A critical study of Buddhist doctrine of law and its normative relevance to modern international law

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The objective of this Research Abstract is to focus on some central themes with regard to the major current legal philosophy and comparative analysis of the salient features of jurisprudence with those of the Buddhist and modern judicial systems.

Here the methodology of research adopted was mainly the method of participatory observations in addition to a set of questionnaires and interviews being conducted.

In collecting the primary data of this research, the sources were, the Pali Nikaya Sutras. The secondary data was collected through the legal doctrines of Modern International Law and case decisions.

In the participatory observations of research methodology, selection was done in such a way that the samples are selected to include the social groups such as the victims, those innocent parties, those who have lost their rights in the society and the criminals.

By making use of these primary and secondary data, an analysis was made on the Buddhist thinking of the nature of human being and the reality of man on the subject of normative relevance of the modern law. Under this to what extent the Buddhist ethical philosophy could be applied to the ethics of modern law was discussed and further discussions were made as to the proportion of certain aspects of Buddhist Jurisprudence applicable to the modern legal systems. This was discussed from angles of several view points viz., (a) Historical (b) Analytical (c) Descriptive and (d) Comparative.

Ultimately, the general conclusion was that to what extent the concept derived from the Pali Nikaya Suttas was of normative relevance to the subject of modern International Law. From this, it was proposed to determine the extent for the purpose of creating a universal modern international law, to fill the gap in the modern international law, by the normative relevance of Philosophy of Buddhist law.

Key words: Buddhist law, Jurisprudence, Normative relevance, Modern international law, Universal fundamental rights

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