

# Mahayana Buddhism and Human Rights: Focusing on Methods of Interpretation

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## INTRODUCTION

**D**OUBTS have often been expressed about the relationship between Buddhism and human rights. It is true that Buddhist scriptures do not allude directly in either content or form to the modern idea of protecting human rights. The same could be said however for the Christian Bible and other texts. Why then are Christianity and Buddhism judged differently in terms of their contribution to human rights theory? The answer lies in their respective development of a sense of purpose in terms of grappling with the various problems of modern society while remaining grounded in sacred texts written in ancient times, and how much effort has been made to interpret those texts. In this essay I shall examine these issues, focussing primarily on interpretative method, an issue of which there has to date been insufficient awareness.<sup>1</sup>

## THE LEGAL PHILOSOPHY VIEWPOINT

Relatively little research has actually been undertaken neither in Japan nor in the rest of the world on the topic of Buddhism and human rights. In English the writings of Sally King and Damien Keown feature most prominently, with both authors approaching human rights theory from the discipline of Buddhology. The approach I shall take however differs, being from the perspective of law. Human rights theory is primarily concerned with law, and by starting here in my search for the possibilities in Buddhist ideology, while my topic may be identical to that of writers like King and Keown, my approach to the research is from completely the opposite direction.

I should explain perhaps that by law I do not mean law in the narrow sense of legal interpretation, but approaching Buddhism from the wider viewpoint of legal philosophy. The legal philosophy viewpoint in this instance means not the guarantee of specific human rights, but identifying a theoretical basis for human rights as such. In this essay I identify

human dignity as this theoretical basis, and examine how Buddhist thought can contribute to human dignity. Therefore in both aspects: human rights theory and Buddhist ideology, the focus will be on the method of interpretation.

First I shall examine the issue of interpretative method in human rights theory. The focus here is on a return to the idea of natural rights in legal philosophy, and human dignity as the foundation of human rights. By natural rights I refer to the idea that "All men are created free and equal" seen in the American Declaration of Independence of 1776, and the French Declaration of the Rights of Man of 1789, based on a view of humanity that maintains that in their natural state, human beings live in equality and freedom. This concept of natural rights was the driving force behind the English, French and American Revolutions.

Once these revolutions were over however and each nation drew up a constitution guaranteeing human rights, these rights became "systemized." What then emerged was the concept of legal positivism, of systemized legal thought, the idea that only the individual human rights specified in the constitution ought to be guaranteed. In this mode of legal thought, any exploration of the view of humanity found in the concept of natural rights is lost, leaving the legal system as the sole concern. In contrast to this tendency however, a return to the idea of natural rights has been identified in many countries, particularly after WWII, coupled with enthusiastic debate about what exactly defines a human being, and what is required to protect the dignity of that human being.

For example, the constitution of the United States has been in place for over 200 years, and makes no clear pronouncement on the right to privacy, which has become a mandatory human right in modern society. However since the case of *Roe v. Wade*,<sup>2</sup> the US Supreme Court has identified the right to privacy in its interpretation of the due process of Law in the 14th Amendment. In this interpretative method, the judges considered not whether the right to privacy was written in the Constitution as a specific human right, but read it into the due process of law as a human right that should naturally be guaranteed for the sake of human freedom.

The idea of natural rights may not be alluded to directly in this opinion of the Supreme Court, but at the very least it does show the existence of the freedom and a view of human beings as free to make decisions for themselves on matters that concern themselves. Legal philosopher Ronald Dworkin raises the issue of this type of interpretative method more specifically. Dworkin asserts that to categorize human

rights by whether or not they are stated specifically in the Constitution is pointless. He also maintains that the Constitution is a system of principles, those principles being equal treatment and basic freedoms, and that the right to privacy may be derived from these principles.<sup>3</sup> Certain of Dworkin's views are close to the concept of natural rights.

Next, as an example in which the concept of natural right is expressed in the actual provisions of a constitution, let us look at the German constitution (Bonn Basic Law). Article 1 of the German constitution states that human dignity is inviolable, and that the authority of the judiciary, legislature and executive are bound by this fact. Furthermore the prescription for human dignity in the constitution forms the basis for interpreting it to guarantee specific human rights, and human dignity is a general human right encompassing those human rights not otherwise clearly specified. In other words, interpreting what exactly is human dignity is indispensable to the guarantee of human rights.

As these examples demonstrate, there is a growing tendency in human rights theory today to view human beings as free and equal, a belief inherent in the concept of natural rights, and to base the propagation of this view on the idea of human dignity. What in Japanese are known as *jinken* (human rights) and *kenri* (rights) are in English "right" and German "recht," both of which also mean "correct." This may be seen as rooted in the idea that rather than having to guarantee human rights because there is a system in place to do so, human rights ought to be constructed and protected by the system because they are "correct," because they represent the way human life ought to be, and for the sake of human dignity.

In short, only when we look at the issue of human rights from this legal philosophy viewpoint can we see the possibility of ideas shared by Buddhist ideology. If we assume our method for interpreting human rights theory to be one of basing our ideas on that of human dignity, we should then think about the connection between our method and the answer to the question of what human dignity means in Buddhist ideology, rather than in individual phrases of Buddhist scripture. Next therefore I shall examine this interpretative method as applied to Buddhist scriptures.

#### INTERPRETING BUDDHIST SCRIPTURES

As stated at the beginning, previous failure to identify ideas shared by Buddhism and human rights theory may be attributed to a lack of awareness of how to interpret Buddhist scriptures. Let us therefore con-

template a method of interpreting these scriptures, from three different perspectives.

First, we need to recognize the breadth of Buddhist concepts. Christianity has altered over the centuries from its inception to the present day, and now takes many forms, for example the Catholic, Protestant and the Eastern Orthodox churches. Buddhism has undergone changes in the same way, and is now broadly speaking divided into two streams: Theravada Buddhism in the south, and Mahayana Buddhism in the north of Asia.

Among Western scholars however there is a tendency to concentrate on the historical origins of Buddhism and solely on Theravada, in what therefore becomes a limited understanding of Buddhist ideology. In extreme cases this has even meant actively downplaying the significance of Mahayana Buddhism, based on a theory that Mahayana Buddhism were not even the teaching of Shakyamuni, the historical Buddha. However like Christianity, we need to view Buddhism more broadly not simply in terms of its origins, but including its historical development and current position.

It is important to consider the words of professor emeritus Masato Nagao on this issue. According to Professor Nagao, the writings of Buddhism have three meanings. One, the teachings preached by the Buddha (Shakyamuni); two, teachings related to Buddha (laws and truths), and three, teachings designed to enable people living now to achieve Buddha status.<sup>4</sup> Here I would like to pay particular attention to the third variety of teaching.

In Buddhology, the scriptures written in Balinese are believed to express most directly the words of Shakyamuni, and Theravada Buddhism to be based on these scriptures. However, if we take a broader view of the concepts of Buddhism and include teachings for the purpose of attaining Buddhahood, the scriptures of Mahayana Buddhism are also of obvious importance. Buddhism has developed historically as a teaching to enable people to achieve Buddhahood. A “living Buddhism” perspective is therefore also essential.

Christianity has theology, which is more than Biblical interpretation and commentary. Christian theology has always endeavored to address the various issues faced by Christians and Christian societies. Particularly in the West Christianity has historically been “living Christianity” developing with the times. Buddhism too should not be restricted by the preference for tranquility observed in its past history—it is only natural that Buddhist ideology continue to develop amid the turbulence of modern society.

Secondly there is the problem of how to interpret the Buddhist scriptures. Attempting to describe Buddhism by extracting single phrases holds little meaning. Obviously scriptures written in ancient times will not have direct links to modern ideas of human rights. Even if one were to find a phrase of the scriptures linked to a specific human right found in modern constitutions, e.g. freedom of speech, such a link would be superficial, and logically not really supportable.

More important is to find out what these scriptures are attempting to convey through their words and expressions, in other words, identifying in them principles and ideas. Finding principles and ideas in texts in this way is the act of interpretation. And this interpreting of Buddhist scriptures must be concerned with more than syntax and logic: it must also take into account the historical background of the time. Even more important however is to realize that interpreting scriptures is not a one-way process in which we receive messages from the past. For the very reason that Buddhism is alive here and now, anyone endeavoring to interpret its writings needs to be aware of issues facing the world today as they look for answers in the past. In other words this interpreting needs to be a two-way process. Previous discourse on the relationship between Buddhism and human rights has been defective because researchers focused on individual phrases in their interpretation of Buddhist scriptures, to the detriment of seeking out principles and ideas, and because their awareness of social issues was insufficient. This was not a problem with the scriptures themselves, but meant a need to question the method used to interpret them.

Moreover an awareness of social issues means more than being deeply conscious of problems in society. It is a matter of whether one can feel "pain" when approaching such problems. This pain felt for others could be described as sensitivity to human rights. This sensitivity to human rights demands that pain be alleviated, in other words the construction of a theory of human rights for the purpose of salvation. Awareness of social issues requires this sensitivity to human rights plus a legal logical structure for the practical protection of human rights.

Thirdly, we must search for Buddhist ideas that fit with discourse on human dignity in law. Of course Buddhism does not discuss human dignity as such, but there are individual concepts within it that equate to that of human dignity, because Buddhism presents us with an image of the way human beings should live, and this image can be linked to legal discourse on human dignity.

By Buddhist ideas, my focus here is particularly on Mahayana Buddhism, the reason being that as the name Mahayana (i.e. "Greater Vehi-

cle”) implies, it has developed as a Buddhist movement with an emphasis on *bosatsu-gyō* (bodhisattva practice) among ordinary people. As a movement of the people Mahayana Buddhism offers a guide for life that is intimately linked to everyday life. It is difficult to derive any concrete discussion of what defines a human being, of human dignity, from a Buddhism in which the primary emphasis is on holy places and rituals removed from everyday living.

Discourse on human existence in Mahayana Buddhism has both epistemological and prescriptive aspects, which are not clearly distinguished. Plus it encompasses many ideas, not arranged in any particular order or formed into any kind of system. My discussion here is purely one of the significance of these ideas in terms of legal discourse on the issue of human dignity. Of course, this assumes one is interpreting scriptures by reading them from a fixed perspective. From here I shall continue my examination of Buddhist ideology by focusing on the concepts of Buddha-nature, dependent origination and karma.

#### HUMAN DIGNITY IN MAHAYANA BUDDHISM

##### *The Doctrine of Buddha-Nature*

The doctrine of Buddha-nature or inherent Buddhahood is unique to Mahayana Buddhism. The Nirvana Sutra states that “all sentient creatures possess Buddha-nature.” From the doctrine of Buddha-nature we can derive much related to the concept of human dignity. First it is important to make people aware that they themselves possess Buddha-nature (the dignity of human beings). As society demands greater economic efficiency, as we are controlled in so many ways, transformed into “things” and relegated to a state of passivity, the doctrine of Buddha-nature can give us pride as human beings.

This does not mean simply recognizing the Buddha-nature in ourselves. The “all” of “all sentient creatures” also means having consideration for the Buddha-nature of all people. In Japanese we use the word *jinken* (human rights) and occasionally *kenri* (right) for human rights, however the character 利 (*ri*—benefit or gain) used here is not really suitable for use in a translation of “right.” In the early Meiji years the characters 権理 are said to have been used for *kenri*. This 理 is the 道理 (*dori*—reason, justice). Human rights should therefore not be a tool for personal gain, but based on a sense of reason and justice that respects human dignity, both that of the self and of others.

Furthermore, because the doctrine of Buddha-nature maintains that all people possess an inherent Buddhahood, it may be described as a doctrine of true equality. It is well known that the historical Buddha or Shakyamuni criticized the social discrimination and caste system of his age. The scriptures state that "People are not born base. Nor are they born Brahmins. By their actions they become base, and by their actions they become Brahmins." (Suttanipata) In this sense the doctrine of Buddha-nature has much in common with the natural rights concept of people being born free and equal.

However it pays to remember that while Buddha-nature is a doctrine of equality, it is not a mechanical (formal) doctrine of equality. Buddha-nature is said to consist of wisdom and mercy, however this wisdom is wisdom used to enable us to live better lives, in other words, that which works to enable us to maximize our innate potential. That is, the doctrine of Buddha-nature shows that (all) individuals have equal potential for self-realization, however the way in which this self-realization is manifested will not necessarily be identical.

A mechanical doctrine of equality furthermore would in fact lack the perspective of salvation for people actually living in disadvantaged circumstances.<sup>5</sup> The question of a precise definition of equality is one of the main topics in human rights today, however while everyone may approve of outlawing irrational discrimination, there are no clear ideological guidelines for more active ways of making equality reality. If however we interpret equality as the potential for self-realization as found in the doctrine of Buddha-nature, we may deduce from this a consideration for others from a sympathetic point of view, for example for a socially disadvantaged person who has used their wisdom to overcome their circumstances.

Up to now I have said that Buddha-nature is wisdom, however whatever its precise meaning may be it is certainly not a particularly idealized version of a specific state of being or reality. The Buddha-nature doctrine of Mahayana Buddhism does not equal a fixed ideal state. The doctrine of Buddha-nature is composed of "Buddha" and "nature," and does not mean departing from human form to become a Buddha, but demonstrating the nature and abilities of a Buddha while remaining a human being. It was T'ien-t'ai the "Great Teacher" of China who formulated a very clear theory on this point in his doctrine of Ten Worlds.

T'ien-t'ai constructed a doctrine of 10 worlds or realms of human life ranging from hell to Buddhahood, and using the Lotus Sutra to prove his theory of "mutual possession of the Ten Worlds," described the rela-

tionship between Buddhahood and the other nine worlds as “the nine worlds are Buddhahood” and “earthly desires are enlightenment,” by which he meant that a person can attain Buddhahood while still a human being. “Earthly desires are enlightenment” refers to working toward self-realization while carrying on an everyday existence. In other words, the fundamental position of Mahayana Buddhism is not one of fleeing from pain and conflict to arrive at some pure destination, nor of ignoring the physical and spiritual desires we possess as human beings.

Compared to Christian ideology therefore there are some obvious differences. The God of Christianity transcends human beings. Human dignity is said to have its basis in the fact that human beings “are created in the image of God.” In addition Kant, also a major influence on human rights doctrine in the West, maintained that people capable of rational self-determination have dignity. In any case, both share an emphasis on rationality and spirituality in their definition of human dignity, and assume transcendence from the practical state of everyday living.

In contrast, in the doctrine of Ten Worlds, Buddhahood does not transcend the other nine worlds, but is manifested alongside the physical desires and social attachments of the worlds of hell, hungry spirits, Animals and asuras. In other words, the doctrine of Buddha-nature as seen in that of the Ten Worlds is not slanted exclusively toward lofty spirituality, but amid the conflicts of body and mind and of society, seeks not to destroy these things, but to use our wisdom to make the most of them. I have on a previous occasion dubbed this feature of the doctrine of Buddha-nature “concrete corporeality,” however I believe it deserves closer examination here.

The reason is that in “concrete corporeality” we may deduce a way of thinking intimately connected with the roots of democracy, not only the concerns of individuals. In Christianity it could be said that a vertical relationship exists between God and human beings, in that an absolute entity transcending humanity, known as God, saves people from conflict and woe. If we replace this God with temporal law, then law becomes the absolute entity. For example, it is frequently said that “equality in the eyes of God” has developed into “equality in the eyes of the law.” However the doctrine of Buddha-nature maintains that each of us has an inherent Buddhahood, leading easily to the logical conclusion that we may seek counsel with others to attain a result. Mahayana Buddhism attaches importance to the horizontal relationships between people, and in this we may find an affinity with democracy, i.e. “control by the people.”



*Dependent Origination*

Buddhism preaches a doctrine of dependent origination as represented by the twelve-linked chain of dependent origination or causation. The doctrine of the twelve-linked chain of dependent origination shows a logical progression from the ignorance of the individual to their enlightenment, however the doctrine of dependent origination preached in Mahayana Buddhism today has a broader logic structure than this. For example, the Miscellaneous Agama Sutra states most directly, "When there is this, that is. With the arising of this, that arises. When this is not, neither is that. With the cessation of this, that ceases."

The problem however is how to interpret this.

Here we may find a mode of thought that does not perceive various beings including human beings as separate or fixed, but which understands things always in terms of their relation to others. To look at this understanding of relationships another way, it means that relationships with others are always open. We can imagine two different viewpoints arising from this doctrine of dependent origination. In one, we see this connection as meaning not viewing things as fixed, but constantly changing. The other viewpoint emphasizes this connection as coexistence with others, a symbiotic relationship.

The first viewpoint echoes that of Nagarjuna of India, who described dependent origination as "nonsubstantiality." If we believe things to always be changing, we may draw conclusions such as the following: human beings sometimes believe the situations in which they find themselves to be absolute, become attached to them, and are vulnerable to disappointment. However the doctrine of dependent origination teaches us that by viewing situations as temporary, as a phase in a continual process of change, we may perceive the first step in escape from these situations.

Potential for change is by no means confined to the realm of the individual. According to the doctrine of dependent origination, social systems are not rigid either. Changes to social systems tend to be viewed as undesirable by those in possession of political power at the time (i.e. those with a vested interest in the status quo). For examples we need only think of the caste system of India, or the Edo Period Japan structure of warrior, farmer, artisan and merchant classes. Advocate the doctrine of dependent origination in such situations, and naturally it becomes a criticism of the status quo.

However whether it be an individual or an entire social system, this concept of change is not a passive one in which people simply accept

change as it occurs. The doctrine of dependent origination in Mahayana Buddhism includes not only the knowledge of change, but maintains that change should occur to achieve an ideal. On an individual level this means enlightenment and the manifestation of Buddhahood, and in social systems too demands reforms to make these developments possible.

To recap what I have discussed so far: understanding our lives as one phase in a process of continual change means at the individual level always having hope and not falling into the trap of disappointment and attachment to the status quo, and behaving in a benevolent manner toward others regardless of our present relationship with them (social status, gender etc.). If this is what constitutes an open person, then on the social level this person will demand an open society always accepting of all kinds of people, and with the potential for change.

Next let us turn to the second viewpoint we may derive from the doctrine of dependent origination—that of symbiosis. From this viewpoint, the connection described earlier may be seen as the relationship of mutual dependency between human beings. This means overcoming egotism or self-interest. In the modern world, urbanization has weakened ties among family members and within local communities, and rather than caring for others, there is a growing tendency to use them for our own ends. This type of behavior could be described as a closed relationship with other people. So how does the doctrine of dependent origination address this situation?

The catch-cry of the French Revolution, which was grounded in the concept of natural rights, was “Liberty, fraternity, equality.” This fraternity referred to solidarity with others, however as we have already seen, today this spirit of fraternity is disappearing. In reaction to this we may identify two streams of modern legal thought: that of the “libertarians” who value greater freedom for the individual, and of the “communitarians” who desire greater communality.

Buddhism is generally believed to place more emphasis on communality, and this has been described a feature of Buddhism contrasting with the individualism of the West. What we need to be careful of here however is over-simplifying this dichotomy of the individual—community: because if more emphasis is placed on the community or communality this categorization could serve to equate Buddhism with complete annihilation of the individual, and quite frankly to stress the opposing natures of Buddhist communality and Western individualism so much that Buddhist communality becomes annihilation of the individual would be a serious mistake.

In the doctrine of dependent origination found in Mahayana Buddhism, by understanding people in terms of their interdependence, we first of all open up human relationships that had been closed by self-interest, and begin to have consideration for others. This does not mean however a fusion of the self and others in a relationship in which the self is annihilated. If we add the Buddha-nature to this equation, what it does mean is being aware of the Buddha-nature within ourselves, and respecting the Buddha-nature in others, and that this is part of the relationship of interdependence between us all. In a communality that involves annihilation of the self, a doctrine of dependent origination showing the connection between the self and others could not exist.

Let us explain this in terms of the *bosatsu-gyō* (bodhisattva practice) of Mahayana Buddhism. *Bosatsu-gyō* has been described as putting mercy into practice, feeling the pain of others, and extending to them the hand of salvation. This must be an action taken toward another person in accordance with our autonomous will and practice, and our wishes as individuals. Furthermore it is not a one-way action performed on another person: by taking that action toward the person it simultaneously becomes a “two-way street” in which we reveal our own Buddha-nature. In conclusion, the symbiotic viewpoint that may be derived from the doctrine of dependent origination is the overcoming of our closed-off egotism, and does not mean annihilation of the individual. It is an attempt to create communality from the autonomy of individuals.

So far incidentally I have discussed the doctrine of dependent origination, as it relates both to individuals and to society, in terms of the connections between people. However, the doctrine of dependent origination may also be thought to include the relationship between human beings and the natural world. In Buddhist tradition this may be seen in Japan in the idea of “trees, plants, the land, all can attain Buddhahood”—the perception that Buddha-nature may be found not only in human beings but also in the vegetation around us. In view of this, we need to consider the Buddhahood not only of humans but also of nature.

Moreover Mio-lo of China preached the oneness of life and its environment, demonstrating a mutually dependent relationship between human beings and the environment with human beings as the focus. Our own experience tells us that people create environments and alter them, and are also influenced by their environment. The richness of nature enriches human beings spiritually, however destruction of the environment does more than inflict damage on that spirituality: in the worst scenario it may place us in real physical jeopardy. To understand the danger of this, we can do no better than to recall the book *Silent*

*Spring* by Rachel Carson.

It is too late to realize the importance of nature when its destruction is already a physical threat to human beings. Such destruction is the ultimate manifestation of many years of abuse, and treating only its symptoms is by this stage no longer adequate. It is instead an issue we need to think about every day, at the very basic level of what form the relationship between human beings and the natural world should take. The view that “trees, plants, the land, all can attain Buddhahood” lies at the very heart of this idea, and is the departure point from which it develops. The need to establish rights for the environment so frequently stressed these days is also an issue that ought to be considered not in terms of policy responses to problems such as environmental destruction and pollution, but in terms of one origin of the concept of human dignity.

*Karma*

So far I have discussed the doctrine of dependent origination mainly as it relates to the connections between people and between people and nature, i.e. spatial relationships and the horizontal aspect of dependent origination. The doctrine of dependent origination however also has a vertical dimension of temporal connection, known as the doctrine of karma. Karma or *gō* in Japanese literally means “action.” In Buddhism there are three types of action—physical, verbal and mental, that is to say a temporal connection between actions in a broad sense. Physical action is that which involves the body, verbal our use of words as means of expression, and mental what lies in our hearts, and collectively these may be thought to represent action in the wider sense of the word.

What then is the temporal relationship between these three types of action? Most simply, it may be expressed in the oft-heard saying, “As ye sow, so shall ye reap.” In other words, perform good deeds and you will reap good results, while the reverse also applies. Just as the connectivity and possibility of change of the horizontal doctrine of dependent origination are not confined to a simple awareness but are prescriptive in nature, so the doctrine of karma, having as it does the “As ye sow, so shall ye reap” causative relationship, is prescriptive in terms of telling us we should have the correct causes, take the correct action.

If this is the meaning of the doctrine of karma, then in it we may identify a number of different viewpoints. One is that because results are influenced by the actions of individuals, the self-determination of the individual is important. And, if we respect the right to self-determi-

nation of the individual, we may also say that they have responsibility for themselves. Determination and responsibility are two sides of the same coin. Earlier I stated that Buddhism did not mean the annihilation of individuality, and the doctrine of karma, while preaching the causality of our actions, indeed precisely because it does so, also asks penetrating questions about the self-determination and responsibility of individuals.

A second viewpoint is that this prescriptiveness possesses a broader morality than the legal prescriptions of the state. In an ordinary society, unless one violates a law of the nation, malicious or discriminatory statements, or actions taken purely out of self-interest may well be permitted. However, the doctrine of karma is stricter than this, as may be observed in the concept of "mental action," i.e. if a person is bad within themselves, they will be called to account for the results. It must be said however that this strict morality is not morality in the sense of a penalty imposed objectively by the state, but always a morality in which the individual themselves makes a subjective judgement.

The third viewpoint, in connection with this, lies in the separation of the doctrine of karma from that of environmental determinism. In the doctrine of karma, respect for self-determination viewed from another angle means that the environment can be altered by the actions of the self. This does not mean that we are totally free of the influence of the environment, but that we can take autonomous action in various environmental conditions to change our environment. I would like to contemplate this point further, while touching on the past misuse of the doctrine of karma in Japanese Buddhism.

Japanese Buddhism frequently preaches a doctrine of karma known as *shukugō* in which the pain of this world is deemed to be the result of misdeeds in the past. In this doctrine the past determines the present, and it is a doctrine of environmental determinism for the individual living now. This is not an issue of fundamental Buddhist ideology, but was merely an attempt by those in political power at the time to shift the responsibility for social problems onto the victims of discrimination, in which the priesthood colluded with the authorities to justify this discrimination in the name of Buddhism.

The substance of the Buddhist doctrine of karma lies in the positive idea that a person living now can overcome their past and not be bound by it, to look to the future and lead a creative life. In the earlier discussion on dependent origination the focus was on overcoming a rigid set of circumstances and being closed to others. This being the case, naturally the doctrine of karma should also refute the idea of being bound

by the past found in the doctrine of *shukugō*.

Fourthly, the doctrine of karma is said to include the karma of individuals (*fugūgō*) and of society (*gūgō* or “common karma”), which transcends the individual. In this case the theory of common or collective karma means that if a large number of people behave badly, this bad behavior will combine to form a bad social consciousness. This social consciousness will eventually be transformed into a social system. This way of thinking also contends that social consciousness and social systems will be passed down through the generations and in turn provide norms for the consciousness and behavior of individuals.

According to the Buddhist scriptures preaching the doctrine of common karma, the caste system of India was formed when the avarice, envy and pride of the people created discrimination within society, which then became a social system. The doctrine of common karma contends that there are social problems that cannot be attributed to the karma of individuals. In saying this however, what the doctrine of common karma really means is that even though we may refer to something known as “the social system,” ultimately this system is created by the karma of people, and precisely because of this, in accordance with the right to self-determination and responsibility of each individual we should face the future and take the proper actions to bring about a revolution in social consciousness and social systems.

#### SUMMARY

The Buddhist scriptures do not refer directly to specific modern human rights, however in them we may identify a concept that forms the foundation of human rights. To borrow the terminology of modern human rights we may call this the concept of human dignity. In order however to discover this type of concept and see it begin to take form in the scriptures, we must engage in the act of interpretation. To do so it is important to understand Buddhism as “living Buddhism,” and to reinterpret the Buddhist sutras in light of our awareness of problems in modern society. This ideological task requires the practical study of various Buddhist doctrines carried out to date by religious groups, and in addition to Buddhology, which involves philological and corroborative research on Buddhism, a new Buddhist theology.

In one of its rulings,<sup>6</sup> the US Supreme Court, quoting a section from the report of the Second Vatican Council, commented that “People are looking to religion for answers to the riddles posed by human existence. In other words, religion is what we look to answer the questions of what

is a human being, and what is the meaning and purpose of our lives.” It would be correct to view the purpose of the Supreme Court in quoting this extract as an expectation of answers from various religions to the question of the meaning of human existence, which lies at the root of human rights. This essay is one answer from Mahayana Buddhism.

#### NOTES

<sup>1</sup> The author has already discussed the issue of Buddhism and human rights in *Bukkyo shiso to jinkenron no setten* (“Crossover between Buddhist ideology and human rights theory”) in Vol. 37 No. 2 of *Toyo Gakujutsu Kenkyu* (1998), however for this essay has rearranged the points in this article and reworked it to focus on interpretative method. Only the notes and reference material deemed particularly necessary has been included.

<sup>2</sup> *Roe v. Wade*, 410 U.S. 113 (1973) The US Supreme Court had recognized the right to privacy in cases previous to this, however this was the first ruling to be based fully on the 14th Amendment.

<sup>3</sup> See Ronald Dworkin (translated by Fumihiko Ishiyama), *Jiyū no hō* (original English title *Freedom’s Law*), Bokutakusha, 1999.

<sup>4</sup> See Omine Akira, *Bukkyō Hihan Kenkyū* (“Research on Critiques of Buddhism”), *Kikan Bukkyō*, No. 49, Hōzōkan, 1999, pp. 142–3.

<sup>5</sup> For example, Amartya Sen, who reexamined the doctrine of equality to worldwide acclaim, focuses on the reality of the diversity of human existence and its latent possibilities, an interesting connection to the author’s point here.

Amartya Sen (translated by Yukio Ikemoto et al.), *Fubyōdō no saikentō* (English title “Inequality Reexamined”), Iwanami Shoten, 1999.

<sup>6</sup> *United States v. Seeger*, 380 U.S. 163 (1965) See work by Dworkin mentioned earlier for translation of report.

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