's missionary activities were crucial in establishing Buddhism in various regions. The Sinhalese chronicles, including the *Dīpavaṃsa* and *Mahāvaṃsa*, as well as the historical introduction to the *Samantapāsādikā*, provide detailed accounts of these missions. Notable missionaries include: Majjhantika, who travelled to Gandhāra and Kashmir, Mahādeva to the Mahīśa country, Rakkhita to Vanavāsa, and Yonakadhammarakkhita to Aparāntaka. Other missionaries, like Mahādhammarakkhita, went to Mahāraṭṭha, while Mahārakkhita reached the Yonaka country. Kassapagotta, Majjhima, Durabhisāra, Sahadeva, and Mūlakadeva ventured into the Himālaya region, and Soṇa and Uttara travelled to Suvaṇṇabhūmi. The most renowned of these missions was that of Mahinda, Itthiya, Uttiya, Bhaddasāla, and Sambala to Sri Lanka (Tambapaṇṇi). These diverse missions established the foundation for the emergence of distinct Buddhist communities across various regions, which eventually evolved into the different *Vinaya* schools.[9]

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4 Sujato, 'The Date and Cause of the First Schism', 210-231.
5 Oldenberg and Rhys Davids, *Vinaya Texts Part I.*
6 Lamotte, *History of Indian Buddhism*, 1988 and Warder, *Indian Buddhism*, 1970.

7 Thapar, Aśoka and the Decline of the Maurya, 1961.
8 Frauwallner, The Earliest Vinaya and the Beginnings of Buddhist Literature, 1956.
9 *Ibid*

The *Vinaya* functioned as the core regulatory framework for these missionary communities, allowing them to develop unique identities while maintaining an interconnected relationship within the broader Buddhist tradition. This context explains the prominence of the *Vinaya* in these schools and their interconnected yet distinct nature.

Regional and Cultural Diversification

Buddhism's expansion into South Asia, Central Asia, China, and Southeast Asia led to significant regional adaptations and cultural influences, shaping the diversity of Buddhist schools. The establishment of monastic communities in geographically isolated areas contributed to the development of regionally specific sects with unique doctrinal and organisational characteristics.

Epigraphic evidence, including inscriptions and archaeological findings, offers valuable insights into the spread of various Buddhist schools and their patronage. Schopen's research highlights how inscriptions in regions such as Mathurā and Gandhāra indicate the presence of the *Sarvāstivāda* school, while Andhra inscriptions reveal the influence of the *Mahāsaṅghikas*.[10] These findings suggest that regional and cultural factors played a significant role in the dominance of particular schools.

As discussed by Hirakawa,

'When Indian Buddhism is compared to Chinese and Japanese Buddhism, differences in climate and geography are seen to affect religious practice. Those adaptations in practice brought about changes in doctrine. In contrast, the countries where *Theravāda* Buddhism is practiced, such as Sri Lanka, Burma, and Thailand have climates and geographies resembling those of India more than those of China and Japan. As a result, *Theravāda* religious practice is much closer to Indian Buddhism than to East Asian Buddhism.' [11]

The Council of *Vaiśāli* and Early Schisms

A critical point of discussion in this historical narrative is the Council of *Vaiśālī*, widely recognised as the first major schism event in Buddhist history. The council's account is preserved in various *Vinaya Piṭaka* versions, including *Pāli*, Sanskrit, Tibetan, and Chinese texts. Hofinger's work provides a comprehensive collection of these accounts, though they exhibit variations in the dating of the events. The *Pāli Vinaya* and related *Vinayas* date the council to (c.100BCE) after the Mahāparinirvāṇa, while the *Sarvāstivādin* and *Mūlasarvāstivādin Vinayas* date it to (c.110 BCE), reflecting attempts to synchronise with their own chronologies of Aśoka's reign.[12]

According to L.S. Cousins, the accounts we possess date from 4th to 6th centuries after the schism, or potentially up to 8th centuries by a longer chronology. This temporal distance significantly complicates our understanding of the historical realities underlying these narratives. The *Mahāvibhāṣā*, one of the earliest sources referring to this schism, was composed after Kaniṣka's reign. However, it is worth noting that the relevant passages concerning the schism are conspicuously absent in the earliest Chinese translations of this text, suggesting that these accounts may have been later interpolations.[13]

The *Dasavatthu* and *Pancavatthu* Controversies: The Second Buddhist Council

The Second Buddhist Council, held at Vesālī, addressed disputes concerning monastic discipline and practices. The traditional *Pāli* account, as detailed in the *Cullavagga* of the *Vinaya Piṭaka*, highlights the *"*Ten Points*"*

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[10] Schopen, *Bones, Stones, and Buddhist Monks*, 1997.

[11] Hirakawa, *History of Indian Buddhism*, 1.

[12] Frauwallner, The Earliest Vinaya and the Beginnings of Buddhist Literature, 1956 and Hofinger, *Etude sur le Concile de Vaisali*, 1946.

[13] Cousins, "The 'Five Points' and the Origins of the Buddhist Schools," 1992.

dispute.[14] This assembly of seven hundred monks aimed to address and resolve disputes concerning these practices. Although the primary focus of the council was to adjudicate the ten controversial practices.

The practices in question, as outlined in *Pāli* sources, included:

i. Carrying salt in an animal horn, which violated a rule against the storage of food.

ii. Consuming food when the shadow on the sundial was two fingers past noon, breaching the rule prohibiting eating after midday.

iii. Travelling to another village to have a meal on the same day, which breached the precept against overeating.

iv. Holding multiple fortnightly assemblies within the same monastic boundary (*sīmā*), thereby violating the procedural requirement for collective attendance.

v. Confirming ecclesiastical acts in an incomplete assembly and later seeking approval from absent monks, a practice contrary to established procedural norms.

vi. Using habitual practice as a basis to override established monastic procedures, which contravened procedural rules.

vii. Drinking milk whey after meals, a violation of the prohibition against consuming special food when not ill.

viii. Consuming unfermented wine, in breach of the rule against intoxicating beverages.

ix. Using a mat with fringes, which did not conform to the prescribed measurements for rugs.

x. Accepting gold and silver, violating the prohibition against receiving monetary donations.[15]

The resolution of these disputes highlighted the tension between adhering strictly to the precepts versus accommodating practical necessities. The practices were prohibited under the full sets of monastic precepts, which demanded rigorous observance from the monks. The controversy surrounding the tenth practice whether monks could handle gold and silver was particularly argumentative and emblematic of the broader dispute between conservative and liberal factions within the monastic community.

Kākaṇḍakaputta Yaśa's Role

The controversy began when Elder Kākaṇḍakaputta Yaśa, who travelled to Vaiśālī and observed that monks there were accepting alms of gold and silver, a direct violation of the *Vinaya* rules. Yaśa's attempts to rectify this behavior led to his expulsion from the order by the monks of Vaiśālī. Seeking support, Yaśa journeyed westward, appealing to monks from regions including Avanti, Pāvā, and areas along the Southern Route. Notably, the region of Pāvā was an influential Buddhist centre, further highlighting the expansion of Buddhism beyond central India.

Among the prominent monks in the west were Sambhūta Sānvāsī, residing on Mount *Ahogaṅga*, and Revata from Soreyya, a town near *Sāṅkāsya* and Pāvā. Yaśa's appeal for assistance thus symbolised a significant east-west divide within the Buddhist order. The conflict over the ten practices was not merely a regional issue but represented a broader ideological divide between a conservative faction, which adhered strictly to the precepts, and a more liberal faction, which sought to permit certain deviations from the monastic rules.

[14] Oldenberg, *Vinaya Piṭakam* Vol. II, 294–307.
[15] Hirakawa, *History of Indian Buddhism,* 1991.

This schism, referred to as the basic schism or (Ch. ken-pen fen-lieh) in Chinese, led to the emergence of two distinct schools: the *Mahāsāṃghika* and the *Sthaviravāda* (later known as the *Theravāda*). The *Mahāsāṃghika*, meaning 'great assembly,' was associated with the liberal faction that opposed the conservative ruling, while the *Sthaviravāda* adhered to the stricter interpretation. The schism marked a significant divergence in Buddhist practice and interpretation, shaping the development of different Buddhist traditions and sects.

The *Pañcavatthu* Controversy

The early Buddhist schism was driven not only by disputes over the Ten Points (*dasavatthu*) but also by doctrinal controversies, particularly those outlined in the *Pañcavatthu* (Five Points). According to the I-pu-tsung-lun-lun, *Samayabhedoparacanacakra*; hereafter cited as *Samaya*), authored by Vasumitra from the Northern tradition, the basic schism within the Buddhist order was precipitated by five specific teachings introduced by a figure known as *Mahādeva*.

The controversy over these five teachings, as recorded in various *Vinayas* and additional sources, is said to have occurred approximately a century after the Buddha's death. Both the Sri Lankan chronicles and the *Samaya* from the Northern tradition place the basic schism around this same period. This chronological alignment across sources supports the assertion that the basic schism, leading to the formation of the *Mahāsāṃghika* and *Sthavira* schools, was indeed linked to the disputes over the ten points of *Vinaya* practice. These points were debated by various schools, including the *Theravāda, Sarvāstivāda, Mahīśāsaka*, and *Dharmaguptaka*, all of which concur that the controversy emerged roughly one hundred years after the Buddha's passing.

Mahādeva's story begins in Mathura, India, where as a young man he committed grave offences, including matricide, prompted by personal and familial turmoil. His eventual conversion to Buddhism and ordination as a monk did not erase the controversies surrounding his past.[16] As Mahādeva became a prominent monk known for his mastery of the *Tripiṭaka*, he inadvertently sparked a series of doctrinal debates based on his personal experiences. These present a distinctive view on the nature of anāgāmis and arahants:

i. *Arahants* may experience sexual temptations.
ii. *Arahants* may retain some level of ignorance.
iii. *Arahants* can have doubts.
iv. *Arahants* may achieve enlightenment with the assistance of others.
v. The path to enlightenment may be realised with an exclamatory remark.

These teachings suggest a relatively critical view of the *arhant*'s enlightenment, challenging the traditional perceptions held by more conservative factions. The presence of these doctrines in the *Sarvāstivāda* School's Samaya and *Mahāvibhāṣā*, as well as the *Theravāda* text *Kathāvatthu*, highlights their role in the broader doctrinal debates within early Buddhism. The spread of Mahādeva's teachings, including the Five Points, beyond his immediate circle to regions like *Mahīṣamaṇḍala* (modern day Andhra Pradesh) resulted in the formation of distinct sects such as *Pūrvaśaila*, *Apara-śaila*, and *Uttara-śaila*. Moreover, Mahādeva's influence extended beyond the initial schism, as his teachings continued to incite further splits within the *Mahāsāṃghika* tradition itself.[17]

[16] Silk, *Riven by Lust*, 2008.
[17] Hirakawa, *History of Indian Buddhism,* 1991.

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3. Role of *Anāpatti* in Schisms

The early Buddhist schisms have been attributed to various factors, including doctrinal disputes, regional diversification, and political influences. However, my contention is that the concept of *anāpatti*, meaning exceptions to the norms or no offence, played a significant role in these schisms. This perspective adds a new layer to the understanding of early Buddhist Schisms, suggesting that deviations from established monastic rules were central to the conflicts that led to schisms.

The term *anāpatti* is a *Pāli* word found in the *Pāli Vinaya*, signifying instances where certain actions are not considered offences under specific circumstances. These exceptions allowed for flexibility within the strict regulatory framework of the monastic community. Despite its critical role, the term and concept of *anāpatti* is often overlooked in existing scholarly work. Scholars frequently use terms such as allowances, exceptions, or no offence to describe similar concepts across various *Vinayas* but have not thoroughly explored the implications of *anāpatti*.

As argued in this paper, early schisms were significantly influenced by the concept of *anāpatti*. The *dasavatthu* (ten points) and *pañcavatthu* (five points)[18] controversies illustrate how exceptions to the norms became contentious issues within the monastic community. These exceptions, or deviations from established norms, often sparked debates about the integrity and adaptability of monastic rules, leading to ideological divides.

However, the role of *anāpatti* as a formalised concept of exceptions to these precepts has not been adequately addressed. When exploring the section on the comparison of different *Vinayas* and their rules and regulations, it becomes evident that the variations were mostly in the exceptions according to their necessity and climatic conditions. They adapted and made their rules flexible according to their needs and the doctrines they were following.

For example, the allowance to carry salt in an animal horn (one of the ten points) was not merely a practical adaptation but an instance of *anāpatti*. This exception, while seemingly minor, represented a broader challenge to the rigid interpretation of monastic rules. Such deviations were perceived by some as necessary adaptations to changing circumstances, while others viewed them as undermining the foundational precepts of the monastic order.

A notable illustration of the role of *anāpatti* is the story of Devadatta's attempt to introduce five ascetic practices for the *bhikkhu*s. As narrated in the *Suttavibhaṅga*, *Saṃghādisesa* X[19], 'Devadatta, along with four other *bhikkhu*s Kokālika, Kaṭamorakatissaka, the son of lady Khaṇḍā, and Samuddadatta proposed a schism within the Saṃgha by asking the Buddha to institute five *dhuta* practices as mandatory for all members. They proposed: 1) Monks should be forest dwellers, and living near a village should be considered a sin. 2) Monks should beg for alms, and accepting invitations should be considered a sin. 3) Monks should wear robes taken from the dust heap, and accepting robes from householders should be considered a sin. 4) Monks should live at the foot of a tree, and living under cover should be considered a sin. 5) Monks should not eat fish and flesh, and consuming such should be considered a sin.'

Devadatta projected that the Buddha would reject these strict austerities, creating a pretext for schism. The Buddha's response was noteworthy for its flexibility

'Enough, Devadatta. Whoever wishes, let him be a forest-dweller; whoever wishes, let him dwell in the neighbourhood of a village; whoever wishes, let him be a beggar for alms; whoever wishes, let him wear rags taken from the dust-heap; whoever wishes, let him accept a householder's robes. For eight months, lodging at the

[18] Hirakawa, *History of Indian Buddhism,* 1991.
[19] Horner, *The Book of the Discipline*, I, 296–297.

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foot of a tree is permitted by me (i.e., during the rains). Fish and flesh are pure in respect of three points: if they are not seen, heard, or suspected (to have been killed for him).'

The Buddha allowed Devadatta's austerities as optional practices but did not make them compulsory. This incident illustrates how the Buddha's approach to *anāpatti* maintained the necessary flexibility to accommodate individual circumstances without imposing rigidity on the entire monastic community.

Another compelling example of *anāpatti* in action is found in the *Mahāvagga*, where the Buddha pacified King Bimbisāra[20] by altering ordination norms. The king pointed out to the Buddha the lapses that followed from the ordination of individuals serving as war soldiers. In response, the Buddha immediately adjusted the rules, deciding that people in royal services should never be conferred ordination by the Order. This incident demonstrates the Buddha's pragmatic approach to *anāpatti*, ensuring that the monastic rules remained relevant and harmonious with the broader societal context.

By highlighting this aspect, we can better appreciate the complex debates that shaped the early Buddhist community. Existing scholarly work has not sufficiently addressed this dimension, often using broader terms like allowances or exceptions without exploring into the specific implications of *anāpatti*. My analysis suggests that these deviations from the norms were central to the ideological divides that led to schisms, offering a fresh perspective on the historical development of early Buddhism.

4. Conclusion

This paper has argued that the concept of *anāpatti*, the formalised space of exception within Buddhist Vinaya law was a primary, rather than peripheral, driver of the early Buddhist schisms. The disputes at the Second Council of Vaiśālī, the Devadatta episode, and the Mahādeva controversy all turn, on close examination, on contested claims about where the boundary between *āpatti* and *anāpatti* lies: about which acts, in which circumstances, with which intentions, qualified as permissible exceptions to the monastic code.

The historical development of the *Saṅgha* from the uncertain historicity of the First Council through the Aśokan missions and the establishment of geographically dispersed communities created the conditions under which divergent interpretations of exception were both necessary and inevitable. Communities living in different climates, economic systems, and social structures could not maintain identical Vinaya practices; they adapted, and the adaptations they endorsed as legitimate were, in Vinaya terms, claims about the scope of *anāpatti* . When those claims proved irreconcilable, schism followed.

Oskar von Hinüber's sustained investigation into *anāpatti* and the development of Buddhist juridical thinking remains, decades later, largely unanswered. The present analysis suggests that such an investigation pursued comparatively across all major Vinaya traditions and attentive to the practical conditions of monastic life in diverse regions will substantially revise our understanding not only of Buddhist law but of the historical process by which the unified *Saṅgha* of the Buddha's time became the pluralised tradition of schools we study today.

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