Why the Dalai Lama Should Read Aristotle

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Abstract
The purpose of this paper is to discover a classical foundation for the establishment of universal human rights in Buddhism. Such a foundation must necessarily overcome the modern barrier imposed by the Asian values rhetoric and its claims that "Western," Lockean, and essentially private ideas of rights have no place in Asian "family-oriented" culture. To facilitate its purpose, this paper will consider the modern, Lockean understanding of "rights" as the source of much of the Asian values' argument, and proceed to an examination into the compatibility of a Buddhist understanding of human rights with Aristotle's understanding of ethics and natural law. If it is possible to discover the source of universal human rights in Aristotle's writings, as well as discover a compatibility to Buddhist beliefs and practices, then we may ground a case for the idea of human rights existing prior to their modern Lockean origins and accessible to Buddhism.

Recently some Asian governments have contended that the standards of human rights laid down in the Universal Declaration of Human Rights are those advocated by the West and cannot be applied to Asia and other parts of the Third World because of differences in culture and differences in social and economic development. I do not share this view and I am convinced that the majority of Asian people do not support this view either, for it is the inherent nature of all human beings to yearn for freedom, equality, and dignity . . .


Human Rights and Buddhism
In his submission to the 1993 "United Nations World Conference on Human Rights," the Dalai Lama writes

It is natural and just for nations, peoples and individuals to demand respect for their rights.
and freedoms and to struggle to end oppression, racism, economic exploitation, military occupation, and various forms of colonialism and alien domination.¹

The theme of the Dalai Lama's paper is his prescription for a universal responsibility to overcome the injustice of human rights violations. The theme of my paper is to seek the grounds for which the Dalai Lama, a Buddhist monk, may lay claim to the respect for universal human rights for Buddhist people around the world. Is Buddhism as Buddhism entitled to the umbrella of protection that the Universal Declaration affords to other major world religions for whom a claim to individual rights would seem to be more appropriate? Articles 2, 16, and 26 of the Universal Declaration—and more specifically, Article 18, all of which when read in conjunction with Article 30—provide a protection for the exercise of religion in general. But does Buddhism’s idea of self-denial necessarily exclude Buddhists from claiming their individual human rights promised by the Universal Declaration? In proceeding along this path, I do not intend to seek a grounding for each of the individual Articles of the Universal Declaration in the Buddhist texts, although this indeed would promise to be a fruitful exercise, and has been undertaken by experts in Pāli.² I would, however, like to focus more upon the philosophical questions involved in Buddhist claims for human rights. I will begin by examining some of the current arguments offered in support of a synthesis of Buddhism with human rights, focusing in particular upon the more fundamental questions and problems that must be overcome, as well as some of the possible solutions that have been offered.

Damien Keown opines that unlike Christianity and Islam, Buddhism lacks the historical development of a social gospel within which questions of human rights can be addressed. Political events and first-hand experience in the course of this century, however, have forced the issue of human rights to the top of the agenda in Tibet and Burma.³ Keown addresses the language appropriateness of leading Asian and Western Buddhists who express their concern about social injustice in the Western vocabulary of human rights. Keown's main concern is to answer the question of how human rights are to be grounded in "classical" Buddhist doctrine. He believes, rightly, that "classical" Buddhism is meant to encompass all of the major Buddhist schools because to insist on some sectarian distinction between, say, Theravāda, Mahāyāna, and Zen, would be tantamount to insisting on a priority of cultural and historical circumstances that would deny the validity of universal human rights as a concept. Keown traces the evolution of the word "right" from its Greek and Latin usage to its personalized manifestation occurring somewhere between the writings of Aquinas and Hobbes. The notion of "natural" rights, according to Keown, only comes to prominence toward the end of the seventeenth century in the writings of John Locke, and together with their development in the eighteenth century, formed the basis of the contemporary notion of human rights.⁴

Modernity's interpretation of the source of natural right, however, necessarily tarnishes the notion of natural right with a Lockean flavor. I will pursue this point later in my paper, where I will argue that the true source of "natural" right is to be found not in Locke, but in Aristotle, from whom it was selectively adapted by Aquinas. Although Keown argues that the concept of natural rights only emerged when the West moved from more hierarchical Roman and medieval organizational models of society toward egalitarianism, he does recognize that ideas about the just treatment of individuals on the basis of their common humanity are found in a secular context in Stoicism and in the writings of Cicero.⁵ I would argue that it would be most improbable that a philosopher and statesman of the caliber of Cicero was
unaware of the concept of natural right already existing, in a secular context, in the writings of Aristotle. Furthermore, ancient Greece was already a pure democracy during Aristotle's time.

On the question of the historical evolution of human rights, Keown concludes that the philosophical justification for a doctrine of human rights has always been available, although the ground in which this seed may flourish—particular combination of social, political, and intellectual developments—has not. Keown observes that the word "right" has its Western origins in the Latin rectus, meaning physically (and morally) straight (for example, rectitude), and in the Greek orektos, meaning stretched or upright. Similar words may be found in Sanskrit īju (straight or upright) and in Pāli īju (straight, straightforward, honest, upright). Both the objective and metaphorical senses of "right" therefore appear in Buddhist and Western languages, though both Sanskrit and Pāli lack a word that equates with "right" as a subjective entitlement.

The modern Burmese usage of "human rights" lu a-khuin-aye, only appeared in colonial times. Keown believes that this does not mean that the concept of rights is alien to Buddhist thought, however, and that cultures may possess the concept of rights without having a word that expresses it. He is more concerned with the "intellectual bridgework" that must be put in place if expressions of concern about human rights are to be linked to Buddhist doctrine. He believes that in Buddhism, what is "due" in any situation is determined by reference to Dharma. Dharma determines what is right and just in all contexts and from all perspectives. He believes that rights are the extrapolation of what is due under Dharma, and that they have not been imported into Buddhism but were implicitly present.

The Dharma is the Buddha's teachings, and specifically, the teachings on the cessation of suffering, and the path to enlightenment (the Third and Fourth Noble Truths). One is said to realize the Third Noble Truth through overcoming "self-existence" by one's virtuous karmic actions. Overcoming one's self-existence in Mahāyāna Buddhism means to realize that one exists in relation to other beings, and not as a self-existing entity. This is not relativism in the nihilistic sense of denying that there can be a distinction between good and bad, virtue and vice, knowledge and ignorance, and so on. It means that the law of karma (cause and effect of our actions underlying the Buddhist principle of rebirth or reincarnation) requires one to think before one acts, because all beings exist in a state of flux, relative to each other. Aristotle classifies man as a political animal who must exercise prudence on each occasion in dealing with his fellow men. If we concede that Aristotle's treatment of virtue is essentially non-theological, and that his idea of happiness is restricted to life in this world, then perhaps we can see some grounds for comparison with Buddhism lying at least at the level of man's actions toward his fellow man. The Fourth Noble Truth is the path to the cessation of suffering. If we enter the path with the aim to liberate ourselves from suffering, we may reach the enlightenment of nirvāṇa. Entering the path to enlightenment requires training in morality, concentration, and wisdom, in that order. Wisdom is highest, and when trained in selflessness, it remedies all the delusions. But morality must be addressed first because one must first be habituated to moral character. The practice of "pure morality" is the foundation of the path leading to enlightenment. To practice the Dharma, one must exercise virtue and avoid vice. The Dharma leads one from saṃsāra to nirvāṇa. In Tibetan (Mahāyāna) Buddhism, if one avoids the ten vices, he is said to observe the "pure morality" of the ten virtues, and will have a favorable rebirth in a higher realm. The Dharma therefore requires a deep conviction to the law of karma. And true pleasure and happiness will only come by following the Dharma, by turning one's body, speech, and mind toward virtuous actions.

One problem that may arise if we were to utilize modernity's reciprocal understanding of rights and
duties as a basis for grounding human rights in Buddhism is that it changes and restricts the nature of the Dharma, and Buddhist ethics, accordingly. The Dharma would become a duties "straightjacket," so to speak, with judicial positivists examining and reexamining the meaning of words lying therein. Keown believes that until rights as personal entitlements are recognized as a discrete but integral part of what is due under Dharma, the modern concept of rights cannot be said to be present in Buddhism. Unfortunately, I would tend to agree and further add that this fact alone should direct us toward a more fruitful endeavor of conceptualizing human rights within the classical theoretical framework. Recognizing that the idea of human rights is something that fundamentally, and universally, would best lie within a classical understanding of natural rights and natural law, rather than within the modern concept of rights, should be forced to the top of the theoretical agenda in considering countries like China and Burma. It is in these countries, and other "semi-authoritarian" regimes that dot the Asian geopolitical landscape, where the political elite have adopted Lee Kuan Yew's Asian values rhetoric to deny the existence of "Western" notions of human rights, being based upon a "Western" concept of rights as developed and understood by the "Western" tradition since John Locke. The modern Western concept of rights has become so fundamentally aligned with the writings of John Locke that the Western individual's pursuit of comfortable self-preservation has become an easy target for rhetoricians who promote a "family-oriented" culture as something supposedly peculiar to the East, in favor of the individualism found in the decadent West. Aristotelian natural law is not so much less "Western," but less modern, and far more universal in its nature and scope. Since Nature was also omitted from Article 1 of the Universal Declaration, human rights in their positivistic form exist only by convention and are prey to culturally relative interpretations and, ultimately, rejection. Having recourse to Aristotelian natural law allows a pre-modern understanding of the concept of rights and elevates the idea of human rights from its conventional form to a universal statement of human nature. A return to a classical understanding of natural law and natural right affords not only Buddhists, but all Asians, the opportunity to address their leaders' use of the Asian values rhetoric that embraces a Lockean understanding of rights, while keeping their dialogue within the bounds of the Western tradition. Addressing the Asian values political rhetoric on its own terms in this way reduces the need to struggle with cultural comparisons.

Finally, Keown tackles the problem of reconciling the principle of "human dignity" that appears fundamental to the Universal Declaration with the Buddhist principle of selflessness. In his most promising contribution to the debate, Keown follows Perera's interpretation of Article 1 of the Universal Declaration here, and believes that it provides the key to understanding human rights from a Buddhist perspective. Article 1 of the Universal Declaration reads

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Keown believes that if one locates human rights and human dignity within a comprehensive account of human goodness, which sees basic rights and freedoms as integrally related to human flourishing and self-realization, then human rights and human dignity may be grounded in Buddhism. Understood this way, the Universal Declaration then maps the parameters of human "good-in-community." They become the rights and freedoms that are required if human beings are to lead fulfilled lives in society in accordance...
with Article 29.1, which reads

Everyone has duties to the community in which alone the free and full development of his personality is possible.  

Human rights secure the "minimum conditions" that allow for the possibility of human flourishing, and without these, the scope for human development and fulfillment is drastically reduced. Once these minimum conditions are in place, then the various prescriptions for achieving what has been defined as constituting happiness or human good by the competing religions and secular philosophies of the world, may be freely pursued. There appears to be enough material in Keown's notion of human rights providing the "minimal conditions" for the potential for human fulfillment, development, and enlightenment to justify this as sufficient for the recognition, if not for the grounding of, human rights in modern Buddhist doctrine. Such an adaptation of Buddhist doctrine would seem to agree with the proclamation, made at the beginning of the Universal Declaration, for all nations to strive for the effective recognition of human rights through teaching and education. This seems also to be in agreement with the principles of natural law because, whereas attempts to codify the principles of human rights into declarations inevitably reduce the flexibility of natural law, education that is guided by a common standard would at least provide the opportunity for prudence to emerge in all actions concerning human rights.

Garfield argues that rights can only be coherently formulated and advanced in Buddhism if they are grounded in compassion. He is in agreement both with Keown's notion that certain minimal conditions must be secured in order to facilitate the possibility for human flourishing to take place, and the Dalai Lama's view that the most important moral quality to cultivate is compassion, and that compassion, skill in its exercise, and insight into the nature of reality are jointly necessary and sufficient for human moral perfection. Could the Dalai Lama's words here be interpreted in a manner that is compatible with a certain reading of Aristotle's teaching in the Nichomachean Ethics? That is to say, could the skillful exercise of compassion, together with insight into the nature of reality, constitute a certain mixture of the political life with the contemplative life that would be required for happiness? The answer to this question of course may depend somewhat on how Aristotle addresses the issue of compassion or pity in his writings. Compassion in the political life, accompanied by reason in the contemplative, may satisfy the most important moral quality for the Dalai Lama.

Dhammapidok believes that human rights are a purely human social convention forged through compromise. They are not "natural rights" and thus do not have any firm and lasting foundation of truth, but must be supported by laws and be accepted by all parties in order to work. Dharma, according to Dhammapidok, is natural law. Human rights, being human law, only derive their value from being the means toward realization of the Dharma or natural law, which for him means "man's internal independence and freedom." But like Keown, Dhammapidok opines that in order for individual perfection to be possible at all, the external environment must be favorable, and this requires the society to endorse human rights. Though necessary, human rights are never sufficient, and if they are applied without the right conditions of the mind, they will only lead the people astray and will work against the realization of individual perfection.

Charles Strain believes that in focusing upon "human dignity" as its foundations for human rights
teachings, Catholicism deliberately chose words that would act as a bridge concept to other communities.\textsuperscript{21} Buddhism, it appears to Strain, could just as appropriately choose its own bridge concept with respect to grounding human rights in its own peculiar notion of "human dignity," as suggested by Keown.

**Asian Values and Human Rights**

Thus far we have been examining the various arguments proposed to enable the notion of human rights to be grounded in Buddhism. Many of these arguments have attempted to overcome the problem of applying a modern, liberal, or Lockean understanding of personal rights to a doctrine that preaches the fundamental idea of selflessness. John Locke's theory of property is derived from man's natural right to self-preservation, and Locke places no practical limits upon man's acquisitiveness, provided no injury is done to others in securing one's property. Being a natural right, self-preservation falls within Locke's understanding of natural law. Locke's right to property is a civil right that exists prior to civil society and as such is intensely personal. Man in civil society has a right to acquire as much property as he pleases.\textsuperscript{22} In most modern liberal societies (Western and Eastern) with capitalist systems of government that are fundamentally based upon Locke's natural right to property, the idea of rights must necessarily become intertwined with the personal and individual protection of one's self, one's property, and one's right to an unfettered acquisition of property. Civil liberties, civil rights, and modern libertarianism also draw heavily from a Lockean understanding of natural right. Conventional human rights were composed during the twentieth century at an epoch where competing ideologies espoused alternative theories of property as the basis for a system of government. Today, capitalist thought dominates world commerce, politics, and the handling of social issues like human rights by the West. It is hardly surprising, then, that the Asian values rhetoric arose from "Eastern" societies who were progressing along the path of economic development at a rapid pace that, ultimately, demands political reform in order to continue. In response to Western allegations of human rights violations, many Asian states defending their human rights policies have, at one time or another, adopted the Asian values rhetoric to interpret these rights as peculiarly Western and individualistic.

Lee Kuan Yew has been accredited with being the father of the Asian values debate because of his proselytizing since the 1980s on the existence of a common set of shared Asian values. Confucianism has become the standard bearer for Asian values since the Singapore leadership decided to sponsor a study of Confucian ethics to acquaint its citizenry (especially its Chinese immigrants) with their cultural heritage.\textsuperscript{23} An Institute of East Asian Philosophies was established within the University of Singapore to define Confucianism for the citizens of Singapore. The Institute later refocused on studying the so-called East-Asian economic miracle, which was achieved with the aid of Confucian values.\textsuperscript{24} These values are necessarily selective and interpreted in such a way that supports the government's survival ideology. The Singapore government issued a set of five "shared values" as a result of its national ideology debate in the 1980s: "nation before community and society above self; the family as the basic unit of society; respect and community support for the individual; consensus instead of conflict; and racial and religious harmony."\textsuperscript{25} The idea of "shared values" helps not only to bridge the gap between Singapore's rulers and its people, but it also helps to mask the suspicion among Singapore's Malay and Indian ethnic minorities over the government's imposition of an Asian identity based on Confucian philosophy. If the values are "shared,"
then any ethnic opposition to the government's policies must be interpreted as illegitimate. 26

Lee contends that the West has abandoned an ethical basis for society, believing that all problems are solvable by a good government, which in the East was never believed possible. 27 He condemns the Western liberal and intellectual tradition that has developed since World War II that claims that human beings have arrived at a perfect state where everybody would be better off if they were allowed to do their own thing and flourish. 28 The idea of the inviolability of the individual, he believes, has been turned into dogma. 29 He finds parts of the American system totally unacceptable: guns, drugs, violent crime, vagrancy, unbecoming public behavior—in sum, the breakdown of civil society. The expansion of the right of the individual to behave or misbehave as he or she pleases has come at the expense of orderly society. In the East, says Lee, the main object is to have a well-ordered society so that everybody can have maximum enjoyment of freedoms. This freedom can only exist in an ordered state and not in a natural state of contention and anarchy. 30

Lee argues that the fundamental difference between Western concepts of society and government and East Asian concepts is that Eastern societies believe that the individual exists in the context of the family. He or she is not pristine or separate, but exists as part of a family, which in turn exists as part of an extended family and friends that make up the whole of society. The ruler of a government does not provide for a person what society best provides.

"There is grave disquiet when we (the East) break away from the tested norms, and the tested norm is the family unit. It is the building brick of society." 31 and "has provided a kind of survival raft for the individual." 32

Lee's insistence that the fundamental difference between Eastern and Western values rests upon the East's greater emphasis of the "family" demands that we examine the Universal Declaration. The Universal Declaration has been branded a Western document by scholars like Huntington who claim that modern ideas of democracy have only developed in non-Western societies, if at all, as a product of Western colonialism and imposition. 33 Indeed, all of the Southeast Asian countries, and many of the East Asian countries, were either still under colonial rule or had just gained their independence at the time of the Universal Declaration's writing in 1948. So if we concede that the Universal Declaration embodies Western values, then does it also embrace any notion of that fundamentally Eastern idea, according to Lee, the "family"? Article 16(3) of the Universal Declaration reads

"The family is the natural and fundamental group unit of society and is entitled to protection by society and the State." 34

Since the Universal Declaration is a convention that, on average, reflects the spirit of natural law, natural law would seem to indicate therefore that the family is by nature the fundamental unit of society. This observation was also made in Book 1 of Aristotle's Politics. Lee's contempt for Western values must therefore be founded upon what he sees as the modern moral decay of the "family" in the West, and its insistence upon a politically correct reading of the Universal Declaration by over-emphasizing Lockean rights, as illustrated by the modern Buddhist scholars writings on human rights. Chuan Leekpai hints at this interpretation also in his opening statement to the "World Conference on Human Rights" in Bangkok.
Our sight is set on the higher horizon of human rights. By this, I am referring to the growing awareness in Thailand of an individual's rights and fundamental freedoms as well as of one's duties to society.\(^{35}\)

But in response to this charge, Article 29(1) of the *Universal Declaration* says

"Everyone has duties to the community in which alone the free and full development of his personality is possible."\(^ {36}\)

Could Lee's quarrel with the *Universal Declaration* simply be understood as a criticism of a flawed modern, and Western, elevation of rights over duties? Although the *Universal Declaration* speaks of family and duties, it most commonly emphasizes rights. But if it had contained an elaboration of duties as well, then would it not appear to be more of a "duties" straightjacket, limiting an individual's freedom, rather than a declaration of the individual's freedom? In other words, does the *Universal Declaration* for the most part, assume the very duties that Lee attempts to identify as Asian values, values that essentially convert all of the Declaration's rights into a monolithic duty called the "family"?

Furthermore, it appears that Lee's attempt to circumvent the *Universal Declaration* may be explained by his wish to avoid the limitations imposed by Articles 29(3) and 30. Lee (and China) cites the maintenance of morality and public order as the justification for authoritarian rule, and Article 29(2) does indeed allow for some flexibility along these lines.

"In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order, and the general welfare in a democratic society."\(^ {37}\)

But thereafter follows the provisos in Articles 29(3) and 30:

"These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations . . . Nothing in this Declaration may be interpreted as implying for any State, group, or person any right to engage in any activity or to perform any act aimed at the destruction of any rights and freedoms set forth herein."\(^ {38}\)

The only justification for limiting the individualistic conception of nature, then, as outlined in the *Universal Declaration*, cannot diminish the rights and freedoms that the Declaration itself guarantees. A strict interpretation of the *Universal Declaration*, therefore, may help to explain the "rights" straightjacket embodied in Western values that Lee finds to be so uncomfortable.

**Aristotle, Buddhism and Human Rights**

What I now propose to undertake is an examination of a notion of rights that is pre-Lockean and more congenial to Buddhist teachings. If one were attempting to address Keown's idea of developing an "intellectual bridgework" necessary to ground human rights in Buddhism, then perhaps it would be more
useful to construct a bridge between Buddhism and the ancient understanding of natural rights and natural law in order to overcome the modern obstacle of Lockean rights. Here I will examine some of Aristotle's ideas that may prove to be more conducive to this exercise, and attempt to relate these to human rights, Buddhism, and the arguments above.

Many commentators have drawn comparisons between Buddhism's teachings on the "middle way" path to enlightenment and Aristotle's teachings on virtue being a mean. In the Ethics, Aristotle says that all men desire the good, and the highest good is something that all agree will bring happiness. All desire happiness, not as a means to something else, but for its own sake. What people disagree over is where happiness is to be found and what good is to be desired. Some desire some good for the honor, pleasure, or wealth that it brings. But for Aristotle, what defines human happiness is the excellence of a thing rather than the honor that one derives from it. The good desired must be a human activity, and an activity of that part of human beings that differentiates them from the other animals, namely the soul. So happiness is an activity of the soul in accordance with some human excellence or virtue. The core of happiness is virtue, and moral or ethical virtue is the choice of a mean between two vices, excess and deficiency. The mean is such as right reason declares it to be. It is the best with respect to virtue and it involves holding "dispositions"^39 "at the right times and for the right things and towards the right men and for the right purpose and in the right manner."^40

[Moral] virtue, then, is a habit, disposed toward action by deliberate choice, being at the mean relative to us, and defined by reason and as a prudent man would define it . . . Thus, according to its substance or the definition stating its essence, virtue is a mean, but with respect to the highest good and to excellence, it is an extreme.^41

If the ultimate opposing delusions in Buddhism are permanence and nihilism, and if the path to enlightenment requires one to chart the middle way between these two, then would it be possible to claim that choosing virtuous karmic actions in Buddhism is generally performed in the same manner as when one's practical wisdom chooses virtuous action according to Aristotle? In Buddhism, all morally virtuous actions appeal to wisdom for guidance, as do the intellectual activities of concentration and meditation. The Dalai Lama writes:

If you are endowed with the faculty of wisdom, you will not fall to an extreme philosophical position of permanence or nihilism. The obstacle to wisdom is ignorance. The method for overcoming this ignorance is to increase your knowledge through study . . . The wisdom discriminating the nature of phenomena is the primary cause for achieving enlightenment . . . Having obtained this precious human life endowed with a complex brain, we must make use of its special qualities and apply the unique faculty that we are endowed with, that is, the power to discriminate between right and wrong.^42

Wisdom in Buddhism, then, appears to be both theoretical and practical. Wisdom receives its ruling status from the ability of knowledge to overcome the delusion of ignorance. And because one's virtuous karmic actions appeal to wisdom on each occasion, to discriminate between right and wrong; this kind of practical wisdom is very similar to Aristotle's "prudence"—"a disposition with true reason and ability for actions
concerning what is good or bad for man."\(^{43}\) Prudence directs one's actions toward the good and noble end. And since happiness is thought to be the end desired by all, Aristotle's prudence directs actions toward virtue. The bliss and happiness of nirvāṇa is the "end" toward which all who practice the Dharma aspire, and their virtuous karmic actions accumulate to help them reach that end. For both Aristotle and for Buddhists, achieving these ends requires one to choose a deliberate course of morally virtuous action, and this choice is informed by practical wisdom. This successful path of action, which happens to be virtuous, is a mean between vices in Aristotelian thought and a "middle way" between paths of delusion in Buddhist thought. Both paths of successful action, which may happen to coincide, require one to exercise their power to discriminate between right and wrong, and the ends of these actions are said to bring happiness. The action becomes the focal point for comparison.

Having established some grounds for comparison of the general idea of virtue in Buddhism and in Aristotle, we should now search for any possible grounds for laying the ideas that are the foundations of human rights in Aristotle. Indeed, if the philosophical foundations for human rights and the *Universal Declaration* may best lie in natural law, then our first task should be to locate natural law in Aristotle. In Book 5 of the *Ethics*, Aristotle raises the idea of natural justice within the context of political justice where he states, "[t]hat which is politically just may be natural or legal. It is natural if it has the same power everywhere and is not subject to what one thinks of it or not."\(^{44}\) He then states that not all justice is legal justice, as some would have us believe, but however, "there is a sense in which this is true. Perhaps among the gods, at least, this is not the case at all, but among us there is something which is just by nature, even if all of what is just is subject to change."\(^{45}\) Aristotle is distinguishing natural justice or natural right from legal or conventional justice here. It is important to note that he places both senses of justice under the umbrella of political justice, and hence somehow within the realm of the political animal, man. If both fall within the category of political justice, then perhaps Aristotle is suggesting that justice can only be truly understood through its performance in relation to other human beings. This would seem to conform with his belief (and Buddhism's) that teaching or talking about the ethical virtues by itself is insufficient. They must also be acted out. And since the circumstances vary on each occasion, then legal justice must have recourse to some extra-legal equitable idea of justice that lies within human understanding, (or, as Aquinas posits, "justice to the extent that it is imparted to the human mind by nature")\(^{46}\); and hence within natural law. The application of natural law through equitable measures requires an adaptation of the natural law to suit particular events, and this is the (limited) sense in which all justice can be viewed as legal, and by which all of what is just may be subject to change. That is, only in the manifestation of natural law to suit particular events, as in equity law, or in the codification of natural law, as in the *Universal Declaration*. But such adaptation does not change the essential character of natural law, which has the same power everywhere, unless it is done with a purpose other than, or in addition to, securing universal justice, as in the 1993 Bangkok Declaration of Asian States. Aristotle also talks of universal statements in his discussion of equity. He believes that all laws are universal in statement, but about some things it is not possible for a universal statement to be right.\(^{47}\)

So when the law makes a universal statement about a subject but an instance of that subject is not rightly covered by that statement, then it is right to correct the omission made by the legislator when he left some error in his unqualified [that is, universal] statement; for the
Although the *Universal Declaration* itself is not a law, it is a universal statement. Would Aristotle prescribe the legislation of this universal statement in such a way as to conform to a particular country's cultural practices and traditions? Could legislators omit, or add to, the Declaration in order to meet certain political objectives? Because this discussion appears within the context of natural justice and the equitable correction of legal justice, it seems that Aristotle would disapprove of any political and cultural interpretations that have the effect of denying the essence of the universal statement. For example, Chuen Leekpai's Opening Address at the Asian meeting of the 1993 "United Nations World Conference on Human Rights," and the subsequent Bangkok Declaration.

Aristotle's extensive account of friendship in Book 8 of the *Ethics* includes examples of natural familial friendship that contradict Lee Kuan Yew's claim that respect for "the family" is a particularly Asian value. Article 16(3) of the *Universal Declaration* reflects Aristotle's account of familial friendship: "The family is the *natural* and fundamental group unit of society and is entitled to protection by society and the State." Moreover, Aristotle's notion of natural friendship extends not only to members of the same race, but to the extent that each individual is a fellow human being. In travels too, Aristotle says, "one may observe how close and dear every man is to another man." Perhaps the most revealing, at least for our purposes, of Aristotle's passages on his philanthropic idea of friendship is this: "for there seems to be something just between every man and every one who can participate in an association where there is law or agreement, and hence in a friendship to the extent that each of them is a man." If read in isolation, then this passage could provide the basis for grounding human rights in Aristotle. Perhaps the notion of human rights could fall within one of his three kinds of friendship—pleasure, utility, or virtue. But Aristotle seems to qualify his account of friendship by requiring that true friendship entails a certain level of recognition, reciprocity, and a feeling of being well-disposed between those who call each other friends. The real question for us then becomes, how strictly should these conditions be applied to philanthropic friendships? Could such a wide interpretation of friendship, even with other races, be possible according to Aristotle? Or perhaps we should ask whether such a friendship would be practical according to Aristotle.

Philanthropic friendship certainly appears to be natural, but Aristotle does not include it among the more familial kinds, and he does not give such an extensive account of it. Is he perhaps acknowledging the possibility of humanitarian sentiment, while illustrating the difficulty of transforming such a sentiment into the political realm via the establishment of an international community? Living in a *polis* would not have inspired such grand ideas as a League of Nations or the United Nations. And if we interpret his comment that "there is only one form of government that is by nature the best everywhere" as meaning that each race of people will have by nature, a form of government that best suits their particular culture and circumstances, then this would rule out the possibility of any form of global government. But if we were to read the passage with a more exclusive interpretation, then perhaps it is possible that Aristotle would have approved of a global government like the United Nations that promotes, on average, more liberal democratic ideas over authoritarian ones.

In his submission to the "United Nations World Conference on Human Rights," the Dalai Lama...
wrote:

No matter what country or continent we come from, we are basically the same human beings. We have the common human needs and concerns. We all seek happiness and try to avoid suffering regardless of our race, religion, sex, or political status... The rich diversity of cultures and religions should help to strengthen the fundamental human rights in all communities. Because underlying this diversity are fundamental principles that bind us as members of the same human family... It is not only our right as members of the global human family to protest when our brothers and sisters are being treated brutally, but it is also our duty to do whatever we can to help them. 54

And in a meeting of the Parliament of the World’s Religions, the Dalai Lama, along with a gathering of representatives from the major world religions, promoted the Declaration Toward a Global Ethic: 55 One wonders what Aristotle would have thought of the ideas of universal responsibility, a global human family, and a global ethic, and whether such ideas could have been successfully laid down in such a positivistic conventional form like the Universal Declaration. How seriously would he have taken friendship with people from another race? Could Aristotle have dismissed the possibility that his student, Alexander, could sustain an empire based on philanthropic friendship? Perhaps Aristotle’s realism would tell us that he thought there is a natural limit to the extension of philanthropic friendship, or at least to the effectiveness of such modern notions as a global human family. Instead of espousing these ideas that could appear to be vague and unenforceable at the individual level, Aristotle would promote the exercise of prudent action respecting human rights on each occasion. And the knowledge required for such prudent action could only come through the education of human rights and our own personal experience.

Throughout his account of friendship in Books 8 and 9 of the Ethics, Aristotle emphasizes the idea of a friend being another “self,” and that friendship is an extension of the love of one’s “self” in others. “Self-love” is promoted because loving others is an extension of one’s self. Some may point to Aristotle’s notion of “self-love,” as an example of a fundamental departure from the Buddhist principle of “selflessness.” But if we examined the two senses in which self-love are described in the Ethics, we could find some agreement with Buddhism.

The first sense of self-love described by Aristotle involves those who are justly reproached for desiring more than their share of honors, property, or bodily pleasures. 56 Most people are of this kind, and are ruled by their passions, harming themselves and their neighbors. But to be a self-lover in the second and higher sense is to live a life according to reason and to love this part in oneself that is highest and rules the soul. 57 Such a person could ironically be said to be “greedy” for the good and noble things. It appears that a certain degree of self-love is required and taken as a given throughout the Ethics, because otherwise one would be ignorant about what is best for one’s self and how practicing virtue is also practicing what is best for one’s self. In a general sense, a true self-lover could be viewed as the temperate individual who loves the whole part of his/her soul, integrating the passions with reason in harmony. Aristotle’s self-love is not meant to be hedonistic or pleasurable in this sense, but more like an account of “human dignity” that could be accessible to socially engaged Buddhists attempting to ground human rights in Aristotle. In Buddhism, the idea of “selflessness” reflects Aristotle’s second sense of self-love. If the key
to understanding the action is understanding the end toward which it is directed, then in Aristotle, the end of virtuous action is the good and noble. In Buddhism, the end of virtuous intention and action is enlightenment and nirvāṇa. By being altruistic for one's own benefit, then aspiring to reach nirvāṇa could be considered a selfish act. Buddhists would agree with Aristotle, however, in justly reproaching the first sense of "self-love."

If we can now claim that the *Universal Declaration* notion of human dignity lies congenially with Aristotle's idea of self-love, then would the Buddhist pursuit of enlightenment also require a similar sense of human dignity? Could Buddhism provide a non-theological understanding of human dignity similar to Aristotle's, and therefore supply a philanthropic substitute for God being omitted from the *Universal Declaration*?

Happiness, according to Aristotle, is to live a life according to virtue. But happiness also requires a certain minimal provision for "external goods" or "equipment" in order for virtue to acquire force. Could the *Universal Declaration* be seen as part of the equipment necessary for happiness, and a particularly important piece of equipment for those who are deficient in the external goods due to reasons of their birth, wealth, or other conditions chanced upon them by the divine gods? We could restate Keown's formulation here in Aristotelian terms by saying that happiness requires virtue and the *Universal Declaration* in order to ensure the possible achievement of human dignity. Or to put it another way, enlightenment is the highest form of happiness for a Buddhist, as well as being the supreme achievement of human dignity. And enlightenment requires the minimal conditions secured by the *Universal Declaration* in addition to virtue. This reformulation would allow us to ground both the general idea of human rights in Buddhism, as well as ground Buddhist claims for human rights in Aristotle's understanding of nature.

Because compassion is central to Buddhist ethics, we should attempt to discover some compatible idea in Aristotle. Keown rightly points out that compassion, by itself, is insufficient to ground human rights in Buddhism because it lacks the necessary guidance by reason. There is no Greek word for compassion, and so it does not exist in Aristotle. But we may glimpse something along these lines in Aristotle's notions of pity, goodwill, benevolence, and munificence, though the last three could equally fall within the Christian umbrella of charity. In Christianity, pity is a virtue, but in the *Ethics*, pity is described as a "feeling" rather than as a virtue of habit. Since we are born with pity in our nature, pity would be a part of natural law. One wonders whether Aristotle would see that regarding pity as a virtue would require such a radical change in our human nature as to demand that we keep it in the realm of "feelings." We are said to be "moved" with respect to pity, while with respect to virtues and vices we are said to be "disposed" in a certain manner. Aristotle says that there are three things in the soul, feelings (passions), powers, and habits. Feelings do not dispose us toward action. Habits on the other hand, are the qualities in virtue with which we are disposed toward our feelings. Powers are the qualities in virtue of which we are disposed to be "affected" by our feelings. Aristotle seems to develop a hierarchy in line with how we will eventually act toward our initial feelings. Powers appear to act as a bridge invoking some kind of motivating principle directed from our feelings toward our habits. By itself, "feeling pity" is insufficient to generate action toward the object of pity. But if we were to add a corresponding power to pity, would this be enough to approach a form of compassion in the Buddhist sense? Would this provide the necessary motivation for pity to be acted upon? Or would Buddhism require more than this and demand that the disposition, once affected, becomes habitual. Perhaps habitual compassion would be an extreme, or a
standard for action, somewhat like the virtuous man in Aristotle's *Ethics*. Aristotle says that voluntary actions are praised and blamed, and involuntary actions are pardoned and pitied. Involuntary actions arising from ignorance are pitied in Aristotle in much the same way as actions arising from ignorance and delusion should be met with compassion in Buddhism. It seems, at least from our general overview, that for the purpose of grounding Buddhist claims for human rights in natural law, generalizing Aristotle's feeling of pity into a virtue of compassion would not require such a radical change in our understanding of human nature. However, Aristotle does place a number of caveats on our doing so. In the *Rhetoric*, Aristotle describes pity as "a kind of pain, excited by the sight of evil, deadly, or painful, which befalls one who does not deserve it; an evil which one might expect to come upon himself or one of his friends, and when it seems near." Aristotle appears to personalize the feeling of pity in the *Rhetoric*, and one wonders whether he does so due to the context in which this discussion takes place. That is, within the art of rhetoric, and more specifically, with the aim of teaching an orator the art of inducing pity from an audience. Would he maintain these same personalized and restrictive "feelings" for pity within the context of a general discussion on ethics? In contrast, Buddhist compassion is directed even toward those who might "deserve" pain in some legal or *karmic* sense. In the *Rhetoric*, Aristotle says that not all people are capable of feeling pity, but only those who fall in between the two extremes of the wantonly insolent and those who are utterly ruined. Aristotle's account of pity in the *Ethics*, however, appears to be more comprehensive. In the *Ethics*, Aristotle says that we are all born with pity and that pity is in our nature. In the *Rhetoric*, he says that the persons who men pity are those who they know, provided they are not too closely connected to them.

Further, the nearness of the terrible makes men pity. Men also pity those who resemble them in age, character, habits, position, or family; for all such relations make a man more likely to think that their misfortune may befall them as well. For, in general, here also we may conclude that all that men fear in regard to themselves excites their pity when others are the victims.

He then continues with an account of how to arouse pity and how to increase the feeling of pity in an audience. And in the *Poetics*, Aristotle discusses how a tragic poet may best imitate the actions that arouse fear and pity. We should not forget these reasons for his account of pity in the *Rhetoric* and the *Poetics* because they are specifically geared toward that purpose. Just because Aristotle writes a specific account on how to induce pity from an audience, perhaps even philanthropic pity, by reducing it to a more personalized level, does not mean that Aristotle would be opposed to the possibility of a more general feeling, or virtue, of compassion. Would Aristotle reject the idea of compassion being a generalization of pity for a purpose very different to the improvement of one's oratory and poetry skills? Finally, if pity were linked with some motivating power to form the basis of compassion, then wouldn't this be agreeable to the idea in both Aristotle and Buddhism that virtue must be acted out and not merely contemplated or left at the level of "feelings"? This would certainly seem agreeable to Sulak Sivaraksa and other socially engaged Buddhists.

Like Aristotle, the Dalai Lama believes that it is not sufficient to merely contemplate the highest things, the means or insight for Buddhahood, in isolation. They must be put into action in order to allow
one to break free from the cycle of *samsāra*.

In order for the patient to get rid of the illness, he or she has to take the medicine. Just simply having medicine in a bottle will not help. Similarly, in order to free our minds from the chronic disease of delusions, we have to put the teachings into practice . . . someone suffering from the chronic disease of leprosy cannot get rid of it by taking medicine once or twice; it has to be taken continuously. In the same way, our minds have been under the constant grip of delusions since beginningless time. How can we expect to free them simply by undertaking practice once or twice? How can we expect to cure an illness by simply reading a medical text?69

And,

If someone is only concerned with teaching and not practicing, there is no need to acquire a broad knowledge; but instead it would be more beneficial if people like that kept quiet. For a serious practitioner, both learning and contemplation are very important.70

Aristotle uses the same example in Book 2 of the *Ethics*:

So it is well said that it is by doing what is just or temperate that a man becomes just or temperate, respectively; and no one who is to become good will become good unless he does good things. Yet most men do not do these; instead, they resort to merely talking about them and think that they are philosophizing and that by doing so they will become virtuous, thus behaving somewhat like patients who listen to their doctors attentively but do none of the things they are ordered to do. And just as these patients will not cure their body by behaving in this way, so those who philosophize in such a manner will not better their soul.71

And in Book 10:

with regard to virtue, to be sure, it is not enough to know what it is, but we should try to acquire it and use it or to become good in some other way [by compulsion].72

Because action seems to be central to both Buddhism's and Aristotle's understanding of virtue, then adding the requisite power to a feeling of pity in order to achieve a good or noble end would not fundamentally change the essence of Aristotle's virtue. It is very doubtful whether Aristotle would have rejected the idea of compassion on the one hand, while providing an account of pity and philanthropic friendship on the other. The law of *karma* requires one to think before one acts, because all beings exist in a state of flux, relative to each other. Aristotle classifies man as a political animal who must exercise prudence on each occasion in dealing with his fellows. If we concede that Aristotle's treatment of virtue is essentially non-theological, and that his idea of happiness is restricted to life in this world, then perhaps we can see some grounds for comparison with Buddhism lying at least at the level of actions toward other human beings.
Conclusion

What seems to be apparent from this discussion is that there are enough general grounds for basing Buddhist claims for human rights within an Aristotelian conception of natural law. If we acknowledge that a certain amount of "minimal conditions" are necessary for human flourishing and for the possibility of a serious Buddhist practitioner achieving supreme human dignity in enlightenment, then the *Universal Declaration* acts as a vehicle for virtuous people intent on achieving happiness. By returning to Aristotle, we may avoid the need to construct a torturous interpretation of rights and duties in order to overcome the modern hurdle of Lockean rights. If the idea of human rights can be understood as being grounded in Aristotelian natural law, they may be accessible to all cultures and all religions, including the non-theological ones. Universal statements of universal principles can still be applied through Asian practices without losing their universal nature.

Establishing an ethical basis for grounding the idea of human rights in Aristotelian natural law allows socially engaged Buddhists to argue for political reform, freed from the Asian values rhetoric. The current leaders of the People's Republic of China (PRC) speak of the need for human responsibility from their citizens, rather than having them claim some vague and inappropriate Western notions of human rights. Human responsibility, in the eyes of the PRC, is akin to Lee Kuan Yew's Asian values of respect for the state, loyalty, law-abidingness, and orderliness. Interestingly, loyalty and law-abidingness are also cited by William Galston as being two liberal virtues instrumental to preserving liberal societies, and indeed all political communities. It is not hard to see how such a "liberal virtue" could easily be adopted by authoritarian regimes. If we are going to examine the core virtues esteemed by liberal societies, authoritarian societies, or any society, then perhaps we should look toward the ends promoted by each society's set of virtues rather than become tangled in blind comparisons.

Whereas the leaders of the PRC speak of human responsibility to the State, the Dalai Lama talks of universal responsibility to all sentient beings. And whereas the end of Galston's modern liberal virtues seems to be the unfettered accumulation of wealth, Aristotle's end of action is the promotion of the good and noble things. So it would appear that the Dalai Lama's ends are more akin to Aristotle's, though his choice of words when referring to human rights seems to reflect a twofold struggle. Universal responsibility implies that human rights are indeed universal, and that human beings have duties as well as rights. These are not the narrowly defined duties to the State to be found in Asian values rhetoric, although some sense of the "liberal virtue" of law-abidingness would be implied, but are duties of compassion to all sentient beings. His choice of words reflects a struggle against the Asian governments who claim that human rights are Western ideas, and the political writers, politicians, and human rights advocates who place the notion of rights within the modern Lockean realm. In his same submission to the 1993 "United Nations World Conference on Human Rights," the Dalai Lama also draws attention away from the East-West dichotomy by opining about a North-South divide, where the majority of peoples living in the Northern hemisphere are the wealthy, the South poor. But this diversion is not altogether necessary. If the Dalai Lama were to read Aristotle, he could effectively bypass much of the Asian values rhetoric as well as the corruptive nature of modern, and personalized, Lockean rights. Then, as a Buddhist monk, he may lay his claims to the respect for universal human rights for Buddhist people around the world within Aristotelian natural law.
Notes


4 Ibid., p. 18.

5 Ibid., p. 19.

6 Ibid., p. 20.


8 Keown, Ibid., p. 33.

9 Keown, Ibid., p. 22.


12 Keown, Op cit., p. 29.

13 Ibid., p. 30.


15 Keown, Op cit., p. 31.


17 Ibid., p. 111.


19 Ibid., p. 106.


24 Ibid.

25 Ibid.

26 Ibid., p. 126.


28 Ibid.
29 Ibid.
30 Ibid., p. 111.
31 Ibid., p. 113.
32 Ibid., p. 115.
34 *Universal Declaration of Human Rights* (1948), United Nations, Article 16(3), (my emphasis added).
36 Universal Declaration, Op cit., Article 29(1), (my emphasis added).
37 Ibid., Article 29(2).
38 Ibid., Articles 29(3) and 30.
40 Ibid., 1106b, 22-24.
41 Ibid., 1106b, 36-1107a, 7.
44 Ibid., 1034b, 19-21.
47 *Ethics*, 1137b, 13-14.
48 Ibid., 1137b, 20-24.
49 Article 16(3), *Universal Declaration*, (my emphasis added).
50 *Ethics*, Op cit., 1155a, 19-21; 1161b, 5-7.
51 Ibid., 1155a, 21-22.
52 Ibid., 1161b, 6-8.
53 Ibid., 1135a, 5.
57 Ibid., 1168 b, 25-34.
58 Ibid., 1099a, 32.
61 Ibid., 1105b, 20-23.
62 Ibid., 1105b, 24-30.
63 Ibid., 1109b, 30-31.
65 Ibid., II. viii. 3-6.
66 Ibid., II. viii. 12.
67 Ibid., II. viii. 13.
70 Ibid., p. 180.
71 *Ethics*, 1105b, 10-18.
72 Ibid., 1179b, 2-5.