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Founding Human Rights within Buddhism: Exploring Buddha-Nature as an Ethical Foundation

Anton Luis Sevilla*

Abstract

In this article, I hope to suggest (1) a fertile ground for human rights and social ethics within Japanese intellectual history and (2) a possible angle for connecting Dōgen's ethical views with his views on private religious practice. I begin with a review of the attempts to found the notion of rights within Buddhism. I focus on two well-argued attempts: Damien Keown's foundation of rights on the Four Noble Truths and individual soteriology and Jay Garfield's foundation of rights on the compassionate drive to liberate others. I then fuse these two approaches in a single concept: Buddha-nature. I analyze Dōgen's own view on the practice-realization of Buddha-nature, and the equation of Buddha-nature with being, time, emptiness, and impermanence. I end with tentative suggestions concerning how Dōgen's particular view on Buddha-nature might affect any social ethics or view of rights that is founded on it.

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Introduction

In a religion that preaches the nothingness of things and the absence of self, is there any ground for an active social advocacy for human rights?

This question arises in response to a thought-provoking piece written by Professor Kim Bongjin (University of Kitakyushu) entitled “Reception and Change of the Idea of ‘Right(s)’ in Nishi Amane: Comparison with Yu Kilchun,” which was presented in the Philippines on March 2009 at a conference held by the Ateneo Center for Asian Studies. In his essay, Kim illustrated the changes a particular notion undergoes as it is transplanted from one culture to another. In particular, he showed how the Western notion of human rights was appropriated and hybridized differently in Japan and Korea. He showed that despite the fact that the notion of human rights was appropriated through Confucianism in both countries, different prevailing understandings of Confucianism and the central concept of *principle* (*J. ri*, 理) resulted in different hybridized notions of rights; in the Japanese context, the notion of rights lost its characteristics of universality and equality.

This journey into the history of ideas lead to an inescapable ethical concern: Japan is a major player in world politics, and itself has been deeply embroiled in issues of war and human rights. Given limitations in the Japanese Confucian grounding of human rights, might there be another culturally relevant avenue wherein we might properly found the notion of human rights within Japanese intellectual history?

In response to this question, I turn to my own field of study, Buddhism. How might rights be justified and founded within Buddhist philosophy in general? Specifically in the case of Japanese Zen Buddhism, whose social ethics has recently come into intense scrutiny (due to Zen complicity in the Pacific War), might there be a central concept that can solidly ground the notion of human rights?

In this paper, I will begin with a review of attempts for founding the notion of rights within Buddhism. I will focus on two Buddhist notions—the Four Noble Truths and compassion—and show how these can serve as a foundation for human rights. I shall proceed to examine the possibility of using the notion of Buddha-nature to fuse together the two aforementioned bases for human rights. Finally, I shall explore Dōgen’s view of Buddhist spiritual practice and Buddha-nature to see how human rights might find a solid ground within a key Japanese Buddhist concept, and what Zen Buddhism might have to contribute to the discourse on human rights.

The Foundation and Justification of Human Rights

One of the key points of Kim Bongjin’s presentation is that Japanese thought (especially that of Nishi Amane) is not deeply grounded in the Confucian notion of principle (理). Briefly, the Confucian notion of principle is a notion that nature (or heaven) operates through certain principles—a rhythm, reason, or logic that guides and orders existence. This natural principle bestows upon each creature a specific nature; in the case of humans, it bestows a human-nature that is present equally in all human beings (See Fung 302). Hence, the idea of human nature can serve as the basis for a notion of natural rights (J. *kenri*, 權理). However, Kim’s central point was that without a deep grounding in this idea of principle, the notion of natural rights tends to degenerate into a notion of “power/property is rights” (J. *kenri*, 權利) as seen in the political philosophy of Nishi. By “power/property is rights” he is referring to the view of rights as things that are owed to people who have power and property such as the obligations of a fief to his landlord and of the masses to the ruling class, but not vice-versa.

Clearly, this is a matter of ethical concern. Universal rights have a clear importance in preventing the ossification of unfair power structures that marginalize certain groups. But without a notion of natural

principle, how can we have a notion of universal rights? In this section I turn to Buddhism, a religion that flourished in Japan, often symbiotically with Confucianism. How might it be possible to ground human rights in Buddhism?

First we must note that most assertions of human rights are not given sufficient justification. In the analysis by Damien Keown we see that human rights are often asserted without justification, and if ever they are justified, it is merely in passing reference to an unspecified notion of human dignity (65-66). But can Buddhism have a basis for human dignity? Keown writes: “The very words ‘human dignity’ sound as alien in a Buddhist context as talk of rights. One looks in vain to the four noble truths for any explicit reference to human dignity, and doctrines such as no-self and impermanence may even be thought to undermine it” (66). While he notes that theistic religions can employ their notions of god and the creation of human beings in the image and likeness of god, Buddhism would be hard-pressed to do the same despite the presence of concepts similar to the notion of god (namely *nirvāṇa*, *śūnyatā*, and *Dharmakāya*) due to sectarian differences concerning the understanding of these concepts and the fact that no Buddhist school believes humans are created by gods or any analogous entities (66-67).

Another attempt to ground human rights and ethics as a whole has been through the notion of inter-dependent arising (Skt. *pratītya-samutpāda*). Keown raises the example of Kenneth Inada, who argues that since all beings including human beings arise in relation with each other, and we are all ontically dependent on each other, then we should look out for one another and secure each other’s rights (67-68). But Keown sharply criticizes this, saying:

The derivation of human rights from the doctrine of dependent origination is a conjuring trick. From the premise that we live in “a mutually constituted existential realm”

(we all live together) it has “thereby become a fact” that there will be “mutual respect of fellow beings.” In the twinkling of an eye, values have appeared like rabbits out of a hat. However, the fact that human beings live in relationship with one another is not a moral argument about *how they ought to behave*. By itself it offers no reason why a person should not routinely abuse the rights of others. (69)

The attempt to ground not merely rights but ethics as a whole on interdependent arising is a pit that many Buddhist ethicists have fallen into. Christopher Ives, in “Deploying the Dharma: Reflections on the Methodology of Constructive Buddhist Ethics,” criticizes several writers--David Loy, Martine Bachelor, Stephen Batchelor, and Robert Aitken:

When writers adopt “interdependence” as the English rendering of *pratītya-samutpāda* or interpret this Sanskrit term and the closely related doctrine of emptiness [in certain ways] . . . , they step onto a slippery rhetorical slope, and, by extension, run the risk of succumbing to sloppy argumentation. . . . To claim that our flourishing is dependent on everything else, or that everything nurtures us, is to move onto shaky ground. Though a Ukrainian baby does have a relationship with the Chernobyl reactor, and lingering radioactivity may affect her, one can hardly argue in any intelligible sense that she “arises in dependence upon” the failed reactor, or that once born she is “supported” and “nurtured” by the dangerous iodine and strontium isotopes released by the 1986 accident, or that her well-being is “dependent on” these forms of radioactive poison. Her well-being is actually dependent on limiting her physical relationship with radioactivity, on being

independent of it. Hence the reactor gets encased in concrete. (24-25)

The fact that the Chernobyl reactor greatly shapes the existence of its victims does not take away the fact that Chernobyl is a hazard to them. In the same way, a child is no less interrelated with a violent and abusive father than it is with an affectionate mother, and citizens are no less interrelated with a vicious and genocidal tyrant than they are with a spiritual beacon like the Dalai Lama. A metaphysical notion like interdependent arising which dictates how things *are* cannot be the basis for ethics and how things *ought to be*.

Two possible doctrinal foundations

If human rights cannot be grounded within a Buddhist framework on a notion of human dignity or on the concept of inter-dependent arising, then where can they be founded? In my research, there appear to be two promising grounds, each with their own limitations, and each needing to be reconciled with each other.

The first is that of Keown, who suggests that the four noble truths, which are considered basic and foundational in every school of Buddhism, can be seen as the ground of human rights, and perhaps ethics as a whole:

What I will suggest in general is that the source of human dignity should be sought not in the analysis of the human condition provided by the first and second noble truths but in the evaluation of human good provided by the third and fourth. Human rights cannot be derived from any factual non-evaluative analysis of human nature, whether in terms of its psycho-physical constitution (the five “aggregates” which lack a self), its biological nature (needs, urges, drives), or the deep structure of interdependency.

Instead, the most promising approach will be one which locates human rights and dignity within a comprehensive account of human goodness, and which sees basic rights and freedoms as integrally related to human flourishing and self-realization. (70)

In the Four Noble Truths (see SN 56.11), the noble truth of suffering and the noble truth of the origin of suffering speak of the present condition of the human being, namely that we are mired in suffering and that our suffering arises from our attachment in a world filled with mutable and ungraspable things. These truths are essential but not sufficient to command any ethical movement. It is the third and fourth noble truths, the noble truth of the cessation of suffering and the way leading to the cessation of suffering, that paint a picture of how human life *ought* to be and point out the way that takes us from where we are to where we ought to be. It is within the latter two truths—those concerning human emancipation and our capacity to walk the path of emancipation—that Keown situates the dignity of the human person and the value of rights.

What role then do human rights play within our soteriological path? According to Keown, the aim of the rights and freedoms (such as those in the Declaration of Universal Human Rights) is to lay the minimum groundwork for human beings to live fulfilled lives wherein they are able to pursue their spiritual ends (71). For instance, Keown points out that if deprived of the freedom of religion, a person would have immense difficulty in getting the aid of a community for guidance toward his or her emancipation. Furthermore, if a person were deprived of the right of life, his or her continued walking along the path would be abruptly brought to a halt. In other words, having rights can protect and benefit one's spiritual life.

But is it so simple a matter as saying that all recognized human rights aid human beings in their respective spiritual paths? Perhaps this

assertion can be bolstered and deepened by the argument of Ives. It is important to note that Ives advocates a grounding for social ethics as a whole similar to that of Keown:

I would argue that more than the metaphysical, epistemological, or preceptive dimensions, the soteriological dimension can provide the needed criterion as well as a framework for rigorous Buddhist social and environmental ethics. On the heuristic assumption that suffering is the core and proper focus of Buddhism, we can fruitfully employ the Four Noble Truths and give them a social reading by (1) delineating the exact contours of suffering in its various forms; (2) engaging in rigorous analysis of the various causes of suffering and of how different forms of suffering cause or affect each other; (3) articulating the cessation of suffering in terms of the optimal conditions in which certain problems and the accompanying suffering are reduced if not eliminated; and (4) formulating and pursuing praxis aimed at helping those who suffer by working to eradicate the causes of suffering and securing that optimal state of affairs. (33-34)

Ives advocates a reflective yet engaged approach to the suffering that we face both individually and socially, to how it is caused, to what it might mean for it to be alleviated, and to the concrete tasks through which this can be accomplished. Ives offers an important clarification to Keown by saying that one cannot be naïve about rights as automatically providing the minimum for human soteriological life. Rights are only valid if they are *effective* responses to *actual* human suffering. For instance, many rights are presently contested—gay and lesbian rights for same sex marriage, women’s rights to abort their fetuses, and so on. Given this fact, one must ask: How does the presence or absence of these rights actually

address the suffering of the people involved? How does the presence or absence of these rights affect the suffering of their surrounding community and the world community as a whole?

So far we have seen through Keown that rights can be seen within Buddhism as a minimum groundwork for the possibility of fulfilling the movement of the soteriological path shown by the Four Noble Truths. But we have also seen through Ives that as rights must adequately respond to individual and collective suffering and its sources, the evaluation and upholding of rights is a complex task that requires constant and critical evaluation.

Let us try to look deeper into the role of rights in the soteriological path. A question emerges when Keown tries to legitimize rights within Buddhism by connecting it with the precepts. Keown writes, "If religions have a legitimate stake in human rights, we might expect to find many of the rights and liberties spelled out in human rights charters present in either an express or implied form in their moral teachings" (72). Keown uses the five precepts as an example. The five precepts are expressed as undertakings or duties (to abstain from killing, to abstain from stealing...) and Keown claims that every duty has a correlative in rights. Therefore, the precept "to abstain from killing" is a duty which has a correlative right, the right to life. The correlative right is the duty seen from the point of view of the person to whom this duty is due.

While I have no doubts that having one's right to life safeguarded may greatly improve one's capacity to find fulfillment in life, I wonder if the precepts were originally intended merely to be of soteriological value to the person to whom the duty is owed, or if they were originally intended primarily to aid the very person who bears the duty. In the case of the duty against killing and the right to life, perhaps the person who is prevented from killing is the one who is primarily aided upon the path by this very duty, instead of merely the person who is spared.

Considering this, how else might one relate the precepts (which Keown uses as a justification for rights) and the Four Noble Truths (which Keown uses as the ground for rights)? If we turn to the writings of Buddhist teacher S. N. Goenka, we see that he situates the precepts as the minimum requirements for right conduct, which is one of the eight elements of the Noble Eightfold Path, which in turn is enshrined within the fourth noble truth, the way to the cessation of suffering (99-100). For Goenka, impure acts such as killing, stealing, sexual misconduct, and so on, are problematic not merely because they harm other people but because they express, reinforce, and propagate the very lust, hatred, and delusion that keep us within the cycle of suffering (98). He writes, “*Shila* [moral conduct], then, is necessary not only for the good of society but for the good of each of its members, and not only for the worldly good of a person but also for his progress on the path of Dharma” (98).

What we see here is that for one’s spiritual path it is essential not only to *have* rights, but to *respect* another’s rights. For instance, by respecting the right to life of a person with whom I am in enmity, I restrain myself from the act of murder that would reinforce and propagate my own hatred and self-attachment. Furthermore, by respecting the right to personal property of another person, I restrain myself from the impure act of stealing that would reinforce my own materialism and covetousness. Rights can be seen as institutional means for upholding certain general forms of right conduct.

As such, from an institutional viewpoint that values the total welfare of each human being, it is necessary to properly evaluate, promulgate, and uphold rights. However, the question remains: while having and respecting rights is good for my own sake, why must I respect another’s rights for his or her sake? From an individual point of view, why ought I be concerned with the spiritual fate of my fellow human being?

The answer is that aside from the Four Noble Truths, there is another possible foundation for the notion of human rights: compassion. According to Jay Garfield, I ought to be concerned with the spiritual fate of my fellow human being precisely because of compassion. For Garfield, compassion is fundamental to Buddhist practice, and human rights exist as institutional manifestations of compassion in a globalized age. He writes, “To extend it [compassion] far enough to ensure necessary social goods, we need a mechanism, a human convention. Conferring rights is simply the best mechanism we have devised to this end” (200). Rights allow us to extend compassion beyond our friends and loved ones, beyond our own communities, to the realm of all persons in whose plight we can find sympathy and in whose struggle we can partake. Garfield continues:

But having extended the sentiment of compassion, we must then ask how to turn that sentiment into tangible goods for those to whom it is directed, as well as how to ensure that those goods are available even when imagination and instinctive human goodness fail, as they all too often do. And that is where rights come in. By extending either a basic set of general human rights to our fellow persons, or more particular rights of citizenship to those who share our vision of civic life and who participate with us in its institutions, we grant enforceable claims to the goods of life and against oppression. These provide the tools with which each individual can protect him or herself and achieve his or her own flourishing. These tools will be available even when our compassion or those of others fails and can even be used as rhetorical vehicles to reawaken that compassion. (201)

Rights serve to articulate, systematize and concretize human compassion into institutional acts of goodness. Therefore, we have two separate foundations for the notion of human rights within Buddhism. First, having and respecting rights is important for one's own spiritual welfare. Second, rights are a means for extending one's compassion to others.

It is not merely human rights that have this dual foundation, but the entirety of Buddhist practice as well. In *The Nature of Buddhist Ethics*, Keown deeply explores a parallel problem by examining the relationship between wisdom and compassionate ethical practice. Throughout the book, he argues that compassion and ethics are not subordinate to wisdom but are distinct from it; wisdom and compassionate ethics *together* form the two pillars of the Buddhist *summum bonum*, *nirvāṇa*. In other words, both self-liberating practice and other-liberating practice are indispensable to Buddhist life.

Given the dual foundation of both human rights within Buddhism and Buddhist practice as a whole, one might ask: What relationship might there be between the two foundations, self-liberation and compassion? Is there a concept that can fuse these two foundations together and form a contiguous foundation for human rights?

Buddha-Nature, Practice, and Compassion

I argue that the unity of self-liberation and the liberation of others is encapsulated within the Buddhist notion of Buddha-nature (Skt. *buddhatā*, J. *bushō*, 仏性), and a further analysis of the notion of Buddha-nature especially within the teachings of Zen Master Dōgen (道元禪師 *Dōgen Zenji*, 1200-1253) can be helpful in seeing what might be said about ethics, particularly social ethics manifested as institutional human rights. Let us begin with a brief exploration of the general Mahāyāna Buddhist understanding of Buddha-nature with the aid of Abe Masao, an important Zen philosopher of religion.

The Busshō fascicle of Dōgen's Shōbōgenzō begins with the following line:

Shakyamuni Buddha said, "All sentient beings without exception have the Buddha-nature. Tathagata abides forever without change." (Dōgen Busshō 60)

According to Abe (Dōgen 35) this quotation from the 27th chapter of the *Nirvāṇa Sūtra* expresses the fundamental standpoint of Mahāyāna Buddhism. Looking at the first sentence, we read: "All sentient beings without exception have the Buddha-nature." Sentient beings (Skt. *sattva*, J. *shujō*, 衆生) are all the living beings that transmigrate through the cycle of *samsāra* (36). Existentially, sentient beings are all those who are thrust amidst the vicissitudes of life, who suffer as they try to find a handhold amidst the uncontrollable, self-less impermanence of reality. Buddha-nature refers to our Buddhahood, a nature or capacity bestowed upon beings that allows them to awaken, be enlightened, and thus become Buddhas (36). In other words, Buddha-nature is our capacity to free ourselves from the suffering that torments us, to find peace beyond chasing after impermanent realities.

Considering the notion of Buddha-nature together with the Four Noble Truths, one might communicate the ethical imperative of Buddhism as such: We ought to free ourselves from attachment, and in so doing realize our Buddha-nature and free ourselves from the anguish of our existence. But what then is the importance of saying that every single being possesses Buddha-nature?

Our capacity for emancipation from the suffering of *samsara* is something that all sentient beings have in common (Abe Dōgen 36). Despite the fact that each person struggles uniquely, beset with particular tragedies and bound by a particular history, the notion of Buddha-nature points to a single capacity, a single key, that allows us to be free from the

torments that beset us. This single key to emancipation, Buddha-nature, hence points to a common struggle that all sentient beings experience in their own way. Abe refers to this struggle as the dimension of generation-extinction (Skt. *utpādanirodha*, J. *shōmetsusē*, 生滅性) (36).

Therefore, it is clear that the doctrine of Buddha-nature traditionally carries a sense of solidarity. One way of grounding the notion of “great wisdom is great compassion” is this: As I struggle with my own deepest torments, not merely the torments particularized by my own desires and frustrations but the torment that lies at the root of my own existence, I cannot help but find that the more deeply I go into this intensely personal experience of anguish, the more universal it becomes. More and more I see that my innermost struggle is one that I share with other people. And because it is so, the suffering of others can awaken my awareness of my own suffering, just as my own suffering can heighten my awareness of the suffering of others.

And also, I find that with each victory I have over the darkness within me, as I root out the ground of my self-torment and I release myself from this inauthenticity, the more I am capable of finding resolution for the suffering of my fellow human beings. Each triumph over my own delusion allows me to be the light that guides my fellow humans in their dispelling of their own darkness. These realizations may serve to shed light on what Abe means when he says, “The Buddhist position indicates that if one attains enlightenment by freeing oneself from generation-extinction, all sentient beings simultaneously and in like manner are enlightened by being liberated from generation-extinction” (Abe Dōgen 40). As one gains an insight into one’s own original nature and frees oneself from delusion, one gains an insight into the original nature and struggle of all other sentient beings as well, and hence becomes a beacon manifesting the emancipation of all.

Hence, to say that each sentient being has the Buddha-nature brings an inescapable sense of solidarity to the ethical task of Mahāyāna Buddhism. “One ought to realize one’s Buddha-nature” becomes “We ought to realize our own Buddha-nature, a nature we share with each and every sentient being as we suffer the impermanence of reality in our own ways.” Just as our clarification of our suffering is contingent on our awareness of the suffering of others, and learning to release ourselves from suffering is learned from and with others, the ethical demand to realize Buddha-nature is something we do with and for the community of sentient beings as a whole.

In the core Mahāyāna idea of Buddha-nature, we find a concept that brings together both practice for one’s own enlightenment and compassionate striving for the enlightenment of others. As the capacity for attaining Buddhahood, Buddha-nature bridges the first two noble truths (the noble truth of suffering and the noble truth of the origin of suffering) which detail the existential condition of human beings, to the second pair of noble truths (the noble truth of the cessation of suffering and the noble truth of the way to cessation) which detail the ethical imperative to emancipation. Therefore, Buddha-nature encapsulates one’s own spiritual practice as a whole. But also, Buddha-nature is not something one possesses alone; instead, it is something that is possessed by all sentient beings. This means that aside from speaking of one’s own spiritual practice, the notion of Buddha-nature speaks of one’s solidarity with others on the way to emancipation.

Previously, it was shown that for Keown, inter-dependent arising cannot be seen as a ground for ethics. However, we see here that it is possible to have inter-dependent arising play a key role in ethics, provided that interrelation is seen not on the level of ontology but on the level of soteriology. We are interrelated not merely in what we are, but in our struggle to become what we ought to be, that is enlightened and

free—it is the latter notion wherein inter-dependent arising can have a socio-ethical value. In a sense this “soteriological interrelation” weaves the very point Keown himself makes with the conceptual framework of inter-dependent arising that he criticizes.

For instance, a tyrant is always ontologically interrelated with the very political prisoner he keeps in forced silence. They both reciprocally define each other, and shape what each strives for and avoids. But the ethical demand comes not from the ontological interrelation but from the soteriological interrelation: Perhaps the prisoner is struggling for freedom or for the rights and liberties of his people. But is the tyrant able to recognize that his false security stands only so long as he covers over the reality of the suffering he propagates, that what the prisoner strives for is something that he should value as well? This is interdependence seen on the level of our struggle for emancipation, the very demand contained within the solidarity of beings striving to realize their Buddha-nature.

In the previous section, we have seen the role that Buddha-nature plays in unifying both self-liberation and compassion toward others. As such, I argue that Buddha-nature is a fitting ground of the foundation of human rights within Mahāyāna Buddhism. This is an idea that Keown himself alludes to in his search for a foundation of rights, where he affirmatively quotes L. P. N. Perera as saying “Buddhahood itself is within the reach of all human beings . . . and if all could attain Buddhahood what greater equality in dignity and rights can there be?” (70). The capacity to attain Buddhahood, that is, Buddha-nature, is seen here as a ground for dignity and rights.

Because we possess Buddha-nature, we have the capacity and demand to realize it as well. In so doing, human rights are necessary, as Keown asserts, in order to secure the basic milieu for pursuing one’s spiritual well-being. Also, respecting the human rights of others is neces-

sary, for many times my transgression upon the rights of others is a manifestation and perpetuation of my own attachment that keeps me from realizing my own Buddha-nature. But at the same time, Buddha-nature is something I share with others, and part of my realizing my own Buddha-nature is taking part in how others realize their Buddha-nature, which, as Garfield argues, demands that I respect their rights as well as help them recognize my rights and the rights of others as well.

However, schools have different notions of Buddha-nature. In the following section, I wish to describe in detail Dōgen's view of Buddha-nature in order to give a more rigorous treatment of the notion of Buddha-nature than I did previously. Also, because the idea of Buddha-nature alone is insufficient to create a framework for social ethics, much less a clear structure for responding to contemporary human rights, I wish to tentatively explore how Dōgen's approach to Buddha-nature might shape a view of social ethics that is founded on the drive to realize Buddha-nature and how it might affect the discourse on human rights.

Dōgen and the Realization of Buddha-Nature

Zen Master Dōgen is a giant in Japanese intellectual history. Despite this, literature specifically relating Dōgen's thought to ethics is scant and the link between Dōgen's ethics and the rest of his soteriological path is in need of further clarification.

Reviewing the English literature on ethical themes in Dōgen, we find that most writers such as Douglas Fox, Hee-Jin Kim, and Douglas Mikkelsen draw on the "*Shoakumakusa*" fascicle of the *Shōbōgenzō* to show that Dōgen is a creative ethicist who values morality without subordinating experience or expression to moral valuation. Daniel Zelinski draws on the "*Bodaisatta shishōhō*" fascicle to show how the four Bodhisattva virtues Dōgen lists—giving, loving words, beneficial action, and identification with other beings—demonstrate a compassionate ethics

within Dōgen's Zen Buddhism. Recently, in 2005 and 2006, Douglas Mikelson drew from various fascicles of the *Shōbōgenzō* and the *Shōbōgenzō Zuimonki* in order to articulate the moral virtues present within Dōgen's direct teachings to his disciples.

In light of the discussion on the foundation of human rights in the previous sections and Dōgen's place in the world of Zen Buddhism, the following discussion of Dogen's own insight into the notion of Buddha-nature shall serve a twofold purpose. First, while it was shown above that the general Mahāyāna notion of Buddha-nature can be seen as containing both the notion of self-liberation and compassion, my discussion was grounded merely on a general view presented by Abe and a short fragment of a Mahāyāna sūtra. The following discussion will serve to rigorously elaborate and expound on the notion as it is grounded within Dōgen's teaching and texts. Second, by exploring possibilities for social ethics within what is an initially religious notion, the following discussion will also suggest a possible direction within Dōgen scholarship by which the explicitly moral teachings and the private religious teachings of Dōgen might be connected.

Let us proceed with the notion of Buddha-nature. This idea forms a central part of the thought of Dōgen, playing a key role in his views on Buddhist soteriological practice, ontology, time, impermanence, and many others. Dōgen scholar Hee-Jin Kim notes:

While Dōgen used such traditional Buddhist terms as mind-only, Dharma-nature, thusness, and Buddha-nature synonymously throughout his works, he regarded Buddha-nature as particularly fitting and central—perhaps because the term retained more personal, affective, and existential connotations as compared to the impersonal, speculative, and transcendental connotations of the other terms. (165)

As a fundamentally personal and existentially relevant concept, a seed of hope so to speak, Buddha-nature plays a crucial role in a soteriologically grounded ethics. In this section, I will discuss the notion of Buddha-nature first by detailing what it means to realize Buddha-nature and tentatively exploring the meta-ethical implications of such on both social ethics and concrete ethical tools such as human rights. Then, I will explore in detail Dōgen's conception of Buddha-nature in the "Busshō" fascicle of the *Shōbōgenzō*. Finally, I will tentatively assess the general implications that Dōgen's specific approach to the notion of Buddha-nature might have for social ethics and human rights.

The practice-realization of Buddha-nature

What is the relationship of practice to the realization of Buddha-nature? Practice (J. 修行 *shugyō*) here refers to the all actions that we do as part of our struggle for liberation: meditating in *zazen*, reading sūtras, doing koan studies, observing the precepts, trying to aid other people on the path, even institutional forms of ethics from monastic codes to the Universal Declaration of Human Rights. Practice is often seen as a means toward a particular end, which in Buddhism is enlightenment or *nirvāṇa*. But does that mean that practice is only important in so far as it leads to Buddhahood? Existentially put, does that mean that practice arises from a dissatisfaction with and non-acceptance of one's present reality in striving toward Buddhahood in the future? Conversely, the Zen Buddhist exhortation to fully accept reality and one's present circumstance can result in the opposite viewpoint: If I am to accept myself fully and see Buddhahood within my own reality, does that mean that there is no need for striving and spiritual practice?

Referring to Abe Masao's essay entitled "The Oneness of Practice and Attainment: Implications for the Relation between Means and Ends," we find that, hagiographically speaking, this is the very paradox that be-

set the young Dōgen and drove him deep into his own spiritual journey. Abe quotes Dōgen, writing:

Both exoteric and esoteric Buddhism teach the primal Buddha-nature [or Dharma-nature] and the original self-awakening of all sentient beings. If this is the case, why have the Buddhas of all ages had to awaken the longing for and seek enlightenment by engaging in ascetic practice? (19)

If beings originally possess Buddha-nature, then why is practice necessary? Conversely, if practice is necessary, than can we even say that beings possess Buddha-nature at all? The dilemma therefore is this: how can we on one hand accept the human person and reality in his original Buddhahood but at the same time recognize the demand for spiritual practice in order to realize our Dharma-nature? Dōgen found his own answer to this question through his personal and concrete experience of enlightenment which he expressed as the doctrine of “The Oneness of Practice and Attainment” (J. *shushōittō*, 修証一等).

A detailed understanding of the doctrine of *shushōittō* can be found in Abe Masao’s article on “The Oneness of Practice and Attainment.” In summary, Abe says that *both* original enlightenment (Buddha-nature) and the spiritual practice toward attaining enlightenment are essential (26-30). However, these two elements are essential in different ways. Original enlightenment is essential as the basis/ground of practice and spiritual discipline. If we did not possess this Buddha-nature, this inalienable depth that is the ground of our oneness with all beings, it would not even be possible to practice; no attempt to “cast off body and mind” would be of any avail. Prior to any spiritual practice, in the fundamental openness of each being, there is already the possibility borne by this innate Buddhahood.

However, while original enlightenment is essential as the basis/ground, spiritual practice in all its forms is essential as the condition/occasion of enlightenment. While original enlightenment provides the initial impetus that makes the very spiritual quest possible and while Buddha-nature wells up from its infinite depth to support and ground each moment of one's spiritual struggle, it is only through committed practice that there is a space for the expression, the manifest realization, of this original nature.

Expressing this original insight in the Bendōwa fascicle, Dōgen writes:

In the Buddha Dharma, practice and realization are one and the same. As your present practice is practice within realization, your initial negotiation of the Way is in itself the whole of original realization. . . . As it is from the very first realization in practice, realization is endless. As it is the practice of realization, practice is beginningless. (19)

Practice as practice-within-realization exists not in order to attain something non-existent, but to express its very ground—realization—and realize this ground as ground. Realization as realization-in-practice is then not a single attainment but a constant arriving, an endless self-expression in the space-time of practice.

Here we see how Dōgen's idea of Buddha-nature truly pulls together both aspects of the Four Noble Truths as both a metaphysical notion concerning what we *are* and a soteriological notion on what we *ought to be*. On one hand, akin to the notion of human dignity, Buddha-nature calls us to accept and value the *present* reality of the human being as a manifestation of the goodness that is Buddha, despite how mired it might be in lust, hatred, and delusion. But on the other hand, accepting Buddha-nature demands a *dynamic* acceptance; Buddha-nature demands

its own realization through practice as the condition of its self-manifestation and actional-self-understanding, in our constant struggle to disentangle ourselves from lust, hatred, and delusion, and the suffering we are mired in.

However, it is important to note that the place of practice (from the private practice of zazen to acts of compassion and social ethics) is completely redefined in this schema of the practice-realization of Buddha-nature. No longer is practice seen merely as a means to attaining previously non-existent ends for humanity. Instead, practice is the very condition that manifests and expresses our Buddha-nature and our fundamental human goodness. That means that social ethics does not merely try to make things good for human beings. Instead, authentic social ethics witnesses to the very goodness of humankind. Each moment of sincerely attempting to evaluate, recognize, promulgate, and uphold human rights is proof of our very Buddhahood and an experience of our fundamental goodness in the here and now. This gives all forms of individual and social ethics not merely ethical value but religious and existential value as ends in themselves, and in so doing reasserts the value of ethics within one's religious and existential life.

What we have accomplished here is a brief schema of religious attestation and ethical practice, as unified by the notion of the practice-realization of Buddha-nature. However, many questions remain. What does it mean to accept Buddha-nature as the basis of practice? What relationship might that have with my fellow human beings and the world I find around me? In following Buddha-nature and the path to its realization, what do I stand up for, and what do I move beyond? Perhaps these questions may be addressed and clarified by first asking: For Dōgen, what is Buddha-nature?

Buddha-nature and being, time, emptiness, and impermanence

Given an ethics founded on the demand to realize Buddha-nature from the very ground of Buddha-nature itself, a demand that shapes as well as takes form from our spiritual and ethical practice, we are tasked now with articulating the contours of the notion of Buddha-nature in order to clarify the foundations of such a Zen Buddhist ethics. In order to do so, we will examine the particularities of Dōgen's understanding of Buddha-nature, as presented in the Busshō fascicle. We will focus on four main divisions of this fascicle: (1) Buddha-nature as being; (2) Buddha-nature as time; (3) Buddha-nature as emptiness; and (4) Buddha-nature as impermanence. At the end, we will try to draw out the implications of each for social ethics as a whole and for human rights in particular.

Buddha-nature as being

In the first section of the Busshō fascicle, Dōgen completely revises the traditional understanding of "All sentient beings without exception have the Buddha-nature." In order to reflect his own personal realization into the truth of Zen, Dōgen interprets this quotation to mean, "Entire being is the Buddha nature" (61). There are two key elements to this transformation. The first is the expansion from "all sentient beings" to "entire being." The second is replacing the idea of having or possession with "is" or being.

In the previous section of this essay, we saw how the notion of Buddha-nature as shared implies a sense of solidarity and shared struggle with all other sentient beings that bear the same Buddha-nature and the same struggle. This is what Abe terms as "deanthropocentrism," by which one goes beyond the standpoint of one's own experience of impermanence to the problem of birth-and-death shared with all human beings and further beyond to the dimension of generation-and-extinction common to all sentient beings (Dōgen 44). What Dōgen does, however, is to expand this deanthropocentrism even further to the prob-

lem of Being-and-nonbeing shared by all existents (entire being), even those not ordinarily considered as sentient. Dōgen writes:

As for “all sentient beings,” in the Buddha Way all things possessed of mind are called sentient beings . . . Things not possessed of mind are also sentient beings, because sentient beings are, as such, mind. Hence, all mind is sentient being, and sentient beings all are being Buddha-nature. Grass and tree, nation and state are mind. Because they are mind, they are sentient being. Because they are sentient being, they are being Buddha-nature. Sun, moon, stars, and planets are mind. Because they are mind, they are sentient being. Because they are sentient being, they are being Buddha-nature. (85)

From my own limited experience, I can confirm the inseparability of my own struggle with impermanence and the appearance and disappearance of all living and non-living phenomena. While for certain the death of a loved one or the death of a pet that I had cared for can clearly awaken the question of my own death, the same holds for other things as well. For instance, when a project fails, or a business closes down, am I not brought face to face with the not-self characteristic (Skt. *anātman*) of reality? When seasons change, when cherry blossoms fall, am I not brought face to face with the impermanence (Skt. *anitya*) of things?

It is clear that my own awareness and clarification of my own spiritual struggle is inseparable from my experiences of all changing phenomena, be they living or not. And just as they awaken my own innermost problem of self, as I resolve my own problem of self, I am able to find meaning in the changes of phenomena as well. What is unclear to me however is how this might apply to the notion of compassion. While the sense of solidarity in Buddha-nature is clear between me and my fellow human being, how am I to understand the struggle of penned lives-

tock? How am I to commiserate with the denuded forest and the melting ice-caps? For certain they preach the *dharma* of not-self, impermanence and suffering to me. But what can I preach for them?

It is unfortunate that I will have to leave problems such as these to other more ecologically minded thinkers. But for certain in Dōgen's understanding of Buddha-nature, we find an ethics that, in responding to its call, we find ourselves in solidarity with the entirety of changing phenomena. In my struggle to realize Buddha-nature, I share my struggle not only with my fellow human beings but with animals, plants, seasons, and all realities that find themselves amidst impermanence as well. Here, there is a clear opening for an ecological ethics. But as to how I might struggle *for* the animals, plants, nature as a whole, I leave for another study.

Beyond the expansion of the scope of sentient beings to entire being, another essential transformation is found in Dōgen's re-reading of the passage from the *Nirvāṇa Sūtra*, which is the transition from "having Buddha-nature" to "*being* Buddha-nature." The traditional idea of Buddha-nature as a *potentiality* that we *possess* postulates the being as separate from the Buddha-nature as the possessor is separate from the possessed. This leads to a duality between the Buddha-nature, which is inherently "good," and the being who possesses it and who without it would be reduced to an infinity of delusion and torment. The danger here is, of course, a conditional acceptance of each being—acceptance of the Buddha-nature within him, yet a rejection of the egotism, delusion and selfhood that cloud the jewel of his original enlightenment. Yet Dōgen overturns this view with his notion of "Entire being is the Buddha-nature." He elaborates further:

There is a certain group that thinks the Buddha-nature is like a seed from a grass or a plant. . . .

This supposition is bred from illusion in the unenlightened mind. . . . Seed and flower and fruit are each, individually, the unbarred [Buddha-] mind itself (64-65).

Hence, it is not that we possess a seed, Buddha-nature, that allows us to become Buddha. Rather, that which allows us to become Buddha, our Buddha-nature, is none other than ourselves in the entirety of our being. Every part of a person—from his or her quietude to his questioning, from his or her moments of tranquil to the times of unbearable suffering, enlightenment and illusion—all of this is Buddha-nature. Therefore, from the point of view of Dōgen’s thought, the reality of each being is subordinate to nothing. The present practice is not subordinate to a future realization. The possessor self is not subordinate to the possessed “good,” Buddha-nature. The self within is not subordinate to the Buddhahood without. There is only entire being; there is no Buddha-nature otherwise.

Considering this, the imperative to realize Buddha-nature acquires a different meaning. Instead of an imperative to realize a potentiality we possess or a potentiality that needs to be actualized in the future, we are called to realize a capacity toward self-authenticity that is testified to by the entirety of reality. Just as in the notion of True Self that Abe Masao discusses in his article, “Zen is not a Philosophy, but...,” True Selfhood is not separate from any facet of the self—the anguish of the ego, the courageous struggle of no-self, the play of light and darkness that characterizes our temporal relationship with truth (15-16). Hence in realizing Buddha-nature, we are called to attend not to a principle or fixed law, but to the actual reality of beings themselves. There is no blueprint to my Buddhahood—what it means for me to awaken to Buddhahood is articulated by the exigency of my own being.

As with our response to ourselves, in our solidarity with other beings and our compassionate participation in their emancipation, we are

called to respond not to abstract ideals or principles or to templates of enlightenment, but to the actual struggle that is embodied by their entire reality. While this sort of a demand may seem vacuous and empty, we recall the contentless infinite demand to the respond to the other in the teachings of Emmanuel Levinas. Perhaps it is only in the emptiness of the unconditional imperative to respond to the other without prior prescription of what this response might entail that we can make space for the true existential needs of our fellow human beings.

Buddha-nature as time

In the previous section, we understood the ethics of Zen as an imperative to realize the Buddha-nature that we ourselves are, in solidarity with entire being. In turning to the Buddha-nature we are, we find an exigency, a movement demanded by being itself, which naturally leads us to the problem of time. Introducing his next point in the Busshō fascicle, Dōgen writes:

Buddha said, “If you wish to know the Buddha-nature’s meaning, you must contemplate temporal conditions. If the time arrives, the Buddha-nature will manifest itself.”
(65)

First, Dōgen radicalizes the meaning of contemplating temporal conditions. He writes, “The way to contemplate temporal conditions is through temporal conditions themselves” (65) No amount of theorizing arrives at time—theory can only arrive at immobile, lifeless constructs, static notions of spatialized container-time far removed from our actual temporal experience—theorizing completely misses the lived experience of temporality. Dōgen continues, “It is not the self contemplating, and it is not another person contemplating. It is ‘Look!!! Temporal conditions!!!’ It is the Buddha-nature’s emancipated suchness. It is ‘Look!!! Buddha! Buddha!!!’ It is ‘Look nature!! nature!!!’” (66) Dualistic con-

sciousness never arrives at time. Only through a realization of the self as time can we realize time.

Next, Dōgen radicalizes the meaning of time arriving. “If the time arrives, the Buddha-nature will manifest itself” (67). This line is often understood to mean that Buddha-nature only manifests at a specific time, at the right time. But for Dōgen, time is always arriving. The time of arrival is always now. “There has never yet been a time not arrived. There can be no Buddha-nature that is not Buddha-nature manifested here and now” (67).

Here, Dōgen is responding to the attachment and objectification that we find in our very relationship with time both in how we think about time and how we consider its arriving. Often, one may judge time on the basis of something a-temporal, anchoring oneself to an idea and refusing the reality of time and change. Moreover, one may also view time through the lens of an idealized future (or an idealized past) instead of allowing oneself to respond to the demands of the present from the ground of the present. In light of this temporally expressed attachment, Dōgen warns us that if we cannot find Buddha-nature attested in the present, in every single moment of delusion and struggle, then it is merely an idea of Buddha-nature rather than Buddha-nature itself. Buddha-nature is now. Buddha-nature is time. Dōgen writes, “If you wish to know the Buddha-nature, you must realize that it is nothing other than temporal conditions themselves” (66).

In the demand to realize the Buddha-nature of entire being, we are called not merely to turn to each and every being in their broken reality, but we are called to each and every being as it is manifest *in every moment in time*.

Buddha-nature as emptiness

The first two sections showed us that in order to see Buddha-nature and realize it we must turn to the entirety of reality itself, as it is fully manifest in the arrival of time at each and every moment. But does this mean that we should scrutinize each being, each moment in time and go looking for this Buddha-nature? In response to this question, Dōgen quotes a dialogue between the fifth and the fourth Zen patriarch:

The patriarch asked him [Hung-jen], “What is your name?”

The boy replied, “I have a name, but it is not an ordinary name.”

“What name is that?” asked the patriarch.

“It is Buddha-nature,” said the boy.

“You have no Buddha-nature,” said the patriarch.

“You say no [Buddha-nature] because Buddha-nature is emptiness,” the boy replied.

The patriarch knew then that the boy was a vessel for the Buddha Dharma. (69)

Having kept us from looking for Buddha-nature outside reality, Dōgen must now keep Buddha-nature from getting in the way of our relationship with reality itself. When the fourth patriarch said, “You have no Buddha-nature,” any lesser man would have understood this as an insult tantamount to declaring that a person is evil by nature, condemned to a lifetime of ignorance, incapable of ever being emancipated. But Dōgen writes, “This utterance reveals that although you are not someone else, you are entirely you, you are *mu*-Buddha-nature” (71). We see the character *mu* (無) functioning in a liberative manner. This “no” does not deny the individual of his Buddha-nature but instead it frees him from it.

With *mu*-Buddha-nature, there is no “idea” of Buddha-nature to which we are constrained. There is nothing that determines us in our enlightenment, nor is there anything outside ourselves to realize. If Buddha-nature is about this being-time, then having arrived at this being-time, what further need is there for Buddha-nature? “Although with *mu*-Buddha-nature you may have to grope your way along, there is a touchstone—What. There is a temporal condition—You” (71).

This idea of *mu*-Buddha-nature, of Buddha-nature as empty, points to the bottomless character of this fullness that we testify to in our being-time. It is never something constrained. While participation in it is “autonomous,” it radicalizes autonomy in such a way that not even law (*nomos*) constrains the self (*autos*). It is not decided on grounds of reason, although reason is part of its expression. Hence, *mu*-Buddha-nature radicalizes the insight of “Entire being is the Buddha-nature.” While the latter makes Buddha-nature more inclusive such that it is not merely a part of the being but instead is the entire being, the former removes any trace of Buddha-nature that might impede our direct relationship with the realities before us.

In light of this, the imperative to realize Buddha-nature now comes to mean three things all at once. First, we have the demand to realize the Buddha-nature that is testified to by reality itself, in solidarity with entire being. Second, we have the demand to realize the Buddha-nature attested to in every moment of time, as time arrives as time. Now, we are introduced to a third, which is the need to realize Buddha-nature as empty, such that the self-realization of reality occurs in pure fidelity to reality, untrammelled by any idea of “Buddha-nature” or the good.

Despite this cooperative function of Buddha-nature and *mu*-Buddha-nature in this ethics, the two points are clearly in tension. Abe (Dōgen 57) writes of the need to unify the notion of Buddha-nature as entire being with the notion of Buddha-nature as emptiness. But where-

in lies the tension between these two? In a sense, the sentence “Entire being is the Buddha-nature” points to the struggle and the self-negation of reality that is testified to by reality itself. Buddha-nature points to the need for realization and for practice. On the other hand, *mu*-Buddha-nature points to the unconditional acceptance of reality, taking this *what*, this *you*, as the touchstone of being-time. There is then a need for a deeper resolution.

Buddha-nature as impermanence

In the last section of the Busshō fascicle, Dōgen quotes the sixth patriarch Hui-neng:

The Sixth Patriarch taught his disciple Hsing-ch’ang, “Impermanence is in itself the Buddha-nature. Permanence is, as such, the [dualistic] mind that discriminates all dhar-mas, good and bad.” (75)

Hui-neng’s utterance reverses the common understanding of Buddha-nature, Buddhahood, and the Buddhist drive toward nirvāṇa. Abe writes, “This may again sound surprising to the ear of one who holds to a stereotyped understanding of Buddhism, according to which the task of Buddhism is to emancipate oneself from impermanence, or samsara, and to enter nirvāṇa by attaining the Buddha-nature” (Dōgen 58). Nirvāṇa is often seen as a refuge of stillness, peace and tranquil permanence beyond the raging river of samsāra.

However, for Dōgen, this is a completely mistaken view. He writes, “The ‘permanent’ saint is impermanent. The ‘permanent’ unenlightened person is impermanent. For saints and ignorant people to be permanently saints or permanently ignorant would not be the Buddha-nature” (76). The very idea of Buddha-nature and the practice that manifests realization is rooted in mutability, as a space wherein we let go of

our self-attachment and delusion, as a space wherein we learn to recognize our oneness with all things.

Dōgen takes this notion further. Not only is the temporal practice of Buddha-nature a process rooted in mutability but there is *no realization outside of that practice of impermanence*. He writes:

The preaching, practicing, and realizing of impermanence by the impermanent themselves can be no other than impermanent. Those who are not manifesting themselves to save others are manifesting themselves [in their impermanence] and preaching Dharma—and *this* is the Buddha-nature. (76)

He continues:

The very impermanence of grass and tree, thicket and forest is the Buddha-nature. The very impermanence of people and things, body and mind is the Buddha-nature. Lands and nations, mountains and rivers are impermanent because they are Buddha-nature. Supreme, complete enlightenment, because it is the Buddha-nature, is impermanent. Great Nirvāṇa, because it is impermanent, is the Buddha-nature. (77)

Impermanence itself is the Buddha-nature. From the vantage-point of common Buddhist thought, this is a difficult idea to fathom, and I wish to delve into this idea in greater detail. The Buddhist path is a response to suffering (*dukkha*)—anguish that we experience in our attachment (*tanha*) to realities to which we cannot cling precisely because they are impermanent (*anitya*) and not-self (*anātman*). The *Anatta-lakkhaṇa Sutta* (SN22.59) says:

“Bhikkhus, how do you conceive it: is form permanent or impermanent?” – “Impermanent, venerable Sir.” – “Now is what is impermanent painful or pleasant?” – “Painful, venerable Sir.” – “Now is what is impermanent, what is painful since subject to change, fit to be regarded thus: ‘This is mine, this is I, this is my self?’” – “No, venerable sir.”

Impermanence is part of the very reason why we suffer. But now, Dōgen says that Buddha-nature, our very key to emancipation from suffering, is impermanence itself. Emancipation from suffering, the realization of Buddha-nature, is impermanence itself. The practice of emancipation is the practice of impermanence itself.

I understand this paradox in a twofold manner. The first is that practice is not to be found in escaping the world of changes. That is merely to substitute one *taṇhā* for another—craving for mutable things is merely exchanged for a rejection of them. Practice can only be found in the courage to face the problem of *taṇhā* squarely, with a complete acceptance of the impermanence and not-self characteristics of reality. Second, when Dōgen says that impermanence is Buddha-nature, I do not believe he is remaining merely on the level of *anitya* as the property of mutability and being subject to change. If this were so, then the insight of “impermanence is Buddha-nature” would be identical to the second insight, “Buddha-nature is time.” And in that entire being is being-time, it would be identical to the first and third insights of “Entire being is the Buddha-nature” and *mu*-Buddha-nature as well.

In my interpretation, impermanence is not merely mutability. More radically, impermanence can be understood as self-negating co-existence. To be is to be self-negating, to be constantly going beyond oneself, to be constantly formed by the other and forming the other—dying to oneself to make space for the continuous unfolding of reality.

The notion of the continuous unfolding of reality also speaks of self-negating self-existence. This self-negation makes space for the birth of the future that can only come from the self-negation of the present. Therefore, when Dōgen says that impermanence is Buddha-nature, in my understanding he is referring not merely to the reality that things can change. Instead, he can be taken to be asserting that things ought to change. Things ought not to be wrapped upon themselves, beginning and ending with themselves. Only if things negate themselves and make way for the Other, can existence be mutually accommodating and shared. Perhaps more faithfully than constancy and immutability, Buddhahood can be understood as the generous self-negation of reality that makes way for unfolding. (A similar idea is developed by Tanabe Hajime in his book *Philosophy as Metanoetics*.)

This radical understanding of impermanence is validated by a passage from Dōgen where he writes:

If you want to see the Buddha-nature, you must first eliminate self-egoism. . . . Seeing is in itself the elimination of self-egoism. The self is not a single self. Self-egoism exists in great variety. Eliminating is of great diversity. But, nevertheless, all are seeing Buddha-nature (Busshō 78).

On the same page, the footnote of Norman Waddell and Abe Masao explains that for Dōgen, it is not merely at the point of annihilation of self-egoism that Buddha-nature is revealed. Instead, it is in the very *process* of letting go of oneself, in impermanence as self-negating co-existence, that Buddha-nature is manifest.

It is through this understanding of impermanence that I am able to confirm Abe Masao's insight from my own limited experience. The insight to which I refer is that which states that Buddha-nature-impermanence is that which resolves the two contradictory insights of

entire-being-Buddha-nature and *mu*-Buddha-nature. At the end of the previous section, I mentioned that entire-being-Buddha-nature emphasizes the need for struggle and the practice of self-negation in order to realize Buddha-nature. I also mentioned that contrary to that, *mu*-Buddha-nature emphasizes the unconditional acceptance of reality, taking this *what*, this self, as the touchstone of being-time.

However, what is this self, this touchstone of being-time? Is it a static, changeless thing? Is it not possible to say that my very suffering, which arises as I resist and deny change and not-self, testifies to my own fundamental dynamism and self-negation? If so, we see that the unconditional acceptance of self is not a capitulation to the frightened sclerotic egotism of the self. It is precisely in accepting the self that I am called to struggle and to let go, because this struggle *is* the self, this letting-go is my fidelity to my own existence.

Perhaps this fourth and final point brings out the full depth of Dōgen's subtlety. In the imperative to realize Buddha-nature, we are called to attend to the being-time of each and every reality as one reality. In doing so, we are called to go beyond our objectifications of Buddha-nature and of goodness and to be faithful to the demand of the other before us. But in so doing, we are called to see the reality of the other in its very exigency, in its dynamic not-yet, in its being self by negating self.

Dōgen's contribution to Buddha-nature and ethics

The traditional idea of Buddha-nature and its realization shows that this ethical path is one of solidarity and compassion with all sentient beings, where we see our struggle in *samsāra* as shared and our liberation through Buddha-nature as liberation for all. It was upon this idea that we grounded the need for rights and the importance of rights for both one's own emancipation and that of others. Dōgen's interpretation in the

Busshō fascicle deepens this understanding in four ways. First, as we strive to realize Buddha-nature, we find ourselves in solidarity with all mutable phenomena, struggling to realize a Buddha-nature that we not merely *have* but we *are*, an exigency testified to by the entirety of existence. Second, this ethical path bears a call to respond not to an idealized moment in the imagined past or projected future but to the demands manifested by each and every moment of time. Third, in striving to realize Buddha-nature, we are warned not to reject reality for a mere idea of perfection, but to be faithful to the actual realities themselves and participate creatively and transformatively in their self-unfolding from a standpoint of complete acceptance of these realities we are faced with, even if it means casting aside our objectifications of perfection, progress or goodness. And fourth, we are called to realize a Buddha-nature that is grounded in the impermanence and self-negating character of each existent, recognizing how change, growth and discovery are what constitute us as existents and courageously facing a future without a teleology (or eschatology) toward a final utopia.

I do not believe it is my place as a scholar taking a meta-ethical approach to prescribe what particular rights we might be called to confer at this present time. But while I apologize for the abstractness of this essay from the demands of applicability, perhaps it is possible for me to give a general view of *what kind of rights* might issue from this Zen Buddhist ethics of compassion. First, these rights must be grounded in a genuine sense of solidarity with human beings on the deepest ground of our shared struggle, despite race, class, religion, gender, or any other differences that may arise. Second, these rights must be based not on a presumed human nature on which other people may or may not agree but rather on a historical response to the actual suffering of people and in solidarity with their struggle. Clearly, we cannot issue rights where there is no concrete need for them that is manifested by the people themselves. Third, these rights must only exist in so far as they remain

necessary; rights may be added or subtracted as we learn to respond to reality and our fellow human beings better. Fourth, while ideologies are essential in the clarification of human needs, actual human beings must always take precedence over the ideologies that should nurture them. Fifth, these rights should be supported by a continuous attempt to cultivate openness to and compassion for the deepest realities of how persons struggle to find their place amidst reality.

Conclusion

In this paper, we have seen that even without a clear notion of Confucian principle, it is still possible to find a proper conceptual foundation for human rights within Japanese intellectual history. The notion of Buddha-nature supports the notion of rights in two ways: First, as is required by the demand for self-liberation in the Four Noble Truths, realizing one's Buddha-nature requires that we possess the rights and liberties necessary for us to pursue spiritually meaningful lives, and that we respect other people's rights as part of the discipline of moral conduct that helps us slowly disentangle ourselves from the web of attachment. Second, as is required by the demand of compassion to liberate others, we must participate in the realization of the Buddha-nature possessed not only by ourselves but shared with others, by upholding the rights of others and helping others respect the rights of others as well.

We have also seen that this notion of Buddha-nature is central in the spiritual teachings of one of the greatest thinkers in Japanese intellectual history—Zen Master Dōgen. With Dōgen's notion of the practice-realization of Buddha-nature, we saw that practice (including ethics and rights) was afforded a deep religious significance as not merely a means to enlightenment but as the very mode by which enlightenment is expressed, in its every stage, throughout the Buddhist path. And with Dōgen's view on the true meaning of Buddha-nature, we saw a different

way of seeing both one's private spiritual practice and one's social ethics, in relation to being, time, emptiness, and impermanence.

This article was able to muster merely hints to the demand for a social ethics which is totally accepting of the entire person in the present moment but which at the same time is dynamic, creatively transformative, and ceaselessly responding to the self-negating elements within the very reality of persons. But, on the other hand, what precise structure would a social ethics take such that it is engaged but never ideological, critical but never rejecting? Also, while this paper showed that creative ethics could be grounded on a notion that is at once socially ethical and individually soteriological, how precisely might we show the continuous flow from the practice-realization of Buddha-nature to more concretely ethical teachings of Dōgen such as the Bodhisattva virtues and his exhortations to his disciples in the *Shōbōgenzō Zuimonki*? Furthermore, every discussion of an ethics that advocates a total acceptance of reality risks degenerating into a passive acceptance of reality rather than taking the dynamic and critically transformative stance that is necessary for ethics. As such, how might we articulate the precise contours of the *dynamic acceptance* of reality advocated by Zen? What are the precise elements of self-negation present in reality, such that in accepting reality, we also necessarily participate in these elements of self-negation? It is my hope as a Buddhist, a scholar, and a citizen of this global community, that this article may urge other thinkers to take up these questions and challenges that face our world today. And perhaps we might take our part in standing up for the dignity of human exigency, while standing firmly on the ground of freedom from the very notion of self.

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