

# An Ethics of Justice in Buddhism seen in a Cross-Cultural Context

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## 1. Introduction

THE semantics of concepts of justice is different in various contexts and meaning systems, i.e. in more general political and social contexts and in the rational discourse of philosophy. The general political term of justice is more confusing than helpful for a clear conceptualization, it might be treated more as a symbol in a mythological framework than a concept. In this context justice is defined in terms of what it is not or metaphorically in differing categories: justice as impartiality, equality etc. Thus, many a programmatic formula such as “International Movement for a Just World”<sup>1</sup> expresses an utopia against the frustration with regard to social, economic and political conditions and calls for action to establish a “just world” without defining what the standard of this action must be in order to qualify as just and what exactly the notion of a “just world” actually might mean conceptually. Certain political actions are condemned from a certain standpoint, but the very foundation of any standpoint remains controversial. “Just” or “unjust” are actions which are determined according to the two standards of an Aristotelian *sum cuique* and the principle of treating equal cases in equal ways. Here, actions and their results as well as human freedom of action and the respective responsibility are the matter of discussion. The problem is how to establish criteria for what is regarded as being “equal”.<sup>2</sup>

Therefore, I may suggest, that justice could be discussed in two ways: as an agreement or result of negotiation and better insight that is worked out between partners in social processes, and/or as a reflection of the cosmic order, the divine will or any pre-established harmony that is not negotiable by human beings. Whereas the first assumption is reflected in the theories of Aristotle, Rousseau, John Rawls<sup>3</sup> and others, the second one seems to be one of the basic contents of any religious world view, including Buddhism. For Rawls, to think justice requires the task to

acknowledge interdependencies and mutual dependence of the different factors and actors in societies on the basis of reflexive reason. In religions, however, it is the dharma, the commandment of God, the Tao or the cosmic harmony or “symmetry” of forces that is the root cause for justice in human relations.

A further remark may be helpful to locate the problem in its philosophical context. Justice could be generally defined as a principle which states that anybody should have or be given or be re-established in what is due to him/her. What is due, however, is a result of social agreement, at least in so far as it is mediated through processes of language. Aristotle’s distinction of *iustitia distributiva* and *iustitia commutativa* also refers to a difference of general and particular justice that is mediated through processes of communication, because both distributive justice and equalizing or compensating justice refer to actions of individuals linked in a community. Here, it is not important whether such a community is institutionally organized as a state or a church. However, it is obvious that under the present conditions any distribution of values, goods, opportunities or means of communication is of cross-cultural importance.

***Justice is the realization that living beings depend on each other for the very foundation of their lives.*** There never has been nor is an independent individuality or cultural self-sufficiency. Especially in a cross-cultural context we not only need to be aware but practice the mutual interdependency on all levels of life, i.e. with regard to body, mind and spirit. Thus, in short, my definition is:

Justice is equal opportunity for participation in all aspects of life, personal and social.

## 2. Justice in the Context of Mahayana Buddhism

Justice in Mahayana Buddhism can be interpreted on the basis of three fundamental insights.

1. It needs to be seen as the achievement of mental balance. This can be acquired by spiritual practice. Balance in this respect is the mediation between cognitive and emotional qualities of the mind.
2. It can be understood on the basis of overcoming the *kleshas* (mental defilements) The most fundamental *klesha* is *avidya* with regard to the status of the Ego. If the Ego is seen as an isolated entity which must fight for its place in society (justice), this is wrong, and it leads

to craving or desire so that the Ego can establish its illusion by possessing, or the very attempt is frustrated so that hatred would be the result. Here justice is realization that the individual is totally dependent.

3. This dependency is realized in the most basic concept of *pratityasamutpada* (jap. *engi*), the co-dependent origination. If all is interdependent, justice means a proper recognition (and behaviour) that only if things or people are being given their proper place we may speak of justice.

Furthermore, Buddhist compassion (*karuna*) is based on wisdom (*prajñā*). Wisdom is the insight into the impermanence not only of things, but also of our concepts, ideas, thought. Things, including our ideas of justice, are part of an interrelated network which appears in our perception and reflects in differentiating processes, including the processes of conceptualization. Thus, even the concept of justice is related to all other aspects of life, and compassion as a skilful means (*upaya*) to attain to wisdom is nothing else than to present the saving presence of Buddha-nature in all situations of suffering. In Mahayana context justice would be a realization of our Buddha nature, which is innate to all sentient beings. It is not dependent on status or any kind of social recognition, but it is dependent only on its own realization. To further the same is the fundamental intent of the Bodhisattva. The Bodhisattva, therefore, does not distribute anything (though this may be an *upaya*, a skilful means), but he/she helps everybody to evolve its own possibilities. In this sense, justice is an attitude and action to look at and treat all sentient beings with due respect, regard and love because they all have the same Buddha-nature. Thus, it is not what beings look like at present but what they are in their potential that guides the cognition, emotion and action of a Bodhisattva. Not what a person does or has done, but what he/she is potentially capable to do (because of the Buddha-nature) is what should guide any proper and deeper looking view. This is remarkable: It is an ethics not so much designed according to the present needs, but envisioned according to the possibilities of sentient beings. This allows the concept of justice to be open and creative.

The more fundamental idea for the whole discussion, of cause, is that of *pratityasamutpada* (jap. *engi*). Since all beings and events are primarily interrelated, there is no individual realization or individual good, but a common good that needs to be realized by overcoming individualism or any self-centered perspective. The ethics of justice is not so much a call to stimulate the will to do something, but a matter of insight into the

real nature of things. It is insight which spontaneously allows for the right action, and insight is the realization that the “other” is not totally other but a relation of my true self. It is an ethics of being, not of having or doing. Therefore, spiritual development and right action are not two things, but two aspects of the same personal growth. Justice *is* spiritual realization and spiritual realization *is* justice.

To summarize: Justice is not just an act of human good will or political expediency, but it is a response to reality as it is, it is resonating with the ultimate structure of reality, being in tune with “God’s will” or universal interrelatedness (*pratityasamutpada*), respectively.

### 2.1. Justice in Language

All language constructs are *prapañca*, as Nagarjuna argues. Language is not expressing what is, but is based on a mental reaction towards reality as humans perceive it under specific circumstances, in other words, language is karmically conditioned. We need to be aware that any discourse concerning justice in a cross-cultural frame is bound to use a specific language, in this case it is English or Japanese. This determines the rules of the debate. We would play a different game if we were to talk in Chinese or German or Hindi. This is not only a linguistic question, but a question of power: The language being used is the language of the one who determines the rules. We cannot avoid talking in one language, and for many historical and political reasons this is English. But we need to be aware of the problem, for here we deal already with a major difficulty of the cross-cultural discourse in general. The language problem is directly linked to the question of justice. And awareness might at least create the sensitivity in and among us, which is absolutely necessary for a dialogical partnership.

## 3. Justice as Realization of Plurality in Pluralism and Truth

3.1. Today there are no geographical areas left which would be closed culturally and religiously, i.e. there are no cultural spaces with clear boundaries and a rather consistent cultural background which would be based on just one tradition. Rather, we have more or less mixed cultures which are shaped by historical influences of different religions and various cultural systems. On the other hand, constructions of social identity as well as religious socializations are being established through influences from within and from without. As a result there are specific processes of amalgamation which do produce all the time structures of an ever higher degree of complexity. Especially the modern means and

ends of worldwide communication systems make it possible that different value systems, which may or may not have religious backgrounds, are communicated in rather uncoordinated ways. At the same time ever more disparate religious, cultural and linguistic patterns of socialization, i.e. social and ethical values, are selectively mixed (consciously or unconsciously) and shape the pluralistic structures of our societies which, at the basis, are fundamentally oriented on a consumerism that is made possible by technological developments and political interests. However, “religion” is not only a pattern of behaviour according to old traditions that would give stability in recourse of a coherently constructed past, but religion more and more seems to become an important force and factor in shaping the identities of individuals and groups in new ways.

3.2 Different language systems and cultures organize their perception of reality in remarkably different ways and construct different systems of categories. Therefore, we need meta-discourses on the conditions of cross-cultural communication which requires that not one model be a player and ruler at the same time. That is to say, *the rules of communication are to be created in the process of communication itself*. Such discourses will not only reveal the multiplicity of foundations of values in different cultures but will also show how the dialectics of dissensus and consensus is being shaped in a cross-cultural process of value-creation. To acknowledge this dynamics is to establish *the value of justice in the rules for the communication process itself*.

3.3. Truth is a matter of right perception and ethical distinction. Ethical concepts depend on a community which accepts those concepts intersubjectively. Here, we cannot go into the details of the philosophical problem of truth as it has been discussed in Western and other philosophical traditions.<sup>4</sup> It suffices to keep in mind that any discourse on this question needs to cultivate an awareness that the question itself is culturally conditioned: There is not one universal question of truth which might be answered in different material ways through cultural conditioning, but the very *structure* of the question of truth or the whole *concept* of truth is different in different cultures, both diachronically and diatopically.

Thus, Indian Buddhism—and derived from it Vedantic philosophy—developed the concept of *satyadvaya*, the two levels of being or truth (*satya*), viz. the conventional or relational level and the absolute or

holistic level. This was modified in China where the model is not a hierarchy of levels but an organic harmony of the interplay of mutually dependent forces. This Chinese concept of “truth” as the balanced harmony of mutually dependent forces or powers found its specific expressions in Confucianism, Taoism, Chinese and Japanese Buddhism etc., but it was always there and is a distinct paradigm compared to the Indian model of hierarchies and levels.<sup>5</sup> Very different from the Indian and Chinese concept is the Greek and European model of truth. But even one culture develops different models of truth in the course of its history. So “truth”, i.e. the construction and methodology of truth, is also subject to historical change.

Religious traditions are complex *historical* processes which construct precisely those concepts for the sake of social and political coherence of a given society. Expressed in a different way: *Tradition is not something given in the past, but a process of construction in the present.* And today, no doubt, it can be said that those processes—be it in India, China, Japan or Europe or elsewhere—follow pluralistic patterns.

#### **4. Consequences for Interreligious Discourse as a Foundation for Ethics**

The world is being perceived as oneness or one world only under the conditions of some kind of mystical consciousness, as it has been expressed in different languages and cultures, but on the level of rational thinking there is certainly a struggling multiplicity of claims which prevents oneness from becoming a historical fact. However, in spite of their differences and competition religions have also been aware of this oneness, as a possibility at least, in terms of religious politics such as eschatological ideals, messianic expectations or utopian constructions of a purpose toward an end in history. I would like to argue—that due to economic, demographic and technological developments during the last century (especially the development in communication technology) this possibility has become a political imperative.

Religions do not exist independently of their social and political role. There are no simple and homogeneous religions, but always groups of interest and power within one religion which have *different* ethical priorities. Therefore the formulation of any general or cross-cultural ethics needs to take care of the political implications. Taking into account the present shape of the world it is a matter of justice that the present status quo which obviously is based on unjust international social and econom-

ical as well as communicational structures shall not be continued. Therefore, the credibility of the ethical debate depends both on the ability of all partners to understand the diverging view of the other partner and on the willingness to share power.

To make it more clear: The cross-cultural ethical discourse is dependent on

- economic relations between richer and poorer nations that are more just than now;
- the mutual recognition that one's own identity shall not be worked out at the expense of the other's identity;
- the insight that languages construct reality in different ways and that the partner's language is as valid as my own;
- the basic recognition that the partner has the same argumentative rights as I have;
- the insight that cultures (religions) are by no means monolithic but broken by social interest groups, i.e. the Confucian or the Christian values do not exist but in forms differently interpreted. There are no single views and spokespersons for a tradition, but discourses of different interests within a tradition. These multiple views should come into play when brought into the debate with multiple views in other cultures. In this way, the contradictions in each tradition are being revealed precisely by and in the cross-cultural debate on ethics.

## Conclusions

1. Under cross-cultural conditions any discourse on justice has to take into account that there are different constructions of reality and ethical discourses. All modern pluralistic societies are not the product of just one tradition alone but of patterns of interference and mutual-ity of cultures.
2. In modern pluralistic societies the basic religious problem which has consequences for the foundation of justice is the following: If—in the jargon of the European Enlightenment thinkers—everybody shall be saved according to his/her own beliefs and value systems (facon) it needs to be asked how any belief and value system is formed today. In traditional religions this happened:
  - by tradition,
  - by succession,
  - by discourse, especially when several traditions were at hand so

that a conscious selection was required.

But modern religious socialization often lacks a critical acquiring of tradition, and instead of acquired knowledge people seek refuge in an uncritical claim of possession (of truth, God, authority of the Guru etc.).<sup>6</sup> On that basis it is difficult if not impossible to work out just rules for the pluralistic interreligious and ethical discourse. To work out those rules, however, is one of the most important and noble tasks today—for intellectuals in different cultures, for schools, universities, political organizations. What is necessary is a public and transparent discourse in which all groups, who want to do so, may participate in. Justice means establishing global institutions which rule the globalized exchanges in just ways—the International Criminal Court is just a beginning. We do need an international juridical system that takes care of rules for global trade, exchange of money etc. in the same way as there are legal restrictions on the flow of capital and economic enterprise in the countries with a socially controlled market economy. But we also need rules for communication and institutions which set and survey these rules.

We need local and international institutions which foster this cross-cultural ethical discourse on a permanent basis so as to establish the rules and methodologies of the discourse in the making. This is a matter of justice, and if these rules are not established in terms of fair participation of all cultures concerned, justice cannot be established, because justice is a matter of equal distribution of opportunities both in the economic and the cultural field.

#### Notes

<sup>1</sup> As an example see the journal *JUST Commentary. International Movement for a Just World*, Petaling Jaya, Selangor Darul Ehsan, Malaysia, since 2000.

<sup>2</sup> A. de Jasay, *Justice and its Surroundings*, Indianapolis: Liberty Fund, 2002

<sup>3</sup> In his theory of justice Rawls follows in principle a communication model in as much as justice to him is “fairness” as a model for communication, which is established in a common act of choice with regard to the principles which determine the basic duties and rights and the distribution of goods. (J.Rawls, *A Theory of Justice*, Cambridge, Mass.: Harvard Univ. Press 1971, 3ff.: Justice as Fairness)

<sup>4</sup> I have discussed some basic methodological points concerning a cross-cultural debate on “truth” in: M.v.Brück, Wahrheit und Toleranz im Dialog der Religionen, in: *Dialog der Religionen* 1/1993, pp. 3ff.

<sup>5</sup> Cf. M.v.Brück/W.Lai, *Buddhismus und Christentum. Geschichte-Konfrontation, Dialog*, München: C.H.Beck 1998., pp. 621ff.

<sup>6</sup> This attitude might be called fundamentalism depending on the usage of this rather unclear term.