

Buddhism and Human Rights

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Religion has come into existence as a result of the human struggle to solve the basic problem of life, that is, suffering. "If there were no birth, decay and death," the Buddha says, "the Enlightened One would not have arisen in the world and his teachings would not have spread abroad." He also proclaims again and again that a Buddha arises in the world for the good and happiness of the many, out of compassion for the world, for the benefit, for the advantage and for the happiness of gods and men. This is the same with the preaching of the Dharma, the lastingness of his Dispensation and the solidarity of the Sangha. Thus, just as the worth of medicine lies in the cure of the disease, so the value of religion is ascertained by its efficacy in the alleviation and elimination of human suffering.

Broadly speaking, when a religion helps people to live together in peace and helps the individual to be at peace with himself, it can be said to have fulfilled its functions. However, that is still a vague picture of religious functioning. The picture will become clearer only when we look deeper to see what outlook the religion has on man and suffering and how it functions to relieve or get rid of that suffering.

All men are born equal, but only in some respects. In many other respects, no man is born equal to any other man. Man's mistreatment of, or wrong attitude towards, this equality and inequality has given rise to all kinds of problems, from the social to the spiritual ones.

According to Buddhism, all men are equal in that they are all subject to the same law of nature. All are subject to birth, old age and death. The law of Karma is binding on everyone. Everyone reaps what he sows and the world keeps going on after the Karma activities contributed to by everyone.

Man is the best of trainable or educable beings. He has the potentiality of self-perfection by which a life of freedom and happiness can be realized. In order to attain this perfection, man has to develop himself physically, morally, psycho-spiritually and intellectually. Right development of oneself leads naturally and by necessity to self-perfection. This is the law of the Dharma of which the law of Karma in turn forms a part and wherefrom the latter is derived. By this law, it entails that every individual should be let free, if not provided with the opportunity, to develop himself so that his potentiality can unfold itself and work its way towards perfection. Ideally, all conditions, both social and natural, should be made favourable to and all kinds of help should be provided for the self-development of every individual. As Buddhism fundamentally believes in this potentiality of man and sets the perfection of freedom, and happiness as the goal to be achieved by every individual, freedom of self-development and the encouragement of opportunities for it have become a foundation of the Buddhist ethics. This is to say, in other words; that every individual has the right to self-development. Hence, the Buddha's repeated teachings on the refutation of the caste system of the Hindus, and his stress on the equality of men of all classes before the law of Karma and, ultimately, under the law of the Dharma. The Buddha's standpoint is that good life is open to everyone and the highest truth is the common treasure claimable by everybody; there can be no restriction because of castes or classes. Moreover, he teaches the goal of freedom that is to be reached by means of freedom and a happy means that leads to a happy end.

If the right to self-development is denied or restricted, it is right to struggle for it. If help and favourable conditions are not provided for it, it is good to make exertion towards the encouragement of the same. However, there are some words of caution. That every human being has the right to self-development and, thus, to freedom and happiness is an imperative of the ethics which is based on the law of the Dharma. This law enjoins, as it were, that let a man sincerely do what is right and the process will work out of itself a corresponding result. This means that one should act out of wholesome motivation. If he is to struggle, he should do it for the sake of the Dharma, that is, for the good and for the righteous, out of love and compassion, not for personal gains or from any selfish motives, not out of greed or hatred. Only in this way can man attain to his righteous goal, achieving freedom without frustrating the freedom of his fellow-beings and winning happiness without inflicting more suffering on the world. Otherwise, the struggle to secure the human rights for some can become an act of appropriating the human rights of others. By knowledge of, and practice in accordance with, the law of the Dharma, man can fulfill the basic requirement of, to use the words of a quote in the present paper, "the intelligence in knowing how to wage the struggle for freedom without destroying it in the process."

In the present study, the issue of human rights is dealt with in the context of, and as subordinate to, that of freedom. Professor Saneh Chamarik, its author, has delineated how important the place of freedom is in Buddhism and how the path to freedom pointed out by the Buddha can lead, as a corollary, to the right solution of the problem of human rights, avoiding the dead end of the mere material interests and transcending the confines of the craving self. The work is an example of how Buddhism can be presented in such a way as to speak meaningfully to the world of today. Such pioneer works are needed in the various fields of human activities and academic disciplines through which Buddhism can prove itself the real guide and the true help in the right solution of the problems or in the eradication of suffering of the modern man.

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"It is important for those of us who love freedom to realize that love of freedom alone is not enough; that freedom may well depend on our capacity to realize a multiplicity of conflicting values simultaneously, in a socio-economic and political setting that makes this possible, and that the singleminded pursuit of a single value, or a single goal, is the greatest enemy of freedom. This struggle (for freedom) requires from ... the single individuals who are not only willing to stand up for their own rights, but also for those of their neighbors, a great deal of courage and tenacity, but above all the intelligence in knowing how to wage the struggle for freedom without destroying it in the process ... " - Soedjatmoko, "Development and Freedom" Ishizaka Memorial Lectures, 1979.

The ideal of human rights, like that of democracy and many other sociopolitical nomenclatures, has now become a beleaguered concept. It is subject to conflicting interpretations and practices that have brought about confrontations around the world. The phenomenon is one of those human ironies that seem to be much taken for granted and, worse still, with resignation. It has become even an acceptable rule of thumb for one -- individual, class, or nation -- to preach human rights and yet act against human rights. And this, out of strong but rigid and sectarian sense of self-righteousness on all sides. Underlying such contradictions in human behaviour are worldwide conflicting ideologies and class and national interests. Their threat to human life and dignity cannot be overemphasized. It looms large in the forms of economic and political rivalries and oppressions, militarism and armaments, all of which put humanity as a whole in jeopardy. The world today is indeed at a most critical crossroad.

Soedjatmoko's words quoted above should very well serve as an ominous warning to all those --earnestly -- perhaps too earnestly -- concerned with the issues of human rights. They are articulated at a time that is in great need of a hard rethinking, which is already long overdue, on the concept of human rights itself. The issues and contradictions cannot be settled by a mere compiling of lists, however comprehensive, of human rights, such as illustrated in the Universal Declaration of Human Rights, the International Covenants of Economic and Social Cultural Rights, and of Civil and political Rights. While all these may be said to have been motivated by well-meaning efforts to accommodate those specific issues and problems that did empirically arise, they seem to be lacking, in some kind of a holistic worldview that needs to be investigated.. In the face of hard reality of today's power politics, within and among nations, it would of course take a long, long time indeed for the major conflicts of views and interests to possibly come to terms with one another. But before that comes about at all and prior to any meaningful social and institutional innovations, there must be a starting point, that is to say, a fresh look at the moral and spiritual basis of the principle and practice of human rights. Perhaps it is no mere coincidence that serious doubts have now been raised, both in the East and the West, as to the validity of the liberal conception of human rights. C.G. Weeramantry, former Supreme Court judge of Sri Lanka, is one notable example, who touching on the problem of "the inappropriateness of Western concepts," sees the issue of inequality most relevant to the Third World's real needs and problems, and thus stresses the need to "seek a view of equality which means more than the perpetuation of inequality -- a view of equality more substantial than one which means the equal right to remain unequal." (Weeramantry, *Equality and Freedom: Some Third World Perspectives*, Colombo, Hansa Publishers, 1996, p. 10)

This incidentally, only reminds one of what John Strachey some time ago observed in *Capitalism*, the historical moving force of liberalism, "innate tendency to extreme and ever growing inequality." (Quoted in Bottomore, *Elites and Society*, NY, Basic Books, 1964 pg. 34)

Also Fauad Ajami of Princeton University, while questioning the impartiality or "completeness" of the concept of liberalism, strongly and significantly, points to the dire need for "the politics of love and compassion" as against the conventional but now discredited politics of "realism". (Fauad Ajami, *Human Rights and World Order Politics*, NY Institute of World Order, 1978, pp 2-4)

Taken together with Soedjatmoko's line of approach to the problem of development and freedom, all this really strikes one with a deep sense of relief and intellectual uplift. It certainly is not just an exercise in futility to think and act in terms of "the politics of love and compassion", and "the intelligence in knowing how to wage the struggle for freedom without

destroying it in the process". By the standard of today's politics of realism so-called, one can imagine how revolutionary it would be if ever love, compassion, and intelligence come to serve as a guide to social and political behaviour and action. But this is the crux of the whole matter.

The sad truth is that human mind is not always filled with love, compassion, and intelligence. Whether one likes it or not, the mind always has priority over the matter in the sense that all human behaviour and action are basically derived from it, as the Buddha is so fully aware in His moral precept: "Cease to do evil; Learn to do Good, Cleanse your own heart; This is the teaching of the Buddhas."

And this is because:

"All that we are is the result of what we have thought: it is founded on our thoughts and made up of our thoughts. If a man speak or act with an evil thought, suffering follows him as a wheel follows the hoof of the beast that draws the cart "... If a man speak or act with a good thought, happiness follows him like a shadow that never leaves him."

So also with the concept and practice of human rights, which is no less susceptible to do good or to do evil according to the states of mind on the part of particular individuals, classes, and nations. And, as with the human heart, the concept of human rights no less needs to be cleansed of all the parochialism and sectarian prejudices so as to be able to cease to do evil and to learn to do good - the most basic problem with which Buddhism is concerned.

Contrary to what the title of this paper might suggest, there is no need at all to search for a place of human rights in the Buddhist tradition. Freedom is indeed the essence of Buddhism, as will be seen. Neither is Buddhism to be presented here as another alternativeism or supplement to the current schools of thought -- Liberalism, Socialism, and even Fascism in one form or another -- all engaged in the crude struggle in the name of democracy and human rights. To do so would merely add fuel to the conflicts and contradictions already vastly harmful to the cause of human rights. But amidst the uncompromising ideologies and forces, Buddhism could serve positive purposes as conceptual synthesis drawing upon all the positive values of both libertarian and egalitarian traditions, with moral and spiritual contribution of its own. This, in Christmas Humphreys' view, "is no weak compromise, but a sweet reasonableness which avoids fanaticism and laziness with equal care, and marches onward without that haste which brings its own reaction, but without ceasing." (Christmas Humphreys, *The Wisdom of Buddhism*, London, Curzon Press, 1960, pg. 21)

In this sense, too, Buddhism is to be presented not so much in terms of religious doctrine, but rather as a science of living whereby one can learn to live one's life with objective understanding and the intelligence in knowing.

On Social Purpose and Progress

However, since Buddhism, even as a science of living, tends more often than not to be popularly prescribed and practiced with the sole concern for one's own salvation or Nirvana, a preliminary explanation seems to be well in order here by way of trying to examine and

fathom the social and cultural meaning of Buddhism. This is necessary for one to get a true perspective on Buddhist thought. It goes without saying of course that this writer can claim to be no authority on this great religion. Systematic and elaborate treatment of specific points must be referred to scholarly sources elsewhere. As a student of social and political affairs, the author ventures the task, through somewhat rudimentary readings and reflection on the subject mainly out of a growing concern for today's practical problems, especially those problems associated with social change. Change, whether one likes it or not, is part and parcel of our life. Life itself breeds suffering and therefore problems the critical point is whether change could be made for better or for worse, for more or less suffering. Historically, religion could play a very crucial role in this respect. Christianity notably demonstrated its positive and innovative power in the great reformation movement. If we are to believe in social progress, to be later touched upon, as the criterion of human evolution leading towards a better society and better life with freedom and justice (for an analysis of the concept of progress see Wertheim, *Evolution and Revolution*, Penguin Books, 1974; for the role of Christianity in social transformation, see Tawney, *Religion and the Rise of Capitalism*, Penguin Books, 1948)

Buddhism, to this writer's mind, truly points the way. Setting out as a social reform movement, it has its own dynamic attitude towards life and great innovative potential. On the other hand, Buddhism, as an institution, could also be vulnerable, again like Christianity in the Middle Ages, to a relapse into a mere dogma incapable of living up to the new challenge, that is, the crisis of change. There will then be a danger in that it would tend to serve the status quo and the powers that be, instead of humankind which is the central purpose of Buddhism. Then, again, there will be further danger in that it could even degenerate into becoming a coercive and oppressive instrument, instead of promoting the Path towards human liberation which is the ultimate goal of Buddhism. If such is the case, Buddhism, like any other religion, would need its own transformation to be of true service to mankind. Many will no doubt frown upon this sort of concern. But the observation, to be sure, is in full agreement with a good Buddhist's own norm of non-neglect of mindfulness, and seems not too far off the mark in view of the actual situation nowadays. Such a gap between ideal and practice, if left unbridgeable, cannot but help bring about disintegrative effects on social and human life.

Furthermore, we are living in a world of rapid technological change and increasingly complex social and economic relations. In this new environmental context, it is essential to develop a more positive social orientation of Buddhism and translate this into practice. We have been taught enough about how to behave ourselves morally, There is of course no denying the fact that morally right acts and conduct are desirable and beneficial. On closer examination, however, there is a vast difference between doing morally good things from an individual and personal standpoint, and from a social perspective. The two are to an extent interacting. But if, as has been observed, in the course of historical development, Theravada Buddhism under which many including this writer are living, has become too oriented towards individuals' personal definition of man's ideal rather than socio-cultural preference as stressed in Mahayana, (see Guenther, *Buddhist Philosophy in Theory and Practice*, Penguin, 1972, pp. 49-50) then one needs to rise above the past and superficial division in order to search out the essence and the true purpose. In any case, fortunately, the distinction here is more apparent than real. In truth, concern for social and ethical value is fundamental throughout the Buddha's teaching, as Phra Srivisudhimolee (presently Phra Rajavoramunee) asserts: "Buddha-dhamma (The Buddha's Teaching) looks into man's inner life in relation to the external, i.e., social, value as well, and takes these twin values as interrelated, inseparable and being in such harmony as to be one and the same." (Phra Srivisudhimolee, *Buddha Dharma* (translated from the Thai)

Finally in the field of social studies such as human rights and perhaps many others, one can also find in the Buddhist system of thought a most objective and relevant conceptual framework that, regrettably, tends to be overlooked. It starts from a plain and simple premise as a pragmatic approach close to everyday problems and presents an intellectual outlook that could serve as an empirical basis for rational inquiries. In the words of another leading Buddhist scholar:

"Man has been the central problem of Buddhist philosophy. Metaphysical speculation concerning problems not related to human activities and the attainment of Enlightenment -- such as whether the world is infinite or finite, whether the soul and the body are identical or different from each other, or whether a perfect person exists after his death -- is discouraged. Admitting the transitoriness of everything, the Buddha did not want to assume the existence of any metaphysical substance. This attitude was logically derived from his fundamental standpoint. The Buddha reduced things, substances and souls, to forces, movements, functions, and processes, and adopted a dynamic conception of reality. Life is nothing but a series of manifestations of generation and extinction. It is a stream of becoming and change." (Hajime Nakamura, "The Basic Teachings of Buddhism," in Dumoulin "Cultural, Political, and Religious Significance in the Modern World, Collier Books, NY, 1976)

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