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**Commemorating the First Birth Anniversary  
of His Royal Highness the Gyalsey,  
Jigme Namgyel Wangchuck**



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## Foreword

This issue of the Legislative Journal is very special for the National Assembly of Bhutan as we dedicate it to His Royal Highness the Gyalsey Jigme Namgyel Wangchuck. It is indeed a matter of great honour to launch this annual publication on the 5th of February coinciding with the 1st Birth Anniversary of His Royal Highness the Gyalsey. The National Assembly of Bhutan would like to offer our heartfelt felicitations to the Royal Family and the people of Bhutan on this joyous occasion.

This year's Legislative Journal is a collection of writings not only on legislative issues but also of historical and interesting aspects which transcends parliamentary perspective and yet befits the name of this journal. Apart from the writings of Members of Parliament, we are overwhelmed to receive excellent piece of work from former ministers, institutional faculties and officials who take in well the legislative aroma.

In this issue, details which were unpublished before are reflected of how some legislative works in the country have transpired while other compliments our beloved monarchs who are the epitome of the legislative system in the country.

It is also for the first time that the editorial board has been comprised of Hon'ble Members of Parliament along with the officials from the secretariat. I would like to commend the work undertaken by the board members in an effort to bring out this journal which has served as an impetus to attract future writers. Further, I would like to thank and express my appreciation to all the writers for their contribution which has enriched this journal.

The very purpose of bringing out this journal is to provide a platform to the people to access the various perspectives which exist within the legislative domain. Through this journal, we look forward not only to share legislative information with the people but also to encourage more people to share their views and opinions related to legislative works in future. We are confident that once this initiative gains momentum, it will go a long way in contributing towards making Bhutan a well informed society on legislative works.



(Jigme Zangpo)  
**SPEAKER**



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## The Legacy Still Continues With the Birth of Gyalsey

Kinley Om<sup>1</sup>  
Rinchen Dema<sup>2</sup>

### ***Abstract***

*Known as the Land of Gross National Happiness, Bhutan has a legacy to be passed on unwaveringly from a generations to another; a unified Kingdom to which the hereditary monarch are custodians. Bhutan and her people have prospered under the reign of the legendary Monarchs over the 109 years. The year 2016, fire monkey year, which is the Birth year of Guru Rinpoche who enlightened the country in the darkness and marks 400th anniversary of the founder, Zhabdrung's arrival in the country, is also the symbol of the continuity of the legacy with the birth of Gyalsey.*

Bhutan, an evergreen nation of Gross National Happiness, is yet to be explored and known deeply. The very idea of iceberg theory which shows us that the underlying meaning is hidden within can be a massive example in portrayal of the country. We need to justify that we are much more than the smallest and happiest nation. Our rich bio diverse history presents a chronicle of significant events and heroic tale of unique personalities who ruled over the kingdom. This history is the bond which unites us in three circles, the past, present and the future. The birth of the Gyalsey is nodal point where the glorious history of the tiny Himalayan nation meets with its delightful present to offer a great future to the citizens.

Our country has been blessed ever since, after

the arrival of the legendary Buddhist saint, Guru Rinpoche who is known for bringing Buddhism to our Bon based society. The history unfolds on the pages how Guru Rinpoche cured Sendha Gyab who was ill due to a local deity named Shering Karmo, who took his life force. How he rode on a tigress and protected the country, eventually blessing it as Baeyul.

The anti-Buddhist forces he fought against and turned into followers were not just limited to his three visits as for the arrival of future spiritual leaders like Phajo Drugom Zhigpo; one who laid the foundation of the Palden Drukpa and Zhabdrung Ngawang Namgyal; the founder of this Palden Drukpa remained as his foretold prophecies.

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*1 Member of Parliament, National Assembly of Bhutan*

*2 Assistant Research Officer, National Assembly Secretariat.*

With the arrival of Zhabdrung in Bhutan, the secluded mountainous country was finally known and accepted by the neighboring states under his extraordinary leadership. His far sighted vision and statesmanship brought in unity, peace and identity which were the cult in developing a nation.

His heroic tackle to the various invasions from Tibet or be his secret absence from the administration of the state had deep intentions to save the country that was just growing in the womb of the various turmoil outside. It is this unique identity without which the present Bhutan has no value or global recognition. What we speak, dress, conduct and present through our culture and traditions have made us always remain independent and decolonized.

However, the country in the long run was able to sustain itself through the establishment of Monarchy which led the country towards more unification and developments. The crowning of the first Druk Gyalpo was the ultimate reunification of the country under one king and one nation era. With the reign of our great monarchs, who were not just de facto leaders but under whom the country achieved absolute peace, prosperity and stability.

The aura of faith and respect for the kings were not like a reservation, for our monarchs did exemplary roles in defining themselves selfless, humble and dedicated for the country.

The monarchy that embodied the Bhutanese state for last hundred years has been the core and foundation of Bhutan's political sovereignty and socio-economic progress. The struggle and hard work our Monarchs have striven to maintain peace and order in the country is immeasurable. They remained the sole guardian of unity and harmony in the state.

The transition to modernization in Bhutan began in its initial steps during the time of third King, Jigme Dorji Wangchuck. With his modern education and trips outside the country, the perspective of a modern Bhutan unraveled which was a gateway towards a global exposure through membership to UN.

With his great initiative and inclusive thinking, he brought further changes in this approach by growing diplomatic relations with its neighbours near and far, abolishing serfdom and expansionism of schools and hospitals. With the establishment of five year plan in 1961, the windows to outside Bhutan experience was made clear and closer through building of roads.

Where in case of our first and second kings, they did their best in maintaining the decorum of the new polity established and ensured its right consolidation and upkeep. The third king made sure the King is close to its subjects making them participate in some way or the other, giving them their share of voice in the workings of the government. The utmost

and ultimate concern of the kings remained his people, for whom they dedicated and ventured various hardships.

Therefore, the decentralization process has its grounding seed from the times of third King. He established a very sacred institution, National Assembly in which stands the fruit of modern democracy. He was so selfless that in 1969, His Majesty voluntarily surrendered his veto power and vested full legislative power in National Assembly by introducing the no-confidence vote. He made very vivid regarding its running but the fondness and trust of the people for the monarch never diminished and soon it was abolished.

Equally did the fourth King strife towards further decentralization process by establishing Dzongkhag and Gewog Yargay Tshogchung for he believed that development should start from the grass root level.

The major setback to nurture the economy and development of the country was through the rise of the two very important jewels, hydropower and tourism. The king emphasized that we cannot sacrifice nor put our pristine environment and culture at risk; adhere to the modern industrialization and race towards economic development.

He said we should look after its sustainability which will remain as the future reserve. The fourth king is thus the guardian and protector of our environment, rich culture

and traditions without whom we cannot rely on other advancements. The importance he mandated on these two aspects is what makes our country very unique. The hydropower as the source of renewal energy can only be there if we keep our environment safe and continuing. They are indispensable if one is destroyed. Similarly, for our rich cultural heritage which links our irreplaceable and valuable identity. We may be at risk being a small nation but there is so much charisma and glory in even being called as a small state, for we have never failed to prove the strength that lied in what we believed and preserved.

Democracy was the supreme gift to the Bhutanese at a time when the country was in absolute peace and security. It shall be the first time in the history, that a king gave his people democracy, the right to choose their leaders and government. It was given before being pleaded and demanded by the populace. It was a historical moment on 17 December 2005; King Jigme Singye Wangchuck announced his decision to abdicate the throne and made it clear that the Crown Prince would usher in parliamentary democracy as the Fifth King. The whole nation was in great dilemma as to why the king made such a big decision. The Bhutanese were not ready and prepared for the major change in the polity system.

The king had genuine reasons for the transition arguing that the inherent weakness of monarchy is its dependence on one person. The intentions of kings may be good but

they could change. The need therefore, was for institutions and political system that rested on the wisdom of all people rather than one person. He genuinely expressed his confidence in democracy as a viable political institution that would bring in independence and participation of the people, giving them the right to choose their leader without drawing their parental source, monarchy.

In October 2007, His Majesty Jigme Khesar Namgyel Wangchuck commanded to university graduates that the Kingdom we inherited 'has not come up naturally but was born out of the hard work and sacrifices of many generations that preceded us.' Indeed each successive king made his son always better than himself as true leadership is made, not born.

This is why I feel so special being called a Bhutanese, because my kings struggled hard to unite us as one. It wasn't easy looking at the buffer state we were living in and among the different power plays of the world at that crucial period. We were safe and sound under the wings of the king and in deep isolation, away from even the slightest scars of tragedy during World War I and II.

This year is very special as to the convergence of the three historic events. First, it is the birth anniversary of Guru Rinpoche, secondly it is 400th years after Zhabdrung's arrival in Bhutan and last and the most important one, the birth of Gyalsey Jigme Namgyel Wangchuck.

When Gyalsey was born, Our King said, *'He is not just Jetsun and my son but a son to all the Bhutanese people. Our Gyalsey must be prepared for the duty to serve all the Bhutanese people from the day one. We must understand that our Gyalsey does not have the freedom and luxury of time like other Bhutanese babies do. Our Gyalsey must live such a life as a good human being and serve his country in a manner that it will be exemplary. Our people must have the future better than they have in the past.'* In times to come, His Majesty's biggest gift to his people would be the Gyalsey.

The people throughout the country rejoiced along with the King to celebrate the birth of the Gyalsey in every auspicious occasion. This was not just a gesture of respect from the people but the true love and dedication for the Kings which shall never diminish with the years ahead.

With Gyalsey's birth, the people have much to rejoice for the legacy of monarch in our country will continue to flourish under his contemporary wisdom and leadership. We have much to learn about the effort and input the Parliament as a whole is trying to bestow for the people.

The world is rapidly changing, so with these changes that has a direct influence on us needs to be considered before hand. The government is trying a Herculean task to bring great developments and growth that

will define the faith and future of the people. The Parliament as a core of democracy is the divine force of these changes.

The people at large also need to know and be aware of their roles in democracy. They can't be dependent on the Parliament for everything. They have to be in parallel with the government and support the best decisions and choose the right leaders. The democracy in Bhutan is now 8 years old and so we have to be in touch with what we are now and can be in future.

Therefore, the sacred role of the parliamentarians with the refuge under King, as the Head of State forms a unique triangle through which the seed of democracy, will nurture to create a serene and ordered Bhutanese state while making democracy, prosperous and flourishing in time.

Luckily, the three sources of positive energy in Bhutan in form of Guru Rinpoche, Zhabdrung Ngawang Namgyal and Our Monarchs will always continue to usher and bless the nation. We, the people have much to hope for and pray that the Gyalsey fulfills the wishes of His -Father, thereby rising towards the legacy to keep it alive in Bhutan for times to come. The country went through many stages of turmoil and demarcation be it the different polities instituted or petty rulers of that polity system but after monarchy was instituted in Bhutan, fortunately nothing went wrong and it was as if this institution which was the

destiny for a small kingdom like us.

Therefore, this year is historical and special in every way, be the birth of Great Guru Padmasambhava, the 400 years of Zhabdrung's arrival or the auspicious birth of Gyalsey Jigme Namgyal Wangchuck. With these three important events uniquely coincides the 10th year of glorious reign of His Majesty Jigme Khesar Namgyal Wangchuck, under whom the country has uncounted great leadership and happiness. Whose reign is the idol representation of the reign of the people's king. The further charm has been enlightened with the Gyalsey as he shall be the hope and continuity of a dynamic democracy under the immortal legend of a monarch.

## **The Founding and Construction of the Nation State of Bhutan: A tribute to the triple gem of Bhutan**

Dr. Kinzang Dorji<sup>1</sup>

It is well known that Bhutan was inhabited by Neolithic tribes by at least 2500 BC, may be even earlier, based on the scientific examination of the prehistoric stone implements (adzes) found across the country. Some historians and scholars have, in fact, traced Bhutan's history to the period of Buddha Serthub (Kanakamuni Buddha, the second Buddha of the present aeon), even before the historical Buddha (fourth and the present Buddha of the present aeon) when this part of the world was known as *Ri-Drag* and the people as *Ri-Drag-Pas*. It is also recorded in the Vinaya Sutra and other scriptures written during Buddha's time, the inhabitants of this land were referred to as *Ri-Drag-Pa*, meaning dwellers of the rocky mountain country. So, some historians go even as far as to argue that the Buddha himself must have miraculously visited the areas of Bhutan when he traversed the entire world in the fourth week after his enlightenment.

Bhutan is a country, which believes in destiny and miracles for a good reason, because it may look like this country was not only created through destiny and miracles but its future shaped through destiny and miracles. It was due to sheer destiny that the three most extraordinary and miraculous events

in the history of our country that went to the founding and building of this nation state to become what it is today arguably the most peaceful, stable, prosperous and happiest land on earth, sometimes known to the outside world as the true Shangrila, were:

1. Repeatedly being blessed by Guru Rinpoche's visits, starting in 746,
2. Arrival of Zhabdrung Ngawang Namgyel in Bhutan in 1616 as prophesied by Guru Rinpoche, and
3. The birth of the Wangchuck dynasty in 1907, again as prophesied by Guru Rinpoche.

While the historical events as mentioned above were pre-destined, it was nothing short of a miracle and truly destiny that the personalities of Guru Padmasambhva, Zhabdrung Ngawang Namgyel and our Wangchuck Kings should be born to bless and shape the destiny of Bhutan and its people. Therefore, it is not sheer coincidence that Bhutan is celebrating the Birth Year of Guru Rinpoche, 400th anniversary of Zhabdrung Rinpoche's arrival in Bhutan and the Royal Birth of the Wangchuck scion this year coinciding with the Fire Male Monkey Year. It is due to the collective merit and good fortune of the Bhutanese people that we are able to

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*1 Former Speaker, National Assembly of Bhutan (Retired)*



pay our humble tribute to this Triple Gem of Bhutan, reflect on their profound deeds and pray for a better future during the future reign of our Wangchuck dynasty.

### **Guru Padmasambhava**

The Second Buddha, Guru Padmasambhava, had blessed the entire length and breadth of our country from Haa in the west to Trashiyangtse in the east, from Sarpang in the south to Bumthang in the north, during his many forays into Bhutan, either from India or from Nepal or Tibet, spanning over a long period of time. So, there is no place in Bhutan, which has not been blessed by Guru Rinpoche if not physically but at least spiritually. It is interesting to note that Guru Rinpoche himself would refer to this country as *Mon Yul* or *LhoMon*. While at Yangle Shod in Nepal, Guru Rinpoche became aware that the time had come to teach the Dharma to the king and his subjects of *Mon Yul*. Thus, he had arrived Bumthang in the year 746 AD for the first time.

It is well established that Guru Rinpoche was responsible not only for introducing Buddhism into Bhutan but also spreading the Dharma across the kingdom as can be seen from the imprints, his physical and spiritual presence has left behind in almost every inch of the country, although Jampa Lhakhang in Bumthang and Kyichu Lhakhang in Paro were built at least more than a century before Guru Rinpoche's arrival in Bhutan. According to Dasho Karma Ura, "*Guru's coming to Bhutan*

*and Tibet was of gigantic socio-economic and political consequences, beyond his introduction of Sutra and Mantra. Tantra-based Buddhism he brought oriented people towards an alternative state of consciousness about a more humane relationship among people and between people and the natural order.*" In essence, what it means is that Guru Rinpoche's frequent visits to this land laid the foundation and set the tone for shaping the future economy, society and polity of the country. Guru's introduction of Vajrayana form of Buddhism resulted in dominant national characteristics such as our land becoming broadly pacified and peaceful under the influence of Vajrayana. Because of the spread of Buddhism by Guru and his disciples over a period of time, a particular worldview took hold and that influenced polity and culture. The stress on cultivation of peace within people led broadly to peace in communities.

The second effect of Guru Rinpoche's visits to this part of the world, according to Dasho Karma Ura, was "*the spread of enlightenment education through translations of Indian texts into classical Tibetan which are read increasing widely today among scholars.*" Through the transmission of learning based on these classical texts, the same ideas about cosmology and causation framed the views of most Bhutanese, until western schooling started in the 1960s. And the third result of Guru's visit is the notion of living in the midst of sacred sites associated with Guru, which



Guru had visited for teaching and practice as well as for deposits of *Ters*, to be found by predestined individuals at an appropriate time in the future. Such sacred sites have dotted the entire landscape of our country making them our holy lands. Today, these holy places have not only become great attraction for pilgrims in search of our divine nature but also a way of re-igniting his teachings and practices among practitioners as well as lay people beyond geographical boundaries.

Guru Rinpoche thus laid the foundation of one of the most important and unifying forces that has sustained the Bhutanese people and contributed to the evolution of their unique cultural and religious tradition. According to historian Dr. Karma Phuntsho, *“Guru Rinpoche, as he is popularly known in Bhutan, is without any doubt the most important and universal of all historical and religious figures in Bhutan. He holds a central place in Bhutan’s religion and history. The Bhutanese world is imbued with his presence so much that he can be considered the patron saint of Bhutan.”* *“Guru is still active, through his promised appearances in the pure vision of adherents, particularly on his birthdays, because as a Dharmakaya figure (Chos Sku), Guru exists in the fourth or primal time that is not past, present or future,”* says Dasho Karma Ura.

### **Zhabdrung Ngawang Namgyel**

The arrival of Zhabdrung Ngawang Namgyel in Bhutan in 1616 was prophesied not only by

Kuenkhen Pema Karpo (1527-1592) but much earlier by Guru Rinpoche himself way back in the 8th century. So, it was again destiny that brought Zhabdrung Rinpoche to Bhutan and his arrival would become a historical and political milestone thereby leaving behind a rich and indelible legacy that is vibrant even today.

Zhabdrung Rinpoche was not only a great spiritual personality but also a statesman and a leader of exceptional ability. He not only successfully crushed several foreign invasions thereby consolidating the sovereignty of the country, but in the process, he also overcame internal opposition to unify the country for the first time in its history. Being a great architect and builder, he set up a chain of sturdy monastery fortresses called Dzongs which became the centres of religious and civil authority and continue to be so till this day. He brought peace, security and stability to the country by establishing a strong and dynamic administrative system and by codifying a set of strict but fair and just laws of such enduring values based on the Buddhist tradition that they have formed the framework for the present judicial system of Bhutan. He promulgated the Dharma and perpetuated the Buddhist order by establishing the Sangha community, which to this day plays a very important role in the country. Indeed, the traditions, customs and culture of present-day Bhutan all carry the mark and influence of Zhabdrung Rinpoche who is truly considered to be the founder and father of the Bhutanese

nation. So, Zhabdrung Rinpoche gave us not only the name of this country as *Druk Yul* or the Land of the Thunder Dragon, but also this unique Bhutanese identity, which we so proudly flaunt, which has more than anything else served as an impenetrable shield against threats to our security and sovereignty time and again.

### **The Wangchuck Dynasty**

Bhutan may be the only nation in the world that has remained a sovereign independent country throughout its recorded history. But what one should note, however, is that it was not just luck or perchance that we are a sovereign independent nation today. Just one look at the map of Bhutan and its surroundings, and one can surely imagine the tremendous challenges a small nation of the size of Bhutan would have had to face to survive as a sovereign independent nation throughout its history. In fact, one would start wondering how did tiny Bhutan manage to survive the expansionist policy and strategy of the most powerful colonial powering the region and thereafter? And more so, to a Bhutanese who feels blessed to have been born in this blessed land, these are not just questions but stark reminders of the vulnerability of small nations. But more than the questions, we have to know the answers as to how did we manage to remain a sovereign independent nation and feel grateful to those whose leadership and sacrifices made it possible.

The establishment of the Monarchy on the thirteenth day of the eleventh month of the Earth Monkey Year (1907) is a high point that changed the history of *Druk Yul* forever. It marked the end of a political structure that began in the 17th Century, which served well for some time but “*the absence of constitutional situation provisions for orderly succession encouraged a fluid, constantly changing the situation that promoted cycles of dissension and fragmentation*” (Aris 1994), and the beginning of a Monarchical system of governance, based on the popular will of the people. The foundation for this system was laid by Jigme Namgyel, 10th Trongsa Penlop and 51st Desi, who emerged as a popular ruler of the eastern provinces, located eastward of Pelela, besides consolidating his position against his western rivals, thereby ushering in peace through reduction of local feuds and internal conflicts among the top leadership. Jigme Namgyel’s military dexterity not only successfully repelled the colonial attacks but was later able to negotiate with British India as an identifiable centre of power thereby setting the tone for conducting future foreign relations in a systematic and coordinated way. According to The History of Bhutan by Dr. Karma Phuntsho, “*The Treaty of Sinchula signed on 11 November 1865 marked a new chapter for Bhutan and came to define its historic relationship with its big neighbor to the south.*” It provided for, among others, perpetual friendship between the two countries and free trade. So, Jigme Namgyel was rightly the founder of the Bhutanese monarchy.

## **First King His Majesty Ugyen Wangchuck**

Jigme Namgyel's son, Ugyen Wangchuck, further consolidated the power and influence of the Trongsa Penlop as the undisputed leader since his father's death in 1881. With the last of the civil wars and challenges to his leadership overcome by 1886, peace and stability prevailed in the country. One of his most remarkable achievements was his ability to forge a cordial relationship with the British that not only kept them away from harboring any intention of colonizing this country but he managed to earn their respect and recognition as the undisputed centre of power in Bhutan. He had also managed to retain a stable relationship with Tibet. As a result, he was invited to act as a mediator between Britain and Tibet in 1904 when they were at war and the British troops had reached Lhasa. His successful mediation was appreciated by both sides earning huge respect and political mileage for himself as well as Bhutan, which not only helped him to consolidate his own position in the country but also this helped to strengthen Bhutan's sovereignty vis-à-vis the colonial power in India. By the time the British had decided to recognize and honour the important role he had played on account of his political shrewdness and diplomatic skills through a knighthood in 1905, Ugyen Wangchuck was firmly in control both internally and externally. The invitation extended to Sir Ugyen Wangchuck to visit India to meet the Prince of Wales and the Viceroy in 1906 by

the British Government was a very significant event in many ways than one. It was not only a step towards Bhutan's coming out of isolation and unprecedented exposure to the outside world but also an indication of a change from bad to good relations between Bhutan and the British India. This could also be seen as a tacit endorsement of Sir Ugyen Wangchuck as the undisputed leader of Bhutan by the British, having received numerous accolades from John Claude White, Young husband and Charles Bell praising his personality, natural qualities of a leader and spiritual proclivity.

It was, therefore, only natural that towards the end of 1906, Sir Ugyen Wangchuck's most trusted friend and supporter, Ugyen Dorji, who had been appointed as the Drungpa of Haa, wrote a letter to the Council of the State explaining the benefit and appropriateness of appointing Sir Ugyen Wangchuck as the King of Bhutan in terms of long-term peace and stability. By then he had firmly established himself as a central power, partly through the conditions set for him by his father Jigme Namgyel and partly through his own genius, courage, skill and competence thereby enjoying genuine popular support of not only the members of the council of state but also that of the public at large. The formal coronation, which took place about a year later, on 17th December 1907, was a turning point marking Bhutan's transition from a theocracy to monarchy, ushering in an era of unprecedented peace, stability and security. According to Dr. Karma Phuntsho, "*It was*

*the dawn of a new state politics in which the leader fully assumed the responsibility for the betterment of the country.”*

His Majesty King Ugyen Wangchuck was keen to initiate socio-economic development of the country but was constrained by lack of resources as the British had refused his pleas for assistance. But he was responsible for introducing modern education in Bhutan establishing the first two schools, at Bumthang and Haa, and also sending Bhutanese students to study in India. He was, however, able to further unify the nation, strengthen the governance, promote religion and culture, and strengthen the nations’ sovereignty. As a devout Buddhist, he was deeply religious and thus left many indelible imprints of his Dharma activities. The signing of the 1910 Treaty took Bhutan’s relations with British India to a new level, and strengthened Bhutan’s position as an independent buffer country between British India and Tibet against Chinese aspersions and claims of suzerainty rights over Bhutan.

King Ugyen Wangchuck’s visit to Delhi in 1911 to meet the King-Emperor George V, whom he had met earlier as Prince of Wales in Calcutta, helped him to further enhance the relations with British India and at the same time, his desire and aspiration to bring development activities to the country was further ignited. So, he tried through successive British political officers to secure financial support from the British Government but

without any success even after the First World War was over. However, he was honoured with the titles of Knight Commandership of the Order of the Star of India in 1911, and again the Grand Cross of the Indian Empire in 1922.

## **Second King His Majesty Jigme Wangchuck**

Our second King, His Majesty Jigme Wangchuck came to the throne in 1926 and ruled the country till 1952. He was a great consolidator and reformist. While His Majesty worked hard to create an egalitarian society by strictly applying the rule of law and introducing many social reforms in sectors like education and health, His main achievement was in tax reform through a thorough study of the tax system and then reducing the huge tax burden that the people were subjected to earlier. His Majesty had to face some challenges to the monarchy as well as threat to peace and national security from the south. It was perhaps with the foresight of such threat to national security; he started to build the modern armed forces. But His Majesty’s greatest achievement was in further strengthening Bhutan’s sovereign status and her relation with independent India. The biggest threat to Bhutan’s status as a sovereign independent nation came during the transition from colonial power to independent India because “there was a “convenient ambiguity” over its status.” (Aris 1994). While the successive political officers were supportive of King Jigme Wangchuck’s argument that

Bhutan was not an Indian state and never had been, the British government decided not to enter into any new treaty but gave the assurance that they could help in negotiating a fresh treaty with the new government of India. However, His Majesty was honoured with the title of Knight Commander of the Star of India (KCSI) just before Indian independence in 1947, having been conferred with the title of KCIE way back in 1931.

India gained its independence from the British rule on 15 August 1947, and Bhutan was left on its own to deal with the new Indian government and local leaders. His Majesty, however, did not lose any time to send a delegation, similar to the one he had sent earlier before the Indian independence to Delhi, to make Bhutan's case clear. Pandit Jawaharlal Nehru, the prime minister of independent India, met the Bhutanese delegation in 1948, and agreed to consider their proposal. On 8 August 1949, two years after India became independent, a new treaty was signed between Bhutan and India in Sikkim, which was the first milestone in the history of close Indo-Bhutan friendship, which went on to shape Bhutan through the second half of the twentieth century. So, the smooth transfer of good relations from the British to the local Indian leaders is perhaps the most significant achievement of King Jigme Wangchuck's rule. With this single act, Druk Gyalpo Jigme Wangchuck managed to safeguard Bhutan's sovereignty and security at a critical time in its history and usher also Bhutan into a new modern era.

### **Third King His Majesty Jigme Dorji Wagchuck**

Popularly renowned as the father of modern Bhutan, the third Druk Gyalpo His Majesty Jigme Dorji Wagchuck was a true visionary and an astute leader. Among numerous achievements he will be remembered for the launch of planned development process in the country, for gradually opening the kingdom to the outside world without losing her national identity, for institution building and administrative reforms, for introducing social and democratic reforms and for strengthening the kingdom's security relations with India.

His Majesty visited Delhi in 1954, and on His Majesty's invitation, India's first prime minister, Pandit Jawaharlal Nehru visited Bhutan in 1958, which was a historic milestone for Bhutan-India relations as well as for the launch of the modern development process in Bhutan. His Majesty also made the kingdom a member of the United Nations in 1971, which was a major achievement in further enhancing Bhutan's sovereign independent status. China's takeover of Tibet in 1959 and the Indo-China war in 1962 were two events, which posed serious challenges to Bhutan's security but His Majesty was able to keep Bhutan unaffected and secure. In the mean time, His Majesty strengthened and restructured the rudimentary Army into three separate forces as Royal Bhutan Army, Royal Bhutan Police and Royal Body Guards keeping in view of the need to protect the security of the country and also to enforce law and order.



His Majesty was instrumental in introducing far-reaching political reforms. One year after coming to the throne in 1952, he established the National Assembly of Bhutan thereby giving the people a platform to articulate their aspirations and concerns and for the king to share his aims and plans for the country and people, besides its primary function as a legislative organ. The establishment of the 9-member Royal Advisory Council to advise the king and the government in 1965 was another major step in sharing the decision-making power with the people. The appointment of the first group of five ministers in 1967 and the establishment of the High Court in 1968 completed the establishment of the three separate organs/arms of the Royal government.

His Majesty not only abolished the age-old practice of serfdom in the country but gave the former disadvantaged section of the society a new life and a brighter future through resettlement and allotment of land *Kidu*. His Majesty also abolished the tax in kind and reduced the compulsory *Woola* contribution. Among the many new and important infrastructures, both for secular and religious institutions, the reconstruction of the iconic Tashichho Dzong will remain one of the singular feats His Majesty managed to accomplish despite numerous and difficult challenges faced during the construction.

### **The Fourth Druk Gyalpo His Majesty Jigme Singye Wangchuck**

His Majesty the Druk Gyalpo Jigme Khesar Namgyel Wangchuck, in His address to the Nation, had declared: *“There has never been a King like His Majesty Jigme Singye Wangchuck in our history and there will never be a greater King again.”* The unprecedented peace, progress, prosperity, stability and security that His Majesty the 4th Druk Gyalpo Jigme Singye Wangchuck brought Bhutan within a short reign of 34 years is not only unprecedented but out of the ordinary because it could have been achieved only by the divine powers of a King of Destiny. The fact that he was the youngest monarch at just 16 years of age when he ascended the throne in 1972, in addition to the fact that this small kingdom little known to the outside world was just coming out of its self-imposed isolation and setting its foot on the path of modern development, among numerous other enormous constraints, made his task all the more difficult and extremely challenging. Yet, he not only managed to overcome all these challenges due to his sheer hard work, selfless service and dynamic leadership but went on to surpass the expectations of his prophesized destiny. He has not only brought Bhutan out of the shadows of poverty, illiteracy and backwardness into the bright rays of prosperity, peace, progress, security and hope but has also catapulted the then little known Bhutan onto the world stage as a confident, sovereign independent country

and as a responsible member of comity of nations with its acclaimed soft power.

During His Majesty's 34-year reign, the country also faced numerous challenges and serious threats, some covert and some overt, to its sovereignty and security like never before. The threats posed by the *Ngolop* problem from southern Bhutan and a large number of Indian insurgents, belonging to three different groups, illegally camped inside our territory, stretching from Samtse to Diafam, were unprecedented and extremely serious. The government and the people were not able to find any solution to these unprecedented, complex and serious issues in spite of numerous and repeated deliberations on the issues in the National Assembly of Bhutan as a result, the responsibility to resolve these difficult issues had to be shouldered single-handedly by His Majesty the King. It was only due to His Majesty's compassion, wisdom, statesmanship, courage, meticulousness, selflessness, sacrifice and love for the country and his people that these problems were resolved and Bhutan's security and sovereignty remained intact. In the process, His Majesty had placed his life in mortal danger many a time when he had to travel extensively throughout the trouble-prone areas. And finally, at the greatest risk to his life His Majesty had to lead our troops to flush out the Indian militants from our soil so as to secure our safety and security and to safeguard Bhutan-India relations.

During His Majesty's reign Bhutan did not only take its rightful place as a responsible member of the international community but also further enhanced its status as a sovereign independent state. In this regard, among the many initiatives and achievements, the revision of the 1949 treaty with India and signing of the "Bhutan-China Agreement on Maintenance of Peace and Tranquility along the Sino-Bhutanese Border Areas" are two most significant and historic legacies that the generations of Bhutanese will cherish for all time to come.

Democracy in Bhutan is widely considered as a Gift from the Golden Throne, in particular His Majesty Jigme Singye Wangchuck. Right from his ascension to the throne in 1972, His Majesty had adopted a gradual and measured approach to introduce democratic reforms, so that the people could learn and build necessary capacity to shoulder the ultimate responsibility, culminating in the drafting and ultimately adoption of the Constitution of Bhutan thereby transforming Bhutan from Monarchy to a Democratic Constitutional Monarchy, auspiciously coinciding with the celebration of the centenary of the Monarchy.

Among the many selfless acts performed by His Majesty, the sudden announcement of voluntary abdication, on 17 December 2005 at Trashi Yangtse, at the age of just 50, when he was at the peak of his popularity and universally loved by his people, was truly the climax of his selflessness and sacrifice for the

larger and longer-term interests of the country and his people. While the unique route to democratization as charted by His Majesty Jigme Singye Wangchuck was by and large visible to the people, what the people did not see coming was the sudden announcement that His Majesty would step down and hand over the Golden Throne to the Crown Prince by 2006 when His Majesty would be only 51 years old despite the Constitution of Bhutan of requiring the king to step down at the age of 65 only.

His Majesty King Jigme Singye Wangchuck was a man born with a sacred destiny. His Majesty was a man with a sacred mission besides being an unparalleled statesman, the greatest visionary our country has ever seen, a great master, a mighty being in wisdom and experience nowhere else to be found. His Majesty, as a selfless king, has always placed his people and his country before everything else and hence he was an infinite source of inspiration, strength and wisdom to the people and the country. Thus, His Majesty's profound and selfless sacrifices and his eternal words of wisdom should not be allowed to go in vain but should be constant reminders for every Bhutanese, more so our leaders and politicians, that the country and people should always come before everything else.

### **His Majesty King Jigme Khesar Namgyel Wangchuck**

By an auspicious coincidence or *Tashi Tendrel* (*bkrashisrten 'brel*), 2016 is also the tenth

anniversary of accession of His Majesty King Jigme Khesar Namgyel Wangchuck to the Golden Throne of this Kingdom of the Peaceful Dragon. The trust and confidence with which His Majesty the Fourth Druk Gyalpo handed over the reign to the Crown Prince His Royal Highness Jigme Khesar Namgyel Wangchuck on 9 December 2006 was truly a clear indication that Bhutan continues to be a land blessed with great leaders. In no time, His Majesty had proven himself to be an open, positive and selfless leader deeply devoted to the cause of his people thereby earning the popular name of the "People's King".

During the ten years that His Majesty has been on the golden throne, His Majesty has already accomplished so much for his country and people. His Majesty consolidated Indo-Bhutan relations by signing the India-Bhutan Friendship Treaty in New Delhi on 8 February 2007, which at the same time enhanced Bhutan's status as a sovereign independent nation. His Majesty has personally overseen Bhutan's smooth transition process from monarchy to democracy, the historic signing of the Constitution of Bhutan on 18 July 2008, and two general elections and subsequent installation of two democratically elected governments. The success of democracy, which is widely considered as a gift from the golden throne, and an unprecedented and selfless legacy of His Majesty the Fourth Druk Gyalpo as well as that of His Majesty the King, remains one of the topmost priorities



of His Majesty the King, as His Majesty had said while signing the Constitution on 18 July 2008, *“This Constitution is the most profound achievement of generations of endeavour and service. As it is granted to us today, we must remember that even more important than the wise and judicious use of powers it confers, is the unconditional fulfillment of the responsibilities we must shoulder.”* Earlier, while addressing the first session of the First Parliament on 10 May 2008, His Majesty had said, *“The highest achievement of one hundred years of Monarchy has been constant nurturing of democracy. This has culminated today with the first sitting of Parliament and the start of democracy, whereby my father the Fourth Druk Gyalpo and I, hereby return to our people the powers that had been vested in our Kings by our forefathers one hundred years ago. We do so with the absolute faith and confidence, offer our complete support and prayers for the success of democracy.”*

His Majesty’s profound and visionary initiative on land reform by taking land *Kidu* to the doorstep of our rural population has already benefitted a large section of our population. Grants of land *Kidu* and rehabilitation programmes have brought many out of poverty and made their lives brighter like never before. Under the *Kidu* Foundation, numerous programmes and projects such as King’s scholarship, Trongsa Penlop scholarship, and financial aid for underprivileged students have enabled hundreds of students to pursue their dreams of

higher education. It has also provided support to many important cultural projects such as Wangduephodrang Dzong reconstruction and for preservation and promotion of our unique culture and cultural values. The *Gyalpoi Tozay* scheme has already benefitted thousands of students from the most economically vulnerable families. The Royal Academy project is aimed to continue this programme besides becoming a center of excellence in education. The establishment of Kidu Guesthouse in Kolkata, Thimphu Medical Hostel and *Kidu* Medical Mobile Unit are true acts of a Dharma King.

His Majesty’s wise initiatives on building an independent, efficient and responsible media that serves as a guardian and educator to people on various issues that affect their lives and an independent, efficient and just legal system that enforces public confidence and wider adherence to the rule of law are already starting to bear fruits. The establishment of the Royal Institute for Governance and Strategic Studies, as envisioned by His Majesty, is already revolutionizing training on leadership programmes and nation building. The De-Suung training organized under the Royal Initiative has already made such a huge impact that today we cannot think of any emergency situation, function or activity without the participation of our ever-ready and omnipresent De-Suups. The formation of the Royal Society for Senior Citizens under the Royal Patronage and support extended to other CSOs is another example of His

Majesty's all encompassing and unparalleled deeds for the happiness and welfare of every section of Bhutanese society.

His Majesty continues to travel the length and breadth of the country braving even the vagaries of nature and hostile topography to understand first-hand the needs and challenges of his people, to be with them during their times of suffering and grief, and to share moments of joy and accomplishments. As a result, His Majesty is revered for his commitment and sense of duty as well as his wisdom and compassion. His Majesty's concern and active involvement in the causes of the future generations have made him the role model for the younger people. At the same time, His Majesty is equally imbued with deep sense of respect for traditional values, thus, His Majesty has become the emblem of the past and inspiration for the future.

### **His Royal Highness Gyalsey Jigme Namgyel Wangchuck**

The Royal Birth of the scion of the Wangchuck dynasty has been, is and will always be a highly anticipated, joyous and auspicious occasion for the Bhutanese people because it ensures the continuity of the lineage as

well as the political dynasty, which further symbolizes the continuity and unity of the nation state of Bhutan. However, the birth of the His Royal Highness Gyalsey Jigme Namgyel Wangchuck this year coinciding with the national celebration of birth year of Guru Rinpoche and 400th anniversary of Bhutan's founding father and unifier Zhabdrung Ngawang Namgyel's arrival in Bhutan resulting in the rare convergence of three auspicious events or *Tashi Tendrel* is nothing short of a miracle and thus augurs very well for the future of our country and people. At another level, it can also be interpreted that the blessings of Guru Rinpoche, protection of Zhabdrung Ngawang Namgyel and selfless leadership of the Wangchuck dynasty continue to shape Bhutan's destiny and future, due to which the people of Bhutan are truly blessed, and thus we should feel deeply grateful.

So, while offering our humble prayers for the health and happiness of His Royal Highness Gyalsey Jigme Namgyel Wangchuck, who is going to be our next proverbial "outer protective wall and inner precious jewel", as all our Monarchs have been, it is felt most opportune and appropriate to conclude with the following prayers:

**LONG LIFE TO OUR HEREDITARY MONARCHS,  
ETERNITY TO OUR VIBRANT WANGCHUCK DYNASTY, AND  
TRIUMPH TO PELDEN DRUKPA, IN ALL DIRECTIONS AND IN ALL SPHERES.**

## **Moments... Milestones... Memories...**

Thakur Singh Powdyel<sup>1</sup>

“Come, let’s build the future of our country together...” The call was fervent. The tone was earnest. The moment was epochal. Bhutan was on the cusp of two worlds – one known and secure, the other unknown and uncertain.

The caller and the called didn’t have the luxury of a leisurely exchange. Spontaneity ruled the moment. My head swelled and my heart throbbed. I was in a trance. But the vision was clear. I had to move on.

The call of the nation was bigger than the reasons for my personal concerns.

For someone who had shrugged off all attempts to entice me into the political process over many months, it wasn’t easy for me to come to terms with the fact that I was leaving behind a good job and a still promising career in the civil service and “jumping into the fire” as one of my shock-hit well-wishers put it. When I came home and timidly shared with my family what I had decided, what I saw on their faces was gloom and sadness. My children were all minors, at different levels of schooling. I was the lone bread-earner. All they knew about politics then was that ‘it was bad’. My old, ailing mother was my

lone support. “Look ahead, son, all will be fine”, she assured. My mother knew better! Despite the gnawing anxieties and uncertainties, one thing was certain. If the King of Destiny decided that Bhutan was going to go democratic, this system had to be good! But democracy had to be worked on. It had to be an instrument of governance in the finest traditions of public service.

That was the reason that from day one, the members of the country’s first democratically elected government had to be mindful of what was at stake as the new system was accepted. Democracy had to succeed on Bhutan’s terms. It couldn’t be taken for granted.

Some may have seen the transition from monarchy to democracy as a natural evolution of the country in the conventional mode in which one system of governance gives way to another, either through choice or by compulsion. In Bhutan’s case though, democracy itself had to evolve to discover and appreciate the finer nuances of the country’s collective consciousness and culture refined over time by the harmonisation of the natural and the spiritual, the social and the political, the idealistic and the pragmatic.

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*1 President, Royal Thimphu Collage*

It had to be the ultimate call of democracy to safeguard the country's sacred and sovereign self, its hallowed institutions and enduring heritage, its unity and integrity, its desire for peace with itself and with the world beyond, as indeed with all the sentient beings with which we share this planet earth. Democracy in the Bhutanese lexicon had to affirm our commitment to the well-being of our people as well as the well-being of the human family. The nascent system had to be constantly examined, processed and internalised even as it was implemented, even as the needs of the people had to be fulfilled. We had to recognise that as exciting and dramatic as democracy could often appear to be in its external garb, it also has a more sublime, sustaining, and dignified inner self. It is the cultivation of this deeper and honourable self that truly empowers people and gives them the ability to distinguish between right and wrong, true and false and good and bad – the ultimate defining elements of peoples and of societies.

The fundamental tenet of our understanding of the new dispensation remained the sacred sovereignty of the institution of monarchy as a reassuring factor of constancy and stability to moderate the vagaries of changing times and chance. Parties and governments would come and go, but the inspiring presence and majesty of the King would remain sacrosanct and stable for all times.

Therefore, this higher call of the new system

of governance had to call up the best in its recipients and practitioners, the members entrusted by the people and the King, to match and measure up to their roles as servants of the *Tsa-wa Sum*.

And what trust could be more sacred and humbling than the royal proclamation made by His Majesty Jigme Khesar Namgyel Wangchuck as our beloved Druk Gyalpo addressed the historic First Session of the First Parliament of Bhutan on May 10, 2008:

*...from this day forth, we place in your hands our unique nation, our greatest treasure in this world...*

Every word, each phrase, a single royal pause, was imbued with deep meaning, sublime hope and pure prayers as we received with awe the priceless message from the golden throne. The resplendent hall decked out in the most ornate manner befitting the age-old traditions of Bhutan radiated a message that hearts could feel but words would fail to convey.

This was history in the making in the most unprecedented manner as the 47 members of the National Assembly and the 25 members of the National Council bowed in obeisance to His Majesty the Druk Gyalpo seated on the gilded throne as the Speaker presided over the inaugural session of the First Parliament. Members of the Royal Family, diplomatic corps, heads of service forces, chiefs of

constitutional bodies, civil servants, business community, senior citizens and guests witnessed the unfolding of a new chapter in Bhutan's history.

Each word was a precious gem as we listened with bated breath to the royal address of the fifth Druk Gyalpo of the Wangchuck Dynasty His Majesty Jigme Khesar Namgyel Wangchuck. We were re-living history as His Majesty led us to the timeless milestones and landmarks that have woven the fabric of our nation and as our King paid tributes to the pioneers and leaders who shine through the pages of our nation's evolution saga.

The all-sublimating power of the royal address peaked to a crescendo as our People's King marked the historic juncture in the nation's life:

*The highest achievement of one hundred years of Monarchy has been the constant nurturing of Democracy. This has culminated today with the first sitting of Parliament and the start of democracy whereby my father the Fourth Druk Gyalpo and I, hereby return to our People the powers that had been vested in our kings by our forefathers one hundred years ago. We do so in absolute faith and confidence, offer our complete support and our prayers for the success of democracy.*

Heralding the formal transition, the ultimate refuge of the Bhutanese people and the guardian of our democracy, the cohesive

principle of our nationhood, His Majesty the Druk Gyalpo spoke directly to the members of the first Parliament of Bhutan, Speaker, Chairperson of the National Council, Leader of the Opposition and called out, individually, the names of the ministers of the Lhengye Zhungtshog ending with the name of the first Prime Minister under democracy Loynchhen Jigmi Yoeser Thinley, and charged them with the sacred responsibility of taking care of *our greatest treasure in the world, that is our unique nation.*

There was extraordinary clarity as the royal counsel continued: *As democracy's first government, you have the responsibility of setting the right examples, laying strong foundations, and promoting the best practices of democracy. We the people and King have complete confidence and faith in the new government....*

As the epoch-making royal address drew to a solemn close, His Majesty prayed to the country's guardian deities and paid tributes to the fount of all wisdom, Druk Gyal Zhipa Jigme Singye Wangchuck, the architect of the government of the people, by the people and for the people, in a land like no other...

A new journey had begun. From then on, it fell on the elected representatives of the people of Bhutan to carry forward the royal vision and dream royal - in body, speech, and mind, in faith and goodness, such as we were, such as we were called upon to be.



More was asked for. During a rare audience that Druk Yul's father of democracy, Druk Gyal Zhipa, granted to the members of the Cabinet at the Samtenling Palace, His Majesty Jigme Singye Wangchuck was pleased to command what has remained an unforgettable advice from a King who saw it all: *You have an opportunity to do great things for the country*. This was our constant guide and reminder at each step.

As the business session of the Parliament opened, the Speaker announced the first item on the agenda: introduction, deliberation, and adoption of the mother of all laws, the foundation of democracy, the Constitution of the Kingdom of Bhutan, wisdom-gift of His Majesty who willed democracy into being and built the instruments to sustain it. The Chairman of the Constitution Drafting Committee, the Chief Justice of Bhutan, Loynpo Sonam Tobgye, was invited to present the draft document and bring the Members of the Parliament up to speed with the vital provisions and their intent.

The deliberations featured critical reviews softened by deep reverence till the final version was submitted to His Majesty the King for royal assent to anoint the bill into law. On the auspicious eighteenth day of the seventh month in the year Two Thousand and Eight, in the grand Kuenra Hall of the Trashichhodzing, Druk Gyalpo Jigme Khesar Namgyel Wangchuck put His Hand and Seal on the Constitution of the Kingdom of Bhutan

*to bring into effect the root and foundation - the very source – of all laws in our nation....*

The Awakened One looked on as Druk Gyal Zhipa witnessed the historic event. Led by the Prime Minister, each member of the Parliament received the sacred ink-pen from His Majesty the King and signed the two especially designed copies of the historic document as the trembling hands were guided by royal direction.

The People's Constitution was thus adopted with the solemnity and grandeur befitting the dignity of the Kingdom of Bhutan's *Tsathrim Chhenmo*.

The country's first parliamentary elections in 2008 were guided by the provisions of the draft Election Act of Bhutan 2008. It was a test of the electoral laws that actually proved to be not only efficient in the conduct of elections themselves but demonstrated a high degree of internal consistency and integrity. But the draft Election Act had to go through the rite of passage and pass the due diligence test on the floor of the Parliament. After several rounds of intense discussions and sessions of close examination by the Joint Session of the two Houses, the Election Act of Bhutan was ready for submission to the Druk Gyalpo for royal assent.

In all, the First Session of the First Parliament oversaw the enactment of 39 crucial Bills into important Laws to guide the workings of the

different branches of governance including those that dealt with the conduct of the two Houses of Parliament, the constitutional bodies and other agencies, to serve our people and country well, rule of law being a central pillar of democracy.

The First Parliament was faced with the crucial responsibility of setting standards for the future charged as it was with the imperative of making laws for the country. That meant that not only had the content of the bills to be thoroughly and diligent examined and due processes followed till they received royal assent to become laws, but the proceedings had to be conducted in a manner that would be in keeping with the dignity of the Kingdom's highest decision-making institution. The message, the medium and the manner had to align to respond to the call of the time and capture the spirit of times that is all-time.

It was necessary too to delineate and clarify the relative space for the government of the day as well as the opposition as indeed for the constitutional bodies and mass media to grow into viable and vibrant institutions to empower them to play their role as vital elements of the new system.

This over-riding ethical imperative, instinctively self-imposed and institutionally expected, at once real, at once ideal, had to be the call of the calling to elevate the self and spirit of the House of Laws and the law-

makers to live out the highest standards of parliamentary traditions. The decorum of the House, protocol of address, language of discourse, demeanour of the members, the pronouncements of the Speaker, and the dignity of the State of the Nation report of the Prime Minister would all be points of reference for the future of Bhutan's parliamentary conduct.

His Excellency the Prime Minister of India, Dr Manmohan Singh, as well as the Speaker of India's Lok Sabha, Shrimati Meira Kumar, were both struck by the aura and dignity of the Parliament of Bhutan as they addressed the Joint Session during their visit to our country.

The edifying presence of our beloved Druk Gyalpo, the all-seeing, sublime third eye of the Parliament of Bhutan, at all opening and closing sessions of the Parliament empowered and inspired the members as bearers of a responsibility no less important than setting the tone for the future of law-making in the country. We would wait in reverence and anticipation for the royal address of His Majesty the King as each precious word carried a message that linked the past with the present and the present with the future.

And thus it was...

The cacophony and commotion of elections was over, a people's government was in place, the Parliament had found its orbit and settled to its constitutional mandate with

increasing confidence and deepening maturity. Democracy had become real. The nation could move on.

The auspicious moment had come. The government and the people of this blessed land had the special privilege of organising and celebrating the most sacred ceremony of the Coronation of His Majesty Jigme Khesar Namgyel Wangchuck. Following the hallowed traditions of Bhutan, His Majesty received the sacred Dhar Nye Nga from the holy Machhen at the historic Palace of Bliss in Punakha on November 1, 2008.

Over in Thimphu, the golden throne room inside Trashichhodzong was especially prepared for the special moment as His Majesty Jigme Singye Wangchuck, the fourth hereditary Monarch of Bhutan, placed the sacred Raven Crown on the sacred head of His Majesty Jigme Khesar Namgyel Wangchuck in an unprecedented monarchical succession rare in the world. I will never forget the special privilege of accompanying the Prime Minister to escort His Majesty from Dechenchholing Palace to Trashichhodzong for the solemn event.

The nation bowed in reverence and prayer as the Fifth Druk Gyalpo, Jigme Khesar Namgyel Wangchuck, addressed the people of Bhutan from national grandstand of Changlimethang on November 7, 2008, in a language that will be immortalised in the annals of royal addresses:

*Throughout my reign, I will never rule you as a King. I will protect you as a parent, care for you as a brother and serve you as a son. I shall give you everything and keep nothing. I shall live such a life as a good human being that you may find it worthy to serve as an example for your children. I have no personal goals other than to fulfil your hopes and aspirations. I shall always serve you, day and night, in the spirit of kindness, justice and equality...*

This was a gift outright. If this is as far as His Majesty could go, the ideal for the country and citizens was willed by the divine for a country destined to be Druk Yul.

We took a pause and looked back at the glorious one hundred years since the installation of Gonsar Ugyen Wangchuck as the first hereditary Monarch of Bhutan in 1907. As we celebrated the centenary of Druk Yul's steady march from medievalism to the status of a dynamic and forward-looking, modern nation-state, we paid tributes to the successive visionary monarchs of the Wangchuck Dynasty for the extraordinary manner in which they have guided Bhutan and the Bhutanese people through stress and strife and brought us to the current state of peace and prosperity.

We looked inward in a constant affirmation of our faith and loyalty in our relationship with the most profound and sacred elements that form the vital life-force of our nation. But we



also looked outward and enhanced the image and honour of our country in the world. The SAARC family of nations reached a rare high as the heads of state and government converged on Bhutan's national capital for the sixteenth edition of the SAARC Summit in 2010 and created amongst themselves what came to be known as the Thimphu Spirit. Our august National Assembly Hall was transformed into a grand Summit Stage.

At another setting, our beloved Druk Gyal Zhipa's sublime vision of holistic development, endeared as Gross National Happiness, became part of the global agenda as Bhutan organised the unprecedented high level meeting of world leaders at the United Nations headquarters in New York on April 2, 2012 to reflect on an alternative pathway to human well-being and societal progress.

A time came in the life of the First Parliament when a rather nervous and child-like His Majesty made an announcement that the nation had waited for, for so long to hear: Our King was going to be married! Our Queen was going to be Ashi Jetsun Pema.

It was dear Druk Yul's GNH moment of the most supreme order. We couldn't ask for more! The country moved into an instant celebratory mood. The auspicious moment of the Royal Wedding of His Majesty Jigme Khesar Namgyel Wangchuck with Ashi Jetsun Pema Wangchuck was solemnised at the Palace of Bliss in Punakha on the divinely

ordained 13th day of October of the year Two Thousand and Eleven, following all the sacred empowerment ceremonies in the most sublime traditions of royal weddings.

The nation was galvanised in joy and festivities for days together as celebrations were held across the country to rejoice in the spirit of the moment – in prayers and dedications, songs and dances, games and sport – to partake of a special moment in the life of the nation. It was my personal good fortune to be able to dedicate my Gusi Peace Award to my King and Queen, as the announcement came just a day before the great event.

With the auspicious royal birth of the prince of our heart's prayers, His Royal Highness Gyelsey Jigme Namgyel Wangchuck, in the special birth year of Guru Rimpochhe and the 400th anniversary of the arrival of Zhabdrung Rimpochhe, the future of our country is secure and bright as ever. These sacred strands of auspiciousness can only weave into reality in a land as special as the Jewel of the Himalayas.

As a member of the Parliament and Lhengye Zhungtshog, I had at least two constituencies to serve – Dorokha-Tading and Bhutan. With all my imperfections, it is my hope that I have been able to serve both such as I was, such as I wished to be. A little school-girl asked me what a minister does. I am grateful for the Latin root of the word – *ministrare* – to serve. While there may have been deficiencies in

matching my role with its soul, I am deeply indebted for the discoveries that I could make and for the services that I could offer.

Whether it was travelling across the length and breadth of my country from Lunana to Lhamoizhingkha, and from Sibsoo to Sakten, and meeting my fellow-educators and students as well as parents and public servants or representing my country at international fora, it was for me a constant discovery and celebration of the outer as well as the inner life of my country.

Having the good fortune of receiving the sacred Dasai Tika from the royal hands of my King, or being chosen to join His Majesty's royal entourage to Kuwait, or being a beneficiary of rare compassion during tragic moments in the family, or being a subject of Druk Gyalpo's concern during a natural calamity are memories time will not erase.

Informing and inspiring each sitting of the Lhengye Zhungtshog was the affirmation of the golden throne as the abiding symbol of constancy and stability even as the government was engaged in important policy issues affecting the lives of our people and the security and integrity of our country. The guidance of seasoned elders who had served our kings and the country with exemplary dedication and honour over many decades was a privilege indeed.

It was the tenth and the last session of the

first Parliament. It was my turn to offer our gratitude to His Majesty on behalf of the Education family for the constant light and inspiration that we received from our beloved Druk Gyalpo. Following a moving concluding ceremony and high tea at the quadrangle of Gyalyong Tshokhang, the members of the Parliament lined up outside to see His Majesty off. Moving on, His Majesty looked back and said what will always ring in my ears: *Your words were very touching.*

A space of five historic years like none other! They touched Bhutan's deepest chords in more ways than one. At a personal level too, the period was as intense as it was purposeful and fulfilling. Somebody was looking on from a unique vantage-point: Even after five years in politics, he is still that same old vice principal of Sherubtse College!

Was it a compliment? Or a complaint? Well, that is a secret! But it surely was a measure of Bhutan's young democracy!

June 20, 2013. It was the auspicious day of Zhabdrung Kuchoe. In a rare coincidence, it was the last day of the first democratically elected Druk Phuensum Tshogpa government. The members of the Lhengye Zhungtshog were to receive a farewell audience from His Majesty the King. The way leading up to the sacred throne room was marked out right from the first landing outside the entrance to Trashichhodzong with multi-coloured sanctified rice and banners.

As the command came, the Prime Minister led the Cabinet to the sacred throne room; we prostrated to the Druk Gyalpo and offered our Trashi Khadars that the royal chamberlain placed in front of His Majesty the King. The Prime Minister then read out the submission that contained the subject-matter of the formal conclusion of the incumbent government's five-year term and offered it to the Druk Gyalpo.

It was an exceptionally emotional moment as His Majesty recalled the initial anxieties about the new system of governance and expressed deep joy and satisfaction over the exemplary manner in which the government had conducted itself and fulfilled the hopes and aspirations of the people and safeguarded the country. It was a truly touching and

affectionate moment with our beloved King who guided us and showed us the way forward through a most historic phase in the life of our nation.

The Druk Gyalpo descended from the gilded throne. We had special *suja* and *dresi* together as a family.

Then His Majesty led us to the grand Kuenra Hall inside the Trashichhodzong. We prayed together in front of our guardian deities. Out on the Dzong courtyard, we took photographs with His Majesty and bowed to take leave of our beloved King.

## ཀྲུལ་ཡོངས་ཚོགས་འདུའི་འགྱུར་བ།

བསྟན་འཛིན་ནམ་ཀྲུལ་

### བརྒྱུད་དོན།

སྟན་འཛིན་ཚན་དན་བཞུགས་པའི་འབྲུག་ཀྲུལ་ཁབ་འདི་ནང་ དབང་ཕྱུག་ཀྲུལ་བརྒྱུད་ནམ་པར་གཙང་བའི་མངའ་ཞབས་ལུ་  
སྤྱི་ལོ་ ༡༩༥༣ ལས་ཀྲུལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་དབུ་བཙུགས་མཛད་གནང་ཞིན་མ་ལས་ ད་རེས་ཚུན་ ཉུས་དང་བསྟན་  
པའི་ གཞུང་སྐྱོང་གི་འགྱུར་བ་ ཁྱིམ་མཆོས་ཀྲུལ་ཁབ་དང་ ཀྲུལ་སྤྱིའི་མཐུན་ལམ་ མི་སེར་གྱི་ཕྱོགས་གྲུབ་ གོང་འཕེལ་  
གྱི་གོས་དང་འཁྲིལ་ ཆབ་སྲིད་འཛིན་སྐྱོང་སྤེལ་གསུམ་ཡུན་བརྟན་གོང་འཕེལ་དང་ སངས་རྒྱལ་གྱི་བསྟན་པ་རིན་པོ་ཆེ་  
ཡར་ངོའི་རྒྱུ་བཟུམ་སྟེ་གནས་ཏེ་ཡོད་པའི་ལོ་རྒྱུས་ དྲང་བདེན་ཀྲུལ་མཆོའི་ནང་ལས་ བྱུང་མ་གང་དཔག་སྟེ་ཕུལ་ཤིང་ཡོད།

### དོན་ཤུགས།

མི་དབང་ཞིང་གཤེགས་དམ་པ་ འབྲུག་ཀྲུལ་གསུམ་པ་མཆོག་གིས་ མ་འོངས་མངོན་གཟིགས་གྱི་སྒོ་ལས་ ཀྲུལ་ཁབ་དང་  
མི་སེར་གྱི་མཐའ་དོན་ལུ་ ཀྲུལ་སྲིད་དང་བསྟན་སྲིད་གྱི་ཕྱག་ལཱ་གནང་དགོ་པའི་རིགས་ ག་ཅི་རང་ཡོད་རུང་ ཀྲུལ་སྤྱིའི་ལམ་  
ལུགས་དང་མཐུན་པར་ མི་སེར་དང་བསྟན་གོས་རྒྱུ་སྟེ་མཛད་དགོ་པ་ ཁག་ཆེ་བའི་ཐུགས་བཞེད་གནང་སྟེ་ སྤྱི་ལོ་ ༡༩༥༣  
ས་སྤུལ་ཟླ་ ༡༢ པའི་ཆོས་ ༡༥ ལུ་ སྤྱངས་ཐང་བདེ་བ་ཆེན་པོའི་པོ་བླ་མ་ནང་ ཀྲུལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་འདི་ གཞི་  
བཙུགས་མཛད་གནང་རུག།

ཀྲུལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་འདི་ གཞི་བཙུགས་མཛད་དེ་ ད་ཚུན་ མི་ལོ་ ༤༣ གྱི་ནང་འཁོད་ ཀྲུལ་ཁབ་ནང་ དམངས་  
གཙོའི་རིང་ལུགས་གྱི་ལཱ་བ་ རིམ་གྱིས་ གོང་འཕེལ་སྤངས་སྟེ་ མི་སེར་གྱི་པན་བདེ་ཚུ་ ལེགས་ཤོམ་སྟེ་བསྐྱབས་ཡོད་པ་མ་ཆད་  
ཚོགས་ཁང་གི་བྱ་སྒོ་ལས་ལུགས་ཚུ་ལུ་ཡང་ འགྱུར་བ་སྟོན་སྤངས་སྟེ་ དེང་སང་ ཚོགས་ཁང་ཆེན་མོ་འདི་ ཀྲུལ་སྤྱིའི་གནས་  
ཆད་དང་བསྟན་པའི་ ཀྲུལ་ཁབ་གྱི་ ཁྱིམ་མཆོའི་ གཙུག་སྟེ་མཐོ་ཤོས་ཅིག་ལུ་གྱུར་ཡོད་པ་མ་ཆད་ ཚོགས་ཁང་དེ་ནང་གི་  
འཐུས་མི་ཡང་ མི་སེར་གྱིས་ ཐང་ཀར་བཅག་འབྲུ་གྲུབ་པའི་ གཞུང་སྐྱོང་ཚོགས་པ་དང་ ལྷོག་ཕྱོགས་ཚོགས་པའི་འཐུས་མི་  
ཁག་གཉིས་སྟེ་ཡོད་པའི་གྲུ་ ཚོགས་ཁང་ནང་ གསུང་གོས་ག་ཅི་གནང་རུང་ དགག་སྐྱབ་གྱི་ཚུན་བསྟར་ཚུ་ སྤྲོ་གསང་མེད་  
པར་འབད་དེ་ འཐུས་མི་མང་མོས་གྱི་སྒོ་ལས་ ཐག་བཅད་གྱི་ཆ་འཛིག་གནང་མ་ཡིན།

### ཚོགས་འདུའི་སྤྱི་མི།

སྤྱི་ལོ་ ༡༩༥༣ ལུ་ ཀྲུལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་ འགོ་ཐོག་གཞི་བཙུགས་སྐབས་ འཐུས་མི་ཚུ་ཡང་ ལ་ལུ་ཁྲོལ་དང་  
, ཞིབ་འཛོལ་འགོ་དཔོན་གོང་མ། ཀྲུལ་ཡོངས་ཚོགས་འདུ།

ལ་ལུ་མི་སེར་གྱི་སྐྱེ་ཆ་བ་ དེལས་ གྲུ་ཆང་གི་ཆོས་དོན་འཕུས་མི་དང་ གཞུང་གི་སྐྱེ་ཆ་བ་བསྐྱེམས་ གྲངས་ཁ་ ༣༤ ལས་  
བཀལ་མེད་རུང་ ལོ་དག་པ་ཅིག་གི་རྒྱབ་ལས་ ཆོགས་འདུའི་འཕུས་མི་ རིམ་གྱིས་ ཡར་སེང་འབད་དེ་ གྲུ་ཆང་གི་སྐྱེ་ཆ་བ་  
༡༠ | གཞུང་གི་སྐྱེ་ཆ་བ་ ༣༤ | སློ་གྲོས་ཆོགས་སྤེའི་འཕུས་དཔོན་ ༤ | ཐིམ་ཕུག་ཁྲོམ་སྤེའི་འཕུས་མི་གཅིག་ཅུས་ཏེ་  
མི་སེར་གྱི་སྤྱི་མི་ ༡༠༠ | བསྐྱེམས་གྱིས་ འཕུས་མི་ ༡༥༠ ཡོད་པ་ཡིན་རུང་ སྤྱི་ལོ་ ༢༠༠༥ ལུ་ དམངས་གཙོའི་ལམ་  
ལུགས་ འགོ་བཙུགས་ཞིན་མ་ལས་རྒྱུ་ འདེམས་ཁོངས་ ༤༧ རང་ལས་ ཐད་ཀར་ མི་སེར་གྱིས་བཅག་འཕུ་གྲུབ་པའི་  
གཞུང་སྐྱོང་ཆོགས་པ་དང་ ཐོག་ཕྱོགས་ཆོགས་པའི་འཕུས་མི་བསྐྱེམས་ ༤༧ ལུ་ མར་འབབ་སོང་ཡོད་པ་ཡིན།

### ཨམ་སྤུའི་འཕུས་མི།

འདས་པའི་ཆོགས་ཐེངས་ ༥༠ པ་ལས་ ༥༧ ཚུན་གྱི་ནང་ཁོང་ ཆོགས་འདུའི་འཕུས་མི་གྲལ་ལས་ ཨམ་སྤུ་གི་འཕུས་  
མི་ ཡོངས་བསྐྱེམས་ ༡༥ གྱིས་ བཅའ་མར་གཏོགས་ཡོད་པ་དང་ དམངས་གཙོའི་ལམ་ལུགས་འགོ་བཙུགས་ཞིན་མ་ལས་  
སྤྱི་ཆོགས་དང་པའི་ནང་ ཨམ་སྤུའི་འཕུས་མི་ ༤ དང་། སྤྱི་ཆོགས་གཉིས་པའི་ནང་ཡང་ ཨམ་སྤུའི་འཕུས་མི་ ༤ བྱིས་  
བཅའ་མར་གཏོགས་ཡོད་པ་ཡིན།

### འཕུས་མིའི་བཀའ་བཞུགས།

ཆོགས་འདུ་ཆེན་མོ་ འགོ་ཐོག་གཞི་བཙུགས་སྐབས་ འཕུས་མི་རྒྱ་གྲུ་བཀའ་བཞུགས་ཀྱི་ ཁོང་རའི་ཁ་དམར་བཀའ་  
བཞུགས་ མི་སེར་གྱི་སྐྱེ་ཆ་བ་རྒྱ་གྲུ་ མི་མང་སྤྱིར་བཏང་གི་བཀའ་བཞུགས་ཀྱི་དཀར་པོ་དེ་དང་ གཞུང་དང་གྲུ་ཆང་གི་འཕུས་མི་རྒྱ་  
སོའི་གོ་གནས་དང་བསྐྱེམ་ཐོབ་ཡོད་པའི་ བཀའ་བཞུགས་ཀྱི་ ལག་ལེན་འཐབ་སྟེ་སྟོན་ཡོད་རུང་ ཆོགས་ཐེངས་ ༤༩ པའི་ནང་  
སྤྱི་མི་རྒྱ་ལུ་ རོ་རྒྱལ་སྤྱུགས་རྒྱལ་པའི་ བཀའ་བཞུགས་ཀྱི་སོ་སོར་ཅིག་དགོ་པའི་ གྲོས་གཞི་ཕུལ་ཕྱོད་ཀྱི་ ཆོགས་ཐེངས་ ༡༣  
པའི་ནང་ལས་ སྤྱི་མི་རྒྱ་གྲུ་བཀའ་བཞུགས་ཀྱི་ དཀར་པོ་གི་སྤྱུག་ལུ་རྟོན་མ་དང་ མཐའ་མ་གཉིས་ལུ་ རྟོན་མ་གི་ཐིག་ཕྱོད་ཀྱིས་  
ཡོད་པའི་ བཀའ་བཞུགས་ཀྱི་བཅོམ་ཡོད་མི་དེ་ ཆོགས་ཐེངས་ ༥༧ པ་ཚུན་ཆོད་ ཆོགས་འདུའི་སྤྱི་མི་གི་བཀའ་བཞུགས་  
འཐབ་སྟེ་ཡོད་རུང་ དམངས་གཙོའི་རིང་ལུགས་འགོ་བཙུགས་ཞིན་མ་ལས་ མི་དབང་མངའ་བདག་རིན་པོ་ཆའི་ཞབས་ལས་  
སྤྱི་ཆོགས་ཀྱི་འཕུས་མི་རྒྱ་ལུ་ བཀའ་བཞུགས་ཀྱི་རས་རྟོན་མ་དང་ ཕུག་ཤེད་དཔའ་རྒྱལ་རྒྱ་རི་ཅན་མ་གནང་ཡོད་མི་དེ་ ལག་ལེན་  
འཐབ་སྟེ་ཡོད་པ་ཡིན།

### ཆོགས་ཐེངས་དང་རྒྱུས་ལུགས།

རྟེ་མ་འབད་བ་ཅིན་ གནམ་སེར་ཁ་དང་ སོ་ཁ་ལུ་ ཆོགས་འཛོམས་ཐེངས་གཉིས་རེ་ཆོགས་ནི་ཡོད་རུང་ བར་སྐབས་ཅིག་  
ལས་ ལོ་རེ་ལུ་ ཆོགས་ཐེངས་རེ་ཆོགས་ནི་བཅོ་སྟེ་ དེལས་ ཐེབས་ཆོགས་དགོ་པ་ཅིན་ དེས་མེད་སྒོ་བྱུང་གི་གནས་སྤྱངས་  
དང་བསྐྱེམ་ ཆོགས་ནི་སྟེ་བཞག་ཡོད་པ་མ་ཆད་ ཆོགས་འདུའི་རྒྱུས་ལུགས་ལང་ གྲོས་གཞི་མང་ཉུང་དང་འཁྲིལ་ ཡོངས་ཁྱབ་  
རྒྱ་ཆེན་དང་ ཆོགས་དཔོན་བསྐྱེམ་གྲོས་ཐོག་ལས་བཅོ་སྟེ་ ཉུང་ཤོས་ ལྷན་ལས་ལྷན་སྟེ་ཆོགས་པ་ཡིན་མས།

ཡིན་ཅུང་ དམངས་གཙོའི་ལམ་ལུགས་འགོ་བཙུགས་ཞིན་མ་ལས་ཚུར་ ལོ་བསྟར་བཞིན་ གྱི་ཟླ་ ༥-༦ པའི་ནང་ གནམ་  
བུར་གྱི་ ཚོགས་ཐེངས་གཅིག་དང་། གྱི་ཟླ་ ༡༡-༡༢ པའི་ནང་ དགུན་གྱི་ཚོགས་ཐེངས་གཅིག་སྟེ་ ལོ་གཅིག་ནང་ ཚོགས་  
ཐེངས་གཉིས་རེ་ ཚོགས་དོ་ཡོད་པ་མ་ཆད་ ཚོགས་འཛུལ་གྱི་དུས་ཡུན་ཡང་ གོས་གཞིའི་མངཉུང་དང་བསྟན་ བུར་གྱི་ཚོགས་  
བཞུགས་འདི་ དུས་ཡུན་ཟླ་དོ་གཅིག་ལྷག་པ་ཅིག་དང་ དགུན་གྱི་འདི་ བདུན་ཕྱག་གཉིས་དེ་ཅིག་གི་རིང་ལུ་ཚོགས་པ་ཡིན།

### གོས་གཞི་ཕུལ་ཐངས་ཀྱི་ལམ་ལུགས།

རྒྱལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་ འགོ་ཐོག་གཞི་བཙུགས་སྐབས་ མི་སེར་ལས་ ཚོགས་ཁང་ནང་ཕུལ་བའི་གོས་གཞི་ཚུ་ གྱི་  
མི་ཚུ་གིས་ ཚོགས་ཁང་མ་ཚོགས་པའི་ རྒྱུ་ཆ་དང་ གཅིག་གཉིས་ཀྱི་ཉེ་མར་ ཚོགས་དཔོན་གྱི་སྐུ་མདུན་ལུ་ཕུལ་ཏེ་ ཚོགས་  
དཔོན་གྱིས་ གོ་རིམ་དང་འབྲེལ་ ཞུ་བ་ཕུལ་ནི་གི་གོ་སྐབས་གནང་ཞིན་མ་ལས་ གསུང་གོས་གནང་སྟེ་སྟོན་ཡོད་ཅུང་ མི་  
དབང་འབྲུག་རྒྱལ་བཞི་པ་མཆོག་གིས་ དབང་ཆ་དང་ཕྱིར་སྟེལ་ཐོག་ལས་ གྱི་ལོ་ ༡༩༥༡ ལུ་ རྫོང་ཁག་ཡར་རྒྱས་ཚོགས་འདུ་  
དང་ གྱི་ལོ་ ༡༩༩༡ ལུ་ རྫོང་འོག་ཡར་རྒྱས་ཚོགས་ཚུང་ཚོགས་ནི་ གཞི་བཙུགས་གནང་ཞིན་མ་ལས་ཚུར་ མི་སེར་ལས་  
ཚོགས་ཁང་ནང་ཕུལ་བའི་གོས་གཞི་ཚུ་ དང་པ་ རྫོང་འོག་ཡར་རྒྱས་ཚོགས་ཚུང་དང་ རྫོང་ཁག་ཡར་རྒྱས་ཚོགས་འདུ་གཉིས་  
ནང་བཙུགས་ཏེ་ གསུང་གོས་གནང་ཞིན་མ་ལས་ ཐག་བཅད་མ་ཚུགས་མི་ཚུ་ ཚོགས་ཁང་ཆེན་མོའི་ནང་ གོས་གཞི་སྟེ་ཕུལ་  
ཏེ་ གསུང་གོས་གནང་མ་ཡིན་མས།

ཡིན་ཅུང་ དམངས་གཙོའི་ལམ་ལུགས་ འགོ་བཙུགས་ཞིན་མ་ལས་ཚུར་ ཚོགས་ཁང་ཆེན་མོའི་ནང་ མི་སེར་ལས་ཕུལ་བའི་  
གོས་གཞི་རྒྱུང་གཅིག་གིས་མ་འདོ་བར་ གཞུང་གི་གོས་གཞི། སྤེར་གྱི་གོས་གཞི། ཁྲིམས་བཟོ་དང་འབྲེལ་བའི་གོས་གཞི་  
ཁག་མ་འདྲམ་ལེ་ཤ་ཅིག་སྟོན་དོ་ཡོད་པ་དང་།

གོས་གཞི་ཚུ་ ཚོགས་འཛུལ་མ་ཚོགས་པའི་ བདུན་ཕྱག་ གཅིག་གཉིས་ཀྱི་ཉེ་མར་ ཚོགས་དཔོན་དབུ་བཞུགས་ཀྱི་ཐོག་  
ལས་ རྒྱལ་ཡོངས་ཚོགས་འདུའི་ འཐུས་མི་དམངས་ ལྷན་བཞུགས་ཀྱིས་ གོས་གཞི་སྟོན་འགྲོའི་ཞལ་འཛུལ་ཅིག་ཚོགས་  
ཏེ་ གོང་འཕེལ་དང་འབྲེལ་བའི་གོས་གཞིའི་གནད་དོན་ཚུ་ ཐད་ཀར་ འབྲེལ་ཡོད་ལྷན་ཁག་དང་ལས་སྟེ་ཚུ་གི་དབང་བཅུ་ལུ་  
ཐག་བཅད་གནང་ཚུགས་དང་མི་ཚུགས་ཀྱི་གསུང་གོས་གནང་སྟེ་ གོས་གཞི་ཕྱི་སེལ་རྒྱལ་ཡོངས་ཀྱི་ ཉེ་མར་གིས་ གཞི་གནང་  
ཆེ་བའི་གོས་གཞི་ཚུ་ ཚོགས་ཁང་ནང་ཕུལ་ཏེ་ གསུང་གོས་གནང་མ་ཡིན།

### གོས་ཆོད་བཏོན་ཐངས།

རྒྱལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་ འགོ་ཐོག་གཞི་བཙུགས་སྐབས་ ཚོགས་འདུའི་གོས་ཆོད་ཚུ་ ལག་པ་གིས་བྲིས་ཞིན་མ་ལས་  
སྐུ་པར་བཏབ་སྟེ་ བཟུམ་དོ་ཡོད་པ་མ་ཆད་ འཐུས་མི་རེ་རེ་བཞིན་དུ་གིས་ ཚོགས་བཤད་ཞུ་མི་ཚུ་ ཉེ་མར་ཅིག་ ག་ར་  
གོས་ཆོད་ནང་བཙུགས་ཏེ་ བྲིས་དོ་ཡོད་པའི་གྲུ་ གོས་ཆོད་ཀྱི་ཚོག་གཞི་ཚུ་ཡང་ ག་ར་ ཚོས་སྐད་ཉག་རྒྱུང་ནང་མ་གཏོགས་



ཨོང་ཁའི་ཁ་སྐད་དང་ ཡིག་ཐོག་ལུ་བྲིས་སྟོན་མེད་པ་ཡིན་ཅུང་ པར་སྐབས་ཅིག་ལས་ རྒྱལ་ཁབ་ཡར་རྒྱས་ཀྱི་འགྱུར་བ་དང་  
བསྐྱེད་ ཚོགས་འདུའི་གོ་སྐོར་ཚད་ཚུ་ མཚུབ་མཐོན་ལུགས་པར་ཐོག་ལས་བཏོན་ནི་འགོ་བཙུགས་པའི་ཁར་ དེ་གི་ཤུལ་ལས་  
སྒྲིག་རིག་ཁམ་པའི་ཁྱེད་ཀྱི་ཐོག་ལས་ བྲིས་ནི་འགོ་བཙུགས་པའི་ཁྱེད་ གོ་སྐོར་ཚད་ཀྱི་ ཚོག་གཞི་ཚུ་ཡང་ ཚོས་སྐད་དང་ཨོང་  
ཁ་སྐད་བསྐྱེད་དང་ གོ་སྐོར་ཚད་ཡང་ བཙུན་བསྐྱེད་རྒྱུ་ལྟ་ བྲིས་ནི་གི་སྟོན་འགོ་བཙུགས་ལུགས་

དམངས་གཙོའི་ལམ་ལུགས་འགོ་བཙུགས་ཞིན་པ་ལས་ཚུར་ ཚོགས་འདུའི་གོ་སྐོར་ཚད་ཀྱི་ཚོག་གཞི་ཚུ་ཡང་ ག་ཏེ་བྲག་བྲག་  
ཨོང་ཁ་ཉིག་རྒྱུ་ལྟ་ཐོག་ལས་ བྲིས་དོ་ཡོད་པའི་ཁར་ འཛམ་གླིང་རྒྱལ་སྤྱིའི་ལམ་ལུགས་དང་བསྐྱེད་ གོ་སྐོར་ཚད་ལུ་ཡང་ རྒྱས་  
འབྲིང་བསྐྱེད་གསུམ་སྟེ་ བྲིས་དོ་ཡོད་མི་དེ་ཡང་།

### གོ་སྐོར་རྒྱས་པ།

འཕྲུལ་མི་ཚུ་གིས་ ཚོགས་ཁང་ནང་ ཚོགས་བཤད་ལུ་མི་དང་ གསུང་གོས་གནང་མི་ཚུ་ ཚོག་གཅིག་རང་ ཆད་ལུས་མེད་  
པར་ སྒྲ་བཟུང་འབད་ཞིན་པ་ལས་ ཡིག་ཐོག་ལུ་ཕབ་སྟེ་ གི་དེབ་ནང་པར་སྐྱེད་འབད་དེ་བཞག་པའི་ རག་བཟོན་ལྟ་མེད་  
(Verbatim) ཟེར་ གོ་སྐོར་རྒྱས་པ་ཅིག་ བྲིས་སྟོན་ཡོད་པ་དང་།

གོ་སྐོར་འདི་ ཚོགས་འདུའི་ཡིག་ཆས་ཚུ་གི་གྲུལ་ལས་ གལ་ཅན་ཅིག་སྟེ་བཙུན་དོ་ཡོད་མི་དེ་ཡང་ ཚོགས་ཁང་གི་གོ་སྐོར་  
འབྲིང་མ་དང་ བསྐྱེད་པ་གཉིས་ནང་ གསུང་གོས་གནང་བའི་གོ་སྐོར་བཙུན་ཚུ་མ་གཏོགས་ བཀོད་ནི་མེད་པ་དང་ གོ་སྐོར་རྒྱས་  
པ་ རག་བཟོན་ལྟ་མེད་ (Verbatim) དེ་ནང་ འཕྲུལ་མི་རེ་རེ་བཞིན་དུ་གི་ ཚོགས་བཤད་ལུ་མི་གི་ ཚོག་དོན་ཚུ་ སྤྱད་  
རྟོག་གཅིག་རང་ ཆད་ལུས་མེད་པར་བཀོད་དོ་ཡོད་པ་ལས་ མ་འོངས་པ་ནང་ གོ་སྐོར་འདི་ མཇུག་མི་ཚུ་གིས་ འཕྲུལ་མི་  
ཚུ་གིས་ དམིགས་ལུ་དང་གཞི་ཅ་ དགོས་པ་ ག་ཅི་ལུ་གཞི་བཞག་སྟེ་ ཚོགས་བཤད་ལུ་ཡོད་པ་ཡིན་ན་ཚུ་ ཤེས་རྟོགས་  
འབྱུང་ཚུགས་པ་ལས་བཏོན་ཡིན།

གོ་སྐོར་རྒྱས་པ་ རག་བཟོན་ལྟ་མེད་ (Verbatim) ལུ་ཡང་ གོ་སྐོར་གཞི་སྤྱིར་བཏང་གུ་ གསུང་གོས་གནང་མི་གཅིག་  
དང་། སྤྱི་བ་སྤྱིས་ལན་གུ་ གསུང་གོས་གནང་མི་གཅིག་ དེ་ལས་ དཔྱད་ཡིག་དང་བཅའ་ཁྲིམས་ མཐུན་གོས་ལ་སོགས་པ་  
ཚུ་གུ་ གསུང་གོས་གནང་མི་ ཁག་གསུམ་སྟེ་ཡོད་པའི་གུ་ གོ་སྐོར་རྒྱས་པ་ རག་བཟོན་ལྟ་མེད་ (Verbatim) འདི་  
ཚོགས་ལུགས་མཚུག་བསྐྱེད་ ལུ་ལུན་ལྷོ་རྒྱ་ཅིག་གི་ནང་འཁོད་ ཡིག་ཐོག་ལུ་ཕབ་སྟེ་ གི་དེབ་ནང་ པར་སྐྱེད་འབད་  
ཞིན་པ་ལས་ ཚོགས་འདུའི་དཔེ་མཛོད་ཁང་ནང་ སྐོམ་འདེད་ལུ་བཞག་དོ་ཡོད་པ་དང་།

གནམ་བུར་གྱི་ཚོགས་ཐངས་ཀྱི་ གོ་སྐོར་རྒྱས་པ་ རག་བཟོན་ལྟ་མེད་ (Verbatim) གི་ཤོག་གངས་འབད་བ་ཅིན་  
༩,༥༠༠/- ཅམ་དང་ དཔྱད་ཀྱི་ཚོགས་ཐངས་ཀྱི་འབད་བ་ཅིན་ ༩,༥༠༠/- ། སྤྱི་བ་སྤྱིས་ལན་གྱི་ རག་བཟོན་ལྟ་མེད་  
(Verbatim) ཤོག་གངས་ ༩༠༠/- ལྷག་པ་རེ་ ཐོན་དོ་ཡོད་པའི་གུ་ རྒྱལ་སྤྱིའི་ལམ་ལུགས་ནང་འབད་བ་ཅིན་ ཚོགས་ཁང་

ནང་གསུང་གྲོས་གནང་མི་གི་ གྲོས་ཚད་རྒྱུ་མེད་ (Verbatim) གི་རིགས་ ག་ཅི་ཡིན་རུང་ ཡོངས་  
འབྲེལ་ཐོག་ལས་དང་ པར་སྐྱོན་འབད་དེ་ མི་མང་ལུ་བཟུམ་སྤྱོད་འབད་སྤོལ་ཡོད་རུང་ ཚོགས་འདུ་ཆེན་མོ་གིས་ དི་བ་དིས་  
ལན་གྱི་གྲོས་ཚད་རྒྱུ་མེད་ (Verbatim) འདི་མ་གཏོགས་ གཞན་མི་གི་གྲོས་ཚད་རྒྱུ་མེད་ རེ་  
བཅོམ་ལྷན་མེད་ (Verbatim) ཚུ་ བཟུམ་སྤྱོད་འབད་སྤོལ་མེད་པའི་ཁར་ གཤམ་སྤྱི་ བཟུང་གོ་པ་ལེ་འཐོན་རུང་ ཚོགས་  
འདུ་ཡོངས་ཁྱབ་བྱུང་ཆེན་ལས་ གནང་བ་ལེན་དགོ་པ་མ་ཆད་ གྲོས་ཚད་རྒྱུ་མེད་ རེ་བཅོམ་ལྷན་མེད་ (Verbatim)  
འདི་ ཚོགས་ཁང་གི་ཕྱི་ཁར་དང་ འབྲེལ་བཟུམ་སྤྱོད་འབད་གི་ཚུ་མ་ཆོག་པ་ཡིན།

### གྲོས་ཚད་འབྲིང་མ།

ཉིན་བསྐྱར་ཚོགས་ཞུགས་གྱི་གྲོས་ཚད་ཚུ་ ཉལ་མ་ཅིག་ བཅུད་བསྐྱུས་རྒྱུ་ལྟེ་བེས་ཞིན་མ་ལས་ རྫོང་ཁ་དང་ཡིང་སྐད་ གཉིས་  
ཆ་རའི་ཐོག་ལུ་ གི་དེ་བ་ནང་པར་སྐྱོན་འབད་དེ་ ས་གནས་གཞུང་དང་ ལྷན་ཁག་དང་ལས་ཁུངས་ འཐུས་མི་ཚུ་ལུ་ བཟུམ་  
སྤྱོད་འབད་མི་དེ་ལུ་ གྲོས་ཚད་འབྲིང་མ་ཟེར་སྐབ་ཡིན་མ་དང་། རྫོང་ཁའི་གྲོས་ཚད་འབྲིང་མ་འདི་ ཡོངས་ཁྱབ་བྱུང་ཆེན་གྱི་  
ཚོགས་ཞུགས་སྐབས་ ཚོགས་དམངས་ལུ་ལྷག་ཕུལ་ཏེ་ ཞུན་དག་འབད་ཞིན་མ་ལས་ ཚོགས་འཛུམས་གྲོལ་ཏེ་ ཉུས་ལུན་  
བདུན་ཕྱག་གཅིག་དེ་ཅིག་གི་ནང་འཁོད་ གྲོས་ཚད་གི་དེ་བ་ ༤༠༠ ལྷག་པ་ཅིག་པར་སྐྱོན་འབད་དེ་ གྲུ་ཆང་དང་ ལྷན་ཁག་  
དང་ལས་ཁུངས་ དྲུང་ཁྲིམས་ལྷན་སྤྱི་ དྲུག་ཁག་གསུམ་ རང་སྤྱོད་ལས་འཛུམ་ རྒྱུ་ཡོངས་ཚོགས་འདུ་དང་ཚོགས་སྤྱིའི་  
འཐུས་མི་ ཆེད་འོག་ ༢༠༥ འི་ཆ་པོ་ རྫོང་ཁག་ ༢༠ འི་ དགོས་ཚུང་བདག་དང་དྲུང་དཔོན་ རྫོང་རབས་དང་དྲུང་དཔོན་  
རབ་འབྲུམས་ཚུ་གིས་གཙོས་ འབྲེལ་ཡོད་ཚུ་ལུ་ བཟུམ་སྤྱོད་འབད་དོ་ཡོད་པའི་གྱ་ ཚོགས་འཛུམས་གྲོལ་ཏེ་ ཉུས་ལུན་ཟླ་  
ངོ་གཅིག་གི་ནང་འཁོད་ རྫོང་ཁའི་གྲོས་ཚད་འདི་ གང་མ་གྲོགས་ ཡིང་སྐད་ནང་སྐད་བསྐྱུར་འབད་དེ་ གི་དེ་བ་གྲངས་ ༡༢༢  
དེ་ཅིག་པར་སྐྱོན་འབད་ཞིན་མ་ལས་ ཕྱི་འབྲེལ་དོན་གཅོད་ཡིག་ཆང་དང་ གཞུང་མིན་ལས་ཚོགས་ སྤྱི་ཚབ་ཡིག་ཆང་ཚུ་འི་  
དོན་ལུ་ བཟུམ་སྤྱོད་འབད་མ་ཡིན།

### གྲོས་ཚད་བསྐྱུས་པ།

དམངས་གཙོའི་རིང་ལུགས་ནང་ ཚོགས་ཁང་དང་འབྲེལ་བའི་བན་དོན་ཚུ་ གང་མ་གྲོགས་ མི་སེར་ལུ་གོ་བན་སྤྱོད་དགོ་པ་  
གཤམ་ཆེན་ལས་བརྟེན་ ཉིན་བསྐྱར་གྱི་ ཚོགས་ཞུགས་བྱ་རིམ་མཐུག་བསྐྱུས་ཅིག་ ཚོགས་ཁང་གི་གནས་ཚུལ་ཚུ་ ཉུས་ལུན་  
ཚུ་ཆོད་ཕྱེད་དེ་ཅིག་གི་ནང་འཁོད་ ཤོག་གྲངས་ གཅིག་དང་གཉིས་ནང་ བཅུད་བསྐྱུས་རྒྱུ་ལྟེ་བེས་ཞིན་མ་ལས་ རྫོང་ཁ་དང་  
ཡིང་སྐད་གཉིས་ཆ་རའི་ཐོག་ལས་ ཚོགས་འདུ་ཡོངས་འབྲེལ་ཁ་བྱང་ ([www.nab.gov.bt](http://www.nab.gov.bt)) ནང་བཅུགས་ཏེ་ བཟུམ་  
སྤྱོད་འབད་མི་ལུ་ གྲོས་ཚད་བསྐྱུས་པ་ཟེར་སྐབ་ཡིན།

### གྲོས་ཚད་བཟུམ་སྤྱོད་དང་གོ་བན་གསལ་བཤད།

ཏེ་མ་འབད་བ་ཅིན་ རྫོང་ཁའི་གྲོས་ཚད་འདི་ ཚོགས་འདུ་གྲོལ་བའི་ཉིམར་ མི་སེར་སྤྱི་མི་ཚུ་ལུ་ཕུལ་བཏང་སྟེ་ སྤྱི་མི་ཚུ་གིས་



ཁོང་རའི་མངའ་འོག་གི་ སྤྱི་འོག་ཚུ་ནང་འགྱུ་སྟེ་ མི་སེར་ཚུ་ འཛེམས་འདུ་བ་ཀྱུ་ག་ཞིན་མ་ལས་ གོས་ཚད་ཀྱི་གོ་བརྟ་གསལ་  
བཤད་སྟོན་དེ་ དེ་གི་སྟུན་ལྷན་ཚུ་ འཛེམས་འདུ་འི་ནང་བཅའ་མར་གཏོགས་མི་ མི་སེར་རེ་རེ་བཞིན་དུ་གིས་ ལག་བྱེས་བཀོད་  
དེ་ ཚོགས་འདུ་འི་ཡིག་ཚང་ནང་ སྟུན་ལྷན་འབད་སྟོན་ཡོད་པ་ཨིན།

ཨིན་རུང་ དམངས་གཙའི་ལམ་ལུགས་འགོ་བཙུགས་ཞིན་མ་ལས་ཚུར་ ཚོགས་ཁུགས་ཀྱི་བྱ་རིམ་ཚུ་ རྒྱུ་མཐོང་གི་བེད་སྤྱོད་  
རྒྱུ་བསྐྱུགས་རེ་ཤིའོ་ནང་ དངོས་མཐོང་དང་དངོས་གསལ་སྟེ་ སྟུན་ལྷན་འབད་མ་ལས་བརྟེན་ ལམ་ལུགས་འདི་ ཆ་མེད་སོང་  
ཡོད་རུང་ གོས་ཚད་ གོ་བརྟ་མ་འགྲོད་པའི་མི་སེར་ཚུ་ལུ་ འཕུས་མི་ཚུ་ འདེམས་ཁོངས་བཟླ་སྟོར་ནང་འགྱུ་བའི་སྐབས་སུ་  
གོ་བརྟ་སྟོན་དོ་ཡོད་པ་མ་ཆད་ ཚོགས་འདུ་འི་ཡིག་ཚང་གི་ཁ་ཐུག་ལས་ དཔོན་ཚོང་བདག་དང་བློན་ཆེན་གྱི་ཀླུ་  
ཚུ་གིས་འབད་ མི་སེར་ལུ་ གོ་བརྟ་སྟེལ་ཚུ་གསལ་པའི་ དམིགས་ལུ་བསྐྱེད་དེ་ ཚོགས་ཐེངས་རིམ་པའི་ རྒྱུ་མཐོང་གོས་ཚད་  
ཀྱི་དེབ་ཀྱི་འབྲུ་ཚུ་ ཚོགས་འདུ་གོ་ལཱ་ཏེ་ དུས་ལུན་མ་རིང་བར་ སྤུལ་བཏང་དོ་ཡོད་པ་མ་ཆད་ ཚོགས་ཐེངས་རིམ་པའི་གོས་  
ཚད་ཚུ་ ཚོགས་འདུ་འི་ཡོངས་འབྲེལ་ཁ་བྱང་ [www.nab.gov.bt](http://www.nab.gov.bt) ནང་ལས་ བབ་ལེན་འབད་དེ་ རྒྱུ་མཐོང་དང་ཨིང་སྐད་  
གཉིས་ཆ་རའི་ཐོག་ལས་ གཞིགས་ཚུ་གསལ་པའི་ཞབས་ཏྲུག་ཚུ་ཡང་སྤུལ་ཏེ་ཡོད་པ་དང་ ཚོགས་འདུ་འི་ཡོངས་འབྲེལ་འདི་སྟོ་  
བྱུང་ད་ ཨིང་སྐད་ནང་ཐོན་མ་ཨིན་རུང་ ཡོངས་འབྲེལ་གཏོང་ཤོག་གི་ལྷན་ལུ་ རྒྱུ་མཐོང་ཡོད་པའི་ཚོགས་འདུ་དེ་གུ་ཨེབ་པ་  
ཅིན་ ཨིང་སྐད་དང་ཅོག་འབད་པ་སྟེ་ རྒྱུ་མཐོང་ནང་ཡང་ གཞིགས་ཚུ་གསལ་བེར་ལུ་ཞི།

### ཚོགས་ཁང་དང་འབྲེལ་བའི་བརྟ་བརྟུང་།

རྒྱལ་ཁབ་ནང་ དམངས་གཙའི་ལམ་ལུགས་ འགོ་མ་བཙུགས་པའི་དེ་མར་ རྒྱལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་ གླེང་ཁངས་ལས་  
བཅད་དེ་ ཚོགས་ཏེ་འབད་རུང་ རྒྱུ་མཐོང་གི་བེད་སྤྱོད་ རྒྱུ་བསྐྱུགས་ རེ་ཤིའོ་གི་ཐོག་ལས་ མི་དམངས་ལུ་ སྟུན་འབྲུལ་  
དང་ སྟུན་གསལ་ལྷན་ལྷན་གི་མཐུན་ཆེན་མེད་པ་ལས་བརྟེན་ མི་སེར་མང་ཤོས་ཅིག་གིས་ རྒྱལ་ཡོངས་ཚོགས་འདུ་འི་སྟོར་ལས་  
ཤེས་རྟོགས་འབྱུང་མ་ཚུགས་པར་ལུས་ཡོད་རུང་ ད་རེས་ནངས་པར་ ཉིན་བསྐྱར་ཚོགས་ཁུགས་ཀྱི་བྱ་རིམ་ཚུ་ མི་དམངས་ལུ་  
རྒྱུ་མཐོང་གི་བེད་སྤྱོད་ རྒྱུ་བསྐྱུགས་ རེ་ཤིའོ་གི་ཐོག་ལས་ དངོས་མཐོང་དང་ དངོས་གསལ་སྟེ་བཏང་མི་དེ་གིས་ མི་སེར་  
ཚུ་གིས་ ཚོགས་ཁང་ནང་ འཕུས་མི་ཚུ་གིས་ ཕྱག་ལུ་གནང་ཐང་དང་ རྒྱལ་ཡོངས་ཚོགས་འདུ་འི་སྟོར་ལས་ ཤེས་རྟོགས་  
ལེགས་ཤོམ་སྟེ་བྱུང་སྟེ་ཡོད་པ་ཨིན།

དེ་མ་ཆད་ མ་འོངས་ལོ་རྒྱུ་ བརྒྱ་ཕྱག་གི་འབྲུལ་ལས་ཡང་ འདས་པའི་ རྒྱལ་ཡོངས་ཚོགས་འདུ་འི་བྱ་རིམ་ཀྱི་བརྟ་བརྟུང་ མ་  
ཉམས་པར་བཞག་ཐབས་ལུ་ ཚོགས་འདུ་འི་ཡིག་ཚང་གིས་ ཉིན་བསྐྱར་ཚོགས་ཁུགས་ཀྱི་བྱ་རིམ་ཚུ་ སྤྱི་བཟུང་དང་ སྟོག་  
བརྟེན་ནང་བཅོ་སྟུན་འབད་དེ་ བཞག་དོ་ཡོད་པ་མ་ཆད་ འབྲུག་རྒྱུ་བསྐྱུགས་ལས་འཛིན་གྱིས་ཡང་ སྤྱི་བཟུང་སྟོག་བརྟེན་ཚུ་  
བཅོ་སྟེ་ གཏན་མཛོད་ནང་བཞག་དོ་ཡོད་པ་ཨིན།

### མཁུག་བསྐྱུས།

སྤྱི་ལོ་ ༡༩༥༣ ལུ་ རྒྱལ་ཡོངས་ཚོགས་འདུ་ཆེན་མོ་ འགོ་ཐོག་གཞི་བཙུགས་གནང་ཞིན་མ་ལས་རྒྱུ་ ད་ལྟོན་གྱི་བར་ན་ རྒྱལ་ཁབ་ཡར་རྒྱས་གྱི་འགྱུར་བ་དང་བསྐྱུན་ ཚོགས་ཁང་ཆེན་མོ་དེ་བྱ་སྤྱོད་ལམ་ལུགས་རྒྱ་ལུ་ རིམ་གྱིས་འགྱུར་བ་སྤོམ་སོང་སྟེ་ མི་སེར་གྱི་ཕན་བདེ་རྒྱ་ རེ་བ་ལས་ལྷག་སྟེ་ བསྐྱུབས་ཡོད་མི་འདི་ འབྲུག་མི་ཡོངས་གྱི་ མཉམ་ཞེས་བསམ་ཞེས་དང་ མིག་ མཐོང་ལག་བབྱང་ཡིན་པའི་གྲ་ ཚོགས་འདུ་འི་བྱང་རབས་གྱི་སྐོར་ལས་ གནས་རྒྱལ་རྒྱས་བསྐྱུས་རན་མི་ཅིག་ རྩོམ་བྲིས་གྱི་ ཐོག་ལས་བཀོད་དེ་ ཆེས་ཡོངས་ལུ་ སྤྱན་འབུལ་སྤུལ་མི་དེ་ལུ་ ཐུགས་དགེས་ཚོར་གྱི་སྤྱོད་ལས་གཞིགས་འབབས་གནང་མི་ དང་ ལྷག་པར་དུ་ ཞེས་ཡོན་ཅན་གྱི་མི་སྡེ་འགྲམ་ལས་ རྣ་གཞིན་རྒྱ་ལུ་ དགོས་དོན་དང་འཁྲིལ་བའི་ ཕན་ཐོགས་འབྱུང་ རྒྱུགས་པའི་ རེ་འདུན་རྣམ་པར་དག་པ་བཅས་སྤུལ་ཡོད་པ་ཡིན།

### མཁུག་སྒྲོན།

ལྷ་སྤྱས་འཇིགས་མེད་རྣམ་རྒྱལ་དབང་ཕྱུག་མཆོག ། ཐུགས་འདོད་ལྷན་གྲུབ་མཁུན་དཔྱད་ཆེར་རྒྱས་ཏེ། །  
དཔལ་ལྷན་འབྲུག་པའི་ཆོས་སྲིད་རྒྱས་པའི་གཉེན། ། སྤེལ་ཐའི་བར་དུ་ཞབས་པད་བརྟན་གྱུར་ཅིག །

རྒྱལ་ཡོངས་ཚོགས་འདུ་འི་བྱང་རབས་གནས་དེབ་ཞིག ། རྩོང་ཐོག་བྲིས་པའི་དགོ་ཚོགས་དེ་ལས་བརྟེན། །  
འབྲུག་གི་རྒྱལ་ཡོངས་སྐད་ཡིག་རྩོང་ཁ་འདི། ། མི་ཉམས་གོང་འཕེལ་ཡུན་དུ་གནས་པར་ཤོག །

## **The Tobacco Control Act: some reasons for enactment**

Zangley Dukpa<sup>1</sup>

### ***Abstract***

Social media, which was gaining popularity at the time of the enforcement of the tobacco control act, conveniently found this act to be the subject of discussion triggered and engineered by a group of affected people. Some of these people had indulged in branding the Act as draconian. This article aims to document how and why this act was enacted for the overall wellbeing of the people – socio-economic and health benefits. This article also aims to highlight the processes and consultations that took place before submitting the Bill to the Parliament and finally its positive impact.

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### **Introduction**

Bhutan was and is probably one of the first countries in the world to have had the tobacco control Act passed as early as 1729 by the most illustrious and spiritual leader Zhabdrung Ngawang Namgyel contained within Bhutan's first legal code known as the Golden Yoke of Legal Edicts. This has had significant impact on the non-use of tobacco products by monks and the religious community. Religious institutions and important public places like Dzongs have continued to remain tobacco-free areas for centuries.

With the sensitization programmes carried out over a decade starting from early 1980s, 18 dzongkhags (districts) one after another had declared their dzongkhags tobacco free areas culminating in 2004 the ratification of FCTC (Framework Convention for Tobacco Control) by the National Assembly of Bhutan.

The National Assembly also passed the resolution in the same year on the ban of the sale and production of all forms of tobacco. It may be underpinned that the smoking and consumption of tobacco and tobacco products was not banned then and even now after the enactment of the tobacco control act in 2010.

### **Prevalence of tobacco smoking and consumption**

People in the past would be seen smoking bidis, snuff or chew tobacco leaf products, which were easily and cheaply available across the border – India. In the southern part of the country, some of the farmers even cultivated tobacco.

With the launch of the five-year planned development in 1961, the advent of cigarettes and other forms of manufactured tobacco products became visible. This was coupled

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*1 Member of Parliament, National Assembly of Bhutan*

with the rapid economic growth leading to the creation of social strata in the otherwise egalitarian society exclusive of the Royal Family members. Smoking cigars and cigarettes had become social status, although there were other reasons for those people to indulge in smoking such as the influence of the global tobacco advertisement, derivation of pleasure, reduction of stress and weight.

### **Global scenarios on tobacco in 1980s**

In 1970s and 1980s, the tobacco industry has been booming across the world. Under the stiff competition amongst the tobacco industries, they spent tens and millions of dollars each year on advertising, promotion and sponsorship. Tobacco companies have targeted youth as “replacement smokers” to take place of those who quit or die. The younger the children are when they first try smoking, the more likely they are to become regular smokers and the less likely they are to quit. The industries have consistently hidden product information on the ill-effects of smoking, used the powers of their advertising dollars to dissuade media and journals from reporting on the use of chemicals causing cancers of lung, throat and esophagus, cervix, bladder, kidney, liver, stomach, colon and rectum and many such others. In fact, tobacco adversely affects every organ of the body. Tobacco companies also kept secret the use of chemicals for flavor which would make smokers addictive.

It was proven that the tobacco smoke contains

over 4000 different chemicals of which 50 are known to cause cancer in humans and many are poisonous. Chewing tobacco and sniff contain 28 cancer causing agents. Because of these chemicals, tobacco kills one person every 6 seconds globally. It kills more than 5 million people per year, more than tuberculosis, HIV/AIDS and malaria combined. It was reported that 1.2 million people died every year in the South Eastern Region alone from tobacco use. This region, which hosts more than half of the World’s poor people with high TB prevalence, is amongst the largest producers and consumers of tobacco products. Incidentally, both poverty and TB are closely linked to tobacco use and smoking. Further, more than half of the world’s children are exposed to second-hand-smoke (SHS) in their homes. More than 16 to 19 percent of non-smokers are exposed to SHS in the work places increasing the risk of developing lung cancer.

### **World Health Organization – Framework Convention for Tobacco Control**

Alarmed by the epidemic caused by the tobacco use worldwide, the idea of an international instrument for tobacco was initiated with the adoption of Resolution WHA 48.11 in May 1995 culminating in the unanimous adoption of the WHO Framework Convention for Tobacco Control (FCTC) in May 2003 during the 56th session of the World Health Assembly in Geneva. The Convention was opened for signature from

16 to 22 June 2003 at WHO Headquarters in Geneva and thereafter at United Nations Headquarters in New York from 30 June 2003 to 29 June 2004.

The WHO FCTC reaffirms “the right of all people to the highest standard of health” and also provides a member-state an opportunity to respond to global problems that cannot be solved by a national Government alone, and to coordinate and facilitate action on tobacco control around the globe. The Convention has 174 member-countries till 2010. Bhutan was one of the first 40 countries to ratify the treaty (FCTC) fulfilling the criteria to set up the FCTC Secretariat in Geneva in 2004.

### **Bhutan’s Membership to WHO FCTC**

Recognizing the negative and harmful effects of tobacco use on the health of people, particularly the youth, the Ministry of Health with support from WHO initiated a public information campaign on the harmful effects of tobacco use in the late 1980s. Although these activities were largely limited to the “World No Tobacco Days”, it had been instrumental in several dzongkhags taking initiatives and declaring themselves Tobacco Free Dzongkhags. With the establishment of formal programme in 1998, tobacco control activities had become focused and carried out regularly in the country.

During the debate on the ratification of FCTC in May 1999, Bhutan’s delegation to the World Health Assembly expressed the

country’s support of the FCTC resolution and informed the Assembly that many of Bhutan’s districts had been declared smoke-free by the people themselves.

On 2nd June 2001, the South East Asia Anti-Tobacco Flame, a regional anti-tobacco initiative was launched in Bhutan leading to a nationwide anti-tobacco campaign mainly targeting schools, institutions and the general population. Because of the aggressive advocacy by the Government and on religious ground, 18 dzongkhags on their own, beginning from Bumthang, had declared their dzongkhags tobacco-free dzongkhags. This action of dzongkhags resulted in the development of policies and legislation to ban the sale of tobacco products across the country.

In 2003, during the 56th Session of the World Health Assembly, a commitment was made to declare Bhutan as the first Tobacco Free Nation in the world. Bhutan signed FCTC on 9th December 2003 and ratified it in August 2004. During its 82nd session, the then National Assembly not only ratified the FCTC but it believed that a stronger stance must be taken on tobacco control, declaring thus the remaining two dzongkhags namely Thimphu and Samdrup Jongkhar tobacco free dzongkhags. It was resolved and notified to ban the sale of tobacco products and became effective from 17th December 2004. The notification warned of severe penalties ranging from heavy fines to confiscation of

licenses. No Smoking areas were designated and became effective from 1st March 2005.

### **The enactment of Tobacco Control Act (TCA) of 2010**

Despite the effectiveness and impact of the ban on the sale of tobacco products mentioned above, the enforcement agencies encountered problems due to lack of concrete legal standing or framework to address the issue particularly the smokers in public places and illicit trade of tobacco and tobacco products. Thus, the need for tobacco control legislation was felt. Further, Bhutan, being a party to the WHO FCTC, was required to adopt and implement effective legislation on tobacco control. The Ministry of Health responsible for public health was assigned to draft the Tobacco Control Bill in close collaboration with the relevant agencies. With the technical support from the WHO South-East Asia Regional Office in New Delhi, the Ministry of Health started drafting the Bill in 2007. The drafting committee conducted several meetings with stakeholders to deliberate and review the draft Bill.

The Bill was submitted to the Cabinet in December 2008 and thereafter to the Parliament in 2009. The Parliament deliberated on the Bill for consecutive two years. It must be acknowledged that some members went to the extent of proposing the Bill for banning alcohol and doma (betel nut) instead of tobacco. The section on penalty was another issue that attracted the attention

of members. After extensive and intensive discussion, the Parliament, in its wisdom, passed the Tobacco Control Act of Bhutan on 2nd June 2010.

### **Enforcement of the Act**

Although the Act was effective from 16th June 2010 following the Royal Assent, certain provisions of the Act particularly pertaining to the section on penalties could not be implemented immediately. The National Council questioned the Minister of Health on the delay of the implementation of the Act. The National Council was right because there were and still some Acts, which were and are not yet fully enforced such as the Tenancy Act. However, the Board of Tobacco Control Act deferred the implementation of Act till 1st January 2011 to allow the enforcement agencies to educate and sensitize the public, especially the provisions on penalties.

Having sensitized through all available modes of communication and having put in place necessary rules and regulations, different enforcement agencies with specific responsibilities began to enforce the Act. The first violator was ironically a monk who was found possessing more than allowable quantity of tobacco products. Thus, he was arrested drawing the attention of the then Opposition Leader and some sections of the society, especially the communion of smokers. Then some more people were detained intensifying the pressure from the pressure groups, resulting finally in the amendment



of Act in 2011, particularly the provisions on penalties.

### **Impact of the Act**

While there was no comprehensive study done to assess the impact of the ban, it is fair to claim that the effectiveness of Bhutan's tobacco free initiative and later legislation has become visible. The people, being health conscious, have become aware of the ill-effects of all forms of tobacco. The rate of smoking and consumption of tobacco products has steadily reduced over the years. One hardly sees anybody smoking bidis or any form of tobacco in the villages, public places, religious, health and educational institutions. The smoking of cigarettes or cigars in towns is no more perceived as a proud social status. In fact, it is increasingly being perceived as a social stigma. These days, people smoke hiding lest they would be fined or accused.

Internationally, 174 countries in 2011 have ratified the FCTC and countries like Uruguay had closed down the tobacco production factories resulting in the laying of hundreds of employees. Tobacco producing farmers in Africa and Asia have been compensated for giving up the cultivation of this harmful farming. The success of FCTC to a large extent worldwide may be attributed to the efforts of all member countries of WHO and other UN agencies.

### **Conclusion and lessons**

As the first democratically elected minister of health, my enthusiasm and excitement abound. Being a non-smoker, I was convinced that the tobacco consumption was bad both from health and religious perspectives as mentioned above. This was one reason why I pushed through the Act. However, a lesson that can be learned is that one's excitement and conviction based on the scientific research findings need to be analysed in the context of social and psychological perspectives. There would be no other Act than the TCA in terms of consultations and advocacy done aggressively over the years. The successful advocacy and education notwithstanding, the resistance the people put up mainly through the newly found mode of media had forced the Government and the Parliament to amend it. An Act that was done with a good intention can be counter-productive as is evident from the enactment of the American Disability Act in 2008 with the aim to help the people with disabilities. But, the employing agencies refuse to recruit the people with disabilities fearing the implementation of the ADA.

Our *Bodhisattava* King has been constantly reminding Parliamentarians to be mindful of too many Acts and the need to focus on the implementation and improvement of the existing Acts. Being a GNH country, it is worth considering and advocating the values of naturally accepted universal laws such as the Karmic Law and other Buddhist values.

The TCA has become the much quoted Act while deliberating any Bill – this, in a way is good in the sense that Parliamentarians should deliberate the Bills in the context of social, economical and psychological implications and consequences. A bad implementation may make a good law a bad law. A great care must be given to the implementation details and strategies including a humanistic approach. We should be mindful of the old Bhutanese adage “*za dang gum gi kedpar*” –“the difference between respectful and disrespectful approach -

### **Acknowledgement**

This paper is based on the response I prepared together with my colleagues in the Ministry of Health to the query raised several times by the first Parliament on the TCA. I would like to thank the officials in the Ministry of Health, who helped me to prepare this paper.

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# The Efficacy of the Narcotic Drugs, Psychotropic Substances and Substance Abuse Act of Bhutan (2015)

Dorji Om<sup>1</sup>

## ***Abstract***

*This paper strives to highlight the critical challenges facing the drug laws including the sweeping generalization of all defendants found in possession of drugs under the current legal framework, which criminalizes all possession of controlled substances including those obtained for personal use. Further it will study the contradictions in the relevant laws, which hinders the redemption of drug dependents and constrain the scope of their treatment through inadequate facilities and establishments and enduring criminal records, which disbars them from many job opportunities.*

## **History and Overview of the New Drugs Act**

In the early 2000's Bhutan was in the beginnings of its development trajectory, which brought swift social and economic changes on its people and their lifestyles. Bhutan's withdrawal from its isolationist foreign policy heralded tremendous economic gains and its increasing contact with the outside world also enhanced the risks of adopting unsavory practices and habits. Seemingly the open borders that Bhutan shared with India led to the growth of the trade in illicit substances. As lives of young people were being destroyed, Bhutanese communities rallied to call for stringent actions against drug traffickers. *The Penal Code of Bhutan (2011 amended), Section 497*, raises culpability of felony of the second degree for illegal cultivation, production and manufacturing of controlled

substances. Under the Code, *Section 507* prescribes a misdemeanor sentencing for the sale of controlled substances and a petty misdemeanor sentencing for the possession of controlled substances. Further the courts under the *Narcotics Drugs, Psychotropic Substance and Substance Abuse Act 2005, Section 43, 44, 45, 46 and 47* had the discretion to direct drug dependent persons charged with offences under the *Penal Code* to approved treatment centers and the discretion to suspend prosecution and penal sanctions once the offenders completed the treatment program successfully. This proved highly prudent in the cases of genuine drug dependents that were caught with their personal supply.

Analysis of the earlier Act reveals a strong desire to punish the suppliers, syndicates and purveyors of illicit drugs whilst enabling

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drug dependent defendants to redeem themselves through compulsory treatment and rehabilitation programs and waiver of prosecution and penal sanctions. However the drug situation did not abate and stronger cries for reformation of the Drugs Act led to the enactment of the “*Narcotic drugs, Psychotropic substances and Substance Abuse act of Bhutan*” in July 2015. The present Act prescribes stringent penal sanctions for all and sundry, as criminal sanctions become operative once defendants are found in possession of illicit drugs regardless of the infinitesimal quantity seized from the defendant. Similarly the gravity of sentencing for drug related offences are determined exclusively by the quantity of drugs seized from the defendant. Under the present or *New Act*, Courts are not afforded the discretion to consider the gravity of drug crimes as the pre-determined quantities select the degree of sentencing awarded to the defendant. It is irresistible that Courts should be allowed the discretion to waive prosecution and penal sanctions in genuine cases involving drug dependent persons who have been convicted for possessing illicit drugs for their own personal use. Therein this paper strives to provide a preliminary picture of the latent problems in the *New Act*, which would encumber the realization of our national objectives of drug abuse eradication and compulsory treatment for drug dependent persons.

### **The Contradiction in the New Act**

An analysis of the definition and grading

of illicit trafficking of narcotic drugs and psychotropic substances under *Section 139, 140 and 141* of the *New Act* reveals that any person who possesses, imports, exports, stores, sells, purchases, distributes or supplies any substance which is more than or equal to the quantity outlined in *Schedule VII* (minimum limits for illicit trafficking) of the *Act*, shall be guilty of an offence of illicit trafficking of narcotic drugs and psychotropic substances. Similarly to surmise *Section 137 and Section 138* of the *Act*; any person who possesses, imports, exports, stores, sells, purchases, distributes or supplies any substance without prescription and which is less than the quantity outlined in *Schedule VII* (minimum limits for illicit trafficking) of the *Act*, shall be guilty of an offence of illegal possession of narcotic drugs and psychotropic substances. Therefore the *New Act* determines the gravity of the sentencing not on the factum of the offence but strictly on the quantity of the drugs seized from the defendants. In cases where the seized drugs are substantial the intent of the defendant is clear but in cases with smaller and insignificant confiscations there is little room left for judicious deliberation of the real circumstances.

Criminal sanctions for drug related offences against any person starts operating once one is found in possession of drugs of the most negligible amount, thus one is charged with illicit trafficking of narcotic drugs and psychotropic substances if the consignment seized is equal to or more than the minimum

limits for illicit trafficking delineated under *Schedule VII* of the Act. This *New Act* under *Section 49* exempts criminal liability for substance abuse instances if the defendant undergoes treatment and rehabilitation under the compulsory submission program. While it is laudable that the *Act* strives to distinguish defendants with substance abuse disorders, in reality it chalks up to little difference being achieved since the act of possession of illicit drugs whether for personal use or otherwise is still criminalized under the pre-determined sentencing framework. The *Act* inadvertently impugns drug dependents, as the prospect of discovering persons with substance abuse disorders in possession of drugs is inevitable and highly likely.

### **The Contradiction in the New Act: the consequences of criminalizing drug possession for drug dependents**

Further the penal sentencing for drug possession is a criminal offence, which leaves the offender with an official criminal record and little scope of employment once he or she is released. Under the *New Act (Section 49)* only defendants with documented substance abuse disorders are discharged of their criminal records after they have successfully completed their treatment programs. Those convicted for drug possession albeit personal or otherwise are left with a permanent criminal record, inherently disbarring them from all government, parliamentary positions and many white-collar career opportunities. On the other hand, the *New Act* emphasizes the

importance of reintegrating drug dependents through several enabling provisions, particularly *Section 50* of the *New Act* which reads, ‘*any drug dependent person who has successfully completed treatment or served sentence shall be given equal opportunities for jobs and other opportunities to help assimilate into the mainstream.*’ Therein lies the fundamental quagmire which confounds the realization of this imperative objective as drug dependents who are convicted for the slightest possession of controlled substances are left forever debilitated by their own personal disease and the consequences of an impractical legislation.

*Section 57* of the *New Act* mandates the provision for after-care services and re-integration programs to assist drug abusers with their successful re-assimilation into society. However it is not clear how the *Act* strives to achieve this goal as the *Act* inadvertently condemns drug abusers to serve long sentences and pay steep fines. Due to the criminalization of acts involving possession of drugs and the low thresholds for what constitutes trafficking offenses, the likelihood of genuine drug dependents being liable for those offences is irresistible. Therefore it is quite evident that drug dependents are unable to avail the efficacy of the provisions for re-integration programs as it is constrained by the presence of a criminal record, which bars admission in all government, parliamentary positions and many private organizations. If we have recognized that drug dependents are

individuals who are suffering from an illness and require immediate support, how can we subject them to the same punitive measures as those who are profiting from their drug afflictions? Whilst drug trafficking offences merit severe punishment, drug abusers shouldn't be delegated to the same fates as their drug suppliers who are the main drivers for the proliferation of drugs.

**The Inability of Reconciling the Paramount Objective of the Act with the Ground Reality: the dearth of treatment and rehabilitation facilities impairs the recovery of drug dependents and prevention of drug abuse**

There are several enabling provisions in the *New Act*, including the provision for treatment and rehabilitation. Under *Section 41, 42 and 43* of the *New Act* treatment and rehabilitation is made compulsory for drug dependents regardless of the gravity of their crimes. However practically it is improbable to realize this objective because of the paucity of facilities and establishments that offer such programs. Therein, most convicted defendants do not receive treatment and rehabilitation that is made compulsory under the *New Act*. The failure or the delay to mete out treatment and rehabilitation to drug dependents should be urgently addressed as it is the overriding national objective to aid and facilitate drug dependents in their recovery and reintegration. While the punitive parts of the *New Act* are being effectively realized through special investigative measures and stiff sentencing,

more impetus and resources should be focused on recovery and reintegration of drug dependents.

**Conclusion**

While there is no universal panacea for the drug problem, there are clear underlying priorities and objectives, which need to be achieved through various collaborative efforts and measures. A cursory study of the *New Act* reveals many difficulties that compound the realization of national objectives particularly that of recovery and reintegration of drug dependents. The *New Act* fails to distinguish offences of possession, sale, illicit trafficking of drugs and psychotropic substances by imputing criminal sentencing on the basis of quantity seized. Under the *New Act*, in many instances there is little difference between drug users and drug traffickers as the stringent threshold limits for illicit trafficking view both through the same myopic lenses. Further under the *New Act*, an offence for possession of controlled substances start operating once drugs of the slightest amount is seized from the defendant. An offence of possession merits a misdemeanor charge, which upon conviction warrants a lifetime of rejections from numerous job opportunities. Under the erstwhile Drugs Act courts were given the discretion to suspend penal sanctions and prosecution for drug dependents and users, however under the current legal framework there is no provision for demonstration of leniency towards genuine drug users and dependents. Thus the *New Act* functions on



autopilot once investigative authorities seize drugs from the defendants, subsequently little room is left for interpretation by the courts, and inevitably a vicious cycle is set in motion wherein many drug users are faced with steep fines, sentencing and dimmer recovery and career prospects. It is irrevocably clear that courts should be afforded a more active role in the deliberation of drug related offences, as the ethos of the *New Act* is not being realized through the current rigorous sentencing criterion.

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## Of Legislation: who can make Laws?

Sonam Tshering<sup>1</sup>

### ***Abstract***

*Law making is one of the most complex functions of the state. Today, the purpose of law making is considered the world has become more liberal, reformative and democratic as opposed to deterrence, vengeance and authoritarian. Law-making is a process of shaping the nation: build nation, instil the values of democracy and uphold the rule of law. Parliament is the exclusive organ of the government responsible for enacting laws in the country. Is it only that the Parliament can make law? This article purposes to briefly explain what is Law? And who else can make laws?*

### **Introduction**

Democracy is established based on Rule of Law. Rule of Law establishes the just and fair society. Law brings peace and coexistence among all humans in a civilized society. Without law, man would be no better than animals. In nutshell, every system of governance functions on the basis of rule of law. Without law, world would be one giant disorganized society. Understanding the law making process is the single most important pillars of the entire society of any state as every nation is built on rule of law.

### **Of Law**

According to Austin, “*Law is the aggregate of rules set by men as politically superior, or sovereign, to men as politically subject*” or “*body of principles recognized and applied by the State in the administration of*

*justice*” (Salmond). Thus, law is a set of rules recognized by the court for the administration of justice and made by the sovereign or the legislature. The Article 13 of the Indian constitution defines laws as “*any Ordinance, order, bye law, rule, regulation, notification, custom or usages having in the territory of India the force of law; laws in force includes laws passed or made by Legislature or other competent authority in the territory of India before the commencement of this Constitution and not previously repealed, notwithstanding that any such law or any part thereof may not be then in operation either at all or in particular areas*”. However, Bhutan’s constitution does not define what law is or what constitute law and the definition of law remains to be defined in Bhutan.

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## Rule of Law

Rule of Law may be defined as “*the absolute supremacy or predominance of regular law as opposed to the influence of arbitrary power, and excludes the existence of arbitrariness, of prerogative, or even of wide discretionary authority on the part of the government*” (Dicey, 2010). The Rule of Law requires that ‘legal rules be publicly known, consistently enforced, and even-handedly applied (O'Connor, 2003). The separation of powers is ‘essential in maintaining the Rule of Law in large part because it ensures decisions are made non-arbitrarily (O'Connor, 2003). Rule of law sets structure of the democratic form of Government. Rule of Law establishes the Bhutanese democratic system. It follows the system of three arms of government under the Constitution.

## Of Doctrine of Separation of Powers

Separation of power is a pillar of rule of law. Separation of power is a general constitutional principle where the judiciary, the executive and the legislature are independent of each other and no power should concentrate in one branch of the government. It is based on the principle of “*power corrupts and absolute power corrupts absolutely*”. The term **trias politica** or "separation of powers" was coined by a French Philosopher Montesquieu. The intent of Separation of Power is to prevent the concentration of power and provide for checks and balances (Legislatures, 2016).

The Indian Supreme Court in case of

**Golaknath v. State of Punjab (1967)** stated that “*It creates three major instruments of power; namely, the Legislature, the Executive and the Judiciary. It demarcates their jurisdiction minutely and expects them to exercise their respective powers without overstepping their limits. They should function within the spheres allotted to them*” (Yashmita, 2015).

Bhutan’s constitution explicitly separates the three arms of the government. The Article 1(13) of Constitution of Kingdom of Bhutan provides the separation of power.

*“There shall be separation of the Executive, the Legislature and the Judiciary and no encroachment of each other’s powers is permissible except to the extent provided for by this Constitution”*

However, the true spirit of the separation of power no longer suits the system specially the more liberal democratic forms of the government and inevitable overlapping of functions of each arms of the government. Thus, the doctrine of separation of power has now been modified to suit the shifting of systems of government like shifting from police state to welfare state including Bhutan. For example, today, the law though made by legislature, it can be declared unconstitutional by the Supreme Court or High Court while the appointment of these judges and impeachment can be done by the Parliament and Ministers of the Executive are

parliamentarians. Similarly, the Parliament exercising the oversight functions while Executive issues numerous laws in the form of rules, regulations, circulars, notifications, and judiciary through power of judicial review and principles of interpretation of statutes do make laws in absence of such re-dressal by the parliament.

The Supreme Court of Bhutan in the case of **Government of Bhutan v. The Opposition Party (2011)** held that *“the Constitution has different centers of power under vertical, horizontal and intra checks and balance ensured through separation of power”*. Therefore, based on the principle of separation of powers enshrined under the Constitution “once the Court has taken cognizance of any matter, Parliament must comply with rules of procedure pertaining to abstaining from discussing matters that are sub-judice to respect the separation of power” (Dubgyur, 2015).

### **Of Law-Making by Parliament**

As the name suggests, parliament or legislature body is the primary organ of the government vested with all the rights on making laws in the country. Law-making power is inherently the prerogative of the parliament and its primary function.

### **Doctrine of a Parliamentary Sovereignty**

According to the doctrine of parliamentary sovereignty, the legislative body is the supreme or sovereign to all other government

institutions including any executive or judicial bodies (Essays, 2013) which can create or end any law. Generally, the courts cannot overrule its legislation and no Parliament can pass laws that future Parliaments cannot change (Parliament, 2016). This is true in case of British Parliament as British Parliament enjoys the true parliamentary sovereignty (Parliament, 2016).

This view no longer holds true for Bhutan. In Bhutan, the state derives its existence from the constitution and not otherwise. The nation is a subordinate to and controlled by the constitution (A.V.Dicey, 1998). The Parliament of Bhutan has supremacy to the extent provided by the Constitution and specifically as provided under Article 10 of the Constitution. The Article 10(1) and (2) of the Constitution provides the extent of the authority of the parliament.

*Article 10(1) “There shall be a Parliament for Bhutan in which all legislative powers under this Constitution are vested and which shall consist of the Druk Gyalpo, the National Council and the National Assembly”.*

*Article 10(2) Parliaments shall ensure that the Government safeguards the interests of the nation and fulfils the aspirations of the people through public review of policies and issues, Bills and other legislations, and scrutiny of State functions.*

Therefore, from the above provisions, one

can conclude that, the Parliament in Bhutan is not supreme to other organs of the state, the judiciary and executive but is controlled by the Constitution including its powers, functions and establishment. Bhutan's parliament follows the parliament of India, Australia or Canada as opposed to British Parliament since the Parliament does not enjoy the supremacy under our Constitution. Therefore, Parliament of Bhutan can make laws only within the ambit and scope provided by the Constitution.

### Of Law-Making by the Judiciary

The primary function of any judiciary is interpretation of law and administration of justice. The Article 1(11) of the Constitution makes the judiciary as guardian and final interpreter of the constitution while Article 21(1) of the Constitution mandates the Judiciary to (Bhutan, 2009) "*safeguard, uphold and administer justice fairly and independently without fear, or undue delay in accordance with the Rule of Law to inspire trust and confidence and to enhance access to Justice*". However, throughout the world, Courts has enacted numerous laws through the legal principle by way of exercising the power of judicial review and more recently judicial activism. The Judicial Review is considered the inherent power of the judges while judicial activism is often described as political opinion of judges through the applicable laws.

Judiciary may make laws through the exercise

of the powers of judicial review. Judicial Review is the power exerted by the court of a country to examine the actions of the legislatures, executive and administrative arms of the government and to ensure that such actions conform to the provisions of the nation's constitution. It is an instrument to legitimize the government's action and to protect the constitution against any undue encroachment by the government (Mohita, 2016).

The concept of judicial review prominently came into existence in the case of **Marbury v. Madison (1803)** by Justice Marshal where U.S Congressional Acts was tested its validity against the U.S Constitution. Justice Marshal in this case, followed the Hamilton's Federalist Papers which state that it was an inevitable and logical implication of the judicial duty to apply and interpret the law. He further said that "Constitutional limitations upon the power of the legislature are meaningless unless such limitation upon the power of legislature are recognized as rendering void any legislative act repugnant to the Constitution. It is the province and duty of the courts to say what law is" (Kadish, 1959). Similarly, in case of **Fletcher v. Peck (1810)**, the state law was tested against the U.S Constitution. Judicial review is one of the basic features of the constitution and cannot be administrative judicial or quasi-judicial authority which has trappings of the court (Gandhi, 2012).

Exercise of doctrine of colourable legislation is one of the best methods used by courts to control the shifting of power by legislature in other arms of the government and make new laws. This principle is based on the legal maxim *Quando aliquid prohibetur ex directo, prohibetur et per obliquum* which means when anything is prohibited directly, it is also prohibited indirectly. This is often called the fraud on the constitution. Similarly, courts use various other principles including doctrine of ultra vires, severability, implied power etc in making their own law through the judgments or directives or declaration or writs.

The Constitution of Kingdom of Bhutan like Indian Constitution does not provide expressed provisions on judicial review. However, the judiciary of Bhutan is provided with power of judicial review under the Article 1(10) & 1(11), Article 7 and Article 21(10) & 21(18) of the Constitution conferring the power to make laws by the judges.

Article 21(10) explicitly or by way of entrenched provision provide for judicial review power. The Supreme Court has the prerogative of the court (Dubgyur, 2015):

a. Article 1(10) of the Constitution empowers the court to declare any laws whether enacted before or after the enactment of the constitution including provisions of the international instruments to be null and void if it is inconsistent with the provisions of the constitution.

b. Article 1(11) of the constitution declares and vest the exclusive power of interpretation and guardian of Constitution to the Supreme Court of Bhutan. This provisions empowers the Supreme Court validate any laws against the provisions of the constitution through the judicial review whereby Supreme Court may come up with new laws or amend the laws enacted by parliament by applying the various principles of interpretation of the statute.

c. Article 7(22) obligates the Supreme Court and High Courts to protect the fundamental rights of the individuals. Thus, both Supreme Court and High Court are conferred with exclusive rights and empowers them to test the validity of any laws enacted by the parliament or quasi-judicial and administrative decisions against the fundamental rights guaranteed under the Article 7 of the Constitution. This is also a law making procedure where Supreme Courts will define what law is and make laws through various legal principles.

d. Article 21(10) of the Constitution provide a wide area to the Supreme Court and High Court to issue declarations, orders, directives or writs based on each circumstances of the each case. This Article is considered the most explicit provision on the judicial review (Bhutan, 2009).

*“Where a question of law or fact is of such a nature and of such public importance that it is expedient to obtain*



*the opinion of the Supreme Court, the Druk Gyalpo may refer the question to the Supreme Court for its consideration, which shall bear the reference and submit its opinion to Him”*

The Article 21 Section 10 is invoked in most recent case where issuance of Writ of Mandamus by the Supreme Court on 8th August 2016 on Election Laws governing the Thromde Elections. The Supreme Court not only declared Section 196 of the Election Act violating the Article 24(5) of the Constitution and hence null and void while the “Independent members” elected in Thimphu, Phuentsholing, Gelephu and Samdrupjongkhar Thromde found to have violated, Article 22(6) Constitution and Section 12 of the Election and hence new definition of what constitutes the Thromde Tshogde defined by Supreme Court thereby making a law.

Similarly, in the case of **Government of Bhutan v. The Opposition Party (2011)** the Supreme Court held that tax is tax where Article 14 Section 1 of the Constitution , *“taxes, fees and other forms of levies leaves no room for doubt and does not require further interpretation”*. It must be **de legelata and not de legerenda** and therefore, under Section 172 (fees and charges) of the Public Finance Act 2007, all other fees and levies generally charged to the public can be imposed or altered only by Parliament. Therefore, in short, judiciary is vested with

judicial review to make laws.

### **Of Law Making by the Executive**

The general principle in making laws is that parliament (legislative body) is only the organ of the government exclusively vested with power to make laws. Thus, under the principle of **Delegatus non potest delegare** (a delegate cannot further delegate), since the Constitution has delegated the power to parliament, the parliament cannot further delegate this power of legislation to other bodies.

However, it is practically impossible for the parliament to make laws for all matters since the functions of the government has increased enormously and also the matters have become complex. Further, parliament is not equipped with all technical expertise and does not have adequate time to enact all laws. Therefore, parliament first enacts the Act often called the parent act and delegate limited power to the executive to make sub-legislations most widely known in Bhutan as rules and regulations or sub-ordinate laws. Other such laws include executive orders, circulars, notifications most often issued by the cabinet and other executive bodies.

In Bhutan, the Article 20(2) of the Constitution vests the Executive Power to Lhengye Zhungtshog. The main function and power given to executive by the Constitution is to look after the welfare of the people, plan, coordinate, implement policies for

the development in the country. However, Article 20(8) exclusively vest the Bhutan's Executive Body to "issue orders, circulars, rules or notification except in cases where such by-laws have effect of modifying, varying or superseding any provisions of a law made by the parliament or law in force" (Bhutan, 2009).

The law making power of the executive is limited only within the delegated power by the parliament or the constitutional limits and does not extend like legislature or judicial review.

Few examples of law made as delegated legislation by the executive are Election Rules and Regulations, Civil Service Rules, Labour Rules, Environmental Rules, circulars, notifications etc.

Therefore, "an executive body can make subordinate legislation only if such power is conferred on it by a competent legislature, not otherwise. Again sub-ordinate law making body is bound by the terms of its delegated or derivative authority" (Takwani, 2012)

## **Conclusion**

Therefore, law-making is though it is in the exclusive domain of parliament, with expansion of government's role in implementation of welfare of people and adapt to modern development and reform in the democracy, all three organs of the government now directly or indirectly or

through inherent principles varyingly make laws.

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## **Does the Constitution of Bhutan provide rigid Separation of Powers among the three branches of government?**

Choida Jamtsho<sup>1</sup>

### ***Abstract***

*The term "Separation of Powers" was coined by Charles-Louis de Secondat in the 18th century. His publication, Spirit of the Laws, a political theory, asserts that for a government to function effectively and to promote liberty, powers among the three branches of the government; Legislative, Executive and Judiciary must be separate and should act independently. Bhutanese government's executive body comprises of Cabinet headed by Prime Minister, however the Cabinet Ministers and Prime Minister is also the member of the legislative branch, thus the separation between executive and legislative body is not clear. On the other hand, The Constitution of Bhutan and Judicial Service Act 2007, grants the Judiciary independence from the Executive and the Legislative. The Constitution also states that Supreme Court is the guardian of the Constitution and the final authority on its interpretation.*

*Thus, is there Separation of Powers among the three branches of government or does any branch of government has absolute power or are those three branches controlling each other's functions? Thus, Separation of Powers among the arms of government is not clear.*

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### **Introduction**

The Separation of Powers is a political Doctrine of Constitutional Law under which three branches of government are kept separate. The government of a country comprises of three organs which includes the Executive, the Legislature and the Judiciary. It is important for these three bodies to be separated from one another. Thus, Separation of Powers is important to prevent abuse of power by either body. This is known as the system of checks and balances, where each

branch is given certain powers so as to check and balance the other branches.

The Separation of Powers is "essential in maintaining the Rule of Law in large part because it ensures that the decisions are made non-arbitrarily".

Depending on the constitution and country, the degree of Separation of Powers in the government differs. For instance, Separation of Powers in the Constitution of the United

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*1 Member of Parliament, National Assembly of Bhutan*

States clearly shows that powers between and among the three branches of the government is clearly distributed. As Scott Buchanan wrote-“*All Constitutions break down the whole governmental institution into parts with specific limited Powers, but the Constitution of the United States is well known for its unusually drastic Separation of Powers*”.

This shows that each arm of government in the United States is vested with required powers and that there is no overlapping and interference in other branch of government. This ensures each arm of government to work independently of each other's work.

But the Separation of Powers of three arms of the government in Bhutan gives good system of check and balances. No constitution can survive without a conscious adherence to its fine check and balance. The Constitution of Bhutan is the Supreme Law of the State. This was passed in the first session of the first Parliament in 2008. Article 1 Section 13 of Constitution of Bhutan states that “there shall be Separation of Powers of the Executive, the Legislature and the Judiciary and no encroachment of each other's power is permissible except to the extent provided for by the Constitution”.

Thus, the constitution splits the power between the three branches of government to govern the country. There should not be overlapping between and among three branches of government, the Legislature

which makes laws (enact), the Executive which put the laws into operation (execute) and the Judiciary which interprets the laws. In other words, Legislature is the Rulemaking Department, Judiciary-the Rule Adjudication Department and Executive- the Rule Application Department.

### **Legislative Branch (Parliament)**

The legislative branch comprises of members of the National Assembly and National Council who are responsible for enacting the laws of the state and appropriating the budget necessary to operate the government. Year 2008 marked as an important milestone in the history of Bhutan as Bhutan established itself as Democratic Constitutional Monarchy under Article 1, Section 2 of the Constitution of Bhutan. This has transitioned from an absolute Monarchy to a Multi-Party Democracy. The Parliament of Bhutan was established under democratic government. The Parliament of Bhutan consists of the Druk Gyalpo, the National Assembly (NA) and the National Council (NC).

Article 2 of the Constitution of Bhutan highlights “the Druk Gyalpo is the Head of State and symbol of unity of the Kingdom and of the people of Bhutan. The Druk Gyalpo may promote goodwill and good relations with other countries by receiving state guests and undertaking state visits to other countries. The Druk Gyalpo shall protect and uphold the constitution in the best interest and for the welfare of the people of Bhutan. The

Druk Gyalpo shall summon the first sitting of Parliament after each general election. The Druk Gyalpo is the protector of all religions in Bhutan. The Druk Gyalpo may address or sit in the proceedings of either House or a Joint Sitting of Parliament as and when deemed expedient”.

The NA is a political institution comprising of forty seven elected members from two parties where the party with the majority votes forms the ruling (or government) and the other opposition. The main function of NA is to ensure that the government safeguards the interest of the nation and fulfills the aspirations of the people through public review of policies and issues, bills and other legislations. The NA has the sole authority to approve the annual national budget. The members are also entitled to vote for or against Bills and Motions.

The other House of the Parliament, National Council is an apolitical body which comprises of twenty five members. Of twenty five members, twenty are elected by voters from each Dzongkhag and the remaining five eminent persons are nominated by the Druk Gyalpo. The NC is also the house of review on matters of affecting the security and sovereignty of the country and the interests of the nation as per Article 11 of the Constitution of Bhutan. Beside its legislative functions, primary legislations, the Parliament enacts subordinate/subsidiary legislations like Rules of Procedures (RoP) and the proceedings of

each House shall be conducted in accordance with its own rules.

Thus, Bhutanese Parliament is the supreme legal authority by vesting in it all legislative powers according to Article 10 Section 1 of the Constitution of Bhutan. Parliament is vested with powers to make, review, amend and abolish laws as deemed necessary. Parliament may, by law, require compulsory militia service for adult citizens to strengthen the defence of the country.

### **Executive Branch**

The executive branch comprises of cabinet headed by the Prime Minister and is responsible for implementing and administering the public policy enacted and funded by the legislative branch.

As per Article 20 of the Constitution of Bhutan, the Prime Minister (PM), cabinet, government departments and civil service forms the Executive Body. The cabinet is a Parliamentary Executive where the prime minister and ministers are drawn from the members of Parliament. Hence it is cabinet that drives Parliament’s legislative agenda. Bhutan has a Parliamentary Executive while the Legislature exercises legislative power and the Executive exercises executive power; these two institutions are not separate or independent because the prime minister and ministers in the cabinet are appointed from amongst the Members of Parliament (MPs) thus they exercise the power, both to make (legislate) and execute the laws (apply).



In addition, the Executive possess some law-making power as it is authorized subsidiary (subordinate) legislation while prime minister is a member of both the Executive and Legislature, as a member of the Legislature, she/he (PM) participates in the law-making processes and as a head of government she/he (PM) puts the laws into operation.

Therefore, the independence of Executive is questioned for its actions by the Judiciary and the Legislature. This weakens the independence of the Executive to the maximum.

### **Judiciary Branch**

The judicial branch is responsible for interpreting the constitution and laws and applying their interpretations to controversies brought before it.

The Article 21 of the Constitution of Bhutan highlights the Judicial Authority of Bhutan. The judiciary power of Bhutan is vested in the Royal Courts of Justice comprising the Supreme Court, the High Court, the Dzongkhag Court, the Dungkhag Court and other Courts and Tribunals as may be established from time to time by the Druk Gyalpo on the recommendation of the National Judicial Commission. The main function of the Judiciary is to safeguard, uphold, and administer justice fairly and independently without fear, favor, or undue delay in accordance with the Rule of Law to inspire trust and confidence and to enhance access to Justice.

As per Chapter 1 Section 5 of the Judicial Service Act 2007, the Judiciary shall be independent from the Executive and the Legislature and no encroachment of each other's powers is permissible, except to the extent provided for by the laws of the land.

The independence of the Drangpons of the Supreme Court and the High Court shall be guaranteed, provided that a Drangpon may be censured or suspended by a command of the Druk Gyalpo on the recommendation of the National Judicial Commission for proven misbehavior, which, in the opinion of the Commission, does not deserve impeachment (Article 21 Section 15 of Constitution). The appointment of Chief Justice of Bhutan and Drangpons of Supreme Court are from among the Drangpons of the High Court or from among eminent jurists by the Druk Gyalpo, by warrant under His hand and seal, on the recommendation of the National Judicial Commission. Similarly, the Drangpons of the High Court shall be appointed from among the Drangpons of the Dzongkhag Courts or from among eminent jurists by the Druk Gyalpo, by warrant under His hand and seal, on the recommendation of the National Judicial Commission (Article 21 Sections 11 and 12 of Constitution). As per the Judicial Service Act of Bhutan 2007, Chapter 7 Sections 73 and 74, the Drangpons of the Dzongkhag Courts shall be appointed by the Druk Gyalpo by warrant under His hand and seal on the recommendation of the Chief Justice of Bhutan. And the Chief Justice

of Bhutan, on the recommendation of the Royal Judicial Service Council shall appoint the Drangpons of the Dungkhag Courts or Drangpon Rabjams.

As per the Article 1 Section 11 of Constitution, the Supreme Court is the guardian of the Constitution and the final authority on its interpretation.

Tashi Penjor, senior legal officer pointed out that “The Law will not protect if you sleep on your Legal Right”.

### **Checks imposed to the Executive by Legislature and MPs**

The Legislatures exercise check upon the Executive by imposing a weak sanction through the **doctrine of individual ministerial responsibility**. The MPs have the power to call upon the cabinet ministers to justify their policies in Parliament and impose a check by scrutinizing government bills and actions.

During the Parliament Session, the ministers can be questioned by Members of Parliament in any important issues either in National Assembly or in National Council. This ensures that the cabinet is accountable not only to the Parliament but also to the Public at large.

### **Opposition Party exercise check and balance**

The Bhutanese Parliament is formed of two

parties where the party with majority of the votes forms the government (or ruling) and the other party forms the opposition. Given one party dominance in Bhutan, the Opposition MPs in Parliament in the National Assembly play a crucial role in checking the Executive, where they enforce the **doctrine of ministerial responsibility** by providing constructive criticism of executive policies.

### **Nominated Members of Parliament (NC) exercise their checks and balances**

The nominated Members of Parliament are intended to be apolitical voices in the Parliament. They are selected from various fields and professions who can reflect as a wide range of independent and non-partisan views as possible. There are five eminent MPs in the NC, who works on check and balance of the Government from time to time with their professional guidance and best practices. They are the best resource to check the government’s policies and bills since they are neither political nor elected. They are appointed by the Druk Gyalpo thus are free of bias of any sort.

### **Parliamentary Committees act as Parliament’s watch dogs over the Executive**

The Parliamentary Committees are formed to work on issues discussed in the Parliament Sessions. Both House has numerous committees. The NA has eleven standing Committees and the NC with seven standing committees. **National Assembly’s**

**Committees:** Legislative, Good Governance, Economic and Private, Foreign Relations, Social and Cultural, Environment and Urban Development, Women, Children & Youth, House, Human Rights, Finance, Public Accounts. **National Council's Committees:** Good Governance, Economic Affairs, Foreign Affairs, Social and Cultural, Natural Resource and Environmental, House and Legislative. Committees are established to perform functions of the Parliament in a more effective manner. Committees deliberate, inquire, review, recommend, legislate and draw attention to any important matters of national importance to the Speaker or Chair and the House and to give advice on relevant issues. When the Committees are at work, the Parliament is in Session. However, additional committees can be formed by the house depending on the requirement of the house. The Public Accounts Committee (PAC) is one of the Joint Parliamentary Committees that plays an oversight function to ascertain whether the money granted by the Parliament has been spent by the government (executive) within the scope of the demand. It is also mandatory that the responsible officials from the ministries, departments, divisions and agencies to attend for the "Public Hearing" conducted by the PAC on the audit report submitted to the committee by the Royal Audit Authority (RAA) annually. The Public Hearing creates a platform for the auditee agencies and RAA to sort out the differences in the audit report.

### **House of review (National Council)**

As discussed, the National Council is an apolitical body whose responsibility besides its legislative functions it acts as the House of Review on matters of affecting the Security and Sovereignty of the country and the interests of the Nation.

### **Judicial controls on the Legislature and Executive**

Though the Parliament is supreme law maker in the country, the Article 21 Section 10 of the Constitution of Bhutan grants the Supreme Court and the High Court to issue any declarations, orders, direction or writs as may be appropriate in the circumstances of each issue passed by the Parliament. This means that Supreme Court and the High Court have the power of judicial review which empowers them to declare any law passed by the Parliament unconstitutional if it so decides. The Courts have the power to declare laws either null and void passed by the Legislatures based on the constitutionality or the administrative decisions based on the principles of natural justice or public interest or other actions taken by the Executive.

Besides the above power vested with the courts, the Judges are extremely protected by the Constitution and their decisions of any cases cannot be discussed in the parliament or by another other institution except if their conduct is in contravention with the Judicial Services Act of Bhutan. Their conduct is not open to discussion in the Parliament and their

appointment can only be made by the Druk Gyalpo by the warrant under His hand and seal in consultation with the National Judicial Commission.

In the modern world, the doctrine of Separation of Powers has come to not only means branches such as the Executive, the Legislature and the Judiciary but also institutions such as the Press and Academic institutions. In Bhutan also, the Press is considered as the fourth arm of the government.

### **Conclusion**

There is a need to do the in-depth study on the separation of powers among and between the three branches of the Government. Given that we are at the learning curve because

of our nascent democracy, all the branches of the government should strive to work in harmony rather flexing muscles to prove the importance and independence of one's institution. We should draw lessons from the Buddhist principle of dependence origination or *ju-kyen-tendrel*.

## The independence and roles of the National Assembly

Zangley Dukpa<sup>1</sup>

### *Abstract*

*This article aims to highlight some salient features that blur the boundary between the Executive Branch and the Legislative Branch, especially in the case of the National Assembly as is prevalent in any Parliamentary Democracy. Unlike the Presidential Democracy, Prime Minister and the members of the Cabinet are also legislators actively participating if not influencing the enactment of laws. The perception of the people that there is the interference of the government in the legislative branch holds some elements of true. This paper attempts to clarify some of these anomalies.*

*There is a feeling amongst some sections of the society that the only role of the National Assembly is to enact laws but there are other responsibilities, which are enshrined in the Constitution of the Kingdom of Bhutan and the National Assembly Act. This paper strives to spell out some of these responsibilities vis-a-vis the roles of the National Council.*

*Given the primacy of the Parliament over other branches of the Government, it is necessary to highlight some of the major perceived or real challenges facing the institution in order to effectively perform its functions.*

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### Introduction

The Kingdom of Bhutan, a small and serene country, has always been blessed with the visionary and compassionate leadership of its Kings. While the world has been persistently plagued by the problems of power-hungry leaders except the few like Nelson Mandela and, many countries if not all wrested the democratic form of governments through struggles, the democracy in Bhutan was gifted by the Throne against the wishes of people.

The draft Constitution of Bhutan was discussed with the people of all 20 Dzongkhags both in letter and spirit of the consultation. Best practices of constitutions of other countries that were best suited to the needs of our country have been adapted. The Parliament system in Bhutan may find some similarities with that of the United Kingdom, which, by the way, does not have the written Constitution.

The Parliament in Bhutan consists of the Druk Gyalpo, the National Council and the

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National Assembly. Of 25 members of the National Council, 20 are elected from each of the 20 dzongkhags and 5 are nominated by the King as eminent members. While the National Council is apolitical in the sense that 20 members are not elected on the basis of political party tickets, 47 members of National Assembly belong to either the Ruling Party or the Opposition Party. This is what makes the Parliament of Bhutan different from other parliamentary democracies. Besides its legislative role, the Parliament is empowered by the Constitution to review, monitor and safeguard the interests and sovereignty of the country.

### **The National Council**

The Council as envisioned in the Article 11 of the Constitution has two major functions namely, the legislative function similar to that of the National Assembly and the House of Review function. However, money bills cannot be originated in the National Council. While the National Council provides its views and recommendations, the full power rests with the National Assembly to approve the annual budget bill.

As regards the role of the House of Review, the Council is empowered by the Constitution to review the government policies that are against the interests of the State including the security and sovereignty. Although the Council is apolitical and members are free to express their independent views, some of its members have been accused of their

affiliations to one political party or the other and some of them have engaged themselves in the triviality of the functions of the Executive Branch such as the appointment of *Gewog* Clerk. The recent years, however, have seen the development of maturity in the Council, the House of supposed to be elderly and fatherly figures with wisdom and rich experiential knowledge, in performing its functions.

### **The National Assembly**

The following are the broad roles and functions of the National Assembly.

1. The Article 10 (sections 1-25) of the Constitution broadly spells out the roles of the three elements of the Parliament. Specifically, the roles of the National Assembly are to provide check and balance to the Government (scrutiny), make and change laws, debate the important issues including policies of the government and, check and approve Government spending – budget and taxes.
2. The Roles of the Opposition are distinctly delineated in the Article 18 (sections 1-6) of the Constitution. **One of its main functions is to provide check and balance so as to prevent the becoming of the ruling party autocratic.** His Majesty the King during the Public Consultation in Pemagatshel on 31st December 2005 as quoted by Former Lyonpo Sonam Tobgye said:



**In Bhutan if we have a bad Government, which affects the people and the nation, then the opposition party has the role to oppose and remove the Government from power. Therefore, the opposition party has equal and paramount responsibility with that of the government.**

As commanded by the King the task of the opposition party is to oppose the ruling party when it deviates from the interests of the country.

### **Difference between the National Council and the National Assembly.**

1. 20 members of the National Council elected by each of the 20 dzongkhags are apolitical in the sense that they are not elected on the basis of political party tickets and five eminent members are appointed by the King.
2. The Council as envisioned in the Article 11 of the Constitution has two major functions namely, the legislative function similar to that of the National Assembly and the House of Review function. However, money bills cannot be originated in the National Council.
3. The members of the National Assembly as mentioned above are elected on the basis of political party ticket system. The Party that wins the majority of seats in the House forms the Government and the other Party serves as the Opposition Party.
4. The elected members from the Ruling Party form the Cabinet or the Executive Branch. These Cabinet members are also required to sit in the House during the sessions or debates. As is mostly prevalent in parliamentary democracies, cabinet members perform both the legislative and executive functions.
5. The National Assembly, mainly the Opposition Party, strives to ensure that the Government decisions are open and transparent, public money is spent effectively and efficiently as required under the provisions of the Constitution.
6. The National Assembly can be dissolved any time while the National Council will continue till the completion of its term of five years. It has been declared through the recent amendment of the National Council Act as the continuous house.

### **Independence of the National Assembly.**

1. It is necessary to describe the difference between the Parliamentary Democracy and the Presidential Democracy, which will shed some light as to why the National Assembly in our case cannot be totally independent.

2. In a Parliamentary Democracy, a Prime Minister is first elected as a member of parliament and then he or she is elected by other members of the parliamentary legislature (Ruling Party members). The point to be underscored here is that the Prime Minister remains a part of the legislature. The legislature branch makes the laws, and thus the prime minister has a hand in law-making decisions. The Prime Minister works directly with other members in the legislature to write and pass laws.
3. In a presidential democracy, say, the United States of America, the leader called a President is elected by citizens to lead a branch of government separate from the legislative branch. Like ours, the United States has three branches of the government – the executive, the judicial, and the legislative. Although the president works with the legislative branch, it is not as direct as if he or she were a Prime Minister. The laws that the legislature wants to pass must first go through the president; he can sign them or he can veto them. The President can go to the legislative branch and suggest laws, but they (legislature) ultimately write them for his approval. In the case of USA, the Party of the President may not necessarily be in majority in either of the Houses – the Senate and the Congress.
4. In a parliamentary democracy, the boundaries between the Executive and the Legislative Branches are opaque.
5. In a parliamentary democracy, especially in the case of our young democracy, the role of Speaker in the protection and promotion of the independence of the National Assembly is increasingly becoming crucial and critical as we are currently at the learning curve. Technically and also legally, once the speaker is elected by the members of the House and appointed by the King, he has to avoid party lines in his conduct; should not express his personal opinions and he should only conduct the sessions. Since the Speaker was firstly elected by the people of his constituency on a political party ticket, his loyalty to the party is at times manifested in his conduct of the sessions.
6. As already alluded to, the National Assembly can never be totally independent of the Government because of the majority of the members from the ruling party would be rightly subservient to their Government.
7. There is general public perception that the debates in the National Assembly take along the Party lines challenging the independence of the House. Some of the reasons have been already highlighted above. Sadly, in most cases, debates or deliberations, especially those issues

concerning the governance, get hijacked by party-lines. This is inevitable because of the nature of a two-party system. Each Party may have its own position based on its overall ideology, although all political parties are guided by the philosophy of GNH. Some individual members may have differing views but they have to go by the Party lines because of the rule of the majority – the democratic principle. The good news is that, in the case of deliberations on Bills submitted by the Government, there are generally no partisan positions.

8. There is a trend developing for the good of the system. There are 11 committees comprising members not only from two Parties but also from different backgrounds, different age-groups, different levels of experiences and exposures. Through the Committee works, both working and personal relationships amongst the members are being built, which in turn creates a good climate and culture for meaningful interactions and discussions without party perspectives.

### **Need for the National Assembly to conduct Interactions and Public Hearings**

1. There is a misplaced perception of the public that the Parliament or the National Assembly is questioning and interfering in the workings of the constitutional bodies like RCSC and government agencies.

2. The National Assembly always reveres and respects the independence and autonomy of the Constitutional Bodies and agencies.
3. Broad roles of the Parliament or the National Assembly have already been espoused in the preceding passage. Besides the legislative function, the National Assembly is mandated to check and approve the Government spending (budget and taxes) and the Section 5 of the Article 2 of the National Assembly Act says: “*The National Assembly shall ensure that the Government safeguards the interests of the nation and fulfills the aspirations of the people through public review of policies and issues, Bills and other legislations, scrutiny of the State functions*”.
4. Further, a member is elected on the basis of some pledges he or she has made during the campaigns. Once elected, he or she serves as a representative or a voice of the people. In performing some of these functions, the National Assembly has to interact with the constitutional bodies, line ministries and agencies. Obviously, this should not be seen as interference but be perceived as a collaborative effort to bring benefits to the people.
5. As an instance, the Anti-Corruption Commission has to submit its Annual Report to the Parliament in accordance with the provision of the Constitution.

In the case of the National Assembly, the Good Governance Committee is assigned to review the report before it is submitted to the full House. The Committee works closely with the ACC and the experience so far has been mutually beneficial.

6. Similarly, different Committees have to conduct hearings from different ministries and agencies - be it the briefings on the Bills or issues of national importance, following the procedures and systems in place.

### **Challenges facing the National Assembly**

1. One major challenge is apparently the **role of Speaker** in conducting the sessions without partisan perspectives.
2. Given the **nature of a two party system**, issues of national importance sometimes get hijacked by partisan-driven debates. Because of Live TV, the first thing a member strives to do is to impress the voters or the public – quite often at the cost of the essence of the issues being debated.
3. A small country like ours **cannot afford to divide our country along party lines**. There will always be some interest groups who will capitalize on the situation for their selfish ends. This is against the goals and aspirations of our King - *just, equitable and harmonious society*.
4. There is a trend that needs to be contained. Some public servants, who were found to

have been involved in corruptive activities by ACC, had conveniently blamed the Politics – politically vindicated. This is dangerous for the public servants to use politics to cover up the mistakes they made and the crimes they committed.

5. To attract broad minded, highly competent and committed candidates for the membership of NA will be a challenge for now, near and distant future. As per the section 20 of the Article 9 of the Constitution, the State is required to develop a good and compassionate society rooted in Buddhist ethos and universal human values. We need MPs, some of whom become cabinet members, with attributes of integrity and values to work towards such aspirations and goals. In his inaugural address to the 87th session of the National Assembly, His Majesty the King Jigme Singye Wangchuck as quoted by Kuensel dated 9th June, 2007 said:

**The spirit of democracy must be a part of one's life at home with one's family, in the community, at work and in the government. It is not a word for politics alone. It depends on not on the form of government but on the principles, integrity and values of the individual.**

6. Members of Parliament are increasingly participating in the international forum and

they are expected to contribute towards the fulfillment of UN goals such as SDGs (Sustainable Development Goals). Thus, the importance of quality and competence of MPs cannot be underestimated.

7. **Election of the best candidates by the people** not based on party-politics or fraternity will continue to be a challenge. Lyonpo Sonam Tobgye (2014, p: 233) quotes the address by His Majesty the King during the consultation meeting in Trongsa:

**Whatever laws we make in our country and whatever kind of Constitution we have, at the end it is the people who have a vital role to play. Therefore, during the election, as we know that the people are given full right to vote, it is very important for our people to know that they have to think well and select the best out of the best.**

8. **Basic facilities required for MPs** to give their best. Some perks and privileges are necessary to attract good people and also allow them to focus on their works of serving *tsa-wa-sum* as mandated and aspired.

### **Public Education on the Democratic Process.**

1. The Election Commission of Bhutan has taken initiatives to educate the voters on the electoral processes.
2. In view of the above challenges, the National Assembly has to work on the programmes and strategies to educate the people on its roles and functions in general and also the need for competent and committed MPs so that they would vote for those candidates who could shoulder the heavy responsibilities of serving *tsa-wa-sum*.
3. The members of the National Assembly, who are required to visit their constituencies twice a year, are being engaged, to some extent, in public education on democracy but, they may be partisan and self-interested.
4. Video conference between MPs and their constituencies is one new initiative taken recently, although it is not solely aimed at educating the people but it does perform some of such functions.
5. The debates and deliberation in the House are broadcast live. While it gives people an opportunity to gauge the competence and performance of MPs, the human weakness would come into play, that is, supporters of one Party would not appreciate the performance of an MP from other Party. The Party system itself is a cause for concern. Apparently, there is need to deliberate issues objectively and the dissenting views for the better outcomes

- of the debates need to be acknowledged if not appreciated. This would be a good education for general public.
6. The propensity of the legislative journal published annually should be to educate the people on the areas mentioned above.
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## **Conclusion**

Based on some literature and his personal experiences and observations and also because of his deep concerns, the author has broadly and briefly discussed the roles of the National Assembly vis-a-vis the National Council and challenges facing the Parliament. The idea of writing this article was born out of the TV-Talk show on 24 July 2016 by the author along with an MP colleague on the roles, functions and challenges of the National Assembly. Views expressed in this paper are the sole responsibility of the author. It is hoped that this article would be some help in educating the general public about the functions of the National Assembly and qualities of leadership in the persona of MPs required to work towards the fulfillment of the aspirations of our beloved *Bodhisattava* King.

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## National Assembly of Bhutan in the realm of international alliance

Sonam Tobgay<sup>1</sup>

### ***Abstract***

*This article provides a summative insight into the international linkages of the National Assembly of Bhutan. The National Assembly, over the years has greatly benefited from its membership in international bodies which is well reflected through increasing international exchanges under taken both by the parliamentarians and secretariat staff.*

*The main components in the article highlights on Bhutan's relations with organizations such as the Association of SAARC Speakers & Parliamentarians (ASSP), Asian Parliament Assembly (APA), Asian Forum of Parliamentarians on Population & Development (AFPPD), Asian Regional Association of Public Accounts Committees (ARAPAC) and the Inter-Parliamentary Union (IPU).*

*By and large, the article aims to provide a picture of where the National Assembly of Bhutan stands on the international arena.*

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### **Introduction**

Like any other prominent institutions of democracy, parliament too needs to engage and acquire the best of international practices. And when a parliament is young and new on the global stage, consolidating a parliamentary system to the league of international sagacity becomes even more imperative.

For years, Bhutan has been entwined to the cooperation and support of donor agencies and friendly countries in its bid to knock open the door of rapid development. There may not be even a single national institution today which has not developed its ties with

external bodies, for it has become one of the defining factors in enhancing professionalism. The parliament of Bhutan has also been very much firm and constant in sailing its parliamentary function without missing the opportunities which lies beyond our borders. The seed of international parliamentary relations was indeed sown long before the introduction of parliamentary democracy in 2008. The erstwhile National Assembly had envisioned the importance of having good external ties and thus numerous activities were initiated to linkage with organizations both within and outside the South Asian region.

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Since 2008, the international participation of the Parliament of Bhutan got intensive in a manner which has solidified and conceptualized Bhutan's future parliamentary relations with other countries.

Bhutan's membership to international bodies such as the Inter-Parliamentary Union (IPU) has been one of its landmark achievements. It has underscored the commitment of the Parliament of Bhutan towards international harmony and collective efforts in realizing the dream of international prosperity.

This article reflects on the international relations of the National Assembly of Bhutan and the Parliament at large. It underscores not only the benefits that Bhutan has accrued from its international membership but also the contributions it has been able to make and its future potentials in executing the international responsibilities of a nation.

### **Association of SAARC Speakers & Parliamentarians (ASSP)**

The Association of SAARC Speakers & Parliamentarians (ASSP) was established on June 15 1992 in Colombo, Sri Lanka to promote contact, coordinate and exchange experience among parliaments and parliamentarians of the SAARC countries. The first conference of the association was however held only in 1995 in New Delhi, India. ASSP provides a platform for the member countries to keep abreast the expectations of South Asia and multiply the efforts of South Asian Association for Regional Cooperation (SAARC).

Bhutan has been a member of the Association since its inception and continues to participate in all meetings under the banner of the association. The ASSP has also played an important role in establishing bilateral parliamentary friendship groups within the SAARC region such as the Bhutan-India Parliamentary Friendship Association.

The ASSP has thus far held seven conferences and some of the important milestones it has achieved include the establishment of Women Parliamentarians' committee. The Women Parliamentarians' committee was formed during the sixth ASSP conference held in Islamabad, Pakistan in 2012.

### **Asian Parliamentary Assembly (APA)**

The Asian Parliamentary Assembly (APA) was born in 2006 at the Seventh Session of the Association of Asian Parliamentary for Peace (AAPP). In other words, the APA is continuation of an organization which was established in 1999. The APA comprises of 42 Member Parliaments including the Parliament of Bhutan and 16 observers. The APA Charter and Tehran Declaration lay out a framework of cooperation among Asian countries, and point out to a vision that is Asian Integration. APA provides a forum to parliamentarians to exchange views, ideas and experiences for developing common strategies for promotion of peace in Asia and the world. It is also aimed to foster cooperation and coordination among parliamentarians in Asia for promotion

of peace and respect for human rights and humanitarian principles.

There are five Standing Committees of the APA which include Political committee, Peace and Security committee, Social and Cultural committee, Economic and Sustainable Development committee and Energy committee. In addition to these five committees, then plenary may set up other Standing Committees, Sub-Committees, Commissions and Subsidiary Bodies as it deems necessary to deal with any subject of interests and to examine the issues on its agenda.

Bhutan currently serves as the Dy. Chair for the Social & Cultural committee ever since its appointment during the 1st APA Executive Council meeting held in Cambodia in September 2016.

### **Asian Forum of Parliamentarians on Population and Development**

The National Assembly of Bhutan is the newest member of the Asian Forum of Parliamentarians on Population and Development (AFPPD). The National Assembly of Bhutan was welcomed as a member to the AFPPD during the 11th general assembly of the AFPPD which was held from 10-11 October 2015 at Bangkok, Thailand. The decision to join AFPPD was approved during the 5th Session of the 2nd Parliament. The exchanges and cooperation with the AFPPD however started long before

National Assembly's membership. Bhutanese parliamentarians have benefited from the long standing cooperation with the AFPPD especially in the field of women empowerment and meaningful development.

The National Assembly of Bhutan today has a national committee on population and development which acts as a primary counterpart to the AFPPD in cooperating and addressing issues within the population and development context.

The AFPPD was first established in 1981, to engage Asian parliamentarians from Iran in the west to Japan in the east in developing common strategy to address population and development issues.

Among many of its activities, the AFPPD especially focuses on furthering the Asian efforts of integrating enhanced participation of women in decision making process and the pivotal roles it plays in development. AFPPD's current Strategic Framework which covers the period 2016 – 2019 has three priorities of gender equality and women's empowerment, investing in youth and active ageing.

### **Inter-Parliamentary Union (IPU)**

The IPU is the international organization of Parliaments and it was established in 1889. Bhutan became a member of the IPU during its 129th IPU general assembly held in Geneva, Switzerland in October 2013.

Since then, Bhutan has been participating in all the subsequent general assembly held thus far contributing towards the promotion of parliamentary democracy internationally. There are currently 171 Members and 11 Associate Members of the Inter-Parliamentary Union.

Bhutan has also been taking keen interest in interacting and harmonizing the efforts with young and women parliamentarian from across the world in a bid to achieve inclusive legislative functions.

The Union is the focal point for world-wide parliamentary dialogue and works for peace and co-operation among peoples and for the firm establishment of representative democracy. The IPU supports the efforts of and works in close co-operation with the United Nations, whose objectives it shares. The Union also co-operates with regional inter-parliamentary organizations, as well as with international intergovernmental and non-governmental organizations which are motivated by the same ideals.

The main areas of IPU's activity include representative democracy, sustainable development, women in politics, international peace and security, human rights and education, science and culture.

### **Asian Regional Association of Public Accounts Committees (ARAPAC)**

The Asian Regional Association of Public Accounts Committees (ARAPAC) is a regional organization of the Public Accounts of some of the South Asian and South East Asian countries. The meeting of Public Accounts Committees of South Asian nations held in Dhaka, Bangladesh, in November 2009 decided to establish the ARAPAC. The World Bank Group (WBG) currently provides a temporary secretariat for the regional association.

The ARAPAC has a total of thirteen member countries from South Asia and South East Asia including Bhutan. The association helps facilitate the exchange of information, opinion and experience relating to Public Accounts Committees and to discuss matters of mutual interest to the membership. It is also aimed at improving the quality and performance of Public Accounts Committees in Asia to ensure that taxpayers are getting value for money among others.

The Public Accounts Committee (PAC) of Bhutan organized had been at the forefront of the association leading various activities. Most recently, the Bhutan PAC organized a two day meeting for the Committee Officials of Asia Regional Association of Public Accounts Committee (ARAPAC) at Paro (Le Meridien, Riverfront) from March 14-15, 2016. The meeting which focused on Public Finance Management and analyzing audit reports was

attended by the Committee Officials from Bangladesh, Pakistan, Sri Lanka, Bhutan and Facilitators from the World Bank Institute (WBI).

Hon'ble Choida Jamtsho of Nganglam constituency is currently the Secretary General of the ARAPAC.

## **Conclusion**

Owing to the vibrant and flourishing parliamentary democracy, Bhutan has often gained international spotlights with high regard over the country's achievements. The National Assembly, as an important constitutional institution, endeavors to strengthen democracy in Bhutan through meaningful initiatives including parliamentary diplomacy. Parliamentary diplomacy has been a key factor in providing exposure to the Bhutanese parliamentarians and acquainting them with international tools which can shape Bhutan with beauty of extraordinary legislations.

In the last eight years of the new governance that the people have adopted, the National Assembly has significantly strengthened its international relations. All this international endeavors of the House has been triggered with a singular reason to extract in the best of international parliamentary practices.

As Bhutan rise taller among the club of nations, it has become even more essential to intensify its international exchanges which will one day lead to a crowing prestige for a

country which was not long before missing on the global radar.

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## Enhanced Parliamentary Research Services: a real boon to the legislatures

Tshewang Dorji<sup>1</sup>

### *Abstract*

*The Secretariats of the National Assembly and the National Council have recently elevated their research services to the parliamentarians. A strong research services is must to provide reliable and high-quality information suiting the needs of the parliamentarians for their proposed legislations, policies and programs considered by the Parliament. The experience in various Parliaments, around the world, suggests that parliamentary research services can support democracy in its development by promoting better access to information and understanding of the impact of legislation and proposed public policies. This enhanced parliamentary research services in Bhutan, in my opinion, is another milestone we have achieved in our eight years of democratic consolidation.*

*This article attempts to explain how each assistant researcher, attached to a Member, will actually facilitate the Member to carry out its three most important parliamentary functions: legislative function, representational function and oversight function.*

### **Introduction**

After a century of successful reign by our hereditary Monarchs, Bhutan became a democracy in 2008. Our visionary leader, His Majesty the fourth King let the change by ushering to us a peaceful transition from Absolute Monarchy to Democratic Constitutional Monarchy. The first democratic election was held on the 24th of March, 2008 and subsequently the first democratically elected Parliament was formed on 8th May, 2008. In giving a firm shape to its newly formed Parliament, Bhutan for the first time, walked the well-trodden trails of democracies around

the world, however, it did not falter to espouse its own unique fundamentals to make it uniquely Bhutanese. The first Parliament was resoundingly successful in laying the strong foundation of democracy.

In the last three and a half years of the second Parliament, the government steered off considerably and the parliamentary reforms geared towards consolidating democracy. In August 2016, the National Assembly Secretariat elevated its Secretariat research service supports to parliamentarians by recruiting additional research staff. Thirty four

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new researchers are at work, for five months now, each attached to an Hon'ble Member of Parliament enabling them to carry out their sacred duties and fulfill their mandates in serving the people. This parliamentary reform, in my opinion, is another milestone we have achieved in our five years of democratic consolidation.

Perhaps, a researcher each to a Member was long over-due considering the huge mandate of a Member. Replete with synthesized information by the researchers, it enables the Members to carry out their core parliamentary functions: legislative, oversight and representational functions. It is amply evident from the burgeoning tasks of the parliamentarians, year after year, that the role of a researcher in a parliamentary democracy will only grow by leaps and bounds in the years ahead.

### **Why research services to the Parliament?**

The Parliament is the highest decision making body that makes critical decisions concerning political, social, economic and environmental issues besides its legislative functions. The parliamentarians' ability to perform these roles all along the policy and legislative cycle will be shaped by their access to authoritative and reliable information ensured by dedicated researchers. The researchers provide all time non-partisan and balanced assistance to both governing and opposition parties alike to make informed decisions.

In today's world, the problems and the issues bothering parliamentarians are becoming increasingly complex and require specialized expertise to determine the various factors at play. Every day, in their capacity as policy makers and legislators, parliamentarians endure to rise to the cause of pressing needs of the changing world. However, they often fall short to get the complete picture of the real problems and thus they ill-afford to design best alternatives to solve the problem. Poor and unfitting course of action cannot keep the problems at bay but create unmitigated mess at times. Why it is a mess? Are parliamentarians handicapped or simpleton? This is because they either lack the time necessary to synthesize the information themselves or they do not have the depth of knowledge necessary to complete the task.

The works done by the Parliament in modern times is not only varied in nature, but considerable in volume. The time at its disposal is limited. It cannot, therefore, give close consideration to all the legislative and other matters that come up before it. A good deal of its business is, therefore, transacted by what are called the Parliamentary Committees. The strength of parliamentary edifice and its device is contingent upon the brains and brawns of its parliamentary committee. The old maxim "*when the committee is at work, the parliament is in session*" is often used by the parliamentarians underpinning the significance of parliamentary committees. As such, over the years, parliamentary

committees have become synonymous with the parliamentary democracies around the world. A parliamentary committee is a bunch of dedicated researchers and other support staff working for the optimum functioning of the Parliament. They are of immense value to the Parliament; they are a source of independent, neutral and non-partisan analysis.

### **Who is a Parliament researcher?**

Researcher by its definition is a person, who through rigorous work, can demonstrate original insight to a problem and identify key alternatives for the same. The quint essence of my inquiry here is, who will provide non-partisan and balanced analysis that is adapted to the needs of the parliamentarians? The experiences from some failed democracies tell us that some of the information produced by external sources to the Parliament is not only misleading but atrociously noxious to democracy. What if the Parliament in its naivety heeds to a lobbyist whose analysis is preponderantly imbued with its nefarious interest? What if Parliament in its naivety approves to political party, outside the Parliament, whose analysis is heavily obsessed with its political position? What if Parliament in its naivety supports the analysis of a civil society whose analysis is largely permeated with its specific agenda? Where can we find reliable and high-quality information suiting the needs of the parliamentarians for their proposed legislations, policies and programs considered by the Parliament? Would it not

be favorable to have staunch think tanks, policy analysts, and academic researchers to provide professional opinions and advices to the Parliament in a more rationalistic and balanced way?

In the National Assembly, it is the Secretariat staff who are civil servants and apolitical, providing research services to the Parliament. They provide all time non-partisan and balanced assistance to parliamentarians, through parliamentary committee, for both governing and opposition parties alike. A researcher in his or her discharge of duty, conducts in a manner that he or she is politically neutral, decent, transparent, committed and professional. Their analytical work will focus on synthesizing facts and presenting information in a balanced manner both in political terms and in the approaches adopted to conduct analysis.

### **What is the role of a researcher in the Parliament?**

How do researchers facilitate parliamentarians in carrying out their parliamentary functions? Parliamentarians' ability to perform their roles all along the policy and legislative cycle will be shaped by their access to authoritative and reliable information ensured by dedicated researchers. Nothing would allure, as much as the concise materials and synthesized information would do, for parliamentarians in the affairs of modern day democratic politics. Research services at their doorstep facilitate the Parliamentarians in making laws; laws that

prevent the society from chaotic disorders. Research service enables policy makers to take best policy interventions to address public problems. A researcher makes synthesis and analysis of proposed legislation, policies or programs considered by a Parliament. A good access to reliable and evidence based information is crucial, for our legislators and policy makers, for quality deliberation in the Parliament. This is vital for safeguarding the interests of the nation and for fulfilling the aspirations of the people.

#### *Legislative Function*

Parliament being the highest legislative body in the country requires reviewing, amending and enacting laws. The Will of the state is formulated and expressed through laws made by the legislature. To fulfill these roles and functions of the Parliament, researchers work in a committee carrying out diverse tasks such as researching on the policies, soliciting inputs from the general public, assisting to organize; public discussion, stakeholder consultation and so forth. Researchers also assist the Committee Secretaries to co-ordinate Public hearings and seminars between Members of Parliament and the concerned government ministries, agencies, local governments and constituencies. After a thorough research on legal, economic and social impacts of a proposed legislation, well researched briefs are provided to the Members for the informed legislative decision.

#### *Representational Function*

Parliamentarians represent the interest of the greatest possible number of citizens. They do so by representing the voice of the people often reflecting the intimate values of a particular section of the society. A Member of Parliament represent the problems, difficulties, grievances and demands of people before the government and call for appropriate policy interventions to address the needs of the people. Researchers, in order to help fulfill this mandate of a Member, often visits the Members' constituencies in rural pockets to better understand the ground realities of the public problem. In the field, researchers conduct survey and consultations with the relevant and affected people. Researchers prepare quality reports and briefs to the Member, suggesting an alternative course of action, if required over a certain issue.

#### *Scrutiny and oversight Function*

For the upkeep of the Rule of Law, the Constitution of the Kingdom of Bhutan guarantees a separation of powers among the three branches of government: Executive, Legislative and Judiciary. It is called system of Checks and Balances, where each branch is given certain powers so as to check and balance other branches. It was stipulated in the Article 10.2 of the Constitution that 'Parliament shall ensure that the government safeguards the interest of the nation and fulfils the aspiration of the people through public review of policies and issues, Bills and other Legislations, and scrutiny of state functions.

Parliamentarians scrutinize the activities of the government, in order to ensure that the government is implementing the decisions of Parliament. Yet, they are not experts in all of the areas of public policy on which they are called upon to express themselves. Researchers play a vital role in facilitating the Legislatures to undertake their oversight function righteously. Researchers synthesize and analyze various public policy issues in a manner that can enable parliamentarians to take informed decisions. Legislatures are mandated to exercise check upon the Executive by imposing a weak sanction through the doctrine of individual ministerial responsibility. The scrutiny and oversight function, third most important mandate of the legislature, bulwark against the political wrong doings.

## **Conclusion**

With the commencement of improved research services to the Parliament, we are one step nearer to our common vision: the vision for vibrant democracy.

In the years ahead, as our democracy matures, we envision greater advancement in our parliamentary research system. A well entrenched research system that is capable of ensuring vibrant democracy. Quality research services enable parliamentarians to better safeguard the interests of the nation and to fulfil the general aspirations. This is because research enables them to make informed decisions.

Most significantly, we achieved this new milestone of democratic consolidation at the most befitting time; when the nation celebrates the 10th glorious reign of His Majesty the King Jigme Khesar Namgyel Wangchuck. We sincerely owe it to Him.

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## Gyentag – a special gift to celebrate the women in power

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### ***Abstract***

*The identity of women remained in the shadows of men in the Petrarchan Bhutanese Society who were the symbol of capacity for ages. Women were never part of decision-making until recent years when the roles changed gradually with the emergence of women leaders. However, participation of women in decision making remained negligible due to their reluctance for which quota system would not serve as intervention. Institution of Gyentag has been a noble step His Majesty has taken in recognizing the role of women which would encourage women's participation.*

The titles are not given for mere representation or accolades to showcase. It is given to honor somebody who has done in their ability to fulfill the duties assigned to them in the manner of utmost reverence and regard. Historically in Bhutan, there never have been such titles given in any form to a woman. The *Gyentag* is thus, the realization and admiration of the various posts taken by the women, for their sheer hard work and capability and more on the academic front to uplift and encourage more women participation that the gift has been from the throne. As more and more women occupy positions of responsibility and leadership across the country, the *Gyentag* recognizes the contribution of women to society as well as the equal status of women in the country.

We can't simply ask for justice and rights if we are not able to define our roles and duties to adhere to that rights and justice, we are seeking for. They are the imperial parallel measure that has to go on with its existence. Women be it in Bhutan or elsewhere don't have to ask for quota system because it breaches the parallel above.

We have grown from the cocoon to become a beautiful butterfly; we came through the era where women were considered uniquely less in participation and leading roles of dynamic nature. That was history of patriarchy, a successful one in which they did uniformly best to accustom to the situation but now they need to play their part in this generation. The women were aloof and out of the war agonizing period where the man was the

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leading hero. Nevertheless, after the peace was set in the world and the thoughts matured and reformed, gradually the role of the women emerged as important as those of men.

Times have changed and women of those times in history and now, is completely different. They symbolize the very core aspect of the transitional generation. They are opening up with public speaking, decision making and being able to handle the dominant duties they are being assigned to. They are reforming slow and steady but with a masculine effort to justify they are there to do what they are capable of../

The Bhutanese women are very fortunate to be in the country where women are respected and given equal status at par to men. They live the legends of peace, equity and hold on to equal responsibility. With the magma coming through the heart of the mountain plates, the participation of women in the highly respected roles are taking challenges and risks to compete with themselves for better.

This is a healthy competition which will build in the seed of promising future of the country. The roles and duties when divided becomes less and fruitful. The decisions made jointly serves justice and accuracy. The team born out of men and women becomes the best competitive union.

‘*Patag*’, the sword for men signifies the ability to demystify the vulnerable mind

from the clusters of conflicting negativity and ignorant evil thoughts to give way for pure intention. With which comes great responsibility and role to play for the *Tsa-wa Sum*. Traditionally in past we had men holding *Patang* as a symbolic representation to carry their duties with bravery and never falling attitude towards their duties.

Women *Poenkhas* across the country have received *Gyentag*, an insignia equivalent to the *Patag* worn by men, from His Majesty the King. Historically in Bhutan, there never have been such titles given in any form to a woman. *Gyentag* which translates to “Symbol of Responsibility” is worn pinned like a brooch.

The conferment of *Gyentag* by His Majesty is a significant achievement for the empowerment of women. It came as a surprise but well acknowledged gift and honor to the women in Parliament, executive positions and other constitutional bodies who have been striving hard to do their duties sacredly.

The charm of the *Gyentag* became more auspicious in adherence to the birth of *Gyalsey*, a remarkable historical event, who will be the future of the country in align to the continuation of the constitutional democratic monarchy. The *Gyentag* is a symbol given by the throne which will bring in equity and empowerment and it’s the key to rising of future women leaders.

The *Gyentag* esteems the importance of



women in politics and other sphere. This is not just recognition for the titles these women hold but the gateway to inspire more women partaking in future and to raise the voice of the women, who constitute the other half of the population.

This year, compared to last Local Government elections, the turnout of women participation has increased in huge percentage out to about 54 percentages which is around 155 women contesting out of 205 *Gewogs* in Bhutan. With the first women representing minister Dorji Choden and Executive Position and many others in constitutional bodies, the time is not far when the numbers will become more than the current status. This is a great triumph because women no longer need quota system for they are realizing their importance in decision making process of the country.

Despite many challenges, women having additional responsibilities and duties for her family and career have been deemed of being reserved and un-participatory in nature. It has become more of a universally acknowledged consensus of them being adapted to the more homely and safer side as care giver and nurturer.

In Bhutan, women occupy very less percent of the leadership roles at the local government level, and only 6 of Bhutan's 72 Parliament members are women.

Unlike in past, lack of proper education where women representing in tertiary education

used to be very low. Also, the lack of good advocacy and awareness programs never existed, the times are relatively better now and there is more women participating.

As per Constitution of the Kingdom of Bhutan, article 9 on Principles of State Policy, section 3 states "*The State shall endeavor to create a civil society free of oppression, discrimination and violence based on the rule of law, protection of human rights and to ensure the fundamental rights and freedoms of the people.*"

The constitution was the greatest gift from throne to the people of Bhutan. In our country, we are fortunate that the tenets of the law grant girls and women equality and freedom. However, as we progress as a society we will be faced with the many challenges of our times. Women must take on their equal share of responsibility as actors in various stages of policy and decision making to ensure a healthy balance of perspectives in Bhutan's socio-economic development.

In a workshop titled 'Inspiring Bhutanese Girls' Royal Highness Princess Sonam Dechan Wangchuck stated that education is vital for the empowerment which makes the women independent and reliable. Second was the service and influence to one's country and communities. And the Foremost end to choose to serve one's people is the most noble of choices that could be most rewarding. Without the active and conscious involvement of our young girls and women, the progress as a nation will be less impressive.

The happiness in its true sense is attained when the whole nation is satiated with equity and justice. We the women are really blessed to be in such a beautiful country where women are appreciated and considered equal. This in a way is the benediction under the guiding philosophy of GNH. The visionary Monarchs who always placed his people above others

and in his selfless endeavour and regard have made *Gyentag* a milestone gift in dedication to the empowerment of the Bhutanese women.

### **Reference**

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# How to Systematically Imbue Political Exposure in Aspiring Politicians

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## ***Abstract***

*The purpose of this paper is to understand how to become a part of the political process, the various roles that can be played and steps that are required in order to get there. The public tends to dissociate itself from politicians and lawmakers and often accords them a much higher social status than is required. We do this because we tend to overlook the fact that these individuals have indeed come from the same society that we are a part of. This is a very critical point that we all must lay stress upon, especially politicians, since that would help them in understanding the needs of the people that they are representing.*

*This paper will outline the importance of various notions of citizenship, role of the education system in promoting political exposure or ideas and finally the traits that aspiring politicians need to inculcate in themselves.*

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## **Introduction**

Political exposure and consciousness are two terms that most republics are keen to promote and build understanding upon. For a nation like Bhutan, which is at the nascent of democracy, it is critical to start building a strong political foundation in terms of its political system which would leave a lasting legacy for future generations.

Bhutan is a unique case due to the peaceful transition of power with the ushering in of democracy. The Arab Spring showed forceful imposition of democracy which has now turned into mobocracy but for Bhutan it has been an extremely calm and effortless transition. The initial groundwork has been

well laid out but the foundation need to be further strengthened in order to implement the ideals that have been so well planned by the founding fathers.

Aspiring politicians have to go through a process whereby they must acclimatize themselves to the idea of democracy and then usher in change by implementing those ideas.

## **Main Issues**

All lawmakers, politicians and political experts have stemmed out from the society that we live in. A robust democracy is one in which the divide between the political class and the general society is marginal. This is an integral point which must be noted

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by every aspiring politician since they must always maintain a close relationship with the public that they wish to represent and make laws for. The public needs to view them as accessible people who are not perched atop an ivory tower.

For the successful functioning of political affairs, the idea of governance needs to be taught and promoted at the secondary and tertiary levels of the educational system. It is absolutely critical for budding politicians to have a clear understanding of political ideas, methods and systems. Merely having the desire to initiate change and govern is not adequate, they need to have the right understanding of the methods and means at their disposal. More often than not, politics becomes a hereditary profession and that has proven to be the greatest impediment towards the progress of developing nations.

There needs to be a well-planned and comprehensively designed educational curriculum which teaches citizens about political processes and their importance. Most education systems impart education on how to be a good citizen. There is a tendency, at times, to alienate the citizenry from politics. This has an adverse impact in building political consciousness. Westheimer and Kahne, in their article titled “Educating the “Good” Citizen: Political Choices and Pedagogical Goals”, have identified three types of citizens that exist in a democracy. The first type is referred to as the personally

responsible citizens. These are people that equate the responsibility of citizenship to being confined to performing duties such as regular payment of taxes, helping their local communities through acts of volunteering and strictly following the laws of the country. The second type is the participatory citizens who involve themselves in civic affairs at the local, state and national levels. They would usually engage in activities related to organizing activities for the community by seeking permits from the government and promoting initiatives put forth by the government. The third type is known as justice oriented citizens who challenge and question the system. They analyze causes for problems, critique the government and seek solutions. Often, this type is viewed as being anti-government or “muckrakers”.

When we compare the three types of citizens, it becomes evident that while personally responsible citizens are completely detached from politics, justice oriented citizens, on the other hand, could be seen as highly politically conscious almost reaching a point of political interference. It is important to find the right balance of political education so that citizens are able to combine the best traits of all three types of citizens. A successful politician, ideally, should carry traits of all the three types of citizens described by Westheimer and Kahne. Yes, it sounds like a utopian concept but is achievable through the right kind of political education.

It is often noticed that developing countries suffer due to politicians who lack political wisdom. A politician needs to know and understand various ideas related to theoretical concepts of political ideologies. Politics extends way beyond merely garnering votes from the public. It is an art which has the objective to manage society based on the interests of the citizens. Simply making laws and managing them are not adequate; politicians must understand the requirements and interests of the public. This dates back to 300's BC when Aristotle had explained that all political actions must be directed towards attaining societal happiness. He equated politics to a ruling science in which leaders must understand the difference between right and wrong.

Political decisions are concrete in nature and therefore need to be carefully planned and executed after having analyzed a situation through all possible scenarios. By nature, politics is a group activity which involves interaction amongst a large number of actors ranging from the local to the international arena. In a situation of this nature it becomes imperative to organize interactions in a structured manner through well laid out procedures and institutions. The actors need to demonstrate virtues of poise, political etiquette and diplomacy. There are bound to be diverse issues and divergent views on them but the sparring parties need to find solutions and common ground in a civil manner.

An aspiring politician needs to be aware that political decisions bear authority which is enforced by the system. At the same time, these decisions can also be challenged by the public, rival political parties or outside actors. Demonstrations and protests are popular outlets through which political decisions are questioned. Politicians also join the public in such actions in order exercise their right to voice dissent. However, they must understand the concept that rights are accompanied by duties and responsibilities. They must serve as role models to their followers and remain within the parameters of the law as failure to do so often result in political violence.

Political education must be pursued through the right tools. Many developing nations have a tendency to mimic political practices that are practiced in developed nations. This could prove to be a dangerous trend since leaders need to make decisions based on the context of their respective countries. At times, politicians lose their connect with the public because they get busy implementing so called "developed world" strategies in places where these are not feasible.

Having an understanding of political thoughts and philosophies helps in bringing in moral character into a field that is often blighted by scams and scandals. Sound political ideas help in weeding out corruption which has the potential to cause irreparable damage to any political system. In an age when corruption exists in every corner of the world, upcoming

politicians have the opportunity to eradicate this disease through morally sound practices and behavior.

Politicians ought to promote active and responsible participation from the public in order to achieve a fair and equal society. Getting people engaged in the political system would prove to be a boon for any nation in the long run since a politically conscious public can view government actions and decisions in a much more rational manner. When we talk of systematically imbuing political exposure in politicians, it would be beneficial to adopt a bottom up approach since a policy maker's job becomes infinitely easier when the people that will follow the policy have a sound understanding of its pros and cons.

While theories and ideas are an integral part of political functioning, a politician is finally judged on their actions and implementation of policies. Like any profession, practice is the best way to learn and the job of a politician is no different. However, a politician needs to be well prepared before diving into the world of politics. The next part of this paper will aim to discuss about the skills that a politician should possess which would help them to realize their potential.

Politicians always make promises to the public with regards to delivering tangible results on various goals. The basic aim should be to set the right goals. It is very important to identify which goals to chase based on their

feasibility and concreteness. Often we hear politicians promising grandiose reforms and benefits which sound utopian. Political goals must be realistic in the sense that they must be measurable and at the same time inspirational. Having inspirational goals would help the public to be optimistic and put their support behind those goals.

Public speaking is a skill that all people in the political sphere must be competent at and we see that many politicians falter in this area. There is a tendency to overdo things in order to sound big. This causes many campaigns to go off track as the leader is more interested in making glossy statements rather than delivering the central message. Every political campaign has a central message which is short, crisp and clearly defines the entire campaign. Getting that message across should remain the prime objective as people would form an image based on that.

Murphy's Law applies to any scenario in life and more so in the field of politics since it involves such a large number of people. Politicians have to be flexible in their approach and this is where the art of diplomacy would serve as handy. There is bound to be diversity of opinions and beliefs in every society and it becomes crucial for a leader to have an adaptive nature and pre plan solutions for worst case scenario situations. One also has to know the opposition's strategy since most democracies have a multi-party system and even in a bi-party system, there is always



an opposition. Therefore, it is necessary to understand the opposition's viewpoints. Adopting a SWOT analysis approach would help politicians to plan their own campaigns better and counter their opposition at the same time.

Media works as the fourth wheel of a democracy and journalists are always looking for a story. A public figure is continuously under scrutiny with every move being monitored. The internet is continuing to grow on a daily basis and social media has completely changed the dynamics of traditional journalism. News has a much wider reach due to citizens sharing their opinions and the Arab Spring has proven that today social media is capable of stirring up a global revolution, all from the fingertips of the common man. In such an environment, a politician has to be extremely careful on how they express their opinions. If used correctly, it can whip up support or it could turn into a huge liability. The ongoing Presidential election in the US has seen social media whip up a political storm. At the same time, traditional media outlets continue to poke and probe every aspect of a public figure's life. TV interview serve as an important tool through which a person can get their message across to a large audience. It is an opportunity to project an image and opinions are formed. The audience observes every minute detail and body language plays a big role in it. Saying the right words but in the wrong tone with demoralizing body language completely

dilutes the overall impact. Aspiring politicians need to observe debates in order to prepare themselves for public appearances.

A few important communication strategies that are used in the business world are proving to be extremely pertinent to the political sphere as well. KISS is an anagram for 'keep it simple and short'. A politician must know the exact details of a topic and then offer their message in the simplest, effective and shortest manner. Dragging a subject will make people lose interest. AIDA is another anagram which states 'attention, interest, desire, action'. A politician has to draw the attention of the public towards a subject, get them interested and invested in it so that there is a collective desire to take action.

Finally, a good politician has to understand and imbibe the quality of inclusiveness. Even in a landslide political victory, there will always be a minority or opposition whose opinions have to be respected and included. A public servant has to serve the entire public and not just the people that support him or her.

## **Conclusion**

Political consciousness and exposure have to be systematically spread from the grassroots level. The school system has to ensure that just like science and math, political studies must be mandatory at least until middle school. We often hear the saying "our kids are the future". Yes, that is a true statement and these are also going to be our future law

makers and government officials. Hence, it is imperative that they are exposed to existing political thoughts, ideas and systems at the school level, through leadership workshops and specialized courses at the tertiary level of education.

For a budding democracy such as Bhutan, aspiring politicians must follow practices adopted in successful democracies across the world. However, they need to adopt those ideas in congruence with the existing environment of Bhutan. What works in the USA might not work in Bhutan and vice-versa.

Thus, in conclusion, a successful politician needs to combine sound political knowledge with sound judgments and a high sense of empathy towards the public because without this public there would be no politician.

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