Introduction

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In September 2007, not only human rights activists were shocked when the protests of Buddhist monks in Myanmar against their government — also composed of Buddhists — were brutally put down. Some months later, Chinese soldiers forcibly suppressed demonstrations by Tibetan monks. For the editors of this book, both events provided the initial impulse to once more reflect upon the relationship between Buddhism and human rights. How is it, we asked, that there are obvious human rights violations in places with such a long Buddhist tradition as Burma, China and Tibet?

A quick look into the literature on the theme showed that Buddhism and human rights do not fit together as easily as conventional wisdom might assume. Both realms have their own reasoning — a particular non–theistic religious reasoning, and a secular reasoning, respectively. Whereas the former is based on 2500 years of traditions that developed in various Buddhist schools and are even within Asia embedded (or not embedded) in at least ten different legal systems, the latter is often referred to as a result of a certain breaking with traditional cultures and is thus described as a phenomenon of modernities, most often developed in stable democracies.[1] Although there appears to be quite a gap that needs to be bridged in order to bring Buddhism and human rights together at one table, a very prominent interest is already shared in both dis-

1 See the article of Alfred Hirsch in this volume, p. 33.

courses, namely the wish to eliminate *suffering*. Whereas in the former this very wish to remove suffering is contextualized within an *other*–worldly soteriological aim, namely the very attainment of Buddhahood, the latter is confined to the protection of the individual against any form of oppression in *this* world. What happens when these two perspectives meet was a further question for us.

From the Buddhist point of view of "ultimate truth" (Skr. *paramārtha-satya*, P. *paramattha-sacca*), the concern of human rights activists to eliminate suffering appears rather limited, namely to the freedom of a *human* being in a specific social setting in *this* world. It neither takes into account *all* sentient beings, which is the scope of the Buddhist concern, nor the *ultimate* elimination of suffering, which entails cutting the ties to worldly existence (Skr. *saṃsāra*) for all sentient beings and the attainment of peace (Skr. *nirvāṇa*, P. *nibbāna*). In this regard, to secure human rights may be seen as an "expedient means" (Skr. *upāya*) to provide through legal codes a setting that is conducive for the individual to develop "wisdom" (Skr. *prajñā*, P. *paññā*) which may lead to higher spiritual attainments. Thus the Buddhist concerns by far exceed the jurisdiction of any legal system.

However, on the level of "conventional truth" (Skr. *saṃvṛti-satya*, P. *sammutti-sacca*), worldly reality proves that adherents of both discourses, Buddhist and human rights, do meet or seem to meet. In recent years not only Burmese and Tibetan, but also Thai and Sri Lankan monastics started demonstrating against various forms of human rights violations in the countries concerned. One feature that unifies all of these groups is the experience of some kind of injustice, so that their demand for protection of human rights is an answer to this very experience. Admittedly, one cannot be sure if the term "human rights" adequately represents what a Buddhist monastic in Asia has in mind when he or she is protesting against what he or she regards as unjust actions of the authorities. Likewise, one may argue that within the global village there is no other choice than to answer to experiences of injustice in a "modern" way — if only to be heard and understood by other people around the world.

Anyway, the very fact that Buddhist monastics, *the* representatives of the various Buddhist traditions, call for the observance of human rights, also alludes to the insight that in modern societies it is not sufficient any longer to demand justice solely on the basis of

particularistic religious, in this case Buddhist, ethical norms. And, perhaps more importantly in some respect, such norms prove to be an insufficient means to establish equality *within* Buddhist traditions as well — for example, to provide equal rights for nuns when monks in power often still act to preserve an unequal *status quo* in their own interest. Therefore, human rights discourses among Buddhist communities are discovered as an expedient means to protect individuals against powerful institutions threatening or suppressing from the outside and from within. Although in this way, rights may create a conducive culture, through this process there may also develop another non-conducive culture, for example one that is overloaded with false claims of universality coded in the form of legal rights. Thus the big task that still needs to be accomplished in a Buddhist approach to human rights is to find a middle way between these two extremes. And this is, in fact, where Buddhism might be able to offer a great deal and possibly could make a major contribution to the discussion of, and demand for, *multiple foundations* of human rights regulations.[2]

We, the two editors of the book, have over the years separately observed developments in Buddhist communities and human rights violations, particularly in Burma and Thailand (Hans–Bernd Zöllner) and in China and Tibet (Carmen Meinert) before we, through a series of unexpected events in the winter of 2007/08, at the time of the protests in Burma and Tibet, were bound by common destiny to share room 129 of the Asia-Africa Institute at Hamburg University. As new officemates we decided to make a virtue out of necessity and embarked on a joint project to raise concerns about major human rights violations in Buddhist communities. Our first step was the international symposium on *Buddhism and Human Rights* held in November 2008, a few weeks before the sixtieth anniversary of the proclamation of the *Universal Declaration of Human Rights*, as a joint project of the Center for Buddhist Studies at Hamburg University and the project "Humanism in the Era of Globalization" at the Institute for Advanced Studies in the Humanities (KWI) in Essen, Germany. The second step in our endeavors is this volume, *Buddhist Approaches to Human Rights*, which

2 For a discussion on multiple foundations of human rights see Gutmann 2001: pp. xviiiff.

gathers some topics discussed during the symposium as well as later contributions.

The story of the book's genesis, the "room-129-story", might be taken as metaphor alluding to the contents of this book: namely a selection of contingent case studies contributing to a necessary debate within a general context. We see this publication as a continuation of research in this important yet still neglected field, which was first opened up by the publication *Buddhism and Human Rights* edited by Damien V. Keown, Charles S. Prebish and Wayne R. Husted in 1998.

The contributors of the present volume are either rights theorists, regional or political scientists, practicing Buddhists, or specialists who have studied Buddhism as a living tradition in Asia. Thus the perspective is generally not only that of a theorist of Buddhism. Rather, most of the authors look at these issues in living contexts and try to analyze how Buddhists have actually reacted to human rights problems.

In other words, this volume attempts to look at our topic of interest in an interdisciplinary manner. Besides the variety of the authors' scholarly specialisation, this book brings together case studies from, and remarks on, the three major Buddhist traditions — Theravāda, Mahāyāna, and Vajrayāna — as they are practiced in different parts of Asia, and thus provides some insight into the differences and similarities between and within the Buddhist *oikumene* that is as global and diverse nowadays as within the world's Christian population.

This interdisciplinary and "ecumenical" aspect has its price. This volume does not claim to be exhaustive neither in respect of discussing the variety of Buddhist traditions, nor in regard to the inclusion of all countries with large Buddhist communities that suffer or deplore human rights violations. As such, this book does not cover, for example, Sri Lanka, Burma, Nepal, Singapore, Japan or Vietnam.

Even this small selection of articles, however, points to a central problem inherent in the attempt of looking at the variety of Buddhist approaches to human rights, namely the important question: Who is authorized to put forward an "official" Buddhist position towards human rights? In fact the problem of reaching consensus among a group of *saṅgha* elders was obvious at the First International Conference on Buddhist Womens' Role in the *Saṅgha* held in Hamburg in

2007. Here a large number of representatives of all Buddhist traditions worldwide gathered for discussions on how to legitimately ordain women. Yet a formal consensus remained elusive even when there was broad agreement about what should be done. In a volume like this we must not propose any type of "official" Buddhist answers to human rights, as was offered in the above-mentioned volume *Buddhism and Human Rights* by means of a Buddhist *Declaration of Interdependence* — no doubt a remarkable and thoughtful objective, graced with an ingenious title pointing to a core conviction of Buddhism, namely, the interdependence of all sentient beings and phenomena.[3] However, we would like to invite the reader to look at the following articles as eye-openers for new questions that could be as valuable as the finding of (semi-)final answers in the promotion of both worldly justice and peace of mind based on other-worldly, transcendental insight. In this sense, each of the contributions assembled here — both in itself and as part of a greater ensemble — is a thrilling walk into still widely unexplored territory.

The contributions to this book can be compared to a collection of snapshots approaching the greater theme from a particular perspective and portraying an appealing subject in some detail. When put together, these shots may reveal the outlines of a greater picture of the *conditio humana* at the beginning of the 21st century. It will be up to the reader to choose which portrait should be placed at the center of the whole image. And in any case, she or he will necessarily be obliged to add some of her or his own imagination to complete the patchwork of insight assembled here.

If the reader chooses Alfred Hirsch's article as his starting point, she or he will be exposed to the great occidental discourses on how to get along with the "other," the foreigner who despite their strangeness is part of the worldwide network to which "I" belong, and to various concepts of organizing human co-existence within the global village. Alfred Hirsch illustrates his *tour d'horizon* through the philosophical and historical-hermeneutical approaches of how to reconcile relativism and universalism, forward-looking modernization and cultural heritage, focusing on the example of how the Islamic world might have developed an allergic reaction against Western hegemony. Here, Edward Said's challenging and thought-

3 Keown et al. 1998, pp. 221f.

provoking thesis comes into view, and can be extended by the deliberation that Western orientalism brought forth occidentalism as its twin. Enlightened by these deliberations, the reader is well-prepared to discover later that a kind of "allergy" against Western crusades for the implementation of human rights does exist in the Buddhists' worlds as well. Nonetheless, it might be added that in comparison to Alfred Hirsch's chosen Islamic example, the Buddhist traditions seem to be more pliable and more able to adjust their teachings to different cultural and social realities, as may be seen in the other authors' contributions.

If Alfred Hirsch's contribution can be compared to looking upon the larger topic of human rights through a wide-angle lens, Perry Schmidt-Leukel's article narrows the perspective a little and thus offers a smooth transition to the variety of case studies on Buddhist approaches to human rights that form the main body of this volume. Schmidt-Leukel stresses the critical function of human rights, and thus establishes a sophisticated argument with regard both to the "relativists" and the "universalists" in the human rights debate. The "Golden Rule" put forward in different contexts, transcending cultural and religious boundaries, may be regarded as a common denominator for Buddhists of different denominations and secular Western human rights activists. It is the Buddhist version of responsibility as a moral obligation to respect and protect the freedom of others that corresponds to the *Universal Declaration of Human Rights*, but this correspondence is not without tensions. Buddhist thought contains a fundamental reservation towards the principles of Western liberal rights based on the principle of no-self (Skr. *anātma*, P. *anattā*). This concept may lead to a collectivist theory of society, illustrated by the idea of a benevolent "Dictatorial Dhammic Socialism" as conceived by the eminent Thai monk Bhikkhu Buddhadāsa and, one may add, practiced in the "Burmese Way to Socialism" with well-known disastrous effects. Such dissonances, Schmidt-Leukel argues, call for efforts for complementing instead of confronting distinct concepts of human nature and their consequences for society and environment.

With Martin Seeger's essay, the reader is invited to take the first close-up view of how human rights are discussed in Buddhist Thailand both in practice and theory. Being a country in which Theravāda Buddhism, the "Teaching of the Elders", forms one of the pillars of the nation's official identity, the controversies depicted and

reflected upon are closely related to Thailand's manifold troubled internal politics. This holds true for the nun-ordination controversy and the supposedly deviant teachings of two Buddhist sects. While the latter cases touch on the issue of religious freedom, the former concerns the more direct concern of activists advocating women's rights.

Besides portraying and analyzing the respective conflicts and public controversies within the Thai intellectual community, the article provides a detailed portrait of one of the most prominent contemporary Buddhist learned monks, Phra Payutto. Like Bhikkhu Buddhadāsa, whose writings are discussed by Perry Schmidt-Leukel, Phra Payutto is also regarded by Thais and sympathetic foreigners alike as a "modernist". The presentation given by Seeger, based on an intimate knowledge of the scholar-monk's writing and public action, shows that such an appraisal is highly problematic. It seems more appropriate to make use of the Buddhist concept of the "Middle Path" to adequately assess Payutto's stance.

Like Seeger, Kenneth Fleming lived in Thailand, where he spent some time as a Buddhist monk. Fleming is, however, a theologian and involved in the Buddho-Christian dialogue to which Schmidt-Leukel has contributed as well. Fleming's contribution takes up the latter's call for an ongoing process of interaction and mutual learning. After discussing the consonances and dissonances of Buddhist approaches to human rights from a broader Theravādin perspective, his article concentrates on the challenges that become visible when representatives of both sides meet.

For the human rights activist, purification of the mind may help to deepen the understanding of their concern and to enlarge their scope of action to the "root causes" of global suffering. On the other hand, Theravādin Buddhists might be asked to consider the challenge of liberating and purifying society as a whole and not just the individual. It is interesting, one may add, that those countries in which the "Teaching of the Elders" dominate — despite many revolutions taking place — have not yet undergone a deep process of "reformation" as it for example occurred in Europe some 500 years ago.

Helwig Schmidt-Glintzer, taking up the question of whether Mahāyāna Buddhism can be called a "humanism", takes us to Thailand's large neighbor China and the "Great Vehicle" of Buddhism, which in China has a history of more than 1500 years. He

highlights the different roles of laymen according to Mahāyāna teachings and thus adds another outlook to Buddhist concepts vis à vis the global world. Schmidt-Glintzer's search for traces of humanism in Mahāyāna Buddhism is based on a reconstruction of the tradition rather than on an attempt to prove its harmony with human rights. He clearly shows that although the core ideal of Mahāyāna Buddhism — a *bodhisattva* who with his or her strong sense of compassion tries to eliminate suffering — is resonant with the human rights approach, the foundations of both discourses are, nonetheless, dissonant; for example, Mahāyāna Buddhism does not comply with Western theories of human rights based on a certain concept of the individual. His argument that in China Mahāyāna Buddhists also form a natural alliance with human rights as an expedient means — when it comes to the process of modernization and concomitant suppression of Buddhist institutions — directly leads us to the following contribution on Buddhism and state control in China by Shi Zhiru.

Shi Zhiru, a scholar-nun originally from Singapore, is well-trained in both Mahāyāna Buddhist theory and practice. Through her lucid essay, the reader may explore discussions of various paradigms followed by Chinese Buddhist leaders during the Qing-Republican transition in the first decades of the 20th century, as measures to protect religious rights, and here in particular Buddhist rights, and ensure the survival of Buddhism amid anti-religious state policies. Zhiru finds an exemplary Buddhist response to political oppression in the doctrinal and institutional reforms of the progressive Buddhist intellectual Taixu (1890–1947), who literally embodied the ideal of a *bodhisattva*. Here the reader might sense the potential of social engagement and reform that is inherent in the spirit of Mahāyāna Buddhism, and by extension in China itself. Taixu may even serve as a model example of a monk ready to break with his traditional Chinese and Buddhist culture, in a certain respect, in order to achieve higher goals for society and the survival of Buddhism in China. He might be seen as a reform-minded figure similar to the Thai monks Bhikkhu Buddhadāsa and Phra Payutto discussed by Schmidt-Leukel and Seeger above. Taixu's reputation as a "globe-trotting" monk, which he gained due to his international travels at a later stage in his life, might even make him a forerunner of the Fourteenth Dalai Lama, the Tibetan religious leader and head of the Tibetan Government-in-Exile, who

similarly travels around the globe for the cause of furthering human rights. Although China under communist rule has not yet allowed Buddhism to recover to its full former extent, this contribution of a Chinese Buddhist nun-scholar about a progressive Buddhist reformer in the early 20th century may offer a sign of hope for forward-looking movements within Chinese Buddhism.

The three remaining contributions of this volume invite the reader to explore different aspects of the relationship between Tibetan Buddhism and human rights. With the recent escalation of violence in the Sino-Tibetan conflict in Tibetan areas of the People's Republic of China, the Tibetan Buddhist response to human rights violations is formed under tremendous real-world pressures. Here the contributions of Jan-Ulrich Sobisch and Trine Brox and of Stephanie Römer discuss developments that stem from the Tibetan exile communities, whereas Jampa Tsedroen's focus is on women's rights in the Tibetan Vajrayāna tradition.

The joint contribution of Jan-Ulrich Sobisch and Trine Brox is written from the Tibetologist's perspective of a broad knowledge of Tibetan Vajrayāna Buddhism and of the situation of the Tibetan exile communities in India. Jan-Ulrich Sobisch and Trine Brox critically ask whether traditional Buddhist societies have to bring themselves into line with Western concepts at all. They approach this issue by discussing problems arising in the process of cultural translation of ideas and terms and indicate the difficulties entailed in the assumption of universal ideals and cross-cultural standards. The translation of secular terms proves particularly challenging in the Tibetan context, where the Dalai Lama and many leading politicians still exercise both secular *and* religious functions. Sobisch and Brox show that despite the public Western perception of the Fourteenth Dalai Lama as a human rights activist, among Tibetans the human rights concept is itself contested. It is the inherent predicament of an exile and the need to respond to various issues of modernity that most likely forced the Tibetan exile leadership to master the language of human rights in order to obtain recognition in the international community. The cultural translation of human rights terminology thus has clear political implications. The authors demand time for an independent autochthonous development of Tibetan (Buddhist) human rights concepts that might in fact enlighten and expand Western concepts as well. Thus their contribution may be seen as another call for multiple foundations of human rights regulations.

Stephanie Römer provides the reader with another snapshot of the intricately linked duo of Tibetan politics and human rights from a political science point of view. Her article illustrates how the concept of human rights is politicized in the Tibetan context. In a similar fashion to the modernists surrounding the Chinese scholar-monk Taixu in the first half of the 20th century, discussed by Shi Zhiru, Stephanie Römer outlines institutional reforms of the Tibetan Government-in-Exile which were implemented in order to facilitate a human rights discourse on an international level as well as a communal level. It is intriguing to read how the Central Tibetan Administration (CTA) actually managed to merge Buddhist traditional values with Western political concepts based on democracy. One important promoter of a human rights discourse is the Tibetan Center for Human Rights and Democracy, set up as an independent office, yet which closely cooperates with the Central Tibetan Administration. The so-called "universal rights strategy" of the CTA advocates human, environmental and women's rights as a vehicle for the Tibetan struggle. Although this concept finds a lot of support in the international community, the Fourteenth Dalai Lama's core motivation and continuous effort of *nonviolence* to settle the Sino-Tibetan conflict has not shown tangible results — even after fifty years. Is this then also a failure for the democratic voices in the international communitiy.

With the final contribution of Bhikṣuṇī Jampa Tsedroen (Carola Roloff) the reader may gain insight into issues of gender inequity in the Tibetan Buddhist Vajrayāna tradition from the first-hand experience of a German scholar-nun in this tradition. Although the Tibetan Government-in-Exile introduced women's rights in their political agenda, as discussed in the contribution of Stephanie Römer, they are not (yet) rigorously implemented in a religious context. For instance, in Tibetan Buddhist institutions all leading positions are held by men — even in some nunneries. Whereas in secular contexts Tibetans are largely, maybe only out of necessity, embarking on the course of modernization of a traditional society, similar aspirations in a religious context still meet a lot of resistance. In fact, Jampa Tsedroen is a vocal advocate of "equal opportunities" (Tib. *go skabs gcig pa* or *go skabs 'dra mnyam*) for both women and men. Because of the worldwide Tibetan diaspora it is Tibetan Buddhism that is among all Buddhist traditions most widely exposed to Western modernity in all its facets, including feminism. It is from her position between two cultures that Jampa Tsedroen

challenges "the rigidities of established traditions" and asks for a reinterpretation of old texts in accordance with contemporary needs. We are very happy to conclude this volume with the view of an engaged German female "modernist" within an ancient wisdom tradition — in some respects, another voice of hope and an indication of a progressing "individualization" of the great Buddhist tradition.

This process, as with most other societal and academic trends, proceeds with ambivalence. Only if the phenomenon is accounted for can the fruits of an interdisciplinary adventure like this be reaped as the following examples may demonstrate.

The editors of this volume, to start with, gained a lot of enlightenment through the exposure to the intellectual experience and insight of the contributors and hope that the reader might similarly profit as well. On the other hand, a glance at the index at the end of the book demonstrates that a high amount of possibly confusing complexity is necessarily created when one tries to transgress the usual boundaries of academic disciplines and at the same time stick to German scholarly efficiency.

The meeting of Buddhism and human rights results, among other things, in manifold discourses within Buddhist communities challenged to come to terms with tradition in the face of new practical and theoretical challenges which in most cases are intertwined, as the case studies of this volume show. But these discourses do not necessarily point towards the same direction or, even more disappointingly, produce convergence and dissonance at the same time. Imagine how the Dalai Lama, as a virtual political leader of an imagined independent Tibet, would comment on Buddhadāsa's concept of "Dictatorial Dhammic Socialism" at a conference of the International Network of Engaged Buddhists that was chaired by both as patrons prior to the passing of the Thai monk.

Finally, the contributions of this book, besides pointing towards the spiritual needs of human rights activists, are useful for assessing the societal and political situation in many Asian countries. But such wisdom might widen the gap between the "enlightened few" and the political authorities both in East and West.

The consequence of such deliberations cannot be to stop attempts to transgress boundaries. On the contrary, such attempts and reflection on their possible results have to be increased. To this end, we would like to express our gratitude to all institutions that supported the publishing of this book and the conference preceding

it. We would like to thank the Foundation for Buddhist Studies (Hamburg), the Gustav Prietsch Stiftung (Hamburg), the Hermann und Marianne Straniak Stiftung (Salzburg), the Mikado AG (Berlin), the Stiftung Mercator (Essen), and the KWI (Essen), who facilitated the symposium, and for financial support of the Andrea von Braun Stiftung (Munich), the Stiftung Mercator and the KWI for covering costs for editing and printing of this volume.

Our special thanks go to Claus Leggewie, director of the KWI, and Jörn Rüsen, head of the project "Humanism in the Era of Globalization" at the KWI for their interest in and support of our project. Here, we are particularly grateful to Jörn Rüsen who kindly offered to include *Buddhist Approaches to Human Rights* in the new printed series of the humanism project. Our special thanks also go to Michael Zimmermann, director of the Center for Buddhist Studies at Hamburg University, Barbara Schuler, managing director at the Center for Buddhist Studies, and their staff who invited, encouraged and supported the symposium and the publication at each stage by any means possible. To publish this volume within a year after the symposium was only possible with the help of Martin Hanke who prepared the typeset manuscript, Sebastian Lorenz diligently organizing the index, and of course thanks to a wonderful group of contributors who facilitated a smooth editing process in the first place.

May the texts printed in this book and the meaning behind these texts leave some humanistic footprints on this earth, may the awareness of suffering stimulate compassion in the world of academic discourse and beyond and may the faults and shortcomings of the collection presented here be graciously tolerated and taken as motivation for trying harder.