

BHUTAN: POLITICAL REFORM IN A BUDDHIST MONARCHY

Thierry Mathou, March 1999*

The Fifteenth Day of the Fourth Month of the Year of the Male Earth Tiger, corresponding to 10th June 1998, will probably stay as a milestone date in Bhutan's modern history. HM Jigme Singye Wangchuck, the fourth King of Bhutan, known to his subjects as the *Druk Gyalpo*, has issued a *kasho* (royal edict) that could bring profound changes in the kingdom's everyday life. By devolving full executive powers to an elected cabinet, the authority of which will be defined by the National Assembly during its 1999 session, and introducing the principle of his own political responsibility, the King has opened a new page in Himalayan politics.

Although being a small country which has always been very cautious on the international scene, Bhutan, as a buffer state, nested in the heart of the Himalayas, between India and China, has a strategic position in a region where the divisive forces of communalism are vivid. The kingdom, which has long stayed out of the influence of such forces, is now facing potential difficulties with the aftermath of the so called ngolop¹ issue and the impact of ULFA-Bodo activity across the border with India, that threatens its political stability and internal security. The process of change in Bhutan is not meant to fit in any regional model that could be inspired by Indian or Nepalese politics. However there is a clear interaction between national and regional politics. Whatever happens on the internal political scene, can have repercussions outside the kingdom, and vice-versa². As a

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genuine Buddhist kingdom, which has chosen a unique path towards development, Bhutan, while preserving its cultural heritage, has to meet new and specific challenges that relate not only to social and economic factors, but also to a broader approach of development that includes political changes. In order to understand the rationale and the impact of the current reform, we must place it in its historical, economic, social and cultural context.

The process of change

Even if many Bhutanese, including civil servants and members of the National Assembly have been most stricken by the suddenness and the amplitude of the changes introduced by the King³, the reform must not come as a surprise to close observers of Bhutan's modern history. On the contrary, it can be considered as a new and logical step in an ambitious program of guided political, economic and administrative change, which was initiated by the former *Druk Gyalpo* back in the mid- 1950s. It should also be noted that contrary to most countries where monarchy is assimilated to immobility, the Bhutanese monarchy has always been the leading force of change. The history of modernisation in Bhutan can be broadly divided into two phases that correspond to the rule of the last two kings, including the present one.

The third *Druk Gyalpo*, HM Jigme Dorji Wangchuck, (1952-1972) was the architect of modern Bhutan⁴. His rule has been dedicated to reform and restructuring of the existing political and economic system to allow the kingdom, in a world that was changing rapidly outside, to adapt to new challenges. As far as institutions were concerned, he separated the judiciary from the executive by establishing a High Court and re-organised the judicial system on modern lines. After creating the *Tshogdu* (National Assembly) in 1953, he progressively increased its role and powers. In 1965, the King also established the *Lodoi Tshogde* (Royal Advisory Council) and in 1968, he created what became the first

council of ministers in Bhutan. Major social and economic reforms were also introduced by the third *Druk Gyalpo*. After abolishing serfdom and promoting a land reform in 1952, HM Jigme Dorji Wangchuck developed a mass education system that became one of the key element of further development process. This system has been able to generate a highly educated and qualified bureaucracy that forms the core of the modern ruling elite. Thanks to the financial support of India, Bhutan also managed to organise a very efficient planning system that allowed the country to meet ambitious objectives. Under the first Five-Year Plan (1961-66) priority was given to the creation of basic infrastructural facilities like roads, power, communication system, transports, agriculture and animal husbandry. The second Five-Year Plan (1966-71) was the occasion of further development in agriculture and education but also in national health.

The fourth *Druk Gyalpo*, HM Jigme Singye Wangchuck, since his accession to the throne in 1972, has followed the same path left by the former king. During the past twenty seven years, the Bhutanese economy has undergone dramatic structural changes evinced by the export of electricity, one of the most significant natural resources of the country. The monetized sector has grown rapidly. Social indicators have improved significantly. The expansion of basic health services and primary health care throughout the kingdom has had a major impact on the overall health and well-being of the population. Life expectancy has risen from 37 years in 1960 to 66 years in 1994. Achievements in education have also been impressive, with more than 80% of primary age children in school. At the same time, Bhutan has adopted a cautious but constructive policy of participation in international affairs and socio-economic co-operation with the outside world. Eventually, one of the most significant systemic reform introduced under the present king has been the decentralisation of administration initiated in 1981 through the establishment of 20 District Development Committees (*Dzongkhag Yargye Tshochung* or DYT) followed by further decentralisation to the block (*Gewog*) level in 1991 with the

introduction of 202 Block Development Committees (*Gewog Yargye Tshogchung* or GYT). The King has been keen in strengthening these local institutions that enhanced the capacity of traditional local fora by developing people's participation in the socio-economic decision process.

In formulating national goals and policies not only on the basis of socio-economic progress but also by taking in account less quantifiable factors like emotional and spiritual well-being of the people, the King, who has proposed to promote the concept of Gross National Happiness (GNH) instead of Gross Domestic Product (GDP), has made an explicit commitment to preserve Bhutan's cultural heritage and natural environment. Although this choice has given Bhutan a unique opportunity to view modern advancement in the context of genuine sustainable human development rather than just income growth, the kingdom has not escaped from patterns that usually come with development. Spread of education on modern lines, foreign travel, influence of western behaviours, improved communications, modernised economy have transformed Bhutan's social structure. At this point of its modernisation process, the kingdom is ready to embark into further political reforms.

Political consciousness has always been very low among the general Bhutanese populace. The politicisation process that had significant impact on large sections of Indian and Nepalese population, had not mobilised Bhutanese crowds, except for Nepali Bhutanese in the southern districts. This situation has been the result of various factors. Bhutan's ability to insulate itself over many decades from the influence of social and political forces that dominated South Asia, has been decisive. Also determinant has been the low level of education of the average population which priorities clearly stand out of the political sphere. The existence of a ruling elite, largely unchallenged by adverse forces, and willing to keep the initiative leadership as far as modernisation is concerned, has prevented the emergence of organised factional politics. Eventually, consensus politics, which is one

of the major characteristics of Bhutanese traditional society, have provided little scope for popular participation in the decision making process, apart from organised decentralisation⁵.

While the modernisation process is going on in the socio-economic sphere, all these traditional factors are becoming less relevant, even if they still keep some importance. As already stated, Bhutan, once the most isolated country in the world, has decided, in the early 1960s to open to the world⁴. Although it only made cautious and calculated moves to enlarge its approach to the international scene, the growth of diplomacy has already affected Bhutan's social and political life. Today, the kingdom maintains diplomatic relations with 18 countries and has 6 missions abroad. It has joined more than 150 international organisations, including the United Nations⁶. Only India and Bangladesh have embassies in Thimphu, but more than 50 international agencies are involved in development projects in Bhutan. Such evolution had many repercussions both on the government itself and on the population.

As far as the government (the monarchy and the bureaucracy) is concerned, ideological influence coming from abroad is an interesting subject to consider. One should first notice that global political concepts like socialism or liberalism are totally irrelevant to Bhutanese politics. The fact that Bhutan is in contact with these concepts through new channels of communication like embassies and programmes of co-operation, has not changed anything. Political behaviours in the kingdom have always been difficult to relate to pre-determined patterns. Because the Buddhist theocratic tradition prevailing before the establishment of monarchy, provided little ideological support to the new regime other than religious principles, there has been no apparent dominant political ideology in modern Bhutan. This does not mean however that ideological considerations cannot be used to describe new political behaviours. The monarchy, under the leadership of the present King has

developed a very articulated policy based on decentralisation and protection of national identity. In some respect, this policy has been theorised through the concept of Gross National Happiness which proclaimed objectives are the preservation of cultural heritage and natural environment, the development of human resources, and the nation's financial self sufficiency. This policy is inspired by traditional principles like conciliation, pragmatism and compassion. The welfare of the public is a modern version of Buddhist doctrine's (fundamental need for harmony in human relations)ⁱⁱ. If not ideological in a western sense, such approach is providing a coherent political basis to the regime, which is rather new to Bhutan⁷.

Although there is a certain degree of incompatibility between the western derived rhetoric relating to politicisation and Bhutanese practice, since the former may be irrelevant to the latter, we can assume that the development of a (look-like) nationalist ideology in Bhutan is the first step of a broader politicisation process which will have influence in all sectors of the society. Such a process will probably generate its pros and cons. Education has already introduced major changes, particularly among young Bhutanese who are absorbed into both the national system and the international mainstream. While the ancient elite had been socialised under traditional cultural principles, a growing number of young Bhutanese are educated abroad. The impact among young generations of western influence⁸, even minor, could be a challenge to the national ideology that needs to be addressed on the political level. The creation of opposition political parties in exile, even limited to an ethnic context, has also to be addressed. The introduction of a new government system is the occasion to encourage and prepare the people, especially youngsters, to participate in the decision making process in order to enlarge the base of government.

The content of the reform

The Bhutanese monarchy has always been very flexible in its attitude towards political structures. Pragmatism and a predilection for gradualism seem to be the main characteristics of its approach. In this respect, the current reform is coherent with previous changes that have occurred in the kingdom since the early 1960s. It not only represents a significant step in the process of adapting political structures to new challenges, but it also strengthens some aspects of tradition by refusing to comply with any international standard. We could discuss at length about the Bhutanese regime's nature. Most observers will be tempted to describe the current reform as a move from an absolute monarchy towards a constitutional monarchy. Both attributes, when used to describe monarchical systems in the West, have specific meanings. None of them however seems to correspond to the Bhutanese system which is best described as a "Buddhist monarchy", assuming that such a category, if not totally consistent in terms of western constitutional criteria, is borrowing from many different models including democracy. As presented in the King's *kasho*, the constitutional reform adopted by the National Assembly during its last session is three-fold.

Structure and designation of the Lhengye Zhungtshog (Cabinet)⁹

Two different aspects of the reform must be considered under this heading. The first one is new to Bhutan, while the second is more traditional in its content. From now on, Bhutanese ministers (*lyonpos*) will not be appointed by the King. They will be voted in by the National Assembly. An executive body called *Lhengye Zhungtshog* (Cabinet) will henceforth comprise of elected ministers (Co-ordination Committee) and the members of the Royal Advisory Council (*Lodoi Tshogde*) who are themselves elected or designated under specific rules¹⁰.

The idea of electing ministers came as a surprise to most Bhutanese who are not familiar with such a concept¹¹. Before the reform, ministers were appointed by the King who had the discretion to remove them at any time. The National Assembly had the capacity to approve their appointment by a simple majority vote on the recommendation of the King, and to force the resignation of any of them by a two-thirds vote of no-confidence. These powers however were largely theoretical. The Tshogdu has never challenged the King's choice, neither has it forced a minister to resign. Although answerable to the National Assembly, ministers were mainly responsible to the King himself.

The National Assembly endorsed the reform proposed by the King only after vigorous deliberation among the members. Considering that an election process could result in partiality, vested interests, corruption and divisive politics, most of them defended the status quo. A consensus was eventually reached assuming that the King would keep some of his former prerogatives. Under the new system, the *Druk Gyalpo* has first to short-list¹² and to nominate the candidates for the Co-ordination Committee of the Council of Ministers, along with their portfolios, before the election. Candidates have to be selected from among persons who have held senior government posts at the rank of secretary to the Royal Government or above. It is then up to the National Assembly members to elect or reject the nominees by casting their votes through secret ballot. According to the King's *kasho*: "Cabinet ministers should serve for a term of five years after which they should face a vote of confidence in the *Tshogdu Chhenmo*"ⁱⁱⁱ.

Following the endorsement of the King's proposition, the members of the National Assembly elected six cabinet ministers nominated by the *Druk Gyalpo*¹³. All of them secured a large majority of the votes cast. Votes against the nominees ranged between 4 and 20 members of the Assembly among a total of 140. If not significant in terms of opposition to the King's choice, such result gives credibility to the overall

procedure. In the future, in the event a nominee would happen to fail to secure a majority of the votes cast, the King will have to propose a new candidate. Although not realistic in the present context, such an evolution could be a decisive step in the politicisation process of the National Assembly. As stated by many members of the *Tshogdu* during its 76th session: "power and responsibility go hand in hand". Giving to the National Assembly the power to elect ministers, even on a pre-selected short list base, will introduce a larger sense of political responsibility among its members. For that reason, the current reform must be seen as a follow up to the process of modernisation of the Assembly already initiated many years ago by the former King. The *Tshogdu*, which has emerged as a key player in the Bhutanese political system, is largely conservative. Being directly involved in the designation process of the Council of Ministers will not change its attitude towards fundamental political issues. However, it could force it to adopt a new perspective. Considering that the *Tshogdu*, in the future, will be probably more involved in national politics, not only as a traditional forum of discussion but more and more as a western type Parliament, the election of cabinet ministers could be a prelude to further reforms within the National Assembly itself.

As far as the structure of the Cabinet is concerned, the reviving of a large horizontal executive body is a clear sign of cultural tradition prevalence in Bhutanese politics. It is also a way to introduce checks and balances within the executive branch itself.

Two different structures would have been possible for the new Cabinet. One is the proposed form of the *Lhengye Zhungtshog* with the members of the Royal Advisory Council (*Lodoi Tshogde*) in it. The other would have been a smaller and somewhat more cohesive committee consisting only of ministers, with the *Lodoi Tshogde* staying a consultative body, separated from the Cabinet. Bhutan has already experienced both structures. The *Lhungye Shungtshog* then

translated as "State Committee"^{iv} created after the establishment of the first council of ministers in 1968, consisted of the ministers, the *Lodoi Tshogde* members and the speaker of the *Tshogdu*¹⁴. Although not formally abolished, this body ceased to meet when a co-ordination committee consisting primarily of ministers and high ranking officers with executive responsibilities, was created in 1975^v. This tendency was confirmed with the development of central administrative structures and the extension of ministers' authority. A cabinet consisting only of ministers under the leadership of the King, has progressively become the core of the executive branch. In the chart presented in September 1996 in the Eight Five-Year main document, the *Lodoi Tshogde* is not mentioned as a part of the executive branch, but as an advisory body distinct from the Cabinet which is assimilated to the Council of Ministers^{vi}.

Such a small structure with elected members would have been very close to a western type cabinet, but the inclusion of the *Lodoi Tshogde* in a larger body can be seen as a typical Bhutanese structure. Although the *Lodoi Tshogde* was formally introduced in the mid 1960s as an advisory body to the King, its history can be traced back to the State Council (*Lhungye Tsok*) that was created in 1651 by the first *Shabdrung*¹⁵. The principle of tripartite participation involving representatives of the people, the administration, and the monk body, which is prevalent in all Bhutanese traditional political bodies, is a balance to the bureaucratic structure of the committee of elected ministers. Having in the same body high ranking civil servants who made all their careers in the administration, former *chimis* (elected members of the National Assembly) who also had responsibilities at the village and the block levels, businessmen and monks, is a good way to give opportunity to various channels of influence, representing the diversity of the society, to participate in the decision making process.

Devolution of executive powers of governance to the Council of Ministers

The *kasho* and the minutes of the Assembly do not provide clear evidence about which of the two executive bodies (the Co-ordination-Committee or the *Lhengye Zhungtshog*) will formally be vested with full executive powers. According to the *Kasho's* wording¹⁶, devolution is apparently proposed in favour of the Co-ordination Committee (elected ministers alone) and not in favour of the *Lhengye Zhungtshog* (Cabinet) as a global body. Assuming that there was an initial confusion about the exact meaning of the terms (Cabinet), and (Council of Ministers), this interpretation is not conclusive. Moreover, if *Lodoi Tshogde* members are supposed to fully participate in the executive function, as it is implied by the translation of *Lhengye Zhungtshog* by the term of (Cabinet), such an interpretation is in contradiction with the fact that decisions adopted by the *Lhengye Zhungtshog* will be based on consensus. In that case the whole *Lhengye Zhungtshog* (Cabinet) should be vested of executive powers. Although acceptable in theory, this solution is difficult to implement. It could result into criticism equivalent to those that led to the replacement of the old State Committee, back in the early 1970s, by a smaller body. Such a structure could complicate the functioning of governance in some respect. Confusing the division of powers and responsibilities between a consultative body (the *Lodoi Tshogde*) and an executive body (the Co-ordination Committee) could cause some problems. On the contrary, if powers of governance are devolved only on the elected ministers, the conduct of executive functions would be easier.

Discussing this issue is interesting in terms of constitutional law. However, such a debate is rather academic. The powers and functioning of the *Lhengye Zhungtshog* have still to be defined. The *kasho* provides that (a decision should be taken on the role and responsibilities of the *Lhengye Zhungtshog*). A constitutional committee comprising of 36 members¹⁷ representing the people of the 20 Dzongkhags, the clergy and

the government, has been charged by the King to prepare a *chathrim* (rules and regulations) that will be presented for enactment by the National Assembly during its 77th session in the summer of 1999. One of its major tasks is to define the role and the responsibility of the *Lhengye Zhungtshog*.

The solution will be probably to present *the Lhengye Zhungtshog* as a global executive committee, like the former State Committee used to be, but in a rather more modern form. Since the adoption of the reform in July 1998, the *Lhengye Zhungtshog* has only met a few times, on once a month basis, while the Co-ordination Committee meets every Tuesday. It seems that while the latter would be in charge of everyday governance, the former would deal with more global and systemic issues like economic and social reforms recommended or approved by the National Assembly, or proposed by the Co-ordination Committee. Security and sovereignty matters would also be discussed within the *Lhengye Zhungtshog*¹⁸. Reviving such a structure is coherent with Bhutanese tradition. Establishing a cabinet, larger than the committee of elected ministers itself can prevent some of the potentially disruptive consequences of the election of ministers, to destabilise the executive branch. Implicating more directly the members of the *Lodoi Tshogde* in the governance activity is an interesting idea. However, a clear balance will have to be defined within the *Lhengye Zhungtshog* itself, between consultative deliberations and formal executive decisions. Considering that the Bhutanese system does not follow western institutional lines, we can assume that the *chathrim*, while defining some general principles, will not give all the answers as far as rules and regulations of the *Lhengye Zhungtshog* are concerned. Bhutanese politics have always been functioning along informal lines. Tradition and practice will have to fill in the blanks left by constitutional texts. As far as devolution of executive powers is concerned, a compromise solution could be to consider that such powers formally belong to the *Lhengye Zhungtshog* that delegates its competence to the Co-ordination Committee.

Whatever be the final articulation between elected ministers and *Lodoi Tshogde* members, the devolution of full executive powers of governance by the King is a very significant change in Bhutanese politics. Since the establishment of the monarchy in 1907, the King, who has been both Head of State and Head of Government, had been vested with all the executive powers. He has also shared with the National Assembly the legislative power. According to the *Thrimzhang Chhenmo* (Supreme Law) that was enacted in 1957, the King's *kashos* (edicts) and *kadyons* (ordinances) are even above the law enacted by the *Tshogdu*.

How large will be the devolution of powers has still to be seen. The King's reply to the conservative arguments presented during the *Tshogdu's* deliberation about the reform is in favour of a large devolution. Although many *chimis* pleaded for the King to keep the chairmanship of the Cabinet, the *Druk Gyalpo* insisted on renouncing his function of Head of Government. Neither he accepted to appoint a member of the royal family as the chairman of the *Lhengye Zhungtshog* as suggested by some members of the Assembly¹⁹. Henceforth it has been decided that the chairmanship of the *Lhengye Zhungtshog* will be assumed by elected ministers on a one year term rotational basis²⁰. Without any experience in prime ministership or any approaching form of government²¹, Bhutan will have to go through a transitional period. As reported by Kuensel^{vi}, new cabinet ministers, during the ceremony of devolution of executive powers, submitted to the King that they could seek his guidance from time to time. Although the *Druk Gyalpo* made clear that he had "no intention to indirectly control the functions of the *Lhengye Zhungtshog* and that members of the Cabinet must instead work closely together to strengthen the efficiency of the government and provide good governance to the country", it is clear that the Council of Ministers will have to adjust to a rather new situation²². As stated by a Bhutanese popular saying frequently used by members of the National Assembly referring to this situation, "chickens do not go without a mother hen". Cabinet members, even unwillingly, will have to

learn to emancipate from the King's guidance. It might be a rather long process. This does not mean that the King will lose all kind of influence over the Cabinet. As stated by the new chairman of the Council of Ministers: "while His Majesty would not be present in person at the meetings of the *Lhengye Zhungtshog*, the Cabinet members would continue to be guided by His Majesty in spirit and would depend on his moral support in dealing with issues beyond their understanding"^{viii}. Such a statement is not pure rhetoric. Assuming that "the command of the King is heavier than the mountain and more precious than gold"²³, the devolution of executive powers to the Cabinet will not change by itself the way Bhutanese, including Cabinet members, consider the *Druk Gyalpo*. While the King had not necessarily to refer to a political ideology because his legitimacy was not in question, the *Lhengye Zhungtshog* will certainly have to justify its fidelity to the monarchy, in order to strengthen its authority vis-à-vis the National Assembly. It is clear that new cabinet members who pledged their allegiance to the Tsa-Wa-Sum (the King, the Country, the People) and to the Bhutanese system will keep the King's action as a permanent reference.

While the Cabinet shall be vested with full executive powers, the *Kasho* provides that "it must also keep the *Druk Gyalpo* fully informed on all matters that concern the security and sovereignty of the kingdom"^{ix}. As the Head of State, the King has a high and natural responsibility as far as national security and sovereignty are concerned. The Royal Bhutan Army has always been administrated directly by the King through the Chief Operations Officer and not from the Cabinet²⁴. The current reform is not meant to change anything in that situation. The *Druk Gyalpo* has claimed the full responsibility of solving national issues like the ULFA/Bodo problem²⁵. While the Cabinet will obviously share some of this burden, the King's authority allows him to keep the leadership on security matters. Whatever be the outcome of possible changes on the Bhutanese political scene, the King is supposed to be above vested interests that could result from the emergence of political factions based upon

ideological, ethnic, regional, familial or any economic or social factor. The fact that the King is primarily responsible for security and sovereignty matters will enhance the monarchy's legitimacy.

Introduction of a vote of confidence in the King

As part of the reform, the *Druk Gyalpo* has also proposed to introduce a mechanism for the National Assembly to register a vote of confidence in the King. Although most unusual in a monarchy, such a proposition is not new to Bhutan. It had been already introduced in 1969 on the initiative of the third *Druk Gyalpo*. Under this provision, the king had to abdicate in favour of the next successor in the hereditary line, if two-thirds of the National Assembly's members supported a vote of no-confidence²⁶. Although this procedure, which was only used once in 1969 on the insistence of the King himself, was slightly modified in 1970, it was eventually abolished in 1973 by the *Tshogdu*. This reform was clearly too radical in its concept for the National Assembly to accept as a normal rule of procedure. Considering that similar causes produce identical consequences, a parallel can be drawn between the 1969 vote of confidence and the current reform. While the precise content of the latter has still to be defined as far as rules of procedure are concerned, the former was introduced with similar objectives. The present King's *kasho* aims to "further enhance and strengthen a system of government" that would "be best suited for the needs and requirements of a small nation like Bhutan to ensure its continued well-being and security, and safeguard its status as a sovereign, independent country". The former King, during the 1968 session of the *Tshogdu* had expressed similar concerns. His desire was "to form a government combining the monarchical and democratic systems in order to ensure the stability and solidarity of the country"^x. Assuming that Bhutan's "sovereignty may be endangered by the fact that the kingdom was placed between two powerful and big countries", he also considered that the time had come to "think of forming a stable government for maintaining the peace and tranquillity

of the country in the future". The idea of reviving a vote of confidence in the king is not meant to abolish the system of hereditary monarchy or to weaken in any manner the role and the influence of the *Druk Gyalpo*. On the contrary, it can be seen as a contribution to the legitimisation process of the Bhutanese monarchy which is very young compared to the Thai or the Nepalese monarchies of which the origins are deep rooted in the political and religious history of their respective country. "Legitimation under any political system is not achieved so much by the capacity to gain power as it is by the ability to maintain and regularise the use of power over an extended period of time and to have the system broadly accepted"^{xi}. The capacity and the right of the *Druk Gyalpo* to rule are not questioned for the time being. However accepting such hypothesis for him and his successors is a guaranty of stability not only for the regime but also for the country itself. It is a concrete answer to those who could doubt inside and outside the kingdom of the King's determination to adapt the government structures to changing realities. Because the historical legitimacy of the Bhutanese monarchy is rather recent compared to other monarchies in the world²⁷, the kings of Bhutan have to be judged primarily upon their performance record. Such record largely depends on their ability to master reforms.

The reviving of a vote of confidence in the *Druk Gyalpo* can be seen as a symbol. It is an implicit reference to the *genja* (oath of allegiance) that was adopted in 1907 by the most important civil and monastic officials together with people's representatives, who pledged their support to Ugyen Wangchuck and proclaimed him as the first King of Bhutan. While some members of the National Assembly considered the introduction of a vote of confidence as an infringement of the spirit of the founding fathers, it can be sustained on the contrary that such a reform represents an opportunity given to the National Assembly to re-endorse the nation's pledge to the King as long as his rule is not questioned. Assuming that hereditary kingship was inaugurated on an "electoral basis"²⁸, the current reform enhances the contractual link existing

between the King and the people. It is also consistent with Buddhist tradition^{xii} where kings are often referred to, as "ruler by convention"²⁹.

The perspectives of further change

In the long term the possible influence of the reform on Bhutanese politics must be analysed from three different perspectives: the executive branch (the King, the Cabinet, and the administration); the National Assembly and the people itself.

As far as the executive branch is concerned, the current reform is not expected to have any influence on the status of monarchy itself which will stay, at least in a foreseeable future, the centre of Bhutanese politics. As the primary domestic agent of modernisation, the monarchy will certainly benefit from the reform. Should political parties emerge in the future as possible consequences of the current politicisation process, the King who has chosen not to be involved anymore in everyday politics, would still be considered as the symbol of national unity. Such role would be particularly important should Bhutan be put under the pressure of the divisive forces of regionalism and communalism. Since the appearance of the 'southern problem', the *Druk Gyalpo* has resisted conservative circles which advocated radical solutions. The current reform will probably contribute to enhance his image as a mitigating factor, advocating for a policy of reconciliation among all Bhutanese factions. Should national consensus happen to be challenged by further political changes, the King would be in good position to stay the last recourse as far as national unity and stability are concerned. Such position can be compared to the current status of monarchy in Thailand³⁰.

The reform will probably have some impact on the king's personal image. Immediate changes have already occurred at the protocol level. While adjustment has still to be done, the current evolution will enhance the King's sacred dimension.

Although the monarch will probably stay as accessible to the people as he used to be in the past, the reform could create a new distance between the Palace and outer circles. While the King is supposed, as Head of State, to continue to receive the credential letters from incoming ambassadors, the Palace has to draft new rules as far as other foreign visitors are concerned³¹. According to the new political setting, the appearances of the monarch on the local scene, are also expected to differ slightly from the past. Until last year, the King used to attend the sessions of the National Assembly and to participate on debates. According to the spirit of the reform, his appearance could be limited in the future to the opening ceremony and to specific debates when security and sovereignty issues are discussed. This evolution has still to be seen during the next summer session. The program and the activity of the King will also adapt to new realities. While he will probably keep touring the country in order to stay in contact with the people, some, within the government, wish he takes some time to travel abroad in order to make Bhutan more widely known³².

As far as the government itself is concerned, the consequences of the current reform will largely depend, as already mentioned, on the balance between elected ministers and other members of the *Lhengye Zhungtshog*, but also on the ability of the Cabinet to master its new responsibilities. With the King out of the everyday decision process, at least theoretically, the question of governance must be asked in terms of leadership and content.

As far as leadership is concerned, Bhutan seems to have solved this rather delicate problem encountered in most regimes, by deciding that consensus will apply to the decisions of the Cabinet and that the presidency of the Council of Ministers will be attributed on a rotational basis. Such mechanisms are supposed to prevent factionalism and personal interest among Cabinet members to take the lead on good governance. Without the King's arbitration however, ministers will have to forge their own stature not only vis-à-

vis their colleagues within the government but also vis-à-vis the National Assembly. This process is a natural consequence of full executive power devolution and political responsibility. While the King was able to impose consensus as a normal procedure of governance under the old system, Cabinet members will have to resist external forces coming from the *Tshogdu* and other circles of the society that will tend to introduce divisive lines within the government itself. Such a process known as lobbying is a by-product of democracy. Although ideal in their objectives and functioning, consensus politics are very difficult to implement, especially in a rapidly changing society, unless a mediator is able to incarnate consensus or at least to convince others to approve his own choices. While the King will indirectly keep this function for some time, new mediators will necessarily have to emerge within the government itself. Such process, that can only take place in the long term, will probably draw the lines of future Bhutanese politics.

The process will necessarily lead to a more politicised form of Government. While the members of the *Lodoi Tshogde*, who have to go through a very competitive election process at the *gewog* and the district levels, can be considered as politicians according to local standards, Cabinet ministers have been mainly bureaucrats. Things will have to change in future as the government becomes more and more independent from the King. On the long term, elected ministers will probably become politicians in a western sense. We cannot even exclude the emergence of "opinion leaders". For the time being, such leaders are not expected to come from outside the administration³³. In the long term, solutions will have to be found to allow civil society representatives who might be interested in joining the government, to have access to the Co-ordination Committee. Although the present *kasho* limits the access to the committee to senior civil servants, adaptation of that rule will probably have to be considered as the influence of the private sector grows and the politicisation of the society increases. As noticed by the king himself while "Bhutan has many qualified and capable officials, most of

them are still very young and do not have enough seniority in keeping with (Bhutan's) tradition and culture, to stand as candidates for the post of cabinet minister". No doubt that the current reform will create some sort of competition within the administration, that will also generate an emulation outside the civil service. Competition as such is not necessarily a bad thing. One of the problems of the Bhutanese administration during the last years had been the lack of mobility at the senior posts level. Former cabinet ministers had held their posts for very long periods of time³⁴. While a reason for the civil service to be attractive to young Bhutanese was the opportunity it gave them to rapidly get high responsibilities, it was becoming, at some point of their career, more and more difficult to foresee any promotion. With the perspective of becoming, if selected by the King and elected by the National Assembly, members of the Cabinet, qualified candidates will be more motivated. High educated people who preferred to join the private sector because of the lack of responsibility posts in the administration will also be interested. Some of them could adopt a western style approach as far as candidacy is concerned. Cultivating friendships with National Assembly members and campaigning for election could become a more regular pattern within and outside the civil service.

As far as the presidency of the Cabinet is concerned, we should not expect the emergence in Bhutan of a Prime Minister or a Head of Government in a western sense of "primus inter pares" that does not correspond to the local tradition of consensus. This is the reason why it has been decided to elect the chairman of the *Lhengye Zhungtshog* on a rational basis. Without considering his personal influence within the government, which can be more or less prominent depending on his seniority and charisma, the chairman of the *Lhengye Zhungtshog*, who also chairs the Co-ordination Committee, has two basic roles. One is a protocol function, particularly oriented towards the outside world. As the new Head of Government, he is entitled to meet with foreign dignitaries who hold similar position³⁵ and to receive

representatives of foreign countries and international organisations who want to address Bhutan as a whole and not necessarily to a specific department. Although the tradition of this protocol function is new to Bhutan, it is also intended to play a role on the local scene as the chairman of the *Lhengye Zhungtshog*, who symbolises the action of the cabinet, will have to reach local people and explain new policies through meetings and visits to the districts. His second main role is to prepare and co-ordinate the activity of the *Lhengye Zhungtshog* and of the Co-ordination Committee³⁶.

The contents of future policies is difficult to predict. Now doubt that the ideas that inspired the King's policy until now will stay the guiding principles of the new cabinet. In that respect minor changes are to be expected, at least in the coming years. In the long term however, the government will probably have to adapt to new economic realities and new demands coming from the society. Its capacity to translate these trends into coherent policies will determine the future of the Bhutanese regime. Its ability to find a negotiated solution with Nepal to the problem of refugees will also be decisive in terms of acceptance of its legitimacy, especially within foreign circles.

As far as the National Assembly is concerned, the current reform must be seen as the first step of a global process that could end up in further changes. Although the *Tshogdu* has become a key element of the Bhutanese political system, it is more a forum of discussion and a consultative body in a traditional sense than a legislative body. The *Tshogdu* will necessarily have to adapt to its new responsibilities. Electing cabinet members who are vested of full executive power of governance implies that the National Assembly fully exercises its power of decision and control. In this respect the *Tshogdu* will have to overcome its relative political weakness. One of its major handicap is the gap existing between well experienced and highly qualified administrative officials capable of dealing with complicated issues and the relatively

modest level of political and economic consciousness of most *chimis*. Although recent sessions of the *Tshogdu* have demonstrated that its members are more and more concerned by national issues, including security and diplomacy, the interest of the *chimis* is more locally than nationally oriented. This is a rather normal situation, as the issues raised by them necessarily reflect concerns expressed by the people at the local level, both in the *GYTs* and the *DYTs*. However, *chimis* would gain authority and credibility in being more involved in global issues. As noted by the Home Minister^{xiii}, "in comparison to the past, the quality of *chimis* has been improving every year due to the success of the education system and the fact that many retired government servants are interested in serving their country as *chimis*". Progress still needs to be made. A better access to information could be promoted. Posts of parliamentary administrators could be created under the authority of the secretariat of the National Assembly. These administrators would be independent from the executive branch. They could be used as assistants and advisors to the *chimis*. A second source of weakness is the absence of "long-term programmed policies with a stable support base within the Assembly". As noted by Rose^{xiv}, "under the *Tshogdu's* electoral system, there is a limited continuity of membership, and only a small proportion of the people's representatives in the Assembly at any one point in time would have a lengthy experience in government". Considering that the responsibilities of *chimis* have increased with regard to implementation of developmental programmes under the Five-Year Plan and to their specific role in the decentralisation process, increasing their term from the present three years to five years, that seems a reasonable duration, could motivate capable and educated *chimis* and held them to acquire enough knowledge about their responsibilities³⁷. Creating specialised committees within the *Tshogdu* could also enhance its ability to play its role in the check and balance system of government. Eventually, increasing the duration of the National Assembly session, which is currently convened once a year for periods

between two weeks and one month³⁸, could also enhance its leadership³⁹.

On the long term, the current reform can be expected to have some impact on the people itself. Such impact will largely depend on the changes already underway within the Bhutanese society. The politicisation process, even embryonic, is already taking place because of a higher level of education of the population. Even if they do not reveal fractional politics structured along either horizontal or vertical lines, some social groups are progressively emerging from the development process. Individual behaviours have profoundly changed during the last twenty years^{xv}. This evolution has direct impact on collective behaviours. Although Bhutan is still a rural country, a new category of citizens, mainly involved in urban activities like industry and services, is taking more and more importance. While civil servants have become the elite of modern Bhutan, the private sector is a growing force of the Bhutanese society with many highly educated and influential people. Although the model of development proposed by the government is widely accepted, the emergence of divisive lines based on differences of opinion and interest cannot be excluded in the future. The opposition between private sector and administration, rural and urban society, young and old generation, modernists and conservatives is a usual pattern in all developing societies. Although multi-party system does not correspond to Bhutanese tradition, the day will probably come when political parties will have to play their role in the Bhutanese political system. For the time being, considering that political parties, even a government party, do not exist in Bhutan, whether or not opposition parties should be legalised is not on the agenda of the government. Considering the still low level of education and political consciousness of most people, the risk would be real that such parties be based only upon ethnic and regional factors. Such evolution could be disruptive of Bhutan's polity which must keep a minimum consensus as far as national unity is concerned⁴⁰. Instead of importing foreign models, the philosophy underlying the

reform introduced by the King seems to allow a blending of Bhutanese tradition with foreign concepts that are found adaptable and conducive for the strengthening of the Bhutanese system of government⁴¹. In that respect, decentralisation must be seen as the most significant contribution to the politicisation process of the society. While the planning commission keeps its role of co-ordinating planning activities, the planning ministry has been abolished⁴² in the new cabinet structure. This is both a symbol and a signal to local people to take more responsibilities through *GYTs* and *DYTs* in order to orient and implement local and national policies. Whether political parties will be structured along the lines of local politics has still to be seen. Should such an evolution correspond to the people's need, nothing in the attitude of the King seems to be against it.

There is a certain degree of uncertainty in assessing Bhutan's political future, because the kingdom is located in a region given to potentially disruptive changes. The economic, political and diplomatic environment to which Bhutan must adjust is versatile. As a small and vulnerable society the kingdom has to survive by learning to cope. The reform introduced by the King is a pragmatic step towards that direction. Eventually, the National Assembly, while discussing the content of the awaited *chathrim*, could decide to transform it in a broader basic rule that could be the basis of a written constitution.

Notes

¹ The word *ngolop* means (anti-national). It refers to people who are accused by the government to organize activities against the security and the sovereignty of the country. Such activities have been associated with the protestation movement that started in 1990 when an ethnically related social disquiet erupted in the southern districts where ethnic Nepalese have settled. Demonstrations were followed by sporadic violence and terrorism activities in the border areas which led the government to enforce security laws. Several thousands people have left the kingdom, either to avoid political uncertainties, or because they could not meet Bhutan's immigration

Bhutan: Political Reform in a Buddhist Monarchy

requirements. About 100,000 are now located in refugees camps in south-eastern Nepal. It is unclear however how many effectively come from Bhutan. This movement has generated the creation of several political parties settled in exile. More recently, some individuals seem to have established relations with ULFA-Bodo militants whose presence in Bhutan's border areas poses a grave threat to the security and the sovereignty of the kingdom.

²One of these repercussions is the long term echo that the reform will have among opposition movements in exile. Some of them have claimed the credit of the institutional changes proposed by the King.

³ Former cabinet members have held their posts for very long periods of time. Even if a reshuffling of the cabinet was predictable, because of the age of some ministers, the replacement of the whole cabinet came as a surprise to the people.

⁴ In the political history of modern Bhutan "that is, post-1907, corresponding to the establishment of an hereditary monarchy", the founding father is the first *Druk Gyalpo*, Ugyen Wangchuck (1907-1926). Although essential in the establishment of a strong and highly centralized monarchy which was a more modern form of government than the traditional theocratic polity, his rule was not consistent with the concept of modernization as we use it.

⁵ Organized decentralization is rather new in Bhutan. The objective of the first two kings was to enhance centralization in order to strengthen the monarchy.

⁶ Bhutan became a member of the United Nations in 1971 and opened a permanent mission in New-York in 1972.

⁷ If not socialist as such, the welfare system is quite developed in Bhutan.

⁸ Junk food, western music, cinema and fashion are becoming more and more popular among youngsters.

⁹ The term Cabinet or Council of Ministers has corresponded to different structures in the kingdom's modern history. Until recently, it was assimilated to a western type structure comprising only of ministers and deputy ministers selected by the King. The recent *kasho* and Kuensel articles (July 11, 1998) have proposed different and sometimes confusing interpretations. While the term Council of Ministers sometimes refers to elected ministers, the confusion is still present in the minutes of the 76th session of the Assembly where Council of Ministers and *Lhengye Zhungtshog* are assimilated. The term (Cabinet) is also proposed by Kuensel (July 11, 1998) as a translation of "*Lhengye Zhungtshog*". Although some adjustment has still to be found "yet, the committee consisting of the 6 elected ministers has not a dzongkha name" the correct interpretation is currently as follows:

- the *Lhengye Zhungtshog* (15 members) can be called either Cabinet or Council of Ministers, while the committee consisting of the 6 elected ministers is referred to as (Co-ordination Committee) of the Council of Ministers. Both structures are chaired by the same person who is formally called chairman of the *Lhengye Zhungtshog*.

¹⁰ The *Lodoi Tshogde* was formally established in 1965. It is a nine-members body consisting of a representative of the government (currently the former Dzongda of Trashigang who also chairs the *Lodoi Tshogde*), appointed by the King, six people's representatives elected for three years by the National Assembly among candidates elected on the block (*gewog*) and district levels, and two representatives of the monk body. The last election of people's representatives was held in July 1998. The *Lodoi Tshogde* works as an advisory body to the King and the ministers. As a watchdog of the overall political and administrative structure, it also safeguards the implementation of National Assembly resolutions and serves as a supervisory body of the administration. It also act as a judicial adviser to the King who has the power to review the decisions of the High Court.

¹¹ In 1968, the third *Druk Gyalpo* had already proposed that all appointments of ministers "be decided by the National Assembly which would also decide their number and portfolios" (Rose, *ibid.*, p. 155). The *Tshogdu* rejected this proposition.

¹² This short list system was used for the election of the newly elected cabinet, only because it was the first time the reform was implemented. We can assume that another system for selecting candidates will be introduced in the future. The Royal Civil Service Commission or a similar body could be associated with the selection process.

¹³ On July 1, 1998, the National Assembly elected six Cabinet ministers who are as follows: Minister for Agriculture (Lyonpo Kinzang Dorji); Finance Minister (Lyonpo Yeshey Zimba); Home Minister (Lyonpo Thinley Gyamtsho); Minister for Health and Education (Lyonpo Sangay Ngedup); Foreign Minister (Lyonpo Jigmi Thinley), Minister of Trade and Industry (Lyonpo Khandu Wangchuk). The head of the ministry of communications is a deputy minister (Dasho Leki Dorji).

¹⁴ In 1972 the two sisters of the king, who served as his representatives in the ministries of finance and development, were also members of the *Lhengye Zhungtshog*.

¹⁵ Shabdrung is the term used to refer to the Founder of Bhutan, Ngawang Namgyel (1594-1651/1705) and to his reincarnations.

¹⁶ The *kasho* provides: (full executive powers of governance should be devolved to an elected Council of Ministers).

Bhutan: Political Reform in a Buddhist Monarchy

¹⁷ This constitutional committee, that held its first meeting on 26 February 1999, is chaired by the Speaker of the National Assembly. Its members are as follows: the vice speaker of the National Assembly, 20 *chimis* (people representatives at the National Assembly) elected on the base of one for each *dzongkhag* (district), 1 representative of the clergy, 3 representative of the government (2 *dzongdas* (district officers) and the secretary of the Royal Civil Service Commission – RCSC), the 9 members of the Royal Advisory Committee, and the Chief Justice as observer.

¹⁸ Although the respective role of the *Lhengye Zhungtshog* and of the Co-ordination Committee is still in debate, it is clear from current practice that the later is the driving force of the new government. The agenda of the *Lhengye Zhungtshog* is drafted by the Co-ordination Committee itself.

¹⁹ In 1975, the Co-ordination Committee was presided over by the King's sister Ashi Dechen Wangmo Wangchuck. During the 76th session of the *Tshogdu* a Royal Advisory Councillor proposed that the chairmanship of the *Lhengye Zhungtshog* be handed to the Crown Prince, Dasho Jigme Khesar Namgyal Wangchuck.

²⁰ The King formally handed over the reins of governance to the Lhengye Zhungtshog on July 20th 1998. The Foreign Minister, Lyonpo Jigmi Y. Thinley, became the first Chairman of the *Lhengye Zhungtshog*, since he won the largest number of votes (136 (for)) during the ministerial elections. According to the results of the voting, the next chairmen of the *Lhengye Zhungtshog*, under the current 5 years term government, should be as follows:

1999-2000: Lyonpo Sangay Ngedup (Minister of Health and Education) [133 votes]

2000-2001: Lyonpo Yeshey Zimba (Minister of Finance) [132 votes]

2001-2002: Lyonpo Khandu Wangchuk (Minister of Trade and Industry) [127 votes]

2002-2003: Lyonpo Kinzang Dorji (Minister of Agriculture) [126 votes]

²¹ The post of Lyonchen, previously called gongzim, that was held by members of the Dorji family, from 1908 to 1965, was the closest to a Prime Ministership. The Lyonchen however was more a councillor with high responsibilities equivalent to a state minister, than a Head of Government.

²² One of the first act of the new Head of Government on the international scene was to represent Bhutan to the SAARC summit in Colombo.

²³ Although Bhutanese kingship is not of a sacred nature as it is for instance in Nepalese tradition, such a popular saying is often used in Bhutan where people reverence to the King is close to worship.

²⁴ The situation is slightly different for the police. The police, like the army depends on the Chief Operations Officer of the Royal Bhutan Army, whose deputy is the Chief of the Royal Bhutan Police. However, as far as operations of maintaining law and order in the Dzongkhags are concerned, the police also report to the Home Minister. It should be noted that the Army and the Police are not represented in the *Lhengye Zhungtshog*.

²⁵ The ULFA/Bodo problem is described by the Chief Operations Officer of the Royal Bhutan Army and by the Home Minister as "the most serious threat to the country's security in Bhutan's entire history" (Kuensel, 25 July 1998). It is a problem not only of internal security, but also of political stability should *Lhotshampa* militants seize the opportunity to join hands with the ULFA and Bodo militants. It might eventually affect the close friendship between India and Bhutan should it become a major trans-border regional issue.

²⁶ Such votes had to be taken as a matter of procedure at least once every 3 years. Motions of non-confidence could be moved against the King at any time on a petition submitted by one-third of the membership (Rose, *The Politics of Bhutan*, p. 155).

²⁷ Technically speaking, the monarchy in Bhutan as we know it today, only dates back to 1907. However, Bhutanese historians insist on the cultural and historical continuity existing between the previous systems and the current monarchy. Kingdoms were established in Bhutan long before the country was unified during the 18th century. From 1751 to 1907, the *druk desis*, who held secular powers in the dual system known as *chhoesi*, have been compared to kings, although their status were slightly different.

²⁸ Although there is "no evidence in available sources, that anything resembling an election was actually used in 1907 in the events that preceded the recognition of Ugyen Wangchuk as *Druk Gyalpo*" (Rose, *ibid*, p. 147), "the decision to establish monarchy appeared to have been genuinely popular not only among those responsible for taking it but also with the public at large" (Aris, *The Raven Crown*, London, 1997, p. 98). The concept of "elective basis" is used both by Nagendra Singh (*Bhutan: a Kingdom in the Himalayas*, New -Delhi, 1972, p.96) and by Bikramat Jit Hasrat (*History of Bhutan*, Thimphu, 1980, p.123).

²⁹ Although HM Jigme Singye Wangchuck is not a Buddhist king in a religious sense, the Wangchuk dynasty has been using various symbols previously associated with the Shabdrung.

³⁰ Although the King of Thailand is not involved in everyday governance, he is widely considered as a national reference and has been able to recommend solutions to national crisis.

³¹ Readers of the weekly paper, *Kuensel*, can notice that the King, who was frequently portrayed on the front page, with local dignitaries or foreign visitors, has rarely appeared since the introduction of the reform.

³² Apart from short visits to India and other SAARC countries, the King does not travel abroad.

³³ Cabinet ministers have to be elected among officials who have held senior government post in the Royal Government.

³⁴ The idea has been put forward by some members of the constitutional committee to limit the mandate of elected ministers to a single five years term. Ministers, who would like to run for a second term, would have to wait five years between two mandates. A similar rule applies on a three years basis to the members of the Royal Advisory Committee.

³⁵ For the first time since the establishment of the organization, Bhutan was not represented by the King during the SAARC annual summit held in Colombo in July 1998, but by the chairman of *Lhengye Zhungtshog* who joined the other heads of government attending the conference.

³⁶ He is assisted in this function by a government secretary. This post is currently held by the Foreign Secretary, Dasho Ugyen Tshering.

³⁷ This issue has been addressed by some *chimis* during the 76th session of the National Assembly.

³⁸ Special emergency sessions can also be convened.

³⁹ It should be noted however that the involvement of the *chimis* in the legislative process is not limited to their participation to the annual session of the National Assembly which agenda is largely prepared and discussed at the *gewog* and the district levels where people representatives are fully associated.

⁴⁰ As noticed by Rose (ibid.p.115): "the government of Bhutan has not formally banned political parties, but is well understood by the Bhutanese elite that the formation of such organizations at this time is still discouraged". For that reason political parties have always been created in exile. In 1952, a "Bhutan State Congress" was founded in Patgaon in Assam, but was rapidly discontinued. Various political parties and organizations have been created since the early 1990s, in relation to the "southern problem". A "Bhutan People Party" (BPP) was created in Garganda in India in 1990 by militants from the Nepal based "People Forum for Human Rights". A "Bhutan Democracy Party" (BNPP) was created in 1992 by dissidents from the Bhutanese civil service. In 1997, the "Druk National Congress", created in 1994, joined other organizations to form a "United Front for Democracy in Bhutan" (UFD). The primary objective of these

organizations is the redress of the grievance of people now living in refugees camps in Nepal. This has been expanded to include demands for political reforms in Bhutan.

⁴¹ In his *kasho*, the King indicates that "he has observed the political systems of other countries". Although importing foreign systems of government is not a pattern of Bhutanese politics, the third and the fourth *Druk Gyalpo* have been keen in adapting foreign concepts to Bhutan. It seems to be the case with the designation of the Head of Government on a rotational basis which is inspired from Swiss politics. Recently, the judiciary of Bhutan has also institutionalized the process of drafting laws and regulations with support from foreign experts provided by UNDP.

⁴² The Planning Commission was created in 1971 and was initially chaired by the King who later on delegated this responsibility to a Planning Minister.

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