

History of humanitarian ideas

The contribution of the Emperor Asoka Maurya to the development of the humanitarian ideal in warfare

**by the late Professor Emeritus
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Gerald Draper (1914-1989) was the foremost specialist in humanitarian law of his generation in the United Kingdom, and was well-respected in the law of war community worldwide. He was a Military Prosecutor in the war crimes trials in Germany after the Second World War, and following his retirement from the Army Legal Staff became a distinguished academic, finishing as Professor of Law at the University of Sussex. Draper was a delegate to many International Conferences of the Red Cross as well as to the Diplomatic Conference which drafted the Additional Protocols of 1977.

Professor Colonel Draper had a special interest in the development of the law of war, and in inter-faith dialogue. His interest in Emperor Asoka perhaps reflected his own belief in universal humanitarian principles transcending different traditions. Asoka's specific relevance to contemporary international humanitarian law may be seen in his concern for conquered "border peoples" living under what might now be termed "occupation"; the impartiality of humanitarian provision extending to all peoples, including those of other religions and cultures; and the recog-

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dition of the need for personnel to monitor and supervise the implementation of the publicized norms. Asoka, like Draper, was concerned both with moral values and with the pragmatic exigencies of human life and misfortune.

An edited collection of selected works of Gerald Draper on the law of war, entitled **Reflections on Law and Armed Conflict**, is being prepared for publication.

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A. The Maurya Empire: significance

The Maurya Empire forms part of India's past and marks a unique phase in its brilliance and splendour. It lasted for over a century (321-185 BC) and is to be regarded as one of the great civilizations of all time. Apart from its magnificence, and despite the controversy and uncertainty surrounding many of the actions and achievements of its rulers, this empire and, in particular, one of its rulers, are historically significant in their remarkable moral and humanitarian legacy to mankind.

B. Emergence and establishment

The Maurya Dynasty (321-185 BC) emerged following the withdrawal of Alexander the Great from India in 325 BC, when the dynasty's founder, Emperor Chandragupta, seized the throne of the Nanda Dynasty at Magadha (South Bihar), the leading kingdom of Upper India at the time. After Alexander's withdrawal from India, Chandragupta defeated Alexander's General, Seleucus Nicator, and a vast area of the territory originally conquered by Alexander in India was ceded to Chandragupta by the General in return for five hundred elephants. The cession was followed by the conclusion of a treaty of alliance and friendship, and eventually the General and the Emperor cemented their friendship by intermarriage between their families.

One outcome of this treaty of alliance and friendship was the sending of a Greek ambassador, Megasthenes, by Nicator to Chandragupta's court. During his residence, Megasthenes wrote detailed reports of life at the

court and of the organization of the Maurya Empire. Unfortunately his reports are lost, but fragments of them are repeated in other Greek writings which have survived. Through them, some precious details of the Maurya Dynasty, the Royal Court, the capital city and the remarkable system of government of the empire are known.¹

Chandragupta reigned for twenty-four years (321-297 BC) before abdicating his throne in favour of his son, Bundusara. His system of government continued under Bundusara, who left no noticeable mark upon the empire. Bundusara was succeeded by his son, Asoka, in 273 BC, although, as was usual, Asoka was not consecrated as Emperor until 265 BC.

The system of government founded by Chandragupta lasted for about ninety years (322-231 BC). It was an absolute monarchy — a case of pure despotism — with the seat of government in Patiliputra (modern Patna), which, according to Megasthenes, was a city of dazzling magnificence. The Maurya Empire was roughly commensurate with that of British India of the early 20th century, but excluding the territory below Madras and excluding what is now Sri Lanka. The standing army was enormous: in Asoka's time, it consisted of 600,000 infantry, 130,000 cavalry, and 9,000 elephants attended by 36,000 men, together with many thousands of chariots and charioteers, all strictly controlled by six different boards of government. The size of this force must be remembered when considering the scale of the warfare of the day, and the casualties and losses that could result. With an army of this size at his disposal, Asoka's power was absolute.

C. Emperor Asoka's conquest of the Kalingas and subsequent remorse

With the capability for waging war that he inherited and augmented, Asoka defeated the three Kalinga kingdoms (modern Orissa) in about 256 BC — the sixteenth year of his reign and the eighth after his consecration. Historical evidence — consisting of little other than the surviving thirty-four edicts² — does not reveal why he went to war with the

¹ It is known, for example, that Chandragupta relied much upon his trusted adviser, a Brahmin Minister of State — one Chanakya — who had been a perfume seller. The latter rendered the Emperor considerable assistance and skill in devising the Maurya system of government.

² These consist of fourteen rock edicts, seven minor rock edicts, two Kalinga edicts, seven pillar edicts and four minor pillar edicts.

Kalingas. However, one of his edicts — the famous Thirteenth Edict or “Rock Edict”, also known as the “Conquest Edict”, of 257 BC —, declared that the victory was overwhelming and losses among the defeated peoples were particularly devastating: his army took 150,000 people captive and slew 100,000, and many times that number died in the conquest.³

“ . . . one hundred and fifty thousand persons were . . . carried away captive, one hundred thousand were . . . slain, and many times that number died . . . [I]f the hundredth part or the thousandth part were now to suffer the same fate, it would be a matter of regret. . . ”.

From Edict XIII, circa 257 BC.

Asoka was at pains to declaim in this edict that the casualties, privations and suffering of the defeated Kalingas caused him “profound sorrow” and “regret”, “because”, he said, “the conquest of a country previously unconquered involves the slaughter, death and carrying away captive of the people. That is a matter of profound sorrow and regret to His

Sacred Majesty”.⁴ No note of elation can be detected in the edict, and no attempt was made to vindicate his military action or the resulting carnage: the silent moral premise was that all destruction of life, human and animal, and all suffering and privation — no matter how small the scale — are regrettable and to be avoided.⁵

There was, however, another reason for Asoka’s feeling of “still more regret”, he said, “inasmuch as the Brahmins and ascetics, or men of other denominations, or householders who dwell there, and among whom these duties are practised, to wit:— harkening to superiors, harkening to father and mother, harkening to teachers and elders, and proper treatment of (or courtesy to) friends, acquaintances, comrades, relatives, slaves and servants, with steadfastness of devotion — to these befall violence (or injury) or slaughter or separation from their loved ones. Or violence happens to the friends, acquaintances, comrades, and relatives of those who are

³ See Edict XIII, also known as the “Rock Edict” or the “Conquest Edict”, circa 257 BC.

⁴ From Edict XIII, circa 257 BC.

⁵ “. . . One hundred and fifty thousand persons were . . . carried away captive, one hundred thousand were slain, and many times that number died [in the conquest of the Kalingas] . . . So that of all the people that were then slain, done to death . . . if the hundredth part or the thousandth part were now to suffer the same fate, it would be a matter of regret to His Sacred Majesty”. — From Edict XIII, circa 257 BC.

themselves well protected, while their affection (for those injured) continues undiminished. Thus for them also that is a mode of violence and the share of this [violence] distributed among all men is a matter of regret to His Sacred Majesty, because it never is the case that faith in some one denomination or another does not exist".⁶

In this edict, Asoka discloses a truly remarkable degree of religious tolerance and of heightened sensitivity to the suffering — even indirect suffering — of all, especially of the righteous, regardless of their religion or denomination.⁷ For a mighty Emperor who had only recently won a major victory in war, these are very noble and enlightened sentiments; although, realistically, such sentiments would be of little avail if he did not have absolute power over his peoples.

D. Conversion to Buddhism and the inculcation of the Law of Piety

From the time of his victory over the Kalingas in 256 BC, and the consequent remorse, until the end of his reign in 232 BC, Asoka never waged another war. Indeed, in the years following his victory, he spent time piously retracing the steps of the Buddha and raising stupas inscribed with moral injunctions and imperatives at holy places of pilgrimage; and for some two years he became a member of a Buddhist order without relinquishing his role as Emperor.

His conversion to Buddhism, effected with the help of his own teacher, Upagupta, was gradual. Even though he did little to change the system of government he inherited, he introduced a novel and powerful moral idealism — a moral rule or "way of life" in the Buddhist sense as he understood it — which he called the "Law of Piety". This law, though following the tenets of the Buddha, was distinct from them and peculiar to Asoka. It was to become one of the great turning points of the civilization of the East, having profound effects throughout the neighbouring kingdoms, not least in India itself and in Sri Lanka, and reaching China and Greece.

⁶ From Edict XIII, circa 257 BC.

⁷ This is a combination of two Buddhist ideas: first, it is a greater sin to kill or inflict suffering upon a holy or a good person than it is to kill or inflict suffering upon an evil person; secondly, all religions teach people to be good, so there must be no religious persecution [eds.].

The Law of Piety consisted in moral imperatives requiring that reverence be paid to all to whom it was due, especially to one's superiors, parents, teachers, elders and relations. The imperatives of the Law of Piety required that respect be shown for the sanctity of all animate life, human and animal; they also required humane and just treatment of all, including backward and uncivilized peoples both inside and outside the empire. There were injunctions and prohibitions against vices such as envy, indolence and injustice in relation to and affecting the administration of the empire. In short, the imperatives and prohibitions of the Law of Piety formed a network of righteous relationships between all sentient and animate beings, affecting public, social and familial relationships, and affecting relationships between peoples of different levels of development and between humans and animals. No one was outside its ambit, not even Asoka or the Empress: censors were appointed to ensure that the Law of Piety was observed even in the latter's apartments in the Palace. The Law of Piety was a moral law, an imperial law, a law governing foreign relations and a way of life. At the epicentre of the network was Emperor Asoka himself, who assumed the burden of ensuring the publication and enforcement of this Law.⁸

The Law of Piety disseminated by Asoka throughout his empire and beyond was not a reasoned moral system; it lacked coherence and the intellectual order normally expected of such a system. In this regard, Asoka cannot be compared with the philosophers of classical Greece. No developed dogma or cogent philosophy can be found in his edicts, neither can any theology, except the implicit acceptance of a world other than that of the material, as revealed in the statement, *inter alia*, that he "regards as bearing much fruit only that which concerns the other world";⁹ and the implicit acceptance of the Law of Piety as possessing transcendental validity, as revealed in his statement that, after he had annexed the kingdoms of the Kalingas, he began his "zealous *protection* of the Law of Piety, his love of that Law and his inculcation of that Law".¹⁰

Asoka drew a comparison between conquest by force of arms and the conquest of the Law of Piety: he called the latter — the conquest of man's heart by the Law of Piety — "the true conquest", quite unlike military

⁸ See, in particular, Edict I, circa 256-255 BC; Edict II, circa 256-255 BC; and Edict XIII, circa 257 BC.

⁹ From Edict XIII, circa 257 BC.

¹⁰ *Ibid.*

conquests. "Delight", he said, "is won in the conquest of the Law . . . for this purpose has the scripture of the Law been recorded, in order that my sons and grandsons, who may be, may not think it their duty to make a new conquest. If, perchance, a conquest should please them they should take heed only of patience and gentleness, and regard as a conquest only that which is effected by the Law of Piety. That avails both for this world and the next. . .".¹¹

His officials were strongly urged to see that justice was done in the administration of the law, so the humanitarianism of the Law of Piety undoubtedly had a salutary effect on State practices. However, the improvement was relative. The severe criminal law, for example, was not amended, except for the provision that a person condemned to death had three days between sentence and execution for pious meditation and for charitable works

"Delight is won in the conquest of the Law [of Piety] . . . [F]or this purpose has the scripture of the Law been recorded, in order that my sons and grandsons . . . may not think it their duty to conquer [militarily] . . . If, perchance, a conquest should please them they should take heed only of patience and gentleness, and regard as a conquest only that which is effected by the Law of Piety".

From Edict XIII, circa 257 BC.

by friends. Torture remained normal practice, though Asoka cautioned that sentences must be passed for just causes only: "[If] it happens that some individual incurs imprisonment or torture and when the result is his imprisonment without due cause, many other people are deeply grieved. In such a case you must desire to do justice . . . For this purpose has the scripture been here inscribed in order that the administrators of the town may strive without ceasing that the restraint or torture of the townsmen may not take place without due cause".¹² Taxation also remained high, at one-quarter of produce and sales.

The dissemination and inculcation of this Law were carried out by edicts, which were inscribed in beautiful Pali calligraphy upon rock surfaces and pillars of polished sandstone. Thirty-four of them have survived. These edicts stood by the great highways of Asoka's empire so

¹¹ *Ibid.*

¹² From Edict II, "The Provincial's Edict: The Duties of Officials to the Provincials", circa 256-255 BC.

that all who journeyed through his lands could be edified by their message. Their evident repetition was not an oversight, but a reflection of his resolve to inculcate these inflexible principles and to ensure that they were deeply imprinted in the hearts of all who read them.

It is apparent from the texts of the edicts that Asoka was determined to use to the full the resources at his disposal and the powers of an absolute monarch and despot to proclaim and enforce the Law of Piety. The very despotism that enabled him to lead his army to victory also enabled him to establish a new moral order in his empire and to see to its observance. There is no reasoning, no premise, no invocation of any gods in the edicts: it was sufficient that the calamity suffered by the defeated Kalingas inspired “profound sorrow and regret” in Asoka and led him to introduce a new moral order — one that he had no need of explaining or defending to the reader of the edicts. While he indubitably thought on a universal scale and propounded moral values of great nobility, the system rested upon pure despotism: his imperatives and injunctions were both the law and the complete way of life for his people and the special charge of his officials, on whom there were tremendous despotic pressures to pursue the course he prescribed.

Public officials administering the towns were exhorted by Asoka to carry out his principles assiduously on pain of incurring his displeasure. He pointed out the nexus between bad government and officials who fell short in their observation of the Law of Piety; and he made it clear that he would brook no idleness or injustice, let alone any obstruction of his endeavours. The tenor of the edicts indicates that there were some officials who did not fully heed his moral instructions, and that there were others who defaulted owing to “certain natural dispositions [which] make success . . . impossible, to wit, envy, lack of perseverance, laziness, indolence”. There is evidence, too, that the moral principles expressed in Asoka’s Law of Piety met with some opposition in his empire.¹³ Evidently

¹³ “Whatsoever my views are I desire them to be acted on in practice and carried into effect by certain means. And in my opinion the chief means for this purpose are my instructions to you, because you have been set over many thousands of living beings that you may gain the affection of good men . . . You, however, do not grasp this truth to its full extent. Some individual, perchance, pays heed, but to a part only, not the whole. See then to this, for the principle of government is well established . . . it happens that some individual incurs imprisonment or torture and when the result is his imprisonment without due cause, many other people are deeply grieved. In such a case you must desire to do justice. However, with certain natural dispositions success is impossible, to wit, envy, lack of perseverance, laziness, indolence. You [the officials] must desire that such dispositions be not yours. The root of the whole matter lies in perseverance and patience in applying

the aspirations were too high and the manifold changes expected of human conduct were too abrupt.

Asoka also exhorted his officials with promises of reward and threats of sanctions, both in this world and in the next, to administer with justice and patience those beyond the pale — those recently brought under his rule by the annexation of the three Kalinga kingdoms and the “unsubdued border-dwellers”. Such officials, he said, “are in a position to make these people trust [him] and to ensure their prosperity both in this world and in the next . . .”. The aim was compassionate administration and to have them, too, observe the Law of Piety:

“All men are my children’; and, just as I desire for my children that they may enjoy every kind of prosperity and happiness both in this world and in the next, so also I desire the same for all men.

“In regard to the unsubdued borderers . . . the King desires that they . . . should not be afraid of [him], that they should trust [him] . . . the King will bear patiently with [them] and that for [the King’s] sake they should follow the Law of Piety and so gain both this world and the next.

“By instructing and intimating my will, my inflexible resolve and promise, I [the King] shall be provided with (trained) local officials for this business, because you are in a position to make these people trust me and to ensure their prosperity both in this world and in the next, and by so doing, you may win heaven and also effect my release from debt.

“And for this purpose has this scripture of the Law of Piety been written here, in order that the High Officers may strive without ceasing, both to ensure the confidence of these borderers and to set them moving on the path of piety . . . ”.¹⁴

this principle of government. The indolent man cannot rouse himself to move, yet one must needs move . . . In the same way you must see to your duty, and be told to remember: — ‘See to my commands; such and such are the instructions of His Sacred Majesty.’ Fulfilment of these bears great fruit, non-fulfilment brings great calamity. By those who fail neither heaven nor the Royal Favour can be won. Ill performance of this duty can never gain my regard, whereas in fulfilling my instructions you will gain heaven and also pay your debt to me . . . For this purpose has the scripture been here inscribed in order that the administrators of the town may strive without ceasing that the restraint or torture of the townsmen may not take place without due cause. And for this purpose . . . I shall send forth in rotation every five years such persons as are of mild and temperate disposition, and regardful of the sanctity of life, who knowing that this is my purpose will comply with my instructions . . .” From Edict II, “The Provincial’s Edict: The Duties of Officials to the Provincials”, circa 256-255 BC.

¹⁴ From Edict I, “The Borderers’ Edict: The Duties of Officials to the Border Tribes”, circa 256-255 BC.

Even those well and truly beyond the pale — the “forest folk” — were not excluded from just and humane treatment and the benefits of the Law of Piety. Upon “the forest folk in his dominions”, Asoka said, he “looks kindly, and he seeks to make them think (aright) for (otherwise) repentance would come upon His Sacred Majesty. They are bidden to turn from their (evil) ways that they be not chastised. Because His Sacred Majesty desires for all animate beings security, control, peace of mind and joyousness”.¹⁵

In these edicts, relating to the duties of officials in regard to the border tribes and forest folk, Asoka can be seen as, at once, a despot, a moral reformer, a missionary and a teacher of a way of life; the edicts reveal a sense of universality of affection for all people — an early form of humanitarianism which is not limited to war.

It is also clear from the edicts that he sent large numbers of missionaries to places as far afield as Greece and China, “among all his neighbours as far as six hundred leagues, where the king of the Greeks named Antiochos dwells, and to the north of that Antiochos (where dwell) the four kings named severally Ptolemy, Antigonos, Megas, and Alexander (likewise) in the south, the Cholos and Pandynos as far as the Tamraparni river — and here, too, in the King’s dominions — among the Greeks, Kambojas, the Nabhapantis of Nabhaka; among the Bojas, Pitinikas; Andhras and Pulindas — everywhere they follow the instruction of His Sacred Majesty in the Law of Piety. Even where the envoys of His Sacred Majesty do not penetrate, these people, too, hearing His Sacred Majesty’s ordinance based upon the Law of Piety and his instruction in that Law, practise, and will practise the Law”.¹⁶ As well as all the neighbouring States and the remainder of India not governed by him, Asoka’s missionaries brought Sri Lanka into the Buddhist fold.

One of the most radical of Asoka’s reforms was the almost total prohibition on hunting and slaying of animals for food. He abolished the tradition in the royal kitchen of slaughtering one peacock each day. Even the famous Royal hunting parties, during which the complete Royal Court, the harem, the officials and servants went to hunt for several weeks, were curbed. For these hunts, large areas of the forest were marked off with coloured ribbons for the royal progress; all strangers found within the limits of the royal route were liable to the death penalty, probably, as was

¹⁵ From Edict XIII, circa 257 BC.

¹⁶ *Ibid.*

ordinary criminal practice, preceded by mutilation. Asoka stopped these and all other hunting expeditions because animal life, like human life, was sacred. He went so far as to provide for the establishment of hospitals on the highways of his empire for the care of sick and injured people *and* of their beasts of burden. In typical Asoka fashion, edictal orders were issued for his officials to enforce the hunting prohibitions at the same time as they were instructed to observe, and to monitor the observance of, other aspects of his Law of Piety. This prohibition of animal slaughter corresponded to Asoka's moral revulsion for human slaughter in warfare and his subsequent abhorrence of any killing and suffering.

The intensity of Asoka's moral fervour in these edicts is as evident as his officials' failure in implementing them. Such lofty moral instructions could not have been easily carried out. Asoka continued to uphold and ensure the implementation of his Law of Piety until the end of his reign; his undistinguished descendants, however, were unable to sustain his moral mission and the Law of Piety lost its vigour. After his death in 231 BC the empire was divided, its power declined and the Law of Piety passed into history.

The Maurya Dynasty under Emperor Asoka's idealism underwent a profound moral transformation at court, in official life, and in the basis of all relationships throughout his extensive dominions and beyond. It witnessed the elevation of Buddhism from a sect in India to one of the great religions of the world, affecting and becoming part of the course of history of Sri Lanka, Burma, Thailand, Japan, Tibet and, to a lesser extent, China. In unfolding humanitarian principles Emperor Asoka's pioneering and precocious ideals and his lofty moral legacy, transcending place and time, rank him among the foremost moral teachers and among the greatest civilizing influences in human history.

E. Emperor Asoka: fact and legend

Historical evidence relating to Emperor Asoka's life and words consists of legends and the texts of the thirty-four edicts, inscribed on rock surfaces, which have survived. There is little else.

Of Asoka's early career it is known, for example, that before he became Emperor, during the lifetime of his father, Bundusara, he held the important office of Viceroy of Vyjirin, the main provincial capital. This was the normal practice of the Maurya Dynasty — one to be expected

in an absolute and despotic monarchy — whereby the prince was groomed and given an apprenticeship by his father.

Knowledge of Asoka's later career is derived principally from the thirty-four edicts. While they do not disclose the reason for war with the Kalingas, the "Conquest Edict" does announce his victory over them and his subsequent remorse and "protection" of the Law of Piety. Other edicts issue instructions for implementation and enforcement of this Law and record his dispatch of missionaries and his pious retracing of the footsteps of the Buddha. Beyond this, there is little historical information.

Not enough evidence has survived to allow the development of the Law of Piety and its contents to be traced. It is clear that Buddhist ideas must have played a major part in the moral order which Asoka chose to govern his way of life and that of his empire, but as the Law of Piety is obviously not a crib from Buddhism, the question — the unanswerable question — arises regarding the extent to which his experience of the conquest of the Kalingas determined the nature and content of his moral ideas, as contradistinguished from the main canon of Buddhism.

Some legends surrounding Asoka's life and works are inconsistent with other historical evidence. In Sri Lanka, for example, unsubstantiated legends depict him as an evil man who secured the death of his brothers. While fables of an evil early life could be true, as they would not be inconsistent with his gradual and undramatic adoption of Buddhism and the slow movement towards the Law of Piety which is seen in his edicts, doubts remain about the verity of these legends owing to the lack of corroborating historical evidence. However, it is also thought that stories of fratricide and other legends were fabricated to impress upon his subjects the power he held over them as a despot, as well as to impress upon them the innate goodness which made him susceptible to feelings of horror, followed by remorse and regret, when he witnessed the bloodshed of war, rather than feeling joyful at the victory of his army. His moral stature was elevated by his evident transcendence of evil and his transformation into an Emperor of lofty principles after the defeat of the Kalingas. In themselves, these legends probably grew out of the desire to enhance and exaggerate which was common to the legend-history of the era.

F. Conclusion

Emperor Asoka was one of the great moral reformers in the history of civilization and a precocious pioneer of humanitarian values. The

impetus for his humanitarian work was derived from his gradual conversion to Buddhism following his witnessing of the carnage and suffering in a war in which his army was victorious. A bold and original reformer who thought on a universal scale and propounded moral values of great nobility, he never claimed to be the inventor of those moral principles; indeed, he took them to be self-evident truths of transcendental validity that stood without need of religious or metaphysical support. They were derived from Buddhism but were distinct from it, and unique to him. The Law of Piety prescribed essentially but not exclusively reverence for superiors; compassion for the ignorant, the suffering, the backward and all living creatures; and acceptance of the goodness of those belonging to other faiths and religions. In short, the Law prescribes righteous relationships between all, including a righteous relationship between the Emperor himself (and his Empress) and others.

Asoka was primarily concerned with the pragmatic and daily affairs of mankind, holding that those same principles that guide righteous conduct in the affairs of this world will bring forth benefit in the next. His edicts made no reference to "nirvana" or "karma", yet it is clear that the other world was as important as, if not more important than, this one.

Defects in his moral ardour are apparent: the Law of Piety was both the morality and the law — the complete way of life — for all, and was enforced using all the despotic means at Asoka's disposal throughout his empire. He brooked no resistance; and any lack of enthusiasm in observing the Law incurred his displeasure. Humanity in the administration of the criminal law was not apparent, although in relation to previous regimes there was less brutality.

Comparison with other notable converts reveals Asoka's true stature. Unlike Pharaoh Akhenaton of the 18th Dynasty (14th century BC), Asoka was not a mere believer: he was active and relentlessly pursued the effective dissemination and observance of his Law of Piety. Some writers have compared Asoka with Constantine the Great and with St. Paul in that he was a combination of an Emperor convert and the foremost missionary of his special form of Buddhism. However, Asoka never underwent a dramatic, traumatic experience or conversion such as that of St. Paul on the road to Damascus. The analogy with Constantine the Great is false. Constantine did not cease to wage wars after the Edict of Milan of 313 AD, nor was he the author of Christianity; in fact he was a late and hesitant convert to Christianity. There were already many Christians in the Roman Empire before Constantine promulgated the Edict. Constantine, in a word, came late and slowly to the Christian faith. By

contrast, Asoka boldly established his own Law of Piety, and used his position as an absolute monarch to impose it upon his subjects. A similarity exists between the two Emperors in that both of them made their religious and moral beliefs the official religion and morality of their respective empires. There was nothing of the missionary or pioneering moral teacher in Constantine, but such were the attributes for which Asoka will be remembered. The comparison of Asoka with Constantine the Great is by way of contrast: Asoka stands out in history as a mighty missionary Emperor and a moral teacher of a stature greater than was ever achieved by Constantine the Great.

More significant, in the present context, than his legacy of a just and more humane administration of a very large empire, his assiduous dissemination of lofty moral values and Buddhism, and his vigorous cultivation of heightened moral sensitivity among his subjects and officials, is his legacy to the humanitarian ideal in warfare; for the ultimate humanitarian ideal in warfare is that it should not happen. After witnessing the sufferings of the defeated Kalingas, Asoka found he could not reconcile the Buddhist tenet of the sanctity of all animate life with recourse to war, so much so that he even terminated the tradition of the Royal Hunt and, indeed, banned the killing of animals. He never again engaged in a military campaign and he sought, through edicts permanently inscribed on rock surfaces, to deter his sons and grandsons from so doing and urged them to “take heed only of patience and gentleness, and regard as a conquest only that which is effected by the Law of Piety”.¹⁷ Respect for all living creatures was not peculiar to Asoka, but its nexus with warfare was a novel moral teaching. Conquest in war was replaced by the conquest effected by the Law of Piety; and the ultimate good towards which all must strive was decreed to be the conquest of this Law. This startling thought, transcending time and place, was nothing less than a precocious realization of humanitarian values in the Indian sub-continent in the middle of the third century before Christ. The distinguishing features of the Law of Piety — that war should be abhorred; that heightened sensitivity to the suffering of others, including animals, should be cultivated; that lofty and religiously neutral but universal moral values which transcend different religions should be diligently pursued and realized — give Asoka a valid claim to being a precocious, pioneering and dedicated advocate of the

¹⁷ *Ibid.*

humanitarian principles which today characterize the regimes of human rights and the humanitarian law of war.

“ . . . [I]n as much as ... men of other denominations, or householders who dwell there, . . . among whom these duties are practised, to wit, harkening to superiors, harkening to father and mother, harkening to teachers and elders, and proper treatment of friends, acquaintances, comrades . . . servants, with steadfast devotion — to these befall violence or slaughter or separation from their loved ones. Or violence happens to the friends, acquaintances, comrades and relatives of those who are themselves well protected, while their affection for those injured continues undiminished. Thus for them also that is a mode of violence; and the share of this [violence] distributed among all men is a matter of regret to His Sacred Majesty, because it never is the case that faith in some one denomination or another does not exist”. — From Edict XIII, circa 257 BC.