

Wisdom over Justice

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A few years ago, in one of its more inspired moments, *The Onion* reported a video released by a Buddhist fundamentalist sect in which a spokesman for the sect threatened that he and his cohorts would unleash waves of peace and harmony across the world, waves that no one could stop or resist. The report also noted that, in response to the video, the Department of Homeland Security swore to do everything in its power to stop those waves from reaching America.

As with all good satire, the report makes you stop and think. Why are peace and harmony the worst “threats” that would come from the fundamentals of the Buddha’s teachings?

The answer, I think, lies in the fact that the Buddha never tried to impose his ideas of justice on the world at large. And this was very wise and perceptive on his part. It’s easy enough to see how imposed standards of justice can be a menace to well-being when those standards are somebody else’s. It’s much harder to see the menace when the standards are your own.

The Buddha did have clear standards for right and wrong, of skillful and unskillful ways of engaging with the world, but he hardly ever spoke of justice at all. Instead, he spoke of actions that would lead to harmony and true happiness in the world. And instead of explaining his ideas for harmony in the context of pursuing a just world, he presented them in the context of merit: actions that pursue a happiness blameless both in itself and in the way it’s pursued.

The concept of merit is widely misunderstood in the West. It’s often seen as the selfish quest for your own well-being. Actually, though, the actions that qualify as meritorious are the Buddha’s preliminary answer to the set of questions that he says lie at the basis of wisdom: “What is skillful? What is blameless? What, when I do it, will lead to long-term welfare and happiness?” If you search for happiness by means of the three types of meritorious action—generosity, virtue, and the development of universal goodwill—it’s hard to see how that happiness could be branded as selfish. These are the actions that, through their inherent goodness, make human society livable.

And the Buddha never imposed even these actions on anyone as commands or obligations. When asked where a gift should be given, instead of saying, “To Buddhists,” he said, “Wherever the mind feels confidence” (SN 3:24). Similarly with virtue: Dhamma teachers have frequently noted, with approval, that the Buddha’s precepts are not commandments. They’re training rules that people can undertake voluntarily. As for the practice of universal goodwill, that’s a private matter that can’t be forced on anyone at all. To be genuine, it has to come voluntarily from the heart. The only “should” lying behind the Buddha’s teachings on merit is a conditional one: *If you want true happiness, this is what you should do.* Not because the Buddha said so, but simply because this is how cause and effect work in the world.

After all, the Buddha didn't claim to speak for a creator god or a protective deity. He wasn't a universal lawgiver. The only laws and standards for fairness he formulated were the rules of conduct for those who chose to be ordained in the bhikkhu and bhikkhuni sanghas, where those who carry out communal duties are enjoined to avoid any form of bias coming from desire, aversion, delusion, or fear. Apart from that, the Buddha spoke simply as an expert in how to end suffering. His authority came, not from a claim to power, but from the honesty and efficacy of his own search for a deathless happiness.

This meant that he was in no position to impose his ideas on anyone who didn't voluntarily accept them. And he didn't seek to put himself in such a position. As the Pali Canon notes, the request for the Buddha to assume a position of sovereignty so that he could rule justly over others came, not from any of his followers, but from Māra (SN 4:20). There are several reasons why he refused Māra's request—and why he advised others to refuse such requests as well.

To begin with, even if you tried to rule justly, there would always be people dissatisfied with your rule. As the Buddha commented to Māra, even two mountains of solid gold bullion wouldn't be enough to satisfy the wants of any one person. No matter how well wealth and opportunities were distributed under your rule, there would always be those dissatisfied with their portions. As a result, there would always be those you'd have to fight in order to maintain your power. And, in trying to maintain power, you inevitably develop an attitude where the ends justify the means. Those means can involve violence and punishments, driving you further and further away from being able to admit the truth, or even wanting to know it (AN 3:70). Even the mere fact of being in a position of power means that you're surrounded by sycophants and schemers, people determined to prevent you from knowing the truth about them (MN 90). As far as the Buddha was concerned, political power was so dangerous that he advised his monks to avoid, if possible, associating with a ruler—one of the dangers being that if the ruler formulated a disastrous policy, the policy might be blamed on the monk (Pc 83).

Another reason for the Buddha's reluctance to try to impose his ideas of justice on others was his perception that the effort to seek justice as an absolute end would run counter to the main goal of his teachings: the ending of suffering and the attainment of a true and blameless happiness. He never tried to prevent rulers from imposing justice in their kingdoms, but he also never used the Dhamma to justify a theory of justice. And he never used the teaching on past kamma to justify the mistreatment of the weak or disadvantaged: Regardless of whatever their past kamma may have been, if you mistreat them, the kamma of mistreatment becomes yours. Just because people are currently weak and poor doesn't mean that their kamma requires them to stay weak and poor. There's no way of knowing, from the outside, what other kammic potentials are waiting to sprout from their past.

At the same time, though, the Buddha never encouraged his followers to seek

retribution, i.e., punishment for old wrongs. The conflict between retributive justice and true happiness is well illustrated by the famous story of Aṅgulimāla (MN 86). Aṅgulimāla was a bandit who had killed so many people—the Canon counts at least 100; the Commentary, 999—that he wore a garland (*māla*) made of their fingers (*aṅguli*). Yet after an encounter with the Buddha, he had such an extreme change of heart that he abandoned his violent ways, awakened a sense of compassion, and eventually became an arahant.

The story is a popular one, and most of us like to identify with Aṅgulimāla: If a person with his history could gain awakening, there's hope for us all. But in identifying with him, we forget the feelings of those he had terrorized and the relatives of those he had killed. After all, he had literally gotten away with murder. It's easy to understand, then, as the story tells us, that when Aṅgulimāla was going for alms after his awakening, people would throw stones at him, and he'd return from his almsround, "his head broken open and dripping with blood, his bowl broken, and his outer robe ripped to shreds." As the Buddha reassured him, his wounds were nothing compared to the sufferings he would have undergone if he hadn't reached awakening. And if the outraged people had fully satisfied their thirst for justice, meting out the suffering they thought he deserved, he wouldn't have had the chance to reach awakening at all. So his was a case in which the end of suffering took precedence over justice in any common sense of the word.

Aṅgulimāla's case illustrates a general principle stated in AN 3:101: If the workings of kamma required strict, tit-for-tat justice—with your having to experience the consequences of each act just as you inflicted it on others—there's no way that anyone could reach the end of suffering. The reason we *can* reach awakening is because even though actions of a certain type give a corresponding type of result, the intensity of how that result is felt is determined, not only by the original action, but also—and more importantly—by our state of mind when the results ripen. If you've developed unlimited goodwill and equanimity, and have trained well in virtue, discernment, and the ability to be overcome neither by pleasure nor pain, then when the results of past bad actions ripen, you'll hardly experience them at all. If you haven't trained yourself in these ways, then even the results of a trifling bad act can consign you to hell.

The Buddha illustrates this principle with three similes. The first is the easiest to digest: The results of past bad actions are like a large salt crystal. An untrained mind is like a small cup of water; a well-trained mind, like the water in a large, clear river. If you put the salt into the water of the cup, you can't drink it because it's too salty. But if you put the salt into the river, you can still drink the water because there's so much more of it and it's so clean. All in all, an attractive image.

The other two similes, though, underscore the point that the principle they're illustrating goes against some very basic ideas of fairness. In one simile, the bad action is like the theft of money; in the other, like the theft of a goat. In both similes, the untrained mind is like a poor person who gets heavily punished for

either of these two crimes, whereas the well-trained mind is like the rich person who doesn't get punished for either theft at all. In these cases, the images are much less attractive, but they drive home the point that, for kamma to work in a way that rewards the training of the mind to put an end to suffering, it can't work in such a way as to guarantee justice. If we insisted on a system of kamma that *did* guarantee justice, the path to freedom from suffering would be closed.

This set of values, which gives preference to happiness over justice when there's a conflict between the two, doesn't sit very well with many Western Buddhists. "Isn't justice a larger and nobler goal than happiness?" we think. The short answer to this question relates to the Buddha's compassion: Seeing that we've all done wrong in the past, his compassion extended to wrong-doers as well as to those who've been wronged. For this reason, he taught the way to the end of suffering regardless of whether that suffering was "deserved" or not.

For the long answer, though, we have to turn and look at ourselves.

Many of us born and educated in the West, even if we've rejected the monotheism that shaped our culture, tend to hold to the idea that there are objective standards of justice to which everyone should conform. When distressed over the unfair state of society, we often express our views for righting wrongs, not as suggestions of wise courses of action, but as objective standards as to how everyone is duty-bound to act. We tend not to realize, though, that the very idea that those standards could be objective and universally binding makes sense only in the context of a monotheistic worldview: one in which the universe was created at a specific point in time—say, by Abraham's God or by Aristotle's Unmoved Mover—with a specific purpose. In other words, we maintain the idea of objective justice even though we've abandoned the worldview that underpins the idea and makes it valid.

For example, retributive justice—the justice that seeks to right old wrongs by punishing the first wrongdoer and/or those who responded excessively to the first wrong—demands a specific beginning point in time so that we can determine who threw the first stone and tally up the score of who did what after that first provocation.

Restorative justice—the justice that seeks to return situations to their proper state before the first stone was thrown—requires not only a specific beginning point in time, but also that that beginning point be a good place to which to return.

Distributive justice—the justice that seeks to determine who should have what, and how resources and opportunities should be redistributed from those who have them to those who *should* have them—requires a common source, above and beyond individuals, from which all things flow and that sets the purposes those things should serve.

Only when their respective conditions are met can these forms of justice be objective and binding on all. In the Buddha's worldview, though, none of these conditions hold. People have tried to import Western ideas of objective justice into the Buddha's teachings—some have even suggested that this will be one of

the great Western contributions to Buddhism, filling in a serious lack—but there is no way that those ideas can be forced on the Dhamma without doing serious damage to the Buddhist worldview. This fact, in and of itself, has prompted many people to advocate jettisoning the Buddhist worldview and replacing it with something closer to one of our own. But a careful look at that worldview, and the consequences that the Buddha drew from it, shows that the Buddha’s teachings on how to find social harmony without recourse to objective standards of justice has much to recommend it.

The Buddha developed his worldview from the three knowledges he gained on the night of his awakening.

In the first knowledge, he saw his own past lives, back for thousands and thousands of eons, repeatedly rising and falling through many levels of being and through the evolution and collapse of many universes. As he later said, the beginning point of the process—called *saṃsāra*, the “wandering-on”—was inconceivable. Not just unknowable, inconceivable.

In the second knowledge, he saw that the process of death and rebirth applied to all beings in the universe, and that—because it had gone on so long—it would be hard to find a person who had never been your mother, father, brother, sister, son, or daughter in the course of that long, long time. He also saw that the process was powered by all the many actions of all the many beings, and that it serves the designs of no one being in particular. As one Dhamma summary has it, “There is no one in charge” (MN 82). This means that the universe serves no clear or singular purpose. What’s more, it has the potential to continue without end. Unlike a monotheistic universe, with its creator passing final judgment, *saṃsāra* offers no prospect of a fair or just closure—or even, apart from *nibbāna*, any closure at all.

In the context of these knowledges, it’s hard to regard the pursuit of justice as an absolute good, for three main reasons.

- To begin with, given the lesson of the salt crystal—that people suffer more from their mind-state in the present than they do from the results of past bad actions playing out in the external world—no matter how much justice you try to bring into the world, people are still going to suffer and be dissatisfied as long as their minds are untrained in the qualities that make them impervious to suffering. This was why the Buddha, in rejecting *Māra*’s request, made the comment about the two mountains of solid gold. Not only do people suffer when their minds are untrained, the qualities of an untrained mind also lead them to destroy any system of justice that might be established in the world. As long as people’s minds are untrained, justice would not solve the problem of their suffering, nor would it be able to last. This fact holds regardless of whether you adopt the Buddha’s view of the world or a more modern view of a cosmos with vast dimensions of time and no end in sight.

- Second, as noted above, the idea of a just resolution of a conflict requires a story with a clear beginning point—and a clear end point. But in the long time frame of the Buddha’s universe, the stories have no clear beginning and—

potentially—no end. There’s no way to determine who did what first, through all our many lifetimes, and there’s no way that a final tally would ever stay final. Everything is swept away, only to regroup, again and again. This means that justice cannot be viewed as an end, for in this universe there *are* no ends, aside from nibbāna. You can’t use justice as an end to justify means, for it—like everything else in the universe—is nothing but means. Harmony can be found only by making sure that the means are clearly good.

- Third, for people to agree on a standard of justice, they have to agree on the stories that justify the use of force to right wrongs. But in a universe where the boundaries of stories are impossible to establish, there’s no story that everyone will agree on. This means that the stories have to be imposed—a fact that holds even if you don’t accept the premises of kamma and rebirth. The result is that the stories, instead of uniting us, tend to divide us: Think of all the religious and political wars, the revolutions and counter-revolutions, that have started over conflicting stories of who did what to whom and why. The arguments over whose stories to believe can lead to passions, conflicts, and strife that, from the perspective of the Buddha’s awakening, keep us bound to the suffering in saṃsāra long into the future.

These are some of the reasons why, after gaining his first two knowledges on the night of awakening, the Buddha decided that the best use of what he had learned was to turn inward to find the causes of saṃsāra in his own heart and mind, and to escape from kamma entirely by training his mind. These are also the reasons why, when he taught others how to solve the problem of suffering, he focused primarily on the internal causes of suffering, and only secondarily on the external ones.

This doesn’t mean, though, that there’s no room in the Buddha’s teachings for efforts to address issues of social injustice. After all, the Buddha himself would, on occasion, describe the conditions for social peace and harmony, along with the rewards that come from helping the disadvantaged. However, he always subsumed his social teachings under the larger framework of his teachings on the wise pursuit of happiness. When noting that a wise king shares his wealth to ensure that his people all have enough to make a living, he presented it not as an issue of justice, but as a wise form of generosity that promotes a stable society.

So if you want to promote a program of social change that would be true to Buddhist principles, it would be wise to heed the Buddha’s framework for understanding social well-being, beginning with his teachings on merit. In other words, the pursuit of justice, to be in line with the Dhamma, has to be regarded as part of a practice of generosity, virtue, and the development of universal goodwill.

What would this entail? To begin with, it would require focusing primarily on the *means* by which change would be pursued. The choice of a goal, as long as you found it inspiring, would be entirely free, but it would have to be approached through meritorious means.

This would entail placing the same conditions on the pursuit of justice that the Buddha placed on the practice of merit:

1) People should be encouraged to join in the effort only of their own free will. No demands, no attempts to impose social change as a duty, and no attempts to make them feel guilty for not joining your cause. Instead, social change should be presented as a joyous opportunity for expressing good qualities of the heart. To borrow an expression from the Canon, those qualities are best promoted by embodying them yourself, and by speaking in praise of how those practices will work for the long-term benefit of anyone else who adopts them, too.

2) Efforts for change should not involve harming yourself or harming others. “Not harming yourself,” in the context of generosity, means not over-extending yourself, and a similar principle would apply to not harming others: Don’t ask them to make sacrifices that would lead to their harm. “Not harming yourself” in the context of virtue would mean not breaking the precepts—e.g., no killing or lying under any circumstances—whereas not harming others would mean not getting *them* to break the precepts (AN 4:99). After all, an underlying principle of kamma is that people are agents who will receive results in line with the type of actions they perform. If you try to persuade them to break the precepts, you’re trying to increase their suffering down the line.

3) The goodwill motivating these efforts would have to be universal, with no exceptions. In the Buddha’s expression, you would have to protect your goodwill at all times, willing to risk your life for it, the same way a mother would risk her life for her only child (Sn 1:8). This means maintaining goodwill for everyone, regardless of whether they “deserve” it: goodwill for those who you see as guilty as much as for those you see as innocent, and for those who disapprove of your program and stand in your way, no matter how violent or unfair their resistance becomes. For your program to embody universal goodwill, you have to make sure that it works for the long-term benefit even of those who initially oppose it.

There are two main advantages to viewing the effort to bring about social justice under the framework of merit. The first is that, by encouraging generosity, virtue, and the development of universal goodwill, you’re addressing the internal states of mind that would lead to injustice no matter how well a society might be structured. Generosity helps to overcome the greed that leads people to take unfair advantage of one another. Virtue helps to prevent the lies, thefts, and other callous actions that drive people apart. And universal goodwill helps to overcome the various forms of tribalism that encourage favoritism and other forms of unfairness.

Second, generosity, virtue, and universal goodwill are, in and of themselves, good activities. Even though you may be inspired by the story of the Buddha’s awakening to engage in them, they’re so clearly good that they need no story to justify them—and so they wouldn’t require the sort of stories that would serve simply to divide us.

Regarding attempts at social change under the principle of kamma would

also entail having to accept the principle that any forms of injustice that do *not* respond to the activities of merit have to be treated with equanimity. After all, the results of some past bad actions are so strong that nothing can be done to stop them. And if they could be alleviated now only by unskillful actions—such as lies, killing, theft, or violence—the trade-off in terms of long-term consequences wouldn't be worth it. Any such attempts would not, in the Buddha's analysis, be wise.

In areas like this, we have to return to the Buddha's main focus: the causes of suffering inside. And the good news here is that we don't have to wait for a perfect society to find true happiness. It's possible to put an end to our own sufferings—to stop “saṃsāra-ing”—no matter how bad the world is outside. And this should not be seen as a selfish pursuit. It would actually be more selfish to make people ashamed of their desire to be free so that they will come back to help you and your friends establish your ideas of justice, but with no true end in sight. A final, established state of justice is an impossibility. An unconditioned happiness, available to all regardless of their karmic background, is not.

And the road to that happiness is far from selfish. It requires the activities of merit—generosity, virtue, and universal goodwill—which always spread long-term happiness in the world: a happiness that heals old divisions and creates no new ones in their place. In this way, those who attain this happiness are like the stars that are sucked out of space and time to enter black holes that are actually dense with brightness: As they leave, they unleash waves of dazzling light.