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Some Problems with Particularism

Damien Keown¹

Abstract

This article suggests that due to a restricted understanding of the nature and scope of ethical theory, particularism discounts prematurely the possibility of a metatheory of Buddhist ethics. The textual evidence presented in support of particularism is reconsidered and shown to be consistent with a metatheoretical reading. It is argued that writers who have adopted a particularist approach based on W. D. Ross's "Principlism"—such as Tessa Bartholomeusz in her study of just war ideology in Sri Lanka—have failed to give a satisfactory analysis of the moral dilemmas they have identified. Although particularism rightly draws attention to stories as important sources of moral data, it fails to disprove that the diversity of such evidence can be explained by a single comprehensive theory.

While writing this article I heard that scientists in the field of nuclear physics had successfully concluded their search for the "god particle." This mysterious particle known as the "Higgs boson" is thought to provide pivotal evidence regarding what is known as the "standard theory"

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of matter and to provide the key to unlock the secrets of the universe. As I listened to this news I found myself thinking how convenient it would be if there was something like a Higgs boson in the field of Buddhist ethics, namely some piece of evidence or data that would confirm one or other of the standard theories which have been proposed to date. It may be, of course, that no one theory is comprehensive enough to explain all the data and that the search for a “standard theory” of Buddhist ethics is misconceived. This suggestion was first proposed some time ago by Charles Hallisey in an influential article in the *Journal of Buddhist Ethics* (“Ethical Particularism in Theravada Buddhism”). This prompted a response by Kevin Schilbrack (“The General and the Particular in Theravada Ethics: A Response to Charles Hallisey”), and a rejoinder from Hallisey (“A Response to Kevin Schilbrack”), and now rather belatedly I want to pick up the conversation again.

My interest in the topic was reawakened when writing about the notion of just war in Buddhism (forthcoming), and re-reading the late Tessa Bartholomeusz’s excellent study of just war ideology in Sri Lanka (*In Defence of Dharma*) that draws quite heavily on the theory of ethical particularism. This revealed how influential the theory has become and because my own reflections on the notion of just war were taking a different direction it seemed important to revisit the idea of particularism in order to make clear where, as I see it, Bartholomeusz goes astray in applying this line of thought to Buddhist justifications for war.

Bartholomeusz draws on references to war in Buddhist narratives and stories, such as the fifth-century *Mahāvamsa*, and combines them with Hallisey’s reflections on “particularism” in Theravāda Buddhism and W. D. Ross’s concept of prima facie duties to construct a Buddhist theory of just war or *dharma yuddhaya*. She writes, “I find useful Ross’s language of prima facie responsibilities, and Hallisey’s expression of them” (26). And later: “As this study on just-war ideology in Buddhist Sri

Lanka suggests so far, viewing Theravādin Buddhist ethics through both pluralism and the lens of prima facie duties, rather than only assuming a single ethical principle (such as pacifism), permits complicated readings of primary actors in religious stories” (29). Bartholomeusz is here setting up a contrast between what she regards as a flexible, nuanced and pluralist approach that is faithful to indigenous sources, in contrast to a rigid, monolithic (Western) one of the kind a metatheorist such as myself might be thought to prefer. However, I think this is a false dichotomy that arises from confusion about the nature of ethical theory, and that a metatheory is as capable of offering as nuanced and flexible an interpretation of Buddhist ethics as a ‘no theory’ view. I will try to explain why by first of all summarizing my understanding of ethical particularism.

Ethical Particularism

Charles Hallisey believes that a variety of moral theories can be identified in Theravāda Buddhism, and suggests that scholars who have sought to explain Buddhist ethics by reference to a single comprehensive theory have been asking the wrong question. He thinks that the question “Is there a moral theory in Theravāda Buddhism” has “distorted our perception of Theravādin ethics” because “its practitioners and intellectuals have resorted to more than one kind of moral theory.” The search for a single unifying theory is misconceived, Hallisey believes, because “we realize that there can be no answer to a question that asks us to discover which family of ethical theory underlies Buddhist ethics in general, simply because Buddhists availed themselves of and argued over a variety of moral theories” (“Ethical” 37).

We can certainly agree that the stories in Buddhist literature provide evidence that Buddhists, like everyone else, have puzzled over and argued about the right thing to do in a given set of circumstances.

Stories all over the world, from sagas to soap-operas, explore conflicts among moral values and principles. The conflict between love and duty, for example, takes many forms, and arises again and again in numerous cultures and contexts, as does the conflict between justice and mercy. I suggest it is mistaken, however, to characterize the stories in which these conflicts are explored as debates about moral *theories*. Theories operate at a higher level of abstraction and generality. Typically, they are formed through an intermediate process of casuistry whereby problematic situations of the kind found in stories are grouped and compared in order to derive moral principles. These principles are then ordered by moral theories, which seek to offer comprehensive explanation and justification as an aid in the resolution of similar moral dilemmas when they arise in future. Stories are thus the raw data from which ethical principles and theories are refined. Particularists, therefore, go too far in presenting the moral dilemmas in stories as evidence of Buddhists disagreeing over moral *theories*, and so far as I am aware, no moral theories have yet been elaborated in Buddhist sources. The nearest approach to ethical theory in Buddhism can be seen in the *Vinaya* where cases are grouped together under rubrics in the manner of casuistry but without progressing to the stage of fully-fledged theory.

Siri Sanga Bo

The main textual evidence Hallisey offers in support of particularism is the story of Siri Sanga Bo, a medieval king of Sri Lanka. Siri Sanga Bo was a bodhisattva who initially refused an invitation to become king because he recognized that the kingly duties of upholding the law and punishing the guilty often involved actions that produce bad karma. After being persuaded by monks that this was not inevitable and that, on the contrary, a wise and virtuous king could earn much merit, he agreed to take the throne. Hallisey correctly identifies the arguments of the monks as

“some variant of a virtue-ethic, since it emphasizes the character of an agent as a moral determinant” (“Ethical” 36). Once Siri Sanga Bo assumed the throne, however, he failed to uphold the law with due rigor, and as a result his kingdom declined and he subsequently resigned his kingship. The moral of the story, apparently, is that a king should “nourish the world with justice and righteousness” (37), but Siri Sanga Bo failed to do this. Hallisey therefore concludes, “It would seem that this particular version of the Siri Sanga Bo’s life rejects an understanding of ethics along the lines of a virtue-theory” (37).

I am puzzled by this conclusion since it seems to me the story is easily explicable in terms of virtue ethics. If one of the virtues of a king is to enforce justice and Siri Sanga Bo did not possess the virtue of justice to the right degree, then virtue ethics would seem to give a perfectly good account of why problems arose in his kingdom. Bartholomeusz cites the same story in her discussion of just war thinking in Sri Lanka and comes to a similar conclusion. Quoting a reference made to “Sri Sangbo” by former president Jayawardene, she notes “In other words, invoking the Buddhist story of a Sri Lankan king who ruled without violence . . . President Jayawardene argued against virtue-ethics, in this case, against a literary paradigm of a king who acts from a sense of justice but nevertheless brings his kingdom to ruin” (65). Again, I think this gets things back to front, because arguably what the king signally *failed* to do was to display the virtue of justice appropriately by punishing evil-doers and protecting the innocent. As the monks had informed him, a wise and virtuous king can earn much merit, but unlike the great Aśoka, who found the right balance between justice and mercy (for example, by incarcerating criminals but treating them humanely), Siri Sanga Bo lacked the wisdom to employ the appropriate virtue at the appropriate time and it was because of this that his kingdom failed. In Aristotle’s terms, Siri Sanga Bo lacked practical wisdom (*phronesis*), the faculty that guides the exercise of the virtues according to context and selects right

means to good ends. Accordingly, I think there is every reason to see this story as affirming the importance of the virtues and lending support to a virtue-theory reading of Buddhist ethics.

Hallisey's main point, however, is a broader one, namely that the story of Siri Sanga Bo provides a "counterargument" ("Ethical" 36) to the idea that Buddhism may be explicable in terms of any one ethical theory. The assumption here seems to be that once the existence of competing moral principles has been identified the impossibility of a metatheory has ipso facto been demonstrated. On the contrary, what stories like that of Siri Sanga Bo show, it seems to me, is that the moral deliberations of Buddhists reveal concern for a variety of moral goods and principles, and that tension and conflict often arises over the relative priority to be allocated to each in different situations. Once again, this need not imply a conflict among ethical theories, and in fact, is exactly the kind of problem that an ethical theory is intended to resolve. While I think we can agree that it would be hard to resolve which theoretical reading is preferable simply at the level of a story itself, this does not mean nothing more can be said, and by drawing more widely on the evidence from other stories and Buddhist teachings it may be possible to show that the balance of evidence favors one theoretical reading over another. This may well mean moving beyond the micro-level of texts and stories to a higher level of abstraction, but this is precisely what a moral theory is intended to do.

Problems with Particularism

The particularist perspective arises from a restricted conception of the scope of ethical theories. The challenge for any ethical theory worth its salt is to give a comprehensive account of all the features of the moral landscape that common sense tells us are important and to resolve di-

lemmas when moral principles come into conflict. A theory that cannot give a persuasive account of why we attach importance to a plurality of factors like intention, consequences, duties, and virtues would be a very poor moral theory. Just as before passing judgment, a judge would take into account motive and intention, the circumstances in which the crime was committed, any duties that the defendant failed to perform, and the consequences that resulted from the offence, so any moral theory needs to explain our common-sense intuition that all of these factors play an important part in shaping moral judgments.

The main competing theories of ethics succeed to varying degrees in accommodating these moral concerns. A deontological theory emphasizes duties, but a deontologist can also be concerned about consequences. It is perfectly rational, for example, for a deontologist to avoid certain conduct because of the bad consequences that flow from it, even if there is no conflict with duty. Seeking to maximise good consequences is simple prudence. Likewise, it involves no contradiction for a consequentialist to consider the performance of duties as normally important in securing overall wellbeing. Christian ethics has been able to accommodate the importance of moral duties and obligations (for example, as enjoined in the Decalogue), virtues (such as faith, hope, and charity), and consequences (such as improving the lot of the poor), without collapsing into particularism. The fact that stories, whether Christian or Buddhist, may point to apparent tensions between such moral principles or seem open to different readings because they highlight contrasting features of the moral landscape, does not necessarily show that Christians or Buddhists hold a variety of conflicting ethical theories. Traditions may be described as “pluralist” in exhibiting concern for a variety of moral goods as just described, but this does not mean that such pluralist concerns cannot be accommodated within a single comprehensive moral theory, such as the Natural Law theory of Christian ethics. Once

this is realized the need for particularism as an explanation for apparent textual discrepancies and divergent moral priorities largely disappears.

Anyone who has studied Buddhist ethics is already well aware that the data invites a variety of readings. Ethics is a complex subject, and Buddhist authors and sources may be as perplexed as anyone else as they face moral dilemmas and grope towards consistency and coherence in the moral life. People often expect too much from an ethical theory, such as the ability to mechanically deliver an unambiguous right answer in every situation. In fact most theories are far less ambitious, and tend to content themselves with highlighting the kinds of things *not* to do, often expressed in the form of precepts or commandments. In most situations there are almost limitless courses of legitimate action, which may partly explain why particularists despair at the lack of certainty and unanimity when people cast about for solutions to moral dilemmas. Particularists also assume that a metatheory cannot be sensitive to context or be supple enough to distinguish and prioritize the morally relevant features of different situations. Thus when discussing the list of thirty-eight duties discussed in the *Maṅgalasutta* Hallisey writes:

The diversity of stories associated with each one of the duties included in the *Maṅgalasutta* encourages us, in turn, to respond to the rich particularity of each situation before us without holding ourselves to a standard of moral consistency generally associated with taking guidance from a single ethical theory. (“Ethical” 42)

This is a restatement of the false dichotomy mentioned earlier, since as suggested, a sophisticated ethical theory should be capable of *both* responding to the particularity of situations *and* holding to a standard of moral consistency. One of the strengths of virtue ethics, for example, is recognized to be an emphasis on personal judgment and discretion rather than the promulgation of codes of rules. A wise person (*phronimos*)

will have the experience to determine in each case which features of a situation are morally important and act accordingly. At the same time, we would expect consistency in the moral choices and judgments made by such a person in identical situations.

Deontological and consequentialist theories also have strategies to meet this challenge of responding to particularity while maintaining consistency, and it would be odd for them to have survived so long if they could not. Various candidates have now been proposed for a standard theory of Buddhist ethics, and I think, far from asking the wrong questions, these studies have advanced and refined our understanding of the subject. Their success will be judged, among other things, by how well they can explain the anomalies and conflicts detected by particularists. I am optimistic that the conventional metatheories will be up to the task, as suggested by the virtue-ethics reading offered in the case of Siri Sanga Bo earlier.

W. D. Ross and particularism

Of course, particularism itself is a theory, and perhaps inside every particularist there is a disappointed theorist who simply gave up the search for the “god particle” too soon. Particularism draws heavily on the ethical theory developed by W. D. Ross. Ross developed a list of seven “prima facie” duties that he thought summed up comprehensively, but not exhaustively, our main moral duties. He called them “prima facie” because at any given time a conflict could arise between them, for example the duty of fidelity could come into conflict with the duty of justice. An example of this would be when keeping a promise to A would result in B being treated unfairly. In such a case one of the duties would have to give way to the other (in Ross’s terminology the *prima facie* duty gives way to the *absolute obligation*). Because of this feature of ceding priority,

Hallisey apparently understands Ross's theory as an example of particularism and as supporting the situationalism he sees in Buddhist sources. When discussing the *Maṅgalasutta*, for example, Hallisey states "The canonical text itself appears to be a list of thirty-eight *prima facie* duties, in Ross's sense" ("Ethical" 39).

However, the extensive and rambling list of good things in the *Maṅgalasutta* is not much like Ross's concise and integrated concept of moral duties, and I am not sure Ross makes a very good ally for the Buddhist particularist. Ross would not accept a particularism in terms of which any *theory* or none can be applied according to context. On the contrary, he believes that *his* theory is the one best equipped to resolve conflicts among moral principles. As noted, Ross's particularist methodology claims to resolve such conflict by identifying the absolute obligation—an obligation already embedded in the situation if not as yet clearly discerned—by sifting through the list of *prima facie* duties as a preliminary to identifying which should take precedence. Situations thus only appear as what Hallisey calls "discursive sites" until the absolute obligation has been determined. There is thus reason to question Hallisey's suggestion that "Ross's account of *prima facie* duties . . . eschews any attempt to discover any consistency in the things we take to matter morally" ("Ethical" 4). In fact Ross's ethical theory offers considerable consistency in its methodology since all situations would be evaluated by reference to the same seven *prima facie* duties, and in similar situations similar outcomes would be predictable. Ironically, by adopting Ross as an ally, the particularist is doing precisely what he accuses metatheorists of doing, namely attempting to explain the diversity in Buddhist ethics by recourse to a single (Western) ethical theory.

The Just War in Sri Lanka

As mentioned, particularism and the theories of W. D. Ross provide the theoretical underpinning of Bartholomeusz's approach to the study of just war thinking in Sri Lanka. The "complicated readings" she promises through this strategy turn out to be basically an acceptance that Buddhist ethics involves random and inconsistent choices among conflicting moral principles. Thus Buddhists are forced to make a "complex rhetorical maneuver . . . to justify war, despite the assumption that war is morally problematic" (109).

The moral problem that war presents for Buddhism is real enough, but assuming for the moment that Buddhist ethics is particularist, how successful is particularism's analysis of the dilemma between pacifism and the use of lethal force? Not very, I would suggest. It seems to offer no resolution, but simply restates the problem and tells us that sometimes Buddhists feel war is justified and at other times not, leaving an unreconciled moral dualism. The closest particularism comes to an explanation is to say that it all depends on "context", as when Bartholomeusz writes "Buddhists frame their discussions with a type of ethical particularism that can condemn or condone war, depending on the context" (162). But what is it about the context that should lead Buddhists in one case to condemn and in another to condone? To this vital question there is no convincing answer. It seems that individuals can select whatever features of the context they like and declare those to be the determining ones. If so, particularism simply throws up its hands and declares the justification for war to be arbitrary.

On one occasion Bartholomeusz makes use of the theory of *prima facie* duties to provide a theoretical explanation for the views of informants. When certain head monks report their view that war is only justified when the future of the country and religion are at stake, Bartholomeusz interprets this as "an argument for Buddhist *prima facie* duties

in contrast to ultimate obligations” (150). In other words, the head monks have deemed *ahiṃsā* to be a prima facie obligation that is trumped by the ultimate obligation to defend the dharma. But this opinion (which, interestingly, is diametrically opposed to that of Siri Sanga Bo) seems not to be based on any rational grounds, and no criteria are given to determine what makes this, or any other, obligation “ultimate.” I think someone like the Buddha might well take a different view, and say that the ultimate obligation is *not to take life*, as opposed to defending the dharma. But in the absence of an enlightened teacher, it is hard to see how a disagreement of this kind over principles is to be resolved, and who is to decide at what point a prima facie obligation is overridden. Apparently some kind of “weighing” takes place, but it is unclear what precisely is being weighed and how the weight of each component of the justification is calibrated. In fact it is impossible to carry out an objective calculation in the way imagined, for it is impossible for an alternative such as “the disappearance of the dharma” to be weighted objectively against “the loss of x number of lives.” There is no common denominator to which the two options can be reduced. Thus although a Buddhist particularist may come to a decision that one option is preferable, as in the case of the head monks just mentioned, this is not the result of an objective calculation but the expression of a covert preference established before any weighing is attempted. In the last analysis, the theory of prima facie duties that particularists rely on cannot give any clear criteria to determine when a duty can be overridden, and amounts to little more than general advice to consider a checklist of common duties before coming to the decision to do whatever one feels intuitively to be “the right thing.” In the final analysis, then, Buddhist particularism reduces ethical dilemmas to existential choices for which no rational justification can, or need, be offered.

Conclusion

It appears that particularism is mistaken in claiming to find evidence of multiple conflicting “theories” in Buddhist textual sources when the conflicts are really between moral goods and principles. If such conflicts can be resolved within the framework of a single theory, as I have suggested, it undermines the particularist claim that since Buddhist stories reveal diverse and contradictory moral opinions there cannot be a successful metatheory of Buddhist ethics.

Sharing the postmodernist skepticism towards grand narratives, particularism discounts prematurely the possibility of a comprehensive theory of Buddhist ethics. Instead, it regards moral decision-making in Buddhism as a kind of lottery in which moral choices turn solely on the subjective perspective of their agents. If this is true, it is a worrying conclusion, as it would mean that given the absence of a unifying foundation the Buddhist moral life is capricious, inconsistent and at times self-contradictory. The life of a Buddhist moral particularist would be random, like that of the protagonist in Luke Rhinehart’s novel *The Dice Man*. Like a court that failed to follow its own precedents, such an individual would be unpredictable and lack integrity. However, this is not what we see in the behavior of the Buddha, as paradigmatic moral agent, and would be odd in a system of thought like Buddhism that prides itself on the rationality and coherence of its teachings and sees its moral precepts as grounded in the eternal moral law of Dharma. As a candidate to explain Buddhist ethics, therefore, particularism seems unpromising, despite its value in flagging the importance of stories as an often overlooked source of moral data.

We considered how successful Buddhist particularism might be in practice with reference to the ethical dilemma posed by war. Ross’s theory of prima facie duties at least brings a modicum of order into an otherwise chaotic picture, and offers a way of straddling the gulf between

the strict pacifism of the early sources and the frequent use of violence in historical contexts. In essence the theory states we have *prima facie* duties such as *ahiṃsā* which can be overridden in certain extreme circumstances, such as the need to defend the dharma. However, it does not explain *why* it is thought justifiable to kill in order to protect the dharma (particularly since it is believed that the dharma will inevitably decline and disappear) or give much guidance on the circumstances in which the *prima facie* duty of non-violence can be overridden. In the end this gulf is insurmountable, and the theory offers no convincing explanation of how a rational choice between conflicting principles can be made.

As noted, particularism itself is not a “no theory” view, and itself draws on a single Western theory—W. D. Ross’s *Principlism*—for a comprehensive explanation of Buddhist ethics. Like any theory, principlism has its strengths and weaknesses: it has enjoyed considerable success as the foundation of the influential “Four Principles” approach to medical ethics (Beauchamp and Childress), but is vulnerable criticism on the question of how the prioritizing of principles is to be justified.

The failure of particularism to offer a rational solution to the moral problems posed by war, however, does not mean we should give up hope of developing a more satisfactory theory that will explain in what circumstances the use of force is justified. The Western theory of “just war” was developed precisely to deal address this issue. Furthermore, it needs to be appreciated that even when there is unanimity at a theoretical level, Buddhists may disagree over what to do in particular situations, for example as regards timing and military strategy. Such disagreement over practical matters, however, need not imply a commitment to contradictory theoretical positions.

In the final analysis, Buddhist ethics is a bit like a mosaic. Particularists want to study each piece of the mosaic independently whereas

meta-theorists believe that until you see the big picture the individual pieces do not make much sense. Of course, the individual pieces such as texts and stories are important in themselves, but I suggest that they cannot be regarded in isolation as theories, and their true significance can only be appreciated when they are seen in the context of the overall composition. If we can draw a parallel with ancient Greece, epic stories like the Iliad and the Odyssey, along with numerous legends, myths and fables, provided abundant material for reflection on ethics. Rather than regarding these episodes as random and isolated, however, Greek philosophers believed they could determine patterns in these stories, and drew on them to compose general theories of the good life that they believed gave comprehensive and consistent guidance on moral conduct. Those students of Buddhist ethics who are not particularists are now grappling with the same task. Which of the available meta-theories will provide the best “standard theory” of Buddhist ethics remains to be seen. We may not be quite as close as our colleagues in nuclear physics to finding the elusive “god particle” but we should not give up the search just yet.

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