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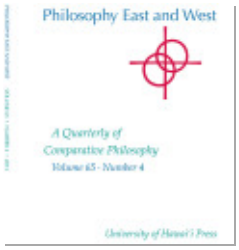

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MADHYAMAKA BUDDHIST META-ETHICS: THE JUSTIFICATORY GROUNDS OF MORAL JUDGMENTS

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In recent decades, several attempts have been made to characterize Buddhism as a systematically unified and consistent normative ethical theory. This has given rise to a growing interest in meta-ethical questions. Meta-ethics can be broadly or narrowly defined. Defined broadly, it is a domain of inquiry concerned with the nature and status of the fundamental or framing presuppositions of normative ethical theories, where this includes the cognitive and epistemic requirements of presupposed conceptions of ethical agency.[1] Defined narrowly, it concerns the justificatory status of fundamental moral claims or judgments, i.e., claims or judgments of the form 'x is good, right, virtuous' and 'x is bad, wrong, vicious.' The present essay is a study in Buddhist meta-ethics, narrowly defined.

There is much (though not absolute) agreement among historical and contemporary Buddhist thinkers about *which* characteristics, qualities, or action-types count as good or virtuous, in general. Loving-kindness, compassion, and equanimity, for example, are accepted by most Buddhists to be generally good; suffering, greed, and hate to be generally bad. There is much less consensus in metaphysical and epistemological commitments, however. Within the assumed framework of the Four Noble Truths as taught by the historical Buddha, centuries of philosophical inquiry, debate, and hermeneutical development have given rise to a complex and, at times, conflicting variety of philosophical positions. This provides for varied 'Buddhist' answers to fundamental meta-ethical questions.

Mindful of this diversity, this essay shall restrict its inquiry to a particular Buddhist tradition, namely that of Madhyamaka. Mādhyamika[2] thinkers, like most Buddhists, accept standard Buddhist classifications of qualities and related action-types as generally good, meritorious, and virtuous or evil, wrong, and cruel.[3] My concern here is not with assessing whether any particular aspect of this assumed classification is distinctive to Madhyamaka, i.e., whether there is a distinctively *Madhyamaka* Buddhist Ethic. My concern is narrowly meta-ethical and is framed by the following question: Can Madhyamaka provide a satisfactory justificatory basis for these Buddhist ethical views given its particular analyses of metaphysics and taking into account the differences in epistemological commitments that distinguish Prāsaṅgika and Svātantrika Madhyamaka?

This narrow meta-ethical question was raised and preliminarily addressed by Finnigan and Tanaka (2011a) in the final chapter of *Moonshadows* (Cowherds 2011). They approached this question by briefly considering two strategies derived from earlier chapters, namely 'ethical contextualism,' inspired by the epistemological

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contextualist interpretation of conventional truth offered by Mark Siderits (Cowherds 2011, chapter 10), and the views of Patsab Nyimadrak as characterized by Georges Dreyfus (chapter 6). Finnigan and Tanaka's sub-conclusion was negative. That is, they judged these strategies to provide insufficient justificatory grounds for moral judgments. They also took their discussion to expose Madhyamaka as being limited, in general, with regard to providing such justification. Finnigan and Tanaka (henceforth FT) embraced this outcome and used it to motivate a shift of philosophical focus from the narrow meta-ethical question (one that they believe Madhyamaka cannot satisfactorily answer) to a broader exploration of the possible roles and functions of *assumed* moral values (whether or not fundamentally justified) for shaping ethical conduct and agency.

FT's argument has since been challenged by Tom Tillemans (2010–2011). Tillemans contends that FT inadequately establish the view that Mādhyamikas cannot justify their moral judgments. In this respect, I believe he is right; FT's sub-conclusion requires further argument. Tillemans goes further, however, and opposes this sub-conclusion by alleging that both Svātantrikas and Prāsaṅgikas can readily justify their moral claims by respective appeal to the notion of conventional truth (p. 362). In this respect, I believe Tillemans is wrong. In what follows I shall contest this allegation as it relates to Prāsaṅgika Madhyamaka. I shall argue that a Prāsaṅgika Madhyamaka appeal to conventional truth, as characterized by Tillemans, not only reveals additional difficulties for attempts to provide justificatory grounds for moral claims but that a thorough elucidation of this notion provides reasons that support FT.

Relevant Methodological and Background Assumptions

Before proceeding, we need to clarify the object of inquiry, the methodological approach adopted by this inquiry, and the characterization of Prāsaṅgika and Svātantrika Madhyamaka commonly assumed by FT and Tillemans.

Tillemans (mistakenly) reads FT's sub-conclusion as the claim that Mādhyamikas cannot engage in justificatory *reasoning*. He responds by defending the view that not only *do* Mādhyamikas engage in justificatory *reasoning* (i.e., an accurate descriptive, exegetical claim) but that justificatory reasoning is *consistent* with the metaphysical and epistemological commitments of Madhyamaka (an accurate normative, philosophical claim). Given that Mādhyamikas can and do engage in justificatory reasoning, Tillemans argues that it is thus also possible for Mādhyamikas to engage in justificatory reasoning about the ethical merit of certain proposed courses of action (i.e., engage in ethical reasoning).

While Tillemans' point is valid, it is not sound as an objection to FT 2011a, given that the exegetical plausibility and philosophical possibility of justificatory *reasoning* for Madhyamaka is not its object of inquiry. Nor will it be the object of the present essay. The crucial issue concerns whether Mādhyamikas can justify the general and fundamental moral judgments from which evaluative conclusions about particular actions are derived. That compassion, for example, is judged as good and suffering as bad are, in general, fundamental assumptions that inform much Buddhist ethical

reasoning about whether particular actions count as good or bad, right or wrong. The object of inquiry for this essay (as for that of FT 2011a) concerns the *justificatory status* of these more general, framing moral judgments, claims, or commitments rather than the possibility of deriving particular conclusions via justificatory *reasoning* or the status of any particular conclusion about what to do in a particular circumstance as a result of such reasoning. Given its metaphysical and epistemological assumptions, can Madhyamaka provide a satisfactory *justificatory base* for these most fundamental Buddhist moral judgments?

It is important to note the modality of the question framing our inquiry. We are asking whether Madhyamaka *can* provide justificatory grounds for fundamental moral judgments. The relevant sense of possibility concerns consistency and, as such, it is a normative notion. That is, we are asking whether a *consistent* Mādhyamika, i.e., one who is *consistent* with their particular analyses of metaphysics and epistemology, can be justified or warranted in their moral judgments by the light of their own assumptions. Further, we are asking whether Tillemans is right to suggest that consistency can be maintained, and a justificatory basis for moral judgments secured, by appeal to the notion of conventional truth. These are not primarily exegetical issues. They call for systematic philosophical analyses (what Tillemans calls 'rational reconstruction') of the nature, presuppositions, and implications of Madhyamaka philosophical commitments *given* some interpretation of these commitments.[4] And this is how I shall approach them. The starting point for my 'rational reconstruction' shall be certain assumed views about the nature of Madhyamaka metaphysics. The interpretations of these assumed views are derived from Tillemans 1999, Dreyfus and McClintock 2003, Siderits 2003 and 2004, and Cowherds 2011.

What, then, are the relevantly assumed views? It is widely accepted that the central feature of a Madhyamaka analysis of metaphysics involves rejecting the notion that things possess *svabhāva* (inherent or intrinsic existence). The concept of emptiness *(śūnyatā)* articulates this negated idea. To be empty is to be devoid of *svabhāva.* I shall follow Tillemans in characterizing this negative analysis as *śūnyavāda* (the "philosophy of emptiness" [2010–2011, p. 360]). Whether or not *śūnyavāda* has any philosophically interesting bearing on the nature and status of moral claims will depend, in the first instance, on how one understands the object of negation, i.e., what it means for something to have, and thus to lack, *svabhāva.*

According to the recent elucidation of Mark Siderits (2004), the relevant sense of *svabhāva* is rooted in the Abhidharma project of trying to clarify the status of persons given a skeptical view about the ontological status of wholes (universals, genera, kinds, and types). This skeptical view, in turn, is grounded in an attempt to distinguish what is conceptually constructed (understood as 'mind-dependent') from what is objectively real (understood as 'mind-independent'). As exemplified by Vasubandhu's *Abhidharmakośa,* rigorous analysis led Ābhidharmikas to "search for genuinely impartite entities, the *dharmas,* that may truly be said to be ultimately (mind-independently) real" (Siderits 2004, p. 395). What was thought to distinguish one *dharma* from another is the possession of *svabhāva* or intrinsic nature, understood as an essential property that is neither 'borrowed' from anything else nor the

product of mental categorization, conceptual construction, or inference. Utilizing the distinction between the conventional and the ultimate, Siderits attributes to Abhidharma the view that only *dharma*s *ultimately* exist (i.e., only *dharma*s have mind-independent ontological status). This is not meant to imply that persons (understood as composite or aggregated wholes) do not exist or that talk of persons should be eliminated. Rather, persons are considered to exist *conventionally,* where the criterion for conventional existence, according to Siderits' analysis, is pragmatic utility given human interests and cognitive limitations.

Nāgārjuna, the central figure of Madhyamaka philosophy, provides arguments that challenge the idea that there is an ultimate ontology consisting of *dharma*s with *svabhāva*. So much is widely accepted. It is a matter of dispute, however, whether anything can be positively inferred from Nāgārjuna's arguments concerning the ontological status of what lacks *svabhāva* and thus a matter of dispute as to how best to characterize *śūnyavāda.* Some characterize Madhyamaka as accepting the Abhidharma *characterization* of the distinction between ultimate existence *(paramārthasatya)* and conventional existence *(saṃvṛtisatya)* but denying that anything ultimately exists. *Śūnyatā* is thus understood as the rejection of *paramārthasatya*. This is not the only logical possibility available to Madhyamaka. They might, alternatively, accept the notion of *paramārthasatya* but reject the Abhidharma characterization of the term. This is controversial.[5] In either case, neither Tillemans nor the present essay assumes that *paramārthasatya* is a warrantable justificatory basis for the moral judgments of Madhyamaka. If this is right, what positive alternative could there be?

For many Mādhyamikas, since everything is devoid of *svabhāva,* whatever exists does so (only) *conventionally.* They disagree, however, about whether Nāgārjuna's methodology commits him to positive assertions and thus whether a Mādhyamika, who is consistent with this methodology, should make any positive assertions. Nāgārjuna's arguments against the notion of *svabhāva* take the form of *prāsaṅga (reductio ad absurdum).* Some early debates among Classical Indian Mādhyamikas concern whether or not *prāsaṅga* arguments imply a positive commitment to the conclusion of the argument (e.g., through the process of 'reversing the consequence,' *prasaṅgaviparyaya*).[6] In later debates, the term 'Prāsaṅgika' was introduced to refer to those who deny this implication and 'Svātantrika' to those who defended its acceptance. Generally speaking, Prāsaṅgikas insist that Mādhyamikas should restrict themselves to arguments that proceed from their opponent's own premises, which are accepted by the opponent alone, without making any positive assertions. As Tillemans points out, this need not imply that Prāsaṅgika cannot 'hold' any positive views. Rather, according to Tillemans, "Prāsaṅgikas must remain in keeping with what the world acknowledges *(lokaprasiddha),* and should not, as do the other Buddhist schools, propose radical alternatives" (Tillemans 2010–2011, p. 364). Tillemans attributes the relevant epistemic stance to Candrakīrti, citing the following passage from Candrakīrti's *Prasannapadā Madhyamakavṛtti*:

> The world *(loka)* argues with me. I don't argue with the world. What is generally agreed upon *(saṃmata)* in the world to exist, I too agree that it exists. What is generally agreed upon in the world to be nonexistent, I too agree that it does not exist.[7]

Svātantrika, by contrast, permits the positive assertion of conclusions (even, and especially, if they are at odds with the agreed views of 'the world') provided that they are suitably qualified as *conventional.*

Tillemans (2010–2011) alleges that Svātantrika and Prāsaṅgika Madhyamaka can both readily justify their moral judgments by appeal to the doctrine of the two truths, respectively interpreted. The possibility of justifying moral claims is available to Svātantrika Mādhyamikas, in Tillemans' view, given that they characteristically accept positive commitment to the conclusions of probative or autonomous arguments.[8] Moreover, Tillemans insists that even Prāsaṅgika can warrantably engage in justification if this is understood as some "rational strateg[y]" (p. 362) that reinstates and legitimizes "the world's ideas" (p. 364) and "the world's fundamental moral intuitions" (p. 364) as justificatory grounds for moral claims. That is, Prāsaṅgika can justify their moral judgments by straightforward appeal to the notion of conventional truth as characterized by what is *lokaprasiddha* (i.e., 'accepted by the world')—namely "the conventional truth of the world *(lokasaṃvṛtisatya)*" (*Mūlamadhyamakakārikā* XXIV.8 [Nāgārjuna 1995]).[9]

This is not to say that Tillemans thinks there are no *genuine* justificatory problems for Madhyamaka with respect to ethics. Prāsaṅgika, like many Buddhist thinkers, appeal to *karmic consequences* when evaluating the merit of particular courses of action. Karmic consequences are assumed to be epistemically inaccessible to ordinary cognition. Tillemans argues that appeal to this notion is systematically in tension with the methodological constraint of accepting what is *lokaprasiddha.* I believe he is right about this. Justifying *this* aspect of ethical reasoning will be extremely difficult for Prāsaṅgika. It seems to me, however, that the question of whether Mādhyamikas can justify the more general and fundamental moral judgments asserted in their philosophical writings and which function as major premises in ethical reasoning is not as easily answered as Tillemans suggests. It is this last point that I shall contest here. I shall argue that Prāsaṅgika cannot satisfactorily justify their fundamental moral judgments by appeal to what is *lokaprasiddha.* To establish this claim, I shall investigate several argumentative strategies that make positive appeal to this notion and shall demonstrate their philosophical limitations.

A Moralized Approach to Conventional Truth

According to Tillemans, the relevant sense of conventional truth and conventional existence[10] assumed by Prāsaṅgika is that which is accepted by 'the world,' i.e., ordinary, everyday folk who are not in the business of constructive philosophizing. The relevant sense of *saṃvṛtisatya,* for Prāsaṅgika, is thus to be understood as *lokasaṃvṛtisatya.* Tillemans attributes this view to Candrakīrti. I shall not contest this interpretation of Candrakīrti or Prāsaṅgika but shall subject it to philosophical scrutiny.

To understand what it means to characterize conventional truth in terms of the 'world's views,' it may help first to clarify the alternative. Biochemists and quantum physicists have competing ontologies. On a late Carnapian anti-realist analysis, competing empirical claims can be justified as true in respective reference to the

evidential ontological bases distinctly assumed by the theories in which they are made. Questions about whether the relevant entities exist outside these theoretical frameworks are meaningless (see Carnap 1956). From the perspective of Prāsaṅgika Madhyamaka, one might say that both theoretical systems (biochemistry and quantum physics) have constitutive claims that are conventionally true, where this is explained by semantic reference to theory-relative sets of conventionally real entities. Prāsaṅgikas and Carnap seem to agree that metaphysicians only get paradoxically entangled when they attempt to establish the (ultimate) status of these entities and claims beyond the scope of assumed (conventional) theoretical frameworks. This need not entail that all conventional systems are on a par. Rather, the acceptance of these conventional systems may be grounded in their pragmatic utility.[11]

Neither the biochemical nor quantum 'conventional' descriptions of reality constitute the views of 'the world' as conceived by Candrakīrti. The latter are supposedly the views of ordinary, everyday persons who are characteristically not in the business of constructive philosophical or scientific inquiry (namely the cowherd). While it is difficult to give a precise characterization of what the ordinary person recognizes to exist (on pain of constructive theorization), one might plausibly characterize it in terms of a shared belief in a world populated with mid-sized things (e.g., tables, cows, people) that are, in some broad sense, cross-culturally and a-historically observable and variously designated in a range of natural languages.

The idea that (at least) adult human beings share some such folk ontological belief is intuitive. It seems intuitive to think that, despite divergences in more sophisticated 'conventional' ontologies, the biochemist and the quantum physicist nevertheless share this ordinary thing 'worldview' and, moreover, that they live much of their lives by its lights (i.e., they do not, in the first instance, pick up quantum strings or cellular molecules with their chopsticks, but, e.g., rice). It is also intuitive that were we to meet Candrakīrti's seventh-century cowherd we would likely agree with their descriptions of what is the case (e.g., that there is someone on the mountain herding cows). Defining *saṃvṛtisatya* as *lokasaṃvṛtisatya* seems plausible, I would like to suggest, because the idea of there being a generally recognized cross-cultural, a-historical folk-ontology seems plausible.

Tillemans' characterization of conventional truth extends further, however. He argues that Prāsaṅgikas can justify their moral judgments by assuming "the world's fundamental *moral* intuitions" (2010–2011, p. 364; my italics). This assumes that the conventional truth of the world consists not only of certain folk ontological beliefs but also certain folk moral intuitions. Reflecting back on our earlier citation from Candrakīrti, Tillemans appears to be replacing 'what is generally agreed upon in the world *to exist,* I too agree *that it exists*' with 'what is generally agreed upon in the world *to be good,* I too agree that *it is good.'* This replacement, I would like to suggest, is both exegetically and philosophically controversial. Setting aside the exegetical issues, one might wonder whether anything properly corresponds to 'the world's fundamental moral intuitions.'

The idea is not implausible. An underlying assumption of some contemporary ethical inquiry is that modern life is plagued by moral disagreement given apparent

differences in values held by various cultures and individual persons. This assumption can, and probably should, be challenged. A central objective of contemporary virtue ethics, for instance, is to demonstrate that there is a porous and shifting but nevertheless relatively stable cross-cultural and historical recognition of distinctions between qualities that count as generally good (virtues) and generally bad (vices).[12] One might also note that contemporary normative ethical theories often converge in central cases of action evaluation (though not always). It is arguable that no normative ethical theory entails, for instance, that murdering human babies for fun is the right thing to do. This could be coincidental. It could alternatively suggest that moral intuitions *motivate* ethical theories rather than are *guided* by them. That is, if an ethical theory *did* entail that murdering human babies for fun is right then this is reason to revise the theory rather than revise the intuition that says it is wrong. One might take this apparent convergence in moral intuitions to imply their relative stability and thus as giving sense to the notion of 'the world's fundamental *moral* intuitions.'

Unfortunately, these considerations are not decisive. It is undeniable that ordinary folk, in the very same linguistic and cultural communities, can and often do disagree in their evaluations of central and important action-types (e.g., abortion, female circumcision, veganism, or actions related to animal welfare). Of course, this fact of disagreement is not decisive either. One might accept the fact of disagreement but deny that it counts as genuinely *moral* disagreement concerning fundamental moral intuitions. Some cases, one might argue, are simply disagreements about the *scope* of some fundamentally shared intuition (e.g., does the *shared* intuition that 'murder is wrong' extend to a fetus?). In other cases, it could be argued that one of the parties in the dispute is simply mistaken (i.e., lacks relevant information, is making a false inference, is biased) but, once corrected, would be revealed to actually share the relevant intuition. *Establishing* that *all* moral disagreements are only apparent in one of these ways, however, would be a considerable philosophical task.[13]

The crucial point is that while one might readily assume stability in folk *ontological* beliefs (where disagreement is left to the philosophers and scientists given their particular concern with foundational questions), the same kind of stability in the *moral* assessments among 'the folk' cannot be straightforwardly assumed. This is because it cannot readily be assumed that there *is* a general agreement in moral intuitions with which a Prāsaṅgika *could* straightforwardly agree. Further argument to support this moralized extension of conventional truth is required.

Contextualizing Conventional Truth

One who is sympathetic to a moralized approach to conventional truth might respond to the difficulties above by arguing that they result from an overly strong interpretation of the expression 'what is generally agreed upon in the world' in Candrakīrti's remark. We have approached this notion in a globalized sense (i.e., the pre-reflective moral intuitions shared by the entire set of intuiting individuals). This could be a mistake. One might insist on a much weaker interpretation, namely that 'the world's

view' is meant simply to pick out a certain attitude (namely pre-reflective, pre-theoretical, "superficial" [cf. Tillemans 2010–2011, p. 365]) rather than a domain of people who have such attitudes. One might thus argue that 'what is generally agreed upon in the world' simply refers to the views and moral intuitions that are *pre-reflectively* accepted by *some* folk in *some* context with no particular emphasis on the particular folk or the particular context in question. Indeed, one might go so far as to say that conventional truth is *thoroughly contextualized;* i.e., there is no ultimate truth about which context of pre-reflective moral intuitions of which folk is correct, just complex conventions delimiting the relevance of appealing to a particular context of intuitions in a particular circumstance.

Tillemans seems to have something like this in mind when he introduces a 'public/private distinction' to explain why certain Buddhist arguments (i.e., those that appeal to suffering as a consequence), but not others (i.e., those that appeal to karmic consequences), may have suasive force for non-Buddhists.[14] The suasive force of arguments is relativized to a context, where a context, for Tillemans, is a set of shared beliefs. Appeal to scriptural authority is thus explained as persuasive only for Buddhists because only this "private context" includes a belief in the Buddha's scriptural authority. The basic idea could be generalized to include moral intuitions. Moreover, depending on the conventions employed to delimit social groupings, one might argue for an indefinite number of potentially overlapping 'private contexts' of beliefs and moral intuitions.

Contextualizing conventional truth in this way has the advantage of better explaining the pluralism in moral intuitions suggested by the, at least apparent, fact of moral disagreement. It comes at a cost, however. That is, it may seem to lead Prāsaṅgikas into the "dismal relativism" that Tillemans elsewhere attempts to avoid (cf. Tillemans 2011). Without *some* qualification on the conventions that delimit *relevant* moral intuition contexts, a Prāsaṅgika could be as justified in asserting that compassion is good as that it is bad. This is because the justificatory status of competing claims would be explained entirely in terms of divergences in the intuitions of interlocutors, fundamental consistency among which cannot be readily assumed. Contextualizing conventional truth also seems to lose some of the revisionary potential suggested by its globalized form. Consider, for instance, recent debates concerning the justificatory status of certain gender-specific *vinaya* precepts.[15] Informed by these debates, one might ask whether a Prāsaṅgika *bhikṣuṇī* is justified in adhering to those precepts that seem to be out of step with the moral intuitions of the twenty-first-century Western world with respect to gender discrimination. Contextualizing conventional truth admits a positive answer to this question. That is, by the lights of contextualized conventional truth, one could argue that these precepts are justified because they are generally accepted in the 'private context' of Buddhism. A *vinaya* revisionist or one seeking to derive a global ethic from Buddhism might consider this an undesirable outcome and one not so readily available in a globalized interpretation of conventional truth. The cost of re-embracing the latter, however, is that it potentially undermines not only the precepts one may wish to revise but also those

one may wish to preserve. *Lokasaṃvṛtisatya,* as a methodological constraint, is indiscriminate in this respect.

Limiting Conventional Truth to 'Purely' Descriptive Facts

We are investigating whether a consistent Prāsaṅgika Mādhyamika can satisfactorily justify their fundamental moral judgments in terms of an adherence to what is accepted by the world (conventional truth understood as *lokasaṃvṛtisatya*). Our discussion has thus far been motivated by an attempt to locate some *factual* basis on which moral judgments can be grounded, i.e., *the fact* of general agreement of moral intuitions, whether in a globalized sense or contextualized to a group of interlocutors. We have provided reasons to doubt whether there *is* a fact of general agreement, globally construed. Moreover, we have provided reasons for thinking that a contextualized approach to such agreement results in an unsatisfying form of relativism.

One might attempt to overcome these difficulties by arguing that the problem lies not with conventional truth *per se* but rather with the inclusion of 'moral intuitions' into its reference class. We earlier suggested that there is more stability in folk ontological beliefs than folk moral intuitions. In view of this, one might retain the idea that moral judgments are grounded on a certain factual basis but nevertheless insist that the relevant facts are simply features of this relatively uncontroversial descriptive ontology that is pre-theoretically accepted by ordinary, everyday people.

This approach has certain attractions. It might, for instance, be taken to vindicate attempts to justify moral judgments by reference, for example, to natural biological facts concerning the tendency of sentient beings to react propensively or aversively to pleasure or pain.[16] This need not involve *establishing* that these 'natural' facts *ultimately* obtain (as conclusions of probative arguments, say). Such a possibility would be unavailable to Prāsaṅgikas, for reasons offered earlier. A defender of this view need only point out that most everyday folk tend to agree that pain is bad and to be avoided (i.e., it is an aspect of conventional truth, globally construed). Indeed, it could be further argued that it is precisely this shared folk belief that the Buddha articulates with the First Noble Truth; i.e., the truth of suffering. Accordingly, it could be derivatively argued that the moral judgment 'compassion is good' is justified because acting compassionately 'tends'[17] to reduce pain and the folk generally tend to agree that pain is to be avoided.

There are some problems with this argument. The main problem is that it seems to slide illicitly from a factual claim (that sentient beings are averse to pain) to an evaluative claim (that pain is bad and should be avoided). Acceptance of the former is logically consistent with rejection of the latter. In order to appeal legitimately to factual claims about pain-aversion to form the justificatory base for such moral judgments as that, for example, compassion, equanimity, and loving-kindness are good, we would seem first to need to account for how pain-aversion can ground the evaluative claim that pain is bad.[18] There are well-known philosophical challenges to the possibility of providing such an account. The most prominent involves insisting

that no evaluative conclusion can be validly inferred from a set of purely factual premises.[19] While it might be possible to derive particular evaluative claims (e.g., compassion is good) as conclusions of justificatory arguments, this is only because they would be derived from some general or more fundamental evaluative claims that are (explicit or implicit) in the argument (such as that compassion reduces pain and that pain is bad). One cannot make this same move with respect to the *most* general or fundamental evaluative claims, however. One would either be begging the question, by presupposing some more fundamental evaluative claim as an implicit premise in the argument, or changing the subject from descriptive propositions to evaluative. Neither horn of this dilemma is attractive.

'Normatizing' Conventional Truth: An Empirical Approach

A Prāsaṅgika might attempt to avoid the problem above by reinstating moral intuitions in the reference class of conventional truth and take the ordinary, everyday folk *moral intuition* that 'suffering is bad' as fundamental grounds on which moral judgments are justified. This would preserve Buddhist intuitions concerning the fundamentality of the First Noble Truth but, importantly, would involve an explicit recognition that this is a *normative* claim and not a purely descriptive fact.

While plausible, this strategy has certain weaknesses. In particular, it does not provide any further grounds for accepting *this* moral intuition as a starting point rather than any other. Negotiating this point requires some care, as one could easily fall back into the dilemma we identified earlier concerning contextualist and global interpretations of conventional truth. That is, one could easily revert to claiming that it is either a global intuition that *everyone* does, in fact, share or is contextualized to the intuitions that *some* interlocutors happen to have.

One might try to avoid this dilemma by arguing that 'suffering is bad' is simply the most widely shared moral intuition. This suggestion introduces an element of contingency to the theory. That is, justificatory status becomes an empirical matter concerning the majority view. An implication of admitting such contingency is that it allows the possibility that *other* moral intuitions may serve as justificatory grounds if they happen to become the majority view. This allows the empirical possibility of moral intuitions about, for example, the goodness of loving-kindness or compassion to count as the relevant justificatory basis for judgments where their status *as* justificatory grounds is not reductively related to the minimization of pain. Indeed, depending on the outcomes of the poll, a whole range of qualities might enter as equally relevant bases for evaluative assessment.[20] While this would inevitably give rise to ranking issues for moral deliberation, this fact need have no bearing on their fundamental status as normative grounds for assessment (i.e., it would be a problem of application but not of justificatory grounds). Thus, 'normatizing'[21] conventional truth in this way may potentially admit a whole class of virtue and vice classifications as fundamental normative grounds given that they may equally count as the majority view. Unfortunately, however, the inherent contingency of this strat-

egy may just as easily admit contrary intuitions and, with them, a return to the problem of relativism.[22]

Normatizing Conventional Truth: A Sui Generis *Approach*

A modification of the 'normatized' approach above to conventional truth might simply be to *posit* some set of moral intuitions as one's starting point or evaluative framework. Some such idea was suggested by the notion of ethical contextualism discussed in FT 2011a. An ethical context, for FT, is an evaluative framework that specifies the *sui generis* rules for what counts as a legitimate and illegitimate move in the specified domain.[23] The relevant *sui generis* rules for ethical conduct, according to FT's characterization of Madhyamaka, are the bodhisattva vows framed in terms of the Four Noble Truths. As previously mentioned, however, FT do not consider this to offer a satisfying approach to justifying moral judgments. Neither does Tillemans. Both are worried that it permits the 'dismal slough' of moral relativism. We might add a further problem, namely that it seems a bit *ad hoc*. It may well turn out, however, that the *ad hoc* positing of a normative framework (such as simply taking as an 'axiomatic' truth that 'suffering is bad') is the best that can be achieved. It is also arguable that much of philosophical interest can still emerge *given the assumption* of a particular theoretical or evaluative framework. Nevertheless, as a strategy for providing justificatory grounds for moral judgments, *ad hoc* positing is perhaps best understood as a *refusal* to provide such grounds or denial that they could be provided. Moreover, to be consistent with adherence to what is *lokaprassidha,* one must take care to avoid presupposing additional justificatory grounds for one's chosen posit (such as an appeal to the Buddha's authority or any reason the Buddha may have given to support the endorsed claim).

A Final Attempt: Go Non-Cognitivist?

I shall close my discussion by considering one final, but important, possibility. It is inspired by recent characterizations of Madhyamaka *śūnyavāda* as metaphysically *anti-realist* because opposed to the metaphysical realism of Abhidharma. There is reason to challenge this anti-realist characterization of Madhyamaka metaphysics.[24] Nevertheless, the 'anti-realist' label does suggest certain distinct possibilities within the domain of meta-ethics.

Moral realism is generally understood as the view that moral issues are concerned with matters of fact. Moral judgments, according to this view, are to be understood as assertoric utterances that are apt for truth and falsity. There are several forms of *moral anti-realism* that oppose moral realism, so understood. Some accept that moral judgments are, indeed, truth-apt statements of fact but insist that they systematically fail to secure truth. Tillemans (2011) discusses two of the most prominent versions of this view. According to Mackie's Error Theory, moral judgments assert the existence of *moral facts* (e.g., the moral judgment 'compassion is good' asserts

that compassion has the property of being good). These assertions are considered to be systematically false, however, because there are no moral facts (i.e., there is no moral property of 'goodness' that could be possessed by compassion such that it could be justified on the basis of its possession). This does not mean we need to eliminate moral language from all discourse. As Tillemans points out, Richard Joyce's notion of moral fictionalism might enable us to account for how we continue to meaningfully utter moral judgments despite the fact that they lack assertoric force.[25]

Mackie's error theory and Joyce's moral fictionalism both assume that moral judgments are assertions of fact that can be treated in exactly the same way as metaphysical judgments of fact. Many influential forms of contemporary moral anti-realism deny this assumption, however. According to non-cognitivist forms of moral anti-realism, error theorists and moral fictionalists are right to insist that there are no moral properties or moral facts. To believe that moral judgments are assertions, however, is fundamentally to misunderstand the nature of moral language. Moral judgments, according to this view, are a radically different kind of statement or speech act. Unlike assertions that predicate properties or assert the existence of certain facts, in reference to which they might be assessed as true or false, moral judgments *express* certain non-cognitive attitudes. These non-cognitive attitudes are assumed to be more similar to desires or sentiments of approval or disapproval than beliefs.[26]

If we were to accept a non-cognitivist analysis of moral judgments, it could be that what has been causing all of our difficulties is the fact that we have been giving a metaphysical treatment to the question of their justificatory status. More precisely, we have been looking to conventional truth to provide some *factual* basis on which to justify the moral claims found in Madhyamaka philosophical texts on the assumption that these claims are positive assertions that could be rendered true or false in relation to such facts. Drawing on non-cognitivist insights, one might alternatively argue that these claims are more correctly understood as recorded moral judgments that express (dis)approval toward certain qualities, objects, or actions (cf. emotivism or expressivism) and/or are veiled commands to act in the relevant ways (cf. prescriptivism). The sentence 'compassion is good' is thus to be understood as a recorded expression of approval directed toward compassion and that which is compassionate. 'Suffering is bad' expresses disapproval toward suffering.

For the present purposes, I shall set aside the question of whether non-cognitivism, or some variety thereof, provides the correct analysis of moral judgments and moral language more generally. Can accepting non-cognitivism provide a straightforwardly positive answer to the question of whether Prāsaṅgika Mādhyamikas can satisfactorily justify their moral judgments?

Tension between Non-Cognitivism and Conventional Truth

Adopting a non-cognitivist analysis of moral judgments might seem to be consistent with Prāsaṅgika Madhyamaka given that it does not involve making positive assertions and thus does not require ontological commitments (whether conventional or

ultimate) as grounds for the truth of these assertions.[27] Let us grant this point for the sake of argument. Can embracing non-cognitivism about moral judgments also accommodate conventional truth understood in terms of what is *lokaprassidha*? The answer to this question is less clear. This is because non-cognitivists recognize that moral judgments have the *appearance* of descriptive claims, relative to which the non-cognitive analysis is revisionary. That is, non-cognitivists do not consider their analysis of moral judgments to represent accurately what ordinary folks take themselves to be doing when they utter such claims as 'compassion is good.' Not only do moral judgments *seem* to be descriptive rather than the expression of non-cognitive attitudes, but the sentences used to assert them are often embedded in other sentences and/or inferences such that if one were to interpret them as expressing attitudes rather than assertions it would radically change their meaning in ways that bear on the validity of arguments. To see this, consider the following argument:

P1 If compassion is good then I should act compassionately
P2 Compassion is good
C I should act compassionately[28]

If the entire meaning of 'compassion is good' in P2 is well explained by saying that it expresses approval toward compassion, then that meaning can't be the same as the meaning of this expression in P1. This is because one can accept P1 even if one thinks that compassion is bad. This is not to say that the non-cognitivist is wrong in their analysis of P2. It is just that more needs to be said to explain what is going on because we 'normally' tend to assume consistency across embedded and unembedded occurrences of a sentence in an inference.[29] Explaining precisely how a non-cognitivist analysis of moral judgments is compatible with normal inferential practices is a major program within contemporary meta-ethics. The basic point, for our purposes, is that defenders of non-cognitivism explicitly recognize that their analysis does not represent ordinary, everyday folk views about moral judgments or readily fit with ordinary activities of moral reasoning. Non-cognitivism thus seems to be in tension with a commitment to remain in keeping with 'the world's views' and thus with what is *lokaprassidha*.[30]

Tension between Non-Cognitivism and the Perfection of Wisdom

Finally, accepting a non-cognitivist analysis of moral judgments might seem to return us to some form of relativism. According to the non-cognitivist analysis proposed in this essay, the moral claims that appear in Madhyamaka philosophical texts are best understood as recorded utterances that express the particular attitudes of particular authors or speakers. Given that each moral claim expresses a distinct attitude of a distinct utterer, one might expect to find divergence in moral judgments. Indeed, the potential of non-cognitivism to explain the *fact* of such divergence and thus the fact of moral disagreement is often cited as a point in its favor. When we look to Madhyamaka philosophical texts, however, we find much (though not absolute) convergence

in moral claims. How can a non-cognitivist analysis of Madhyamaka moral claims account for this apparent uniformity?

A causal explanation of this phenomenon would be compatible with adherence to non-cognitivism. That is, one might argue that a shared enculturation into the Buddhist dharma had a decisive causal influence on the uniformity of evaluative attitudes expressed by individual Mādhyamikas. If one were to embrace this explanatory strategy, however, one could not appeal to any further fact as *justificatory* grounds for convergence. Specifically, one could not appeal to some shared belief or common realization of the truth of the Buddha's teachings as common ground for this generally held pro-attitude toward what is compassionate. This is a problem as it runs against the deeply held soteriological intuition that Buddhists can and do converge in evaluative attitudes, practices, and kinds of mental states given a correct understanding of the Buddha's teachings (particularly of his views on the nature of no-self, *anātman,* impermanence, *anitya,* and dependent arising, *pratītyasamutpāda*). Outside the Buddhist context, prominent non-cognitivists tend to bite this relativistic bullet. Some opt for evolutionary accounts to explain convergence in pro- and con-attitudes. Others appeal to the mechanism of reflective equilibrium. I would like to suggest, however, that neither suggestion should be attractive to a Mādhyamika. While admitting only relativistic grounds for moral judgments is not incompatible with convergence in moral judgments (for the causal reasons suggested above), further argument would be required to justify why a Buddhist should be satisfied with an explanation of such convergence in terms that are (at least seemingly) disconnected from judgments about, or realizations of, the correct understanding of the Buddha's teachings.

Conclusion

Can Prāsaṅgika Mādhyamikas satisfactorily justify their moral judgments by appeal to the 'conventional truth of the world' *(lokasaṃvṛtisatya)*? In this essay I have demonstrated the considerable difficulties that would need to be overcome for this to be viable. If my arguments are plausible, they lend strong support to the central claim of FT (2011a), namely that Prāsaṅgika Mādhyamikas cannot satisfactorily justify their moral judgments in terms consistent with their adherence to *śūnyavāda.*

What is the upshot of this conclusion for attempts to develop normative ethical theories from a specifically Madhyamaka perspective? I shall close with two speculative reflections. First, it could be argued that my arguments implicate *any* Buddhist thinker who seeks justificatory grounds for fundamental Buddhist evaluative claims.[31] That is, if one were to analyze rigorously the foundational meta-ethical justificatory possibilities available to other Buddhist metaphysical systems, they may well face many of the same difficulties identified above. Establishing this claim goes far beyond the arguments provided in this essay. It would require considering, one by one, the various presuppositions and implications of competing Buddhist metaphysical systems. My inquiry has focused on Prāsaṅgika Madhyamaka. It may well be that some other Buddhist school may be better placed to embrace or resolve some of the

issues that arise for a justificatory appeal to what is *lokaprassidha*. But perhaps not. If one were to accept this speculation, it suggests a rather surprising outcome, namely that in so rigorously arguing against *lokasaṃvṛtisatya* as a satisfactory justificatory ground of moral claims, we may well have provided systematic reasons for thinking that Prāsaṅgika are, in fact, no worse off in this respect than any other Buddhist.

Now, again, I do not take myself to have established this strong conclusion. But, if it were conceded, it need not warrant skepticism about the possibilities and scope of a Buddhist approach to ethics. One might, instead, take it to demonstrate the *limitations of the narrow meta-ethical project of providing fundamental justificatory grounds*. Moreover, and this is the second of my speculative reflections, much of philosophical interest might still emerge *given the assumption* of a particular theoretical or evaluative framework. The closing discussion of FT 2011a suggests that Madhyamaka views on ethics might be fruitfully engaged if one were to shift focus away from a concern with the justificatory *status* of moral claims and toward the *role and function* of *assumed* values with respect to shaping ethical conduct (where this includes their bearing on ethical character, and affective attitudes as well as some conception of moral phenomenology). Tillemans articulates a similar view (2010–2011). Developing this line of thought in terms that are consistent with Madhyamaka is likely to face complications. Nevertheless, it does give defeasible reason to think that recognizing the limitations of the narrow meta-ethical project need not entail that nothing of philosophical interest can be said about morality within a given philosophical framework (whether that of Prāsaṅgika Madhyamaka or otherwise).

Notes

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1 – See Finnigan 2010–2011 for an investigation of Buddhist meta-ethics, broadly defined.

2 – In this essay I follow recent conventions by using the term 'Madhyamaka' to refer to the philosophical school of thought and 'Mādhyamika' to refer to a proponent of this school.

3 – As mentioned in Finnigan and Tanaka 2011a:

> In his *Bodhicaryāvatāra,* Śāntideva explicitly and repeatedly disavows certain actions as wrong (BCA II.63 [in Śāntideva 1998]), cruel (I.33), and evil (II.28) and prescribes certain behaviors as good (I.31), meritorious (IV.9), and skillful (IV.18) with respect to certain ethical codes (V.42) or precepts (III.23). Nāgārjuna endorses the Mahāyāna bodhisattva path and specifies that it involves practicing the virtues of generosity, ethics, patience, effort, concentration, wisdom, and compassion (*Ratnāvalī* V.435–439), many of which presuppose evaluative distinctions between kinds of conduct. According to

Tsongkhapa, all Mādhyamikas agree on the structure of the path (see *Compassion* 129). (p. 222)

4 – I do not deny that exegesis, properly understood, is a philosophical enterprise. I am simply distinguishing (a) *describing* philosophical arguments provided in texts and (b) developing original philosophical arguments. The viability of (b) may hold irrespective of whether anything positive can be said regarding (a).

5 – I believe that a version of the latter alternative can be found in Garfield 2011; according to Garfield ultimate existence comes to denote the objects of apprehension of those who have awakened insight as distinct from the conventional existents of mundane cognition. If this is right, it implies that Madhyamaka does not deny that anything *ultimately* exists; it simply rejects a characterization of what this means. Of course, much will hang on how one understands the relevant terms. I am following the Cowherds (2011) in their insistence that the term *satya* functions both in the sense of truth (i.e., a semantic property of statements) and reality (i.e., a truth-maker or ontological entity in reference to which statements gain their semantic properties; see 2011, pp. 4–8). I am also assuming that the ultimate/conventional distinction predates both Madhyamaka and Abhidharma and, thus, is apt for interpretive divergence. The proper analysis of these terms or the proper reading of Garfield's position need not be settled for the purposes of this essay.

6 – For a detailed discussion of this point, see Ames 2003.

7 – Translated and cited in Tillemans (2011). Candrakīrti is here citing a famous passage from *Trisaṃvaranirdeśaparivarta* (Chapter 1) of Nāgārjuna's *Ratnakūṭa.*

8 – To some extent, FT can be seen to concede this point (cf. 2011a, p. 227 n. 5). Whether they are right to do so, however, is a question I won't address here.

9 – The Sanskrit for this quote is provided in Tillemans 2011, p. 3.

10 – Again, I am following Cowherds (2011) in their insistence that the term *satya* functions both in the sense of truth (i.e., a semantic property of statements) and reality (i.e., a truth-maker or ontological entity in reference to which statements gain their semantic properties; see 2011, pp. 4–8). While one might regiment the distinction by reserving *satya* for 'reality' and *siddha* for 'truth,' this distinction matters little for present purposes (though in other contexts it may matter a lot). Tillemans makes reference both to *lokaprasiddha* and *lokasaṃvṛtisatya.* I believe this warrants extending his interpretation of Prāsaṅgika conventionality (namely the views of the world) to considerations of both reality and truth.

11 – For a more detailed elaboration of this analogy between Carnap's notion of linguistic frameworks and the doctrine of the two truths, see Finnigan and Tanaka 2011b. See Price 2009 for an argument in support of the view that theory acceptance, for Carnap, is ultimately grounded in pragmatic utility.

12 – See Hursthouse 2001. This assumption seems also to be at the heart of a number of current 'Virtues Projects' or initiatives.

13 – For a sustained treatment of this issue, see Tersman 2006.

14 – While Tillemans introduces this distinction, he also offers good reasons that undermine its appeal.

15 – See Tsomo 2004, Findley 2000, and Kawahashi 2003.

16 – This might be a welcome meta-ethical outcome for a defender of Buddhist consequentialism who assumes the badness of pain and the goodness of happiness as fundamental meta-ethical assumptions, in causal relation to which the rightness and wrongness of actions are evaluated. As we shall see, however, this meta-ethical approach has some problematic implications.

17 – 'Overall'; 'in a particular instance'; 'in general'; 'to a certain specified degree'—these measures would need to be specified for this approach to be plausible.

18 – Matters only become more complicated when one reflects on the relationship between suffering and pain. It would seem that one can consistently accept that 'suffering is bad' but deny that 'pain is bad.' This is because it is arguable that suffering *(duḥkha)* as analyzed in the Four Noble Truths is a particular stance or attitude with respect to pain but is not identical with pain.

19 – This is one way to interpret the upshot of Hume's 'Is-Ought' argument. See Hume 2000, T3.1.1.27

20 – This might be a welcome meta-ethical outcome for a defender of Buddhist virtue ethics. As we will see, however, there are some less-than-welcome implications of this approach.

21 – I am, here, coining a term. To 'normatize' is to characterize in normative terms what was once considered to be a strictly descriptive, non-normative, matter of fact.

22 – One who is attracted to this approach might bite this bullet and insist that this is just the way things are (and, happily, they are the way one supposes; that is, compassion, loving-kindness, and equanimity *are,* in fact, accepted as equally good). Sorting out whether this is so, however, would have to be done by empirical methods. This would imply that there is no rational basis on which one can adjudicate virtue-ethical and consequentialist meta-ethical insights about fundamental value. Many would find this to be dissatisfying.

23 – Tillemans mistakenly attributes to FT the view that the moral judgments of Mādhyamikas are justified because they are asserted by Mādhyamikas, and Buddhist ethical claims justified because asserted by Buddhists. I believe this misattribution can be explained in terms of two different conceptions of 'context.' For Tillemans, a context denotes a set or collection of beliefs or intuitions (possessed by certain kinds of believers or intuiters, e.g. Buddhists, non-Buddhists). FT assumes a sense of context closer to Carnap's view of linguistic frameworks, as discussed in FT 2011b. A context, for FT, does not require there

to be anyone who 'believes' or 'holds true' the *sui generis* rules that define or frame the context.

24 – Although a widespread view, there is reason to think that the anti-realist characterization of Madhyamaka is problematic. For instance, while one might safely say that Svātantrika Madhyamaka opposes Abhidharma realism, the same cannot be said for Prāsaṅgika Madhyamaka given that it would seem to require a positive commitment to the falsity of the opposing view (and Prāsaṅgikas are not in the business of affirming or denying the consequents of arguments). It is also possible to oppose one form of realism without, thereby, counting as anti-realist. A Mādhyamika might reasonably argue, for instance, that "acknowledging just what the world acknowledges *(lokaprasiddha)*" (Tillemans 2010–2011, p. 364 n. 9) is a *realist* view. It might also seem that a motivating factor for the anti-realist characterization is the assumption (introduced earlier) that *śūnyavāda* amounts to a denial that anything *ultimately* exists. This interpretation *accepts* the Abhidharma account of ultimate reality and takes ultimate reality, so characterized, as its object of negation. This claim famously generates a dilemma concerning its own status (i.e., is it to be supposed to be an ultimate truth that there is no ultimate truth?). The Mādhyamika need not accept this interpretation of their object of negation, however. They might alternatively *reject* the Abhidharma account of ultimate reality in favor of some other characterization of ultimate reality. While the former interpretation of *śūnyavāda* might support an anti-realist characterization of Madhyamaka, the latter need not.

25 – See Mackie 1986 and Joyce 2001 and 2005.

26 – For historically prominent versions of this position, see Blackburn 1993, Ayer 1952, Hare 1952, and Gibbard 1990. For a defense of non-cognitivism in the Indian philosophical context, see Ganeri 2007.

27 – I say that it does not 'seem' to require ontological commitment because it may require there to be intentional objects of experience toward which the agent can direct the relevant attitudes. It is a subtle matter whether, according to Pramānāvāda epistemology (on which at least Svātantrika relies), the 'having' of an object in conscious experience entails ontological commitment to its existence.

28 – This is a variation on the example found in Geach 1965, p. 463.

29 – This is variously known as the Embedding Problem or the Frege/Geach problem. For a helpful discussion of this issue, see van Roojen 2009.

30 – There might be several ways in which one might try to resolve these tensions. It is important to note, however, that any viable suggestion cannot follow the non-cognitivist strategy of providing a *theory* that *explains* ordinary folk views about moral judgments. This is because commitment to what is *lokaprassidha* is a methodological constraint *against* constructive theorizing. One potential response might be to insist that the acceptance of a non-cognitivist analysis of

moral judgments does not require Prāsaṅgika *themselves* to explain the nature of moral judgments. Prāsaṅgika simply accept what the world accepts. *We* (constructive philosophers) might offer the non-cognitivist analysis in order to demonstrate why the moral judgments uttered by Prāsaṅgika involve no ontological commitment; i.e., *they* are simply expressing the same attitudes as expressed by 'the world.' It is unclear whether a Prāsaṅgika would (or could) endorse this proposed solution on their behalf, however.

31 – I owe this point to Tillemans (personal communication).

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