

How the Vinaya Term ‘Ubbàhikà’ could be used in the Modern Times to Solve Complicated Conflicts?

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Today we are living in the world of never ending conflicts among the human race. Everyday we are looking for some new concepts to put these unending conflicts to an end. In this paper, I am going to introduce one such new concept found in the earliest texts of discipline (Vinayapitaka) called Ubbàhikà. The term ‘Ubbàhikà’ is formed by adding the prefix ud to the root √vah meaning simply ‘reference’ – the turning over of a difficult or complicated case from the general saïgha to a special committee, as was done in the second council at Vesàli. However, Pàli scholars both from the East and West have rendered various meanings to this very term like separation, referendum, jury, a committee of referees, arbitration, exclusion, and elimination. Actually, what the word really means is this: “In case of dispute, as the monks have gathered for hearing, there is a necessity to appoint some of them to act upon as committee. Once the committee is appointed and as the hearing is going on, those who excluded from the community are expected to observe the silence. Therefore, they are excluded or separated from the right of expressing their views. This is called “separation” or Ubbàhikà.” This appointing of the community members is done in accordance with Nàttidutiyakamma.

The Buddha introduced this concept to the community of monks when there was a dispute and when the monks could not settle and come to a proper conclusion after discussing in an

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assembly for a long time. In such cases, two or more monks possessing the requisite qualifications were selected from the members of the assembly and their names were placed before the assembly for approval, and were adopted if the members are agreed. The selected monks were then entrusted with the duty of settling the dispute. The Buddha introduced the concept in the Samathakkhandha of Cullavaggapàli in the Vinayapitaka. A monk to be chosen for such a committee must possess the following ten qualifications: he should be virtuous...he knows what a legal question is; he knows the uprising of a legal question; he knows the stopping of a legal question; he knows the course leading to the stopping of a legal question. This method of ubbàhikà was adopted in the second council to settle the disputes between the Vajjian monks and Yasa Thera. It was by ubbàhikà that four monks of the eastern countries and four of Pàveyya were chosen and the decision of this sub-committee of eight was placed before the whole Sangha for confirmation. At the end all the disputes were settled by the committee of these selected eight monks. Likewise, this concept could be used in the modern societies to solve various social problems. This method is very important specially to settle a problem among the people working in a large institute, factory and so on.

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