**INAUGURAL INTERNATIONAL DAY OF VESAK GUEST LECTURE**

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The General Assembly of the United Nations at its 54th Session in 1999, on a proposal by Sri Lanka and other Asian States, resolved that the contribution of Buddhism to humanity, over some 2500 years, should be appropriately recognized. Accordingly, the Assembly decided that each year, there would be international observance of Vesak Day, that is, the day of the full moon in May, when Buddhists commemorate the birth of the Buddha, his enlightenment, and his passing away. Invited to address you this year on that occasion, I would like to recall in outline the life and times of Prince Gautama of the State of Sakka who was destined to be proclaimed the Buddha, the Enlightened One; second to describe, also in outline, the message he proclaimed to the world; and finally to share with you some thoughts on the contemporary relevance of that message.

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The man whose life and message are commemorated on Vesak Day each year has inspired, influenced and brought solace to millions across the millennia and across the world. Born Prince Gautama to a royal family in the Himalayan State of Sakka (in present-day Nepal) some 563 years before the Common Era (BCE), it is said that his parents had planned to shield him from all awareness of human suffering in its many forms, notably sickness, old age and death. The young Prince, however recognizing perhaps that such a plan was not likely to succeed, chose instead to confront the universal reality of suffering and to discover a way, a Path, by which all humankind might end, or avoid suffering, each by his or her own efforts, and without divine assistance or intervention of any kind.

Such was the task Prince Gautama set himself in the 29th year of his age. Turning away from the settled happiness of conjugal and parental life in royal luxury, Gautama wandered the country as a mendicant, ever searching for what might be the cause of the suffering that seemed inevitably to attend the human condition. It was only after six years of that search that Gautama would confirm:

1) That suffering was, indeed, universally a feature of the human condition;

2) That all suffering had a cause, and that cause was the craving generated by unsatisfied desire;

3) That suffering could be ended; and

1. That there is a Path, a discipline, which if diligently followed would bring an end to suffering and with that final deliverance leave an ineffable and permanent peace, that would be called Nibbana.

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The Buddha offers to all, what Buddhists call the Noble Eightfold Path leading to the end of craving, that is the cause of suffering. By way of preparation, there is recognition of four cardinal virtues: metta, rendered in English as “benevolence”; karuna, rendered in English as “compassion”; mudita, rendered in English as “joy in the good of all beings”; and upekkha, sometimes rendered in English as “equanimity”, but with a meaning more profound, approaching “fairness”, or “impartiality”, or even the very concept of Justice itself.

Recognition of these cardinal virtues prepares the traveller for the first four steps along the Path: right understanding, right intention, right speech, and right action. The remaining four steps are then guides to ethical conduct and mental discipline in daily life: right livelihood, right effort, right mindfulness, and right concentration.

Prince Gautama declared that he had discovered that Path through his own efforts, and based upon his own experience, without the assistance, or intervention of gods or supernatural beings, and, most importantly, that this deliverance from suffering could be replicated by any determined follower of the Path of disciplined behavior that he had discovered. Disclaiming knowledge of gods or other supernatural beings, he declared that if such existed, they too, would need to follow the Path in order to end suffering. Upon acclamation of Prince Gautama’s discovery of the Path, and the way to end suffering, he was called the Buddha, the Enlightened One.

The Buddha, having discovered the Path and himself, reached the goal of enlightenment, devoted the remaining 45 years of his life to expounding his message of deliverance from suffering and encouraging its propagation. At the age of 80, the Buddha passed away. The year, on current reckoning, was 483 BCE.

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The Buddha taught in Pali, an Indic language related to Sanskrit. His discourses were committed to memory by monks familiar with that practice. The discourses were later set down in writing. Together with scholarly commentaries on them, they form a vast record of the Buddha’s teachings. They reach us today across some 25 centuries through countless translations, revisions and interpretations among the world’s principal languages. The Buddha’s adherents were acutely sensitive to losses and uncertainties inherent in those processes. Being concerned to preserve the pristine meaning and affective appeal of the discourses, they convened meetings of the clergy and lay Buddhists, sometimes referred to as “Councils’, with a view to promoting open consultation aimed at resolving controversies and achieving as far as possible, uniform understanding of the texts and their interpretation, and minimizing basic disagreement that could lead to schism. At the second Council held at Vesali in India in 380 BCE disagreement arose as to what the Buddha had actually taught about the code of discipline for monks, and two schools of Buddhism developed: the Theravada School favoured a conservative approach and stricter adherence to the Buddha’s spoken word which, by the first century BCE had been recorded in writing on palm-leaf pages by monks in Sri Lanka in the original Pali spoken by the Buddha. The influence of the Theravada School spread south from India to Sri Lanka, Burma, Thailand, Cambodia and Laos; and another, the Mahayana School, also inspired by the Buddha’s teachings, were recorded in Sanskrit, and spread north-east to present-day Nepal, China, Japan, Korea and Vietnam.

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After the Buddha’s death in 483 BCE, Hinduism and the ancient traditional religions of India’s many peoples, gradually re-asserted their influence under the patronage of powerful monarchs of the Maurya dynasty. But one of them, the Emperor Ashoka, called in time “the Great”, gave Buddhism pride of place in his empire and did much to transmit the Buddha’s message to the world.[[1]](#footnote-1) Asoka’s rise to power was among the most violent of a violent era. Having seized the throne in 270 BCE after the murder of his brother, the Emperor Ashoka began to increase his power over neighbouring states, fighting a cruel war to subdue the State of Kalinga. It was said, that a hundred thousand soldiers were killed on either side before the conquest was complete in 262 BCE. With the conquest of Kalinga, Ashoka had brought virtually the entire sub-continent under his rule. And then the Emperor had what appears to have been a complete change of heart and mind. Abandoning violence, asking forgiveness of those whom he had conquered, he chose (in a move sometimes compared with that of the Emperor Constantine in Europe some centuries later) to convert to Buddhism, wholly accepting and acting upon its principles of non-violence and benevolence toward all living beings. By having his decrees carried over thousands of kilometers to the furthest reaches of his empire, and there engraved in stone, and enforced by his officers on pain of punishment, it seems that the Emperor Ashoka could bring about a spiritual re-awakening founded on the teachings of the Buddha.

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In this third and last of my topics, I would like to mention some observations on the contemporary relevance of the Buddha’s message. Here, I respectfully acknowledge insights from the work of the eminent teacher and Nobel laureate, Professor Amartya Sen, one of the world’s outstanding thinkers.[[2]](#footnote-2) Referring to what he calls some of “the Buddha’s worldly thoughts that remain of particular relevance today”, he emphasizes (1) the importance of rational thought, communication and public reasoning; (2) the significance of human values for decent governance and public politics; (3) the need to go beyond contractarian modes of political and moral reasoning championed by the “social contract” tradition much favoured in contemporary political and moral theory; and (4) the need for a global rather than a parochial way of understanding the demands of fairness and justice as a means of safeguarding peace, and the stability of the world order. He emphasizes the Buddha’s focus on learning and communication that led to the establishment of a University at Nalanda in the third century BCE and development of printing in China, Korea and Japan, recalling that the first printed book that is actually dated, was the translation into Chinese by Kumarajiva (402 CE) of an Indian Buddhist treatise called the Diamond Sutra printed in China.

Mark Kurlansky in his book entitled “Paper”(2016), having quoted Victor Hugo’s observation that “The invention of printing is the greatest event in history….” goes on to explain why, in his opinion, printing developed out of the demand to copy and reproduce the texts recording the Buddha's teaching. [[3]](#footnote-3)

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Although the Buddha's discourses relate to a range of human behaviour, they do not address directly the subject of Law and Law's institutions. However, writers continue to observe that the Buddha's message does have legal implications, as could most readily be gathered from the laws proclaimed by the Emperor Ashoka in the third century BCE inspired by the Buddha's teaching. It would also be reasonable to assume that the Buddha's discourses have profoundly influenced development of the legal traditions of the countries in Asia where Theravada or Mahayana Buddhism, or both were received. It seems clear that in the legal traditions of most Asian countries, there persists a strong tradition to be observed at the inter-State level that would favour resolving disputes through negotiation and persuasion leading to consensus, as the most or perhaps the only reliable basis for amicable and productive conduct of future relations.

As has been observed by Professor Patrick Glenn in a magisterial treatise, Asian legal traditions differ from those of the West, “in refusing to root normativity in formal structures and sanctions”. In regard to Asian ways of dispute resolution, he concludes:

 “You are left with pure tradition – not present positivism

 and not revealed truth – and tradition which seeks primarily

 to persuade and not to oblige. It is a tradition of great and

 friendly persuasion.....”[[4]](#footnote-4)

It has yet to be shown, however, that if a tradition of leaning away from the imposed or obligatory resolution of disputes does exist, that it is the result of the teachings of the Buddha or of Confucius, or of both.

1. Many volumes deal with the life and decrees of the Emperor. See also a new biography, *“Ashoka in Ancient India”*, Nayanjot Lahiri (Harvard University Press, 2015); *Ashoka, the Buddhist Emperor of India*, Vincent A. Smith (Oxford, 1920, Third Revised Edition, 1997) contains translations into English of many Ashokan “Edicts” governing, for example, the sanctity of life, and forbidding the slaughter of animals; proper respect within the family, and between teacher and student; and on tolerance: “.... the root of it is restraint of speech, to wit, a person must not do reverence to his own sect, or disparage that of another without reason....” (translation of Rock Edict catalogued XII in V.A. Smith *op.cit.* At p. 182). [↑](#footnote-ref-1)
2. Amartya Sen, “The Contemporary Relevance of Buddha”, 28 (2014) *Ethics and International Affairs*, pp. 15-27. Carnegie Council for Ethics in International Affairs. [↑](#footnote-ref-2)
3. Mark Kurlansky, *Paper* (2016) W.W. Norton, New York, p. 98. [↑](#footnote-ref-3)
4. Patrick Glenn, Legal Traditions of the World, Oxford University Press, 2000, pp.280 *et seq.* [↑](#footnote-ref-4)