



Locating Law in Buddhist Cultures: A Workshop

L a w a n d B u d d h i s m P r o j e c t

June 4 - 5, 2004

This workshop brought together a small number of scholars in an array of disciplines -- law, Buddhist Studies, Asian Studies, anthropology, history, sociology and religion — to begin a collaborative discussion on developing Law and Buddhism as a field of study. Under the auspices of the Baldy Center for Law & Social Policy at SUNY Buffalo Law School, this first workshop of the **Law and Buddhism Project** entitled "Locating Law in Buddhist Cultures" took place on June 4 and 5, 2004.

While there is a long history of research, writing and conferences on the legal traditions of Christianity, Islam, Hinduism and Judaism, the Buddhist legal tradition has no such legacy. In North America and Europe, it is not part of comparative law, there is no disciplinary field of Buddhist law, and there are no academic departments, no chairs, few books, and there has been only one previous small conference. As a field of study, the intersection of Law and Buddhism presents several interesting problems. Historically, as Buddhism moved across the Asian and now the Western landscape, it has generally been open-textured and adaptive as opposed to mutually exclusive in relation to other religious systems. Buddhism has blended with animism, local traditions and national systems, and its effects are more subtle and less apparent than those of Islam or Christianity, for example. This makes the investigation of Buddhist legal cultures across the Asian continent, an endeavor which will require a variety of disciplinary tools and investigative methodologies, including the use of ethnographic materials, varying research questions depending on the region and the consideration of multiple possible models. There is no single limiting legal agenda as in the American context but a proliferation of distinct variations which may or may not have commonalities worthy of exploration.

This workshop attempted to set the conceptual agenda for a major project to consider legal cultures in Buddhist contexts at several levels, that is, in highly contextualized local circumstances as well as more national and macro perspectives. Numerous societies and nationals were considered, including India, Tibet, Nepal, Bhutan, Sri Lanka, Burma, Thailand, Cambodia, Laos, Vietnam, China, Korea and Japan.

PARTICIPANTS

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INITIAL QUESTIONS FOR DISCUSSION

1. What Buddhist texts have influenced secular legal systems the most?
2. Is there an initial historic or mythical model of a Buddhist-influenced legal system such as the reign of King Pasenadi or Asoka which set a standard?
3. Are basic concepts in Buddhism such as time, karma, causality, conflict, non-duality and cosmology a useful way to focus such an inquiry?
4. Is the influence of Buddhism transferred, if at all, through monks and monastic communities?
5. Which societies and communities have been influenced by Buddhism at particular points in History?
6. How have Buddhism and Law interacted in local settings with indigenous systems of practice, belief and “customary law”?

FOR MORE INFORMATION CONTACT THE WORKSHOP ORGANIZERS

Contact Rebecca French or David Engel of SUNY Buffalo Law School at law-buddhism@buffalo.edu with questions about the workshop or the Law and Buddhism Project.

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