
*Buddhist Discourses on
Contemporary Bioethical Problematics
in Japan*

Abstract

The concept of “Bioethics” has been recently created to provide an authoritative guarantee to explosively advanced biotechnology. It is no more than a normative system of evaluating biotechnology on a socio-politico-economic basis. While appealing to the universal, it also caters to particulars in a given culture, thereby making itself all the more acceptable.

Bioethical discourses in Japan often allude to Japanese tradition and Buddhism as part of the country’s culture. Here, I first discuss how Japanese scholars use Buddhism in connection with Bioethics, together with the limits of their theses. Especially I have focused on Umerhara Takeshi, a then leading figure of the Prime Minister’s Special Committee on Brain Death and Organ Transplantation. I have also considered some Buddhist scholars who contributed articles to *The Problem of Brain Death and Transplantation and Bioethics* by the Japanese Association of Indian and Buddhist Studies (published in 1990). These scholars combine ethical terms such as “moralization” and “self-determination” with Buddhist discourses.

The second part of the paper is concerned with counter-arguments within Buddhism itself to Buddhist bioethical arguments. These opponents endeavor to find other possibilities in Buddhism in response to the current state of affairs on death.

Finally, with reference to ancient Buddhist discourses in China, I suggest a few notional possibilities for the Buddhist discourse on current problems of death. I derive the “ethical” other than “moralization” and

the “attitude towards the dead” other than “self-determination,” based on the paleontology of *upa-√sthā* in Sanskrit.

Introduction

Not a few Buddhists have discussed bioethical issues in terms of Buddhist philosophy. They use more or less similar references and the framework in which they construct their arguments is almost standardized.¹ Scholars have questioned such Buddhist responses to bioethical problematics. Some asked how one could define a single Buddhist point of view. Others wondered if such a Buddhist point of view might not be an effective way of dealing with current Bioethical issues after all.² Instead of considering Bioethics in terms of Buddhist viewpoints, I will propose to analyze the configuration of Buddhist discourses on Bioethics. This will enable us to question anew the way in which bioethical problems are recognized as such and to find a radically different relationship between Bioethics and Buddhism. In so doing, it is necessary to grasp the possibility of putting a radical question to Buddhism—a possibility that none of the current Buddhist discourses have discussed.

Taking a strategic detour, I will introduce two old debates in China: “*Shen mie bumie lun*” during the Six Dynasties and a debate on the prohibition of hunting and fishing during the Ming Dynasty. The first debate, “*Shen mie bumie lun*,” was concerned with the disappearance of spirit upon the annihilation of a body and especially focused on the definition of death and dead bodies. The second debate took place between Buddhists and Christian missionaries during the reign of the Mings. It raised the issue of whether or not it was possible to prohibit eating animals, apparently a natural practice. This further gave rise to the question of how to distinguish humans from animals.

1. As for Buddhist common opinion on Bioethics, see Maeda 1990: 291–301, Maeda 1993: 320–369 and Nabeshima 1996. As for research of Buddhist consciousness on Bioethics, see Hosaka 1992.

2. As for the difficulty to define univocally the Buddhist viewpoint, see Keown 1995. As for the difficulty to argue Bioethical Problematics from a Buddhist viewpoint, see Nagata 1996.

These two old debates suggest that one ought to serve all the dead as the dead, from which one can derive the following imperative: “you shall not kill.” If Bioethics is a branch of “ethics” for verifying the application of biotechnology, then the metaphysical imperative must be placed before Bioethics. Nevertheless, it is the *ethical* that will strike at the very social consensus, which makes both Bioethics and biotechnology conceivable.

Buddhism and Bioethics

1. Nature and Morality

Bioethics is a recent concept. It is an institutional as well as regulatory system imposed on biotechnology that developed explosively in the late 20th century.³ It is therefore only a normative and evaluative system, taking into account social, political and economic concerns. Rather than appealing to the integrity and Morality of medical doctors and engineers who utilize biotechnology, Bioethics thus emphasizes the establishment of guidelines for adequate biotechnological procedures. It is, in other words, a discipline providing ethical endorsement to biotechnology. If such a bioethical guideline includes both universal and culture-specific principles, it can provide more reliable and stronger criteria.⁴

When Buddhism or “Japanese Culture” is called forth in the context of Bioethics, it often ends up offering moral support to guidelines for medical doctors and engineers. It can hardly be used to condemn the monstrous nature of biotechnology or to radically refute “ethics” that Bioethics advocates. On the contrary, Buddhist or culturally endorsed bioethical discourse can in fact preclude a critical glance at Buddhism or Japanese Culture itself. It puts aside other innate possibilities of Buddhism or Japanese tradition. It may even dull our imagination for other cultures.⁵

As an example of this, let us consider Umehara Takeshi’s discussion. The issues of brain death and organ transplants provided an impetus for

3. Hayashi 2002: 254ff..

4. Kagawa 2000: 214ff..

5. Deguchi 2001: 161ff..

the birth of Bioethics in Japan.⁶ Umehara served as a member of the Prime Minister's Special Investigative Committee on Brain Death and Organ Transplantation (1990–92). He advanced an overtly Buddhist pattern of discourse and played a regulative role for the enactment of the Law of Organ Transplantation (1997).

According to Umehara, *Japanese* judgment in particular neither recognizes brain death as death nor positively promotes organ transplantation. This Japan-specific or non-Western judgment has been informed by both Shintoism and Buddhism. Shintoism does not distinguish humans from plants and animals, all of which are purported to live in co-existence with Nature. Buddhism is a doctrine of equality as well as altruism. Japanese judgment, therefore, is a *moral* judgment based on the “Japanese sensibilities respecting Nature.” Umehara has come to the following conclusion: “I am worried that those who recognize brain death as death and promote organ transplantation do not have an idea of being in awe of Life.”⁷

The point of Umehara's argument lies in “Nature” and “Morality.” Umehara has disapproved of criteria for brain death in view of a concept of Nature that does not regard brain death as *natural* death. If this is the case, it should logically lead to determined opposition to organ transplantation. To our great surprise, however, Umehara has endorsed it by appealing to Morality: “*provided that* ‘those who accept brain death as death and promote organ transplantation’ are fully in awe of Life, we could go ahead with organ transplantation from brain death.”

Such Morality pertains not only to promoters of brain death and doctors but also to donors. *Given* a donor's strong will, an organ transplant can proceed, for this is counted as Buddhist “bodhisattva practice.”⁸ It is finally approved when his family members consent and the doctor's moral integrity is assured. In short, Umehara's argument has served as a bioethical guideline. One should not, however, ignore problems inherent in Nature as in “Japanese respecting Nature” and organ transplants supported by altruistic Morality in Buddhism and doctors' moral integrity.

Nature is no more than a concept constituted from a certain ideolog-

6. Hayashi 2002: 264.

7. Umehara 1992: 228.

8. Ibid: 232–33.

ical standpoint. Umehara has famously mentioned that “Japanese sensibilities respecting Nature” have received almost everything from abroad, except *eunuchs* and *bounded feet* in China. Neither have they tolerated “homosexuality, drugs, and vices in the modern West.”⁹ Nature here seems to be a strong self-universalizing foundation that renders specific values into the *natural* and the *absolute*.

Yet Socratic “logical coherence” will not permit the co-extensiveness of “Nature” and “unnatural [so it seems in every respect] organ donation.” The key to this apparent paradox lies in Morality.

2. Offering One's Body

In order to justify donors' self-immolation, Buddhist scholars often adduce the episode of Mahatma offering his own body to a tiger 捨身施虎.¹⁰ This episode is found in a Buddhist sutra called *Suvarna prabhasa* 金光明經. When Buddha was still Mahatma, he did *bodhisattva* practice. He offered his own body to a mother tiger, which was so hungry that it was about to eat its own child. Its archetypal form can be reduced to an offering of one's own body to whatever or whoever wants to eat flesh; more simply put, it speaks of the fact that human beings eat animals and vice versa. If we try to find a trace of Morality here, it could be a pure self-offering as a simple altruistic act.

In Buddhistic terms, however, the self-offering is re-interpreted, according to the logic of self-sacrifice that takes advantage of imminent crisis brought out by the drama of self-mutilation, as survival after death. The tiger episode is a story narrated from the afterlife where one's survival is guaranteed. The self-offering is no longer pure as it is utilized by one's desire to survive death—a desire to cleave to life obstinately. It has been transformed into the Morality of self-sacrifice.

Similar logic applies to organ transplantation. Should there be any organ transplantation as a pure self-offering, it must be donation free

9. Ibid: 210–11.

10. As for “Offering one's body,” see Funayama 2002. On Chinese “filial piety” (especially “Gegu 割股”: Child's offering one's thigh flesh to one's parents), see Shimomi 1997: 51ff.; Qiu 1997: 28ff..

from any desire to survive after death. In actuality, however, it is only an offering desirous of survival beyond death mediated by the concept of a “relay of life.” It merely recounts the logic of self-sacrifice that non-donors would repeatedly narrate.

Furthermore, pure donation ought to be available to anyone, free from any interest, be it personal or financial. Organ transplants, however, can only take place at the forefront of contemporary medicine where every possible assumption is taken into account and no disinterested party is involved, though donation itself is carried out anonymously and impartially with due respect to those concerned. Nevertheless, Buddhist discourses attempt to moralize to those concerned. For example, they often draw on *tri-mandala-parisuddhi* 三輪清淨 as a condition of donation. This commands that the donor, the recipient and the offering each be free from any attachments. Being free from any attachments, which itself is commendable, can be easily abused to identify those who cannot break with their own attachments or obsession.

If the donor (the offerer) gives his organ (an offering) out of pure kindness of heart, but if the recipient (the offeree) has the slightest desire for the other’s death for his own survival, the donation shall be deemed unhallowed. In terms of the Buddhist doctrine that recommends freedom from any attachments, the donation is regarded as an unhallowed act and no offering takes place.¹¹

The recipient must be as morally strong as the donor. Once he “becomes aware that life is in a circle of ‘giving life to others and receiving life from others’, the barrier between the donor and the recipient will collapse.”¹² That is to say, when the recipient does not take an “arrogant attitude towards the donor, taking a gift of organs for granted,” an “ideal tri-structure [the donor, the recipient and the doctor] tied by Faith”¹³ will supervene. Buddhist discourses thus request not only the doctor and the donor but also the recipient to uphold Morality and Faith.

What Faith is requested of the one who is in an extreme situation of

11. Fujii 1992: 292.

12. Ibid: 302–304.

13. Ibid: 304.

suffering from his illness and must wait for someone’s brain death? Given public knowledge that only organ transplantation can save his life, he would naturally wish to have an organ transplanted and could be morally correct by all means. This already gives rise to the problem of calculation at the nucleus of self-interest. To say the least, demanding the recipient’s personal Morality in a critical condition is not *ethical*. This also applies to the donor. It is morally questionable to discuss organ donation in the moralistic tale of self-sacrifice. Organ donation is a problem that advanced technology has generated and should therefore not be replaced by the issue of the personal Morality of those concerned. Buddhist discourse, however, links up with the concept of self-determination and continues to develop its stronger view of Bioethics.

3. *Self-determination*

According to Umehara, organ donation must be stated in the form of a living will if it is to be designated as Bodhisattva practice.¹⁴ If it is a genuinely pure offering, it will be carried out most secretly, renouncing any possibility for survival beyond death. (Incidentally, did Mahatma state in his will that he would “offer his own body to the mother tiger”?) Stating formally and officially that I will offer my organs to somebody, therefore, cannot fall within the category of pure offerings. Furthermore, the site of organ donation is governed by advanced medical technology, leaving little room for pure donation. Organ donation cannot constitute itself as the problem of donation or religious offerings. Nevertheless, it successfully simulates a self-offering, thanks to the apparatus of the living will.

The living will in bioethical terms is the expression of self-determination to dispose of one’s own body by way of the testamentary disposition of immovable or movable properties. It has raised a number of fundamental questions as to, for example, the identification of one’s body with personal properties or the dubious nature of self-determination.¹⁵ All

14. Umehara 1992: 232.

15. Concerning possession of body, see Washida 1998.

Komatsu Yoshihiko has been criticizing minutely the concept of “self-determination” [Komatsu 1996]. Still, we must note that the meaning of “self-determination” differs accord-

these and other questions notwithstanding, in order to maintain the concept of the living will at all, the donor needs to be sufficiently informed before he gives consent to donating his own organ and must be in such a condition as to be able to determine his own death.¹⁶ Who can on earth accept a brain death brought forth by science technology as “his own death”? Who can ever decide to give somebody else his own body already defined as a “dead body”? Medical doctors, perhaps. They apparently satisfy these conditions and moreover monopolize medical knowledge. (This is also relevant to the question of medical ethics.) They can even create an ideal situation in which they become members of a “Bodhisattva Association,” as opposed to an association of donors, to make their own organs available to the public.¹⁷

Evidently, doctors would not become donors as they can professionally exercise the right of self-determination. Who, then, are most likely to be forced to do so on moralistic grounds? Recipients and their family members. In a number of texts including Buddhist discourses, they are requested to courteously receive donors’ self-sacrificial offerings while almost condemned to criticism that they look forward to others’ deaths. What is most disconcerting here is that such moral expectation towards the recipient can be readily transposed to the donor as well. Here is the logic. I am waiting for other’s death. When I brush with death, I therefore must offer my body to those who are waiting for others’ deaths; I am moreover well informed of my physical condition and hence can have no objection to self-sacrifice. Ironically enough, the recipient can satisfy more conditions for exercising the power of the living will than the donor. If he is put under tangible and intangible pressure of the logic, he can be hard-pressed to refuse self-sacrifice through self-determination.¹⁸

Let us look at Buddhist discourses again. Nakano Tozen has played an important part in establishing a framework for dialogue between Buddhism and Bioethics. He has mentioned that the organ offering is

ing to subject of discussion and the place where it is asserted. Regarding the complexity of this phenomenon, see Tate’iwa 1998.

16. Concerning the right to hold off on “self-determination” and the obligation of disclosing information, see Ikeda 2000.

17. Umehara 1992: 236.

18. There is an example of being forced to offer the body when a recipient was dead. See Fukuda 1992: 332.

considered, for both the donor and the recipient, as a practice of *anatta* 無我 (devoid of self) to reach *nirvana* 解脱.¹⁹ He has reached the following conclusion: “It might be Buddhist wisdom to offer an organ as a practice of gratitude and mindlessness and to intuit realistically brain death.”²⁰ This also seeks to moralize or religionize the donor’s and the recipient’s attitudes towards death. Nakano has further related this to the living will and self-determination.²¹ He of course has explained how self-determinism emerged within the context of Bioethics and also criticized “religious self-determination” that “is left to religious truth.” He however positively admits “self-determination under the principle of individual freedom” or “self-determination to realize what is truly good.”

The focus of Nakano’s discussion thus shifts to “surrogate determination” by the donor’s family members. He even lists some conditions that enable “surrogate determination” to become the “affectionate supposition of the will.” He offers an example of “self-determination” by the parents of an anencephalic child. The parents can take either of the following “self-determined” attitudes: “let nature take its course” or “let us offer our child’s organs to others.” While Nakano does not mention which is more desirable, he registers the possibility of the parents’ offering organs of their child who has “no faculty of decision-making” through their “self-determination.” He is considerate enough to give the following advice: “if you offer [the child’s organs] with affection and wisdom, you will never suffer from the sense of guilt.”²² “Self-determination” can thus be extended to “surrogate determination.”

4. Buddhist Counter-Discourses

As we have seen above, some of the Buddhist discourses in Japan accept organ transplantation as a religious offering under the conditions that those concerned are morally correct and can determine by themselves. However, there are Buddhist counter-discourses.

19. Nakano 1998: 119–123.

20. Ibid: 124.

21. Ibid: 201ff.

22. Ibid: 207.

Yamaori Tetsuo for instance has critically remarked that it is opportunistic to draw on the episode of “offering one’s body to a tiger.” This episode cannot be reduced to the humanistic idea of self-sacrifice or “religious humanism” called offerings. It is intended to caution those who kill and eat animals against the relentless possibilities of being killed and eaten up by animals.

Never make so beautiful a story out of organ “offerings,” without approving the fate of being eaten up by animals. We had better stop preaching the Morality of brain death and organ transplantation while exempting ourselves from the food chain.²³

Yamaori here finds the radical idea of equality and mortality in Buddhism, although he still maintains a humanistic “manner of death.” Buddhist mortality states that “human beings die like stones, dogs and cats” and this can even be applied to the “site of medical transplantation” in which “typically, the transplantation of animal organs is no different from that of human organs.”²⁴

It can hardly seem right to revive a “manner of death which is left only to human death”²⁵ as recommended by Yamaori; this would avoid Buddhist radicalism only to let humanism under attack return. What is required is to reconsider the “manner of death” as something open to everything and everybody, so that we can follow through the logic of the non-use of dead bodies *in order to* serve the dead (humans and animals alike) as the dead.

On the other hand, retracing Buddhist compassion/benevolence 慈悲, Ogawa Ichijo has stated that it is not man but Buddha who does an act of compassion.²⁶ He has denied compassion in “Bodhisattva practice”:

Offering one’s organs to others might come out of good will, which is not however considered as compassion. The Jataka story does not suggest compassion through which the truth of life becomes known. It is

23. Yamaori 2000: 162.

24. Ibid: 155–56.

25. Ibid: 156.

26. Ogawa 1995: 50.

just a fable recounting a good deed of saving someone’s life or animal’s. [...] Needless to say, all who have offered their organs cannot be Buddhas in the afterworld. The Jataka story, therefore, cannot be deployed to suggest that organ donation is an act of compassion.²⁷

Ogawa has argued that good deeds have no causal relationship with Buddhahood [*satori* or spiritual enlightenment], and that self-sacrifice does not provide a guarantee for Buddhahood [enlightenment] after life. As Ogawa has made it clear, he has formulated his harsh criticism against the background of the doctrine of Jodoshinshu (浄土真宗 “True Pure Land School”). This doctrine denies the existence of spirit and refuses *samsara* 輪廻転生, assuring the secular ethics of retributive justice 因果応報. Thus, Ogawa’s position is completely different from that of the new religion or the neo-new religion that, believing in the existence of spirit, commends the passing-over to the other world as quickly as possible, even though he rejects the idea of organ transplants as the latter does.

Ogawa’s criticism can be summed up as follows: The present Buddhist discourses that “tie Buddhism to Morality”²⁸ should not be applied to biotechnology, and Buddhism must be dissociated from *Moralization*.²⁹

What should be considered is the radicalism of Buddhism which neither Nature nor Morality can domesticate. We have to open a field of Ethics distinct from Bioethics. In order to realize this, we must make a detour via two debates in which Buddhism trembled and was shaken at its core.

Serve the Dead

1. The Moment of Death

When it became a serious problem to ask whether or not brain death was accepted as human death, the advocates of brain death adduced the

27. Ibid: 62–63.

28. Ibid: 79.

29. There is a criticism toward a discourse of moralizing organ transplantation. As long as there exists an asymmetry between donor and recipient, the direction of a donor’s good will

1967 Harvard criterion or the “irreversible coma” to claim that the moment of death was a point at which the patient’s condition became irreversible. The opponents argued that such a definition of death deemed human death only as an instantaneous phenomenon and ignored death as a process, forgetting the commonality of death in which we part from the dead with others.³⁰

The current brain death controversy thus depends on whether the moment of death is instantaneous or progressive. This type of discussion, however, is not new. In sixth-century China, for instance, it was already a big issue in line with the concepts of “being alive” and “body.” The debate took place under the reign of Wudi of the Liangs when full-scale Buddhism was received in Chinese society. It was called *Shen mie bumie lun* 神滅不滅論, which an anti-Buddhist Fan Zhen 范縝’s *Shenmielun* had sparked.³¹

2. *After-Nature or meta ta physica: Coercive Murder and Dead Bodies*

The most significant issue of the debate centered on murder and dead bodies. Its principal question was whether or not those who lost their lives by coercive murder could return as ghosts. Fan Zhen, who denied the survival of human spirit after death, did not hesitate to dismiss the question. Buddhists, on the other hand, admitted the ghostly for the self-existence of spirit. What was at stake in the debate was not only the problem of the existence of “ghosts” but also the question of whether death was natural at all.

The brain death controversy has interested me because it can bankrupt the concept of “natural death.” Now, the opponents of brain death prefer to “die as naturally as possible,” rather than “to die artificially.” Whether we die in a hospital or out of it (since someone has to make a decision as to taking a dying person out of a hospital), it is already difficult to die naturally. In such an extreme situation as brain death, the

is limited to a specified recipient, and it cannot be judged as good deeds. [Yamaguchi 2002]

30. Komatsu 1996: 83ff. ; Ogawa 1995: 18.

31. Concerning detailed particulars of this debate, see Nakajima 1992.

truly murderous nature of death manifests itself: by whom, when or how can one be killed? Death is not a physiological phenomenon but is violence emerging in a social relationship. Brain death makes it clear that violence is present before physiological and natural phenomena.

Let us now return to *Shen mie bumie lun*. Buddhists attempted to accept the unnatural death by coercive murder as death. This would have been possible only if the murdered had been worshipped as the dead. Worship here does not necessarily mean the ideal worship in China, i.e., the ancestor worship in which descendents honor their ancestors’ bodies as those through which the “ancestral blood flow into them 血脈貫通,” for worshipping the murdered implies the retention of the memory of murder in society and therefore cannot be reduced to “natural death” under the ancestor worship.³² In this sense, Buddhism (at least in sixth-century China) had a route to metaphysics (after-nature) by worshipping others (who were expelled from the blood-based communal morality) as the dead.

The same debate was also concerned with dead bodies. It essentially regarded the dead bodies as something that could disappear only gradually. The dead body subsists unyieldingly and tells us that death is not reducible to an instantaneous event, i.e., the sudden disappearance of spirit, but that it is a process lasting for a certain period of time. Death is an uncanny event that no ordinary concepts can explain away. Buddhists became aware that the dead body was something above the material object and that mourning rituals were required during the process in which the corpse gradually decayed.

Death is neither an isolated nor an abandoned phenomenon. Through murder as the essence of death, it is inevitably involved in a relationship with others. And through the dead body decaying slowly, it continues to make us grieve. Needless to say, this structure of death never alleviates the solitary process of death. It only announces that death is a process that involves a relationship with others at its solitary bottom. When Buddhists criticized Fan Zhen, they should not have attempted to break up the relationship with others at the moment of death.

32. See Nakajima 1997.

3. *Organ Transplantation and Cannibalism*

The word “cannibalism” is often used in discussions of brain death and organ transplants. For example, Umehara Takeshi has stated that “organ transplantation is no doubt today’s cannibalism.”³³ Nakano Tozen, for his part, has acknowledged “cannibalism in a good way” in the sense that the recipient inherits the donor’s life through transplanted organs.³⁴ What we would like here to consider is not the problem of whether organ transplantation is cannibalistic but the mechanism of moralistic discourses producing “cannibalism in a good sense.”

Lu Xun wrote in his *Diary of a Madman* that the word “cannibalism 食人” had been found in the history of moral virtues 仁義道德. This suggested to him that because there might have been no one who had not eaten humans, it was all the more necessary to save children who have not eaten them yet. While the act of eating human flesh has been regarded as the taboo of cannibalism or has been regulated by social ethics, it is reinforced in a perverse manner: eating human flesh in a moral and spiritual dimension or in a commodity economy. Organ transplantation is a perverse example of cannibalism.

However, the act of eating human flesh should not be regarded as the taboo of cannibalism or regulated by social ethics. As Takeda Taijun has depicted in his novel *Luminous Moss*, eating humans is a final decision made in an extreme situation and therefore is beyond any ethical judgment. Nevertheless, those who affirm eating human flesh would moralize it, whereas those who refuse it would turn their gazes away from the simple fact of eating flesh. The former group anticipates such an immanent and extreme situation, and utilizes it under “ifs,” e.g., “if someone is brain-dead” or “if there is no other way to save someone except by organ transplants.” They incorporate cannibalism into a bioethical program and even develop accurate equations for it. The latter, on the other hand, deprives us of the opportunity to re-consider the immanent Ethics of eating human flesh.

Let us re-phrase the question. Can we accept the transplant of animal

33. Umehara 1992: 235.

34. Nakano 1998: 123.

organs? Can we eat any animal flesh as long as it is not human? The answer must be in the negative according to the Buddhist principle in which hunting and fishing are prohibited. It is this prohibition, however, that many have found fault with, notably Matteo Ricci at the end of Ming dynasty.³⁵

4. *Prohibition on hunting and fishing: debate with Christian Missionary*

Matteo Ricci criticized Buddhists in *Tianzhu shiyi* 天主實義 on the ground that “it was nonsense to prohibit killing animals.” The strongest reason was that as long as men ate meat, “it was nonsense to prohibit killing animals.” Buddhist offered rebuttals to Ricci’s attack, among which we can find the following two particularly significant. Firstly, our “sense of pity” for animals testifies that animals do not exist to be killed and eaten up by human beings. Secondly, if killing animals is allowed freely, then killing can easily turn its fire on human beings, resulting in the license to destroy the weak at will.

If Buddhists could have thought of the possibility of Buddhism’s radicalism, they could have taken a further step to prohibit the indiscriminate killing of others in general, including humans, animals, and even plants. Buddhists, then, could have turned its criticism back against Christianity itself: it was Christianity that fell into anthropocentrism. But they did not strike back without apparent reason. As Ricci criticized, Buddhists may have prohibited only killing humanlike animals and would have winced at the simple fact that people ate all kinds of flesh and killed others before eating.

5. *Serve the Dead as the Dead*

We would like here to reconsider the unrealized possibility of Buddhism. The seriousness with which one devours food is beyond Good and Evil. At the very moment of eating, we do not care what meat we

35. See Nakajima 2001.

eat. We don't eat to live, but we live to eat; living is eating. At the extreme point of such egoism, an anti-/super-natural dimension intervenes simultaneously. This dimension emerges with the consciousness that the food I am eating right now is the dead, previously murdered. More precisely, the consciousness arises with Time and Others. The dimension is diachronic, opened up against the saturated moment of "Nature." It might therefore be called a meta-physical (in the sense of after-nature) dimension. If we use Ethics as a metaphysical attitude towards others in the Levinasian sense of the word, the metaphysical dimension could be an ethical place, where we serve others as others and the dead as the dead with reverence. Here Ethics is not reducible to Morality but is "core-ethics," as opposed to Morality, which can only be found *after* the fact of murder in the midst of satiation.

Serving the dead as the dead shows a fundamental and deadly relationship with others: being involved in a relationship with others after murder. Therefore, the imperative "you shall not kill" would derive from this Ethics, which is always found afterward. Retrospectively, it must be placed *before* the murder that severs our relationship with others. Man is doomed to kill, but as we have to serve the dead as the dead, we shall not kill. The delay as the essence of the imperative will never be sublimated, because the imperative is not an a-priori normative proposition to conduce a moral doctrine, but an *a-posteriori* judgment invented after the murder.

What is necessary is to serve all of the dead as the dead against the Time order. The dead are not limited to human beings. The dead refer to all those who have died coercive deaths so terrible as to make Nature tremble. Herein lies Buddhist radicalism, advocating the drastic equality of everything and everybody, and paving the way for the prohibition on hunting and fishing. Contrary to such a radical possibility of Buddhism, most Buddhist discourses on Bioethics reduce death to natural death and allow organ transplantation to remain cannibalistic by appealing to the ethical doctrine. They never serve the brain-dead as the dead³⁶ and therefore never discuss the prohibition of all types of killing (including killing for organ transplantation and animals utilized in animal experiments).

36. Morioka Masahiro has already touched upon the issue of regarding a brain-dead person as dead. [Morioka 1989; Morioka 2001]

As a matter of fact, biotechnology will not cease to evolve, not only because huge technology keeps on multiplying itself beyond human control, but because it keeps growing immensely by absorbing the human desire to survive after death and to let others survive. Although biotechnology is made possible only through millions of experiments on animals and human bodies, murder of others is always forgotten, the dead are never served as the dead, and survivors enjoy its fruit.

Facing such a harsh reality, Buddhist discourse may be expected to function at least as "technology of social adjustment," with putting a break on runaway biotechnology.³⁷ To that effect, the current Buddhist discourses play their role rather sincerely. However, it is not there that Buddhism would exercise its radical questioning. Buddhist questioning should once again point its sword against the social consent that supports the realities of biotechnology. Even if it goes against Morality and Ethics, it should appeal to the prohibition on hunting and fishing at the core of full affirmation of "living." It is metaphysical Ethics untangled in Nature. It is vigilant consciousness derived from "living," not the imperative of "you shall live," but that of "you shall not kill."

Conclusion

What if Buddhism accepts the brain-dead as the dead, and proposes to serve them as the dead? This would force the social norm to change into the imperative of "you shall not kill." If killing still must be committed, Buddhism would at least require a proper manner of serving the dead as the dead. It is only here that biotechnological ethics are questioned for the production of the brain-dead (biotechnological ethics are different from Bioethics on the adequacy of biotechnological procedures). In so doing, we will have to face almost insurmountable technical difficulties or limits; in order to serve the dead as the dead, we need time to be with the brain-dead—time to "deepen death."³⁸ This time for deepening death cannot be derived from brain death, defined as the instantaneous and irreversible point of change. If biotechnology still wants

37. Sakamoto 1994: 52.

38. Ogawa 1995: 18.

to produce the brain-dead with all its ethically refined procedures, this is no longer the question of Morality, let alone that of Nature.

The same holds true to other bioethical “problems” such as the use of human embryos or aborted fetuses. The recycled embryos must be admitted and served as the dead. The aborted fetuses must be received and served as the dead. One ought to reject whatever runs counter to this principle on ethical grounds.

Opinions differ as to the presence or absence of personhood in the human embryo. It has been generally agreed, so it seems, that the human embryo has no personhood and can be utilized for medical purposes. The personhood issue matters little. What does matter, however, is a manner of serving the killed/dead embryo, regardless of the presence or absence of personhood. This is not resolved by holding a memorial service for killed embryos or clones. We must squarely face the realities in which we produce and kill what we cannot worship. Biotechnological ethics averts our gaze from death.

Japan has seen a number of unintended pregnancies and hence abortions because of persistent gender bias in society as well as the ban on birth-control pills. Surprisingly enough, abortions are not done through mothers’ self-determination in consideration of their health or the quality of their lives. In such a situation, they can sense little or no tension in killing fetuses. Still, there must remain a sense of disquiet murder as aborted fetuses are widely worshipped as “Mizuko 水子.” In most cases, however, the Mizuko worship is closed in private consolation, so it does not reach the ethical norm. Rather, it loses the intensity of the ethical norm by worshipping killed fetuses.³⁹

Serving the dead as dead cannot be achieved by simply enshrining the dead. It means that one keeps, hesitantly and trembling, standing by or in front of that which cannot be enshrined or that which one cannot worship. *Kuyo* or holding a memorial service signifies service which one renders to others with respect. It originally goes back to the Sanskrit term *upa-√sthā*, meaning standing by others. If Buddhism can open up the

39. As a matter of fact, “Mizuko” is a good business for consolation, as “service of Mizuko,” by appealing to its disquieting character. Concerning Buddhism and “Mizuko,” see Nakano 1997.

time of a memorial service to serve the dead as the dead in its possibility, it will be able to develop radically different discourse on Bioethics. This remains to be heard.

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