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On Human Rights and Freedom in Bioethics: A Philosophical Inquiry in Light of Buddism[1]

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I. Introduction

Due to the United Nations' *Universal Declaration of Human Rights* (1948) as well as its subsequent human rights conventions "the rights of every individual" regardless of race, color, sex, nationality, religion, social position, etc. have been affirmed as a legally binding agreement. The *Universal Declaration on Bioethics and Human Rights* (2005) follows the same direction. For instance, in Article 3:1, it is said, "Human dignity, human rights and fundamental freedoms are to be fully respected." In Article 3:2, it is said, "The interests and welfare of the individual should have priority over the sole interest of science or society." Here, we have three key words: dignity, rights, and freedoms, all of which points to a fundamental idea that each individual as a free agent or a self-determined person should be protected via recognition of his/her dignity and rights. In other words, the respect of human dignity and the protection of human rights define the *minimum* of what is necessary in order to safeguard the freedom of individual agency and freedom of self-determination. If we say that in politics, the concept of human rights sets limits to more powerful collectives and institutions such as state, society, and religion, the idea of human rights in bioethics sets limits to scientific research and experimentation, as well as various technological developments in medicine (such as the use of genetic technology). The tricky part, however, is what constitutes "rights" or "human rights" since both ethicists and legalists use the same term yet very often with different connotations. Can the concept of rights competently deal with the complexity of bioethical issues we are facing today? How can rights approach manage a non-natural right such as a right generated by a promise or legal agreement such as a medical insurance plan? How can rights approach manage an extended content of a right such as a right to healthcare when the definition of a duty bearer is not clear? Should human rights the new *lingua franca* of bioethics for public health and human well-being? Do human responsibilities and human rights supersede each other or complement each other? Would too much emphasis on rights compromise what is perceived as "good"?

In *Human Rights as Politics and Idolatry*, Michael Ignatieff speaks of human rights as a means not only to protect individuals but also to affirm what he calls "moral individualism" that is "the core of the *Universal Declaration*." Since "individuals" here refer to all individuals regardless of his/her race, color, sex, religion, birth, etc. these human rights (such as the right not to be harmed) are valid for everyone equally and universally. *The Universal Declaration on Bioethics and Human Rights* intends to use the general concept of human rights "to underline the importance of biodiversity and its conservation as a common concern of humankind." (Article 2:h). Since the intention here is to use a general principle to cover potential diversities in bioethical controversies across nations and cultures, this principle must be easily accepted and applicable. The question under the debate is how one can justify the claim to universal validity of human dignity and rights indicated in the *Universal*

Declaration (as a global ethics) in a post-modern age where a consensus on anything transcendent and universal seems difficult if not impossible across different cultures, religions, and ideologies. In the presentation, I shall use Buddhism as an example to explicate what kind of human rights Buddhism would accept and what kind of human rights Buddhism may find problematic.

II. Human Dignity and Human Rights

Human dignity and human rights are usually mentioned side by side. The concept of human dignity seems less controversial at the first glance. How can any culture and religion deny human dignity? In the Western tradition, the ontological basis of human dignity in the sense that each person is "unique and unrepeatable" is argued either philosophically or theologically[2]. The idea of human dignity also comes from the idea of "natural right" every individual has in virtue of being human. Buddhism would accept the modern notion of "dignity" as a general principle, since the Buddhist idea (Māhayāna in particular) that all sentient beings possess Buddha-nature provides a basis for the respect of the individual's inherent dignity. But at the same time, Buddhism may see both human dignity and human rights having an "anthropocentric implication" (i.e., humans vs. non-humans) that might be problematic in some cases. As Perry Schmidt-Leukel observes that "in Buddhism human beings do not occupy an absolutely privileged position but are seen against the doctrine of rebirth as being continuous with all 'sentient beings,' that is, with all forms of existence in which rebirth can take place"[3]. This explains why Buddhist scholars tend to supplement the concept of "animal rights" whenever they speak of human rights. However, a non-anthropocentric position may compromise the absolute rights of human beings. For example, should we use animals for medical experimentations?

Damien Keown, one of the leading scholars of Buddhist studies, contends that for Buddhists "human beings live in relationship with one another is not a moral argument about how they ought to behave" since Classical Buddhism is largely devoid of a philosophy of human rights. Although Buddhism is an intellectually dynamic tradition, it is "lightweight" in moral and political philosophy in a modern sense[4]. Nevertheless, Keown also asserts that there are some elements in Buddhist tradition that can be approached from the vantage point of human rights. For example, the right to life can be understood from the Buddhist precept not to kill, and that the right to private property can be seen from the precept not to steal. In addition, Keown observes that the Buddhist concept of duties and virtues of a king (Dharma) also anticipates the modern notion of human rights in its "embryonic form" in that duties imply certain rights.

The Buddhist idea that all sentient beings possess Buddha-nature provides a basis for the respect of the individual's inherent dignity

It seems to me that certain elements in Buddhism are synchronistic with what is called "negative rights" in its broader sense (i.e., the right that does not entail obligations on one self or others). Negative rights are inviolable. Wesley Hohfeld (1879–1918), the American legal theorist calls this kind of rights as "privileges" or "liberty rights." According to Hohfeld, *A* has a privilege to φ *if and only if A* has no duty not to φ[5]. For instance, a person's right to life and property exists independently of someone's actions. Concerning bio-medical ethics, it has been widely accepted as a general moral principle requiring that doctors perform or refrain from performing particular actions which will harm the patient. In his article "Human Rights and Compassion: Towards a Unified Moral Framework," Buddhist philosopher Jay L. Garfield makes an argument that "rights" are asserted when they are violated or threatened, and thus they are fundamentally protective and negative in character[6]. From a perspective from protecting human life and freedom, Buddhism

would have no problem accepting the concept of human rights. In other words, human rights are necessary because they reflect certain moral standards of how humans should be treated.

When Keown talks about the Buddhist concept of Dharma, he attempts to say is that rights and duties are mutually interdependent. From a legal (as well as moral) perspective, a duty-based or duty-dependent right is sometimes called "positive right" or "claim right." A claim right is a right which entails responsibilities, duties, or obligations on another person as a duty bearer for the right-holder. That is to say, *A* has a claim that *B* φ *if and only if B* has a duty to *A* to φ. In political and moral philosophy, a distinction between negative and positive rights is often employed by some normative theorists, especially those with a libertarian bent[7]. The right-holder of a negative right focuses on permission and non-interference whereas the right-holder of a positive right is entitled to provision of some good or service: a right against assault and harm is a classic example of a negative right, and a right to welfare assistance or medi-aid system is viewed as a positive right. The language of rights, particularly the language of claim rights, suggests a person's "entitlement" that needs to be treated justly which, in turn, implies a corresponsive obligation by someone else in order to make that entitlement actualized. Along this line of thinking, the UN's Declaration embraces both negative and positive rights.

I think Keown is correct to say that in Buddhist tradition duty and right are mutually dependent. This argument is also in consistence with the Buddhist notion of interconnectedness of everything both ontologically and ethically. However, if we examine what constitutes rights closely, we will see that even though some rights presume duties and obligations, it does not mean all duties and obligations can be translated into rights. For this point, Craig Ihara has made a good argument, saying that while it is true that from every right a corresponding duty can be deduced, the converse does not hold, that is, one cannot deduce from every duty the claim to a corresponding right. I am quite intrigued by Ihara's argument when he claims that it is important to draw a line between cooperative activities and the kind of moral property which constitutes a right. The human right debate, he argues, would be better served if it could be shown that "rights talk" in Buddhism is a "skillful means" *(upaya)* towards the elimination of suffering rather than something that is fixed and essential as unalienable rights, or functions as a universally shared framework for addressing all social problems, including bioethical problems.

Buddhism, like most other Asian traditions, tends to focus on duties rather than rights

Here, we run into a long-standing debate between rights and duties/responsibilities. Buddhism, like most other Asian traditions, tends to focus on duties rather than rights. Duty is connected to the idea of compassion. In other words, rather than speaking of the rights of the right-holder, Buddhism prefers to talk about the duty-giver whose "good" action is not merely a result of a legal and compulsory requirement but a "voluntary" ("volitional" in a Buddhist term) action. The word "compassion" (*karunā*) in Buddhism is usually understood as active sympathy or a willingness to bear the pain and sorrow of others. In Māhayāna, compassion is one of the two qualities, along with enlightened wisdom (*prajña*), to be cultivated on the bodhisattva (i.e., Buddha-in-making) path. The Chinese Buddhism translates the Sanskrit word *karunā* as *bei* which means "sympathy", "empathy", or "pity". This word is also connected to another word, "loving kindness" (Pali, *mettā;* Chinese, *ci*), being rendered in English as compassion as well. The ethics of compassion indicates that everyone in the world is interrelated. Unlike Confucianism where the notion of loving kindness (*ren*) is characterized by familial distinctions (i.e., a graded love), compassion in Buddhism ap-

peals to a shared human experience, particularly the experience of human vulnerability.

Since Buddhism speaks of a shared human experience, the issue that may bother Buddhism regarding the language of rights is the notion of individualism, or to be more exactly, an atomic notion of individualism (in Charles Taylor's term) embedded in the very idea of human rights. Although people talk about collective rights, that is, the rights of a particular group or community (such as children's rights, women's rights and gay rights), the idea of human rights, whether positive or negative, is based on free-standing individuals and individual autonomy. When speaking of rights against the Buddhist doctrine of compassion, Garfield makes an important distinction between liberalism in which the spirit of human rights is framed vis-à-vis compassion as the guiding spirit of Buddhism. Central to liberalism, Garfield states, is "the protection of the private," and central to that protection is "the protection of individuals from obligations to undertake any particular attitudes or visions of the good life." Quite obviously, Garfield interprets "negative rights" in a more "negative" manner by suggesting that right is a means to avoid obligations one has for others. He then states that "to begin from compassion is to begin by taking the good of others as one's own motive for action." Garfield's critique of the individual-oriented approach to rights supports his argument for fellowship implied in the Buddhist ethics of compassion. For Garfield and many other Buddhist scholars, compassion or obligation to other fellow men/women should be the primary moral language, while the concept of rights functions as a protective mechanism to safeguard human life and freedom[8]. It seems to me that Garfield's argument for compassion is quite similar to that made by communitarians in the West such as Alasdair MacIntyre, Charles Taylor, and Michael J. Sandel. For them, the drawback of rights-talk is not only its overemphasis on preferences and choices of someone who is "antecedently individuated", but also its potential undermining of one of the fundamental issues in moral philosophy, that is, "what is right" (a pun here) has replaced "what is good" that provides foundation for the good society and the flourishing of human beings[9].

Buddhism has similar arguments. For Buddhism, the language of rights indicates the primacy of self embedded in individualism. Ihara, for instance, contends that "…invoking rights has the inevitable effect of emphasizing individuals and their status, thereby strengthening the illusion of self. While Buddhism has a holistic view of life, the rights perspective is essentially atomistic." To respond to this problem, an online symposium in 1995 entitled "Buddhism and Human Rights" sponsored by the *Journal of Buddhist Ethics* issued "Declaration of Interdependence" as a supplement to UN's "Universal Declaration of Human Rights," in which one reads, Those who have the good fortune to have a "rare and precious human rebirth," with all its potential for awareness, sensitivity, and freedom, have a duty to not abuse the rights of others to partake of the possibilities of moral and spiritual flourishing offered by human existence. Such flourishing is only possible when certain conditions relating to physical existence and social freedom are maintained. Human beings, furthermore, have an obligation to treat other forms of life with the respect commensurate to their natures[10].

The citation shows two distinctive moral frameworks of Buddhism: (1) it puts rights into the assumption of interconnectedness, and (2) it adds the rights of other life forms, that is, non-human forms into the category of rights. The former stipulates an intrinsic relation between rights and duties, and the latter focuses on an eco-centric position maintained by Buddhism.

From the Buddhist doctrine of (inter)dependent-origination, duty for oneself and duty for others are not necessarily contradictory each other, as the Buddhist scripture puts it, "Protecting oneself, one protects others; protecting others, one protects oneself." The point here however, is not to say that there is absolutely no conflict (or moral dilemma) between protecting oneself and protecting others; instead it attempts to emphasize so-

cial responsibilities albeit the value of individualism.

From another perspective, I do not think the doctrine of (inter)dependent-origination can discount the importance of the idea of individual rights; instead, it can be used to articulate the importance of respecting each individuals, particularly the idea of "negative golden rule," i.e., not imposing on others what you yourself do not like. In the Confucian teaching we have a well-known saying that "One should not treat others in ways that one would not like to be treated" (*Analects* 5, 11). The same idea can be found in Buddhism as well: "For a state that is not pleasant or delightful to me must be so to him also; and a state that is not pleasing or delightful to me, how could I inflict that upon another?"[11]. I do not think that liberals in the West would have problem with the statement here. Peter Harvey, for instance, defends that Buddhists would accept the basic idea of rights although the radical idea of self is at odd with the Buddhist concept of no-self. In his book *An Introduction to Buddhist Ethics*, Harvey admits the fact that "Buddhists are sometimes unhappy using the language of 'rights' as they may associate it with people 'demanding their rights in an aggressive, self-centered way, and may question whether talk of 'inalienable rights' implies some unchanging, essential Self that 'has' these, which is out of accord with Buddhism' teaching on the nature of selfhood". Yet this does not lead to the conclusion that Buddhism would reject the concept of human rights, particularly the rights "of other people" categorically. What Harvey attempts to say is that the critique of atomic individualism should not deny other moral implications suggested by human rights.

Probably, most people would agree that in a well-functioning community or society, individual rights and social responsibilities are well attended to rather than one negating the other. But very often the concept of human rights is emphasized more because of the existence of all sorts of violation of human dignity, rights, and freedom in the world, including in various healthcare systems. Take the healthcare situation in China, for example, it is a common practice for hospitals to forge an informed consent in order to get the blood sample from a patient or a particular ethnic group in the name of life science and social good. Most doctors I have talked with on the issue would defend this kind of practice, believing that they did so out of social responsibility. Thus in China we need to fight for more individual rights, while in a place like the US where unrestrained greed and self-interest have pushed individualism too far, we need to talk more about care, compassion, interconnectedness, and the common good.

Personal wisdom, instead of personal rights, is the main theme of Buddhist discourse on freedom

II. Human Freedom

How do we interpret the notions of freedom of individual agency and freedom of self-determination implied in the UN's Declaration? According to liberalism, the good society is viewed as "a collection of self-interested individuals, free to choose their own life projects, bound together by *agreement* to respect the rights of others in the pursuit of these projects"[12]. As such, freedom to choose is based on recognition of each individual's self interest, and society is built on mutual consensus.

To follow this line of thinking, the notions of individual agency and the freedom of self-determination in bioethics are usually linked with the principle of autonomy, informed consent, right to choose, etc. The word "autonomy" comes from the Greek *autos-nomos* meaning "self-rule" or "self-determination". The *Universal Declaration on Bioethics and Human Rights* clearly articulates the freedom of individual agency in terms of self-determination. Today self-determination becomes a central principle in medical arena, which has been gradually moving away from a paternalistic approach towards a more individualistic,

client-centered approach where the patient (as an independent entity) plays a more active role in his/her own health and well-being.

Of course, such modern concept of freedom may not exist in Buddhism. Nevertheless, the idea of choice and consent in medicine can be found in Buddhist tradition. For example, according to early Buddhist monastic codes, if the patient lacks knowledge concerning what is occurring, whether due to extreme physical pain or mental disruption, he or she will considered morally culpable for making medical decisions. That is to say, the intention of the patient is given a serious consideration in the decision-making process[13]. As for truth-telling vis-à-vis confidentiality in medical practice, the Buddhist notion of "right speech" requires wisdom on the part of a physician to know what kind of medical information should be disclosed to the patient and his/her family members. Freedom of self-determination is equally important for Buddhism in the contemporary situations like euthanasia and organ transplantation.

That being said, we should not expect a radical notion of freedom in Buddhism. Despite that most Buddhist scholars and Buddhist followers claim that Buddhism is a religion of freedom, we know they are talking about different kind of freedom, a freedom best labeled as "spiritual freedom" rather than freedom of choice in a socio-political sense. Freedom in Buddhism as such focuses more on the possibility of existential transformation of one's mind so that one is capable of being engaged with one's living ambience in a spontaneous way so as to de-limit boarders, boundaries, and limitations of all kinds. Personal wisdom, instead of personal rights, is the main theme of Buddhist discourse on freedom.

What is freedom for Buddhism? From what does it what to be free and to what (i.e., freedom-from-cum-freedom-to)? In Buddhism freedom is associated with its attempt to be free or liberated from dis-ease (*dukkha*) derived from the emotive attachment that leads to an individual's existential anxiety in coping with impermanence and changes. Attachment sometimes refers to *alāya*, referring to a particular form of consciousness that "tends to get solidified into concepts of incorruptible and ultimately real objects every time it occurs." This tendency is also applied to occasions of sense experience[14]. *Alāya* consciousness functions in two ways: (1) internally it appears as the constituents of a self, and (2) externally it becomes the consciousness of the object as "the other." Vasubandhu, the Buddhist philosopher of the School of Consciousness-Only or Yogācāra (*weishi*) speaks of freedom attained by an *arhat* (*aluohan*) in terms of dissipation of *alāya*, i.e., the mental and emotional attachment. According to Vasubandhu, all ideas have mind (*mano*) as a pre-condition, and the mind as a special faculty is different from other faculties (eye, ear, nose, tongue, and body) in that it tends to substantiate and conceptualize things/objects it has experienced, which eventually leads to attachment, not only to a metaphysical object but also to a metaphysical self. Non-attachment, in this sense, means a freedom from a metaphysical object, that is, the essence, and more importantly, from a metaphysical self that perceives mind as independent and incorruptible. As one can tell, the Buddhist notion of human freedom is not grounded "free choice" *per se*; it is a kind of "spiritual freedom" even though the notion of karma does suggest an idea of "choice."

Concerning the issue of freedom, one of the major critiques of Buddhism is the notion of karma that is viewed as a form of "determinism" that denies a freedom of choice. For Buddhists, however, karma refers "action and reaction" which includes body, mind and speech. These three kinds of action - physical, mental, and verbal - come from the original "volitional action", that is, the mind. Buddhists use the term karma specifically referring to volition, that is, the intention or motivation behind a mental action. This intention can also be understood the "act of will," as one reads,

- our actions have consequences
- we choose our actions due to motivation/volition (*cetana*)[15]
- the character of the motivation determines

- the character of the results or consequences
- we are responsible for our actions and their consequences
- our choices subjectively determine our world.

Volition or the act of will is emphasized here because, according to Buddhism, it is the motivation behind the action that determines the karmic consequences. Volition, in turn, is shaped by acts of attention, which ask questions about perceptions and create views from those questions. Keown rightly points out that individuals have free will and their destiny is "the function of their choice" known as karma[16]. Because one can attend to the results of one's intentions, there is an internal feedback loop allowing one to learn and control. Because attention can ask questions, it can monitor that feedback to determine how best to put it to use. In this sense, I think Buddhism cares more on the content the choice than a procedural act that shows one has the right to choose.

In addition, volition as contrasted to natural causality is logical or extensional causality because it is involved in a rational process through which logical inference may occur[17]. The problem of "free choice" or "free will," that is, the question as to how far the choice which one seems to exercise in his/her conduct and actions, is actually a free choice or only a causal necessity in the sense that what is conceived as "free will" or "free choice" is nothing but a mere matter of habit, or of likes and dislikes engendered by heredity and environment, over which one has little control[18]. But if causality is volition, it could be much more complicated than a mechanic relationship in forms of natural causality represented by uniformities and regularities, for the required and necessary conditions are also "conditioned" (either immediate or far-reaching) by the specific relationship between the agent and his/her consciousness/will. For Buddhism karma indicates a prescriptive as well as a normative dimension. That is to say, "A ought to do x in order to achieves y," or "X is the right thing to do." Therefore, when a person understands that karma is based on volition, he/she can see enormous responsibilities and has to become conscious of the intentions that precede his/her actions. Thus, Buddhists insist that taking personal responsibilities are crucial for moral life.

But the question of free choice remains. If someone is conditioned, or dependent-arising, how can he/she be totally free (for a hope-for result), or be extricated from causal chains of determination? A "logical determinist" would question how choices can be free, given that what one does in the future is already determined or conditioned somehow in the present. This skeptical view implies that conditionality and freedom are mutually exclusive. But for Buddhism, the conditionality is always a process of infinite conditioning and being infinitely conditioned, as causality itself is devoid of self-identity, and the same thing applies to freedom as well. The present as such is never a clean slate, for it has partially shaped by influences from the past and the immediate results of present actions. Therefore, the implications of karma involve the notion that predestination and free will exist simultaneously[19].

According to the Buddhist teaching of (inter)dependent-origination, nothing stands alone apart from the matrix of all other things. Nothing is independent, and everything is interdependent with everything else. If this is true, individual freedom can only be understood as freedom within constraint. It follows that freedom is not seen as something utterly in opposition to constraint. Sometimes, constraint is what makes freedom possible. As Linji Yixuan (-d. ca. 867), a Chinese Ch'an master of Tang Dynasty once put it, "Even though you bear the remaining influences of past delusions of the karma from the five heinous crimes, these of themselves became the occasion of emancipation" (*Linji Lu,* 12). That is to say, "human life is enclosed within limitations from which some form of freedom is possible"[20].

The compatibility of causality and volition suggests that freedom for Buddhism does not mean being absolutely free from anything whatsoever; instead, the choice is free because it is conditioned. To be more specific, Buddhism accepts "freedom of choice" in

the sense that a person can think, reflect upon things, emotions, etc and act upon according to his/her judgment, yet all these are done within a cluster of "lived" (not mechanical) conditions, as operating according to a set of fixed, knowable laws. Meanwhile, the Buddhist doctrine of centrality (the middle way) in reference to non-attachment also aims at avoiding the two extreme views of freedom and fatalism. Thus Buddhism accepts the notion of self-determination yet puts more weights on self-responsibilities instead of rights.

III. Conclusion

How should the concept of human rights be translated to a non-Western religion such as Buddhism and to the local level such as in Chinese society? How can we compromise between rights and responsibilities? Very often, we have scholars claiming that human responsibilities and human rights should not supersede but complement each other. But from political and judicial perspective, this is a quite vague statement as it does not offer a clear picture of what constitutes "responsibilities" and what constitutes "rights." Liberals, libertarians, and communitarians keep fighting because of their different definitions regarding the parameters of responsibilities and rights both morally and legally. For Buddhism the gap can be even bigger. One of the crucial differences lies in the fact that Buddhism and Buddhist philosophy did not emerge as a social philosophy, neither a social religion (in comparison to Christianity). In fact, Buddhism is quite individualistic (in a different sense though), aiming at individual enlightenment, that is, attaining a personal moral and intellectual transformation.

In sum, both rights-talk and duties-talk are important in ethical and bioethical discourse, yet neither should be confined to an ideological cage. To put differently, when the society tilts toward one side, the other must be shored up. Meanwhile, the concept of human rights is better served as a protective mechanism and thus using the language of rights without qualification "to grapple with every moral issue is analogous to treating every sickness with the same medication… It is crude and ineffective"[21].

NOTE

[1] I am not suggesting here that Buddhism is a coherent and monolithic tradition, but the discussion focus in the presentation is on some common Buddhist theories concerning relevant issues.

[2] The notion of human dignity is derived from the concept of human rights. The earliest direct precursor to human rights could be found in the notions of "natural right" developed by classical Greek philosophers, such as Aristotle, and further developed by Thomas Aquinas in his *Summa Theologica*.

[3] See P. SCHMIDT-LEUKEL, "Buddhism and the Idea of Human Rights: Resonances and Dissonances," *Buddhist-Christian Studies*, 26 (2006), 39.

[4] See D. KEOWN, "Are There 'Human Right' in Buddhism?," *Journal of Buddhist Ethics*, 2 (1995), 3-27. D. KEOWN et al. (eds), *Buddhism and Human Rights*, Curzon Press, Richmond 2000.

[5] *Stanford Encyclopedia of Philosophy*, http://plato.stanford.edu/entries/rights/ (cited as 08-22/13).

[6] See J. L. GARFIELD, "Human Rights and Compassion: Towards a Unified Moral Framework," *Journal of Buddhist Ethics* (Online), Oct 1995, 1-14.
D. KEOWN et al. (eds), *Buddhism and Human Rights*, Curzon Press, Richmond 2000.

[7] Libertarians in the US tend to avoid using human rights in a positive way since they think that rights-talk has become more socially and economically oriented in past decades, which would infringe on individual liberty.

[8] Garfield argues that liberal moral theory may be properly conceived as the social face of Buddhist moral theory which is grounded in compassion, and hence there is no conflict in the position of Dalai Lama when he advocates the cultivation of compassion as the most basic moral task while at the same time advocating recognition of human rights. J. L. GARFIELD, "Human Rights and Compassion: Towards a Unified Moral Framework," cit., 1-14.

[9] Critics of rights-talk like also contends that "Our rights talk, in its absoluteness promotes unrealistic expectations, heightens social conflict, and inhibits dialogue that might lead toward consensus, accommodation, or at least the discovery of common ground. In its silence concerning responsibilities, it seems to condone acceptance of the benefits of living in a democratic social welfare state, without accepting the corresponding personal and civic obligations" See M. A. GLENDON, *Rights Talk: The Impoverishment of Political Discourse*, Free Press, New York 1991, 14.

[10] See P. HARVEY, *An Introduction of Buddhist Ethics*, Cambridge University Press, Cambridge 2000, 121.

[11] *Ibid.*, 33.
[12] See "The Parameters of the Liberal-Communitarian Debate."
[13] See P. D. NUMRICH, "The Buddhist Tradition: Religious Beliefs and Healthcare Decisions, Religious Traditions and Healthcare Decisions," Handbook Series, the Park Ridge Center for the Study of Health, Faith, and Ethics, 2001, 4.
[14] D. J. KALUPAHANA, *A History of Buddhist Philosophy: Continuities and Discontinuities*, University of Hawaii, Honolulu 1992, 191.
[15] D. KEOWN, in his book *The Nature of Buddhist Ethics,* 1992, interprets the Buddhist notion of *cetana* as "moral choice."
[16] D. KEOWN, "Buddhism and Medical Ethics: Principles and Practice," 42. Http://www.buddhismuskunde.uni-hamburg.de/fileadmin/pdf/digitale_texte/Bd7-K03Keown.pdf. The same argument is seen in Keown's book, *Buddhism and Bioethics,* St Martin Press, New York 1995.
[17] In the Western philosophical tradition, the concept of will "is usually connected to rationality as one of two complementary activities of the mind: the faculty of choice and decision, whereas the reason is that of deliberation and argument. Thus a rational act would be an exercise of the will performed after due deliberation." But in Buddhism, the concept of will also includes a psycho-intuitive account of one's mind.
[18] For instance, the Stoic metaphor of a rolling cart that one either willingly follows or which drags one unwillingly along. Scholars like Karl H. Potter contends that karma in terms of predetermination is "habit" that is similar to the pyschologistic analysis of the role of habits in human existence. As he puts it, "Habits, necessary to success, constitute a source of bondage. As one becomes more and more successful through the development of these habitual responses, he/she tends to become less and less capable of adjusting to fresh and unusual contingencies." See K. H. POTTER, *Presuppositions of India's Philosophies,* Motilal Banarsidass Publisher, New Delhi, 12.
[19] Here one may argue that "influences from the past" cannot logically identified with "causality," as it does not "determine" the will, which remains free, but only strengthens or weakens it, facilitating or easing its operation in a certain direction. Because of the scope of this presentation, I have to skip this argument in details.
[20] D. S. WRIGHT, *Philosophical Meditations on Zen Buddhism,* Cambridge University Press, Cambridge 1998, 134.
[21] Citation from D. BENATAR's article, "Bioethics and Health and Human Rights: A critical View," *Journal of Med Ethics*, 32 (2006), 19.