THE PHILOSOPHICAL FORUM
Volume XXXIV, No. 1, Spring 2003

CULTURAL DIVERSITY, NON-WESTERN COMMUNITIES, AND HUMAN RIGHTS[1]

ASHWANI KUMAR PEETUSH

> The human solidarity I envisage is not a global uniformity but unity in diversity. We must learn to appreciate and tolerate pluralities, multiplicities, cultural differences. Every culture, every people has something distinctive to offer for the solidarity and welfare of humanity.
>
> —Hans-Georg Gadamar

A recent United Nations committee ruled that Canada's treatment of its Aboriginal population was in violation of international law and that the social situation of the First Nations is the most pressing issue facing Canadians. The United Nations study was welcomed by many Aboriginal leaders. Armand McKenzie, a lawyer for the Innu Council of Nitassinan, which represents 7,000 people in Labrador and Eastern Quebec, said that "this is a great day for the Innu and the rights of all aboriginal peoples. . . . We will no longer be beggars in our homeland."[2] The demands made by Aboriginal Canadians share a common aspiration with oppressed minorities around the globe: that their distinct self-understandings and ways of life be recognized and accommodated. Justice Mary Ellen Turpel states it in this way: Aboriginal peoples seek recognition because they seek self-definition. They desire to live according to their own traditions and to survive as a culture.[3]

Deep political conflicts continue to arise from a denial to recognize cultural diversity. The United Nations Charter asserts that formerly colonized peoples

---

[1] I would like to thank Vimlesh and Tulsi-Ram Peetush; Frank Cunningham; James Graff; Geoff Tozer; Cheryl Cline; Lynda Lange; Vincent Shen; Dale Turner; Joe Heath; T. S. Rukmani; Zara Merali; Aroon Yusuf; Audra Simpson; Dan Rakus; Vince Scelfo; and Steve Adisasmito-Smith for discussion and dialogue.

[2] Sean Gordon, "Canada Slammed by UN: Human-Rights Report Criticizes Treatment of Aboriginals," *The Gazette* [Montreal], April 10, 1999, p. A12.

[3] Mary Ellen Turpel, "Aboriginal Peoples and the Canadian Charter: Interpretive Monopolies, Cultural Differences," *Canadian Human Rights Yearbook* 6 (1989–90): 3–45.

have a legitimate claim to pursue their social, economic, and cultural interests within the boundaries of a people's right to self-determination. If one is going to treat Aboriginal peoples as equals and acknowledge as legitimate their right to self-rule, then one will have to acknowledge as legitimate the demands of these communities to define themselves according to their own self-understandings and to pursue differing shared conceptions of the good that this may require.[4]

However, there is a critical problem that one faces in accommodating cultural diversity. This concerns the limits of accommodation. Does the recognition of cultural diversity require one to accommodate the pursuit of all differences? What are the boundaries? The overwhelming response has been to argue that human rights set the parameters within which a community may legitimately pursue its shared traditions. These are the norms to which it must be willing to agree. But is such an agreement really possible? After all, some communities may be organized quite differently, especially in the case of non-Western nonliberal cultures. Some may organize themselves according to more substantive views of the good life. They may not have sharp divisions between the public or the private, or the religious and the secular.

My concern in this paper will be to explore what such an agreement on human rights might look like from a particular non-Western perspective. In a Rawlsian manner, I argue that the goal here is to have different cultures agree on certain basic norms of behavior, even though they may hold incompatible world views regarding metaphysics and human nature. Each would justify these norms from its own perspective. Along these lines, I explore what such an agreement might look like from a broadly East-Asian perspective; that is, from a Buddhist, Hindu, and Jain perspective.

Obviously, I am well aware that there are many critical differences between and internal to these world views (e.g., Theravada, Mahayana, and Vajrayana

[4] The United Nations' *Declaration on the Granting of Independence to Colonial Countries and Peoples* (adopted in 1960) states that "[t]he subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the *Charter* of the United Nations and is an impediment to the promotion of World peace and co-operation" and that "all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development" (*Basic Documents on Human Rights,* 2nd ed., Oxford: Clarendon, 1989, Articles 1 and 2, 28–30). In this paper, I assume that Aboriginal cultural communities in Canada constitute peoples who have the right to self-determination and whose nations' prior sovereignty and territorial integrity has been historically usurped. Although the principle of self-determination has been generally applied to overseas colonies and not to internal peoples, this has been widely criticized as arbitrary, and the U.N. is currently in the process of examining a proposed *Declaration on the Rights of Indigenous Peoples* which would extend this principle to such groups.

sects of Buddhism, and sects within). My aim here is only to outline in broad strokes the widest possible justification for human rights such that Buddhists, as well as Hindus and Jains, may accept it. As such, I ground such a justification around concepts that are shared across these diverse traditions. I do not claim that my sketch somehow provides "the" definitive interpretation of these views. There are many multifaceted strands in these complex traditions, and I aim to develop certain key concepts in a manner that is consistent with historical and philosophical precedence. I aim here to show tradition and text in their best possible light. As such, I acknowledge that I constrain and impose order by the act of interpretation itself, as well as being constrained by the object of interpretation.[5]

RECOGNITION, IDENTITY, AND HUMAN RIGHTS

Let me begin by asking: Why is the recognition of cultural membership so important in the first place? As sociologists note, this has to do with its relation to a person's self-identity and sense of well-being. Charles Taylor explains that cultural membership constitutes an intimate aspect of our identity, "who we are," what is important or significant for us, what we value most deeply.[6]

This sense of who we are, our identity, is formed or malformed by how others react to or perceive us. It develops in relation to others. If the world consistently excludes individuals or mirrors back to them an image that their culture, race, traditions, and self-understandings are unworthy or inferior, they may actually come to adopt such a depreciatory image. To the extent that such individuals come to internalize this picture, their life chances may be greatly reduced. Along these lines, Will Kymlicka concludes that an individual's self-esteem is closely related to the esteem in which her group is held. If a group is not respected, then the dignity of its members is jeopardized.[7]

---

[5] For other such attempts at constructing a non-Western approach to human rights, see Damien V. Keown, "Are There Human Rights in Buddhism?" 15–41; Craig K. Ihara, "Why There Are No Rights in Buddhism: A Reply to Damien Keown," 43–51; Soraj Hongladarom, "Buddhism and Human Rights in the Thoughts of Sulak Sivaraksa and Phra Dhammapidok (Prayudh Prayutto)," 97–109; and especially Jay L. Garfield, "Human Rights and Compassion: Towards a Unified Moral Framework," 111–40, all in *Buddhism and Human Rights*, ed. Damien V. Keown, Charles S. Prebish, and Wayne R. Husted (Richmond, U.K.: Curzon, 1998); and Sulak Sivaraksa, "Buddhism and Society: Beyond the Present Horizon," in *Buddhism and Society in Thailand*, ed. Sachchidanand Sahai (Bihar, India: Catholic Press, 1984), 97–119.

[6] Charles Taylor, *Reconciling the Solitudes: Essays on Canadian Federalism and Nationalism*, ed. Guy LaForest (Montreal: McGill–Queen's University Press, 1993), 191.

[7] Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon, 1995), 89.

A loss of one's cultural identity can have a grave effect on one's well-being. Such findings cohere with the experience of members of disadvantaged groups themselves. For example, Bernard Ominayak, Chief of the Lubicon Cree, and Joan Ryan explain that Alberta's attempts to "develop" their land had a tremendously negative affect on the Cree culture. As with other Aboriginal groups, the land has a critical importance to Cree identity. The destruction of their land amounted to a loss of identity and resulted in a loss of meaning and purpose, which went hand in hand with depression and alcoholism:

> In a short four years, the homelands of the Lubicons have been scarred with seismic roads, burned by unfought fires, and trampled by bulldozers. The silence has been broken with the sound of trucks and pumps. All of this activity has been undertaken unilaterally by the multinational oil and gas companies with the agreement of the province of Alberta. No one asked the Cree if they had concerns about the way development should proceed, or if it should proceed, on their lands. . . . As the land base was disrupted human lives were shattered because the relationship with the land was broken. This meant a loss of linkage to the past, to the spirit world, to ancestors, to identity and to affirmation of the self. It created a vacuum which was overwhelming because all roles were negated and no others could replace them fast enough to make them workable. The rhythm of life was broken and we began to see the predictable results: people became depressed, they drank, they abandoned themselves, they had no context, status, dignity, identity, responsibility. They became angry and turned it inward; they became dependent and isolated.[8]

In extreme circumstances, a loss of cultural identity is often linked with the demise of human lives. In such a context, Taylor argues, a lack of recognition does not just display a lack of respect, but can inflict positive harm.

When Aboriginal peoples make demands to preserve their culture, it becomes evident that what they want to do is to be able to promote some of their traditional practices and have some of these practices survive. For example, they value their notions of the land. They want to be able to actively promote these in their public institutions. If a view is going to allow for an intercultural dialogue here and treat these communities as equals, then it will have to acknowledge these demands as legitimate.

Here is a common challenge that one faces in recognizing and accommodating cultural identity: even if it is true that cultural membership is important to a person's sense of self-respect or well-being, does that mean we have to accommodate all differences, traditions, or shared ends of a particular community? Are there limits? And if there are, what are they?

The overwhelming response, from John Rawls to Taylor, has been to insist that human rights set the parameters within which a community may legitimately

[8] Turpel, "Aboriginal Peoples and the Canadian Charter," 35.

pursue its shared traditions. For example, Rawls[9] contends that a decent non-liberal society is one that, even if it is organized around religious world views, respects certain norms of behavior and genuinely allows those who do not share its views a sufficient degree of freedom of conscience to live according to other comprehensive doctrines. Taylor suggests that one needs to proceed case by case, aspect by aspect, and as long as the shared understandings of a community are compatible, as long as it can secure for each of its members, especially those who have been historically oppressed (such as women, gays, and lower castes), and especially those who do not share its collective goals, the underlying principles of a human rights ethic and as long as such a community allows for the possibility of meaningful dissent, then it ought to be recognized as an acceptable form of social organization worthy of respect and protection. Any community must be willing to agree to these norms.[10]

However, could cultures that may differ radically from Western liberal societies come to such an agreement? Is this really possible? If cultural self-understandings vary so much, what makes one think that one can arrive at any sort of agreement at all?

The fact that there are differences across human societies does not entail that there are no similarities or cross-cultural norms or values. Because societies may not organize themselves according to liberal political principles of social organization (e.g., the extraction of the religious from the political) does not mean that cross-cultural values do not exist. Indeed, ideals such as compassion, care, trust, loyalty, respect, courage, fairness, and so forth are found in almost all cultures, although they may be defined, balanced, and expressed differently. In addition, moral norms against murder and genocide also occur in almost all societies. Of course, as Taylor points out, the scope of these demands has been known to differ notoriously. In earlier societies and other ones today, these demands may only apply to a certain class, race, or gender. However, they all feel the pull of these by some class of persons. Most today argue that this class is coterminous with the human race. Even offenders rarely ever argue against the pull of such demands. For example, it is highly uncommon for even those who engage in the most heinous acts to argue against the norm that torturing and maiming the innocent is wrong. There is always some special pleading and/or overriding "reason"

---

[9] John Rawls, *The Law of Peoples, with The Idea of Public Reason Revisited* (Cambridge: Harvard University Press, 1999).

[10] Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994), 27–73, see in particular 51–61; and "Conditions of an Unforced Consensus on Human Rights," in *The East Asian Challenge for Human Rights*, ed. Joanne R. Bauer and Daniel E. Bell (New York: Cambridge University Press, 1999), 124–44, 133–37.

given. The tortured or maimed have supposedly themselves committed terrible crimes that deserve retaliation, or perhaps they are not equals, not fully "human," not fully "rational," not fully made in "God's image," or are "inherently evil" and so on.[11]

One might explain such cross-cultural norms and values on the basis of a shared human condition. Human beings have a common physiology and share a particular psychology, which requires specific conditions under which they can exist and survive. As such, they have certain basic needs. These include welfare of the body, food, clothing, shelter, a long period of nurture and care, social relationships, and opportunities for the development of a social and cultural life. The denial of these needs can cause intense suffering. All human beings, whatever their cultural background, suffer when they are, for instance, imprisoned, starved, tortured, or raped, or when their children or loved ones "disappear," or when they are dispossessed of their homes and their ways of are life destroyed.

In fact, one may justify certain norms on such a basis. If the point of ethical norms is to reduce suffering, then certain basic needs must be met, and certain forms of behavior must be prohibited. Cross-cultural human values conceived of as such cannot simply be arbitrary or anything whatsoever. They are not simply like rules of the road or matters of personal taste. Universal human values function to meet human needs and interests.[12] Because the conditions under which human beings flourish are not arbitrary, the rules that ensure that such conditions are met cannot be arbitrary either.[13]

Of course, any of this is far from saying that there is full agreement on, for example, basic norms as presented in the United Nations' *Universal Declaration of Human Rights* (1948). Communities interpret, articulate, and prioritize universal values differently. Although all may believe that, for instance, respect for a person's life is a universal good, they may not agree on the notion of what constitutes a "person"; e.g., some may include animals or the environment, or they

---

[11] I cannot explore the issue of moral relativism in detail here; for a useful discussion, see James Rachels, "Can Ethics Provide Answers?" in *Can Ethics Provide Answers? and Other Essays in Moral Philosophy* (New York: Rowman & Littlefield, 1997), 21–48.

[12] One may prefer the notion of *intersubjective* in contrast to *universal* human values.

[13] This reasoning is only meant to illustrate one manner in which one may attempt to justify cross-cultural values. I acknowledge that there may be a plurality of such approaches or justifications, and that some will resonate better with the self-understandings of one culture more than another. As such, I am skeptical of any claim about there being only one way to justify these values. For example, facts about human physiology and psychology tell us nothing about the significance of human life; or how life came about; what human flourishing consists in; they do not inform us about the relationship between human beings and the non-human world and the like. Such issues are central to a community's self-understandings, and will figure heavily into an account of its moral intuitions. I would like to thank Amanda Schernitzauer for a particular wording of an idea, which helped much with clarity.

may not agree on where life begins or ends. And although all may think that cruel, inhuman, or degrading treatment or punishment is wrong (i.e., article 5 of the UN Charter), they may not agree as to what constitutes such treatment or punishment (e.g., capital punishment is allowed in some countries; in other countries, the punishment for theft is the amputation of a hand; Canada sanctions neither).[14,15] Or, although some may think that respect for life means that basic health care and education should be available to all, others would not agree. What this then requires is a cross-cultural dialogue in which parties attempt to reach agreement on a legitimate range of variances in particular contexts.[16]

The goal of such an exchange would then be to get different nations, cultures, and civilizations to build consensus on basic norms and their interpretations, while at the same time fully acknowledging that each may hold incompatible views on theology, metaphysics, human nature, or views of social organization. Each would justify these norms from their distinct perspectives. We would agree on these norms, but have profoundly different reasons for doing so. This would be something of the nature that Rawls describes as an overlapping consensus.[17]

An immediate obstacle in reaching such a consensus on human rights is that the language and philosophy of rights is itself rooted in Western culture. The concept of a “right,” thought of as a personal entitlement or as a sort of possession, something an individual has, is a distinctly Western notion. This is also true of the model of society that usually goes along with this: right-and-duty bearing individuals standing in “contractual” association with other right-and-duty

---

[14] The death penalty in Canada was outlawed only as recently as 1976.

[15] Abdullahi Ahmed An Na’im, “Towards a Cross-Cultural Approach to Defining International Standards of Human Rights: The Meaning of Cruel, Inhuman, or Degrading Treatment or Punishment,” in *Human Rights in Cross-Cultural Perspectives*, ed. Abdullahi Ahmed An Na’im (Philadelphia: University of Pennsylvania Press, 1992), 21–43.

[16] Let me note that some parts of the United Nations’ *Declaration*, as it currently stands (*Basic Documents on Human Rights*), have a distinctly liberal bias. Grounding moral norms on the “dignity and worth of the human person” (22) as opposed to, for instance, the worth of life in general is characteristic of a Christian or liberal viewpoint that considers humans as distinct from other sentient beings (especially with regard to ethical concerns). Moreover, article 17 concerning the right to own property exclusively is also not universal. Likewise, article 16 concerning marriage appears to be based on a Western conception of family life. For example, in Hindu as well as Chinese cultures, marriage does not usually involve simply two people who individually decide to be together. The consent of the family is also important. Moreover, the reference to “men and women” leaves out gay couples, some of whom would like to participate in this institution. In addition, polygyny and polyandry also appear to be ruled out. I do not see either article 16 or 17 as basic human needs, the lack of which will necessarily cause intense human suffering, as does the deprivation of food or shelter or (emotional as well as physical) care.

[17] John Rawls, *Political Liberalism*, paperback ed. (New York: Columbia University Press, 1996).

bearing individuals, with the maximum freedom of each as the highest value. These ways of thinking about justice are contextual to Western culture and arose only fairly recently.[18] However, as I noted, because a community does not organize itself around a conception of rights does not mean that it does not have moral standards against abuse, rape, murder, and genocide, as well as positive duties to help those in need. The manner in which such norms are articulated or justified may certainly vary. A culture need not adopt the language or philosophy of rights, or a liberal form of social organization, in order to have respect for the life, integrity and well-being of others.

For example, it is true that Muslims, Hindus, Buddhists, and Aboriginal Canadians will agree with liberals that people ought not to be held as slaves, even though their justifications may implicate diverse, and perhaps incompatible, viewpoints. That is, liberals may contend this to be a gross violation of individual freedom and equality, grounding these ideals in the rational self-interest of contracting agents; Muslims will also argue slavery to be in opposition to these ideals, but they may ground these values in Divine Law; Hindus and Buddhists may contend this to be in violation of *ahimsa* (non-violence) and *karuna* (compassion); and Aboriginal peoples may contend this to contradict the Four Ways, or the ideals of trust, kindness, sharing, and strength.[19] These are many routes to the same destination.

What is at stake in terms of a *cross-cultural ethic of well-being* or human rights, then, is the universal prohibition against certain sorts of conduct (slavery, torture, and other abuses) and the universal prescription toward other forms of conduct (assuring food, shelter, clothing, and care for each). How a society formulates or justifies these norms, and the sorts of philosophical views of the individual and society these formulations or justifications presuppose, may acceptably vary from culture to culture. With respect to a nonliberal community, these may be justified in terms of differing conceptions of human flourishing that may be integral to such a community's identity and that it may seek to promote and out of which it may not desire to be liberalized or reformed. Along these lines, let me now explore an example of what an overlapping consensus on human rights might be like from a particular nonliberal perspective.[20]

---

[18] Richard Dagger, "Rights," in *Political Innovation and Conceptual Change*, ed. Terence Ball, James Farr, and Russell L. Hanson (Cambridge: Cambridge University Press, 1989), 292–308; see also Taylor, "Conditions of an Unforced Consensus on Human Rights," 126–29.

[19] Turpel, "Aboriginal Peoples and the Canadian Charter," 29.

[20] In his latest work, Bhikhu Parekh (*Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Cambridge: Harvard University Press, 2000, 136–41) notes three responses to the issue of human rights in non-Western, specifically Asian, societies. The first issue concerns the language and philosophy of rights, which I have already discussed. The second issue involves variances in the content of norms. As I argue, such problems should be addressed in virtue of a dialogue in

AHIMSA: THE POLITICS OF COMPASSION

It is a fact that many members of the Buddhist community are strong advocates of human rights. For example, the Dalai Lama has repeatedly emphasized the importance of these rights. In his address on "Human Rights and Universal Responsibility," he explains:

> The key to creating a better and more peaceful world is the development of love and compassion for others. This naturally means we must develop concern for our brothers and sisters who are less fortunate than we are. . . . When I travelled to Europe for the first time in 1973, I talked about the increasing interdependence of the world and the need to develop a sense of universal responsibility. We need to think in global terms because the effects of one nation's actions are felt far beyond

---

which parties examine the specific issues involved and attempt to arrive at a legitimate range of variances in particular contexts. This sort of disagreement occurs across Western nations themselves (e.g., issues regarding capital punishment, hate literature, pornography, the welfare state). If Western nations are granted the power to interpret human rights norms within the moral framework of their societies, there is no reason that non-Western nations should not also be granted the same freedom. The third response comes mainly from Chinese leaders. They reject the very concern with cross-cultural norms as bourgeois, Western, and incompatible with their traditional values. They claim that individuals have meaning insofar as they serve society, the aim of which is social solidarity and a strong economy. Along these lines, the Chinese government rejects peaceful protests, civil disobedience and non-violent resistance, and free speech, among other activities. In addition, this government has permitted some of the grossest forms of humiliation, violence, terror, and disregard for human life. This was evidenced, for example, in its usurpation of Tibet in 1959, in which an estimated 1.2 million people were killed, either by Chinese troops or by enforced starvation; see John Powers, "Human Rights and Cultural Values: The Political Philosophies of the Dalai Lama and the People's Republic of China," in *Buddhism and Human Rights*, ed. Damien V. Keown, Charles S. Prebish, and Wayne R. Husted (Richmond, U.K.: Curzon Press, 1998), 175–202. More recently, this was evidenced in 1989 when the Chinese government sanctioned the murder of peaceful protestors in Tiananmen Square. My problem with the response of Chinese leaders is that, first, I see no reason why social solidarity or economic independence (which are indeed legitimate goals for a society) require a government having the power to arbitrarily kill and torture those who do not agree with its policies. Indeed, this creates a social climate of terror, which is anything but conducive to solidarity or economic independence; see on this point Amartya Sen, "Universal Truths: Human Rights and the Westernizing Illusion," *Harvard International Review* 20, no. 3 (1998): 40–43. Second, the claim that cross-cultural norms against murder or torture are incompatible with Chinese traditional values is highly suspect. Their own members contend that these leaders misrepresent traditional values; see, for example, in regard to Confucianism and human rights, Tu Weiming, "Joining East and West: A Confucian Perspective on Human Rights," *Harvard International Review* 20, no. 3 (1998): 44–49; and Joseph Chan, "A Confucian Perspective on Human Rights for Contemporary China," in *The East Asian Challenge For Human Rights*, ed. Joanne R. Bauer and Daniel A. Bell (New York: Cambridge University Press), 212–37. Third, no tradition or way of life is completely sacred, especially if it unconfusedly and undoubtedly permits the grossest abuse of power and allows murder (which I do not believe that either Confucianism or communism does).

> its borders. The acceptance of universally binding standards of Human Rights as laid down in the Universal Declaration of Human Rights in the International Covenants of Human Rights is essential in today's shrinking world. Respect for fundamental human rights should not remain an ideal to be achieved but a requisite foundation for every human society. When we demand the rights and freedoms we so cherish we should also be aware of our responsibilities. If we accept that others have an equal right to peace and happiness as ourselves do we not have an equal responsibility to help those in need? Respect for fundamental human rights is as important to the people in Africa and Asia as it is to those in Europe or the Americas. All human beings, whatever their cultural or historical background, suffer when they are intimidated, imprisoned or tortured. The question of human rights is so fundamentally important that there should be no difference of views on this. We must therefore insist on a global consensus not only on the need to respect human rights world wide but more importantly on the definition of these rights.[21]

I would argue that the Tibetan Buddhist community in India is certainly an acceptable form of social organization, worthy of respect, even though it may differ from Western liberal societies. Like most religious traditions, this community has a certain vision of what constitutes human fulfillment and promotes the idea that people ought to pursue that good. Its view of human flourishing is intimately related to ethical principles such as *ahimsa* and *karuna*. These peoples place a great emphasis on the idea of nonharm and compassion toward all forms of life, and they organize their community around these central notions. These ideals are an integral part of how they define human flourishing, and they are an intimate part of their self-understanding, way of life, and identity, something they would like to promote and have survive. Along with Jain communities, these peoples have shown an unparalleled concern for life in general.

The question I ask here is: How would a Buddhist, or a Hindu or Jain, holding the concepts she does, justify some of the principles underlying a human rights ethic from her perspective? To explore this question, I need to examine the concept of *ahimsa*, and the views of the self and human flourishing this may presuppose, in further detail.

The principle of *ahimsa*, as it is widely interpreted and practiced today, is historically linked to Jains in India. Although a tiny minority (one of the oldest), this community has had a tremendous influence on both the Hindu and Buddhist traditions in this regard. It is mostly because of Jain efforts that vegetarianism is practiced in all parts of India. Jains are strict in this respect and live only on vegetables and milk products. Even honey and certain kinds of figs are prohibited, because they may contain many forms of life. As Christopher Key Chapple describes:

---

[21] His Holiness The Dalai Lama, "Human Rights and Universal Responsibility," in *Buddhism and Human Rights*, ed. Damien V. Keown, Charles S. Prebish, and Wayne R. Husted (Richmond, U.K.: Curzon Press, 1998), xvii–xxi.

> *Ahimsa* is said to be practiced by the Jaina population, both lay and monastic, in five ways: restraint of mind, control of tongue, carefulness on roads, removing beings from the road, and eating in daylight (to avoid ingesting bugs). In order to observe these forms of *ahimsa*, obedience to several rules is enacted to uphold the *anuvrata* [discipline], including care in movement, speech, eating, placing and removing, and elimination.[22]

Many Hindus and Buddhists maintain similar practices (although not as rigorously). Such a concern for the well-being of others is often justified by an appeal to the idea that one's self is, at an ontological level, no different from that of another:

> The concept of non-violent action also presumes that another is, in a fundamental sense, not different from oneself. Philosophically, non-difference of self and others provides a theoretical basis for performing nonviolence. Within the context of the Indian quest for liberation, non-violence provides an important step toward the direct perception of the sacredness of all life. It serves to free one from restricted notions of the self and to open one more fully to an awareness of and sensitivity toward the wants and needs of other persons, animals, and the world of the elements, all of which exist in reciprocal dependence.[23]

Much of the basis of this reasoning can be linked to a view of the self articulated in the Upanisadic aspect of Brahmanism. According to this view, ultimate reality is undifferentiated Being or *Nirguna Brahman*. There is no ontological distinction in kind between plants, animals, and human beings in terms of animating force or "Beingness." Each is interconnected: "When a single blade of grass is cut, the whole universe quivers." Individual being, or *atma*, is covered and isolated by a veil of illusion or *maya*, and can only free itself in the realization that it is ultimately identical with Being or *Brahman*. The end of all existence is the pursuit of this whole and is attained when the self experiences the oneness of Being, or the self as the other and the other as the self. Enlightenment, or *Moksha*, is defined as the pursuit of freedom or "freedom from ignorance" of this central identity. This view was further articulated in Indian philosophical texts known as the Upanisads (600 BCE).[24]

In contrast, Buddhism developed a more fluctuating notion of the self to the extent that it no longer even denoted an ontological category. Still, the intimate

---

[22] Christopher Key Chapple, *Nonviolence to Animals, Earth, and Self in Asian Traditions* (New York: State University of New York Press, 1993), 10.

[23] Ibid., 19.

[24] For the principal Upanisads, see Sarvepalli Radhakrishnan's translation (New Delhi: Harper Collins, 2000, originally published 1953); see also Swami Gambhirananda's rendering (two vols., vol. 1—1957, 4th impression 1998; vol. 2—1958, 12th impression 2000; both Calcutta: Advaita Ashrama) and Patrick Olivelle's recent version (Oxford: Oxford University Press, 1996) for most of the same texts; see Swami Prabhavananda and Frederick Manchester (New York: Mentor, 1948) for a nonliteral translation. Radhakrishnan's essay on the metaphysics of the self in his translation (17–145) is invaluable.

relation between the self and other, as first proposed in the Upanisads, found its way into Buddhist doctrine in the belief that all things are fundamentally connected: the theory of *Dependant Origination* (for a living version of this doctrine, see especially the Dalai Lama's discussion).[25] And although there are critical differences between Buddhism and other Indian systems, Buddhism did not diverge from Upanisadic thinking in certain important respects. In addition, Jain practices had a definite influence on its development. With respect to Hinduism, Adi Sankara elaborated Upanisadic thought into a system of philosophy known as *Advaita Vedanta* or commonly referred to as "non-dualistic" philosophy.[26] Because all three doctrines arose in a similar philosophical milieu, they share many central ideas, especially with regard to the intimate interconnectedness and/or the actual unity of being and world.[27]

From this conceptual backdrop, the reason that *ahimsa* is important is not simply that I incur bad *karma* (consequences) from harming you, but at a more basic level, to harm you is to ultimately harm myself. As Chapple remarks:

> In this discourse, several interesting statements are made regarding the process of surrendering commitment to one's self-position in such a way that the other is not seen as different from oneself. This surrender of possessiveness is referred to as "the abode of no abode," a place where nothing is held as one's own, yet everything becomes one's own: "the being of oneself is seen as that of all beings." The otherness of things, and the otherness of other beings dissolves. . . . With this jewel-like consciousness, wherever one goes, there the self is seen. Whomever one sees, there the self is seen. In such consciousness, violence becomes improbable. Who would want to do violence to oneself?[28]

In accepting such a principle of unity or interconnection, *ahimsa* does not simply remain a matter of refraining from doing violence, but quickly takes on a posi-

---

[25] His Holiness The Dalai Lama, *Ancient Wisdom, Modern World: Ethics for a New Millennium* (Great Britain: Little Brown, 1999), 46–49.

[26] See Adi Sankara, *Upadesahashasri*, trans. Sengaku Mayeda (Albany: State University of New York Press, 1992); *Brahma Sutra Bhasya*, trans. Swami Gambhirananda (Calcutta: Advaita Ashrama, 1965); and *Vivekachoodamani*, trans. Swami Chinmayananda (Mumbai: Central Chinmaya Mission Trust, 1989); see also his *Atmabodha*, trans. Camille Svensson (Tustin, Calif.: Sathya Sai Baba Society, 1985). For an excellent contemporary reconstruction of Sankara's theory from a Western philosophical perspective, see Eliot Deutsch, *Advaita Vedanta: A Philosophical Reconstruction* (Honolulu: University of Hawai'i Press, 1969).

[27] These include critical resemblances in central precepts such as the doctrine of *karma*, ideal of *moksha* and *nirvana*, *ahimsa*, and *karuna*. Mysore Hiriyanna, *The Essentials of Indian Philosophy* (London: Allen and Unwin, 1949), 46–56. Again, this is not to deny that there are differences across these complex traditions or that these concepts are given various differing justifications.

[28] Chapple, *Nonviolence to Animals, Earth, and Self in Asian Traditions*, 80.

tive character. It has been historically and conceptually related to aspects such as love (Sulak Sivaraksa),[29] compassion (Koshelya Walli),[30] and charity (Dennis Dalton).[31] I think that compassion is especially important and captures something crucial here. It is different from pity, which requires empathy, yet there is an implied hierarchy between the giver and the taker. It is different from sympathy, which, although there may be no hierarchy, still assumes the distinct identity of the giver and taker. But compassion requires more of an identification with the other: not only do I feel for your suffering and see you as a human being with the same potential, I experience your suffering as my *own* suffering. As Rabindranath Tagore writes:

> Self finds its *ananda-rupam* [form of joy] . . . when it reveals a truth that transcends self, like a lamp revealing light which goes far beyond its material limits, proclaiming its kinship with the sun. When our self is illuminated with the light of love, then the negative aspect of its separateness with others loses its finality, and then our relationship with others is no longer that of competition and conflict, but of sympathy and co-operation. I feel strongly that this, for us, is the teaching of the Upanisads, and that this teaching is very much needed in the present age for those who boast of the freedom enjoyed by their nations, using that freedom for building up a dark world . . . where the passions of greed and hatred are allowed to go unchecked.[32]

The contemporary development of *ahimsa* floods to the social, economic, and political domain. For example, Mohandas Gandhi's interpretation of *ahimsa* required that (in his own words) "each one should have a proper house to live in, adequate and balanced food to eat and sufficient home-spun and home-woven cloth to cover himself."[33] Gandhi did not separate the practice of nonviolence from economic realities. As he writes:

> I must confess that I do not draw a sharp or any distinction between economics and ethics. Economics that hurt the moral well-being of an individual or a nation are immoral.[34]

---

[29] Sulak Sivaraksa, *A Buddhist Vision for Renewing Society* (Bangkok: Tienwan, 1986).

[30] Koshelya Walli, *The Conception of Ahimsa in Indian Thought, According to Sanskrit Sources* (Varanasi: Bharata Manisha, 1974), 18.

[31] Dennis Dalton, *Mahatma Gandhi: Nonviolent Power in Action* (New York: Columbia University Press, 1993).

[32] Rabindranath Tagore, "Foreword," in Radhakrishnan, trans., *The Principal Upanisads*, 939–44, 944.

[33] Unto Tahtinen, *Ahimsa: Non-violence in Indian Tradition* (London: Rider, 1976), 120.

[34] Mahatma Gandhi, *The Collected Works of Mahatma Gandhi*, vol. 21 (Government of India, 1969), 287–91, 290.

And that:

> True economics, on the other hand, stands for social justice, it promotes the good of all equally including the weakest, and is indispensable for decent life.[35]

However, Gandhi's social and economic reform, although influenced by many Western socialist ideas, appealed to notions of equality already *internal* to much of Indian culture. Gandhi's struggle against social inequality and oppression, such as that of women and untouchables, sought its basis in *ahimsa* and Advaita Vedanta rather than in Western ideas. The last two decades of Gandhi's career (1927–1947) consisted in ever more radical critiques of the caste system. In September and October of 1927, Gandhi made two key speeches on *varna* (social division) at Tangore and Trivandrum. He emphasized social equality in both.[36] However, he grounded this in the traditional concept of Advaita, or the spiritual oneness of all being, rather than appealing to a Western basis. He argued that the caste system's most vicious feature is the idea of inherited superiority. This, he contended, is inconsistent with "the spirit of Hinduism" in general:[37]

> In my opinion there is no such thing as inherited superiority. I believe in the rock-bottom doctrine of Advaita and my interpretation of Advaita excludes totally any idea of superiority at any stage whatsoever. I believe implicitly that all men are born equal. All—whether born in India or in England or America or in any circumstance whatsoever—have the same soul as any other. And it is because I believe in this inherent equality of all men that I fight the doctrine of superiority which many of our rulers arrogate to themselves. I have fought this doctrine of superiority in South Africa inch by inch, and it is because of that inherent belief that I delight in calling myself a scavenger, a spinner, a weaver, a farmer and a labourer. And I have fought against the Brahmins[38] themselves wherever they have claimed any superiority for themselves either by reason of their birth or by reason of their subsequently acquired knowledge. I consider that it is unmanly for any person to claim superiority over a fellow being. And there is the amplest warrant for the belief that I am enunciating in the *Bhagavad-Gita*. . . . He who claims superiority at once forfeits his claim to be called a man.[39]

---

[35] Shriman Narayan, *The Selected Works of Mahatma Gandhi*, vol. 11 (Ahmedabad: Navajivan, 1968), 322.

[36] See Dalton, *Mahatma Gandhi*, 52.

[37] Gandhi, *The Collected Works of Mahatma Gandhi*, vol. 35, 1–3, 103–7.

[38] "Brahmin," sometimes also rendered "Brahmana," may refer to the priestly class of the four categories of the caste system. This meaning should not be confused with the concept of *Brahman* as Being or the Absolute.

[39] Gandhi, *The Collected Works of Mahatma Gandhi*, vol. 35, 1–2; see also 102–7. Gandhi's reasoning was certainly not without precedent in the Upanisads themselves. For example, the Vajrasucika Upanisad argues against the idea that a *Brahmana* can be determined by birth. Rather, what

The argument for how *ahimsa* and Advaita can be used in the struggle against inequality would proceed in the following manner. As I discussed, the central tenet of Upanisadic thinking is that essentially, on an ontological level, there is no difference between you and me. It is through the practice of *ahimsa* and compassion (or *karuna*) as an ideal that, at the same time stemming from the oneness of all being, leads to the ultimate realization of this. It is by attempting to experience your suffering or inequality as my own, as an untouchable and member of a lower caste, or, as a woman or homosexual who has no voice, for instance, that I come to truly grasp or realize the identification of the self and the other. As expressed in the *Isa Upanisad*:

> [6] And he who sees all beings in his own self and his own self in all beings, he does not feel revulsion by reason of such a view. [7] When, to one who knows, all beings have, verily, become one with his own self, then what delusion and what sorrow can be to him who has seen the oneness?[40]

In these terms then, the struggle against oppression and suffering may be motivated from a rather different philosophical viewpoint from liberalism's in which you and I are separate individuals who have a right to certain social conditions (economic equality and human rights) that ground our individual freedom. From the Upanisadic point of view, these social conditions flow *from* our metaphysical identity or oneness and are required to help us realize our ultimate identity. From the Buddhist view, it is our interconnectedness that grounds these conditions.[41]

---

makes one of a "priestly" class is determined by one's noble actions and the realization of oneself as Self, thereby allowing *any* individual to be a *Brahmana*. In this sense, some of the Upanisadic texts were revolutionary, challenging and subverting the social hierarchical class system that had become entrenched in India's social order. Let me cite the relevant Upanisad: "[2] The Brahmana, the Ksatriya, the Vaisya and the Sudra are the four classes (castes). That the Brahmana is the chief among the four classes is in accord with the Vedic texts. . . . In this connection there is a point worthy of investigation. Who is, verily, the Brahmana? . . . Is he the class based on birth? [5] Then (if it is said) that birth (makes) the Brahmana, it is not so, for there are many species among creatures, other than human, many sages are of diverse origin. . . . Among these, despite their birth, there are many sages, who have the highest rank, having given proof of their wisdom. Therefore birth does not (make) a Brahmana. [9] Then, who, verily is the Brahmana? He who, after, directly perceiving . . . the Self . . . becomes rid of the faults of desire, attachment, etc., and endowed with qualities of tranquility etc., rid of the states of being, spite, greed, expectation, bewilderment, etc., with his mind unaffected by ostentation, self-sense and the like, he lives. He alone who is possessed of these qualities is the *Brahmana*. This is the view of the Vedic texts and tradition, ancient lore and history. The accomplishment of the state of the Brahmana is otherwise impossible." *Vajrasucika Upanisad*, in Radhakrishnan, trans., *The Principal Upanisads*, 935–38.

[40] Sarvepalli Radhakrishnan, "Introduction," in Radhakrishnan, trans., *The Principal Upanisads*, 572.

[41] I have learned that Schopenhauer, who was influenced by Upanisadic philosophy, also reasoned similarly. "This conception that underlies egoism is, empirically considered, strictly justified.

That I cannot torture you or stop you from speaking or provide you with no means of livelihood while I keep all of the wealth to myself is because your suffering *is* my *own* suffering in an ultimate sense. To inflict harm on you is to harm myself. Moreover, if I am compassionate, then I have a positive responsibility to help you. Let me note here, compassion is not simply a matter of "feeling" in this tradition; rather, it is a way of thinking and perceiving the world. Our fundamental unity or interconnectedness is taken to be a key tenet of knowledge that requires from us a nurturing stance toward others.

In the Western liberal tradition, it is because you and I are separate individuals, and because your interference may violate my basic freedom to be a self-creating being, that I need these social conditions as guarantees. Nevertheless, both traditions can agree to some of these conditions or norms, which is, I believe, what is really important. Very different routes are traveled to the same destination.

In his "Conditions of an Unforced Consensus on Human Rights," Charles Taylor draws on the work of Sulak Sivaraksa in Thailand to argue a similar point to my own here. Sivaraksa's Buddhist approach to human rights is also motivated by an appeal to *ahimsa*:

> We can in fact see a convergence here on certain norms of action, however they may be entrenched in law. What is unfamiliar to the Western observer is the entire philosophical basis and its appropriate reference points, as well as the rhetorical source of its appeal. In the West, both democracy and human rights have been furthered by the steady advance of a kind of humanism that stressed that humans stood out from the rest of the cosmos, had a higher status and dignity than anything else. . . . The human rights doctrine based on this humanism stresses the incomparable importance of the human agent. It centers everything on him or her, makes his or her freedom and self-control a major value, something to be maximized. Consequently, in the Western mind, the defence of human rights seems indissolubly linked with the exaltation of human agency. It is because humans

According to experience, the difference between my own person and another's appears to be absolute. The difference in space and time that separates me from him, separates me also from his weal and woe. Accordingly, if plurality and separateness belong only to the phenomenon, and if it is one and the same essence that manifests itself in all living things, then that conception that abolishes the difference between ego and non-ego is not erroneous, but on the contrary, the opposite conception must be. . . . Accordingly, it would be the metaphysical basis of ethics and consists in one individual's again recognizing in another his own self, his own true nature. Thus practical wisdom, doing right and wrong and doing good, would in the end harmonize with profoundest teaching." And he goes on: "My true inner being exists in every living thing as directly as it makes itself known in my self-consciousness only to me. . . . It is this that bursts through as compassion on which all genuine . . . virtue depends." As quoted in Garfield, "Human Rights and Compassion," 137–38. The likeness between this and an Upanisadic or Buddhist approach is not coincidental; see also Dorothea W. Dauer, *Schopenhauer as a Transmitter of Buddhist Ideas* (Berne, Switzerland: Herbert Lang, 1969), 5–9, with regard to the influence that Upanisadic and Buddhist philosophy had on Schopenhauer's work.

> justifiably commanded all this respect and attention, in comparison to anything else, that their rights must be defended. The Buddhist philosophy that I have been describing starts from a quite different place, the demand of *ahimsa* (nonviolence), yet seems to ground many of the same norms. . . . The gamut of Western philosophical emotions, the exaltation of human dignity, the emphasis on freedom as the highest value, the drama of age-old wrongs righted in valour, all the things that move us in seeing *Fidelio* well performed, seem out of place in this alternative setting. So do the models of heroism. The heroes of *ahimsa* are not forceful revolutionaries, not Cola di Rienzi or Garibaldi, and with the philosophy and the models, a whole rhetoric loses its basis. This perhaps gives us an idea of what an unforced world consensus on human rights might look like. Agreement on norms, yes, but a profound sense of difference, of unfamiliarity, in the ideals, the notions of human excellence, the rhetorical tropes and reference points by which these norms become objects of deep commitment for us.[42]

That is, Buddhist views will not resonate well with accounts that place a central emphasis on human agency. According to liberalism, as Will Kymlicka argues for example, "individuals are viewed as the ultimate units of moral worth, as having moral standing as ends in themselves, as 'self-originating sources of valid claims.' "[43] However, this may be problematic from the perspective of some of these other views. The ontological unit of moral worth, that which has moral standing, may not simply be located in the human being, but may also include animals and the environment. This is not to say that human freedom is not an important good from such a perspective, but only that this good is inextricably related to concepts such as the interconnectedness of all beings and the ideals of *ahimsa* and compassion. Whatever differences are involved in our definitions of freedom, however, my simple point here is that these definitions and divergent philosophical views will support and overlap on many of the same norms of action or basic rights.[44]

Moreover, where there are divergences on norms of action, it is at least reasonable to think that it may not always be "traditional nonliberal" views that are somehow automatically oppressive. One may even further argue that it is any community that makes an ideal such as compassion a "moral extra" or an "option" that is lacking here.[45] One might likewise challenge liberal views regarding the

---

[42] Taylor, "Conditions of an Unforced Consensus on Human Rights," 135–36.

[43] Will Kymlicka, *Liberalism, Community and Culture* (Oxford: Clarendon, 1989), 140.

[44] From an Advaitic interpretation of the Upanisads, freedom or independence is defined in terms of the realization of the unity of Being. What limits my freedom is the false sense that I am separate from others. Indeed, this is defined as a state of ignorance. And to put tradition and text in their best possible light, as Gandhi attempted to do, I am truly free when I come to experience my oneness with others. It is the state of compassion and non-violence that allows me to best experience this metaphysical identity or oneness with all beings, be they humans or animals.

[45] Certain feminist arguments concerning an ethic of care are relevant in this regard, as Annette Baier contends: "It will not do just to say 'let this version of morality be an optional extra. Let us agree on the essential minimum, that is, on justice and rights, and let whoever wants to go further and

treatment of other sentient beings and the environment and contend that it is liberal views that are indeed oppressive here. Of course, this is not to suggest that there are no oppressive aspects to particular nonliberal cultures either. My aim here was not to defend Buddhist, Jain, or other nonliberal views *against* liberal views or anything of the sort. It was simply to point out that there is a plurality of justifications that we may provide for our fundamental ethical ideals; indeed, there is more than one path that leads to the top of the mountain.

CONCLUSION

In this paper, I wanted to provide a response to a common challenge that one faces in recognizing and accommodating cultural diversity. This issue concerned limits. Could cultures or nations that radically differ from Western liberal societies come to an agreement on human rights? What would this agreement look like? I argued that the goal here would be to get different communities to agree on certain basic norms of behavior, even though they may hold incompatible world views regarding metaphysics and human nature. Each could agree on these norms, while disagreeing as to why they were the right norms. Buddhists, Hindus, and Jains could agree that freedom and equality are important, yet disagree with liberals as to why this is so. These may be justified by an appeal to substantive ethical principles such as *ahimsa* and *karuna* and be grounded in the interconnectedness or the unity of being (rather than, for example, being thought of as the outcome of a social agreement in which people arrive at these principles for the sake of maximizing their individual self-interests).

Moreover, I wanted to suggest that even though a community may be organized around some of these more substantive ideals, it can still value tolerance[46]

---

cultivate this more demanding ideal of responsibility and care. For, first, the ideal of care [and compassion] cannot be satisfactorily cultivated without closer cooperation from others than respect for rights and justice will ensure, and, second, the encouragement of some to cultivate it while others do not could easily lead to exploitation of those who do. It obviously *has* suited some in most societies well enough that others take on the responsibilities of care (for the sick, the helpless, the young), leaving them free to pursue their own less altruistic goods. . . . The liberal individualists may be able to 'tolerate' the more communally minded, if they keep the liberals' rules, but it is not so clear that the more communally minded can be content with just those rules, nor be content to be tolerated and possibly exploited." Annette Baier, "The Need for More than Justice," in *Moral Prejudices: Essays on Ethics* (Cambridge: Harvard University Press, 1994), 25.

[46] Sulak Sivaraksa cites some of the ethical principles of the Tiep Hien Order of the Mahayana tradition: "1. One should not be . . . bound to any doctrine, any theory, any ideology, including the Buddhist one. Buddhist systems of thought must be considered as guiding means and not as absolute truths. 2. Do not think the knowledge you presently possess is changeless, absolute truth. Avoid being narrow minded and bound to your present views. One has to learn and practise the open way of non-attachment from views in order to be open to receive the view point of

and be compatible with the basic principles underlying a human rights ethic. This primarily depends on the specific substantive conception/aspect in question. And, even though such a community may differ from Western liberal society, I wanted to suggest that it ought to be recognized as an acceptable social order worthy of toleration, and furthermore, recognition and respect.

Appalachian State University, North Carolina

others. . . . 3. Do not force others, including children, by any means whatsoever to adopt your view, whether by authority, threat, money, propaganda or even education. However, one should, through compassionate dialogue, help others renounce fanaticism and narrowness." Sivaraksa, *A Buddhist Vision for Renewing Society,* 144–46.