

“A Note on Law”

*Let each assure the other's life to come, for we, once enemies, are now become, in very truth,
fast friends in the Law.¹*

In mentioning “Law” a resurgence of our monarchical heritage in the form of old associations is unavoidable. The Law is sovereign; it governs, binds, and fastens; it regulates with impersonal ubiquity; and its operations proceed on a plane at once transcendent and immanent. The last characteristic is the strangest and perhaps the most essential, for it more than the others is resistant to the charge of superfluity and anachronism. We call the Law sovereign, binding or impersonal *because* of its transcendentally immanent nature: for if it were not transcendent, it would not be sovereign, and if it were not immanent, it would not be binding and consequential. The Law is impersonal because it is ubiquitous: its arbitration is not subject to whim, nor can its origin be traced back to any particular contingent thing.

The apprehension of a universal Law in the form of an all-encompassing order goes back to the very roots of our mythic identity. Since the dawn of our axial religions and philosophies, the persistence of a supreme Law has been posited as the ground, origin, and purpose of all being. While diverse in the details, Logos, Dharma, Supreme Vacuity, the Dao, Principle (*li*) and Brahman are all structurally akin in that they are expressions and affirmations of some sort of transcendent order which pervades all things. All the myriad of phenomena derive from the Law and the Law expresses the myriad of phenomena in their deepest truth. Within the field of Law, is and ought are unified: that which *is* is as it ought to be, and that which *ought* to be already essentially is. The identity of is and ought sheds light on the inherent sense of purposiveness which the Law has always tended to inspire; for without this identity, the bare fact of the Law

¹ Seami, “Atsumori,” in Tyler, Royall, ed. *Japanese Nō Dramas*. London: Penguin Books, 1992. Pg. 45.

would be irrelevant to the question of telos and purpose. The persistence of the Law would lack the ontological potency which is required for a mythos of conversion and salvation.

To attribute purposiveness to the Law of the world is without a doubt to invite the scepticism of our scientific conscience, and reasonably so. The testimony of modern science has utterly diminished the teleological purposiveness of Law and placed in its stead an impersonal mechanical worldview. The older conception of Law is not, however, thereby completely abdicated, for this scientific conception retains within its core a sense of the older conception's ubiquity and impersonal sovereignty. Far from being a radical break in continuity, the scientific gesture is an *extension* of mythic Law in the direction of greater positive elucidation—an extension which requires for its own operation the obscuration of the aspect of purposiveness and likewise a corresponding amplification of the aspect of ubiquitous necessity. To put the matter bluntly, the scientific understanding of Law which emerged in the wake of the scientific revolution was a partial radicalization of its mythical predecessor. It was genuinely novel in the *methods* which it employed to apprehend verifiable laws, as well as the truth conditions which it implemented as viable standards for the attainment of those laws; but taken in light of its underlying faith in the persistence of some sort of universal order, it is metaphysically continuous with its mythic past. Even though science has often viewed itself as the vanguard of our liberation from mythic modes of thinking (which it in some sense is), its impetus is but a transformation of that older mythic apprehension of a Law which constitutes the all-encompassing origin.

The persistence of our mythic inheritance comes to the fore most poignantly when one considers the interest which the intellectual frontier of science has in the question of the

universe's origin and underlying nature. While scientific laws derive their *utility* from their capacity to *predict* phenomena and facilitate future activity with the aid of *verifiable* patterns and regularities, their *prospective* character is by no means the most predominant. What primarily animates scientific enterprise is the essential nature of the origins whence we come and the derivability of the myriad of phenomena from some kind of ultimate equation or rational edifice. Even “practical” and “normal” science retain a hunger to discover those general relationships which will help us to better understand the nature of the world we inhabit—even if their material motivations are often industrial and profit-driven. Science inquires into the *grounds* of things,² into their *essential* natures.

Without addressing the potentially pernicious consequences of the scientific relationship to Law,³ it now behooves us to consider whether the aspect of purposiveness which has long been on hiatus is not in need of re-discovery. Much has occurred on the metaphysical landscape since the axial age, but it is not unreasonable to suppose that there is a circularity involved in our metaphysical evolution.⁴ This reclamation will require the expansion of a field which apprehends Law on a deeper level; namely, one which preserves the intellectual dignity of the standpoint of scientific reason, but which allows for a more visceral grasp of Law’s significance. The nature of such a reclamation requires for its success both a gardening and a pioneering spirit. We must be magnanimous in our treatment of our predecessors so as to be attentive to the latent insights

² The hint here is in the direction of Heidegger’s explication of the origin of ground in human transcendence. See “On the Essence of Ground” in Heidegger, Martin. *Pathmarks*. Edited by William McNeill. Cambridge: Cambridge University Press, 1998.

³ Of which much has been said by a wide range of writers from Pascal to Nishitani.

⁴ That is, while genuine metaphysical development and progress is possible, the trajectory of its development involves continually returning to perennial and enduring structures, nodes or processes (I am not yet sure which word is most apt) which may be traceable to the axial emergences. Thus, development and reclamation are inseparable vocations.

which they might grant into the perennial nature of our metaphysical idiosyncrasy. Likewise, we must be equally irreverent in our willingness to usurp and reconfigure their insights into novel attainments.⁵

As I find much of Buddhism to be personally congenial, let's take as our context some synoptic passages from Dogen, and treat their import for the interpretation of the underlying Law with systematic haste.

1) *What is that which we call 'Law'? It is the Truth inherent in all its perfection in every living creature...all phenomena in the universe bear the mark of this Law.*⁶ The Law is ubiquitous and constitutes the deepest truth of all things. The perfection of this Law draws "is" and "ought" into unified identity.

2) *Only when one lets go of the mind and ceases to seek an intellectual apprehension of the Truth is liberation attainable...*⁷ The attainment of the Truth of this Law requires one to let go of the standpoint of intellectual apprehension. This non-intellectual attainment is liberatory.

3) *To study the way of the buddha is to study your own self. To study your own self is to forget yourself. To forget yourself is to have the objective world prevail in you. To have the objective world prevail in you, is to let go of your "own" body and mind as well as the body and mind of "others."*⁸ The self and the world are one. Liberation is releasement from their separation.

4) *Look here, Look here! Don't you see Shakyamuni here right now walking around on the top of my cane?...every single thing is preaching the Law.*⁹ All things preach the Law. The Law, as their most essential field of identity, unites all things. This field of identity spans all space and time.

5) *The appearance in this world of all Buddhas, past, present, and future, is solely for the purpose of preaching the Law and helping all creatures to cross over to the shore*

⁵ I follow Nishitani in his insistence that the existential core of our religious myths must be restored and interpreted anew in order to substantiate the trans-rational standpoint of Existenz. As he puts it: neither "the negation of myth by scientific intellect nor its transmutation into *logos* by philosophic intellect can exhaust the essence within myth." See Nishitani, Keiji. *Religion and Nothingness*. Berkeley: University of California Press, 1982. Pg, 173.

⁶ Dogen, "Sermon of Muso Kokushi," in *The Buddhist Tradition*. Pg, 375.

⁷ Dogen, "Body and Mind," in *The Buddhist Tradition*. Pg, 373.

⁸ Dogen, "Realizing the Solution," in Theodore, De Bary Wm., ed. *The Buddhist Tradition in India, China & Japan*. New York: Modern Library, 1969. Pg, 371.

⁹ Dogen, "Sermon of Muso Kokushi," in *The Buddhist Tradition*. Pg, 376.

*of Liberation.*¹⁰ The Law is the field of Liberation: to preach the Law is to actualize Liberation. Liberation, which seems to be synonymous with Enlightenment and what other traditions might call salvation, is the aim of existence.

Yet if all things already preach the Law by virtue of being what they are, then what is the significance of the liberatory conversion which attends its realization? Even if we grant a trans-rational field wherein is and ought, self and world, and all things for all time are drawn together in a unified identity, we still run into the problem of characterizing the essence of a Law which is at once immanent in all things yet at the same time the vehicle of Liberation. Put differently, what is the significance of a human conversion to Enlightenment when the Law which actualizes that Enlightenment is pervasive in all things regardless of whether or not such a conversion ever occurs, and which pervades those things regardless of whether or not they are human? What, finally, is the relationship between the *realization* of the Law and the *actualization* of the Law which is Liberation?

The matter at hand concerns the core of the religious condition itself, and in particular, the human dignity which is meant to accompany it—*What is the vocation of human being?* Are we meant to view humankind as ultimately seamless with the expanse of space and the flow of time, on par with everything else within a Law which allows for no true differentiations? Or is humankind the culmination of an unbroken and ongoing chain of evolutionary emergences; at one, yes, with the flow of kosmic becoming, but unique in its capacity to attain deeper layers of the Law and thereby exemplify it? Are we, in other words, to follow our Daoist intuitions and release ourselves from the limitations of anthropocentrism, or are we to turn to our Confucian impulses and embrace a unique human vocation? The either/or is alleviated if we consider that in

¹⁰ Ibid. Pg, 374.

realizing the Law, we take it on; and that in taking it on, we *actualize* it. The realization is itself an occasion in which the Law actualizes itself, yet a unique actualization which requires a realization of a particular sort. To abide in the Law is to become a vessel for its preaching and to tap into potentialities which have always been transcendently present, but which have required the growth of a certain form of life to achieve consummation. In other words, Liberation-Enlightenment is a real(/actual)ization¹¹ of the Law.

Insofar as the Law transcends and grounds the emergence of human being, the religious condition need not be strictly anthropocentric. It is not that we possess the Law, but rather that the Law *possesses us*. Yet at the same time the Law depends upon us for the unique real(/actual)ization which we call Liberation-Enlightenment. Thus, it is equally not the case that the unity of all things in the Law implies an incapacity to establish distinctions and to embrace the possibilities of the human vocation. Both the Daoist and the Confucian impulses are hinting at something enduring in our metaphysical evolution, and achieve reconciliation in that real(/actual)ization which is at once an *usurpation* of the history upon which we stand, and the culmination of that unificatory freedom which *gives way* to the whispers of the Law in order to draw all beings into shared identity.

But this insight has already begun its germination in our own native soil:

Whilst thus the poet animates nature with his own thoughts, he differs from the philosopher only herein, that the one proposes Beauty as his main end; the other Truth. But the philosopher, not less than the poet, postpones the apparent order and relations of things to the empire of thought...The true philosopher and the true poet

¹¹ By this I mean a realization which constitutes the actualization of what it realizes. This realization implies a unity in identity with actualization, and perhaps even a nonduality between realization and actualization (although the latter would require further substantiation). A certain emphatic note is also present. Insofar as this sort of actualization requires realization, it is an actualization which is *more real* than those which do not involve an element of realization—and as such, a *real* actualization. The idea is also akin to the Buddhist notion of appropriation (*tainin*), as employed by Nishitani Keiji. See Nishitani, Keiji. *Religion and Nothingness*. Berkeley: University of California Press, 1982. Pg. 5-7, 24-25, 44, 80-82, 293.

are one, and a beauty, which is truth, and a truth, which is beauty, is the aim of both...It is, in both cases, that a spiritual life has been imparted to nature, that the solid seeming block of matter has been pervaded and dissolved by a thought; that this feeble human being has penetrated the vast masses of nature with an informing soul, and recognised itself in their harmony, that it, seized their law.¹²

¹² Emerson, Ralph Waldo. "Nature." (1836).