

BUDDHISM AND HUMAN RIGHTS: POINTS OF CONVERGENCE HOW CAN BUDDHISM CLARIFY THE MODERN VIEW OF HUMAN RIGHTS?

By TORU SHIOTSU
Associate Professor, Soka University,
Chief Research Fellow, Institute of Oriental Philosophy

The purpose of this paper is to explore the philosophy of Buddhism from a legal, in particular, constitutional law perspective and to attempt to identify correspondences between certain Buddhist concepts, especially those found in the Mahayana Buddhist tradition, and modern human rights theory. I hope to identify issues that can contribute to the further widening and development of the discourse on human rights. This attempt is not without its difficulties. There is still a paucity of literature on the relationship between Buddhist thought and human rights; and it is difficult to find direct correspondences between the classical texts of Buddhism and modern enunciation of human rights. There is also a need for the Buddhist tradition as a whole to take full stock of its impact—both positive and negative—on the realization of human rights, including its relationship with the structures of power and control in those societies where Buddhism has been an important cultural presence.

In the case of Japanese Buddhism, the relationship between Buddhism and state authority during the Edo period (1600–1867) is especially problematical. This relationship must be acknowledged as one of collusion with the apparatus of control and oppression, in which Buddhist temples acted as agents of administrative control and this worked against the interests of human rights. This paper is an attempt to reconcile this failure (reproduced in various degrees in other cultural and historical settings) with what I perceive to be the important contributions to human rights which are equally part of the core philosophical stance of Buddhism.

From a Constitutional Law Perspective

If we examine recent trends in the constitutional law discourse on human rights in Japan, there is reason to believe that new opportunities are coming to the fore to find areas of commonality with Buddhist thought. Specifically, the search for the basis for a new generation of human rights (such as the right to privacy) not explicitly codified in the existing constitution has sparked new debate and led to a search to clarify the basis on which fundamental human rights rest. This has meant moving beyond narrow positive-law readings of specific articles and clauses and has involved questions that best fall within the realm of the philosophy of law. For example, Article 13 of the Japanese Constitution declares that “all of the people shall be respected as individuals.” From this effort, an important school of thought has emerged that identifies “human dignity” as the basis for human rights. The noted constitutional scholar, Ashibe Nobu-yoshi, for example, has stated that human rights “derive from the inherent dignity of the human being,” a view widely shared by many other scholars in the field.

The question that remains is what, in concrete terms, is “human dignity”? One answer is to be found in the natural rights tradition that finds its classical expression in the 1789 French Declaration of the Rights of Man and the Citizen: “All people are born free and equal.” As the language used makes clear, natural rights philosophy seeks to base this

assertion on the existential foundation of what “is” — that we “are” born free and equal. A cursory examination of social realities, however, will find people to be both unfree and unequal, and contemporary human rights thinking has had to abandon the descriptive “is” for the prescriptive “should be.” Further, the actual content of human dignity—the integration of the qualities of freedom and equality (or the foundation for these)—has been conveyed as an ideal image of humanity encapsulated in such phrases as “personal autonomy” and “individual self-determination.”

It is, of course, not possible to offer empirical verification that these qualities in fact represent a definitive understanding of the nature of human dignity. Rather, the adoption of these qualities as ideals provides a reasonable theoretical structure on which to formulate contemporary efforts to guarantee human rights. In this instance, reason indicates that which, because of its logical consistency, can be adopted as the widely accepted consensus in human societies. In this way, we can see that the current human rights discourse within the constitutional law community has a distinctly normative thrust in that it seeks to clarify desirable ideals of human existence and behavior.

For its part, the Buddhist tradition, at least in its classical texts, contains no direct references to specific human rights, such as freedom of expression, etc. Buddhism does, however, seek to address questions such as the nature of existence and of human dignity. It should thus be possible, by focusing on their respective arguments regarding the nature of human dignity, to find points of contact between Buddhism and the normative thread of the constitutional human rights discourse.

Limitations of Institutionalized Buddhism

In seeking to verify the theoretical possibilities of Buddhism in relation to human rights, it is not appropriate to limit ourselves to merely examining the various statements found within the Buddhist canon. Rather, it is vital that we reinterpret the philosophical content of the Buddhist classics in light of modern human rights theory and the problem it seeks to address. At the same time, to be relevant, the theoretical possibilities of Buddhist thought must be clarified within the context of the tensions between those possibilities and the history and present realities of the Buddhist church. Buddhism has, of course, been an important influence in the development of a wide range of cultural traditions and any attempt to offer a comprehensive survey of the impact of that influence on the enjoyment of what we now know as “human rights” is beyond the scope of this paper. In this context, Japanese Buddhism’s relation to the structures of social control in the Edo Period offers an extreme, but not entirely unique example of the Buddhist church acting counter to the interests of human rights. What this most powerfully illustrates is Buddhism’s historical failure to transform itself and its subsequent failure to realize its potential to make positive contribution to the enjoyment of human rights.

The Parishioner System in the Edo Period

During the Edo Period, the Japanese shogunate government engaged in the ruthless persecution of Japanese Christians. The Buddhist church was enlisted in this effort, as all births and deaths were required to be registered with a Buddhist temple. In this way, the previously voluntary parishioner system of local temples fell under the control of the shogunate government, and was effectively integrated into the overall system of national administration. At the same time, the Buddhist church acquiesced in having all acts of “praising ones own sect and disparaging others” outlawed, an effective prohibition on

religious debate and propagation. In this sense the “Rules of Sect Parishioners” is emblematic. Although said by some to be a later forgery, this document demonstrates the willingness of the Buddhist church in Japan to use the name of founding shogun, Tokugawa Ieyasu, to establish a legal requirement for citizens to attend funerary and other ceremonies held at Buddhist temples. Here Buddhism abandoned its original mission of providing spiritual sustenance to people and chose instead to act as an agent of control for secular political authority. Local temples were institutionalized, in other words, as the administrative unit in most direct contact with the Japanese populace. What were the effects of this?

First, by taking a sanctioned place within the governing structure, Buddhist priests were established in a position of clear superiority to lay believers. Because the temples were the only organ that could issue, in the form of a posthumous Buddhist name, definitive proof that a person and his family were not Christian, they exercised an absolute authority over the lives of believers. (Incidentally, the abuse of these posthumous names was not limited to the Edo Period. Even in the post-war period, certain temples persisted in only issuing to so-called *Burakumin* posthumous names that clearly identified their bearers as *Burakumin*, thus contributing to the continuance of a range of discriminatory practices against the former members of Japan’s untouchable caste.)

Equally problematic is the subversion of the Buddhist theory of causation and karma. This theory, originally a teaching that posits a universe governed by an impartial law of causality, encourages people to take responsibility for shaping their own destinies. It was reinterpreted to justify oppression, as the victims of discrimination, poverty and other forms of social marginalization were told that their present unhappiness stems from evil acts they committed in past lives. What should have been a teaching of individual responsibility and empowerment thus became a teaching of predestination and disempowerment, urging people to accept the karmic inevitability of their plight.

As these examples show, institutionalized Buddhism in Japan has been complicit to societal discrimination, providing a religious basis and justification for such practices.

A Failure to Reform

The role of Christianity in the establishment and development of the modern theory and practice of human rights is often noted. Christianity’s contributions were importantly facilitated by reforms and regeneration that issued from within the Christian church and community. As a result, there was a fundamental rethinking of the role and significance of religion in human life, the function of clerics, and relations between church and state. Although also a religion with historical roots in antiquity, Christianity, through its energetic efforts to confront and respond to the changing currents of history, was able to become an active participant in the discourse around the core problems of modernity—the emergence of the individual; the question of freedom and the national state; and, for our purposes most importantly, the enunciation of human rights and the establishment of the institutional means of protecting them.

The contrast with Buddhism, particularly in Japan, is striking. It is true that the pernicious institutions of the Edo Period referenced above no longer exist, and the postwar constitution guarantees a degree of actual religious freedom unthinkable under the Meiji Constitution (1889–1945). In this sense, Buddhism in Japan is no longer directly linked to the mechanisms of political and social control as in the past. The question remains, however, as to how far it has been intellectually liberated from the legacy and constraints of past institutionalization.

The mere fact that there are now constitutional guarantees of freedom of belief does not in itself mean that Buddhism in Japan has returned to its intellectual and spiritual roots to become an active and contributing participant in the social discourse. In this context, the observation by political scientist Maruyama Masao is relevant: Authentic freedom involves more than the mere freedom from restraint; it is the freedom to creatively generate ethical norms and standards through rational decision-making.

For Buddhist thought to contribute to the furtherance of human rights, its adherents must not be satisfied with religious freedom as mere freedom from constraint, but must view this as an opportunity for the reexamination and reformation of views and practices. This means not only making a clear accounting of the historical record, but also striving to expunge those accretions and attitudes that continue to lend support to relations of discrimination and domination. This further means undoing the state of intellectual atrophy that has resulted in Buddhism's avoidance of active engagement in the issues of the day, the passive acceptance of prevailing social conditions and mores. Without this kind of inner-driven reformation, Buddhism cannot hope to serve as the basis for the kind of rational decision-making that can give birth to a new social order. Finally, this means not being content with the philosophical study of classical texts, but aggressively mining Buddhist thought for its rich insights into the nature of human dignity, which can enhance human rights theory and practice. Only then can Buddhists be said to be exercising the freedom to creatively generate new ethical norms and standards.

As a religion that seeks enlightenment and spiritual emancipation, the Buddhist tradition has historically been deeply concerned with the nature of human existence and of human dignity. It is here that it is possible to identify points of contact with the theories of human rights in the constitutional law tradition. Specifically, the following Buddhist concepts can be said to intersect with the idea of human dignity set out in modern human rights theory: the idea of the universal possession of a Buddha nature; the theory of dependent origination; and the teaching of karma.

Here I would like to clarify what I see as some of the points of commonality, as well as difference, between the concept of human dignity as understood in Buddhism and in modern human rights theory.

Buddha Nature and Human Equality

Of all Buddhist doctrine, the Mahayana Buddhist teaching that all people (in fact all living beings) possess a Buddha nature perhaps bears most directly on the question of human dignity. This can also be understood as a teaching of human equality.

The religious philosophy known as Buddhism is at once what the Buddha teaches as well as a teaching by which people may themselves become Buddhas. Christian tradition, in contrast, is predicated on a God whose existence transcends that of human beings. From the Christian perspective, human dignity derives from the idea that humans were made "in the image of God," but not because they have the potential to become God. And while Christianity asserts the equality of all people in the eyes of God, there remains, in most interpretations, an unbridgeable distance between humans and an absolute and transcendent God. The equality of all people before God is further undermined when clerics are elevated to the position of a necessary intermediary between humans and God. (This is, of course, a very broad generalization and does not attempt to address those within Christian tradition who stress the immanence of the divine.)

An even more sweeping concept of equality is set out in the Lotus Sutra and other key

texts of the Mahayana tradition. The Nirvana Sutra for example contains the phrase “all living beings without exception possess the Buddha nature,” expressing the view that all people have the potentiality to attain enlightenment and become Buddhas. This teaching radically truncates the distance between human beings and Buddhas and establishes their equal capacity to become enlightened as the basis for the equality of all people.

The idea of human equality is further emphasized by the methods by which this potential for enlightenment is to be realized—which are all rooted in the autonomous efforts of the individual. Within this tradition, Buddhist monks are not granted special access to the will of the Buddha. Rather, as the Buddha himself is said to have taught, we must “realize our own salvation!” Thus, people can and must attain enlightenment through the workings of their own will, that is, through their determination to carry out an altruistic practice to alleviate the sufferings and augment the happiness of others. Identifying autonomous religious practice as the means of realizing the potential equally present in all people deepens and concretizes our appreciation of human equality.

At this juncture it is important to clarify that the idea of Buddha nature refers to the *possibility* of becoming a Buddha. Within the Mahayana tradition there are cases, such as the “original enlightenment” theory in the Tendai School in Japan, which assert that the idea that all people possess the Buddha nature means that they are already enlightened. The effect of this interpretation has been to extend a blanket affirmation to present human realities, undermining the need for continuous striving toward self-improvement. This view has also had the effect of promoting an unquestioning acceptance of social conditions. When, however, Buddha nature is understood as an immanent potentiality, it inspires a critical examination of personal and social realities, and occasions the limitless pursuit of the ideal of developing the possibilities of human existence.

In the West, modern natural rights theories have had a clear impact on reality by providing, for example, the intellectual and philosophical basis for resistance to absolute monarchy and other oppressive institutions. In contrast, while the idea that all people possess Buddha nature has undergone rigorous theoretical elaborations, one can only lament the general failure to put its clear implications into practice.

Again, Buddhists cannot deny those instances when their faith has been used to provide support and fixity to conditions of social inequality under the patronage of state authority. It is clear that the historic Buddha was himself critical of social discrimination such as the caste system and struggled against various forms of discrimination and prejudice. It is vitally important that Buddhists return to that original spirit, using it as a lens for viewing present realities and giving full expression to the necessary implications of the assertion that all people, without regard to social status or economic standing, equally possess the potential to achieve a state of freedom, inner perfection, courage and wisdom.

Manifesting Buddha Nature Amidst the Concrete Realities of Life

It should also be affirmed in this context that “becoming a Buddha” does not in any sense mean to cease being human. Humans are compelled to live within their present circumstances, what might be termed the concrete realities of life. In the Mahayana tradition, it is only within the context of these realities that enlightenment or salvation is possible. This is the significance, for example, of the Chinese Buddhist Chi-i’s (T’ien-t’ai 538–97) theory of the “mutual possession of the ten worlds.” In Chi-i’s schema, human experience can be categorized into ten distinct realms, which range from hell to Buddhahood. These states are neither strictly subjective nor objective; they represent the subtle

interaction between inner subjective processes and external objective conditions. In the Buddhist view, the individual always has both the capacity and responsibility to react positively to her or his circumstances, and to transform them. Chi-i expresses this possibility as the mutual possession of the ten worlds, meaning that each state or “world” contains within it all the other states. Of the ten worlds, the first six—Hell, Hunger, Animality, Anger, Humanity and Rapture—refer to the experiences of desire, hope, suffering and joy commonly seen in people’s lives.

In the present context, what is most important to note is that the world of Buddhahood is neither discontinuous nor isolated from the other states of life. The sufferings and delusions of the other nine worlds are considered to be integral to—even necessary for—the enlightenment of the tenth world of Buddhahood.

Buddhist tradition refers to the Buddha as one who has successfully struggled with delusion and attachment, transmuting these into awakening and truth. The ideal of Buddha-hood thus is not something apart from the realities of the world and daily life. Concretely, the universal possession of Buddha nature indicates the capacity—which all people possess—to participate in this dynamic process, to deploy wisdom amidst the trials and struggles of daily life, to discover meaning and create value, to improve themselves and their circumstances. The teaching of Buddha nature thus acknowledges the concrete realities of individual human lives while asserting that all people possess dimensions of possibility that can be termed transcendent.

Here we may note a point of distinction between the Buddhist perspective described above and the personal autonomy, which, according to constitutional legal scholarship, constitutes the foundation of human dignity. In Japan, theories of personal autonomy are said to have been largely influenced in their development by German theorists, in particular the philosophy of Immanuel Kant.¹ In Kant’s view, human dignity refers to the capacity of a person to use practical reason to make rational decisions, and to take responsibility for those decisions. This view of personal autonomy emphasizes certain abstract qualities such as reason and spirituality and is predicated on the assumption that a person is able to make full use of these qualities and capacities. It undeniably represents, in this sense, an idealization of human existence. Likewise, the social and economic conditions that facilitate this kind of personal autonomy are ignored, leaving us with an inadequate portrayal of human beings struggling to live amidst the exigencies of real life. Thus, even if we recognize the value of an abstract conceptualization of personal autonomy, we must also understand that this can only find effective expression when it is mediated through the concrete realities and experiences of life. The teaching of the universal possession of Buddha nature, elaborated as the mutual possession of the ten worlds, emphasizes the importance of deploying human wisdom within the context of the actual problems of living and in this sense can help us arrive at the more concrete and immediate understanding of human dignity that we require.

Buddha Nature and Individuality

In looking at the teaching of the universal possession of the Buddha nature, we have seen that it can be considered a teaching of quality in that it assumes that all people equally possess the possibility of enlightenment. This does not, however, mean that all people are, in their actualities, equal, nor is it a mechanistic egalitarianism that posits sameness or uniformity as a desirable human condition. The human quality posited in this teaching is the equality of immanent potential possessed by all people. At the same time, this teaching

requires that we maintain a firm respect for this potential in others as a necessary condition for realizing that potential ourselves.

Earlier we defined the Buddha nature as the ability to deploy wisdom in the process of living more fully. Since each human lives within the context of a unique set of physical, psychological and social conditions, the manner in which each person lives more fully will naturally also be unique.

Individuality here does not, of course, refer to the mere assertion of superficial difference in relation to others. One of the key Mahayana texts is the Lotus Sutra. A central image in this teaching is the dramatic emergence of a vast “treasure tower” adorned with precious jewels. This symbolizes the manifestation of the inherent capacities for wisdom, courage and compassion that all people possess. Nichiren, the 13th-century Japanese Buddhist teacher who based his teaching on the Lotus Sutra, wrote to one of his followers: “You are the treasure tower; the treasure tower is you.” With this he clearly identified that which is of highest possible value within the life of an individual.

Again, the teaching of Buddha nature emphasizes the possibility that all people can attain enlightenment. The stance here is not simply to seek to understand people in their present realities, but to secure a realm of immanent possibility. This forestalls the wholesale rejection of cases in which people are unable, for whatever reason, to fully exercise those inherent capacities. It embraces the possibility of instances in which a degree of assistance, of an either private or social nature, will enable those latent potentialities to be realized, while at the same time fully respecting the initiative and independence of the individual. This stance can help to counter the tendency to view children or people with disabilities in the limited light of their present capacity, with the attendant result of either marginalizing them or regarding them as the passive objects of charity. How societies can avoid these pitfalls and learn to regard people with diverse capacities as the possessors of universal human rights is a critical challenge, one that hinges on our basic understanding of what it means to be human. I believe that the Buddha nature teaching discussed here is an expression of maximum respect for the potential of the human being, and as such can importantly contribute to the expansion of the actual practice of human rights.

The Theory of Dependent Origination and the Critical Outlook

The teaching of dependent origination is another rich source of ideas for considering the question of the nature of human dignity. As the language suggests, this is a teaching of interdependence at the most fundamental, existential level. In the Zhong a han (Skt. *madhyamagama*) Sutra we find this phrase: “Because this exists, that exists. If this does not exist, that does not exist. That arises because this arises. That declines because this declines.” The basic thrust of the theory of dependent origination is that nothing exists in total independence from other things, that all things (and people) exist within the framework of relationships with other people and things. This is, in other words, a view of life that stands in contrast to all essential assertions of fixed identity. This theory has two main areas of significance for the present argument, one negative and one positive.

By negative, I refer to the denial of fixed identity. The Indian Buddhist philosopher Nagarjuna characterized all things, from the perspective of dependent origination, as being devoid of a fixed, unchanging essence. The practical implications of this are as follows: By understanding any present condition as the confluence of a multiplicity of (constantly changing) elements, we are encouraged to view reality, not as something beyond our capacity to change or influence, but something subject to human will and wisdom, which

can always be changed for the better. As individuals, this teaching urges us to shed attachments to certain fixed views or modes of understanding. On the social plane, it encourages us to resist attempts to project customs, ideas and social practices as inevitable. It arms people against the tendency to accept existing systems as manifestations of immutable “truth.” While this stance of skepticism toward present realities may correctly be termed negative, the endeavor to create something new and better always begins with the work of doubting what exists. Thus, the negative implications of the teaching of dependent origination contain the occasion for creativity. For example, no single enunciation of the experience of human dignity can be equally valid in all eras and social settings. In this sense, even human rights should not be regarded simply in terms of existing institutional arrangements for their protection, but in terms of an open-ended effort to clarify the ideas and principles that underlie them. As the Japanese constitutional scholar Higuchi Yoichi has noted, we must always interrogate the systems of human rights protection in light of the underlying ideas of human rights.

Dependent Origination: Positive Implications

The most important positive implication of the teaching of dependent origination lies in the way that it views humans, not as isolated entities, but as embedded in a fabric of coexistence. From this naturally follows an emphasis on creative interdependence. If individuals were indeed entirely independent, attention to the well being of others would indeed be “optional.” Buddhism views our profound interdependence as that which makes relations of trust and consideration essential to human survival. But it goes beyond this minimalist, survivalist stance, and asserts that the work of assisting others to develop their highest potential (their Buddha nature) is crucial to developing this potential in ourselves.

The Buddhist approach represents a fundamental critique of the concept of the “individual” and “individual rights” which forms the core of the human rights theory that grew out of the Western Enlightenment.² A Buddhist would thus never accept the Hobbesian³ vision of presocial humanity as atomized beings in a world of universal conflict. While recognizing the reality of conflict, a Buddhist would not accord conflict the kind of ontological necessity that Hobbes does, but would see even entrenched cultural violence as supported by deeper, more essential strata of interdependence.

In Mahayana Buddhism, the highest ideal of human behavior is expressed in the character and the practice of the bodhisattva. This ideal contains a moral imperative to rise above the limitations of the individual ego and to act in a spirit of compassionate altruism. The actions of Bodhisattva Never Disparaging, described in the Lotus Sutra, are emblematic. In the sutra, this bodhisattva is portrayed as expressing his profound reverence for the Buddha nature he perceives in each person he encounters. He is shown persisting in his efforts to awaken people to their own limitless potentialities, regardless of the criticism, disdain or even outright hostility he encounters. His name derives from his refusal to demean or despise any person.

The essence of the Buddhist idea of compassion is found in the conscious effort to develop empathy for the sufferings of others. In other words, it is only through undertaking a practice that is demanding and profoundly challenging—such as that to which Bodhisattva Never Disparaging committed himself—that we can genuinely feel the pain of others.

In this sense, dependent origination also implies a critique of the kind of primitive, vague sense of community that would subsume individual concerns. Rather, it is an ethic

of community developed and mediated through autonomous individuals clearly aware that their own highest potential can only be made manifest through committed efforts on behalf of others. Further, it is rooted in the imperative to respect the Buddha nature of each individual and work with them toward the realization of this vast inner potential.

As mentioned earlier, Buddhism adopts a deeply pliant understanding of identity, rejecting any fixed or essentialist approach to either individual or collective identity. The work of directing this interrogative gaze upon our “self” — challenging embedded assumptions about ourselves (and by implication received social prejudices)—is seen as a precondition to manifesting our own Buddha nature. The work necessitates developing empathy and respect for others and the potentials implied by their possession of Buddha nature.

I believe that this Buddhist stance can successfully shore up the core weakness of a human rights theory that, as mentioned, is predicated on the abstract notion of the “individual” and the putative equality of all individuals.

The problem, of course, is that people are not, in fact, equal—not in their physical or mental capacities, or in wealth, status or social standing. Thus, the emphasis on respecting the will of the individual is meaningful only for those who are adequately empowered in the above senses. In the face of the manifest inequality of social relations, the abstract and blanket assertion of equal rights can only have the effect of reinforcing those relations; permitting the powerful to maximize their strengths while the disempowered are left to fend for themselves as best they can.

Buddhism is not, of course, the only voice questioning the ideology of unrestrained individualism. The science of ecology, for one, finds in the example of the interdependence of natural systems a fertile basis for questioning the limitations of individualism. John Rawls’s⁴ theory of justice is a renowned example of an outlook that does not deny individualism, but seeks to address and correct its failings in the search for genuine community. Expanding on Immanuel Kant’s categorical imperative that the humanity of each person must always be treated as the objective and never as a means to another end, Rawls proposes a new sense of community. He insists that those who have been blessed by nature, and who are aware of this, can only profit from their happiness to the extent that they work to improve the conditions of those who are not blessed with similar talents and capacities.

Rawls’s “sense of community” offers a valuable perspective from which to rethink a theory of human rights that remains heavily weighted toward abstract, disembodied individualism. The Buddhist idea of dependent origination, and the profound and essentially creative interdependence that it posits, can offer an important resource for developing a theory of human rights that is both more balanced and more closely follows the contours of life as it is actually lived.

Dependent Origination and Environmental Rights

One of the distinguishing aspects of dependent origination is that it applies not only to relations between humans but embraces relations between humans and nonhuman nature. As mentioned, many schools of Buddhism assert that Buddha nature is something possessed by all sentient beings. Chinese and Japanese forms of Buddhism, in particular, go even further, claiming that even insentient life forms, such as plants and trees, as well as the very earth itself, are capable of attaining enlightenment. Since the natural environment itself is seen as endowed with the infinitely precious Buddha nature, this acts as a powerful injunction against the wanton exploitation or destruction of nature by humans. The 8th-

century Buddhist teacher Chan-jan (Miao-lo) elaborated a theory on the indivisibility of subject (self) and object (surroundings). This can be transposed to the relationship between humans and the natural environment, in which case it demonstrates the necessity for a relationship of creative symbiosis between people and nature.

In terms of human rights theory, the right to a healthy natural environment has been posited as an element of a new generation of human rights. This has yet to be supported, however, by either a clear theoretical consensus or a body of judicial precedent. When courts have ruled, redress has been limited to those cases in which humans suffered important damages. In other words, to the extent that the right to a healthy environment has been recognized, the locus of the right has been humans and their interests. The idea of nature itself as the subject-possessor of rights at this point remains only a distant theoretical possibility. Present human rights thinking offers scant resources with which to construct a more sweeping theoretical and practical structure of environmental rights, a gap that I believe these Buddhist concepts can help fill.

The Teaching of Karma: Autonomy and Ethical Responsibility

Comparing the understanding of human dignity in traditional human rights theory and in Buddhism, we find that Buddhism stresses an image of humans as autonomous actors with ethical responsibility for their actions. This is especially evident in the theory of karma.

The teaching of dependent origination touched on earlier, stresses the interrelatedness of all phenomena, along both the spatial and temporal axes. Within this context, the theory of karma describes causal relationships over the course of time. In other words, past, present and future are viewed as the seamless flow of cause and effect, with the causes of the past becoming manifest as reality experienced in the present, which in turn is the context within which we create causes for the future. The proper emphasis of this teaching is that we should not be caught up in the past, nor overwhelmed by the present, but should focus on creating causes now for a better future. Karma in its original sense means actions or behavior. It is a teaching of human responsibility and autonomy. Negative, destructive acts are causes that will bring negative results, for which the author of those acts must bear responsibility. To appreciate the full scope of the teaching of karma requires acceptance of the idea of an eternal continuity of existence, in which causes from previous lives have created the circumstances of the present life and causes made now will continue into future lives. Even without accepting this essentially religious perspective, however, the idea of personal responsibility for creating one's own life in the present has strong parallels with existentialist philosophy and as such has a potent ethical content that can advance our understanding of human dignity.

In the Buddhist view, karma is enacted in three realms: our thoughts, words and actions. The inclusion of the ideational and verbal realms of behavior in this sense provides a broader, more embracing ethical framework within which to understand human behavior and its consequences.

The idea of karma is not without its pitfalls, however, and these come especially to the fore when it is subverted to become a past-oriented—rather than future-oriented—worldview. This is another area in which institutionalized Buddhism must accept responsibility for having worked counter to the cause of human rights. In other words, the teaching of karma has been coopted by those in socially or economically privileged positions to justify that privilege as the natural outcome of their past “good causes,” while encouraging the marginalized elements of society to accept their status as the result of

their past “bad causes.” The concept of karma has thus historically been subverted into a teaching of fatalistic acceptance.

One of the oldest Buddhist scriptures is the Sutta Nipata, a record of Shakyamuni’s travels and teachings. There we find these words to this effect: people are neither base nor noble (Brahmans) by birth; they are made base or noble by their acts. Thus Shakyamuni was sharply critical of the caste system prevalent in his age, rejecting any form of discrimination on the basis of social standing or status. Human beings, he urged, must be seen always in the light of what they do (behavior) and not who they are (birth).

Again, karma is a teaching of personal responsibility and empowerment. That is, regardless of how difficult present circumstances may be, humans are capable of creating, through their thoughts, words and deeds, the causes for a better future. Because karma is properly understood within the context of the profound interrelatedness of all being that forms the core of Buddhist philosophy, humans are empowered even to transform the manner in which negative circumstances function in their lives. Causal relations in Buddhism actually comprise three stages: cause, condition and effect. Thus, even extremely trying circumstances (condition) can be transformed by a powerful act of will (cause) so that they function to assist in the creation of a positive outcome (effect).

The implications for the idea of autonomous decision-making as a basis for human dignity are profound. Through autonomously arrived-at decisions, humans are capable of actively transforming the influence of negative social conditions, harnessing these to work for their own improvement, for others and for society as a whole. Within Buddhism, the centrally important idea of individual enlightenment can be understood as the process of enhancing the capacity (wisdom) of the individual to make decisions. Ontologically, individuals are accorded full freedom to decide in any manner they choose. They are not, however forced to do so in an ethical vacuum. The basic ethical framework for decision-making is that outlined above: because radical dichotomies between self and other are denied, altruistic actions that benefit others at the same time benefit ourselves. Actions that benefit self and other, contributing to the larger cause of human happiness (and in fact, of all life) are “good.” As mentioned, the basis for the most effective praxis of this ethic lies in acknowledging and reverencing the infinite positive potential (Buddha nature) of each living being.

The teaching of karma—its emphasis on personal autonomy, wisdom in decision-making and ethical responsibility—has important parallels in the human rights tradition. There are also differences. As mentioned, where human rights theory has traditionally stressed the individual and individualism, Buddhist ethics require that we actively consider the well-being of others. Another point of distinction with the positive law tradition, in which external actions are highly prioritized, is that Buddhism places an equal emphasis on the quality—the positive or negative orientation—of our inner processes.

This is, of course, a religious-ethical perspective, and to stress this is not to attempt to skirt the genuine difficulties of judging (in a positive-law sense) anything other than the actual, visible actions of individuals. Nor is it to suggest that it is in any way appropriate to introduce a religious component into the relations between people and states that are a central concern of human rights theory (in both the negative sense of protecting people from the encroachments of state authority and in the positive sense of requiring states to afford active protection to people’s rights). However, the Buddhist perspective can be of value in offering a viable ethical foundation for an expanded understanding of human rights as well as in countering an excessive emphasis on the isolated individual in the modern human rights tradition.

The Concept of Collective Karma and Societal Ethics

Incidentally, the idea of karma is not restricted to individual behavior and its consequences. Through the concept of shared or collective karma, it includes important social implications. In other words, a pattern of action or behavior that may start with an individual will come to influence others, and may be adopted by them, giving rise to mores, customs and institutions.

The idea of collective karma has two principal vectors. The first describes the relation between ideas widely received within a society and the structures and systems of that society. The second regards the relation between individual awareness and societal institutions.

To examine the first of these, the role and function of a society's systems are, of course, largely influenced by the awareness and expectations of the constituent members of that society. In Japanese legal interpretations, reference is regularly made to "socially accepted ideas/norms" (which may be understood as a collective expression of the "reasonable person" in the common law tradition) as a source of legitimacy. The difficulty is that a socially accepted norm may represent nothing more than the views of a numeric majority, and may lack any deeper moral legitimacy. For example, widely held discriminatory attitudes against women, the disabled or other minorities can render null and void institutional efforts to assure the human rights of the members of those groups. The teaching of collective karma seeks to clarify the relation between widely held attitudes and social structures. As such it underscores the need to address discriminatory tendencies that lie buried deep in the human unconscious.

Regarding the relation between individual awareness and social systems, the teaching of collective karma refuses to dissociate social systems from individual will and action. Because of this stance, Buddhism sees the reawakening of individual awareness as the starting point for the reformation of the ideational and ethical patterns of a society, as well as the structures and institutions of society. Needless to say, the process by which individual awareness influences the commonly held views within a society and how this in turn shapes social systems is extremely complex. The classical teaching of collective karma lacks the kind of rigorous elaboration of these processes such as is attempted by the contemporary social sciences. At the very least, however, to the extent that this teaching asserts that a change in individual awareness holds the potential for larger social change, it stresses an autonomous norm and praxis of considerable potential significance.

The Role of Buddhism: Issues and Possibilities

Because the central focus of Buddhism has always been the question of how real human beings can be saved from suffering, it has adapted flexibly to a variety of social and historical settings. Within certain broad parameters (such as adherence to the core values of non-violence and compassion) practitioners have enjoyed wide latitude in the interpretation and application of Buddhist principles to the social realities they have encountered. In this sense, "living Buddhism" has profound stores of creative potential. In those eras and settings when its practitioners have lost sight of the values of creativity and independence of thought, the Buddhist church has lapsed into institutional passivity. As a result Buddhism has either been coopted by political authority or has re-treated from engagement in society. For Buddhism to return to its original spirit, it is imperative that practitioners actively develop links between core Buddhist concepts and the pressing

concerns—key among them human rights—of the day. To adopt this stance, which has been described as “engaged Buddhism” is, in the author’s view, to return to the original spirit of Buddhism.

Contemporary efforts toward the universal implementation of human rights have moved beyond merely interpreting the “letter of the law” (whether that be a domestic law, a national constitution or an international instrument) and have sought to address the question of how humans ought to live together and behave toward each other. This has led inevitably to a deeper probing of such issues as the nature of human dignity and given these efforts a distinctly normative thrust.

Human rights have correctly been described as the open-ended effort to create those conditions in which all people can experience the full dimensions of their personhood. This can be thought of having two directions. One requires that we be relentless in the effort to empower people to discover and reveal those aspects of personhood that have been silenced, neglected, or otherwise marginalized. The other requires that we be deeply attentive to all those cultural “voices” that have spoken to core or underlying concerns of the human rights agenda, even when they have not done so in the historically acknowledged language of “human rights.”

In both senses, Buddhism merits renewed attention. As I have attempted to demonstrate in this article, the Buddhist tradition can be a rich source of tools for developing a deeper and more concrete understanding of the nature of human dignity, the role and responsibility of the individual, and the psychology of human interactions. Despite this great potential, Buddhism has been largely silent about or absent from the process by which human rights were enunciated in the modern era, and by which universal human rights were elaborated in this century. The time has come for the Buddhist tradition, while taking careful stock of its historical record, to become an active participant in the process by which a robust, global culture of human rights is created.□

Footnotes:

1. Kant, Immanuel (1724–1804). He set forth a chain of explosive ideas that humanity has continued to ponder since his time. He created a link between the idealists—those who thought that all reality was in the mind—and the materialists—those who thought that the only reality lay in the things of the material world.
2. Western Enlightenment: Refers to the rationalist, liberal, humanitarian, and scientific trend of 18th-century Western thought; the period is also sometimes known as the Age of Reason.
3. Hobbes, Thomas (1588–1679). The English political theorist lived during the decades when kingly absolutism in Europe was drawing to a close and sentiments for popular democracy were emerging. In his book *Leviathan* (1651), he provided the formula for an ideal state in which all citizens would live together under terms of a social contract. To keep everyone from exercising too much freedom, however, there would be an absolute monarch.
4. Rawls, John (1921–), American philosopher; b. Baltimore. His *A Theory of Justice* (1971) greatly influenced liberal thinking. It gives a systematic account of justice as fairness, outlines the proper reach of (and limitations on) individual liberty, and distinguishes acceptable from unacceptable forms of social inequality.