

The Alternative Normativity of Zen

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“You became a monk—a commandment-breaking monk—because you killed the buddhas and the patriarchs”
– Shidō Munan on Rinzai

The question I begin with is a seemingly simple one: what is the nature of ethical norms in Zen? I am interested in this issue not only because Zen ethics has become a much-discussed topic today. Scholars and practitioners alike make claims about ethics in Zen as distinct from other Buddhist traditions, and many find ethics lacking in Zen. But I am also interested in the potential of this question to present an alternative notion of normativity, and thus to expose long-entrenched assumptions and perhaps liberate us from them. The Kyoto School and other Japanese philosophers most likely recognized this potential in their adaptations of an alternative normativity.

First a word about normativity. To put it roughly, normative ethics is supposed to tell us what is good or bad, what is right or wrong to do, and to tell us why something is right or wrong. Normativity not only distinguishes between *what is* and *what ought to be*, between the descriptive form and the imperative, but also gives reasons for the distinctions. If we conflate the two, the ideal and the real, we commit the “naturalist

fallacy.” Yet we often hear that Zen teachings transcend the distinction. So the question is, just what sort of normativity is at work in Zen?

I called this question *seemingly* simple. As soon as we are aware of the assumptions behind the question, it begins to look quite complicated.

COMMON ASSUMPTIONS ABOUT ZEN AND ITS (LACK OF) ETHICS

For one thing, *the word Zen is problematic*. It conveniently gathers a vast array of practices and texts and teachers under one name to give them a identity that historical scholars today like to challenge. My purpose however is not to present an accurate historical picture of all the ethical variations and vagrancies in this set of traditions. Nor will I consider the question whether Zen ethics differs from other ethical approaches in Mahāyāna and Theravāda Buddhism. I admit that my examples of an ethical alternative are somewhat random. My point is not to present a particular sense of normativity in order to define Zen, and to exclude texts, practices or teachers from the name of Zen solely because they do not fit into the alternative. My purpose is to mine the ore for material that suggests an interesting and viable alternative to understanding normativity.

Assuming that there is a living, variegated tradition we can call Zen, we encounter other, more explicit assumptions that complicate the question. One is that *Zen ethics is basically Mahāyāna ethics* and has nothing distinctive to offer. This assumption seeks a mark of distinction; I will return to it briefly later. Another related assumption is that historically, we can distinguish between two parts of Zen ethics: a set of rules and regulations governing monastic life and intended to facilitate Zen practice and awakening—call them house rules—and then a more encompassing but vague social ethics, derived primarily from Confucianism. This view ignores two things: the connections often explicitly made in Zen literature between monastic training and living in society, and the mutual influence of Zen and neo-Confucian normative ideals. If, as is commonly understood, the rules regulating a monastic community are there to promote harmony and the awakening of the practitioners, then

they count as a social ethic, all the more so when ideal behavior in the community is supposed to guide behavior in society at large.

It is true that Zen and other Buddhist institutions often adapted Confucian moral norms (and that they discarded the parts of the Indian Vinaya they considered inapplicable); but it is also the case that neo-Confucians took over Buddhist rituals and ethical models. For example, Zhu Xi adopted “quiet sitting” as an aid to intuit ethical principles, and in Japan Satō Naokata (1650–1719), referring to Zhu Xi, recommended quiet sitting as a way to expel selfishness and ground right activity (SATŌ Naokata 1717, 465). But let us suppose that there was a good deal of borrowing from Confucianism, in both Chinese and Japanese Zen.¹ The question remains: what was the Confucian normativity adapted by Zen, and what were the normative procedures for adapting it? The question of Zen normativity has not been answered by a reference to Confucian ethics.

One abbreviated answer is that *Zen ethics* (both house rules and the adapted Confucian social ethics) are *highly situational and without normative principles*. Only the context determines right behavior. Dōgen tells his monks, “From the outset, there is neither good nor evil in the human mind. Good and evil arise according to circumstance” (DŌGEN 1971, 89). Of course I have taken the words of Dōgen here out of context. But I don’t want to address the role of context here, except to say that I don’t find such statements to advocate relativism. They inevitably are couched in a higher norm, a more encompassing ideal. The imperative that Dōgen gives in this passage is “Just follow the circumstances,” but his words also point to the context of discovering one’s true mind.

1. Other factors in the formulation of Zen precepts were at work too, in both China and Japan. William CHU (2006) summarizes the research of others:

As expected, the previously outlined Chinese developments in preceptive model, such as the incorporation of Tantric elements, the reduction of myriad proscriptions to a single principle such as the “Mind” or the enlightenment experience, the conformity to Confucian values, and the flexibility in interpretation, without exception found expression in Tokugawa Buddhism. Concrete examples abound, including Kaibara Ekken’s (1630–1714) Confucianized precepts, Jiun Sonja’s (1718–1804) “Vinaya of the True Dharma” that subsumed specific precepts under the category of the “Mind,” and Kokan Shiren’s (1278–1346) invocation of buddhas/bodhisattvas in his “Zen Precept Procedures.”

The invocation of the higher ideal like this is even more problematic for normative ethics than is moral relativism, however, and leads to the next crucial assumption.

This is the claim that *there is no sense of normativity in Zen*. There is of course ample evidence of normative ethics in Buddhism. Think for example of the teachings that something is good if it is conducive to the liberation of sentient beings from suffering, and bad if it causes suffering; or the teaching that what is conducive to enlightenment is good. The implications here are that these things are good because suffering and delusion are bad. (We might say “undesirable” instead of “bad,” but that wording would have to be reconciled with the teaching that desiring itself leads to suffering.) Now while Zen is a Buddhist tradition, we often hear that Zen undermines or transcends normative distinctions between right and wrong, good and bad. Zen is beyond such discrimination. A capping phrase in Chinese kōan texts puts it this way:

來說是非者 便是是非人

Those who come expounding right and wrong
Are the very ones who are right and wrong.²

Dōgen once tells his monks, in the words of one translator, “To enter the Buddha Way is to stop discrimination between good and evil and to cast aside the mind that says this is good and that is bad.” Other passages in the same collection of talks have Dōgen instructing the monks to practice “what we find to be really good” and discard “what we find to be really bad” (DŌGEN 1971, 29, 71). In general, in these talks Dōgen instructs his monks to keep the precepts, but he also says (in the words of another translator), “it is wrong to insist upon them as essential, establish them as a practice and expect to be able to gain the Way by observing them.” Of course, if he says “it is wrong,” he invokes a sense of normativity. When asked further about conduct, he says “Practitioners of the Way certainly *ought* to maintain” monastic regulations, but then he adds the rhetorical question, “When we sit *zazen*, what precept is not

2. My translation of a phrase in the *Zenrin kushū* 禪林句集. Victor Sōgen Hori has: “One who approaches with ‘right and wrong’ talk is a ‘right and wrong’ person. HORI 2003, 384.

observed?” (DŌGEN 1987, 21, 22). In a similar vein, Hakuin (1685–1768) once wrote:

Observing the precepts, repentance, and giving, the countless good deeds, and the way of right living all come from *zazen*. Thus one true *samādhi* extinguishes evils; it purifies karma, dissolving obstructions.”³

In fact, underlying the claim to transcendence in Zen texts is usually an invocation to practice and to awakening. One is called to practice and to awaken, one *should* practice. Often the invocation is put in an imperative form. Nishitani Keiji once quoted a seventeenth-century Zen master: “While still alive become a dead one, become completely dead; then do whatever you will; all your deeds are then good.” Nishitani is commenting on Nietzsche’s answer to the question of what one should do: “Be holy and then do whatever you want.”⁴ I don’t mean to say this imperative is the last word from Nishitani on the subject, but it is true that at least in later years he took the question of awakening as prior to political and social problems.

In any case, we should not overlook the normative imperative in such sayings as the Zen master’s or Nietzsche’s: “be(come) like a dead person, die!” Or “be holy!” The sayings set an ideal that differs from what one is, or from what one is presently manifesting. If we follow one possible Buddhist reading, the reading extrapolated from “original enlightenment” theory, then the normative injunction assumes that the seeming *ought* is inherent in the *is*; one is to become what one originally, at one’s source, *is*, namely, selfless. Aside from the Buddhological assumptions at work in this theory, the relevant assumption here is that selflessness is the root of all good. Thus one “must” die to self— or awaken one’s original no-self nature, in Hakuin’s words. Selflessness, or no-self, is one formulation of the root of Mahāyāna ethics; wisdom with its concomitant compassion is another. But the assumption about Zen normativity here lies no so much

3. Low 1988, 89.

4. Cited in Otto PÖGGLER 1995, 105. The quotation from Nietzsche appears in Heidegger’s 1934–1935 lectures on Hölderlin. In Nishitani, it is by no means clear how the “great death” of Zen leads to great compassion and to a love that leaves room for the Christian “love of neighbor.”

in invoking the ideal as in claiming, seemingly, that awakening—or at least *zazen* practice—is *all* that is needed to be ethical.

That assumption frequently conceals another one: *zazen* practice awakens wisdom (*prajñā*) and compassion follows from wisdom and in turn nurtures it.⁵ But an ethics of compassion seems to be situational and without clear principles. This is the reason that some scholars today argue that Zen needs to be complemented by critical, rational reflection to formulate an ethics,⁶ and others propose that Zen ethics cannot be understood as normative ethics but (if developed) can offer a critique of such ethics, similar to post-modernist critiques.⁷ Insofar as both of these proposals make normative recommendations, they either apply external criteria to evaluate Zen ethics or try to develop new criteria out of old Zen. Instead of making normative recommendations, I want to take a close look at what old Zen normativity has been. Zen Buddhism has always been full of ideals, like the bodhisattva ideal, and imperatives, like precepts.

THE ALTERNATIVE NORMATIVITY OF PRECEPTS

To simplify matters, I will focus on a single precept, the precept to abstain from taking life, and the judgment underlying it. I want to consider first the form of such judgments and the consciousness behind them. Then we will have a look at the form of imperatives like this precept, both in usual moral theory and in its Zen variation.

Crucial to the moral judgment is the copula or link between subject and predicate. For example, in saying “It is wrong to kill [sentient beings],” there is a binding force, characteristic of moral judgments,

5. An alternative view sees wisdom and compassion in a creative tension with one another. This is the way Jin Park reads the Korean Zen master Chinul. See PARK 2006. In either interpretation, both wisdom and compassion are rooted in an originally pure *mind*.

6. See for example Christopher IVES (2006) and Dale WRIGHT (2006). But the connection if any between Zen meditative practice and rational reflection remains in the dark.

7. Jin PARK 2006, at the end of her article.

between killing and wrongness. This force is a measure of how strongly killing and wrongness are connected. Notice that in all but the most literal of ethical approaches in all traditions, Jainism, for example, the force of the connection varies according to different factors. Every tradition adds qualifications to the judgment, so that it is interpreted to mean “killing is wrong except when...” and then an exemption is made. So the binding force is almost always taken as a variable. Granted the variation, we can still ask about the nature of the connection in normative judgments, and its possible alteration in Zen. Moral philosophers typically take the binding force of moral judgments to be different from that in descriptive judgments about how things are.

A description is supposed to reflect accurately the state of affairs described; the truth of the matter at hand determines the binding force. When we describe what we take to be an invariant natural necessity, such as a law of nature, then the binding force is stronger than if we are describing circumstances that are changeable or more subject to interpretation. But in mainstream philosophy, the binding force is still determined by the actual state of affairs. This force both binds the predicate to the subject of the judgment, and binds the person making the judgment to state the truth as accurately as possible.

The second kind of binding here of course is itself a normative one: one *should* state the truth. The sciences *are supposed to* state the truth; the scientist has an obligation. Nishida, following some neo-Kantians, noticed this connection between truth and normativity. Nevertheless, the binding force of truthful descriptive judgments is taken to be quite different from that at work in moral judgments such as “killing is wrong.” Few philosophers today follow the attempt of A. J. Ayer from the 1930s on to reduce moral judgments to descriptions of personal preferences and sentiments.

Normative moral judgments seem to refer necessarily to an external standard that determines their binding force, which determines why killing is wrong, for example. The discipline of ethics tries to discover, or to formulate, the rationale behind the binding force. This ethical consciousness is one of finding a rationale, usually a standard external to the terms of the judgment. The standard might simply be the authoritarian “because I said so” or “because God said so,” or it might be a pragmatic

principle like the preservation of social order. It might be a principle like non-contradiction at work in Kant's categorical imperative, or the value of benefit in utilitarianism, or the value of saving sentient beings in Buddhism. There, for example, we might say that "killing is wrong" because it is detrimental to the liberation of oneself and others. No such external standard seems to be required in non-normative judgments, such as Newton's or Einstein's laws of gravitation. No further standard is required for determining why gravitation is as it is.

To summarize so far, in the usual understanding of normativity, the binding force of moral judgments depends upon a standard external to the particular judgment. The appeal to external standards is the first characteristic of the moral judgment's binding force. The binding force between subject and predicate in this kind of judgment requires more than a match between them, more than true predication. For the judgment to have force, to be true in the sense that a value judgment can be true, there is an implicit reference to an unexpressed value.⁸

Now what about moral judgments in Zen? Before we prematurely dismiss the question by claiming that Zen does not engage in moral judgments, we need to look at an indirect form in which they might appear. Granted that we seldom see explicit judgments and rationales in a form such as "Killing is wrong because it is detrimental to the liberation of oneself and others," we do find plenty of expressions that appear as moral imperatives. Let us take a look at this form.

In general, imperatives, commandments, or precepts are a more common expression of normativity than moral judgments. We could make the case that imperatives imply moral judgments and moral judgments entail imperatives. That is, behind each moral imperative is a judgment about the relative value, the good or evil of a matter, and the judgment is such that it calls for one to act in a manner that accords with it. The call to action is an implication of the moral judgment's binding force;

8. I omit discussion of how this implicit reference differs from that in descriptive judgments whose truth, for many philosophers, appeals to context (Wilfred Sellars) or conceptual scheme (Quine). For others, no such variable context determines the truth of the descriptive judgment. I also postpone consideration of whether the implicit referent in moral judgments must ultimately be a final, definitive judgment or expression of value or some ultimate good.

the imperative form of expression makes this explicit.⁹ Here again we see that the link between subject and predicate in a moral judgment does not suffice to express its binding force, the obligation it calls for.

What else may we say about the binding force of imperatives in particular? Again, let us focus on the imperative form, “Do not kill!” (ものを殺すことなかれ). I am not concerned here with the possible exceptions to the imperative, the possible qualifications that determine the circumstances in which killing might be permitted. We formulate such exceptions and qualifications only where there is a standard rule with a binding force. One might take a behaviorist position and say that the threat of punishment is what determines the binding force of an imperative. “Do not kill, or else! Or else you will be punished.” The threat can take a more subtle form when the punishment is conceived as internal, as in philosophies of karma. For example, “do not kill, or else you will be harming yourself.”

On the other hand, one might take the position that the binding force of the imperative depends only upon that of the implied judgment. “Do not kill because killing is wrong (and killing is wrong because...” where one appeals to an external standard or value). Alternatively, one might appeal to the transformation of such imperatives in Zen into what seem like descriptions such as “there is no killing,” or simply “non-killing.” We need to say more about such statements, but I think that a prior step is needed to make sense of this transformation, lest it simply discard the normative dimension. Or lest one commit the naturalist fallacy, as Christopher Ives warns in his constructive critique of Buddhist ethics.¹⁰

The prior step I suggest also involves an alteration: from one imperative form to another, from “do not kill” to “I will not kill.” In fact, this later is the more common form historically found in communal Zen practice. I call it an imperative because I understand it as a self-imposed demand. One demands of oneself not to kill. Critics might say that self-demands have no ascertainable binding force: if I make a demand solely of myself, I answer to no one and no one ensures that the demand is car-

9. A Nietzschean variation on this connection would say that morality commands an action that makes the judgment true. I am commanded not to kill, to make it true that killing is wrong.

10. IVES 2008, 25-6.

ried out. A self-demand however can be understood as a promise, not to oneself, but to others.

The promise, or more precisely, the vow, is the common formulation of precepts in Zen. Taking vows or receiving the precepts (*jukai* 受戒) is a frequent way to formally join a Zen community or to assume the identity of being a Buddhist. Receiving the precepts means accepting them, vowing to uphold them.¹¹ The vow is a formalized promise and would seem to have the same binding force as a promise. In its phenomenological structure, a promise is a kind of intention that explicitly recognizes a gap between a present reality and an ideal—this is why promises are normative acts—but also calls one to fulfill the ideal. The promise thus differs from other acts that explicitly recognize the gap, such as wanting to do something, in that promising obliges or binds one to (at least try to) fulfill the intention. There is a fundamental difference between vows as self-imposed—or self-decided—imperatives on the one hand, and commands of the form “Thou shalt (not)” on the other. Such commands assume that one has, or demands, authority over others. The authoritarian structure is a factor if one is punished when a vow is broken, but I think the vow is better seen as a demand to oneself.

The placement of the bond differs in Zen vows, and perhaps vows in general, from the bond in other types of promising. It is common to think of a promise as binding the person to perform, or to not perform, some action in the future. The promise binds present and future.¹² Religious vows in Zen—and in other traditions, I think—bind one to each present moment, and their fulfillment is performed progressively, moment by moment, rather than being deferred to the future. The vow

11. In Japanese, the officiant of the ceremony says to the postulant, “*Mono o korosu koto nakare. Yoku tamotsu ya?*” The postulant responds, “*Tamotsu.*” (Thanks to Thomas Yūhō Kirchner for this information.) The precepts also form the subject matter of the final stage of kōan practice in some communities, where an understanding of their content is supposed to be deepened, but I will have to limit my discussion here to a beginner’s understanding of them.

12. The link to the future is considered crucial. Hannah Arendt, for example, proposes that promising is our way of coping with the unpredictable nature of the future, just as forgiveness is our way of dealing with the irrevocable nature of the past. ARENDT 1959, 219–23.

of the first precept, for example, first takes the form “I will abstain from taking life.” In English, the phrase “I will” can indicate the future tense or can express an act of willing; I suggest that the vow stresses the act of willing more than the future tense. I will to fulfill my vow; my willing is here and now and the fulfillment must be here and now. I must be able to say, “I am abstaining from taking life”; my vow binds me to be able to say that. The formulation, “I will abstain,” is transformed into “I am abstaining.” But this abstaining or non-killing takes the form of an ongoing practice, performed for its own sake.¹³ When practiced, when I become practiced or proficient in this acting, when it becomes “second nature to me,” occurring naturally (自然に) so to speak, there is no need for the explicit intention called willing, nor for the reflective reference to “I.” The thought of “I will,” even of “I am... abstaining,” apparently drops out, and we are left with “not taking life.” The imperative “I will not kill” seems transformed into the descriptive “there is no killing,” or more briefly, into “non-killing.”

Several others have explicated this shift as it appears in Dōgen's *Shōbōgenzō Shoakumakusa* for example, as Thomas Kasulis did in his book, *Zen Action/Zen Person*.¹⁴ In the following I add to their explications by proposing that Dōgen is not substituting a descriptive formulation for a prescriptive or normative one, nor simply shifting from the prescriptive to the descriptive. He is rather aligning the two in order to convey the sense of normative practice he consistently advocates.

Earlier I mentioned Dōgen's implied imperative: just do *zazen* and you will be keeping all the precepts. Hakuin implies something similar. Some have taken such comments to indicate an avoidance of the issue about

13. Elsewhere I developed an alternative notion of practice, defined tentatively as “action done over and over again, performed for its own sake but with a learning curve toward improvement, with the whole person, “body and soul,” engaged; that is, with attentive seeing or know-how built into the action. MARALDO 2009, 19.

14. Kasulis explicates the more general imperative “Do no evil,” and its shift into “the nonproduction of evil” (KASULIS 1981, 94). He writes, “Dōgen's basic strategy is to regard this passage not as an ethical imperative but as a description of the ideal state of mind.” My analysis takes the shift not as a substitution but an alignment of imperative and descriptive, and proposes that the ideal implied in the prescriptive is something constantly being realized through practice. If we are to speak of a transformation, it is of the of the practitioner as well as the imperative form.

the bounds of the precepts, and others see an affirmation of the absolute as epitomized in *zazen*, beyond good and evil. Either way, it is rather obvious from their writings that Dōgen and Hakuin did not suppose formal *zazen* was the only activity their monks were to engage in. An alternative reading is to see them advocating *zazen* as the site where one learns to practice. For them, by practicing one learns how continuously to embody a precept such as non-killing.

TWO ZEN TEACHERS ON KILLING

My discussion so far has remained somewhat abstract and general, so I want now to look at two texts that illustrate the sense of normativity in Zen in more concrete terms. Both help us to understand the imperative as declarative in Dōgen and other writers. The first text is the commentary of a contemporary Zen teacher influenced by Dōgen, and the second is a passage from Dōgen's informal conversation with a monk.

More than twenty years ago the contemporary Zen teacher Robert Aitken, founder of the Diamond Sangha in Hawaii, published a book on Zen Buddhist ethics focusing on the precepts. Aitken writes that the

First Precept plainly means “Don’t kill,” but it also expresses a social concern: “Let us encourage life,” and it relates to the mind: “There is no thought of killing.” (AITKEN 1984, 16).

As a teacher of an international community of students, Aitken faced the challenge of explaining how the ultimate “no thought of killing” connects to the imperative “Do not kill.” As an expression of the ultimate, he quotes Takuan: “There is no one killing, no killing, and no one to be killed,” and then warns students of the danger of divorcing this descriptive statement from its use (AITKEN 1984, 17). He goes on to give an example that intimates his understanding of the consciousness behind moral judgments and their transformation, although we will need to pose some questions to bring out the points I want to make.

Writing about one current issue where the precept is relevant, he mentions that he is often consulted by women in his community who are thinking of undergoing an abortion. “...I get the impression that when a

woman is sensitive to her feeling, she is conscious that abortion is killing a part of herself..." It is clear that Aitken approves of that consciousness. "Self-awareness is never more important," he says (AITKEN 1984, 21). We may ask then, what is relation between such self-awareness and "no thought of killing"? On the one hand, self-awareness here presumably means consciousness that reflects on the gravity of killing "a part of oneself" as well as another potentially sentient being. Aitken writes:

if... I learn that the decision is definite, I encourage her to go through the act with the consciousness of a mother who holds her dying child in her arms, lovingly nurturing it as it passes from life. (AITKEN 1984, 21)

Now Aitken would presumably understand the statement "there is no thought of killing" as describing not the mind of a deluded killer oblivious of the morality of his acts, but rather an absence of any intention to kill, even of any act of imagining killing a sentient being. The thought of killing does not even cross one's mind. But the mind of no-killing seems to differ considerably from the mind of someone thinking of undergoing an abortion.

Let us consider two interpretations here. The first takes the "mind of no killing," for Aitken at least, as a description of a normative ideal that the person considering abortion has not yet attained, or not yet manifested. Whether or not Aitken understands it this way is not clear, but he does make it clear that there is no blame, no moral judgment on the person who thoughtfully and self-consciously considers and undergoes an abortion. If realization of the ideal mind of no-killing is lacking, Aitken does not consider the lack a culpable fault.

The second interpretation takes the position that the person can actually be manifesting the mind of no-killing in undergoing an abortion. Perhaps Aitken thinks that the self-aware woman is not really committing an act of killing, that instead she is being aware of "the flow of life and death," a phrase that Aitken uses. His emphasis on the suffering of the would-be mother who deserves our compassion, and his phrase, "to go through the act," suggest a receptive side of a process more than simply an act committed on an other. To reflect the implied receptive and processive side of the action, I have spoken of "undergoing" rather than "committing" an abortion. In either interpretation, it is clear that Aitken

considers the abortion a matter for the woman to decide and implies that the act of decision is irrevocable. He does not mention responsibility, and indeed the word “responsiveness”—to use Thomas Kasulis’s alternative—better captures Aitken’s attitude, as long as we keep in mind the implied normative imperative to be responsive. I noticed that Aitken once again uses a descriptive phrase to evoke the sense of the imperative: “the decision to prevent birth *is made* on balance with other elements of suffering”—he does not say *should be made* this way (AITKEN 1984, 22).

I find the descriptive form of Aitken’s statement more indicative of Zen normativity than the impression that it advances a utilitarian approach. It would be misleading, I think, to take it as advocating a utilitarian *calculation* that aims at a negative balance of suffering in all affected beings. Attempting to add up quantities and degrees of suffering does not seem part of the kind of mind that Aitken promotes here. He does not describe a procedure, utilitarian or otherwise, for making a moral decision. What he does instead is state descriptively a model for understanding and living the precept. (I am concerned here only to make sense of Aitken’s presentation, not to advocate it or to judge its moral adequacy from external criteria.) Aitken’s comments take us far in understanding the consciousness behind moral judgments in part of Zen, but not as far as Dōgen’s comments.

Dōgen’s conversation with a monk is fascinating because it similarly finds him challenged to connect what sounds like an ultimate statement to the imperative form of a precept. The conversation was recorded by the monk, Ejō, about 1233, in the *Shōbōgenzō Zuimonki*.¹⁵ It concerns the famous kōan case of Chan master Nanquan killing a cat. According to the story, Nanquan’s monks in the West Hall were arguing with those in the East Hall about a cat, and when Nanquan challenges them to say a saving word, no one can, so the master kills the cat.

The twentieth-century Zen abbot Zenkei Shibayama comments that

15. The most popular version was produced by Menzan Zuihō (1683–1769), edited among others by Watsuji Tetsurō in 1929. In 1942 an earlier version was discovered at Chōen-ji which often differs in both content and order of presentation and is considered closer to the original text. The case about Nanquan’s cat is found in the kōan collections, *Gateless Gate* (C. *Wumen-kuan*, J. *Mumonkan*), case 14; and the *Blue Cliff Record* (C. *Biyan-lu*, J. *Hekiganroku*), cases 63 and 64.

most people interpret the story “from the standpoint of ethics alone, or from a common-sense point of view, since they do not have the authentic Zen eye and experience to grasp the essence.”¹⁶ I will follow Dōgen’s disciple Ejō in pursuing the unenlightened, non-essential ethical understanding. Following both Ejō and Dōgen, I also assume that killing the cat actually happened, and is not simply a metaphor, as some teachers have suggested. Yamada Kōun for example considers the act a matter of play-acting; Robert Aitken speaks of the case as a folk story whose violence is similar to that in fairy tales; and Sekida Katsuki says the cat is a metaphor for your own ego.¹⁷ The Zen scholar Griffith Foulk commented once that monastery abbots probably didn’t walk around with big kitchen knives. In a very perceptive interpretation, Jin Y. Park deflects the question of whether cutting the cat is metaphorical or factual, and directs attention instead to the monks, whose attachment to some imaginary factual truth they cannot find is itself a form of violence. Her reading advances a post-modernist ethics that sees fixed moral codes as an origin of violence.¹⁸ Dōgen himself, however, takes seriously Ejō’s

16. SHIBAYAMA 1975, 109-110. Robert Carter seems to follow this line of thinking by considering an enlightenment experience as the foundation or origin of all true ethics. But then he proceeds to play with the cat quixotically, as it were, at times advocating a direct response to Nanquan’s question to show one’s presence in the moment, and at times disavowing Nanquan’s action by comparing it with Zen institutions’ support of Japan’s Pacific War : “and if the cat were not a cat [but a child, or one’s enemy in wartime]? ...the [morality of] killing the cat cannot be decided on the basis on the enlightenment experience alone.” Yet again, “moral decisions are all too often kōan-like.” Carter 2001, 99-121; quotations 119-120.

17. YAMADA 1976, 78; AITKEN 1984, 6; SEKIDA 1977, 320.

18. Park writes, “The impasse of the monks and the consequent death of the cat contain an ethical message stronger than any ethical codes. Violence is not committed by Nanquan alone who killed the cat in a literal sense; instead, the monks who failed to respond to Nanquan and we, who thus failed to realize the meaning of Nanquan’s question, became accomplices. Violence is not committed only by our active involvement with physically violent actions. The inchoate origin of violence lies in our non-action and failure to see the world as it is. Violence, then, begins with our thinking. The *physical* violence of killing a cat, be it actual or symbolic, was caused by the monks’ inability to *think* [that is, to participate in the production of truth and meaning] (PARK 2008, 115). After the first layer of violence, articulation and naming, there arises “second layer of violence from the institutionalized system such as moral codes, social regulations, and social laws. Out of this second layer emerges empirical

question whether Nanquan's action was a breach of normative ethics, the traditional ethics of the precepts.

Dōgen calls *cutting the cat* (斬猫) a pivot word or turning phrase that manifests the “great function of the buddha-dharma” and says it should immediately awaken those who hear it. He also explicitly says cutting the cat is none other than the action of a buddha. Ejō finds this confusing, as I do, and asks whether the action was a crime or sin 罪 that breaks the first precept (against killing sentient beings 殺生), to which Dōgen unequivocally answers yes. “How is one to be released from such a crime?” Ejō asks. Dōgen's answer apparently reverts to a different level of understanding that Ejō cannot follow. Texts vary as to his answer, and several English translations use a text considered older and closer to Ejō's version, but add a lot of words to the Japanese original. In Shohaku Okamura's translation, Dōgen replies, “Buddha's action and the criminal action are separate, yet they both occur in one action” (DŌGEN 1987, 29-30). The original is more cryptic: “Separate, inhering together” (別並具 べつ、ならびにくす).¹⁹

and physical violence” (102). While I recognize Park's deep insight into the speechless behavior of the monks, her post-modernist reading deriving from Derrida invites the twin dangers of trivializing physical violence and, insofar as the reading ignores the historical role of monastic regulations in Zen institutions, of substituting an imaginary Zen for its historical forms.

19. The phrase is in the Chōen-ji version, Dōgen 1974, 337. In a note the editors paraphrase it as: 仏行と罪相とは別である。しかし、斬る猫において、同時にそなわっている。The translation into modern Japanese of the Chōen-ji version, by Yamazaki Masakazu, has Dōgen saying 「...斬猫といってよいのだ」 and Ejō responding 「それは、殺生の罪ではありませんか」。Dōgen: 「その通り、罪である」 Ejō: 「どうしたら、その罪から、のがれられますか」 Dōgen: 殺生罪と仏の行いとは別であって、しかも両者を並ね具えているのだ」 (DŌGEN 1972A, 71).

Reihō Masunaga (DŌGEN 1971, 9) translates: “The action of the Buddha and the crime are separate, but they both occur at once in one action.” Masunaga uses the popular version for the most part, but the Chōen-ji version for Dōgen's reply here. (DŌGEN 1971, 113, note 18). Yuho Yokoi (1972B, 15) translates: “Sometimes the Buddha's deed is one thing, and a sinful one is another. And sometimes there is no gap between the two.” Shohaku Okamura (DŌGEN 1987, 29-30) translates: “This action, that is, cutting the cat, is nothing other than Buddha's action.”... Is it a crime or not?” “Yes, it is a crime.” “How are we to be released from [the crime]?” “Buddha's action and the criminal action are separate, yet they both occur in one action.” Thomas Cleary (DŌGEN 1980, 5) translates: “[The activity of Buddha and the wrongdoing] are separate, without appearing to be so.” In a note (page 25) Cleary writes:

What is Dōgen’s saying here? His intent seems undecidable, but we might take both translations as separate but inhering together. The reply could mean, to put it in an imperative form, “you should incorporate both”; or in a descriptive form, “both liberation and sin are contained within the story about the cat [and within life].”²⁰

Ejō continues to ask about precepts, and Dōgen warns against an abuse of teaching methods like killing a cat. He encourages repentance in those who break the precepts and says they should be given the precepts again. This too implies that receiving the precepts is a matter of constant practice, and when broken off, the practice is to be called up again.

In this conversation with Dōgen, the received imperative, “I will keep [the precept of not-killing],” is lined up with the simple descriptive phrase *cutting the cat* 斬猫さんみょう.

It is evident that neither Ejō nor Dōgen takes the phrase to mean simply *cutting out the thought of killing*, or *cutting through delusions*,²¹ else the scandal of the story would disappear for them.

If we can say that Dōgen aligns the imperative with the descriptive, we must then show how the two are related. One way is to look at the language. Dōgen minces no words; he simply calls the action *cutting the cat*. He offers no vindication, no justification, no rationale. He does not excuse Nanquan; nor does he turn the words into an imperative: kill 殺せ under such circumstances! He does advise against holding the view—

This is a difficult passage; the Chōen-ji text has it, ‘They are separate (different) but both contained (in the act).’ Evidently it means that killing the cat as an act of Buddha (to teach) and killing the cat as a from of wrongdoing are separate, or different, yet contained in the same outward appearance.

Menzan Zuihō’s version apparently misreads the characters 並具 as 無見 and has 別別無見なり. His is the *rufubon* or popular version appearing in most editions today, for example, DŌGEN 1932, 713 and DŌGEN 1977, 15.

20. Yet another interpretation is inspired by Husserl’s phenomenology, in which values are subsequent layerings on perceptions. Dōgen would be saying, “there’s the act, and then there’s the judgment that it’s a crime. These are two separable things.” That interpretation however describes issue in terms of mental acts, and ignores the dimension of the continual practice of vows and precepts.

21. Would the pun on *cutting* work in Japanese as well as English? Hakuin, referring to the scheme of eight levels of consciousness in Yogācāra Buddhism, uses a similar expression, quoted by Nishitani Keiji: 「八識田中に一刀を下す」 “Slice right through the field of the eighth consciousness” (NISHITANI 1974, 23).

referring to the *prātimokṣa* precepts 別解脱戒—that killing the cat was a means of awakening others.²² He simply aligns the moral judgment “it is a crime” and its implied imperative with the descriptive. They are separate, yet inherently aligned.

Another way to relate them is to say that the description states the ideal that the practitioner is to strive for in following the imperative. This leads us back to the view that Dōgen transforms the imperative into a description of an ideal, an interpretation that calls for more analysis.²³

THE REALIZATIONAL NATURE OF THE IDEAL

If we say that non-killing describes an ideal, we must keep in mind the way that Dōgen conceives the ideal. This differs from the usual understanding of ideals in normative theories. The usual understanding takes the ideal as removed from the real and the present, sometimes so

22. 「但、如是料簡、直饒好事なりとも下如無」ただしかくの如きのれうげん、たとひこうじなりともなからんにはしかじ (DŌGEN 1972A, 65; *kana* reading by Watsuji, DŌGEN 1977, 15).

23. In a perceptive analysis, Douglas K. Mikkelson offers a line-by-line exegesis of the entire conversation in the light of passages from relevant chapters of the *Shōbōgenzō*. He relies upon Masunaga’s translation of the conversation, which renders the crucial passage I examine as “The action of the Buddha and the crime are separate, but they occur at once in one action.” He also follows Kasulis’s interpretation of the *Shōbōgenzō Shōakumakusa* as a shift from the prescriptive precept into a descriptive account of the enlightened mind that without thinking produces no evil. Precepts and moral judgments are situational, implying that the ultimate norm is not to be attached to them. Dōgen seeks to point out that attachment to this moral precept (or any other, for that matter) is unwarranted. ...Moral judgments... are temporary configurations arising and falling with all the various circumstances (*jietsu*) coalescing in any given situation.” The “Buddha act” and “the crime” are separate:

There is not a cause (the cat-killing Buddha act) and subsequent effect (a crime) linked together in a linear, sequential spatiotemporal relationship.

Rather, the Buddha act and the crime are discrete events, discontinuous from each other, which arise at the same time” (MIKKELSON 1997, 392).

I fail to see how the passage can take Nanquan’s action as two different events; even Masunaga’s translation reads “they occur at once in one action.” I think too that Ejō’s initial question about cause and effect presupposes that the cause is the inability of the monks to respond, and the effect is Nanquan’s killing of the cat—rather than that the “Buddha-act” is a cause and the crime an effect. In Mikkelson’s reading, Nanquan’s

removed that it belongs to a separate realm, as in Plato's theory. This sort of ideal has its own sort of separate existence that can be conceived and formulated; it is what we may call *pre-existent*. Dōgen takes the ideal differently.

In reading Dōgen and other Japanese philosophers, two assumptions concerning the achievement of ideals are undercut: one assumption about relation between ideals and actuality, and another about the relation between the means needed to achieve the ideal and the end or ideal itself. One common assumption in normative ethics is that there is clear distinction between what should be, and what actually is; and as long as what should be is possible, as long as it *can* be, then one *ought* to try to achieve it. Ultimately, one ought to posit the *ought*. The implicit alignment of *is* and *ought* in Dōgen places their difference into a more encompassing space. Another common assumption is that the means is distinct from the end to be achieved. Zen teachings, as well as much classical Confucian and Buddhist literature in general, and even Aristotle's virtue ethics, commonly undermine the difference between means and end. They do so by enjoining a form of practice geared to realize an end that is not different in kind from the means to realize it. There are different senses in which this is the case: The sense of Aristotle's example of playing the flute to be proficient in flute-playing is different from Dōgen's sense of *zazen* as manifesting the end or goal of liberation. In both examples the end to be achieved is not of a different kind from the means; the so-called means is an actualization of the end. But in Aristotle the relation is one of gaining proficiency, while in Dōgen it is a matter of manifestation: the means of *zazen* inherently manifests the end, the reality of enlightenment.

In the *Shoakumakusa*, Dōgen writes "At the very moment of doing good, every good comes into existence" (DŌGEN, N.D.). Dōgen's sense

act incurs a karmic debt that however "is immediately paid without remainder.... Thus the act of killing the cat can be an act of bringing others to enlightenment when performed from the standpoint of enlightenment" (393). Although he recognizes Dōgen's ambivalence about this act and his suggestions for alternative acts, Mikkelsen implies an ultimate norm that is the morally transcendent functioning of the enlightened mind. On the basis of the Japanese versions of the text, I have tried to avoid a direct appeal to the hermeneutical principle that "enlightenment is all one needs."

of the ideal is *realizational*, to adapt Hee Jin Kim's phrase.²⁴ Practice realizes the good in the world, and what good *is*—what defines good—is realized in the mind of the practitioner. Nishitani often deliberately punned on the English verb *realize*, meaning both objectively *actualize* and subjectively *recognize*. Dōgen makes abundantly clear in texts such as the *Bendōwa* that practice manifests realization, and he continually advocates practice in all his writings. Again, in the *Shoakumakusa* he writes, "Every good is not existent, is not non-existent, is not form, is not emptiness, nor anything else: it only is devoutly practicing" (DŌGEN, N.D.). Not doing [evil], not killing in our example, is the practice of not killing, where the genitive "of not killing" is subjective as well as objective, where it is not-killing's practice. In Dōgen's language, *not-doing* or *not killing* becomes the subject that acts; it is not-killing's practice and not-killing's doing. In Dōgen's language, the mind of "I will not kill" as well as of I am practicing non-killing" seems to drop away to leave, simply, "non-killing." But the descriptive "non-killing" for Dōgen also *encompasses* the imperative rather than discards it. He says, "Even an admonishment not to act evil and even a recommendation to act good are fully apparent 'not doing'" (DŌGEN, N.D.). To use our example, *even an admonishment not to kill is manifest in "not killing."* This understanding seems to be more encompassing than Aitken's reading, "there is no thought of killing," which can be taken to mean that the thought of killing simply does not cross one's mind, or even that one becomes incapable of killing. This understanding is also more fruitful than a reading that reverts to the view that the cat case is, after all, a kōan and therefore a paradox. Let us look briefly at these two readings.

The reading of Dōgen's response as a paradox plays on the duality of killing and non-killing, evil and good, and says that somehow the two are paradoxically equivalent (and as dualistic, mistaken). It questions the decision to call non-killing good and killing evil. It challenges ordinary views with questions such as, Why not killing? Why isn't killing a way to be? If killing is not a good way to be, why not? It suggests that whatever normativity is operative in Zen, it cannot answer this question, cannot appeal to an external standard telling us why something is good or not.

24. See KIM 1987, 76ff.

Such an appeal would beg the question and imply simply that killing is not good because it is not good. The paradoxical reading would imply further that there is no ultimate good, and therefore any appeal to a superior good is ultimately otiose. This reading however, does not necessarily imply a relativist position, to the effect that what is good or bad depends solely on some other variable or other, that “it all depends.” And even if we cannot say ultimately that something is good and something else bad, the reading implies that discriminating good and bad, right and wrong—as absolutes or as relatives—is itself bad, itself an exercise of delusion. Whether this paradox can be resolved by the two-truths theory I will have to leave for future deliberations. Shall we say that discrimination is bad? Or simply that discrimination is? The paradoxical solution is hard to reconcile it with the more common approaches to ethics that we find in Dōgen and other Zen masters, who do not discard the precepts or the *pāramitā*.²⁵ The realizational approach is more promising.

The reading, “there is no thought of killing,” reminds us of approaches to ethics in non-Buddhist traditions. The moral alternative of becoming incapable of doing wrong is not limited to Eastern philosophy, much less to Zen. Plato’s translator, G. M.A. Grube, writes that the aim for Socrates was “not to choose the right but to become the sort of person who *cannot* choose the wrong and who no longer has any choice in the matter” (GRUBE 1975, 2). In the case of receiving the precepts in Zen, instead of よくたもつ, “keep well [the precepts],” we would have たまらない, “[I] cannot help but [keep the precepts].” Aitken implies this ideal, the inability to choose the wrong, in his mention of the woman’s decision to undergo or not undergo an abortion. He suggests that a good practitioner can morally choose an abortion, though not without thinking. This ideal, admirable as it is, does not go as far—or as near—as the formulation of Dōgen. In Dōgen, the imperative is not replaced by the descriptive; both are contained within the same space. *Imperative* and *descriptive* forms are

25. Note that in traditional Buddhist schools including Zen, *śīla* or morality is treated as a *pāramitā*, a “perfection.” *Śīla* is moral practice, akin perhaps to the kind of normative ethics, like virtue ethics, where no judgments are issued but a binding or guiding standard is still made explicit.

grammatically separate, but inherently aligned. If we need a single word to express this space, I think the word *declarative* will do.

These considerations suggest an alternative, both to common views about Zen ethics and to the classical distinction between descriptive and normative, *is* and *ought*. They suggest that, in some Zen literature at least, normativity is not a preliminary stage ultimately transcended or undermined by something ultimate and absolute. The imperative form of Zen precepts is not ultimately replaced by a descriptive and non-normative form. Such a step would amount to a “naturalist” or “realist” reduction of ethics, an account that replaces normative statements with descriptions, as we find in the social-biologist Edward O. Wilson’s statement:

If the empiricist world view is correct, *ought* is just shorthand for one kind of factual statement, a word that denotes what society first chose (or was coerced) to do, and then codified.... *Ought* is the product of a material process.” (WILSON 1998, 251)

Rather, the two forms of expression, descriptive and normative, *is* and *ought*, depend on one another for their sense.

If we use the word *declarative* to express their common space, we need to note one more feature of the alternative. I am not sure how to say it best, but suppose we declare that killing is *not to be*. We implicitly describe but also advocate a *way to be*. No further appeal is given, no threat of punishment, no transcendent measure, no “just because.” No ultimate answer to the question why is killing is wrong. Any such answer would refer to a further reason or ground. Instead of an appeal to a further ground, we find a pattern of manifestations, in this case, of suffering. Their connection is the ultimate equation of suffering and evil. It is not so much that suffering is considered an evil, as suffering is the meaning of evil. Some ultimate Zen understanding may say that it is only delusion that sees suffering in the world; the idea of suffering is itself a product of delusion, and so this evil is a matter of perspective, not an absolute. But Zen teachers like Dōgen also remind us that, as for deluded beings, suffering and its causes are real and to be overcome. Even if overcoming means practicing to see.

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