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Ancient Hindu Political Thoughts and its Parallels with Contemporary Human Rights Declarations

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***Abstract*—War is an event entwined with the entire history of civilizations all over the world. It has also been the chief factor that led to the rise of kingdoms. Though words were identified as the chief cause for all destructions and sufferings. They also happen to be unavoidable several efforts have been made throughout history to justify wars under such verbosities as "Wars to establish righteousness". "Wars to do away with authoritarianism" and. "Wars to establish peace". But the truth remains that wars put not only those engaged in them. But also, the innocent public who had nothing to do with such wars. Following the various world wars schemes were undertaken to protect the public and the wounded soldiers from the gruesome effects of war in the world arena. Such were the schemes that emerged as human rights declarations. Some of such declarations include those of St. Petersburg. The HerthConference, Vienna diplomatic relations, and the GenevaConference. Righteousness, justice, and the march towards living creatures wielded considerable influence in the formation of such declarations. The awareness about wars and their destructive aftereffects had existed from very early times. Wars were brought under righteousmoves and rules were formulated to conduct wars righteously. They're existed unity in opining that wars should be conducted subject to righteousness. The Vedas, Dharmasastras, Arthesastra, and Sukranitisaram are treated as works on Hindu political sources. In addition, the Shanthi Parva section of Mahabharata encompasses "how of royal justice" Ancient political sources have placed forward strong ideas on the rules to be observed onbattlefields, on the practices to be followed loywinning parties, caring for war prisoners, and preventing usage of cruel weapons. Their ideas are comparatively in agreement with the war rules imposedin contemporary war norms.**

***Index Terms*—Righteous war, Artasatra, War prisoners, Human rights declaration.**

I. INTRODUCTION

Wars have been going on in many forms in the world arena, throughout history. Though wars and the destructive effects they leave over are unforgettable injuries to Human society, the obvious truth is that war remains an unavoidable feature in the world arena.

Today various discussions related to human rights, juvenile rights, the rules against destructive weapons, the general norms pertaining to war prisoners, and the concern towardsinnocent people have all led to the rise of various laws declarations, and agreements.

Out of this St. Petersburg Declaration (1868), the Haig Conference (1899:1907) the Geneva Convention of 1949 and the Vienna Convention on Diplomatic Relations are worthy of mention.

In the countries mentioned above several Judicial roles discussed in the world arena have been accepted and enacted as laws. Where countries by chance happen to wage wars against each other, it is the expectation of the world society that the effects of such war are strictly in terms of the decisions arrived at the conferences mentioned above.

In the Hindu society too, there had been wars even during the times prior to the Christian era. Srutis, Smrtis, and treatises like ArtheSastra and Sukranitisaram were the sources that guided the results of wars as well as the being laws of wars. Such rules are clearly seen also in examples like declarations like that of the Geneva Conference proudly thought to be the discriminatory rules of modern society are not foreign to those followed society are not foreign to those followed in the Hindu war rules of ancient times.

It is worth quoting here ProfessorH.H. Wilson who said "Ancient war laws were very humanitarian andcourteous. They prevent women and the aged from being killed during war times". Right from vedictimes arrangements had been made to protect reluctant soldiers surrendered war prisoners, unarmed soldiers, and the public.

Attacking one from behind is against justice. It is also cowardice to apply poison to the point of an arrow. It is also very gruesome to attack sickly people, aged children, and females. Hence such activities were prohibited as per Vedic literature. (Willson 1861: 302)

II. HUMAN RIGHTS

The term "human rights" is a concept that includes activities and norms thatform the base of a cultural life, expected to be followed not only by countries but also by organizations, individuals, and groups. (March 2014:1)

The development of the human rights concept from a historical purview.

The earliest ideas on human rights can be identified in the ancient writings of Babytonia, the Royal Edict of Cyprus the Great of Persia (535 B.C), and also in the edicts of India's king Asoka. Besides all such concepts generally referring to compassion, gifts, justice, individual respect and honouring of all living beings in ancient religions including Hinduism; Jhwism, Buddhism, Confucianism Christianity, and Islam are all refiections of the ancient society based on philosophy.

The Magna Carta agreement made in England in 1215 AD and the Bill of Rights brought about in 1689 are seen as the earliest forms of human rights declaration from a historical point of view. Furthermore, the famous social agreement concepts of the 18th Century and the effort made to prevent the tyrannies going on in "Trial Polilica of Montesquieu are also viewed similarly.

Besides, the beginnings of human rights declarations are also related to the natural law stories that prevailed among Greek and Roman civilizations, the Christian religionism that was at peak level during the 17th and 18th centuries, the French and American revolutions, and the unemployment problem that cropped up during the 19th century. Labor rights and women's franchise. (Lynn Hunt 2007:7)

The United Nations charter of 1945 the decision of American president Rusewold on four types of freedom are deemed to be the nearest steps rungs of human rights.

III. HUMAN RIGHTS IN HINDU POLITICAL SOURCES

Human rights are built up based on the concepts of philosophical justification, based on the human behavior of respecting the feelings of others. This generally encompasses the noblemen that all people should be treated in a justifiable way. It is also worth noticing that the famous philosopher cum economist Amartyee has stated that human rights could be treated as one of the basic needs of mankind. (Amartya sen 2004: 320) Rather than being based on law or politics human rights are rooted in good conduct and philosophy Law can be formulated on the basis of human rights philosophy rather than claiming that human rights must have the qualities of being accommodated into a constitution. (Amertyasen 2004: 319)

The human rights 'related ideas are found to be concepts that are based on noble characteristics rather than on law.

IV. VEDIC LITERATURE

It is worth noticing researchers quoting Hindu Vedas as one of the five very ancient written evidential sources that spoke about human rights and social responsibility among the ancient civilian societies as seen below, \

1. The Babylonian language marks of Hammurabi
2. The old and new Testaments of the bible.
3. The Analects of Confucius.
4. The holy Quran
5. The vedas. (LukmanHarees: 2012: 59)

In the Western tradition the Cyrus Cylinder of Cyrus, the first king of Persia is considered to be the most ancient direct written evidence. (https/www.humanrights.com/ what are human rights/brief – history)

This was written in the Akkadiya language. Having released the slaves of the Babylonian kingdom won by him Cyrus gave them the freedom to live a natural life of their own choice, and to follow any religion of their preference. He had also indicated that perception of any unequal base was wrong.

However, there are scholars who hold the view that the thoughts expressed. In Rg. vedas the earliest literary work of the world, and the other three vedaswhich followed it, were antecedent to the Cyprus Cylinder of Cyorus a Sloka in the 5th Mandala expresses the idea that "No one is superior or inferior to each other. All are brothers whomust get together and work for the benefit of all" (Rg. Veda 5.60.5)

Civil Rights have been pointed out in Rg. Veda, as to be referring to three matters viz: the body living abode (sjreetgu and one\s own life, (Swali sing Parmar: 2016:28)

The SamjanaSukta of Atharva Veda speaks about the rights to food and drinking water. It also emphasizes that life is similar to a chariot, its yoke has been placed with equal pressure on everyone's shoulders, and that as the cross bars in the wheels of the chariot bear it, all must cooperate and live together. (Swali sing Parmar: 2016: 28)

The primary effort in the development of human rights charters hinged on the righteouspurpose of not hurting other beings. This itself has been mentioned as the concept of Ahima (non–violence) in Vedic literature. The term Ahimsa in Vedic literature has always been applied in the sense of being non–violent to others. The term Ahimsa is directly used in the sense of "non–injurious! This term first identified in Taitreya Samhita of Yasur Veda indicates that a person who sacrifies for others shall not get injured through any means. (TaitrecoeSamibita 5.2.8.7)

This has been used many times in Satapaatabramana giving the meaning 'Unhurt' Furthermore in the 'Kapistalagata Samhita of Yajur Veda and in SantokyaUpanishad, one of the very old Upanishads. The term Ahimsa has been used to meanunhurtingbehavioral rules.

The violence against all soals has been abandoned. One who observes non-violence is liberated from the cycle of rebirth (SantokyaUpanishad 8.15.1) SantokyaUpanishad has also pointed out non–violenceas one of the five most essential good qualities (SantokyaUpanishad 5.17.4)

Vedic literary works have emphasized that every living has the right to live a prosperous life and after living such a life the right to be liberated. An example of this is the sloka, "AmirthasyaPutaeyam" found in Suvdasvara Upanishad. It is also worth pointing out that this very sloka was quoted by Swami Vivekananda in his world-famous speech at the all-religious conference that took place in Chicago.

V. THE SAFETY OF THE PUBLIC DURING WARTIMES

TheDharmasastras known as smrtis have laid down very strict instructive orders to those: engaged in wars.

VI. MANUSMRTI

Out of the eighteen Dharmasastras, Maniusmrti is to date the most widely quoted manual in all discussions and debates concerned with Hinduism. This is supposed to have been composed during the period between the 2nd century B.C. and the 2nd century A.D. The Manusmrti available at present has 12 chapterswith 2684 slokas. (Mukunthan, 2014:129)

It is in the 7th chapter of Manismrti which speaks broadly of royal duties, that the ideas showing the concern of kings towards the general public deserving protection during wartime, have been laid down "A king must not kill a person at sleep unarmed one who is not retaliating, watching fights and one who is engaged in fighting with another person (Manusmrti 792)

A person with broken arms one whosays (or happy) after the birth of as a child, one who has been knocked down and fallen, one who is scared, and one who is fleeing after defeat – 'are' those who shall not be killed" (Manusmrti 7.95)

Furthermore, according to Maniusmrti those traveling along their paths those not involved in the war, those engaged in their daily activities, and mostly importantly Brahmin (unless involved in war) have also beendecided not to be killed.

This opinion in the Maniusmrti can be observed in the definition of those protected under war situations as given in the third chapter of the Geneva Convention part 1, article 3, signed on 12th August 1949 in relation to the protection of civilians.

Arthasastra also agrees with the opinion of Maniusmrti in relation to those not engaged in war. When a king captures the fortress or battalion of an enemy king, he must provide refuge to all those fallen wounded, not engaged in war. Those fleeing and those in distress. Kutilya theAuthor of Arthasastra was in the firm stand that no one had the approval to hart such people (Muhunthan, 2014: 1 (8)

VII. THE BATTLEFIELD RULES OF MAHABHARATA

The Bheeshmaparane of Mahabharata includes the disciplinary rules that were to be observed at the Kurukshetrabattlefield. The Bheeshmapura starts with a 'Question asked by KingJanmajaya'while Vaisampayana was relating the story of the Mahabharata war. That question was as follows: How did warriors Gowravas, Pandavas, Somakas, and the strong kings who had come from various countries to Kurukshetraconduct the war" The reply to this in Bheeshmapurana extends as follows.

Having arrived at the battlefield, they set up their camps before commencing the war. They discussed among themselves and agreed to open the following disciplinary rules as to how the war was to be conducted" "Those who retreat from the war were not to be attacked. A Charioteer was to confront only another charioteer. Cavalrysoldier'ssoldier: while foot soldiers must fight only with foot soldiers. Till the end of the war, all must conduct themselves honorable and manly at the end of the war, there should not be any reduction to the respect and honor they had towards each other. After accepting these rules soldiers of both sides were and shared their mutual satisfaction. (Gangali 1990)

VIII. CARING FOR WAR PRISONERS WITH HUMANITY

The Santhiparvam of Mahabharata has described the righteous ways of looking after war. Prisoners. Santhiparvam says that killing a person is such a low-gradeact as molesting an

innocent girl or picking the pocket of a person who had dedicated himself to education and learning. It tries to emphasize this through the story of a robbery leader called "Kayavya" (Mahabharta, Santhiparvam 135, 13, 135: 14.3)

Some of the decisions of the Geneva Conference declared on the 12th of August 1949, have to be viewed as the later forms of the arrangements mentioned above while the second part of the agreement mentions about the general safety of war prisoners its 12th and 13thseations speak about conducting war prisoners with humanity.

The ideas in Santhiparva about providing comfortable accommodation food and clothing to prisoners are mentioned in the various sections of the Geneva Agreement. For example, section II mentions the basic requirements of shelter food, and clothing for war prisoner's chapter III speaks about the provision of health and medical facilities. Particularly section 30 of chapter III speaks about the medical attention to war prisoners, while section 31 deals with their medical examination. (GenevaConvention of 1949)

War prisoners being treated as slaves was quite a customary practice in all civilizations. There is evidence in the Rg. Veda and epics to the effect that in the Hindu society war prisoners were engaged as slaves for royal and public services. They had to so function for about one year after which their release was compulsory according to smrtis.

The manual "Mudrarakshasa" has divulged that such had been the practice during those days. The message contained in that book is that the captives arrested by ChendaraguptaMouriya at war were released on the instructions of KaulitlyaArthashastra also does not allow war prisoners to be treated as slaves.

IX. RAMAYANA – MESSENGERS AND DIPLOMATS TO BE TREATED WITH DIGNITY

Ancient Hindu traditions included disciplinary rules regarding the honourable treatment of messengers and diplomats from enemy states. Epics have enough examples to this effect. Thus RamayanVibheeshana reminds Ravana that it was not royal justice to kill Hanuman who had come to Sri Lanka as an enemy of Rama. In the present era, Vienna'sconvention on diplomatic relations exhibits concern over future policies and the freedom of activities of an ambassador.

Koutilya too has insisted that the subjects and people of authority in a captured state must be treated honorably.

X. ARTHASASTRA

Hindu treatises have well instructed how the King who won over another country should treat the subjects of that country. In this respect, some examples found in Koutilya'sArthasastra are worth noticing the thirteenth chapter of Arthasastra speaks of how a winning king should act after bombarding and capturing the fortress of the enemy.

The king who won that kingdom must through better behavior and good qualities than of the earlier king try to captivate the minds of the people in that kingdom. He must allow them to continue with their own activities and to follow their normal traditions.

Arthasastradescribes that the love of the people must be won over through tax concessions and donations. It is further emphasized that the winning king must do everything to make the royal chieftains and superior officers continue with their usual duties. While the cattle in the country are protected no disturbance was to be made to the lifestyle of the people.

The temples andinns in that country must be respected prisoners must be released. Kutilya has also insisted that those helpless and sick people must be protected (Shyamavastri, Kls, A.5)

XI. SUKRANEETHISARAM

Hindu political heritage believes that Sukraneethi written by Sukracharya the preceptor of Asuras and Brahapatya a treatise supposed to have been written by Brharpathi the preceptor of Devas are both works of greater antiquity in speaking about the Art of politics. Though these are not available in the book these are honoured as primary works, in the preface to Arthasastra. Out of these adopting the name of Sakraneethi, Sukraneethisaramarose during the later part of the 12th century A.D. (Mukunthan, 2014)

Apart from adopting Manusmrti and Arthsastra in meaning this treatise has also taken into consideration the political and economic situations of its own time and placed forward ideas about administration to suit them.

This treatise has four chapters. It identifies the king as possessed of divine power. However, while strongly emphasizing his duty to protect the people it also carefully places forward thoughts on people's rights.

This treatise places forward very surprising ideas on how a victorious party should treat the defeated party with honour, thus it has fixed the salaries and other concessions due to those defeated as well as to their dependants. While fixing the number of tributes to defeated kings the author of SukraneethiSaram has also recommended that they must be allowed to move about as free persons.

Apart from these, a king occupies another territory right from the time of entering that territory with the accompaniment of suspicious musical instruments. He becomes the father and mother of those subjects and it has been made compulsory for him to look after them as his children (Kumebenoy 1913)

XII. AVOIDING THE USE OF DEVASTATING WEAPONS

Hindu treatises did not approve of the application of destructive weapons that devastate entire societies. In Ramayana, Lakshman is prevented by Rama from using any weapons that have the power to destroy the entire enemy force including those who had no arms.

In Mahabharata at, a time when Abimanyais about to be killed through a plot, Archuna even with the urge to kill Jayathradoes not think of using Pasupata the most devartatery weapon offered by Siva.

Manusmtri has advised about this in chapter 7thdescribing royal justiceand war morality. "A king must not use sieve arrows, poisoned arrows or arrows heated in five against his enemy" (Manusmrtie. 7.90)

It is shown towards noticing that much care has been shown towards the use of decastating weapons in such declarations as that of St. Petersburg (December 1868) and Hague concerning expanding bullets. (Hogue Regulation, 1907)

XIII. CONCLUSION

In ancient Hindu society, war norms were made in keeping with justice. Though in practice some irregularities may have occasionally taken place the ancient Hindu war norms had been so defined as not to identify them as unjust warfare. This is an undeniable fact. Hindu treatises have placed very strong ideas in matters including the security of the public during war times. The war rules are to be followed on the battlefield and the treatment of messengers and diplomats who arrive at a king's court. One cannot deny that avoiding the use of devastating weapons. The approaches to be observed by winning parties and the maintenance of war prisoners are antecedent to all precedents to the human rights declarations made in the world arena against cruelties after war

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