

The Second Precept: Abstinence from Taking What Is Not Given

The second precept reads: *Adinnadana veramani sikkhapadam samadiyami*, "I undertake the training rule to abstain from taking what is not given." The word *adinna*, meaning literally "what is not given," signifies the belongings of another person over which he exercises ownership legally and blamelessly (*adandaraho anupavajjo*). Thus no offense is committed if the article taken has no owner, e.g., if logs are taken to make a fire or stones are gathered to build a wall. Further, the other person has to have possession of the article taken legally and blamelessly; that is, he has to have the legal right over the article and also has to be blameless in his use of it. This latter phrase apparently becomes applicable in cases where a person gains legal possession of an article but does so in an improper way or uses it for unethical purposes. In such cases there might be legitimate grounds for depriving him of the item, as when the law requires someone who commits a misdemeanor to pay a fine or deprives a person of some weapon rightfully his which he is using for destructive purposes.

The act of taking what is not given is formally defined thus: "Taking what is not given is the volition with thievish intent arousing the activity of appropriating an article belonging to another legally and blamelessly in one who perceives it as belonging to another." As in the case of the first precept the transgression here consists ultimately in a volition. This volition can commit the act of theft by originating action through body or speech; thus a transgression is incurred either by taking something directly by oneself or else indirectly, by commanding someone else to appropriate the desired article. The fundamental purpose of the precept is to protect the property of individuals from unjustified confiscation by others. Its ethical effect is to encourage honesty and right livelihood.

According to the commentaries, for a complete breach of the precept to be committed five factors must be present: (1) an article belonging to another legally and blamelessly; (2) the perception of it as belonging to another; (3) the thought or intention of stealing; (4) the activity of taking the article; and (5) the actual appropriation of the article. By reason of the second factor there is no violation in taking another's article if we mistakenly perceive it as our own, as when we might confuse identical-looking coats, umbrellas, etc. The third factor again provides a safeguard against accidental appropriation, while the fifth asserts that to fall into the class of a transgression the action must deprive the owner of his article.

It is not necessary that he be aware that his possession is missing, only that it be removed from his sphere of control even if only momentarily.

Taking what is not given can be divided into many different kinds of violation. We might mention some of the most prominent. One is *stealing*, that is, taking what is not given, secretly, without the knowledge of the owner, as in housebreaking, a midnight bank theft, pickpocketing, etc. Another type is *robbery*, taking what is not given by force, either by snatching someone's belongings away from him or by compelling him to hand them over by means of threats. A third type is *fraudulence*, laying false claims or telling lies in order to gain someone else's possessions. Still another is *deceit*, using deceptive means to deprive someone of an article or to gain his money as when storekeepers use false weights and measures or when people produce counterfeit bills for use.

The violation of this precept need not amount to a major crime. The precept is subtle and offers many opportunities for its breach, some of them seemingly slight. For example, transgression will be incurred when employees take goods belonging to their employers, pocketing small items to which they have no right with the thought that the company will not miss them; when using another's telephone to make long-distance calls without his consent, letting him cover the bill; in bringing articles into a country without declaring them to customs in order to avoid paying duty on them; in idling away time on the job for which one is being paid in the expectation that one has been working diligently; in making one's employees work without giving them adequate compensation, etc.

By way of its underlying roots, the act of taking what is not given can proceed either from greed or hatred, both being coupled with delusion. Stealing by reason of greed is the obvious case, but the offense can also be driven by hatred. Hatred functions as the motive for stealing when one person deprives another of an article not so much because he wants it for himself as because he resents the other's possession of it and wants to make him suffer through its loss.

The degree of blame attached to acts of stealing is held to be determined by two principal factors, the value of the article taken and the moral qualities of the owner. In stealing a very valuable article the degree of blame is obviously greater than in stealing an article of little worth. But where the value of the article is the same the blameworthiness of the action still varies relative to the individual against whom the offense is committed.

As determined by this factor, stealing from a person of high virtuous qualities or a personal benefactor is a more serious transgression than stealing from a person of lesser qualities or from an unrelated person. This factor, in fact, can be even more important than the cash value of the object. Thus if someone steals an almsbowl from a meditative monk, who needs the bowl to collect his food, the moral weight of the act is heavier than that involved in cheating a racketeer out of several thousand dollars, owing to the character of the person affected by the deed. The motivation behind the action and the force of the defilements are also determinative of the degree of moral gravity, hatred being considered more culpable than greed.

Source: Taken and adapted from "Going for Refuge & Taking the Precepts", by Bhikkhu Bodhi. *Access to Insight (Legacy Edition)*, 1 December 2013, <http://www.accesstoinsight.org/lib/authors/bodhi/wheel282.html> .

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