

Buddhism, Liberalism, and the Problem of Rights

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Introduction

Throughout the twentieth and twenty-first centuries movement has been made, from both directions, to bridge the gap between the Buddhist world and the West. In Southeast Asia, countries mending from the trials of European colonialism have worked to recover their own cultural and political traditions while simultaneously attempting to integrate into the Western paradigm of economic globalization and political liberalization. In the United States and Europe, both awareness and practice of Buddhism exploded in the mid-twentieth century, spurred by an increased availability of translations and scholarly works on the subject as well as an increased presence of Buddhism in popular culture. The result has been a parallel movement of cultures towards one another.

However, despite this shared project of cultural convergence, each side has taken a different focus as its point of emphasis. The story of the emergence of Buddhism into the Western consciousness has been one of a quest for religious enlightenment, focusing on Buddhism as a religious and philosophical disposition. Conversely, the process of post-colonial Westernization in the Buddhist countries of Southeast Asia has been one primarily of political and economic development. This process has entailed the introduction of Western political constructs such as constitutionalism, the establishment of Western political systems and institutions, and the introduction of Western concepts of political theory such as an explicit focus on rights. Of these objectives, there has been much more success in the transition of political orders than of political theory.

As a matter of form and institutions, the nations of Southeast Asia (as well most of the broader Buddhist world, such India and Japan) have taken on Western-style regimes, abandoning or lessening the role of their traditional Buddhist kingships in favor of democratic and republican

institutions. Yet despite these institutional changes there has been far less success in instituting a wide-scale change in political values. On one level, this is very understandable. Following decades of Western imposition, there is much for a Buddhist to be skeptical about regarding a project which calls for freely embracing the values of one's past oppressor over an attempt to recover the traditional values of your own culture which were lost during the period of colonial rule. This had led to something of an identity crisis in some parts of the Buddhist world, where a country like Myanmar is forced to deal with the realities of pluralism with its Muslim citizens, or in Bhutan, where the government has begun to reject globalist standards of success like Gross Domestic Product in favor of a Buddhist-driven metric of Gross National Happiness.

These competing political, social, and historical tensions have led to a condition wherein contemporary Buddhist political life is something of a pastiche of Western and Buddhist political conventions. The à la carte approach to the reformulation of modern Buddhist political practice in the image of Western political life, choosing to embrace Western political institutions while making far less effort to embrace the values (such as political liberalism and individualism) which underlie their establishment in the Western world, has created a situation where it is difficult to make a clear assessment about the success of the project of the Westernization of the Buddhist political world. Much of this confusion hinges on what precisely are considered as the parameters for a "successful" transition. Is the dissolution of monarchies in favor of democratic institutions sufficient? Are we content with democratic forms or must Buddhist nations go further and embrace the tenets underlying liberal democracy? Though the judgment of the success or failure of this process is ultimately left only to the citizens of the countries in question, it is foolish to imagine that the Western world has no stake in the outcome of the project or that it lacks any skin in the game itself. The same forces which have led to the attempted embrace of

Western politics by the Buddhist world, namely technological modernization and economic globalization, are those which justify Western attention to the outcome of the project. If Buddhist countries wish to be embraced by the modern global political community, and evidence suggests that this is in fact the case, then the West is justified in wishing to ensure that this process is undertaken on stable and proper terms.¹

In this paper, I will examine the practical ramifications of the philosophic disconnect between the foundations of Western political thought and Buddhist political thought as a function of rights, focusing on the expression of this problem through the lens of contemporary Myanmar. Myanmar holds an interesting place in the study of the transition of historically Buddhist countries into the Western sphere of political life. As with all of the Buddhist countries of Southeast Asia, Myanmar is not a stranger to Western influence. For nearly a century and a half in the nineteenth and twentieth centuries, Myanmar (then Burma) was ruled by Great Britain, first as a province of British India and later as a colony in its own right. Finally freed of its colonial status following World War II, Myanmar spent the next several decades trying to find its political footing, settling for most of that time into a military-led socialist regime. Beginning in 2008, a series of political reforms were undertaken, focusing mostly on instituting some semblance of democracy into the country. Though the first few applications of this new democratic trend were of questionable success, since 2012 the Republic of the Union of Myanmar has mostly lived up to its new moniker.

¹ All of the historically Buddhist countries of Southeast Asia (understood as Bhutan, Cambodia, Laos, Myanmar, Sri Lanka, and Thailand) are currently members of the United Nations and the International Monetary Fund. Additionally, Burmese diplomat U Thant served as the first non-European Secretary-General of the United Nations from 1961-1971. These same countries are also members or currently seeking membership (Bhutan) in the World Trade Organization.

Despite the successes of this democratic transition, the process has been marred by a new form of political oppression. The past few years have seen a sharp rise in anti-Muslim sentiment throughout the country. Echoing well-established historical ethnic divisions in the country, persecution against the Muslim Rohingya in Myanmar's Rakhine State has risen to the level of an international human rights crisis and has gone so far as to be referred to by some, now including the United Nations, as a genocide. Despite the expectations of many in the international community, the country's Buddhist leadership has not only failed to stave off continued violence against the Rohingya but has in some instances contributed to its continued propagation. This failure has extended all the way to Aung San Suu Kyi, the most vocal and well-known leader of Myanmar's democratic campaign and herself a recipient of the Noble Peace Prize. Flouting all expectations, this political leader known for her support of the down-trodden and her predilection for peace has remained disconcertingly quiet on the atrocities committed in her own backyard and under the watch of her political regime.

Through the lens of this crisis I will examine the apparent failure of Buddhist political thought to itself serve as a sufficient replacement for political liberalism. The treatment of the Burmese Rohingya is evidence of issues which arise when trying to import Western political structures into an environment which fails to also adopt its philosophical underpinnings. The push for democratization in Myanmar is an admirable project, but the Burmese Buddhist political culture's inability to control (let alone its apparent tendency to bolster) the political divisions created by ethnic divides in the country belies a greater issue. Can a country adopt the forms of Western politics while setting aside its groundings? Are democratic institutions sufficient as a measure of upholding contemporary standards of political dignity or must countries also embrace the liberal beliefs which have served as the undergirding of those institutions throughout Western

modernity? And in particular, to what degree can the principles of Buddhism, which themselves mirror liberal thought in a number of practical respects, serve as a replacement to these liberal values in their absence?

Despite the overlap between the two systems of thought, the case of contemporary Myanmar seems to demonstrate the dangers of attempting to base a politics of liberal freedom and human rights strictly on the principles of Buddhist political thought. Buddhist thought and practice makes a clear call to respect human dignity. But a Buddhist state is only as respectful of these principles as its political actors are good Buddhists. Though its prospect seems far less threatening, a state built on Buddhist political principles is no less poorly founded than any other theocratic regime. Myanmar represents a movement away from a country built solely in the service of traditional religious principles towards a modern state equipped to exist within the context of a modern, globalized world. But, as it stands, it is only a half measure. And as a half measure it has succeeded in only half of the goal that the standards of modern liberalism would set for it, allowing for self-rule and political agency for much of the country but equally allowing for the tyranny of the majority to feast upon those in the religious and ethnic minority.

Buddhism and Rights

The problem of rights in relation to Buddhist political thought has become particularly evident during the recent period of transition of Buddhist cultures and states into the sphere of Western modernity. Given the emphasis placed on the language of rights in the West, contemporary Buddhist political thought has been forced to deal with this issue, usually accomplishing the task by either denying the ultimate importance of rights as a foundational political concept or, more frequently, by trying to find a justification and grounding for rights language within preexisting Buddhist political thought.

The idea of rights as conceptualized by the Western liberal tradition is foreign to traditional Buddhist thought. As Damien Keown notes, there is no word in Pāli or Sanskrit which conveys the Western conception of rights as “subjective entitlement.”² This stands in stark contrast to the Western formulation of rights, rooted in the thought of Thomas Hobbes and his radical reorientation of political life which takes the atomized individual as the primary unit of political analysis. This premise, that man as an individual should be the beginning of our understanding of political philosophy and our primary concern therein, continued to be developed throughout early modernity through political thinkers such as John Locke and Charles de Montesquieu. It has ultimately culminated in the modern presentation of liberal thought, which places the rights of individuals as among the highest ends of political life and understands the proper role of political life to be the facilitation of the fulfillment of each individual’s own understanding of their private human good.

Though contemporary Buddhist political discourse does contain some language of rights, as it must to justify and contextualize itself within the framework of modern political life, what is particularly interesting to observe in this discourse is the nearly exclusive framing of rights as “human rights” while ignoring the idea of individual rights which serves as the foundation of the liberal tradition. Though not widely addressed, this disconnect has been noted by scholars of both the ancient and modern Buddhist traditions. Trevor Ling, examining the role of property in the early years of the Buddhist *sangha*, observes that “some rights, such as the right to life, to free speech, to personal freedom, etc., cluster around the notion of the individual personality.”³ These issues, he argues, are contradicted by the doctrine of *anatta* (no-self), which is

² Keown, Damien. “Are There ‘Human Rights’ in Buddhism?” *Journal of Buddhist Ethics*, 2: 3-27, 1995. Pg 11.

³ Ling, Trevor. *The Buddha*. Grover Publishing, 1985. Pg 126.

incompatible with the liberal understanding of the individual which necessarily underlies them, thus rendering them philosophically unintelligible from within a purely Buddhist context.

Contemporary Buddhist political writings also acknowledge the issues which arise from the Western conceptualization and primacy of the individual as it relates to the foundations of political life. Modern liberal political theory begins with an understanding of political life as a conglomeration of individuated persons and interests, brought together not directly in the name of a common good but because each individual's interest can be best served through agreement and cooperation with one another.⁴ Diverging from this understanding, a passage from French philosopher and Buddhist scholar Fabrice Midal typifies the contemporary Buddhist stance on the standing of the individual in modernity. Documenting the thought of twenty-first century Buddhist thinkers and founder of the modern Shambhalan movement Chogyam Trungpa, Midal writes,

One of the characteristics of the modern world is that it reinforces individualism. After a few years in the West, [Trungpa] realized that this obsessive individualism, based on the cult of each person's subjectivity, was contributing to a climate of distress and alienation that made it much more difficult to establish a true society.

How can we really live together if we are constantly driven by competition as a way of affirming ourselves? The basic relaxation that we can experience in meditation practice transforms this struggle for independence. We can stop struggling to affirm

⁴ Take, for example, the story of the origins of political life in Hobbes's *Leviathan*, a text which while not liberal in its own right nonetheless created the framework for subsequent liberal political theory. Hobbes begins with a state of nature, with each person existing in a condition of perfect freedom. However, due to the extreme violence inherent in this condition, these free individuals are required to sacrifice their freedom to a common sovereign in order to create the conditions necessary for peace. What is important to note in Hobbes's formulation, however, is that this contract is not made between the individuals and the sovereign authority, but between the individuals themselves. (*Leviathan*, Chapter XVIII) In this way, even though political life and society are necessarily collective communities, they are nonetheless to be understood first and foremost as collectives of *individuals*, rather than as pure collectives in their own right and for their own sake.

subjectivity and begin to trust in the basic nature of what is. This is not a matter of giving up our freedom, but rather of accepting it.

It is on this basis that a genuine society can be established.⁵

This passage cuts to the core of the contemporary Buddhist political critique of modern Western political life. Whereas liberal thought, from its origins in Thomas Hobbes through its more full development in John Locke and beyond, places the role of individualism at the core of its theory and thus allows it to serve as the intellectual basis for rights and liberties, Buddhist political thought understands the Western obsession with the individual as a misguided fixation which obscures its vision of a true politics. To premise political life on the individual is to poison the project of politics from the beginning, rendering political life incapable of orientating itself towards the goal of diffusing individual interests in light of the collectivizing goals of societal enlightenment. As emphasized by Midal, contemporary Buddhist thought questions the fundamental importance of freedom and rights as understood by the modern liberal tradition. Conjuring up images of Jean-Jacques Rousseau, Buddhist thought understands these “freedoms” as the force which ultimately suppresses man’s ability to achieve true freedom through enlightenment. They are chains disguised as liberation.

Alternative Views on the Foundation of Rights: Buddhist Rights Founded in Duty

Seemingly in acknowledgment that any political discourse which is to be taken seriously in modernity must account for the idea of rights, some work has been undertaken by contemporary Buddhist thinkers to find a basis for rights within Buddhist political thought itself. Interestingly, given the fact that Buddhist thought appears to be incompatible with the idea of individualism used to ground the understanding of rights in the modern liberal tradition,

⁵ Midal, Fabrice. “Creating Enlightened Society: The Shambhala Teachings of Chogyam Trungpa.” in *Mindful Politics*. Edited by Melvin McLeod. Wisdom Publications, 2006. Pgs 96-97.

Buddhist scholars have been forced to attempt to find new grounds on which to found their presentations of rights.

The most fruitful of this work on Buddhist “rights” has come from Damien Keown. Throughout a number of books and articles, Keown has set forth a two-pronged project: first, to determine if the notion of human rights can be identified as already existing anywhere within the Buddhist tradition, and second, to determine where a conception of rights can be grounded within the Buddhist tradition should they be found to not exist there fully in the first place. Keown’s conclusion is a sort of hybrid answer that seems address both goals at once, while more fully satisfying the later. In his article “Are There ‘Human Rights’ in Buddhism?,” Keown concludes that

it is legitimate to speak of both rights and human rights in Buddhism. Modern doctrines of human rights are in harmony with the moral values of classical Buddhism in that they are an explication of what is “due” under Dharma. The modern idea of human rights has a distinctive cultural origin, but its underlying preoccupation with human good makes it at bottom a moral issue in which Buddhism and other religions have a legitimate stake.⁶

Keown’s answer is interesting here not necessarily for its conclusions but for its logic in arriving there. Keown’s assertion that there is a legitimate claim to speak of rights within the context of Buddhist political thought, which has subsequently come to be echoed by many who wish to ground Buddhism in context of Western politics (both scholars and practitioners alike), is premised not on the achievement of actually locating a meaningful cognate (linguistic or philosophical) but rather by claiming that there are elements of thinking within Buddhist thought which are attempting to reach the same goals and ends as those of the rights-based language of the West. It is not a direct discovery, but rather a discovery by triangulation. The teachings of the

⁶ Keown (1995), Pg 28.

Buddha and the rights claims of the West differ only as a matter of “form rather than substance.” Even if the language differs and “the concept of human rights is not likely to be useful in... following the Buddha Dharma,” the content and substance of the claims of Western liberalism are wholly agreeable with Buddhist teaching and practice.⁷ By this logic then, liberal notions such as rights aren’t necessarily found within Buddhist thought but they are found to be so compatible with Buddhist thought that we can rightfully speak of the two as undertaking in agreeing (if not concurrent) projects.

Though Keown admits that the language of rights is not found within traditional Buddhist thought, he denies that this means that they cannot be found there. To do so he employs an argument similar to that of Justice William Douglas in the United States Supreme Court decision of *Griswold v Connecticut*⁸, arguing that “the concept of a right may exist where a word for it does not.”⁹ Using this penumbral logic, Keown examines the requirements placed on man’s action in light of the demands of *dhamma*. Though Buddhist political thought may not speak to that which man is entitled to, be they rights or liberties, it does place constraint on proper human actions. Through the examination of the negative space of these demands, we can infer the subsequent “rights” which are afforded through these actions to others. As Keown explains,

From this it would seem that Dharma determines not just “what one is due to do” but also “what is due to one.” Thus through A’s performance of his Dharmic duty B receives that which is his “due” or, we might say, that to which he is “entitled” in (under, through) Dharma. Since Dharma determines the duties of husbands and the duties of wives, it follows that the duties of one correspond to the entitlements or “rights” of the other. If the husband has a duty to support his wife, the wife has a “right” to support from her husband. If the wife has a duty to look after her husband’s

⁷ Ibid., Pg 26.

⁸ *Griswold v. Connecticut*. 381 US 479 (1965).

⁹ Keown (1995), Pg 11.

property, the husband has a “right” to the safe-keeping of his property by his wife.¹⁰

Rights then, though not explicitly stated, are necessarily implied.¹¹

This logic also expands beyond the realm of the personal, providing some basis for the protection of rights at the institutional level. Keown writes, “If under Dharma it is the duty of a king (or political authority) to dispense justice impartially, then subjects (citizens) may be said to have a ‘right’ to just and impartial treatment before the law.”¹² This idea has particular relevance in relation to the political thought of the early Buddhist texts. The *Dasavidha-rājadhama*, cited throughout the Pāli texts, lays out the ten particular duties of a Buddhist king. Among these are the idea that the king is required to provide for the public interest, that he must be honest, that he must practice non-violence whenever possible, and that he must act in such a way as to avoid prejudicial behavior towards his subjects. When viewed in light of Keown’s correlate theory of Buddhist rights, a reasonably robust presentation emerges. Just from these principles, a Buddhist could rightly expect a basic social safety net, protections from state coercion, and the right to an impartial justice system. This conceptualization of a Buddhist state based in rights has seen some application in practical politics by Burmese monk and political activist Rewata Dhamma, who in the 1980s used a similar approach in criticizing the totalitarian Burmese government, citing the traditional Buddhist duties of the king as a tool in seeking to “emphasize duties or

¹⁰ Ibid., Pg 12.

¹¹ The basic contours of this argument are echoed in the Western tradition by the discussion on the origins of the language of rights by Brian Tierney in *The Idea of Natural Rights* (1997). Here, in an attempt to intellectually recover the Western tradition of natural law, Tierney appeals to ancient and medieval understandings of duties as a foundation for rights as preceding more modern conceptions of individual, natural rights as we see in Locke.

¹² Keown (1995), Pg 12.

responsibilities rather than codified rights set out in international or domestic law” as a means gain protections for Burmese citizens against their government.¹³

Buddhist Rights Founded in Compassion

In contemporary Buddhist political discourse, particularly that of the Engaged Buddhism movement, discussion of the foundation of rights within Buddhist thought has moved away from the idea of duties presented in the traditional Buddhist texts in favor of basing rights (or a workable corollary) on the idea of Buddhist compassion, a notion generally found in short supply in the political thought of Western modernity.¹⁴ The political principles preached by the Engaged Buddhist movement, the most prominent Buddhist political movement since the mid-twentieth century, look in practice a lot like modern liberal progressivism. We see concern for social justice, stances against neoliberal globalism, and a focus on environmentalism. In this regard, the concerns of engaged Buddhism are in many ways already aligned with that of Western politics.

The importance of compassion is well grounded in Buddhist thought, particularly that of the Mahāyāna tradition (which includes both the Tibetan and Zen schools of Buddhist thought). The contemporary Buddhist understanding of compassion is rooted in the traditional conception of *karuṇā* (compassion). Alan Watts, writing from the context of the Zen tradition, makes clear that *karuṇā* is not an element which exists as an abstracted principle. The discovery and embrace of *karuṇā* arises in the Buddhist practitioner as a function of the fruition of Buddhist practice itself. He writes, “For this is simply the basic Mahāyāna principle that *prajñā* [wisdom] leads to *karuṇā* [compassion], that awakening is not truly attained unless it also implies the life of the

¹³ Rewata Dhamma. “Buddhism, Human Rights, and Justice in Burma.” Speech delivered at the Church Center for the UN, New York, November 1989. http://www.burmalibrary.org/docs08/Rewata_Dhamma-Buddhism_Human_Rights_and_Justice_in_Burma.pdf. Web.

¹⁴ Prebish, Charles and Damien Keown. *Buddhism- The Ebook*. Journal of Buddhist Ethics Online Books, 2006. Pg 323-324.

Bodhisattva [a teacher who has reached enlightenment but abstains from the release from *samsāra* in order to help other achieve the same].”¹⁵ In this understanding, an acceptance of compassion is that which arises from the attainment of wisdom. Further, in invoking the idea of the *Bodhisattva*, Watts implies that one who has achieved this wisdom consequently and inescapably discovers the necessity of compassion as a principle which underlies this newly revealed moral universe. Though enlightenment is a process which predates the realization of the necessity of compassion, upon gaining this wisdom the importance of compassion becomes apparent. Contemporary Zen commentator and proponent of socially-engaged Buddhism David Brazier takes this thought to its logical conclusion. On the nature of compassion, he says the following, “Compassion power is, therefore, the highest value in Buddhism. Compassion means concern about the afflictions suffered by others. Compassions needs wisdom in order to be effective. Compassion is highest, however. Wisdom is the servant of compassion.”¹⁶

Contemporary Buddhist political thought embraces this notion of compassion as a guide to ethical and political action.¹⁷ Not simply serving as a guide for how action should proceed, socially-engaged Buddhist thought takes compassion as an impetus to action itself, seeking to counteract the popular perceptions of Buddhism as merely intellectual and quietist. As described by Stephen Batchelor, “While some maintain that this [the fact that humans are fundamentally driven by craving] is simply the nature of the world, others insist that compassion demands that

¹⁵ Watts, Alan. *The Way of Zen*. Vintage, 1989. Pg 166.

¹⁶ Brazier, David. *The New Buddhism*. St. Martin’s Griffin, 2002. Pgs 24-25.

¹⁷ This notion is not entirely without precedent in Western presentations of ethics. The practice of the Ethics of Care developed by Carol Gilligan (1982) indicts Western thought for a preoccupation with abstract notions of justice. In place of these abstractions, Gilligan suggests an ethics based on the principles of empathy and compassion, maintaining that these ethical dilemmas can be resolved through an examination of human interdependency. Seyla Benhabib (1985), who examines care ethics as a function of political theory, finds it to be in direct opposition to the ego-driven theories (such as that of Hobbes and Locke) which undergird the political thought of liberal Western modernity.

one tackle the root societal causes of this collective suffering. At this point engagement goes beyond mere reform and advocates radical social and political change.”¹⁸ Using this logic leads authors such as Noah Levine to declare that “Buddhist practice is a political action.”¹⁹

While the contemporary politics built on the Buddhist idea of compassion are in many ways aligned with the contemporary politics of the modern West, explicitly calling for political action which is in line with modern progressive political values, there is an important distinction which must be noted. Though left unstated by engaged Buddhist thought, there is a marked preference in the politics built on Buddhist compassion to privilege the importance of human rights at the expense of traditional, liberal-minded individual rights. This preference for discussions of human rights over individual rights should not be understood as simply a choice by contemporary Buddhist political thinkers, but instead as a necessary consequence of the nature of the Buddhist presentation of compassion. By its nature, the Buddhist discussion of compassion is intended to accentuate the interconnectedness of being. This is typically understood as a means to counteract the atomizing principles of some facets of Buddhist thought. Compassion is the means through which Buddhist thought allows, if not demands according to some traditions, practitioners to put the principles of Buddhist thought into action towards the betterment of society. Accordingly, a preference is baked into the Buddhist idea of compassion which favors the social over the individual.²⁰ The consequence of this within the contemporary Buddhist political thought which premises itself on compassion has been a general intellectual disregard for the idea of individualized rights. This is not to say that political thought built on

¹⁸ Batchelor, Stephen. *The Awakening of the West: The Encounter of Buddhism and Western Culture*. Parallax Press, 1994. Pg 365.

¹⁹ Levine, Noah. “Practice is Politics.” in *Mindful Politics*. Edited by Melvin McLeod. Wisdom Publications, 2006. Pg 109.

²⁰ And in doing so creates a natural tension between the Buddhist presentation of rights and the liberal conception of individual rights.

Buddhist compassion has spoken out against the idea of individual rights, simply that the idea is nearly ignored entirely. This strain of thought does not directly degrade that of Locke and Jefferson, it instead ignores these Western arguments in favor of a justification of rights built on the thought of the Buddha.

The effect of this new Buddhist politics is a double-edged sword as it relates to the attempt to transition traditional Buddhist countries into modern Westernized political states. In one regard, the conceptual availability and political acceptance of the idea of broadly understood human rights brought about by the politicization of Buddhist compassion allows for some meaningful common ground for this process to take place. Though this presentation may not be as robust as the theory of rights formed in the Western liberal tradition, it nonetheless provides a solid shared conceptualization and a base upon which to establish a political order which can be aligned with these principles. However, this assertion runs the risk of making the congruity of the situation appear far more seamless than it is in reality.

Though the attempt to harness compassion as a political tool is laudable, it encounters the issue of attempting to universalize a principle which only retains its meaning in its original context. Compassion as a tool to facilitate proper relations among Buddhist practitioners has proven, both historically and contemporaneously, to be a valuable asset. However, it must be understood that this principle is only useful and intelligible from within the framework of Buddhist thought. It is only as compelling to a political actor as that actor is Buddhist. In this regard, though the proponents of engaged Buddhism may argue that they have successfully found a grounding for the justification of political action from within the Buddha's thought, in reality they have not succeeded in truly making Buddhism political as much as they have just colored it with Western language.

The human rights proposed by Buddhist compassion politics are not founded on abstract and universal principles; they are founded on explicitly Buddhist principles. While this may be useful as a means to compel personal private action, it is not a sufficient grounding on which to found a political order and particularly so a liberal Westernized state. A state built upon this principle could be understood only as theocratic, albeit a theocracy far more subdued than many the world has seen prior. Buddhist compassion is not a political principle, it is a religious principle. To found a regime on this basis would be no more viable than founding one upon the Golden Rule²¹. Nor would it be any less theocratic at its core than founding one upon the religious assumptions of any other tradition. Though it may understand itself as an attempt to bring Buddhist thought in line with the political thought of the West, the principles of a socially-engaged and politically active Buddhism built on the idea of Buddhist compassion succeed only within a context where the scope of appropriate human action is limited to that which is befitting of the *dhamma*.

The Philosophic and Political Insufficiency of Buddhist Rights Language

Both the methods of focusing on duties and on compassion as a foundation for rights are attempts within Buddhist political thought to bring itself in line with the necessary language and conceptualizations of modern, liberal thought. This in itself is both a laudable project and one that is likely necessary if the goal is to align traditionally Buddhist societies and governments with the political structures of the modern West. We need look no further than the issues within Myanmar between the state's various ethnic and religious identities to realize that some common language of rights is necessary if a state like Myanmar wishes to bring itself within the political sphere of the Western world. Yet though the formulations of rights as originating from duties and

²¹ For a discussion of compassion, and its ultimate inadequacy as a political principle in Western political thought, see: Orwin, Clifford. "Compassion." *The American Scholar* 49:309-333. 1980.

compassion are undoubtedly meaningful steps in the right direction, from the perspective of political theory it is less clear that these projects will ultimately be useful in bridging the cultural and political divide that presents itself around the idea of the individual and its foundational role in the political life of the Western, liberal tradition.

The respective Buddhist projects regarding rights suffer within the context of the enterprise to create a shared foundation with Western thought for the same reason that they are so successful in finding an understanding of rights within Buddhist thought. These rights projects ultimately fail as a means to bridge the philosophic divide between Buddhist thought and liberal thought because they are first and foremost Buddhist, and can only be understood within this context. Though they succeed in creating a shared linguistic and conceptual base, a theory of rights based on Buddhist duties or Buddhist compassion is only meaningful and compelling insofar as the subject at hand is also Buddhist. Peter Junger, keenly aware of this problem due to his dual standing as both a Buddhist and an American legal scholar, succinctly summarizes the issue: "...though followers of Buddhist traditions do value most, if not all, of the interests underlying the rhetoric of human rights, they may not have much use for the label itself, which is, after all, a product of the traditions of Western Europe and the parochial histories of that region."²² These Buddhist theories of rights undoubtedly provide an ethical directive that is comparable in scope and form to the theories of rights in the Western tradition, but their claims are only compelling to those who take the premises of Buddhist thought seriously. Whereas a Jeffersonian theory of natural rights seeks to ground itself on an abstraction of man and his nature outside of and regardless of any religious claims, the Buddhist theories of rights are only intelligible insofar as one accepts the truth of the greater Buddhist claims. Outside of the bounds

²² Junger, Peter. "Why the Buddha Has No Rights." in *Buddhism and Human Rights*. Edited by Damien Keown et al. Routledge, 1997. Pg 55.

of Buddhist conceptions like *dhamma* and *kamma*, there is no abstract foundation for the Buddhist principle of compassion nor the Buddhist demand that a king adhere himself to certain dutiful requirements, such as practicing non-violence.

This disconnect points to the core problem underlying any attempt to bring together the political practices and communities of the West and traditionally Buddhist countries. The creation of a shared language of philosophic concepts is a necessary process, but the exact circumstances of the project are very particular. To describe it simply as creating a shared vernacular is somewhat misleading. The projects of Damien Keown and contemporary engaged Buddhism demonstrate that it is possible to conjure some sort of a theory of rights from within Buddhist thought. They are able to create a shared language between the traditions. What these projects do not accomplish however is ensuring that the shared language they have created is made up of pieces which are interchangeable with those of the Western philosophic and political tradition. Trying to justify a social safety net to a Protestant American on the basis of the *Dasavidha-rājadhama* will be no more successful than a Western attempt at bringing an end to the ethnic cleansing in Myanmar on the basis of Lockean principles. Even if we are able to create a shared conceptual language, it cannot simply be assumed to be the case that we are understanding ourselves on the same terms. These philosophic conceptions must be grounded on the same philosophic principles. Otherwise we have only managed to create a condition wherein two traditions are capable of speaking past one another without realizing the fundamental disconnect that underlies their conversation. In this regard, the project of attempting to lessen the differences between the presentations of political life in the liberal West and the political life of traditional Buddhist practice succeeds only in muddying the waters of true and meaningful discourse. The modern Buddhist project of attempting to justify a Western conception of rights

outside of the Western understanding of the individual is an example of an instance where we may be better off simply acknowledging difference than forcing ourselves to believe we have found (or created) a shared grounding.

The Problem of Rights in Myanmar

In late August 2018, the Human Rights Council of the United Nations released a report which accused the government of Myanmar of undertaking a scheme of systematic violence against minority groups within the country's Kachin, Rakhine, and Shan states. Most surprisingly, given the international community's hesitance to act in years prior, the treatment of the Muslim Rohingya population in the Rakhine state was formally labeled as a genocide.²³

Most mainstream academic accounts of the problem of human rights in Myanmar make little to no effort to address the issue of Buddhism, let alone the country's roots in Buddhist political theory. They choose instead to view the difficulties as a function of institutional workings²⁴, problems of practical implementation²⁵, or basic roadblocks common to all democratization efforts²⁶. While these lenses are undoubtedly valuable to gain a full and nuanced picture of the problem, the choice to ignore the Buddhist heritage of Southeast Asia belies an unstated assumption on the part of these authors that the Buddhist countries of Southeast Asia and those of the West are unquestioningly compatible as a matter of underlying political theory and political philosophic assumptions. No effort is made to address this issue because seemingly

²³ Human Rights Council of the United Nations. "Report of the Independent International Fact-Finding Mission on Myanmar- Advanced Unedited Version." 24 August 2018. Pg 16.

²⁴ Ciorciari, John. "Institutionalizing Human Rights in Southeast Asia." *Human Rights Quarterly* 34: 695-725. 2012.; Davies, Mathew. "The Perils of Incoherence: ASEAN, Myanmar and the Avoidable Failures of Human Rights Socialization." *Contemporary Southeast Asia* 34: 1-22. 2012.

²⁵ Kinley David and Trevor Wilson. "Engaging a Pariah: Human Rights Training in Burma/Myanmar." *Human Rights Quarterly* 29: 368-402. 2007.

²⁶ Holliday, Ian. "Thinking About Transitional Justice in Myanmar." *Southeast Asia Research* 22: 183-200. 2014.

no effort is necessary. This choice to ignore the philosophic underpinnings of Burmese political life is a short-sighted and counter-productive assumption when attempting to understand the nature of human rights, which are inherently a matter of political theory.

Democracy is not a natural fit, historically or philosophically, for traditionally Buddhist countries like Myanmar. The Buddhist political tradition shows little favor for self-rule outside of the bounds of the structured *sangha* religious communities.²⁷ Political action throughout the texts of the early Buddhist tradition and throughout the history of traditional Buddhist political practice has been understood as a dirty activity, one that though occasionally necessary should be avoided whenever possible at the risk incurring detriment to the furthering of the one's enlightenment. The result of this understanding has been a historical coalescing and concentration of power into the hands of a small political elite, traditionally a Buddhist king who is understood as having such an excess of *kamma* that he is capable of withstanding the deleterious effects of political action and whose actions are subsequently morally girded by a close connection with the *sangha*. In this regard, not only are the forms and structures of a society based on democracy novel to the Buddhist world but the very mindset underlying self-rule is as well. The project of the Burmese transition towards democracy then is not one solely of institutions but of political philosophy. In the absence of the liberal philosophic grounding

²⁷ The primary exception to this is found in the *Mahāparinibbāna Sutta* of the *Dīgha Nikāya*. Here the Buddha gives some indication that he did not subscribe wholesale to the notion of monarchy as the best form of government simply. Some interpreters, such as Matthew Moore (2016), have argued that the *Mahāparinibbāna Sutta* and its call for frequent assemblies and the maintenance of social tradition represents a sort of “proto-republican” stance on the part of the Buddha. While the particulars of the story told in the *Mahāparinibbāna Sutta* also seems to indicate that the quasi-republican government the Buddha recommends to the Vajjians in the text might only be befitting for the Vajjians themselves and not as a widespread political program, it nonetheless does serve as evidence that the Buddha's understanding of political regimes was pragmatic rather than dogmatic and could be adaptable depending on the moral standing and conditions of those being ruled.

upon which modern Western democracy was built, upon what idea will the democracy of Myanmar be founded?

In his wide-ranging study of Burmese political thought, Matthew J. Walton works to answer this question by examining the presentation of democratic ideas within Myanmar. He opens his dissection of Burmese democracy with a quote from Burmese monk Ashin Eindaga, “Democracy means acting in accordance with *taya* [justice, law, truth, *dhamma* (the teachings of the Buddha)].²⁸ From this short quote we can draw the fundamental elements of the Burmese understanding of democracy. Even simply from the Burmese concept of *taya*, which Walton translates as encompassing not only ideas comparable to the Western political notion of justice but also of the broad totality of the Buddha’s teachings, we can see the fundamental conflation of the political and the spiritual within the Burmese presentation of political life. *Dhamma* (the Truth of Buddhist teachings) and justice are synonymous concepts. When taken and applied to the context of a democratic political order, if democracy is understood as a means to create a just society then from within the Burmese understanding it must equally be harnessed to create a society which aligns with Buddhist principles.

To this end, Walton approaches the subject of democracy in Myanmar from the perspective of a division of two separate presentations of democracy, rights-based democracy and moral democracy.²⁹ Rights-based democracy, the less commonly employed justification for

²⁸ Walton, Matthew J. *Buddhism, Politics, and Political Thought in Myanmar*. Cambridge University Press, 2018. Pg 163.

²⁹ For its part, during the period of democratic transition the military leadership has put forth a third understanding of democracy, referred to as "discipline-flourishing democracy." Meant as an alternative to what they understand as the anarchic organization of democracy in the West, this presentation of democracy (put forth to a large degree in state-owned media) emphasizes the necessity of staid and measured progress in the process of democratization, with the military forces regulating the forces of disorder. Though it seems reasonably clear that this approach is primarily meant as a means to ensure that the military powers in the country can retain at least a modicum of their former standing, from the perspective of political theory it is interesting to note that a great deal of the military’s rhetoric in favor of

democratic thought in Myanmar, is primarily an attempt to restructure and reconfigure the Western presentation of democracy, founded on the liberal premise of the primacy of the individual in political life, in terms that are meaningful within the Burmese political context. Given Buddhism's rejection of the Western conception of the atomistic individual through the principle of *anatta*, effort must be made to find a new ground for the respect of the individual which underlies the argument in favor of democratic rule in Western political thought. This attempt is well characterized by Hti La Aung, who writes that "Without exception, democracy includes people's dignity, people's worth, and purity of mind/spirit, things that are all included under the teachings of the Buddha."³⁰ While Hti La Aung is accurate in attributing these ideas to both Western democratic thought and the teachings of the Buddha, there is an unstated assumption here that a mere overlap in categories is sufficient to serve as a grounding for a political order. Simply discovering a shared respect for certain basic principles does not mean that the foundations upon which these principles are respected are compatible, let alone that the definitional understandings of these principles are also shared. For example, looking at the idea of human dignity, what this conception entails within the liberal tradition (the allowance for a space to freely practice human activity without the fear of violence) does not necessarily align with its possible meanings within the Buddhist tradition (wherein the respect for human dignity could likely entail the attempt to shape human action to align with Buddhist principles in order to

discipline-flourishing democracy is premised on the notion that much of the Burmese citizenry is simply not morally equipped or ready for the necessities of political participation. (Walton 2018, Pgs 168-171) In this regard, though undemocratic in approach, the assumptions underlying the arguments for discipline-flourishing democracy actually align much more closely with traditional Buddhist presentations of the connection between morality and political life than the other contemporary arguments for democracy in the country. In this presentation, the military has seemingly placed itself into the traditional role of the Buddhist king, a force to help guide political life and maintain order. Compare this to the presentation of Burmese moral democracy below, which does not deny the importance of a guiding moral force but seeks to democratize this role across the will of the citizenry.

³⁰ Walton (2018), Pg 175 (translated from Burmese by Walton).

create a condition of freedom higher than that available in the mundane, political realm). The attempt to ground a Buddhist understanding of a rights-based democracy not on its own terms but by finding philosophic cognates and alignment to the concepts which ground Western democracy inherently runs the risk of creating an unwieldy political anachronism.

This issue is corrected by the second presentation of Burmese democracy, moral democracy, which attempts to explicitly ground a justification of democracy on Buddhist teachings. Walton frames this presentation by examining the foundations of political theory in Myanmar. Though the foundations of any political order are necessarily complicated, he traces out one primary theme that underlies the tradition of Burmese Buddhist political thought, the idea of unity. On this point, Walton is echoed by Philip Eldridge, who in his discussion of the relationship between democracy and the cultural values of Southeast Asia emphasizes the key Eastern principle of the priority of the community over the individual.³¹ Though the notion of communitarianism is neither foreign nor incompatible with the Western presentation of democracy, Eldridge goes on to trace the particularities of this Asian understanding of community and unity. Discussing the nature of Asian democracy, he writes that

In ideal-type terms, Asian democracy paradigms propose an antithesis between values of state, authority, national unity, community, stability, development and harmony as against individualism egoism, hedonism, legalism, and anarchy... In practice, Asian political systems mix many combinations of democratic and non-democratic elements. New terms such as 'illiberal' and 'semi' democracy attempt to grapple with this reality.³²

But what particularly draws this conception of unity (and its differences from comparable Western understandings) into focus is not the end to which these notions are applied, but the

³¹ Eldridge, Philip J. *The Politics of Human Rights in Southeast Asia*. Routledge, 2002. Pg 33.

³² *Ibid.*, Pg 37.

means through which they are achieved. “Both western and Asian democracies confront the reality of plural societies with competing moral, social, and political outlooks,” Eldridge writes, “Accommodating minorities poses a challenge to principles of democratic majoritarianism in both. While liberal-democracies tend to favour constitutional or legislative safeguards for minority rights, East Asian states tend to manipulate their society’s diversity to impose their own models of harmony and national integration.”³³ Walton helps to clarify what “manipulating a society’s diversity” precisely entails when he writes of the Burmese conception of unity that

At its root, this perspective on unity requires subsuming one’s own interests for the benefit of the whole, something that encapsulates the Buddhist practice of rejecting *atta* (ego). Correct moral practice on the Buddhist path begins with the recognition that *doukka* (dissatisfactoriness) originates from ignorance of the fundamental characteristics of *anatta* (no self/control) and develops into desire focused on fulfilling one’s own misguided cravings. Disunity is the result of a group of individuals committed only to their own benefit; it is a result of moral failure.³⁴

Walton’s biggest concern, both here and in other writings, is to try and find a way to make democracy fit philosophically within the scope of Burmese political history and culture. Solely to this end he likely succeeds. But the greater issue, left largely ignored by Walton and most other commenters on the transition of historically Buddhist countries into the sphere of modern Western political life, is that democracy itself is not the political or philosophic end of modern Western political thought but rather a practical result of it. The democratic revolutions of early Western modernity were not spontaneous, but rather were a manifestation of the political theory of the liberal thought which preceded them. To this end, the political history of Western modernity is not one of democracy simply, but rather of liberal democracy, a politics of self-rule premised on the notion that all individuals are entitled to an equal share of sovereignty precisely

³³ Ibid.

³⁴ Walton (2018), Pg 187.

because of their standing as equal individuals. Walton's seeming unstated position is that any solid justification of democracy (on whatever terms are necessary) in Myanmar should be and is sufficient for Myanmar to slot into and coexist with the political sphere of the West.

Aung San Suu Kyi and Burmese Democracy

We see this stance echoed in an interesting way in the political action of Burmese politician and activist Aung San Suu Kyi in her own work to help Myanmar in both its transition to democracy and its transition into the political sphere of the West. For nearly thirty years Aung San Suu Kyi has been held up, both in Myanmar and within the global community generally, as an outspoken proponent of democracy and human rights in a country whose government seemingly had very little respect for either. Her bona fides as a proponent of democracy in the West require no more confirmation than her receipt of a Noble Peace Prize in 1991 for her work towards political liberty in Myanmar. But what is less obvious to Western observers, masked by her political tact and years of Western education, is the extent to which Aung San Suu Kyi's rhetoric in favor of democracy has been laden with Buddhist language and political conceptions. That a Burmese politician would speak to Burmese citizens using Burmese conceptions of political life is not surprising. But when attempting to understand the possibility of a transition of Myanmar into the sphere of Western political life it should equally not be ignored.

Walton addresses this tension in Aung San Suu Kyi's thought by describing her conception of democracy as a "hybrid democratic thought." By this he means that Aung San Suu Kyi has been able to very successfully code-switch between the two spheres of political life she has found herself in as a Western-educated Noble Laureate who is also the daughter of arguably the most famous political leader in her country's modern history and a political leader in that country in her own right. More than anyone in contemporary Buddhist politics, Aung San

Suu Kyi embodies the tension of the transition of historically Buddhist countries into the modern Western world.

She has managed to bridge this divide by employing various philosophic defenses for her belief in democracy, to the point that Walton feels compelled to make clear that her wildly varying presentations and conceptions should not be understood as simple inconsistency. Instead, he argues, Aung San Suu Kyi's defenses of democracy are a pragmatic attempt to "deploy different conceptions of democracy depending on context."³⁵ The most clear of these varying contexts is a need by the multi-cultural Aung San Suu Kyi to be able to both sell the value of democracy to her native country in terms that they will find meaningful and compelling while also successfully expressing the plight of Myanmar to those in the West, who premise their interest on wholly different concerns. In this regard, though Aung San Suu Kyi's approach may be emblematic of the problematic nature of the Buddhist political transition at large, it is also equally well-intentioned and likely necessary.

Within the Western context, Aung San Suu Kyi frames her presentation of democracy "in a way that is consistent with Western liberal democracy," emphasizing "human rights, free and fair elections, and a number of other prominent freedoms."³⁶ However, within the Buddhist context Aung San Suu Kyi premises her defense of democracy on Buddhist notions such as unity and the connection between moral purity and good government. She also, like many ancient Buddhist political leaders before her, draws on the political theory of the Pāli Canon to help justify her political claims. For example, in her famous book of essays entitled *Freedom from Fear*, Aung San Suu Kyi ruminates on the nature of democracy and how she wishes to see these principles applied in her country. However, in an essay explicitly on the nature of democracy,

³⁵ Walton (2018), Pg 181.

³⁶ Ibid., Pgs 181-182.

Aung San Suu Kyi spends a significant amount of time discussing the traditional Burmese understanding of kingship, and in particular the Ten Duties of the King. As presented by Aung San Suu Kyi, these duties are as follows: liberality, morality, self-sacrifice, integrity, kindness, austerity, non-anger, non-violence, forbearance, and non-opposition (which she understands, without particular justification, as referring to non-opposition to the will of the people).³⁷

In her point-by-point discussion of these traditional duties, Aung San Suu Kyi makes clear that her understanding of these principles is not tethered to their historical understandings at the expense of modern applicability. Most strikingly, with no particular effort to bridge the obvious gap between the standing of these Ten Duties as moral rules governing the standing of a king, Aung San Suu Kyi claims in summation that

By invoking the Ten Duties of Kings the Burmese are not so much indulging in wishful thinking as drawing on time-honoured values to reinforce the validity of the political reforms they consider necessary. It is a strong argument for democracy that government regulated by principles of accountability, respect for public opinion and the supremacy of just laws are more likely than an all-powerful ruler or ruling class, uninhibited by the need to honour the will of the people, to observe the traditional duties of Buddhist kingship. Traditional values serve both to justify and to decipher popular expectations of democratic government.³⁸

In this passage we can see with clarity the philosophic strategy employed by Aung San Suu Kyi in her attempt to dance between the two worlds of Western and Buddhist political thought. In her project of defending democracy on the terms of Burmese Buddhist practice, Aung San Suu Kyi works to blur the distinction between the content of traditional Burmese Buddhist political thought and the historical and political context in which that thought was employed. Rather than abandoning traditional Buddhist political thought in favor of a Western

³⁷ Aung San Suu Kyi. *Freedom from Fear*. Viking, 1991. Pg 170.

³⁸ *Ibid.*, Pg 173.

defense of democracy, Aung San Suu Kyi attempts to ground Burmese democracy within the teachings of ancient Burmese practice.

What Aung San Suu Kyi does not do, however, at least beyond her reimagining of each duty of the king in light of its relationship to and effect on the people at large, is give an adequate justification for the movement from kingship to democracy itself. She speaks highly of the value of the Ten Duties of Kings as a guide to political action, but ignores the obvious reality that these are not duties understood as incumbent on the Buddhist voter or even duties binding the Buddhist political actor broadly construed, but explicitly are duties to govern the action of a Buddhist king. She wishes to maintain an allegiance to traditional values, while simultaneously thoroughly redefining the fundamental nature of these same values.

In this regard, Aung San Suu Kyi's strategy of attempting to ground modern Burmese democratic practice on the terms of traditional Burmese political practice is emblematic of the difficulties of the larger project of integrating traditionally Buddhist countries into the sphere of Western political life. Aung San Suu Kyi, as well positioned as any single person to understand the requirements of both Buddhist political thought and Western political thought, is herself forced to resort to a justification for democracy on wholly Buddhist grounds, no matter how weak or strained this defense may be. Rather than drawing from the canon of Western thought such as Thomas Jefferson or John Locke, Aung San Suu Kyi takes the much more difficult route of refashioning a defense of democracy, nearly from whole cloth, from the limited reserve of Buddhist political thought. While her political motivations in doing so are undoubtedly pure, the philosophic soundness of the approach is decidedly less so. If, even to a thinker as intimately familiar with Western political thought as Aung San Suu Kyi³⁹, the project of refashioning a

³⁹ Aung San Suu Kyi holds a B.A. in Politics, Economics, and Philosophy and an M.A. in Politics from the University of Oxford.

defense of democracy from the limited scraps of Buddhist political thought is seen as a more workable project than trying to justify democracy to the citizens of Myanmar using the well-trodden democratic theory of Western political thought, the only reasonable conclusion must be that the philosophic premises of Western political thought are so unintelligible within the context of Burmese political life and so lacking in meaning and compelling value to Burmese Buddhist practitioners that they must be scrapped altogether.

Once again the situation is made clear that Buddhist political thought must first and foremost be understood in its capacity as Buddhist. This is not simply a matter of Hobbes wrapping his secular political theory in a garb of Christian rhetoric. Whereas Hobbes speaks in Christian terms, his project was one of secularization. In the case of Aung San Suu Kyi and her compatriots in the project of integrating Western political conceptions such as democracy and rights into the Buddhist political world, the project has not been one of secularizing Buddhist principles to fit within the context of Western pluralism but instead of Buddhifying Western political conceptions to fit within the general structure of a traditional Buddhist understanding of political life.

As a practical matter, Aung San Suu Kyi has been a fantastic emissary for Burmese democracy, both at home and abroad. However, her successes should not mask the issues which underlie the problematic nature of her project. The concern which arises from the perspective of the West when Aung San Suu Kyi expresses her belief in the necessity of moral purity in political life (democratic or otherwise) by claiming that “rulers must observe the teachings of the Buddha” should be viewed as no different and no less troubling than when Muslims claim the same of Allah or Christians of Jesus, even if Aung San Suu Kyi presents the teachings of the

Buddha as expressing “concepts of truth, righteousness and loving kindness.”⁴⁰ While it would be difficult to argue from a rhetorical perspective that the teachings of the Buddha are not decidedly peaceful, the recent violence in Myanmar highlights the reality that any politics built on a theological ideology (even one which preaches a lack of ideological structure and rigor) is a theocratic danger all the same and brings with it the potential of all of the same perils of more overtly destructive regimes. Though Myanmar may fail to reach the standards of traditional definitions of theocracy, characterized as rule by the formal priesthood, the standing of Buddhism as the animating force of political life nevertheless renders this as a distinction without a deeply-seated difference.

Buddhist Democracy as a Replacement for Liberal Democracy

We can see the expression of this reality in a number of other facets of contemporary Burmese politics. The so-called Saffron Revolution of 2007, undeniably successful in demonstrating to the military government the widespread support for democratic reforms, was so thoroughly associated with the monastic leaders who helped spur its success that it will forever be remembered in light of the saffron color of their robes. And this support was by no means merely spiritual in nature. Beyond their traditional role of providing a spiritual foundation and guide for proper political action, some Burmese Buddhist monks during the Saffron Revolution took to direct political action. Though it should be acknowledged that those who took such action were a relatively small number in comparison to the larger *sangha*, groups such as the All Burma Monks Alliance were essential to the democratic effort, providing “pamphlets and

⁴⁰ Ibid., Pg 177.

journals that contained poems and articles on topics, including human rights, the role of the sangha in Burmese society, and democracy...from a monastic point of view.”⁴¹

While employing language of “human rights” is certainly a more Westernized approach, Walton notes that this use of Western language is more the exception than the rule. According to his assessment of the monk’s literature,

Even though many of the articles describe democracy in terms reminiscent of liberalism (e.g. claiming that human rights are an inalienable birthright of all people), the authors also understand democratic practice in terms that might be foreign or even unacceptable to those within the liberal democratic tradition. One article lists a number of qualities and practices that embody democracy. First on the list is *si kan*, or ‘discipline,’ the same word that qualifies the military’s ‘disciplined democracy’ and that has figured prominently in speeches by opposition activists, including Daw Aung San Suu Kyi and 88 Generation leader Min Ko Naing. *Si kan* is complemented by another element, ‘morality,’ which reinforces the central place of correct moral action in politics, even in a democracy. The list also includes equality, unity, citizenship, and protecting traditional religion.⁴²

As with Aung San Suu Kyi, the political monks of the Saffron Revolution were proponents of democracy but on decidedly Buddhist terms. This practice has continued, if not accelerated, beyond the Saffron Revolution, with Buddhist political organizations in Myanmar such as Ma Ba Tha (the same group which stands accused of driving the anti-Muslim sentiment responsible for the Rohingya crisis) bringing about a rhetorical shift in the country away from a language of secularism in favor of a strong invocation of Buddhist values.⁴³ Even if some of the language employed in contemporary Burmese political debate is compatible with Western liberalism, such as a defense of human rights, this value is negated by their subsequent

⁴¹ Walton, Matthew J. “Buddhist Monks and Democratic Politics in Contemporary Myanmar.” in Kawanami, Hiroko. *Buddhism and the Political Process*. Palgrave Macmillan, 2016. Pg 66.

⁴² Ibid., Pg 67.

⁴³ Walton (2018), Pg 189.

employment of theocratic justifications for self-rule. From the perspective of the Western insistence on the separation of church and state, it is not sufficient to support a liberal form of government (as democracy is typically understood to be) without the incumbent protections against the flaws of democracy that have been understood as necessary by Western political thought since the inception of its tradition of political theory several millennia ago. Even though Buddhism may be generally compatible with the liberal tradition and mirror its contours in many ways, it is not synonymous with it, and any attempt to simply substitute one concept with the other is doomed to fail at a matter of first principles.

This issue is drawn into clear focus by Hiroko Kawanami, examining the Buddhist beliefs and practices of U Nu. U Nu was the first Prime Minister of independent Burma under the broadly secular Constitution of 1947, and in this role was arguably the man most singularly responsible for the reintroduction of Buddhism into the political sphere in the twentieth century through his attempt to subsequently reestablish Buddhism as a state religion in Myanmar as a tool to create social harmony in the face of splintering ethnic divides.⁴⁴ Kawanami argues that

⁴⁴ Within Myanmar, both now and at the time of U Nu's reintroduction of Buddhism as a political force in the early 1960s, the population is overwhelmingly religiously homogenous, with around ninety percent being Buddhist practitioners. This stands in contrast to the widespread ethnic division in the country, with some counts placing the number of unique ethnic identities as high as 135. However, within the scope of Burmese history, these ethnic divisions were traditionally considered unimportant, with regional concerns being the prevailing factor in the fractured country. (Brown, 2002) Following the dissolution of the traditional Burmese kingship and *sangha* by the British colonial government, the British colonial tendency towards separation and classification exacerbated these ethnic divides. The history of much of late colonial and early independence-era Burma was the attempt to create a new sense of unity out of this fractured ethnic condition. The primary result of this project was the formation of Buddhist nationalist organizations, such as the early Young Men's Buddhist Association (YMBA) and the later *Dobama Asiayone* (We, the Burmans).

Though begun as a cultural project, this strategy was later adopted by U Nu as a means of political unification in his attempts at de-secularizing the 1947 Constitution and then by the socialist military junta, who themselves also initially attempted to create a reasonably secularized state. In both instances, the regimes found it necessary to fall back on traditional Burmese understandings of the inherent connection between political life and Buddhist spiritual life.

though U Nu believed in the essential importance of bringing a connection between the moral sphere of Buddhism and the political sphere of Burma, the relationship between the two is more complicated than it at first appears.⁴⁵ The Buddhism of U Nu and the extremist political Buddhism of a contemporary organization like Ma Ba Tha are radically different in his assessment. U Nu, like many of his peers in the Burmese Independence movement, was educated in Western-friendly universities such as the University of Rangoon. Many of his contemporaries, like the stridently secular Aung San, viewed Buddhism as both a hindrance to their overarching political goals and a matter that was rightly left separate from political life. Yet though this was a popular position among the political elites of the independence movement, it was not indicative of a popular shift throughout the majority of the country, who remained largely rural and uneducated. During the era of his rule U Nu, a man already predisposed to accepting a connection between Buddhism and political life due to his well-documented piety, began to realize the political value of a newly conceived Buddhist nationalism.⁴⁶ He employed ancient Buddhist political techniques, such as framing his rule in light of the principles and actions of Asoka. But what Kawanami argues is important to note is that despite his piety and his employment of classic Buddhist political techniques, the religious practices and beliefs of U Nu were tinged with modern sentiments and colored by his liberal, Westernized education. U Nu and those of his cohort were “trying to free themselves from traditional shackles, ignorance, and ‘irrational’ superstitious beliefs by prescribing to the new discourse of ‘reformed Buddhism,’ which they considered more suited to modern times.”⁴⁷

⁴⁵ Kawanami, Hiroko. “U Nu’s Liberal Democracy and Buddhist Communalism in Modern Burma.” in Kawanami, Hiroko. *Buddhism and the Political Process*. Palgrave Macmillan, 2016.

⁴⁶ *Ibid.*, Pg 35.

⁴⁷ *Ibid.*

As a matter of Buddhist practice, these differences aren't particularly meaningful, as varying conceptions of Buddhist thought and practice are accepted, if not encouraged. But as a matter of political concern, these differences are an entirely different matter as they allowed U Nu to paint too rosy a picture of what a modern intermingling of Buddhism and political life would entail in a contemporary setting, divorced from the contexts and constraints of the traditional Buddhist era in Burma. According to Kawanami,

Perhaps, U Nu did not, especially in his early political career, realize the distance created by his progressive ideals and the harsh everyday reality of the rural masses, which were the main constituencies of Buddhist monks and nuns...the 'Buddhism' he had made the state religion was not the peaceful and moral religion that he had envisaged, but a 'Buddhism' that asserted its chauvinistic, exclusivist, and self-righteous face."⁴⁸

Though U Nu was inarguably a devout Buddhist, his "idealistic, individualistic, and rational" understanding of Buddhism was not the same as that of the masses of his country, and subsequently not the same as that which would be implemented in practice once those masses would come to be allowed political agency.⁴⁹ U Nu's project was failed by an assumption that political liberalism and Buddhist political practice were inherently compatible.

Kawanami concludes with a personal assessment of the problems underlying the movement in Myanmar (and arguably the Buddhist community at large) towards democracy. "Perhaps," he writes, "we [in the West] have to acknowledge that values and concepts we take for granted in our liberal political rhetoric do not necessarily sway the public opinion in a traditional society. In contrast, Burmese consciousness has seen its expressions in religious and ethnic communalism that has given the people an inner core to fight oppression and ward off

⁴⁸ Ibid., Pg 50.

⁴⁹ Ibid., Pg 49.

outside interference.”⁵⁰ This notion, not that the people of Myanmar are incapable of liberal democracy but rather are simply not particularly swayed by its claims, is not a common argument throughout the literature on contemporary Buddhist movements towards democracy. Most authors, such as Matthew Walton, take as an assumption that democracy is a good thing that all Buddhists would likely embrace were they able to find a solid foundation upon which to ground it. These foundations needn’t be liberal, and likely wouldn’t be in practice, but can instead be accomplished through a reconfiguration of Buddhist political theory into something that barely resembles the political practice which Buddhists found their political thought to require for the last several thousand years. The goal is to discover a way for Buddhist countries to eschew Western models of democracy and diverge from traditional Western justifications for them while still finding something from within the Buddhist tradition itself which will work to justify democracy in practice.

The issue inherent in these attempts, be it in the name of the discipline-based democracy favored by the Burmese military regime or communitarian ideals of unity such as those espoused by some in the contemporary debate in Myanmar, is that they lack safeguards inherent in the democratic practices of the West. This problem is extremely salient in regards to an argument to justify democracy on communitarian grounds in light of Myanmar’s largely homogenous religious demographics. Much like the rise of the Muslim Brotherhood in Egypt in the wake of the Arab Spring, democracy becomes difficult to justify and sustain on moral grounds when it is wielded simply as a tool to usher in democratically-elected forms of oppression.

How can a movement towards democracy in Myanmar help correct a problem like the ever-worsening Rohingya crisis? In reality, a movement towards democracy, if it is coupled with

⁵⁰ Ibid.

the sentiment found in Aung San Suu Kyi's famous assertion that "to be Burmese is to be Buddhist," is likely only to worsen the already volatile situation.⁵¹ In this regard, from the perspective of the religious minorities of Myanmar the singular oppression of a despotic military junta is no different than the new condition of two wolves and a sheep voting on dinner.⁵² As much as the recent political history of Myanmar is plagued by a lack of political agency, the new movement towards democracy coupled with the Buddhist nationalist sentiment stirred in the twentieth century has created a condition where the rise of agency is liable to cause a reciprocal decrease in the political rights of those outside the Buddhist community.

Because of their nature as religious claims rather than philosophic claims, the restraints placed on human action by Buddhist teachings are not, nor can ever rightly claim to be, universal in a way compelling to modern pluralistic society. A government led by Buddhist principles is by definition non-pluralistic, as the very foundations of its rule are premised on a notion of the primacy of Buddhist truths over any disputing claims made by those over which it rules. Even in the case of Buddhism, arguably the most open and pluralistic of the major world religions, a Buddhist government is nonetheless a theocracy the same as any other. Though the teachings of the Buddha would seem aim this government in the direction of an open and relatively free (almost liberal, one could argue) society, the government will only be as successful in achieving these ends as it is successful in upholding Buddhist principles and, more importantly, only insofar as its understanding of Buddhist principles is aligned with this liberal understanding of Buddhist thought and practice. We are left to the whims of the practice and interpretation of the country's Buddhist leaders to maintain good Buddhist governance. Liberal constitutional and

⁵¹ Aung San Suu Kyi (1991), Pg 83.

⁵² And arguably is worse, as at least under the old regime certain minorities could win favor.

institutional restraints are replaced with the restraints of the *dhamma*. In this regard, the openness of practice and interpretation of Buddhism is a double-edged sword. If there is no “wrong” way to be a Buddhist (and arguably not even a practicable criterion of better or worse practice), then from what principles is a Buddhist government really led in practice? Lacking a strong and philosophically universal conception of restraining principles such as Western rights, a Buddhist political life is only as well protected as the government and its leaders are faithful to the Buddha⁵³. As Daniel Bell describes it,

The entrenchment of liberalism prior to democratization gave Western liberal democracy its historically specific form, namely, a democracy shaped and structured within the limits set by liberal values and assumptions. But things are different in East Asia. Where there’s been democratization, democratic practices have typically been grafted onto societies with different cultural backgrounds and different ways of organizing their economic life. There’s no reason to expect that democracy in Asia will be constrained by Western liberalism.⁵⁴

Even when Buddhism mirrors liberalism, which admittedly is quite frequently in practice, care must be taken that they are not assumed to now be synonymous (or in the case of Keown, so closely aligned that they are synonymous for all practical accounts). The protections of rights within Buddhism are not taken on the terms of rights themselves, but instead on the terms of Buddhist thought and practice. In most instances, this is sufficient. But in others, such as contemporary Myanmar, when the Buddhist conceptions of “rights” breaks down the consequences can be dire for those not granted protection by Buddhist doctrine.

While the political realities faced by Aung San Suu Kyi are undeniably difficult, a willingness to place the sanctity of the mythos of a liberal Buddhist political actor made flesh

⁵³ And only insofar as their interpretation of the Buddha’s teachings align with a peaceful, liberal-like politics.

⁵⁴ Bell, Daniel. *East Meets West: Human Rights and Democracy in East Asia*. Princeton University Press, 2000. Pg 158.

over the realities of her actual actions highlights the disconnect between the perception of Buddhist political behavior in Myanmar by Western observers and the reality of Buddhist political behavior in practice. For many liberal Western Buddhists, the mythos of Aung San Suu Kyi's decades of struggles to enact what they believed would be a liberal Buddhist project in Myanmar have thus far outweighed observed reality. Aung San Suu Kyi was viewed as the most potent vector of liberal thought in the region, the one who would create the evidence for the practical mixture of liberal thought and a Buddhist political condition. They chose to accept her Western rhetoric without taking full account of the Buddhist principles which laid beneath. And further, they assumed that her fundamental political and philosophic allegiances were with the liberal principles she frequently espoused, rather than with the Buddhist principles which have proven to serve as the foundations for her political behavior. In this regard, the actions of Aung San Suu Kyi are the perfect encapsulation of the dangers of the attempt to simply reframe Western political philosophy in Buddhist terms without any deeper and more meaningful philosophic reorientation. A liberalism which must, at its core, be colored by and compliant with the truth claims of the Buddhist tradition is no liberalism at all.

Conclusion

Buddhist political thought and action, particularly in the twenty-first century, is presented by many in the West as somehow detached from and above tribal, identitarian division. The idea of Buddhism's underlying philosophic universalism is given privilege in an attempt to align Buddhist politics with the underlying universalist, pluralistic spirit inherent in liberal political thought. But this attempt to present Buddhist politics as enlightened and above sectarian realities speaks more to Western projection about what a Buddhist politics should be than what it has shown itself to be in practice. Observers in the West struggle to reconcile the liberal rhetoric of

Aung San Suu Kyi in the struggle for Burmese independence with the seeming indifference she has shown towards the plight of the Rohingya under her own party's government. Efforts are made to explain away the comments of the Dalai Lama that "Europe belongs to the Europeans," a statement on the contemporary European refugee crisis which is undoubtedly colored by his own struggles with ethnic identity in relation to the exile of Tibetan Buddhists from their own homeland.⁵⁵ The Western confusion about these actions, framed as being taken by Buddhists which are otherwise normally so peaceful and open but are inexplicably acting in such uncharacteristically vile ways, is not a matter of Buddhist political actors somehow temporarily losing their senses but rather of those in the West mistakenly projecting their own liberal expectations onto Buddhist political actors who don't view themselves in any such light. Buddhists, both in the case of Aung San Suu Kyi and the Dalai Lama, are not personally beholden to the principles of liberalism (despite whatever agreement they may frequently have with them) but to the concerns of Buddhism. As with any other religious actors who have entered into the political sphere, their actions are only rightfully intelligible within the context of their religion. Western interpretations leave commentators so troubled and confused because they begin their assessment with an unstated premise that Buddhism is (at least closely enough) analogous with liberal principles such as openness and free human choice that its results should be comparable to those we would expect from a modern liberal concerned with human rights. Buddhism is viewed, albeit unintentionally and unwittingly, through Western eyes rather than those of a Buddhist raised in a traditionally Buddhist context. Respect of others is viewed as a primary good in and of itself, rather than as a secondary (albeit doctrinally necessary) consequence of the primary good of Buddhist truth. Buddhist actors are viewed first as political

⁵⁵ Brennan, David. "Dalai Lama Says Europe is for Europeans, Refugees Should Go home and Rebuild." *Newsweek* 13 September 2018. Web. 16 September 2018.

actors and only second as Buddhists. This Western corruption, failing to understand the Buddhist political actors as they understand themselves, can account for much of the disparity between the Western expectations of these "peaceful and open" Buddhists and the reality of their political action in practice. As it simple as it may seem, the West must recognize and understand these Buddhist actors as being Buddhists.

The issue at the heart of the integration of Buddhist societies into the sphere of Western political life is not fundamentally one of politics but of truth and its role in guiding man's proper action. Though there are particularities to Burmese Buddhist practice, such as a reasonably hierarchical *sangha* and some unique influences from Hindu practice, the traditional political history of Myanmar mirrors the contours and teachings of the political theory of the Pāli texts. This means rule by a king, duty bound to right action not because of the burden of his subjects' natural rights or individual dignity but because of Buddhist teachings. His rule is legitimated by his connection to Buddhism, both through shaping his actions in light of the prescriptive duties of the Pāli texts and through a close connection with the *sangha*. This is a politics whose legitimacy is not grounded in a connection to the people but in its connection to *dhamma* and wisdom. Sovereignty is not something which is granted to the ruler, as with the modern Western tradition, but rather something that is endemic to the ruler by the nature of his position as a ruler. Kings are kings because of an excess of *kammic* value, and they maintain this standing through their connection to the *dhamma*.

From the period of Buddhist conversion in the eleventh century to the era of British colonial rule, Burma was ruled in line with these principles. Its politics, like the politics of all Buddhist political regimes in the traditional era, were characterized by an intermingling of political power and spiritual power through a symbiotic relationship between a wheel-turning

monarch and the *sangha*, each serving to bolster the standing of the other. There was no meaningful distinction between political life and moral life. These bonds were severed by the British, rightly fearful that the influence of the Buddhist *sangha* into the political sphere would serve to undermine the standing of their state apparatus. The era of traditional Burmese political life, much like the presentation of politics in the Pāli Canon generally, was characterized by a subjugation of the political to the truths of the *dhamma*. British colonial rule represented a quick and artificial severing of these traditional bonds in favor of a politics which privileges the rule of the morally-detached state.

The era of Burmese independence (with the exception of the brief, failed periods of secularism with the introduction of the Constitution of 1947 and the early policies of the military junta) makes clear that though these ties between political rule and the *dhamma* were severed by the British as a matter of form and structure, they did not succeed in wiping away the political theory which underlies the Burmese understanding of a proper political life. Through a series of hurdles and for a number of varying reasons, the several decades of a free Myanmar have made clear that the political equilibrium which underlies Burmese political life still favors a connection between Buddhist practice and political action. Though Burma was thrown into a political condition which forced it into a mold of a Western state, there was no fundamental reorientation of its underlying political theory. As a result, the Myanmar which appeared from the ashes of the colonial era has emerged as brackish mixture between the old ways and the new. It has created for itself a governmental structure which in form mirrors that of Western states, the functions of government divided across separate yet related institutions and whose decisions are informed (at least broadly) by the populace. Yet though it apes the West in its structure, it does not in its political theory. As Myanmar has become increasingly democratic, it has also become clear that

its government has become increasingly Buddhist. While struggles in the early years of democratization are not unique to Myanmar, it is the nature of these struggles which makes the situation so alarming. It is not simply a matter of difficulty in ensuring free and fair elections. The policies of the democratically-elected Burmese regimes, despite their liberal rhetoric in the push for democratization, have made clear that their allegiances are not with maintaining a liberal democracy, but instead with ensuring the maintenance and standing of Burmese Buddhist practice. Though Myanmar has taken on Western forms, it has rejected the political theory which underlies them. There is seemingly no concern for Western conceptions such as minority rights. This is not because the Burmese are simply cold-hearted, but because their understanding of democracy is not founded on a grounding which gives privilege to such things. To be Burmese is to be Buddhist. Accordingly, a Burmese democracy is democracy which privileges the teachings and standing of Buddhism.

Since the era of British colonialism, Myanmar has been an example of the Western nation-state imposed onto an underlying Buddhist condition. With this imposition came the fundamentally Western understanding that order is necessarily a function of the political, antithetical to the Buddhist understanding of societal and moral order as existing prior and apart from political life. The time since Burmese independence has been one of a country slowly trying to reconcile these competing claims, maintaining the basic form of a Western state, attempting to recover its traditional Buddhist moral order, and finally creating a political condition in which the two can simultaneously coexist.

The politics of Myanmar were once defined by a Buddhist monarchy which would help shape and maintain the moral landscape of the country through his political action and his strong connection with the *sangha*. This political order is now gone, and with it the direct connection

between political life and the wisdom of the Buddhist moral order. The movement into the era of Burmese democracy opens the question of if and how this moral order, which views itself as primary over the existence of political life, can be reconciled within a Western-style nation-state. Who or what can serve as the moral leader of a Burmese democracy? More pointedly, can a truly Burmese democracy also be a truly liberal democracy?

The moral justification used by Burmese Buddhist kings to explain away how they could partake in the contradictory acts of maintaining Buddhist faith and also serving as a political actor was that the king only came to his position due to a glut of *kammic* benefit and in that regard could afford the mark on his record. Viewed in this light, the actions of members of radical Buddhist organizations like the Ma Ba Tha or the politically active monks of the Saffron Revolution take on a new light. They, much like the Buddhist kings of old, position themselves as partaking in *kammically* damaging acts, but acts which are nonetheless wholly necessary to maintain the morality of their country. The actions of kings in Myanmar have not disappeared, they have simply been democratized, diffused into the hands of political actors who may lack a deep *kammic* inventory but are willing to suffer the black mark nonetheless. There has been no fundamental political or philosophic reorientation in Myanmar, and the old guard differs from the new only as a matter of political institutions.

There are deep implications regarding this essential connection between Buddhist practice and Burmese political action as it relates to the possibility of an integration of Myanmar into the sphere of Western political life. The seemingly unseverable connection between the Buddhist moral order and political life, the latter only being defined in light of the former, negates any real possibility of a pluralistic society constructed to allow for tolerance and free human action. Assuming that a formal institutional separation of church and state is even

possible to maintain, the combination of a deeply homogenous society founded around a religious code with a lack of safeguards, philosophic or institutional, to protect minority rights and tasked by its religious ethos to harness the political realm to the end of promoting its version of religious salvation ensures that oppression is equally likely to result as a matter of democratic consensus.

The answer to this condition cannot come from within the Buddhist realm. The attempt to found a religio-political condition based on Buddhist political principles, even one based on a liberal-minded, modern understanding of Buddhism as Hiroko Kawanami argues was the case with the political action of U Nu, has led to the condition of religious persecution that we see among the Rohingya, where the demands of Buddhism (however perverted one may argue its interpretation might be) have been allowed to trump the basic protections expected in a liberal society. If this understanding of proper political action is deemed acceptable, even tacitly, by someone as sympathetic to Western concerns as Aung San Suu Kyi, there can be no reasonable expectation that Buddhism is able to serve as a sufficient barrier for the basic protections of rights deemed necessary by Western society. The issue here is not that a perverted interpretation of Buddhist principles was allowed to take hold at the expense of a proper understanding of Buddhist truths, but that either was given standing as the dominant force within political life at all. This is not a matter of harnessing the “right” Buddhist understanding as a guide to political life, it is a matter of needing to divorce Buddhist practice from the powers of the state.

The foundations of the Western state are premised, from their origins in Hobbes, in a placement of the power of political sovereignty as the highest order power in society. This understanding was further developed in subsequent liberal thought through the conception of the state as the focal point of a civil religion, designed to foster a unity among the citizenry by

lessening the particular bond which would otherwise divide them. Respect for a pluralistic condition is not an *a priori* assumption of this understanding but a philosophic consequence which follows it. Respect for minority rights is not something which can simply be demanded of or mandated to a political condition which lacks the philosophic assumptions necessary to justify its value. A modern Buddhist state, insofar as it maintains the standards of traditional Buddhist political theory, cannot be reconciled with a civil religion because this content is already provided by the truth claims of Buddhist teachings. Further, it is never in need of a civil religion because as it fails to abide by the Western assumption of the primacy of political life as a driver of the moral order.

The foundations and truth claims of a Buddhist political order can never be available to all members of a society if that society also values free choice. Its groundings are meaningful only to those who accept the truth claims of Buddhist teachings. A Buddhist political order is only possible in a perfectly religiously Buddhist homogenous society. It can only truly maintain a semblance of the standards of liberal rights protections when there are no groups whose rights it can offend, which is to say merely by coincidence. Yet it needn't rise to the level of genocide and violence, as something as fundamental to the liberal West as the protections of free speech and expression can equally easily be curtailed by the logic of its necessity for the maintenance and protection of Buddhist morality. This, coupled with the Burmese obsession with an identity defined by Buddhist heritage, ensures that any notion of liberty and truly free human action can never be expected. Liberal political action is not incompatible with Buddhist action. But their overlap, however frequent it may be, is coincidental, not the result of a shared project.

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