Buddhism without Buddhists?
Academia & Learning to See Buddhism Like a State[1]

Joseph Walser
Tufts University

Contemporary studies of Buddhist philosophy take on the task of conceptual reconstruction of ancient thinkers by putting philosophers like Nāgārjuna or Dharmakīrti in conversation with philosophers such as Kant or Daniel Dennett. In so doing, they frequently treat "Buddhism," "Abhidharma," etc. normatively as a kind of shorthand for a finite set of propositions, i.e., "the doctrine of no-self" or "essentialism," respectively. This article has four parts. The first discusses the contrast between academic certainty that Buddhism teaches absence of a self and the evidence upon which this assertion is based. The second part brings these discussions to bear on Dan Arnold's treatments of Nāgārjuna to argue that the cogency of his reconstruction of Nāgārjuna's arguments is undermined by not being sufficiently grounded in the evidence of historical context. The third part turns to Arnold's contention that the proper study of religion should be about its doctrines and that these should be evaluated independent of social and political forces. Finally, I will suggest that there are troubling ethical implications to representing Buddhism free of social and historical context insofar as it ends up erasing Buddhists from the picture of "Buddhism." I turn to a genealogy of the idea that our belief is free to show that the autonomy of belief we find in philosophical studies of Buddhism perpetuates a set of assumptions about Buddhism and religion that have more to do with Western post-Cold War state sensibilities than with the concerns of the ancient authors they purport to explain.

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ON BUDDHIST STUDIES AND WHALE EARS

In 1960, art historian E.H. Gombrich published an expanded version of what had been a series of lectures on the role of perception in the creation of art. As an extensive meditation on the observation he had made in his previous book that "no artist can 'paint what he sees,'" Gombrich provides some provocative examples of ways that what we already know often takes precedence over what we, in fact, see.[2] He begins his second chapter, "Truth and the Stereotype," with a quote from Kant's *Critique of Pure Reason*: "The schematism by which our understanding deals with the phenomenal world ... is a skill so deeply hidden in the human soul that we shall hardly guess the secret trick that Nature here employs."[3] He then gives a series of examples from realist drawings by artists purportedly drawing what they knew, not what they saw. One of his examples involves beached whales.

> The caption of a Roman print of 1601 ... claims the engraving represents a giant whale that had been washed ashore near Ancona the same year and "was drawn accurately from nature." ("*Ritratto qui dal naturale appunto*.") The claim would be more trustworthy if there did not exist an earlier print recording a similar "scoop" from the Dutch coast in 1598. But surely the Dutch artists of the late sixteenth century, those masters of realism, would be able to portray a whale? Not quite, it seems, for the creature looks suspiciously as if it had ears, and whales with ears, I am assured on higher authority, do not exist. The draftsman probably mistook one of the whale's flippers for an ear and therefore placed it too close to the eye. He, too, was misled by a familiar schema, the schema of the typical head. To draw an unfamiliar sight presents greater difficulties than is usually realized. And this, I suppose, was also the reason why the Italian preferred to copy the whale from another print. We need not doubt the part of the caption that tells the news from Ancona, but to portray it again "from the life" was not worth the trouble."[4]

Scholars of Buddhism, like any other scholars, seek to assure their audiences, like the Dutch realists, that the Buddhism they describe is "drawn accurately from nature," but as with the seventeenth-century whales, drawing an accurate picture of an unfamiliar religion is harder

2. E.H. Gombrich, *Art and Illusion: A Study in the Psychology of Pictorial Representation* (New York: Pantheon Books, 1960), ix.
3. Ibid., 63.
4. Ibid., 80–81.

than it looks. While a full account of Western schemas of Buddhism would have to begin at least fifty years before the Dutch woodcut,[5] let me provide a quick demonstration of the sometimes overreliance of Buddhist scholars on the schemata or stereotypes provided from prior Buddhist scholarship at the expense of Buddhist sources. As an example, I will begin with E.H. Gombrich's son, Richard Gombrich, whose 1971 work *Precept and Practice* promises to provide "a contribution to the empirical study of religion, and in particular to the study of religious change."[6]

An empiricist, Gombrich is careful to explain that he is measuring change by holding the modern Buddhists he met in Sri Lanka up to the canonical standard of Buddhaghosa's fifth-century interpretation of the Pāli canon. He concludes: "I found the Buddhism which I observed in Kandyan villages surprisingly orthodox. Religious doctrines and practices seem to have changed very little over the last 1,500 years [i.e., since Buddhaghosa]."[7] What ends up being the focus of Gombrich's work is not so much the change between the time of Buddhaghosa and modern Singhalese Buddhists, but rather the disjuncture between "what people say they believe and say they do, and what they really believe and really do."[8] For example, he tells us (in context, referring to Theravādin "orthodoxy" as represented by Buddhaghosa) that, "Theravāda Buddhism is *anātmavāda*—the doctrine of no soul." He immediately clarifies that "this much is known to innumerable people who could not explain it. Most monks, however, can explain that *ātman*, self, is merely the name of an aggregate of mind and body ... it has no independent existence."[9] He finds another monk whom he identifies as the incumbent of Mīgala temple who explains, "We have no *ātma*, he said, because *ātma* implies something changeless, and we change all the time.... We use the word *ātmē*, and talk as if it existed, for convenience (*pahasu piṇisa*). This is the realm of conventional truth (*sammuti satya*); ultimate truth is different ('*paramārtha satya venayi*'). The being who is born is neither the same as, nor different from, the one

5. Urs App, *The Cult of Emptiness: The Western Discovery of Buddhist Thought* (Kyoto: University Media, 2012).
6. Richard Gombrich, *Precept and Practice: Traditional Buddhism in the Rural Highlands of Ceylon* (Oxford: Oxford University Press, 1971), 1.
7. Ibid., 40.
8. Ibid., 4.
9. Ibid., 71.

who died...."[10] Noting the apparent disjuncture between the doctrine of *anātman* expounded by the monk and the fact that virtually every other Buddhist spoke as if "they" would be reborn in a future lifetime, Gombrich asks, "Is the Buddhist then not being logically inconsistent? I think not. If it is merely conventional truth (*sammuti satya*) to talk of 'I' when in reality (*paramārtha viśayen*) I am nothing but a series of groups (*skandhas*), why should it not be equally permissible to use convention to talk of 'my next life'?"[11] Gombrich goes on to explain the rationale behind the ultimate and conventional truths by mapping them on to our "cognitive level" of thinking (the theoretical propositions that we assent to intellectually) and the "affective level" (beliefs that can be inferred from our actions and affects). I might, for example, intellectually affirm that there is no real me and that I am a mere collocation of elements and processes yet still act for my own self-preservation, thereby implying a self to be preserved.

To the extent that Gombrich discusses Sinhalese conformity or departure from orthodoxy, his argument requires fieldwork and interviews with contemporary Buddhists (which he has done), but also an "orthodoxy" against which to measure the departure. Here he names Buddhaghosa as the benchmark for his "orthodoxy," telling us that "the doctrines of the villagers would have been approved by Buddhaghosa and ... most of their religious practices would have been familiar to him and his contemporaries."[12] Whereas, throughout the book, he does a good job showing how forms of worship in particular were discussed in Buddhaghosa, he doesn't ground his characterization of Buddhism as *anātmavāda*. As part of his justification for his "Theravāda Buddhism is *anātmavāda*" statement, he merely says that "the doctrine of no-soul, *anātmavāda*, is canonical according to the interpretation of Buddhaghosa."[13] But despite the thorough reading of Buddhaghosa displayed elsewhere in the book, when we turn to the footnote for evidence supporting the claim about selflessness, he only

10. Ibid., 72.
11. Ibid., 73.
12. Ibid., 45.
13. Ibid., 72.

refers us to the 1933 *History of Buddhist Thought* by E.J. Thomas and Walpola Rahula's *What the Buddha Taught* (1959).[14]

Much more problematic is the account of Melford Spiro, whose book on Burmese Buddhism came out the year before. Spiro devotes the second chapter to summarizing "the main doctrines of normative Buddhism." Where Gombrich is relatively careful to let us know from where he gets his information, Spiro is not. In this chapter, he tells us that his account is based "on the important sources (primary and secondary) of *Theravāda* Buddhism, as well as discussions with numerous scholarly monks in Burma,"[15] but he does not tell us which parts of his explanation come from Buddhist texts, which from Western scholarship, and which from monks with whom he spoke. His account is normative in the sense that his "Buddhism" is both univocal and ahistorical. For example, he tells us that "*in opposition to Hinduism*, Buddhism ... not only denies the existence of a permanent ground of being[16] ... but also denies the existence of a soul. Hence, opposing the doctrine of *ātman*, Buddhism teaches the doctrine of *anattā.*"[17] Here, where Gombrich is careful to say that the self has no independent existence, Spiro stakes a stronger claim that Buddhism "denies the existence of a soul." Moreover, this denial is explained as the distinction from Hinduism. Though he does not tell us at this point whether he gets

14. E.J. Thomas, *History of Buddhist Thought* (London & New York: A.A. Knopf, 1933); Walpola Rahula, *What the Buddha Taught* (New York: Grove Press, 1959).
15. Melford Spiro, *Buddhism and Society: A Great Tradition and Its Burmese Vicissitudes* (New York: Harper & Row, 1970), 31.
16. Spiro's assertion that "Buddhism" denies the existence of a Tillichian "permanent ground of being" is befuddling here. While, by 1970 when Spiro publishes his book, the theology of Paul Tillich had become more mainstream in the US as providing a broad definition of religion (*US v. Seeger* had appealed to Tillich's "ultimate concern" as defining of religion five years earlier), it is not at all clear to me what Indic word this would translate. It is possible that he meant something like the neuter *brahman* that is discussed in the Upaniṣads, but I am not aware of any premodern Buddhist author or sutra that has the Buddha deny the existence of *brahman*. Furthermore, there is a good translation for "ground of being" in Tibetan, namely *gzhi* (lit. "ground" or "basis") as in *gdod ma'i gzhi* (usually translated as "primordial ground of being"). But not only is this not ever denied by the Buddha in any Buddhist scripture, but it forms the centerpiece of the rDzogschen tradition of the Nyingmapas—hence, embraced and not denied by Buddhists.
17. Spiro, *Buddhism and Society,* 36 (emphasis mine).

this information about the doctrine of *anattā* from Theravāda textual sources or from monks, later on he makes it clear that he did not learn about the centrality of *anattā* from monks with whom he spoke. He tells us that "the doctrine of nonself (*anattā*) is not only a crucial concept in Buddhist ontology, but the recognition of its truth is a fundamental element in nibbanic soteriology, being a prerequisite for the attainment of nirvana." Then a scant three sentences later he writes, "Burmans, as we shall see, not only reject the concept of nonself, but many of them, including the most knowledgeable Buddhists in Yeigyi, do not even know its meaning."[18] Now, while I find it unlikely that no one in Burma in the 1960s (the decade after Prime Minister U Nu began promoting Pāli learning and Ledi Sayadaw's *vipassanā* meditation among the laity) had an understanding of *anattā*, what I find interesting about Spiro's statement is that he apparently didn't think it strange that there could be a "crucial concept" of a religion that was nevertheless unknown to its adherents. To my knowledge, the accusation that someone could be an adherent of a religion and yet be ignorant of its "crucial concepts" has never been leveled at Christianity, Judaism, or Islam. This idea is, however, was commonplace in colonial and postcolonial writings about Asian religions in general. In particular, the idea that the majority of Buddhists are ignorant of their own religion has been a common trope in Western scholarship on Buddhism since 1551.[19] So, it apparently does not violate "common sense" that what is normatively "Buddhism" for Spiro can be as unknown to Buddhists as it is "crucial" to Buddhist scholars.

If Spiro doesn't learn of the centrality of the doctrine of *anattā* from the Buddhists to whom he spoke, then he either got it from the work of other scholars or he found this information in the Pāli canon itself. Twelve years later, Steven Collins's *Selfless Persons* picks up this topic of *anātman* in the Pāli canon. Collins is clear that he is not an anthropologist and has done no fieldwork (though he explicitly refers to both Gombrich and Spiro for a number of his insights). His only source for the description of selflessness is the Pāli canon. He argues that

18. Spiro, *Buddhism and Society,* 84–85.
19. Urs App, *Cult of Emptiness*, 30, 133–135.

for Theravādins, the denial of self is "a belief their texts ubiquitously deny."[20]

> I will argue that the denial of self in fact represents a linguistic taboo; but a taboo which is applied differently by different Buddhists, according to their position on the continuum from ordinary man to specialist. For ordinary men, the doctrine is not a matter of immediate, literal, and personal concern. As a socially institutionalized system of symbols, Buddhist theory functions as a reference point which orients, and provides a criterion for, the general religious outlook and practices of the ordinary Buddhist; in this sense***, the anattā doctrine's crucial importance is to provide an intransigent symbolic opposition to the belief system of the Brahman priesthood, and therefore to the social position of Brahmins themselves***. For Buddhist specialists, ... the doctrine is taken literally and personally, and this anatta represents a determinate pattern of self-perception and psychological analysis, which is at once the true description of reality—in Buddhist terms it "sees things as they really are"—and the instrument by which the aspirant to nirvāṇa progresses towards, and achieves, his goal.[21]

Here again, we have Buddhism normatively asserted to deny the existence of a self, with the denial "providing an intransigent symbolic opposition to the belief system of the Brahman priesthood, and therefore to the social position of Brahmins themselves." Collins, of course, had read enough Gombrich and Spiro to know that many Buddhists don't have the foggiest idea what *anātman* refers to, and so he justifies this ubiquity of selflessness in light of Buddhists' ignorance of it by appealing to the two truths:

> The preceding considerations suggested *a priori* that the doctrine of *anattā* can be of immediate concern only to a small number of Buddhist intellectuals; a study of the canonical texts shows clearly that the denial of self, the refusal to allow any "ultimate" validity to personal terms which are taken to refer to anything real and permanent, is insisted on only in a certain specific kind of conceptually sophisticated theoretical context. The linguistic items translated lexically as "self" and "person" (in Pali *attā*, *purisa/puggala*, Sanskrit *ātman, puruṣa/pudgala* respectively) are used quite naturally and freely in a number of contexts, without any suggestion that their being so used might conflict with the doctrine of *anattā*. It is only where matters of systematic

20. Steven Collins, *Selfless Persons: Imagery and Thought in Theravāda Buddhism* (Cambridge, UK: Cambridge University Press, 1982), 9.
21. Ibid., 12.

> philosophical and psychological analysis are openly referred to or presupposed on the surface level of discourse that there is imposed the rigid taboo on speaking of "self" or "person." We shall see ... that the later *Theravāda* tradition constructed a meta-linguistic explanation for this difference in the use of personal terms—that is, in terms of a difference between "conventional" and "ultimate" truth.[22]

Despite its very different subject matter, we can see Collins copying the schematic template of "Buddhism" from authors like Gombrich and Spiro (and probably a host of others). Like both of them, he takes *anātman* to be authoritative for the Pāli canon, but whereas Gombrich is careful to locate the denial of self in Buddhaghosa, Collins locates it in Buddhist texts generally. Like Spiro (and unlike Gombrich at this point in his career) he takes the "taboo" of mentioning the self to be an intended affront to Brahmanism, but where Spiro is vague about *where* or *when* one finds this opposition between Buddhism and Brahmanism, Collins implies that he finds this affront in the Pāli canon. Finally, Collins also finds it necessary to deal with the fact that many Buddhists don't know about selflessness by appealing to the two truths doctrine (the same one discussed by Gombrich's informant). Under this reading, only elite Buddhist monks (and Western scholars) know the ultimate truth (= *anātman*) while common folk know only the conventional truth (there is a "you" that transmigrates). But here again, he states that we will find this distinction in "the later Theravāda tradition." If Collins can establish that these features are in the Pāli canon, then Spiro would be justified in his assertions both about the centrality of denial of self as well as about Buddhism teaching *anātman* in opposition to Hinduism.

There are three features of Collins's account that I would like to look at more closely. The first is that in their denial Buddhist texts say that *ātman* does not exist. The second is that this denial is polemical and aimed at the Brahmanical tradition, and the third is that Buddhist texts use the two truths to distinguish different teachings for different aptitudes of practitioner. For each of these three points, we find that Collins's account has been guided more by what other scholars have written than to what is written in the Pāli canon. If I am correct, then these features in Spiro's work came neither from modern monks nor from canonical Buddhist texts, but were recycled from Western

22. Ibid., 71.

scholarship which, at least on this point, turns out to have built a large castle with a very shaky foundation.

We can divide the Pāli canon into three chronological strata, the *pāli* or root texts, the *aṭṭhakathā* or fifth-century commentaries orchestrated by Buddhaghosa, and the (possibly twelfth-century) *ṭīkā* or subcommentaries. While there are quite a few root texts that discuss things that are not to be understood as self/*attā* and that one should not be attached to the view of self such that "this is me" or "this is mine," or even think, "this is me, this is who I am," there are no texts in Pāli that unambiguously[23] say the self doesn't exist. While we can hardly read the bulk of early Pāli materials as directly endorsing the idea of a transcendent *ātman*, *anātman* in the first strata of the Pāli canon actually allows a range of *interpretations* of this term, from suggesting that there might be a self, to the practice of not thinking about a self, to denying it exists. On the other hand, there are simply no texts from this strata at all that suggest that *anātta* was a refutation of Brahmanism.[24] If there had been a linguistic taboo about the self, it certainly looks like it was equally taboo to say out loud that the self simply doesn't exist, *especially to Brahmins*.[25] Collins refers to Walpola Rahula's *What the Buddha Taught* in his introduction, but Rahula himself overstates the case when he says, "Buddhism stands unique in the history of human

23. I am not saying that such sutras did not exist elsewhere or that sutras could not be read that way. The *Alagaddūpama-sutta* of the *Majjhima Nikāya* comes close to saying the self doesn't exist. Vasubandhu quotes a certain *Daridra* (or *Badāri*) *Brāhmaṇa-sūtra* that also explicitly states that the *ātman* does not exist, though I have not been able to find parallels to this text outside of Vasubandhu and the *Yuktidīpaka* that quotes him (see Marek Mejor, "'There Is No Self' (*Nātmāsti*)—Some Observations from Vasubandhu's *Abhidharmakośa* and the *Yuktidīpikā*," *Communication & Cognition* 32, nos. 1/2 [1999]: 110ff.). What I am arguing is that it is one thing for Vasubandhu to characterize Buddhism with reference to this sutra, but quite another for an anthropologist of Theravāda to do so based on Vasubandhu's quotation of a text that no one else seems to have been aware of.

24. This has been argued at length by Kamaleswar Bhattacharya's *The Ātman-Brahman in Ancient Buddhism* (Catopaxi, CO: Canon Publications, 2015; orig. ed. 1973). For a different angle on the same problem, see Joseph Walser, "When Did Buddhism Become Anti-Brahmanical? The Case of the Missing Soul," *Journal of the American Academy of Religion* 86, no. 1 (2018): 94–125.

25. E.g., *Saṃyutta Nikāya* 44.10.

thought in denying the existence of such a Soul, Self, or *Ātma*n" and then quotes more Western scholars to support this claim than he does Pāli texts.[26] Finally, among the root texts, there are only two texts that even mention a kind of two truths theory (*Aṅguttara Nikāya* 2.3.25–26 and *Nettipakaraṇa* 21), but the doctrine of explicit teaching and metaphorical teaching is nowhere applied to the term *atta*.[27] As for the two truths of *saṃvṛti/sammuti* and *paramārtha/paramattha*, whereas there are discussions of things like living beings and chariots being "convention," nowhere in the first strata do we find a two truths theory where said convention is contrasted with something that is ultimately true.

When we get to Buddhaghosa in the fifth century, the commentaries attempt to reconcile textual discrepancies of what was probably a large set of texts written by different authors at different times with different agendas. The resulting commentarial effort led by Buddhaghosa levels things out in the direction of simply saying the self does not exist (and here Gombrich's assertion that denial of self is important for Buddhaghosa finds some justification). Buddhaghosa's *Path of Purification* uses the *Majjhima Nikāya*'s *Rathavinīta-sutta* as its architectonic, thereby raising "purification of view" and specifically the three characteristics of suffering, impermanence, and selflessness to a pride of place toward the end of the seven purifications that it didn't necessarily have in the root texts themselves. It is in Buddhaghosa's *aṭṭhakathās* that we first find the expression that "the self ... does not exist" in Pāli texts. In *Selfless Persons*, Collins treats terms like *puggala* (person) and *satta* (living being) as identical to *ātman* (the subject of action and cognition/soul) such that a refutation of the former two constitute just as much of a refutation of Brahmanism as the refutation of the latter would. Collins points out that there are a few places in the commentaries where we find the two truths applied to the self in expressions like, "ultimately, the personality (*puggala*) does not exist" (*Aṅguttara Nikāya Aṭṭhakathā* 2.118) or "ultimately, the being (*satta*) does not exist" (e.g., *Dīgha Nikāya Aṭṭhakathā* 2.381). Collins understands *puggala* and *satta* in these passages to be equivalents of the Brahmanical *ātman*. But it is not at all clear that Buddhaghosa (or any Upaniṣadic, Naiyāyika, Saṃkhya, etc. authors at the time) understood them to be equivalent. The *aṭṭhakathā* discussions pick up the argument made in

26. Rahula, *What the Buddha Taught*, 51.
27. It is, once, applied to *satta*. *Saṃyutta Nikāya* 5.10.

the *Vajīra-sutta* of the *Saṃyutta Nikāya* (with a parallel discussion in the *Milindapañha*) in which the nun Vajīra is asked by Māra about where the living being comes from and where it goes. She responds, "Just as, with an assemblage of parts, The word 'chariot' is used, So, when the aggregates exist, There is the convention (*sammuti*) 'a being' (*satto*)."[28] In context, the convention "being" is a word denoting a collectivity (chariot) and the singular parts that make it up. Even without a full blown two truths theory, the implication is that a living being (*satta/satva*) is a conventional expression because it represents a collectivity. Buddhaghosa never uses this kind of argument against the Brahmanical teaching of *ātman,* probably because he knew nobody thought that the *ātman* was composite. By the same token, he *could* argue that *sattvas* or *pudgalas* had merely derivative existence, because nobody (including the Brahmanical *śākhās* and the Pudgalavādins) thought that they were singular entities. In fact, it isn't until the twelfth-century *ṭīkā* subcommentary on the *Dīgha Nikāya*'s *Mahānidāna-sutta* that we find an explicit statement that *ātman* does not exist ultimately.[29] Finally, there is nothing anywhere in Buddhaghosa's discussion to suggest that the two truths had anything to do with levels of understanding, dividing monastic from lay Buddhists.

To be fair, Buddhaghosa does say (verbatim) in three different places that "while the self of the sectarians (*titthiyānaṅ*) does not exist with an individual essence (*sabhāvo*), not so these [elements, *dhātu*]. These, on the contrary, are elements (*dhātu*) since they cause [a state's] own individual essence (*attano sabhāvo*) to be borne (*dhārenti*)."[30] The

28. Bhikkhu Bodhi, trans., *The Connected Discourses of the Buddha: A Translation of the Saṃyutta Nikāya* (Boston: Wisdom Publications, 2000), 230.

29. "Since no self exists in the ultimate sense, but only as a mental construct of the theorists, the commentator includes the above passage to show what it is they perceive as self and their mental constructions concern its nature, such as having material form, etc." (Bhikkhu Bodhi, *The Great Discourse on Causation: The Mahānidāna Sutta and Its Commentaries* [Kandy: Buddhist Publication Society, 1995], 119); "*Yasmā attā nāma koci paramatthato natthi. Kevalaṃ pana diṭṭhigatikānaṃ parikappitamattaṃ, tasmā yattha nesaṃ attasaññā, yathā cassa rūpibhāvādiparikappanā hoti*" (*Ṭīkā* 2.140). But while there are a number of places in the *Ṭīkā* that discuss convention being non-existent from the ultimate point of view, there is nothing in the context of that commentary to suggest that this was a Brahmanical belief.

30. E.g., *Paṭisambhidamagga Aṭṭhakathā* 1.84.

problem is that, while this passage clearly indicates that in this case the teaching on the elements may be used as polemics against somebody's idea of *ātman*, the polemical opponent is a *titthiya/tīrthika*—which for Buddhaghosa is an outsider but not necessarily what we would refer to as a representative of Brahmanism. The term *titthiya* in Buddhaghosa's commentaries is only ever glossed as denoting wanderers like Jains and Ajīvakas. Wanderers (*parivajjakas*) could be Brahmin by caste, but not all of them were. By the same token, there are many important Brahmins like Todeyya, Pokkarasati, and Janussoṇi who are never referred to as *titthiya*, because they weren't *parivajjakas*.

The idea that the doctrine of *anātman* equals the non-existence of *ātman* for all Buddhists and that this negation epitomizes Buddhism is both a gross overstatement of the evidence and something that we find many authors reading back into Buddhist history all the way to the Buddha himself. Furthermore, given that there are so few texts in the whole canon that make the strong claim that the *ātman* doesn't exist and no texts that indicate the *anātman* doctrine was to refute the Brahmanical/Upaniṣadic *ātman*, we have to ask how the whole tradition came to be characterized as denying *ātman* as a reaction to Brahmanism. It would seem that these ideas are something that modern scholars read *into* pre-modern sources, not something that they learned *from* them.

I am, of course, not the first to see a problem of scholarly normative "Buddhism" blinding scholars to what Buddhists were actually up to. Louis de La Vallée Poussin noted in 1898 of how many Buddhists were left out of the scholarly category of "Buddhism." He complained that "One commonly regards idolatrous and superstitious Tantrism as 'no longer Buddhism;' *one forgets that Buddhism is not separable from Buddhists*, and that ... [Hindu Buddhists] were willingly idolatrous, superstitious, and metaphysical."[31] Vallée Poussin's concern is that we, as scholars, should not have our "Buddhism" deviate too far from the Buddhists who instantiate it. As sensible as the inseparability of

31. Christian Konrad Wedemeyer, "Vajrayana and Its Doubles: A Critical Historiography, Exposition, and Translation of the Tantric Works of Aryadeva" (PhD diss., Columbia University, 1999), 44; emphasis mine. Wedemeyer's discussion of Vallée Poussin's career and his relation to scholars such as Rapson goes beyond what I have referenced here and is well worth reading in its own right; see pp. 41–50.

Buddhism from Buddhists might seem, the young Vallée Poussin was taken to task for it by Cambridge's Edward Rapson.

> [Vallée Poussin] protests against the view very generally accepted that the Pali scriptures are the best extant representatives of Buddhism in an early form and contends that the Northern scriptures preserve the traces of a far older state of things. He also lays stress on the importance for the comprehension of early Buddhism of a study of the tantras—works which have been *universally regarded* as not only extremely late in point of date, but also as embodying ideas of an *essentially non-Buddhistic character*, due entirely to foreign importation.[32]

Rapson here defends the (academic) normative Buddhism by appealing (through a rather liberal application of passive voice) to an equally diaphanous scholarly "consensus." Indeed, Rapson argues (somewhat tautologically) that tantra should be excluded from our comprehension of early Buddhism because its character is non-Buddhistic. But such exclusion implies that "Buddhism" can exist (and, indeed, may often exist) without Buddhists—thereby excluding Buddhists from "consensus." For Rapson, it is not as if tantric Buddhists are good Hindus. The kind of miscegenation they embody just makes them *bad Buddhists*.

THE WESTERN SCHEMA OF BUDDHISM

So where does our schema of "Buddhism" come from if not from Buddhists? If we look back at the history of Western interpretations of this idea of *anātman*, we find that sixteenth-century Jesuits talking to Zen monks in Japan were aware of the contrast between the Christian teaching of a "soul" and their Zen interlocutors' denial not only of the soul, but of the efficacy of ritual, God, and the afterlife. Urs App contextualizes these responses in the polemics of Zen *vis-à-vis* other sects in Japan at the time and notes that what was clearly a sectarian-specific response was taken by the foreigners to be true of all of the "Law that produces Saints," which was their term for the Japanese *buppō* 佛法 and for what we call "Buddhism." As missionary knowledge of East and South Asia expanded, Buddhism was not seen to be a separate religion from "Confucianism or "Hinduism," but rather Buddha or "Xaca" was seen to be one teacher in a generalized Oriental religion that spanned South and East Asia and whose origins ultimately could be either traced

32. Wedemeyer, "Vajrayana and Its Doubles," 45–46.

through Zoroaster to Noah's son Ham or to one of the Greek or Egyptian cults.[33] Philip Almond writes that it was really only at the beginning of the nineteenth century that the British public began to differentiate Buddhism from Hinduism, but for the first decades of the nineteenth century writers tended to use organic metaphors, such as that one of them was an "outgrowth" or "developed out of" the other.[34] Despite the fact that later Jesuits like Heinrich Roth (1620–1668) and François Bernier (1625–1688) would spend considerable time in India (Bernier spent some of that time with Mohammad Dara Shikoh, who was involved in a largescale study and translation project of the Upaniṣads), both of them assumed that the Buddha was the founder of the religion of the Brahmins, not their opponent.[35] Even as late as 1827 Michael Symes could write, "After what had been wrotten, there can be little necessity to inform my readers that the Birmans are Hindoos: not votaries of Brahma, but sectaries of Boodh, which latter is admitted by Hindoos of all descriptions as the ninth Avtar, or descent of the Deity in his capacity of preserver."[36]

That said, the Western trope of Buddhism versus Brahmanism that we find animating Spiro and Collins can be traced back to 1788 when William Jones writes that "The Brahmans universally speak of the *Bauddhas* with all the malignity of an intolerant spirit, yet the most orthodox among them consider *Buddha* himself as an incarnation of Vishnu."[37] He famously solves the apparent contradiction between reverence for the founder and antipathy toward the adherents (none of whom Jones meets) by postulating two Buddhas, an earlier incarnation of Viṣṇu and a later follower by the same name who, "assuming his name and character, attempted to overset the whole system of the Brahmans, and was the cause of that persecution, from which

33. App, *Cult of Emptiness*, 100–102. The Egyptian origin theory was still around in 1805 when J.D. Patterson published his "Of the Origin of the Hindu Religion," *Asiatic Researches* 2 (1805): 44–87.

34. Philip Almond, *The British Discovery of Buddhism* (Cambridge, UK: Cambridge University Press, 1988).

35. App, *Cult of Emptiness*, 164.

36. Almond, *British Discovery of Buddhism*, 16.

37. Sir William Jones, "On the Chronology of the Hindus," in *The Works of William Jones, vol. 4., With the Life of the Author by Lord Teignmouth* (London: John Stockdale and John Walker, 1807).

the Bauddhas are known to have fled into very distant regions."[38] The source of Jones' judgement about the opposition of Buddhism and Hinduism was apparently the opinion among Brahmins he met that "*Bauddhas*" were opposed to the system of the Brahmanas and had been persecuted and driven out of the area. Certainly, one finds the term "*bauddha*" (singular or plural) vilified in the *purāṇas* and *upapurāṇas* he was reading as well as in some of the philosophical texts of Kumārila, Udayana, Mādhavācārya, and Vijñānabhikṣu (whom he didn't read) in lieu of naming their philosophical opponent (which was apparently considered impolite). It is also likely that the Brahmin pandits he encountered were familiar with one or several of the late medieval *Śāṅkaravijaya* (or *-digvijaya*) texts, the story from the thirtieth chapter of the *Baviṣyapurāṇa-Pariśiṣṭha* of Udayana's defeat of an unnamed Buddhist logician at the court of Mithilā or (at least in the case of his friend Goverdhan Caul) the story of the conflict between Śaiva kings and *nāga* worshipers on the one hand and Buddhists on the other from Kalhana's twelfth century *Rājataraṅginī*. Either way, we see Jones taking here the opinion of contemporary pandits combined with references in a few late medieval polemical texts as historical "proof texts," parts to represent the whole. As such we end up with a Buddhism that was in conflict with Hinduism *from its inception*.

After Jones' essays, the assumption that Buddhism and Hinduism were two separate religions became increasingly the common opinion, although exactly what distinguished the two religions shifts over the course of the century. At the beginning of the century (in 1799, actually) Francis Buchanan would depict the Buddha as reforming Brahmanical law as found in the *Laws of Manu*, laws that "have become the most abominable, and degrading system of oppression, ever invented by the craft of designing men."[39] In the 1830s through the 1870s Buddhism's reforming role turned to the caste system (which at the time was identified with Hinduism).[40] By the 1850s the rhetoric had turned Buddhism into a criticism of Brahmanical ritualism. In light of the fact that there is very little indication in any Buddhist sources that historical Buddhists

38. Ibid., 20.
39. Almond, *British Discovery of Buddhism*, 70.
40. Ibid., 72.

(a) resisted *dharmaśāstra*, (b) reformed the caste system,[41] or (c) were anti-ritual, we have to look at what was going on during the nineteenth century among the British for clues. In the above picture, we note that by the beginning of the nineteenth century, British authors began to see Buddhism and Hinduism as two separate kinds of religion in ways that their predecessors did not. Furthermore, as Almond says, "The status of the Buddha was enhanced enormously by the perception that he had been an opponent of Hinduism, for in this he was aligning himself with the vast majority of Victorians."[42] In other words, Buddhism was good (and like them) whereas Hinduism was bad/other. Here it is important to keep in mind that the British had full control over Sri Lanka by 1833 but were still struggling with India—the Sepoy Rebellion in 1857 leaving a decidedly negative impression in the British mind. We will not be far off to say that British read Buddhism (good) on to a pacified Sri Lanka while Hinduism (bad) was read on to a still resisting subcontinent. If Buchanan in 1799 then reads Buddhism as reacting against the oppressive Brahmanical *Laws of Manu* then it was an oppression that the British (beginning with Warren Hastings) had made the law *for all Hindus* starting in 1772.[43] That Buddhism would be a reformist religion abolishing caste in the late 1820s and 30s onward would certainly have been of primary interest (and polemical usefulness) to British abolitionists, who finally succeeded to end slavery in 1833, and to American abolitionists, who ended it finally in 1864. Finally, as Almond points out, the spate of writing that discusses the Buddha or Buddhism as "anti-ritual" in the 1850s corresponds chronologically with "an especially virulent outbreak of anti-Catholicism in England."[44] That we can map opinions of the Buddha on to political events in the West gets further confirmation by Almond's observation that the only time in the nineteenth century when Buddha's status as "reformer" is explicitly

41. There is no evidence that Buddhists tried to reform the caste system, and quite a bit of evidence that while some Buddhist authors speak out against discrimination based on caste, others were fine with it. See Jonathan A. Silk, "Indian Buddhist Attitudes toward Outcastes: Rhetoric around *Caṇḍālas*," *Indo-Iranian Journal* 63, no. 2 (2020): 128–187.

42. Ibid., 70.

43. Rosanne Rocher, "The Creation of Anglo-Indian Law," in *Hinduism and Law: An Introduction*, ed. Timothy Lubin, 78–88 (Cambridge: Cambridge University Press, 2010).

44. Almond, *British Discovery of Buddhism*, 73.

denied is in the early 1880s by Herman Oldenberg. Oldenberg's opinion (and the works that quote it) were, "in effect, the result of an attempt to protect the Victorian Buddha from being perceived as an early proponent of those forms of socialism that were perceived by many as threatening the structure of English society from the beginning of the 1880s especially."[45]

Now, to be clear, there is not much discussion of Buddhist *anātman* being the main contrast with Brahmanical *ātman* in the nineteenth century. Nevertheless, the schema of a Buddhism opposed to Brahmanism was well established, and scholars were already being trained to draw them as separate and opposed. It is in the midst of shifting positions on Buddhism and Hinduism that we find, in 1898, the exchange between La Vallée Poussin and Rapson. The tension between them boils down to a tension between description and representation. Vallée Poussin was concerned to describe who Buddhists were and so if the boundaries between Hinduism and Buddhism were sometimes erased, mobile, or inconsequential so be it. He lets Buddhists speak for themselves. For Rapson, Buddhism and Hinduism were distinct categories that should be demonstrated with representative examples. But as with racial categories and political parties, the tokens chosen to represent the category are often chosen to *accentuate the difference* from the opposing category rather than to represent a statistically average member of the category. We should at least ask ourselves whether the tokens we choose to represent the category characterize some kind of average in the population or whether we have chosen an extreme example just because it provides the contrast that *we* need. In any case, it is when religion becomes primarily "belief" or "doctrine" in the twentieth century that scholars had to look for a doctrinal litmus test that would justify the distinction between the two.

If the scholarly schema of Buddhism assumes that Buddhism and Brahmanism are two different kinds, then they should be definable by an absolute distinction in doctrine. Thus the logic goes, if Brahmanism affirms a self then Buddhism is the religion that denies it. If one looks for it, one can find a tectonic collision between two religions in the texts of Indian philosophy. One finds Naiyāyika or Maimāṃsikā texts arguing for the existence of *ātman* against the *bauddha* or *saugata* opponents. In English, when we encounter collective nouns like "the

45. Ibid., 75.

Christians" or "Muslims" the default is to understand these statements as demographic claims (if x is a Christian, x believes y). But this is not how we should read these nouns in Indian philosophical debates. For whatever reason, Indian polemical texts (Candrakīrti being an exception) are loathe to mention the names of their opponents. Hence, when we encounter the word "Buddhists" as the opponents in, say, Kumārila, we should read it as "the Buddhist (Dharmakīrti)" or "the Buddhist (Dignāga)."[46] But the colonial mind latched on to statements like these as demographic claims that could apply to all of Buddhism so that a debate between a Buddhist and a Vedāntin (in the case of Śaṅkara) could be read as Brahmanism's opposition to Buddhism and thenceforth Brahmin's opposition to Buddhists. And the colonial mind liked to keep their categories tidy. We should keep in mind that the mid-nineteenth century also saw not only the rise of anthropology (which at the time was obsessed with measuring heads to establish "races") but simultaneously a concern about miscegenation (the word was first used in 1864)—which was assumed at the time to lead to degradation and ultimately to infertility.[47] For twentieth- and twenty-first–century scholars, the degenerate miscegenated form of Buddhism was either Buddhist tantra (as we saw in Rapson's comments above) or *pudgalavāda*—whose lineage had died out.

For example, in the second edition (2012) of their *Buddhist Thought: A Complete Introduction to the Indian Tradition*, Paul Williams, Anthony Tribe, and Alexander Wynne, say,

> As we shall see, the doctrine of the *pudgala* ... appears on the surface to be in tension with the Buddhist espousal of not-Self (*anātman*). It was strongly opposed by other Buddhist schools. Followers of Pudgalavāda were accused of having all but ceased to be Buddhist.... Unsurprisingly opponents felt that this is in fact the *ātman* in another guise. The so-called *pudgala* necessarily must be reducible to the dharmas which make up the aggregates—in which case the Pudgalavādins would hold the same view as other Buddhists—or must be a separate

46. It is highly unlikely that all Buddhists in the tenth to twelfth centuries devoted their spare time to proving that there were only two *pramāṇas* or that sound was impermanent as the *bauddha* opponents were represented as doing.

47. Robert Young, *Colonial Desire: Hybridity in Theory, Culture, and Race* (London: Routledge, 1995).

> reality, in which case the Pudgalavādins would hold the *ātman* position of brahmanic Hindus.[48]

Again, what is striking about this passage is not just the fact that there is so little textual evidence to back it up. Śāntarakṣita's *Tattvārthasiddhi* (eighth century) does accuse Vatsīputriyas (a *pudgalavāda* group) of not being Buddhist, but neither the *Kathāvattu* nor the *Abhidharmakoṣabhāṣya* accuse Pudgalavādins of holding the *ātman* position of Brahmanic Hindus or, for that matter, of not being Buddhist. But the accusation that Pudgalavādins' teachings were "in tension with the Buddhist espousal of not-self" is telling. Presumably, if their doctrine did uphold the *ātman* position of Brahmanic Hindus (and by the way, its founder Vātsīputra was a Brahmin Buddhist), then for these authors, it would constitute not real Buddhism, but some kind of hybrid, a product of unlawful miscegenation of two naturally separate categories. It apparently never occurs to the authors of this tome that "Buddhism" and "Brahmanism" are not natural kinds like even and odd numbers, and that dual identities had been there from the beginning.

In all of the above, we can see in each of these scholars a concern to represent the data of Buddhism "as from life" that is periodically overpowered by the schemata of "Buddhism" learned from prior works of scholarship. The schema passed down from scholar to scholar about Buddhism for at least the last century comes out of a set of modern assumptions of religion, namely that Buddhism arose as a reaction against Hinduism and so what Hinduism asserts (*ātman*) Buddhism must deny (*anātman*). The problem with this narrative is not only that it finds teachings and arguments that Buddhist texts do not say, but rather that it also fails to notice what they actually *do* say—sometimes to the extent that Buddhists who do not fit the narrative are denied being Buddhist at all.

Painters of whales eventually went back to actual beached whales, and when the carcass was seen not to confirm the practice of drawing them, they came to understand that those were fins, not ears. Scholars of Buddhism at least since the 1980s have begun to correct the errors of the normative assumptions about Buddhism passed down from earlier scholarship by paying more attention to what Buddhists and Buddhist texts do and do not say. What is at stake is no less than

48. Paul Williams, Anthony Tribe, and Alexander Wynne, *Buddhist Thought: A Complete Introduction to the Indian Tradition* (London: Routledge, 2012), 92–93.

allowing Buddhist sources to be heard on their own terms instead of being drowned out by overbearing and unfounded scholarly presuppositions. Anthropologists of Buddhism have been at the forefront of this correction, bringing our attention not only to Buddhism as a lived religion, but often using the lived tradition to call into question the normative characterizations of previous scholarship.[49] Online movements, such as the Buddhist Collective Manifesto project,[50] have sent out the call to Buddhist scholars to re-envision Buddhist studies to recover what had been marginalized by the scholarly normative accounts. Philological studies of Buddhism have not come as far as anthropological studies in questioning the academic schemata of Buddhism, but certainly the work of Gregory Schopen has opened the door to that end. The one area of Buddhist studies that appears most resistant to metatheoretical self-critique is Buddhist philosophy. Whether it is due to the above noted fact that Sanskrit philosophical works tend to present their opponents by label and not by name (e.g., *aulūkya* or *bauddha* instead of Kaṇāda or Dharmakīrti) or due to its struggle to be accepted within traditional philosophy departments, the ahistorical normative "Buddhism" of past scholarship is still put to work in Buddhist philosophy papers, often overriding the explicit statements of the Buddhists it seeks to represent.

49. There are so many excellent works that have called into question the dominant narrative, but a few stand out in particular: David Scott, *Formations of Ritual: Colonial and Anthropological Discourses on the Sinhala Yaktovil* (Minneapolis: University of Minnesota Press, 1994); Ananda Abeysekara, *Colors of the Robe: Religion, Identity, and Difference* (Columbia: University of South Carolina Press, 2002); Ananda Abeysekara, "Religious Studies' Mishandling of Origin and Change: Time, Tradition, and Form of Life in Buddhism," *Cultural Critique* 98 (2018): 22–71; Ananda Abeysekara, "Protestant Buddhism and 'Influence': The Temporality of a Concept," *Qui Parle* 28, no. 1 (2019): 1–75; Nirmala S. Salgado, *Buddhist Nuns and Gendered Practice: In Search of the Female Renunciant* (Oxford: Oxford University Press, 2013); Natalie Quli, "On Authenticity: Scholarship, the Insight Movement, and White Authority," in *Methods in Buddhist Studies: Essays in Honor of Richard K. Payne*, ed. Scott A. Mitchell and Natalie Fisk Quli, 154–172 (Camden, UK: Bloomsbury Publishing, 2019); Ann Gleig, "Dharma Diversity and Deep Inclusivity at the East Bay Meditation Center: From Buddhist Modernism to Buddhist Postmodernism?," *Contemporary Buddhism* 15, no. 2 (2014): 312–331; and anything by Charlene Makley.

50. Though relatively new, this project begun by Natalie Gummer is quite promising. http://buddhiststudiesmanifesto.net/manifest/.

NORMATIVE BUDDHISM AND THE STUDY OF NĀGĀRJUNA

While presenting Buddhism without Buddhists certainly echoes a number of intellectual projects that lay the foundation for colonial violence of the past, being politically problematic doesn't necessarily mean that the arguments are philosophically unsound. The Buddhist philosopher might think that the political implications of the philosophy is not his or her business. So, we must ask: are there philosophical problems with Buddhist philosophy's use of these normative categories such that they undermine the cogency of arguments in which they are used? To illustrate the philosophical problems that come from the academic *Buddhism-without-Buddhists*, I would like to turn to the work of Dan Arnold both because his work is representative of this trend but also because he has gone the farthest to argue for the irrelevance of social and political context (i.e., people) to the study of Buddhist philosophy. I will only treat Arnold's writings on Nāgārjuna, which it should be noted constitute only a portion of his scholarly output. Let me state at the outset that my interest is not the infelicities of Arnold's arguments per se, but the perpetuation of schema that allows such arguments to seem plausible.

Let's begin with an article recently published in the *Journal of Indian Philosophy*, "The Sense Madhyamaka Makes as a Buddhist Position." There, Arnold begins his abstract by stating,

> Revisiting the author's characteristic line of interpretation of the Madhyamaka philosophy of Nāgārjuna and Candrakīrti, this essay responds to critiques … *by arguing for the sense Madhyamaka makes, on the author's interpretation, **as a Buddhist position***…. For purposes of the argument, it is allowed that especially on the author's characteristic interpretation, Madhyamaka appears to have affinities with the "personalist" (*pudgalavāda*) doctrine long regarded by Indian and Tibetan Buddhist traditions as unorthodox. The main burden of the essay is to explain the sense it makes to think this supposedly unorthodox embrace of the category person counts, in fact, as elaborating ***the tradition's orienting no-self doctrine*** (*anātmavāda*).[51]

51. Dan Arnold, "The Sense Madhyamaka Makes as a Buddhist Position: Or, How a 'Performativist Account of the Language of Self' Makes Sense of 'No-Self,'" *Journal of Indian Philosophy* 47, no. 4 (2019): 697; emphasis mine.

The "characteristic line of interpretation" to which Arnold refers is an interpretation developed across quite a number of publications in which he casts Nāgārjuna as a champion of a kind of perspectivism[52] that he calls, after Franz Brentano, "intentionality." He places this intentional level of description—or, as he sometimes puts it, "the personal level of description"—against what he sees as a reductive impersonal or third-person level of description such as we find in Dharmakīrti[53] or in cognitive scientific accounts of mental activity. He argues that the first-person perspective is not so easy to dismiss and cannot simply be discarded by showing component parts of an entity under a third-person description. The article in question is to justify that non-eliminative reading in light of "the tradition's orienting no-self doctrine."[54] Thus, we are presented with two arguments that Arnold promises to reconcile: Nāgārjuna's non-eliminativist understanding of selflessness and "Buddhism's" no-self doctrine. On reconciliation we are to see that Nāgārjuna's arguments make sense "as a Buddhist position."

"CARDINAL DOCTRINES" AND HISTORICAL EVIDENCE

While most of his reviewers seem comfortable with his arguments,[55] some took issue with Arnold's focus on the personal level of description

52. This is the method that he finds at the core of all Madhyamaka arguments. See, e.g., Dan Arnold, "Nāgārjuna's 'Middle Way': A Non-Eliminative Understanding of Selflessness," *Revue internationale de philosophie*, no. 3 (2010): 388.

53. See, e.g., Dan Arnold, *Brains, Buddhas, and Believing: The Problem of Intentionality in Classical Buddhist and Cognitive-Scientific Philosophy of Mind* (New York: Columbia University Press, 2012), 216.

54. He makes a similar argument in two other articles, one on Nāgārjuna's chapter on "Causality" and another on his chapter on "Going" (Arnold, "Nāgārjuna's 'Middle Way'"; and Arnold, "The Deceptive Simplicity of Nāgārjuna's Arguments against Motion: Another Look at *Mūlamadhyamakakārikā* Chapter 2," *Journal of Indian Philosophy* 40, no. 5 [2012]: 553–591). Under Arnold's interpretation (all appearances to the contrary) both of these chapters are really about the no-self doctrine.

55. Mark Siderits sounds a note of caution when he says, "More generally, we might say that while the question whether there are separate spheres of reasons and causes (the question whether the natural sciences can satisfactorily explain everything) is interesting and important to us, it does not comfortably fit with the debates of classical Indian philosophy. So perhaps this dispute is

in Nāgārjuna and his "non-eliminative" interpretation of selflessness, due to its similarity to *pudgalavāda*. It is in his response to these critics that he becomes more explicit about his method—a method that he attempts to ground in his reading of Nāgārjuna himself. The critique he alludes to in the abstract quoted above is that of Charles Goodman. Since it is the "ineliminability" of the personal perspective that Arnold is so concerned to make the central message of Nāgārjuna's *Mūlamadhyamakakārikā*, it is not surprising that he gravitates to Nāgārjuna's investigation of "Fire and Fuel" (chap. 10) to illustrate it. There Nāgārjuna argues that we cannot think of fire apart from that which already has fuel (just as we cannot think of "fuel" apart from the concept of "burning"). The fire and fuel example, by all indications, was not Nāgārjuna's own. It belonged to Pudgalavādins (i.e., "those that affirmed the existence of the 'person'") such as the Vatsīputrīyas or the Saṃmitīyas. For Arnold, this is an argument from a "personal" level of description, so the fact that it was championed by those commonly translated as "personalists" seemed to bolster his point. This move, however, gets Arnold into trouble. Goodman criticizes Arnold's assertion that Nāgārjuna's "Fire and Fuel" chapter argues for the ineliminability of the self since this "rests on a highly controversial interpretation that assimilates the Madhyamaka view about the status of persons to that of the Pudgalavādins. Though such a reading is not unprecedented, it faces grave difficulties. The Pudgalavādins were widely criticized for misunderstanding the Buddha's teaching of non-self, including by figures we recognize as Mādhyamikas, such as Śāntarakṣita."[56]

Arnold could very quickly dispatch with Goodman's criticism by simply pointing out a few facts on the ground. Goodman is correct that Pudgalavādins were widely criticized, including by Mādhyamikas like Śāntarakṣita. But the statement that an eighth-century author identified by later scholars as belonging to the same school that a second-century Nāgārjuna founded can hardly be taken as evidence that the man

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better settled on terrain more hospitable to Prussians and Scots" ("Review of Dan Arnold: *Brains, Buddhas and Believing*," *International Journal of Philosophy of Religion* 74 [2013]: 240–241).

56. Charles Goodman, "Review of Dan Arnold, *Brains, Buddhas, and Believing*," *Notre Dame Philosophical Reviews* (2012), https://ndpr.nd.edu/reviews/brains-buddhas-and-believing-the-problem-of-intentionality-in-classical-buddhist-and-cognitive-scientific-philosophy-of-mind/.

who lived six hundred years before Śāntarakṣita didn't approve of their arguments. Furthermore, if in the second century the Pudgalavādins were criticized *by later Sri Lankans* or *by some Sarvāstivādins*, surely they were not criticized *by other* Pudgalavādins. When these assumptions are made explicit, Goodman's charge is reduced to a rather banal, "some Buddhists criticized other Buddhists," and we are left having the question of which camp Nāgārjuna himself fell into completely untouched. Goodman's criticism would simply be irrelevant if Arnold merely pointed out that Nāgārjuna *was* a Pudgalavādin, and so here we have an historical argument showing that some Buddhists did think that the self was ineliminable. Needless to say that Pudgalavādins did not consider *pudgalavāda* a heresy.

Indeed, in my interpretation of Nāgārjuna, I argued that Nāgārjuna may, in fact, have been a Pudgalavādin—or, more specifically, a Saṃmitīya—by looking at a number of factors, both textual and epigraphic.[57] This useful line of argument is not available to those philosophers of Buddhism who dismiss empirical arguments altogether. For example, Rafal Stepien recently argued,

> Despite Joseph Walser's attempts at "locating Nāgārjuna historically, socially, and institutionally," we know nothing at all with certainty about this writer's life. While it is no doubt true that, as per Walser, "many of the peculiarities of Nāgārjuna's writings can be more adequately understood if read as strategies devised to respond to the specific demands of the social and institutional context in which he wrote," this boils down to little more than a truism based on a desideratum.... Although Walser does a fine job of mustering historical and institutional evidence in avowed support of his theses, ultimately he admits to being able to suggest only "a plausible (if, at times, diaphanous) picture of [Nāgārjuna's] career."[58]

Indeed, the latter phrase from my book is probably the most quoted sentence in the entire book. In other words, whatever empirical evidence I may have offered for Nāgārjuna's institutional context, the philosopher should not appeal to context because "we know nothing at all with certainty about this writer's life." My choice of the word "diaphanous" has come to support a regrettable but evolving narrative about

57. See Joseph Walser, *Nāgārjuna in Context: Mahāyāna Buddhism and Early Indian Culture* (New York: Columbia University Press, 2005).

58. Raphal Stepien, "Orienting Reason: A Religious Critique of Philosophizing Nāgārjuna," *Journal of the American Academy of Religion* 86, no. 4 (2018): 1083.

the so-called paucity of historical information about India.[59] But that criticism aside, Stepien's quick dismissal of my evidence deflects from the larger question: how does one know how much evidence would be *enough* evidence to accept the conclusions of an obviously inductive argument? And wouldn't this criticism be theoretically applicable to any inductive argument given that all external warrants entail a regress of justifications?

So, let's go back to the two positions Arnold wants to reconcile, Nāgārjuna's and the Buddhist doctrine of no-self.

> In making sense of my interpretation of Madhyamaka, it is therefore crucial to keep in mind that it is particularly the question of how we are to understand the cardinal Buddhist doctrine of *anātmavāda* that Nāgārjuna and his interlocutors most basically dispute. Let us, then, frame the matter in terms of a question that may be thought to follow from the characteristically Buddhist position: if there are no selves, what, then, is there? The Abhidharma literature comprises many subtle variations on what was surely the mainstream Buddhist answer to this question: what really exists is causally continuous series of momentary psychic and physical events ("dharmas"), whose causally describable occurrence explains how we are misled into taking ourselves as enduring and autonomous agents.[60]

Here, we have on the one hand the "characteristically Buddhist position": *there are no selves*. For most of the article, he does not locate this "Buddhism" in any author, school, or text. It is just asserted normatively. Further, for most of the article, he treats this position as the

59. Jonardon Ganeri seems to subscribe uncritically to this narrative. In his *The Lost Age of Reason: Philosophy in Early Modern India 1450–1700* (New York: Oxford University Press, 2011), he makes the curious claim that "in India, certainly, poverty of information about physical and social context is twinned with a superabundance of textual materials, which provide an immensely rich literary context. Moreover, there is good evidence for the conjecture that the first context in which the Indian writers seek to make an 'intervention' was a literary/intellectual rather than a physical/socio-political context" (p. 65). The judgment of how much physical and social evidence amounts to "poverty" might better be seen as an index to the limitations of the scholarly imagination as to what counts as physical or social "evidence" in the first place. Ganeri assumes that Indic texts will announce themselves as being "literary" vs. being "social" or "political." Only if one starts with this assumption will there be a dearth of information about the social and political realms.

60. Arnold, "The Sense Madhyamaka Makes as a Buddhist Position," 701.

simple rejection of the existence of a self. He probably does not need to justify this reading because it is, as discussed, pervasive in secondary literature (even if not so prevalent in early canonical literature). On the other hand, Arnold had previously argued (using terminology from Mark Siderits) that Nāgārjuna's interpretation of *anātmavāda* is "non-eliminative" insofar as

> the terms involved in causal explanation turn out to be—as proponents of Madhyamaka are concerned to show with respect to all of the categories of analysis in terms of which we would explain the world—intelligible only with reference to the phenomena they purportedly explain. The explananda, therefore, can never be thought finally to drop out of any explanation; rather, insofar as any conceivable explanatory terms will themselves depend in part upon what they are supposed to explain, the reality of all putatively explanatory terms is necessarily relative. In terms of the two truths, this amounts to the point that the world (and any account thereof) is irreducibly "conventional"—a thought, however, that seems to me not to preclude its nevertheless being "ultimately true" that this is so.[61]

Here, Arnold tries to show that Nāgārjuna's *non-elimination* of the self is in fact a more thorough assertion of the non-existence of "anything at all."

> Insofar, then, as anything can thus be *taken* only under some description (events don't just individuate themselves), any attempt particularly to explain persons—any attempt to explain, that is, the very beings that *take things* as requiring explanation—is always already outstripped, already sublated, by the very thing (the very *taking*) we are trying to understand. This, I am saying, is what it means for Nāgārjuna to say that the ultimate truth is intelligible only relative to conventional truth. Thus, the significance of the *anātmavāda* doctrine, for Nāgārjuna and Candrakīrti at MMK 27.8, is not such that we are entitled to the certainty or conviction (*niścaya*) that there is no self, and that what instead really exists is the kind of impersonal basis (*upādāna*) that Ābhidharmikas proposed as explaining the conventionally experienced world; rather, *anātmavāda* means rejecting the thought that there is anything at all that being a person could ultimately *be*.[62]

61. Arnold, "Nāgārjuna's 'Middle Way,'" 371.
62. Arnold, "The Sense Madhyamaka Makes as a Buddhist Position," 716; emphasis in original.

In order for this to work, the conventionally real must have the same status as the ultimately real insofar as the two rely upon one another in order to be intelligible. But reading Nāgārjuna as arguing that persons are not there because there is not "anything at all" certainly courts the interpretation that emptiness is tantamount to non-existence. This is a position that Nāgārjuna explicitly resists.

The bigger problem is that Arnold's argument becomes tautological if his standard of "the cardinal Buddhist doctrine" is simply that of Nāgārjuna. He needs an outside standard to show Nāgārjuna to conform to it. Arnold gives us a normative, ahistorical "cardinal Buddhist doctrine" and gets by simply by assuming his audience won't question it. If he did have to mention actual texts, he would only find interpretations that were sect-specific. Buddhaghosa would support the eliminationist interpretation of *anātman* and so would the Vaibhāṣika. But there were many other interpretations of the *ātman* out there, and saying that the non-existence of the self was "characteristically Buddhist" is something like saying that transubstantiation of the Eucharist is "characteristically Christian" when this was precisely what was at stake at the Marburg Colloquy and its aftermath. On this issue, there simply is no "Buddhist" interpretation that was not sectarian. But showing that Nāgārjuna conformed to an explicitly sectarian interpretation of *anātmavāda* would only justify the assertion that Nāgārjuna belonged to that sect.

It is toward the end of the article that he attempts to ground his interpretation of Nāgārjuna in a larger Buddhist tradition by a reference to the so-called ten unanswered questions of the Buddha. Taking the authority for the tradition not from Buddhist writings but from Collins' *Selfless Persons,* he assures us of "the tradition's predominant account of the significance of these," calling them "an eminently Buddhist trope of long standing."[63] Emboldened by Collins, Arnold then grounds his appeal to the unanswered questions in what he acknowledges to be a specifically Pudgalavādin reading of them:

> It is relevant to note ... another of pudgalavāda's characteristic claims: specifically, the claim that the ineliminable pudgala they argued for is constitutively "inexpressible" (*avaktavya*).... I take it, then, that the characteristically pudgalavādin appeal to the person's "inexpressibility" does not betray anything like an attempt to smuggle an

63. Ibid., 723.

> ineffable self back into the picture—it reflects, rather, the thought that the distinctive way in which "persons" are ineliminable cannot be captured in terms of Ābhidharmika criteria of existence (in terms, that is, of their finally being any kinds of things).[64]

There are several points to be made here. Arnold leaves us with the impression that the unanswered questions have something to do with the doctrine of *anātman* by referring to the discussion in Collins's book. But whereas Collins's work may speak for the tradition going through Buddhaghosa (despite the occasional nod to Mahāyāna), not all sutras on the ten points foreground the doctrine of selflessness, and when they do address the status of the self, it is most often neither to confirm nor deny it. These unanswerable points could be used for other purposes besides arguing that the self didn't exist (for example, it is possible that early Perfection of Wisdom authors saw in them another instance of the enlightened beings being invisible to Death, the gods, and even to the Tathāgata after death).[65] Indeed, the only suttas that provide us a glimpse of what is behind the Buddha's refusal to answer the questions (e.g., *Saṃyutta Nikāya* 44.10) say that the Buddha refuses to answer because wanderers believe in a self and the Buddha wanted to avoid the extreme of eternalism (the soul exists) and annihilationism (the soul exists and is then destroyed). Sutras like this appear to have been added to provide a "selves don't exist" interpretation to a previous set of sutras that left the question open. By attaching his claim of ineliminabilty to these sutras' discussion of inexpressibility, Arnold has only justified Nāgārjuna's position as a Pudgalavādin position, since only the Pudgalavādins had a special category of interminate or indescribable that lay between conditioned and unconditioned.[66] For their part, the Sarvāstivādins (under the interpretation of Vasubandhu) thought that this kind of application of the category of *avaktavya* or *avyakṛta* to the idea of persons was nonsense.[67] Looking at the Sarvāstivādins, we clearly can't say that there were *no* Buddhists

64. Ibid., 723.

65. Joseph Walser, *Genealogies of Mahāyāna Buddhism: Emptiness, Power and the Question of Origin* (New York: Routledge, 2018), 172–175.

66. On the *Tridharmaskandha*'s discussion of the *pudgala* as indescribable, see Walser, *Nāgārjuna in Context*, 206–208.

67. Vasubandhu, *Abhidharmakośabhāsya,* trans. Leo Pruden and Louis de la Vallée Poussin, vol. 4 (Berkeley, CA: Asian Humanities Press, 1988), 1318.

who championed the idea that the *ātman* simply did not exist. There were. But, the doctrine of *anātman* was not the kind of litmus test of Buddhist identity that is required for Arnold's argument here.

It turns out, then, "the characteristically Buddhist position" that is to carry so much weight in Arnold's article is not surprisingly grounded far more in prior Buddhist studies scholarship than in Buddhists closer to Nāgārjuna's time. Indeed, it can be difficult for us to consider Buddhism as *anātmavāda* to be something for which evidence is required, because if we have to actually do the work of justifying it a regress of demands for further justifications opens up.

If we wanted to, we could probably trace a genealogy of this academic narrative back to Tibetan doxographies (*grub mtha'i rnam bzhag*[68]) and their scholastic treatments of Nāgārjuna and the Madhyamaka school. These Tibetan interpretations of what is and what is not Buddhism can be further traced to a reading of Vasubandhu's *Abhidharmakośabhāṣya*. But the more we try to squeeze historical justifications out of a pristine normative Buddhism, the more questions leak out. Vasubandhu rather famously makes the view of *ātman* (*ātmadṛṣṭi*) a kind of dividing line when he states, "There is no release elsewhere. Why? Because we are free from the (false) view of *ātman*."[69] Yaśomitra takes this "elsewhere" (*anyatra*) to refer to the Sāṃkhyas and the Vaiśeṣikas[70] (note that these two are not synonymous with the category of "Brahmanism"), but Vasubandhu himself doesn't really give us any indication whether he is drawing a line between Buddhism and not-Buddhism or more specifically between his Sarvāstivāda branch and anyone else. In taking *anātman* as "there are no selves" to be a *global* definition of Buddhism, Arnold may be adopting what was, at the time, a characteristically Sarvāstivādin set of talking points, without telling us why Nāgārjuna (who, in every other way, argues against Sarvāstivādins) would feel obliged to live up to a standard set by an author he very well might have opposed.

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68. For a good historical overview, see Jeffrey Hopkins, "The Tibetan Genre of Doxography: Structuring a Worldview," in *Tibetan Literature: Studies in Genre*, ed. Lhundup Sopa, José Ignacio Cabezón, and Roger Jackson, 170–186 (Boulder, CO: Snow Lion, 1996); and José Ignacio Cabezón, *The Buddha's Doctrine and the Nine Vehicles: Rog Bande Sherab's Lamp of the Teachings* (Oxford: Oxford University Press, 2013).

69. *kiṃ khalvato 'nyatra mokṣo nāsti| nāsti|kiṃ kāraṇam | vitathātmadṛṣṭiniviṣṭatvāt ||*

70. Nāgārjuna himself targets these two groups in the *Ratnāvalī*.

For his part, Arnold tries to avoid this awkwardness by having Nāgārjuna argue, not against the historical Sarvāstivādins (which would require him to explain why Nāgārjuna would care to argue against them), but against a nonsectarian academic cliché, the "Ābhidharmikas." This is an oddly imprecise term for a modern scholar to use to denote Nāgārjuna's opponent but is a well-established character in the modern repertoire of Buddhist philosophy. The term perhaps first appears in Sarvāstivādin texts such as the *Mahāvibhāṣa*[71] and the *Abhidharmakośabhāṣya*[72] to refer to the Abhidharma specialists among the Kashmiri Sarvāstivādins in contrast to the Gandharan Sarvāstivādins, who did not specialize in this genre (and whom later tradition would call "Sautrāntika" or "those who specialize in the sutras"). But the term is not limited to the Sarvāstivādins. It also shows up in Pāli texts such as the *Milindapañha*[73] and the *Mahāniddesa*[74] to refer to a monastic specialty among masters of the Pāli Abhidharma collections. As such, when the word is used in these texts, it is simply assumed that "Ābhidharmikā" referred to are the specialists in the Abhidharma collection of the author's own school.

If one reads only modern literature on Buddhist philosophy, one would get the impression that Madhyamaka were the natural enemies of a group called "the Abhidharmists." But in using the term "Ābhidharmika" instead of a sect-specific term like "Vaibhāṣika," modern scholars unwittingly depoliticize what would have been obviously political for the authors about whom they write. For his part, Nāgārjuna never uses the word "Abhidharma" or gives any indication that he is against some generalized Abhidharma project, much less an Abhidharma specialist. He only attacks certain points that are specific to the Sarvāstivāda Abhidharma, and he does not attack specifically

71. For example, T. 28, 1546, 3c16–17.

72. Vasubandhu, *Abhidharmakośabhāsya of Vasubandhu,* ed. P. Pradhan, 2nd ed. (Patna: Jayaswal Research Institute, 1975), 14.

73. *Milindapañha*, ed. V. Trenckner (London: Pali Text Society, 1880), 341, where it is found in a rather long list of specializations found in the "village of Dhamma" that begins with specialists in sutras, the Vinaya, and the Abhidharma (*suttantikā venayikā ābhidhammikā*).

74. *Mahāniddesa*, ed. L. de La Vallée Poussin and E.J. Thomas (London: Pali Text Society, 1978), 17.

Mahāsaṃghika theses or those of the Pudgalavādins.[75] This latter point may be controversial to some, but apparently not to Arnold.

Most early Madhyamaka commentators similarly avoid the term "Ābhidharmika." While there are a number of references to Abhidharma works in these commentaries, the author of the *Akutobhāya*, Buddhapālita, and Candrakīrti never identify Nāgārjuna's opponent as an "Ābhidharmika" (although Candrakīrti once refers to a "reciter of Abhidharma" in his *Prasannapadā*[76]). There are only two commentators on Nāgārjuna who refer to one of his opponents as an "Ābhidharmika": Zhengmu's commentary[77] (translated into Chinese by Kumārajīva between 400 and 410 CE) and Bhāviveka (sixth century). Zhengmu uses the word once to refer to a partisan of a specific Sarvāstivāda doctrine of the four conditions of arising. In 608, the San Lun scholar Jizang takes Zhengmu to task for assuming that, in criticizing these four conditions, Nāgārjuna had refuted all Abhidharma schools. He accuses him of having only a partial understanding of Abhidharma and generally indicates that it is more accurately the Vaibhaṣika Abhidharmists who are the main opponents of Nāgārjuna[78]—pointing out that there is also a "Mahāyāna Abhidharma" 大乘阿毘曇.[79] The only other Indian scholar to pit Mahāyāna or Madhyamaka against someone called an "Ābhidharmika" is Bhāviveka, who appears to have used the word much more often.

There are two things to note in these Buddhist uses of the term "Ābhidharmika." First, there are only a handful of authors in the entire Chinese and Tibetan canons[80] who refer to the opponents of Madhyamaka (or worse, the opponents of the Mahāyāna) as "Ābhidharmikas" the way that modern scholars do. Great luminaries of Mahāyāna scholarship, such as Zhiyi (538–597 CE) and Dzongkhapa (1357–1419) never

75. Walser, *Nāgārjuna in Context*, chap. 7.
76. Louis de La Vallée Poussin, ed., *Mūlamadhyamakakārikās avec la Prasannapadā commentaire par Candrakīrti*, Bibliotheca Buddhica 4, Neudruck der Ausg., 1903–1913 ed. (Osnabrück: Biblio Verlag, 1970), 239.
77. He uses the term only once at T. 30, 1564, 2b27.
78. T. 42, 1824, 44b 8–11.
79. Ibid., 44b12ff. Bhāviveka also refers to a "Mahāyāna Abhidharma" (*theg pa chen po'i chos mngon pa*, TD 3853, 259a) at the very end of his *Prajñāpradīpa*.
80. I count Zhengmu and Bhāviveka (and their commentators, Jizang and Avalokitavrāta, respectively), plus Rnam Par Grol Ba'i Sde (TD 3788), Abhayakaragupta (TD 3903), and Yon Tan Blo Gros (TD 3996).

refer to Madhyamaka opponents as "Abhidharmists." Second, when Zhengmu or Bhāviveka refers to an "Ābhidharmika," their usage is already qualified within a social and institutional context that they share with their readers. From the context, it is clear that both Zhengmu and Bhāviveka assume the Ābhidharmika in question to be a Sarvāstivādin. The frequent reference to "Abhidharmists" or "Ābhidharmikā" by modern scholars serves to sever the opponent from what pre-modern authors understood to be its institutional embeddedness. The result is that contemporary readers encounter "Abhidharmists" as a free-floating character in the *dramatis personae* of the Indian philosophical drama, untethered from any institutional context and therefore potentially locatable in too many of them. For instance, today's reader might be aware of Abhidharma teachings through a translation of Vasubandhu's *Abhidharmakoṣabhāṣya*, or he or she might have come across Abhidharma ideas through the *Visuddhimagga* or the *Abhidhammattha-saṅgaha*. To then state that Nāgārjuna's refutations against the ontological category of *svabhāva* were refuting "the Abhidharmists" might lead the reader to assume that Nāgārjuna's critiques were applicable to partisans of a Pāli Abhidhamma. But, as Noa Ronkin has amply pointed out, the Sarvāstivādin assumptions of *svabhāva* or even a concern with ontology in general unproblematically transfer onto the Pāli Abhidhamma.[81]

Given the paucity of the appearance of the word "Abhidharma" in premodern sources, its use in modern publications requires some explanation. Although this is not the place to pursue it, I suspect that it has become so popular because it can now be used to replace the term "Hīnayāna,"[82] outmoded in the mid-twentieth century. But even if it is well-intentioned, "Ābhidharmika" is a highly misleading substitute

81. Noa Ronkin, *Early Buddhist Metaphysics: The Making of a Philosophical Tradition* (London: RoutledgeCurzon, 2005), chap. 3.

82. A footnote by Mark Siderits is telling: "Mahāyāna texts have several different names for non-Mahāyāna Buddhism (what we are here calling Abhidharma). Two of the most common are Hīnayāna, 'inferior vehicle,' and Śrāvakayāna, 'vehicle of the hearers.' Since the former term is a pejorative, it should not be used. (Calling a Theravādan a 'Hīnayānin' would be rather like calling a Roman Catholic a 'Papist'.) The latter term is historically accurate enough, and more nearly neutral in emotive force. It classifies Abhidharma as that type of Buddhism descended from the practices of those who heard Gautama teach the Dharma. But we will continue to use the name 'Abhidharma'

for "Hīnayānist"—especially since scholars like Jizang employ the term "Ābhidharmika" to refer to Sarvāstivādins and the term "Mahāyāna-Abhidharma" to refer to texts that may or may not be Sarvāstivādin.

Arnold seems to be aware that his use of the term "Ābhidharmika" is untethered from its necessary context, but he tries to defend his use of the term by pointing to Nāgārjuna himself:

> My looseness in referring to the literature of "Abhidharma" reflects my inclination, as a sympathetic reader of Nāgārjuna, to understand the targets of his critique as I take it he would—to understand Ābhidharmikas as committed, that is, to the kinds of entailments Nāgārjuna shows, despite what Ābhidharmikas may avow. That this sense of "Abhidharma" may not be adequate to all or even any of the countless developments in broadly Ābhidharmika literature goes without saying; nevertheless, I will not here try to entitle myself to my characterizations of "Ābhidharmika" philosophy, being instead concerned only to entitle myself to a reading of Nāgārjuna.[83]

Much as I applaud any attempt to understand "the targets of [Nāgārjuna's] critique as ... he would," it is not clear that this is what Arnold is doing. Since Nāgārjuna does not use the term "Abhidharma," for Arnold to call Nāgārjuna's opponents "Ābhidharmikas" is something akin to calling Bertrand Russell's opponents "the philosophers" (instead of "the Hegelians") or calling President Obama's opponents during his term in office "the politicians" (instead of "the Republicans"). These statements are true, but only trivially so. More to the point, the latter statements falsely imply that Russell wasn't a philosopher or that Obama wasn't a politician—and, in Arnold's case, that Nāgārjuna wasn't an Ābhidharmika.

From context, we can infer that by "Ābhidharmika" Arnold does not in fact mean all chanters of Abhidharma, but exclusively those who chant the Sarvāstivāda Abhidharma (let's just call them "Sarvāstivādins"). But when we bring his Ābhidharmika back down to earth and re-politicize the category by making it sect-specific, much of Arnold's argument becomes simply baffling. If Arnold's category of Buddhism is emptied of historical Buddhists by identifying it with a global proposition of selflessness, then again it is ironic that Nāgārjuna

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for this phase of Buddhist philosophy" (Mark Siderits, *Buddhism as Philosophy: An Introduction* [Aldershot, UK: Ashgate, 2007], 141n4).

83. Arnold, "The Sense Madhyamaka Makes as a Buddhist Position," 698n2.

would be arguing so hard against the Sarvāstivādins, who, of all sects, went to the greatest lengths to deny the existence of the self.[84]

By the same token, if we bring "Buddhism as *anātmavāda*" down from the rarified air of current academic usage to the institutional specificities of second- or third-century India, similar incoherencies emerge. As important as it is to Arnold's argument for Nāgārjuna to be championing some form of *anātmavāda*, it is not clear where in the Nāgārjunian corpus he finds evidence of this doctrine being a particularly high priority for Nāgārjuna. The closest that Nāgārjuna comes to labelling any doctrine as "cardinal" is to praise the Buddha for teaching dependent origination (which is about selflessness only if you really force the issue). If we read Arnold's articles on the first and second chapters, we are urged to read Nāgārjuna's entire *Mūlamadhyamakakārikā* as an exposition on selflessness. But we can only arrive at this reading if we approach the text with the assumption that this is what Nāgārjuna, as a Buddhist, is *supposed* to be arguing. Minus this prejudgment, and paying attention to what he actually does and does not say, we cannot arrive at the conclusion that *anātman* was the most important doctrine for him. Yes, Nāgārjuna does address the relationship of the person and the aggregates in his "Fire and Fuel" chapter and, yes, he takes up the reciprocal relation between agentive nouns and their patients in a number of chapters. But this is really a sideshow to his main project of discussing dependent origination, emptiness, and dependent designation.

Where Nāgārjuna does pick up the issue of the self or the person, we can say is that he defends an interpretation of historical *pudgalavāda*. Nāgārjuna's explicit statement at *Mūlamadhyamakakārikā* 18.6 that the Buddha taught self and selflessness,[85] as well as his discussion of fire and fuel in chapter 10, fits better as a description of *pudgalavāda* than *anātmavāda* per se since Pudgalavādins also affirmed *ātman* in some contexts. But if this is the case, then Arnold's arguments to the effect that all *pudgalavāda* is a species of *anātmavāda* become superfluous.[86] If

84. Walser, *Nāgārjuna in Context*, 208ff.

85. *ātmetyapi prajñapitamanātmetyapi deśitam| buddhairnātmā na cānātmā kaścidityapi deśitam* (*Mūlamadhyamakakārikā* 18.6).

86. Someone might object that any Buddhist must believe in *anātmavāda* in order to distinguish Buddhism from Brahmanism. To this, I have argued at length (Walser, "When Did Buddhism Become Anti-Brahmanical?") that there

Arnold wants Nāgārjuna to deny the existence of the self, then he must show how Nāgārjuna's "personalism" is global and not sect-specific. Arnold tries to do this by saying that Nāgārjuna has been arguing all along that there are no things that ever existed in the first place—an odd interpretation given that Nāgārjuna is keen to convince his audience that emptiness does not mean nothingness. Nor does he take us the further step to explain why we should call Nāgārjuna's neither-affirmation-nor-denial position "*anātman*" since neither Nāgārjuna nor the Pudgalavādins do so.[87] Arguing that *pudgalavāda* is a variety of *anātmavāda* might be important for modern academics (for whom people and movements have long ago been reified into propositions), but Arnold fails to demonstrate that the nonexistence of *ātman* was important for Nāgārjuna or, for that matter, the Pudgalavādins.

Indeed, it is ironic that Arnold would invoke the Pudgalavādins to justify his claim that Nāgārjuna met a universal standard of being a Buddhist by complying with a doctrine of *anātman*. If Arnold had

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is no evidence that all or even most early Buddhists made this distinction or that this distinction was important to early Buddhists. Some may also object that the whole point of Mahāyāna from the beginning was to propound *dharma nairātmya* instead of merely propounding *pudgala nairātmya* and that in refuting *svabhāva*, Nāgārjuna is teaching *dharma nairātmya*. But, again, this would be anachronism, since, as far as I have been able to find (Walser, *Genealogies of Mahāyāna Buddhism*, 37n17), the association of Mahāyāna or emptiness with *dharma nairātmya* starts with Vasubandhu in his commentary on the *Vajracchedikā* (T. 1511, p. 788c29–a2). This scheme could not have been one of the reasons why *anātmavāda* was central to Nāgārjuna, who lived quite a bit earlier (and farther south) than Vasubandhu.

87. Nāgārjuna is certainly aware of the idea of *anātman.* (He argues, for instance, at *Śūnyatāsaptati* v. 52 that the eye is *anātman*, and against the ideas of *ātman* and *pudgala* at *Ratnāvalī*,1.80ff.) But prior to the *Ratnāvalī*, he is pretty consistent in claiming that the Buddha taught *ātman*, *anātman*, both, and neither (or the converse of these); see *Mūlamadhyamakakārikā* 18.5, *Śūnyatāsaptati* v. 9, respectively. The latter text at v. 34 refers to a *bdag 'dzin* that arises due to *rnam trog* (*vikalpa*). If we take *bdag 'dzin* as *ātmagrāha*, we might read it as a criticism of *ātman*, but *bdag 'dzin* could just as easily translate *ahamkāra*—which in in Saṃkhyā texts (just as in Yogācāra texts) is a false sense of self. In none of Nāgārjuna's logical works is there an unambiguous refutation of the *ātman* or a statement declaring *anātman* to epitomize Buddhist teaching. Finding a denial of self in Nāgārjuna's works may well be an example of confirmation bias.

meant to argue that *pudgalavāda* was a defensible interpretation of what the Buddha taught, then no doubt, the historical Pudgalavādins already knew this. But when he defines a free-floating "Buddhism" as "*anātmavāda*" (apparently to distinguish it from a Brahmanical teaching of *ātman*) and then tries to conscript the Pudgalavādins to support his reading of Nāgārjuna, his argument becomes even more confused. Pudgalavādins were (contra Arnold and most other modern scholars of Buddhism) well aware that the existence of the self or soul was actually a point of contention *among* their Buddhist contemporaries. I think we can safely assume that they were better acquainted with the immediate religious landscape than we are, and it is clear that they knew that Buddhists were all over the map when it came to interpreting what the Buddha said about the *ātman*. In particular, the *Saṃmitīya nikāya śāstra* (三彌底部論, T. 1649,[88] trans. late fourth-/early fifth-century CE) lists eight different *Buddhist* interpretations of the idea of *anātman* 無我. It begins with the thesis that most modern interpreters assume to be "THE Buddhist position," namely the thesis that the Buddha taught that *ātman* simply doesn't exist.[89] But this thesis is only ascribed to "various [Buddhist] sects" 諸部. The Sammitīyas also go on to tell us that there are also "various sects" who held that Buddha taught that the soul really does exist,[90] along with Buddhists who thought the *ātman* existed apart from the *skandhas*,[91] and Buddhists who argued from the sutras that the Buddha taught that the *ātman* was eternal.[92] Each of these positions comes with citations from recognizable Buddhist sutras. In

88. This was translated into serviceable English by K. Venkataramanan ("The *Saṃmitīya Nikāya Śāstra*," *Visva Bharati Annals* 5 [1953]: 153–243). The one caveat that is relevant to the argument here is his translation on p. 174. There, he translates, "In the previous chapter it was said that while all the schools take the denial of self as fundamental (as to the details) each holds its own view." In the Chinese at T. 1649, 464a27 難曰: 前章所說無我為首, 各有所執 the subject is *zhang* (chapter) not schools. Since the chapter clearly lists multiple, opposing positions on the self, it is unlikely that the author meant that denial of self was fundamental to all schools. A better translation might be, "previously in the chapter, we discussed *anātman* as the main topic (or the first position 首) and then what each (school) maintains."

89. T. 32, 1649, 462b5ff.; Venkataramanan, "*Saṃmitīya Nikāya Śāstra*," 168.

90. T. 32, 1649, 463a1ff.; Venkataramanan, "*Saṃmitīya Nikāya Śāstra*," 169.

91. T. 32, 1649, 463b9ff.; Venkataramanan, "*Saṃmitīya Nikāya Śāstra*," 170.

92. T. 32, 1649, 463c2ff.; Venkataramanan, "*Saṃmitīya Nikāya Śāstra*," 172.

other words, from the perspective of these Pudgalavādins, Buddhists had a wide range of opinions about *ātman*; some denied the existence of the soul altogether, while others argued that the Buddha taught the existence of an eternal soul. The same argument can be made for Mahāyāna texts as C.V. Jones's (2021) recent work on *tathāgatagarbha* sutras has shown.[93] On the other side of the (modern) assumed religious fence, Brahmanical thought displayed a similar range of opinions on the existence of the soul.[94] Thus, it was entirely possible, at least before the fifth century, to find a Buddhist who believed in an eternal soul and to find a Brahmin Purohita who did not. While there were certainly some, like the author of the *Yuktidīpaka* commentary on the *Saṃkhyakārikā*[95] who (possibly quoting Vasubandhu) attributed the thesis of the non-existence of the soul to Buddhists in general, this opinion was not universal.[96] The Naiyāyika commentator Uddyotakāra (sixth or seventh century) does not assume that denial of the self is an exclusively Buddhist thesis, or that all Buddhists denied the self.[97] What the *Sammitīya nikāya śāstra* does *not* say is that there is a Buddhist doctrine of *anātman* pitted against a Brahmanical *ātman* doctrine. Rather, what was apparent to Buddhists at the time is that there was a set of historical debates about *ātman*.

93. C.V. Jones, *The Buddhist Self: On Tathāgatagarbha and Ātman* (University of Hawaii Press, 2020).

94. The *Maitrī Upaniṣad* advocates for knowledge of the soul but also of Prajāpati, who is both *nirātman* and *śūnya*.

95. Mejor, "There Is No Self."

96. Oddly, Udayana in his *Ātmatattvaviveka* does not name his opponent. Legend has it that he finally defeated the Buddhists and drove them out of India, but from his text it isn't clear whether he saw himself debating what we would call "Buddhists" or Sarvāstivādins, or (more likely) what we would call "Buddhist logicians" like Dharmakīrti. He does, however, use the term Bauddha (pl.) in his *Nyāyavārttikatātparyapariśuddhi* with reference to their denial of *ātman*. Whether he thought that this was all Buddhists or just the group he was thinking of is unclear.

97. In his commentary on *Nyāya Sūtras* 3.1.1., he addresses opponents who argue that the soul doesn't exist by quoting a number of Buddhist sutras and arguing that these opponents do not properly understand Buddhism. He then brings up "others" who deny a self but hold a doctrine referred to as "*nirātman*," not *anātman*. From context it is clear that this position belongs to Maitrayānīya Brahmins.

But to replace ahistorical "cardinal doctrines" with "historical debates" would undermine Arnold's justification for his reading of Nāgārjuna as a Buddhist, and so Arnold goes to some lengths to insulate his thesis from the problem of historical Buddhists. For example, he assures us that in the case of the Pudgalavādins, he is not talking about *actual* Pudgalavādins, but about "something worth the name *pudgalavāda*."

> I will even embrace the ... *pudgalavādin* interpretation of Madhyamaka—***not, I will clarify, as a historical thesis about influences on the writer of the MMK,*** but as a conceptual point about what I take to be the logic of Nāgārjuna's position (and about the logic, as well, ***of something worth the name pudgalavāda***). Insofar as I am willing to embrace the pudgalavāda moniker, then, I am arguing not only that my interpretation of Nāgārjuna makes sense as a Buddhist interpretation, but also, against the later tradition itself, **that *something worth the name pudgalavāda*** may after all be compatible with the doctrine of selflessness.[98]

It is strange to represent the arguments of a group of people and then state that you are not going to pay attention to the real people but only what is worthy of their name. But this allows not only Arnold, but other scholars like Mark Siderits, to have strong opinions about *pudgalavāda* without ever actually reading what Pudgalavādins themselves had to say.[99] Arnold may wish, like Siderits or Ganeri, to maintain that philosophy has different standards of cogency than

98. Arnold, "The Sense Madhyamaka Makes as a Buddhist Position," 705; emphasis mine.

99. Buddhist philosophers, if they are trained in any ancient languages, are trained in either Sanskrit or Tibetan. The three main Pudgalavādin works still extant are in Chinese and so are omitted from the discussion. See for example Jonardon Ganeri, "Buddhist No-Self: An Analysis and Critique," in *Hindu and Buddhist Ideas in Dialogue*, ed. Irina Kuznetsova, Jonardon Ganeri, and Chakravarthi Ram-Prasad, 63–76 (London: Routledge, 2012). Perhaps Francesco Sferra's recent publication will change this. See Francesco Sferra, "Pudgalo'vācyaḥ—Apropos of a Recently Rediscovered Sanskrit Manuscript of the Saṃmitīyas. Critical Edition of the First Chapter of the Abhidharmasamuccayakārikā by Saṅghatrāta," in *Archaeologies of the Written: Indian, Tibetan, and Buddhist Studies in Honor of Cristina Scherrer-Schaub,* ed. Vincent Eltschinger, Marta Sernesi, Vincent Tournie, 647–711 (Italy: Unior, 2020).

"philology" or "history,"[100] but a strict reading of his arguments shows that his attempt to eliminate the context of these arguments seriously undermines the thesis he is trying to prove. Instead, we are left with a Pudgalavādin party to which Pudgalavādins are explicitly not invited.

Arnold similarly wants to bracket all of Nāgārjuna's temporal, institutional, and cultural specificity from his interpretation in order to lift up and compare a sanitized, ahistorical Nāgārjunian argument with a sanitized, ahistorical *pudgalavāda* argument.

> I want to be clear about what kind of claim I am making**; I am not,** like Vetter, **making a case for a specific doctrinal identity on the part of the historical person who wrote the *MMK*.** … I am most interested, then, not so much in showing that the historical person Nāgārjuna was affiliated with some particular sect or school of thought, but in showing that some of Nāgārjuna's arguments work in much the same way as some characteristically *pudgalavādin* arguments. To the extent, then, that I can also show that Nāgārjuna's nevertheless make sense as Buddhist arguments, we may be entitled to conclude that notwithstanding the reflexive consensus of later tradition, something worth the name *pudgalavāda* may after all make sense as a Buddhist position, too.[101]

In other words, if Arnold's "Buddhism" is normative and has been sanitized of actual Buddhists who talked about these concepts, then his *pudgalavāda* is equally normatively unburdened by association with actual Pudgalavādins—all of which means that his academic Nāgārjuna has at last freed itself of Nāgārjuna, the man.

You can't appeal to a free-floating, ahistorical opponent or sect as a reason why a historical person like Nāgārjuna argues the way that he does. Normativity is ineliminable; just don't expect it to do historical work. The statement "all men are mortal" is (at least so far) not historically contingent and therefore can be a reason to deduce Socrates' mortality. But despite its formal similarities, there is simply no way around the fact that "All Buddhists are *anātmavādin*" *is* historically contingent. Arnold may convince those already steeped in modern Buddhist philosophical publications that an ahistorical Nāgārjuna had taken up an imaginary Pudgalavādin position that conforms to a twentieth-century "Buddhist *anātman*" against a depoliticized Ābhidharmika opponent

100. See Siderits, *Buddhism as Philosophy*, 10; and Jonardon Ganeri, *Philosophy in Classical India: The Proper Work of Reason* (New York: Routledge, 2001), 4.
101. Arnold, "The Sense Madhyamaka Makes as a Buddhist Position," 717.

in order to come to a Kantian conclusion that the self is ineliminable. But it is unclear what part of the argument, if any, actually pertains to Nāgārjuna. And if we follow along with him, it is only because the historical oversights so ubiquitous in our textbooks, conferences, and publications have brought us halfway.

WHY CONTEXT MATTERS

By now, the reader might suspect that my real target is not Arnold at all, but rather the scholarly narratives embedded in the field to which his argument appeals. I have chosen Arnold to critique only because he lays his cards on the table better and more clearly than most, making explicit his relation to the narrative that other scholars politely tuck out of sight. The scholar of Buddhist philosophy can no more make successful arguments without historical or sociological context than they can without philology because it is within context and use that arguments have meaning. Indeed, as Jan Westerhoff has shown, Nāgārjuna's epistemological musings in the *Vigrahavyāvartanī* and their follow up in the *Vaidalyaprakaraṇa* (whether or not he wrote it) show that the very idea of something being "evidence" requires (or elicits) a narrative, contextual whole of that which the part makes evident.[102] For Nāgārjuna, evidence and the evident stand in the same mereological relationship as composite and component, effect and cause, or going and that which is gone over.

This is why in *Nāgārjuna in Context* I begin with the larger social and institutional context of Mahāyāna Buddhism as well as the context of Buddhist monasticism's embeddedness within the larger legal and political order *before* I discuss how Nāgārjuna's arguments might be placed in conversation with that order. The larger narrative through which I placed Nāgārjuna's arguments was one that relied heavily on Gregory Schopen, namely that Mahāyāna was a somewhat embattled minority movement within Buddhist monasticism. As Arnold and Richard Nance in their reviews correctly point out, some parts of my narrative were indeed flawed—specifically, my assumption that there was a stark and readily understandable difference between Mahāyāna and non-Mahāyāna Buddhism. In my second book, *Genealogies of Mahāyāna Buddhism*, I take a critical look at the narratives about both Buddhism

102. Jan Westerhoff, "Nāgārjuna and the Philosophy of Language," *Journal of Indian Philosophy* 47 (2019): 779–793.

and Mahāyāna Buddhism.[103] The first half of this latter book develops a counter-narrative of a Mahāyāna that is central to a Brahmanical strategy to legitimate contemporary political sovereigns. From there, I take a second look at the place of early Perfection of Wisdom literature within this revised narrative whole. In both books, I begin with the larger social and political whole and then work backward to make sense of the texts written in that context in order to correct what I had discovered was an anachronistic application of normative assumptions about Buddhism to the textual data that we have.

But Arnold not only avoids considering necessary historical context in his own work, he is also critical of the way others use historical context in their own works. Thus, he presents his avoidance of historical evidence as both principled and methodical throughout his works. And his interpretation of Nāgārjuna lies at the heart of this project to limit the role of history in the interpretation of philosophy. This project amounts to conscripting Madhyamakas (and to some extent Mīmāṃsikās) into a Kantian (by way of Sellarsian) project of separating "judgmental from non-judgmental content."[104] In this sense, he has the Madhyamakas argue for the ineliminability of the personal level of description against those (such as cognitive scientists, or "Ābhidharmikas," or Dharmakīrti) who would explain judgement itself in terms of objective causality. He maps of the two levels of description (judgmental and causal) onto the so-called "two truths" in his article on Nāgārjuna's chapter on "Going."

> I take it to be philosophically interesting for Nāgārjuna to show ... that proposed explanations of certain ordinary phenomena turn out invariably to be intelligible only relative to the very phenomena purportedly explained. ... Why, after all, should such a conclusion, which might seem to reflect only epistemic limitations, be thought metaphysically significant?—I think the significance of such arguments

103. Walser, *Genealogies of Mahāyāna Buddhism.*

104. See Dan Arnold, *Brains, Buddhas, and Believing: The Problem of Intentionality in Classical Buddhist and Cognitive-Scientific Philosophy of Mind* (New York: Columbia University Press, 2012), 84. Sellars' distinction is probably based on Kant's proposed application of the juridical distinction between *quid juris* and *quid facti* (see Immanuel Kant, *Critique of Pure Reason*, trans. William Kemp Smith [New York: St. Martin's Press, 1965], 120; and Sofie C. Møller, "The Court of Reason in Kant's Critique of Pure Reason," *Kant-Studien* 104, no. 3 [2013]: 301–320).

> is evident if they are understood in light of the question (***always overriding for Mādhyamikas) of how (and how not) to understand the Buddhist doctrine of selflessness.*** Thus, on my reading the guiding question for Nāgārjuna is always whether it could make sense to think the conventionally real—which, I take it, most significantly picks out what we can characterize as a personal level of description—might be explained by any of the essentially impersonal categories proposed by other Buddhist Ābhidharmikas as "ultimately real." *And to show that constitutively personal phenomena cannot finally be explained in exhaustively impersonal terms is to show, I take it, something of great philosophical interest.*[105]

ANTI-GENEALOGY

Obviously, the terms "personal" and "impersonal" are opposites, and Arnold urges us to privilege the personal level of description (i.e., why the speaker in question feels their argument is justified) over impersonal explanations that appeal to factors that the speaker has not offered as evidence. It is in the context of his criticism of impersonal description that Arnold begins his specific critique of the use of social or political context to discuss philosophical argument. This line of argument begins in his first book, *Buddhists, Brahmins, and Belief*. There, we find the following criticism of Ronald Davidson:

> Davidson ... contends that Dignāga capitulated to the criteria of non-Buddhists in the hope of reversing the moral decline of Buddhism allegedly caused by the corrosive influence of Madhyamaka. Among the problematic aspects of this claim is the view of historical change in discursive traditions that it presupposes—*a view according to which philosophical trends are causally related to specifiable sociohistorical trends*. Although philosophical traditions develop, of course, in history, the view that we are entitled to inferences from specifiable social trends (as effects) to philosophical views (as the causes thereof) is much too deterministic.[106]

Arnold objects to Davidson's suggestion that philosophical arguments might supervene onto sociohistorical trends for the reason that these

105. Arnold, "The Deceptive Simplicity of Nāgārjuna's Arguments," 557; emphasis mine.

106. Dan Arnold, *Buddhists, Brahmins, and Belief: Epistemology in South Asian Philosophy of Religion* (New York: Columbia University Press, 2005), 3; emphasis mine.

are inferences from philosophical effect to social cause. This passage is echoed in his review of my book (written at roughly the same time as the publication of Arnold's first book):

> Walser's interesting and complex case for the historical location of Nāgārjuna too often depends on the thought *that nothing but facts about that career* could explain why he argues as he does. But in doing philosophy, Nāgārjuna is making arguments about what he takes his opponents to be committed to, in virtue of their holding the views they explicitly affirm; we can (and, according to the principle of hermeneutic charity, should) similarly suppose that the relations among Nāgārjuna's own claims include relations of entailment—and that these are not exhaustively explicable as a function of socio-historical pressures.[107]

Arnold begins back in 2007 by saying that, although facts about career and socio-historical pressures can provide some explanation of Nāgārjuna's arguments, there is apparently a surplus ("relations of entailment") intended by Nāgārjuna that cannot be so explained. Much of Arnold's argument here and elsewhere assumes a natural distinction between logical entailments and socio-historical pressures, and he never does tell us why in principle socio-historical pressures must be barred from use in the social act of giving and taking of reasons—even philosophical ones. But even if he could meaningfully separate socio-historical factors from logical entailments, the content of any *exhaustive explanation* exclusive of socio-historical factors remains elusive. Presumably, if Nāgārjuna's thought is not "exhaustively explicable" in terms of socio-historical pressures an exhaustive explanation must also include logical entailment (presumably the entailment beyond the pressures entailed by the historical situation). But then surely his exhaustive explication would *require* us to also include socio-historical pressures in our explanation of Nāgārjuna's arguments.

In *Brains, Buddhas, and Believing*, Arnold goes from trying to limit the scope of socio-historical explanation to dismissing it as "materialism." Here, he brings in an argument by Terry Godlove.

> Terry Godlove has argued that recently influential books like Talal Asad's *Genealogies of Religion* (1993) and Mark Taylor's *Critical Terms for*

107. Dan Arnold, "*Nāgārjuna in Context: Mahāyāna Buddhism and Early Indian Culture*. By Joseph Walser," *Journal of the American Academy of Religion* 75, no. 3 (2007): 688; emphasis mine.

> *Religious Studies* (1998) reflect a "new materialism in religious studies"…. The problem with these, Godlove argues, is their incoherent denial of the logical priority of belief. Whether, then, the relevant causes are taken to consist in psycho-social conditioning, economic pressures, the experienced naturalness of hegemonic representations, evolutionary trends, or events in the central nervous system, any purportedly exhaustive causal account of religious phenomena undermines its own entitlement to be taken as true; insofar as it's claimed that the semantic content of religious belief is demonstrably epiphenomenal, there can be no making sense, either, of the scholar's own belief in the truth of the analysis. This is not to say that all (or even most) of the things religious persons do are done for reasons; it is, rather, to argue … that characteristically religious activities, like all purposeful human actions, count as the kinds of thing they are only in virtue of its being at least intelligible that the agents thereof could attend to them under some reasoned description. However well motivated the turn away from doctrinal studies in religion has been, then, that trend becomes incoherent if taken to show the eliminable character, in effect, of an intentional level of description.[108]

Here, Arnold and Godlove take the genealogical studies of Asad along with a host of other sociological studies and lump them together as *causes*, along with "events in the central nervous system" in order to cast the whole lot as "materialism," to be separated from "doctrine" (which he subtly substitutes for "belief" halfway through the paragraph). He doubles down on this kind of argument in his 2021 article "What Religious Studies Can Teach the Humanities: A Philosophical Perspective" by bringing more scholars on board. Drawing on Tylor Roberts and Robert Pippen he attempts to distinguish "properly humanistic study" from the archaeology of Gregory Schopen or the genealogy of Talal Asad,[109] both of whom he charges with a "characteristically reductionist focus only on causation." Roberts, building on Pippen, says, "when we seek to understand human life, third-person explanations only take us so far, because they do not offer a full account of social practices of 'giving and demanding reasons for what we do.' Human subjects make decisions and act based … on such reasons. *All the knowledge in the world about my historical context, psychological profile,*

108. Arnold, *Brains, Buddhas, and Believing*, 241–242.

109. Asad seems to be the favorite target of a growing group of philosophers.

or genetic makeup cannot make decisions for me."[110] Arnold then identifies Robert's bracketing of historical context as a variety of Kantian freedom.

> The point [Roberts] makes ... is, as I would put it, that no explanation of any human activity can explain away the responsiveness to reasons that is necessarily presupposed thereby—and the fact that persons are "responsive to reasons" amounts to a gloss ... of what Kant took human freedom to consist in. The fact that we are free, that is, consists in the distinctively human capacity to step back from the immediate perceptual present and ask, of any action or decision that has been or might be undertaken, whether it is as one ought to have done or to do. As Pippin says in elaborating on what he means by "irreducibly first-personal," "whenever anyone faces a normative question (which is the stance from which normative issues are issues), no third-personal fact—why one as a matter of fact has come to prefer this or that, for example—can be relevant to what I must decide, unless I count it as a relevant practical reason in the justification of what I decide ought to be done or believed."[111]

If we trace the trajectory of Arnold's critique, he begins by making the reasonable argument that causal, scientific descriptions cannot provide an *exhaustive* account of philosophical argument. This is, of course, true, but trivially so for all but the most extreme physicalists. Over the years, however, he becomes more and more dismissive of the possibility that social or political factors can explain anything at all (causal or not) about philosophical arguments. Arnold and Tylor's arguments keep returning to the idea that socio-political explanations (Tylor's "locative" explanations) can never completely explain their targets. The proper domain of the humanities is excess or surplus of meaning of a work (a kind of "reader's sublime") after all the facts of the piece have been laid out. But in Kant, Hegel, or Ricoeur, there is no sublime without the prior operation of the understanding, so drawing a strict division of labor between the humanities and the social sciences throws the proverbial baby out with the bathwater.

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110. Dan Arnold, "What Religious Studies Can Teach the Humanities: A Philosophical Perspective," in *The Future of the Philosophy of Religion*, ed. M. David Eckel, C. Allen Speight, and Troy DuJardin, 17–42 (Boston: Springer, 2021), 23. Emphasis mine.
111. Ibid.

The particular appeal to contextual factors that Arnold and company criticize falls under the category of genealogy and so, for convenience, I will refer to the group of scholars criticizing this approach as "anti-genealogists." I should note at the outset, however, that theirs is not a criticism of Nietzschean or Foucauldian genealogy (which is more about tracing ways that categories and ideas morph over time) per se, but rather a complaint that the historical contingency exposed by genealogical studies of an idea tends to undermine our ability to make universal and normative judgments. Though he does not refer to this argument explicitly, I think that Robert Brandom summarizes quite succinctly the kind of argument that Arnold and Godlove are trying to make.

> As I shall use the term, genealogical explanations concern the relations between the act or state of believing and the content that is believed. A genealogy explains the advent of a belief, in the sense of a believing, an attitude, in terms of contingencies of its etiology, appealing exclusively to facts that are not evidence, that do not provide reasons or justifications, for the truth of what is believed. In this sense, when it occurs to the young person that he is a Baptist because his parents and everyone they know are Baptists, and that had he been born into a different community he would have with equal conviction held Muslim or Buddhist beliefs, that is a genealogical realization. As is evident already in this mundane example, the availability of a genealogical explanation for a constellation of beliefs can have the effect of undercutting its credentials as something to which one is rationally entitled. The genealogy asserts counterfactual or subjunctive conditionals linking the possession of certain beliefs (attitudes of believing) to contingent events whose occurrence does not provide evidence for what is believed. If the believer had not had a bourgeois upbringing, were not driven by ressentiment, or had not had that childhood trauma, she would not have the beliefs about the justice of labor markets, Christian ethics, or conspiracy theories that she does. None of those events, upon which, the genealogist asserts, the holding of the beliefs in question are counterfactually dependent, provide evidence for what is believed.[112]

112. Robert Brandom, "Reason, Genealogy, and the Hermeneutics of Magnanimity," *Howison Lectures in Philosophy Series, UC Berkley* (2012): 4; https://sites.pitt.edu/~rbrandom/Texts/Reason_Genealogy_and_the_Hermeneutics_of.pdf

Looking across all of the above arguments against genealogy, it appears that the main concern of our anti-genealogists is that genealogy brings social or political factors to bear on our interpretation of philosophical arguments when none of these factors have been (or can be) used as evidence in the argument itself. The fear seems to be that if the genealogist argues that a philosopher makes an argument for a social reason (known or unbeknownst to her), it renders superfluous or even undermines the reasons she explicitly offers for the same argument. Worse still, if genealogists were to urge that all reasons were genealogically traceable to ulterior motives *as a global stance* then no reasons could establish their targets because no reasons would really be about their thematic referent (i.e., they would *really* be about social or political causes). If this were the case, the genealogist would have just undermined any possibility of justifying the genealogical argument itself.

There are multiple problems with this argument,[113] and all of them come from the failure to provide "a full account of social practices of 'giving and demanding reasons for what we do.'" First of all, while explorations of social and political context of an argument "can have the effect of undercutting its credentials as something to which one is rationally entitled," this is not always or even necessarily the case. Explanations of social or political context are essential to determining the scope and/or the meaning of what is being argued in the first place. We notice this when interpretation goes wrong. For instance, at one point in his lectures on logic, Kant states categorically, "*Historisch unwissend sind gemeiniglich Vernunftlehrer.*"[114] John Richardson translates this as "Logicians commonly are historically ignorant."[115] If I were to take this English translation on its face, I might be tempted to quote Kant in my criticism of modern Buddhist philosophers. But this isn't really what Kant is saying. *Vernunftlehrer* is here not simply a "logician" as we understand it. As Richard Pozzo has pointed out, the title of the two textbooks that Kant used in his logic classes for over forty years were *Der Vernunftlehre* and the *Auszug aus der Vernunftlehre*

113. For a critique of Brandom's argument, also see Brian Lightbody, "Hermeneutics vs. Genealogy: Brandom's Cloak or Nietzsche's Quilt?" *The European Legacy* 25, no. 1 (2020): 1–18.

114. Immanuel Kant, *Immanuel Kant's Logik* (Leipzig: Erich Koschney, 1876), 50.

115. Immanuel Kant, *Logic of Immanuel Kant*, trans. John Richardson (London: W. Simpkin and R. Marshall, 1819), 60.

by Georg Friedrich Meier. These textbooks had some peculiarities in light of which Kant's statement seems more reasonable. *Vernunftlehrer* probably refers to those trained in the works so named. These historical details are not explicitly offered by Kant to justify his statement, but we can't say that they are not already part of the meaning of the statement itself. To Kant, the historical context would be inseparable from the word *Vernunftlehre.* Any argument will have one or two justifications explicitly offered, but the evidence explicitly referred to will assume a potentially infinite series of implicit (i.e., non-thematic) assumptions that are part of the Wittgensteinian "form of life" of the writer. *We* have to work to make explicit the context that is implicit in Kant's writings because we don't already understand this context. Our work at uncovering context can never be "exhaustive" because the conditions supporting the judgment is potentially infinite. But this only means that our interpretation will always be fallible, not that we can or should try to understand the entailments being made removed from the form of life in which the argument is made. Simply put, without understanding *against whom* Kant was arguing, we misunderstand *what* he is arguing.

In his 2012 *Brains, Buddhas, and Believing*, Arnold is keen to emphasize Kantian freedom or spontaneity in our offering of reasons against the idea that our ideas are somehow "caused" by context. Reading Kant's transcendental unity of apperception through the idea of practical freedom in the Second Critique not only allows Arnold to treat all philosophical arguments as spontaneous and uncaused, but since the transcendental unity of apperception has no content, it is not "necessarily incompatible with the Buddhist doctrine of selflessness, depending on how that is understood."[116] What Arnold misses in his Kantian explanation is that, while we do experience our responses to demands for reason as free, we simultaneously experience that freedom as determined. Put another way, our first-person response to any situation is free *within the limits determined by our interpretation of what is going* on (i.e., the form of life in which the interpretation takes place). I can only intentionally respond to what I understand to be the case, and what I understand has finite explicit content and potentially infinite layers of implicit assumptions. If I am in the park at dusk and I see a man yell at a woman and threaten her with a knife, I am free to call the police,

116. Arnold, *Brains, Buddhas, and Believing*, 88.

ignore them, or rush to her aid. If, however, I notice that the two of them are speaking Elizabethan English and wearing period costumes, I am then "free" to stay and watch the play or to find better entertainment elsewhere. Calling the police is no longer a possibility that I have to choose from—free or not. The interpretation of *context* is prior to any understanding of the decisions of others. In short, freedom requires context; it doesn't obviate it. It is usually automatic or taken for granted because we share so much of our interpretation of the world with those whose reasons we seek to understand. The situation is different when we are trying to understand the arguments or actions of those who lived in vastly different times and contexts such as that of the early Madhyamakas.

The other obvious problem with the anti-genealogical criticism is that it assumes all contextual explanations of belief replace or even undermine the justification of the belief itself. This is implied in Brandom's example of the statement that *x* is Baptist *because* his family is Baptist. The anti-genealogists present us, then, with a false binary: context *or* belief. In so doing, I am afraid, they have confused, in the words of Bourdieu, "the things of logic for the logic of things."[117] It is doubtful that speakers making statements like Brandom's Baptist example are actually calling into question that the Baptist believes that certain Baptist ideas are justified or his that his faith Jesus will be rewarded. I think it is safe to say that for most conversations of this type, his belief would be analytic to the adjective "Baptist" (if he didn't believe any of this, it is unlikely he would be referred to as Baptist to begin with), and so the remark about his family is a second-order reason (i.e., a reason for the reason) he believes Baptist doctrine, not a negation of it.

In life, if not in philosophy classes, we make the distinction between first-order and second-order reasons all the time. One particular version of second-order reasons that we could not do for very long without are instrumental reasons. If today someone offers two or three reasons why the proposition "life begins at conception" is justified, very few readers of this article would understand the argument to simply be about the immediate relations of entailment laid out. Does anyone in the US really ever pose the question of whether life begins at conception merely as a matter of embryological curiosity?

117. See, e.g., Pierre Bourdieu, *The Logic of Practice* (Stanford, CA: Stanford University Press, 1990), 49.

They could, but they don't. We can reasonably answer the question, "Why does he make this argument?" with the observation that it was made in order to justify a political or policy position. The instrumental reason does not necessarily undermine the logical justification being offered. It does, however, give us other reasons to accept or reject the reasons offered apart from the cogency of their entailments. There is survival value in this. If Hannibal Lecter takes the witness stand in his own defense and gives a brilliant, true justification of the thesis that "lengthy incarceration is inhumane" (while staring longingly at the fat juror to my right), I would think it acceptable to give more weight to the instrumental reason why he would make *this* true argument about incarceration than to the immediate entailments of the argument itself. And the same goes for Nāgārjuna. In order to understand what he argues, we need to also understand what the arguments were written to do. Is he arguing against the Saṃmitīyas or, since he may have been a Saṃmitīya, was he arguing for them? Was he arguing against the Brahmanical tradition or, since he *was* a Brahmin, was he arguing for it? Understanding what he was doing partly determines how we read the entailments on the page. Identifying this context in no way undermines his entitlement to believe what he believes. On the contrary, it clarifies *what* he was justifying. Arnold may want us to read his logical entailments as, on principle, separate from the social or political reasons he wrote his book. But we only have to think of arguments for and against abortion to realize that we cannot assume on principle that Nāgārjuna would not have wanted us to recognize the institutional ends his logical arguments served.

To take another example, I wrote *Nāgārjuna in Context* assuming Nāgārjuna was justified in his arguments. I was more interested in some of the second-order reasons *why* Nāgārjuna tried to justify the arguments that he did and in the manner that he did so. I wrote what I thought was "true" about the reasons why Nāgārjuna wrote what he did. I also wrote it to get tenure. The second-order reason does not, by virtue of being instrumental, undermine the truth of the claims made in the book. Rather, a little knowledge of the tenure system would suggest that I would have an easier time getting tenure if my arguments were true rather than false. But an institutional knowledge of academia and the academic publishing industry could also legitimately be used as a second- or even third-order reason for *why* I framed my argument the way that I did. To be published, my work had to look like other

academic works that were published for tenure. A thousand years from now, a scholar might spend a few summers exploring the rules and institutions of academic publishing in the twenty-first century in order to understand how I might have interpreted the different logical, institutional, and political demands that *Nāgārjuna in Context* was written to respond to. Can we call tenure a *cause* of *Nāgārjuna in Context*? We can, but it would depend on the interest behind the question "Why was this book written?" More commonly, tenure would be part of the interpretation of the context *in light of which* my publishing the book can make sense. It is a reason, not necessarily a cause.[118]

The final problem with the anti-genealogists' argument lies in their contention that, ultimately, genealogy undermines even the genealogist's arguments to be accepted as true. Here, Arnold's statement that "insofar as it's claimed that the semantic content of religious belief is demonstrably epiphenomenal, there can be no making sense, either, of the scholar's own belief in the truth of the analysis" is similar to Brandom's contention that "the very idea of reason as efficacious in

118. Indeed, for tenure to be a *cause* of me writing my book, we would have to establish that awareness of it was a mental event in my head that caused the writing of the book. Social explanation does not have to be causal in this way. As C Wright Mills points out ("Situated Actions and the Vocabularies of Motive," in *Power, Politics, and People: The Collected Essays of C. Wright Mills*, 439–453 [Ballantine Books, 1963]), motivations do not have to be internal mental events. In all cases, motivations are ascribed to people (and sometimes we ascribe them to ourselves). This means that motivations can be social before they are private. Psychotherapy has gotten a lot of mileage out of the idea that you might in fact be the last person in the room to know "why" you are washing your hands repeatedly. Lady Macbeth's therapist might work years to get her to see that she isn't washing her hands to get them clean but rather to get rid of the guilt of her murders. In this case, the therapist knows the motivation before Lady Macbeth. But social and political motivations are not merely ascribed to religious actors by "scholars." Such ascriptions are part and parcel of Webb Kean's study of the recognition or misrecognition of religious performances (*Signs of Recognition: Powers and Hazards of Representation in an Indonesian Society* [Berkeley, Los Angeles, & London: University of California Press, 1997]). To give but one brief example, when Max Weber comes to the US in 1904, he attends a baptism. The gentleman next to him leans over to him and says, "Look at him.... I told you so!" When Weber asks him, "Why did you anticipate the baptism of that man?" he says, "Because he wants to open a bank in M." (Frank Parkin, *Max Weber* [New York: Routledge, 2002], 60).

our lives would be called in question by globalizing the genealogical enterprise to extend it to all discourse."[119] Both of these arguments present to us a straw man to joust with. It is true that *if* [a] contextual or instrumental reasons in fact replaced or undermined first-order reasons and *if* [b] genealogists assert that second-order reasons are the only true reasons, then even the choice to undermine all rational arguments by substituting genealogies would be undermined by its own genealogy. The problem is that [a] is a special type of second-order argument (not all second-order arguments undermine first-order ones) and arguments of type [b] have been spotted in the wild only slightly more often than Big Foot. The fact is, I can reasonably make the first-order claim that some first-order justifications are undermined by second-order considerations without stating that all first-order justifications are. Simply put, I can undermine Hannibal Lecter's plea for clemency by arguing that he *really* just wants to have an old friend for lunch without making the denial of clemency a universal maxim.

The fact of the matter is that rationality and justification are (among other things) forms of self-representation. I present reasons to you in order to represent my beliefs or actions as justified. But, as Webb Keane has discussed at length, there are hazards to all of our representations.[120] Once our self-representations are put out in the world, we cannot control whether they are recognized as justified, first-order reasons or misrecognized as mere second-order ulterior motives. It could even be that in a given population, some people recognize my arguments as true and others misrecognize them as self-serving. Naturally, those who argue my reasons are justified and those who do not both present their own opinions as justified—a stance which in turn is recognized or misrecognized by others. There can be no question, then, of a global denial of first-order reasons any more than we could propose a blanket ban on misrecognition. Much as every philosopher would like to be universally recognized as justified, if there were no known failures to be recognized as justified then successes wouldn't mean much. What is important here is to note the circumstances in which we shift from taking a first-order justification to be justified to offering a second-order explanation for an ulterior motive

119. Arnold, *Brains, Buddhas, and Believing,* 242; Brandom, "Reason, Genealogy, and the Hermeneutics of Magnanimity," 5.
120. Keane, *Signs of Recognition*.

as to why the argument was made to begin with. Sometimes it is for *ad hominem* reasons as in my example of Hannibal Lecter arguing for clemency, or when the political stakes overwhelm the usual courtesy of politely listening to reasons. But more often than not, we look for second-order explanations when the first-order justifications fail, or when there is something we cannot explain about why this particular argument was made. Thus, the strangeness of Arnold's "*anātman* is the cardinal doctrine of Buddhism" and its failure to function as a reason why Nāgārjuna argued the way that he did is enough of a cue to turn to the genealogical question of what set of historical factors had to come together to make this *seem* plausible.

GENEALOGIES

If the Buddhist discourses we study can only be understood in context, then the same applies to the categories we bring to bear on those discourses. While we do not usually interrogate the contexts in which our categories come to have sense, important contingencies can be revealed when we begin to look into the genealogies of our own construction of the world. As in the case of the category "Buddhism = anti-caste" or "Buddhism = selflessness," especially when we find our categories failing to explain the phenomena we study, a genealogy of our own assumptions can be revealing. Genealogies are contextualizations traced backwards to show the contingency of categories taken to be normative. This is done in order to draw attention to the effort that had to be exerted to make the contingent seem natural or normative retroactively. Showing the contingency of what is taken by many in the academic study of Buddhism to simply be true becomes a particularly ethical project when it is then noticed *for whom* these categories are normative—and who was and wasn't even consulted[121] in writing the most authoritative accounts. Genealogies are thus an important tool in the analysis of power. As Foucault remarks,

> [Genealogies] are about the insurrection of knowledges. Not so much against the contents, methods, or concepts of a science; this is above all, primarily, an insurrection against the centralizing power effects that are bound up with the institutionalization and workings of any

121. A brilliant study of scholars and government officials repeatedly failing to hear what Buddhists are telling them can be found in Salgado, *Buddhist Nuns and Gendered Practice*.

> scientific discourse organized in a society such as ours. That this institutionalization of scientific discourse is embodied in a university or, a pedagogical apparatus ... is largely irrelevant. Genealogy has to fight the power-effects characteristic of any discourse that is regarded as scientific.[122]

Throughout this article, I have pointed out areas of Arnold's arguments that should have been questioned by Buddhist philosophers but were not. I would argue that there is something to the nature of the academic study of Buddhist philosophy that has rendered beyond question a whole set normative statements about what Buddhism is and is not. It is only through a genealogical investigation of these statements that we can see where Arnold's "cardinal doctrine of Buddhism" might go wrong. But even beyond the points made above, I would like to end with a genealogy of the anti-genealogical stance itself. Arnold's quick and categorical dismissal of the relevance of social stuff for his interpretation of Nāgārjuna's belief is something like Andy Sachs thinking her choice to wear the cerulean sweater in *The Devil Wears Prada* (2006) was simply a personal choice far removed from the "stuff" of the fashion industry.[123] If I may channel my inner Meryl Streep here for a moment, I would now like to interrogate Arnold's statement that

122. Michel Foucault, *Society Must Be Defended: Lectures at the Collège De France, 1975–1976*, ed. M. Bertani and A. Fontana, trans. D. Macey (New York: St Martin's Press, 2003), 9.

123. *The Devil Wears Prada* (2006). For those who have missed the book or the film, Meryl Streep's memorable response reads: "This ... stuff? Oh, OK. I see. You think this has nothing to do with you. You go to your closet and you select ... that lumpy blue sweater, for instance, because you're trying to tell the world that you take yourself too seriously to care about what you put on your back. But what you don't know is that that sweater is not just blue, it's not turquoise. It's not lapis. It's actually cerulean. And you're also blithely unaware of the fact that in 2002, Oscar de la Renta did a series of cerulean ballgowns. And then it was Yves Saint Laurent, wasn't it, who showed cerulean military jackets? ... And then cerulean quickly showed up in the collections of eight different designers. And then it filtered on down through the department stores and then trickled on down into some tragic Casual Corner where you, no doubt, fished it out of some clearance bin. However, that blue represents millions of dollars and countless jobs, and it's sort of comical how you think that you've made a choice that exempts you from the fashion industry when, in fact, you're wearing the sweater that was selected for you by the people in this room ... from a pile of stuff."

we should "suppose that the relations among Nāgārjuna's own claims include relations of *entailment*—and that these *are not exhaustively explicable* as a function of socio-historical *pressures*."[124] Godlove and Arnold's version of "belief" here is not any old set of ideas that could be found at any point in human history; it is belief that is specifically contrasted with coercion or "pressure." Framing the argument in this way certainly lends it an air of plausibility, if not authority—but not because either of them have made the case that understanding pressure is relevant to understanding arguments. They can simply assume their audience already believes this, *because the opposition between free belief and coercion has already been established elsewhere*.

In Arnold's "What Religious Studies Can Teach the Humanities," doctrines are held or refuted free of determination of social context (interpreted as a set of causes). He ends with an analysis of First Amendment jurisprudence in the United States to conclude that, as much as the courts would like to get away from theology, the fact that they must decide what is and what is not "religion" implicates them in fully normative decisions that Arnold equates with theology. In the attempt to cordon off historical context in these ways, Arnold remains "blithely unaware" of the fact that the legal context for the declaration and ascription of religious identity in the West was radically different from the legal and administrative contexts on the Asian continent and subcontinent. In Byzantium from at least the *Theodosian Code* onward, religious identity had practical consequences for getting things done that simply did not obtain in India or China. Hence, the question of "Who is a Buddhist?" in second-century India or twelfth-century China is a fundamentally different *kind* of question from "Who is a Christian?" in sixth-century Byzantium or twenty-first–century United States.[125]

Indeed, the opposition between "free belief" and "coercion" that animates Arnold's work has a peculiarly modern genealogy that can be applied only anachronistically to pre-modern Asia.[126] The follow-

124. Arnold, "Nāgārjuna in Context," 688; emphasis mine.

125. This is the topic of a future article.

126. There are 173 countries that have signed on to the International Covenant on Civil and Political Rights (ICCPR). Article 18, section 2 states quite explicitly that, "No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice." However, when it comes to the distinction between "free belief" and "coercion," the application of religious freedom gets tricky. For instance, we find the opposition between

ing genealogy is not, then, an attempt to undermine Arnold's idea that explanations of religion or philosophy should disregard second-order reasons; it is merely a way of limiting the scope of Arnold's normative claim to suggest that separating the two is more of our concern than Nāgārjuna's and to show that denying the instrumentality of religious arguments by rendering belief *qua* doctrine the "natural" domain of religion serves a host of juridical and political functions *for the modern nation state* that it would not have served in pre-modern states.

I will begin with John Locke, who crafted a similar dichotomy of belief versus coercion in his *Letter concerning Toleration:*

> All life and power of true religion consists in the inward and full persuasion of the mind; and faith is not faith without believing. Whatever profession we make, to whatever outward worship we conform, if

"free belief" and "coercion" in modern Egypt as well. In Egypt in 1995 the Cairo Court of Appeals ruled on the apostasy case against Abu Zayd that convicting him of apostasy did not contravene his freedom of religion under the Egyptian constitution because "Apostasy is a breach of the Islamic order, at its highest degree and most valued foundations, through manifest, material actions.... However, the punishment for assaulting religion through [an act of] apostasy does not contradict personal freedom. This is because freedom of belief (*'aqida*) requires that one be sincere (*mu'minan*) in his words and acts, and [so] one has a sound logic in abandoning belief. *But a breach of Islam can only be due to corruption in thought or the lure of material, sexual, or other worldly purposes*. To combat this category [of desire] is not considered combat against freedom of belief, but rather the protection of belief from such vain, corrupt passions" (Hussein Ali Agrama, *Questioning Secularism* [Chicago: University of Chicago Press, 2012], 50). A similar logic is behind the spate of state "love jihad" legislations in India. For example, the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Ordinance, 2020, makes religious conversion punishable (2–10 years for converting a minor, a woman, or a person belonging to a Scheduled Caste or Scheduled Tribe; 1–5 years for converting anyone else). The key paragraph of the law states, "No person shall convert or attempt to convert either directly or otherwise, any other person from one religion to another by use or practice of misrepresentation, force, undue influence, coercion, allurement or by any fraudulent means or by marriage or by any person abet, convince or conspire such conversion." Since Article 25 of the Constitution guarantees freedom of conscience and free profession, practice, and propagation of religion, the real target of the law is not the belief, it is the coercion (by non-belief factors of "allurement" such as sex, money or other benefits) that keeps belief from being free.

> we are not fully satisfied in our mind that the one is true, and the other well-pleasing unto God, such profession and such practice ... are indeed great obstacles to our salvation....
>
> The care of souls cannot belong to the civil magistrate, because his power consists only in outward force: but true and saving religion consists in the inward persuasion of the mind, without which nothing can be acceptable to God.[127]

The stark division that we find in Locke between inward, free belief and the coercive force of political and juridical power that might constrain it speaks to the political context and conversations in Holland and France at the time of its writing. That Locke would locate "true religion" in inward belief, untouchable by the dictates of the magistrate, makes sense as a rejoinder to those who thought that one true religion should be and must be championed and promoted by the state. And ever since St. Augustine's "Letter 93 to Vincentius," there had been a long history, off and on, of the use of violent coercive force to "convert" heretics and unbelievers. Since jurisdiction was tied to religious identity in places like the Iberian Peninsula, the forced conversion of Jews and Muslims after 1492 was not just about spreading "belief," it was simultaneously about creating a uniform jurisdiction for Christian courts.[128] Needless to say, this is a particular context that simply did not obtain in India and China. Indeed, the very idea of "free belief" (as if in some Pascalian world we could actually *choose* what we believe) that can be rescued from or coerced by contingent circumstances has been kept alive in the forms of life brought about by the rise of the nation state in the seventeenth century. To provide a thumbnail sketch of that genealogy, we might start a bit earlier with the 1555 Peace of Augsburg in which Charles V granted religious and political autonomy to the Schmalkaldic League (a group, not incidentally, bound to one another through stated allegiance to a list of *doctrines*). In the Peace of Augsburg, one of the conditions for the armistice was for all sides to agree that "Whoever rules, it is his religion" (afterwards styled *cuius regio, eius religio*).[129] In other words, each realm and all

127. John Locke, *A Letter concerning Toleration* (Huddersfield, UK: J. Brook, 1796), 12.

128. See Lauren Benton, *Law and Colonial Cultures: Legal Regimes in World History, 1400–1900* (Cambridge University Press, 2002), chap. 3.

129. Ludwig Häusser and Wilhelm Oncken, *The Period of the Reformation, 1517 to 1648* (London: American Tract Society, 1884), 238.

of its inhabitants would be officially recognized as belonging to the religion of the current ruler. This position would be reversed by the 1648 Peace of Westphalia. In Article 28 of that treaty, all those of the Augsburg Confession "shall have the free Exercise of their Religion, as well in public Churches at the appointed Hours, as in private in their own Houses, or in others chosen for this purpose by their Minister, or by those of their Neighbors, preaching the Word of God."[130] It is this same "free exercise of religion" that Locke champions in his *Letter Concerning Toleration* forty-one years later while writing in Holland. In other words, when Locke pens his Letter, he is not arguing that belief *is* free from political concerns, but that it *ought to be made so*.

Indeed, in 1854, Fredrick Maurice published a book called *Religions of the World and Their Relations to Christianity*. In it, he notes that earlier theorists of "religious systems" assumed that they were invented by lawgivers and priests, and that "Men cleverer and more dishonest than the rest of the world found it impossible to build up systems of policy, or to establish their own power, unless they appealed to those fears of an invisible world which ignorance so willingly receives and so tenderly fosters."[131] In other words, the popular theory of religions of the time was that they were all about politics and the justification of rule. He then notes that the trend to think of religions as more about faith than politics had become apparent after the French and American revolutions.

Thomas Jefferson read and took copious notes on Locke's *Letter concerning Toleration* prior to his framing of the Virginia Bill for Establishing Religious Freedom (which becomes the prototype for the First Amendment). His marginal note on Locke's passage cited above reads, "The life and essence of religion consists in the inward persuasion or belief in the mind, external forms of worship, when against our belief, are hypocrisy and impiety."[132] With the formation of the US federal government, free exercise of religion is enshrined in the First Amendment to the US Constitution penned by Madison and Jefferson

130. Stephen Whatley, *A General Collection of Treatys, Declarations of War, Manifestos, and Other Publick Papers Relating to Peace and War* (London: s.n., 1732), 9.

131. Fredrick Maurice, *The Religions of the World and Their Relations to Christianity* (London: John W. Parker, 1847), 31–32.

132. Gerald Sandler, "Lochean Ideas in Thomas Jefferson's Bill for Establishing Religious Freedom," *Journal of the History of Ideas* 21, no. 1 (1960): 111.

and further developed by the judiciary in the late eighteenth and early nineteenth centuries. By then, the incompatibility between religion and the power of the magistrate that Locke had advocated had become a common sentiment in the US.[133] The amendment guarantees that Congress shall enact no law respecting the establishment of religion or prohibiting the free exercise thereof. While the First Amendment says nothing about belief, the Supreme Court has made it clear as established judicial practice, from at least 1878 onward, that it is only religious *belief* that has absolute protection; religious practice is subject to restrictions. In *United States v. Reynolds*,[134] Chief Justice Morrison Waite argued that while the First Amendment did not define "religion," it was clear from Jefferson's religious freedom bill that he was primarily concerned with the role the civil magistrate might have in coercing *belief*. As a result, Waite's precedent-setting interpretation of the First Amendment was that "Congress was deprived of all legislative power over mere opinion but was left free to reach actions which were in violation of social duties or subversive of good order."[135] What the court did then (and has reiterated consistently in every landmark religion case since) was to divide "religion" into *belief* (which is to be uncoerced and unconstrained by civil or criminal law) and *practice* (which can be constrained if it places a burden on the state). In order to justify this move and still appear to champion something called "freedom of religion" (which the US wields as a kind of moral/political leverage—replete with the threat of diplomatic and financial sanctions—when negotiating with countries like China[136]), the practice of law in the US requires "religion" to be identified primarily with personal, private, and unconstrained "belief."[137]

133. For examples, see Richard Dierenfield, *Religion in American Public Schools* (Washington: Public Affairs Press, 1962), 8.

134. *Reynolds v. United States*, 98 US. 145.

135. Ibid.

136. For example, the International Religious Freedom Act of 1998 requires yearly reports to be compiled and made public concerning that country's record on supporting or oppressing religious freedom. Section 405 of the law lists specific sanctions to be enacted by the president of the United States should any country be in particular violation of the norms set out in the law.

137. This is not to say that the courts have not weighed the burden of government policy on the actions based on religious belief. Sherbert v. Verner is the classic test case, but since Scalia's decision in Employment Div.

Obviously, the way religion is treated under US law is quite different from the way it is treated in modern Indian or Chinese law. Nevertheless, what is common to all nation states is the fact that religions are made "legible" to the state in particular ways that enable the state to act on them. Contrary to Arnold's claim that the state's normative stance is "theological,"[138] the normative placing of religion here in opposition to politics is one of the functions of secularism that can be found both in ostensibly "religious" states as well as "atheist" or "secular" states. As Talal Asad observes,

> the "proper domain of religion" is distinguished from and separated by the state in modern secular constitutions. But formal constitutions never give the whole story. On the one hand objects, sites, practices, words, representations—even the minds and bodies of worshipers—cannot be confined within the exclusive space of what secularists name "religion." ... On the other hand, the nation-state requires clearly demarcated spaces that it can classify and regulate: religion, education, health, leisure, work, income, justice, and war. The space that religion may properly occupy in society has to be continually redefined by the law because the reproduction of secular life within and beyond the nation-state continually affects the discursive clarity of that space. The unceasing pursuit of the new in productive effort, aesthetic experience, and claims to knowledge, as well as the unending struggle to extend individual self-creation, undermines the stability of established boundaries.[139]

Asad's tension between the "clearly demarcated spaces" that the state assigns to religion or education and the "productive effort" of individuals corresponds quite nicely with the tension between what James

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v. Smith, 494 U.S. 872, and the subsequent passage of the federal Religious Freedom Restoration Act and its state versions, more and more actions based on religious beliefs have come under the purview of statutory (even if not constitutional) protection.

138. While I acknowledge that the court's stance on religion has a normative component, US judges are quite conscious of the fact that these normative stances on what is and what is not religion change over time as rejoinders to ongoing legislation and litigation. For a lovely example of a thoughtful engagement with the court's history of defining religion and the trajectory the definition of religion has taken, see Justice Arlin Adams' concurring opinion in Malnak v. Yogi, 592 F.2d 197.

139. Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford, CA: Stanford University Press, 2003), 200–201.

Scott calls "seeing like a state"—a statist seeing that violently renders organic diversity legible as cadastral or jurisdictional simplicity in order to then act upon it[140]—and the resistance of those whose lives this legibility is affected by being read that way. Every state—whether Muslim Egypt or atheist People's Republic of China—must be able to identify what is and what is not religion in order to either promote it, sanction it, or exempt it. In other words, legibility necessarily precedes any kind of administrative action. But if the state distinguishes religion from education, health, or law, its normative distinction entails a sometimes violent flattening of the category.[141] Just as the diverse ecological and social processes taking place in and around forests in eighteenth-century Prussia become flattened to "lumber" or "board feet per acre" in the cadastral gaze of the state, so too the state crushes religion into inner "belief" or "doctrine" so that the religion can be distinguished from some other "belief" or (more importantly) from functions taken over by the state itself.

We see a flattening of the category of "religion" in the US, but even in First Amendment cases the degree and kind of flattening changes over time in response to other contextual factors. This is especially apparent in First Amendment cases involving religion in public schools. Before federation, public school instruction in the colonies (as in England since the sixteenth century) was inseparable from religious instruction. Richard Dierenfield notes that from the earliest colonists to the Americas, hornbooks and reading primers were designed to help children read religious texts. A 1647 Massachusetts statute explicitly

140. One simple example from Scott's book is the eighteenth-century efforts by Germanic governments to make "forests" legible as "board feet per acre." The result was an attempt to maximize lumber production through monoculture and disciplining the forests by removing unwanted plants and arranging trees in military like ranks. The result, of course, was a severe decline in the forests. James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven & London: Yale University Press, 2020), chap. 1.

141. Examples of ways statist "knowledge" about subject populations has been wielded, often to catastrophic effect, are too numerous to list here. Two representative accounts are Bernard Cohn, *Colonialism and Its Forms of Knowledge: The British in India* (Princeton, NJ: Princeton University Press, 1996); and Erik Mueggler, *The Age of Wild Ghosts: Memory, Violence, and Place in Southwest China* (Los Angeles: University of California Press, 2001), chap. 6.

ordering every community of over fifty persons to have a school begins by saying, "It being one chiefe project of that ould deluder Satan, to keepe men from the knowledge of ye Scriptures, as in former times by keeping them in an unknown tongue...It is therefore ordered, that every township in this jurisdiction after the Lord hath increased it to the number of fifty householders, shall forthwith appoint one within their town to teach all such children as shall resort to him to read and write."[142] The assumed connection between literacy and religion would continue well into the nineteenth century even after the principle of religious freedom was adopted into the various state constitutions. In this regard, an 1872 case before the Ohio Supreme Court (*Board of Education of Cincinnati v. John Minor*, 1872) is telling. In 1852, the School Board of Cincinnati had ruled that each school day should begin with a reading from the Bible (whichever version the local population deemed most acceptable) without discussion or commentary from the teachers in order to keep the Bible reading non-sectarian. The school board later on reversed course and ruled that the Bible could not be read in Cincinnati schools at all. A group of Cincinnatians led by John Minor sued on the grounds that the 1851 Ohio Constitution clearly states that since "Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the general assembly to pass suitable laws, to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction" (language borrowed from the 1787 Northwest Ordinance). The deciding judge, Hon. John Welch, ruled that the principle of freedom of religion enshrined in the state constitution forbids the court from stopping religious instruction in schools, and that the decision of what religious texts to teach should be left up to the people—i.e., the legislature. He then argues against the position of the plaintiff in error that schools *are enjoined by the state constitution* to teach the fundamentals of religion, in a remarkably eloquent tangent:

> Good government is essential to religion for the purpose declared elsewhere in the same section of the constitution, namely, for the purpose of mere protection. But religion, morality, and knowledge are essential to government, in the sense that they have the instrumentalities for producing and perfecting a good form of government.

142. Dierenfield, *Religion in American Public Schools*, 6.

> On the other hand, no government is at all adapted for producing, perfecting, or propagating a good religion. Religion, in its widest and best sense, has most, if not all, the instrumentalities for producing the best form of government. Religion is the parent, and not the offspring, of good government. Its kingdom is to be first sought, and good government is one of those things which will be added thereto.[143]

The categories of Church and State are not, for Justice Welch, separated by an impenetrable wall, but rather stand in relation of parent and offspring. Government itself is not Christian, and he avers that it is not government's job to promote religion. He further mentions that the Christian principles that gave rise to the US government would be equally acceptable to Buddhists and Jews. But Christian principles can and should foster good government. In Welch's view of religion, religion is foundational to the state as a set of guiding *sensibilities*—not doctrines. The assumption behind both Welch's decision and the School Board's 1852 directive was that when religion is foregrounded as specific beliefs or doctrines, it devolves into "sectarianism," and this is what the non-establishment clause forbids.

If we scroll ahead to 1947, the Supreme Court in *Everson v. Board of Education* ruled in the first of many such cases that the states may not fund even "secular" functions of parochial schools such as bussing or math classes. In *Lemon v. Kurtzman* (1971), the court decided that a state could not fund even "secular" functions within a parochial school because to do so would involve excessive entanglement in the form of constant monitoring by the state to make sure that no state funds would slip over into doctrinal instruction. In the cases from Everson onward, unlike *Board v. Minor*, the state has already decided what is secular and what is religious. Anything that involves doctrine or anything looking like a prayer (moments of silence, etc.) cannot be construed to receive state funds. The court's decision, and the normative understanding of "religion" that it relied on, was not transcendentally deduced but was itself a response to what had become a public sensibility concerning what is and what is not religion. In taking the stance that it did, however, the court was also taking a leading role in naturalizing this distinction as a matter of everyday procedure. No longer is religious formation in public schools protected by freedom of religion clauses; education is now squarely placed with the state, and teaching

143. Welch, *op. cit*.

"religion" (now a belief and not a sensibility) runs afoul of the establishment clause of the First Amendment. Now the state can mold children quite nicely without religion.

Of course, one of the things that separates 1872 from 1947 is Roosevelt's New Deal. The New Deal (1933–1939) greatly expanded the role of the state, specifically overtaking territory that had belonged to churches.[144] It is in this post 1930s America that religion becomes increasingly visible as "belief" because so many of the other roles it filled were being taken over by the government. Religion had always had an element of belief associated with it, but for much of history,

144. "With the New Deal, the state entered the lives of Americans in ways once thought impossible, and its role within society grew exponentially. This was the essence of secularization. The state took on many roles once the province of religion. It reassured Americans, succored the poor, and castigated the immoral. It taxed workers to provide the elderly with social security, planted new forests, patronized the arts, brought basic utilities to millions, and provided children with a hot lunch at school. Most profoundly, it offered hope and a vision of future progress" (Jonathan P. Herzog, *The Spiritual-Industrial Complex: America's Religious Battle against Communism in the Early Cold War* [Oxford & New York: Oxford University Press, 2011], 33). For a more in-depth treatment of the New Deal on religion in America, see Allison Greene, *No Depression in Heaven: The Great Depression, the New Deal, and the Transformation of Religion in the Delta* (New York: Oxford University Press, 2016).
We see similar observations on the role of religion elsewhere in the world. For example, in 1959, a CIA operative in Thailand noted a similar contraction of the role of religion. According to Ford, monks "had customarily played a variety of roles—as architects, healers, custodians of village funds and libraries, caretakers of orphans, travelers and delinquents, and educators of village youth (almost exclusively of village boys). Such social roles were part of the key to Buddhism's local influence and prestige. Klausner, however, noticed a disturbing contemporary trend: the encroachment into rural areas of modern 'government services'—a growing network of schools, training programs, clinics and a transport grid—appeared to be displacing the monks' role in the village communities and eroding this pattern of clerical secular involvement. His findings pointed to the onset of a silent crisis for Thai Buddhism—a crisis of social competition and declining influence. In a rural society increasingly connected to the outside world—and disconnected from its parochial, traditionally minded past—villagers' 'secular dependence' on local monks would, Klausner predicted, undergo a 'slow attrition.'" Eugene Ford, *Cold War Monks: Buddhism and America's Secret Strategy in Southeast Asia* (New Haven: Yale University Press, 2017), 109–110.

doctrine would not have been the only (and from time to time, not even the primary) mode that religion would have been legible to the religious. But once religion is whittled down to *doctrinal belief* by the expanding central government, it could be quickly repurposed in the 1950s by the Eisenhower administration as the antidote to a different belief: Communism.[145] As the category of "belief" is expanded—especially in conscientious-objector cases like *United States v. Seeger* (1964) and *United States v. Welch* (1970)—it is increasingly disjoined not only from formerly religious activities like charity, education, and law,[146] but from any religious institution whatsoever. In these two cases, despite denying that they are religious both Seeger and Welch are granted conscientious objector status simply because their beliefs look like religious beliefs to the justices.

But if religion is flattened to "belief" in the eyes of the state, it is not always seen in the same way for those running religious institutions. In practice, the boundaries between religion, medicine, and law do blur. Buddhist meditation leaders are quite comfortable presenting their teachings as "medicine," referring to their practice as "therapy" that reduces stress and treats ailments. Judaism and Scientology function as law when Jewish Beit Din (Rabbinical Courts) issue enforceable decisions in the State of New York under that state's arbitration laws[147] or when a California court recently referred Danny Masterson's rape

145. To be fair, as Herzog points out, religion as the antidote to communism starts much earlier and was first adopted by Truman. It was, however, in the Eisenhower administration that the promotion of religion becomes an important part of US Cold War strategy. It should also be noted that the US Cold War religion strategy was not limited to the promotion of "Judeo-Christianity." US strategy of promoting religion also directly engaged Buddhist monasteries in Southeast Asia, as has been wonderfully documented by Eugene Ford, who notes that in 1956 the Operations Coordinating Board in charge of overseeing all US covert operations had formed a special Committee on Buddhism as part of its efforts to combat the spread of communism in Southeast Asia (Ford, *Cold War Monks*, 54).

146. There is not enough space to discuss the rise and fall of religious judiciaries, but religions have become visible as judicial institutions, and there are times and places in which this judicial function overrides the visibility of doctrine.

147. Ginnine Fried, "The Collision of Church and State: A Primer to Beth Din Arbitration and the New York Secular Courts," *Fordham Urban Law Journal* 31, no. 2 (2004): 633–655.

case to mediation by the judiciary of the Church of Scientology.[148] In other words, religion might be read as doctrine to the *regulators* of religion—i.e., the state. But that doesn't mean that religion is distinguishable from politics, education, health, or law for the *producers* of religion.[149]

My point here is that Arnold's expectations that Nāgārjuna's "free"-belief-*qua*-doctrine have come down to him through a long line of people whose labors formed a much more modern national and juridical form of life than would have motivated Nāgārjuna's arguments. In responding to the question "Why does he do this?" we can answer that Arnold's is a normative first-person perspective that has been forged between the hammer of Western nation states and the anvil of the history of modern jurisprudence. He, like Andy Sachs, thinks he has made a philosophical decision about Buddhism and Nāgārjuna's arguments that exempts him from history when, in fact, the normative judgments he uses to frame the issue were selected for him by authors, judges, and preachers in a very specific history that is decidedly *not Nāgārjuna's*. In being unaware of the difference, he ends up inscribing the Euro-American preoccupation with "agency," "choosing to believe," and "philosophy" onto a second-century Indian thinker. Nietzsche once observed that Kant, "instead of envisaging the aesthetic problem from the point of view of the artist (the creator), considered art and the beautiful purely from that of the 'spectator,' and unconsciously introduced the 'spectator' into the concept 'beautiful.'"[150] In like manner, Arnold has unconsciously introduced the subject position of the post-Cold War nation state into the concept of "belief," which he then attempts to inscribe onto Nāgārjuna, thereby mistaking his own relationship to belief with that of Nāgārjuna.

The "Buddhism" that has become commonplace in academic presentations of religion—produced by top academic designers like Arnold

148. Pat Saperstein, "Danny Masterson Harassment Suit Must Go through Scientology Mediation, Judge Rules," *Variety*, Dec 31, 2020, https://variety.com/2020/tv/news/danny-masterson-harassment-suit-mediation-1234877322/.

149. An analogy can be made here with Altman producer's knowledge and critic's knowledge. See Joseph Walser, "The Classification of Religions and Religious Classifications: A Genre Approach to the Origin of Religions," *Culture and Religion* 16, no. 4 (2015): 345–371.

150. From *Genealogy of Morals* cited in Bourdieu, *Logic of Practice,* 34.

and quickly passed down to other scholars who cite him as evidence for their arguments and then to textbook writers who get quoted by authors of popular books on religion ... and on and on until we get to the books lining the discount bin at Walmart or those found at yard sales where they are picked up by a teenager who decides to become a religion professor (and the cycle continues)—this is a "Buddhism" specially crafted for administrative action. I would say that we are teaching our students to "see Buddhism like a state," if Scott's formulation did not overly naturalize the distinction between public and private that is actually a function of ongoing negotiations by the state itself. Whether these flattened administrative categories are being discussed by a judge, a Buddhist practitioner, or a university professor is beside the point. What is important is that academics have unwittingly gotten into the business of inculcating and naturalizing an administrative gaze toward religion at the expense of all those things that resist its simplifications. In doing so, we end up to some extent creating that which we set out to describe. The cadastral map, as Scott points out, "does not merely describe a system of land-tenure; it creates such a system through its ability to give its categories the force of law."[151] But at what cost? When we teach, "Buddhism denies the existence of a soul" to a class that includes, say, a Korean Buddhist, we are saying to that person "*you* should deny the existence of a soul (or be a bad Buddhist)." Academia, at its best, describes and explains religious realities that are, like Germany's forests, complicated. We should not be in the business of measuring actual Buddhists by their conformity with what we normatively take to be "the cardinal doctrine of Buddhism." To do so would be to *create* a cardinal doctrine for Buddhists, thereby reinscribing a remarkably colonial set of sensibilities. Here, we should take heed to Justice Sandra Day O'Connor, who wrote in *Lyng v. Northwest Indian Cemetery Protective Association* (1988):

> The dissent thus offers us the prospect of this Court holding that some sincerely held religious beliefs and practices are not "central" to certain religions, despite protestations to the contrary from the religious objectors who brought the lawsuit. In other words, the dissent's approach would require us to rule that some religious adherents misunderstand their own religious beliefs. We think such an approach cannot be squared with the Constitution or with our

151. Scott, *Seeing Like a State*, 3.

> precedents, and that it would cast the judiciary in a role that we were never intended to play.

I think these are wise words, and not just applicable to courts. Deciding what religious beliefs and practices are "cardinal" to certain religions,[152] despite protestations to the contrary from religious adherents, would require us to rule that some religious adherents misunderstand their own religion and would cast academics in a role they were never intended to play.

152. I am aware that O'Connor's stance—much as I believe scholars should emulate it—is a function of the Establishment Clause of the First Amendment. The Indian judicial system stands in sharp contrast, especially in its use of the Essential Religious Practice test. For an overview and history of this judicial test, see Niharika Maurya, "Essential Religious Practices Test: A Critical Analysis," *Supremo Amicus* 20 (2020): 382–390.