Nāgārjuna’s Philosophy of Emptiness and Political Philosophy

*Liberty in Action*

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Abstract

Although the metaphysical, soteriological, semantic and logical implications of Nāgārjuna’s philosophy of emptiness have been widely studied (and practiced) for nearly two millennia, the moral and political implications have generally been left implicit. This thesis is a study of the political implications of Nāgārjuna’s claim that persons and things are empty of svabhāva (substantial self-existence and own self-identity).

The primary question I have asked is: What are the primary political implications from Nāgārjuna’s philosophy of emptiness?

My primary contention is: That there are clear political implications from Nāgārjuna’s philosophy of emptiness and that these are productive of a tangible, plausible and important normative political task and orientation.

Both the question and the contention are controversial, in the sense that one orthodox reading of Nāgārjuna’s philosophy is that it is not a philosophy at all, but rather, a pragmatic or soteriological endeavour to shift interlocutors out of the basic error of thinking conceptually. If Nāgārjuna is interpreted in such a way, there may be political implications of a certain kind (for example, the privileging of an anarchic, deconstructive or quietist kind of politics), but a normative political orientation is rendered impossible. I have argued the contrary thesis, on the basis of a contrary interpretation – that if Nāgārjuna is interpreted as offering a particular philosophical position, then a normative orientation is impossible to avoid. The primary argument of the thesis is to demonstrate this general point, which leads towards a formal, abstract and general normative political task, that of a collective movement from constraint to freedom. The secondary argument of the thesis is far more particular and contextual. It is that there are particular political values or goods resonant with our contemporary 21st century political context which are coherently connected to that more general normative task. These are values associated with the concepts of political liberty and equality.
Declaration

This is to certify that:

(i) The thesis comprises only my original work towards the PhD
(ii) Due acknowledgement has been made in the text for all other material used
(iii) The thesis is fewer than 100,000 words in length, exclusive of bibliography
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Introduction

i. Buddhism, Nāgārjuna and political philosophy
ii. Philosophical method
iii. Hermeneutical orientation
i. Buddhism, Nāgārjuna and political philosophy

In the west it is taken for granted that political philosophy has its genealogical roots in ancient Greece, moving through various great thinkers and epochs of thinking until we arrive at the present. Contemporary political thinkers regularly make footnotes, or gestures far more encompassing than mere footnotes, to those great western traditions and thinkers. One can easily be a modern day Kantian or Marxist or Aristotelian. In the discursive community of contemporary western political thinking, this canonical orthodoxy grants a deep legitimacy to being oriented towards a particular tradition or thinker – for example Rawls and Habermas with Kant, Balibar and Althusser with Marx, McIntyre and Nussbaum with Aristotle. Undergraduates introduced into the field of political philosophy will usually read classical treatises and be asked to formulate a position in relation to the great debates between Hobbes, Locke and Rousseau, or Marx, Kant and Nietzsche. And there is no doubt at all that this tradition is extremely rich and fertile, and still highly relevant to contemporary political reality. However, in a post-colonial and globalised world, it is increasingly difficult to retain the pretence that only the history of European ideas matter. Other great civilisations - Islamic, Chinese, Indian - have also generated rich and fertile philosophical thinking. From the western point of view, there is a necessity to engage with this thinking not only because some of those civilisations are clearly becoming more powerful and influential, but more pertinently because rich and fertile thinking remains rich and fertile thinking, no matter where it may have arisen culturally and geographically.

Cross cultural or comparative philosophy has become increasingly attractive through the last century, and there is already a rich tradition of comparative Buddhist and European philosophy. However, this has not generally extended to the discipline and task of social-political thinking. In many respects, this thesis is about breaking down the very hegemonic assumption (in the west) that political and social philosophy begins with the Greeks and continues unabated with contemporary Anglo-American political philosophers or French and German social theorists. It is also about questioning the assumption that Buddhist thought is fundamentally soteriological or ‘spiritual’ which is by nature a-political, or somehow transcendent of or removed from political concerns and implications. This thesis moves in both directions. It is not merely a dialectical response to the hegemony and orthodoxy of ‘western’ political thought, it is also a dialectical response to the proposition that Buddhism is (or ought to be) politically quietist. The intent has arisen from a strong intuition, seemingly shared by many who have been influenced by Buddhist ideas, that a Buddhist contribution to contemporary western political discourses is often warranted and sometimes well worth genuine consideration. In the same way that a psychoanalytic, or a Marxist, or rights based framework might be deployed in response to a given social-political question or problem, so it is that a nuanced thinker should be able to deploy a Buddhist framework, or at least know that it is possible and acceptable to do so. It may not follow that a Buddhist framework is always going to be efficacious and that Buddhism might provide all the answers to the
problems of political philosophy. That is likely to be an absurd proposition, because there are many quite palpable limitations and weaknesses in such a framework. However, it is far more plausible (and perhaps even critical) to propose that it should at least be on the table, that it has much to contribute, and that one need not be a Buddhist to draw from Buddhist philosophy in the same way that one need not be a psychoanalyst to draw from Freud.

Such a framework does not yet exist in a coherent enough form to utilise in a pluralistic discursive context. Within the vast literature of Buddhism, there are of course many canonical discourses which are political in nature, including sutta’s of the Buddha offering expressly political advice to kings and ministers. There is a vast Buddhist history, extending throughout Asia and now beyond it, which is highly political in character. There have been political movements inspired by Buddhism, up to and including the recent movement, known as ‘engaged Buddhism.’ There have been great ideas, claims, intuitions and theories connecting Buddhist thought to the political world. But as yet, no plausible framework which may be cogent enough to deploy as a political philosophy in a contested field of other political philosophies. This work is an attempt to lay the grounds for such framework - to make such a task seem possible, plausible and in some ways, necessary and important. One piece of work alone cannot adequately complete such a task. The task is dialogical (constructive) and dialectical (critical), vast and challenging enough to require generations of thinkers. This contribution is merely one small movement in such a dialogue and dialectic.

‘Buddhist’ and ‘Buddhism’ are referents for a vast and complex material and discursive history. In order to provide focus and precision, I have turned to one of the greatest Buddhist philosophers, Nāgārjuna, such that the framework and parameters of this project have a clear and unambiguous reference point. However, as will become clear in chapter one, I do not read Nāgārjuna as presenting a radical rupture with earlier traditions of Buddhism, and I agree with the orthodox view that he is considered highly influential in later Mahāyāna developments. In this respect, I consider him a thinker who succinctly articulates the most important general Buddhist philosophical principles, and is therefore appropriate to represent the tradition of “Buddhism.” Such a claim may trouble philologists, historians and those persuaded by sectarian polemics, all of whom could rightly point to many important particular distinctions between various traditions. Some of these distinctions are very robust, and indeed even a cursory glance through the history of dialectical interpretations of Nāgārjuna illustrates some profound differences in philosophy and principle. Nonetheless, if we step outside the particularist discursive history of Buddhism, and into the history of ideas per se, it is not such an extravagant claim to say that Nāgārjuna is a lucid exponent of orthodox Buddhist ideas, and that for this reason he is a useful figure to represent the Buddhist tradition per se.
ii. Philosophical method

The organisation of this inquiry seemingly takes a distinctly un-Nāgārjunian route. There is a structural cohesion between various elements and arguments which is somewhat systematic and may even appear to be foundationalist in character. I have adopted such a philosophical technique in order to generate consistency and coherency between distinct but interrelated philosophical issues. This mode of organisation does not express or represent anything other than a particular and provisional heuristic technique, which I think is helpful for the clarity and organisation it brings to bear on the project as a whole. Thus, the heuristic technique of organisation should not be mistaken for an implicit epistemic claim for foundations or grounds.

The structure of this inquiry follows three basic questions which are logically connected:

X – What does it mean metaphysically and phenomenologically to have an empty agent and empty phenomena?

Y - What are the most important ethical and political considerations which follow from X?

Z - How might X and Y be relevant in relation to specific problematics in contemporary political philosophy?

The first task in this inquiry (X) is to establish how Nāgārjuna’s metaphysics work in relation to subjectivity, and how this draws a particular kind of ontological and phenomenological connection between agency and external phenomena. This is essentially a task of interpretation and explication, with the underlying intention being to establish the structure, parameters and limitations for this inquiry. I am not interested in defending Nāgārjuna’s philosophy of emptiness, but rather take as a primary assumption that his metaphysical ‘position’ is true or efficacious. In this respect, the task of X is to qualify what this view is, rather than to inquire into its possible truth or falsity.1 Because Nāgārjuna is clearly speaking within the context of previous Buddhist conceptions of agency, I firstly give a general account of this (orthodox and earlier) Buddhist view of the agent,2 and then explain how Nāgārjuna orients that view with respect to the doctrine of emptiness and the two truths. Such a task is foundational in the sense that it provides both an account of subjectivity and an account of emptiness, which are the core ontological and phenomenological assumptions upon which this inquiry proceeds. There is nothing foundational or axiomatic about those assumptions per se, but they are foundational to the structure of the thesis. Establishing Nāgārjuna’s account of the agent, and its emptiness, is a prerequisite for further

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1 The possibility of ascribing a ‘position’ or ‘view’ to Nāgārjuna is widely problematised, so I will generally avoid those kinds of statements, in favour of the more open ended ‘Nāgārjuna’s philosophy of emptiness.’

2 I will qualify this in section (iii) Hermeneutical Orientation.
exploration into the ethical and political domains of inquiry. It is the radical nature of this ontological-phenomenological account which makes such an exploration philosophically interesting and politically fruitful. Nonetheless, there is nothing particularly innovative or original about this first task. I simply offer a clear and direct interpretation and explication of what it means to assert that agent and phenomena are empty and dependently co-arisen. This is the topic of chapter one.

This primary task of providing a metaphysical and phenomenological account of what it means to say that both the agent and phenomena are empty, serves as the basis from which I then inquire into the most important ethical and political considerations of this account of agency and phenomena (Y). The considerations are my arguments for what I think follows (most directly or overtly) politically and ethically from Nāgārjuna’s philosophy of emptiness. So this second task is in essence a method of deductive inference - inferring ethical and political considerations from what is given metaphysically and phenomenologically. The logical structure of this method is simply: the metaphysical-phenomenological assertion X is going to lead to the ethical or political consideration Y. Such a method brings to mind the contestation around the plausibility or implausibility of moving from an ‘is’ to ‘ought.’ However, the considerations I give in this second task are not in themselves normative claims. Rather, they represent an orientation of Nāgārjuna’s view into an explicitly political context. This is inclusive of the ontological relationship between structure and agency, the epistemic relationship between a false or concealed conventional reality and a true or conventionally valid empty and dependently co-arising reality, and the subjective phenomenological standpoint which may encompass or embody both elements. Thus, the primary considerations are ontological, epistemological and phenomenological. They might be thought of as ‘the way we need to conceive of the political world from a Nāgārjunian standpoint.’ In particular, the relationship between structure and agency. I express these considerations in the form of lemmas, because they represent distinct and particular arguments which when taken together form a broader and more general argument and orientation. Chapters two and three (the first five lemmas) cover the primary ethical and political considerations which follow from Nāgārjuna’s standpoint. They are expressive of what I think are the most important political considerations which follow directly from Nāgārjuna’s view.

Once these are established, the third task (Z) is to orient these primary political claims in the discursive context of particular themes in classical and contemporary western political philosophy. This is a comparative move, because it entails taking interpretations (chapter one) and arguments (chapters two and three) which are largely self-contained within the language game of ancient Buddhist philosophy into domains of thought which are philosophically, culturally and historically at a very great distance from ancient India. It is also a move into more normative territory. Certain connections are made between metaphysical, epistemological and phenomenological claims, with specific normative political claims. These normative claims are principally related to questions of value – why particular political
values should be endorsed/defended or rejected/resisted. The two primary political values which I investigate are liberty and equality. These are clearly a central theme of contemporary western political philosophy, where it has been very overt in the Anglo-American tradition, and also prominent in recent European political philosophy. The method by which I make the inferences between ontological, epistemological, phenomenological domains and normative political claims is contextual, which is to say that it depends upon the specific content in question. For example, my argument which establishes a logical connection between the Nāgārjunian theory of agency and the political value of negative liberty is very distinct from my argument which establishes a logical connection between the claim that empirical phenomena are empty and the negation of innate property rights. Thus, I do not initially offer a generalised or formal logical account for how I at times move from an ‘is’ to an ‘ought.’ I offer specific arguments in which that movement is justified only within the context of that particular argument. However, in my conclusion I do offer a more general justification for an ‘is’ to ‘ought’ movement, predicated on the concepts of freedom and constraint which emerge through the body of the thesis.

Although my concerns in this third task are principally the issues of political liberty and political equality, they relate to the more general problematic of how a given political community ought to be configured and organised in terms of the tensions between particular kinds of liberty and particular kinds of equality. So the third task is more comparative, and by extension, more speculative and potentially controversial. I have aimed to offer constructive normative claims, guided by the thought experiment: what would it really mean to be influenced politically by Nāgārjuna’s philosophy? What kinds of political values would be privileged, and what kinds of political values would be refuted or resisted? What values would one be committed to? What would be the purpose of politics and economy? How distinct or similar might some of these outcomes be, from contemporary theoretical and applied debates in contemporary political theory and reality? Chapters four and five deal with liberty and equality respectively, and the findings culminate in a defence of four particular normative values or goods, which offers a way to orient Nāgārjuna’s thinking in the context of contemporary political discourses.

Although I argue in my conclusion that this offers a very clear normative political orientation, there are some obvious limitations in terms of the scope of this. In a work of this limited size, many important questions and themes in political philosophy must necessarily be excluded. I do not deal systematically with theories of sovereignty, questions of justice, conceptions of human rights, philosophies of law, ideas of power, violence and ideology. Although my work intersects with all of these themes, to treat

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3 Particularly since Rawls’ A Theory of Justice, which many claim to have re-shaped the political terrain around those two values.

4 It is perhaps more implicit in European political philosophy – but no less important. The value of liberty is clearly central in Freudian, Nietzschean, Marxist and existentialist influenced currents (for example in Marcuse, Sartre, Deleuze, Foucault, Gramsci and Balibar), and equality in Kantian and Marxist influenced currents (for example Habermas, Arendt and Ranciere).
them sufficiently requires sustained focus upon each of them. That is, it demands a manifold of works on those distinct topics. My focus on liberty and equality gives priority to political economy and distributive justice, which I take to be the most important domain of political philosophy. Other political thinkers may well prioritise other domains. The paradigm which shapes this is the contestation between liberal-market and socialist-Marxist approaches to politics and economy, which I do not consider to be resolved despite the relative hegemony of a liberal-market system in the present world. Therefore, my primary intention in framing Z, is to plausibly situate the primary political implications of Nāgārjuna’s philosophy (Y), in the terms of capitalism/socialism and its relation to political structures and institutions. Although I defend the priority I give to this framing, there is no doubt that there are many other important and fruitful implications to be drawn, and it is my hope that other minds may over time contribute to such a task.

In a general methodological sense, my engagement with Nāgārjuna’s philosophy is similar to the way that some contemporary European thinkers treat the thinking of ancient Grecian and Roman thinkers – the way, for example, that Sen and Nussbaum draw from Aristotle and the Stoics, finding that some Aristotelian insights are useful and relevant in producing an alternative from contemporary utilitarian conceptions about welfare and developmental economics.\(^5\) However, in less general terms, this third task has a stricter fidelity to the parameters of Nāgārjunian thought. Probably the right kind of analogy is in the way in which contemporary Marxists such as Balibar draw from Marx or contemporary Utilitarians such as Singer draw from Bentham/Mill. There is inevitably a particular kind of interpretation, and an emphasis on some themes rather than others, but it would be too loose to say that Balibar is simply working ‘in the spirit of’ Marx. There is a deeper connection and fidelity between the two, in terms of substantive content, and how that produces specific metaphysical and political commitments.

iii. Hermeneutical orientation

Nāgārjuna is a thinker who has been interpreted in a manifold of ways, many of which seem to be profoundly at odds with each other.\(^6\) In giving an explicitly constructive political focus from Nāgārjuna’s philosophy, I have tried as much as possible to avoid the long dialectical history which his works largely generated (i.e. the unfolding of Mādhyamika philosophy in India, Tibet, China, Korea and Japan) and the particular metaphysical, epistemological, logical and semantic issues which have generated so much recent academic philosophical interest. Nonetheless, in building a political

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\(^6\) For an excellent account of this, see Tuck, A.P.; Comparative Philosophy and the Philosophy of Scholarship, (OUP: Oxford), 1990.
framework out of Nāgārjuna’s philosophy, it is necessary to be clear about how I have interpreted that philosophy.

The explanation of my interpretation is the topic of chapter one, but to put it simply here, I interpret Nāgārjuna’s metaphysics and logic of emptiness largely through the 15th century Tibetan Mādhyamika, Tsong Khapa. I have drawn on recent academic scholarship which has been greatly informed by Tsong Khapa’s interpretation – in particular, scholars such as Hopkins, Napper, Thurman, Jinpa, Thakchoe, Garfield and Priest. I am well aware that that some other scholars have problematised a so called ‘Gelugpa bias’ in (western) studies of Nāgārjuna/Mādhyamika, and that this work is squarely aligned with that interpretative tradition. There are clearly other ways of reading and understanding Nāgārjuna, and some of them may offer fruitful dialectical responses to this work. However, for reasons I point out in chapter one, I think that the Tsong Khapian interpretation of Nāgārjuna is the most philosophically cogent and most attuned to what is in the text(s). Which is simply to say that when I read Nāgārjuna, the philosophical meaning that I draw closely (but not always) accords with a Tsong Khapian interpretation. This work has a tremendous debt not only to Nāgārjuna and Tsong Khapa, but also to the aforementioned scholars (especially Garfield and Priest) and Gelugpa teachers who have made this interpretation so clear and accessible.

The primary text I utilise in my interpretation of Nāgārjuna’s philosophy of emptiness is his magnum opus the Mūlamadhyamakakārikā (hereafter MMK), supplemented by his work on dialectics and epistemology, the Vīgrahavyāvartanī (hereafter Vīg). Being an expressly political work I also refer to his Ratnāvalī, but because this is a study of his philosophy of emptiness and not his normative political advice, those references are almost always to provide a point of contrast. In order to better understand Tsong Khapa’s interpretation, I have relied upon his Rigs pa’i rgya mtsho, Lam rim chen mo and brTen ‘brel bstod pa, as well as Gorampa’s critique lta ba’i shan ‘byed and the later Mipham’s explanation of that critique in Nges shes rin po che’i sgron me. I argue in chapter one that it is not possible to understand Nāgārjuna’s philosophy of emptiness without a sufficient Buddhist context, in particular of the earlier Buddhist views which he either explicitly critiques or endorses. To provide that context (principally in chapter one), I utilise the Pali Nikāyas, in particular drawing from the Majjhima Nikāya because it contains such a great diversity of earlier discourses. I almost always interpret Nāgārjuna as endorsing and defending the views given in the Nikāyas. I also draw from the Sarvāstivādin Abhidharma, as preserved in Vasubhandhu’s Abhidharmakośa and occasionally from Asaṅga’s Abhidharmasamuccaya, for two reasons. Firstly to give a brief account of the metaphysical and phenomenological concept of svabhāva, which is the primary target of Nāgārjuna’s critique. Secondly to provide a fuller and more systematic account of conventional agency, which I argue is commensurable Nāgārjuna’s metaphysics,
and that he *endorses* such a view. 7 My interpretations of all the aforementioned works depend upon translations, and I particularly rely upon Garfield’s excellent translation of the *MMK* and *Rigs pa’i rgya mtsho*, as well as Bhattacharya, Johnston and Kunst’s renowned translation of the *Vig*.

The later chapters are more comparative in nature, and I *explicitly* engage with: J.S. Mill’s *On Liberty*, Isaiah Berlin’s *Two Conceptions of Liberty*, Plato’s *Republic*, Kant’s *Doctrine of Right*, Marx’s *On the Jewish Question*, and Nagel’s *Equality and Partiality*. However, many of the political themes in those chapters are *implicitly* influenced by engagements (some critical, some constructive) with other western moral and political traditions. The most prominent being: Aristotle and the virtues tradition, Marx and the post-Marxist tradition (particularly the Frankfurt School), Foucault and the post-structuralist tradition and Husserl-Heidegger and the phenomenological-existentialist tradition. As well, the framing of the comparative part of the inquiry squarely around the tension between liberty and equality is an explicit reference to the Rawlsian paradigm which has dominated Anglo-American political philosophy since the latter half of the 20th century.

With respect to contemporary Buddhist scholarship, this work speaks most directly to the discursive field of *engaged Buddhism*, a field which has both scholarly and popular domains. What defines both of those domains is the intention to find practical or applied solutions to political problems, from within the corpus of Buddhist ideas and practices. 8 Engaged Buddhism is more or less a movement which speaks entirely from within the discursive context of Buddhism. It speaks and is oriented primarily to Buddhist practitioners and those sympathetic to certain Buddhist ideas, in the conceptual and practical context of Buddhism. My relationship to this domain has been largely dialectical. I have felt very dissatisfied with the inability of engaged Buddhism to speak outside of its own language game, and I am convinced that engaged Buddhism *must* reach beyond its own discursive logic, if it is to offer something of genuine political value and efficacy. In order to achieve this, far more philosophical clarity is required, particularly with respect to the relationship between Buddhist metaphysics and principles and the plausibility of a given normative ethical and political orientation. It is only on the basis of having established sufficient precision in that relationship, that engaged Buddhism can reach beyond its own particular horizon and contribute more broadly to both theoretical and applied domains of politics. To the emerging tradition of engaged Buddhism, I aim principally to clarify which *political values* are most

7 As I will make clear in chapter one, this implies the functioning of the *skandha* processes, but obviously without any predication of *svabhāva*.

important and ought to be politically asserted/defended, and more generally, to provide a constructive vision for how these values might work practically in the context of contemporary political thinking and action.

The other area of contemporary Buddhist scholarship that this work directly intersects with is Buddhist ethics, which is beginning to attract some long overdue attention. The resonance with recent work in Buddhist ethics connects explicitly to Keown’s thesis that Buddhism is more or less a kind of virtue ethics, and in fact has some very overt parallels with Aristotle’s moral philosophy. I side with Keown on account of the particular kind of moral agent given by the Pali Nikāyas and developed in the Abhidharma – a moral agent which is a deeply habitual and dispositional kind of agent. The robust emphasis on habitual dispositions (i.e. saṃskāras), coupled with a metaphysics of selflessness (anātman) and causation (pratītyasamutpāda), means that the moral agent is ‘condemned’ to constant transformation. I argue that this leads to an ethics of transformation, of harnessing the possibilities which inhere in that transformation and thus transforming in a reflective and controlled rather than uncontrolled way.

The limitation in connecting Buddhist ethics to Aristotle and the virtues tradition, is that it may not adequately express the radical nature and intensity of the Buddhist kind of transformation, nor the erasure of self and other given by (later) Buddhist metaphysics. Buddhist ethics are not really about balance and a gradually unfolding flourishing life, even though it often takes that appearance, and has been appropriated as a ‘science and technique of happiness’ by many modern psychotherapists. In distinction to this view, I hold that Buddhism pushes the ethics of transformation far more intensely. Qualities such as tranquillity and balance, and life outcomes such as eudemonia are in some respects inadvertent (but nonetheless welcome) by-products of a more primary radical ethos of intense transformation. The teleos of that transformation, as Keown recognises, is also starkly different from the Aristotelian eudemonia. Nirvāṇa or bodhi defines the possibilities of successful transformation far ‘beyond’ what we might consider to be ‘human.’ In some respects such an ethical orientation aligns far more with Spinoza, (and later thinkers influenced by him such as Nietzsche and Deleuze) than with Aristotle, although this orientation remains somewhat implicit in this work.

9 For a good critical overview, see Barnhart, M.G.; ‘Theory and Comparison in the Discussion of Buddhist Ethics’ in Philosophy East and West, Vol. 62, no. 1, (University of Hawaii), Jan 2012.
11 I argue in chapter one (A1 & A2) that this view is not only commensurable with Nāgārjuna’s metaphysics, but that in many ways, Nāgārjuna’s metaphysics is expressly about defending the soteriological and ethical implications of it.
13 In this work I make a demarcation between a soteriological form of transformation, which is predicated on the teleos of bodhi, and what I call a ‘non-prescribed’ or ‘ethical’ form, which does not adopt that particular teleos. See LI, pp76-78.
However, a more direct connection and contribution to the study of Buddhist ethics is found in my central thesis that there is an inseparability between the ethical and the political, particularly once we move from the Pāli canon and into the Sanskrit literature which emphasises śūnyatā (emptiness). My work is predicated on the metaphysics and phenomenology of śūnyatā granting a constant interplay between individual agency and intersubjectivity, and that the ethical is ontologically and phenomenologically a domain which extends well beyond the limits of subjectivity. It is fundamentally social, and it becomes political when we consider how subjective and social formations are shaped by structural conditions. So, this work speaks very directly to the undernourished but growing field of Buddhist ethics, and makes two very distinct claims. Firstly an implicit ethical orientation, that the intensity and radicalness of subjective transformation takes Buddhist ethics somewhat beyond the virtues paradigm (whilst retaining certain meta-ethical and normative similarities with it) and secondly an explicit argument that Mahāyāna Buddhist ethics are simultaneously social and political in character.

As well as engaged Buddhism and Buddhist ethics, I also gesture towards Buddhist political economy and economics, which in terms of contemporary academic scholarship is a virtually non-existent domain of inquiry. There have been academic inquiries into the relation between Buddhism and economics, but only a little on the question of political economy, and virtually nothing on the matter of modern economic science. Yet one of the classic heterodox works in 20th century economics, E.F. Schumacher’s Small is Beautiful, was clearly inspired by (Burmese) Buddhist principles, and although it generated (and still generates) various movements against orthodox market economics, it has not generated a serious attempt to establish a theoretically grounded Buddhist economics. Such a task might not be as farfetched as it sounds, but it would firstly require clarity and precision on normative political questions such as property rights, labour and distributive justice. Such questions are addressed in this work. Whilst I am clearly not engaged in economic ‘science’ in its positivist sense, there are some resonances with particular normative issues which may inform that science.

The relationship of this work to political economy, which I take to encompass a broader socio-historical, ethical and political relationship between material-economic conditions and political ideologies, is far more explicit. As I mentioned in the previous section, one of the over-arching themes of this work is to situate Buddhist thinking more precisely in relation to the political-economic spectrum of Left and Right. There has been tremendous uncertainty and contestation, particularly since the 20th century, with respect to how Buddhist principles might accord with either Marxist influenced socialism or liberal

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14 Most academic engagements are invariably economic histories, such as Gernet, J.; Buddhism in Chinese Society: An Economic History From the Fifth to the Tenth Centuries, (Columbia University Press: New York, 1995, or small appendages to broader studies in ethics, such as chapter 8 of Kalupahana, D.J.; Ethics in Early Buddhism, (Motilal Barnarsidass: New Delhi), 2008 and Chapter 5 of Harvey, P.; An Introduction to Buddhist Ethics, (Cambridge University Press: Cambridge), 2003.
influenced capitalism. The confusions here are still quite palpable. We should here consider the Dalai-lama’s (consistent) assertion that he is a Marxist on moral grounds, the great Buddhist scholar Edward Conze finding curious logical parallels between the *Prajñāpāramitā sūtras* and the dialectical logic of Marx and Kalupahana’s claim that the ethics of earlier Buddhism shares a parallel with the free market logic of Adam Smith. What’s common to every position, is that it is generally predicated on an intuition and is thus never systematically grounded. Thus, this work attempts to pursue a more systematic and well founded position on the relationship between Buddhism and political economy, which I pursue via an engagement with questions on liberty, equality and property rights.

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15 For a cogent account of this in Buddhist South East Asia (particularly Thailand), see Swearer, D.; *Buddhism and Society in South East Asia*, (Anima Books: Chambersburg), 1981.

16 The Dalai-lama has asserted this on numerous occasions. See for example, his speech to the State University of New York in 1990. He says: ‘...I felt along with the Chinese that we may develop Tibet as a modern community, a modern country, and also I had a great attraction to Marxism, especially the Marxism stressing internationalism. Of course, according to the Marxist theory, his main concern was not how to make money, but rather how to distribute, how to utilise these things properly. I think in his economic theory there is some moral principle involved. Anyway, since then I call myself half Marxist and half Buddhist monk.’ In *The Political Philosophy of His Holiness the XIV Dalai Lama*, ed: A.A. Shiromany, (Tibetan Parliamentary and Policy Research Centre: New Delhi), 1998, p48.

17 For a good summary of Conze’s relationship to Marxism and Buddhism, see chapter 11 in Hexman, I.; *Understanding World Religions: an Interdisciplinary Approach*, (Zondervan: Michegan), 2011.

Chapter One

THE MEANING OF EMPTINESS: CONTEXT AND INTERPRETATION OF NĀGĀRJUNA
Introduction

The nature of Nāgārjuna’s philosophical style and method has lent itself to a manifold of very distinct interpretations. Although it is certainly possible, and perhaps fruitful, to read him as an original thinker in his own right, and take his philosophical insights to be somewhat independent of the historical and discursive context in which he wrote, I interpret Nāgārjuna to be speaking overtly within Buddhist orthodoxy and attempting to defend what he considers the fundamental teachings of the Buddha to be – a dialectical reaction against his notion that later Buddhist schools developed problematic metaphysical views. In this sense, although his philosophy is often taken to be original, innovative, and radical, it also in many respects expresses a consistent defence of more orthodox Buddhist claims. The purpose of this chapter is to briefly and schematically present this orthodox context in which I interpret Nāgārjuna’s philosophy of emptiness, a context which deeply involves almost of all the central earlier Buddhist doctrines preserved in the Nikāyas/Āgamas, and the particular Buddhist schools which Nāgārjuna explicitly critiques, in particular the Sarvāstivādins. In presenting this context, I do not claim to offer any original scholarship, either related to Nāgārjuna or any earlier school. My purpose is to explicate the particular doctrines which play an important role in this thesis (i.e. why they might be of moral-political value) and explain how and why they are plausibly connected to Nāgārjuna’s metaphysics of emptiness. The principle philosophical issue is how agency, subjectivity, personhood or ‘the self’ ought to be conceived and how this relates to the phenomenal world.

In section one, I explain which canonical or orthodox earlier Buddhist philosophical views I adopt. The principal view pertains to the nature of the self or agent, and so the first part of this chapter is a brief explanation of how this agent ought to be conceived with respect to the claim that although there is no ātman (eternal and real Self), there are particular cognitive and material subjective processes (skandhas) which function in accordance with a particular metaphysical logic of causation and change (i.e. pratītyasamutpāda & anitya). It is the nature of these processes, in particular the sanskrāraskandha (aggregate of mental formations), which I argue offers a sophisticated moral psychology and philosophy of mind which may be of great value to contemporary moral and political philosophy. I argue that Nāgārjuna clearly presupposes and defends this account of subjectivity, and I adopt it as axiomatic not only because I think that it is consistent with his philosophy of emptiness, but more principally because I think that the philosophy of emptiness is partly an expression of what it means phenomenologically to have that particular kind of moral and soteriological agency. That is, the metaphysics of emptiness provides the most coherent ontological explanation for how such an agent can function. My reasons for this claim will be given in Axiom 2.

Beyond the consistency and resonance with Nāgārjuna, I adopt this view of moral agency as axiomatic because I think it is a compelling philosophical position. This stands as broader claim that the Buddhists
per se, across the spectrum of traditions, have something very valuable to contribute to domains we might now define as philosophy of mind or moral psychology. However, because the mechanics of this philosophy of mind is largely implicit in Nāgārjuna’s own work, my brief explication draws primarily on the *Abhidharmakosa* and associated commentaries, alongside various Pali Nikāyas. I also draw on some secondary scholarship informed by the Theravādin Abhidhamma.¹⁹

In section two I turn to Nāgārjuna directly. The primary doctrine I address is the two truths, and by extension, the relationship between śūnyatā (emptiness), pratītyasamutpāda (dependent co-arising) and svabhāva (substantial self-existence and own self-identity) – the central themes in Nāgārjuna’s philosophy. In doing so, I offer my interpretation of how Nāgārjuna treats and orients the earlier orthodox ideas of agency or personhood, and simultaneously, the nature of the phenomenal world. Again there is little that is original in my treatment of these matters. My aim is simply to explicate with sufficient clarity, such that my interpretation of the two truths (and thus, the philosophical meaning of emptiness) is unambiguous and easy to situate in the context of the wealth of literature on Mādhyamika. The point of this chapter is not to defend my own interpretation against other possible interpretations, or to find reasons to justify or refute Nāgārjuna’s philosophy against other philosophies. It is simply to present my interpretation, such that the metaphysical assumptions which underpin my political orientation are clear.

In order to make this explicit, I arrange my interpretation into three axioms. The purpose of these axioms is purely heuristic. They do not in any way represent foundationalist claims, but are rather a direct and open way of conveying the primary metaphysical assumptions I adopt, and upon which, the rest of the thesis (which is political in character), follows. The subsequent lemmas in the following (political) chapters are all defended philosophically, but these metaphysical axioms are simply assumed. Therefore, the purpose of this chapter is simply to clarify what these assumptions are, rather than to defend them philosophically, philologically or historically.

¹⁹ My view is that on the question of what the skandhas are, how they function and how they are connected to a particular moral-soteriological standpoint, the Theravādin Abhidhamma is not especially distinct from the Sarvāstivādin Abhidharma.
Section (i): Orthodox Buddhist claims about subjectivity

Axiom One: (i) that there is no substantial Self (anātman), (ii) that conventional agency functions as particular cognitive and material processes (the skandhas) & (iii) that the metaphysics of conventional agency necessarily involves dependent causal relations and constant change (pratītyasamutpāda & anitya)

(i) That there is no substantial self (anātman)

Although the Buddha spoke regularly in his discourses about the non-existence of the ātman (substantial or real Self), his method was not always an explicit refutation of the Indian Vedic and Brahmanic traditions of his time which in various ways posit an ātman. His usual discursive method was to be dialogically attuned to the existential problem of duḥkha (unsatisfactoriness or sorrow) in the people he addressed. Thus, the primary context in which anātman is asserted is the context of the various mental and physical phenomena (i.e. the skandhas), which, the Buddha asserted, were what constituted people to be what they are. In this sense, anātman is not necessarily an ontological assertion about subjectivity, but rather a contextual negation of the particular constituents of subjective existence upon which a real Self might be asserted or assumed. For example, viññāna (consciousness) might be assumed to be the ontological grounds for the real existence of ‘a Self,’ but in asserting the consciousness of a person to be anātman (without Self), this possibility is negated. In its negation, the possibility of a person being free from dissatisfaction or dis-ease (i.e. duḥkha) is posited. It is critical to note that nothing is said beyond this negation, and that the negation itself is not tantamount to a denial of subjective existence.

Thus the first sense of anātman is an existential, soteriological and therapeutic context in which possessing the idea of a real Self is held to be a primary cause for sorrow or dissatisfaction, and being literally selfless is the antidote to that condition.

However, despite this primarily existential and soteriological context of the Buddha’s statements about anātman, it is both historically and philosophically justified to place these statements in a wider

20 I.e. by the Buddha through the Pāli Nikāyas and Sanskrit Āgamas.
21 See Anatta-Lakkhana Sutta in Khuddasamyutta (Samyutta Nikāya XXII 59): ‘Form, monks, is not self. If form were the self, this form would not lend itself to dis-ease. It would be possible [to say] with regard to form, ‘Let this form be thus. Let this form not be thus.’ But precisely because form is not self, form lends itself to dis-ease. And it is not possible [to say] with regard to form, ‘Let this form be thus. Let this form not be thus.’ “Feeling is not self... ”Perception is not self... ”[Mental] fabrications are not self... ”Consciousness is not self.” So, it follows that anātman is specifically mentioned in relation to each constituent of subjective existence, and is invoked with the direct purpose of overcoming ‘dis-ease.’” That is, when the selflessness of each constituent is recognised, suffering or unsatisfactoriness (i.e. dis-ease) no longer has a basis. From The Connected Discourses of the Buddha, A Translation of the Samyutta Nikāya, trans: Bkk. Bodhi, (Wisdom Publications: Boston), 2000, p902.
philosophic milieu. In the Nikāya discourses, the Buddha regularly encountered sages or followers of other traditions, who espoused views ranging from materialist forms of hedonism to deep asceticism.23 This gives us a clear context in which a diverse range of metaphysical and moral views about the nature of the Self was manifest – so whether explicitly or implicitly, the Buddha was clearly speaking within the context of existing religio-philosophical traditions.24 In this sense, his use of the term anātman is also clearly one of metaphysical critique. The ātman is principally defined in the Upaniṣads as an eternal and ontologically findable (that is, real and existent) ground for human subjectivity, which has a correlation with the universal grounds of all phenomena, signified Brahman.25

Strictly speaking, the Buddha did not speak in either Pāli or Sanskrit, which are the two primary canonical languages in which the concept of anātman is given to the Indian philosophical traditions of Buddhism.26 So producing an etymology must be undertaken with the qualification that the concept anātman (Sanskrit)/anatta (Pāli) is given in part by the grammars of those particular languages.27 Nonetheless, even if the Buddha discursively deployed the notion of anātman in the specific existential-soteriological context of alleviating duḥkha in his students and interlocutors, the wider refutation of previously existing views about the nature of subjectivity is also clearly given by the concept. Thus we have a second sense of anātman: the metaphysical refutation or denial of realist and eternalist views of the Self. The unfolding of various Buddhist traditions certainly validate this wider point,28 although it could perhaps be argued that such an unfolding departed in certain ways from the original localised discursive context (i.e. such as that found in the Anatta-Lakkhana Sutta).

It is also worth paying heed to how the dimensions of anātman have gained certain connotations in the English language. It is quite common for anātman to be rendered in English, “no-Self” (note that self is usually capitalised). It is also common, especially in non-scholarly popular literature, for the term to be signified “no-ego.” Such translations easily lead to quite radical misunderstandings, because the

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23 See for the example of a discourse with a hedonist, the Māgandiya Sutta (75) & and for the example of a discourse with Jain ascetics the Cūladukkhakhanda Sutta (14) both in the in the Majjhima Nikāya.


25 There are of course, particularly since the development of later orthodox Hindu philosophies, a wide range of contested views about this – but this definition will suffice for the present task. The Chāndogya Upaniṣad says (3.14): “This self (ātman) of mine that lies deep within my heart – it contains all actions, all desires, all smells, and all tastes; it has captured this whole world; it neither speaks nor pays any heed. It is Brahman. On departing from here after death, I will become that.” From Olivelle, P (trans.); The Early Upaniṣads, (OUP: Munshiram), 1998, p209. See also Radhakrishnan, S.; ‘Philosophy of the Upaniṣads’ in Indian Philosophy, (George Allen & Unwin: London), 1966, pp169-173 & Radhakrishnan, S.; ‘Introduction’ in The Principal Upaniṣads, (George Allen & Unwin:London), 1969, p77.

26 Contemporary scholarship seems relatively settled that although he may have spoken in numerous languages, his native language was Magadhi. See Mizuno, K.; Buddhist Sutras: Origin, Development, Transmission, (Kosei Publishing: Tokyo), 1995, pp17-36.

27 For example, in Sanskrit, the term anātman very succinctly procures the philosophical meaning of an explicit refutation of the concept of ātman. An is the negative particle, ātman is the object of negation. So an means quite literally and cogently “there is not an ātman.”

28 Particularly later Indian Buddhist traditions which were much more explicitly involved in philosophical dialectics with non-Buddhist schools, especially concerning the question of subjectivity.
terms ‘Self’ and ‘ego’ are extremely loaded terms, both in the history of western philosophy and in the ordinary parlance. When the word ‘ego’ is deployed in a contemporary (western) Buddhist context, it is usually deployed as a contrary to the Buddhist version of subjectivity – but it is not always clear what precisely it signifies. Ego could refer to the Cartesian Cogito, or Kantian/Husserlian transcendental variants thereof. It could refer to the Freudian intermediary between the unconscious and the super ego. It could refer to the Benthamite sense of individual pleasure seeking and utility maximisation. All of these are radically different accounts of subjectivity. Of course the context is critical to what sense of meaning is granted by the term, but often, such a context may simply be a straw man contrary with which to sharply demarcate the ‘correct’ Buddhist account of subjectivity. It often seems to signify the sense of an (undesirable) ethical or psychological state of intense self-interest or narcissism.

The ambiguity here is indicative of the difficulty in translating a subtle meaning across cultures and traditions. I think that the English distinction between ego/non-ego highlights a third important and quite distinct sense of the term an/ātman, which is closely connected to the first two, but which is basically psychological in character. This third sense of ātman is the tacit and ingrained psychological tendency to imagine, construct and hold onto a fixed idea of real and permanent selfhood and identity. This notion is complex and manifests itself in various ways through the history of Buddhist thinking and practice and is certainly at the core of its soteriological trajectory. The claim here is that the ātman is not purely a specific philosophical/religious idea which is genealogically rooted in the Upaniṣads and established (in different ways) through various (orthodox) Indian texts, traditions, sages and philosophers - it is not just a metaphysical idea to be refuted on the level of ideas. It is something more palpably ingrained as a kind of cognitive error that subsists and endures as a core human disposition, and is best defined as the Buddhist appropriation of the concept of avidyā (ignorance). The implication is that one does not necessarily consciously form the idea of having an ātman by studying the Upaniṣads, bathing in the Ganges and slowly developing the philosophical view of it. The Buddhist conception of avidyā is that even if a given person exists remote from any philosophical enquiry into the nature of their subjectivity, they are nonetheless still going to implicitly have some sense that they are or possess an ātman. Which means that they are likely to tacitly assume that they exist in a particular way. Namely, that they have some kind of substantial ground, some kind of eternal permanence and some kind of ontologically findable existence. This sense in particular will play a robust role throughout the thesis, in connection to the way that I treat Nāgārjuna’s interpretation of svabhāva.

Clearly there are subtle differences and continuities between these three senses of an/ātman. The first sense highlights that there is a critical soteriological insight and value at stake, which opens up the orthodox Buddhist mārga (path) from subjective states of unfreedom to freedom. The second sense, the metaphysical refutation of ātman, gives the basic ground and sets the parameters for thinking philosophically about the Buddhist view of agency. It is uncontroversial in its meaning: the Buddhist
The agent cannot be thought of as eternal, ontologically findable (really existent) or possessing independent or self-sufficient substance. The metaphysical claim that agents are ‘an’ ātman is directly connected with the idea of śānyatā (emptiness) and thus orients us definitively towards the later development of metaphysical and epistemological traditions of Buddhism, including of course, Nāgārjuna’s philosophy of emptiness. Even if there are some good causes to doubt the Buddha’s willingness to actively engage in metaphysical speculation, there should be no dispute about the second *metaphysical* sense of the meaning of anātman.

The third sense is clearly related to and embedded in the metaphysical, but is also strongly grounded in a domain that might be defined as the *psychological*, and I am apt to treat as the *phenomenological*. That is, most consideration is given to the actual embodied perceptions and cognitions which operate to obscure the reality of selflessness. The psychologically grounded claim is that human nature ought to be understood as generally or in most cases afflicted with specific perceptual and cognitive errors. Thus, the ātman, in this context, refers to a *mistaken psychological apprehension* which occurs on the level of the ordinary embodied human subject. It is not an abstract metaphysical claim, it is a lived and experienced reality which has the characteristic of being phenomenologically erroneous. It is erroneous in the sense of being an illusory or illusion-like *unreality*, a visceral, constructed barrier to or imposition upon the ‘valid’ phenomenological apprehension of reality. So the third sense in which Buddhist thinkers use the terms an/ātman is somewhat divorced from its genealogical Vedic and Upaniṣadic metaphysical context. It refers much more to discourses within the Buddhist traditions, immutably connected with the psychological and phenomenological claims that human agency is driven by various kleśas (afflictions), the most fundamental being the psychological trait of thinking, feeling and tacitly assuming that there is a substantial and real Self. Avidyā is most intrinsically this, and mokṣa (liberation) is most intrinsically the overcoming of this.

These three senses of the terms an/ātman are axiomatic to this work in the following way: they are the basis for thinking about what it means to have an empty and not-empty conventional agent. As I will explain in axiom 2, ātman is a direct synonym for the emptiness of agency, and is thus, according to Nāgārjuna, an expression of its ‘ultimate reality’. In axiom 3, I will explain that ātman, in both its metaphysical sense and its psychological sense, is expressive of illusory, reified or concealed modes of subjectivity. In many respects, the structure of my political orientation follows these metaphysical,

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29 Candrakīrti’s account of the ātman is cogently expressed as follows: (112) ‘The self as conceptualised by non-Buddhist philosophers is eternal, inactive, without qualities, a nonagent, and the partaker [of all objects of knowledge].’ In Mādhyamakavatāra, (chapter 6, stanza 121), from Huntington, C.W.Jr (trans); *The Emptiness of Emptiness*, (University of Hawaii Press; Honolulu), 1989, p171.

30 This orientation is clearly given in the Nikāyas – For example, Sutta’s 121 to 130 in the *Majjhima Nikāya* are all categorised as discourses on emptiness.

psychological and phenomenological distinctions. It opens up a root political problem, namely reification and ideology (upon which pernicious social-political effects follow), alongside a plausible method to address it.

(ii) Conventional agency functions as particular cognitive and material processes (the skandhas)

As I have made clear, the meaning of anātman is grammatically, metaphysically, psychologically and phenomenologically a negation. This methodology of negation often works as a powerful disincentive to pursue more positive or constructive ideas about Buddhist metaphysics in general, and ideas about the Buddhist conception of subjectivity in particular. In some traditions, including many which consider Nāgārjuna to be seminal, there is a sceptical and pragmatic epistemological orientation which turns this disincentive into a philosophical and/or soteriological position, whereby the very possibility of asserting any metaphysical view about subjectivity is held to contravene the claim that there is no ātman.32 I will analyse this epistemic-soteriological orientation more closely in A2, but if we return to the Nikāyas, it is very clear that the question and problematic of the subject does not begin and end with act of negation. The Buddha does not merely assert that there is no ātman.

In the context of the absence of a real, eternal and substantial Self, there is the more positive or constructive account of what precisely constitutes human agency, in the form of the theory of the skandhas (heaps, aggregates or constituents of subjective existence). This theory was elaborated by the Buddha, as part of the logic of anātman. That is, each aggregate was specifically mentioned as “not containing or giving rise to a self.”33 So, whilst the negation clearly denies the possibility of an enduring, substantial and real Self, the other side of this negation procures the aggregates as they are, devoid of ātman: particular unsubstantial subjective processes such as cognition and perception. The theory of the skandhas was conceptually elaborated upon and become a very systematic philosophy/soteriology/moral psychology of human agency with the Abhidharma thinkers from about 150-200 years after the Buddha’s passing. Most subsequent Buddhist schools, including the Mādhyamika school founded by Nāgārjuna, retain in various ways, the skandha theory. No one asserts an account of subjective existence which is not premised on or an extension of the skandha theory. However, I adopt the skandha theory as axiomatic to this inquiry not because it is orthodox and widely

32 By orientation I mean something broader than philosophical arguments. For example the discursive and meditative techniques of koans in the Zen tradition.

33 I am referring to particular Mahāvāna interpretations which hold: 1. that anātman is synonymous with śānyatā, 2. that śānyatā is inherently opposed to or beyond conceptual thinking, and 3. that asserting any kind of metaphysical claim about reality (an assertion, which, made through language is necessarily conceptual) contravenes the very reality one is trying to assert. Certain interpretations of the praṇītāpratīttā sūtras exemplify this logic as well particular interpretations of Madhyamaka (see for example Jñānamitra’s reading of The Heart Sūtra in Lopez, D.S Jr.; The Heart Sūtra Explained, (SUNY Press: Albany), 1988, p99 & Huntington’s interpretation of Candrakīrti in The Emptiness of Emptiness. As will become clearer in A2 & A3, I do not interpret the relationship between śānyatā and agency in this fashion.

34 See for example, Anatta-Lakkhana Sutta XXII 59 (in the Sāmyutta Nikāya) & Alagaddāpama Sutta 22 (in the Majjhima Nikāya).
accepted in Buddhist thinking and practice, nor because Nāgārjuna endorses it, but because I think it provides philosophical coherence to Nāgārjuna’s metaphysics of emptiness. That is, once agency is asserted to be empty, some account needs to be given for how empty agents function efficaciously and phenomenologically in the world – and I think that the skandha theory is the best available account for such a task.35

The skandhas are the material, cognitive, perceptual, affective, unconscious and conscious processes of the human mind-body. They are five in number, in Sanskrit: rūpa (material form), vedanā (feeling), samjñā (perceptual recognition), saṃskāra (mental formations and habitual dispositions) and vijñāna (consciousness). In this inquiry, the skandha theory plays a critical role in two ways. Firstly, by being the ‘content’ of conventional subjective existence, that is, what remains after the refutation of ātman, and secondly, as an implication of the first sense, by providing an account for how conventional intention and action (and thus ‘agency’ in the sense of intentional action) may be understood morally and phenomenologically. This provides a foundation for responding to particular ethical and political problematics, for example, how the concept of political liberty ought to be understood and valued (chapter 4). This second sense is especially related to one particular skandha - the saṃskāraskandha - and therefore, my primary purpose in giving a very brief overview of how the five skandhas function, is to make explicit how the saṃskāraskandha is conceptually distinct from the other skandhas, and why such a conception may be important phenomenologically, morally and politically.

The rūpaskandha (the aggregate of material form) refers to the processes which function as a given person’s materiality. It most explicitly refers to the material processes which are necessary for sensory impressions, for example, the parts of the eye and brain necessary to give rise to visual consciousness.36 More generally, it refers simply to a person’s physicality, for example, the biological elements and various systems of the body. In this inquiry, the rūpaskandha is significant because once it is conceived to be empty, a conventional interdependence is granted between the material phenomena of ‘the subjective body’ and external material conditions required for that physical body to persist and endure, an interdependence which I will argue, presupposes forms of social, political and economic organisation. This is expressly analysed in L2, but it is also plays a more implicit role in the question of property ownership (L9 & L10).

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35 The reasons why I think this will become more apparent – in A2, A3, L1 & L6. Briefly, the primary reason is that I take the emptiness of agency to mean that (conventional) agency must be conceived in terms of its relationality and causality – and the skandha theory is the best available explanation of how an agent is enmeshed in causal patterns, habits, effects, relations and formations.

The **vedanāskandha** (the aggregate of feeling) is very succinctly defined as the reactions of pleasure, pain or neutrality which arise in relation to sensory impressions. They are pre-cognitive and pre-conceptual - unmediated reactions to impressions. Therefore, the **vedanāskandha** is not directly related to emotions, affects, appetites and desires, which are all premised on more complex perceptual, conceptual and cognitive activity (i.e. the **samjñā** and **saṃskāraskandhas**). Here it should be noted that although the orthodox Buddhist analysis of the **skandhas** posits a temporal sequence (i.e. sensory impressions occur first, followed by reactions of feeling, followed by perceptual processes etc.), this is purely for heuristic reasons. In the phenomenological experience, the **skandha** processes ought to be taken to be occurring more or less simultaneously. The **vedanāskandha** does not play an especially important role in this inquiry, although to some extent the lack of priority I give to it could be interpreted as critique of political philosophies which understand human (and often animal) moral agency or status squarely in the parameters of pleasure and pain.

The **samjñāskandha** (the aggregate of perceptual discernment and re-cognition) is much harder to succinctly explain, because it refers to a very complex process of perceptual discernment and linguistic naming, which necessarily occurs in the spatial-temporal context of sensory impressions, conceptual knowledge, memory, language and consciousness. The **samjñāskandha** implies a subjective instance of perceptually coming to know a particular phenomenon, which can only occur in the context of a field of other phenomena. It is the internal mental process of distinguishing a particular given phenomena from other particular given phenomena. Embedded in this process of perceptually discerning particular phenomena from other particular phenomena is the imposition of language upon what is given from the previous two **skandhas** (i.e. from the raw (material) sensory intuitions, and unmediated feelings). Thus, in the organisation of sensory impressions into a coherent perception, the process of **samjñā** involves symbolic and communicative elements.

The early Buddhist account of perceptual discernment placed a great deal of emphasis on this notion of signification, with the express purpose of bringing the role and efficacy of language into critical scrutiny. That is, perceiving a chair as a chair, and in that very act of perception imputing the signifier “chair” upon the object, was taken by the early Buddhists to be an extremely significant step away from the actual reality of the signified chair. The soteriological issue is that once the reality of a given particular phenomenal object is replaced by a constructed and symbolic subjective imputation, it then becomes possible for a whole raft of other assumptions to be imputed, many of which may lead to potentially **ākūśala** (ethically and soteriologically unwholesome) actions. Whilst a ‘chair’ may be

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38 See Haldar, A.; *Some Psychological Aspects of Early Buddhist Philosophy Based On Abhidharmakośa of Vasubandhu*, pp 43-47.

39 For an excellent account of this, see Ronkin, N.; *Early Buddhist Metaphysics*, (Routledge/Curzon: Oxen), 2005, pp34-86.
unlikely to generate such imputations or actions, ‘delicious alcoholic beverage’ may be more likely – the logic of problematising perceptual discernment is fundamentally connected to the problematisation of the proliferation of desires and aversions.\textsuperscript{40} One cannot be attracted or averse to particular phenomenal objects, if the act of perception which abstracts those objects from their wider ‘reality’ does not occur in the first instance. Implicitly signifying objects of phenomenal perception is deeply embedded in this process, and so, signification itself may be problematic.

Such a problematic is clearly also central to Mahāyāna thought and practice, where linguistic and conceptual involvement is often considered to be the most fundamental barrier to liberation. The notion of a subjective linguistic-conceptual imputation upon phenomenal reality is a key element in Nāgārjuna’s philosophy, and his entire corpus of work is often interpreted as providing a soteriological method to disrupt or deconstruct that process. I will refer to such interpretations in A2, but the key point here is that perceptual discernment and linguistic signification of phenomena are the simultaneous functions of the samjñāskandha, which are strongly connected with the proliferation of subjective desires and aversions. This sense of implicitly labelling or naming empirical objects is closely connected with avidyā, which is precisely why so much soteriological attention is given to the meditative practice of ‘breaking out of’ language, in certain (especially Sino-Japanese) Mahāyāna traditions. It is considered ‘ignorance’ because it breaks phenomenal reality up into arbitrary, isolated and discrete parts and imbibes that reified reality with characteristics which it does not actually have. This is one of the constitutive features or expressions of the psychological-phenomenological sense of ātman (defined in the previous section). That is, reality is tacitly perceived through a filter or lens of ‘the Self’ when it is in fact devoid of that Self, and through that lens, it becomes fundamentally distorted.

It is also important to note that although I have explained the samjñāskandha in relation to the subjective perception or recognition of empirical phenomena, the function of the samjñāskandha also extends to ārūpa (non-material) content, that is, to the subjective engagements (reading, listening, investigating) with discourses, texts and bodies of existent conceptual knowledge, as well as perceptions of subtle meditative states.\textsuperscript{41} In fact, samjñā has sometimes been translated as ‘ideas.’\textsuperscript{42} For this reason, it is not always considered soteriologically problematic. It may be kuśala or akuśala depending on the content of what is being perceived. The samjñāskandha plays an important, albeit somewhat implicit role throughout this inquiry, particularly with respect to the concealing characteristics of saṃvṛtti-satya

\textsuperscript{40} The problematic is in general the problem of attachment to ‘the sense sphere and material form’ which precludes higher non-sensory and non-material mental (i.e. meditative) states. See Boisvert, M.; The Five Aggregates. Understanding Theravada Psychology and Soteriology, (Wilfrid Laurier University Press: Toronto), 1995, pp77-87.

\textsuperscript{41} See Haldar, A.; Some Psychological Aspects of Early Buddhist Philosophy Based On Abhidharmakośa of Vasubandhu, pp43-44.

(conventional reality), in A3 & L4. In later chapters I explain the logic of concealment with reference to perceptual error, and the sense of this is the basic operation of the samjñāskandha. That is to say, the process of ‘ordinary’ human perception is deeply problematised in a way somewhat reminiscent of the Platonic or Cartesian traditions, albeit from a very distinct metaphysical standpoint.

The sanskāraskandha (the aggregate of mental formations and habitual dispositions) is perhaps the most difficult to explain, and yet, is probably the most important skandha for articulating what makes the Buddhist account of subjectivity distinctly Buddhist. There is nothing especially unusual in the previous three skandhas. Philosophers in every culture and epoch from Plato to Hobbes to Husserl have considered it necessary to give an account of the relation between material bodies, sensory impressions, perceptions, ideas and their connection (or lack of) to an external ‘reality.’ However, within the concept of the sanskāraskandha are the core metaphysics seminal to the Buddhist theory of agency which are very unique in the history of ideas, and very critical to sufficiently understanding Buddhist ethics and soteriological practices. As I will argue (in L1 & L6), it may also be critical in establishing a plausible and fruitful Buddhist politics.

The sanskāraskandha is especially complex and difficult to explicate, because any mental process which does not fit into one of the other four skandhas is simply put there. It is thus expressive of all the possible varieties of mental states which may arise. Despite its critical philosophical and psychological importance, it suffers from a range of generally terse treatments in canonical texts (particularly Abhidharma texts) and in English, a scandalous number of translations, including: ‘the will,’ ‘the intellect,’ ‘the conceptual mind,’ ‘motivation,’ ‘karmic process,’ ‘conditioning,’ ‘mental formations,’ ‘volition,’ ‘dispositions,’ and ‘intentionality.’ Nonetheless, the ambiguity may be quite helpful, because all of these terms, to some extent, articulate the meaning of a functioning sanskāraskandha. The key to unlocking this meaning is to conceive of the agent as necessarily causally and temporally situated, and the sanskāraskandha as essentially an expression of the agent’s causal and temporal trajectory. That is, implicit but absolutely critical to the process of the sanskāraskandha is the Buddhist theory of karma and causation.

Etymologically, karma is derived from the Sanskrit verbal root kṛ which translates as “to make conduct” “to do” “to act.” Despite the widespread misuse of the term in what is now very much part of the common parlance in non-Indian languages, karma is quite coherently rendered by the word “action” although obviously it implies more than a specific discrete instance of action. In the Buddhist context, action (divided into actions of body, speech and mind) is considered to arise out of cetanā (mental

43 The Abhidharmikas list either fifty (Theravādin Abhidhamma) or fifty one (Sarvāstivādin Abhidharma) different types of mental factors, which are the mental states held to be possible, common or dominant in human beings.
Thus, the first important process of the *samskāraskandha* is (again a philosophically loaded term) something like intentionality – actively being directed towards an object (either internal or external), having cognitions and possibly making choices in relation to that object. This implies conceptual activity that operates at a deeper level than the implicit naming of objects of perception (i.e. the symbolic-linguistic aspect of the *samjñāskandha*). So for example if I walk into a room, on the basis of perceptually discerning the chair from the table (*samjñā*), I then decide to sit on the chair because it is likely to be more comfortable and appropriate than standing on the table or sitting on the floor. Both notions, *comfortability* and *appropriateness* are in fact dependent upon a very complex chain of thoughts, attitudes, instincts and habits, all of which are expressive of the functioning of the *samskāraskandha*. These might refer respectively, to my past experiences (memories of other chairs, conceptual knowledge of bodily requirements and desires) and to particular normative values and social conditioning (the cultural awareness that in the west adults don’t usually sit on the floor and that standing on the table instead of sitting for two hours might be considered to be eccentric and strange behaviour). The volitions and mental factors at play in taking the chair to be an object, and deciding to sit on it are historically and causally contextual processes.

What is morally and politically significant about these processes, is that they involve mental formations which are deeply habitual and often highly repetitive, which means that this aspect of agency ought to be considered in terms of *patterns or habits* of thinking and action. Because these patterns and habits (*samskāras*) are casually accumulated over time they, to a very large extent, constitute and determine the agent’s range of possibilities. There are two critically important implications here. The first is seminal to how we ought to ontologically conceive of the Buddhist agent. The functioning of the *samskāraskandha* means that the agent is ontologically defined as a collection of constantly changing mental events, intentions and actions, and is therefore, *always* in process.

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44 Intention is also translated from *samkalpa* which tends to imply a more consciously directed mental event. *Cetanā* has the connotation of an intentional volition which may be very habitual – and that respect, somewhat unreflexive or even unconscious. I will analyse this distinction more fully in L6.

45 I explain the logic of choice making as a conjunction of *chanda* (desire), *cetanā* (volition-intention) and *samkalpa* (conscious intention) more comprehensively in L6.

46 Halder writes: ‘The *samskāras* are non-material in nature and work together with every mind as the associations, instincts and attitudes; the *samskāras* thus precede every other mental function.’ In *Some Psychological Aspects of Early Buddhist Philosophy Based On Abhidharmakośa of Vasubandhu*, p75.

47 Such patterns are generally strong or visible enough to attribute something like character or personality to a given subject - the fact that there is often a certain kind of predictability about a person’s thoughts, choices, opinions, moods and mental states, is accounted for by the Buddhists via the functioning of the *samskāraskandha*.

48 This concept will become more explicit in following section (pratītyasamutpāda and anitya) and in A2 (Nāgārjuna’s orientation).
concern. Secondly, the facticity of always (unavoidably)\textsuperscript{49} accumulating \textit{saṃskāras} gives rise to the necessity to make value judgements about what possibilities inhere in the accumulated dispositions, and by extension, the mental intentions and actions that come from those dispositions. It is therefore the root of Buddhist soteriology, practice and ethics, all of which are intended to transform the kind of \textit{saṃskāras} (and thus, potentialities) arising and manifesting through the agent. Although the basic logic of \textit{nirvāṇa} is squarely defined as a cessation, most principally of \textit{saṃskāras} and the facticity of being subject to or determined by \textit{saṃskāras}, \textit{karma} and causation, such a moment can only arise in dependence upon the accumulation of right kind of dispositions.\textsuperscript{50} Therefore, the question of what are the right kind of dispositions’, that is, in a strong sense, what moral values or virtues are important, and how they may be cultivated, is the central axis upon which the whole structure of the Buddhist \textit{mārga} (path) gains its coherence and possible efficacy.\textsuperscript{51} The implication is that the actual notion of a ‘way’ or ‘path’ gains its metaphysical form via this particular metaphysics of the subject - the noble eightfold path is the blueprint for how agents may avoid accumulating \textit{akusāla saṃskāras}, and actively accumulate \textit{kusāla} ones. Likewise for the six \textit{pāramitās} (perfections) and ten \textit{bhūmis} (bodhisattva grounds) in the Mahāyāna traditions.

However, central to my argument is that there is not only a soteriology at play here, and that this account of agency does not only has relevance for avowed Buddhist practitioners seeking the ultimate (soteriological) form of liberation. This account of agency is not dependent upon how it may be utilised towards certain ends. It is more primarily an account of how human minds work - an ancient Indian philosophy of mind which is strongly connected to (and in some ways an expression of) a moral psychology. In this respect, it may be utilised as a foundation for a moral philosophy and by extension, a political philosophy.\textsuperscript{52} This inquiry is quite deeply predicated on the metaphysics of the \textit{saṃskāraskandha}. Because it is most fundamentally a study of what kind of political, social and economic conditions might be necessary for the flourishing of human potentiality (or more critically, what might conditions might obscure that possibility), there must be some kind of account of how that potentiality ought to be conceived, and how it may come into fruition. The specific questions of political liberty (chapter 4) and political equality (chapter 5) give a political framework for that account, and my account of the \textit{saṃskāraskandha} provides one important element of that equation. It is the nub of my theory of conventional agency, which is entirely adopted from and consistent with Buddhist orthodoxy.

\textsuperscript{49} This sense of unavoidability is the primary reason for why a soteriological strategy is presented by the Buddha as necessary – the facticity of accumulating \textit{saṃskāras}, and thus, actions and the results of those actions (i.e. \textit{karma}) is the root constraint to be overcome.

\textsuperscript{50} Some later Mahāyāna traditions deny this on the basis that \textit{nirvāṇa}, being unproduced, is not dependent upon anything – but as I will explain in A2, I do not hold this view.

\textsuperscript{51} For an excellent account of this, see Keown, D.; \textit{The Nature of Buddhism Ethics}, pp107-128.

\textsuperscript{52} It is precisely in this sense that there is a connection with how Aristotle, and some contemporary Aristotelians, understand the nature and purpose of political life – that the structure of a constitution, the role of a state, the purpose of laws is at least partly to engender \textit{virtuous dispositions} in the polity. That kind of claim depends upon a ‘dispositional’ theory of the subject.
As will become clear throughout this inquiry, I bracket the specifically Buddhist soteriological account of potentiality, but retain as central the claim that agents are always producing causally connected dispositions, and almost always have the possibility of harnessing that production in potentially fruitful ways. This core ethical view is deeply connected to the political question of how a society or polis might be structured, such that fruitful ethical production may be facilitated by institutions, structures and society itself and thus, human potentiality may be closer to being fulfilled.

The viññānaskandha (the aggregate of consciousness) has two primary senses. Firstly, it refers to consciousness per se in all its aspects, or ‘the entire mind’. Secondly and more narrowly, it refers to the ideal side of the raw or unmediated sensory impressions (i.e. the rūpaskandha). These arise in dependence upon the five physical sense faculties, but whereas rūpaskandha refers just to the physical faculties themselves (i.e. ears, tongue etc.) the viññānaskandha refers to the kinds of consciousness that arise when the sense faculties make contact with empirical objects. It also acts to ‘synthesise’ these various types of consciousness into a seemingly coherent ‘whole.’ It is of critical importance in Yogācāra (in fact sometimes called the viññānavada, the consciousness only school), but is not especially significant to this inquiry. The key point is that viññāna does not give rise to a substantial Self. Consciousness is always anātman and therefore always changeable. Perhaps more importantly, the viññānaskandha does not stand alone, but always co-emerges in mutual dependence with the other skandhas and their interrelation with external phenomena. The clear implication is that until the development of Yogācāra, and contrary to other Indian philosophies, consciousness could not be conceived as an isolated object of inquiry – ‘it’ necessarily exists within a matrix of other mental and physical factors (both internal/subjective and external).

(iii) That the metaphysics of conventional agency necessarily involves dependent causal relations and constant change (anitya and pratītyasamutpāda).

If anātman is the negation of real and eternal existence and the skandhas are the positive account of the physiological, cognitive and psychological functions or processes which operate together as agency, then anitya and pratītyasamutpāda (impermanence and dependent co-arising) are the underlying metaphysical claims which underpin the orthodox Buddhist conception of the self. That is, they are the ontological structure of agency.

Anitya appears primarily to be another negation - the refutation of any grounds for permanence, but more deeply, or framed in the positive, it expresses a metaphysics of continual change. It is used in a number of different contexts, ranging from the very coarse and quite obvious assertion that all living things eventually die, to a much more subtle account of phenomenal existence being constantly in

The relationship of anitya to the agent is very fundamental and is implicit in the previous two sections (i.e. anātman & the skandhas). Anātman expresses the lack of a permanent (eternal) basis to subjectivity, and so, procures the metaphysical ground that the agent must be impermanent. Likewise, the skandhas, as processes or functions of the mind-body, express the idea that every cognition, feeling, perception, affect, desire, mental event and so forth, is temporally situated and is thus by nature, only fleeting and constantly subject to change. Therefore the agent is impermanent both metaphysically and functionally. The various discrete parts which operate with some degree of harmony and consistency to produce a coherent subjective experience of the phenomenal world are all themselves both continually changing and subject to decay, as the phenomenal world is too.

The assertion that the agent is impermanent is tied to the early Buddhist account of avidyā in a similar way as anātman, particularly the tacit psychological-phenomenological sense of the term. The connection between them is that because it is somewhat painful or difficult for humans to accept the metaphysical reality of constant change, there is often a psychological tendency to deny this reality and wrongly assume or impute permanence. Such a denial is primarily related to the fear and refusal to acknowledge the reality of death, but is also more generally related to a desire for stability in an inherently unstable phenomenal world. Avidyā in Indian philosophy is always connected to the sense of ‘illusion’, and this is essentially the Buddhist rendering of the term, the most primary illusion being mistaking impermanent phenomena to be permanent. Within the structure of the four noble truths, the human tendency towards an illusion of permanence is deeply related to the existential problem of duḥkha (unsatisfactoriness) and the reason why trṣṇā (craving, obsessive desire) is problematised. Desires geared towards impermanent objects cannot ever yield anything other than impermanent fulfilment, and so, is found by the Buddha to be innately unsatisfactory. Measured against this is the possibility of attaining what is ‘unconditioned’, nirvāṇa, which is the only genuine state of permanence. Therefore, anitya gains its real meaning in earlier Buddhism’s as the existentially undesirable state of the ‘conditioned’ phenomenal world, which, when seen properly for what it is, ought to be abandoned for the permanent unconditioned state of nirvāṇa.

However, perhaps one of Nāgārjuna’s most radical moves is his treatment of this relationship between nirvāṇa and the phenomenal world, sharply bringing into question the concept of an ontological disjuncture between them (I will address this explicitly in L4). The implication is that anitya may be framed more positively as an existential mode of being in the world, if and only if, it is aligned to the correct apprehension of the emptiness of that world. In this sense, the notion of impermanence is connected to the valid epistemic apprehension of conventional reality, which is simultaneously, an

54 For orthodox canonical examples, see the Ariyapariyesanā Sutta (26) & the Dīghanakha Sutta (74), both in the Majjhima Nikāya.
expression of the metaphysics of *pratītyasamutpāda* (dependent co-arising). There is an important sense in which impermanence, dependent co-arising and emptiness are all synonyms expressive of the same metaphysics of reality. This will be explained more fully in A2 & A3.

*Pratītyasamutpāda* was originally taught by the Buddha in the context of the twelve dependent links of existence. The links are an explication of what precisely it means to say that human agents are conditioned by particular phenomena, and how each factor of conditioning is causally dependent upon the previous factor, whilst simultaneously giving rise to the next factor. Therefore the twelve links are presented as a kind of circular causal chain, which is, importantly for how causation is conceived, beginningless and endless. It is in this sense, the Buddha’s account of *saṃsāra* (cyclic existence), and his claim for how this form of constraint may be overcome. Therefore, it is perhaps the most soteriologically and metaphysically important discourse found in the Pāli Nikāyas. The Buddha asserts:

> This dependent origination is profound and appears profound. It is through not understanding, not penetrating this doctrine that this generation has become like a tangled ball of string, covered with a blight, tangled like course grass, unable to pass beyond states of woe, the ill destiny, ruin and the round of birth-and-death.⁵⁷

At stake here is the possibility of realising that the human condition is fundamentally constrained, and simultaneously, that the form of that constraint loses its efficacy when insight into its nature is gained. That is, *sufficiently understanding* the causal logic of dependent co-arising is precisely the way in which liberation is attained, a soteriological thread which is also central to Nāgārjuna’s philosophy of emptiness. In the *Vigrahavyāvartanī* Nāgārjuna writes:

> From whom dependent co-arising prevails, for him merit, the cause of merit, the result of merit, demerit, the cause of demerit and the result of demerit prevail......For whom all that prevails, for him the law concerning the happy and the unhappy states, the attainment of those states, the act of passing beyond those states, the means of passing beyond those states and all worldly conventions are established. ⁵⁸

So what precisely is dependent co-arising? The twelve links⁵⁹ themselves are an account of a given agent’s temporal and causal trajectory into and out of existence, literally in the sense of being born and dying, but also more subtly in the sense of the functional processes which work causally to produce an illusory-permanent sense of ‘real’ self-existence. Links 2 though to 7 are an expression of how the

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⁵⁵ See the *Mahātaṇhāsankhaya sutta* (38) & the *Bahudhātuka sutta* (115), both in the *Majjhima Nikāya* & the *Mahā-nidāna Sutta* (15) in the *Dīgha Nikāya*.

⁵⁶ Conditioned existence is the facticity of a subject being determined in various ways by various conditions (i.e. the biology of the body), and hence, fundamentally unable to experience lasting satisfaction (*duḥkhā*), and thus, fundamentally un-free. The ontological definition of *nirvāṇa* in pre-Mahāyāna traditions is precisely the overcoming of this conditionality - the freedom from determining conditions.


⁵⁹ See in particular *The Nidānasamyutta Sutta* (1-20) in the *Samyutta Nikāya*. 

skandhas operate not merely as physical and mental processes, but as processes which in their operation, produce certain illusory entailments. These entailments are essentially related to an overall effect of subjective solidification or reification, the production of the tacit psychological sense of ātman where fleeting dependent processes are transformed into the illusion of substantiality, permanence and real existence. It is the non-recognition of dependent co-arising which produces those illusory entailments, and the raft of associated stresses or displeasures associated with human existence. It follows that there is an important epistemological element inherent in such a claim. Human freedom requires a clear, reflective knowledge of how precisely this form of constraint occurs. Connected to this is the notion that anātman and pratītyasamutpāda are fundamentally expressions of the same thing, an interpretation which I will assert in A2, is clearly adopted by Nāgārjuna, who considers the former as the ultimate reality of the agent, and the latter the conventional reality. The twelve links are therefore critical in accounting for what the Buddhist agent is and is not. It provides an account for how reificationist or concealing forms of agency occur and for how ‘true’ or ‘unconcealed’ forms of agency may occur, and places these possibilities at the very core of a response to the problem of human constraint and the possibility of human freedom.

However, there is more at stake in these possibilities than simply the existential issue of responding to the problem of human constraint and suffering, even if, some contemporary Buddhist thinkers assert otherwise. By this I mean that although the existential, pragmatic and soteriological implications of dependent co-arising are clearly central, there is also clearly a metaphysics at play within the twelve links. Such a metaphysics, as many later Buddhist philosophers realised, may tell us about more than subjectivity, it may tell us something profound about ‘reality’ per se. This relates primarily to the ontological and logical distinction between being and non-being, a formal distinction which is problematised by the metaphysics of dependent co-arising in the following way: the true or authentic form of agency is the subject always-in-process. The fact that this process constantly includes coming into and out of being (arising and ceasing), and this coming in and coming out always involves a causal dependence, brings into question the possibility of conceiving the metaphysics of the subject in terms

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60 This epistemic possibility will be a critical element throughout the thesis – I will argue (in L6, L7 & LII) that the liberty of a polis depends upon the agents who live within it, having sufficient cognitive conditions to realise this epistemic opportunity.

61 Returning to the earlier problem of translating ātman/anātman (p21-22), we are now in a better position to be more precise about the sense in which the English referent ‘ego’ may be useful to signify forms of subjectivity contrary to anātman. ‘Ego’ is probably closer to the illusory Lacanian “I that I take myself to be” than to either a Cartesian, Utilitarian, narcissistic or Freudian sense of the term. For example 3→consciousness gives rise to 4→name and form: once a person is granted a name which is always attributed to its form, there becomes something stable and unchanging about that person. The name may be taken by the person and others to be an indication of its unity, permanence or substantial existence, where it is not seen that the name is merely an arbitrary signifier attributed to form which in itself is composed of many always changing parts.

62 See Batchelor, S.; Confessions of a Buddhist Atheist, (Spiegel & Grau: New York), 2010; Kalupahana, D.; A History of Buddhist Philosophy Continuities and Discontinuities (University of Hawaii Press: Honolulu), 1992, pp30-60, & Huntington, C.W.Jr.; ‘The Nature of the Mādhyamika trick,’ in Journal of Indian Philosophy, 35 (Springer), 2007, among others who treat Buddhist metaphysical claims as purely existential and pragmatic truths, which have no efficacy beyond soteriology. The idea is that one should not treat existential-soteriological claims as metaphysical claims; that they are true only insofar as they are practically useful to humans attempting to overcome constraint.
of being (i.e. abiding, which is merely the transitory stage between becoming and ceasing). That is, non-being is built into the very logic of being, and therefore, both represent ontological fallacies. This is the kind of argument adopted by Nāgārjuna, so it will be explored more closely in A2. What is important here is to retain the idea that the twelve links procure two senses of the subject being a subject always-in-process. The first sense is on the level the agent’s overall temporal trajectory through life and death, from birth to becoming to death to (re)birth. This has mainly pragmatic, existential and soteriological implications. However, the second sense is within the stages themselves, whereby each stage is itself a process causally dependent upon and therefore conditioned by other processes. So consciousness for example is not something unto itself, but arises in dependence upon mental formations, which as demonstrated in the skandha theory, are habitual patterns temporally acquired and habitually expressed.

This is a theory taken up by Nāgārjuna and the Mādhyamikas and will be addressed in section two. For the moment, it is sufficient to conclude that pratītyasamutpāda is critical in two senses. Firstly that it procures a metaphysical account of subjectivity which holds that agents are always-in-process, and that the specific processes are expressions of particular causes and conditions. Secondly, that it gives a specific metaphysics of causation which implies that all phenomena are contingent, relational and devoid of any essential or substantial attributes in themselves. According to Nāgārjuna, this logic of dependent co-arising denies the possibility of svabhāva (substantial self-existence and own self-identity) and is the conventional side of Nāgārjuna’s metaphysics of emptiness.
Section (ii) - Nāgārjuna’s Orientation of the orthodox Buddhist claims about agency

Axiom Two: that the orthodox claims about agency given in the first axiom are retained by Nāgārjuna, but reoriented in terms of either ultimate or conventional truths/realities

Axiom two has five parts:

(a) Two senses of svabhāva in the Sarvāstivādin Abhidharma

(b) The two truths/realities in Nāgārjuna

(c) Two contrary interpretations of the two truths/realities

(d) How I interpret the two truths/realities

(e) How the two truths/realities orient agency in terms of ultimate and conventional realities

(a) Two senses of svabhāva in the Sarvāstivādin Abhidharma

The profound influence of Nāgārjuna and the Madhyamakan tradition on Mahāyāna Buddhism has brought with it intense philosophical focus on the concept of svabhāva, but such focus is almost always from the perspective of critique. Because svabhāva is the primary object of refutation, and because the proponents of it vanished long ago from Buddhist dialectical history, understanding what the concept actually means or refers to in the context of Sarvāstivādin metaphysics and epistemology is far from clear cut. Svabhāva has been translated as: ‘essence’, ‘substance’ ‘own-nature’, ‘own-being’, ‘self-identity’, ‘self-existence’, ‘inherent existence’, ‘innate existence’, ‘intrinsic existence’ and ‘absolute or ultimate nature’. Some of these terms, particularly essence, substance and innate/intrinsic existence are precise technical terms in western metaphysics, and may refer to quite distinct ontological claims, so to use them without qualification is potentially very misleading. My intention here is simply to define the concept of svabhāva as clearly and succinctly as possible, such that my use of the term is unambiguous.63

In the Sarvāstivādin Abhidharma, the concept of svabhāva has both an ontological sense and an epistemological or phenomenological sense. The ontological sense pertains to the way that phenomenal objects are asserted to have sāmānyalakṣaṇa (primary) and svalakṣaṇa-svabhāva (non-primary)

63 There are quite profound limitations in treating the concept of svabhāva too cursorily or simply, most obviously for the danger of imputing a strawman construction upon the Sarvāstivādins. For a cogent exposition on the concept of svabhāva in the Abhidharma, see Williams, P.M.; ‘On the Abhidharma Ontology,’ in Journal of Indian Philosophy 9, (D. Reidel Publishing co), 1981 & for an interesting account of how later Mādhyamikas understood the concept, see Ames, W.L.; ‘The Notion of Svabhāva in the Thought of Candrakīrti,’ in Journal of Indian Philosophy 10, (D. Reidel Publishing co), 1982.
qualities. The former refers to the irreducible constituents of the object, and thus grants an ontological status of independence from other irreducible constituents. Here it seems quite fitting to use the term ‘substance’ as a translation for svabhāva, because the context is clearly a realist ontological one, in which phenomenal objects are asserted to have ‘their own’ irreducible, independent and substantial parts (dharmas), which is what allows them to be what they are (i.e. to retain their own identity, independent of relations with any other parts or things). Own-being, self-nature and inherent existence are also useful terms to describe this purely ontological sense of svabhāva.

The epistemological or phenomenological sense of svabhāva pertains to the role that intentionality or consciousness plays in the realist-substantialist Sarvāstivādin ontology of phenomenal objects. As Williams points out:

Philosophically, the Sarvāstivādin doctrine was essentially built on the intentionality of consciousness, the theory that all consciousness must be conscious of something, combined with the apriori assumption that therefore the intentional object must exist. The emphasis on the existential status of the intentional object was made possible by a causal theory of cognition, requiring the causal dependence of perceptual consciousness upon its objective referent (italics mine). That is, for the Sarvāstivādins the notion of svalakṣaṇa-svabhāva (non-primary or secondary qualities) is found to be incoherent without some kind of connection to an objectively real object. The subjective-conceptual relation to a thing presupposes that that thing has its own independent existence and identity. I think the term ‘own self-identity’ best captures this sense of svabhāva because it implies the epistemological dimension of how phenomenal things may be conceived. We need not consider why the Sarvāstivādins held such a view, only that there is an epistemic-phenomenological dimension to the concept of svabhāva which is strongly connected to, but nonetheless distinct from the purely ontological sense. In general I will leave svabhāva untranslated, but where I am precisely referring to the ontological sense of the concept, I will use ‘substantial self-existence’ and where precisely referring to the epistemological-phenomenological sense of the concept I will use ‘own self-identity.’ Understanding Nāgārjuna’s critique of svabhāva entails understanding both of those senses, and as I will show, his philosophy of emptiness ought to be treated simultaneously as a metaphysics of the phenomenal world and a phenomenology of subjective apprehensions of that world. My treatment of the concept of svabhāva is principally connected to the phenomenological sense of the term, where I take it to be

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66 Westerhoff defines three kinds of ontological svabhāva – essence, substance and absolute, and argues that Nāgārjuna (and later Madhyamikas) principally refute only substance svabhāva. See Westerhoff, J.; ‘The Madhyamaka Concept of Svabhāva: Ontological and Cognitive Aspects.’
67 Williams, P.M.; ‘On the Abhidharma Ontology,’ in *Journal of Indian Philosophy* 9, p230.
68 Williams offers a number of plausible explanations for why the Sarvāstivādins held that to be the case – but they are not relevant here.
synonymous with the idea of subjective reification and more broadly, the political problematic of
ideology. In many respects this goes well beyond the Sarvāstivādin metaphysical context and is far
more expressive of the more general Mahāyāna soteriological claim that human freedom requires the
relinquishing of tacit conceptions of substantial self-hood. That is, the primary sense in which I use the
term svabhāva is directly synonymous with the tacit psychological-phenomenological sense of ātman
given in Al.

(b) The two truths/realities in Nāgārjuna

Nāgārjuna’s critique of the concept of svabhāva is given by his insistence that all things must be śūnya
(empty) of substantial self-existence and own self-identity. But despite the relentlessly critical
dialectical tone of his verses in the MMK, his refutation of svabhāva is not purely a negation. The
philosophy of śūnyatā (emptiness) is simultaneously a subtle metaphysics of reality, an embodied
phenomenology of experience and ultimately, a soteriological trajectory expressive of the standpoint of
bodhi (awakening). These dimensions are given by understanding the relationship between the critique
of svabhāva, which is the necessary emptiness of substantial self-existence and own self-identity, and
what remains in the form of a particular metaphysics of causation (pratītyasamutpāda) which is held to
be the (conventional) nature of both the phenomenal world and the agents living in it. That is, the
connection between śūnyatā and pratītyasamutpāda must be considered, if we are to adequately
understand the metaphysical, phenomenological and soteriological elements to Nāgārjuna’s philosophy.
Such a connection is given most directly in his account of the two truths/realities.

In the MMK, the two truths/realities are first asserted in Chapter XXIV, in reference to the Buddha’s
discourses (specifically the discourse on the four noble truths). Nāgārjuna states (8):

The Buddha’s teaching of the Dharma
Is based on two truths:
A truth of worldly convention
And an ultimate truth⁶⁹

Nāgārjuna claims that understanding the two truths is extremely significant (9&10):

Those who do not understand
The distinction drawn between these two truths

Do not understand
The Buddha’s profound truth

Without a foundation in the conventional truth
The significance of the ultimate cannot be taught
Without understanding the significance of the ultimate
Liberation is not achieved.\textsuperscript{70}

Nāgārjuna thus asserts that they are necessary prerequisites to understanding the Buddha’s teaching, without which, liberation is not possible. The standpoint in these verses is clearly epistemological,\textsuperscript{71} in the sense that what is at stake is the possibility of understanding ‘the truth’ or ‘what is true’, and it is only on that basis that liberation can occur. It is also clear that there are two kinds of truth, the conventional truth (\textit{saṃvṛti-satya}) and the ultimate truth (\textit{paramārtha-satya}), and some kind of relation between them. So what are these kinds of truths, and what kind of relation inheres between them? Such a question is perhaps the most controversial and contested philosophical and soteriological issue in Madhyamakan dialectics. My own interpretation is strongly shaped by the dialectics of Tibetan Mādhyamika (which obviously includes developments in later Indian Mādhyamika), which I will make explicit shortly, but let us for the moment remain with the \textit{MMK}.

Returning to the stanza, we can see that ‘the significance of the ultimate’ is deeply connected to the notion of liberation, and the logic of the stanza is that such a liberation cannot happen without ‘a foundation in conventional truth.’ That is, the realisation of the ultimate depends upon ‘the truth of worldly convention.’ But what does Nāgārjuna mean by truth of worldly convention? In this context, the truth of worldly convention implies the discourses of the Buddha, specifically the four noble truths (which is what the chapter is about), and more broadly, the Buddhist dharma, and perhaps more broadly still, any kind of ordinary discourse. They are considered conventional by Nāgārjuna precisely because they are linguistic and conceptual phenomena, words and ideas spoken in a shared socio-linguistic community, and thus, filled with the numerous assumptions (about reality) which are embedded in any ordinary discourse.\textsuperscript{72} So Nāgārjuna is asserting that one cannot apprehend the ultimate truth without relying upon discourses which have the character of being only conventionally true, true only in the

\textsuperscript{70} Nāgārjuna.; \textit{MMK}, trans: J.L.Garfield, p68.

\textsuperscript{71} I will demonstrate shortly that the standpoint in other verses is metaphysical, meaning that for Nāgārjuna ‘satya’ can mean either ‘truth’ or ‘reality’ depending on the semantic context.

\textsuperscript{72} There is much debate about the degree to which Nāgārjuna ought to be interpreted as offering a plausible position with respect to the philosophy of language. Clearly this theme arose more strongly as Madhyamaka developed dialectically through time. As Berger shows it is far more explicit in Candrakīrti for example - see Berger, D.L.; ‘Acquiring emptiness: interpreting Nāgārjuna’s MMK 24:18’ in \textit{Philosophy East & West Volume 60, Number 1}, (University of Hawai Press), January 2010. For a good account of how conventional language works in the \textit{MMK}, see Ho, C.-H.; ‘Nāgārjuna’s Critique of Language’ in \textit{Asian Philosophy Vol. 20, No. 2}, (Routledge), July 2010.
context of loka or common (worldly, generally empirical) conventional assumptions about reality. Importantly, the ultimate truth to which the conventional discourses of the Buddha lead towards, completely eludes signification and therefore cannot be expressed, so it follows that any assertion about the ultimate truth is also necessarily conventional.\textsuperscript{73}

Therefore, the first sense of the two truths relates most fully to the relationship between language, concepts, the assumptions about reality they contain, with the way that the achievement of liberation is connected to and depends upon those discursive conventions. The argument is simply that if one wishes to know and apprehend the ultimate truth, one must first learn conventional Buddhist dharmas such as the four noble truths and the twelve links.\textsuperscript{74} The latter is what leads to the former. The question of what kind of epistemic status those conventional dharmas (in the discursive sense of the term), and indeed, the basic conventions of language per se, ought to have, given that they are not ‘ultimately’ true, is an extremely contested question which I will return to shortly.\textsuperscript{75} For now it is sufficient simply to hold that the first sense of the two truths is an epistemological reference to the way that language and concepts operate without any intrinsic relationship to the ultimate truth about reality, but which are necessary and useful in certain ways to allude to this ultimate truth. This is more or less an assertion of linguistic dependence. Given that Nāgārjuna cannot make any conceptual predications directly about the ultimate truth, how does he allude to or characterise it?

Clearly the ultimate truth is connected to ‘the achievement of liberation.’ Here we have a semantic difficulty, in the sense that such an achievement must be a kind of subjective experience or attainment which includes, but also goes well beyond the discipline of epistemology. The epistemic standpoint, of understanding the significance of the ultimate, is also phenomenological and ontological, in the sense that reality is experienced in a particular kind of way. It is the experience of reality which is held to be ultimately true (in the sense of being non-deceptive). That is ‘ultimate truth’ is not just a truth claim about reality; it is simultaneously an expression of what it is to experience reality as it ultimately is. The meaning of satya is thus expressive of truth and reality. And for all the contestations and ambiguities generated by Nāgārjuna, no one denies that this ultimate satya refers to śūnyatā: emptiness is the ultimate truth and reality, which may be both truly understood (epistemic sense) and truly experienced as reality (phenomenological and ontological sense). This is the sense in which Nāgārjuna asserts that ‘liberation may be achieved’– the notion of liberation pertains to a phenomenological apprehension of emptiness. Thus, the concept/truth/reality of emptiness is not just an epistemic claim

\textsuperscript{73} See Nāgārjuna \textit{MMK} XXVII, (30). Garfield succinctly encapsulates this well known passage when he writes: ‘Hence Nāgārjuna acknowledges that, having announced in the dedication that nothing can be said truly about the final nature of things and having defended this thesis exhaustively in the text, his words and those of the Buddha cannot even be taken as literally true about the final nature of things.’ In Garfield, J.L.; \textit{The Fundamental Wisdom of the Middle Way}, (OUP: Oxford), 1995, pp356-7.

\textsuperscript{74} Nāgārjuna deals with both of these explicitly in the \textit{MMK}, in chapters XXIV & XXVI respectively.

\textsuperscript{75} Namely, what is the onto-epistemic status of conventional truth/reality?
about the nature of reality, nor just an *ontological* claim about the nature of reality, but also a phenomenological standpoint which embodies *both*. Because of this sense, I am apt to characterise *paramārtha-satya* as a ‘phenomenological apprehension of the emptiness of things’, but there are also times when I refer just to its epistemic sense (emptiness as truth) and also just to its ontological sense (emptiness as reality). This clarifies the notion of ultimate truth-reality, but what about *emptiness*? What does it mean to assert that the ultimate truth-reality is *emptiness*?

In Chapter XXIV 16 & 17, Nāgārjuna writes:

If you perceive the existence of all things
In terms of their essence (svabhāva)
Then this perception of all things
Will be without the perception of causes and conditions.

Effects and causes
And agent and action
And conditions and arising and ceasing
And effects will be rendered impossible.

These two verses are representative of the reductio techniques deployed throughout the *MMK*. Nāgārjuna is not giving a positive characterisation of what emptiness is. His aforementioned claims about language and concepts (i.e. *samvṛtī-satya*) preclude such a possibility. He is rather highlighting the problematic entailments of perceiving things in terms of their *svabhāva*. His claim is that if one perceives phenomena as substantially self-existent, then such a perception would take those things to be independent of causes and conditions. Their own substantially self-existent properties make them what they are, rather than any relations of causation. And the broader *ontological* claim is that such a perception denies causation per se, and in so doing, denies the possibility of things arising and ceasing in the first instance. That is, if phenomenal things have *svabhāva* (in the ontological sense), they cannot relate or change, and it follows, that if all phenomenal things cannot relate or change, then the entire phenomenal world would be static and immutable.

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76 The sense in which I will use the term ‘phenomenology’ (throughout) is a reference to the 20th century philosophical tradition emerging from Husserl (particularly Merleau-Ponty) and I use it as a referent for embodied subjective apprehensions of the phenomenal world.

77 Following the previous section, as Perrett and Westerhoff have problematised the translation of ‘essence’ for *svabhāva*, the sense of *svabhāva* implied here would be the ontological sense of substantial self-existence. However, in the following sentence, because Nāgārjuna connects that to perception, the appropriate sense of *svabhāva* in that context would be own self-identity.

78 Nāgārjuna; *MMK*, trans: J.L.Garfield, p69.

79 Nāgārjuna clearly asserts this in (28) when he writes: ‘If there is essence (*svabhāva*), the whole world/ will be unarising, unceasing/ And static. The entire phenomenal world/ Would be immutable.’ In *MMK*, trans: J.L.Garfield, p72.
negation of svabhāva. It is what is left as truth and reality, when this predication and perception of svabhāva is relinquished. In this respect, emptiness as paramārtha-satya is not an epistemic truth or ontic reality per se, it is rather a necessary corrective to the fallacious assertion or perception of svabhāva. Yet, because once such predications and perceptions are removed, we are left with a certain kind of reality, there is also a sense in which Nāgārjuna is implicitly making ontological claims about that reality. Such claims clearly pertain to causation, change and relationality, because the critique of svabhāva gains all of its coherence by demonstrating that such a predication cannot account for these things. Thus, the implicit ontological claim about reality (or things in that reality), is that it must have those features: causation, change and relationality.

Continuing with chapter XXIV, Nāgārjuna invites us to consider the relationship between the two truths with respect to entities/things/phenomena, as well as to language and conceptual imputation. He writes (18 & 19):

Whatever is dependently co-arisen
That is explained to be emptiness
That, being a dependent designation
Is itself the middle way

Something that is not dependently arisen,
Such a thing does not exist.
Therefore a nonempty thing
Does not exist.  

Here the relation between emptiness, entities and language is given by the concept of ‘dependent designation.’ This implies that objects in the phenomenal world are what they are by virtue of the signifiers by which they are perceived and referred to, which is consistent with the orthodox Buddhist assertion of nominalism or linguistic dependence. So, there is no chair without the subjective mental imputation and linguistic signification of ‘chair’ – the chair depends upon this mental-verbal designation in order to be what it is. Because it cannot be a chair without such a designation, it cannot be granted independent existence, and therefore, it is empty of svabhāva (in the epistemic sense of its own self-identity). Here, we are still on the epistemic level, in which saṃvṛti-satya has the meaning of conventional truth. The chair is true as a chair, only because of the conventions of language.

However, the preceding line and following stanza clearly asserts that emptiness is not just dependent designation, it is also ‘whatever is dependently arisen.’ This is a critical point, without which, the notion of emptiness could collapse into a form of naive subjective idealism. Whatever is dependently arisen refers to any objects of the phenomenal or mental world, which are necessarily (by virtue of the negation of $svabhāva$ as substantial self-existence) imbued with the metaphysics of causation given by the logic of $pratītyasamutpāda$. That is, Nāgārjuna is referring here to the way phenomena exist (conventionally), simultaneous to verbal designation, but not merely an expression of verbal designation. This implies a given phenomenal object having a causal trajectory and field of relations preceding (and therefore temporally prior to and initially independent from) a subjective apprehension of that given object which results in a verbal designation. However, this does not give us an implicit version of realism. There is an important sense in which ‘that object’ cannot really be an object in any realist sense, because it ‘is’ nothing over and above its causal trajectory, field of dependent relations and subjective imputations. It is what it is only in virtue of all of these things, which implies that its being apprehended will necessarily change what it is.

The analysis of phenomena is more extensively given in other chapters in the $MMK$, such as chapter VII (an examination of the conditioned). The key point here is that the referent ‘$satya$’ is expressive of reality as well as truth. Just as there is both an ontological and epistemological-phenomenological sense of the Sarvāstivādin referent $svabhāva$, so it is that both of those senses play an important role in Nāgārjuna’s trenchant critique of the Sarvāstivādins.

This ontological sense of whatever is dependently arisen is a critical aspect of what $sāṃvṛti$-$satya$ is, because it illustrates the mode of ‘existence’ granted to any phenomena upon which a verbal designation is made (i.e. it is the phenomenal ‘basis’ for conventional existence once the predication of $svabhāva$ as substance is removed). Nāgārjuna asserts this mode of existence as a threefold modality, given via metaphor in the last stanza of VII:

Like a dream, like an illusion,
Like a city of Gandharvas,
So have arising, abiding,
And ceasing been explained.

The meaning of the metaphor is thus: the coming into being of a given phenomenal object is likened to a dream, its abiding is likened to an illusion and its cessation is likened to a city of gandharvas (spirit

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81 I.e. where things are what they are only because of the dependent designation/subjective imputation. This is not an uncommon interpretation of Mādhyamika.

82 Ho puts this succinctly when he writes: ‘For instance, if X is known by Y and the two form an epistemic relation, then both X and Y have changed given this relation of dependency, with X changing from not being known by Y to being known by Y. This implies that both X and Y are devoid of self-nature.’ Ho, C-H.; ‘Nāgārjuna’s Critique of Language,’ in Asian Philosophy Vol. 20, No. 2, (Routledge), July 2010, p2.

83 Nāgārjuna; $MMK$, trans: J.L.Garfield, p34.
musicians). All are thus granted a degree of unreality, meaning that the given object itself is granted a degree of unreality. Here we return to the orthodox notion of *pratītyasamutpāda* and its intimate connection to *anātman* and *anitya* explained in AI. Because non-being is built into the very logic of being, both represent ontological fallacies. Nāgārjuna simply extends this metaphysical conception of subjectivity into a metaphysics of the phenomenal world; the claim is that phenomenal things ought to be conceived (and ultimately apprehended) as dependently co-arising, selfless (a synonym for empty) and impermanent. The meaning of Madhyamaka as *middle way* is most precisely an expression of this ontology which is *in between* being and non-being.

What does it mean to liken the abiding stage, which is a particular phenomena’s *being* manifest, its ‘existence’ or ‘appearance’, to an illusion? That is, if an abiding phenomena such as a tree does not have being, then in what sense, if any, is it ‘real’? And if it is not real in any true sense, then where does that leave the human relationship to the phenomenal world? Is such a relationship entirely erroneous in comparison to the ‘true’ ultimate reality of emptiness? Such questions lie at the heart of the philosophical disputes about the ontological and epistemological status of *saṃvṛti-satya*. In order to clarify my own interpretation, I will briefly account for a contestation about these issues in the Tibetan Mādhyamika.

(c) *Two contrary interpretations of the two truths*

Although there are *many* subtle variations of the two (and sometimes three) truths, I am giving here an explication of the two interpretations which I think are the most distinct from each other, and therefore, the most useful for demonstrating how Nāgārjuna might be understood in quite radically different ways. My intention is principally to present the interpretation which I adopt, which will greatly clarify the aforementioned questions pertaining to the meaning of ‘abiding’ phenomena and thus, to the ontological status of the phenomenal world. This will be the second interpretation, which closely follows the 14th century Tibetan Tsong Khapa. The first interpretation is intended to be a more general characterisation – although I do draw implicitly from Tsong Khapa’s interlocutor Gorampa, and later Tibetan Mādhyamikas such as Mipham (who was clearly influenced by Gorampa’s critique of Tsong Khapa).84

*Interpretation A: Ultimate truth for buddhas, conventional error for ordinary people*

Interpretation A is anchored around the thought that *saṃvṛti-satya* is a straight up synonym for perceptual, conceptual and phenomenological *ignorance*.85 What is at stake here is the ontological status of phenomenal objects, and thus, of the part of *saṃvṛti-satya* pertaining to the aforementioned statement

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84 For a cogent analysis of the philosophical differences and continuities between Tsong Khapa and Gorampa/Mipham, see Pettit, J.W.; *Mipham’s Beacon of Certainty*, (Boston: Wisdom Publications), 1999, pp125-167.
whatever is dependently arisen. Interpreters of Nāgārjuna who favour this view, argue that a conventional phenomena which abides (i.e. seems to exist or have being) and is thus an appearance to human apprehension, only does so on the basis of a deluded perception. The apprehension of the abiding phenomena is a subjective perceptual and cognitive error and it therefore has no valid basis whatsoever. It is not a matter of degrees, the appearance is wholly false and categorically distinct from the (ultimate) reality of the phenomena, which is its emptiness. From this point of view, an abiding conventional phenomena is thus not like an illusion, it is an illusion – a mere appearance without any kind of valid empirical basis. No thing has ever come into being, no thing has ever abided, no thing has ever ceased. The causal history of the object is an illusion and its dependently co-arising existence is an illusion, which continues only for as long as deluded perception remains, and disappears the moment emptiness is directly realised by the previously deluded subject. Critically, dependent co-arising itself, as a particular theory of causation, also disappears amidst this realisation. Thus, conventional reality is nothing more than the verbal designation which is considered to be an edifice, albeit, a potentially useful one in a similar way that poetry is potentially useful in providing aesthetic encounters. However, it is no more than a construction, a conceptual fiction wholly stemming from the agent, which falls away entirely upon the apprehension of emptiness as the ultimate reality.

In this case, the epistemological and the ontological are quite inseparable. In order for reality to be what it really is, it has to be known and apprehended directly as it really is. A valid subjective apprehension is at the heart of the matter, and this valid apprehension implies an actual embodied state of emptiness. Therefore, the ultimate is a phenomenological state in which phenomena are apprehended ‘as they really are’ – mere empty appearances. Such an embodied state of emptiness, usually qualified as ‘buddhahood’, is so qualitatively distinct from ordinary human perception that two truths are required to mark this distinction: there is the ultimate truth, which is the way a Buddha perceives, and a conventional truth, which is the way an ordinary human perceives. The latter completely drops away upon the apprehension of the former.

Only the former is epistemologically valid, and grants a legitimate ontology, insofar as we may call an ineffable viewless view ‘ontological.’ In fact invariably the possibility of ontology is completely denied, and Nāgārjuna’s arguments are interpreted purely as a method to deconstruct that (necessarily

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86 There are many across various (including East Asian) Mahāyāna traditions, but I am referring particularly of the 15th century Tibetan Shakya master Gorampa and the 19th century Rime scholar-master Mipham and more generally the Nyingma presentation of emptiness which is deeply connected to the practice of Dzogchen. Among contemporary western scholars there has been a noted ‘Gelugpa/Tsong Khapa’ bias, but certainly earlier scholars such Murti and Schterbatsky understood the two truths in a similar way. In some respects this is the distinction between appearance and reality; the former being a conventional error, the latter being the true nature of reality which is beyond appearances. For a comprehensive analysis along such lines, see Murti, T.V.R.; *The Central Philosophy of Buddhism: A Study of the Mādhyamika System*, (Allen & Unwin: London), 1955, pp209-335.

87 So it follows that a Buddha cannot perceive or know conventional reality.
erroneous) philosophical tendency. Because the phenomenological apprehension of emptiness involves the complete deconstruction of any conceptual framework, and indeed, the very use of concepts to signify reality, the ultimate standpoint cannot be expressed conceptually. So neither the epistemological validity and ontological legitimacy which stems from that, can be asserted in language. It must remain a silent standpoint, an experience which language can point to, but never directly assert.

It is in precisely this respect that language, logic and conventional teachings about reality, such as the four noble truths, may be granted a purely pragmatic soteriological role in leading a deluded subject into an apprehension of ultimate reality, but once that apprehension is attained, such things are understood to be completely devoid of truth or reality. Therefore, samvṛti-satya is associated most fully with conceptual falsity, delusion and error, modes of seeing and speaking about reality which do not persist once reality is seen correctly for what it is. Any perceptual state which does not ‘see’ the emptiness of phenomena is simply not valid. It is, quite literally, a delusion, and the subjective experience of such a perceiver is curtly labelled an outright illusion devoid of any validity. Any ontological claims stemming from such a perspective are automatically negated as erroneous by virtue of the empirically grounded epistemic errors from which they stem. Conceptuality itself is automatically invalid, because it always and necessarily involves svabhāva.

Such an interpretation of the two truths is implicitly predicated on specific conceptions of both ordinary and awakened minds. Even though, contrary to Yogācāra, mind or consciousness in the Mādhyamika system is held to be empty, the logic of the position is clearly grounded in the standpoints of different possible modes of subjectivity. That is, the two truths are only relevant to convey the distinction between ordinary and awakened apprehension, they serve no other metaphysical purpose and certainly cannot be appropriated as the basis for a particular ontology of phenomenal reality. This standpoint is fundamentally sceptical of the basic possibility of ontology. The interpretation of Nāgārjuna is such that

88 For an argument of this kind, see again Huntington, C.W.Jr.; ‘The Nature of the Mādhyamika trick,’ in Journal of Indian Philosophy.
89 Gorampa distinguishes between a conceptual ultimate (pertaining to dialectics about emptiness) and a non-conceptual ultimate (pure apprehension of reality), but holds that all conceptuality is tantamount to (or expressive of) svabhāva. See Pettit, J.W.; Mipham’s Beacon of Certainty, p139. However, as Priest et al point out, this does not resolve the expressibility paradox. See Deguchi, Y. Garfield, J.L. & Priest, G.; ‘Does a table have Buddha-nature? A moment of yes and no. Answer! But not in words or signs! A response to Mark Siderits,’ in Philosophy East & West Volume 63, Number 3 (University of Hawai’i Press), July 2013.
90 Hence, conventional truth has only a soteriological utility, in that it can lead to the ultimate truth....but in doing so, it ceases to exist.
91 Both Gorampa and Mipham draw upon statements made in Candrakīrti’s Mādhyamakavatara likening the non-emptiness perception to states of seeing with an eye disease. For example, Candrakīrti writes (6. 27): ‘Whatever is perceived with dimmed, defective sight/ Has no validity compared with what is seen by healthy eyes./ Just so, a mind deprived of spotless wisdom/ Has no power to contradict a pure, untainted mind.’ & (29) ‘Those who suffer from an eye disease/ Will falsely think they see black lines and other things./ But healthy eyes will see ‘what is the case.’/Suchness, we should understand, is similar to this.’ In Introduction to the Middle Way, trans: Padmakra Translation Group, (Shambala: Boston), 2004, p72.
he is only engaged dialectically in other ontological views and only insofar as he can prove them to be fundamentally inadequate, erroneous and leading to pernicious and contradictory consequences. He does not – in any way - assert an ontological view of his own. His relationship to metaphysics, and indeed, to philosophy per se, is that they are useful only insofar as they may be properly destroyed, and the subjective ineffable experience of emptiness may arise in its place. In this respect, he is a deconstructionist of the most violent kind, taking not merely a specific concept or tradition to the sword, but the very possibility of philosophical thinking itself. However, what is most critical here is the association of ultimate reality with an embodied state of buddhahood – and not with phenomenal reality per se. It is important to realise that many of the later Mahāyāna traditions which interpret Nāgārjuna and the two truths in this way, do so with the addition of a particular interpretation of the tathāgatagarbha (buddha-nature). Namely, that it is innate (i.e. already existing) in all sentient beings. In this respect, the embodied state of buddhahood may be held to inhere within the ordinary conventional state of mind, and so it follows, that the soteriological task is not to produce awakening (i.e. causally via specifically soteriological oriented actions), but to uncover, unmask or unconceal it. Therefore, sammyrti-satya is closer to the idea of a ‘concealed’ reality and paramārtha-satya the ‘unconcealed’.95

Traditions which understand Nāgārjuna in this way see a natural concomitance between this unconcealed state of ultimate reality and the fruition of the innate tathāgatagarbha, such that neither are related to causal production. In fact, they are an expression of the cessation of causation. The embodied state of emptiness/buddha nature occurs because kleśas (defilements) drop away and ‘the true (paramārtha) state’ is revealed or opened, and not because a certain range of wholesome intentions and actions have transformed the standpoint from an ordinary human one to a connected but distinct enlightened one. That is, enlightenment is not produced and has no relationship to causation, because causation itself is not real or true. The ultimate reality is a state which already inheres within the subject, and just needs to be recognised for what it is. Awakening is fundamentally about recognition. Dharmatā, sānyatā, tathatā, all signifiers for the ultimate, are thus distinct from the causal logic of pratītyasamutpāda. Such causal logic only expresses the way phenomena exist from the conventional point of view, which does not persist once the ultimate is experienced. The implication is both a

94 The famous stanza at the end of the MMK is often made central in this interpretation of Nāgārjuna, XXVII, (30): ‘I prostrate to Gautama/Who through compassion/Taught the true doctrine/Which leads to the relinquishing of all views.’ MMK, trans: J.L.Garfield, p83. Huntington in particular makes this argument in Huntington, C.W.Jr.; ‘The Nature of the Mādhyamika trick,’ in Journal of Indian Philosophy.

95 Garfield and Nagao both point out that one of the etymological connotations of sammyrti is ‘that which conceals or obscures.’ See Garfield, J.L.; The Fundamental Wisdom of the Middle Way, p297. Certainly, later Prāsaṅgikas such as Candrakīrti express conventional truth in precisely that sense, and some thinkers influenced by East Asian Mahāyāna have drawn a resonance with the Heideggerian notion of Da-Sein (as a kind of being which conceals and uncovers Being). See Stambaugh, J.; Impermanence is Buddha-Nature: Dogen’s Understanding of Temporality, (University of Hawaii Press: Honolulu), 1990, pp24-72.
soteriological and metaphysical outlook which is radically different from the emphasis (moral and soteriological, as well as metaphysical) given to causation in earlier Buddhism’s – which is perhaps why they may to some extent be disparaged as ‘lower vehicles’ by some of these traditions. This implication is also politically significant, and I will at times refer to this kind of interpretation as expressive of a political orientation which denies the possibility of normativity (because it denies conceptuality, and thus the conceptual distinctions necessary to derive normative value), and may thus be led in the direction of an anarchic, quietist or deconstructive politics.

Interpretation B: emptiness and dependent co-arising as mutually co-emerging

However, the two truths may be understood in another way, which interprets the emphasis given to causation not as a mere conventional-conceptual elaboration which is fundamentally at odds with emptiness, but as entirely concomitant with it, and so, is at the root of Buddhist soteriology, ethics and metaphysics. I think that such a position is given most cogently by the 14th century Tibetan Mādhyamika Tsong Khapa, but outside of the Tibetan traditions (where it is considered something of a Gelugpa anomaly), there is plenty of evidence that this is a very orthodox view that has its roots in the Nikāyas/Āgamas, and Mahāsāṃghika/early Mahāyāna literature. Tsong Khapa’s claim is that dependent co-arising and emptiness are mutually contingent, synonymous and inseparable, and that the two truths are an expression of this inseparability. That is, saṃvṛti-satya is dependent co-arising, and paramārtha-satya is emptiness, both of which occur together simultaneously.

For Tsong Khapa, the distinction between the two is ostensibly epistemological. The two truths constitute a single ontological entity, but that one entity always has two potential conceptual identities. These two conceptual identities are interdependent and mutually supporting. The two truths are considered to be two different perspectives in relation to a single ontological object, both of which are potentially available to any person capable of thinking, perceiving and knowing. Tsong Khapa retains the notion that saṃvṛti-satya is the false or deceptive mode of apprehending and the paramārtha-satya is the non-deceptive mode, but in being mutually supporting and interdependent, the sharp demarcation between them evident in interpretation A is radically undermined. One is indeed the ‘ultimate reality’ of the object and one is not, but it does not follow, as it does for his contemporary Gorampa and the much later Mipham, that saṃvṛti-satya is necessarily a delusion which ceases upon the apprehension of

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96 A compelling argument establishing this claim is made by Valez de Cea in Valez de Cea, A.; ‘Emptiness in the Pali Sutta’s and the Question of Nāgārjuna’s Orthodoxy’ in Philosophy East & West Volume 55, Number 4, (University of Hawai’i Press), October 2005.

97 Tsong Khapa asserts this in numerous places, but perhaps none more directly than in the Lam Rin Chen Mo, where he writes: ‘Therefore, the intelligent should develop an unshakable certainty that the very meaning of emptiness is dependent co-arising,’ in The Great Treatise on the Stages of the Path to Enlightenment Vol 3, trans: The Lamrim translation committee, (Ithaca: Snow Lion), 2002, p139.

the ultimate, because both modes are *always* available, even to agents (i.e. buddhas) who fully apprehend the ultimate reality. That is, the emptiness of a given object *does not* preclude its conventional attributes. In fact, there cannot be one without the other. Tsong Khapa’s claim is that the ultimate nature of a given object, being its emptiness of substantial self-existence and own self-identity, cannot be separated from its conventional nature (i.e. its dependently co-arising attributes such as colour, shape, causal functioning and so forth). So to return to the question of what ontological status an abiding phenomena has (if any), the distinction lies in the idea that any given observing consciousness may apprehend either the conventionally abiding object or the emptiness of that object. One never precludes the other, both are always potentially available, and importantly, both perspectives depend upon each other.

The explicit purpose of this interpretation is to reconcile a seemingly deep contradiction between the fundamental orthodox Buddhist claim that all phenomenal things are caused and that causes always have effects (*pratītyasamutpāda* and *karma*), with the claim that all things are empty of *svabhāva* and that this emptiness is the sole ultimate reality. If, as has been outlined in the first interpretation of the two truths, conventional teachings such as the four noble truths have *no* causal relationship at all to the ultimate reality, that they are merely *upāya* (pragmatic-pedagogical skillful means) to lead a person into an apprehension of emptiness, then it follows that the basic causal logic which underpins them is also *merely* a pedagogical tool, which only has the status of a deceptive and illusory reality. Such an illusory reality ceases in lieu of the apprehension of emptiness. That is, *karma* and causation are mere appearances to deluded minds, and have no efficacy once emptiness is apprehended. Tsong Khapa is deeply committed to refuting that view, of therefore resolving the apparent contradiction between causation and emptiness and thus restoring the orthodox Buddhist claim that things are caused and that causes have effects. Tsong Khapa’s position is summed up succinctly in an influential commentary on his *Lam Rim Chen Mo*:

> ....the meaning of emptiness, that is to say, of [a]‘things’ emptiness of inherent existence, is a meaning manifesting in the context of dependent-arising, the relationship of cause and effect. It does not mean that things do not exist at all in the sense of things being empty of, devoid of, all capacity to perform the functions of cause and effect.\(^{102}\)

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99 I.e. that suffering has a cause and that liberation from suffering can be produced.

100 This leads Huntington to conclude that all philosophy – including all Buddhist dharmas – is merely *propaganda*. It does not contain any truth value, but may be pragmatically useful to ‘turn minds towards’ the ultimate reality. See Huntington, C.W.Jr.; *The Emptiness of Emptiness*, pp105-142.

101 Because, as has already been outlined in interpretation A, conventional reality being a mere fabrication does not endure upon the attainment of the ultimate.

102 Nga-wang-rap-den (likely author); ‘Mchan bzhi sbrags ma,’ in Napper, E (trans & com); *Dependent Arising and Emptiness*, (Wisdom Publications: Boston), 1989, p326.
The key to this reconciliation between emptiness and causation lies in Tsong Khapa determining precisely what Nāgārjuna (and following Mādhyamikas) intend to negate, and what remains after such a negation is undertaken. He was expressly concerned to critique those who either negated too much or too little, leading in the first case to the fault of nihilism (the phenomenal world is denied as a complete illusion) or in the second case to reification (objects of the phenomenal world are implicitly taken to have substantial self-existence). His notion of the middle way is thus an approach which negates the substantial self-existence of phenomenal objects, but not their conventional existence as both dependently arising and linguistically imputed. Importantly, Tsong Khapa does not define ‘convention’ as only that which obscures or conceals. In discussing the Sanskrit term samvṛti, he asserts that:

Convention refers to lack of understanding, or ignorance; that is, that which obscures or conceals the way things really are. This is explained in this way as the Sanskrit term for ‘convention.’ Samvṛti, can mean concealment as well. But not all conventions are said to be concealers. Alternatively, ‘convention’ can be taken to mean mutually dependent. Since things must be mutually dependent, the meaning of ‘untrue’ is that they do not essentially have the ability to stand on their own.

The implication is that samvṛti-satya is sometimes a referent for the dependent co-arising of phenomenal objects and phenomenal reality per se. Therefore, ‘untrue’ simply means ‘without substantial self-existence’ – a metaphysical claim, not an epistemic claim, as the way that phenomena conventionally exist in dependence upon causes, conditions and mental imputations. However it is also a referent for ‘untrue’ in the epistemic sense that that perspective of reality is not the ‘full picture’. Only the perspective of emptiness is granted the status of a real (ultimate) ‘truth’.

One of the profound implications of this interpretation of the two truths, is that Nāgārjuna is interpreted as offering a very subtle metaphysics of the phenomenal world, and therefore, (implicitly) more than simply a pragmatic soteriological and deconstructive strategy. The nub of such a metaphysics is the insistence that every phenomenal object is dependently co-arisen, and is thus, empty of substantial self-existence and own self-identity. In this respect, dependent co-arising becomes the real key to unlocking the liberative potentials of emptiness - both Nāgārjuna and Tsong Khapa regularly assert that it is the

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103 Particularly Āryadeva and Candrakīrti.
104 Napper asserts that it is not precisely clear who Tsong Khapa had in mind as the targets of his critique – the former (i.e. the fault of nihilism) in particular are not known. For the latter (i.e. the fault of attributing intrinsic existence) it is probably Svātāntrika-Mādhyamikas such as Bhāvaviveka. See Napper, E.; Dependent Arising and Emptiness, pp410-424.
105 True existence implies nine possible modes of an entity having ‘own being’ or svabhāva – ultimate establishment, inherent establishment, true establishment, establishment by way of the entities own character, establishment as the entities own reality, establishment as the entities own suchness, establishment by way of the entities own entities, substantial establishment and establishment from the objects own side. The term is most often used to describe inherent, substantial and existence from its own side which accords with the ontological sense of svabhāva I have called ‘substantial self-existence.’ See Napper, E.; Dependent Arising and Emptiness, p47.
107 Although the two truths are simultaneous and mutually supporting, it is very clear in his Rigs pa’i rgya mtsho that the ultimate (as a standpoint) is privileged as the sole true reality of the thing over and above its conventional reality.
foundation for an efficacious soteriological trajectory. The sense here is that if dependent co-arising is seen or understood, the apprehension of emptiness is more likely to follow. This is a similar kind of logic as found in the earlier discourses, where the seeing or understanding the twelve dependent links is what leads to the attainment of *nirvāṇa*. However, although Nāgārjuna, Tsong Khapa and the Mādhyamika tradition are in general clearly focussed on the soteriological implications of their outlook, the claim that all phenomena are simultaneously empty and dependently co-arising may be efficacious in other domains, because it is fundamentally a claim about reality. Such a claim allows an ontological response to the questions I raised earlier: what does it mean to liken the abiding stage of a given phenomena (which is its *being* manifest, its ‘existence’ or ‘appearance’) to an illusion? If an abiding phenomena does not have being, then in what sense, if any, is it ‘real’? And if it is not real in any true sense, then where does that leave the human relationship to the phenomenal world? Is such a relationship entirely erroneous in comparison to the ‘true reality’ of emptiness?

Because the Tsong Khapian interpretation holds the two truths to be mutually dependent, the implication is that the standpoint of ultimate reality is ontologically dependent too. Emptiness is also empty, and therefore, cannot be asserted or experienced independently of phenomena. That is, there is no thing or state called ‘emptiness’ only ‘a perspective of phenomena which are seen in their emptiness,’ - one cannot have emptiness *apart* from conventional phenomena. The ontological implication is that the immanence of the phenomenal world is restored, so to speak, and valid access to it is possible so long as it is recognised as only conventionally true (i.e. dependent). Conventionally abiding phenomena are thus granted a valid dependent existence - there is both epistemic and ontological validity granted to this dependent existence. Epistemologically, such a restoration brings with it the conventionally valid use of language and logic, meaning that propositions can be provisionally asserted and refuted, so long as they are not mistaken for ultimate truths about the final nature of reality. This is perhaps at the root of the distinction with interpretation A – Tsong Khapa’s claim is that conceptual thinking *may* or *may not* impute the predication of *svabhāva*. Where it does not, it is highly useful in developing the right conceptual-analytical view of emptiness, and thus, a necessary soteriological tool in producing the

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108 In the *brTen ’brel bstan pa*, Tsong Khapa writes: ‘Reality, unmade and non-related. Relativity, made and relative; How can these two facts be brought together, In one instance, without contradiction? Of teachers, the Teacher of relativity. Of wisdoms, the wisdom of relativity; These are like the imperial victors of the world, Making you world champion of wisdom, over all. Whatever you taught is penetrated, By means of relativity itself, And since that really becomes Nirvāṇa, No deed of yours does not deliver peace.’ In Thurman, R.A.F (trans & com); *Tsong Khapa’s Speech of Gold in The Essence of True Eloquence*, (Princeton University Press: Princeton), 1984, pp180-181. The sequence of the verses have been modified slightly here.

109 There are very important differences with respect to this example, but recall the aforementioned quote (p32) from the Buddha found in the *Mahā-nidāna Sutta* (15): ‘Deep is this dependent co-arising, and deep its appearance. It’s because of not understanding and not penetrating this Dhamma that this generation is like a tangled skein, a knotted ball of string, like matted rushes and reeds, and does not go beyond transmigration, beyond the planes of deprivation, woe, and bad destinations.’ From *The Long Discourses of the Buddha A Translation of the Dīgha Nikāya*, trans: M.Walshe, p223.
direct phenomenological apprehension of it. The restoration of ontology (that abiding phenomenal entities can be validly treated as conventionally dependent) and epistemology (that conceptual thinking can validly establish the right conventional view) also leads us into the immanence of the political world: the site of emptiness is found just as much in economic exchanges, policy debates and coercive state power, as it is in mountains, trees and meditating monks.

(d) How I interpret the two truths/realities

As should be clear by my account of chapter XXIV (b), I think that Nāgārjuna is clearly establishing the efficacy and truth of dependent co-arising, not denying it as contrary or unrelated to emptiness. Therefore, I find that Tsong Khapa’s interpretation of the two truths to be most accurate and useful in garnering a position on how emptiness should be understood. However, I make one important distinction pertaining to saṃśraya-satya, which is somewhat reminiscent of the Yogācāran concept of three natures and Svātāntrika-Mādhyamikas, Śāntarakṣita and Bhāvaviveka. I think, as Tsong Khapa himself asserts in his Rigs Pa’i Rgya Mtsho, that saṃsraya has two quite distinct senses. One meaning being an ‘all concealing’ obscuring, erroneous fabrication of substantial self-existence and own self-identity imputed upon phenomenal objects, selves and others. And the other the mere absence of substantial self-existence and own self-identity whereby the conventional attributes of an object are apprehended in their conventionally valid dependently co-arising context. The former is an entirely false and deceptive imputation which constitutes the reality of an object to be something which it is not, whereas the latter is simply the perspective which sees the object in its properly conventional - that is, relational, causal and nominal, context.

Tsong Khapa, as an avowed Prāsaṅgika and follower of Candrakīrti, is very firm in holding that there is only one division to be made: that of the ultimate and the conventional, and that the conventional therefore includes everything (or every perspective) that is not emptiness. He asserts that an impaired cognitive process (i.e. someone who is experiencing hallucinations) is distinct from an unimpaired cognitive process, but that both are similarly erroneous as conventional perspectives distinct from the ultimate. I find this to be unacceptably at odds with his assertion that saṃsraya-satya has, as well as ‘concealing’ the meaning of ‘unable to stand on its own,’ and his insistence (in other places) that emptiness and dependent co-arising are mutually dependent and virtual synonyms. Clearly there is a distinction to be made between an apprehension of a conventional object which sees the particular functional attributes of that object, and one which is so impaired that it fundamentally distorts the object

\[110\] See Pettit, J.W.; *Mipham’s Beacon of Certainty*, (Boston: Wisdom Publications), 1999, p157. The considerable polemics in the Tibetan Mādhyamika often boil down to this question of soteriological efficacy – does realising the view of emptiness require conceptual-philosophical analysis, or is that the very thing which must be abandoned?

\[111\] I will further qualify why I think this through an analysis of the emptiness of the person in the following section and also in chapter 2 (II).

beyond what is given by its conventional attributes. To state that they are the same (in being erroneous) is to deny that causal functionality and contingency are metaphysically valid conventional attributes of the object, and profoundly related to its emptiness.\footnote{Garfield is very aware of this distinction when he writes: ‘...one can be correct about conventional truth, in two different but equally important senses. First, ordinary people can be right about the fact that there is a rope on the ground, wrong about the fact that there is a snake there. That there is a rope, not a snake, is, hence, in some sense true. Second, as we have seen, āryas can know the conventional nature of conventional reality in a way that ordinary fools cannot. What is deceptive to fools is not deceptive to āryas, although it is merely conventional. In that sense, too, convention can be seen truly.’ In Garfield, J.L.; ‘Taking the Two Truths Seriously: Authority Regarding Deceptive Reality’ in Philosophy East & West Volume 60, Number 3, (University Hawaii Press), July 2010, p3.}

Therefore, to clarify this potential confusion between the senses of samvṛti, I assert \textit{three} possible conceptual identities upon the single ontological object – the reification of the object as substantially self-existing (samvṛti-satya as concealing and reifying), the conventional apprehension of the object in its dependent co-arising (samvṛti-satya as mutually dependent) and the apprehension of the emptiness of the object (paramārtha-satya as emptiness). I will explain this in more detail and in relation to subjectivity in A3. Suffice to say, there will be significant implications which follow from the two modes of samvṛti-satya being so sharply distinguished. Though principally epistemological, these implications also extend deeply into ethical and political domains.

\textbf{(e) How the two truths/realities orient agency in terms of ultimate and conventional realities}

We can now return to the orthodox Buddhist account of agency (i.e. A1), and ask how it may or may not be connected with Nāgārjuna’s philosophy of emptiness. Nāgārjuna devotes a number of chapters in the \textit{MMK} to what might be termed the subjective side of reality - examining topics such as the relationship between an agent and their actions, the functioning of the senses, the question of what is human constraint, desire and so forth. Whilst these are all extremely relevant in procuring a Nāgārjunian orientation on the topic of subjectivity, it is chapter XVIII (Examination of self and entities) which inquires most directly into the question: how should subjectivity or personhood itself be conceived? Unsurprisingly, the very first stanza presupposes the skandhas, and frames the analysis of the nature of the agent in terms of its possible relation to the skandhas. I will analyse this shortly where I take the skandhas to be an expression of the conventional reality of subjectivity. However, it is stanza 3 which succinctly asserts the primary orthodox Buddhist claim that there is no real or substantial Self (anātman):

\begin{quote}
The ones who do not cling to “me” or “mine”

Do not exist either.

Those who do not cling to “me” or “mine” see accurately,
\end{quote}
So they do not see a self.114

Here it seems as if the very possibility of a self existing is directly negated – agents who do not cling to an idea of subjectivity, are asserted quite plainly to not exist. The following sentence is that such a mode of ‘non-clinging’ gives rise to an accurate mode of perceiving the non-existence of the self. In such a mode (which in being defined as accurate has the epistemological connotation of true), no self can be found. Therefore, the lack or emptiness of a self is the ultimate truth about subjectivity. From the standpoint of emptiness, no self exists. This negation of the self accords with the premise of anātman I outlined in A1 and the notion of clinging illustrates that Nāgārjuna is writing mainly about the third sense of the meaning of anātman, that of the psychological-phenomenological sense in which human agents have the tendency to tacitly assume their own existence as a substantial and permanent self.115 The following stanzas drive home the critical soteriological message that this tacit assumption of self-hood is the primary cause of duḥkha, and that overcoming it is indispensable for liberation116 – a message clearly in accord with earlier Nikāya discourses,117 and taken as very central in just about every Mahāyāna tradition. Just as the Buddha asserted the logic of anātman, Nāgārjuna firmly negates the possibility of their being a substantial, permanent or independently existing Self.

However, as I pointed out earlier, the question of subjectivity in orthodox Buddhist thought does not begin and end with this logic of negation - the Buddha of the Nikāya discourses does not merely assert that there is no ātman, he also offers a more constructive account of the particular constituents which make up the processes of subjectivity (i.e. the skandhas) alongside a metaphysical logic of how they operate as contingent and constantly changing processes (i.e. anitya & pratītyasamutpāda). Nāgārjuna also clearly retains this account in the MMK, where he devotes an entire chapter to an analysis of the skandhas (chapter IV) and frames his negation of the self (in chapter XVIII) via an analysis of how the skandhas cannot, ontologically, give rise to an independent self.118 Moreover, his analysis of the skandhas in chapter IV, clearly establishes that their efficacy is predicated on the causal logic of dependent co-arising and that they cannot be thought coherently in any other fashion:

Apart from the cause of form,

Form cannot be conceived.

114 I am here using the translation of the MMK by Khenpo Tsultrim Gyamtso, which offers a more direct sense in which the ātman is being negated. In Gyamtso, K.T.; The Sun of Wisdom. (Shambhala: Boston), 2003, p115.
116 The verses are: XVIII (4) ‘When views of “I” and “mine” are extinguished/Whether with respect to the internal or external,/The appropriator ceases./This having ceased, birth ceases.’ & (5) ‘Action and misery having ceased, there is nirvāṇa./Action and misery come from conceptual thought./This comes from mental fabrication./Fabrication ceases through emptiness.’ From MMK, trans: J.L.Garfield, p48.
117 See for example the suññatavagga (pali for: collections on emptiness) in the Majjhima Nikāya (121-130).
118 Nāgārjuna writes: XVIII (1) ‘If the self were the aggregates/ It would have arising and ceasing (as properties)/ If it were different from the aggregates./ It would not have the characteristics of the aggregates.’ From MMK, trans: J.L.Garfield, p48.
Apart from form,
The cause of form is not seen.

If apart from the cause of form, there were form,
Form would be without cause.
But nowhere is there an effect
Without a cause.

Nāgārjuna’s argument here is straightforward. The rūpaskandha depends upon causes and conditions in order to be what it is, and those causes themselves cannot be independently existing. This means that all the material constituents of subjectivity arise from causes and conditions and there is a relation of dependency between these causes and their effects. Because the rūpaskandha cannot be conceived apart from its causes and conditions, one cannot abstract the concept of embodiment from its dependent context, and treat it as if it has its own nature, essence or identity. Although he devotes most of the chapter to an analysis of the physical constituents (i.e. rūpa/material form), Nāgārjuna asserts that precisely the same logic applies to the other four skandhas:

Feelings, discrimination and dispositions
And consciousness and all such things
Should be thought of
In the same way as material form.

The clear implication, in thinking about chapters IV and XVIII together, is that although Nāgārjuna asserts that ‘those who do not cling to me or mine do not see a self’, such ‘non-selves’ nonetheless still have operative and functional constituents which make their subjective existence what it is. That is, the skandhas operate, according to the metaphysics of causation given by dependent co-arising, and are thus considered to be the conventional reality of agency. Therefore, Nāgārjuna does not simply establish the utter negation of subjectivity or selfhood, only particular incoherent and untenable conceptions and perceptions of selfhood. There are two things about the agent which Nāgārjuna categorically refutes. Firstly, as has just been mentioned, the functionality of the skandhas cannot involve any substantial self-existence either in ‘themselves’ or in their causes. They are merely dependently co-arising processes, which arise, abide and cease in dependence upon causes conditions and mental imputations.

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120 Nāgārjuna writes XVIII(5): ‘Form itself without a cause/ Is not possible or tenable./ Therefore, think about form, but/ Do not construct theories about form.’ (I.e. do not abstract form from its dependently arising-empty context). From MMK, trans: J.L.Garfield, p12.
Secondly, no additional ‘self’ can be posited on or apart from the basis of the skandhas. Returning to the first stanza of XVIII:

If the self were the aggregates,
It would have arising and ceasing (as properties).
If it were different from the aggregates,
It would not have the characteristics of the aggregates.¹²²

What remains is all the content of A1, reconsidered in terms of conventional and ultimate realities (the metaphysical reality of subjectivity) and truths (the epistemological truth about subjectivity). From the standpoint of the ultimate reality, only the emptiness of the agent is given. Such an idea is precisely that of anātman, the utter selflessness and unfindability of the person. Therefore, the three sense of anātman given in A1 is the ultimate reality and truth about subjectivity: that it is empty of svabhāva. And that this can be conceptually understood and phenomenologically apprehended as an embodied standpoint.

However, from the standpoint of conventional reality and truth, the efficacious functioning of the skandhas accounts for how any given agent interacts with the phenomenal world via sensory intuitions, perceptions, cognitions and so forth. This is predicated on the causal logic and metaphysics of pratītyasamutpāda and anitya. These are the conventional reality and truth about subjectivity: the reality that ‘it’ is composed of contingent processes which arise, abide and cease in dependence upon causes, conditions and mental imputations, and the truth that this is how subjectivity-in-the-world ought to be understood. In this respect, Nāgārjuna is often quite rightly regarded as rescuing earlier Buddhist ideas about subjectivity, from Sarvāstivādin-Abhidharma metaphysics which imputed substantial properties and characteristics upon those earlier conceptions. And in doing so, although presenting in his innovative and subtle dialectical fashion, what is given by Nāgārjuna is an entirely orthodox Buddhist view of ‘the self.’

Axiom three: that the conventional side of agency can be conceived in two ways – agency as a deceptive/concealed mode (reification of agent and phenomena) and agency as a conventionally non-deceptive/dependently functioning mode (dependent co-arising of agent and phenomena).

The relentless philosophical attack undertaken by Nāgārjuna is intended to refute any metaphysical views which posit an enduring substantially self-existent Self, imbued with its own self-identity, alongside the tacit psychological assumption and phenomenological apprehension of such a substantial Self. Saṃvṛti as ‘concealing’ has the connotation that ordinary or everyday modes of subjectivity tend to function according to that tacit assumption. This is clearly asserted to be an erroneous and deceptive view of subjectivity which, so long as it is operative, produces unfortunate and problematic entailments – self, other and world are all perceptually and conceptually reified to exist in a particular way which is sharply contrary to reality. Thus, the primary entailment of this is epistemological. It is a ‘wrong’ view, which can be corrected via analysis. However, it is clearly more than merely an epistemic problem, because the wrongness of this view is also operative and functional in a phenomenological and psychological sense, and overcoming this requires more than conceptual or philosophic analysis, it requires sustained meditative practices. There is a deep soteriological claim here, which is that so long as a person lives, interprets and apprehends contrary to reality, then that person is necessarily condemned to live in a highly unsatisfactory way. It is a central argument of this thesis that such an account contains a highly plausible theory of ideology, which must be taken beyond the soteriological locus of individual persons, and into the (shared) political world. But what precisely does it mean to say that subjectivity can operate in a concealed way, which functions by reifying reality to be something that it is not? How should this sense of ‘reification’ be characterised? Why might this be important for understanding and addressing the political world?

In the MMK and the Vig, Nāgārjuna does not invest much energy in characterising (phenomenologically, psychologically or ethically) the subjective mode of concealment and reification. He simply argues that such a view is categorically mistaken and that “nothing prevails” for him who inheres within or adopts such a view. However, in the Ratnāvalī, he is more explicit (verses 121 & 122):

123 However, this is far more explicit in Candrakīrti’s interpretation of Nāgārjuna (and the unfolding Mādhyamika tradition) than in Nāgārjuna himself.
124 Thurman puts this succinctly when he writes: ‘Wise intuition is the fruit of long philosophic cultivation of critical insight, developed in sustained contemplation of the profound nature of things, until reason transforms instinct and habit, and what one knows rationally to be the case is intuitively felt to be the case.’ In Thurman, R.A.F.; ‘Introduction,’ in Tsong Khapa’s Speech of Gold in The Essence of True Eloquence, p159.
Just as one comes to ruin
Through wrong eating but obtains
Long life, freedom from disease,
Strength, and pleasures through right eating.

So one comes to ruin
Through wrong understanding
But obtains bliss and the highest enlightenment
Through right understanding.\(^{126}\)

The idea here of ‘coming to ruin’ characterises the implications of the concealed mode of subjectivity in strongly soteriological and moral terms. Nāgārjuna is claiming that it is not simply a good thing to develop the correct view of emptiness, he is claiming that if one doesn’t, there is an unavoidable cost, and this is extremely great. Such soteriological-moral claims permeate throughout the Buddhist traditions, which are framed around the concepts of _saṃsāra_ and _duḥkha_. Namely, that bad rebirths, perpetual constraint and endless suffering will ensue for those who fail to achieve liberation. ‘Coming to ruin’ seems to principally imply that.

One of the most canonically influential characterisations of such a view came five to six centuries after Nāgārjuna, via the Indian pundit Śāntideva, who composed a treatise (the _Bodhicharyāvatāra_) which articulated the entailments of subjective concealment in extremely terse and vivid metaphorical language. His very robust and uncompromising position directly links the subjective mode of concealment to soteriological and moral disaster. The implications of living in such a mode are extremely severe.\(^{127}\) Whilst there may have been a certain kind of pragmatic pedagogy in Śāntideva’s work, there is also clearly a philosophical argument which directly links subjective concealment to ethical error. His logic is essentially that if one lives contrary to reality (by reifying self, other and phenomena to be substantially self-existent) then that in itself becomes the basis and root cause for _akuśala_ (unwholesome) actions and hence terrible consequences. In this respect, Śāntideva is not really offering anything particularly original. The earliest Buddhist message was most fundamentally that ignorance is the root cause of unskilful actions, suffering and endless constraint. What’s particular to

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\(^{127}\) Śāntideva writes (chapter 9, verse 155) [those who do not understand emptiness] ‘Are deeply troubled, or else thrilled with joy./ They suffer, strive, contend among themselves./ Slashing, stabbing, injuring each other./ They live their lives engulfed in many evils’ & (163) ‘Sad it is indeed that living beings./ Carried on the flood of bitter pain./ However terrible their plight may be./ Do not perceive they suffer so!’ In _The Way of the Bodhisattva_ (_Bodhicharyāvatāra_), trans: Padmakara translation group, (Boston: Wisdom Publications), 1997, pp159-60.
Śāntideva is that he characterises such a message firmly in the context of Nāgārjuna’s philosophy of emptiness, and particularly, the mode of subjectivity which is concealed and erroneous.\textsuperscript{128}

Therefore, if we are to attempt to characterise the functioning or operation of agency which is reified or concealed, it may be fruitful to think about the connection between the phenomenological experience of perceptual/conceptual reification, with the range of possible actions which occur on the basis of that reification. That is, to consider how conceptually and perceptually attributing substantial self-existence and own self-identity to oneself, other people and things automatically produces pernicious ethical, social and political implications. The argument that Śāntideva makes is that reification produces intentions and actions of self-interest and partiality inclusive of the mental states of aggression and attachment so admonished by earlier Buddhist traditions.\textsuperscript{129} I will explore the political implications of this particularly in L4. For now, it is sufficient simply to state that there is a mode of subjectivity which is deceptive and concealing, in the sense that in its functioning, it perceptually and conceptually reifies self, other and phenomena to be substantially self-existent and imbued with own self-identity. In the tradition which stemmed from Nāgārjuna, such a reification is firstly characterised (especially by Candrakīrti) on an epistemological level as a delusional, fictitious and erroneous fabrication contrary to reality, and secondly characterised (especially by Śāntideva) on a moral level as a mode of subjectivity which automatically produces deeply problematic soteriological, ethical and social entailments. Both of these are grounded in Nāgārjuna’s philosophy of emptiness.

However, the second sense of \textit{samvṛti}, that of ‘not being able to stand on its own’, grants an entirely different possible mode of conventional agency, which although profoundly connected to the ultimate state of emptiness, may nonetheless be thought of as a distinct epistemic standpoint. This mode I am calling ‘mutually dependent’ and it is clearly characterised by the metaphysical logic of dependent co-arising. Understanding this mode of agency entails conceptually and perceptually recognising that self, other and phenomena are all caused, conditioned and imputed. Whilst the \textit{direct} recognition of that is tantamount to a phenomenological apprehension of the emptiness of self, other and phenomena and is asserted to be an extremely lofty attainment, \textit{conceptually} recognising the conventional side of this equation is clearly far more accessible. Here a distinction must be made between a \textit{direct}, phenomenological apprehension of the emptiness of self, other and phenomena (namely, the standpoint of \textit{paramārtha-satya}), and an understanding which is mediated via inference, concepts and perceptions of conventional entities (namely the standpoint of \textit{samvṛti-satya} as mutually dependent). The latter must be granted conventional validity, because it accords with the logic of dependent co-arising, a logic which is inseparable from emptiness. The implication of granting conventional validity to \textit{samvṛti-satya}

\textsuperscript{128} See again chapter 9 of the \textit{Bodhicaryāvatāra}.
\textsuperscript{129} See again Chapter 9, Verse 155 of the \textit{Bodhicaryāvatāra}.
as mutually dependent, is that there is a mode of possible agency which is both immanently available and proximate with the ultimate reality of agency. That is, in being an expression of dependent co-arising, it is related to the emptiness of agency, and thus, to the ultimately true reality of subjectivity. Yet, it is not necessarily a lofty or advanced attainment which lies far beyond the capacity of ordinary human beings. But how should this state be characterised?

Samvṛti as ‘not being able to stand on its own’ clearly implies a mode of agency characterised by interdependence and relationality. On an epistemological level, Ho writes:

If X is known by Y and the two form an epistemic relation, then both X and Y have changed given this relation of dependency, with X changing from not being known by Y to being known by Y. This implies that both X and Y are devoid of self-nature.¹³⁰

This has an obvious ethical and phenomenological consequence. When dependently co-arising persons recognise their dependently co-arising nature, their encounter or mode of relating will reflect that recognition. Both will be necessarily be changed by the relation. This differs sharply from samvṛti as ‘concealing’ where those attributes and functions would be (erroneously) conceived as substantially self-existing. The demarcation is therefore, between a mode of agency which ‘falsely’ establishes a domain of intrinsic autonomy and on that basis, own self-identity, and a mode of agency which grants a domain of conventionally true dependence and relationality. The moral implication is that the basis for self-interest and partiality is undermined in the conventionally true mode, opening up the possibility of non-self-interested modes of relating. Kalupahana formulates this succinctly:

The notion of dependent co-arising established by Nāgārjuna is simply free from any idea of self-causation involving substance of self-nature, and in that sense, is “inherently peaceful.” It does not contribute to the notion of a self (ātman, svabhāva) or “other” (para) and, as a result, does not generate lust (rāga) or hatred (dveṣa), attachment or aversion.¹³¹

The implication here is very profound for the task of political philosophy,¹³² because subjectivity (in this second sense) can be validly conventionally conceptualised to be relational and social. In this sense, there is a usable ontic-phenomenological account of human nature - there is no self which stands on its own, outside of a complex network of causes, conditions and imputations. This naturally aligns with particular domains of sociology and political philosophy, where agency is not abstracted from its dependent relationships (i.e. to other agents, to power relations, to structures, to ecological factors, to historical forces and so forth). However, it does not erase agency altogether, by treating the ontic reality of subjectivity as a mere fiction or expression of relatively arbitrary and contingent historical, discursive and structural forces. Many political, moral, economic and sociological theories slide into one of those extremes, either reifying agency to be substantially self-existent or imbued with its own self-identity.

¹³¹ Kalupahana, D.J.; Mūlamadhyamakakārikā of Nāgārjuna. The Philosophy of the Middle Way, p169.
¹³² I explicitly connect this argument to the concept of political equality in L8 & L11.
or erasing agency altogether. Agonal political positions can often boil down to contestation on the problematic of whether human agency should be conceived in individualist or collectivist terms. Central to my argument is that Nāgārjuna’s philosophy proposes a political middle way between those poles.

Nāgārjuna’s philosophy of emptiness, leave us with idea that the agent can only be one of two things—conventionally relational, contingent and part of a complex network of interdependence, or, ultimately empty. From an awakened vantage point, it is both and from an unawakened vantage point, it is only the former, with the latter only being available via inference. The third possibility, that the subject is substantially self-existent and imbued with its own self-identity has no reality at all, except insofar as dreams, illusions and delusions may be granted a certain kind of imaginary reality. As I will show in L4, such an imaginary reality may indeed be potent, and critical to the task of political philosophy.
Chapter Two

EMPTINESS, STRUCTURE & AGENCY: HOW WE SHOULD CONCEIVE POLITICAL REALITY
Introduction

Having established a response to the question, ‘what does it mean metaphysically and phenomenologically to have an empty agent and empty phenomena?’ I now ask: what is the relationship between emptiness, structure and agency? What primary political implications follow from that? How should the political world be conceived, if we accept Nāgārjuna’s claim that both agents and structures are empty of svabhāva? In framing and responding to such questions, my intention is to consider how the political world ought to be conceived, if we accept Nāgārjuna’s proposition that both agents and structures are empty of svabhāva. There are some normative elements addressed in undertaking such a venture, but the primary considerations here are best described as metaphysical and phenomenological. In this chapter I am not attempting to move from an ‘is’ to an ‘ought’, but rather trying to give a plausible account of what the ‘is’ might mean, when it is situated in a political context. However, this uncovers the basis for addressing particular normative concerns.

Lemma one is responsive to these questions on the level of conventional agency. There I will argue that the primary ethical-political implication is that the empty agent is one who is ontologically and existentially ‘condemned’ to constant transformation. Such a predicament contains a number of possibilities, most importantly, that the empty agent may reflectively realise their ontological-existential situation, and begin to act in accord with it. In doing so, the agent has some capacity to consciously harness or intentionally control the direction of their transformation, such that they transform in ways they desire to. Lemma one thus provides the basis for conceiving what kind of ethical-political implications and possibilities are given by the claim that the agent is ultimately empty and conventionally dependently co-arising: principally that desirable ways of subjective transformation or becoming are always possible. Such a possibility highlights what is at stake for any conventional agent living in any particular political system – that because they will inevitably transform in desirable or undesirable ways, the central political question is how a system can facilitate desirable transformations and mitigate undesirable ones.

The framing of this central political question is given by lemma two, which situates the empty agent in the context of its radical interdependence with various structural phenomena. It is thus expressive of perhaps the most obvious, but also the most profound political implications of Nāgārjuna’s thought, that once the predication of svabhāva is relinquished, we are left with a totally relational agent, which is necessarily inseparable from and constituted by a variety of external conditions. In canonical Buddhist literature, especially in the East Asian Mahāyāna traditions, it is common to represent the
inseparability of the human to natural phenomena such as trees, mountains and rocks.\textsuperscript{133} For this reason, some contemporary theorists have connected the metaphysics of śūnyatā/pratītyasamutpāda with an ecological politics.\textsuperscript{134} However, the same logic of emptiness applies to political, social and economic phenomena. The empty agent is one who is inseparable from and constituted by such conditions as sovereignty, law, economic exchanges, various political institutions and so forth. Lemma two thus asserts that the empty agent must be treated as inseparable from such political phenomena, and leads us to consider that the empty agent is, by virtue of its dependence on political phenomena, already and always a political being.

Lemma three places the two prior lemmas in the context of a given political community existent within a given geographical locus, and asserts that we should conceive of such a community as an ‘empty’ whole. That is, rather than privileging individual agents, and considering the polis to be nothing more than an aggregation of individuals, or privileging particular political structures, and considering the individuals in the polis to be reducible to those structures or the collective, my claim is that we ought to conceive of the polis as a sāmargrī (assemblage) – a combination of interconnected causes, effects and conditions which is expressive of the causal logic of pratītyasamutpāda. I argue that this mutually dependent relation between structure and agency offers a political middle way which undermines the disjuncture between contemporary liberal and communitarian positions, the former which strongly privileges the individual, and the latter which strongly privileges the collective and the structural.

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\textsuperscript{133} See for example Dogen’s Sansui Kyo (Mountains and Water Sūtra) in his Shobogenzo Book 2, trans: G.W. Nishijima & C. Cross, (Windbell Publications: Tokyo), 1996.

Lemma 1 – The conventional agent is ontologically and existentially defined by continual action and change. This grants the possibility of a soteriology and ethics of desirable subjective transformation.

The conventional agent is a process-causal-habit self

In chapter one, I established that Nāgārjuna’s metaphysics of emptiness grants an ontology of the subject with two valid mutually dependent and simultaneous conceptual perspectives, the conventional reality of subjectivity composed of the functioning of the skandhas according to the causal logic of dependent co-arising, and the ultimate reality of the subject which is the utter emptiness of ‘its’ substantial self-existence. I also established that there is a further invalid (i.e. epistemologically untrue) perspective, based on the agent concealing those two valid perspectives by imputing (either implicitly or explicitly) substantial self-existence and own self-identity upon themselves, others and things. I will return to this invalid standpoint in L4, and here focus purely on the valid conventional standpoint. The implication of this ontology is that on a conventional level, we can speak of a ‘process’ agent, which has causal efficacy and conventionally exists in the way described by Axioms 1, 2 and 3. On the ultimate level, nothing further can be asserted, but it should be conceived as an actual or potential embodied phenomenological perspective – that is, it is a standpoint of an agent actually apprehending the ontic reality of the emptiness of phenomena and is not merely an abstract conceptual or metaphysical position.

In being ultimately empty and conventionally dependently co-arising, the agent is ontologically always in process, enmeshed in and constituted by relationships of dependency and subject to constant change. All particular elements of subjectivity, such as moral dispositions, character traits, mental qualities and attributes, necessarily accord with such a view. Nāgārjuna’s primary refutation is of any kind of grounds for substantial self-existence within this domain of subjectivity – that there is no basis to establish or assume that agents have non-dependent and unchangeable properties, attributes or qualities, or that subjectivity itself (as a whole) might have such a grounding. The most primary ontological implication is that all conventional agents and their particular constituents necessarily change, whether they are aware of it or not, and whether that change is cognitively realised and therefore reflectively harnessed or not. No particular constituent has its own identity, which means that all constituents are what they are by virtue of their relationships with other constituents. However, we are not merely in the sphere of ontology. The critique of svabhāva also implies a critique of the tacit psychological sense of grasping to an imaginary self-identity and taking it to be real or enduring, and the notion or experience of emptiness is the relinquishing of such grasping.

This view of agency demands a careful consideration of what it means to make assertions about human nature, a topic of immense interest, importance and contestation in political philosophy (both west and east). Although the frame of svabhāva-śūnyatā is uniquely Buddhist, and few western thinkers express
their theories of human nature in terms precisely commensurable with either, it is common in the history of thought to find conceptions of human nature defined in terms of uncaused and non-dependent attributes or qualities. For example in ancient Grecian thought, the notion that it is human nature to be rational, or to have reason as a non-dependent property or attribute of subjectivity. From the Nāgārjunian point of view, any kind of claim which is predicated on the subject having uncaused or non-dependent properties or qualities cannot withstand the analysis of emptiness. The clear implication is that whilst we may see and speak of particular characteristics which a given agent displays or expresses, either morally desirable or morally undesirable, we cannot make the further move of asserting those particulars to be uncaused and non-dependent attributes or qualities. It is often the case that contestations in political philosophy revolve around disputes about human nature. For example, a Hobbesian realist will assume that human nature is naturally expressive of self-interested desire and a tendency towards competition and violence in the same way that a Kantian rationalist will assume human nature naturally has good will and the possibility of autonomous rationality. Both assumptions will necessarily structure other kinds of responses to questions in political philosophy, such as the most desirable kind of political system or where the limits of law and punishment ought to be placed.

From the Nāgārjunian point of view, the only metaphysical claim about human nature which is acceptable, is that all forms of human agency are empty and dependently co-arisen. All particular properties and characteristics have to be understood in lieu of that claim, which means that the range of possible moral qualities and dispositions are also empty and dependently co-arisen. This shifts the moral and political question from what human nature is (naturally and ontologically) to how has this or that arisen and become this or that quality? That is, qualities and attributes of human nature have to be understood as caused and contingent on conditions, not as inherently given, which means that on the level of conventional moral agency the metaphysics of emptiness is ostensibly a philosophy of causation, action, change, relationality and history. Of these, causation and action are particularly important, because they account for how particular qualities and dispositions arise. This is because some of those qualities and attributes are conventionally produced in part by the agent’s actions, and such a claim can only be coherent if there are causal connections between actions and (accumulated) dispositions.

The mechanics of this coherency is largely grounded in the relation between skandha theory and pratītyasamutpāda, particularly that of the saṃskāraskandha, which as I have explained in A2 is a central element of orthodox (i.e. Nikāya and Abhidharma) Buddhist moral psychology and philosophy

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135 Kalupahana argues with good justification that causality is the central philosophy of (particularly earlier) Buddhism. See Kalupahana, D.J.; Causality: The Central Philosophy of Buddhism (University of Hawaii Press: Honolulu), 1975. He also argues that Nāgārjuna’s metaphysics is consistent with that in ‘Pratītyasamutpāda and the reunification of Mystery’ from Buddhist Thought and Ritual, ed: D.J. Kalupahana, (Motilal Banarsidass: New Delhi), 2001. Garfield’s commentary on the MMK also supports this contention, see p238.
of mind, and retained by Nāgārjuna as entirely consistent with his metaphysics of emptiness (see A3). That is, because agents are empty and dependently co-arisen, they are what they are conventionally because causation is efficacious.\textsuperscript{136} In relation to subjectivity, the logic of causal efficacy established by Nāgārjuna is primarily a defence of the orthodox Buddhist claim that what an agent intends and does, necessarily has particular causal effects for that agent. So, in the Vig, when Nyāya realists attack his conception of emptiness on the basis that it denies the reality of the four noble truths, the eightfold path, and hence the causal structure of Buddhist soteriological practice, Nāgārjuna replies in verse LIV:

Now, if you think that the good intrinsic nature of the good things originates without depending on anything, then there would be no practice of the religious life. Now, if you think that the good intrinsic nature of the good things originates without depending on anything, and that the same is true of the bad intrinsic nature of the bad things and of the indeterminate intrinsic nature of the indeterminate things, then there is no practice of religious life. Why? Because, if this is so, one rejects dependent co-arising.\textsuperscript{137}

And further, in LXX:

For whom this emptiness prevails, for him all things – mundane and supramundane – prevail. Why? – Because dependent co-arising prevails for him for whom emptiness prevails. The Four Noble Truths prevails for him for whom dependent co-arising prevails. The results of monastic life as well as all special acquisitions prevail for him for whom the Four Noble Truths prevail.....For whom dependent co-arising prevails, for him merit, the cause of merit, the result of merit, demerit, the cause of demerit, the result of demerit, - all these prevail....\textsuperscript{138}

Nāgārjuna is thus defending the proposition that good, bad and indeterminate (moral) natures depend upon good, bad and indeterminate practices or actions. They cannot be substantially self-existent properties of the moral agent, and therefore, they must be causally acquired through particular practices and actions. The clear implication is that what a given agent is immanently, is always partly a product of what that given agent does (or has done). The possibility of liberation, the accumulation of noble or virtuous moral qualities and the reality of constraint and the accumulation of ignoble moral qualities are all predicated on that account of (conventional) agency. However, there is an important qualifier here, in that whilst there must be a causal coherence between a given agent’s actions and particular dispositions which arise, there are other factors which also constitute the agent to be what it is, some of which are clearly external to the agent. That is, the agent is also partly constituted by external causes,

\begin{itemize}
  \item \textsuperscript{136} See especially Chapter XVII of the MMK. The final verse (33) says: ‘Afflictions, actions, bodies/ Agents, and fruits are/ Like a city of Gandharvas and/ Like a mirage or dream.’ The same metaphor is given in the final stanza of VII, with the same implication: the comparison to illusion like phenomena is not to assert the non-existence (of causation in this case), but merely its empty nature. It should be noted that later Mādhyamikas (especially Candrakīrti) problematise the possibility of giving an adequate conceptual account of what kind of causation is at play – principally because of the limitations of concepts and language. So in an important sense, whilst causation is asserted to be efficacious, giving a conceptual-metaphysical explanation of that causal efficacy is thought to be untenable. Therefore, the ‘mechanics’ which underpin the relationship between an agent’s actions and particular dispositions which arise consequentially are asserted to be operative, but in a way which explicitly precludes conceptually explaining it. In other words: “causation functions, but we can’t tell you precisely how.” See Candrakīrti.; ‘Madhyamakavatara,’ chapter 6 (8-22) in Introduction to the Middle Way, trans: Padmakara translation group (Shambhala: Boston), 2004.
  \item \textsuperscript{137}Nāgārjuna.; The Vig, trans: K.Bhattacharya, E.H.Johnston, A.Kunst, Verse LIV, pp125-6.
  \item \textsuperscript{138}Nāgārjuna.; The Vig, trans: K.Bhattacharya, E.H.Johnston, A.Kunst, Verse LXX, p137.
\end{itemize}
conditions and imputations. External causes refer to actions and intentions stemming from other agents. Particular conditions refer to the variable and non-variable external factors which effect agency. Imputations refer to the discursive ideas agents have either about themselves, or which are attributed to them by others. These may be very important politically, and will be the topic of the following lemma. However, Nāgārjuna’s proposition, although not denying these particular external conditions and imputations, is ostensibly defending the relationship between agency and the actions undertaken by the agent. That is, the causal logic between actions and effects which inheres internal to the agent.

In some recent Buddhist scholarship, such an account of agency is referred to as a ‘process self’ which I think is a useful term to convey the conventional functionality of agency-in-the-world. However, such a term does not necessarily express the causal element which is such a critical part of what this kind of agency is, a causal element which is necessarily historically/temporally situated. In this respect, it does not sufficiently express the mechanics of how continuity of mind and moral character is established by the Buddhists (including Nāgārjuna) via the theory of saṃskāras – the way that particular habits, mental formations and dispositions are necessarily accumulated causally over time. Conventional moral agency is therefore not merely a ‘process self’, it is a process-causal-habit self. It is only on the basis of this kind of agency that the soteriological logic of the four noble truths and eightfold path has any kind of meaning or efficacy. Whilst it might seem unnecessarily metaphysical to situate the conventional empty subject in this process-causal-habit context, Nāgārjuna is clearly defending precisely this account of agency. Although (as the aforementioned statements clearly demonstrate) the implications of this account of agency are unambiguously soteriological, what is given is simultaneously a schematic philosophy of mind and moral psychology. Many contemporary psychologists and some cognitive scientists are utilising this theory in therapeutic domains, and my claim here is that it may also offer a nuanced view of agency appropriate to the task of contemporary political philosophy, primarily because it offers an ontologically cogent way of conceiving the variability of human nature and thus, responding to more normative political problems on that basis.

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139 In the Abhidharmakośa this would correspond to material dharmas which are composed of the four primary elements and would include such things as genetic structures & climate. See Vasubandhu, Abhidharmakośa Bhāṣyam Vol 1, trans (into French): L. De La Vallee-Poussin, trans (French into English): L.M. Pruden, (Asian Humanities Press), 1988, pp308-310.
141 In the Vīg, in chapter XXVI. In the MMK, especially chapter XVII. Nāgārjuna writes: (9 & 10) ‘So, in a mental continuum/ From a preceding intention/ A consequent mental state arises/ Without this, it would not arise. Since from the intention comes the continuum/ And from the continuum the fruit [result] arises/ Actions precedes the fruit/ Therefore there is neither nonexistence nor permanence [of the agent].’ p44. Note that this is a primary reason why I favour a Tsong Khapian interpretation of the two truths (see chapter 1, p35).
142 More explicitly by the earlier Buddhist traditions, which Nāgārjuna is clearly presupposing, endorsing and defending.
The ethical-political implications of this view of conventional agency: the particular qualities and attributes of human nature are partly dependent on causes and conditions.

The most significant moral and political implication of such a view of agency is that the entire spectrum of claims about human nature may be accepted as plausible, but only if they are redefined as particular and dependent accumulated dispositions and not as substantially self-existent properties or attributes. From the Nāgārjunian point of view, influential western conceptions about human nature, such as Aristotelian or Kantian versions of rationalism, Hobbesian self-interested autonomy or Freudian irrationalism, may all contain important insights about the potential of human moral agency to go in particular directions. Humans can be highly rational, they can be determined by unconscious desire, they can be in a state of aggressive competition for scarce resources, they can be good-willed, but this does not presuppose an unchanging and non-dependent account of human nature. The actuality of humans moving in those directions depends entirely on what particular habits or dispositions they develop (either consciously or unconsciously) over time. As I will demonstrate in the following lemma, social and political structures and conditions may be highly influential in shaping those dispositions, which draws us onto a political footing which is somewhat Aristotelian character, and has a resonance with the sociological views of Foucault.

The structure of Buddhist-Nāgārjunian soteriology and ethics is predicated on the assumption that agents can become reflectively aware of this subjective reality, and thus, consciously accumulate the particular kinds of habits deemed kuśala (wholesome, favourable), whilst consciously eradicating those deemed akusala (unwholesome, unfavourable). This is the soteriological path of overcoming that reality altogether. However, before contemplating the telos of nirvāṇa, which I will address in L4 in lieu of Nāgārjuna’s radical reformulation of the orthodox Buddhist conception, there are two important but distinct issues relating to that soteriological-ethical structure. Firstly, the connection between a metaphysical account of reality and the epistemic or interpretative access a given agent may or may not have to that reality, that is, the notion of reflectivity (vicāra). Secondly, given the first issue, the

143 Namely, that for Aristotle, the primary purpose of political structures (particularly laws and constitutions) is to generate the right kind of (i.e. noble) dispositions in citizens of the polis. See Aristotle.; Politics Book I, trans: J. Barnes, (Cambridge University Press: Cambridge), 1996. Keown has noted that there is clearly a proximity between this (orthodox Buddhist) account of moral agency to Aristotle’s ethical view (in that particular virtues are not intrinsic to the agent, but arise in dependence upon what the agent does). See Keown, D.; The Nature of Buddhist Ethics, (Macmillan Press: Houndsmills), 1992, pp193-227.

144 In the sense that Foucault strongly emphasises the interdependence between discourses, institutional practices and possible forms of agency in his theory of biopolitical power. See in particular Foucault, M.F.; The Birth of Biopolitics, trans: G. Burchell, (Picador: New York), 2004.

determination of *value* in which particular acts and dispositions may be *normatively judged* to be wholesome, unwholesome or neutral.

With respect to the first issue, it is clear that there must either be a direct perception of the relationship between causation, emptiness and conventional agency in order for the agent to act in ways which accord with that reality, or there must be some kind of conceptual belief that such an account of reality is true, even if it is not necessarily experienced as such. To speak generally of Buddhist ethics, it is more or less the case that the former is especially privileged as the kind of reflective awareness necessary for successful ethical (and soteriological) action. Particular mental states such as *smṛti* (mindfulness), *samādhi* (concentration) and *prajñā* (wisdom) as well as particular mental qualities such as *praśrabdhih* (serenity) *apramāda* (vigilance) *ḥrī* (modesty) are necessary conditions for wholesome actions. The clear implication, a consistent theme throughout the Nikāyas/Āgamas and the Abhidharma, is that the mind must be concentrated and tamed in order for wholesome actions to occur. That is, there is a deep and considered relationship between the epistemological and phenomenological act of knowing and being attuned to reality with the kinds of ethical actions deemed appropriate within the context of that reality.

This is one of the primary reasons why meditative *practice* plays such an important role in Buddhism. Acting in ethically (and soteriologically) fruitful ways presupposes gaining sufficient reflective awareness and insight into the nature of reality (*prajñā*). From the standpoint of Nāgārjuna, this implies *directly* seeing or understanding the causal logic of dependent co-arising and its inseparable relation to emptiness, alongside the implication that all forms of conventional agency, both good and bad, arise partly in dependence upon the kinds of intentions, actions and mental events habitually accumulated by the agent. The concept of reflective awareness is in many respects at the heart of all the later controversies surrounding the interpretation of two truths. There is a clear (and obviously profound) distinction to be made between the agent who *directly apprehends* the reality of *śūnyatā/pratītyasamutpāda* and the agent who merely conceptually apprehends (or merely believes) it. There is no dispute at all about the status of the former: such a being is formally held to be a *bodhisattva* (awakened being) who has attained the first of ten *bhūmis* (grounds) of buddhahood. However, many controversies surround the status of the latter, and these relate to the problematic of the epistemic status of a merely conceptual understanding of *śūnyatā/pratītyasamutpāda*.

I have clearly favoured an interpretation in which this other form of reflectivity, that of conceptual understanding rather than direct apprehension/experience, is considered to be efficacious insofar as it

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may eventually lead to the direct experience (see A3), as well as safeguarding moral conduct until that occurs. However, what is important ethically and politically, is that both the rationality which underpins the conceptual understanding and the prajñā which is entailed in the more immediate and direct mode of understanding, are necessarily mental attributes which arise in the same way as other attributes. That is, the cognitive ability to reason (vitarka) and ‘directly see’ (prajñā) do not inhere as substantially self-existent properties of the agent, but must be cultivated and produced. They are also, necessarily, empty and dependently co-arisen. Their undeniable soteriological and ethical importance and centrality leads us to consider the political question of how they might arise and what external (structural or institutional) conditions might they require? That is, if morality and efficacious transformation hinges on conventional agents developing their cognitive powers, then how might this be connected to political conditions?148

The second issue, how particular actions and resultant dispositions are valued, is somewhat distinct from the first issue. Although there are cases where moral actions are judged contextually (i.e. within the particular context of the moral action), it is a central claim of the Nikāyas and the Abhidharma that what is wholesome immanently for the agent, is what is conducive to that agent’s ultimate liberation. Therefore, the value of ‘wholesomeness’ usually presupposes the specifically Buddhist teleos of nirvāṇa (cessation of unsatisfactoriness) or bodhi (awakening), and is thus deeply related to the core elements of the Buddhist path, such as the structure of the four noble truths and the eightfold path.149 So there is something of a commensurable relationship between the reflective awareness of reality (seeing and understanding dependent co-arising and emptiness) with the kinds of ethical actions valued and privileged as wholesome, both of which are soteriological in character.

It is for this reason that some argue that neither Buddhist metaphysics nor ethics ought to be abstracted from their ostensibly soteriological context,150 that to treat either the forms of reflective awareness or ethical values privileged by Buddhism apart from their specific relationship to the possibility of ultimate liberation, is to unwittingly distort apart from their specific relationship to the possibility of ultimate liberation, is to unwittingly distort their fundamental character. However, I do not think that such a conclusion is justified. If reality is indeed dependently co-arisen and empty, and if particular agents can gain reflective awareness of that reality (inclusive of the possibility that they may not), then particular ethical entailments automatically follow, independent of the specifically Buddhist soteriological values and teleological judgements of wholesome or unwholesome. Such a position can be summarised as follows:

148 I will respond to this question in various ways throughout the thesis, and specifically in relation to negative liberty (L6), positive liberty (L7) and equality of opportunity to meet desirable ends (L11).
149 Keown gives an excellent account of this teleological logic in The Nature of Buddhist Ethics. See especially pp107-128.
1. The metaphysics of śūnyatā/pratītyasamutpāda means that agents are what they are because of causes, conditions and mental imputations. Causes, conditions and relationships of dependency constitute the agent, and grant its range of possibilities. All particular mental and moral attributes, properties and qualities necessarily lack substantial self-existence, and are thus partly produced by what the particular agent has intended and done. Such is the ontological, existential and psychological condition of agency, regardless of whether it is recognised or not.

2. The clear implication of 1. is that what an agent intends and does is critical to what kind of life that agent can actually and potentially lead. Before there is any kind of normative value judgement about what kind of life is best (i.e. a particular telos), or what particular dispositions are desirable or undesirable (i.e. what is morally virtuous and valuable), there is a meta-ethical structure which is given from the formal relationship between dependent co-arising, emptiness and agency.

The critical point here is that if the metaphysics of śūnyatā/pratītyasamutpāda and the connected theory of agency is true, then the ethical structure is efficacious: because agents exist in a reality of causes, conditions and mental imputations they necessarily are what they are partly because of what they have intended and done. Normativity and value only becomes important on the basis of this structure, insofar as neither the causes nor imputations are fully determined, and so it follows that agents who recognise the ethical structure for what it is (i.e. by gaining the requisite reflectivity) have some capacity to make choices in relation to it. This also highlights precisely where, in the Nāgārjunian account of agency, a particular form of moral autonomy may be found – in the intentional capacity to make choices.

The question of what kind of choices to make, and why they may be good or not good, is secondary to the structure itself, and dependent upon what kind of possibilities the agent may wish to produce. Within the context of Buddhism, it is a core assumption that agents would (and should) wish to produce the best available possibility, which is the absolute liberation associated with nirvāṇa or bodhi. Thus, this becomes the telos which structures the question of value. However, outside of a purely Buddhist soteriological context, there is no reason or necessity to posit that particular teleos, and therefore, that particular definition of subjective potentiality, which leaves the question of value much more open ended. This leads to a distinction between two moral standpoints which may be drawn from Nāgārjuna’s metaphysics and theory of agency:

Standpoint A, which I will simply call ‘the soteriological view’, is one which adopts the telos of bodhi, and is thus deeply structured by the soteriological movement towards it. All particular normative values gain their meaning and value with reference to that movement. A wholesome action is that which leads

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151 Namely through mental factors such as cetanā (volition), chanda (will-desire) & adhimokṣa (decisiveness) coming together; and through the development of path factors such as samkalpa (purposeful intentionality). This will be explained more fully in L6.
a person towards bodhi, and an unwholesome one is what which leads a person away from bodhi, and
a neutral one is that which takes a person neither closer nor further. Standpoint A is of course the
orthodox Buddhist moral position.

Standpoint B, which I will call ‘the non-prescribed transformation’ or simply ‘the ethical’ view is one
which adopts the Nāgārjunian metaphysics and theory of agency, but not explicitly the teleos of bodhi
or nirvāṇa. This means that moral value and meaning is not structured by a soteriological ambition, but
simply that the possibility of consciously informed (i.e. reflective) subjective change is understood and
adopted. The question as to what kind of change is desired by the agent (or perhaps, the society and
polis) will determine the question of moral value. This may be left undetermined to leave open the
possibility that agents (or political communities) may choose for themselves the kind of change they
desire and the potentials they wish to reach, and therefore, must take on the responsibility of determining
what moral value is for them (i.e. what consequences and virtues they wish to generate).

Although there is a certain kind of indeterminacy connected to standpoint B, the principal moral and
political point is simply that subjective change and transformation is an unavoidable ontological and
existential fact, but because this unavoidable change may be reflectively recognised, it follows that the
potentials which exist within it may be harnessed, and the kind of change actively harnessed to become
a deliberate form of soteriological (standpoint A) or non-prescribed (standpoint B) transformation.
What is at stake, morally in the form of how individual lives may unfold, and politically in the way that
this is connected to systems and structures, is the possibility of agents gaining reflective recognition,
and thus, actively transforming in a controlled or intentional fashion. Because mental factors and
qualities cannot inhere as substantially self-existent properties, they must be developed or produced by
the agent in the context of a society, economy and political community.

Whilst this lemma establishes the efficacy of this individual form of transformation, that is, a
soteriological and ethically important connection between the particular agent and their particular
actions, the metaphysical and phenomenological logic given by Nāgārjuna means that there is an
inseparability of conventional agency to the mutually dependent network of social, political and
economic causes and conditions. I have articulated this lemma from the perspective of conventional
moral agency, as if it has some kind of definitive autonomy, that the agent is what it is because of the
kinds of dispositions “it” has accumulated through time via its intentions and actions. However, whilst
such a perspective is pedagogically useful to demonstrate the relationship between intentions, actions
and possible forms of agency, it does not account for the deeper ontological context which situates all
of these things in relationships of dependency. For example, the particular disposition (and associated
mental attributes) to be learned and study great philosophers presupposes a range of contingent factors,
without which, the disposition could not arises. It presupposes language and its shared socio-linguistic
community, it presupposes sufficient education and its various structural (economic, political and
historical) underpinnings, it presupposes those great philosophers and the history of their various interpretations, it presupposes sufficient cognitive capacity and the requisite biological factors such as a well-functioning brain, and so forth. Therefore, we cannot establish particular dispositions or attributes as the grounds for moral autonomy, because they are themselves necessarily empty and dependently co-arisen. They presuppose a range of social, political, economic and ecological contexts. This also highlights perhaps the most profound and important political implication of Nāgārjuna’s view – that there is a strong structural element which inheres in the possibility of soteriological or non-prescribed transformation, which means that such transformation can never be a purely individual task. The moral logic given in lemma one cannot stand alone, it must be understood alongside lemma two.
Lemma 2 – The conventionally dependent agent is *inseparable from* and *constituted by* external phenomena including ecological, social, political and economic conditions.

In L1, I established that there are relationships of causation which are *internal* to the agent. That particular intentions and actions undertaken by a particular agent will give rise to particular effects for that agent, particularly in the form of *samskāras* (habitual dispositions, patterned mental formations). However, whilst there is clearly a necessary causal coherence between the intentions, actions and particular effects generated *internally* to the agent, all particular agents are simultaneously inseparable from and constituted by a range of *external* phenomena. In being empty and dependently co-arising and therefore *depending upon* causes, conditions and mental imputations, all particular agents are immutably enmeshed and embedded in a range of *external* causes and conditions.

In this lemma, I ask the following political questions: *what are* the most prominent political external conditions, and to what degree do they *constitute* the agent to be what it is? To what extent do intentions, actions and the resultant forms of consciousness and habitual dispositions stem from external conditions, and to what extent are they generated on a level *internal* to the agent? Or to frame this in another way, what might a plausible Nāgārjunian perspective be on the relationship between structure and agency? The logic of *pratītyasamutpāda* and *śūnyatā* grants the ontological basis for the claim that the subject is always and necessarily enmeshed and embedded in a network of external conditions, but does *‘enmeshed and embedded’* equate to *‘actively constituted by’*? If so, to what extent? How much ‘free’ agency or moral ‘autonomy’ may be granted, if any, and how much does structure interpolate and shape agents to be what they are? To address these politically significant questions, I will deploy the orthodox division of the *skandhas* into two groups, that of *rūpa* (material processes) and *nāma* (mental processes). This is for heuristic reasons and should not be taken to imply a body-mind dualism. As I will show, there are clearly complex interactions and dependencies between *rūpa* and *nāma*.

The degree of dependency between subjective material form (*rūpaskandha*) and external material conditions

Nāgārjuna asserts, in chapter IV of the *MMK* that the *rūpaskandha* is devoid of *svabhāva* and thus must be empty and dependently co-arising.\(^{152}\) On the level of *rūpa* (form, materiality), the processes which produce and sustain embodiment clearly require external material conditions such as sufficient air, sufficient water, sufficient sustenance and so forth. Lacking even one of these external conditions, the processes of *rūpaskandha* would not be possible, meaning that embodiment would cease and conventional agency would be non-existent. Therefore, the ontological dependence of the agent to

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\(^{152}\) Nāgārjuna writes IV: (1&2) ‘Apart from the cause of form/ Form cannot be conceived./ Apart from form/ The cause of form is not seen & If apart from the cause of form, there were form/ Form would be without cause./ But nowhere is there an effect/ Without a cause.’ From Nāgārjuna.: *MMK*, trans: J.L.Garfield, p2.
sufficient biological (and by extension ecological) conditions is one of absolute dependency. In this sense, the degree to which external material conditions affect or constitute the agent is extremely high, such that there is a phenomenological inseparability of any particular agent to her ecological conditions. In fact, even to assert that there are processes of subjective form and external material conditions which that form requires, and that these come together into a certain kind of absolutely necessary dependent relation distorts the reality somewhat. Articulating the dependence between the subjective side of form and its external material conditions in that way overstates the separability between the two.

On the level of form, the agent is not merely ‘enmeshed and embedded’ in various supporting external material conditions, subjectivity is more profoundly constituted and re-constituted by those conditions. For example if we consider the relation between the air in a particular environment and a given agent breathing, there can be no clear distinction made between the oxygen ‘external to the agent’ and the oxygen in the lungs, heart, blood cells and brain of the breathing agent. However, this does not imply a kind of metaphysical monism, because the phenomenological commensurability does not mean that everything is, ontologically, of the same substance. The Nāgārjunian critique of the concept of svabhāva means that nothing actually has substance. Material entities are assemblages of parts which refer to and depend upon other parts, and in the final analysis, do not possess any final, enduring or substantial basis.

It is thus empirically justified to state that the agent is constituted by a range of biological conditions necessary for conventional existence. The metaphysical dependency and phenomenological commensurability of an agent’s rūpa to its external material conditions should be understood, firstly, as I have just explained with the example of air, in a micro sense that there are immanent external material conditions which an embodied agent absolutely requires to maintain or sustain their existence. The degree to which these conditions constitute the agent to be what they are is beyond robust. It is not a dependence so much as an inseparability. This point is both an obvious and trivial implication of the claim that rūpa is empty of svabhāva.

However, there are more implicit and often ignored political implications of the assertion that form is empty. It is not merely the case that the external material conditions necessary for subjective existence should be considered as biological, environmental and ecological, all of which imply a certain kind of deep connection between embodied subjectivity and the natural world.153 There must also be a manifold of other external material conditions which conventional subjective existence depends upon. For example, the biological necessity of sustenance, when situated in most contemporary human societies,

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153 The natural world is a common locus for canonical Buddhist discourses about emptiness, especially in the Sino-Japanese Mahāyāna traditions where they may have been strong Taoist and Shinto influences. For example see again, Dogen’s Sansui Kyo (Mountains and Water Sūtra). Emphasising the relations between dependent co-arising/emptiness and the natural world has also been a prominent theme in ‘engaged’ Buddhism, providing the basis for a green or ecologically informed politics. See especially Macy, J.R.; World as Lover, World as Self, pp29-39&183-193.
is itself situated in a chain of dependent material relations which refer to the production and transportation of food (and the labour involved therein), exchange relations (i.e. a money economy), political and juridical structures and institutions which support the aforementioned things, and so forth. This is a fundamental reason why there are inevitably political implications from Nāgārjuna’s philosophy of emptiness: one cannot think metaphysically about a dependence between subjective form and external material conditions, without simultaneously thinking about the content of what those external conditions may be, and how they may affect or even engender particular subjective possibilities. The view of emptiness thus inevitably draws us into a phenomenological relationship with the political-economic world, not away from it.

The metaphysical logic of that position means that external conditions will always be changing, and it follows that the changing material content must have significant implications for what kind of subjective potentials may be actualised. For example, a famine will produce different subjective possibilities than plentiful food, or a severely depressed economy will produce different subjective possibilities than a flourishing economy. One cannot speak about an ethics or soteriology of subjective transformation if there are not already supporting material conditions which sustain that. Therefore it presupposes both political and economic organisation, and thus, a critical normative political question: what are the best material conditions to sustain or facilitate that transformation? And, are there particular kinds of political and economic organisation which might constrain or even deny the possibility of that transformation?

It is not my intention to provide a compelling response to such a question, but rather, to emphasise that the emptiness of form leads us into a direct encounter with those kinds of political problems. The emptiness of form leads us to realise that our ‘selves’ are radically interdependent with material forces, and not only those which might be conceived to be ‘natural’ or ‘ecological.’ To be unconcerned with material production, labour, security and so forth is to tacitly deny that we are what we are partly because of these things. It is to deny an obvious phenomenological implication of emptiness.

At this point it is sufficient to simply highlight two different degrees of interdependence between the material constituents of subjective existence and specific external material conditions necessary to support those material constituents. There are firstly on a micro-level, biological and ecological conditions immanently necessary to support embodiment, in which there is a phenomenological inseparability between subjective form and the external material conditions which support it. The relation here is not so much a dependence, or even a robust form of one constituting the other, but more a unity. The physical body cannot really be held to separate from the biological conditions of which it is both composed and embedded in. And the political implication, as Buddhist social theorists such as Macy point out, is that our politics and economics must be co-extensive with the natural world and not
in tension or contradiction with it. Secondly on a more macro-level there are a range of external material conditions with which subjective form depends upon, but which do not share the same immediacy or inseparability as the biological and the ecological. For example, the material production of food and other necessities, the economic, political and juridical infrastructures which support that production and so forth. These macro-level external material conditions are necessary conditions for subjective form to provisionally exist or persist, but there is a critically important political question about the degree to which they constitute conventional agency to be what it is. For example, to what extent does a particular economic system or the reality of sovereignty and its manifold of laws, structure and constitute the range of possible choices, actions and dispositions (i.e. saṃskāras) in particular agents? At this point, we must go beyond the level of form and purely material conditions, and think through this question in relation to consciousness, perception, intention and dispositions - the conceptual and discursive domains of agency which is the nāmas side of the equation.

The degree of dependency between the mental (nāmas) processes of conventional agency and external conditions (both material and immaterial)

In the Abhidharma, the nāmas processes are generally analysed on the level of agency, in terms of the dependency between an object (generally material but sometimes immaterial), various mental factors and resultant forms of consciousness. So it is ostensibly a philosophical psychology of the agent, specifically designed to provide a soteriological framework which practitioners can utilise to navigate on the path to enlightenment. In this respect, the structure or soteriological logic of the nāmas processes in the Abhidharma is predicated far more on (that soteriological transformation is possible and necessary, and depends greatly upon what the agent intends and does) rather than this lemma (that agency may be strongly constituted by relations of external/structural dependence). It is not so much that it precludes or denies this lemma, book VII of the Theravādin Abhidhamma and book II of the Sarvāstivādin Abhidharma contain specific accounts of the relations of conditionality, but more that its range of concerns are squarely in the domains of the psychological, phenomenological and cosmological. For soteriological reasons, it is much more concerned with the mental processes of

\[154\] See especially chapter 17 ‘The Greening of Self’ in Macy, J.R.; World as Lover, World as Self. Macy connects this kind of argument about (the conventional side of) the emptiness of form to the political philosophy of deep ecology established by Arne Naess.

\[155\] I.e. the four mental skandhas: vedanā, saṃjñā, saṃskāra, vijñāna. See A1, pp22-29.

\[156\] Immaterial objects refer to the (objective) content of particular advanced meditative states: the base of infinite space, the base of infinite consciousness, the base of nothingness and the base of neither perception nor non-perception. See Vasubandhu.; Abhidharmakośa Bhāṣyam Vol 1, trans: L. De La Vallee-Poussin, p1215-1227. Bikkhu Bodhi also gives a succinct explanation of this from a Theravādin perspective. See Bodhi, B.; A Comprehensive Manual of Abhidharma, trans: M.Narada & Bkk.Bodihi, (Buddhist Publication Society: Kandy), 1999, p337.

\[157\] For a good account of this, see Suen. S.; Methods of spiritual praxis in the Sarvāstivāda: A Study Primarily Based on the Abhidharma-mahāvibhāṣā (Unpublished PhD thesis: University of Hong Kong), 2009.
subjectivity rather than the way that particular social or political external conditions might shape or constitute those processes.\footnote{158}

Although Nāgārjuna’s metaphysics retains and supports a great deal of the ‘mechanics’ of the moral psychology given by the Abhidharma,\footnote{159} as well as the same soteriological orientation, the ontological and phenomenological implications of his perspective situate this subjective moral psychology far more robustly in a network of dependent relations. I thus argue that there are implicit, but very profound, social-political implications which are given when we analyse the relationship between an empty agent and its conventional nāmas functioning. There are two relational domains in particular which I think are significant. The first domain I call the discursive and it pertains to the way that language and concepts, in being empty and dependently co-arisen, are necessarily ontologically intersubjective, which has the implication that discursive phenomena such as normative values, metaphysical views and political ideas must also be ontologically intersubjective (to the extent that they are asserted in or understood via or through language). The second domain is that of political-economic structures and institutions, which I will call structure, which need to be understood as simultaneously material, discursive and dispositional. Both domains obviously interrelate, as Weberian influenced social philosophers have cogently argued.\footnote{160}

The discursive domain

The first domain, the discursive, has been one of the most keenly studied elements of Nāgārjuna’s philosophy of emptiness in recent times, and one of the main reasons he has become an ancient figure of such interest to contemporary thinking. This is largely because of the priority given to semantics, philosophy of language and logic in both contemporary Analytic and European philosophical traditions.\footnote{161} It is not necessary to pursue this resonance here, other than to restate the connection between Nāgārjuna’s metaphysics and the contemporary critique(s) of correspondence theories of truth. Both are fundamentally critical of the idea that language has an innate, underlying, essential ontological structure which corresponds or refers to a ‘pre-existing’ reality and is therefore independent of the way it is used. One of the most unambiguous meanings of samvrti-satya is the idea that both language itself

\begin{thebibliography}{99}
\item In the Abhidharmakośa there is clearly a concern for how external conditions generally may shape agency – but such conditions are cosmological in character. I.e. Part V of chapter three contains an explanation of the different realms, but not an explanation of how particular phenomena may affect agents within those realms.
\item Because that moral psychology is predicated on anātman/the emptiness of self. See A1 & A2.
\item For example, in the Foucauldian sense of discourses, institutions and practices all mutually informing each other. See Foucault, M.F.; The Birth of Biopolitics & Security, Territory and Population, trans: G. Burchell, (Picador: New York), 2009.
\item Many scholars have asserted a clear resonance between Nāgārjuna (and other Mādhyamikas) with contemporary philosophers of note in philosophy of language and semantics, especially the later Wittgenstein and Derrida, to take but two central figures of those respective traditions. See Park, J.Y (ed); Buddhisms and Deconstruction, (Rowman & Littlefield: Lanham), 2006; Huntington, C.W. Jr.; The Emptiness of Emptiness; Thurman R.A.F.; ‘Introduction’ in Tsong Khapa’s Speech of Gold; Garfield, J.L.; Empty Words; & D’Amato, M, Garfield, J.L., & Tillmans, T.J.F (eds).; Pointing at the Moon. Buddhism, Logic and Analytic Philosophy, (OUP: Oxford), 2009.
\end{thebibliography}
and the particular ideas contained or expressed therein are merely conventional. That is, dependent upon and not containing any more reality than the linguistic conventions and practices of the language using community, and that conventional reality is constructed out of those conventions.\textsuperscript{162} Although Candrakīrti gives this more priority than Nāgārjuna, it clearly follows logically that if all things are empty and dependently co-arising, then language and concepts cannot have any intrinsic structure or features, nor can they exist in a ‘private,’ real or independent domain. The implication is very profound for the ontological and epistemic status of conceptual thinking, ideas, normative values and metaphysical views. In being empty and dependently co-arising, they must necessarily be an intersubjective and nominal phenomena. Conceptual thinking itself, because it only occurs via the utilisation of concepts which are necessarily shared, cannot be held to be a purely autonomous activity, so there is, as Thurman has noted, a resonance with Wittgenstein’s ‘no such thing as a private language’ argument.\textsuperscript{163}

Moreover, of the four nāmas skandhas, two of them are processes which involve language and concepts, which means that intersubjectivity is built into the very structure of the Abhidharma/Nāgārjunian account of subjectivity. The samjñāskandha, because it involves the simultaneous act of perceiving and linguistically naming (see AI), necessarily involves the use of signifiers for objects, which, following Nāgārjuna’s logic, must be socially given. The samskāraskandha, because it refers to some mental formations which are linguistic-conceptual in character must also, in part, be socially given. So core elements of what conventional agency is, its perceptual-linguistic relationship to phenomenal things and a certain proportion of its mental thought formations and habits, are ontologically dependent upon the shared conventional status of language.

The question as to what degree agents are constituted or structured by these conventions of language (inclusive of discourses, knowledge, theories, ideology and so forth) is seemingly very robust, which is clearly why Nāgārjuna and the Buddhist tradition per se (including later Mādhyamikas) articulate such a manifest caution about the role that language and concepts play in constructing and thus potentially constraining conventional agency.\textsuperscript{164} Two key concepts express that caution, prapañca (conceptual proliferation) and mithyādṛṣṭi (attachment to false views), both soteriological impediments which point to the need to gain sufficient epistemological awareness of both the limitations and potential soteriological efficacy of language. Such an awareness is best captured by the term prajñā (insight/wisdom), which has many connotations, one of which is the mental dexterity of being able to

\textsuperscript{162} See again Garfield, J.L.; ‘Taking the Two Truths Seriously: Authority Regarding Deceptive Reality’ in Philosophy East & West, Volume 60.


\textsuperscript{164} For an excellent account of how the earlier Buddhist traditions saw this problem, see Ronkin, N.; Early Buddhist Metaphysics, pp34-86 & for the Mādhyamika school see Huntington, C.W. Jr.; ‘The Philosophical Language of the Mādhyamika’ in The Emptiness of Emptiness, pp25-69.
discern correct from incorrect conceptual views.\textsuperscript{165} In its most developed form \textit{prajñā} becomes \textit{prajñāparamita} (the perfection of wisdom), the most privileged of all Mahāyāna virtues, which means understanding the emptiness of all phenomena, including language and concepts. In this respect, we have arrived again at one of the central functions of the two truths. Involvement with language and concepts (\textit{saṃvṛti-satya} as mutually supporting) is necessary \textit{in order to} develop the correct experience of reality (\textit{paramārtha-satya}), even if, that experience is ultimately non-conceptual.\textsuperscript{166}

So the relationship between conventional agency and the conventions of language is somewhat vexing and two sided. It is unsurprising that it takes the form of such an explicit and deliberate paradox in some canonical Mahāyāna literature. It is very clear that the conventional agent is \textit{robustly constituted} by the machinations of ordinary language and the assumptions about reality contained therein, and is seemingly prone to be unreflective about that state of affairs. Such unreflectively is represented by the consistent warnings about \textit{prapañca} and \textit{mithyādṛṣṭi}. Conceptual proliferation and involvement with wrong views are foundational impediments to soteriological progress and \textit{directly} related to the concept of \textit{avidyā} (ignorance).\textsuperscript{167} In this respect, being unreflectively caught up in the machinations of ordinary language and the assumptions about reality they contain, is precisely what is meant by \textit{saṃvṛti-satya} as concealing. The error is precisely in the unreflectivity. Without seeing the conventionality of language, the intersubjective \textit{construction} of a conceptual reality may be taken to be reality per se. It is thus \textit{directly} related to the reificationist mode of subjectivity (see \textbf{A1} & \textbf{A3}). Being embedded in the ‘net of wrong views’ is in this respect \textit{the} core problem, not just for Nāgārjuna, but for the Buddhist tradition generally. So, if we are to ask ‘do any external conditions \textit{constitute} agency to be what it is?’ the Nāgārjunian response is: emphatically yes. \textit{Language} as an external condition may shape agency so profoundly that it may be considered to be the root of constraint and the most serious impediment to liberation.

However, the other side of the coin is that through language, the correct view of reality can be asserted or pointed out. Conventional agents clearly have the possibility of discerning conceptual error from conceptual truth, and thus arriving at the right conceptual understanding of reality, without which, the direct phenomenological apprehension of that reality would not be possible. The basic notion of an efficacious and meaningful Buddhist dharma, including Nāgārjunian logical arguments, is predicated on that notion. It follows that there is a degree of autonomy which is available to agents, in the sense that language shifts from being an external condition which \textit{structures} agency in constraining and

\textsuperscript{165} For a clear account of this sense of \textit{prajñā} (across various Buddhist traditions), see Gethin, R.: ‘Wrong view (\textit{micchā-dīṭṭhi}) and (\textit{saṃmā-dīṭṭhi}) right view in the Theravāda Abhidhamma,’ in \textit{Contemporary Buddhism}, Vol. 5, No. 1, (Routledge), 2004.

\textsuperscript{166} Refer again to my discussion on the relation between conventional and ultimate truth, pp21-23.

\textsuperscript{167} Nāgārjuna formulates this in (perhaps the most frequently quoted stanza) the \textit{MMK} XXIV: (11) ‘By a misperception of emptiness/ A person of little intelligence is destroyed./ Like a snake incorrectly seized/ Or like a spell incorrectly cast.’ In Nāgārjuna.; \textit{MMK}, trans: J.L. Garfield, p68.
fallacious ways (*saṃvṛti*-satya as concealing), to being an external condition foundational to the possibility of liberation (*saṃvṛti*-satya as mutually supporting). The pivot in between these poles is *prajñā* and associated wholesome mental factors such as *smṛti* (mindfulness) and *vitarka* (reasoning). With the development of insight, discernment and reason, agents can *utilise* language and concepts to arrive at the right conceptual view, which is a necessary condition for the possibility of experiencing the right phenomenological view. A very preliminary conclusion follows from this: both the soteriological and ethical modes of subjective transformation (i.e. *L1*) seem to depend upon the *external condition* of good or true knowledge and understanding. Without engaging with ‘the dharma’ as a conventional discourse, and without Nāgārjunian arguments, subjective transformation of the form described in *L1* is clearly more remote, and perhaps, not possible at all. It also follows that a certain level of cognitive development, namely the acquisition of sufficient literacy and logic, is a necessary *external* pre-condition to the experience of emptiness, meaning that structural factors such as education may be politically important.168

*The domain of external political-economic structures and dispositions.*

The second domain of dependency between the *nāmas* processes of subjectivity and external conditions are the relations between the political-economic structures and institutions of a given society, and the dispositional content of the agents living within those conditions. This may be thought of generally as the kind of habits and causal patterns of conventional agents which are *engendered by* the manifest structural conditions. For example, agents who live in an economic system governed by monetary exchanges will necessarily develop dispositions and causal habits (i.e. *saṃskāras*) of exchanging money. Because different societies will generate different kinds of political-economic structures and institutions, it is not possible to generalise an abstract philosophical account of the possible relations between the *nāmas* processes of conventional agency and the *particular* structures/institutions. There is clearly going to be a high degree of variability in the empirical content, which must be accounted for in giving such an account. Historical specificity and empirical investigations are necessary in determining the nature of such relations, methods which lie well outside the bounds of this inquiry. Thus it is not possible to show the *degree* to which agency may be constituted by particular structures and institutions, using purely philosophical methods. Such a task is for historians, sociologists, anthropologists, political economists and social theorists. However, I think it is possible to show *that* there is an important relationship of constitution at play, by undertaking a brief excursion into the *example* of one particular external structural condition which is very prevalent in the 21st century: the apparatus of state sovereignty.

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168 I will return to this point at various junctures throughout the thesis.
We need not think historically about how these conditions arose, what kind of forms it may take, or critically whether it is justified and legitimate or not. It serves as a good example simply because it is manifest. We also need not think systematically about the broader dimensions of the condition, for example, that state sovereignty exists within the context of a global sphere of geopolitical and economic relations. Even state sovereignty as a basic example presupposes an incredibly complex chain of dependent relations, but dealing with such complexity is not necessary for this example. The example is simply a means by which to highlight that, if we adopt Nāgārjuna’s metaphysical point of view, political-economic structures necessarily generate material, discursive-conceptual and dispositional content in conventional agents. How? Let’s take the particular example of state sovereignty as it exists in its present form here in Australia in 2013. Australian sovereignty is predicated on Hobbesian and Lockean principles, and is essentially structured to secure property rights and provide security for citizens. It includes federal and state parliaments, which work to produce legislation, a juridical system in which that legislation is independently arbitrated and a police force in which that legislation is independently enforced. Obviously there is far more to say on the matter, but those three core elements will suffice for the example. The key notion here is that any given conventional agent (not only citizens) which exists in the material/geographic space demarcated by Australian sovereignty, will necessarily be constituted by those structures of sovereignty.

On the level of rūpa, there are demarcations of public and private property, the basic material-spatial territory of Australia per se, and the individual or group owners of particular parts of Australia. Material space is constituted by those demarcations, and agents’ mobility is thus dictated by it. Particular agents can only move where they are allowed to move, either in public space, or in private space which they own, or in private space in which they have permission to enter. Wherever they violate those demarcations (i.e. by violating the laws of trespassing), all three elements of sovereignty will intervene upon them. The legislation produced by the parliament will be invoked by the police force and arbitrated on by the judiciary. On the level of rūpa, there is clearly a very robust sense of conventional agents being constituted by these external conditions of sovereignty: mobility is governed. Particular agents can only move in material spaces where they are allowed to move. The point here is not to make a normative judgement about whether this is a good or a bad condition, but simply to assert that conventional agents are strongly constituted by the external structure of state sovereignty, in the material sense of agentic mobility being determined and constrained in very palpable ways.

However, such determination and constraint does not merely exist on the level of rūpa. The rūpa elements are the particular material spaces and the bodies of particular agents, but the logic of sovereignty and property demarcation clearly presupposes robust conceptual, discursive, perceptual and dispositional elements (i.e. the nāmas processes). Legislation is written and laws are conceptual. In order for particular agents to abide by the material property demarcations of sovereignty, they must
know and understand where they can and cannot legally move to. The material demarcations are therefore firstly conceptual demarcations, and are only coherent insofar as there is a conceptual logic which successfully inheres on the level of agency. The efficacy of sovereign laws are predicated on the ability of particular agents to know and abide by them, which means that laws are not simply an external condition to which subjects must come into relation with at various times, they are discursive-conceptual phenomena which particular agents must internalise, such that they can function properly (i.e. in accord with the demands of sovereignty) on the level of their perception, intentionality, mental formations and action. So the idea here is that one does not have to consciously think of various laws pertaining to trespassing or theft, every time one encounters a new house on a suburban street, and then intentionally decide to abide by the laws with each perceptual encounter. Rather, unless there is severe cognitive impairment, those particular houses are already perceived as private, and one already knows not to enter into them. In fact the priority given to intentionality in the most contemporary systems of law (i.e. the juridical arm of sovereignty) belies this assumption. Breaking into a house implies intentionally transgressing against the laws of trespass which are presupposed to be sufficiently internalised by the agent.¹⁶⁹

Therefore, core rūpa and nāmas elements of conventional agency, namely, physical movement, perception, mental formations, intentions and actions, are strongly constituted by the reality of geographical sovereignty and the laws which maintain it. The point of this example is to deny the possibility of treating the empty conventional agent in a depoliticised purely moral or ‘spiritual’ sphere. The logic of emptiness dictates that if the agent is to be treated in her properly phenomenological immanence, than she is always and already a political being, necessarily involved with and constituted by political phenomena. The constituents of her subjectivity, including something as seemingly non-political as perception, contain structural and discursive elements which are political in character.

This example could be extended far more deeply, and many other particular political, economic or social structures, institutions or conditions could be analysed in a similar way. However, as I mentioned previously, because we are dealing with specific empirical phenomena which differs according to the particulars of the society in question, historical and sociological methods are necessary to give a precise account of the particular relationships which might ensue between structure and agency. What is important to establish here are not the particulars of a given historical situation or condition, but simply that the metaphysics and phenomenology of śūnyatā/pratītyasamutpāda grants a clear dependent relationship between material and discursive-conceptual political-economic-social structures and

¹⁶⁹ The topic of intentionality or mens rea in legal theory (and juridical practice) is clearly vast and very contextual, but it is a justified to assume that it plays a very significant role in most contemporary legal systems. For a good explanation of how it functions, see Chan, W. & Simister, A.P.; ‘Four Functions of Mens Rea,’ in Cambridge Law Journal, 70(2), (Cambridge University Press), July 2011.
agency. With respect to this example of Australian sovereignty, the dependency relation includes very robust material, discursive-conceptual and dispositional content. Whilst there would necessarily be wide variations and permutations between particular agents, for example, someone living in a remote part of Tasmania will be likely to be less affected by these elements of sovereignty than someone living in an apartment in Sydney, and both of those less affected than a boat arriving refugee, we can still conclude that the agency of anyone existing in Australian sovereign space is robustly constituted by these external structural conditions. This is because it pertains to where a given agent can and can’t move, so it governs the facticity of their mobility, and it implies the internalisation of discursive-conceptual content which structures perception, cognition, mental formations, choice making and affects (the samjñā and samskāraskandhas). As well, it implies that specific dispositions and habits which seemingly arise internally to the agent, may in fact be given by the external condition, for example, the perception of a house as private.  

At this point we have a clear conception of what it means to have an empty conventional agent (L1), and what it means for that agent to be strongly shaped by prevailing external conditions (L2). But how should we conceive of those two elements in the process of mutual dependence? Can we account for the (internal) causal efficacy of individual agency and of political structures without reifying one side or the other?

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170 I will explicitly address the relationship between emptiness and individual property rights in L9 & L10. Briefly, the claim that the perception of the house as private is given by the external conditions (in this case, of property rights institutionalised by sovereignty) follows a historicist logic, i.e. in being śūnyatā/pratītyasamutpāda, the conceptual logic of private property must be understood in terms of an evolutionary-historical chain of causation (similar to Rousseau’s account in his second discourse) rather than in terms of a natural or inalienable law (for example, as proposed by Locke).
Lemma three: Nāgārjuna’s metaphysics of emptiness implies that political reality ought to be considered as an assemblage (sāmargrī) of co-emerging structural and agentic causes and conditions. It is heuristically valuable to conceptually impute a ‘polis’ and consider it as an ‘empty whole’.

Agency and structure co-emerges

As I established in L2, all conventional agents are inseparable from and constituted by a range of external conditions, including structural phenomena such as economic and juridical systems, and relationships of social and ecological dependence. Such a context contains perhaps the most profound political implication of Nāgārjuna’s view: that one cannot conceive of agency without acknowledging the radically interdependent network of relations which partly make the agent what it is. One cannot conceive of moral agency and subjective potentiality (L1), without simultaneously acknowledging the total immersion and embeddedness of the conventional agent in various structures, institutions, systems, processes, discourses, conditions and relations. In short, whatever external phenomena are immanent to and partly constitute the agents reality and identity. Moral agency and subjective potentiality are mediated through and in between those phenomena. The implication, as most contemporary Buddhist political thinking has emphasised,\(^\text{171}\) is that the empty or selfless human being is a social or political being, by virtue of its ontological dependence with others.\(^\text{172}\) The concept of a pure (i.e. substantially self-existing) individual, separate and distinct from its social relations, is negated by the metaphysics of emptiness, which means that any normative claim in moral or political philosophy which is predicated on the preservation or defence of that concept cannot be justified. Although I have pointed out in various places (A2, A3 & L1) that there is a conventional individual agent, and that there are grounds for moral autonomy within that view of subjectivity,\(^\text{173}\) the broader ontological context given by the metaphysics of emptiness precludes the possibility of establishing a moral or political philosophy solely within that locus. That is, the basic logic of emptiness undermines the notion that political value should be predicated on the concept of the (socially abstracted) individual, over and above the various forms of interdependence which greatly constitute the individual to be what it is.

However, this does not imply that the logic of emptiness denies the predicates of libertarianism or (certain forms of) liberalism in favour of some version of communitarianism or collectivism. In fact, it may problematise both possibilities and thus present the contemporary dichotomy between them as a


\(^{172}\) However, the dependence with economic and political structures tends to be underemphasised in comparison with the dependence with other sentient beings and ecological phenomena, which I take to be a significant oversight.

\(^{173}\) This will be established more robustly in L6.
false dichotomy. With respect to the possibility of communitarianism, it is clearly the case that the various forms of relation and structural dependence, material and discursive-conceptual content as outlined in L2, are empty. In this respect, they also resist the possibility of a reificationist formulation – for example, of a State, constitution, body politic, species being, general will or class consciousness which exists as an essential whole or ground over and above the individuals of which it is comprised. There cannot be one essential political structure,¹⁷⁴ for example, a constitution in the Aristotelian sense or economic production in the Marxist sense, but rather many intersecting ones, all of which are equally dependent and impermanent (which is not to say that they are equally important). In this ontological state of constant change and interdependence, it is necessary to conceive of their existence as having high degrees of variation. The right kind of perspective is therefore one which conceives of political structures as processes in constant transformation and relation.¹⁷⁵ So although we can speak of conventional political structures, in the same way that we can speak of conventional political agents, those structures are not and can never be stable, enduring or substantial enough to provide a basis for a communitarian view underpinned by some kind of essential structural locus.

The conceptually designated ‘polis as an empty whole’

Whilst the dependent assemblage between structure and agency is clearly given by the conventional side of Nāgārjunian metaphysics, the assertion of a limit (spatial, temporal and geographic), which is what allows the concept of a distinct and particular spatially demarcated political community, is clearly a conceptual imputation, which may seem somewhat at odds with Nāgārjuna’s metaphysics. It is a demarcation which draws a conceptual boundary, where, in a sūnya/pratītyasamutpāda reality, none can be found. There is nothing in Nāgārjuna’s metaphysics which draws us into a particular finite spatial-temporal location, and in fact much in his work that demands that where such conceptual demarcations exist, they ought to be demolished.¹⁷⁶ The political implications of such an erasure might lead us to a kind of ontic cosmopolitanism, because the demarcations necessary for a spatial-geographic boundary, which is in turn a necessary pre-condition for a geographically established and bounded State,

¹⁷⁴ I do not use the term essential here as a direct synonym for svabhāva – I use it as a referent to describe political views which hold one particular structural form to be dominant in determining or shaping political and subjective reality. The logic of emptiness denies this even if that structural form is not explicitly predicated on or expressive of svabhāva (as substantial self-existence), in the sense that emptiness grants a conventional reciprocal and mutually co-emergent relation between structure and agency, rather than one wholly determining the other.

¹⁷⁵ There may be a resonance to a certain kind of historicism – because the logic of pratītyasamutpāda is a particular metaphysics of causation, and this leads us to situate these political processes in an unfolding causal-temporal context. However, that historicism cannot itself be reified to exhibit or stem from essential properties – for example, as Hegel’s conception of history is grounded in a metaphysical conception of essential forces which continually enter into dialectics, and the dialectic itself (i.e. the continual movement of forces) is essentialised. See Hegel, G.W.F.; Phenomenology of Mind, trans: A.V. Millar, (Oxford University Press: Oxford), 1977, Part III, pp79-87. Nor does it coherently support a historical process defined by a dialectic between the universal and the particular – of the kind defended by Adorno in Adorno, T. W.; History and Freedom, trans: R. Livingstone, (Polity Press: Cambridge), 2008, pp10-19 & 59-69. It could perhaps be argued that it offers a resonance with particularist and contextualist historical methods.

¹⁷⁶ I refer here primarily to his metaphysics and epistemology, but it is interesting to note that in his Ratnāvalī he presupposes the legitimacy of sovereign borders.
are undermined. It follows that a political world without boundaries and States is a radically cosmopolitan one, at least in a spatial and geographical sense.\textsuperscript{177}

Whilst the notion of a Nāgārjunian cosmopolitanism is seemingly very plausible, and will be explored in the context of political equality in chapter five, it is also plausible to assert or retain some conventional demarcations. In this case the demarcation of a polis is pragmatically very useful for the task of political philosophy, because that task demands that at some point in an infinitely extending empty causal chain, some conventional conceptual boundaries must be drawn. That is precisely what linguistic and conceptual conventions do. They are necessary tools to navigate samvṛti-satya, particularly insofar as the task being political requires methods for intersubjectively agreed organisation. The only relevant epistemic question is whether or not they involve a predication of svabhāva.

The Greek term polis is commonly invoked in contemporary political philosophy to signify something like an abstract political community. The term is pragmatically useful to express the context of a fluid, dynamic and mutually dependent relationship between structure and agency, and which also provides some kind of conceptual limit by which we can demarcate the sphere of the political from other spheres (such as the soteriological, cosmological, ecological or the aesthetic). Here I define it more precisely in lieu of Nāgārjuna’s metaphysics: the notion of a polis implies more than just an aggregation of individual agents acting in accord with their particular interests, and more than just a state and its various sovereign, constitutional, juridical and economic underpinnings and/or social structures. It implies both, in a fluid and contextual interplay. It implies a sāmargrī (assemblage), a combination of interconnected causes, effects and conditions all of which are expressive of the conventional causal and relational logic of pratītyasamutpāda. I thus use the term polis to represent the alignment of $L_1$ and $L_2$, such that we may conceive of political reality as one which contains empty agents and empty structures in mutually dependent processes.

The purpose of asserting such a particular locus is simply for heuristic reasons and is not at odds with Nāgārjuna’s metaphysics, so long as the particular conventional boundary is not mistaken for something real. There are two primary heuristic reasons. Firstly, because it is necessary to the conceptual task of political philosophy, and secondly, because geographically demarcated political communities do presently exist and are very likely to continue to exist. A useful way to think about the heuristic usefulness of the first reason is to take the classic canonical example of the chariot in the Milinda Pañha.

\textsuperscript{177} There is also a more normative argument in favour of cosmopolitanism connected to subjectivity (rather than the metaphysics of spatiality and geography) - which is that śūnyatā/pratītyasamutpāda undermines the (subjective and collective) identity formations necessary to form a particular and partial political community which is distinct from other particular and partial political communities. I will address this more explicitly in L8 & L11, and here remain on the more abstract level of how agency and structure ought to be conceived, given Nāgārjuna’s view of reality.
In this text, whilst the ‘wholeness’ of the chariot is famously broken down into its parts,¹⁷⁸ and Nāgārjuna would further reduce those parts to their ultimately empty (i.e. non-substantial) reality, when a chariot passes by, it is still conventionally appropriate and pragmatically useful to say “there is a chariot” and to take it as a conventional whole, which is conventionally conceptually distinct from other phenomena such as horse, road and sky. More importantly, if one is the mechanic responsible for the workings of that chariot, it is entirely appropriate and necessary to understand how each part functions cohesively together, such that the chariot as a whole runs smoothly, even if each part is not granted its own self-identity or substantially self-existent nature. In this respect, the political philosopher is akin to the mechanic, and must make conceptual distinctions which allows understanding of how empty parts of ‘the polis’ function or fail to function cohesively together, such that the polis as an empty whole functions or does not function sufficiently or desirably. That is, when we move to a normative level of analysis and consider the parameters of sufficiency or desirability, the parameters of value, these must emerge from and be responsive to the causal context which includes both the parts and the whole.

The second heuristic reason needs to be treated more carefully: the immanent and historical existence of a particular political phenomena, in this case geographically bounded political communities, does not necessarily justify it as in accord with the conventional side of Nāgārjuna’s metaphysics. However, my claim here is that it is justified only on the grounds of the first reason. The second reason simply offers a useful pragmatic context: because there are geographically demarcated poleis, it is pragmatically useful to consider them in conceiving of an empty and dependently co-arising political reality.

Thus it is epistemologically justified and pragmatically useful to conceive of the polis as an empty whole, which we might say is the totality of these mutually dependent subjective and structural processes within a given spatial, temporal and geographic location. The assertion of such a boundary or location is not inconsistent with Nāgārjuna’s metaphysics, so long as it is recognised as a helpful conceptual designation, and not taken to be an assertion about an underlying reality. The concept of ‘the polis as an empty whole’ is heuristically helpful, because it expresses a view of social-political reality which is resonant with the mutually dependent relationships between structure and agency, and avoids the reification of either. It provides the right kind of conceptual framework by which political reality ought to be understood. So long as ‘the polis as an empty whole’ is not itself reified, and so long as it is understood to be a conventional conceptual designation, then it is not inconsistent with Nāgārjuna’s metaphysics.

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However, this clearly denies any kind of *ontological* argument in favour of states. States must be taken to be *nothing more than* conventional, conceptual demarcations. The implication is that although such demarcations may be justified and pragmatically very useful, because they are merely conventional (in this case, merely in the linguistic sense), there may be good reasons to consider an empty and dependently co-arising political reality which functions *without* them. This would be a radically *cosmopolitan* world.\(^{179}\)

\(^{179}\) I analyse this possibility in LII and the conclusion.
Conclusions

Let us return to the key questions posed at the beginning of this chapter: what is the relationship between emptiness, structure and agency? What primary political implications follow from that? How should the political world be conceived, if we accept Nāgārjuna’s proposition that both agents and structures are empty of svabhava?

L1 principally considered the moral and political implications of empty agency. It argued that the empty conventional agent is one condemned to an ontological and existential state of constant change – but because this may be reflectively understood, the causal logic underpinning change may be harnessed, such that the agent may transform consciously and reflectively in the way they desire to. This highlights what is at stake morally and politically: humans in their political world may change for the better or for the worse, depending upon what they do or do not do. This in turn depends on whether they understand or do not understand the nature of reality. This is an undeniable implication from Nāgārjuna’s metaphysics, which he explicitly defends in soteriological terms. However, it is also undeniably important when we consider the political world, because it gives us an account for how a good or liberated life may or may not transpire, and where precisely constraint may be found. And this is indeed a concern proper to the task of politics and political philosophy.

However, such a consideration seems to prioritise the individual agent, in the sense that the efficacy or failure of subjective transformation (and thus, the good or liberated life) seems to depend entirely on how that agent intends and acts. However, L2 posed the questions: to what extent do intentions, actions and the resultant forms of consciousness and habitual dispositions stem from external conditions, and to what extent are they generated on a level internal to the agent? What might the Nāgārjunian perspective be on the relationship between structure and agency? The conclusion of L2 is profound for how we might think about the Nāgārjunian conventional agent: the agent is already and always a political subject, because structural-institutional conditions strongly shape its range of possibilities.

The question of precisely how much structures constitute agency, and how much autonomy, if any, may be found, cannot be answered with any coherence without historical-empirical investigations, given that both structure and agency are in highly variable, dependent and contextual relations. The content of those relations must be analysed in order to draw a meaningful response to that question – a task for historians, political economists, anthropologists and sociologists. However, even though it is limiting and reductive to extrapolate a more generalised philosophical point, we may nonetheless draw the tentative conclusion that the form of subjective transformation given in L1 justifies the idea that the agent can gradually increase their autonomy from the constraints of language and particular unwholesome affects and dispositions. Thus, there is a fluid enough concept of agency with respect to some external conditions, in the sense that an agent can grow less constrained and determined by them.
However, even if one gains the maximum amount of ‘free’ agency available, by directly apprehending the emptiness of things and living constantly in accord with it, on the conventional level, the causal functionality of structures such as sovereignty, laws and economic systems would still have efficacy. In fact, their causal efficacy would not diminish or be transcended, it would simply be apprehended more clearly. Enlightened beings in necessary exile from Tibet can surely testify to this fact.

To realise the significance of political and economic structures to the possible forms of subjective transformation given in L1, returns us to the questions: what are the best material or structural conditions to sustain or facilitate that transformation? And, are there particular kinds of political and economic organisation which might constrain or even deny the possibility of that transformation? What kind of structural and institutional conditions are most conducive for the best kind of life? Such questions still lie at the heart of contemporary political and economic thinking, and careful consideration of Nāgārjuna’s position makes it clear that his philosophy too, may have something meaningful to contribute to those kinds of questions. Conceiving the polis as an empty whole is a heuristic device to help facilitate a normative response to those kinds of questions. It means that the notion of moral and political value can be placed in a context where structure and agency are conceived to be mutually co-emerging, thus presenting a political middle way which avoids the reification of the individual or the community, but takes both into account. However, the fact that conceiving of ‘a polis’ in its geographical particularity is nothing more than a helpful heuristic device, leads us to consider that the political sāmargrī which is most consistent with Nāgārjuna’s view, is one which does not contain any real boundaries. The universalist scope of the Mahāyānist soteriological orientation is seemingly resonant with a political cosmopolitanism, albeit for very different reasons than Kantian ones.
CHAPTER THREE

SAṂVRṬI-SATYA AS CONCEALING AND POLITICAL (UN)REALITY
Introduction

In chapter two I gave an account of the primary moral and political implications which follow from Nāgārjuna’s account of conventional agency and its relation to phenomena, framed from the metaphysical standpoint of śūnyatā/pratītyasamutpāda. That is, all three lemmas were grounded in an account of reality held to be true by Nāgārjuna. However, the assertion of this true reality occurs within a broader context in which there is the possibility of there being an untrue ‘reality’ – either one asserted discursively and logically (i.e. by Nāgārjuna’s philosophical opponents) and/or one which is experienced (tacitly and implicitly) by particular agents (i.e. agents who reify themselves, others and phenomena to be substantially self-existent). This is ostensibly the assumption, assertion, imputation or perception of svabhāva, the attribution of substantial self-existence and own self-identity upon selves, others and things. This is precisely the concealed or false mode of subjectivity given in A3. Because the basis for this is an erroneous imputation on the side of agency it ought to be conceived as a subjective epistemological or phenomenological distortion of reality. However, it is misleading to treat this as purely an individual problem. There is also an important sense in which the imputation of svabhāva may create a certain kind of shared or collective illusory reality which builds up (discursively and structurally) on the basis of shared or collective imputations of svabhāva. One of the senses in which later Mādhyamikas use the term saṃvṛti clearly implies shared conceptual conventions which operate (discursively) to conceal the nature of reality.

Lemma four takes this notion of saṃvṛti as concealing to be an implicit but powerful and troubling aspect of Nāgārjuna’s position. It demands that we consider the social-political world to be constructed and governed by conventional agents who are prone to this kind of epistemic error. I argue that this consideration is seminal to the task of building a coherent political philosophy out of Nāgārjuna’s philosophy of emptiness, because it grants both an original and plausible conception of what the most fundamental political problem might be, as well as providing the possibility of directly addressing that problem. Framed in western terminology, we might say that the root problem is ideology, particularly the ideology of self-interest, and the way this might be represented in particular political and economic theories which strongly structure the polis (and the agents within the polis). And the way to address it is by addressing those shared concealing conceptual conventions which give rise to, perpetrate and re-perpetrate it.

Although this forms the basis for a plausible and potentially fruitful political task and normative trajectory, I also argue in L4 that the illusory nature of social-political reality must be understood to be operative. I argue that Nāgārjuna’s position draws us into an understanding of political reality in which desirable goods such as reason, moral altruism and virtue are never a given, and in fact, may be far less manifest than undesirable goods such as uncontrolled desire, self-interest, delusion, ideology and
aggression. The political world should therefore be primarily conceived to be structured by desire and ideology. Nonetheless, I argue in lemma five that because those undesirable goods are predicated on illusory conceptions of svabhāva, and thus have no true reality at all, it is both possible and normatively desirable to transform them. Therefore this chapter establishes two key elements in a Nāgārjunian inspired political philosophy: that so long as svabhāva is operative, it is the key political problem, and that this problem can be overcome. In this way the normative structure of a clearly defined political trajectory emerges – the possibility of a transition from saṃvṛti-satya as concealing to saṃvṛti-satya as mutually dependent/śūnyatā.
Lemma 4 – Social-political 'reality' ought to be conceived as functioning on the basis of svabhāva. This conception is seminal to the normative task of conceiving how it ought to function.

Implicit (but obvious) in Nāgārjuna’s philosophy of śūnyatā is the thought that most people do not understand or apprehend themselves, others and phenomenal things as empty. If that is the case, then it follows that most people at least tacitly see, assume or apprehend themselves, others and phenomenal things as having svabhāva. The soteriological dimensions of this play between svabhāva and śūnyatā are well understood but the political dimensions are often neglected or missed altogether. Yet there is a very significant political claim which lies unstated in Nāgārjuna’s philosophy: social and political ‘reality’ might in fact turn out to be very unreal, in the sense of being illusory and deceptive. This play between a true and untrue ‘reality’ is somewhat reminiscent of Platonism and it leaves open a particular kind of resonance with Platonic politics. However although Nāgārjuna’s thinking shares a loose structural affinity to that account, there is a very pronounced difference which is given by his radically distinct ontology. So how precisely should we understand the relation between Nāgārjuna’s account of an ultimately true reality and an illusory unreality? It is clear through the wealth of canonical Mahāyāna literature that much is at stake soteriologically in that account, but what might be at stake politically?

Samsāra and nirvāṇa in Nāgārjuna’s MMK

The formal basis for samsāra in earlier forms of Buddhism is the ontological distinction between conditioned and unconditioned phenomena. Conditioned phenomena refers to anything which is impermanent and arises, abides and decays. It is the phenomenal and mental world of causation, relativity and flux. Because conditioned phenomena are subject to decay they are impermanent, and because they are impermanent, they can only give rise to duḥkha (unsatisfactoriness). Conditioned phenomena includes anything material, most significantly the human body, but also experiences and mental states which depend upon external phenomena (i.e. sensory engagements and the mental formations which ensue from them), and are thus only momentary and fleeting. It is a foundational premise of earlier forms of Buddhism that these two claims hold: that things in the world per se are conditioned, and that because things in the world per se are conditioned, subjective human experience is necessarily duḥkha. Such is the logic of the first and second noble truths. The reason why human

180 The resonance is with respect to the political problematic of who has epistemic access to truth and reality, and who does not, and how this may be relevant in political decision making power.
181 That is, although his philosophy of emptiness contains an account of samsāra and avidyā and their relationship to mokṣa (liberation) – opening up a politically significant relationship between an unreal/untrue reality and a true reality - those concepts and the relation which inheres between them is radically distinct from Platonic metaphysics in lieu of the claim that everything, including samsāra and nirvāṇa, is empty.
182 See for example Majjhima Nikāya, (38) Mahātānāśavahayaka Sutta & (82) Raṭṭhaṇāla Sutta.
183 See for example Majjhima Nikāya (12) Mahāsīhanāda Sutta.
existence is duḥkha, is because human existence is composed of and constantly in an attached relationship to things which are all conditioned. This also points to why the meaning of duḥkha may be closer to ‘unsatisfactoriness’, rather than ‘suffering’ (a common translation). It is not a state of suffering to eat a nice piece of ripe brie, in fact it may be very pleasurable, but it is unsatisfactory in the sense that the pleasure does not last long. The pleasure of brie on the palate is very short in duration, and by necessity impermanent. What really defines this fleeting pleasure as an unsatisfactoriness, is the possibility of experiencing a genuinely enduring state of satisfaction, which is how nirvāṇa is characterised. In this respect, eating a piece of brie may not be unsatisfactory per se, it is unsatisfactory in comparison to nirvāṇa.

Nirvāṇa is often expressed in the negation,¹⁸⁴ as the cessation of all the causes and mental states which produce a conditioned experience of reality within the agent, and so, it is not so much a phenomena (i.e. it is not an ontological place), as it is an undefinable signification of the subjective attainment of the ultimate (unchanging, irreversible) liberation from conditioned things. What is important here is that it is held to be the only genuinely unconditioned (experiential) reality,¹⁸⁵ and therefore, the only reality capable of generating a non-contingent and non-impermanent mental state, which is why satisfaction endures. Nirvāṇa is thus squarely the attainment of freedom from the momentary mental states which arise in dependence upon a momentary reality.

Although the distinction between samsāra and nirvāṇa in early Buddhism is not in any genuine sense akin to a kind of ontological Platonism, there is seemingly a practical or experiential similarity. This is because in earlier forms of Buddhism the sensory and material spheres are problematised, and considered in relation to an immaterial ‘attainment’ or ‘possible experience.’ That is, nirvāṇa is in an important sense distinguished from the material world, and the possibility of realising it is predicated on overcoming or going beyond it (the material world). This is why, in earlier Buddhism’s, sensory engagements and the forms of consciousness they produce, are problematised in favour of meditative absorption on non-sensory objects (i.e. the four jhānas which are the meditative pathways to nirvāṇa).¹⁸⁶ The implication is that samsāra is explicitly equated with the material world per se, inclusive of social and political realities, and nirvāṇa the release from it, or at least, the constraints associated with being

¹⁸⁴ However, there is some conjecture about this. For example Bhikkhu Nanamoli argues for a more positive interpretation: ‘The Pali Canon offers sufficient evidence to dispense with the opinion of some interpreters that Nibbāna is sheer annihilation; even the more sophisticated view that Nibbāna is merely the destruction of defilements and the extinction of existence cannot stand up under scrutiny’ in ‘Introduction’ The Middle Length Discourses of the Buddha, trans: Bkk. Nanamoli & Bkk. Bodhi, (Wisdom: Boston), 2001, p31.

¹⁸⁵ Collins gives a formal definition for the ontological status of nirvana in early Buddhism, as really existent: ‘Nirvana exists, the only Unconditioned Existent, the opposite of all conditioned existents.’ In Collins, S.: Nirvana and Other Buddhist Felicities, p177. See also Kalansuriya, A.D.P.; ‘Nibbāna and the Language Game’ in A Philosophical Analysis of Buddhist Notions, (Sri Satguru Publications: New Delhi), 1987.

¹⁸⁶ See for example Majjhima Nikāya (13) Mahādakkhakhandha Sutta for the problematisation of sensory engagement & (43) Mahāvedalla Sutta for the efficacy of meditating on the four jhānas.
determined by it. However, this is not to infer that these earlier forms of Buddhism were ascetic and world denying, but it is indicative of a soteriological orientation which firmly privileged the immaterial over the material, and thus problematised ‘worldliness.’

Nāgārjuna retains this earlier Buddhist distinction between saṃsāra and nirvāṇa, but resituates it in the context of emptiness and the two truths, a context which has quite radical implications. In fact Nāgārjuna infamously declares in chapter XXV of the MMK that:

There is not the slightest difference
Between saṃsāra and nirvāṇa
There is not the slightest difference
Between nirvāṇa and saṃsāra

Whatever is the limit of nirvāṇa,
That is the limit of saṃsāra.
There is not even the slightest difference between them,
Or even the subllest thing.  

At first glance, this seems to be a rather scandalous or heretical repudiation of the earlier view, but his basic claim is simply that neither saṃsāra nor nirvāṇa can have substantial self-existence - they are both empty. Earlier in the chapter, Nāgārjuna asserts that nirvāṇa is not existent, because it is not compounded or subject to arising and decay. It is not a conventional phenomena, and therefore, cannot be understood metaphysically to be dependently co-arising, which is the basis for asserting conventional existence. He then asserts that nirvāṇa is not non-existent, because the positive predication ‘non-existent’ assumes the validity of ‘existent’, which has already been refuted. Nirvāṇa is also not non-existent in a different sense, in that even though it is neither a conventional nor ultimate existent, it refers to a (subjective and experiential) state of release from saṃsāra, so it is not ‘nothing at all.’ The two further possibilities of being neither existent nor non-existent or both existent and non-existent are denied on the grounds that both possibilities entail using the predicates existent and non-existent which have already been refuted. So where does that leave the reality of saṃsāra and nirvāṇa, and the relationship between them?

This is given most succinctly in verses 9 & 10:

187 Nāgārjuna.; MMK, trans: J.L. Garfield, XXV (19) & (20), p75.
188 Nāgārjuna.; MMK, trans: J.L. Garfield, XXV (5) & (6), p73.
190 Nāgārjuna.; MMK, trans: J.L. Garfield, XXV (9) & (10), p74.
Verse 9 articulates the reality of nirvāṇa as contextually dependent on ‘that which comes and goes’: nirvāṇa is that which does not come and go. This contextual relationship is precisely the relation which inheres between the two truths. The conventional reality of a given phenomena is its coming and going (its dependent and changing nature) and the ultimate reality is its emptiness. Whilst the emptiness of the phenomena does not come and go, that is why it is the phenomena’s ultimate reality, this emptiness is nonetheless dependent upon there being a conventional phenomena. That is, emptiness is not something unto itself (because it is also empty), it is a way of apprehending something which conventionally exists. Nāgārjuna is thus making the argument that saṃsāra is associated with the dependent and changing nature of conventional reality, and nirvāṇa with the emptiness which characterises ultimate reality, and that both inhere as two epistemic standpoints of the one ontological reality. Relinquishing the reification of conventional reality is what grants nirvāṇa. Nirvāṇa is thus an experience, a particular way of being-in-the-world, which depends upon there being a conventionally existing world. The implication is that the distinction between saṃsāra and nirvāṇa is not an ontological one. They cannot be distinct ontological realities (for example, of the material-immaterial kind I referred to earlier). They are, rather, two distinct but interrelated epistemic or phenomenological standpoints of the one ontological reality. In this respect, nirvāṇa is simply the correct apprehension of the emptiness of phenomena, and saṃsāra is simply the reification of phenomena to be substantially self-existent. But does any of this have any relevance to a political domain of thought and if so, how and why?

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192 Note that in A2 I made the argument that saṃvyūti-satya has two senses – one a strongly reificationist sense where substantial self-existence is wrongly attributed to dependently existing entities, and the other a conventionally true sense where entities are seen as mutually dependent and contingent. With respect to the question of saṃsāra, the distinction is still important, but both are clearly perspectives of saṃsāra – Nāgārjuna asserts that so long as an entity is seen as a conventional entity (i.e. even in its dependent co-arising) it cannot be the perspective of nirvāṇa. The experience of nirvāṇa entails the experience or apprehension of the emptiness of the phenomena, not the phenomena as it conventionally exists. Nonetheless, there is clearly a sense in which it is far better to see the conventional entity as dependently co-arising rather than substantially self-existing, because the former is immutably related to the ultimate reality of the phenomena. That is, although nirvāṇa is not dependent on anything, the state of attaining it does depend upon the agent doing a whole range of things – including, cognising and
The political implications of saṃvṛti-satya as concealing

The western philosopher I briefly referred to earlier in this lemma was not simply interested in a *metaphysical and epistemic* distinction between a false material and a true ideal reality. His profoundly influential *political* philosophy given in *The Republic* is predicated on precisely such a distinction. The core issues at stake, how to structure the best political system, who does and who doesn’t have access to epistemic truth, who should rule and who should be ruled, all in important senses follow from his epistemological distinction between a true reality and a distorted or illusory unreality. And this basic distinction, between a true and an illusory reality, has been a consistent theme in the history of western political philosophy, and is often present even in the thinking of figures who assert a metaphysics very distinct from Platonism. For example Spinoza (monism or pantheism), Hegel (dialectical-historical idealism) and Marx (dialectical-historical materialism). I claim here that Nāgārjuna’s particular metaphysical distinction between *saṃsāra* and *nirvāṇa* offers a great deal of political relevance, especially in relation to this (largely western) problematic of the relationship between political theory, epistemic access to truth/reality and distortions of truth/reality, which is perhaps best captured by the problematic of *ideology* and its relation to systems or methods of political decision making such as democracy or monarchy.

The most pressing of these insights is somewhat implicit and must be inferred, but is nonetheless extremely obvious: *saṃsāric*-perceptual reification is what *usually* does occur and ‘nirvanic’ apprehensions of the emptiness of phenomena are extremely rare. So it is the *unsaid* Nāgārjunian account of human social-political existence, of how human subjectivity *tends* to manifest in the political world, or perhaps more broadly, to *produce or construct* that political world. That is, human subjectivity tends to manifest through the form of an epistemic and phenomenological standpoint of error, in which selves, others and entities are taken to have a substantial existence which is (profoundly) contrary to their reality. Nāgārjuna is well aware of the soteriological implications of this claim. Like the Buddha, he is explicitly trying to convince his interlocutors that living from such a standpoint of epistemic error is a terrible constraint, and that liberation from this constraint is indeed possible and should be sought. However, the social and political implications of this claim are left for us to put into language, and they are confronting claims. In fact it is an extraordinarily pessimistic conception of the social-political world. What it amounts to is the idea that social and political reality may be principally composed of humans who live profoundly *out of touch with reality*. Human social-political existence is, throughout most times and places, ostensibly a form of deep epistemic and phenomenological error. This is really the meaning of *saṃvṛti-satya* as concealing - a world of shared conventions all of which are an apprehending the conventional reality of dependent co-arising. See my argument establishing the connection between causal efficacy and successful soteriological and ethical action in LI, pp5-9.

expression of a deep and fundamental ignorance. It is also the reason why svabhāva must in part be treated as a political concept and political problem.

Nāgārjuna would not be the first and nor is he likely to be the last philosopher who makes the claim that ordinary, unreflective folk do not see reality for what it is, and there seems to be a range of deep problems with such a claim. Most notably, that it assumes something about any given social-political reality, the way that the agents within it interpret and interact with phenomena, without requiring any empirical evidence about those agents. How do we know that imputing svabhāva is the tacit mode of being-in-the-world for any given human being? We could perhaps read Nāgārjuna as providing an implicit sociological insight about the social-political reality of Southern India in 150CE, that in his view, most people there and then tended to attribute svabhāva to selves, others and things, but even if we grant him that, is there any good reason for universalising this claim to all societies and through all times?

In Buddhism generally, this notion of an ‘enduring’ saṃsāric reality is more or less a cosmological idea, and it is embedded in a cosmological system inherited from Vedic India, which includes ideas about cyclical time and the creation and destruction of the universe. Nāgārjuna, although explicitly critiquing concepts such as cosmological time, and giving a very particular (non-cosmological) definition of saṃsāra, nonetheless still speaks within that inherited cosmological context. This is expressed (more overtly in the Ratnāvalī) as the core Mahāyāna ideal that enlightened beings must work tirelessly until every single sentient creature is also enlightened. This of course presupposes a cosmic (and social) reality of unenlightenment or māyā (illusion). If we bracket that cosmological context, it may not be justified to make Nāgārjuna’s claims about the predominance of samvṛtī-satya as concealing into a universal account of human agency/society, but we can retain the basic metaphysical-epistemic idea that the attributing of substantial self-existence to selves, others and things is always possible and probably does happen in many times and places, including, our own. This metaphysical-epistemic claim is itself still extremely significant and useful for the task of political philosophy, because the task of political philosophy demands the epistemological possibility of discerning what is real and true and what is not real and true, and being able to structure the polis in accordance with what is real and true. Any kind of normative agenda requires such a discernment.

The temptation, when dealing with Nāgārjuna’s reality and truth claims, is to simply discard the fictionalised-imputed illusory reality of samvṛtī-satya as concealing and the associated problem of

194 See for example, chapter three of the Abhidharmakośa.
195 i.e. in the MMK, XIX.
196 Westerhoff (tentatively) points to evidence from cognitive science to support this notion, in Westerhoff, J.; ‘The Madhyamaka Concept of Svabhāva: Ontological and Cognitive Aspects,’ pp18-22. However, I think it is best treated on the level of social theory where it may work as a common sense assumption.
svabhāva, and consider it as insignificant to the task of political philosophy, because it is simply the point of departure (towards the good, the real and the true) and has no normative value. Its utility in this sense would be to merely demonstrate succinctly how things ought not to be. Because it is ontologically false, it may simply be discarded. However, I think that the Nāgārjunian claim, one shared with Buddhism generally, in ascribing such a deeply embedded epistemic-phenomenological error to ordinary human subjectivity, and by extension, to the nature of social and political worlds, is implicitly a profound and significant political claim. In itself, such a claim must be the starting point for thinking through any further social and political questions, because it is going to be seminal to the task of correctly diagnosing what specific political problems might exist, and plausibly treating them at their cause. Any kind of normative impulse which attempts to respond to those problems must be grounded in a response to political and social reality as it functions, not on the assumption that political reality is functioning in accord with Buddhist principles or ontologies.

The primary implication is that any kind of normative political response and theoretical and applied trajectory must proceed from the somewhat dire beginning point that samsāra is operative – operative not in any cosmological sense, but simply in the epistemic-phenomenological sense that conventional agents tend to function by taking selves, others and things to be substantially real. I will argue in the following lemma that political action will be about plausibly overcoming this tendency, and this will in turn require a response to the problem of political liberty. However in order to overcome it, ‘it’ must be both recognised, understood and accepted. A relevant analogy might be found in a psychoanalytic response to the problematic of unconscious aggression or neurosis. Denying or overlooking the existence of the problem (i.e. the repression of unconscious instincts) re-affirms rather than overcomes it. Here we may find one of Nāgārjuna’s most fruitful contributions to the task of contemporary political philosophy. We need to know what the problem is before we can try to fix it, and Nāgārjuna offers us a very unique conception of what the problem is.

Therefore, before we indulge in the construction of Buddhist inspired political utopias predicated on a political and social reality founded on a metaphysics of śūnyatā/pratītyasamutpāda, we need to account for and understand what it means to say that agents tend to function by taking selves, others and things to be substantially self-existent. How should such an ‘illusory’ reality be conceived and characterised? What are the manifest social-political consequences which follow from the idea that agents attribute substantial self-existence and own self-identity to self, others and things and therefore tend to take these illusory things to be real? A purely phenomenological response to these kinds of questions is more or less given self-evidently: what is contingent, nominal and relational is perceived and apprehended as autonomous, separate and independent. What is causally produced is perceived and apprehended as intrinsically there. What is constantly changing is perceived and apprehended as permanent and substantial. It is my contention that a political response uncovers three fundamental political problems
which arise on the basis of this (illusory) reality: the problematic of strongly partial identity formations of self and Other (and related problems such as ethnic, religious or nationalist violence), the problematic of self-interest (and related problems such as economic scarcity, inequality etc) and the problematic of attachment-possession (and related problems such property rights, production and the distribution of resources). All of these will be addressed in the following lemmas, but for now we can establish that svabhāva is not simply a metaphysical, psychological or soteriological problem. It is also clearly a political problem. At this point we can plausibly assert that there is such a thing as political svabhava.

The emergence of a social-political reality defined by the tacit or explicit functioning of svabhāva opens up a deep normative challenge to reconcile how agents tend to function with how agents ought to function. Where saṃvṛti-satya as concealing is operative, saṃvṛti-satya as mutually supporting and paramārtha-satya as emptiness are not manifest. That is to say that where selves, others and things are perceptually reified to have substantial self-existence, they cannot at the same time, be seen in their (epistemically true) contingency and interrelationality. Nāgārjuna is seemingly committed to the view that this is not only a possible mode of (mis)seeing reality, it is the dominant mode: the political world is not a Buddhist Shangri-La where everyone at least perceives the causal functionality and interrelationality of dependent co-arising (i.e. saṃvṛti-satya as mutually supporting). We might or might not agree whether reification is dominant, or whether it is simply a possible mode. That question seems to be historically contextual and variable, which demands empirical evidence. However, from a philosophical standpoint, we can ask: is this erroneous imposition upon reality politically desirable? And if not, where it is operative, is it possible to change it? What are the conditions which enable it occur, and what are the conditions which undermine it?
Lemma 5 – It is both normatively desirable and possible to relinquish the illusory elements (i.e. ‘political svabhāva’/ saṃvṛti-satya as concealing) which inhere within a given social and political reality.

Because saṃvṛti-satya as concealing is an epistemic and phenomenological distortion of reality, it has no ontological basis, and therefore cannot be asserted to be an unchanging or natural account of social-political reality. This is contrary to the arguments of psychoanalytically informed political theorists such as Althusser and Zizek who hold that there is never a way out of ideology, or realists such as Hobbes and Schmitt that there is never a way out of ontological violence. The appearance of saṃvṛti-satya as concealing or ‘political svabhāva’ depends entirely upon particular conventional agents reifying reality to be something which it is not, and therefore, on the way in which they might relate to, interpret and construct phenomenal reality. However, as I showed in L2 this is not a purely subjective ideal relationship, because there are material and structural dependencies which may strongly constitute the distorted epistemic or phenomenological relationship which particular agents have to phenomenal reality. Changing the facticity of this political ‘unreality’ implies changing the nature of those material and structural dependencies. In this lemma I ask two key political questions connected with that: Are there any good normative reasons to justify a political intervention upon ‘political svabhāva,’ such that it may become less dominant or maybe even eradicated? Is this actually possible?

Why it is normatively desirable to intervene upon ‘political svabhāva’

There are two compelling reasons why it is politically desirable for a given polis to relinquish svabhāva. The first is that from the Nāgārjunian point of view, the most pernicious and undesirable collective (i.e. social and political) conditions are illusory expressions of svabhāva. Although this may seem reductive, the point is similar to the meaning of the four noble truths. That although there are a myriad of ways in which humans may experience duḥkha, all of them stem from a common root. And this common root can be destroyed. What is politically significant about thinking about social-political conditions in this way is that because the myriad of effects are illusory expressions of svabhāva, all of them may be fixed by relinquishing svabhāva.

I have identified three fundamental political problems which arise on the basis of svabhāva: the problematic of strongly partial identity formations of self and Other (and related problems such as ethnic, religious or nationalist violence), the problematic of self-interest (and related problems such as economic scarcity, inequality etc) and the problematic of attachment-possession (and related problems such property rights, production and the distribution of resources). The normative desirability to

197 Although these conditions/effects should be conceived as a multiplicity of elements, contemporary engaged Buddhists such as Loy are apt to treat them in the orthodox Buddhist terms as ‘the three poisons’ of moha (delusion), rāga (greed) and dveṣa (hatred/aggression). See Loy, D.; Money Sex War Karma, pp87-94.
interfere upon *svabhāva* depends upon the extent to which they are seen or not seen as unwanted or *pernicious* effects. Of these, let us for the moment bracket the latter two because they are relatively controversial, and focus on the first. The proposition is simply that one of the effects of *svabhāva* is the reification of self and Other, such that strongly partial identifications may be imputed on the basis of that reification. This orthodox point is usually treated in moral and soteriological terms, but the political implication is very significant, because we have here a primary *cause* for aggression and violence.

The idea here is that gross attachments and aversions only arise in the first instance, on the basis of perceptual reification - the basic misapprehension rooted in *svabhāva* that there is a substantially existing self and a substantially existing other. So long as this misapprehension endures, so too does the possibility of the basic identity formation and distinction between friend and enemy, a distinction which has been famously proposed by Schmitt to be the fundamental category of the political. Schmitt’s pessimistic political realism refers back to Hobbes, and both share the claim that violence is a natural (ontological) tendency of human nature. Because it is natural, there is no possibility of transforming the ontological problematic of violence. Instead, politics is about the recognition of this fact, and acting in accordance with that recognition. The implication for Schmitt (and Hobbes) leads to the view that it is necessary to have a very particular kind of sovereignty, which can function (juridically and forcefully) to make conditions secure in the otherwise constant climate of violence.

It is easy to problematise authoritarian or realist responses to the problem of violence, but liberal solutions similarly require conditions of sovereign law and the ‘legitimate’ use of force to secure that law and thus make political conditions secure from the constant threat of violence. What is significant here is that if violence is conceived to be an ontological problem, any normative political solution must be responsive to that. For Hobbes of course, the political solution is to produce a social contract that endorses a Leviathan to maintain security and order, and to keep all political subjects in a state of ‘awe and fear.’ In this sense his normative political solution does not address the roots of the problem, the ontological fact of violence, because it can’t (in fact he gives an ontological explanation for the reality of violence). Rather, normativity is geared towards a purely political solution, which only inheres so

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198 For example, there are many economic and political arguments defending the *desirability* of self-interest.
199 This is well encapsulated by Dharmakīrti when he writes: ‘By conceiving the self, one perceives the existence of others, differentiating between the self and others, causes attachment and hatred.’ From Namgyal, D.T.; *Mahamudra*, trans: L.P.Lhalungpa, (Wisdom: Boston), 2006, p55.
202 Namely that human subjects are atomistic monads driven into motion by desire, and because they exist in a domain of scarce resources, that desire driven motion will inevitably produce competition and conflict. See Hobbes, T.; *Leviathan*, pp88-97&141-145.
long as the social contract and Leviathan endures. However, because from the Nāgārjunian perspective, violence is not held to be a natural or ontological state, but rather, one which can only arise on the basis of epistemic error, it is explicitly denied any ‘true’ reality. It follows that the solution to the problem of violence lies primarily on the epistemological level, and that any given normative political solution would be related to that.

This is not to argue that the problem of violence is one which may be easily resolved with a normative injunction that ‘everyone ought to simply stop reifying self and other.’ The point about such reification, a point which both Nāgārjuna and the psychoanalytic political tradition would share, is that these processes are embedded very deeply, and are not subject to easy transformation. The insights of realists such as Hobbes and Schmitt are not to be taken lightly, even if their ontological claims might be problematic. Therefore, the argument here is for the normative desirability of eradicating the reification of self and Other, not an assertion that it is realistic or pragmatically likely to occur. Because the elements which produce violence would be held by Nāgārjuna to be the epistemic distortions which stem from ‘political svabhāva,’ there is a good normative justification for politically desiring the transformation of it. The eradication of violence (and its positive form of establishing peace) is clearly a central concern of politics (both domestically and internationally), and few would dispute the claim that if something can be done to lesson or remove it, then it should be done. We thus have the first compelling reason why it is normatively desirable to relinquish ‘political svabhāva.’

The second reason is more complex, and is one of the primary normative implications of treating L1 & L2 together. It is that the possibility of either the soteriological or ethical form of subjective transformation is partly a structural possibility. In this sense, the potential for agents in a given polis to actually experience their potential for liberty depends in part on them having the right structural conditions to do so. For example, gaining the necessary analytical abilities to understand Nāgārjuna’s philosophy (and thus, apprehend the true nature of reality) presupposes sufficient cognitive

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203 The possibility of the social contract breaking down is always a threat – and such a threat may be used by authoritarian leaders to justify the use of unnecessary force in order to maintain order and power - to literally keep everyone in state of awe and fear. This critique is well made by Derrida. He writes: ‘[the Hobbesian Leviathan].....is an artificial, institutional, prosthetic and mortal soul. It lasts only as long as law, sovereignty, and the state are able to protect fearful subjects against what is causing them fear.’ In Derrida, J.; The Beast and the Sovereign, trans: G.Bennington, (University of Chicago Press: Chicago), 2009, p42.

204 I.e. the Frankfurt School which was clearly influenced by Freud’s politics given in his Civilisation and Its Discontents. The underlying claim is that aggressive instincts are an inevitable aspect of human nature, and will necessarily manifest themselves. See Freud, S.; ‘Why War’ (Letter to Einstein), from in Collected Papers, (University of Michigan Press: Ann Arbor), 1950. Freud writes, in his letter to Einstein: ‘With the least of speculative efforts we are led to conclude that this instinct functions in every living being, striving to work its ruin and reduce life to its primal state of inert matter. Indeed, it might well be called the “death instinct”; whereas the erotic instincts vouch for the struggle to live on. The death instinct becomes an impulse to destruction when, with the aid of certain organs, it directs its action outward, against external objects. The living being, that is to say, defends its own existence by destroying foreign bodies.’ p9.

205 This will be treated more systematically in L7 & L11.
development gained through education. The normative desirability for relinquishing ‘political svabhāva’ is therefore connected to the structural possibilities for either freedom or constraint. If constraint is held to be undesirable, and freedom desirable, then it follows that there is a good reason to relinquish ‘political svabhāva.’ This argument will be taken up in subsequent lemmas, so for now it is sufficient to simply state it as a reason for the normative desirability of transforming political svabhāva: because svabhāva may be discursive/ideological and embedded in institutions and practices, it needs to be relinquished on those political levels if agents are to realise their potential for freedom.

**The possibility of transforming saṃvṛti-satya as concealing**

The prospect of intervening upon political svabhāva carries with it the problematic of political liberty, in the sense that the way it might be undertaken contains the potential for violations of negative liberty. However, because this will be the substantive topic of chapter four, I will only briefly allude to that problematic, and focus squarely on the ways in which it may be possible to do so. In order to undertake this task, I will treat political svabhāva in two distinct (but obviously related) forms. The first I will call conceptual reification, which means any discursive or logical predication of svabhāva, which may occur explicitly in particular theories (for example, the predication of autonomous self-interested agency in economic theory) or more implicitly in ideological formations. The second I will call perceptual-phenomenological reification, which means the way agents apprehend reality via the imputation of svabhāva. This would include shared or intersubjective social practices (for example, gift giving as an expression of implicit normative social rules).206

Transforming conceptual reification is obviously possible. It simply requires the logical refutation of svabhāva wherever it exists in discourses and theories. Nāgārjuna and the Mādhyamikas were/are involved in that task on a metaphysical and soteriological level. Undertaking this on a more political level such that political svabhāva could be transmuted or relinquished in a given polis would imply a rational-philosophic engagement with any discourses and theories predicated on svabhāva which are influential in constituting the polis to be what it is.207 From the Nāgārjunian point of view, where svabhāva is asserted it can be critiqued, and it should be critiqued because there is so much at stake in terms of constraint and liberty. There is every reason to extend this into the political sphere. Where political discourses, theories, policies and so forth are predicated on svabhāva, the Nāgārjunian response ought to be critical: the predication of svabhāva itself can and should be logically undermined. It is clearly possible to do this, so long as there is some kind of rational public sphere, and if one accepts the

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207 I will suggest some applied examples of what these might be in the conclusion.
efficacy of Nāgārjuna’s arguments, it is clearly normatively desirable to do so, for the two reasons I have given.

However, there are also very pronounced limitations to this approach. Namely, it only addresses conceptual reification on rational grounds, where it is assumed that all parties will agree to the parameters of rational discourse. Just as the western philosophical history which links critical rationality to the best political outcomes is long and vast, so too is the history which sees the reality of politics as a distinctly irrational venture, and problematises any attempt to assume that politics will follow rational lines. The Kantian notion of the public sphere, although defended by contemporary thinkers such as Habermas, has also been radically undermined by a range of political thinkers from a variety of (generally French and German) traditions. It is difficult to generalise an overarching argument because there is such a diversity of different critiques, but a common thread is the idea that it is ideology, desire and power which determine the political sphere, and that critical rationality is at best something which is always subordinated by the aforementioned things, and is at worst, nothing more than a dogmatic illusion, perhaps even an expression of the aforementioned things. Therefore, from such a point of view, entering into a rational public sphere and criticising svabhāva in whatever discursive forms it appears, is destined to be a rather fruitless activity. Nonetheless, on the level of conceptual reification, whether it is in political reality efficacious or not, rationally critiquing the predications or implicit assumptions of svabhāva is as much as can be done. Nāgārjuna clearly sees a rational method as productive and efficacious. So it is both possible and normatively desirable (whether it is effective is a different question). But what about perceptual-phenomenological reification?

Transforming the illusory perceptual-phenomenological elements which inhere within a given social-political reality is clearly a radically different proposition to transforming the illusory conceptual elements via rational critique. Intuitively, it seems absurd to even suggest that it might be possible, let alone normatively desirable, because perception inheres on the level of particular conventional agents, and is seemingly an uncontrolled function of conventional agency. Who would be attempting to transform who, and how would they undertake such a task? Prima facie, agents simply perceive reality the way that they perceive reality. Not only does it seem pernicious in the extreme for one agent to actively intervene upon another agent’s perception of reality, it also seems fanciful that they could

208 Particularly psychoanalytically informed thinkers such as Lacan, Althusser, and Zizek; and Nietzschean influenced post-structuralists such as Deleuze and Foucault.
209 The influence of Hegel, Nietzsche, Weber and Freud has been very robust on this point, particularly in the notion that reason is nothing more than an expression of the Will to Power and is thus, politically, an expression of domination. Adorno clearly sees reason in a Weberian/Hegelian form of domination. He writes: ‘...the principle of progressive rationality, contains an internal conflict. In other words, this kind of rationality exists only in so far as it can subjugate something different and alien from itself.....in other words, then, antagonism, conflict, is in fact postulated in this principle of dominant universality, of unreflecting rationality, in precisely the same way as antagonism to a subservient group is postulated in a system of rule.’ in Adorno, T.W.; History and Freedom, trans: R.Livingstone, p13. Derrida defends the proposition that ‘The reason of the strongest is always the best,’ in Derrida, J.; The Beast and the Sovereign, pp78-80.
actually succeed in changing that perception (although this has not prevented some despotic regimes from attempting such a thing). From the Nāgārjunian point of view, the perceptual-phenomenological shift from samyūti-satya as concealing to samyūti-satya as mutually dependent/paramārtha-satya as emptiness, is predicated on the particular agent intentionally and actively doing whatever it takes to achieve this (i.e. L1). As I will make clearer in chapter four (L6), that predication means that some form of negative liberty is necessarily important and ought to be defended by anyone defending Nāgārjuna’s view of emptiness (because the intention or choice to act in such a way presupposes that the freedom to choose be defended). Such a form of political liberty would clearly be violated by any attempt to impose a particular perceptual view on agent, even the so called Nāgārjunian-Buddhist samyadrṣṭi (right view).

However, as I established in L2, perception and mental formations are shaped by many conditional factors which are external to the agent. It follows that because those conditional factors are variable, so too are the perceptions of and thoughts about reality which arise on their basis. Among the most influential conditional factors are the machinations of ordinary language and the assumptions about reality contained within them. So in fact, there is a dependent relationship between the level of conceptual reification and the level of perceptual-phenomenological reification: ideas and claims about reality which are predicated on svabhāva, which exist on the level of discourse, may be very influential in constituting and constructing a particular agent’s perception of reality to be what it is. This does not just apply to a purely rational public sphere, where agents reflectively and logically analyse particular truth claims. It applies to any kind of discourse, and particularly the way that particular discourses might shape policies and structure institutions in particular ways.

There is a clear resonance with the sociological insights of thinkers such as Weber and Foucault, both of whom argue that discourses strongly structure and shape institutions and thus subjective perceptions of reality. For example in The Birth of Biopolitics, Foucault argues that orthodox market economic theories assume rational autonomous self-interested agents, shape policies implemented by governments, which in turn shape particular structures and institutions within a society, and thus, partly constitute the perceptions of agents within that society to be rational, autonomous and self-interested.210 The conceptual predication of svabhāva is in this sense explicit in the economic theory, but also works implicitly on a structural and institutional level, and therefore, may be seminal in constituting or constructing perceptions and practices of svabhāva.

The implication of this relationship of dependence is that transforming perceptual reification may not simply be a pernicious and untenable matter of intervening directly on the perceptions of particular
agents. It may be thought of more broadly as the way in which theories and policies actively shape social structures and institutions, and thus, the perceptions of agents who are embedded in and inseparable from those structures and institutions. If it is thought of in such a way, there is an important normative political question which follows: how should structures and institutions be configured, such that perceptual-phenomenological reification is lessened or transformed? In Nāgārjunian terms, this translates to: how should structures and institutions be configured, such that they are more likely to give rise to perceptions of samvṛti-satyas as mutually supporting rather than samvṛti-satyas as concealing? The response would clearly be to configure policies, structures and institutions according to the logic and principle of pratītyasamutpāda. I will suggest some constructive and applied possibilities in this regard in my conclusion, but it should be intuitively clear now that those possibilities might imply privileging an ethos of social relationality, connectivity and co-operation rather than a hard and competitive individualism. In some respects, if we follow the insights of Weber and Foucault, discourses and policies which are predicated on svabhāva, so long as they inhere for long enough, will ultimately yield institutions, structures and practices which give rise to expressions and perceptions of svabhāva in conventional agents. Therefore, a political response drawn from Nāgārjuna would be to reverse that process, which would seem to be at least theoretically possible.

However, such a trajectory would clearly be a very gradual or long term project. Moreover, such a trajectory presupposes that structural transformation is driven ostensibly by discourses and policies (i.e. a kind of discursive idealism of the Weberian variety), and that the root of perceptual-phenomenological reification lies in an external conceptual domain, particularly that of policy. Clearly, from the Nāgārjunian point of view, there are many other factors, both internal to the agent and external, which produce and reproduce or facilitate perceptual-phenomenological reification, so it ought not be conceived as squarely a political problem which is resolvable purely on the discursive-political level. Nonetheless, there is clearly something important at stake in the political domain. If it is held that it is normatively desirable to transform the illusory elements which inhere within a given social-political reality, then it follows that part of that transformation would entail producing the right kind of structural and institutional conditions which facilitate perceptions of śūnyatā/pratītyasamutpāda rather than svabhāva. Because the right kind of structural conditions are necessary for that to occur, it becomes a primary political question to ask: what would those conditions look like, and how might they be produced?

In this way, a Nāgārjunian political response to the problem of perceptual-phenomenological reification would be led in the direction of establishing a normative framework which guides structural and institutional conditions. The political logic is thus: in order for a polis to transmute the illusory elements which inhere within it, epistemic distortions must be reduced or eradicated, and so it follows that things which produce and reproduce those epistemic distortions ought to be replaced with things which give
rise to the conditions for non-distortion. On the level of perceptual-phenomenological reification, such conditions would normatively follow from the predication that everything exists in relationships of dependence (saṃvr̥ti-satya as mutually dependent), rather than the predication that there is an ontological ground for individual autonomy (saṃvr̥ti-satya as concealing).

Therefore, in terms of perceptual reification, there are two elements to consider. Firstly, that agents simply perceive reality the way that they perceive reality, be it reified or not. That there are many factors which produce perceptual reification, many of which must be held to exist on the level of the conventional agent (i.e. are in the control of the agents thinking, intentionality and action). That it is seemingly very pernicious and untenable for someone to actively intervene on someone else’s perception of reality. And so, where perceptual reification occurs and is dominant, in important senses, it needs to be simply accepted as a political ‘reality.’ That is, political thinking must take into account that perceptual reification exists, and that particular problems which ensue – such as violence – need to be addressed as political realities, not denied as easily transformable epistemic illusions. That is more or less the argument of L4, and will have important implications for the way we might conceive of things like law, property rights, economics and so forth.

Secondly, that part of the logic of perceptual reification needs to be understood in structural and institutional ways. That particular policies might engender, endorse or facilitate perceptual reification (where those policies, institutions and structures are predicated on svabhāva) and thus, are both contrary to the reality of pratītyasamutpāda, and subject to being changed. That is, there is a relationship of dependence between conceptual and perceptual reification – that discourses may strongly shape or constitute perceptions of reality. Therefore, if it is held that it is normatively desirable to transform saṃvr̥ti-satya as concealed, then part of that task would entail trying to produce the right kind of structural and institutional conditions in which perceptions are more likely to be attuned to the ontological reality of pratītyasamutpāda, rather than the epistemic distortion of svabhāva. The question of how it might be possible to produce those conditions, and what those conditions might look like, will be addressed in the subsequent lemmas and the conclusion.
Conclusions

L4 offers us a strong reality check on the plausibility of constructing a Buddhist political Shangri-La out of Nāgārjuna’s philosophy. Like the realists and pessimists in the history of political thinking, we are forced to confront the problematics of ideology, desire and aggression, and recognise their potency in shaping political reality ahead of virtue, harmony, morality, reason and altruism. The Nāgārjunian claim that reality is empty and dependently co-arisen occurs in a context where most human agents are unable to see or recognise that reality. I argued in L4 that this ‘unreality’ must be accepted to be operative, which opens up a tension between how conventional agents and the polis tend to function and how agents and the polis ought to function. However, it also offers us a plausible political task and trajectory – of identifying what the root political problem might be and attempting to intervene upon it. The root problem is clearly the epistemic distortions characterised by svabhāva/samvrti-satya as concealing, and the task of intervening upon it clearly implies eradicating or relinquishing it.

L5 analysed the possibility and normative desirability of undertaking such a task. The most robust and unproblematic conclusion is that the conceptual predication of svabhāva may be attacked rationally in the public sphere, and so, there is a direct Nāgārjunian political anti-dote to conceptual reification. Where policies, discourses or representations or svabhāva are asserted, a Nāgārjunian response ought to be critical – to logically undermine the predication, and the various entailments which follow from it. This is potentially quite significant in political and economic domains, where svabhāva (particularly the tacit psychological-phenomenological form) is often asserted, and often explicitly defended as the justification for particular policies. This is clearly possible so long as there is some kind of rational public sphere, and it is normatively desirable because: 1. The possibility of directly addressing core political problems such as violence rests upon it, and 2. the possibility of agents in a polis realising their subjective potentially rests (in part) upon it. However, the political efficacy of such an approach is clearly quite limited, in the sense that there is never any guarantee that the commitment to rational dialogue will inhere, or that it will produce tangible political outcomes. Where samvṛti-satya as concealing is dominant, it may be more likely that power, desire and ideology will characterise the political domain, rather than conventionally agreed upon rational dialogue, and this limitation needs to be properly acknowledged. It is in many respects a very profound limitation.

The secondary conclusion is that it is theoretically possible to transform perceptual-phenomenological reification to some degree, by producing structural and institutional conditions which are predicated on the logic of pratītyasamutpāda, rather than on svabhāva. The normative justification for this is the same as for conceptual reification – because it directly addresses root political problems such as violence and because subjective potentiality rests (in part) upon it. However, theoretical possibility and normative justification does not translate to being probable or achievable in actuality. The form of such
transformation is predicated on the dependence between the conceptual and the perceptual – that is, on how policies and discourses, can over time structure and constitute political realities (and thus perceptions). Therefore, it relies upon a steady and long term political trajectory to produce the right conditions for structures and institutions which more easily generate perceptions of ontological dependence rather than reification. The other possibility would be a radical or revolutionary rupture with conditions predicated on svabhāva, and the establishment of a system explicitly grounded on the logic of pratīyāsamutpāda. Both of those possibilities raise the political questions: how could such policies or whole systems be implemented? At this point, the question of political liberty becomes central.
CHAPTER FOUR

EMPTINESS AND POLITICAL LIBERTY
Introduction

The notion of ‘liberation’ (mokṣa) is perhaps the most central concern driving not only Nāgārjuna’s philosophy of emptiness, but all Buddhist schools and traditions. The form of liberation is unambiguously soteriological in character - Mādhyamika and Buddhism in general are in essence a systematic response and solution to the problem of human constraint. Both constraint and the possibility of liberation from constraint are axiomatic, in the sense that they are asserted as foundational claims about the nature of human existence. These claims take the form of the four noble truths, the content of the first public discourses given by the Buddha, grounded (epistemologically) in the insight of his awakening. So, the basic structure and logic of Buddhism’s various systems of thought and practice, are all unequivocally underpinned and governed by the intent to firstly clearly define what form human constraint takes, what it is and how it operates (first and second noble truths), and secondly to clearly define, as much as this is possible linguistically and conceptually, that and how human constraint may be overcome (third and fourth noble truths). There are profound implications, sometimes implicit and sometimes explicit, relating to what this means in terms of human potentiality. This trajectory from constraint (samsāra, duḥkha, avidyā) to liberation (mokṣa, bodhi, nirvāna) is without any serious dispute, the core axiom by which all Buddhist metaphysics, epistemology, practice and ethical action takes place. Freedom is therefore almost always (in both canonical and interpretive literature) understood and explained in soteriological, religious, existential or therapeutic terms, and these terms are, without equivocation, necessary to understanding what Buddhism is and how it functions.

In distinction, the concept of political freedom is in many respects more or less a western preoccupation rather than an ancient Indian one, especially since the enlightenment period in European thought where the centrality of “liberty” became one of the most fundamental of all political (and economic) concerns and values.211 There are a multiplicity of extremely contested ideas about what political liberty is, and how it might be achieved either individually, structurally, collectively or otherwise. In the interests of being succinct, I will follow Isaiah Berlin’s reduction of this multiplicity of ideas and theories about political liberty into two primary forms: negative and positive. I will not be explicitly defending or refuting Berlin’s argument in favour of liberalism (i.e. the negative form), but simply utilising the distinction he makes between the two forms of liberty.

The connection between Nāgārjuna’s philosophy of emptiness, which so clearly endorses a form of liberty which is soteriological in character (namely, freedom from the constraints of svabhāval actualising the self-realisation of bodhi), with ideas of political liberty grounded in enlightenment and

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211 That is, it was not necessarily a primary concern in ancient or medieval political thought. See Berlin, I, ‘Two Concepts of Liberty’ in Political Philosophy, ed: A.Quinton, (Oxford University Press: Oxford), 1967, p165.
post-enlightenment European political philosophy is certainly not immediate or obvious. My basic argument in this chapter is that Nāgārjuna’s philosophy of emptiness implies a response to the question of what forms of political liberty might be ontologically justified and normatively endorsed. Such a response is clearly necessary to understanding what kind of political values, and thus what kind of politics might be logically connected to the metaphysics and phenomenology of emptiness, and therefore plausibly defended or endorsed by those committed to Nāgārjuna’s philosophy. In general terms, this kind of question is designed to situate Nāgārjuna’s philosophy in relation to the poles of a pure anarchy or libertarianism, where the absolute freedom of the individual from any kind of external coercion is critical, and a Platonic, theocratic or totalitarian system where the freedom of the individual may be sacrificed for the good of the collective. I argue, unsurprisingly, that some kind of balance between those extremes must be struck, which implies a balance between negative and positive liberty.

The forms of political liberty I address do not necessarily preclude, override or disrupt the soteriological form of liberty. In some respects they are simultaneous with it, in some respects that are a condition for the possibility of it and in other respects, the expressly political question I am asking is simply far removed from Nāgārjuna’s range of concerns. However, being far removed does not equate to being an irrelevant or unacceptable imputation. I argue that a position on the question of political liberty is clearly given by an examination of the logical implications of Nāgārjuna’s metaphysics and ethics. It should be noted that the context for these implications is methodologically quite distinct from the context of chapters 2 & 3, because the discursive framework is more explicitly comparative in character. Here I expressly situate Nāgārjuna’s philosophy in a context which directly intersects with contemporary issues in western political philosophy. Other than taking the general concept of political liberty from Berlin, I will draw my account of negative liberty from JS Mill and positive liberty from Berlin and Plato. The purpose of these comparisons is principally to situate Nāgārjuna’s philosophy in a sufficient context.
Lemma six: the functions of *chanda* (will-desire), *cetanā* (volition) and *saṃkalpa* (reflective intention) in the conventional agent grants a form of moral autonomy, grounded in the cognitive process of reflective-intentional choice making. This form of moral autonomy is important because soteriological and ethical transformation (L1) depends upon it. It follows that two forms of negative liberty are *politically* valuable.

*Moral autonomy in Nāgārjuna?*

As demonstrated in L1 & L2, there is a tension between the claim that the agent is conventionally dependent and ultimately empty, which means that there is *no* findable basis for substantially self-existent or ‘autonomous’ agency, and the claim that the agent is what it is partly because of how it has intended and acted, which means that there must be a kind of causation which is internally coherent within the domain of the conventional agent (i.e. it seems to grant independent or autonomous agency). The question of whether there is or isn’t moral autonomy fits precisely into this tension: on the one hand, the metaphysics of emptiness seems to *undermine* any kind of basis for autonomy, and explicitly grants a relational conception of subjectivity in which the agent is *completely* dependent upon a range of social, causal, structural and ecological factors. On the other hand, the efficacy of the soteriological or ethical movement from constraint to freedom seems to be predicated upon particular conventional agents undertaking a specific range of activities, and abstaining from undertaking other ones, and that presupposes a robust degree of *choice making agency* and perhaps a subjective process which is highly *connotative*. The core structure of the Buddhist ethical and soteriological trajectory is rendered coherent if and only if it is possible for particular agents to subjugate, subdue and transform their desires, volitions, intentions and actions: to cultivate wholesome intentions and choices, which lead to wholesome actions and thus, to move in the direction of enlightenment. Nāgārjuna explicitly defends such a trajectory in the *MMK* and the *Vig*.

212 Such a structure seems to make intentionality, choice making and action fundamental to successful transformation, but does this generate a basis for moral autonomy? If it does, how and why might that be morally and politically important?

As has already been clearly established (A1 & A2), it must be granted that there is, within the conventional empty subject, a form of conventional agency grounded in the functioning of the *skandhas*. In my account of this, and in L1, I emphasised the *saṃskāraskandha* because it contains the mental factors and (internal) logic of causation which underpin the reality of constant subjective change, and thus, the possibility of wholesome transformation. Such a possibility depends upon the conventional

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212 See Nāgārjuna; *MMK*, trans: J.L.Garfield, XXIV. Nāgārjuna writes (24 & 25): ‘If the path had an essence/ cultivation would not be appropriate/ If this path is indeed cultivated/ it cannot have an essence’ & ‘If suffering, arising and Ceasing are non-existent/ By what path could one seek/ To obtain the cessation of suffering.’ p70. See also Nāgārjuna.; *Vig*, trans: K.Bhattacharya et al, LIV. Nāgārjuna writes: ‘Or, rejecting Dependent Origination, one rejects the origination of sorrow....For, if there is no origination, how will that sorrow originate? If sorrow and [its] origination are rejected, then the cessation of sorrow is rejected....And if the cessation of sorrow is rejected, the Way is rejected...’ p126.
agent intending and acting in ways conducive to wholesome transformation, which presupposes that they have enough moral autonomy to decide and choose one particular trajectory of action from other possibilities. However, the moral psychology of deciding and choosing is not grounded in a particular ‘faculty’ of mind. It is conceived (in the Abhidharmakōśa) as dependent upon a number of mental factors working holistically and dependently in combination.\(^\text{213}\) If there was a ‘faculty’ of choice making or deciding, for example, as prohairesis is conceived in Aristotle,\(^\text{214}\) or the will in Kant,\(^\text{215}\) then that would grant a clearly demarcated and defined ground for moral autonomy, which may appear to be dangerously close to a predication of svabhāva and thus in contradiction to Nāgārjuna’s metaphysics of emptiness. However, deciding and choosing to act in a particular way is, in (the Abhidharma view), based on mental factors such as chanda (desire), cetanā (volition) and adhimokṣa (decisiveness) coming together sufficiently for a karma (action) to occur in relation to a given object or situation.\(^\text{216}\) Because these mental factors arise, come together and dissipate, they do not really provide a substantial basis for moral autonomy and do not presuppose or implicitly give a predication of svabhāva. They are only there in particular configurations sufficient for action momentarily, so such configurations are expressive of the logic of dependent co-arising.

Moreover, the most ethically important mental factor – cetanā\(^\text{217}\) – is problematised in the Nikāyas and the Abhidharma, because continually generating uncontrolled volitions (and therefore actions) is the primary form of constraint which characterises duḥkha. The basic definition of the samskāraskandha is ‘that which includes all the conditioned mental factors which are unrelated to feeling, perception etc (i.e. the other skandhas).’\(^\text{218}\) Soteriological freedom implies, most basically, the cessation of conditioned mental factors for the attainment of what is unconditioned (i.e. nirvāṇa). This explicitly implies the cessation of uncontrolled volitions.\(^\text{219}\) Therefore, it is something of a paradox to propose that this ought to be a basis for moral autonomy, which is morally valuable and therefore necessary to defend on a political level, because this would imply morally and politically defending something which is directly associated with ignorance and constraint, and must ultimately be relinquished.

\(^{213}\) See Vasubandhu.; Abhidharmakosa Bhāsya Vol I, trans: L. De La Vallee-Poussin, pp63-83.
\(^{215}\) Kant, I.; Groundwork for the Metaphysics of Morals, trans: L. Denis, (Broadview: Toronto), 2005, p57&64.
\(^{217}\) It is prioritised because it is the mental factor which most determines the ethical quality of the action. That is, in the Buddhist account, the mental intention behind the action is considered to be most decisive in generating the particular effects. This is what makes Buddhism more of a virtue ethics than a consequentialism, and also in some respects has a parallel with the priority that Kant gives to volition (although as Barnhart has pointed out, no one has yet seriously argued along those lines. See Barnhart, M.G.; ‘Theory and Comparison in Discussions of Buddhist Ethics,’ in Philosophy East & West Vol 62, No. 1, (University of Hawaii Press), Jan 2012.
\(^{218}\) See Vasubandhu.; Abhidharmakosa Bhāsya Vol I, trans: L. De La Vallee-Poussin, p73.
\(^{219}\) See (12) Nidānasamyutta in Sānūtta Nikāya. The point here is that nirvāṇa is defined in the negative as a cessation – of all conditioned factors, but particularly volition, because it is what really ‘drives’ conditioned existence.
However, there is a good case to be made that Nāgārjuna (or a contemporary Nāgārjunian) would indeed morally and politically defend this particular conception of moral autonomy. Although the ultimate freedom is explicitly defined as the cessation of conditioned mental factors, and thus, the cessation of volitions, it is clear that such a possibility can only occur if volitions and other mental factors involved in choice making and decision making are utilised. Such a case is most compelling when we analyse the concept of *saṃkalpa*, which is seemingly so close to *cetanā*, that the two are often (confusedly) translated with the same word: intention. However the distinction is important. *Cetanā* is that which lies between the desire and the act. It is something akin to a combination of desire and rationality, and is basically connotative, which is why it is sometimes rendered as ‘willing.’ It is problematised, especially in the Nikāyas, because it is often uncontrolled. For example, as the person with a weakness for chocolate finds him/herself almost automatically allowing the desire for chocolate to lead to the action of eating it. *Saṃkalpa* implies a more reflective aspiration, resolve or purpose, a cognitive function of actively setting out to act in a particular way. It is privileged because it is deliberate, conscious and intentional. For example, as an athlete might resolve to eat some fruit instead of chocolate. *Saṃkalpa* is well known for its place in the eightfold path, where in combination with *samyag* (right), it becomes an indispensable ingredient for soteriological progression. That is, one needs to cultivate “right-intention” (*samyak-saṃkalpa*) to adopt and successfully act on the Buddhist path. *Saṃkalpa* is clearly associated with wholesome mental factors such as mindfulness (*smṛti*), concentration (*samādhi*) and wisdom (*prajñā*). As so much of the Nikāyas and Abhidharma demonstrate, good ethical conduct can only arise from a tamed, clear, concentrated mind.

Thus, the distinction between *cetanā* and *saṃkalpa* tells us something critical about the importance of choice-making and decision-making: where it is reflective and intentional (and oriented towards what is wholesome), it is a necessary ingredient, in fact, a pre-condition, for wholesome transformation and the ultimate attainment of freedom. Where it is uncontrolled it is problematised and associated with constraint. Nāgārjuna in no way denies the efficacy of these central orthodox Buddhist views. In fact, a very plausible reading of his entire project, is that he seeks to defend those views for ethical-soteriological reasons.

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220 This is given by Nāgārjuna’s defence of the four noble truths in chapter XXIV of the MMK, and his defence of the eightfold path in the Vīg, and may be conceived as an expression of how the two truths function practically (i.e. conventionality is associated with the path, which is the (necessary) means by which the ultimate is attained).


223 Again, this is something I have established in LI. See pp68-70.
Therefore, there are particular configurations of reflective intentionality and choice-making which are not just morally valuable in the Nāgārjunian view, but are (ethically and soteriologically) indispensable. They are morally valuable and indispensable because they are the necessary conditions for acting in wholesome ways and therefore transforming in wholesome ways (L1), without which, the ultimate freedom may not be attained. As well, on a more epistemological level they are the necessary conditions for developing praṇīṭā and thus recognising and/or understanding the reality of śūnyatā/pratītyasamutpāda. So, particular configurations of desire, willing, volition and purposeful intention, all of which we may group together into one concept of ‘reflective-intentional choice-making,’ are a precondition for efficacious subjective transformation, which is the root of both the ethical and soteriological forms of liberation.224

Importantly, such cognitions can only take place entirely within the domain of the conventional agent. Particular preferences, tastes, desires and dispositions (i.e. saṃskāras) might be considered to be socially given, but the cognitive capacity to make reflective-intentional choices in relation to those particular desires and dispositions ought to be considered to occur on the internal level of conventional agency. For example, although the arising of a mental factor of desire for Coca-Cola might produce the volition and action to buy a bottle of Coca-Cola, and thus, be considered to be at least partly social ontologically (i.e. dependent upon marketing, an economy and so forth), the possibility of deciding against it in favour of water should be considered to be a mode of cognition grounded in conventional individual agency.225 Here there is a critical distinction to be made between dispositions or mental events (saṃskāras), which arise as particular preferences or tastes and therefore presuppose previous preferences and tastes (and a social world which helps construct them), with the cognitive processes which are involved in intentionally deciding what course of action to undertake, in relation to those dispositions. It is this possibility of intentional decision making which provides the basis for a weak form of moral autonomy, because it is predicated on a cognitive process which must necessarily have some degree of independence from the content on which it is deliberating. This form of moral autonomy clearly has moral value, because it is the element within the Nāgārjunian account of agency, in which there is the possibility of becoming free from otherwise determining conditions (both internal and external). This is precisely why the form of causation given by Nāgārjuna is not deterministic. Although actions tend to be strongly determined by the arising of previously accumulated dispositions (that is, chanda, cetanā and saṃskāras arise uncontrolled and produce uncontrolled karma), there is always the

224 I retain here the distinction I made in L1 between the soteriological form of liberation which makes use of the specifically Buddhist normative values (including the teleo of bodhi, and the way that this structures the evaluating parameters of wholesome/unwholesome) and the non-prescribed or ethical form which takes Nāgārjuna’s metaphysics of emptiness to be true, but does not posit that particular teleo and leaves the question of normative values open ended. See pp71-72.
225 This does not deny that there is also social content involved in that decision (for example the concept of ‘healthy’ and the various discourses which endorse that). The point is that the cognitive moment of decision on the two possibilities is distinct from that social content.
possibility of reflective-intentional choice making which grants a rupture with those determining conditions. It is the moment in the chain of mental factors where ‘moral control’ is possible – the arising of a particular configuration of cognitive processes, through which, freedom from being determined by past desires, volitions and dispositions is possible. This configuration of these cognitive processes is precisely where conventional moral autonomy may be found within the Nāgārjunian account of subjectivity. There are therefore two senses of moral freedom connected to Nāgārjuna’s view. A small scale freedom (to choose) on the level of conventional agency, which, so long as the right choices are continually made, may lead to the large scale ultimate freedom associated with apprehending emptiness. The former clearly grants a conventional form of moral autonomy.

This form of moral autonomy has three distinctive features. Firstly, it has no permanence and no substantial ground. It is simply something which arises as a combination of various and variable mental factors, in connection with particular internal and external conditions, and then ceases when other variable mental factors and external conditions arise. So it is only manifest at specific moments in time. Secondly, it is not a given that the right combination of mental factors (i.e. to grant reflective-intentional choice making) will arise sufficiently at the right times in all subjects. Thus, it is the possibility of ‘reflective-intentional choice-making’ which is morally valuable, not a substantially self-existing and findable constituent of subjectivity, or something which all humans are naturally endowed with, or some universal feature or process of human cognition which is present in all social-historical contexts and times. Thirdly, that in order for the possibility of ‘reflective-intentional choice making’ to be actualised in a given agent, that agent must develop the requisite cognitive capacities. This implies sufficient meditative and/or analytical training, such that the mental factors associated with samkalpa may arise (i.e. factors such as smṛti & prajñā).

Both the actuality and the possibility of it arising are morally valuable, because the facticity of constraint and the potential of liberation (both forms) hinges on it. It follows that anyone committed to Nāgārjuna’s philosophy (and the Buddhist tradition generally) would strongly defend this conception of moral autonomy. Such a defence of moral autonomy becomes political when we ask ‘what external things might violate the actual arising or possibility of reflective-intentional choice-making?’ ‘Does reflective-intentional choice-making need to be defended or protected against those external things? and ‘Does the arising of reflective-intentional choice-making need to be encouraged or facilitated by particular external conditions?’ The first two questions are squarely in the domain of negative liberty which I will address here and the third is in the domain of positive liberty, which I will address in the following lemma. Let us firstly clarify the concept of negative liberty.

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226 For a succinct account of this, see Haldar, A.; Some Psychological Aspects of Early Buddhist Philosophy Based On Abhidharmakośa of Vasubandhu, pp82-3.
Negative liberty in JS Mill

Negative liberty means most directly: the freedom of the individual agent from various external constraints. One of the most robust defences of this is found in JS Mill’s canonical On Liberty, which I will utilise here principally because it is such a cogent and well known defence of the concept of negative liberty. Mill’s core argument is that the only purpose that an external power can be rightfully exercised over any individual member of a political community is to prevent harm to others, and that any other kind of external power exercised over such an individual violates the core freedoms of that individual.227 Mill’s core argument is underpinned by two fundamental claims. 1. That there is an autonomous, free thinking, choosing and acting individual agent which can be easily demarcated and distinguished from its social conditions. 2. That various external phenomena may intervene upon this agent, such that the autonomy of that agent’s thought, choice and action may be problematically constricted. Therefore political freedom principally equates to the restriction of external phenomena from intervening on the autonomy of the agent. The external phenomena Mill has in mind are primarily of two kinds: firstly, the implicit and unreflective moral norms and cultural ideas of ‘society’ (what might today be called mass culture or possibly ideology)228 and secondly, the legislative, juridical and enforcement arms of the state. It is the latter which he has in mind in particular, in the formulation of his ‘harm-principle’ which states that a government can only intervene upon its citizens in order to prevent direct harm occurring.229 In no other circumstances is intervention justified or permissible.

There is a central claim which underpins this robust political argument, which is that the autonomy of the agent (from these two kinds of external phenomena) is required in order for that agent to have happiness or to flourish.230 Societal flourishing follows from this. A flourishing society is that in which all the individual agents which make up its totality, are allowed freedom of thought, choice and action, so long as it does not produce direct harm. Importantly, Mill does not directly assert or imply what this flourishing ought to look like, or what needs to be undertaken in order for it to occur. His basic argument is that these kinds of questions must be squarely resolved by the individual agent. Each individual must

227 Mill, J.S.; On Liberty, ed: S. Collini, (Cambridge University Press: Cambridge), 1989. Mill writes: ‘The object of this Essay is to assert one very simple principle....That principle is, that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection. That the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others.....In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign’, p13.

228 See Mill, J.S.; On Liberty, chapter 2.

229 The harm principle has long being contested for being somewhat vaguely defined. Mill ostensibly means physical harm, but there are numerous grey areas and ambiguities about what this may mean precisely. For a good overview, see Kernohan, A.; ‘Accumulative harms and the interpretation of the harm principle’ in Social Theory and Practice, Vol. 19, No. 1, (Florida State University), 1993.

230 I use the term flourish here deliberately to bring to mind the Aristotelian concept of eudemonia. Mill clearly moves away from Bentham’s strict definition of moral value in purely quantitative terms of pleasure and suffering, in favour of a far more nuanced (and as McIntyre points out logically problematic), account which is well captured by the term flourishing. See McIntyre, A.; A Short History of Ethics, (Collier Books: New York), 1966, pp235-241.
be free to come up with particular responses suited to the particular characteristics of their individuality. It this ontological precondition of freedom which Mill, and many later liberals, seeks to protect, and which he sees as indispensable to a healthy political community. The implication is that states must be quietist or neutral on the question of what the good life is, since this must be decided by each individual. This view, along with Lockean and Kantian conceptions of individual property rights, is a foundational blueprint of liberal politics and economics. How precisely might this be connected with the philosophy of Nāgārjuna?

Nāgārjuna, Mill and negative liberty

There is seemingly a connection between the account of moral autonomy given by Mill, and the account I have argued to be central to the Nāgārjunian view, in the sense that both are predicated on the functioning of reflective-intentional choice-making in particular agents. However, in terms of a broader comparison between the two, it intuitively seems to be the case that Mill is proposing a robust conception of individual agency which may be deeply at odds with the Nāgārjunian notion of interdependence given by the phenomenological logic of emptiness. That is, even if there are similarities with respect to what is morally privileged on the level of agency, there is a stark difference in how agency might be conceived in relation to external conditions (i.e. other beings and social-political structures). I argued in chapter two, that L1 and L2 must be taken together. Conventional agency is deeply embedded in and constituted by a range of material, social and political phenomena. The structure of Mill’s thought is that not only is it possible for the agent to attain autonomy from such phenomena, it is highly desirable for it to do so, and that a large part of the political task is to mitigate social and political structures such that this task is actively facilitated on a political-structural level.

So there are two dimensions to Mill’s argument. Firstly on an individual level, the ethical movement to develop autonomy from external conditions (such as the moral norms of society) and secondly on a

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231 Although this is acceptable as a generalised claim, I subscribe to the view that ‘liberalism’ is not really a coherent and consistent political tradition, but more an umbrella term to describe a range of often quite distinct positions. For a good discussion about this, see Minogue, K.; ‘Theorising Liberalism and Liberalising Theory,’ in Traditions of Liberalism, ed: K. Haakonsee, (Centre of Independent Studies: St Leonards), 1988, and for a very precise definitional account of what liberalism is, see Dworkin, R.; ‘Liberalism,’ in Liberalism and its Critics, ed: M.Sandel, (New York University Press: New York), 1984.

232 For an interesting discussion about this, particularly in relation to the epistemological similarities between Mill and early Buddhism, see Rajapakse, V.; ‘Early Buddhism & John Stuart Mill’s Thinking in the Fields of Philosophy and Religion: Some Notes Towards a Comparative Study,’ in Philosophy East and West, Vol. 37, No. 3, (University of Hawaii Press), 1987.

233 This kind of trajectory is clearly more robust in libertarian thinkers who may have been influenced in certain ways by Mill. Mill thinks that it is highly desirable because it is only on the basis of an individual gaining autonomy that genius can arise – and the possibility of genius arising is critical to the health of a society. See Mill, J.S.; On Liberty, p65. The political-structural task (of attempting to facilitate individual autonomy) was adopted by later liberals such as Fredrich Von Hayek and Karl Popper, and associated economists such as Milton Friedman and Ludwig Von Mises. For an excellent genealogical account of this tradition often pejoratively referred to as ‘neo-liberalism’, see Foucault, M.F.; The Birth of Biopolitics, trans: G. Burchell, esp chapters 5, 6 & 9.

234 Again, the strongest formulation of this occurs with respect to Mill’s genius argument. Mill writes: ‘Genius can only breathe freely in an atmosphere of freedom. Persons of genius are, ex vi termini, more individual than any other people – less capable,
political level, the necessity of a state to remain non-interventionist and morally neutral, so that individuals have better possibilities of developing autonomy from external conditions. Although Mill does not explicitly assert any kind of metaphysics predicated on svabhāva there is clearly a sense in which positing an individual agent which may be so abstracted from its social-political conditions seems to flatly deny the relational and interdependent logic of śūnyatā/pratītyasamutpāda. However, although this represents an interesting comparative issue, we need not interrogate this point any further, because the purpose of comparison here is simply to establish with sufficient clarity what the concept of negative liberty means.

Mill’s argument about moral and political freedom is negative in character because it is an expression of the autonomy that agents can gain from external conditions, and the injunction for states to work within the context of that principle. As I established in L2 and L4, there is clearly a sense in which external conditions can operate as constraints on the Nāgārjunian agent. For example, in order for an agent to move away from perceptual and conceptual reification, they must gain autonomy from certain external constraints such as the ordinary machinations of language and the conceptual assumptions contained therein (see L2), which may take the form of particular social norms and discursive conventions. The question we must ask of Nāgārjuna, is to what extent the empty and dependently co-arising agent must be free from certain external influences in order to successfully transform from conceptual and perceptual reification to the phenomenological apprehension of emptiness? That is, to what extent do the soteriological and ethical forms of transformation connected to Nāgārjunian metaphysics (i.e. L1), presuppose a political form of negative liberty?

Nāgārjuna’s philosophy of emptiness and negative liberty

In order to respond to such a question, two distinct standpoints are required. The first standpoint is that of conventional agents living within a state, and here we may assume that that state does not endorse or does not govern in accord with a commitment to a Nāgārjunian philosophical view.

235 In fact, writing generally in the English empiricist tradition and more specifically in the Benthamite/utilitarian tradition, there is a good case for arguing that Mill’s account of the subject has a certain resonance with the Buddhist skandha theory – in the sense that some empiricists such as Hume and Bentham critique rationalist and theological accounts of subjectivity, but retain particular cognitive functions such as perception and feeling, which must function without the predicate of substance.

236 In this sense, Mill might be read as asserting the tacit or psychological sense of ātman (see A1, p20-21), and thus the more implicit phenomenological sense of svabhāva.

237 In particular, where those conventions are predicated on or tacitly assume svabhāva.

238 For example, engaged Buddhists in the west.
people living within that state, who may or may not be committed to that view (i.e. the members of that state have a diverse range of views about reality and different normative concerns and commitments).\textsuperscript{239}

With respect to the \textit{first} standpoint, there are a few robust reasons which demonstrate a connection between political conditions and the possibility of engaging in either the soteriological or ethical form of transformation stemming from Nāgārjunian metaphysics (i.e. \textbf{L1}). With respect to the soteriological form, it is perhaps a trivial point, but it is clear that if a state (or some other external agent or force) actively constrains Nāgārjunian Buddhists from acting as they wish to act (i.e. adopting Nāgārjunian-Buddhist values, doing what is necessary to move away from perceptual reification and into the phenomenological apprehension of emptiness), then the soteriological form of transformation is clearly jeopardised, or at least, made far more difficult.\textsuperscript{240} The same logic holds for the non-prescribed/ethical form of transformation stemming from Nāgārjunian metaphysics. For example, a person committed to Nāgārjuna’s philosophy (and thus, the forms of subjective transformation given by it) might reflectively decide to spend three years analytically contemplating the metaphysics of emptiness, but a state might conscript her into the army and demand that she fight in a war instead. Even if she manages to avoid particular unwanted forms of subjective transformation (for example by not reifying the enemy as an ‘other’ and thus not acting in violent ways), her soteriological or ethical progression would still likely be slowed, by virtue of the amount of time taken away from the task of reflective or analytical contemplation. Or we could imagine that meditation\textsuperscript{241} is banned by a state principally committed to GDP growth, on the grounds that too many people are doing it, and it is thus judged to have negative economic implications because people are working less hours. In that case, the state might give itself coercive powers to intervene on members of that state who meditate, which would stop or at least diminish the likelihood of those members developing the necessary requisite reflective capacities to sufficiently soteriologically or ethically transform. These simple examples demonstrate that direct external coercion may have a pernicious effect on agents intending to understand Nāgārjuna’s philosophy and act on that understanding.

Therefore, \textit{freedom from} such forms of state or external intervention is a necessary precondition for the form of subjective transformation given in \textbf{L1}. At this level, negative liberty must be defended as a \textit{necessary condition} for the possibility of efficacious subjective transformation, either of an explicitly soteriological form, or of the more open ended ethical form. This form of negative liberty is simply the \textit{freedom from} direct external (most likely state) interference on thoughts, desires and actions which are related to subjective transformation (\textbf{L1}), that coercive state powers ought not be used to prevent

\textsuperscript{239} We might imagine as a thought experiment, the Bhutanese monarchy in 2,200 (where over the next 200 years that polis becomes far more pluralistic).
\textsuperscript{240} Numerous historical examples provide compelling evidence for this point, such as the Chinese occupation of Tibet.
\textsuperscript{241} Clearly a \textit{necessary conventional practice} for those who wish to directly apprehend Nāgārjuna’s view.
subjective transformation from occurring. This accords with a basic idea of religious and philosophical tolerance and pluralism. It is not of necessity a liberal doctrine, but is perhaps formulated most cogently by that tradition. It follows that any conventional agent committed to Nāgārjunian views, living in a state which does not endorse or practice Nāgārjunian views, would demand the liberty to have their views, and the actions stemming from those views, protected from this direct form of coercion.

However, there may also be more subtle forms of negative liberty, which those conventional agents might require, demand or value. Here we need to think about the decision that particular conventional agents make to adopt the philosophy of Nāgārjuna, at some particular locus in (or more likely, through a period of) time. As I argued in A2 and L4, Nāgārjuna’s method is rational, and it assumes that opponents, interlocutors and readers have sufficient critical rationality to examine his arguments and either accept or refute them logically. The possibility of an agent accepting them as true, depends upon that agent having the epistemic freedom firstly to engage rationally and secondly to rationally choose the best available philosophical position. The epistemic freedom from externally imposed views and values is thus a precondition to the possibility of adopting the Nāgārjunian view, and then acting in ways which accord with it. Thus, for conventional agents living in a state which does not endorse or practice a Nāgārjunian view, L1 presupposes this form of negative liberty. It is a precondition in the sense that if one doesn’t already have the freedom from externally prescribed or given views and values, then one would not have the possibility of adopting Nāgārjuna’s view and related values on rational grounds. Therefore, one would not have the possibility of acting in ways which accord with that view, which means that the soteriological and ethical forms of subjective transformation given in L1 would not be possible. The implication is that a form of negative liberty, the freedom from externally imposed views and values is implicitly (and importantly) connected to Nāgārjuna’s rational methodology. The epistemic possibility of critical examination itself must be preserved as a necessary condition for adopting Nāgārjuna’s particular view.

The deeper political point is that because being able to freely choose Nāgārjuna’s position presupposes having the capability and potential to freely choose in the first instance, any other kind of epistemic free choice ought to also be defended. That is, it is not the content of that choice that matters, but rather, the possibility of choosing. There is an important sense in which a conventional agent who adopts the Nāgārjunian view (living in a state which does not), would also endorse the freedom of her neighbour to adopt a view of svabhāva, even if, she is tempted to convince that neighbour by way of rational argument, that that view is wrong. But what might intervene against this epistemic free choice? It is

242 It should be noted here that this kind of epistemic grounds for critical examination is somewhat particular to Nāgārjuna and the Madhyamaka tradition. Other Buddhist traditions privilege other epistemological methods, including yogic insight and śabdapramāṇa (verbal testimony), usually alongside inference and perception. See Payne, R.; ‘The Authority of the Buddha: the limits of knowledge in medieval Buddhist epistemology,’ in Acta Orientalia Vilnesia, Vol. 1.1, (Vilnius), 2010.
easy to conceive of totalitarian or authoritarian states attempting to deny that epistemic freedom, a problematic that Berlin has firmly in mind when he considers that thinkers such as Hegel and Marx, in subjugating the individual to the dialectical movement of historical forces, implicitly deny the individual’s epistemic freedom. However, the problematic becomes more subtle when we consider the role of ideology or dominant normative values, which may not be directly reducible to the state or in fact might be very distinct from it. Examples might include a dominant religious viewpoint which may be reinforced through its own institutions, education, the family structure, and society more generally. Or dominant political or economic values also reinforced in a similar fashion or perhaps more implicitly. Where those ideas or values are operative such that they deny the possibility of any other kind of free epistemic choice, the conventional agent committed to Nāgārjuna’s view also ought to be committed to defending the basic epistemic possibility of freely choosing, against the interventions of those other (hegemonic and coercive) ideas or values. That is, if that conventional agent wants to be consistent, they would need to uphold a political commitment to the value of negative liberty, as a value independent of how it might work in their own favour.

So from the first standpoint, of the conventional agent committed to a Nāgārjunian view but living in a state which is governed according to different views, two forms of negative liberty would be considered normatively valuable and worth endorsing. Firstly, a basic freedom from state (or other material forms of) intervention or coercion on the task of subjective transformation. Secondly, a freedom from the imposition of particular views and values which are not freely chosen by the agent. Both of these seem to connect Nāgārjuna to some of the core concerns of liberals such as Berlin and Mill. However, this first standpoint does not necessarily lead to a doctrine of complete state neutrality or a libertarian/anarchic politics of absolute individual autonomy from all external influences. It simply implies that minimum conditions of negative liberty ought to be preserved, such that protection from direct material or epistemic coercion is practiced by the state and within the state.

We also need to consider the second standpoint of a state which is committed to Nāgārjunian views. Within in this second standpoint, I offer two possible assumptions: 1. That the state/rulers adopt the full Nāgārjunian-Buddhist soteriological context. 2. That the state or ruler(s) only adopt and are committed to Nāgārjuna’s philosophical view of emptiness.

With respect to assumption 1, it is self-evident and unambiguous that state neutrality would be completely precluded by a state/ruler(s) adopting the broader soteriological context offered by Nāgārjuna. This is because there would be a manifest conception of ‘the good’ which would take the form of a teleos, to which all policies and decisions would either explicitly or implicitly refer to and be

244 A good example would the contemporary Kingdom of Bhutan, or Tibet before the Chinese occupation in 1959.
structured by. The good is of course the teleos of bodhi or nirvāṇa and the Mahāyāna ideal of enlightenment for all. In his Ratnāvalī, Nāgārjuna works within this assumption and is clearly unconcerned with any principle of state neutrality. His advice to a king is not simply to adopt Buddhist principles on a personal level, and govern according to a different kind of logic - he is unambiguous in asserting that the king should construct all of his policies in accordance with (Mahāyāna) Buddhist metaphysics, principles and normative values. There is a very explicit sense in which the Mahāyāna Buddhist version of the good ought to be established as the underlying moral logic which structures policy and ultimately, society.

There is a sense in which this may produce a tension with the epistemic form of negative liberty given in the first standpoint, because the imposition of such principles and values potentially weakens the possibilities of non-Buddhist actors from freely choosing their own values and acting in ways conducive to their own ethical outlook (i.e. where they are not Mahāyāna Buddhists or do not endorse Mahāyāna Buddhist values). I will return to this kind of tension in the following lemma. For now it is sufficient to conclude that because only minimum conditions of epistemic negative liberty were established in the first standpoint, the impossibility of state neutrality in this context may not be problematic; it would only be problematic if the state imposed its view of the (Mahāyānist) good in a way which directly prevented non-Buddhist agents from freely choosing their own views and values.

Assumption 2 holds that the state/ruler(s) are committed to Nāgārjuna’s philosophy of emptiness, but not the broader soteriological context and specifically Mahāyāna-Buddhist normative values. So, they may adopt that soteriological context personally, but when they govern or make political decisions, they remain only committed to Nāgārjuna’s view of reality and are able to bracket the soteriological and connected normative elements as in the domain of their personal lives. This assumption is clearly closer to the ideal of state neutrality than assumption 1, because the clearly defined conception of ‘the good’ is bracketed, and therefore, cannot be imposed as the dominant teleos and value which structures the polis. However, it may be the case that this position also precludes state neutrality. This is because a metaphysical commitment to Nāgārjuna’s view of reality is a commitment to a view of (conventional) reality in which causes (hetu) and conditions (pratyata) play a critical role (L2). Once causes and conditions are privileged in such a way, making value judgements about which causes and conditions are politically desirable and which are not would seem to be quite unavoidable. It would be unavoidable in the sense that political decision makers informed by Nāgārjuna’s view of reality would necessarily see the efficacy of present causes and conditions in generating future causes and conditions, and it

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245 See Nāgārjuna.; Ratnāvalī, trans: J.Hopkins, especially chapter 4.
would follow from seeing that, that there is a necessary normative need to evaluate and act (politically) on that insight.

This would imply *judging* which present causes and conditions are ‘good’ and will lead to further good causes and conditions, and which are ‘bad,’ and need to be eradicated or changed. *Not judging* those present causes and conditions would imply that states/ruler(s) either do not care about the future of their polis, or they have a prior commitment to a kind of political view in which those causes and conditions *need* to be left as they are.246 If we deny both of those possibilities, it means that it is necessary that those states/ruler(s) *would judge* present causes and conditions as either politically desirable or undesirable and act on those judgements. So here there is a certain kind of connection between a metaphysical view and a normative judgement. But what is the nature of that connection? How might such a state move from an ‘is’ (reality is made up of causes and conditions which give rise to future causes and conditions) to an ‘ought’ (the future *should be* as good as possible)? On what normative basis *should* such a judgement occur?

If the soteriological context was bracketed, the standard *Buddhist* normative parameters of *kuśala* and *akuśala* could not be used to evaluate a cause or condition, because they presuppose the teleos of *bodhi* and/or specifically Buddhist virtues and values. However, *some kind* of normative framework must be adopted. In my conclusion, I will suggest an approach to this question based on a *general* political conception of ‘the good’ and four *particular* normative values aligned with that good. However, because both the general and the particular rely upon arguments to be made in subsequent lemmas, it is not appropriate to drawn upon this framework here. Nor is it necessary. The point *here* is not to establish which kind of normative framework might be most suitable for a state/ruler(s) committed to Nāgārjunian metaphysics, but rather to suggest that because Nāgārjuna’s metaphysics grants a robust efficacy to a particular kind of causation, and establishes both present and future conditions to be related to that causation, *some kind* of normative framework will be necessary to make judgements in relation to that causation. Those judgements are necessary where political decision makers wish to seek the best (or better) future conditions possible for the polis. This is connected to the problematic of negative liberty because there is a sense in which this clearly weakens the possibility of state neutrality: the state would *have an interest* in promoting what it decides are good causes and eradicating bad causes, even if the specifically normative notion of good/bad, wholesome/unwholesome, favourable/unfavourable does not stem from the Nāgārjunian *soteriological view per se*. In this sense, the commitment to preserving a very robust or absolute value of negative liberty for particular agents living in that state would be weakened. Where those agents are involved in actions (collective or singular) which are

246 For example, laissez-faire forms of governance, associated with libertarianism, neo-liberalism and certain forms of anarchism. Whilst this *may be* theoretically plausible for states/ruler(s) committed to Nāgārjuna’s metaphysical view, I will argue in L7 & C2 that it is in fact untenable – so let us here assume that it is *not* plausible.
deemed to produce bad causes, the state committed to the Nāgārjunian view would have an interest in intervening upon them.

When we consider the two standpoints together, we find that a plausible response to the concept of negative liberty may take the following form: conventional agents living in a state which does not govern according to a Nāgārjunian view would be likely to demand and strongly value two forms of negative liberty. Firstly, freedom from direct state material coercion or interference on their subjective transformation (of either a soteriological or ethical form). Secondly, freedom from a state or non-state imposition of a particular view of reality, which may also be framed more positively as the basic freedom to choose any particular view of reality. Both of these imply that minimum conditions of negative liberty ought to be preserved or practiced, but not that negative liberty might stand in an absolute or purist form where that political value is the only or most important political good. It does not imply a concern for complete state neutrality, only that states do not coercively impose a particular view upon its citizens. From the standpoint of a state/ruler(s) which is committed to a Nāgārjunian view of reality, complete state neutrality would not be possible. This is because if the broader soteriological context is adopted (assumption one), a version of the good (bodhi) would be adopted as the teleos which structures decision making in the polis, as well as particular Mahāyāna-Buddhist virtues and values. Or even if that soteriological context is bracketed (assumption two), the privileging of causes and conditions would lead to normative judgements about the goodness or badness of particular causes and conditions in generating possible futures. In both cases, complete state neutrality is precluded. However, this does not produce a tension with the first standpoint. Although there might a very robust implicit influence of the state’s view upon agents within that state, so long as direct epistemic coercion does not occur, this is unproblematic.

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247 The stronger argument for this will be made in the following lemma.
Lemma seven: the trajectory of subjective transformation (L1), structure-agency inter-dependence (L2) and the normative desirability of social-political transformation (L5) means that freedom as self-realisation is politically valuable. Nāgārjuna’s philosophy of emptiness is therefore strongly connected to a conception of positive liberty.

The concept of positive liberty in Berlin and Plato

The concept of positive liberty is defined simply by Berlin as ‘the freedom to’. That is, the freedom to realise ones (or a given political communities) potentialities or capabilities. So, agents are ontologically defined as having certain capabilities or potentialities which may or may not be realised. Political constraint is therefore connected to unrealisation, potentialities which do not (or have not yet) become actual. Such constraint occurs on a level internal to the agent, rather than in relation to the forms of external constraint which underpin the concept of negative liberty (although it may not necessarily preclude it). So for example, a person may be entirely free from state or societal coercion, but remain in a state of psychological malaise which takes the form of an active constraint on that person realising their potentialities. What makes this a political concept of constraint/liberty (rather than a purely psychological or moral one) is that there is an intricate relationship between external or structural conditions and the possibility of agents realising or not realising their internal capabilities or potentialities. The central claim of political philosophies which emphasise a positive conception of liberty, is that true political freedom can only occur if agents do realise or have the (structural) possibility of realising their subjective capabilities, and that this depends upon particular political and structural configurations. In this respect, having freedom from specific external constraints is not sufficient to account for how political liberty ought to be conceived, and brought about in reality.

Therefore, Berlin understands the positive version of political liberty to be predicated on some kind of concept of self-realisation, which may take a form far broader than the individual agent, for example, the self-realisation of a state, a society or a class. It should be noted here that Berlin writes as an avowed liberal, and his essay on liberty is an explicit defence of negative liberty against positive liberty. Therefore, if we are to understand the concept of positive liberty sufficiently, and how it might be relevant to Nāgārjuna, there is some necessity to go beyond Berlin’s purely critical perspective, and ask how positive liberty actually works in political philosophies which are predicated on a concept of self-realisation. A useful figure to demonstrate this basic logic of positive liberty is Plato, even though liberty per se is not a strong theme in his political thinking. The reason he is a useful figure is partly because

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248 Berlin, I.; ‘Two Concepts of Liberty’ in Political Philosophy. Berlin writes: ‘The ‘positive’ sense of the word ‘liberty’ derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men’s acts of will........I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for his choices and able to explain them by reference to his own ideas and purposes,’ p161.

he is so central to the genesis and development of western political philosophy, but more explicitly
because his conception of self-realisation and its relation to the polis is very palpable. Moreover this
has clearly influenced key modern thinkers who in quite different ways are committed to the positive
version of liberty. So how does the concept of self-realisation work in Plato?

Plato understands subjective constraint and potentiality in terms of the imbalance and balance of the
psyche, which is intimately connected to the imbalance and balance of the polis. The three key elements
of the psyche, reason, appetite and thumos,250 are the constituents of potentiality ascribed to the subject.
Realising internal potentiality is essentially the balancing of those constituents, which do not necessarily
tend towards balance. However, there are two key points which underpin the political nature of this
internal potentiality, that is, what takes it beyond the locus of personal psychology or morality. Firstly,
it is not a given that any particular agent may harness or realise those potentials. Some may be more
suited to harnessing one particular constituent over the others, and so, according to Plato, the polis ought
to be configured such that everyone is best able to harness the most dominant element in their psyche.
So, the people who are able to reason well become philosopher-rulers, the people with strong appetites
become merchants and the people with strong thumos become warriors.251 Realising internal potentiality
is thus intimately connected to the structure of the polis, and realising the best form of the polis is
connected to balancing the different elements within it, so there is a reciprocal relationship between
inner (subjective) and external (political-social) potentiality.252 Secondly, the constituents of the psyche
are realised, to a very large degree, in connection to the way that the polis is configured in the first
instance. For example, Plato’s reason for banning poets from his Republic is because they have the
strong potential to lead subjects into imagined or fictitious modes of thinking, and away from reasoned
approaches to reality.253 This clearly implies that reason, as one of the constituents of the psyche, is
something which requires particular social-political conditions in order to sufficiently develop. Indeed,
Plato spends a whole chapter in The Republic making that precise point, arguing that the ability for
agents to harness their reasoning capabilities requires the structural conditions of education (and
education itself be configured in a particular way).254

250 I have left this untranslated because it is usually misleading to use an English word. It generally refers to ‘competitive spirit’
or ‘warrior gusto’ - in the sense of a sporting team playing in an animated, passionate, highly competitive fashion.
253 Plato.; The Republic, part X, trans: D. Lee. Plato writes: ‘Poetry has the same effect on us when it represents sex and anger,
and the other desires and feelings of pleasure and pain which accompany all our actions. It waters them when they ought to be
left to wither, and makes them control us when we ought, in the interests of our own greater welfare and happiness, to control
them.’ p350.
society] proceed? They would begin by sending away into the country all citizens over the age of ten; having thus removed
the children from the influence of their parents’ present way of life, they would bring them up on their own methods and rules,
which are those which we have been describing. This is the best and quickest way to establish our society and constitution,
and for it to prosper and bring its benefits to any people among which it is established.’ p274.
Therefore, Plato is a useful figure from which to draw a very general example of the concept of positive liberty. Firstly he defines what subjective potentiality there may be, and what forms of internal constraint may exist. Underpinning this is the explicit sense (both subjectively and socially) in which it is desirable to overcome the internal constraint in order to realise the potentiality. Secondly he posits a firm relationship between internal constraint, subjective potentiality and particular external structures (for example education, family & state). It follows from this relationship that external structures ought to be configured in such a way that they lead agents away from constraint and towards realising their potentiality. Thirdly, the implication of this, the necessity to construct a political blueprint which is capable of configuring both structures and agents in this normatively desirable way. For Plato, this is the political logic which underpins the entire Republic.

When Berlin gives his generalised conception of positive liberty it is predicated on two key notions: that there is some account of self-realisation which includes both a form of internal constraint and the possibility of overcoming it. And that the means of overcoming it involves some kind of specific balance between external structures and subjectivity - a particular balance between structure and agency. Berlin is highly critical of positive liberty, precisely because he sees certain dangers stemming from the premise of self-realisation. Specifically, he thinks that the idea of self-realisation gives rise to a concept of authenticity, which must be dualistically related to a concept of inauthenticity. He cites for example, the authentic ‘true rational self’ which must be realised against the inauthentic self-governed by more base instincts or desires (a theme which is clearly present in Plato). Or on a communal level, a true nation-state which must be realised against forces which disrupt unity or wholeness. Or in political economy, a scientifically true (i.e. historically evolving) economic structure gained by moving beyond the contradictions inherent to the illusory one. The similarity between these quite obviously different ideas of political freedom (Berlin clearly has Hegel and Marx in mind, and more implicitly, Plato and Rousseau) is that in which the definition of what constitutes the authentic form of freedom is necessarily already given (i.e. prescribed) by the philosophy. This impels political actors (be they individual, community, class or state) into actions which clearly move from a present state of constraint towards a future state of liberation. There is a clearly defined teleos involved, predicated on a clear account of what constitutes the fundamental truth of ‘the political good.’ It is the fact that this fundamental truth is already constituted as the clearly defined political vision, and therefore, maybe prescribed upon the citizenry by the political class, that Berlin finds potentially very dangerous. Berlin’s claim is that it leads

255 This primarily takes the form of the potentiality which inheres in the development philosophical reasoning – a consistent theme throughout The Republic and other texts such as The Symposium.

256 There are of course many quite distinct interpretations of Plato’s Republic – in particular, Strauss and Bloom both deny that Plato is giving this aforementioned political logic, arguing instead that the text is highly metaphorical and intentionally not offering any serious normative suggestions. See Strauss, L.; ‘On a new interpretation of Plato’s political philosophy,’ in Social Research, Vol. 13, No. 3, (The New School), September 1946.

swiftly in the direction of totalitarianism, because it becomes possible to conceive of coercing others ‘for their own sake.’ This violates the core principle of the liberal variant of (negative) liberty, which is that each individual must decide for themselves how to live, what the political good might be and what kinds of freedoms may be suitable or achievable.

In the previous lemma, I established that Nāgārjuna’s philosophy of emptiness leads to a specific kind of connection between moral autonomy and two forms of negative liberty, as well as an obvious tension or inconsistency with it with respect to state neutrality. The pressing question we must now ask of Nāgārjuna, is to what extent his philosophy leads towards a conception and endorsement of positive liberty? Before analysing the connections between positive liberty and emptiness, I will firstly point out the conception of positive liberty given in the Ratnāvalī.

**Positive liberty in Nāgārjuna’s Ratnāvalī**

This question – to what extent positive liberty might be connected to Nāgārjuna’s thought - is extraordinarily easy to answer if we simply takes the Ratnāvalī as the seminal text. The answer is simply: to a very large extent. In giving his advice to a king, Nāgārjuna gives a Buddhist-Mahāyānist account of self-realisation for the polis and unequivocally suggests that the king ought to structure his policies, his conception of justice and his political economy to accord with specifically Mahāyānist normative values, including a core teleological idea of the political good, which is enlightenment for all.

Firstly, the distribution of resources should at least partly accord with the logic of punya (merit), and as an extension of that logic, distributive justice should accord with the pāramitā of dāna (perfection of generosity):

You should respectfully and extensively construct/ Images of Buddha, monuments, and temples/ And provide residences, Abundant riches, and so forth.

Please construct from all precious substances/ Images of Buddha with fine proportions/ Well designed and sitting on lotuses/ Adorned with precious substances.

Through using wealth there is happiness here in this life/ Through giving there is happiness in the future/ From wasting it without using or giving it away/ There is only misery. How could there be happiness?

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258 Berlin, I.; ‘Two Conceptions of Liberty.’ Berlin writes: ‘This renders it easy for me to conceive of myself as coercing others for their own sake, in their, not my, interest. I am them claiming that I know what they truly need better than they know it themselves.’ p162.

259 Nāgārjuna.; *Ratnāvalī*, trans: J.Hopkins, (327). Nāgārjuna writes: ‘If your realm exists for the [Mahāyāna] doctrine/ and not for fame or desire/ then it will be extremely fruitful/ If not, its fruit will be misfortune.’ p137.

Cause the blind, the sick, the lowly, the protectorless, the destitute/ And the crippled equally to obtain/ Food and drink without interruption.\textsuperscript{264}

Secondly, justice and punishment should accord with the logic of maitrī and karuṇā (kindness and compassion):

Even to those whom they have rightfully fined/ Bound, punished, and so forth/ You, being moistened by compassion/ Should always be caring.

O King, through compassion you should/ Always generate just an attitude of altruism/ Even for all those embodied beings/ Who have committed awful deeds.\textsuperscript{262}

Thirdly, governance should be composed of people who are already committed to the Mahāyāna:

Appoint ministers who know good policy/ Who practice the [Mahāyāna] doctrine, are civil/ Pure, harmonious, undaunted, of good lineage/ Of excellent ethics, and grateful.\textsuperscript{263}

It does not take a particularly sophisticated interpretation of the Ratnāvalī to determine that Nāgārjuna clearly thinks that the king ought to have a clear conception of what the political good is – it is a specifically Mahāyānist conception – and that he should structure his kingdom such that this good is implemented in political reality.\textsuperscript{264} There is, unequivocally, a normative concern for how the king’s subjects ought to be treated, and given the specifically Buddhist context of the discourse, this relates directly to the problem of internal constraint and the subjective potential to overcome that. Nāgārjuna clearly thinks that it is part of the king’s political responsibilities to shift sentient beings out of states of suffering and out of saṃsāra. This is a clear and unsurprising conception of self-realisation, to which both the king and his subjects ought to intend towards. Therefore, Nāgārjuna is clearly committed to a positive version of political liberty, and, unsurprisingly given the radically different time and context, is either unaware of or unconcerned with the problematic which Berlin points to.

**Positive liberty and Nāgārjuna’s philosophy of emptiness**

It is clear that Nāgārjuna’s political advice is written in a very different mode to his metaphysical and dialectical treatises about emptiness (i.e. the MMK, the Vij, the Śūnyatāsaptati etc). The Ratnāvalī takes the literary form of a master or sage giving practical and applied political advice to a king, rather than systematic logical arguments addressed to philosophically minded interlocutors.\textsuperscript{265} Whilst giving us a very clear insight into Nāgārjuna’s political views, it does not necessarily tell us what the political

\textsuperscript{264} Throughout the Ratnāvalī, the emphasis is particularly on the subjectivity of the king himself – what the king must do in order to realise his own enlightenment – which equates in some respects to a more soteriological orientation rather than an explicitly political one (i.e. the liberty at stake is more in the personal domain of the king himself and thus, not necessarily of a political character). However, Nāgārjuna also clearly has the interests of the king’s subjects in mind as well, and plainly asserts that the good for the king is simultaneously a good for the subjects. The soteriological and the political therefore intersect quite explicitly.

\textsuperscript{265} However in chapter one, he does offer logical arguments in establishing his view of emptiness.
impllications of emptiness might be, because much of the content of his advice is predicated not on the logical political implications of his view of emptiness, but on more conventional Mahāyāna normative values. For example, that suffering is bad and should be minimised, that compassion is good and should be promoted, that generosity is good and so forth. Given that this inquiry is explicitly concerned with the former and not directly with the later, we must bracket the political thinking in the Ratnāvali and ask: is there any logical connection between Nāgārjuna’s philosophy of emptiness and the concept of positive liberty?

Three previous lemmas grant us a clear response to that question. L1 demonstrates that the metaphysics of emptiness grants a soteriological or ethical trajectory of subjective transformation. Central to that trajectory is a conception of subjective constraint and subjective potentiality. Moving from constraint towards the realisation of potentiality depends upon the reflective recognition that agency is what it is partly because of what it has intended and done. The implication is that one may have all the freedom from external interference that is possible, yet still be in a state of deep constraint. Gaining genuine freedom thus requires overcoming the forms of internal constraint which stop the agent from realising their potentiality, a potentiality which is predicated on the agent gaining control over their intentions and actions, and producing the kinds of habits and character traits deemed valuable or desirable in their own terms. This is clearly an account of self-realisation which inheres as an almost exact expression of Berlin’s definition of positive liberty:

The ‘positive’ sense of the word ‘liberty’ derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men’s acts of will. . . . I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for his choices and able to explain them by reference to his own ideas and purposes.

L1 therefore grants the conclusion that as soon as we think about the logical relationship between emptiness and agency, a conception of self-realisation emerges, which, even if it is not strictly formulated through Buddhist soteriological or normative concepts, will grant a robust sense of positive liberty.

L2 demonstrates that this conception of self-realisation cannot exist in an exclusive domain of pure subjectivity. Agency is strongly constituted by a range of material and discursive-conceptual external conditions. The possibility of realising subjective potentiality partly depends upon those conditions being conducive to that realisation. To cite an earlier example, conditions of famine or war would produce a different range of subjective possibilities than conditions of affluence and peace. In this

266 Whilst there may be connections between the view of emptiness and particular normative values such as compassion. For example, that only an empty conventional agent can develop compassion. In the Ratnāvali Nāgārjuna assumes rather than establishes them with arguments.

respect, the conception of self-realisation which emerges in L1 entails an intricate balance between structure and agency. The kind of political freedom which follows from such a balance is one which necessarily takes both a negative and a positive form. Negative in the sense that some structures or conditions might be pernicious constraints which agents must gain freedom from, for example, ordinary assumptions and discourses about reality which give a reified conception of svabhāva. Positive in the sense that some structures or conditions might be necessary conditions for the possibility of self-realisation, for example, sufficient educational training to engage with and understand Nāgārjuna’s arguments. This positive sense is really a freedom to. Certain capacities must be generated by the agent, if that agent wishes to be free, and these capacities depend in part on external conditions.

L5 demonstrates that it is both possible and normatively desirable to transform the illusory elements which inhere within a given political and social reality. It is possible conceptually via the rational critique of the conceptual predication of svabhāva in the public sphere and it is possible phenomenologically-perceptually via the long term reconfiguration of structures and institutions to accord with the logic of śūnyatā/pratītyasamutpāda. It is normatively desirable because the possibility of self-realisation partly depends upon that transformation. In this respect, L5 may be treated as the normative implication of L2. It clearly situates the concept of subjective freedom and potentiality in a political context. Once self-realisation is defined as having a clear dependent relationship to structures and institutions, it becomes politically desirable to configure those structures and institutions in accord with that conception of self-realisation. What this really amounts to, is that the concept of self-realisation is extended well beyond the locus of the agent, and into the very fabric of the polis itself. In this respect, L4 accords with Berlin’s claim that self-realisation:

May be conceived as something wider than the individual (as the term is normally understood), as a social ‘whole’ of which the individual is an element or aspect.

Taking the three lemmas together, the political implications from Nāgārjuna’s philosophy of emptiness closely accords with Berlin’s conception of positive liberty. Firstly, a concept of self-realisation emerges on the level of agency, which is related to a notion of self-mastery. This is seemingly embedded in a kind of dualism between a true self (recognition of śūnyatā/pratītyasamutpāda) and a false self (non-recognition or ‘svabhāvic’ reification) which Berlin asserts is a hallmark of the positive form of liberty. Secondly, that this subjective form of self-realisation is dependent upon various external structures and conditions, and as an implication of that, thirdly, that it is normatively desirable to configure those structures to accord with the concept of self-realisation, which means that the concept of self-realisation is itself embedded in the political sphere and not merely in the domain of the

268 I will explicitly address this in the conclusion.
individual agent. Now before we conclude either with or against Berlin about the value of positive liberty, the conclusion with respect to Nāgārjuna’s philosophy is unambiguous: the view of śūnyatā/pratītyasamutpāda leads towards a robust conception of positive liberty. This does not depend upon any of the particular Mahāyāna normative values asserted in the Ratnāvalī, or indeed, even the basic soteriological-teleological concept of bodhi. That is, the conception of positive liberty as a political value arises directly out of the metaphysical claim that all things are empty and dependently co-arisen, once the entailments of that claim are examined politically. The question we must now ask, is how does this sit with the finding of L6, that negative liberty is an important political value for anyone committed to Nāgārjuna’s philosophy of emptiness?
Conclusions

There are two plausible responses to this tension between the two kinds of liberty. It could be determined that one form of liberty is ultimately more valuable than the other, and so, to sacrifice one for the other. Or, a balance could be struck between them, so that elements of both are included in a conception of liberty which is consistent with Nāgārjuna’s philosophy of emptiness. If we just consider Nāgārjuna’s own political views, as given in the Ratnāvali, the resolution is very simple: positive liberty is clearly very valuable, and no explicit concern with negative liberty can be found. If the moment of decision ultimately rests upon what Nāgārjuna actually says, then clearly negative liberty could be sacrificed for positive liberty. The polis would become a Mahāyāna Shangri-La where everything is geared towards the self-realisation of bodhi.

Although it would be an interesting task to extrapolate a political philosophy from Nāgārjuna’s explicit political views, such a task is not this one. My concern is to extrapolate a political philosophy from Nāgārjuna’s philosophy of emptiness (not his stated political views), and in undertaking such a task, I have clearly highlighted that both positive and negative forms of political liberty coherently arise from the view of emptiness. In this respect, even the positive form does not really accord with what Nāgārjuna says in the Ratnāvali, because it does not depend upon general Buddhist-Mahāyāna normative and soteriological values. I have argued that both forms, in different ways, arise out of consideration of the philosophy of emptiness. However, this does not automatically imply that both are equally valuable. Clearly the positive form of liberty is of greater value, because it is expressive of the basic trajectory of moving from the constraints of svabhāva to the freedoms associated with śūnyatā/pratītyasamutpāda. To dilute this is to weaken the most fundamental part of Nāgārjuna’s philosophy, and to deny its most profound political implication: that what is at stake (for any agent and for the polis as an empty whole) is the possibility of overcoming the constraints of svabhāva and actualising or realising the freedom of śūnyatā/pratītyasamutpāda. The value of negative liberty is principally derived from its relation to that task. That is, negative liberty is principally valuable because it is a necessary condition of possibility for particular agents to move from svabhāva to śūnyatā/pratītyasamutpāda. This implies that minimum conditions of negative liberty – freedom from direct epistemic and material coercion - must necessarily be preserved for that trajectory to unfold. But it does not imply that negative liberty is valuable unto itself, as the sole or most important political good, and it does not imply a principle of state neutrality. It gains its value by virtue of its relation to the positive form.

Thus the balance between the two forms of liberty is struck by conceiving of negative liberty as a necessary principle which would mitigate any tendency for a Nāgārjunian version of totalitarianism (i.e. based on the idea that the one can be sacrificed for the many, on account of the overarching good of self-realisation). Because the goal of self-realisation can only be achieved by allowing individual agents
the freedom to choose their own views and live according to them, any imposition upon them which violates that would be contradiction to that goal.
CHAPTER FIVE

EMPTINESS AND POLITICAL EQUALITY
Introduction

Whilst, as Berlin suggests, the contestations around the question of political liberty have been a defining feature of contemporary western political philosophy, perhaps the most significant cause for this contestation lies in the often contrary relationship between the values of liberty and equality. They are clearly distinct normative values and are often not simply in a theoretical tension, but also a practical or applied tension – perhaps nothing defines the ideological distinction between left and right better than the degree to which priority is afforded to either value. The various justifications for that priority have very tangible political, economic and social effects, because they pertain to and structure the way that resources are (or ought to be) exchanged and distributed, as well as the way that political and other institutions are (or ought to be) configured. In this chapter I focus particularly on issues relevant to distributive justice.

The connection between Nāgārjuna’s philosophy of emptiness and the concept of political equality is far from clear. Although upeksā (a mental state of equanimity) is privileged in Buddhism as a moral virtue and meditative achievement, it does not play a central role in the structure of Buddhist thinking in the way that mokṣa (liberation) does. That is to say that although the soteriological form of liberty is very distinct from the political concept of liberty, there are clearly some robust resonances. This is not intuitively the case with respect to the relationship between upeksā, emptiness and the concept of political equality. Therefore, in order to establish which kind of connections may be tenable and which untenable I will firstly, in lemma 8, address three different conceptions of political equality which are metaphysical or phenomenological in character and ask how they may or may not be connected to Nāgārjuna’s philosophy of emptiness. These are: ontological equality of essence, equality of potentiality, and the impartial attitude. However, political equality is also commonly conceived in more normative terms, and strongly connected to social, political and economic outcomes, conditions and institutions. In order to consider what may be normatively plausible, with respect to Nāgārjuna’s philosophy of emptiness, I will firstly establish what kind of connections may ensue between the view of emptiness and the concept of property rights. This is because the normative terrain of political and social equality is deeply connected to the problematic of distributive justice, which presupposes some theory of property ownership and exchange. I pursue this ahead of other important normative considerations such as juridical equality and political decision making equality because my investigation is principally centred on the relationship between emptiness and political economy.

Therefore, in lemma 9 I pursue this question, by situating Nāgārjuna’s view in relation to two modern western accounts of the concept of property rights - Kant’s cogent defence of the innate right for individuals to own property in Doctrine of Right, and Marx’s trenchant critique of individual property rights in On The Jewish Question. The purpose is not to undertake an analytical comparison, but rather
to provide an adequate metaphysical and epistemological reference point or framework in which we may conceive of a plausible relationship between emptiness and property ownership. In lemma 10, I establish how a nominal and (legally) positivist account of ownership and exchange may be conceived given the parameters of Nāgārjuna’s view of emptiness, and why this may be relevant in the context of competing contemporary claims relating to social, economic and political equality. Having established connections between metaphysical/phenomenological forms of political equality (L8) and a position on individual ownership and exchange (L9 & 10), in lemma eleven I then ask how those findings may be coherently connected to two particular social-political outcomes and conditions: equality of opportunity to meet desirable ends and political cosmopolitanism.
Lemma eight – Nāgārjuna’s philosophy of emptiness: [a] denies *ontological equality of essence* between sentient beings, [b] grants *the possibility of an impartial attitude* from humans towards sentient beings & [c] grants an *abstract equality of potentiality* between humans.

Political equality is a notoriously vague, ambiguous and contested concept. I thus adopt some useful distinctions that Bryan Turner makes in order to distinguish how that concept may be used. Turner defines four types of political equality: *ontological equality* (a fundamental equality of essence between persons), *equality of opportunity to meet desirable ends* (the attempt to make access to important social institutions open to all), *equality of condition* (an attempt to make the conditions of life equal for otherwise distinct social groups) and *equality of outcome or result* (the attempt to engender the same material living standard for all social groups).271 To this I add two further kinds of equality, one which Turner associates with ontological equality, but which I think is very distinct. I will call this an *abstract equality of potentiality* (a formal equality of *capacity to transform* between persons). The other in which equality is conceived as a mode of moral or phenomenological apprehension, which is roughly akin to what Thomas Nagel calls the *impartial attitude* (sentient beings or humans are apprehended with an attitude of equanimity).272 In this lemma, I establish the connection between Nāgārjuna’s view of emptiness and ontological equality, equality of potentiality and the impartial attitude – the *metaphysical* and *phenomenological* forms of political equality. I am not concerned with the expressly normative forms of equality (opportunity, condition and outcome), which will be addressed in L11.

[a] Nāgārjuna’s philosophy of emptiness denies *ontological equality of essence between all sentient beings and between human beings*

Although I defined svabhāva as (ontologically) *substantial self-existence* and (phenomenologically) *own self-identity*, neither of which are necessarily tantamount to a concept of *essence*, Turner’s concept of ontological equality of essence clearly implies the view that human beings have, and therefore all equally share, some irreducible *substantially self-existent* property. He has in mind monotheistic-theological conceptions of ‘soul’, which we may take to usually involve the predication of svabhāva. In this context, svabhāva and ontological essence may be treated as equivalents.274

Nāgārjuna’s philosophy of emptiness is not simply a claim about the nature of human reality, it is a metaphysical claim about reality per se. In this respect, the metaphysics of emptiness gives us an account of how any kind of sentient creature conventionally exists (and is ultimately ‘between’

273 In A2.
274 However it may be less misleading and ambiguous to use the term ‘substance.’ For a cogent discussion about the relationship (and potential paradox) between essence and emptiness, see Perrett, R.W.; ‘Essence and Emptiness,’ (Forthcoming in J. Garfield, G.Priest, Y. Deguchi & K. Tanaka (eds.), *Analytic Philosophy and Buddhist Thought* (Oxford University Press).
existence and non-existence). This intuitively seems to grant a basic level of ontological equality between all sentient creatures – they are all equal in being empty. However, such a metaphysical claim in no way grants us an ontological equality of essence (in the sense defined by Turner), because as has been established (A2, L1), to assert that all things are empty is to explicitly deny that any thing (or creature) has svabhāva. Therefore, there cannot be a shared or common essence between sentient creatures (or particular kinds of sentient creatures, such as human beings), but does this mean that there is an ontological equality which takes the form of ‘all sentient beings are equal in being essenceless?’ From the ultimate standpoint, such a statement is true but also misleading. It is true that from the ultimate standpoint, all sentient beings lack essence, and that they are thus equal in that regard. But it is misleading because from that standpoint, we cannot speak of particular entities per se. So long as we are referring to sentient beings, we are necessarily speaking about conventionally existing particular entities in conventional reality, not the ultimate reality in which only their emptiness is established or apprehended. Thus, it is only on this conventional level that we can investigate what it means to say that sentient beings, as particular entities, lack essential properties, and thus inquire into the problematic of ontological equality.

Conventionally, the claim that all sentient creatures are empty simply means that no creature can exist independently, that all creatures are necessarily contingent, relational and are what they are because of their specific dependent context. If we consider this context empirically there are clearly vast differences in power, capacity, attributes and so forth. In this respect, the assertion that all sentient creatures are metaphysically equal in being empty/essenceless may only make it more palpable that an ontological ground of difference (between sentient creatures) is far more prominent and justified than an ontological ground of equality. That is, although an ant, an elephant and a human may all be empty, and (essentially) equal in that ultimate reality, that shared emptiness considered conventionally only reveals very stark differences in size, power, attributes, capacity to function etc. That is, what we find conventionally is ontological inequality.

Such a conclusion is not especially unusual. It is clearly an orthodox position in many contemporary western philosophies, but it is important to briefly clarify what it denies. Some later Mahāyāna traditions, influenced by other philosophical and esoteric currents, do posit a shared ontological essence between all sentient creatures. An explicit form of this is found in particular interpretations of the concept of the tathāgatagarbha (buddha-nature), which in some cases does not merely ascribe an ontologically essential mind to all sentient creatures, but actually extends this notion deeply into the (otherwise thought to be inanimate) natural world. Following this interpretation, there is clearly a very robust ontological equality of essence, not merely between human, elephant and ant, but between human, elephant, ant, tree and mountain. All of them are expressions of or share in the one ‘Buddha-
nature. However, although Nāgārjuna asserts the tathāgatagarbha in texts such as the Dharmadhātustava, I do not think that that particular conception of buddha-nature is established by or commensurable with Nāgārjuna’s metaphysics of emptiness. This is simply because in being already or innately manifest in all beings, it cannot be connected with properties of change and causation, and thus, cannot be empty.

There are other Mahāyāna ideas which might also establish an ontological ground for equality, although not necessarily of an essential kind. There is the cosmological idea that all sentient beings, being infinitely existing through infinite time, have at one point or another being involved in familial relations with each other, and the metaphysical conclusion of the Avāṃsataka Sūtra that the logic of emptiness means that every sentient being is connected to every other sentient being at the same time. Of these, it is only the latter which has an explicit connection to Nāgārjuna’s metaphysics of emptiness, however this is not a connection which is consistent with my interpretation. Therefore, without utilising other metaphysical concepts (innate buddha-nature as the ground for all particular things), cosmological notions (infinitely existing samsāric lives) or alternative interpretations of Nāgārjuna (everything is connected to everything else at the same time), there is no basis by which to assert that there is an ontological equality of essence between sentient creatures. So long as we are conceiving of sentient beings, we must take them to be particular conventionally existing entities, which means that we must conceive them in the ontological and ontic context of pratītyasamutpāda. This is an ontology of causation, change, relation and difference. In terms of political equality, this leaves us without an ontological basis for equality of essence between sentient beings per se, or more specifically, between human beings. In fact it would seem justified to align this to political perspectives which emphasise difference and power relations as the basis for conceiving the political world – a political world thus defined by inequality which is ontological in character.

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275 For example, Dogen writes: [64] “Those without mind may also be living beings, for living beings are just mind. So minds are all living beings, and living beings all have the Buddha-nature. Grass, trees and national lands are mind itself; because they are mind, they are living beings, and because they are living beings they have the Buddha-nature....” in Shobogenzo Book 2, trans: G.W. Nishijima & C. Cross (Windbell Publications: Tokyo), 1996, p22

276 Thus, I hold that the tathāgatagarbha as potentiality is commensurable with Nāgārjuna’s metaphysics but that the tathāgatagarbha as an innate quality or attribute of subjectivity is a later Yogācāran idea.

277 For example, in the well known Tibetan text Eight Verses for Training the Mind, verse 7 states: ‘In brief, directly or indirectly/ May I give all help and joy to my mothers/ And may I take all their harms and pain/ Secretly upon myself.’ The statement ‘to my mothers’ implies that all sentient beings which exist in the universe – because they have existed for infinite time – have at one point or another been a mother of the reader. From Rinchen, Geshe S.; Eight Verses for Training the Mind, trans: R.Sonam, (Snowlion: Ithaca), 2001.


279 Contemporary political thinkers such as Foucault and Deleuze who emphasise this kind of political ontology of power and difference take their ontological cues from Darwin, Nietzsche and Freud. See Foucault, M.F.; Lectures on the Will to Know, trans: G.Burchell, (Palgrave: Basingstroke), 2013 (esp. lecture 13) and Deleuze, G.; Nietzsche and Philosophy, trans: H.Tomlinson, (Columbia University Press: New York), 2006.
[b] Nāgārjuna’s philosophy of emptiness grants the possibility of an impartial attitude from humans towards other humans and other sentient beings

Whilst the metaphysics of emptiness denies an ontological equality of essence between sentient beings, it does not necessarily leave us only with a radically unequal ontic-political reality of difference and power relations. This is because emptiness is not merely a metaphysical claim about external reality, in which all sentient creatures are held to conventionally exist in a particular way. It is also a claim about the structure of subjective cognition and apprehension, insofar as emptiness may be realised and phenomenologically embodied. Such a possibility, if we bracket the wider Indo-Buddhist cosmological context, is clearly anthropocentric in the sense that only the human can phenomenologically apprehend and embody emptiness, whilst the elephant and ant clearly cannot. The possibility of a human apprehending reality in its emptiness may have direct implications for thinking about the concept of political equality.

In order to conceive of this possibility, we need to return to the distinction between śūnyatā and the two senses of svabhāva given in A2. On a purely abstract metaphysical level, the distinction is most cogently conceived by considering whether entities have substantially self-existent properties or not. If an entity does not have any substantially self-existent properties, then it is held to be empty. However, this may also be considered in the phenomenological terms of identity. If an entity does not have any substantially self-existent properties, than it cannot gain its identity from anything it contains within itself. It cannot have its own self-identity. Whatever identity it may gain, must come from the relationships with other things which constitute it to be what it is. Therefore, metaphysically, emptiness is directly associated with the undermining or negation of own self-identity. If we consider this in terms of the relations between self and other, that is, between two human persons, then this abstract metaphysical claim about entities becomes more phenomenological, ethical and political in character.

Let us assume that in a particular encounter between two people, neither apprehend the reality of śūnyatā/pratītyasamutpāda. Where emptiness is not apprehended, the apprehension of svabhāva is given. Both people would take themselves to have substantially self-existent properties (in the form of their named ‘self’), and thus both people would take themselves to have their own self-identity. At the same time, the apprehension of the other follows the same logic. The other is apprehended as having substantial self-existence and on that basis, their own self-identity. It is on that basis that we can speak phenomenologically and morally about an attitude or standpoint of partiality. We may define a partial attitude as that which arises and builds up on the basis of own self-identity: because I seemingly have

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280 This kind of argument rests on cognitive conditions a human may have, which an elephant and ant cannot have. Namely, enough rationality to discern the philosophical meaning of ‘dharma’ and enough cognitive capacity to reflect, understand and act upon that meaning.
constitutive features inherent to my own subjectivity, various interests and preferences can arise which endorse, support or re-affirm those features. I may see the other as having those same constitutive features, and either act to support or facilitate the other’s interests or not. The claim here (similar to L4 & L5) is that an attitude of partiality can only arise on the basis of a person having their own self-identity. This precisely accords with the tacit psychological sense of ātman given in A1, and the ‘concealing’ mode of subjectivity given in A3. The partial attitude is rooted in svabhāva.

In distinction to this notion of partiality, Thomas Nagel defines the impartial attitude as that which:

"...comes from our capacity to take up a point of view which abstracts from who we are, but which appreciates fully and takes to heart the value of every person’s life and welfare. We put ourselves in each person’s shoes and take as our preliminary guide to the value we assign to what happens to him the value which it has from his point of view. This gives each person’s well-being very great importance, and from the impersonal standpoint everyone’s primary importance, leaving aside his effect on the welfare of others, is the same."

What this attitude requires is not the capacity to find a point of ontological sameness (i.e. a shared essence), but rather, the capacity to abstract from one’s own particular identity, and adopt the identity and related values of someone else. Such a capacity is thus dependent on the possibility of abstracting from one’s own particular identity. However, this presupposes that there is a basis for ‘one’s own particular identity’ in the first instance, which may be (temporarily) relinquished at various junctures in order to adopt the identity and values of another. Yet the phenomenological apprehension of emptiness takes this a step further. It denies the basis for having one’s own particular identity in the first instance. Such a thing is entirely relinquished, meaning that the notion of an impartial attitude cannot be conceived as temporarily relinquishing identity A and adopting identity B, but rather, phenomenologically entering into a context where neither self-identity can be maintained. Whatever identity ensues in that context, is one given by the context itself. That is, it co-emerges in the dependently arising conditions of the relation, and is only manifest whilst those conditions endure. What might this mean in terms of an attitude or standpoint of impartiality?

Instead of an attitude of partiality predicated on self-identity, or an attitude of impartiality predicated on temporarily abstracting from self-identity and adopting the identity of another, the phenomenological standpoint of śūnyatā/pratītyasamutpāda offers a more direct and penetrating form of relation between self and other where the robust demarcation between them is undermined. Lacking svabhāva and therefore, own self-identity, the form of relation between self and other is mutually constitutive and interpenetrating. No demarcation can really be maintained. Herein lies the intimate connection between emptiness and compassion, considered central to Mahāyāna thought. Compassion in this case is not a virtue or normative value to be imposed upon the givenness of a relation (although of course, it may

281 Nagel, T.; Equality and Partiality, pp64-5.
take that form), but rather a mode of phenomenological attunement to the other which is an expression of the conventional side of emptiness. It implies a pre-reflective and immediate mode of relation in which, because it is impossible to maintain self-identity, attunement to the other is unavoidable. This implies attunement to the other’s values, state of mind, feelings and so forth. So the second part of Nagel’s definition of impartiality, that of adopting the values of the other, is clearly facilitated by the logic (or phenomenology) of emptiness. The distinction here is that the possibility of adopting the values of the other is not dependent upon abstracting from one’s own self-identity, but rather, relinquishing the basis (i.e. svabhāva) for self-identity per se. This offers a more robust version of Nagel’s impartial attitude. Nāgārjuna’s metaphysics of emptiness grants the phenomenological possibility that humans may encounter other humans (and other kinds of sentient beings) with an impartial attitude. Generally speaking, this might be understood as a Mādhyamika version of upeksā (a morally virtuous attitude of equanimity to others and circumstances).

However, alongside such a conclusion, following A3 and L4, is the notion that reified or concealing forms of subjectivity are always possible, and that social-political reality may be mainly made up of agents who reify self, others and things, which is to say that the apprehension of self-identity might be very dominant in a given polis. In this respect although the impartial attitude may be possible, its manifestation may be remote or minor in comparison to a dominant attitude of partiality. Nonetheless the possibility of the impartial attitude amidst prevailing attitudes of partiality might offer us an important normative element in the concept of political equality. It clearly speaks to the tension between self-interest and altruism, and the various political forms this takes. I will point to some normative implications of this in L11 and my conclusion (C2).

[c] Nāgārjuna’s philosophy of emptiness grants an abstract equality of potentiality between human beings

Turner views the argument in favour of shared equality of potential between humans as indistinct from the argument in favour of shared ontological essence. He does not qualify why, but we may suppose that he regards both as grounded in metaphysical claims about the human subject, rather than in claims about the way that society, institutions or outcomes ought to be configured. In this respect, he is simply demarcating ontological claims from normative claims. Such a demarcation is well justified, but we need to pay heed to the possibility that there may be ontological claims about the human subject relevant to the question of political equality, which do not posit a shared essence.

282 It also bears some similarity (though not an equivalence) with the ‘authentic’ encounter given in Martin Buber’s I and Thou philosophy of relation. See Buber, M.; I and Thou, trans: W. Kaufman, (Charles Scribner: New York), 1970. The Kantian resonance here may represent a fruitful avenue to pursue.

283 There are implications here with respect to animal rights, vegetarianism, speciesism etc.

284 Turner, B.; Equality, p34.
In L1 I established that Nāgārjuna’s metaphysics of emptiness equates to an ontology of constant subjective change, which may be harnessed such that that change becomes a directed and intentional ethical or soteriological form of transformation. In L6, I established that what underpins the possibility of harnessing that change are particular conjunctions of intentionality, desire and choice making which, although not always present in all conventional agents, may (always) potentially arise in any given agent. Taking these two lemmas together, we can say that the metaphysics of emptiness means that humans are: 1. equal with respect to being subject to the same ontology of constant subjective change and 2. that they are equal with respect to the possibility that they may contribute to the direction of that change via intentional, reflective, rational choice making and the accumulation of particular kinds of actions. 1. is simply a different formulation of the proposition given in [a] that whilst everyone is equal in being metaphysically empty, conventionally that abstract metaphysical equality leads to empirical difference (i.e. ontological inequality). However, 2. has far stronger implications for the concept of political equality.

The notion of an equality in the possibility of agents intentionally harnessing the reality of subjective change is the idea of the tathāgatagarbha in its loosest sense: that of a bare, abstract potentiality which every human is theoretically endowed with. Being abstract and theoretical, there are some obvious limitations on how such a claim might work politically, when we address the prospect of it being realised in actuality. I will address this shortly, but firstly, what precisely is the tathāgatagarbha as a conception of abstract potentiality, and how might it be connected with the metaphysics of emptiness?

The key insight, central to the Nikāyas, the Abhidharma and Nāgārjuna’s view, is that no matter what kind of capacities, attributes, qualities etc a given human agent may have at any given point in time, their skandhas (that is, the physical and mental constituents of their subjectivity) may be systematically and efficiently transformed all the way to arhatship or buddhahood. So it is not a claim about ontologically substantial and essential attributes which all humans share, but rather an implication which follows from the denial of humans having essential attributes: because there is nothing essential, a dynamic mode of transformation is always possible. The metaphysics which underpins this, and makes such a claim possible, is that of emptiness – anātman on the level of the agent plus the other elements which make the Buddhist agent what it is (i.e. the skandhas, pratītyasamutpāda and anitya).285 Because no attribute or quality of the agent is substantially self-existing, there is a sense in which it may be possible for any agent to discard unwanted attributes and qualities and produce desirable ones. The implication is that every human is theoretically equal in having the capacity to accumulate the particular dispositions which are a primary basis for certain kinds of difference. This is not to assert that everyone can produce the same kinds of dispositions or the same kinds of attributes. It is an argument that

everyone can shift from A to B, where A is what they are presently, and B is what they can become. Whilst everyone’s A and everyone’s B might be different, the possibility of transforming is a shared or equal potentiality.

There are two quite obvious limitations on this kind of claim. Firstly, not all attributes and qualities in a given human agent are subject to intentional change. A human who decides that having legs is an unwanted attribute, and having wings is desirable will not find a plausible way out of that predicament via the theoretical potential of the *tathāgatagarbha* and Nāgārjuna’s metaphysics. To clearly demarcate which forms of subjective transformation are possible and which are impossible, we need to return to the basic implications of emptiness on subjective transformation as established in *L1* and *L2* – that the empty subject is what it is because of causes, conditions and mental imputations. A given agent clearly does not have agency over all of these factors. It is only internal causes and imputations stemming from oneself that the subject has some agency over, and it is therefore only in those domains that we may speak of the intentional transformation of subjectivity. A particular condition, such as cerebral palsy, or great genetic athletic ability is clearly a basis for difference which cannot be plausibly explained via what that particular agent has caused or imputed.286 Whilst this limitation is significant, what remains in the sphere of what the particular agent can cause or impute, is, from the standpoint of Nāgārjuna (and the Buddhist tradition generally), suitably large. It pertains to phenomena such as mental states, moral dispositions, philosophical insights and meditative or yogic powers. The claim about the potential for subjective transformation is perhaps among the most optimistic of any tradition: a given agent may not be able to win the Tour de France, write a great symphony or fly to work with newly cultivated wings. But they may be able to develop profound mental states of intelligence (*buddhi*) and tranquillity (*śamatha*), develop exceptional moral tendencies of generosity (*dāna*) and compassion (*karuṇā*), understand the nature of reality (*śūnyatā*) and become such a reality (*tathāgata*). The possibility of gaining such attributes and qualities lies squarely in the domain of subjective intentions and actions. Note that those particular kinds of potentials (and the teleos of becoming a *tathāgata*) are not in any way necessary for the claim of equality of potential to hold. The transformation could be as humble as a miser becoming a little more generous, or an anxious and distracted person becoming a little more relaxed and concentrated. What is important philosophically is that there is clearly a sense in which there is an equality of potentiality, which does not rest upon any claims of shared ontological essence.

286 A traditional Buddhist account would locate those immanent non-variable conditions in previously existing internal causes (i.e. the agent has at some point in the past produced the cause of those conditions via particular intentions and actions). There is nothing in Nāgārjuna’s metaphysics which negates that possibility, and of course, he would defend the proposition that non-variable conditions in the present are the results of previous actions by the subject experiencing those conditions. However, I am here bracketing the question of rebirth for the epistemic reason that it we cannot adequately know this chain of causation; all we can say is that in the immanence of the present, the agent has no agency over non-variable conditions. In this respect, it does not alter the argument – whether the agent caused those non-variable conditions in the past, or whether they did not, in both cases, in the present the agent has no agency to alter those conditions.
The second limitation is that this is only a *theoretical* or *abstract* equality of potentiality, and that very particular material or cognitive conditions may be necessary in order for it to be *actualised*. Because the possibility of intentional transformation hinges on particular capacities of reflection and intentional-rational choice making, it *depends upon* those functions or capacities either already being there or being developed sufficiently such that they can operate properly. As has been made clear in [a], L1 & L6, such capacities cannot be considered to be essential properties, and therefore, cannot be ascribed to all humans *universally*, as attributes or qualities of human nature which *all* humans share. That would make it a claim of ontologically shared essence. Clearly the development and expression of those qualities depend upon the adequate functioning of *certain conditions* which not all humans necessarily have. In particular, requisite cognitive capacity and its associated material causes and conditions such as a healthy brain and sufficient education.

This second limitation is very significant for the basic question of how Nāgārjuna’s philosophy of emptiness might be connected to the concept of *political equality*. The purely abstract or theoretical equality of potentiality which is ostensibly metaphysical, becomes political when we realise that it depends upon certain conditions, some of which are material and structural, in order to actualise or manifest. That is, equality of potentiality as an abstract concept can only be manifest in reality when conditions allow it to manifest. Here we may see a connection to a clear normative impulse which is related to those conditions. If we take the equality of potentiality as a good, then we ought to also take as a good *the right conditions* in which that equality of potentiality may manifest. This would simply be the structural conditions in which humans may develop their capacity for reflective-intentional choice making. So although the abstract equality of potentiality is principally a metaphysical claim connected to *the possibility* of desirable subjective transformation, it is deeply connected to existing political conditions, and in that connection, may have a robust normative dimension. I will investigate this normative dimension in LII.
Lemma nine: Nāgārjuna’s philosophy of emptiness denies the grounds for innate individual property rights. Two contrary conceptions of individual ownership are given in the Ratnāvalī

Three key metaphysical or phenomenological findings in L8 provide us with a basis for thinking more normatively about how the concept of political equality may be connected to Nāgārjuna’s metaphysics of emptiness – that there is no ontological equality of essence between humans, that there is an abstract equality of potentiality between humans and that there is the possibility of an impartial attitude between humans. However, adequately connecting these findings to normative political-economic conditions and outcomes requires analytical attention to the problematic of distributive justice, and this in turn presupposes some conception or theory of property rights or entitlements, including the possibility that such things do not exist, or ought not exist. Therefore, the first step in drawing plausible normative considerations from the connection between emptiness and the concept of political equality is to establish a plausible relationship between emptiness and the concept of property rights. In order to clarify the concept of property rights, I distinguish between innate rights (Kant), historical rights (Rousseau and Marx) and nominal/positivist rights (Waldron).287 In this lemma, I give a brief explication of the Kantian conception of innate property rights given in his Doctrine of Right and Marx’s critique of individual property rights given in his On the Jewish Question. The purpose of the explication is to provide a coherent framework and reference point in which to situate Nāgārjuna’s metaphysics of emptiness in relation to the problematic of property ownership.

Kant’s liberal conception of individual property rights

Alongside the defence of negative liberty and certain forms of juridical equality, the concept of individual rights to private property is foundational to the political tradition of liberalism. Such a concept is often considered to have its roots in Locke’s Two Treatises of Government, where he makes an argument connecting the legitimacy of sovereignty to the (political) securing of natural rights to property. Whilst Kant retains certain features of the Lockean system, in particular the fundamental premise that sovereignty ought to be predicated upon the preservation of individual property rights, his conception of how this relationship is configured differs markedly from Locke, and is both more philosophically consistent and less dependent upon biblical assumptions.288 So how does Kant establish individual property rights? In the Doctrine of Right,289 Kant distinguishes between merely physical and

287 I do not deal explicitly with the Lockean conception of natural rights, because I think that Kant gives the most philosophically cogent liberal justification for individual ownership. As Waldron shows, there are irreconcilable problems with Locke’s theory of ‘mixing one’s labour.’ See Waldron, J.; ‘Two Worries About Mixing One’s Labour,’ in The Philosophical Quarterly, Vol 33, No. 130, (Blackwell), Jan 1983.
intelligible possession. The former pertains to the sensible or empirical holding of a phenomenal object and can only grant a nominal definition of the ‘external mine.’ The latter applies to the possession of an object which persists even if the object is not immanently in possession of the person who claims ownership of it, and it grants a real definition of the external mine which contains within it, innately, the concept of a right to it.\textsuperscript{290} Intelligible possession thus depends upon the understanding of the possessor, inclusive of the concept of ‘Mine’ which persists even when the object of possession is not present in time and space for the possessor. This contains apriori a conception of a right to possession.

Kant writes:

The real definition of this conception may be put thus: ‘The external Mine is anything outside of myself, such that any prevention of my use of it would be wrong, although I may not be in possession of it so as to be actually holding it as an object.’

.....it is not quite correct to speak of ‘possessing a Right to this or that object, but it should rather be said that an object is possessed in a purely juridical way; for a Right is itself the rational possession of an Object, and to ‘possess a possession, would be an expression without meaning.\textsuperscript{291}

Thus it is intelligible possession which Kant defines as giving the real conception of a purely juridical possession of an external object, which contains within it, the concept of a right to it. That is, the right is not superimposed upon the possession of an ‘external mine.’ It is innate to what possession of ‘external mine’ actually entails.

Kant’s more primary claim is that any given corporeal object cannot be treated as a ‘nothing.’ It must at least have the potential to become an object of the activity of the will, and so, be an object of choice for a particular agent to utilise for a particular purpose or end. In this respect, all corporeal objects must be considered to fall under the rightful possession of some human or other.\textsuperscript{292} The critical political claim which follows from this metaphysical idea, is that human freedom per se depends upon free individuals utilising objects for their freely chosen purposes. It presupposes the existence of private property. Kant writes:

An object of my free Will, however, is one which I have the physical capability of making use of at will, since its use stands in my power (in potentia). This is to be distinguished from having the object brought under my disposal (in poestatatem meam reductum), which supposes not a capability merely, but also a particular act of the free-will. But in order to

\textsuperscript{290} Kant, I.; \textit{The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right}, trans: W.Hastie, (Clark: Edinburgh) 1887. Kant writes (in 4a): ‘I can only call a corporeal thing or an object in space ‘mine’, when, even although not in physical possession of it, I am able to assert that I am in possession of it in another real non-physical sense. Thus, I am not entitled to call an apple mine merely because I hold it in my hand or possess it physically; but only when I am entitled to say, ‘I possess it, although I have laid it out of my hand, and wherever it may lie.’

\textsuperscript{291} Kant, I.; \textit{The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right}, trans: W.Hastie, (5).

\textsuperscript{292} Kant, I.; \textit{The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right}, trans: W.Hastie. Kant writes (in 2): ‘It is possible to have any external object of my Will as Mine. In other words, a Maxim to this effect – were it to become law – that any object on which the Will can be exerted must remain objectively in itself without an owner, as ‘res nullius,’ is contrary to the Principle of Right.’
consider something merely as an object of my Will as such, it is sufficient to be conscious that I have it in my power. It is therefore an assumption a priori of the practical Reason, to regard and treat every object within the range of my free exercise of Will as objectively a possible Mine or Thine.293

Thus, the concept and existence of private property is deeply connected to Kant’s conception of individual autonomy, and the forms of freedom predicated upon this autonomy (i.e. free will). However, this possibility of freedom, of agents using objects for their own purpose or end, is only temporary and provisional in a state of nature. It follows that a social contact is necessary in order to ensure the mutual obligation of everyone respecting property rights is upheld. Because only a state can enforce such rights, it follows that individual freedom cannot be realised without such a state.294 A liberal state premised on defending individual property rights is thus a precondition to the possibility of individuals realising their freedom. Thus, in giving his account of property rights, Kant also gives us a robust conception of what political liberty is, and how this is intimately connected to a certain kind of political structure.

Marx’s historicist critique of the concept of natural and innate property rights

The core Lockean assumption that the right for individuals to hold property is a natural right was strongly critiqued by Rousseau in his Second Discourse. This clearly influenced Marx, among others in the socialist tradition, to conceive of a juridical-economic structure devoid of that assumption. Rousseau held that private ownership of property was not only a historical development (and therefore, cannot be natural or innate), but that it was an extremely problematic historical development. His critique was therefore both ontological and normative. It was ontological in the sense that he demanded a historical, evolutionary and anthropological perspective on the question of sovereignty-juridical power, property rights and economics. These all developed, according to Rousseau, primarily driven by the shift into large scale agriculture and metallurgy and thus, the need to organise labour and demarcate one person’s property from another’s.295 It was normative in the sense that Rousseau claimed that this development produced highly negative implications on human societies. Ostensibly, following the title of his Second Discourse, it produced the origins of inequality. Rousseau writes:

Such was, or may well have been, the origin of society and law, which bound new fetters on the poor, and gave new powers to the rich; which irretrievably destroyed natural liberty, eternally fixed the law of property and inequality, converted clever usurpation into

293 Kant, I.; The Philosophy of Law: An Exposition of the Fundamental Principles of Jurisprudence as the Science of Right.  
295 Rousseau, J.J.; On the Origins of Inequality, trans: M.Cranston, (Penguin: London), 1984. Rousseau writes (24): ‘From the cultivation of land, its division necessarily followed; and from property, once recognised, the first rules of justice necessarily followed,’ p117 (Italics mine).
unalterable rights, and, for the advantage of a few ambitious individuals, subjected all mankind to perpetual labour, slavery and wretchedness. This trajectory of a historicist critique of natural (Locke) or innate (Kant) individual property rights was pursued by Marx. The division Rousseau points to in the aforementioned quote, between the property owning rich and the rest of mankind trapped in perpetual labour, represent the two sides of a materialist and dialectical antagonism which is at the roots of Marx’s analysis and critique of capitalism. Here we need only recognise two central elements of Marx’s critique of individual property rights. Firstly that it is fundamentally historicist in nature. His argument against liberal rights, is that they fail to see that the claims that they take to be ontological and universal (i.e. that there are natural or innate property rights independent of conditions) are in fact merely an expression of the material conditions of their time.

Secondly, that such an expression entails a conceptual reification of egoistic or individual man abstracted from his true place as a communal or relational being, and in doing so, profoundly mistakes constraint for liberty. The various connections that Kant makes between innate property rights, individual autonomy, the possibility of freedom and the necessity of a state to secure that freedom, are all categorically undermined by the refutation of innate property rights for the individual. The possibility of freedom, for Marx, can only occur when ownership of property, in particular the means of production, is collective. Marx writes:

Let us note first of all that the so-called rights of man as distinguished from the rights of the citizen are only the rights of the member of civil society, that is, of egoistic man, man separated from other men and from the community.

What is property as one of the rights of man? The right of property is thus the right to enjoy and dispose of one’s possessions as one wills, without regard for other men and independently of society. It is the right of self-interest. This individual freedom and its application as well constitutes the basis of civil society. It lets every man find in other men not the realisation but rather the limitation of his own freedom (italics mine).

Whilst the radical political distinction between Kant and Marx has its roots in the metaphysical and epistemological distinction between transcendental idealism and dialectical materialism, it is the epistemic distinction which is most central here. Kant’s conception of innate property rights is grounded in the claim that there are ‘real’ (as opposed to nominal) concepts, which have their basis in the understanding of the individual. Marx’s critique is grounded in the claim that concepts (including the concept of the individual) move dialectically through history, always containing and expressing the contradictions which emerge out and are expressive of material conditions. The possibility of an ‘innate’

296 Rousseau, J.J.; On the Origins of Inequality, trans: M.Cranston, p122.
297 This is grounded in Marx’s dialectical metaphysics which sees consciousness, related conceptual phenomena such as an idea of justice and political expressions of those things such as juridical institutions as all part of a superstructure which is strongly shaped or determined by the material economic structure. See Balibar, E.; The Philosophy of Marx, trans: C.Turner, (London: Verso), 2007, pp13-42.
concept, for example, an innate right to x or y, must be a reification, in the sense that in order to be innate (that is, ‘real’ in the Kantian sense) it must be abstracted from the dialectical context in which it both emerges and endures (as theory or ideology).

This particular distinction between Kant and Marx (with Hegel in between) seems most pressing when we consider what it may mean to have ‘a right’ to something, but the problematic goes far deeper than the question of ‘rights’. It is also directly connected to broader questions of justice, equality, liberty, political economy and ideology. However, let us remain with the question of property, return to Nāgārjuna’s view of emptiness and ask: how might Nāgārjuna’s view be situated in relation to the question of rights per se, and specifically, innate property rights?

Emptiness and the innate right for individuals to acquire and possess property

There are two issues at stake in the relationship between emptiness and the Kantian concept of subjective possession of external objects. Firstly, the ontological status of the property-object itself and secondly the onto-epistemic status of the subject or possessor of the property object. In both Nāgārjuna and Kant, these issues are somewhat inseparable, so I will treat them together. In the first case, the ontological status of the property-object, it is clear that for Nāgārjuna substantially self-existing entities can never even come into existence. All entities only exist conventionally in a web of dependent relations. If a particular entity is abstracted from its web of relations, and considered in isolation or independence, then that act of abstraction involves an imputation of svabhāva and this imbues the entity with an illusory ontology. It is reified to be something that it is not, an independently existing entity (i.e. it is an expression of samnyati-satya as concealing). For Kant, whilst the thing-in-itself is inaccessible, the possibility of demarcating and owning a given phenomenal entity depends upon the subjective-conceptual apprehension of an object being an object apprehended in isolation or independence – it has to be an independent entity sufficiently distinct from other entities, and distinct from its dependencies with various other relations and causes.

Let’s take the example used by Kant in Doctrine of Right - an apple. For Kant, the ripe apple on my desk is legitimately and really mine, insofar as I claim ownership of it and would be harmed by someone else taking possession of it. The epistemological assumption is that even if I cannot know or apprehend the apple-in-itself, the apprehension of it as an independently existing object is an expression of the

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299 Nietzsche questions this view succinctly when he writes: ‘That things possess a constitution in themselves quite apart from interpretation and subjectivity, is a quite idle hypothesis: it presupposes that interpretation and subjectivity are not essential, that a thing freed from all relationships would still be a thing.’ In Nietzsche, F.; The Will to Power, #560, trans: W.Kaufmann & R.J. Hollingdale, (New York: Random House), 1968, pp302-3.
adequate functioning of the transcendental conditions for the possibility of my experience. That is, following Kant’s *First Critique* (which *Doctrine of Right* presupposes) there is a strong sense in which it is epistemologically true or valid to consider it as an abstracted entity in isolation from other entities. From Nāgārjuna’s standpoint, the ripe apple is ultimately empty and sits in front of me conventionally in dependence upon a range of causes and conditions alongside my own imputation of ‘ripe apple.’ The key distinction with Kant is that there is a strong sense in which it is epistemologically *untrue* to consider it as *an entity in isolation from other entities*. Its conventional appearance as an apple is (always and at all times) inseparable from the tree from which it grew, the conditions with which that tree depends upon, including human labour, ecological conditions, the labour which picked the apple, cleaned it, transported it, sold it and so forth. There is no valid or true way to abstract the apple from all of these dependent causes and conditions. Where such an abstraction does occur, it is necessarily conceptual and we have *precisely* what is meant by *saṃvṛti-satya* as concealing, in the sense that own self-identity is ascribed to the entity. That is, I have to *perceive* and *apprehend* it as an entity which has its own self-identity, if I am to possess it as an ‘it’. Thus from the Nāgārjunian standpoint, the Kantian account of property ownership is premised on the agent conceptually reifying the property-object to be what it is not. Taking ownership of an entity necessarily abstracts it from its causal-historical chain of dependent relations.300 It *conceals* the dependently co-arising nature of the entity. However, this is only one side of the problematic, and it may be resolved by considering the possibility of taking ownership of phenomenal things whilst *recognising* the dependently co-arising nature of the entity. As I will show in the following lemma, this may be possible by diluting the *concept* of ownership such that it is merely a nominal or positivist conceptual convention.

From the Nāgārjunian standpoint, the deeper issue with Kant’s account of ownership relates to the ont-epistemic status of the agent and its ability to form ‘real’ concepts. For Nāgārjuna, independently existing *agents* can never come into existence which is deeply at odds with Kant’s conception of subjectivity. Individual autonomy, predicated on the inherent freedom of the will, is *central* to Kant’s idea of subjectivity and the basis upon which individual ownership of phenomenal objects becomes possible (and politically desirable).301 The claim of an *innate* right to a phenomenal object is grounded in the agent being able to form the epistemically and juridically *legitimate* concept of an ‘external mine.’ Whilst I have established that empty subjects have a degree of moral autonomy in the sense of being able to freely form intentions (L6), this form of autonomy is very distinct from the Kantian form of


301 Kant writes: ‘Autonomy of the will is that property of it by which it is a law unto itself (independently of any property of the objects of volition)....That the principle of autonomy in question is the sole principle of morals can be readily shown by mere analysis of the concepts of morality.’ In Kant, I.; *Groundwork for the Metaphysics of Morals*, p98. See also Adorno, T.; ‘Kant’s ‘Theory of the Free Will’ in *History and Freedom*, pp239 – 248.
autonomy, because it takes place in a wider empty context which presupposes a manifold of dependent relationships. Moreover, there is no findable independent entity or faculty of ‘will’ but rather, a combination of mental processes which arise, combine and dissipate. Kant’s argument is that the freedom of the will is prior to and independent of this manifold of dependencies, and that the possibility of realising this freedom depends upon securing the possibility for the will to be able to act as an autonomous entity.\textsuperscript{302} The subjective claim of an ‘external mine’ is thus an expression of the metaphysical truth that the will is and should be completely autonomous. From Nāgārjuna’s standpoint, this simply reifies subjectivity to be substantially self-existent. The pronouns ‘I’ and ‘mine’ may be useful but they are merely arbitrary and nominal conventional referents. They do not refer to anything real about what subjectivity is. If they are taken to refer to a real constituent of subjectivity, or to subjectivity itself as a whole, then the (true or mutually dependent) conventionality of subjectivity is denied and something really existent is posited – reification occurs.

The clear implication is that the subjective claim for property on the Kantian basis slides one closer to concealing \textit{samvṛtī-satya} (A3). The pronouns associated with possession and ownership: “this apple is mine,” “this apple belongs to me,” “I own this apple” only have a nominal basis, and therefore the distinction which Kant makes between merely physical and intelligible possession cannot be sustained. Intelligible possession, in the form of an external mine which persists even when the object is not immanent to me in time and space, cannot grant a real definition of juridical possession; it is nominal in the same way that merely physical possession is nominal. It follows that the ground for innate individual rights to property is denied by Nāgārjuna’s metaphysics of emptiness.

Whilst this Nāgārjunian critique of Kant puts us on something of a historicist footing (because considering phenomena as dependently co-arising is to consider them partly in a temporal context), there is nothing in such a context which grants a specifically Marxist (or Hegelian) historicism governed by dialectical movements towards a particular teleos. If there are no innate individual rights to private property then where are we left? If phenomenal entities cannot be abstracted from their dependent context, then is it possible to ‘own’ them without reifying them? If not, then how can we reconcile this impossibility with the consistent moral/soteriological injunctions, throughout canonical Buddhist texts and explicit in Nāgārjuna’s \textit{Ratnāvali}, that theft is bad and giving is good? Might there be plausible ways to consider conventional nominal rights to property? Or is there simply a deep inconsistency between a metaphysics of emptiness which denies the ontic-epistemic possibility of individual ownership, with a moral or soteriological logic which tacitly assumes precisely that possibility?

\textsuperscript{302} Sandel, M. J.; ‘The Procedural Republic and the Unencumbered Self,’ in \textit{Public Philosophy}, (Harvard University Press: Cambridge), 2005. Sandal writes: ‘Only this subject [of an autonomous will] could be that ‘something which elevates man above himself as part of the world of sense’ and enables him to participate in an ideal, unconditioned realm wholly independent of our social and psychological inclinations,’ p60. He is quoting from Kant’s \textit{Critique of Practical Reason}. 
Two contrary conceptions of property ownership in the Ratnāvalī

As mentioned in the previous chapter, the Ratnāvalī takes the literary form of a Buddhist sage or master giving practical and normative moral-political advice to a king. It is not an expressly philosophical work, in the sense that it does not attempt to justify the normative advice with recourse to philosophical reasoning. Nonetheless, by making explicit the two contrary conceptions of individual ownership which emerge in the Ratnāvalī, we will be in a stronger position to think more constructively about how ownership ought to be conceived in the context of the philosophy of emptiness. The two contrary conceptions are: 1. theft is morally unwholesome. This presupposes that property holdings are both possible and legitimate. 2. Giving up attachment to phenomenal things is soteriologically privileged. This alludes to the notion that the act of imputing ownership or possession is grounded in a standpoint of saṃvṛti satya as concealing (and is thus, contrary to the standpoint of śūnyatā/pratītyasamutpāda).

In the Ratnāvalī, Nāgārjuna writes (14 & 315):

A short life comes through killing,
Much suffering comes through harming,
Poor resources through stealing,
Enemies, through adultery.

Through using wealth there is happiness here in this life,
Through giving there is happiness in the future,
From wasting it without using it or giving it away,
There is only misery. How could there be happiness? 303

Nāgārjuna clearly adopts an orthodox Buddhist position in relation to the ethics of theft and generosity. There is a consequentialist logic at play, predicated on the notion of karma (i.e. specific actions will generate connected specific effects). But how might this be connected to the metaphysics of emptiness? There are two things to consider here. Firstly, that the notion of actions generating effects is an expression of the metaphysics of pratītyasamutpāda, and thus, explicitly an expression of the conventional side of śūnyatā. 304 The Nāgārjunian conception of theft follows this basic Buddhist logic of causation. If you take something from someone else without them consenting, then at some point in the future, something will be taken from you without you consenting. With respect to the opposite

303 Nāgārjuna.; Ratnāvalī, trans: J.Hopkins, p95 & 136.
action, giving something to someone else, the reverse also follows. At this point, there is no normative judgement about that relationship, it is simply considered to be a (natural) causal relationship. Thus the logic of emptiness conventionally implies a certain natural order – we might say law - of causation. However, the second point is that there are normative conceptual judgements made about that causal relationship. Namely, that theft is bad (i.e. akuśala) because it generates bad consequences (internally in terms of samskāras, and externally in terms of social effects), and that giving is good (i.e. kuśala) because it generates good consequences.

The consequentialism here depends upon the naturalness of the causal relationship and a normative conceptual imputation made about that relationship (i.e. that it is desirable or undesirable). The key point is that the judgement about undesirable consequences and the conceptual-linguistic forms which that judgement may take (for example, the precept ‘I vow not to steal’) are the imputed part of that relationship, and thus, merely nominal. Whilst the naturalness of the causal relationship cannot be altered, presumably the nominal imputation/judgement can, so one could conceive of a (radical) imputation about theft in which the consequences are considered to be desirable or neutral, and the actions therefore endorsed. Perhaps the most well-known canonical example of this kind of moral logic occurs in relation to killing, which is predicated on the notion of upāya (expedient or skilful means).305

We might ask if it allows for a ‘Robin Hood’ moral logic in relation to theft, that the actions and consequences of theft might be normatively endorsed given a specific set of circumstances. The notion of upāya is important because it denies any kind of deontological basis for ethics, in favour a more fluid, contextual, pragmatic and consequentialist moral logic. What is right or good depends upon the situation, and the skilful moral actor is one who is highly responsive to that situation. What is important is that although Nāgārjunian metaphysics seems to explicitly endorse a certain kind of ‘natural law’ of causation – in which, the problematic of property ownership and exchange occurs - the moral judgements made on the basis of that natural law only have the status of a conventional nominal conceptual imputation. Such imputations may be fluid and contextually responsive to different kinds of situations.

If we consider again the notion of ‘rights’ or indeed any kind of legal, political or moral concepts, for Nāgārjuna, they can only be considered nominal (or from a legal standpoint, positivist). They cannot be real, innate or natural. This includes moral and soteriological concepts, up to and including the whole corpus of the Buddhist dharma. Particular normative ideas related to property, for example that one ought to refrain from theft or donate food to monastic institutions, cannot have any other metaphysical or epistemological status. It follows that the normative ideas or values about property they express, 305 See the Upāyakausālyā Sūtra 132 ‘Murder with Skill in Means: The Story of the Compassionate Ship’s Captain’ in The Skill in Means Sūtra, trans: M. Tatz, (Motilal Banarsidass: Delhi), 2001, p73.
although they might be deeply connected to a ‘natural law’ of causation, are themselves simply conceptual constructions. These conceptual constructions themselves cannot have any real or natural features, even if, they attempt to refer to a ‘natural’ order of reality. That is, where there is a normative response to the natural order of things, that response is itself always necessarily nominal and positivist in character. Nonetheless, the first conception and value of property ownership is unambiguous in Nāgārjuna, and in Buddhism more generally: *normatively* and *positively*, taking property is (usually) nominally bad and giving property is (usually) nominally good. There is clearly a tacit conception of ownership given in such a response, in which individuals are clearly entitled and justified in holding (i.e. possessing, owning) objects. Both individuality itself and the existence of discrete property objects are implicitly presupposed in such an injunction. But how does this *tacit* conception of ownership sit with the claim that *everything*, including property (i.e. phenomenal things) and the agents which hold property, are empty of svabhāva?

There is clearly a *second* conception of property ownership given in the way in which the basic notion of possessing property seems both *incommensurable* with the metaphysical logic of emptiness, and *normatively* disparaged. In the *Ratnāvalī*, Nāgārjuna writes (420):

> Avarice is an attitude
> Of clinging to one’s own property,
> Inopportune avarice is attachment
> To the property of others.\(^{306}\)

The incommensurability of emptiness with conceptions of *innate* property ownership has been given earlier in this lemma. The *concept* of ownership as arising in the mind of a particular individual, associated with the pronoun ‘mine’, is a concept deeply at odds with the ontology of the empty agent. From the ultimate standpoint of emptiness it is incoherent, because no subject can be established, and from the conventional standpoint of dependent co-arising it is a nominal statement which does not designate any ‘real’ ground. Therefore, neither the object of possession, nor the concept which imputes ownership onto the object is commensurable with Nāgārjuna’s philosophy of emptiness. This may tell us precisely why Nāgārjuna normatively disparages the attitude of clinging to ‘one’s own property’. It is an attitude which is deeply at odds with the phenomenological apprehension of emptiness *and* its conventional side of dependent co-arising. In this respect ‘avarice’ is problematised because it is predicated on a mode of apprehending which assumes or imputes svabhāva (as own self-identity). Holding or owning property is thus tantamount to holding a particular conception of selfhood, and viewing objects in the phenomenal world in relation to that conception.

\(^{306}\) Nāgārjuna.; *Ratnāvalī*, trans: J.Hopkins, p152.
Here we may consider the more general Buddhist monastic injunction to abandon or relinquish material possessions. Joining the monastic order not only required (and still requires in many orders) giving up personal possessions such as money and property, but even the sense of ownership over one’s own body. A monk or nun shaving their hair off is symbolic of relinquishing all material possessions. Thus we have a clear second conception of property ownership which is sharply contrary to the first. The very nature of individual ownership is problematic, because it presupposes a particular kind of tacit attachment to a wrong view of what the self is. That is, one can only own things, if one misunderstands the nature of the self and reality.

The inconsistency between the moral-soteriological injunctions which tacitly presuppose the efficacy of individual property ownership (the first conception of ownership) and the metaphysics of emptiness which denies that possibility (the second conception of ownership), may be resolved by identifying the former with the concealing mode of subjectivity and the latter with the mutually dependent mode.307

The person who apprehends the empty and dependently co-arising nature of things cannot conceptually possess those things. The nature of their phenomenological apprehension precludes that possibility. However, the person who does not apprehend the empty and dependently co-arising nature of things can indeed conceive of possessing those things. Thus, the moral injunction to give (i.e. dāna) may be understood as a method to undo, relinquish or reconfigure the concealing mode of subjectivity, in the sense that relinquishing the possession of objects is a way to develop the mutually dependent mode. In the Mahāyāna generally, dānapāramitā is understood in precisely such a fashion. The act of dāna is a pāramitā if and only if the concepts of giver, gift and receiver are all relinquished. Which is to say that it is not the act of giving or the consequences or the virtuous dispositions which are of principle importance, but rather, the seeing of the empty-dependently co-arising context of the action.308

In the Buddhist monastic traditions more generally, the notion of renunciation as expressed through the shaving of the head, the wearing of robes and the carrying of a begging bowl all symbolically convey a similar point.

Thus there is a clear sense in which individual property ownership is problematised from the standpoint of śūnyatā/pratītyasamutpāda, but endorsed from the standpoint of sanvṛtī-satya as concealing. We ought to pay heed to the fact that Nāgārjuna does not advise the king to give away his entire kingdom, just as the Buddha did not advise all his disciples to abandon the notion of individual ownership which strongly defines lay life. From a purely moral or soteriological point of view, the distinction between the two conceptions of property offers a straightforward normative response: if one wishes to apprehend

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307 See A3, pp56-60.
308 Which is not to deny that they are of no importance. Clearly there are consequentialist and character based elements associated with puṇya, as well as important institutional socio-economic effects. However, it is a ‘perfect’ (i.e. a dānapāramitā) moral action only to the extent that it is performed as an expression of the insight of śūnyatā/pratītyasamutpāda.
the reality of emptiness, one ought to relinquish the concept of individual ownership of things. Of course, the various monastic traditions in Buddhism demand precisely such a thing.\textsuperscript{309} However, from a political point of view, the distinction is more open ended. If one does not wish to or cannot apprehend the reality of emptiness, one ought to accept the nominal and positivist normative injunctions to refrain from theft and act generously, for consequentialist and character based reasons. From this political standpoint, we need to assume that some (or most) people in a given polis may have no wish to or cannot apprehend the reality of emptiness (i.e. L4). In this case, we need to account for how property ownership and exchange might work as an expression of \textit{samy\-rti-satya} as concealing.

\textsuperscript{309} See especially the 30 \textit{nissagiyas} of the \textit{pātimokkha} (rules for monks) including 18,19 & 20 (Not to accept money, not to use money & not to exchange things).
Lemma ten – Where concealing saṃvṛti-satya is manifest in a given polis (L4), a nominal and positivist basis for individual property rights is justified. However, because it is both possible and normatively desirable to transform concealing saṃvṛti-satya (L5), public goods are more normatively desirable than private goods.

The primary question I asked in L9 was: ‘given the metaphysics of śūnyatā/pratītyasamutpāda, what kinds of conceptions of individual property ownership are given?’ I concluded that from that metaphysical, epistemic and phenomenological standpoint, entities cannot be apprehended independently enough to be possessed as entities, and the (subjective) concept of possession is itself contrary to that standpoint. However, I also pointed out that there is an important distinction to be made between drawing a purely metaphysical and epistemological response to the question of property, which produces a normative soteriological or moral standpoint where individual ownership is problematised, and addressing the reality of political life where plainly, most humans are not bodhisattvas who are unable to conceive of possessing phenomenal entities.

Therefore, we must return to L4 and the assumption that any given political reality will contain at least some people who apprehend reality from the standpoint of saṃvṛti-satya as concealing. That is, some or possibly most people in a given polis will (tacitly) take themselves, others and phenomenal things to have substantial self-existence and own self-identity. Such an assumption means that the soteriological and moral problematisation of property ownership (stemming from the standpoint of śūnyatā/pratītyasamutpāda) may not be sufficient politically, because it does not account for those in a given a polis who either do not see reality as empty, or have no wish or interest in doing so. Following L6, a Nāgārjunian philosophy, and any normative values or rules about ownership which may be connected to that philosophy, could not be imposed upon a given polis without violating the various forms of negative liberty which are (also) connected to that perspective. So how ought ownership be conceived such that both the concealing and the mutually dependent standpoints are taken into account? Can property rights be justified on the basis that people do take entities to be entities independently existent enough to own, and can easily forge the subjective conception of possession? If so, can anything justify those conceptions to be conventionally legitimate (that is, in Kantian terms, juridically legitimate)? What would be the most primary implications for political economy?

Individual ownership and saṃvṛti-satya as concealing

If we adopt the assumption of L4 that most or at least some people in a given polis, do implicitly and tacitly assume a substantially existing self and apprehend phenomena as having their own self-identity, then it follows that most or at least some people would implicitly and tacitly assume ownership of entities, and desire legal protections for that ownership. Because there cannot be an innate (or natural) basis for those legal protections (L9), they can only arise on a nominal and positive basis. The question
is: can we find any good normative reasons which justify a nominal and positive right to individual ownership? Such a question contains a political paradox. We are taking a given true or valid standpoint (i.e. the mutually dependent one) and looking for normative reasons to justify something which is explicitly *contrary* to that standpoint. The paradox is that positive laws might be necessary to secure social and economic arrangements which are *ontologically unreal and epistemologically false*. The reason is simply that where *samvrti-satya* as concealing is dominant, laws, and perhaps provisional rights, must arise in and be responsive to that reality, even if, that reality is held to be simultaneously metaphysically illusory and the cause for various political problems. Where perceptual and conceptual reification occurs, entities are seen as substantially self-existing, and individual possession of those entities becomes not only possible but *unavoidable*. This means that we are still in the Kantian problematic, in the sense that all phenomenal things can be ‘claimed,’ alongside the implication that conflict will necessarily ensue if there are competing interests on a given entity with no juridical basis to decide on the legitimacy of the claim. The distinction, which is profound, is that for Kant the claiming of phenomenal things is an expression of liberty and for Nāgārjuna an expression of constraint.

The epistemic (and soteriological) question of whether this is a true or false perception and conception is, from a political point of view, very secondary (but as I will shortly show, still extremely significant). If enough people perceive entities to be substantially self-existing, then they engender a shared reality based on those kinds of perceptions (see L4). It would be untenable to engender laws or rights (or deny them) based on an account of reality which most people do not perceive and cannot conceive. If one sees or conceives in the reificationist way, then property ownership appears to be valid and real, and rules based on that apprehension have *validity, desirability* and *utility*. It is in this sense that a positive basis for property rights ought to be endorsed, because it assists in securing the normative values which reasonably arise out of the tacit assumption that entities *are* independently real - namely, that theft of property leads to adverse consequences for the thief and the person whose object is stolen. So, the first sense of a positively grounded legitimate property entitlement is simply that individuals ought to have the entitlement to *hold* property, and not have the entitlement to take other people’s property without their consent. Simply, from the concealing perspective there are good normative reasons to discourage theft. Therefore, individual ownership of things ought to be conventionally given, ostensibly on a consequentialist and pragmatic basis. However, *holding* property seems to presuppose and be connected

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310 This kind of paradox may be found in other political philosophies. For example, an analogy may be found in the way that Spinoza argues in favour of the political defence of religiously informed morality, whilst robustly critiquing precisely such a thing on epistemic, metaphysical and ethical grounds. His argument is simply that the critique would not be acceptable for most in the polis, so even though it may be true, its unacceptability means that it is insufficient politically – and the *untrue* moral standpoint is better politically (because it produces less harm). See Spinoza, B.; *Ethics* Part 1 Appendix, trans: E.Curely, (Penguin: London), 1996, pp25-31 & *Tractatus Theologico-Politicus*, trans: S.Shirely, (Brill: Leiden), 1991, pp280-291.
to acquiring it in some fashion. A positive right to own something would not be sufficient in itself. Rights or rules for acquisition and exchange are also required.

A plausible Nāgārjunian account of acquisitions, holdings and exchanges

If we are to ground nominal and positive rules for acquisition, holding and exchange from a standpoint which recognises śūnyatā/pratītyasamutpāda as true but also acknowledges the political reality of reification as valid (in the sense of it being operational and functional), then we must find some way of dealing with the contradiction between the two forms of saṃvṛti-satya (paramārtha-satya is only relevant to the problematic to the extent that it flatly negates any innate or natural right to individual ownership (L9)). A plausible way to do this is to conceive of a nominal account of acquisition, holding and exchange in the context of saṃvṛti-satya as mutually dependent, such that we can refer to conventional entities and conventional selves in particular kinds of relationship. Certain constitutive features of those relationships may provide us with enough content to make conceptual demarcations out of which, nominal rules for acquisitions, holding and exchange may be drawn.

In particular, the context of dependent co-arising may grant us a possible relationship between the causal-history of a given object and the intentionality and actions of a given agent. That is, a way of understanding and accounting for the role of labour in the arising and abiding of particular entities. So even though in L9, I established that no entity can ever be sufficiently independent of its causes and conditions such that it may be owned, here we may see that it may be the case that some (but never all) of those causes might be directly related to specific intentions and actions of particular agents. For example, I go to a forest, chop some wood and fashion it into a table. Many of the causes and conditions for that table have nothing at all to do with my intentions and actions, but some of them clearly do. Thus, the logic of dependent co-arising clearly provides some basis for asserting that there may be conventional objects which have arisen and continue to abide on the basis of particular subjective intentions and actions. There must always be a manifold of other causes and conditions (infinite and all the way down) as well. The epistemic problem of not being able to abstract the object from all of its causes and conditions without reifying it remains, but there is clearly a case for saying that one of the primary causes for some conventional objects lies in the intentions and actions of particular agents. It is logical to deduce nominal rules for ownership at this precise point: where an agent is the primary cause for the arising and abiding of a given object, that agent ought to be the legitimate owner of that object. Here we have a way of deducing a conventionally valid relationship between the commodity form and labour, which avoids the Lockean problem of the commodity form being an actual extension
of one’s body.\textsuperscript{311} However there is an important epistemological point to be made about the deduction of ownership.

Whilst the deduction seems reasonable, and is connected to conceiving objects in their dependent co-arising (because it attempts to conceive them in their dependence upon causes and conditions), conceptualising a theory of ownership from that deduction cannot be grounded in the standpoint of \textit{samvrti-satya} as mutually dependent, because the deduction is a conceptual imputation which has no necessary relation to it. There is nothing in the process of subjective intentionality and action which automatically grants a concept of ownership, that is, taking legitimate conceptual and material possession of an entity. The moment where ownership is imputed is a moment of conceptual designation which has no necessary connection to the agent’s intentions and actions, even if, those intentions and actions are one of the primary causes for the object coming into conventional existence and abiding. That is, even if I fashion a table out of some wood from the forest, there is nothing inherent in that intentionality and labour which provides a concept of me owning that table. The intentions to build a table are simply the intentions to build a table, the actions to do so are simply the actions which allow the table to be built, and the concept of ownership is simply a concept of ownership imputed onto that process. The epistemological point here is that although the standpoint of \textit{samvrti-satya} as mutually dependent may offer us a plausible way for conceiving how particular agents may have particular causal relationships with specific dependently co-arising objects, the nominal moment of designating ownership on that basis is necessarily an expression of \textit{samvrti-satya} as concealing. That is, it is necessarily a reificationist designation. However, such a designation is necessary given the need to establish nominal-positive rules for acquisition, ownership and exchange in a polis where concealing \textit{samvrti-satya} is manifest.

Once a nominal designation of ownership can be made, even though it must be made on reificationist grounds, it becomes possible to conceive of how acquisitions and exchanges may be justified or made provisionally legitimate. \textit{Original} acquisition is impossible because there are always and necessarily preceding causes and conditions which constitute any given object. For example, although my intentions and actions may have been a cause of the table coming into existence, there are previous primary causes for the material of that table, for example the manifold of causes which facilitated the tree growing in the forest. However, it is possible to grant a provisional acquisition which would be merely one arbitrary but nominally legitimate point in a given object’s unfolding causal-history. What could make this arbitrary point provisionally legitimate?

\textsuperscript{311} See again Waldon, J.; ‘Two Worries About Mixing One’s Labour,’ in \textit{The Philosophical Quarterly}, Vol 33, No. 130, (Blackwell), Jan 1983.
To return to the example of the ripe apple in L9, let’s assume that it was grown on an apple tree in South Australia. Let’s also assume, for the sake of argument, that the land in which the tree was planted was not originally taken by force from Indigenous Australians when British settlers arrived and that no one was using it at the time of plantation. Now, there may not be any grounds for a claim of outright ownership of that land,312 but if apple trees were planted and after a decade or two they started bearing fruit, it stands to reason that *the fruit itself* may be provisionally acquired by the growers, on a nominally legitimate basis. Why? Because the objects (the fruit) coming into conventional existence has a clearly established causal history associated with the intentions and actions of the person(s) who in part generated the causes and conditions for the fruit.

Their relation to the causal history of the fruit is relevant only in the relative context of there being others who may desire that fruit, but have no causal history with it (i.e. the Kantian problem of competing claims for phenomenal things). The point here is that having a causal history with an object grants a nominal basis for acquiring and possessing it where that possession might be jeopardised by other people taking or using the object.313 Someone who plants an apple tree and tends to it until it bears fruit has a more legitimate entitlement to that fruit than someone who just arrives in spring and begins to pick the apples. Whilst the concept of ownership has no basis from the standpoint of śūnyatā/pratītyasamutpāda, from the standpoint of concealing *saṃvyti-satya*, it may be granted as a valid nominal concept. Where two people who see reality from the concealing standpoint desire an object, and one of them has a causal history connected to the arising and abiding of that object, that person ought to legitimately acquire that object against the other. Thus we have here a most basic rule for nominally legitimate acquisition: a person whose intentions and actions generate some of the primary causes and conditions for an object’s arising and abiding, legitimately acquires that object. It follows also that they ought to be able to legitimately hold (or in the case of an apple, eat!) that object.

From this legitimate nominal basis for provisional acquisition and legitimate holding, the possibility of exchange is easy to establish. It could simply be grounded in intentional consent. An object provisionally acquired ought to be able to be exchanged for other such objects or something of equivalent value if and only if that exchange is intentionally agreed upon by both parties. The idea here is simply that regardless of the conditions of exchange (that is, what kind of system of exchange is in place), parties involved in the process of exchange ought to mutually consent to the exchange, if the exchange is to be conventionally legitimate. This essentially refers back to the positivist response to the

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312 Which would be a Lockean claim. I.e. that using the land grants the basis for owning it. Locke writes (32): ... ‘As much Land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. he by his labour does, as it were, inclose it from the Common...’ In Locke, J.; *Two Treatise of Government*, (Cambridge University Press: Cambridge), 1970, p308. There would be no basis for this at all from a Nāgārjunian point of view.

313 This kind of argument bears a resonance to Waldron’s theory of ownership given in Waldron, J.; ‘Superseding Historic Injustice’ in *Ethics*, 103, (University of Chicago), October 1992, pp11-23.
problem of theft. It is simply the inverse of a rule or law preventing theft – the conditions under which property objects may be legitimately transferred between subjects.

At this point there are wide ranging implications for conceptions of labour, production, distributive justice and political economy. This account intersects with, for example, the Nozickean issue of how taxation might or might not be justified, given a particular set of rules or principles for acquisition and exchange.\footnote{See Nozick, R.; \textit{Anarchy, State and Utopia}, (Oxford: Blackwell), 1999, pp149-160.} Or the Marxian issue of how labour is concealed and alienated in the commodity form under capitalist rules for exchange.\footnote{Marx, K.; \textit{Capital Vol 1}, pp125-177.} However, it is not my intention in this chapter to respond to or resolve any of these issues (I return to some of these themes in the conclusion), but rather, to formulate a plausible Nāgārjunian response to the concept of political equality, given his philosophy of emptiness.

It should be obvious that there are many normative implications which may follow from the relationship between emptiness and property ownership given here and L9, and I wish simply to emphasise what I consider to be the most significant one with respect to the concept of political equality. The significance is given by the context of where we are politically in the 21\textsuperscript{st} century.

**Normative implications: Nāgārjuna’s view makes public goods more normatively desirable than private goods**

The critical normative point here is that because the conceptual deductions which give a plausible theory of acquiring, holding and exchanging property are all expressions of \textit{saṃvṛti-satya} as concealing, rules or laws which make them nominally legitimate are only necessary insofar as they are required or desired by parties within the phenomenal context of an illusory reality, and required for the smooth organisation of production and consumption therein. I established in \textbf{L4} that \textit{saṃvṛti-satya} as concealing must be accepted as an illusory political reality which may be in an important sense, manifest or operative, and have just established that a positive and nominal basis for property rights ought to follow from that assumption. However, I also established in \textbf{L5} that it is both possible and normatively desirable to transform that social and political reality so that it is more in accord with \textit{saṃvṛti-satya} as mutually dependent (i.e. the logic of \textit{pratītyasamutpāda}). The implication on the question of private property, and more generally the problem of distributive justice, is very clear: a social, political and economic reality which is more in accord with \textit{saṃvṛti-satya} as mutually dependent would be a reality in which private ownership is problematised. This would clearly extend to any kind of ground for a \textit{principle} of distributive justice which is predicated on preserving an innate or natural rights based account of private ownership. An example of this kind would be the Nozickean argument that a patterned distribution of resources entails a fundamental violation of the property rights of the individual, so that any attempt by
a state to tax individuals against their wishes is necessarily a violation of a *principle of justice*. Or the Kantian argument that the possibility of realising human freedom depends upon a state preserving innate individual property rights.

From the Nāgārjunian standpoint, these kinds of appeals to a *principle of justice* would be understood to be predicated on a conception (either explicit or tacit) of *svabhāva*. Following *L5*, it is both possible and normatively desirable to refute such conceptions rationally in the public sphere. The refutation of such conceptions extends beyond merely the domain of political theory, because the political and economic question of how to allocate scarce resources is almost always central to policy. It therefore has an important applied locus. Such a refutation would undermine all social and political philosophies, and applied policies, and perhaps practices, which privilege private ownership over public goods, where that privileging is predicated (explicitly or tacitly) on *svabhāva*. What is normatively significant is the disjuncture between the two senses of *samvrti-satya*, and how this disjuncture might undermine certain core assumptions about property which are central in economic and political organisation in the 21st century, as well providing some potential counter assumptions. If individual ownership can only be established on a reificationist basis, it follows that many of the normative values which arise out of it are at best weak in comparison to other ones, and at worst, highly problematic in the sense of being constraints on the possibility of desirable subjective and collective transformation (i.e. *L6 & L7*). For example, we might think here of normative arguments in favour of the privatisation of public goods, on the grounds that free markets offer greater subjective freedom to choose. The Nāgārjunian standpoint highlights that individual property rights cannot be the precondition for *freedom*, as Kant and Nozick assert, but in fact, may represent one of the core political constituents of *constraint*.

However, it does not follow that *state or collective ownership* of all resources is given as an implication of these notions about private property. In a sense, the same issue which problematises individual ownership also problematises collective ownership. From the standpoint of *śūnyatā/pratītyasamutpāda*, the concept of attributing *ownership per se* to phenomenal things is problematic. If there is a robust normative value which emerges from that standpoint, it would be that no entity ought to own anything – which follows from the metaphysical, epistemological and phenomenological implication of emptiness that no entity *can* own anything. However, in practical terms, there is clearly a case for stating that public goods are more normatively desirable than private goods, because there is a sense in which members of a given polis would not apprehend those public goods as ‘owned by themselves’ That is, in the case of a public good, the concept of *subjective* possession, the conceptual imputation that this

316 See Nozick, R.; *Anarchy, State and Utopia*, pp149-160.
thing is ‘mine’, must give way to an apprehension of a shared resource. This is clearly more in harmony with the notion of conventional agents relinquishing the attitude of possession and the tacit forms of illusory self-hood which are associated with that. If a corporate entity such as a state has a nominal, legal possession of a public good, than although that state grants itself a concept of ownership which must be predicated on a reified perspective, the state cannot itself ‘mistakenly perceive’ (in the phenomenological sense) because states are not embodied agents endowed with faculties of perception. However, clearly decision making agents within that state may do so, and thus the problematic of sovereignty and land appropriation, wars for resources and so forth is not resolved by normatively privileging public goods over private. Yet it is clear that the concept of public ownership thus does not violate the logic of śūnyatā/pratītyasamutpāda in the same way that the concept of private ownership does, and so it follows that from Nāgārjuna’s standpoint, public goods are more normatively desirable than private goods.

The importance of such a finding may be connected to the concept of political equality (and more implicitly political liberty) in the following way: it provides a normative justification for the (re)distribution of resources in order to achieve specific social and political conditions and outcomes. Or to frame this negatively, it denies that distributing resources in that way might be problematic by violating individual property rights. At this stage it has not been established which particular equality conditions and outcomes might be normatively plausible and desirable, given Nāgārjuna’s view. This will be addressed in the following lemma. However, it has been established here that the decisive reasons against redistributing resources in order to achieve the aims of normative political equality – principally, that it anti-theitical to human freedom and a principle of justice to do so – have been refuted.

318 Aristotle is alert to the moral or phenomenological attitudes which follow from this in his Politics – and he argues in favour of private goods, on the basis that citizens take less care if they do not own it themselves. See Aristotle.; Politics, trans: J. Barnes, Book II, (5), pp35-39.
Lemma eleven – Nāgārjuna’s philosophy of emptiness leads to the normative desirability for two 
**conditions** of political equality: equality of opportunity to meet desirable ends and equal moral-
political status/cosmopolitanism.

Having established that there is a particular connection between emptiness and various *metaphysical* 
and *phenomenological* concepts of political equality (L8), as well as a particular response to the 
question of property ownership and the distribution of resources (L9 & L10), we are now in a position 
to think more *normatively* about those findings. As alluded to in the preceding lemma, the possibilities 
for such a normative orientation are manifold and far reaching. In this lemma I emphasise two distinct 
normative areas which I consider to be the most relevant to contemporary political philosophy and the 
contemporary political world. The first is the condition of social-economic fairness. That is, equality of 
opportunity to meet desirable ends. The second is the condition of cosmopolitanism which I take to 
have both domestic implications (equal moral, juridical and political status between different ethnic, 
cultural or religious groups) and international implications (the normative privileging of a global 
commons ahead of national self-interest).

*Emptiness and the equality of opportunity to meet desirable ends*

The unambiguous desirable end from Nāgārjuna’s point of view is the attainment of *nirvāṇa* and it is 
only achievable through the relinquishing of *svabhāva*. This orthodox soteriological view is non-
exclusive, in the sense that any human being can theoretically achieve this and all theoretically *ought 
to*. More broadly, one of the most important normative features of the Mahāyāna per se is that no one 
ought to attain *nirvāṇa* until *all* beings have attained it. It is probably not possible to be any more non-
exclusive than this ideal of *bodhicitta*. I have also offered a version of desirable subjective 
transformation which accepts the philosophical parameters of emptiness, but does not posit the 
particularity of the Buddhist teleos. In this case, following L8 the desirable end may be different for 
different agents, but the possibility of transformation from a given A to a given B offers the form of an 
abstract equality of potentially.

Both the soteriological form of transformation, and what I have called the ‘non-prescribed’ or ‘ethical’ 
form depends on the same thing, the agent gaining sufficient reflective and analytical abilities to 
recognise the conditions which determine them, and thus act to overcome them. This dependence in 
turn presupposes that the agent has developed sufficient cognitive ability and (continually) has 
sufficient structural conditions which allow or facilitate the reflective insight and intentional action to 
successfully transform. Such conditions would include security from violence or coercion (L6), enough

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319 However, it may take an inconceivable amount of lifetimes, which puts a significant limitation on that line of thought.
320 See L1, pp76-78.
food, stable health and a healthy ecological environment (L2). As I argued in L8, actualising the abstract and theoretical equality of potential requires having conducive structural conditions. If any given agent lacks some or all of these structural conditions, the possibility of them actually transforming towards their desired end is weakened or may be entirely diminished. Thus, the dependence of subjective transformation on structural conditions is clearly established. But does this lead to a normative justification for an equality of condition, whereby all agents in a given polis ought to have the same opportunity the meet their desirable ends? Outside of normative Mahāyāna concerns to ‘enlighten all’, what would justify such a judgement?

Such a judgement is coherently connected to the facticity of subjective change which is an unavoidable feature of Nāgārjunian metaphysics (L1). Because subjective change is continual, necessary and inevitable, the normative decision to privilege desirable forms of transformation and problematise undesirable forms is a necessary normative deduction. To fail to make such a deduction would be recognise (conceptually and phenomenologically) that the nature of fire is hot, but consider it arbitrary to act or not act in accordance with that recognition. Clearly it is not arbitrary. One ought to act to avoid getting burned. This kind of deductive normative logic is a very strong theme through the Nikāyas (and in fact a similar fire analogy is given in the influential Saddharma Puṇḍarīka Sūtra). This represents the basic ethical parameters of kuśala/akuśala, which here may be thought of as independent of the teleos of nirvāṇa. That is, with the non-prescribed or ethical form of transformation, a kuśala action would be anything that facilitates the movement from any particular A to any particular (intentionally and reflectively chosen) B, and an akuśala action would be anything that prevents that, or possibly moves a person from a particular A to a particular Z (where Z = an unwanted/unintentional result or form of becoming).

The point, emphasised in L1, is that Nāgārjuna’s philosophy of emptiness does not lead to a quietism or conceptual avoidance on the question of normative moral value. What is of principle normative value is the possibility of desirable subjective transformation and the avoidance of undesirable subjective transformation. The robust soteriological form of this entails the normative view that all beings should transform towards enlightenment, that anyone who doesn’t will be in constraint and subject to duḥkha, and that it is obviously not good for those left in constraint. The weaker non-prescribed form entails the normative view that all beings should transform towards their particular B’s and that anyone who doesn’t will be in constraint and subject to duḥkha, and that it is obviously not good for those left in constraint. In short, the normative moral logic is the same with or without the particular teleos of nirvāṇa: Nāgārjuna’s philosophy of emptiness leads us to a normative judgement where it is clearly better that all people reflectively and intentionally transform in desirable ways, and that unwanted or undesired ways are clearly bad.
Because the possibility of intentionally transforming in desirable ways depends upon conducive structural conditions, the committed Nāgārjunian ought to be committed to a normative political concern to produce (or defend) the right kind of structural conditions to facilitate that. The intuitions of Nāgārjuna in the Ratnāvalī clearly point us in that direction – for the sake of harmony, compassion, merit and generosity, he advises the king to care for and distribute resources evenly to those most in need.321 Those intuitions are justified by the desirability of realising the abstract equality of potentiality. A commitment to the equality of opportunity to meet desirable ends is a necessary normative implication of the abstract equality of potential given in L8.

The two most powerful objections to such a commitment have already been refuted in previous lemmas. The first is underpinned by a denial that structures shape agency, and thus significantly constitute any given agent’s range of possible life outcomes. The second is that a concern for such an equality of condition is likely to lead to a redistribution of resources, and this will violate a principle of justice or a good of individual liberty. However, L2 and L7 clearly deny the basis for the first kind of objection, and L9 and L10 clearly deny the basis for the second kind. In fact, the very robust form of positive liberty established in L7 strongly underpins, supports and qualifies the equality of opportunity to meet desirable ends given here.

Emptiness and the normative desirability for the condition of juridical equality and political cosmopolitanism

Thinking normatively about the implications of the possibility of the impartial attitude is somewhat more subtle than the considerations of a purely political or social-economic form of equality. This is because we are in a domain of subjective attitudes, apprehensions, perceptions and imputations, none of which seem to be directly connected to concrete structures and conditions in political reality. If we are thinking normatively about the implications of the possibility of an impartial attitude, we need to pay heed to the broader context in which there is also the (widespread or dominant) possibility of a partial attitude (see L8). This partial attitude has in many respects already been strongly defined as the expression of saṃvṛti-satya as concealed (A3 & L4), wherein the reification of self, others and things necessarily entails the apprehension of the robust self-identity and self-existence of those phenomena. It is on the basis of this apprehension of self-identity and self-existence that various forms of illusory attachments and aversions arise. So in an important sense, the partial attitude is connected to pernicious social-political effects such as violence and theft (L4). We can say with some immediacy, that the impartial attitude is normatively better than the partial attitude, because it is expressive of the reality of

321 Nāgārjuna; Ratnāvalī, trans: J.Hopkins, Nāgārjuna writes (320): ‘Cause the blind, the sick, the lowly/ The protectorless, the destitute/ And the crippled equally to obtain/ Food and drink without interruption,’ p136. See also Hopkins, J.; Nāgārjuna’s Precious Garland, pp77-78.
śūnyatā/pratītyasamutpāda, whereas the partial attitude is not. Such a claim is both obvious and rather trivial. Of course it would be better if no one in a given polis reified self and other.

However, where this may become more nuanced and significant politically, that is, in the terms and context of a given polis, is when we consider how these two possible attitudes might influence particular policies or political trajectories. As I established in L8, the impartial attitude and the two other forms of political equality do not undermine or disavow the conventional reality of difference. In many respects the apprehension of those forms of difference are sharpened. This means that the normative desirability of the impartial attitude against the partial attitude does not lead in the direction of privileging homogeneity, where the normative ideal is the apprehension of sameness or the erasure of all forms of difference. On the contrary, it is an attitude which is deeply grounded in the apprehension of a conventional reality which is diverse and multiplicitous. It just so happens that those forms of diversity and multiplicity are not reified into independently existing and discrete entities. Also, as explained in L8, the mode of an impartial apprehension involves some kind of direct relation or encounter (with those entities). It allows those diverse entities to be as they are, whilst coming into a particular kind of attunement with them. In both of those respects, the impartial attitude is fundamentally pluralistic in character. Those two attributes, allowing diverse entities to be as they are (that is, not imposing a particular view or ideal upon them), and coming into a particular attunement with them (that is, not merely not-imposing upon those entities but rather coming into a mutually dependent relation with them), grant a deeply pluralistic standpoint. Diversity and difference are apprehended, but not from the standpoint of a static or stable independent subjectivity which can on that basis assume or say “that difference is fundamentally distinct from me.” With the erasure of that static and stable independence, arises forms of reciprocal relation. There is no clearly defined self and Other, because both mutually affect and in some ways co-constitute each other.

The erasure of this strong boundary brings with it the erasure of particular and profoundly troubling political distinctions such as friend and enemy, a distinction that the realist Carl Schmitt argues is the defining feature of the concept of ‘the political.’

Schmitt writes: ‘A definition of the political can be obtained only by discovering and defining the specifically political categories. In contrast to the various relatively independent endeavours of human thought and action, particularly the moral, aesthetic, and economic, the political has its own criteria which express themselves in a characteristic way.....Let us assume that in the realm of morality the final distinctions are between good and evil, in aesthetics beautiful and ugly, in economics profitable and unprofitable.....The specific political distinction to which political actions and actions can be reduced is that between friend and enemy.....’ Schmitt, C.; *The Concept of the Political*, trans: G.Schwab, p26.
and particular ethnic or ideological groupings either within or without nationality. A response to those kinds of distinctions grounded in the possibility of the impartial attitude does not fail to see that friend-enemy/us-them formations may be manifest and powerful, it simply recognises them as expressions of illusory and reified forms of subjectivity, and offers a potential resolution to them. That is, we are at a particular and contextual expression of the logic of L5. It is both possible and normatively desirable to relinquish svabhāva, and this would imply relinquishing the attitudes of partiality. This means that there is justification to normatively privilege the impartial attitude against the partial attitude, even though the reality of both of those are best conceived as phenomenological rather than normative standpoints.

There is also a certain connection between the normative desirability of this impartial standpoint and some contemporary moral-political strands, which in quite starkly different ways, ask us to give up the imposition of our own views or ideals upon others and come into a particular kind of relation with them, which preserves difference but also emphasises a certain form of moral equivalence. For example, Peter Singer argues on Utilitarian grounds that there is no moral difference between a child drowning in a pond in front of us, and a child starving in Bengal (now called Bangladesh). His express point is to erase the demarcations often tacitly assumed that we have moral obligations to those within our state or community, but little or none to those outside of it. We might also consider here the Kantian categorical imperative to never treat others as ends, and its connection to his political cosmopolitanism, both of which are widely influential in contemporary moral-political thought. However, these two examples, despite representing the two most influential contemporary moral traditions (i.e. consequentialism and deontology) have in common the assumption that it is the universality of rationality which facilitates moral equivalence, and they are commonly critiqued from standpoints (such as the aforementioned psychoanalytic tradition) which deny that rationality is universal. The notion of an impartial attitude predicated on Nāgārjuna’s metaphysics avoids that problematic, and therefore, might offer us a way to conceive of the possibility of cosmopolitanism which does not rely upon the assumption of universal reason.

This might be framed in the following way: because the impartial attitude is phenomenologically expressive of the reality of śūnyatā/pratītyasamutpāda, and the partial attitude is not, it is plainly normatively better to have an impartial attitude. Because it follows directly from the reality of śūnyatā/pratītyasamutpāda (i.e. it is not initially a value which comes from elsewhere), the impartial attitude, whilst being principally a subjective mode of apprehending others and things (that is, a phenomenological standpoint), may also become a normative value suitable to underpin principles of

fairness or justice and to structure policy decisions. The normativity here is derived in a logically similar way to the normativity derived from the problem of property rights in L10. Because X (the impartial attitude) is expressive of śūnyatā/pratītyasamutpāda, and Y (the partial attitude) is expressive of svabhāva or reification, we ought to privilege X and not Y. The ‘ought to privilege’ is Z – the normative value of having the impartial attitude against the partial attitude.

This normative value may be important in a number of ways, but there are three of particular importance. Firstly, from within a given polis, it justifies a way of deriving a positivist conceptual principle of equal moral, political and juridical status between all members of that polis. That is, even though there is (necessarily) difference and power relations between conventional agents (L8), the normative value derived from the impartial attitude provides a strong reason to privilege conditions of equal treatment in institutionally significant domains such as the juridical order. Although clearly not as robust as some liberal formulations (for example, where it may be held that everyone is naturally or ontologically equal), it justifies (positively) equality before the law, and other political conditions such as equal voting rights, and perhaps even (positivist and constructed) rights per se. Secondly, in political conditions of pluralism, it provides a means for considering how ethnic and cultural difference and diversity ought to be conceived by political decision makers. The impartial attitude is one which encounters openly, and thus accepts rather than denies difference and diversity. It follows that the normative value derived from that attitude would be one associated with an open cosmopolitan ethos rather than a narrow sectarian ethos. Thirdly, how a polis might conceive of itself and act in relation to other poleis. Here, the normative derivation of the impartial attitude would extend towards a relational attitude which is broadly cosmopolitan or internationalist in nature. ‘A polis conceiving itself’ ought not to be taken literally, because ‘a polis’ is not a unified agent able to formulate conceptions and perceptions. But clearly agents within a polis may conceive of it as a unified entity (i.e. an empty whole/L3), and act on that basis.

It is perhaps easier to conceive of these possibilities by considering their negation. If we think for a moment about how a partial attitude might manifest itself normatively in policy with respect to different ethnic, gender or cultural groups within a given polis, we are clearly given a way for considering those differences to be robustly and independently real, and on that basis creating policies which are either favourable or prejudicial to one group or another. The impartial attitude would therefore be connected with policies which are not prejudicial to one kind of group over another. It could not establish group A to be sufficiently independent from group B such that they may be treated as categorically distinct. That is, the impartiality associated with or derived from śūnyatā/pratītyasamutpāda undermines robust group own self-identity in precisely the same way that it undermines subjective own self-identity (i.e. the epistemic sense of svabhāva). This undermines the most pernicious kinds of ‘isms’ – racism, nationalism, ethno-centrism and sexism.
If we think about how a partial attitude might manifest itself in policy with respect to other poleis (i.e. loosely, the sphere of international relations), we are clearly given all the predicates needed for a realist approach. Collective political actors, let’s assume that they are nation-states, in taking themselves to be substantially self-existing, can on that basis act against other states who they also take to be substantially self-existing, for the sake of particular interests which arise on the basis of that assumption, attitude or normative value of partiality and own self-identity. These predicates are seminal to the desire for states to acquire territory and resources and is one of the primary causes of war, and more broadly, a principal cause for any kind of geopolitical action. However, an impartial attitude on this level denies that apprehension of substantial self-existence and own self-identity, in favour of an apprehension of mutually constitutive and co-emerging relationships between states. The derivation of a normative value from that attitudinal possibility would be one that strongly endorses a global politics of cosmopolitanism.
Conclusions

The relationship between emptiness and the concept of political equality has produced a number of connected findings. Firstly that it aligns with political ontologies defined by power relations and empirical difference. The logic of emptiness means that political reality ought to be conceived as fundamentally unequal, in the sense that there are great differences in power, attributes and capacities among human beings, and no essential attributes shared between all human beings which might override or undermine those great differences. However, within that political ontology of difference are two key elements which lead us towards a particular concept of political equality. Firstly, that insofar as humans may phenomenologically embody the standpoint of śūnyatā/pratītyasamutpāda, they may apprehend other sentient beings through an attitude of impartiality, whereby the robust demarcation of self and other, and thus, those various forms of difference, may be overcome in the (shared) immanence of the co-emerging encounter. Secondly, that there is an abstract equality of potentiality derived from the possibility of desirable subjective soteriological or ethical transformation – a possibility which all human beings theoretically share.

The question of how these phenomenological and metaphysical concepts of political equality might be plausibly connected with more normative concepts of political equality (i.e. conditions and outcomes) required an inquiry into the relationship between emptiness and property ownership. There the possibility of innate or natural property rights were found to be incommensurable with emptiness, and the notion of individual ownership was both tacitly problematised (the conceptual act of claiming ownership is tantamount to reification of self and object) and tacitly assumed (theft is morally problematised, giving is morally endorsed). The inconsistency in how individual ownership is or ought to be conceived was resolved by establishing that because individual ownership can only be nominally and positively established on the basis of saṃvrtyi-satya as concealing, it is only appropriate in political communities where saṃvrtyi-satya as concealing is manifest and dominant. Following L4, this is likely to be most political communities, which means that positivist property rights are likely to be normatively justified. However, following L5, because it is normatively desirable to transform saṃvrtyi-satya as concealing, it is clearly normatively desirable for those political communities to move beyond individual ownership. Two key implications are connected to that logic. Firstly that public goods are always more normatively desirable than private goods, and secondly that because a patterned (re)distribution of resources to meet particular normative ends does not violate any innate or natural individual rights or principles and is more in harmony with saṃvrtyi-satya as mutually dependent, it may be desirable to do so if those normative ends are established and justified.

Of the two political conditions of equality addressed in L11, one in particular established and justified such a normative end – the equality of opportunity to meet desirable ends. Because the realisation of
the abstract equality of potentiality (L8) depends upon specific structural conditions, any given polis is normatively justified in redistributing resources to meet that end, which is also strongly connected to the concept of self-realisation (both individual and collective) established as the expression of positive liberty (L7). One other condition of political equality was found to be normatively desirable, which has two elements - a positivist conception of equal moral, political and juridical status and a cosmopolitan politics. Both of these were similarly derived from the possibility of the impartial attitude.
Conclusion
In the introduction I stated that this work is an attempt to make the task of a Buddhist political philosophy seem possible, plausible and in some ways, necessary and important. Given that work in the domain of ‘Buddhist political philosophy’ is still in its conceptual infancy, it is clearly far more important to be opening up domains for further thinking rather than proposing firm conclusions. Whilst acknowledging that such a task is for generations of thinkers, and that from such a standpoint this contribution ought to be taken as merely one small movement in such a dialogue and dialectic, the contention I raised at the beginning of the thesis has been supported. The contention was:

*That* there are clear political implications from Nāgārjuna’s philosophy of emptiness and that these are productive of a tangible, plausible and important *normative* political task and orientation.

The first part of that contention has been relatively unambiguous. Nonetheless it is important because it challenges the view that the Buddhist philosophy of emptiness *per se* is irreconcilable with or transcendental to the concerns of political thinking and activity. However the second part requires some concluding remarks to provide adequate qualification. This conclusion is ostensibly to provide such qualification, to make explicit how the key insights which have emerged in this thesis demonstrate a tangible, plausible, and important *normative* political task and orientation.

The contention raised in the introduction was connected to three fundamental questions:

- **X** – what does it mean metaphysically and phenomenologically to have an empty agent and empty phenomena?
- **Y** - what are the most important ethical and political considerations which follow from **X**?
- **Z** - how might **X** and **Y** be relevant in relation to specific issues in contemporary political philosophy?

This conclusion is primarily an explication of how the findings of **Y** and **Z** (i.e. the particular arguments given in specific lemmas) may be taken to express a clear and normatively useable political orientation. I divide this into two distinct but related tasks. The first (conclusion 1) emerges principally from **Y**, and is a *general and abstract* summation of what I take to be the most important and fundamental political insight to have emerged from this work. This is that Nāgārjuna’s philosophy of emptiness offers a coherent and compelling way of conceiving political constraint and political freedom alongside a plausible (and obviously desirable) trajectory from one to the other. The central argument, given in various ways throughout the thesis, is that *svabhāva* ought to be considered a political problem as well as being a soteriological, moral and psychological problem. The secondary argument is that actively resolving this problem offers a distinctive and plausible Nāgārjunian political task, albeit in a general and abstract form. Such a political task entails a normative movement from collective constraint to freedom and I argue here that the endeavour to realise or actualise this ought to be the most important political activity.

The second task (conclusion 2) emerges principally from **Z** and is an explanation of how such a politics might actually work in our own contemporary context. This has two elements – firstly a theoretical and
general account of how it is possible to move from a subjective phenomenology of experience to a plausible intersubjective and normative politics, and secondly the ways in which this normative agenda might intersect with key values already manifest in our contemporary political context. In order to facilitate this second element, I conclude that there are four key particular political goods or values which emerge from Nāgārjuna’s philosophy of emptiness and are connected to our contemporary context.

The structure of the conclusion thus takes the form of one general political task and four particular political values which are connected to that task. The general political task represents a definitive finding. It is the central element of a plausible and distinctive normative political philosophy drawn from Nāgārjuna’s philosophy of emptiness, and it may be placed in the contested terrain of other political philosophies, particularly those which are principally concerned with the problematic of freedom and constraint. The four particular values are far more contextual and open ended. Although they are representative of what I think are the most important specific political goods or values to be defended/endorsed by anyone committed to Nāgārjuna’s philosophy of emptiness in the present day, they do not constitute the final limits of what specific values may be drawn from Nāgārjuna’s philosophy. They ought to be taken primarily as expressive of the kind of political orientation it offers with respect to the specific questions I have posed in relation to liberty and equality (and more generally, political economy). Because there are many other obviously important and potentially fruitful questions to be posed, and many other issues/themes to be closely examined, beyond the particular context of this work, they ought to be principally taken to be the most fruitful areas for further research.
Conclusion I: Nāgārjuna’s philosophy of emptiness offers an original and plausible way of conceiving the nature of political constraint and political freedom. The trajectory from constraint to freedom ought to be most fundamental task of politics.

[This section is in two parts: (i) Nāgārjuna’s philosophy of emptiness and its connection to the nature of political freedom and constraint (ii) Actualising freedom in action ought to be the primary goal, purpose and task of political and economic life.]

(i) Nāgārjuna’s philosophy of emptiness and its connection to the nature of political freedom and constraint

I have given the moral form of freedom and constraint in L1, which is predicated on Nāgārjuna’s metaphysics of emptiness, and the skandha theory of agency which is expressive of the conventional side of that metaphysics. What is unique and important about this moral form, is that it gives a particular way of understanding the nature of subjective constraint and subjective freedom, which is sharply distinct from other accounts dominant in moral and political philosophy. Constraint is the inherent limitation which ensues by either explicitly or tacitly assuming oneself, others and things to have svabhāva. Freedom is the overcoming or relinquishing of this cognitive, perceptual and psychological tendency. It may be defined here principally as the outcome or result of that overcoming. This implies a continuity of freedom in action from that point in time.

The soteriological implications of this kind of claim have been much discussed in a manifold of Buddhist cultures and languages for over 2 millennia. However, the moral and political implications, despite their potential richness and value, have remained largely unexpressed or implicit. Central to my argument in L1 is that because a person imputes or assumes svabhāva, that person necessarily acts in ways which continually generate unwanted forms of becoming. That is, the kind of agent one is and will become is necessarily constrained because one, unwittingly and unintentionally, continually acts in ways contrary to reality, and contrary to the needs or wishes of other beings in that reality.

It is this which gives a clear account of what moral and psychological constraint is, and how it may be overcome (i.e. how moral and psychological freedom may be produced and then continually experienced), which is simply that insight into the nature of reality (conventionally, pratītyasamutpāda and ultimately, śūnyatā) grants the phenomenological possibility of acting in accord with it. From the Nāgārjunian point of view, that alone is what guarantees successful or efficacious moral action and moral freedom (and thus desirable forms of becoming and relating to others) because it is action which is aligned with the multiplicity of causes, conditions, other beings and phenomenal things which together comprise the nature of reality. One of the pioneering early 20th century European Buddhist practitioners, Anagarika Govinda, offers a beautiful metaphor expressing this sense in which action may be aligned with the unfolding dynamic structure of causation:
Harmony, as we know it from music, is the best example of an experience in which law and freedom are fused, and in which these expressions lose their contradictory meaning. A musician does not feel any compulsion in following the laws of musical harmony. On the contrary, the more perfect he is able to express them in his play or his compositions, the more he feels the joy of creative freedom. In the moment of profound intuition or enlightenment, the past is transformed into a present experience, in which all the moving forces and circumstances, all inner and outer connexions, motives, situations, causes and effects, in short the very structure of reality, is clearly perceived. In this moment the Enlightened One becomes the master of the law, the master-artist, in whom the rigid necessity of law is transformed and dissolved into the supreme freedom of harmony.\(^{325}\)

Moral and psychological constraint is thus acting out of accord with the reality (or in Govinda’s terms, law) of *pratītyasamutpāda* – co-emerging causation and condition. It is a constraint not only because it is discordant or lacking a kind of aesthetics of harmony, but because action is necessarily stymied (because it is at odds with the dynamically unfolding flow of causation) and the consequences of action are necessarily unchosen (because the multiplicity of causes are not sufficiently recognised or understood). Thus, as I argued in Li, forms of *unwanted becoming* follow from being epistemically and phenomenologically unaware of the logic and reality of *pratītyasamutpāda*. In particular, the awareness that conventional agency is nothing more than an expression of this. Moral freedom is simply, to stretch the musical analogy a little further, *to act in tune* with that reality. For Nāgārjuna there is an unambiguous and primary cause of the constraint, the imputation of *svabhāva* upon the reality of *pratītyasamutpāda*, which is the thing ‘in the way of’ apprehending reality as it is. It is in this sense that ‘emptiness’ is simply the *method* for getting rid of that imputation, such that reality may be seen for what it is, and action can occur in accord with that, rather than out of accord.

It is not controversial to claim that Buddhist thinking per se might have some useful insights into the nature of moral and psychological freedom and constraint. Even though the academic discipline of contemporary moral philosophy is conspicuously (and suspiciously) western, there are an increasing number of thinkers who apply Buddhist principles or practices to psychological, therapeutic, cognitive, aesthetic and existential domains, from mindfulness as therapy (in psychology) to the ‘happiness’ project in neuro and cognitive science.\(^{326}\) That is to say, that if we consider the domain of moral thinking to be inclusive of the fundamental questions of ‘how should I live, how can I flourish, how should I relate to others, what should I do and what might get in the way of all of that?’ – it is clear that Buddhist thinking has much to contribute, even if, the discursive methods of what we might call ‘Buddhist ethics’ lack the discursive particularity which demarcates ‘ethics’ from other domains of thought as it does in many western traditions. In this respect, the claim that Nāgārjuna might have something very important


to tell us about the nature of moral and psychological freedom and constraint is not particularly controversial, even if, there is little existent work which articulates his philosophy in those terms.

What is unusual and potentially controversial is the key argument underpinning this thesis: that the constraints associated with svabhāva are political in character, as well as being moral, soteriological and psychological; that svabhāva must be treated, in part, as a political concept and a political problem. Despite consistently pointing to a metaphysics of interdependence, and moral-social values and virtues such as compassion, non-harm and loving kindness, many of those aforementioned fields of inquiry which make use of Buddhist principles still implicitly treat Buddhist morality as an individual pursuit. They implicitly (or sometimes overtly) assume that freedom (and/or qualities connected to it such as happiness and tranquillity) is something that persons (rather than communities or societies) might or might not uncover depending on what they do or do not do. Although in L1 & L6 I gave robust arguments to endorse such a trajectory, that is, I unambiguously proposed that freedom from constraint does indeed depend upon what particular persons do or do not do, my arguments in L2 & L7 strongly asserts that we cannot separate that possibility from structural conditions and contexts.

In making this argument, most explicitly in L2 and L7, but implicitly in other places, I have uncovered the most primary conclusion about the relationship between Nāgārjuna’s philosophy of emptiness and political philosophy. Because Nāgārjuna’s philosophy implies that constraint and freedom are not purely individual problems, because they presuppose structural dependencies and are therefore simultaneously political, the possibility of making a transition from constraint to freedom is necessarily a political problematic alongside a moral, psychological and soteriological problematic. I have established that as conventional agents we do not actually have the ontic possibility of separating from a political sphere. That we are in fact, always profoundly constituted as political subjects (i.e. by political discourses, institutions, systems and practices). It follows that the drive towards a depoliticised Buddhist sphere (for example, the treatment of Buddhism as a religion or spirituality which is independent from a secular political sphere) is categorically an expression of a false or reified perspective. Nāgārjuna’s metaphysics leads us to understand agency as enmeshed and embedded within structure, and more importantly, it also leads us into a phenomenological encounter with the immanence of those relations and structures. One cannot escape the political sphere via Nāgārjuna’s philosophy. In fact, one is led more deeply into it, albeit in a potentially radical and transformative way. Central to my

There are exceptions to this. There have been explicit methodological attempts to build normative approaches out of the logic of interdependence. See for example, Macy, J.; *World as Lover, World as Self*; Hershok, P.; *Buddhism and the Public Sphere*, and Dockett, K.H., Dudley-Grant, G.R & Bankart, C.P (eds); *Psychology and Buddhism* (Kluwer Academic Publishers: New York), 2003. However, I claim that the norm is still a nascent kind of individual morality or psychology - found for example in the Harvard neurological studies linking meditation practices with the brains of particular meditators, or more philosophically in the post-Heideggerian existential imperative to just be found in works such as Millar, R.; *Buddhism and Existentialism: From Anxiety to Authenticity and Freedom*, (Shogam Publications: Melbourne), 2008, and Batchelor, S.; *Confessions of a Buddhist Athiest*, (Spiegal & Grau: New York), 2010.
argument is that this ontic fact produces specific political implications; the conventional agent who is
metaphysically and practically committed to Nāgārjuna’s philosophy of emptiness will be drawn
towards a particular political orientation which is neither arbitrary nor a mere expression of whatever
ideological conditions they happen to reside in (however it may be somewhat implicit, simply because
a ‘Nāgārjunian political position’ has not generally been conceptually available). My claim is that such
a position is grounded in a concern for the causes and effects of constraint, and the possibility of
overcoming them. That is, a normative distinction between what is (the constraints associated with
svabhāva) and what might be (the freedoms associated with overcoming svabhāva).

Giving this priority to political freedom and constraint does not imply an existentialist or liberal
imposition on Nāgārjunian thought. It is not a quest for the sake of freedom per se. The political priority
is afforded by understanding that the functioning of svabhāva in constituting a ‘concealing’ illusory
social reality to be what it is, produces very specific political effects, and that these can only be of a
pernicious kind. Thus, the priority is deeply connected to the urgency of addressing particular unwanted
effects in social-political life, effects which are intimately connected to duḥkha and very obvious forms
of conventional suffering. This is analogous to (though obviously not the same as) the way a
contemporary utilitarian might take moral-political value to be connected to a calculus of pleasure/pain,
but take the reduction or elimination of pain as the primary motivating political task (as opposed to the
increase in pleasure).

(ii) Actualising the Nāgārjunian account of freedom ought to be the primary goal, purpose and task of
political and economic action

Generally speaking, a normative response which takes the actualisation of freedom to be the primary
task of politics and economics is hardly unique in the history of (especially modern western) political
and economic thinking.\(^{328}\) What is unique in this claim, is that because Nāgārjuna offers a distinct way
of conceiving political constraint and liberty, he offers us a unique and important normative political
task predicated on that account. It is unique because no other political philosophy frames the
problematic of constraint and freedom in the terms of svabhāva/śūnyatā. It is important because if
Nāgārjuna is right, then it renders alternative accounts either wrong or incomplete.

The normativity of such a political task is principally (but not only) a dialectical strategy of negation
which centres upon the ontic reality of constraint, rather than any constructive conception what a ‘free’
polis ought to look like. It would be a misleading gesture to conceive of what a polis might look like if
it was functioning in accord with this law/reality of pratītyasamutpāda, because such a reality is

\(^{328}\) Despite the intense antagonisms between Marxist and liberal traditions in the 19\textsuperscript{th} and 20\textsuperscript{th} centuries, both were explicitly
political and economic projects of liberation (whether it be the ultimate freedom of the individual to choose or the ultimate
emancipation of the collective from the structures of capitalist production and class conflict/domination).
necessarily beyond the limits of concepts and language to imagine and articulate. Nāgārjuna’s philosophy does not render this conceptual gesture possible or worthwhile, any more than it is possible and worthwhile to conceive from a soteriological point of view, the subjective reality of being enlightened from the standpoint of being unenlightened. That is, political freedom may only be alluded to as the possibility of the immanent unfolding of whatever is, sans svabhāva. However, whilst the reality of a ‘free’ polis is necessarily beyond our conceptual reckoning, the normative path to getting there is conceptually tangible. This is similar to the formal structure of the four noble truths, where although the reality of nirvāṇa cannot be conceived, the path towards it can be. This is because the form of constraint, the predication and (illusory) ontic ‘reality’ of svabhāva, is precisely defined, and may thus be precisely conceived. The normative point and purpose of politics would be to undo, negate, relinquish and refute svabhāva in whatever forms and guises it appears – a dialectical strategy of negation which mirrors Nāgārjuna’s philosophical methodology.

Thus, the key political questions which follow are: where does svabhāva appear? What is this cause which produces and reproduces constraint? What political forms does it take? That is, to what ought this dialectical strategy of negation be directed towards? To put the problem bluntly, why should ancient Indian debates about the nature of substance have any political relevance today? The answer largely pertains to the problem of reification. In A2, L4 and L5, I argued the very orthodox Madhyamakan point that svabhāva appears ostensibly in agents; svabhāva is principally found in the way that agents think, perceive and act. This is highly political in itself, because it is an epistemological issue which contains a highly plausible theory of ideology. I think, far more plausible than Lacanian theories which underpin the highly influential Althusserian and Zizekian conceptions of ideology. However to remain only at the level of agency is to deny or overlook the way that discourses, which are necessarily shared or intersubjective, help construct the way that agents think, perceive and act. Again, the orthodox Mādhyami tradition is very alert to this problem, as is the academic scholarship which draws out semantic, logical and epistemic implications from Mādhyami philosophy. The political significance is generally overlooked though. It is that svabhāva may be found on a shared or intersubjective conceptual level in the form of discourses and theories which agents adopt to structure institutions and systems (L4 & L5). That is, svabhāva may be treated as an ideology in a genuinely collective and institutional sense, which may be highly influential in constructing and reproducing the structures of the political world.

329 There is a resonance here with dialectical methods which must stay strictly with the immanence of the historical situation, if they are to remain methodologically true (and therefore politically efficacious). See Lukacs, G.; History and Class Consciousness. Studies in Marxist Dialectics, trans: R. Livingstone, (Merlin Press: London), 1968, p1-24.
330 Or in the case of the four noble truths, duḥkha.
331 I.e. it is a response to the problem of why people may have distorted relationships to reality, and how they may come to eliminate that distortion.
Thus, although *svabhāva* seems to be fundamentally rooted in agency, it cannot be treated as a problematic of individual minds. The problem is itself a co-emerging illusory reality which encompasses the co-emerging nature of selves, causes and conditions. Which is to say that *svabhāva* not only appears in the political sphere, but may also strongly constitute and shape it to be what it is. The Nāgārjunian point would be that where this occurs, it can only be pernicious. This thought may potentially give rise to a version of political realism or conservatism, in the sense that *svabhāva* may be taken to be an intractable problem that will never cease, and thus lead towards normative measures to effectively deal with the effects of that problem, rather than a more progressive venture to overcome or transform the cause. However, treating Nāgārjuna’s philosophy independently from a cosmological claim of an endlessly repeating *samsāra* demonstrates that there is in fact nothing intractable about it.

My key argument in L5 is that the nature of *svabhāva* is that it is never real enough to endure. However the normative and pragmatic point is that because it *appears* and because its appearance is pernicious, it ought to be overcome, and it can be overcome. The political trajectory is therefore one of a radical transformation born of the tangible possibility of directly addressing the cause of pernicious forms of political constraint.

The key political question of ‘where does *svabhāva* appear?’ remains a question to pursue in lieu of this work. It is a question which I have argued (L2), requires anthropological, sociological and historical methods to provide adequate empirical context and knowledge. The point is that *svabhāva* does not just appear in ancient metaphysical theories or soteriological strategies; because it is deeply connected with ingrained psychological and phenomenological tendencies (i.e. the psychological sense of *ātman* given in A1), it may appear in a manifold of contemporary contexts all of which are very distant from ancient India. In very general terms I have argued that the problem of the appearance of *svabhāva* in the political world is a problem of the appearance of self-interest, reification and partiality (I will say more on these problems in C2). However, it does not follow that all theories of self-interest are tantamount to the expression of *svabhāva*. Very precise comparative attention is required to establish where they are and are not. So it follows that a dialectical strategy of negation must proceed in a subtle and well founded way, if it is to successfully identify precisely where the predication of *svabhāva* is manifest and decisive in structuring the political world. It would be somewhat more accurate to assert that all practices of self-interest, reification and partiality are tantamount to the expression of *svabhāva*. As I argued in A3, one of the most influential interpreters of Nāgārjuna’s philosophy, Śāntideva, composed a trenchant defence of precisely that claim in his *Bodhicharāvatāra*. In any case, it is unlikely to present a great challenge to find theoretical and practical expressions of self-interest, reification and partiality in the contemporary political world, but undertaking such a task requires those aforementioned disciplines.

However, what is important on a more formal philosophical level is that a plausible and practical political normative agenda emerges in precisely this way. It is the dialectical logic and method of
undoing or relinquishing the constraints of svabhāva wherever it appears. This leads us to consider why we might value X and not Y, and why we might do Z and not A. That is, it provides us with a means and method of determining political value and justifying political decision making, and it thus offers us a compelling response to the claim, which I think is merely an unreflective intuition (or worse, a straight up misunderstanding), that the philosophy of emptiness cannot provide a plausible normative level of analysis sufficient to guide collective action.\footnote{This kind of argument usually rests on a reading of emptiness which denies the efficacy of conventional reality and takes emptiness itself to be a kind of non-dual ultimate ‘thing’. For a recent political argument of that kind, see Zizek, S.; "The Buddhist Ethic and The Spirit of Global Capitalism," in European Graduate School Lecture, August 10, 2012. Transcribed by Roland Bolz and Manuel Vargas Ricalde, (English), available at http://www.egs.edu/faculty/slavoj-zizek/articles/the-buddhist-ethic-and-the-spirit-of-global-capitalism/. See also Zizek, S.; Lecture on Buddhism, University of Vermont, 16.9.12. Available at http://www.youtube.com/watch?v=gjhhHpCAXHM.} I have argued throughout this thesis that there are particular political values coherently connected to this more general dialectical task of negating svabhāva where it appears. I will discuss more fully these values and this emergence of a constructive and normative political agenda in the following section (C2).

It should be clear now that there is a definitive political philosophy to be drawn from Nāgārjuna’s philosophy of emptiness: because there is a clearly defined problematic of political constraint alongside the possibility of relinquishing it, a movement opens up from constraint to freedom. This movement has a strong normative priority, because it represents the only means for properly addressing pernicious and undesirable political effects. The principal method by which it is undertaken is a dialectical strategy of negation. However, this general and abstract conclusion does not merely imply a negative task of resisting or undoing svabhāva wherever it appears. Although it may be misleading and fruitless to conceptually imagine or construct a ‘free’ polis (i.e. a political community where the logic and practice of svabhāva has been relinquished), it is possible to identify one specific implication or outcome associated with such a relinquishing. This implication relates to the concept and phenomenology of action.

The thought that the primary ‘implication’ of realising emptiness culminates in liberated action is central to most Mahāyāna traditions, where there are notions of bodhisattvas ‘working’ tirelessly and skilfully to liberate sentient beings from duḥkha, and perhaps less esoterically in the Sino-Japanese traditions where the realisation of emptiness is intimately connected to embodied practices such as martial arts and aesthetics. Both of these examples are expressive of the thought that the agent who has overcome the constraints of svabhāva is one who is able to act in accord with the dynamically unfolding nature of reality, such that their action is more skilful, powerful and attuned to the ‘whole’. As the earlier Govinda quote alludes to, such action is analogous to the musician or composer who masters the various laws and techniques of music, such that they facilitate creative free expression rather than the limitation or constraint of being subject to an external ‘something’ (i.e. laws and techniques of music).
The important point here is that the musician who is insufficiently skilled in technique and understanding is less able to act as a musician than the musician who is sufficiently skilled. In both cases the same musical ‘laws’ apply. In the first case, they operate as external constraints and thus barriers to efficacious action and in the second, as internalised conditions of the possibility for free (or freer) action. This is not a metaphor for political laws, even though there may be some interesting connections to be made there, it is a metaphor for ‘laws’ which demonstrate or express the nature of reality, natural laws in the sense of, for example, the law of gravity.

There is much that may be said about the distinction between the two kinds of musicians, but the primary political implication is that we are drawn into a phenomenology of action, and this by extension into a political sphere, leads us to consider the domains of production, work and labour. The agent who relinquishes svabhāva does not become a tranquil, inactive escapee from the world. She enters into the world, and is able to act more powerfully and potently with it and for it. The implication is profound when we consider the organisation of a polis and related problematics such as the division of labour and the purpose and mode of production.

My intention in ending this general conclusion by gesturing to this domain (and it is no more robust than a gesture) is that the Nāgārjunian position which has emerged here does not circumvent that locus. It rather goes directly towards it. Freedom does not, and cannot, imply some pure independent or transcendental, natural, aesthetic or spiritual sphere. It culminates in the concrete immanence of our shared political-economic life, and it therefore demands that we consider what it might mean in that context. If we think constructively about what it means to relinquish svabhāva, we are left with the possibility of free action. If we think about this politically it leads us to consider how free action might be connected with the ontic reality of work, labour and the facticity of living in a shared world which necessarily requires the provision of specific goods and services. That is, the relationship between constraint, freedom and action might well have its most important applied locus in the domain of labour and production. Political freedom would seem to imply the collective organisation of life such that action, work and labour accords with pratītyasamutpāda, which by its very nature implies a naturally co-emergent attunement with other beings, the environment and the causal structure of ‘the polis as a whole’ (L3). This could only be possible in a polis structured in such a way to facilitate that.

Therefore, although it is not possible to conceptually imagine or construct the parameters of such a polis, a plausible applied politics might emerge from this general conclusion which principally holds as

333 Refer to pp165-168 for a discussion between the relationship of pratītyasamutpāda, natural law and positive law.
334 Such a thread was partially begun, albeit from different premises, by the heterodox economist E.F. Schumacher, who drew much of this thinking about labour from his encounter with Burmese (Theravādin) Buddhism. He was clearly responding to the 20th century antagonism between Marxism and liberalism, and in particular the Marxist problematic of alienation. See especially part 1 of Schumacher, E.F.; Small is Beautiful (Harper Perennial: New York), 1989.
an achievable goal the possibility of a genuinely liberated system of production. That is, the Nāgārjunian political philosophy given in this general conclusion does not just imply the relinquishing of constraint; it implies the real possibility of particular modes of free action, and the way this free action necessarily aligns with other beings and the manifold of causes and conditions expressed by the concept of *pratītyasamutpāda*. 
Conclusion two: How normativity and four particular political values relevant to our contemporary context emerge from the relationship between svabhāva and the possibility of its relinquishing.

[Conclusion two is in two parts. (i) How a normative politics emerges from the movement from svabhāva to freedom, (ii) How this normative politics is connected to four particular political values relevant to our contemporary context.]

The notion of a Nāgārjunian inspired transition from constraint to freedom given in C1 is clearly a general and abstract political task. Whilst it grants a clearly defined theoretical political task and purpose, it raises the question of how this task might plausibly work as an applied politics. How can it become something more than an interesting but ultimately unachievable cross-cultural intellectual thought experiment? Such a question is really about how a theory of reality which is primarily metaphysical and phenomenological in character might offer a plausible orientation which is sufficient to structure and justify political (i.e. collective) decisions and actions. That is, how precisely can we go from the philosophical claim that persons and things are empty, to a conceptual, discursive, intersubjective and normative politics which justifies a politics of A rather than B or C?

In this thesis I have shown how this is possible contextually with respect to particular issues such as property rights and negative liberty. However, in order to demonstrate that the general and abstract task given in C1 can itself function as a tenable applied politics there is a need to demonstrate how it can justify a normative politics. Therefore, in this first section I show how the general and abstract political task given in C1 emerges out of three distinct but intersecting perspectives, the last of which is a conceptual and discursive normative politics, which is able to justify a politics of A rather than B or C.

Having established a general and abstract political task (C1) and demonstrated how it can function as an applied politics on a normative level (C2(i)), I then ask how this kind of political orientation might be plausibly connected to our contemporary political context. That is, what kind of political values would someone who is committed to this kind of politics actually be defending and resisting? I argue that there are four particular political goods or values (drawn principally from chapters 4 and 5) that, together with C1, demonstrate a tangible political orientation for our contemporary context. As I qualified earlier, they are primarily expressive of the kind of political orientation it offers with respect to the very particular questions I have posed in relation to liberty, equality and political economy. Because there are many other potentially fruitful questions to posed, and many other issues to be investigated, they primarily represent the most fruitful areas for further research.
(i) How a normative politics emerges from the movement from svabhāva to its relinquishing

The possibility of a coherent normative politics expressive of CI emerges from three intersecting perspectives. They are:

1. The metaphysical, epistemological and phenomenological perspective
2. The normative-ethical perspective
3. The normative-political perspective

1. The metaphysical, epistemological and phenomenological perspective

Firstly, and most obviously it is important to make explicit the primary context in which the conception of political freedom and constraint has emerged – a metaphysical and epistemological context. As I explained in A2 with respect to the meaning of satya, there is clearly a strong sense in which I have treated Nāgārjuna as giving reality claims and truth claims about that reality. I have at various times alluded to a common alternative interpretation of Nāgārjuna, which holds that he is denying the possibility of giving any kind of metaphysical or epistemological view, performing instead, for soteriological reasons, a subtle deconstruction of the subjective act of grasping to any kind of conceptual view of reality. From such a standpoint, any normative conceptual intervention might be considered to be precisely the thing which produces illusions and problematic political conditions and situations, and could plausibly be held to be the problem rather than the solution. That is because svabhāva is held to be principally a manifestation of conceptual thinking, in order to get rid of svabhāva one simply needs to get rid of conceptual thinking. A politics which might plausibly emerge from such an interpretation might be a form of anarchy, quietism or deconstruction, whereby political reality is allowed to exist in whatever way it happens to exist, without any kind of conceptual-normative judgement and intervention. This may take the form of a skilful, fluid and non-judgemental ‘moving with the times’, perhaps something akin to the ‘wu-wei’ politics of The Daodijing.

However, I have taken Nāgārjuna’s philosophy of emptiness to be unambiguously asserting something very precise about the nature of reality – that all conventional things in it must necessarily have properties of change, relation and causation, and that they cannot be independent things in themselves because they are nothing more than their sets of relations and causes. Moreover, the epistemological act of knowing and realising this as an immutable truth, contains the possibility of not knowing or

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335 See especially A2, pp37-40.
realising it. Thus, the primary or initial context for the emergence of this movement from constraint to freedom is a genuinely metaphysical and epistemological perspective.

However adopting this metaphysical and epistemic position from Nāgārjuna draws one into terrain which is quite distinct from the task and discipline of metaphysics and epistemology. This is because the particulars of that position, although they may be treated merely in the form of an abstract metaphysical claim about reality (i.e. simply as a conceptual view), demand something more from the person who engages with that view. It is an insistence that the person experiences that view, rather than just thinking about it or conceptualising it abstractly or logically. That is, as I have argued throughout, there is a strong sense in which Nāgārjuna’s philosophy of emptiness becomes (or ought to become) a phenomenology of experiencing reality as it is truly. The way this occurs, according to Nāgārjuna, involves relinquishing the various features which are contrary to that reality, namely the explicit or tacit assumption and apprehension of svabhāva. This gives us a vital phenomenological notion which is critical to the task of transition from constraint to freedom. When a person experiences that reality, they are not superimposing (subjective) reality B upon (subjective) reality A, but rather, simply putting down (relinquishing) all the (false) features of reality A, such that reality B simply emerges as the true reality.

This notion of relinquishing is critical to the task of a plausible applied Nāgārjunian politics, because it avoids the problematic of taking an ideal abstract metaphysical reality Y and imposing it on existing material reality X, and making normative claims out of ‘the (supposed or assumed) facts of the matter.’ That problematic must be treated in more phenomenological terms: existing reality X contains many features which are untrue and unreal, reality Y is what reality X would be if those untrue and unreal features were simply relinquished. That is, reality Y emerges out of reality X, if and only if reality X is shorn of its illusory features (namely, any conceptions and apprehensions of svabhāva). Thus, the phenomenological standpoint gives us a more subtle way of thinking about what it means to say that politics ought to be fundamentally about the transition from constraint to freedom. This is a claim about how agents and structures might or might not exist in accord with reality, rather than a claim about how agents and structures ought to move towards a reality which has merely been conceived as an ideal imaginary. In a strong sense, this could be treated as a problem of ideology: the phenomenological movement is one in which the possibility of stepping out of ideology is deemed possible and necessary.

However, whilst this clearly gives us a more nuanced and subtle way of conceiving the movement towards political freedom, there is a large gulf between considering this phenomenological standpoint from the perspective of subjectivity, and considering it on the level of a political community, inclusive of discourses, structures and institutions. If we take it as the former, we simply remain in traditional soteriological territory: particular agents can relinquish apprehensions of svabhāva. They may think, reflect, meditate, practice and eventually gain an embodied phenomenological apprehension of reality as pratītyasamutpāda/śūnyatā; this embodied (subjective) reality Y emerges out of the previously
existing illusory (subjective) reality X. But can the same phenomenological logic hold at the level of a political community? If so, how? What would it mean to say that a polis might relinquish the illusory features of reality and thus, allow the true and free reality to emerge?

Here we must recall the definition of the polis considered as an empty whole (L3), which is inclusive of agents and structures in co-emerging mutually dependent relations. This returns us to the question raised in C1 of ‘where does svabhāva appear?’ along with the formal or philosophical answer that it appears in the thinking and perceptions of agents, it appears on a conceptual level in the form of discourses and theories which agents adopt to structure institutions and systems, and it appears in the way that agents, discourses, and practices co-emerge to construct and reproduce institutions and structures. If we are speaking about a polis relinquishing the illusory features of reality, we imply all the agents in the polis, and all the structural phenomena in those mutually dependent relations. Letting the true reality emerge in such a context implies the relinquishing of all the conceptions, predications, apprehensions and practices of svabhāva wherever they exist in those mutually dependent agents and structures. This is clearly a very distinct task from considering it on the particular level of subjectivity, because we are including shared discourses, theories, cultures, institutions and practices.

At this point we have here a way of conceiving what the relinquishing of svabhāva would mean on the level of the polis, but we do not yet have a method for enabling this to occur. The phenomenological perspective cannot translate from the subjective to the political, because it is ultimately anchored in the way that particular agents experience or apprehend their reality. Particular agents either do or do not see reality as it is, and thus, anchored in subjectivity it cannot give us such a political method.337

However this subjective phenomenological perspective may also be treated as an ethical perspective in the following way: agents who exist with reflexive awareness of their inescapable connection to the metaphysics of causation expressed by the logic of pratītyasamutpāda/sūnyatā, may consciously utilise that reality of causation to express liberated action and desirable forms of becoming and relating. In this sense the subjective phenomenological standpoint is expressive of actions and practices of cultivation, transformation and (continual) becoming. The important point here, namely what makes this an ethical perspective, is that reflexive awareness of the reality of pratītyasamutpāda does not imply the cessation of activity and change. It implies that activity and change are going to continue and become far more potent (then without that reflexive awareness), because that activity and change are now expressive of

337 As I qualified in the introduction, the sense in which I have used the term ‘phenomenology’ (throughout) is a reference to the 20th century philosophical tradition emerging from Husserl, which has (arguably) remained somewhat trapped in a Cartesian problematic of solipsism (i.e. although the constituting activity of subjective consciousness has been established, the transcendental basis for this denies grounds for intersubjectivity). For a cogent argument about this, see Habermas, J.; ‘The Undermining of Western Rationalism through the Critique of Western Metaphysics: Martin Heidegger’ in The Philosophical Discourse of Modernity, trans: F.G. Lawrence, (MIT Press: Massachusetts), 1995. If the term ‘phenomenology’ is used to refer to a Hegelian standpoint, quite obviously this problem does not occur.
the ‘mechanics’ of how activity and change actually occur. That is, we return to the Govinda metaphor about music. If a person understands how causation and relation actually works (i.e. is cognisant of dependent co-arising as conventional reality), and how their own agency (and future possible forms of agency) is nothing more than an expression of that causation and relation, then that person can more easily generate what they desire to generate, and become what they wish to become. The sense in which we may treat this as containing an ethics is connected to the sense in which we are speaking about intentional subjective actions, relations and transformations. It is a kind of ethics which is somewhat foreign to the three major moral traditions in the west, because the actions, relations and transformations at play here are immanent and immediate to the agent’s action, rather than being a rational and normative guideline which the agent adopts or follows. So the subjective phenomenological perspective also expresses a very particular kind of ethics. Although it is not possible to undertake a theoretical/conceptual abstraction from subjective action and transformation which would give us a plausible normative level of explanation, nonetheless, action, relation and transformation does occur, and it follows or is expressive of a certain kind of logic of causation (i.e. it clearly involves the recognition of consequences).

This phenomenological perspective presupposes an agent who reflexively understands the reality of pratītyasamutpāda/sūnyatā and thus continually acts in accord with it, such that their actions bear (we might say ‘naturally’) precisely the kinds of consequences they desire.338 However, it cannot provide us with a normative level of explanation nor a conceptual method to enable the polis to transition from constraint to freedom (because we cannot go beyond the immanence of subjective apprehension and action).

2. The normative-ethical perspective

There is also a strong sense in which there is something ethical about the individual’s movement from saṃvṛti-satya as concealing to saṃvṛti-satya as mutually dependent/paramārtha-satya as emptiness, which is precisely the transition from moral-psychological constraint to moral-psychological freedom described in C1. If we start from this position, we presuppose an agent who does not reflexively understand, perceive and embody the reality of pratītyasamutpāda/sūnyatā, and thus, cannot act in accord with it. Nonetheless, they may aspire to do so. With respect to the Govinda metaphor, this would be the person who wants to learn how to compose or play music.

It is precisely at this point where the Nāgārjunian (and any Buddhist) discourse is situated, and where ethics does become a distinctly normative venture to which particular agents may aspire towards and attempt to live up to. At this point the ethics depends upon a conceptual-theoretical framework, and

338 However it does not follow that it can be treated purely as a form of consequentialism.
must be prescriptive and rational. That is, it must offer guidelines for behaviour, reasons or justifications for acting or not acting in a particular way and reasons to value some goods and not other goods. That is: if I do X, it is expressive of svabhāva, and if I do Y it is expressive of relinquishing svabhāva, therefore I should do Y and not X.\(^{339}\)

The distinction between the phenomenological perspective and normative-ethical perspective is simply the difference between an agent having phenomenological insight into the nature of reality and actually being able to act in accord with it or wanting to have that insight and trying to act in accord with it. This could also be expressed as the difference between a person actually being free, and a person wanting to be free. The latter sense is strongly normative, and it is clearly not arbitrary, unimportant or false in comparison to the former (perhaps more privileged) immanent phenomenological sense, because it may be the most decisive factor in leading the person towards and into it. Thus we arrive at the critical juncture which gives us a very robust reason to endorse a normative ethical level of analysis, whilst at the same time, denying that normative level any foundational epistemic ground. It is nothing more than an important method for enabling a particular kind of desired experience of reality. The normative level is decisive and necessary because it is what allows the agent to transition from moral constraint to moral freedom, but once that transition is sufficiently undertaken, it disappears to the extent that we may only allude to an immanent phenomenology of subjective action and experience. That is, the normative domain in Buddhist ethics and soteriology may not have any underlying or foundational reality, and it may be something which is itself relinquished, but its importance in facilitating that transition is critical.\(^{340}\) From a Nāgārjunian standpoint the epistemic status of this normative-ethical perspective is precisely the same as that of the Buddhist dharma per se, up to and including Nāgārjuna’s own arguments, which he of course recognises in Chapter XXIV of the MMK. We return to the key statement: Without the conventional, the ultimate cannot be realised.\(^{341}\) In this context the conventional implies a normative ethical perspective. Thus we have a very robust justification for a normative level of ethics: moral freedom depends upon the conceptual normative orientation which guides a person towards acting in the ways conducive to their (ultimate) moral freedom.

3. The normative-political perspective

It is this conventional and normative way of considering ethics which allows us to cross the large gulf between the subjective phenomenological perspective, and the standpoint of a given polis. This is

\(^{339}\) For example, taking desirous possession of an object is expressive of svabhāva, giving dāna without a sense of giver, gift, or receiver is expressive of relinquishing svabhāva, therefore, in this instance I should give dāna and not steal. This is a normative injunction found respectively in the five lay precepts, and the pāramitās.

\(^{340}\) In an important sense, it has the same kind of conceptual status as the dharma does in the soteriological progression from avidyā to bodhi – a useful guide for the process which points to and leads in the direction of reality, but does not in itself contain or express that reality.

\(^{341}\) See A2, pp37-40.
because the normative ethics appropriate for a given person who aspires towards moral and psychological freedom, is also appropriate for a political community. In the same way that a person who desires freedom, but does not have a genuinely phenomenological understanding of pratītyasamutpāda/śūnyatā may take relinquishing svabhāva as a (primary or most important) normative ideal or goal (which structures their reasons for acting in particular ways and valuing particular goods), so too may a polis. A polis needs a conceptual account of what constraint is and how freedom from this constraint is possible, if its political and economic organisation is to facilitate that reality for all who exist within it. With the emergence of this normative conception, we also now have a method for enabling the polis to transition from X (constraint) to Y (freedom). The method is simply the conventional existence of this normative level of political analysis, which can structure and justify political decision making in precisely the same way that the normative level can structure and justify subjective decision making on the ethical level. In both cases, whilst the normative perspective does not adequately represent or express ‘true’ reality, in both cases, it may facilitate the transition towards and into it. For example, just as the person who aspires to moral-psychological freedom ought to give dāna and not steal, so too should a polis which aspires to freedom choose to adopt policy X instead of policy Y (where X is expressive of the logic of svabhāva, and Y is expressive of the logic of śūnyatā/pratītyasamutpāda). I have shown that there are particular political goods or values which are expressive of Y and not X, and shortly I will demonstrate the four most robust ones to have emerged.

The question of how this might work as a tangible (i.e. applied or practically useful) politics in our contemporary reality clearly presupposes a response to the problem of how it might be chosen (i.e. how enough members of a given polis might endorse and enact it as the best or most desirable task of politics). In some respects, such a problem is expressive of a basic limitation of political philosophy per se, as a purely theoretical and abstract discipline. With the exception of dialectical strategies where it is in the very nature of thinking to culminate in concrete praxis,342 the establishment of a clear normative agenda and orientation is as much as can be done with conceptual thinking alone. Thus, the most logical response to the problem of desirability and choosability is to simply point out the discursive context that this stands as one normative political agenda in a contested discursive field of other normative political agendas and orientations. In order for it to become desirable and chosen, it must enter into that discursive contestation, and prove sufficiently compelling. Why might Rawls, Zizek or Nāgārjuna be taken to offer a desirable politics? Clearly it relies on the strength and cogency of their respective analytic positions, and whether any of them has any tangible effect on the way future political life may

342 Again this is most explicit in Hegelian Marxists such as Lukacs and Adorno, where the task of thinking theoretically, if it is true thinking (from their point of view), leads automatically towards revolutionary praxis. I.e. it’s the structure of dialectical thinking to manifest in concrete action.
unfold will always be an expression of the degree to which those positions extend beyond the sphere of philosophy. And the principal means for that to occur is discursive contestation.

This Habermasian kind of response to the problem of desirability and choosability has some obvious limitations. Clearly one small piece of work on an ancient Buddhist philosopher will be virtually invisible in comparison to huge volumes of work on established political traditions such as Aristotelianism or liberalism, and countless committed Aristotelians and liberals. The point is not that this piece of work will be sufficient to produce desirability and choosability, but rather that it anchors that problem in the terrain of rational normative contestation. And in connection with other works appearing in applied Buddhist politics (i.e. the growing field of ‘engaged’ Buddhism), the tremendous growth of Buddhism in the west, and the spread of globalisation, all of which illustrate that there is an intersection of Buddhist cultures and ideas with largely western conceptions and practices of politics and economy, the desirability and choosability for a Nāgārjunian inspired politics is perhaps not as farfetched as it sounds, even if, we are obviously far nearer the beginning of such a task then its fruition.

(ii) How this normative politics is connected to four particular political values relevant to our contemporary context

The final part of this conclusion, and the thesis, is a brief summation of how this general normative trajectory from constraint to freedom may be connected to specific issues in our contemporary context.

The range of specific issues facing contemporary political life is daunting in scope, and my focus on the particular themes of liberty, equality and their connection to political economy is clearly only one element in that equation. This reflects my view that a sufficient engagement with our contemporary political context requires a robust engagement with the logic of capital, inclusive of the various justifications and critiques of such a system. 343 Therefore, I defend this priority as necessary. I think it is the most important specific issue facing contemporary political life, but I also acknowledge that other thinkers are likely to privilege alternative priorities. It follows that from alternative priorities, different

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343 By ‘our contemporary context’ I assume two things: that (for better or for worse) in terms of political economy the present globalised epoch entails a liberal-capitalist hegemony, and that with the exception of the Islamic world, western political and economic theories are the most dominant ideologies. I include here the two rising powers which most threaten that western ideological hegemony – China and India – because they have explicitly deployed western political and economic theories in structuring their contemporary economy and polis. For example, in China, the explicitly Marxist revolution was followed by an explicitly market based reform of that revolution (i.e. Deng Xiaping’s policy of liberalisation). Whilst there were and are clearly Chinese elements, and rise of neo-Confucianism indicates a return to more distinctively Chinese political thinking, the structure of the Chinese polis has clearly been strongly influenced by western political theories/ideologies. There is much written on this, see for example, Kang, L.; Globalization and Cultural Trends in China, (University of Hawaii Press: Honolulu), 2004. The case of India is more complex, but clearly the independence movement was grounded in democratic ideals – resulting in democratic political institutions – and at least since the 1990’s there has been a strong market based economic logic. See Lahka, S & Taneja, P.; ‘Democracy, Governance and Civil Society, Rethinking the Study of Contemporary India,’ in South Asia: Journal of Asia Studies, Vol.XXXII, no.3, (Taylor & Francis), December 2009.
values may emerge, but that is an unavoidable (and fruitful) part of the task of ‘beginning’ a Nāgārjunian or Buddhist political philosophy.

The four particular political values that I have drawn from Nāgārjuna’s philosophy of emptiness ought to be taken in three ways. Firstly, they represent the particular normative findings of this thesis, and thus the basis for a distinct orientation in terms of political economy. I have explicitly set out to investigate where Nāgārjuna’s philosophy might lead us with respect to the economic spectrum of left and right. Although my findings are obviously preliminary, that is, afar from being exhaustive and systematic in establishing a tenable political economy, they nonetheless do express a clear orientation. As I mentioned in the introduction, such questions have been very prominent in Buddhism especially since the 20th century, 344 but have not generally been treated with sufficient philosophical precision, which has produced many exaggerated intuitive claims and almost nothing with substantial arguments to underpin it. Thus, my findings represent a philosophical response to that question and problematic.

Beyond responding to that general issue of political economy, the second way these four particular values ought to be taken is in order to provide some context for how this Nāgārjunian political philosophy might relate to our present conditions. Namely, what a person committed to it might actually be defending or resisting in terms of particular political goods, values or outcomes. The key reason for undertaking this is to clarify that a commitment to this Nāgārjunian political philosophy need not be as general and abstract as the notions of freedom and constraint expressed in CI. This more general political task is also coherently connected to four particular political goods or values which are relevant sites of contestation in our contemporary context. A loose analogy might be in the way that a committed Marxist might take having a communist system of production as the most fundamental or general political task, but specific goods or values such as better conditions for labour and a more equal distribution of resources as particular goods coherently connected to that task. 345 Thus in briefly illustrating what these particular values are, I will briefly demonstrate what the person committed to this Nāgārjunian political philosophy might actually be defending and resisting in our contemporary context. Thirdly, beyond the scope of this thesis, the findings ought to be treated as the key areas for further inquiry and research in the relation between Buddhist or Mahāyāna ideas and political philosophy. Each of the four values require far more work and analytical attention, particularly if they

344 On two fronts – many Buddhist nation-states in Asia underwent a deep (and often bloody) ideological contestation involving colonialism, Marxism and liberal-capitalism, and in the west, the rise of Buddhism was aligned with counter-cultural political movements which explicitly resisted the dominant capitalist order. For the former, see Swearer, D.; Buddhism and Society in South East Asia (Ahima Books: Chambersburg), 1981 & for the latter, Tamney, J.B.; American Society in the Buddhist Mirror, (Garland Publishing: New York), 1992.

345 There is of course a long running debate between Marxists and social democrats about the degree to which particular goods such as improved labour conditions might actually be antithetical to the general task of achieving communism, on the basis that they may quell the revolutionary aspirations of the proletariat (for a good history of this, see Steger, M.B.; The Quest For Evolutionary Socialism, (Cambridge University Press: Cambridge), 2008). However, this does not really diminish the efficacy of the metaphor.
are to form part of a constructive and usable applied political agenda. I strongly believe that they can, but whether that belief is justified or not will depend on that work being sufficiently undertaken in the future.

The four particular values are:

1. An egalitarian and cosmopolitanism politics (L8, L11).
2. A communal or public orientation towards ownership and economy (L3, L7, L9, L10).
3. The freedom to actualise self-realisation (L7).
4. A minimal commitment to negative liberty or non-coercion (L6).

Because the comprehensive arguments for these values have already been given through the body of the thesis, here I will simply refer to those arguments and briefly point out the ways in which each particular value may be connected to our contemporary political context.

1. An egalitarian and cosmopolitanism politics (L8, L11).

The concept of a Nāgārjunian politics of cosmopolitanism is the most direct and explicit particular value to have emerged, in the sense that it is a very straightforward moral-political implication of what follows from the relinquishing of svabhāva. It is expressive of a particular kind of political equality which necessarily preserves (rather than effaces) difference. The politics of cosmopolitanism is connected to the phenomenological possibility of a Nāgārjunian form of the impartial attitude, which co-emerges (automatically) with the relinquishing of svabhāva (L8). It is not something to be constructed and imposed upon relationships and encounters, it is rather something which arises if and only if the strong identity formations of Self and Other predicated on svabhāva are categorically denied. Thus, the Nāgārjunian form of political cosmopolitanism (L11) does not follow from a deontological principle such as the categorical imperative, nor a rational/utilitarian consideration of moral equivalence/equal moral status – it is a phenomenological by-product of the successful relinquishing of svabhāva. That is, as demonstrated in L8, the impartial attitude is not in itself a normative value, it is an immanent way or action of genuinely relating to or encountering others, such that the empty-dependent co-arising context of the relation itself becomes the primary locus for a highly contextualised, particular, immanent, temporary and shared (i.e. mutually co-emerging and dependent) identity formation, rather than the locus of identity-self A coming into a certain kind of moral relation with identity-self B.

However, despite the principally phenomenological character of this impartial attitude, as demonstrated in LII, some normative-political considerations can be derived from the possibility of it. These are primarily related to what might be problematised from the perspective of this impartial attitude, namely, attitudes and relational modes of self-interested partiality. Strongly partial attitudes and modes of relating have clearly occupied western political theorists from Thucydides through to Hobbes, Hegel and Freud. As I argued in L4 and LII, whilst a political standpoint drawn from Nāgārjuna might acknowledge the pervasiveness of such partial modes of relating, it necessarily takes it to be an expression of a reified or concealing point of view. Because the mode of forging partial identifications with a particular group is understood to be predicated on svabhāva, it follows that certain kinds (namely, robust kinds) of group formations predicated on shared national, racial, religious or political identities ought to be normatively problematised. That is, although the Nāgārjunian notion of the impartial attitude is fundamentally phenomenological in character, there is a political-normative dimension connected to it, in that the possibility of this attitude undermines the desirability of endorsing, expressing or retaining partial group identity formations. There is thus a plausible normative resistance to such formations, in the same way that there is a plausible normative resistance to formations of greed or aggression on a personal moral or soteriological level. Both are premised on a reified or false interpretation of reality which in turn generates a range of other problems (both social and individual). The political questions, where is svabhāva and to what ought the dialectical strategy of negation be directed? – has an obvious target here.

Expressed more positively, this would lead towards a normative privileging of a politics of cosmopolitanism, albeit in a very distinct form than a Kantian or utilitarian one. It would not undermine the pragmatic usefulness of having conventionally signified communities such as nation-states, nor refute the meaning (and related weak identity formations) of shared localised histories. It simply denies that those communities or histories produce a substantial enough basis for independent identity, which is robust enough to demarcate pernicious partial self/Other group formations. Thus it denies the essentialist predicates of nationalism, and undermines the various narratives which justify intrinsic national, ethnic or religious specialness or superiority. It also denies those predicates within the context

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347 This political issue probably gains its most comprehensive treatment in psychoanalytic political theory, where the logic of partial identification to group A entails a necessary rejection or “Othering” of group B. That is, in Kleinian or Lacanian language, one can only “belong” to one group, if the other group is ‘Othered’ – which means fixed into a position of hostility or agonism, whereby the rejected elements of the unconscious are displaced and externalised onto that other group. See again Freud, S.; ‘Why War’ in Letter to Einstein for a compelling account of that group dynamic, and for an applied example of this kind of political logic, see Feldman, A.; Formations of Violence The Narrative of the Body and Political Terror in Northern Ireland, (University of Chicago Press: Chicago), 1991.

348 These have been argued by Benedict Anderson to be seminal in the construction of the ‘imagined’ modern nation-state. See, Anderson, B.; Imagined Communities, (Verso: London), 2006.
of particular political communities. This grants a normative position which justifies an egalitarian cosmopolitan orientation without denying difference and diversity.

2. A communal orientation towards ownership, economy and political life (L3, L7, L9, L10).

A potentially more controversial value to have emerged is the problematisation of individual or private rights to property ownership and the privileging of a communal or holistic understanding of the polis (considered as an empty whole). Both of these strongly undermine individualist assumptions about economic and political life, which many have argued to be very dominant in the contemporary context. As I argued in L9 and L10, although there may be good contextual reasons to endorse nominal and positivist individual property rights, the unambiguous normative ideal is a more communal orientation towards ownership (and by implication, labour and production). It is a common intuition among contemporary engaged Buddhists that the moral logic of Buddhism is profoundly at odds with the logic of modern capitalism, but this intuition is often articulated in quite general terms connected to excessive psychological traits of greed and self-interest. Whilst that intuition may be justified, my argument centred on the impossibility of reconciling a conceptual-juridical basis for subjective possession with the logic of śūnyatā/pratītyasamutpāda. I established that the conceptual act of taking subjective possession of a phenomenal thing is necessarily expressive of saṃvyrti-satya as concealing, and that relinquishing such a reificationist state of mind is expressive of the liberated quality of saṃvyrti-satya as mutually dependent. It follows that the latter ought to be normatively privileged against the former. Alongside this key structural issue of how production and ownership might best be organised, I argued in L3 that the logic of śūnyatā/pratītyasamutpāda leads us to consider any given polis as a sāmargrī of co-emerging causes and conditions, and that it should be considered as an ‘empty whole’. Clearly, taking both of these together puts us on an ontic footing which is holistic and communal. In terms of political economy, the normative ideal would be one which disrupts the strongly individualist predicates of capitalism. To what degree remains a critical and fascinating question to pursue.

The practical implications of such a point remain somewhat intriguing if we accept the contemporary context where individual property rights are very central to industrialised political economies and states. There is nothing in Nāgārjuna’s philosophy that leads towards a historical unfolding towards a political reality which has the cessation of individual property rights as its teleos, nor a dialectics of class relations which culminates in such a revolutionary praxis. In distinction to this orthodox Marxist theory that collective ownership is inevitable, Nāgārjunian thought might lead us to a more conservative or (politically) realist view that because ‘svabhāvic’ reification is always likely to occur, so too is the need,

349 I have on a few occasions cited Foucault’s excellent genealogy of neoliberalism found in his Birth of Biopolitics to underpin this claim – but it is a very widely held view across a range of disciplines in the social sciences and economics.

350 See for example Loy, D.: Money, Sex, War, Karma, and Bodhi, Bkk.: A Buddhist Perspective on Occupy Wall Street (online lecture), accessed on 23/4/13 at http://www.youtube.com/watch?v=V9TgBVLxvcU.
desire and normative justification for conventional and positive individual property rights. This line of reasoning could be used to endorse and justify capitalist rules for ownership, production and exchange, on the pragmatic basis that where samaññati-satyam as concealing is manifest, it ought to be accepted as operative, and laws ought to be responsive to its operation (for consequentialist reasons). Indeed, I argued precisely such a thing in \text{L10}. However in that lemma I also suggested a clear normative middle way between those poles. We are not destined to arrive at a communist utopia any more than we are destined to be condemned forever to a capitalist saṃsāra. The logic of \text{C1} (and \text{L5}) grants the possibility and desirability of moving from constraint to freedom, and on this particular matter, that would clearly imply some kind of transition from a logic and system of strongly private to strongly public or communal norms for ownership. The implication is that the ‘free polis’ pointed to in \text{C1}, although beyond our conceptual reckoning, is coherently aligned to a more socialist political-economic orientation; in normative terms, socialist rules for ownership, production, exchange and consumption are more desirable than capitalist rules, because they are more aligned with the logic and phenomenology of śūnyatā/pratītyasamutpāda.

Practically speaking, the implication is that people committed to Nāgārjuna’s philosophy of emptiness in our contemporary context ought to endorse policies and political practices which defend ‘the commons’ and public goods against the steady encroachment of privatisation, corporatisation and unrestricted capitalism. The Dalai-Lama’s Marxist intuitions mentioned in the introduction are philosophically justified. In more theoretical terms I think that this represents a rich avenue for further research, particularly in lieu of the final claim in \text{C1}, that because ‘freedom from constraint’ culminates in free action the most important applied locus may be found in the domain of labour, work and economic production. This disrupts the common claim that ‘engaged Buddhism’ is essentially a progressive soft-liberal venture. If it is to genuinely become that, it must substantively engage with this more radical proposition. That is, it must treat seriously the claim that a Buddhist informed politics ought to deny the predicates of capitalist modes of production.

3. The freedom to actualise self-realisation (\text{L7}).

This is clearly the most complex particular value, because it arises out of a combination of a number of arguments which are complex in themselves. I will not restate them all here. The two most primary are (i) that a clear conception of self-realisation emerges from Nāgārjuna’s philosophy of emptiness, in which the possibility of actualising freedom is partly structural (\text{L7}), and (ii) that this is coherently connected to a strong normative case for equality of opportunity to meet desirable ends (\text{L11}). There is clearly much that needs to be taken as minimum sufficient structural conditions for the actualisation of self-realisation – I have mentioned (in \text{L2} & \text{L11}), security from violence, sufficient health, sufficient food, water and ecological conditions and (in \text{L1}, \text{L6}, \text{L7} & \text{L8}) sufficient cognitive development for particular agents. Each of these conditions in themselves requires a great deal of theoretical work to
adequately establish. For example, the condition of security from violence would seem to presuppose a theory of sovereignty (or plausible anarchic alternative) and a philosophy of justice and law; the condition of sufficient food would seem to presuppose a properly functioning political economy; the condition of sufficient ecological conditions would seem to apply some kind of global solution to the problem of climate change and so forth. Whilst acknowledging that it is obviously not possible to pursue all of these problematics here, there is one relatively straightforward implication, which I have taken to be the *most important* structural factor in facilitating the actualisation of self-realisation.

Such an implication stems from the priority for *agents* in the polis to relinquish *svabhāva*, a priority which I have argued ought to be the principal political task (C1). Given that *svabhāva* is *principally* (but not solely) rooted in the way that particular agents think, perceive and apprehend reality, the formal problematic of positive liberty and its connection to equality of opportunity culminates in the question: what structural conditions are necessary for agents to be able relinquish *svabhāva*? Since it has been clearly established that relinquishing *svabhāva* requires adequate philosophical reflection and this requires the sufficient cognitive development of literacy and logic (L1), it follows that the primary structural condition would be adequate education to facilitate that development. Because there are strong normative reasons for a principle of non-exclusion (L11), no agent in the polis ought to be excluded from the possibility of realising their freedom to self-realise. This leads to a robust normative equality of opportunity to meet desirable ends, insofar as those ends are related to the relinquishing of *svabhāva*.  

What would this mean practically in our contemporary context? Within relatively homogenous Mahāyāna states such as Bhutan, it could imply the provision of explicitly Nāgārjunian education *content* i.e. the state could be structured like a Platonic Republic where the goal of self-realisation has total priority, meaning that everyone could be educated to learn the philosophy and practice of emptiness, and all resources could be directed towards this end. However, outside of contemporary Mahāyāna states such as Bhutan, which are obviously the exception, the contemporary context generally implies a radically diverse pluralism. Even relatively homogenous political communities intersect with a radically pluralistic virtual global public sphere. In this case, the political commitment to actualising self-realisation would imply merely a defence of a minimal condition of the structural provision of conditions necessary for the adequate development of literacy and logic for all, and not *substantive content* premised on Nāgārjunian ideas. That is, any polis which aspires to actualise self-realisation must structure education to ensure that adequate philosophic-reflective ability is gained by

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351 As well, as stated in L7, the concept of self-realisation can itself be extended to the polis conceived as an empty whole, which would be a variant, or another way of stating of the general conclusion given in C1.
This is a common normative finding in classical political philosophy, from the aforementioned Plato to Confucius to Rousseau, and it is simultaneously utopic and possible. The reality of universal education has been tremendously advanced in recent centuries, and is now treated as a universal human right. However, the issue of the development of literacy and logic for all, sufficient to produce cognitive development adequate to engage with Nāgārjunian arguments, clearly demands an exceptional standard of literacy and logic. Practically this would imply two things. Firstly, the allocation of enough resources into education such that that exceptional standard could be reached. Secondly, the emancipation of education from purely instrumental ends. As thinkers such as Marcuse, Althusser and Horkheimer show, in our contemporary context, both of these are in fact extraordinarily radical (and one would have to say, farfetched) aims. But such an end is what a Nāgārjunian ought to be committed to.

4. **A minimal commitment to negative liberty or non-coercion (L6).**

I have shown in L6 that specific forms of negative liberty coherently emerge from a political consideration of Nāgārjuna’s view and method. Principally, freedom from material coercion and freedom from epistemic coercion. The premise of L6 is that there is a robust form of conventional individual agency which must be protected if individuals are to successfully transition from moral constraint to moral freedom. Relinquishing svabhāva is principally an individual task (even though it deeply involves intersubjective and structural elements), and requires individual intentionality, reflectivity and action. It follows that a collective political trajectory which takes the Nāgārjunian concept of freedom from constraint as the primary good, but which functions by violating those individual freedoms would generate a straight contradiction. That is, if the fundamental task or goal of political and economic life is for the polis to transition from constraint to freedom, and it attempts to do so by violating the material and epistemic freedoms of particular individuals within that polis, then that violation is fundamentally at odds with its goal. That is, a polis cannot arrive at political freedom by violating individual moral freedom in the sense defined (in L1, L6 and C1). Political freedom and the self-realisation of the polis can only arise if all individuals in the polis are always allowed to freely exercise their chanda, cetanā and saṃkalpa such that they can undertake freely intended karmas.

However, as I argued in chapter 4, this cannot lead in the direction of a libertarian or ‘nightwatchman’ state where negative liberty is the sole or most important political value, such that complete state neutrality overrides all other political goods, and the individual freedom to choose is the only relevant condition for realising a free polis. C1 and the other three particular values clearly deny this possibility, and together they lend weight to a political orientation which is far more communal or collectivist than it is individualist. There is no coherent relationship to the notion of individual free choice being a fundamental normative principle which ought to govern economic relationships. The logic of acting to maximise economic self-interest is plainly disrupted by the phenomenological-ethical parameters of Nāgārjuna’s philosophy (alongside the disruption of libertarian principles for property ownership).
Thus, the point where negative liberty is valuable and necessary in the Nāgārjunian context is precisely the point where direct material or epistemic coercion may intervene on an individual’s freedom to exercise their chanda, cetanā, samkalpa and karma. That is, what is at stake morally and politically is the possibility of gaining reflective ability, and this presupposes always having the freedom to think freely and act on that thinking. Thus, the role that negative liberty ought to play as a particular value is simply one of fulfilling minimum conditions of non-harm and non-coercion (both material and epistemic). Mill’s harm principle is quite adequate for this, but more robust libertarian or anarchic formulations are highly problematic because they deny structural context and reify agency to be self-existent.

In our contemporary context, this could lead to a manifold of practical implications, but I think two things would be of most importance. Firstly, that there ought to be an alignment with the liberal defence or endorsement of specific negative human rights, albeit on positivist rather than natural or deontological grounds. Secondly, a concern to counter or overcome the effects of ideological coercion. The first might seem to be natural terrain for Buddhists to adopt, but as Keown has shown, the connection between human rights and Buddhist philosophy needs far more normative precision than has been given thus far. Although I have not explicitly addressed the topic of human rights, I think that the concept of moral autonomy given in L1 and L6 offers a plausible avenue to establish that normative connection and thus represents a tangible path for future research. The second issue (freedom from ideological coercion) has been a consistent theme emerging in different ways throughout this work. The more general conclusion (C1) could be expressed as the need to gain freedom from ideological coercion, insofar as svabhāva may be treated as a pernicious intersubjective concept which is produced and reproduced in discourses, institutions and practices. However the practical connection to the value of negative liberty is far narrower; it is simply that epistemic coercion ought to be inclusive of any structural forces which directly hinder the functioning of chanda, cetanā and samkalpa in individual agents. This is obviously a large (and very contested) topic to explore further. Practically speaking, the kind of politics which emerges seems to be intuitively expressive of the curious intersection between classical liberal (particularly Kant and Mill) and post-Marxist thought (particularly Horkheimer and Adorno), where critical rationality is deployed as the political antidote to epistemic coercion. Political enlightenment for Nāgārjuna and Kant might not be so far apart.

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