

## SOVEREIGNTY ACCORDING TO BUDDHIST CONCEPTS

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### Abstract

*Thailand's political society has widely developed whether rights or freedoms have expanded the scope of expressing political opinions including equality in choosing one's way of life both as an individual and as a group of people. Nowadays, under the sovereignty system is the most well-known term in the era of political seizures. There is the establishment itself as "sovereignty" to appoint government administrators, there is sovereignty through the supremacy of the state, with the constitution being the supreme law to govern the country. Buddhism exercises power through the Dhamma and Discipline Act or Sangha Act by the board of Sangha. There are senior monks who are responsible for administering and following the Dhamma and Discipline established by the Buddha, judging according to the principles of Dhamma and discipline such as Sammukhavinaya (verdict in the presence) Sativinaya (verdict of innocence) Amulhavinaya (verdict of past insanity) Patinnatakarana (doing according to what is admitted) Yebhuyyasika (decision according to the majority) Tassapapiyasika (inflicting a penalty on one who is at fault) Tinavattharakavinaya (procedure for covering over (as) with grass).*

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### 1. INTRODUCTION

The word "sovereignty" is now widely used in Thai political society. Besides, the meaning mentions the person or group of persons it also has an abstract meaning. According to the meaning of the Thai political system, it is the person with the highest authority according to the tradition of government in each era including the present era under the democratic form of government with the king as head of state. The word "sovereignty" is the most well-known word in the era of political seizure. There is the establishment itself as "sovereignty" to appoint government administrators and "sovereignty" [Asst. Dr. Sukhaphat Anonjarn: 2015] [1] it can also be interpreted in another sense, that is, a sovereignty which is the supreme power of the state. At the same time, the abstract meaning of "sovereignty" also means the constitution or the supreme law governing the country



which no one can violate and other laws may not be contrary to the provisions of the constitution [cited] [2].

Buddhism is the use of Dhamma as a guide for the reason, consider with wisdom, without prejudice, with a vision of self-service people, people management, administration, creativity, responsibility, ability to adjust the mood, focusing to create results and work standards, ability to decision-making skill, ability to motivate people well. Senior monks are responsible for governing the group by following the Dhamma and Discipline prescribed by the Buddha as follows: In case of monks commit a crime, the discipline will be used as the basis for the practice. For the investigation according to the discipline, it is the duty of the Phra Vinayadhara to investigate according to the principle of banishment, which is expulsion from the group or according to the rules of various laws of suppression (Niggahakama). The Vinayadhara's performance of duties is the same as that of the social courts today. Buddhism has the principle of majority vote, that is, using the majority vote as a decision-making is called Sammukhavinaya (verdict in the presence). It means all parties involved come to a meeting together to bring issues to discuss and find a solution and justice. The key point is "justice" has implications that should be studied strongly. justice or injustice depends on the characteristics and role of the quorum. Sativinaya (verdict of innocence), the monks in this discipline accused a monk of such major offenses or close to major offenses, can the old man remember that he was subjected to such major offenses or close to major offenses? Amulhavinaya (verdict of past insanity) the monks in this discipline accused a monk of such major offenses or close to major offenses, can the old man remember that he was subjected to such major offenses or close to major offenses? Monks answer that old people I cannot remember that I am subjected to such major offenses, that is, major offenses or close to major offenses. Patinnatakarana (doing according to what is admitted), moks in this discipline accused or not to be accused it can remember and reveal the offense you should go to see an older monk, wrap the robe across one shoulder, then pray respect to his feet and sit on tiptoes to support worship and say to that monk that blessed lord I have to commit an offense by this name and declare the offense back. Yebhuyyasika (decision according to the majority), in this method, the person in charge of the suspension must understand how to vote and make sure that most of the committees are not Agati 4 (prejudice) consisting of unprejudiced caused by love or desire, unprejudiced caused by hatred or enmity, unprejudiced caused by delusion or stupidity, unprejudiced caused by fear. Tassapapiyasika (inflicting a penalty on one who is at fault), the suspension of matters occurring in this way will be done in cases where the accused or the accused silly prevaricate, no certainty. Tinavattharakavinaya (procedure for covering over (as) with grass) 1) not a serious offense or also known as heavy penalties 2) not about the layman in the third person, not about the Sangha 3) those who come to represent the defendant must



not disagree with each other 4) the accused and the other party must be present together [V.Bhikkhuni. [Thai] 3:44-45] [3].

In conclusion, sovereignty is a system of government that has a constitution or the supreme law to rule the country. The trial of offenses shall be in accordance with the principles of administrative administration, with the administrator, the judge, and the courts. In Buddhism, the Buddha establishes it as a system of government for the monk. There are decisions as follows; it also means the constitution or the supreme law in governing the country.

## 2. THE MEANING OF SOVEREIGNTY

An English philosopher says that law is a sovereign order whether earning power through constitutional means or outside the constitutional way, laws are issued to govern the country. The authority commands an order to those under his or her authority to act or refrain, do not take any action if anyone does not follow, he/she shall be punished [John Austin:[4] [1954. Prasit Kovilaikpool explains the word "law is the regulations of the sovereignty that determine the behavior of human beings, if you do not follow it, you will be punished". This law can explain the nature and purpose of such statements as the law is built by a human being, established for the purpose of protection, advocacy, and preservation of rights and civil liberties, fundamental human rights in order to maintain public peace, to live together and right livelihood, peaceful co-existence. In other words, it is also a tool to develop the country in various fields, creating justice and equality in society to achieve the objectives of the rule of law [Prasit Kovilaikpool: 2011] [5]. Royal Institute Dictionary 1982 implies that law is the rule that the institution or the highest authority in the state enacts that occurs from respected customs for use in the administration of the country to force individuals to comply or to establish the rules of relations between individuals or between individuals and the state [Royal Institute Dictionary: 1982] [6]. Sir Paul Vinogradoff gives the meaning of the law as the rules and regulations of conduct established and forced by sovereignty [Sir Paul Vinogradoff: 2515] [7]

In conclusion, sovereignty is seeking power through constitutional means or outside the constitutional way by issuing laws to govern the country. The authority commands an order to those under his or her authority to act or refrain, not take any action if anyone does not follow, he/she shall be punished

## 3. THE MEANING OF SOVEREIGNTY ACCORDING TO BUDDHISM CONCEPTS

Buddhist political science is the study of political science that appears in the teaching of Buddhism but the teachings of Buddhism are not the science of politics and government directly therefore, there is no specific political theory. But it is a moral and ethical teaching that both authority and under authority must behave in order to receive the highest benefit of coexistence at the level of individuals, groups, organizations, societies, countries, nations, and humanity as a



whole. The study of political science according to Buddhism is therefore studied by defining a conceptual framework based on existing doctrines in Buddhism that are consistent with political science principles.

Royal Institute Dictionary explained that “monarchy” derives from Raja+Adhipateya. In the Pali language, monarchy means a system of government with a king as the head. [Royal Institute: 2003] [8]. Buddhism compares the characteristics of politics and government as follows: A monarchy is a political system in which the monarch has absolute power which is called an absolute monarchy, the head of the monarchy. A king is an absolute monarchy, he shares some characteristics as sovereignty. If any person is to be elected, it must be a person in the line of succession. An example of succession to the throne, the Japanese constitution before World War II identified that the title of emperor was inherited from one’s ancestors and passed down to the emperor’s descendants. Buddhism compares characteristics of politics and government as follows [Jarun Suphap and Rungphong Chainam: 1984] [9]. Among human beings, whoever is appointed as the chief if a person behaves unfairly, people also behave unfairly as well. If the king is not based in Dhamma, people also are suffering. When the cows cross the river if the leader of the cow goes straight, all cows followed one another when the leader of the cow goes straight, human beings are also the same. Whoever is appointed as the chief if that person behaves righteously, and people also behave righteously. If the king is in Dhamma, people are happy [A. [Thai] 21/70/115-116] [10]. From the comparison above, it can be seen that when the king rules the country by injustice, he oppresses the merchant and hunters who know the boundaries of execution well, soldiers who do the right thing in war, a bureaucratic elite who is glorious, the monk who seeks you, virtuous person, etc. namely a king who is not based in Dhamma, will not be popular with people, stray from heaven. when the king rules the country by justice, he does not oppress the merchant and hunters who know the boundaries of execution well, soldiers who do the right thing in war, a bureaucratic elite who is glorious, the monk who seeks you, a virtuous person, etc. Namely, a king who is based in Dhamma, will be popular with people, and ascend to heaven [Kh. [Thai] 28/168/31] [11].

Leadership quality is a key factor in achieving the organization’s objectives, leadership ability, and characteristics. Scholars and administrators discuss the quality and characteristics of leaders as follows, executives will perform their duties successfully if there are three characteristics as the Buddha said in Dutiya-Papanikasutara 1) Cakkhuma means wisdom and foresight for example if a merchant or business executive must know which products are cheap, then sell it where it will be expensive. Nowadays, you need to know whether the stock will go up or fall. If it is a general administrator must be able to plan and be smart in using people. This first characteristic corresponds to the English word “Conceptual Skill” it is proficiency in using 2) Vidhuro means well-organization, having specific expertise



such as Diamond dealers must be able to tell if they are real diamonds or fake diamonds. The chief surgeon must specialize in surgery. This second characteristic corresponds to the term “Technical Skill” which is technical proficiency 3) Nissayasampanno means relies on others because he/she is a person with good human relations such as a merchant travels to other cities to trade and has friends in that city, supporting housing or lending money because of good credit. A good administrator must be able to hold people’s hearts. This third characteristic is very important “Birds have no feathers, people have no friends, they can’t go up high”. This point corresponds to the word “Human Relation Skill” which is expertise in human relations [Phra Dhammakosajara [Prayoon Dhammajitto] [Pali level 9, Ph.D.:1996] [12].

In conclusion, sovereignty according to Buddhist concepts is used to rule the Dhamma with reason, consider wisdom, without prejudice, a vision of self-service people, people management, administration, creating results and work standards, decision-making ability, and the ability to motivate people well.

#### 4. POWER OF SOVEREIGNTY ACCORDING TO BUDDHISM CONCEPTS

##### Power of Buddhist monks’ sovereignty

Dhamma and Discipline are the supreme law or law of Buddhism. It is similar to democracy in that the constitution is the supreme law of the country. That is to say, the Dhamma, which is the doctrine and the discipline, which is the principle that controls the behavior that the Buddha said to Anandha, (the younger of Buddha) before passing away as follows; “Yo Vo Anandha Maya Dhammo Ca Dhesito Pannatto So Vo Macucayene Satatha”. Look Anandha!, Dhamma, and discipline that the Buddha has given the sermon, predetermined, those Dhamma and discipline will be your teacher [D. [Thai] 10/163] [13] after the Buddha passes away”. This is to allow the Buddhist company to adhere to the Dhamma and discipline as the principle in their conduct, which will create the rightness for the group or society in the future. Buddhism adheres to the principles of equality under the Dhamma and discipline. It is comparable to citizens in a democratic society with rights, freedom, and equality under the provisions of the constitution. This is because, in ancient Jambul Dwipa, or Indian society, there is a caste system that causes people to lack the right to freedom of occupation. The monopoly of the ruling elite and the oppression of the lower castes deprived people of justice in society. The Buddha understands that cause, so he allows people who come to be ordained as monks in Buddhism and Buddhists to have equality under the Dhamma and discipline. The disciplinary rule is followed by the Buddhists, and respect each other according to seniority, and according to the Buddhist discipline, there is a majority vote, that is, using the majority vote as a criterion for decision-making is called Sammukhavinaya (verdict in the presence) Sativinaya (verdict of innocence) Amulhavinaya (verdict of past insanity) Patinnatakarana (doing according to what is



admitted) Yebhuayasika (decision according to the majority) Tassapapiyasika (inflicting a penalty on one who is at fault) Tinavattharakavinaya (procedure for covering over (as) with grass) [V. Bhikkhuni [Thai] 3,44-45] [14]. Decision-making by majority vote, any party that receives majority votes in support of all parties should hold it as a practice. Criteria for the exercise of administrative or judicial power must not be contrary to the Buddhist teachings that characterize religion as a middle path, namely; Majjhima patipada (the middle path). It may be treated quite strictly by using the right to seek gain as allowed later to be called Vibhajjavadi, it is a factual classification, and in some cases, it may be confirmed in part. Some cases may be classified on a case-by-case basis [Amon Sophonwicheitwong and Kawi Ussawonwan: 1991][15]

In conclusion, Buddhism adheres to the principle of equality under the Dhamma and discipline. Discipline is the power of the aristocracy or sangha constitution. Disciplined senior executives are for the sake of prosperity and stability in management and development. It will help in keeping up with what is needed.

## 5. THE SOVEREIGNTY POWER IN GOVERNMENT

Model of sovereignty, the organization exercises its sovereign power through the legislative, administrative, and judicial department which performs various functions according to the theory of sovereignty. There is a form of sovereignty that may be considered separately as follows [Witsanu Kruengam cited in footnote 2] [16] In the case of a single organization exercising sovereign power in the case of a single organization exercising all three powers, namely legislative power, administrative power, and judicial power or in other words, the three powers are combined together without any separation of powers. The result is, the ruled people have absolutely no guarantees because the rulers may be oppressed and there will be no other organizations or others to oppose, which is not different from the administration in an absolute monarchy. In some cases, the legislation and administration are exercised by the same organization. Those who have suffered are the people. Because the administration has a duty to act according to the law or follow the law that the legislation has come into force, it has more power. That is to say, the administration will propose laws as they wish according to their satisfaction. Because the law is proposed to the legislation, and it must comply with what the administration proposes every time. Because the administrative and legislative powers are the same organization, it is certain that the law issued in such a way as to the satisfaction of the administration will become absolute parliamentary. In case the administrative and judicial powers are exercised by the same organization, in case the administrative and judicial powers are exercised by the same organization, those who have suffered must be the people themselves. Because no matter what the administration does whether it is correct or wrong from the provision of the law, the judiciary is responsible for deciding cases and



will ensure that the administration is doing the right thing every time. The party that decides justice in the state will not become a police state [Janjira lammayura: 2004] [17].

In conclusion, the use of sovereign power in government through legislation, administration, and judiciary, acts according to the provisions. There is a separate consideration of the form of exercising sovereignty to ensure justice to the user and the person exercising it.

### 6. NEW EXPLICIT KNOWLEDGE

The knowledge of ruling the Sangha according to the Dhamma and discipline is the highest regulation of Buddhism. The power of the Sangha was used like this; Sammukhavinaya (verdict in the presence) Sativinaya (verdict of innocence) Amulhavinaya (verdict of past insanity) Patinnatakarana (doing according to what is admitted) Yebhuyyasika (decision according to the majority) Tassapapiyasika (inflicting a penalty on one who is at fault) Tinavattharakavinaya (procedure for covering over (as) with grass). A disciplinary rule can lead to being a good role model for society. The monarchy in government, gains power through a constitutional way or outside the constitution, issuing laws to govern the country. A superior commands an order to those under his or her authority to act or refrain, do not take any action if anyone does not comply, he/she shall be punished.

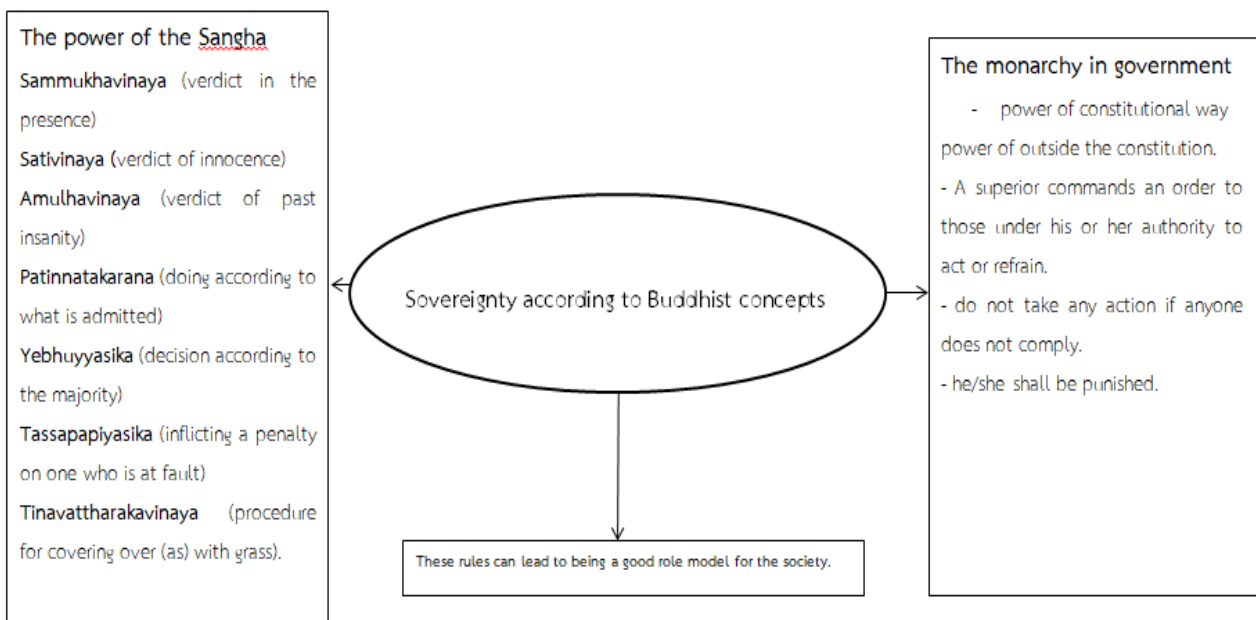


Figure 1 New explicit knowledge

## 7. CONCLUSION

Buddhism adheres to the principle of equality under the Dhamma and discipline, freedom, and equality under Buddhist law. It is comparable to citizens in a democratic society with rights, freedom, and equality under the provisions of the constitution, exercise the power through the administrative system, and exercise power by the same organization. Those who have suffered are the people. Because the administration has a duty to act according to the law or follow the law that the legislation has come into force, it has more power. That is to say, the administration will propose laws as they wish according to their satisfaction. The legislation exercises its power to make laws and the judiciary is the power to administer justice to all people in order to achieve peace in life. It is the duty of the state to maintain justice according to the law. The performance of the state duties is the duty of the courts which have the jurisdiction to try and adjudicate cases and in other words, the courts exercise judicial power.

### BIBLIOGRAPHY

- [1] Asst. Dr. Sukhaphat Anonjarn, (2015). Sovereignty and Buddhism in Thailand. Journal of Srilangchang review. Vol 1 No 1 (January – June 2015).
- [2] Asst. Dr. Sukhaphat Anonjarn, (2015). Sovereignty and Buddhism in Thailand. Journal of Srilangchang review. Vol 1 No 1 (January – June 2015).
- [3] V.Bhikkhuni. [Thai] 3:44-45] cited in Mahachulalongkornrajavidyalaya. (1996). Thai Tipitaka: Thai Version. Bangkok: Mahachulalongkornrajavidyalaya University Press
- [4] John Austin. The Province of Jurisprudence determine, ed. H.L. A. Hart. (London, 1954)
- [5] Prasit Kovilaikpool, (2011). Public Sphere. Bangkok: Nititham Publication.
- [6] Royal Institute Dictionary, (1982). Bangkok: Aksorn Charoen Tat Co, Ltd.
- [7] Sir Paul Vinogradoff. (2515). Common Sense in Law, translated by Kamthorn Chitkhongthai, Jurisprudent knowledge. Vol.1, National Research Council of Thailand (NRCT).
- [8] Royal Institute. (2003). Royal institute Dictionary 1999. Bangkok: Nanmebook Co, Ltd.
- [9] Jarun Suphap and Rungphong Chainam. (1984). The unit on the monarchy in the course teaches documents, Thai political institutions, and processes. Politics Department, Sukhothai Thammathirat University. Bangkok: Nam Gang Printing Limited Partnership.
- [10] A. [Thai] 21/70/115-116 cited in Mahachulalongkornrajavidyalaya. (1996). Thai Tipitaka: Thai Version. Bangkok: Mahachulalongkornrajavidyalaya University Press





- [11] Kh. [Thai] 28/168/31 cited in Mahachulalongkornrajavidyalaya. (1996). Thai Tipitaka: Thai Version. Bangkok: Mahachulalongkornrajavidyalaya University Press
- [12] Phra Dhammakosajara [Prayoon Dhammajitto] [Pali level 9, Ph.D. (1996). The Buddhist way of administration. Bangkok: Mahachulalongkornrajavidyalaya University.
- [13] D. [Thai] 10/163 cited in Mahachulalongkornrajavidyalaya. (1996). Thai Tipitaka: Thai Version. Bangkok: Mahachulalongkornrajavidyalaya University Press
- [14] V. Bhikkhuni [Thai] 3/44-45 cited in
- [15] Amon Sophonwicheetwong and Kawi Ussawonwan. (1991). Buddhism. Bangkok: Watana Panich Publishing.
- [16] Witsanu Kruengam. The rule of law and country administration. Journal of constitution No.17 Vol. 50 (May-August 2015)
- [17] Janjira Iammayura. (2004). Textbook "Introduction to public law on basic principles of public law" Topic 1. Sovereignty theory 2) Legal state series "Department of Public Law, Faculty of Law, Thammasat University.