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## Gender Equity and Human Rights

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## Gender Equity and Human Rights

Karma Lekshe Tsomo

**I**N THE PAST fifty years, efforts to bring women into the mainstream of human society have greatly accelerated. Advances have been made in many areas due to the courage and conscientious efforts of women and men. Yet, unfortunately, the idea of equal rights remains a dream for women in most societies. Outdated attitudes about women's nature and potential continue to keep women at a disadvantage politically, economically, educationally, and in religion. Gender equality is a key principle of the United Nations Declaration of Human Rights and U.N. Resolution 1325. Despite this, gender discrimination continues in all human societies. The failure to adequately educate one half of the world's population reflects this discrimination, leading to enormous human suffering the world over, especially for women and children.

The religious traditions that help shape society's attitudes toward women and also women's attitudes toward themselves often send mixed messages. The world's major religions—Buddhism, Hinduism, Christianity, Judaism, and Islam—assert that women and men have equal potential, whether for liberation or in the sight of a higher being, but social realities reveal a stark contradiction between rhetoric and reality. Women continue to lack equal representation in social, political, and religious institutions. For many, the failure of the world's religions to live up to their professed ideals not only exposes their lack of social responsiveness to the needs of human society but is also hypocritical.

Contemporary human rights debates raise two important issues. The first issue is political: Is the language of human rights applicable to all human beings across cultures and societies or does it grow out of a specific context or dynamic, such that it may not be applicable to all? For example, the People's Republic of China maintains that the concept of human rights was framed in a European context and is a Western imposition on non-European cultures, whereas many others, including His Holiness the Dalai Lama, feel that human rights are universal and follow naturally from concepts of compassion and interrelatedness. The second issue raised in the human rights debate is philosophical: What is the nature of human rights and to whom do they apply?

Three major critiques of contemporary human rights philosophy can be leveled. The first is that the human rights doctrine is simply an abstract concept, divorced from real human needs. Yet the doctrine *does* speak to human needs and inequities. The United Nations has documented that 60 percent of the work in the world is done by women, but only 20 percent of the wealth in the world belongs to women and only one percent of the land. It is clear that women are not only concerned about abstract concepts such as the right to "life, liberty, freedom of expression, and equality before the law; and social, cultural, and economic rights," but also about such very real needs as food and education.

The second critique is that contemporary human rights doctrine is a Western theory and therefore its application is a Western imposition rooted in Western hegemony. While it can legitimately be argued that human rights theory is of Western origin, rooted in European enlightenment thinking and secular humanist ideals, that does not render it a cultural imposition. No matter what their origins, human rights are equally applicable to human beings of all descriptions and capabilities. No one in any culture or society wishes to be deprived of adequate food, shelter, health, or education. All thinking people value the freedom to think as they wish, believe as they wish, and associate with whom they wish. As a bhikṣuṇī from Hong Kong once told me, "Even birds and dogs want to be free. Why shouldn't human beings also want to be free?"

The third major critique is that contemporary human rights doctrine is an unattainable dream. Because human beings are selfish, this argument goes, there will always be those who take more than they need; human

beings naturally grab power and wealth and some may even leave others without. Statistically, there *is* enough food for the world's population; it simply is not distributed equitably. The sufferings of the world are largely due to inequalities in the distribution of resources. The disproportionate poverty of women and children is a glaring instance. As a whole, women are the poorest, hungriest, least educated, least enfranchised, and most vulnerable human beings on Earth. To address gender inequalities is therefore of crucial importance in implementing human rights theory in actual practice.

Buddhists around the world contend that Buddhism is an equal opportunity religion and proudly declare that enlightenment is equally available to everyone, whether female or male. But barriers to women's education and ordination reveal that women are not institutionally equal, either in theory or practice. Even if women are assumed to have equal potential to achieve liberation or enlightenment, do they truly have equal opportunities to realize that potential?

Philosophically, Buddhists claim that all sentient beings have the potential to achieve liberation or enlightenment. The logic of this affirmation is straightforward. Liberation or enlightenment is achieved by purifying one's mind of all mental afflictions. All beings who possess consciousness, whether they are female or male, are capable of these goals. Yet, the process of purifying one's consciousness requires knowledge and conducive conditions for practice. The process of mental cultivation or spiritual development is traditionally framed as hearing, contemplating, and meditating on the Buddha's teachings. Although all sentient beings (beings with consciousness) theoretically have the potential to achieve liberation or enlightenment, it is obvious that beings in unfortunate states of existence face so many obstacles that it is virtually impossible for them to attain these goals while in those states. Beings in unfortunate states of existence are said to achieve the fruits of the path *eventually*, but it is only as a human being endowed with sufficient intelligence, leisure, and opportunity that one is able to realize that potential.

Does this mean that some sentient beings have a greater chance than others of attaining enlightenment? The answer would have to be yes. Because the circumstances for achieving enlightenment differ markedly for beings in different circumstances, some have a better chance than others to realize

their potential. For example, although all sentient beings are said to have the potential to purify their minds and achieve awakening, the probability of a frog realizing that potential is vastly different from the probability of a human being born into a devoutly religious family in a Buddhist society where all the knowledge and facilities for achieving awakening are available.

Similar reasoning can be applied when questioning the potentials of women and men. Since all sentient beings can achieve enlightenment and women are sentient beings, it follows that women have the potential to achieve enlightenment. The question is whether women have equal opportunities to realize that potential. Of course, the probability of women realizing that potential depends on their individual circumstances. Women may possess a precious human rebirth but be constrained by social and cultural factors, such as early childhood conditioning (for example, to bear and care for children), preconceptions of incapability (internalized oppression), and special religious restrictions (the eight *gurudharmas*, or special rules for Buddhist nuns). These social, cultural, and religious constraints, which often do not apply to men, may impede women's ability to realize the goals of the path. Although women are assured of their equal potential for awakening, in actuality, women's probability of achieving this goal may differ markedly from men's due to myriad constraints. Chief among the constraints facing women in Buddhist societies are fewer opportunities to receive systematic Buddhist education and fewer opportunities to receive ordination, especially full ordination.

A question remains about whether these constraints derive from the words of the Buddha or from social expectations and religious bureaucracies. In essence, the central concern for Buddhists is the purification of consciousness and consciousness has no gender. The aim is to eliminate suffering, and there is no question that women suffer equally and perhaps significantly more than men. The sufferings of women are not only due to factors of women's physical nature, which traditionally is portrayed as weaker; women's sufferings are also due to gender-biased restrictions and gender-based violence. Even when women develop a strong determination to purify their consciousness of all defilements, as instructed, they are often denied access to the required knowledge and conditions for practice that would enable them to do so.

Women are often counseled to accept the reality of gender discrimination and deal with it humbly, as a form of practice. However, men are rarely taught to reflect on the mental afflictions associated with gender discrimination and antiquated attitudes toward women as a form of practice. Nuns are often told that the precepts of full ordination are very difficult to keep and that keeping eight or ten precepts is enough for them, yet monks are never advised to forgo full ordination and remain novices for life. In the Tibetan tradition, nuns are not allowed to study the *Bhikṣuṇī Vinaya*, the monastic codes for nuns, because they are not fully ordained, even though this knowledge is necessary to qualify for the *geshé* degree in philosophical studies. This restriction hinders women from achieving intellectual leadership in the tradition. Discrimination against women in monastic education and ordination deprives women of equal opportunities to hear, contemplate, and meditate on the Buddha's teachings. For these reasons, the lack of full inclusion for women in the monastic system is wrong both from a Buddhist perspective and from a human rights perspective.

The Buddha is said to have enjoined his followers to “see things as they really are.” In this light, it is useful to recall that Buddhism developed in a Brahmanical cultural setting in ancient India in which women were thoroughly subordinate to men. In the traditional accounts, the Buddha initially hesitated to admit women to the *saṅgha*. One likely reason was concern for societal perceptions, to ensure that his teachings would not be discounted or rejected in a patriarchal culture. To allow women to leave their families and take up the *saṅgha*'s mendicant lifestyle would have been so unusual, uncomfortable, and counter-cultural that it might have jeopardized social acceptance of the Buddha's teachings.

Today, we live in a vastly different society, one in which women are accepted as being fully human, entitled to all the rights and freedoms that other human beings enjoy. To assert women's inferiority or to limit women's admission to monastic orders on the basis of gender not only contravenes Buddhist ethics, it is sadly out of step with the times. If Buddhists today discriminate against women on the basis of gender, thinking people are likely to reject Buddhism as outdated, inconsistent, and invalid. To “see things as they really are” is to see that gender discrimination is both contradictory to Buddhist principles and contrary to the norms of enlightened societies. If women are excluded from religious institutions, then their access to

religious knowledge is restricted. If women are restricted in their opportunities to hear, contemplate, and practice the Buddha's teachings—the keys to achieving spiritual realizations and awakening—then their potential for awakening is severely curtailed. To exclude women from full membership in the saṅgha—regarded as the best channel for realizing the fruits of the Buddhist path—is to deprive women of the optimum circumstances for becoming free from suffering. Loving kindness, a core Buddhist value, entails recognizing the immensity of human suffering caused by gender discrimination, both to individuals and to society. To exclude half the human population from the benefits of Buddhist practice contradicts both Buddhist wisdom and the spirit of compassion.

Twenty years ago, Sakyadhita (“Daughters of the Buddha”) began a movement to give voice to women's concerns and deepest aspirations. Since then, the movement has become a catalyst for change in the lives of millions of women (and men) around the world. As women network and exchange ideas, they discover their diversity and the similar challenges they face as Buddhist practitioners. Being a Buddhist in Laos or Mongolia is very different from being a Buddhist in London or New York, but the experience of being a women unites Buddhists from vastly different cultures and backgrounds.

Since 1987, Buddhist women from around the world have begun to unite globally and to assume new roles in working for the welfare of human society. Representing an estimated 300 million women worldwide, the Buddhist women's movement has emerged from the shadows into the international spotlight as a highly dynamic force for social change. Given equal opportunities, Buddhist women have enormous potential to effect global transformation.

Working toward gender equity in Buddhism has not been easy. Denial and resistance persist. Advocates of gender equity have been denigrated, slandered, and intimidated, yet many have continued to move forward steadily and courageously—working to eradicate ignorance and discrimination. Yet even today, when the value of women's rights is taken for granted in most of the world, Buddhist women's efforts to achieve gender equity are often seen as threatening. Advocates are warned not to raise the topic of women's rights, because it might offend the monks. Since it is per-

fectly acceptable, even admirable, to champion human rights, why should championing women's rights be perceived as threatening?

Perhaps the liberation of Buddhist women is viewed as threatening because of their great numbers. But as His Holiness the Dalai Lama has said, "Peace can only last where human rights are respected, where people are fed, and where individuals and nations are free." Unfortunately, until Buddhist women's religious rights are respected by guaranteeing their right to receive full ordination, it cannot be said that Buddhism gives equal opportunities to women. Denying full ordination to women is not just a matter of monastic law and cannot be explained away simply as the influence of sexism in society. Buddhist institutions must recognize equal rights for women in order to be consistent with Buddhism's socially liberating message. Convinced by the logic of this reasoning, women have worked patiently to assume their full responsibilities as members of the Buddhist community, refusing to be silenced, and the results thus far have been very encouraging. The reinstatement of the *bhikṣuṇī saṅgha* in Sri Lanka in 1998, after a lapse of nearly a thousand years, was a landmark. The freedom to receive full ordination is not only in the best interests of women, it is in the best interests of society at large, since it helps optimize the potential of all human beings. The animated discussions on the ordination issue among scholars, practitioners, and human rights advocates in Hamburg was testimony to the gathering support for the social liberation of Buddhist women.

In traditional Buddhist parlance, human beings are composed of five aggregates or components: bodies, feelings, recognitions, karmic dispositions, and constantly changing streams of consciousness. Consciousness is the most significant aggregate, because it is central to perception and decision-making. Consciousness ("knowing and awareness") is affected by many factors, including education and socialization. The nature of consciousness itself is not characterized by gender, however. Over time, in the course of many lifetimes, sentient beings take male and female rebirths intermittently. Human beings have the capacity to transform their individual states of consciousness, regardless of whether they are female or male. Hence, from the perspective of consciousness, human development is not dependent on gender nor is gender intrinsic in human nature.

In today's troubled world, humanity's greatest hope is that a critical mass of the world's population will wake up and reject the images that make



them willing slaves to power, money, violence, and greed. Global corporations, governments, and religious institutions will only change when people wake up and demand that they do so. Compassionate individuals have a responsibility to wake up and speak out in order to help correct social injustices.

Rights entail duties for women and men alike. In Asian societies where monks accept donations from laywomen, it follows that they then have an obligation toward their benefactors—a responsibility to respect the rights of women and to refrain from violating those rights—but also, I believe, a duty to speak out against injustices against women. What does it say if monks are willing to go to the streets to protest government taxation of monastic land holdings but remain silent about the trafficking of women and children? In societies where Buddhist notions of liberation from suffering are championed, the sufferings caused by the exclusion of women and the damage caused by perpetuating, over generations, the myth that women are a lower form of rebirth must be exposed and addressed.

What remedies do Buddhists have for resolving these issues? Similar to other religions, the Buddhist path offers the hope of a better future life and the possibility of liberation from suffering for those who practice virtue. Great emphasis is placed on engaging in wholesome actions and avoiding unwholesome actions, no matter how small. It may be argued that women are disadvantaged in the pursuit of virtue, however, since expectations for women are generally limited to domesticity or glamour, neither of which guarantees well-being in the afterlife or progress on the path to liberation. Yet if women should reject these expectations and dedicate their lives to religious pursuits instead, they often find their options limited. It is here that Buddhism may fail to deliver for women. The promised rewards of religious practice are the same for women as for men, but the means of obtaining those rewards are seriously circumscribed for women and often off-limits altogether. In denying opportunities to women, Buddhist institutions come into direct conflict with the human rights, such as the right to religious freedom, that women have been promised. This contradiction is not only an enormous disappointment to women who have come to expect better of Buddhist institutions; it is also an international embarrassment if Buddhist institutions perpetuate these inequalities.

In general, the term *human rights* denotes that human beings possess

certain fundamental rights and freedoms. Religious rights and freedoms are typically regarded as among the most basic of all human rights. To practice the Dharma freely, all human beings, both female and male, need access to equal opportunities to learn and practice their religious beliefs and to pursue their religious goals. Just as countries who refuse women the right to vote are considered backward today, Buddhists will certainly go down on the wrong side of history if they deny fundamental rights and freedoms to women. Concurrently, it is evident that access to full ordination for women must go hand in hand with Buddhist education and community support for women in monastic life. Given equal opportunities for education and ordination, women promise to become pillars of the tradition, bringing many benefits to Buddhist societies and to human society as a whole. Recognizing full ordination for women is not only a matter of social justice, it is also simply a matter of common sense.

