

## **How Does an Empty Buddhist Bioethics Work: The Example of Abortion**

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### **Abstract**

Buddhist bioethics aims to identify and evaluate different bioethical positions advanced in Buddhist texts and traditions. The Buddhist aim of eliminating suffering coincides with the objectives of medicine. Increasingly, researchers see the value of Buddhist bioethical discourse on various topics and apply its tenets to contemporary issues and problems. However, central to Buddhist philosophy is the concept of emptiness (*śūnyatā*), which means the absence of inherent existence in all phenomena. Emptiness signifies that everything encountered in life lacks an absolute identity, is impermanent, and does not support a personal self. From this perspective, the idea that anything can be wholly self-sufficient or independent is the primary delusion we confront in our existence. Can Buddhist philosophy maintain a bioethical system? If our existence is essentially empty what scope is there for bioethical discourse or a bioethical system? Is it not debatable that any prescriptions for or against specific actions are equally empty? Finally, if personhood is empty who carries out action? To address these questions this article will demonstrate that a Buddhist bioethics based on the doctrine of emptiness is both feasible and effective.

### **I. Introduction**

Over the past few decades there have been a number of works on Buddhist ethics, including analysis and discussions of *bioethical issues*. Nevertheless, until relatively recently, little has been written on Buddhist ethics from the perspective of emptiness (*śūnyatā*). Even now, many scholars in Buddhist studies are still puzzled over how to integrate emptiness within Buddhist ethics. This article seeks to demonstrate that a Buddhist bioethics based on the doctrine of emptiness is not only possible but effective. An investigation of this type therefore helps to illuminate bioethical exploration inspired

by Buddhist insight into emptiness.

## **II. What is Buddhist Bioethics?**

Bioethics is the study of ethical or moral issues particularly brought about by advances in biology and medicine. Simply put, bioethics not only questions the morality of various biological and medical procedures but also studies our reasoning for what is appropriate in handling or approaching bioethical relationships, or our exploration of what is morally right while encountering bioethical situations.

Based on the teachings of Śākyamuni Buddha, Buddhism offers several paths of practice and spiritual development leading to insight into the true nature of reality. The philosophy of Buddhism emphasizes the importance of observing and thinking clearly rather than allowing blind attachment to drag us around with our conceptualizations or attachments.

Buddhism has had a long history of inquiry into bioethical issues and has developed philosophical reasoning and guidelines on how to deal with these issues from the perspective of Buddhist practices aiming at liberation or enlightenment.

We may speak of “Buddhist” bioethics as we deal with bioethical issues based on Buddhist teachings or even as we bring about a theoretical formulation that is specifically Buddhist.<sup>1</sup>

Buddhist bioethics, in general, is characterized by a prudential outlook that leads to an approach not only pertinent to the mechanism of the world of sentient beings (*sattva-loka*) but also conducive to proceeding beyond the world of sentient beings.

## **III. A Shift of Bioethical Questions from Entity-centered to A Process-oriented Perspective**

Buddhist bioethics primarily serves as a means to liberation or enlightenment. In other words, to figure out what is right and to act wholesomely is a crucial precondition to achieve Buddhist goals.

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<sup>1</sup> Cf. Jens Schlieter, “Some Observations on Buddhist thoughts on Human Cloning,” *Cross-Cultural Issues in Bioethics: The Example of Human Cloning*, edited by Heiner Roetz, New York: Rodopi, 2006, p. 182.

What makes Buddhist bioethics so unique is simply that it lacks such conceptualizations as “entity,” “rights,” or “dignity” in its bioethical reasoning.

In response to suffering in the sentient world and bioethical issues, Buddhism does not try to change reality to meet endless desires or self-centered thinking but tries to attune desires or thoughts to reality as it is.

Buddhism teaches that pursuing the sentient world inevitably involves suffering or uneasiness. Sickness or even death is regarded as an invaluable opportunity to reevaluate one’s thoughts and actions. For example, when it becomes clear that a medical procedure will likely prove futile, Buddhism is more likely to recommend preparing a clear mind for practice rather than clinging to the body of one lifetime. Buddhism considers it wasteful to view illness or death as simply “loss of health” or “loss of life” with the incumbent emotions of anxiety, dismay, and confusion if no existential insights are gained from the processes.

We ask questions all the time, especially while engaging in bioethical studies, which in a regular way begins with asking or identifying bioethical questions. However, are we asking the right questions? Learning how to ask the right questions should be considered at least as critical as learning how to read or write. But determining what makes a good question is vexing. Ironically, the tendency to be blinded by our existing knowledge or impressions, together with habitually answering those questions in a manner that leads to unsolvable controversies, may make it even more difficult to acknowledge the importance of asking the right questions. A good question is one that is conducive to the unraveling of pertinent aspects of the inquiry.

Various bioethical issues have been implemented in the field of biology or medicine. While some issues are widely debated, others have left the world bewildered and divided. Here are some examples of commonly raised bioethical questions: What is the moral status of human embryos or fetuses? Does a human embryo or fetus have rights? What is permissible treatment of human embryos or fetuses? How should we correctly determine when people who are on life support are actually dead before organ procurement can proceed? What is the right to die? Is animal testing acceptable when it benefits humans?

The above examples are characteristic questions in bioethics. However, they all entail some sort of conceptualization centered on presumed entities such as a person or embryo, and attribute qualities such as rights or moral status to the presumed entities.

After bringing about or encountering a certain bioethical question, people tend to grasp on to conceptualized entities and their attributed items. In view of questions that not only involve conflicting moral choices and dilemmas but also severely limit perspectives, it is important to avoid the impulse to ask bioethical questions that center on the entities and artificial consequences, rather to question the process that occurs as decisions are made.

If redirected to the on-going stream of mental process or life process, bioethical questions can become a more pertinent and potent tool to expand observation, inspire new ideas, and stimulate fresh ways of thinking. From a process-oriented approach to bioethics, questions can be formulated as follows: What do we really know about the mental processes or life processes of sentient beings? Do we know enough about the mental processes or life processes of sentient beings to make a bioethical decision? What is the mental process or life process through which a human embryo or fetus is developed? Considering the mental process or life process of a human embryo/fetus involved, is it ethically appropriate (or morally right) to have an abortion?

In short, from a process-oriented perspective, issues such as abortion or embryonic stem cell research asking whether the human embryo is a person or not appear mostly insignificant -- even irrelevant. We should not simply identify the human embryo via artificial criterion, nor assimilate the human embryo into something else. Crucial in this regard is the understanding of the mental and life processes in forming an appropriate response in the ethical dimension, coupled to a morally acceptable approach in resolving the question at hand.

#### **IV. Insight into Emptiness from a Process-oriented Perspective**

Using process-oriented questions as a starting point in bioethical inquiry, one cannot grasp reified concepts, or simply resort to established ethical theories. Rather, it is imperative to observe first-hand the continuous occurrences in the mental processes or life processes.

One of the core perspectives emphasized in Buddhist philosophy is that everything emerges in the world through conditioned co-arising (*pratītya-samutpāda*), meaning not only that any process of arising is conditioned by related causes and conditions, but also that everything receives its name depending on the thought which designates it. From such a perspective, the notion of conditioned co-arising implies that phenomena lack

independent existence. This implication is often indicated as emptiness (*śūnyatā*): all phenomena are empty of any independent or separate existence or beingness (*bhāvatā*; *vastutā*) of their own. In the same manner, nothing exists as an independent or separate entity (*bhāva*; *vastu*).

## V. What Can an Empty Vision Offer for Bioethical Exploration?

Emptiness on the one hand implies the lack of independent existence of entities. On the other hand, it opens up new possibilities in vision for bioethical exploration. Five points can be highlighted from such a vision as follows:

First, since everything, including every sentient being, is a continuous or even an ever-changing process, one of the basic requirements for bioethical exploration is to observe the process in action dynamically, especially how the phenomena arise, change and cease. At present few bioethicists do their research through observation. This is due to an increasing reliance on other scholarly works and because the main focus of research seems to circumnavigate comparisons of various ethical theories or their application. Yet, bioethics is essentially the study of sentient beings. The observation of the processes through which sentient beings experience the world will give greater access to the reality that we are attempting to explore.

Second, being empty of any independent existence of their own, sentient beings are open to various developmental and exploratory dimensions. It does not make much sense to deny any sentient being the so-called “moral status,” or to exclude any sentient being from the sphere of ethical deliberations. The notion of “moral status” is no longer self-evidently included in *ethical deliberations* from a perspective of emptiness.<sup>2</sup> One crucial step in bioethical exploration is to unravel ethical or moral dimensions of sentient beings. With a growing awareness of how to appropriately approach the encountered or

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<sup>2</sup> Concerning the uselessness or even danger of the notion of moral status, see, for example, Rosalind Hursthouse, “Applying Virtue Ethics to Our Treatment of the Other Animals,” *The Practice of Virtue: Classic And Contemporary Readings in Virtue Ethics*, edited by Jennifer Welchman, Indianapolis: Hackett, 2006, p.140; Stephen Smith, *End-of-Life Decisions in Medical Care: Principles and Policies for Regulating the Dying Process*, Cambridge: Cambridge University Press, 2012, pp. 6-7.

intended sentient beings, ethical dimension can be unraveled; similarly, moral dimensions can be unraveled by asking if s/he is doing the right thing, or if it is lived in the most worthwhile manner, or why s/he should live in one way rather than another. An engagement of this kind will be an ongoing and open-ended process, enabling the individual to transcend blindly following a particular set of rules or principles.

Third, from a perspective of emptiness, numerous binaries that have long troubled ethical discourse can be easily untangled or discarded. For example, the “is/ought” problem-- sometimes characterized as the fact/value distinction -- maybe artificial at best in most cases. Unable to support itself due to its inherent emptiness, the so-called fact relies on how we unravel a certain perceptual dimension and how we project our conceptualization of it. Similarly, unable to fixedly stand there on its own due to emptiness, the so-called value has to rely on how we unravel ethical or moral dimension and how we figure out what we should do based on the knowledge or belief that we think as relevant or significant. Therefore, in practice, these two terms of fact and value are not as oppositional as most philosophers assert. “No doubt it is this lack of a clear methodological approach that is causing such a heated, and to a large extent fruitless, debate.”<sup>3</sup> By means of the insight into emptiness, bioethicists can easily avoid fruitless debates over the “is/ought” problem, and re-direct their energies to more productive endeavors.

Fourth, the real challenge is to unravel the dynamic relationship with the encountered or intended sentient beings, and in this dynamic process unravel the ethical and moral dimensions foregrounded by this relationship. In this regard, the ethical dimension can be unraveled not by attachment to any entity but by figuring out what would be the appropriate measure to conduct this dynamic process, specifically with a view to making this dynamic process as smooth as possible. In the same manner, the moral dimension can be unraveled not by attachment to any entity, but by discerning correct action during this dynamic process. From such a perspective, what is vital in ethical deliberations is not the weighing of some provisional or superficial consequences and obedience to some postulated obligations, but rather the embedding of ethical

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<sup>3</sup>Jonathan Ives, Heather Draper, “Appropriate Methodologies for Empirical Bioethics: It’s All Relative,” *Bioethics* 23/4 (May 2009): 254.

deliberations into the dynamic processes constituting our experience of the lived world.

Fifth, the dynamic relationship with the encountered or intended sentient beings can increasingly progress along the path of ethical deliberations and practices with an understanding of the line of reasoning stated earlier. Empty bioethics can offer an almost unlimited range of insights, including not only perceiving, exploring, and probing the unraveled process, but also engagement with and guiding through the unraveled process via ethical practices or moral cultivation.<sup>4</sup> This unraveling process will enable bioethicists to understand bioethical issues in multiple dimensions, engage in bioethical betterment of the world, and may transform the future of both sentient beings and bioethics.

To sum up, a Buddhist vision of emptiness has a lot to offer bioethics, such as dynamically observing the processes in action, unraveling ethical or moral dimensions of sentient beings, avoiding binary oppositions such as the “is/ought” problem, implanting ethical deliberations into the dynamic process to be unraveled, and engaging in bioethical betterment of the world.

## **VI. What Can an Empty Vision Suggest for Bioethical Controversies?**

Few areas of academic discipline are as fraught with controversies as bioethics. From discussions on abortion to assisted dying, bioethics tackles some of the most complex and sensitive issues confronting modern society. Appeal is often made to individual cases, personhood, personal autonomy, moral status, human dignity, ethical principles, or ethical rules, but with little exploration of the full context or process of the involved sentient beings, or of the wider implications.

It is better to find a proper way to approach and resolve a dispute in bioethics

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<sup>4</sup> For example, the 12th Assembly of the Sūtras of the Perfection of Wisdom, i.e., the Section on Śīlapāramitā, focuses on śīlapāramitā (perfection of morality or moral discipline) with a background of the Bodhisattva’s practices, and demonstrates how moral discipline is to be cultivated to reach perfection. See Yao-ming Tsai, “Ethical Thinking in Coping with Sensual Desires from the Perspective of Progression on the Path to Enlightenment: Based on the 12th Assembly of the Sūtras of the Perfection of Wisdom,” *Taiwan Journal of Buddhist Studies* 16 (December 2008): 61-126.

instead of proceeding to analyze several cutting-edge issues only vacillate between controversies. The task of this section is to illuminate in a preliminary way the issue of abortion as an example in bioethics, and demonstrate what an empty vision can suggest for bioethical controversies. To that end, it will first give an account of Buddhist vision of emptiness, not-person, not-self, and not-mine. It will then explore sources of inspiration such vision may offer in going beyond the abortion controversy.

From the Buddhist point of view, something being empty means that it is devoid of inherent existence, i.e., its existence depends on other related conditions. There is nothing in a certain thing that is inherent to that very thing. This insight into emptiness bears significance with regard to the reflection on the ideation of person or self. These two concepts of person and self appear to be emergent phenomena arising from the process of generating, interpreting, developing, and communicating some ideas. In other words, both concepts arise from the application of mental discernment, conceptual identification and division, and interpretative schemes. As a product of mental formation the so-called person lacks the inherent existence of person and is therefore explicated as not-person (*niṣ-pudgala; pudgala-nairātmya*). In the same vein, the so-called self is devoid of the inherent existence of self, and is therefore explicated as not-self (*an-ātman; nair-ātmya*). Not only whatever is thought as self is in reality not-self, but also whatever is thought as belonging to or pertaining to self is in reality not belonging to or pertaining to self, and is therefore explicated as not-mine (*nir-mama; an-ātmīya*).

Bhikkhus, this body is not yours, nor does it belong to others. It is old kamma, to be seen as generated and fashioned by volition, as something to be felt. Therein, bhikkhus, the instructed noble disciple attends carefully and closely to dependent origination itself thus: ‘When this exists, that comes to be; with the arising of this, that arises. When this does not exist, that does not come to be; with the cessation of this, that ceases.’<sup>5</sup>

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<sup>5</sup> Bhikkhu Bodhi (tr.), *The Connected Discourses of the Buddha*, vol. I, Boston: Wisdom, 2000, p. 575. For related versions or translations, see *The Saṃyutta-nikāya of the Sutta-piṭaka*, part 2, *Nidāna-vagga*, edited by M. Léon Feer, London: The Pali Text Society, 1970, pp. 64-65; *Saṃyuktāgama* 295, translated by Guṇabhadra, T. 99, vol. 2, p. 84a-b.

After briefly explicating the Buddhist vision of emptiness, not-person, not-self, and not-mine, it is apparent that such vision may have a lot to offer the abortion controversy. The matter of abortion, i.e., the intentional termination of a pregnancy after conception, has long been regarded as a polarizing and divisive issue. The two main sides involved in the abortion controversy are the so-called “pro-choice” or “abortion rights” highlighting the legal right of women and girls to choose whether or not to bring a fetus to term, and the so-called “pro-life” or “anti-abortion” highlighting the legal right of human embryos and fetuses to be born. However, it is not the focus of this paper to enter a detailed discussion of various assertions that have come up in the abortion controversy. The primary focus will be on how to do without the abortion controversy and redirect the issue to a feasible paradigm in bioethical thought. The following four points deserve special attention:

First, a central matter in the abortion controversy is deciding what we can say about embryos or fetuses. Are embryos/fetuses human persons or only a mass of tissue? The matter of “personhood” arises and the abortion controversy goes on and on. However, from a Buddhist empty vision, ordinary people equally lack the inherent existence of person to begin with. As a result, it seems a bit absurd for ordinary people who are in reality “not-person” to decide whether embryos/fetuses are human persons. Ordinary people and embryos/fetuses do not stand at two opposite poles, and it seems meaningless to grasp on to some of the innumerable facets of ordinary people as a mode with which embryos/fetuses are forced to assume their identity. A better perspective should be able to bring out the related conditions by which a certain embryo or fetus is caused to arise among sentient beings --and the process through which a certain embryo or fetus might develop into an ordinary person.

Second, seeking recourse to ownership rights is another factor embedded in the abortion controversy. To be “pro-choice” is to believe that individuals as owners, especially women and girls, have the rights of ownership, assuring the owners the rights to dispose of their property as they see fit. However, from a Buddhist empty vision, no one owns ordinary people, and ordinary people in reality do not belong to anyone as private, public or collective property. In the same vein, no one owns embryos/fetuses, and embryos/fetuses in reality do not belong to anyone as any kind of property to be aborted at will. It seems counter-productive for ordinary people who are on every level

“not-mine” to claim that embryos/fetuses are “mine” to dispose of. Therefore, any bioethical standpoint based on such notions as unconditional ownership or property can never be really justified. A better perspective should be able to, on the one hand, discard the attachment to ownership rights and, on the other hand, regard both pregnant women/girls and embryos/fetuses as two life processes connected by a brief relationship, namely pregnancy.

Third, the notion of “moral status” has occupied a central place in the abortion controversy. Some authors maintain that humans have “moral status” mainly because of some intrinsic properties in their possession. Moreover, the term “moral status” has been used as synonymous to “moral standing” and “moral consider ability.”<sup>6</sup> However, such a notion of “moral status,” in its practical implications, can be used as a convenient tool to discriminate against both the so-called “marginal cases” of seriously immature or radically disabled human beings and non-human animals, and in its theoretical implications, may be very misleading in a way that both confines bioethical discourses within the essentialist presuppositions yet remains ignorant of what moral deliberation is really about.<sup>7</sup> Since moral deliberation, on the one hand, is about observing the processes of sentient beings with special attention to related suffering, happiness, mistreatment, development, bondage, and liberation and, on the other, is about consistently striving to do the right thing based on the intention of friendliness or compassion, a Buddhist empty vision will strongly encourage bioethicists, especially in dealing with the issue of

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<sup>6</sup> Warren provides an example of this, and the following definition has been widely accepted: “To have moral status is to be morally considerable, or to have moral standing. It is to be an entity towards which moral agents have, or can have, moral obligations. If an entity has moral status, then we may not treat it in just any way we please; we are morally obliged to give weight in our deliberations to its needs, interests, or well-being.” (Mary Ann Warren, *Moral Status: Obligations to Persons and Other Living Things*, Oxford: Oxford University Press, 1997, p. 3.) See also Russell DiSilvestro, *Human Capacities and Moral Status*, Dordrecht: Springer, 2010, p. 11.

<sup>7</sup> Concerning essentialist presuppositions, see, for example, Robert Fogelin, *Taking Wittgenstein at His Word: A Textual Study*, Princeton: Princeton University Press, 2009, p. 47; Tom Rockmore, “Humanism and Human Being: Beyond Essentialism,” *Becoming Human: New Perspectives on the Inhuman Condition*, edited by Paul Sheehan, Westport: Greenwood, 2003, pp. 21-24.

abortion, to abstain from applying such misleading phrases as “morally considerable,” “having moral standing,” or “having independent moral status” to sentient beings.

Fourth, the notion of the sanctity of life has further *aggravated* the abortion controversy. Some authors are opposed to abortion on the grounds that human life is said to be sacred, holy, or otherwise of such value not to be violated.<sup>8</sup> But, the notion of the sanctity of life is usually applied solely to the human species embodying a flawed form of anthropocentrism. While emphasizing the notion of the sanctity of life, most people pay little attention to suffering or evil in the processes of sentient beings. Furthermore, the concept of sanctity is not only disputable but also in itself almost incomprehensible. Therefore, it is not advisable to have recourse to the notion of the sanctity of life in dealing with the issue of abortion regardless of the bioethical standpoint one might take. An improved perspective would care more about suffering or evil in the processes of sentient beings. In other words, if one is to refrain from abortion, it is not because of violating the problematical sanctity of human embryos/fetuses, but because of the suffering that committing abortion may inflict on sentient beings, and because of the evil that may incur while committing abortion.

## VII. Conclusion

After taking the issue of abortion as an example in bioethics, this paper has demonstrated that the discourses on abortion in modern cultures are deeply rooted in such ideational terms as “personhood,” “rights of ownership,” “moral status,” and “sanctity of life.” No matter which side of the abortion debate one is on, it is not uncommon that such ideations or conceptualizations are assumed or taken for granted. However, the debate about abortion is thus repeatedly misconstrued. Pertinent processes or aspects are overlooked, while areas of ideations or conceptualizations are, mistakenly, seen as central. It is at the level of these ideations or conceptualizations that one encounters intractable

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<sup>8</sup> For some authors, the belief in the sanctity of life lies at the heart of their bioethical standpoints on embryo experiments, abortion, euthanasia, and many other issues. Cf. James Keenan, S.J., “The Concept of Sanctity of Life and Its Use in Contemporary Bioethical Discussion,” *Sanctity of Life and Human Dignity*, edited by Kurt Bayertz, Dordrecht: Kluwer, 1996, pp. 1-18; David Novak, *The Sanctity of Human Life*, Washington, D.C.: Georgetown University Press, 2007, pp. 41-50.

disagreements with others, and consequently the discourses of abortion often end up with dogmatism, ethical futility, or seemingly insoluble dilemmas.

The main conclusion of this paper is that only when we do without such ideational terms as “personhood,” “rights of ownership,” “moral status,” and “sanctity of life” is there any hope that bioethical inquiry might find the right track. An antidote to misguided thinking in bioethical inquiry is the idea of emptiness--all phenomena are empty of independent entity, personhood, self, or unshared ownership/possession. The issue of abortion is given as an example to demonstrate that an empty vision, without any commitment to assumed ideations or conceptualizations, will suggest that the mental process or life process of the targeted embryos/fetuses is to be unraveled and observed, that any harm or suffering involved in abortion is to be taken seriously, that long-term effects in the process of life conditioned by or originated from abortion is to be taken into account, that ethically appropriate relationships are to be maintained, and that morally correct mentality is to be produced. In short, it is advisable to refrain from performing or promoting abortion, not because of the need to justify one’s bioethical position by assuming some problematical ideations or conceptualizations, but because refraining from abortion is both ethically appropriate and morally right in view of the mental process or life process of the targeted embryos/fetuses.

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