

Protection of Places of Worship during Armed Conflicts: The Enrichment of International Humanitarian Law through Buddhism

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How to cite this paper: Liyanage, I., & Galappaththige, T. R. (2022). Protection of Places of Worship during Armed Conflicts: The Enrichment of International Humanitarian Law through Buddhism. *Beijing Law Review*, 13, 401-413.

<https://doi.org/10.4236/blr.2022.132025>

Received: May 22, 2022

Accepted: June 27, 2022

Published: June 30, 2022

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Abstract

Places of worship having deep spiritual attachments with people are highly protected as cultural property under International Humanitarian Law (IHL). While these places are given full respect, recognition, and protection, armed groups are prohibited from attacking or destroying them. The protection is included in the 1954 Hague Convention for the Protection of Cultural Property in the event of Armed Conflicts, Additional Protocol I and II to the Geneva Conventions of 1949, Statute of the International Criminal Tribunal for the Former Yugoslavia (ICTY), and the Statute of the International Criminal Court. Further, it is highlighted under the Customary International Humanitarian Law as well. However, there are several significant instances around the globe where the protection of places of worship has been threatened during armed conflicts. In this context, this paper aims to evaluate the correspondence between IHL and Buddhism in relation to the protection of places of worship during armed conflicts. Therefore, this research employs desk research methodology in terms of ascertaining the correspondence between Buddhism and IHL. Accordingly, this research relies on secondary data in the areas of Buddhism and IHL. Thus, special references will be made to key IHL instruments, including Geneva Conventions, Customary International Humanitarian Rules, and case precedents. On the other hand, this paper refers to Buddhist literature on the protection of places of worship, including seven factors leading to welfare taught by the Buddha to the *Vajjians*, the verdict regarding the four places associated with the life of the Buddha, the 12th Rock Edict of Emperor Aśoka on respecting all religions and Bodhisattva vows mentioned in the Tibetan Buddhist tradition. This paper believes that, although the key objectives of the two bodies are not identically same, the philosophical underpinnings of Buddhism can be used progressively for the enrichment of IHL relating to the protection of places of worship.

Keywords

Places of Worship, Buddhism, Principles of IHL

1. Introduction

Places of worship are recognized as attracting strong social respect and emotional attachment for its followers due to their spiritual nature. In most countries, these places are given full respect, recognition and protection. However, during armed conflicts, there is a tendency to attack or destroy places of worship, as a strategy to hurt one's adversaries. Under the standards of International Humanitarian Law (IHL), these places are recognized as protected places under the definition of "cultural properties" and no armed groups should attack or destroy them. This ideology has been recognized under several initiatives, namely Article 1 of the Hague Convention (*Convention for the Protection of Cultural Property in the event of Armed Conflicts, 1954*), Article 53 of Additional Protocol I (*Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, 1977*), and Article 16 of the protocol II (*Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977*) to the Geneva Convention, Article 3(d) of the Statute of the International Criminal Tribunal for the Former Yugoslavia (*Statute of the International Criminal Tribunal for the Former Yugoslavia, 1993*), Article 8 (2) (b) (ix) and (e) (4) of the Statute of the International Criminal Court (*Rome Statute of The International Criminal Court, 1998*) and the rules of Customary International Humanitarian Laws (Rule 38, 39 and 40).

In the context of Buddhism, the Buddha, according to the discourses recorded in the Pāli texts, did not specifically speak about the protection of "places of worship" or "monuments" during war. Yet, a Buddhist position regarding this issue can be constructed from general Buddhist principles. This paper specifically refers to Buddhist literature on the above, including seven factors leading to welfare taught by the Buddha to the Vajjians, the verdict regarding the four places associated with the life of the Buddha, the 12th Rock Edict of Emperor Aśoka on respecting all religions and Bodhisattva vows mentioned in the Tibetan Buddhist tradition.

Using this literature, our aim is to evaluate the correspondence between Buddhism and IHL concerning the protection of places of worship during armed conflicts. Further, we aim to ascertain how Buddhism can enrich the principles of IHL relating to the protection of places of worship.

This research paper will review and evaluate the relevant IHL and other International instruments along with the Buddhist philosophy. Primarily, the authors examine the key provisions and principles on the protection of places of worship in IHL and then assess or interpret them from a Buddhist perspective.

2. Places of Worship and International Humanitarian Law

A place of worship is part of the spiritual and cultural heritage of a community of people. Due to its significance, its symbolic nature, and the spiritual attachments of believers, these places are a frequent target during an armed conflict. There have been several significant instances around the globe where the protection of places of worship has been threatened during conflict situations. Back in history, the Roman Emperor Theodosius ordered the destruction of the Temple of Serapis in Alexandria in order to deprive non-Christians of a place of safety (Francioni, 2003). This was also demonstrated in the attempt of demolishing the Babri Mosque in Ayodhya by a mob of Hindu extremists in 1992 (Islam, 2007; Shakoor, 1993), the destruction or damage of Kosovo Albanian religious sites, and Muslim sacred sites by the forces of the Federal Republic of Yugoslavia (FRY) and Serbia during their forcible displacement of the Kosovo Albanian population in 1999 (Prosecutor v. Vlastimir Dorđević, 2011), the destruction of the Bamiyan Buddha statues in Afghanistan in 2001 (Francioni, 2003) and the Great Mosque in the old city of Aleppo in Syria in 2013 (Kanjou, 2018) etc. In the Sri Lankan context, the attack on the Sacred Sri Maha Bodhiya (the sacred Bo tree) in Anuradhapura by the Liberation Tigers of Tamil Elam (LTTE) in 1985 where the attack has been resulted in 120 innocent civilian deaths including monks, children, women and men while 85 got wounded and their bomb attack on the Temple of the Tooth Relic in 1998 (Ministry of Defence Democratic Socialist Republic of Sri Lanka, 2011) are classic examples of places of religious pilgrimage being targeted during a non-international armed conflict.

In the case of *Prosecutor v. Vlastimir Dorđević* (2011) the destruction of places of worship was defined as the destruction or damage of a religious institution when the perpetrator acted with the intent to destroy or damage that property or recklessly disregarding the substantial likelihood of destruction or damage. As a result, the prosecution must prove the following four elements of the offense in addition to the general elements of crimes against humanity and the specific elements of persecution: firstly, the extensive destruction or damage of religious site; secondly, an act directed against the property following a destruction or damage; thirdly, the destruction or damage must not be justified by military necessity, that is, the religious institution must not have been used for a military purpose or been in the immediate vicinity of military objectives; and finally, the intention of the physical perpetrator, intermediary perpetrator, or accused to destroy or extensively damage the property, or their recklessness disregard of the likelihood of destruction or damage (*Prosecutor v. Vlastimir Dorđević*, 2011).

In most instances attacking places of worship has been justified under military necessity. However, when the attack was done by an irregular militia this is problematic as it hardly falls within the parameters of military necessity. Yet the main contention in this regard is that the places of worship were near a military objective (Becerril, 2012). However, this argument has been rejected in several

legal cases. For instance, in the case of *Prosecutor v. Vlastimir Đorđević* (2011), it was held that the destruction or damage must not be justified by military necessity, that is, the religious institution must not have been used for a military purpose or been in the immediate vicinity of military objectives (para. 469).

The above case is about the charges against Đorđević, the Assistant Minister to the Serbian Ministry of Internal Affairs and Chief of the Public Security Department in relation to the crimes committed in the territory of Kosovo in 1999. Specifically, the forces of the Federal Republic of Yugoslavia (FRY) and Serbia committed crimes that resulted in the forced deportation of Kosovo Albanian citizens under the command, encouragement, or support of Đorđević. On February 23, 2011, the Trial Chamber found Mr. Đorđević is guilty on five counts including the destruction or damage of Kosovo Albanian religious sites such as the mosque in Celina/Celinë, the mosque in Bela Crkva/Bellacërkë, the mosque in Landovica/Landovicë, Xhamia-e-Bardhe (White Mosque) in Suva Reka/Suharekë town, Hadum Mosque in Đakovica/Gjakovë, the mosque in Rogovo/Rogovë, the mosque in Vlastica/Llashticë, and the market mosque (Charshi Mosque) in Vuçitrin/Vushtrri town (*Đorđević*, 2011: para. 469).

In the case of *Prosecutor v. Mario Kordić and Dario Čerkez* (2001), the ICTY linked the destruction of some places of worship to the notion of persecution as a crime against humanity because this amounted to “an attack on the very religious identity of a people”. Considering the events that occurred in the central Bosnian municipality of Kiseljak, *Prosecutor v. Tihomir Blaškić* (2000) convicted Blaškić of having ordered a crime against humanity, namely persecutions against the Muslim civilians of Bosnia, including the destruction and plunders of property and in particular of institutions dedicated to religion (Abtahi, 2001).

The need to protect places of worship was initially addressed by the Hague Regulations in 1899 and in 1907. In both regulations, it was pointed out that these places need to be protected during an armed conflict and, therefore, needed to be clearly distinguished and identified. Subsequently, the protection of places of worship was recognized by Article 5 of the 1907 Hague Convention and Article 1 of the 1935 Roerich Pact. These provisions highlight the necessity of taking measures to spare the sacred edifices, buildings used for the purposes of artistic, scientific or charitable for military needs.

The most significant development in the protection of places of worship can be perceived under the Hague Convention for the Protection of Cultural Property in 1954. Specifically, Article 1 of the Hague Convention has given recognition to the places of worship under the broad spectrum of cultural property. An analysis of this provision shows that priority is given to that which is of “great importance to the cultural heritage of every people”, which permits the inclusion of most spiritual places under the protection of this Convention.

Furthermore, the Hague Convention stresses the responsibility of contracting parties to protect these places and identifies three types of protection, namely general protection, special protection and enhanced protection. Under general protection, Article 3 and 5 of this Convention lay down the duty and responsi-

bility of the state. Accordingly, Article 3 urges the need for the state to protect such places within its territorial borders and, Article 5 recognizes the need to protect places that are located in another territory when such territory is an occupied one. Special protection, dealing with Chapter III of this Convention, seeks other means and methods in protection.

In addition, the Additional Protocol I and II to the Geneva Convention 1949 also deal with the protection of cultural properties, with special reference to places of worship. Article 53 of the Additional Protocol I and Article 16 of the Additional Protocol II are vital in terms of outlining the value of these places to the heritage of a specific group of people. According to Article 53 of the Additional Protocol, it is prohibited to commit any acts of hostility directed against historic monuments, works of art, or places of worship that constitute a people's cultural or spiritual heritage, and to use them in support of the military effort, without prejudice to the provisions of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict.

Moreover, Article 3(d) of the ICTY statute also recognized the importance of protecting these places and placed hostile activity against them as a crime against cultural objects. This provision was developed by relying on the underpinning principles initiated by the 1954 Hague Convention and Additional Protocol I/Additional Protocol II. The International Criminal Tribunal for the former Yugoslavia is a notable example of an institution that placed high importance on the protection of cultural property and convicted many war criminals for their involvement in the destruction of cultural heritage, including places of worship (*Prosecutor v. Vlastimir Dorđević*, 2011: para. 458).

Simultaneously, Article 8(2) (b) (ix) and (e) (IV) of the 1998 ICC Statute plays a cardinal role in the protection of places of worship. This seeks to criminalize any activities that have been committed with the exclusive intention of damaging historic places, which include places of worship.

Under Customary International Humanitarian Law, there are certain rules which are predominantly meant to cover the protection of cultural properties in a conflict situation. Rule 7 is significant because it imposed responsibility to the parties of the conflict to avoid such attacks. Accordingly, this rule parties to the conflict must at all times distinguish between civilian objects and military objectives. Further, attacks may only be directed against military objects and they must not be directed against civilian objects.

The most important point is that this rule applies to both international¹ and non-international² armed conflicts. Besides, it is mainly based on the principle of distinction, namely the distinction between military and civilian objects. The

¹Under the Statute of International Criminal Court attacks on non-military objects are prohibited and if committed will be considered as a war crime in international armed conflicts under Article 8 (2)(b)(ii).

²These provisions were included into Memorandum of Understanding on the Application of IHL between Croatia and the SFRY at para 6 and in Agreement on the Application of IHL between the parties to the conflict in Bosnia and Herzegovina, para 2.5.

term “cultural property” can be elaborated under the term “civilian objective”, which permits protection under this Rule³. This rule is furthered also by the definition given under Rule 9 respectively. Accordingly, “civilian objects are all objects that are not military objectives”. Although the definition seems too broad, it allows a larger area of civilian objectives to be covered,⁴ including places of worship.

Although the above discussed customary rules are general in nature, the Rules 38 - 40 are directly focused on the issue of places of worship. Rule 38 states that “each party to the conflict must respect cultural property”. Further, this rule has two elements, firstly, the special care in military operations to avoid damage to buildings dedicated to religion and other monuments unless they are military objects, and secondly, unless imperatively required by military necessity the property of great importance to the cultural heritage of every people must not be the object of attack. Significantly, this provision emphasizes “religious places” as “cultural properties” within the wording of the same. Although the protection of these places is recognized by Rule 38, still this rule has an exemption from the general rule,⁵ namely that military necessity can make these places a legitimate target. Nevertheless, it can be argued that, if the principle of distinction functions properly to demarcate between civilian objects and military objects, this issue could be resolved satisfactorily. Therefore, it is required to take all feasible measures to identify “cultural properties.” Moreover, Rule 39 prohibits the damaging of these properties and Rule 40 imposes a responsibility on parties to the conflict to avoid such attacks towards cultural properties. Therefore, this shows that the Customary Rules are pivotal in terms of protecting places of worship, and the fundamental principles of protecting and preserving cultural property in the Hague convention⁶ are widely regarded as a reflection of customary international law, as observed by the UNESCO (Henckaerts & Doswald-Beck, 2005).

3. Buddhist Philosophical Underpinnings for IHL

Having examined the protection of places of worship in IHL and other international instruments, we now wish to evaluate the correspondence between Buddhism and IHL. This part aims especially to analyze how Buddhism can enrich the principles of IHL relating to the protection of places of worship.

According to Justice C. G. Weeramantry, the scriptures of all the religions are replete with wisdom which can add to modern Humanitarian law (Weeramantry, 2003) and this is certainly true of Buddhism. Significantly, Buddhism based

³See Amended Protocol II to the Convention on Conventional Weapons (CCW) Article 3 (7) and Protocol III to the CCW Article 2 (1).

⁴This provision recognized under the Article 52 (1) of the Additional Protocol I and at the Diplomatic Conference leading to the adoption of Additional Protocols no reservations have been made.

⁵This general Rule is recognized under the Article 8(2)(b)(ix) of the Statute of the International Criminal Court.

⁶Protection of cultural properties with the customary law was recognized by the International Criminal Tribunal for Former Yugoslavia in the *Tadic* Case (1995) Case No IT-94-1-AR7.

on the notion of non-violence and thus, rejects violence in any circumstances. Therefore, it might seem that Buddhism and IHL begin at different starting points. However, since Buddhism is a way of life, rather than a religion, its broader vision can be used as a guide to minimizing suffering during armed conflicts. This guidance is equally relevant in the realm of protection of places of worship. Although the Buddha has not specifically spoken about the protection of “monuments or places of worship” during war, the Buddhist position regarding this issue can be constructed from general Buddhist principles. This paper specifically focuses on Buddhist literature, including the seven factors leading to a state of welfare taught by the Buddha to the Vajjians, the Edicts of Emperor Aśoka on respecting all religions, the verdict regarding the four places associated with the life of the Buddha and the Bodhisattva vows mentioned in the Tibetan tradition.

Long before the international society developed humanitarian laws, Lord Buddha propounded humanitarianism in all aspects of his teachings. Buddhism examines human nature and recognizes that human beings are motivated by their emotions to do good or evil (Ariyaratne, 2003). While positive or constructive emotions lead people to do good, negative or destructive emotions lead people towards evil. The tendency to attack or destroy places of worship can be seen as one of the outcomes of negative or destructive emotions since it is done with the intention to hurt one’s adversaries.

4. The Correspondence between Buddhism and IHL in Terms Protecting of Places of Worship

Buddhist texts show that the early Buddhist communities were very much aware and familiar with the reality of inter-state wars, battles and disputes throughout history. This can be identified through the literature, including stories in the *suttas* (*Akkhama Sutta*, AN 5:139; *Sangāma Sutta*, SN 3:14; *Yodhājīva Sutta*, SN 42:3) and relevant *jātakas*. For instance, the *Cakkavatti-sihanāda Sutta* (The Lion’s Roar on the Turning of Wheel) (*Dīgha Nikāya*, DN26) focuses on a kingdom that falls into violence and makes it clear that the king had an army to provide guard, protection and security for the different classes of people in the kingdom from internal and external threats, although he did not instigate war (Weerasekera, 2000). At this point, explaining the noble duties of a righteous king, the king’s spiritual adviser—the royal sage advised to the king concerning his obligation to provide security for its people as follows;

[M]y son, yourself depending on the Dhamma, revering it, doing homage to it, and venerating it having the Dhamma as your badge and banner, acknowledging the Dhamma as your master, you should establish guard, ward and protection according to Dhamma for your household, your troops in the Army, your nobles and vassals, for Brahmins and householders, town and country folk, ascetics and Brahmins, for beasts and birds. Let no crime prevail in your kingdom, and to those who are in need give property (“Bhikkhu Bodhi on War and Thanissaro’s rebuttal”, 2016).

This advice reflects the type of practical guidance that can be provided for the conduct and behaviour of a king/ruler through the *dhamma*. In this particular quote, the army also comes under those to whom the king should provide guard, ward and protection. But, at the same time, one can argue that to provide guard, ward and protection to the country, the king has to have a means to do this, namely an army. When this is seen in the perspective of the whole sutta, it is apparent that the army, as well as the ruler, is under an obligation to guard and protect the country according to a set of humanitarian rules. This is where IHL comes in. IHL leads the king/ruler to direct his army towards well-established rules which limit the effects of brutality, while providing guard, ward and protection. For that reason, IHL can be described as the badge and banner for those who engage in an armed conflict.

Having further explained the duties of a righteous king the royal sage, by resonating with the Buddhist philosophy advised to the army that; "...from time to time you should go to them and consult them as to what is wholesome and what is unwholesome, that is blameworthy and what is blameless, what is to be followed and what is not to be followed, and what action will, in the long run, lead to harm and sorrow, and what to welfare and happiness. Having listened to them, you should avoid evil and do what is good. My son that is the duty of an Ariyan wheel-turning monarch..." (*"Bhikkhu Bodhi on War and Thanissaro's rebuttal"*, 2016).

This verdict is correspondingly valid for a king/ruler to lead and direct his army to protect places of worship during an armed conflict. A command to destroy a place of worship cannot be considered as a prudent order and it will ultimately lead to harm and sorrow for the whole country. Any place of worship is considered as a part of the spiritual heritage of the people and the destruction of or damage to it cannot be justified for any reason. The necessity of protecting places of worship has been more precisely discussed in the *Mahāparinibbāna Sutta* (DN: 16).

In the *Mahāparinibbāna Sutta*, King Ajatasattu's minister, Vassakāra asks the lord Buddha whether an attack against the Republic of Vajji will be successful or not. The Lord Buddha, without giving a direct answer to that question, merely inquired from Venerable Ānanda whether the Vajjians were strictly following the conditions of *dhamma* which were taught them by the Buddha earlier at Vaiśālī. When Venerable Ānanda replied "yes", the Lord Buddha urged the importance of adhering to the said noble seven conditions, and further stated that these cannot be defeated and would not decline. These conditions are referred to as the seven conditions of welfare (*satta aparihāniyā dhammā*). The question and answer relating to the sixth condition, which highlights the protection of places of worship, went as follows:

"Have you heard, Ānanda, that the Vajjians honour, respect, venerate, and do homage to the shrines, both inside (the city) and out, and that they do

not let the righteous offerings done in the past and given in the past to those shrines fall into decline?”

“I have heard that, lord”.

“As long as the Vajjians honour, respect, venerate, and do homage to the shrines, both inside (the city) and out, and do not let the righteous offerings done in the past and given in the past to those shrines fall into decline, Ānanda, their growth can be expected, not their decline” (Bhikkhu Bodhi on War and Thanissaro’s rebuttal, 2016).

Even though the surface meaning of this condition is about the necessity of paying respect to places of worship it also alludes to the seriousness of an attack to the same. The Lord Buddha explained that “as long as they (Vajjians) honour, respect, venerate, and do homage to the shrines both inside and out, they cannot be defeated by anyone.” Based on this, on the other hand, it is rational to argue that, if they disrespect or destroy these places of worship, the outcome will be hazardous. Therefore, it is clear that this idea in Buddhist philosophy throws light on IHL principles on the protection of places of worship.

The broader principle that arises from the Vajjian practice is that not only the rulers but all should pay respect, show no disrespect, and protect others’ places of worship. The condition does not discriminate between different places of worship. The reason for protecting and not damaging places of worship comes from the Buddhist attitude to all public places or common property, whether religious or non-religious. It is highlighted in the way that Buddha praised people who build public places, especially through the Suttas like *Vanaropa Sutta* (*Saṃyutta Nikāya*, SN 47). Although there is no explicit reference to the prohibition of attacking places of worships during an armed conflict, it is reasonable to argue that the said Sutta has emphasized the value of an attitudinal change in terms of recognizing, respecting and protecting the places of worship. The above idea highlights the fact that people who build places for the public will receive good karmic fruits, as such actions lead towards the happiness of many (*bahujana hitāya bahujana sukhāya*). Holistically, the same indirectly stresses the point that the destruction of such places is unacceptable at any time.

In Tibetan Buddhism, the 18 root bodhisattva vows indicate that one should not destroy any place by such means as fire, bombs, or pollution (Berzin, 2010). According to Berzin (2010), Bodhisattva vows (*byang-sems sdom-pa*) entails promising to restrain from two sets of negative acts that Buddha prohibited for those training as bodhisattvas to reach enlightenment and to be of as much benefit to others as is possible. Especially, its 10th downfall (A root downfall means a loss of the entire set of bodhisattva vows) includes intentional demolishing, bombing, or degrading the environment of a town, city, district, or countryside area, and rendering it unfit, harmful, or difficult for humans or animals to live in. In a broader sense, attacking places of worship can also be included here.

In addition, the *Mahāparinibbāna Sutta* itself refers to four places sacred to all followers of Buddhism that Buddhists should visit. Namely, the place of the

Siddhārtha's birth at Lumbini, the place of his enlightenment at Bodh Gaya, the Deer Park in Varanasi (Benares), where he supposedly preached his first sermon, and the village of Kushinara, which was recognized as the place of his *parinibbāna*. This implies how shrines are important to Buddhists and how the Buddha laid emphasis on them. Arguably, when Buddhists understand the importance of their own religious places, they will not be able to destroy any other places. Significantly, this importance and respect should not be broken due to any circumstance, including a time of war.

On the basis of this evidence, we suggest that the protection and maintenance of sacred places is part and parcel of Buddhism. This can also be seen in history related to Buddhism. When it comes to Emperor Aśoka's period especially, the above idea can be identified through his world-famous Edicts during his reign, from 268 BCE to 232 BCE. While these Edicts as a whole present the principle of non-use of force in terms of humanitarian law (Mani, 2001), they implicitly connect to the protection of places of worship of all religions as well. Especially the 12th Rock Edict is vital for the above perception. Hence, it states that, "[W]hoever praises his own religion, due to excessive devotion, and condemns others with the thought 'let me glorify my own religion', only harms his own religion" (Eric, 2015).

This 12th Rock Edict represents Aśoka's attempts to create a just and humane society after realizing the serious impact of mass destruction to religions and religious places. According to the ancient literature, in 256 BCE, Emperor Aśoka invaded Kāliṅga and perpetrated mass destruction, including destruction to places of worship. However, after witnessing the suffering that ensued during the conquest, he renounced war and turned to Buddhism and non-violence (Sinha, 2005). Therefore, what was behind his motivation to create humane reformations was Buddhism.

Discussing Aśoka's edict to pay respect to all religions, the question arises as to why, according to Buddhism, one should pay respect to or should not disrespect the religions of others. . The Buddhist answer to the above question touches the following aspects: 1) the need to see the life of other human beings as precious, as one's own life is precious. This leads to treating them and what they cherish as one would expect to be treated by others; 2) following the same rationale one could argue that because religion is one of the most cherished aspects of human life, any warring party must not harm but protect any religious place belonging to any group. One could also refer to the Buddha's open attitude to other religions, the Buddha's acceptance of the "right for any religion to exist", the Buddha's valuing freedom of thinking and his friendliness to people from other religious traditions.

When it comes to the protection of places of worship, the application of the principle of distinction is difficult due to several reasons. Taking correct but instant decisions on distinct places of worship on the battlefield is important to minimize potential damages during an armed conflict. The Buddhist teaching

known as the Noble Eightfold Path is relevant in this regard, most particularly right mindfulness (*sammā sati*) and right action (*sammā kammanta*). Hence, in terms of IHL, Right action and Right mindfulness can both be adapted during an armed conflict to distinguish places of worship from military objectives to reduce the suffering of generations due to strong social respect and emotional attachment.

5. Research Findings

This paper believes that IHL recognizes the validity of protecting places of worship during an armed conflict with some exceptions. These exceptions are interpreted differently based on the circumstances and allied factors. On the other hand, Buddhism often highlights non-violence at all times and thus, it has predominantly resulted in broader protection for all entities. Therefore, one can view these two as completely distinct streams yet, it is utmost reasonable to argue that Buddhism significantly enriches IHL specifically in the area of protecting places of worship. This enrichment can be seen in the above-highlighted suttas and Buddhist literature. This paper hence finds that there is a significant enrichment beyond a correspondence between the two fields.

6. Conclusion

Reducing suffering during an armed conflict is the most essential aim in IHL. In other words, it is a set of rules that seeks to limit the effects of armed conflict on people, including civilians, persons who are not or no longer participating in the conflict and even those who still are, such as combatants. As pointed out in this paper, there is a trend of destroying places of worship during armed conflicts with the intention of attacking to a very sentimental value of the opposing. Eliminating such incidents falls under the objectives of IHL. Although there are many international instruments to address this issue, attacks of this kind still occur during conflict situations. The paper shows how Buddhist philosophy can cooperate in this area. The Buddhist philosophy was developed before the development of IHL and thus is broader in scope. Buddhist perspectives have evolved way before principles were discussed under the Humanitarian Laws. Additionally, the application of the Buddhist principle is much broader compared to humanitarian laws. The analysis of Buddhist literature suggests that the places of worship must be protected in any circumstances and thus, implies that they should not be subjected to military necessity. The protection of places of worship, therefore, has been recognized under both humanitarian laws and Buddhist principles. Therefore, Buddhist principles are capable of enriching IHL but creating a space for further constructive discussion about its implementation. To conclude, the king's example in the *Cakkavatti-sihanāda Sutta* suggests that *dharma* guides all: the ruler, citizens as well as the army' and thus, this can be treated as a means to enrich the existing philosophical foundations of international Humanitarian Law.

Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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