

# BHUTAN A KINGDOM IN THE HIMALAYAS

A Study of the Land, its People and their Government

Ву

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PUBLISHED BY THOMSON PRESS (INDIA) LIMITED, PUBLICATION DIVISION, 19 MALCHA MARG, NEW DELHI-21, AND PRINTED BY AROON PURIE AT THOMSON PRESS (INDIA) LIMITED, FARIDABAD, HARYANA. भूतलगिरि सरसिजनिभमिह भूत्तानं यमस्मि वन्दितवान् । पुस्तकमिदमथ सादरभरमपितमस्तु मे तस्मै ॥।॥ एतस्य च प्रजाभ्यो गुरुगुरवे पद्मसम्भवाय भुवः । नेप्यति यन्नेतृत्वं नित्यं महिमालयं हिमालयकम् ॥2॥ अपि च प्रतिष्ठितानामपि प्रतिष्ठास्पदाय भूपाय । जिग्मेदोर्जीवंग्चुक् शुभाभिधानाय देवाय ॥3॥ भूत्तान देशऽखिलराष्ट्र बन्धुतां शान्तिञ्च विस्तारयितुं प्रयस्यतः । यस्येतिहासं सुयशः प्रपत्स्यते कार्तंत्र्यतो मानविकी स्मरिष्यति ॥4॥ तं त्वां हिमालयगुरुर्भगवान् गिरीशोऽध्यात्मे गुरुश्च भगवान् किल बुद्धदेवः । गोपाययेदनदिनं तव चापि राज्यं प्राज्यं, प्रजाश्च परितः परितोष्येत्सः ॥5॥

(These few pages are respectfully dedicated to the mountain lotus of the world, in admiration of the country, its people and the greatest of all Gurus, 'Padma Sambhawa', whose light will ever guide the high Himalayas. And above all to the noblest of the noble king Jigme Dorji Wangchuk, whom history will ever cherish and mankind always remember with gratitude for bringing his noble men to join the world fraternity as a selfless partner in search for peace. May the God of the Himalayas, Lord Shiva, and the spiritual Lord Buddha protect thy kingdom and thy people always.)

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# FOREWORD

I welcome this book on Bhutan, a country which has recently been admitted to the United Nations. I am glad that this country has attracted the attention of Dr. Nagendra Singh, a distinguished jurist and friend of Bhutan. I have no doubt that this valuable treatise will interest not only students of history, law and politics, but also laymen, and thereby make Bhutan better known to the world.

(U. Thant)

# PREFACE

There are some rare occasions when the publication of a book becomes both a pleasure and a privilege to the author as also to the publisher. In writing this monographic study in history, culture and politics of the sovereign State of Bhutan which will ever remain nature's own creation in the mountain fastnesses of the highest range in the world, I have throughout felt an enthusiasm which has been a source of great pleasure by itself. Again, the admission of Bhutan to the United Nations has given a privileged position to the publication and more so to the author who has the honour of being the Constitutional Adviser to the Government of Bhutan. It is an occasion for celebration for every Bhutanese to see his motherland step into a new era. It is equally a privilege for anyone to be associated with the rise to statehood of this peace-loving mountain cradle of hitherto isolated human civilization which is at once distinctive in character, great in spiritual values and unique in its tradition, culture and philosophy.

At the moment Bhutan thrives with its unwritten constitution, although intention is expressed that one day Bhutan should have a written framework of its constitutional laws to regulate the activities of its political organs. However, as the State is developing fast, both economically and politically, it needs flexibility as the very essence of its progress. A written constitution might introduce unnecessary rigidity and place limitations and fetters on future development. At this initial stage in the new political life of Bhutan as a member of the international community, nothing should be done to introduce elements which would prevent the natural growth of the political and constitutional organs of the State. However, once the development has taken a distinct shape, it may be worthwhile lending clarity and precision by having a written constitution.

Meanwhile, the great strides made by Bhutan since 1907 have been, indeed, momentous. The unification of authority so necessary for the conduct of external affairs, the consolidation of the State machine internally, so essential for the maintenance of public order, and the economic growth and well-being of the State and its nationals, are but some of them. In fact, Bhutan has registered marked progress in every direction and a separate chapter has, therefore, been devoted to the emergence of Bhutan as a modern State almost in record time. (Chapter viii)

No study of modern Bhutan could be complete without a description of its picturesque land, its colourful people and its art and culture, which all bear a special character of their own. Thus Part I of the book has been devoted to the aforesaid aspects alone. The religion of Bhutan stands on its own among the numerous faiths of the world. Taking its origin from the enlightened Buddha, the religion of Bhutan is a veritable symbol of peace based on non-violence in deed and thought.

Moreover, as the raison d'être of this study has been to describe Bhutan as a sovereign State, the political institutions, constitutional organs and the governmental authorities that constitute the State have been described in Part II in a historical perspective. The economic development of the State has also been narrated in a separate chapter.

As the publication of this work synchronises with the admission of Bhutan to the United Nations, Part III deals with Bhutan's entry into the world family of nations. The emergence of modern Bhutan is a fascinating study. There were many fields and directions in which progress and unification were required before Bhutan could consolidate its position, both internally and externally, as a sovereign State. First and foremost it had to end the diarchy of the Deb Raja and Dharma Raja, who were the two separate Heads of State, the former temporal and the latter spiritual. Apart from this need for the emergence of a single authority to be able to conduct external relations of the State, there was also the dire need for consolidating internal authority by establishing supremacy over the Penlops of the Bhutan, who in the Middle Ages had been so powerful as to partition authority on a territorial basis. Above all, there was the need to democratise and modernise the entire political machine of the State which, coupled with the aforesaid problems, presented a stupendous task. History has witnessed many complicated events leading to unification of the territories of countries and the establishment of an unquestioned single authority both within and without the State. Bhutan's story of rise to statehood has been its own inasmuch as it has throughout been marked by simplicity, straightforwardness and peace in all its stages and in all eventualities.

In this great process of unification, consolidation, and rise to statehood, the contribution made by the late King, His Majesty Jigme Dorji Wangchuk, has been outstanding. He has really been the architect of modern Bhutan. A separate book could be written on his personality alone. His untimely demise has, in fact, caused a great loss not only to Bhutan but also to all the friends and well wishers of peace in general and this State in particular. In the present context, therefore, this monograph on Bhutan would not be complete without an appropriate mention of his achievements.

The admiration which Bhutan spontaneously evoked from the members of the Security Council of the United Nations has been profound. An attempt has accordingly been made to reproduce the graphic account given by representatives of the Member-States of the U.N. Security Council of Bhutan's culture, climate and life. They all hailed the distinct acquisition that this new Member State will make to the United Nations.

The purpose of this exercise would be more than fulfilled if this small monograph enables not only the members of the United Nations but also the world at large to appreciate that with Bhutan's participation in the United Nations, one more pillar of strength, deeply genuine in its intentions and crystal clear in its honesty of purpose, has been added to the building of world peace, a task so vital to the happiness and lasting prosperity of mankind.

I could not conclude this preface without expressing my gratitude to Dr. Blanche C. Olschak of Zurich, who helped me with material as well as coloured photographs of an exquisite character. In regard to the latter, I have to thank Madam Ursula and Mr. A. Gansser. The assistance of all three has made it possible for me to deal at length with the art, culture and religion of Bhutan. My sincere thanks are also due to Mr. Gibson, the distinguished Principal of Mayo College, Ajmer, who has recently retired, for his courtesy in giving me some of his valuable coloured photographs on Bhutan.

I am indeed grateful to the publishers who have undertaken this work with commendable zeal. Mr. L.R. Nair has extended to me his cooperation throughout the effort to publish this book, and I am personally thankful to him for what has been achieved.

Again, I owe a deep debt of gratitude to the Surveyor General of India for his kind permission so promptly received, for the publication of the maps of Bhutan. In this connection, Mr. S. Bose, Curator at Rashtrapati Bhavan, has been exceedingly helpful in suggesting proper combination of colours for the maps which now appear so elegant.

I am also thankful to Mr. R. Bedi whose photographs show a genirine insight into life of Bhutan and Mr. T. Kashi Nath whose willing cooperation has been extremely helpful in the selection and layout of photographs.

New Delhi

# Nagendra Singh

# PART I INTRODUCTION

# I

# THE LAND

## The Territorial Extent

IF THE first sine qua non of a sovereign State is landed territory, it would appear essential, at the very outset, to attempt a description of the territorial extent, location and distinguishing characteristics of the land of Bhutan, a new member recently added to the international community of States. As location must logically come first, Bhutan may be described as a landlocked State of South Asia lodged on the hill tops on the southern side of the Great Himalaya range.

In his erudite account, Coelho, an official of the Ministry of External Affairs, Government of India, has indicated the territorial extent of Bhutan by listing the frontier States which border Bhutan, when he observes as follows :

"Bhutan is bounded on the north by Tibet, on the west by Sikkim and the Chumbi Valley of Tibet and on the east and south by the Indian States of Assam and West Bengal."<sup>1</sup>

Similarly, the exact location of Bhutan according to the Surveyor General of India is to the following effect :

"Bhutan is situated along the southern slopes of the Great Himalaya range. It is bounded by the table-land of Tibet on the north; the plains of Jalpaiguri district of West Bengal and Goalpara, Kamrup and Darrang districts of Assam in the south; the Chumbi Valley (Tibet), Sikkim and Darjeeling district of West Bengal in the west; and the Kameng district of the North-East Frontier Agency<sup>2</sup> (Assam) on the east."

<sup>1</sup>Sikkim and Bhutan by Coelho, V.H., Secretary to the Government of India, Ministry of External Affairs, published by the Indian Council for Cultural Relations, p. 57. <sup>2</sup>The North Fact Frontier Agency on NEFA is now a part of the recently constituted

<sup>2</sup>The North East Frontier Agency or NEFA is now a part of the recently constituted Union Territory of Arunachal Pradesh of India.

BHUTAN

The most convenient method known to history to define the location of any territory of a political State is to take recourse to maps and the one\* on the opposite page may help to determine the geographical location of the ancient land of Bhutan.

As far as the area of Bhutan is concerned, it had hitherto been stated to be approximately 18,000 square miles. This is confirmed by the calculations made by Karan and Jenkins in their scholarly work : *The Himalayan Kingdoms.*<sup>3</sup> Again, there is a reliable publication of the Information Service of India on Bhutan which not only confirms the aforesaid area, but also gives the length and breadth in the following words :

"Bhutan has an area of about 18,000 square miles, roughly rectangular in shape and extending about 200 air-miles from east to west and about 100 air-miles from north to south."<sup>4</sup>

The position, however, seems to have since been fully cleared through an official survey and measurement conducted by the Survey Department of the Royal Government of Bhutan insofar as *Kuensel*, the weekly official bulletin of the Royal Government of Bhutan, confirms that the total area of Bhutan is 18,000 square miles.<sup>5</sup>

## The Nomenclature 'Bhutan'

The territorial extent described above has been known to recorded history as Bhutan, though there are various theories put forward as to the derivative meaning of that name. In the old Tibetan texts Bhutan was called 'Land of the Mon' (*Mon-Yul*) referring to the Monpa, aboriginal inhabitants of the Himalayas, who had found a retreat in the south-east of the country. Another characteristic name of these regions was 'Realm of

\*The map has been obtained from the Surveyor General of India and published by his kind permission.

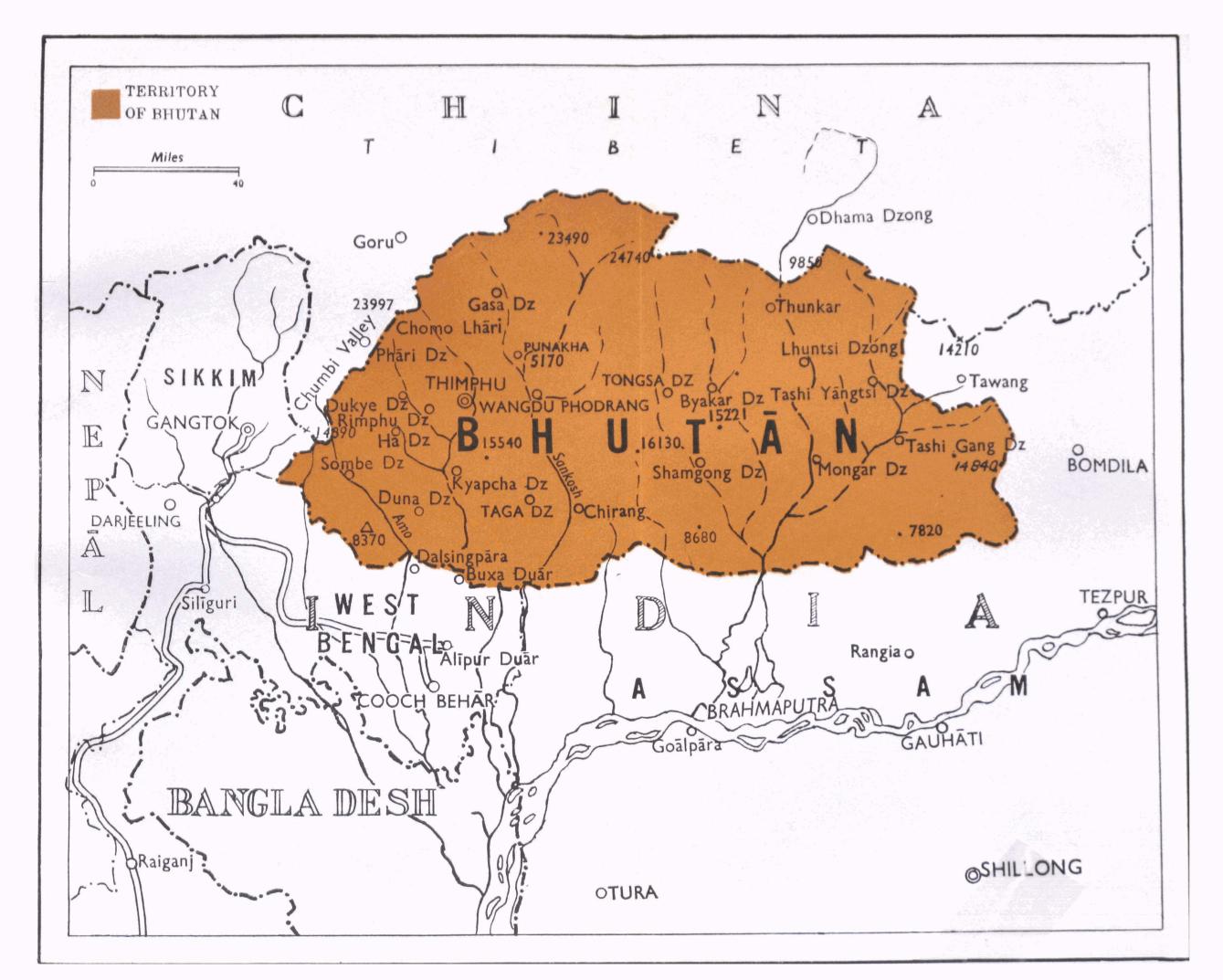
<sup>3</sup>Karan, Pradyumna P., and Jenkins, William M., Jr., The Himalayan Kingdoms: Bhutan, Sikkim and Nepal, p. 27.

<sup>4</sup>Bhutan and Sikkim, published by Information Service of India, Political Office, Gangtok, Sikkim.

<sup>5</sup>Kuensel, the Weekly Official Bulletin of the Royal Government of Bhutan, Vol. VI, No. 12, dated November 14, 1971, p. 10. Under the column 'Information Box', the Kuensel gives the following question and answer:

"N. Gyeltshen, Thimpu

- Q. How did you find out that the total area of Bhutan is exactly 18,000 square miles and by whom was the measurement done?
- A. I have a survey map in my office which you may come and see sometime and measure the area yourself. The survey and measurement was officially conducted by the Survey Department."



#### THE LAND

Healing Herbs', since the southern slopes of the Himalayas have been known from time immemorial for medicinal herb plants. There is also good reason why the ancient blockprints refer to Bhutan as 'Paradise of the South' and 'Lotus Garden of the Gods—Rich in Forests of Sandalwood and Sweet-scented Herbs'. The southern Mon districts have been described as 'Punakha' (*sPu-na-kha*), the region where oranges, bananas, citrus-fruit and sugarcane grow alongside bamboo, pines and firs. To the south, 'Pasamkha' (*dPag-bsam-kha*) was known as 'the end of the rainbow district of desires', situated at the foot of the Himalayas, an exchangeplace for wares from the north and from the south.

However, the most plausible, logical and readily acceptable theory of the origin of the name Bhutan appears to be the one based on the Sanskrit descriptive phrase Bhota ant which means 'end' (ant) of Bhota (Tibet) indicative of the geographical location of Bhutan which is certainly at the end of Tibet. This is, indeed, a significant derivative interpretation because it helps to depict a separate integrity of this area from Tibet although adjoining the Tibetan land and its culture. Bhutan is in every sense of the word a borderland of Tibet, but it is by no means a part and parcel of Tibet, geographically, politically or otherwise. Another possible Sanskrit derivative could be Bhu-uttan standing for high land. With the marked influence of Buddhism and its Pali medium, there can be little doubt that the Sanskrit interpretation would be the most logically applicable in this case. However, apart from the aforesaid theory concerning the derivative origin of Bhutan, which has been supported by more than one scholar,6 there is the well-known proposition put forward by David Field Rennie, which dates back to 1866. According to him, the word Bhutan simply means 'the country of the Bhots or Thibetians. More correctly, it should be spelt Bhotstan-stan in the Persian and Arabic meaning place: hence Hindoostan, Afghanistan and Beloochistan, the places respectively of the Hindoo, the Afghan, and the Belooch'.7 As the Persian and Arabic influence in Bhutan is seen nowhere, the aforesaid interpretation of Rennie seems to invite epithets which were unknown in that region to both the traveller and the contemporary writer as well as the inhabitants. It may, however, be true that among the inhabitants of Tibet there was a section known as Bhoteahs and their migration to Bhutan is also a part

<sup>•</sup>Ram Rahul, The Himalaya Borderland, Vikas Publications, 1969, p. 10.

<sup>&</sup>lt;sup>7</sup>Rennie, David Field, *Bhotan and the Story of the Doar War*, first published by John Murray, Albemarle Street, London, 1866; Reprinted by Bibliotheca Himalayica, 1970, p. 3.

of recorded history. It is also noteworthy that the territorial area represented today by Tibet was not known in China as Bhote or Bot. It has been suggested that the Chinese words *Ta* and *Fung*, standing for 'the great wind' for which Tibet is well known, were responsible for giving the name Tibet to that geographical area. What appears to be clear is that a Sanskrit derivation is more appropriate than a Persian or Arabic one in this particular case. If this is accepted, it would stand to reason that the Sanskrit descriptive phrase Bhota-ant is the proper derivative origin of Bhutan. Even if Bhot or Bot does not stand for Tibet as such, there can be no doubt about the existence of Bhoteahs who were the inhabitants of the Southeastern region of Tibet. In the circumstances, Bhot-ant can still represent the geographical location of the land at the end of Bhoteahan habitation in Tibet.

It is, however, somewhat strange that as far as the inhabitants of the region are concerned, they have given their country the name 'Drukyul' or 'The Land of Thunder Dragon', and the terrain in turn has been designated as 'Drukpas'. The origin of Drukyul is the Drukpa sect of Lamaism, which held sway in the country from the early 17th century. There can be little doubt that 'Drukyul' is a name given to this land in recent history, whereas Bhutan still stands as the most ancient nomenclature of this small but fascinating nest of land perched in the ever attractive range of the Himalayas.

#### The Terrain

It has been universally accepted by writers as well as travellers and visitors to this area that Bhutan is, perhaps, one of the most outstanding picturesque spots on the earth. Its main characteristic is lofty and rugged mountains followed by ravines of sublime scenery. In this connection, it would be worth reproducing the description of the terrain given by one of the early travellers of the 18th century, Captain Turner, who is indeed struck by the scenic beauty of the land.

"The prospect between abrupt and lofty prominences is inconceivably grand; hills clothed to their very summits with trees, dark and deep glens, and the high tops of mountains lost in the clouds, constitute altogether a scene of extraordinary magnificence and sublimity."

Not only in accordance with the physiographic setting, but also according to considerations of relief, drainage, climatic conditions and natural vegetation, Bhutan can be divided into three broad basic geographic zones. The Himalayan foothills, which are often described as the Lower Himalaya, north of the Duars plains constitute the First Zone. This area adjoins the basin of the mighty river Brahmaputra. The Second Zone lies to the north of the first and is often described as the Inner Himalaya or the Higher Himalaya. It is the central or middle region of Bhutan which lies between the foothills to the south and the small, narrow Great Himalaya zone of high peaks in the north. The latter is the third high mountainous zone which borders Tibet and comprises the snow-clad Great Himalaya range.

The aforesaid three zones, primarily based on relief and the general drainage scheme of the terrain and its climate, determine the kind of vegetation as well as the different flora and fauna found in Bhutan. A somewhat more detailed description of these three zones from the aforesaid viewpoints of climate, vegetation and drainage would help us to get a true picture of the land that is Bhutan.

#### First Zone

As far as the physiographic aspects are concerned, the lower foothills of the Himalayas are made up of 'Gondwanas (Damudas), Baxas or Daling sediments and their respective metamorphics'.8 The Gondwana rocks are known to contain quartzitic sandstone, which includes thin layers of coal in Eastern Bhutan. Again, from the viewpoint of drainage, all the rivers flow from the Great Himalayan range, which is the northernmost high mountainous third zone, and traverse down south into the plains. Thus, the flow of drainage is from the high alpine regions to the foothills of Bhutan and from thence everything appears to pour into the mightiest river of the region, Brahmaputra. The natural vegetation, therefore, in the first South Zone is tropical, being moist deciduous. In this case the vegetation is dependent on the humid subtropical climate. It is, therefore, an area which has the most cultivated land in the entire State. Rice grows in the plains as well as at heights up to 4,000 feet. It is true that in the ravines and the valleys of the central zone of the Inner Himalaya, there is considerable cultivation, but it is restricted to the valleys of the rivers, such as the Wong Chu, Sankosh, Manas, and their several tributaries. There can be no doubt that in the southern lower Himalayan region the greatest land use is for cultivation, which is reduced to isolated spots in the third alpine zone of the Great Himalaya.

<sup>8</sup>Karan, Pradyumna P., Bhutan—A Physical and Cultural Geography, University of Kentucky Press, Lexington, 1967, p. 25,

As rainfall is a determining factor in the whole of the sub-continent of India and plays an important role even in the Himalayan kingdoms of Nepal and Bhutan, it may be worthwhile mentioning how the first zone fares in this respect. The humid subtropical climate of the plains of Assam and Bengal also prevails at heights of 3,000 to 4,000 ft. in the summer months of Bhutan. The annual rainfall is, therefore, of the order of about 80 inches, and this inevitably helps in the creation of a thick tropical forest, or savanna.

As far as temperature is concerned, it decreases with increasing altitudes, and during the coldest months at altitudes of 5,000 ft. and above it registers less than 50°F. However, in the valleys and particularly in the subtropical duars, it varies from  $40^{\circ}$  to  $75^{\circ}$  depending on winter and summer.

## Second Zone

The Second Zone, which is described as the Inner Himalaya or the Higher Himalaya, constitutes the central belt through which the rivers pass in narrow defiles producing innumerable cataracts. *The Imperial Gazetteer* recites that 'one torrent is mentioned by Turner as falling over so great a height, that it is nearly dissipated in mid-air, and looks from below like a jet of steam'.<sup>9</sup> The valleys are at the height of 6,000 to 8,000 ft. The biggest of the mountain ranges separating the valleys reach heights of 12,000 to 15,000 ft.

As far as the soil is concerned, tourmaline granite is found in the upper valley of Paro Chu in the Chomo Lhari range lying along the Bhutan Tibet border. Again, a wide area of sedimentary rocks is to be found in the Lingshi basin, east of the Chomo Lhari range.

Of the rivers traversing the central zone of Bhutan, *The Imperial Gazetteer* describes Manas as 'the most considerable'. The other principal rivers are the Machu, Tchinchu, Torsha Malichu, Kuruchu, Dharla, Raidak and Sankosh. All the rivers of Bhutan exhibit the distinguishing characteristics of mountainous streams. They gave birth to narrow valleys by flowing between high rocky mountains and the streams, therefore, rush with irresistible fury. In the circumstances, not a single river of Bhutan is navigable in the mountains. Again, because of their great speed for several miles after their entry into the plains, navigation still remains out of

<sup>9</sup>The Imperial Gazetteer of India by W.W. Hunter, Director General of Statistics to the Government of India, Vol. II, 2nd ed., published by Trubner & Co., London, 1885, p. 412.

question. There are no flood problems in the mountainous regions, and it is in the low lying areas in the Duars and the plains in India that the threat of flood exists. The alluvium certainly helps the fertility of the soil. Thus in the first zone of the foothills of the Himalayas frequent floods are witnessed, but this is not a feature of the other two zones of Bhutan.

As far as the climatic condition of the second central zone is concerned, it may be mentioned that it is microthermal Himalayan climate. This zone may be distinguished from the other two zones in several respects. First, the middle region or the central area of Bhutan is a zone of frost, witnessed particularly at heights of 10,000 feet and above. Again, this area is distinguishable by its ancient methods of cultivation. The hardy crops of barley and potato can grow even in the mountainous region of Bhutan. As stated earlier, the concentrations of cultivated land are to be found. The valleys of the Ha, Paro, Wong, Sankosh and Manas and their tributaries have the highest cultivable land in central Bhutan. However, in eastern Bhutan excessive rainfall and dense vegetation restrict cultivation to small patches, where forests have been cleared. There are agricultural terraces found at heights ranging from 3,000 to 9,000 feet. It is also known that rice grows well up to 8,000 feet and buck wheat could grow up to 9,000 feet. However, potatoes and barley can grow at altitudes up to 14.000 feet.

Moreover, the central zone of high land has cool summers after severe winters. The population is sparse, and meat of yak and sheep apart from potatoes and barley constitute the main food. Again, the temperature remains somewhat uniform—usually between  $35^{\circ}$  and  $45^{\circ}$  F.<sup>10</sup>

A remarkable characteristic of the central zone is that it provides the most valuable forests of the country. The vast area between 9,000 and 10,000 feet contains magnificent forests of spruce, fir, khail, cypress and junipers. It is also well known that hardwood such as oak and maple can be found up to 9,500 feet. Again, timber is found in abundance from 13,000 to 14,000 feet, with birch predominating the heights below the timber-line.<sup>11</sup>

### Third Zone

The Third Zone comprises the alpine region of the Great Himalayan range. This area is composed of sedimentary rocks with strata ranging in geologic age from Cambrian to Tertiary. The main backbone of moun-

<sup>10</sup>Karan, Pradyumna P., op. cit., p. 33. <sup>11</sup>Karan, Pradyumna P., op. cit., p. 37. tains rises to 24,000 ft. high peak in the west and runs eastwards with two prominent peaks about 21,000 feet high.

The climatic conditions are akin to the Tundra and the natural vegetation is Alpine. Cultivated land is restricted to few isolated plots in the high mountain valleys. The winters are exceedingly severe and the summers very short and cold. Just below the snow line between 14,000 and 15,000 feet, a grassy vegetation is provided by nature for yak grazing.

## The Features of the Land

The terrain of the land makes this mountainous State of Bhutan generally inaccessible both from the north and also from the east and the west. A line of road communication exists from the Indian plains on the south, but it would not be incorrect to describe that the entire region is, by and large, inaccessible owing to geographical factors, such as thick forest growth and high mountain ranges. The roads that have to be built are bound to be expensive. Again, rail connection is rendered out of question for the present owing to prohibitive financial implication. Air link is possible but that too by helicopters and at selected places only. Inaccessibility is, therefore, one of the characteristic features of the country. Coelho has, therefore, rightly pointed out that "The first paved road from the border town of Phuntsholing to the capital, Thimphu, was completed as recently as 1962 making it possible to undertake a journey in seven hours that previously took twice as many days".<sup>12</sup>

Another distinguishing mark of this region is its sparse population compelled again by the nature of the physical terrain. The land mass in this area is generally hostile to concentrated habitation with the result that nowhere the population exceeds an urban growth of more than 10,000 or 15,000. This is to be expected in a region which is full of high mountains, thick forests and narrow torrential rivers.

The geography of the area, therefore, fosters isolation. There is not only isolation from the rest of the world but also isolation within inasmuch as cities are cut off by high mountain ranges and difficult geographical terrain.

Coelho is, indeed, very graphic when he describes this important aspect in the following words:

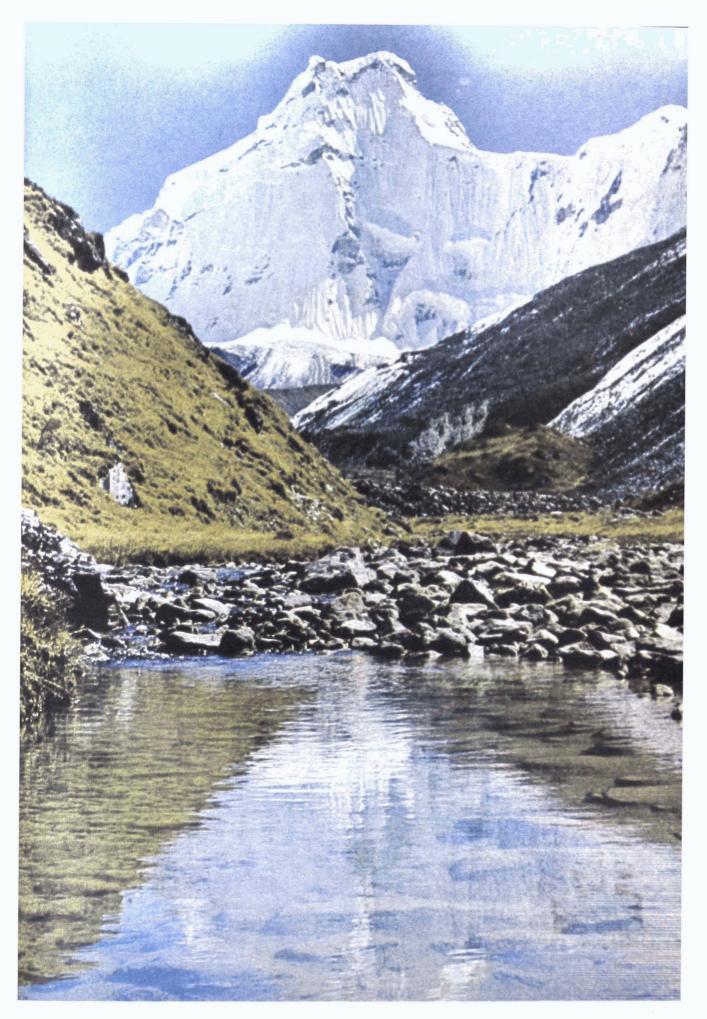
"Bhutan was cut off from contemporary civilization, as we understand it, until a few years ago. It evolved its own pattern of existence, curiously without the impositions of religious or political reformers. Sparse population, rugged terrain, and poor communications discouraged the ferment of ideas. Down the centuries, there were a few travellers, hardly more than a dozen or so, who introduced novelties from the world outside, notably an Indian guru who brought Buddhism, a thousand years ago. There were some searchers after truth or adventure, lamas from Tibet, officials of the East India Company, and finally envoys of the British Empire. They travelled the hard way, along rough and dangerous tracks, over steep mountains and swollen streams; and many arduous days of journeying either from the plains of India or from the heights of Tibet were needed mostly on mule or horseback, with caravans of ponies to carry their camp outfit and personal effects."<sup>13</sup>

Another characteristic feature of the area is constituted by its vast and impressive forests. They remain by far the greatest wealth of the country. The denizens of this vast and valuable forest region are numerous and include stately animals ranging from the wild elephants and the tiger to the musk deer and the wild hogs of the snowy region. The description in *The Imperial Gazetteer* of the fauna of this region is at once interesting and is reproduced below:

"The lower ranges of the hills teem with animal life. Elephants are so numerous as to be dangerous to travellers; but tigers are not common, except near the river Tista. Leopards abound in the valleys, deer everywhere, some of them of a very large species. The musk deer is found in the snows, and the barking deer on every hill-side. Wild hogs are met with even at great elevations. Large squirrels are common. Bears and rhinoceros are also found. Pheasants, jungle fowls, pigeons, and other small game abound."<sup>14</sup>

What was true in 1861 about denizens of the forests of Bhutan holds true even today. A list of the principal animals and birds found in the region of Bhutan with their habitat is given as Appendix I and makes fascinating reading.

If, therefore, the nature of the land terrain can be said to determine the greatness of a people who inhabit it, the aforesaid description of the country has undoubtedly tended to make the population of Bhutan exceedingly hardy, capable of great effort and industry in its struggle for existence, fighting nature which has not been very helpful as far as comfortable living conditions are concerned. This again has fostered a great sense of brotherhood and fellow-feeling for those who are fellow travellers of this region. This brings us to the people of the country and we may, therefore, end this chapter by concluding that Bhutan with its unparalleled scenic beauty and singular geographic position, full of novelties, is an exceedingly attractive new member of the international community of sovereign States.





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# THE PEOPLE

IN 1864, the population of the country was estimated at 20,000. There has been no accurate census of the population of Bhutan before 1970 and hence the figures mentioned in all publications prior to that year have been at best an approximate estimate of the inhabitants of this State. In this connection there have been different estimates<sup>1</sup>, put forward by different authorities, ranging from 3,00,000 to a figure of one million.<sup>2</sup> All these estimates are 3 to 4 years old. In view of the census of 1970, it is now possible to state that the population of Bhutan is 1.31 million inhabitants in an area of 47,000 sq. km. or 18,000 sq. miles giving thereby a density of about 73 persons to a square mile. It may be mentioned that this stands in sharp contrast to the density of population of India which is 373 per sq. mile and that of Switzerland which is 330.

It is said that a large majority of the Bhutanese belong to the Indo-Mongoloid race.<sup>3</sup> However, in the southern regions, the original

<sup>1</sup>"Professor Spate, in his authoritative geographical study of the Indian subcontinent published in 1957, gives a figure of 300,000. In a paper published in 1962, Chantal Massonaud estimated the population at 800,000. The 1962 edition of *Encyclopedia Britannica* gives a figure of 623,000, and the 1963 *Britannica Book of the Year* estimates the population in 1961 at 680,000. The State Department bulletin *Status of the World's Nations*, revised in 1965, places the 1963 population at 715,000. Two publications of the Colombo Plan Bureau, both appearing in 1963, give two distinct figures, 'barely 600,000' and a '1961 estimate' of 750,000. In the U.S. Army handbook, prepared at American University, 725,000 is given as the '1964 estimate'. Both the Asia Handbook (1965) and the Statesman's Yearbook (1963) estimate the population at 700,000. In the 1966 edition of the International Year Book and Statesmen's Who's Who a figure of '700,000 to 800,000' is cited. The Asian Annual 1966 estimates the population at around 750,000.'' See Bhutan —A Physical and Cultural Geography by Pradyumna P. Karan, University of Kentucky Press, Lexington, 1967, p. 49.

<sup>2</sup>Bhutan and Sikkim, a publication of the Information Service of India, states that the population of Bhutan is 'approximately 8 lacs' (8,00,000). Again V.H. Coelho in Sikkim and Bhutan estimates the population at 'some 900,000' in 1967. Another 1970 publication Lords and Lamas by Michel Peissel, estimates the figure between 500,000 and one million.

<sup>3</sup>Coelho, V.H., Sikkim and Bhutan, p. 79.

inhabitants of Nepal predominate. These Nepalese settlers are to be found in the southern central region of Chirang. Moreover, since 1959 there have been 3,000 Tibetans who have sought refuge and rehabilitation in Bhutan. Before describing the various zones of population which are of interest since large parts of the State are virtually empty, it may be worthwhile describing the people in general terms. *The Imperial Gazetteer* has the following interesting account<sup>4</sup> of the people:

"The population consists of three classes—the priests; the chiefs or Penlows, including the governing class; and the cultivators. The people are industrious, devote themselves to agriculture, but from the geological structure of the country, regular husbandry is limited to comparatively few spots.

"Physically the Bhutias are a fine race, hardy and vigorous, with dark skins and high cheekbones. Their food consists of meat, chiefly pork, turnips, rice, barley-meal, and tea made from the brick-tea of China. Their favourite drink is *chong*, distilled from rice or barley and millet, and marua, beer made from fermented millet....A loose woollen coat reaching to the knees, and bound round the waist by a thick fold of cotton cloth, or a leather belt, forms the costume of the men; a legging of broadcloth is attached to a shoe made generally of buffalo hide; no Bhutia ever travels during the winter without protecting his legs and feet against the effects of the snow; a cap made of fur or coarse woollen cloth completes the habiliment; the women's dress is a long cloak with loose sleeves. The houses of the Bhutias are of three and four storeys; all the floors are neatly boarded with deal; and on two sides of the house is a verandah ornamented with carved work, generally painted. The Bhutias are neat joiners, and their doors, windows and panelling are perfect in their way. No iron-work is used; the doors open on ingenious wooden hinges. The appearance of the houses is that of Swiss chalets, picturesque and comfortable."

If a brief resume of the people of Bhutan were to be attempted, the observations of Coelho are indeed worth reproducing:<sup>5</sup>

"The people are quaint, but they display social and economic characteristics based on traditions that make for national discipline. Their habits of dress and food, their customs, religious practices, pantomimic dances are their own, different from those of their neighbours near or far."

In the field of sports, Bhutanese are known to excel in archery. The present King, Druk Gyalpo Jigme Dorji Wangchuk, is himself not

*The Imperial Gazetteer of India*, Vol. II, 2nd ed., 1885, pp. 412-13. Coelho, V.H., *op. cit.*, pp. 56 & 79.

only a keen archer but one of the finest marksmen of his country. As archery is a sport which had its origin in India, it can be said that the present keenness of Bhutan for archery is a legacy of the very ancient past when Aryavarta had contacts with Bhutan both before and after Christ. Whenever there is an occasion for festive celebration accompanied by dances, archery finds a place. The finest marksman always gets a reward. This sport of the Indian epic age so vividly described in *Mahabharata* has died out almost everywhere in the world except in Bhutan where it still thrives and is honoured. Again, whereas archery in Bhutan is exclusively ornamental and ceremonial, it is well known that in other parts of the world it is an instrument for hunting. This special place assigned to archery in this Himalayan Kingdom is the result of the observance of the Buddhist principle of non-violence.

In regard to the distribution of the population in Bhutan, it may be mentioned that it runs closely to the physical aspects of the land and its terrain character such as the high mountains, proportion of slope land and the degree of slopes, climatic variations and the major factor of productivity of land. The areas densely populated are the Inner Himalayan valleys of the central region. There are eight main valleys where population in central and eastern Bhutan is concentrated. They are: (a) Ha, (b) Paro, (c) Punakha, (d) Thimphu, (e) Ten Chu, (f) Trangs, (g) Bumthang, and (h) Eastern Bhutan.<sup>6</sup> The famous cities of Paro and Thimbu are inhabited by over 10,000 souls. In addition, there are several towns of 5,000 inhabitants such as Wangdu and Tongsa. Again, in the east, on Manas river, there is the city of Tashigang. Eastern Bhutan has the largest population, with Tashigang district being the most populated in Bhutan. Apart from the valleys where concentration of population is witnessed on the banks of a big river, so typical and symbolical of the accepted principle of growth of human civilization, there is also noticeable in Bhutan marked concentration of population in the low lands where there are areas of productive soil. Thus, for example, there is the town of Phuntsholing with over 10,000 population right down in the south where the State of Bhutan touches the plains of India. There are other towns like Sarbhang again in the same region but with a population of 5,000 inhabitants. Apart from these areas of comparatively concentrated population, most of the land-mass of Bhutan has very sparse settlements such as in the Great Himalaya region in the north which witnesses extreme

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climate. Similarly in the Black Mountain and other ranges in southern Bhutan the low density population is characterised by physical factors such as heavy rainfall and thick forest vegetation or due to the steep southern slopes making any habitation physically impossible apart from the poor character of the soil in that area.

Another factor to be reckoned with is that the dense population concentrations correspond to historical centres of political power and the headquarters of the local government. Thus certain sparsely populated regions of the State are explained by the fact that they were far removed from the cultural and political centres of the country. In short, both the geographical terrain and the history and politics of the country have influenced the settlement pattern of the population of Bhutan. Here again, broadly, the population zones of Bhutan follow the three broad basic climatic zones which have been mentioned while describing the land factor of the State. There are, for example, compact settlements in the central region with the exception of concentrated population centres in the wellknown cities situated in the valleys of the rivers which flow through the central middle region. The northern region which has extreme climatic conditions of the Tundras has perhaps no permanent settlement at all.



Archery, the national sport of Bhutan-a competition in progress



# III history

# **Background** and Source

BHUTAN, THE land of the Elevated Lamas amidst hills and dales of Himalayan heights, has a deep-rooted history. That it is an ancient land is undoubted. However, of all countries of the world, the one which has the most meagre source material for the presentation of a continuous narrative of history is perhaps Bhutan. At the very outset, one is faced with almost total lack of source material. The reasons for this are not far to seek. Bhutan had an authentic chronicle which got destroyed as recently as 1828 as a result of a fire which burnt the printing establishment of Sonagachi and the damage was completed by another fire at Punakha in 1832. This was not all since the earthquake ravages of 1896 completed the destruction of most valuable manuscripts of this country. It was indeed a great misfortune that Paro which had escaped the tragic disaster of 1896 was also burnt to ground a few years later. In the circumstances, the historian of Bhutan has to rely completely on very meagre resources furnished by the following:

- (i) Accounts given by travellers and British Missions from 18th century onwards. From 1774 to 1907, there were at least as many as eight British Missions: Bogle (1774); Hamilton (1775 & 1777); Turner (1783); Pemberton (1838); Eden (1864); White (1905 & 1907).<sup>1</sup>
- (ii) Accounts left by the East India Company and the British who built up relations with Bhutan onwards from 1772 A.D. and signed regular treaties with Bhutan.
- (iii) The few manuscripts found in the possession of the Tongsa Penlops which somehow survived the disasters of fire and earthquake. They form the basis of the accounts given by J.C. White, British Political Agent in Sikkim.

<sup>1</sup>However, Dr. Olschak has calculated that there were as many as 13 Missions from 1774 to 1921 A.D.

(*iv*) Some manuscripts made available by Tibetan monasteries which have found a place in the name of Cheeboo Lama of Sikkim on which Ashley Eden has mainly relied.

The aforesaid sources certainly do not provide a continuous narrative of history particularly from the remote past. However, some sort of an incomplete pattern of Bhutan's colourful record can be gathered through legends, myths and manuscripts of the past. On the whole, therefore, the position may be said to be unsatisfactory from the viewpoint of a student of history. But even the scant material that is available is enough to establish that the ancient land of Bhutan has a dinstinct history of its own nursed by no less than three cultures of its nearest neighbours, India, Tibet and China. From whatever material is available, an attempt is made below to trace the history of this new-born State of the Himalayan region.

#### Early Period

Bhutan commenced its record much before the Christian Era when it is said to have been under the full influence of the rulers from India. Though no record is available till we come to about the 7th century A.D., on the basis of legends it can be stated with some precision that the ancient civilization of India had spread to this region and had dominated it both politically and socially as well as from the religious aspect. The earliest legend takes us back to about the seventh century before the Christian era when one Sangaldip from Kooch (modern Cooch-Behar) in Assam subdued Bengal and Bihar and extended his sway to Bhutan. Thereafter and till several centuries after the Christian era, Bhutan was under the Indian rulers. Both Bhutanese and Indian tradition has it that Bhutan was ruled by Indian chiefs under the tutelage of Kamarupa right up to the middle of the seventh century when in 650 A.D. it separated from Kamarupa after the death of Bhaskaravarman and thus exposed itself to incursions from Tibet. The centuries-old political arrangement was thus disturbed and Kamarupa itself got disintegrated. No one king was able to impose his authority over the whole of Bhutan and the country split into several small and big units which fell an easy prey to the Tibetan incursions which swept Bhutan about 861-900 A.D.

#### The Advent of Padma Sambhawa

It was in such an atmosphere of political fragmentation that a dynamic personality appeared on the Bhutanese scene in the middle of the eighth century A.D. in the person of Guru Padma Sambhawa. He was an Indian

Bhuddhist monk from Nalanda. Khiji-khar-thod of Khempalung, in Upper Bumthang, and Naguchhi, King of Sindhu were the chief rulers of the time. The site of the latter's palace, Chagkhar Gome (the iron fort without doors) can still be seen near the old Bhutanese capital, Punakha. Naguchhi is reputed to have founded the Kingdom of Sindhu while his sons extended the realm to Dorji Tag and Har in Tibet and as far as Eastern Bhutan. Naguchhi lost his eldest son in the course of a war with Raja Nabudara who lived in the Indian plains, and was thus plunged into grief. It was at this time that the Indian saint Padma Sambhawa appeared on the scene and provided solace to the King, saved his life and convinced him of the efficacy of the Buddhist faith. The rival King Nabudara also accepted Buddhism. The Buddhism taught by the Guru was known as Ningma. Peace was thus restored to the land and a boundary pillar was set up at Nathang in Khen. Thus began the era of Buddhism in Bhutan and Padma Sambhawa may be said to have endowed the country with a semblance of loose cultural unity.

# The Rise of the Drukpa

The peace which lasted for nearly a century was, however, terminated by the Tibetans during the rule of Langdarma (also Landarma), the apostate King of Tibet who reigned from 803 to 842 A.D. Two centuries later, Bhutan was again occupied by the followers of King Triral-chan of Tibet. The Tibetans who swarmed Bhutan often pillaging it, however, came to like the country so much that they refused to return to Tibet. These deserters were called Milog (those who did not return). In the later centuries, their numbers continued to increase with the arrival of more and more Tibetans into Bhutan. From about the twelfth century A.D., many Lamas started pouring into Bhutan. The first Lama to do so was perhaps Gyalwa Lhanangpa of the Nyo lineage, who was a student of Driking Jigten Gonpo's. Lhanangpa was the originator of the Lhapa Kargyupa, a subsect of the Driking Kargyupa. The Lhapha Kargyupa applied the dzong system of Tibet to Bhutan. Subsequently, Lamas of the Drukpa (Red Hat Sect) also started coming into Bhutan partly for missionary work and partly due to persecution suffered by them at the hands of the rival Yellow Hat Sect (Gelukpa) in Tibet. The Drukpa is an off-shoot of the Nyingmapa sect and was founded by Yeses Dorji at Ralung, a famous monastery about 30 miles east of Gyantse. Yeses whose full name was Gro-Gong-Tshangpa-Gyal-ras, was born in 1160 and died in 1210 A.D. He was succeeded by a young Lama Sangye-on who was given the name of Phajo-Druk

gom-Shigpo. He was the student of Wonre Darma Senggee's (1177-1237). Shigpo studied at Ralung for some years and was then sent to Bhutan where he settled at Cheri Dordam. His fame soon aroused the jealousy of the Lhapha Lama who had settled earlier in Bhutan. Lhapha launched an unsuccessful attack on Cheri but he had to flee. Lhapha had thus to come down to the Am-mp-chuu valley where the villagers accepted him. With the ouster of Lhapha, Phajo-Drukgom-Shigpo became more powerful. He was further assisted in the conversion of the Bhutanese to Buddhism by four other Lamas who had come to Bhutan. Although pitted against the powerful adherents of the rival Lhapha Kargyupa, Phajo-Drukgom-Shigpo and his companions succeeded in establishing themselves in Bhutan and by the end of the thirteenth century, Shigpo had built a small dzong named Dongon Dzong (Blue Stone Dzong) on the right side of the upper Wang Chu. With this started the emergence of a separate and distinct church of Bhutan which persisted through the centuries and is witnessed today. The majority of the aristocracy of western Bhutan claims descent from Phajo-Drukgom-Shigpo including the present royal dynasty which traces its ancestry to Pema Lingpa of the fifteenth century who was a member of this line.

The period between the thirteenth and the sixteenth centuries witnessed the rise and consolidation of the Drukpa (Red Hat) sect notwithstanding the rivalry of the Lhapha Kargyupa. There was a great religious fervour and many monasteries and temples were founded during the period. Bhutan thus came to have a religious identity distinctly its own though it continued to draw inspiration from its neighbours specially India.

#### Shabdrung Ngawang Namgyal

The entire political arena, in spite of the loose image of cultural unity that was emerging, was still surcharged with a multitude of chiefs holding sway in their own territories and vying with each other in fratricidal struggle. From amidst the embers of this struggle for supremacy arose the man of destiny in the person of Shabdrung Ngawang Namgyal, also known as Du-gom Dorji (1594-1651).<sup>2</sup> He came of a noble lineage and was the son of Dorji Lenpa Mepham Tempai Nymia by the daughter of Deba Kyishopa and belonged to the house of Gya of Druk and Ralung. He showed exceptional talent even when he was a child. He studied at Ralung under the

Drukpa Lama, Padma Karpo, and was most suited to succeed the Ralung Hierarch. However, a rival claimant, Kerma Tenkgong Wangpo, supported by Deba Tsang-pa, proved too much for him and Shabdrung Namgyal, therefore, made his way to Bhutan by the Lingzi Pass in his twenty-third year in 1616 A.D. Possessed of great organising ability, he was a man of vision and courage. He destroyed what little authority the Lhapha Kargyupa and other sects still enjoyed and established himself as the theocratic ruler of Bhutan with the title of Shabdrung Rimpoche or Dharma Raja about which more is said later. During his rule of about 35 years, Ngawang Du-gom's ambition was to consolidate his spiritual as well as his temporal authority. The opposition he had experienced coming from the Deb Tsang-pa of the Ralung monastery and from the descendants of the Lamas, who had earlier settled in Bhutan, involved him in incessant discord and frequent and serious fighting. The host of his opponents included the Deba Tsang-pa, his rival claimant of the Ralung Hierarch, the descendants of the four Lamas who had come to Bhutan as mentioned earlier and of course the Lhapha Kargyupa and other sects. He was also opposed by the Hierarch of the Ralung Monastery, Pagsam Wangpo (1593-1641), a bastard brother of Dalai Lama V Depa Tsangpa Phuntsok Namgyal, the ruler of Tsang, was his another potent adversary. Even Dalai Lama V attempted incursions into Bhutan but the Bhutanese refused to recognize his authority over their remote valleys and thus maintained her independence. In 1644, Gushri Khan sent his Mongol-Tibetan troops to Bhutan but these troops were forced to retreat. Namgyal not only repulsed repeated attempts by the Tibetans to conquer Bhutan but he also obtained from the vanquished Tibetans large booty which swelled his coffers and led to his fame spreading to India, Nepal and Ladakh. The armour and weapons captured from Tibetans are still preserved in the old dzong at Paro. An old chronicler reports the crushing defeats suffered by the Tibetans, in the following words:

"It seems as though they (the Tibetans) had come merely to die and leave their bodies in Bhutan. They never besieged or stormed any of the Bhutanese forts, but simply filled the wilderness of Bhutan and Tibet with useless forts and redoubts."

As his prominence and fame spread far and wide, Shabdrung Namgyal received friendly missions from the neighbouring rulers of Cooch Behar and Nepal. Raja Padma Narayan of Cooch Behar extended his hand of friendship and sent him presents. Drabya Sahi and Purandar Sahi of Nepal

also sent him presents and sought friendship. Even the far-removed Ladakh was moved to action. The King of Ladakh granted Shabdrung Namgyal for purposes of meditation and worship a number of villages in Western Tibet, namely Darchhen, Nyanri Gompa and Zuthuphu Gompa around the holy Mount Kailas Dengmar, Rimpung, Doba, Khorchag and Ge Dzong near Gartok and Itse Gompa besides a few other places as well. Up to 1959, a Bhutanese monk officer administered those villages from his summer headquarters at Darchhen and winter headquarters at Khorchag. The people of Thimphu who acknowledged Ngawang Namgyal's supremacy presented to him the Dongon Dzong when he visited the valley. In 1641, he constructed a larger dzong on the same site and renamed it Tashi Cho Dzong (Good Luck Dzong). The Tashi Cho Dzong suffered damage during the centuries by fire and other causes and the subsequent rulers renovated it from time to time until in 1960 the present King Jigmi Dorji Wangchuk constructed on the same site a new dzong which today serves as the seat of the Government of Bhutan. Shabdrung's fame as a sovereign is borne out by a historically recorded fact that some foreigners from a distant land called Parduku (probably Portugal) crossing the limitless oceans, made their appearance in Bhutan. They brought with them guns and gunpowder never seen there before and a telescope, and offered their services to the Shabdrung who declined their offer in due deference to the Buddhist principles. The reign of Shabdrung Ngawang Namgyal witnessed the building of many historical monasteries and forts in Bhutan. While most of them were destroyed by fire and earthquakes and have since been rebuilt or enlarged, there are a few which still stand as they were built. The Simtoka Dzong is perhaps the only structure still standing as it was first built. The next oldest dzong is the Paro Dzong built originally as a school of medicine. It was, however, destroyed by fire in 1907. Punakha Dzong was built in 1637 and was originally designed to house 600 monks. In 1905, there were at least three times as many monks in residence at this monastery. The Monastery at Angduphodang (now spelt Wang-duphodrang) dates back to 1638 A.D. while the Tashi Cho Dzong to 1641 A.D. The Shabdrung's private quarters can still be seen in the western corner of the fort at Tongsa.

#### Deb Raja and Dharma Raja

If consolidation of the Kingdom of Bhutan, howsoever loose, was an alltime laurel of Shabdrung Ngawang Namgyal (1594-1651 A.D.), it could also be said that administrative reforms and institutionalisation of the

political hierarchy of the State was an equally important boon which he conferred on the State at least for the time being. He bifurcated the duties of the ruler by creating two separate offices-one to look after the spiritual and religious affairs to be known as Dharma Raja (Shabdrung), and the other to be called Deb Raja (Desi) to look after the general administration of the State revenue and expenditure and dealing with foreign powers. This institutionalisation had its own role in the Middle Ages which helped the State but with subsequent deterioration in the institutions of Deb Raja and Dharma Raja, dual control came to ruin the unity of authority. This aspect is more fully brought out while dealing with 'Political Institutions' in Chapter V. However, in the 17th century, the two institutions worked well. Shabdrung Ngawang Namgyal himself became the Dharma Raja which office was vested with superior powers inasmuch as every important matter which related to signing any agreement with a foreign state or any other important matter within the State required his signature. To give an idea of the wide powers of Dharma Raja, it may be relevant to quote here from a Tibetan chronicler:

"In the intervals of peace the Dharma Raja (the Shabdrung) devoted himself with full energy to his various state duties, founding a body of priesthood, providing for and controlling them, giving instructions to those who were serious seekers after truth; in short, he was pastor, abbot, psalmist, rector, superintendent of carving (for printing purposes), architect of State and monastic buildings, overseer of bookbinding and other establishments of the Kagyur library, settlement officer, chief commandant of the forces for quelling foreign aggressions, chief protector and ruler of his own adherents and followers, chief avenger and punisher of those who were inimical to the cause of Bhuddhism and the public peace. He was all these in one person, and fulfilled the duties thoroughly and efficiently. He introduced law into lawless Bhutan. His boast was that he never wasted any time in idleness or self complacency."

It seems that during the few decades following the birth of these two institutions, Dharma Raja wielded wide powers and became the symbol of law and justice. The Deb Raja had then the functions of a mere Regent. This distinction becomes all the more clear in view of the fact that while Dharma Raja followed the incarnations of the predecessor, the Deb Raja was elected by the Council of permanent members who were chosen from amongst the principal officers of the country. Though the state in Bhutan under the Dharma Raja was a theocracy the liberal tendencies were by no means absent. However, the Deb Raja, in the course of history, developed strength and the two became separate heads of State, one in matters spiritual and the other in things temporal. This led to continuous conflict and intrigue and consequent weakness of the State machine. This development followed later and was clearly visible in the late 18th century when White visited Bhutan.

Interestingly enough, both the titles of the two highest functionaries of the State, namely Dharma Raja and Deb Raja derive their names from Sanskrit, Dharma Raja meaning the King (Raja) who upholds and rules by law (*dharma*) and Deb Raja meaning the King (Raja) who bestows well-being or restores material bounty (Deb which is a corruption of the Sanskrit word *Deva* or *Devata*, the Giver). Again the concept of Dharma Raja being the symbol of law and justice at one and the same time is very near the Hindu concept of *Danda* and *Dharma* which has been mentioned in Chapter V.

### The Administration

Having bifurcated the supreme authority of the State into Dharma and Deb Rajas and after having installed himself as Dharma Raja, Shabdrung Namgyal set out to improve the ecclesiastical and temporal administration of Bhutan. He appointed two of the faithful monks who had come with him from the Ralung monastery, one Nay-tan Pay-kor Jungnay, as the Chief Khempo (the religious head) and the other named Tenzing Dukgyag, the Amsed of Ralung, as the first Deb Raja. The Chief Khempo was entrusted with the duty of enforcing the strict observance of vows which bound the Lamas, supervising their studies and presiding over the religious ceremonies. The authority of the Deb Raja included among others the administration of the revenues and other resources of the State and the duty of providing the Lamas with food. In addition, Shabdrung Rimpoche Ngawang Namgyal is credited with the introduction of the dzong system in Bhutan. He appointed Penlops (Chiefs of Provinces or Governors) and Dzongpons (Chiefs of Districts) for the effective administration of the country. Subordinate to the Dzongpons were the Nieboos, who supervised scattered groups of villages. The Penlops were the senior members of a Central Council known as the Lenchen and they were expected to attend the Council whenever they happened to be present at the seat of Government. They were also liable to be summoned to appear at times of emergency. The Council included the Lam Zimpon, Chief Secretary to the Dharma Raja; the Deb Zimpon, or Chief Secretary to the Deb Raja; the Joom Kalling or the Chief Judge and the Dzongpons. It was this

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Council or Lenchen which formed the electoral body for the office of Deb Raja. This administrative set up given by Shabdrung Namgyal centuries ago can be said to have laid the foundations of the administrative structure of the modern State of Bhutan since it has persisted in some form or other till today with the singular exception perhaps of the unification of the supreme authority of the State in the person of the King ever since 1907 when hereditary monarchy was established.

## Doopgein Sheptoon

Another outstanding figure who made history in Bhutan was Doopgein Sheptoon. No exact dates of his rule are available but it can be said that he ruled sometime during the latter half of the 17th century if reliance is to be placed on what is contained in the Report of the Honourable Ashley Eden who led an unsuccessful mission to Bhutan in 1864. Eden gives the period of Doopgein Sheptoon's rule as 'about two hundred years' prior to his Mission in 1864. Eden gives a detailed account of how Doopgein Sheptoon came to power and hails him as 'the only good ruler the Booteahs ever had'. Eden based his account on the information he obtained from Cheeboo Lama, a native of Sikkim, of the Lepcha tribe, who, though a priest by profession, resided at Darjeeling as the political representative of the Sikkim Raja with whom the British Government was on friendly terms. Although Rennie<sup>3</sup> has doubted the authenticity and correctness of the statement made by Cheeboo Lama, the interesting account given by Eden of Doopgein Sheptoon's rise to power is worth reproducing here:

"About two hundred years ago (i. e. prior to 1864 when Eden led the mission to Bhutan) some Thibetian sepoys were sent from Kampa by the orders of the Lassa Government to look at the country; a fight ensued; the Tephoos gave way and went down to the plains, with the exception of a few who remained in a menial capacity with the Bhoteahs, and whose descendants are to be found still holding the lowest offices about the forts, and their appearance clearly indicates their plains origin. The Kampa sepoys took such a fancy to the country that they refused to return, and, remaining, formed a little colony without organisation or government. After a time they were visited by a travelling Lama from Lassa, named Sheptoon La-pha. He acquired great influence over the little colony, and they eventually made him their king, under the title of Dhurma Raja. He was a good and wise ruler, kept the country in good order, was beneficent to his subjects, and was supported entirely by voluntary contributions. There was

<sup>3</sup>Rennie, David Field, Bhotan and the Story of the Doar War, Reprint by Bibliotheca Himalayica, 1970, pp. 7-10.

at this time in a monastery of Kain, to the south-east of Lassa, a certain Lama named Farchoo Doopein Sheptoon; he was a very religious man, but was not bound by vows of celibacy, and had a large family. A few years after the election of Sheptoon La-pha to be Dhurma Raja, Doopgein went to Lassa to see his tutor and religious guide, but on arriving there found he was dead. The other disciples of the deceased Lama told him that, just before dying, he had said, 'Tell my disciple, Farchoo Doopgein, that if he journeys to the Lha-Lumpa (south country) he will become a great man.' He accordingly came to the conclusion that the south country must be Bootan. and went there and settled down quitely. By degrees he acquired a great reputation for piety and learning, people flocked to him and his wishes were more cared for than those of the Dhurma Raja, Sheptoon La-Pha. La-pha began to fear that the people would dethrone him and place Doopgein on the throne, and so he wrote him a letter requesting him to leave the country. Doopgein refused. On this the Dhurma Raja sent him an order banishing him from the country, on the ground that a married Lama was a scandal to the religion of Buddh. This letter he sent by a one-eyed messenger, a proceeding which, according to the Thibetian notions of etiquette, is a gross insult. Doopgein, however, interpreted it otherwise, and sent back the following message to him: 'You have tried to insult me by sending me a message by a one-eyed man; but I see a good omen in this--it clearly indicates that you will soon have difficulty in seeing the country you now govern.' This was taken as a declaration of war. Doopgein claimed the Rajaship, the people flocked to him, and La-pha was abandoned by his followers, and, being reduced to starvation, ran away into Thibet to place called Kongoo...."4

While the foregoing account by Eden relates to Doopgein Sheptoon's ascendancy to power, Eden has the following observation to make about him as a ruler:

"Doopgein Sheptoon was the only good ruler the Booteahs ever had. It was he who built the forts of Angdu Forung, Poonakh, and lastly, Paro. He made a code of laws for the protection of ryots (agricultural peasantry), forbidding the levy of anything beyond voluntary contributions. He appointed Penlows and Jungpens (governors respectively of provinces and forts) to administer the country, but kept them under control, and limited the number of their followers to twenty-five for each chief."<sup>5</sup>

It may be concluded from the foregoing that during the latter half of the seventeenth century Bhutan had a capable ruler in Doopgein Shep-

<sup>4</sup>Report on the State of Bhutan by Ashley Eden (1865); See Rennie, op. cit., pp. 7-10. <sup>5</sup>Ibid. The same tradition states that—"When Doopgein Sheptoon become Dhurma Raja, he separated from his family; their descendants are still distinguished as the clan Chu-je, the chief family of Lamas in Bhutan."

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toon who built forts, framed a code of law, perhaps the first ever framed in Bhutan for the protection of peasants, and not only appointed Penlops for each of the four provinces of Paro, Thanga, Thimbu and Tongsa but also kept the Penlops and Jongpens under his control which was indeed a rare achievement.

### Internal conflict

As already mentioned, the Dharma Raja had necessarily to be an incarnation, and as a child he had to exhibit certain supernatural attributes before he could be accepted as the 'chosen one'. Accordingly, when Lama Doopgein Sheptoon died, he said, as the traditional accounts maintain, that if his body was preserved he would reappear again in Bhutan. His body was thus preserved in the Fort of Punakha, in a silver tomb called Sheptoon Machee (or the first Sheptoon), and tea and rice were daily put into the tomb. It was three years after his death that his incarnation reappeared at Lassa in the person of a little child, who, in due course, became the next Dharma Raja. This successor incarnation of Dharma Raja to Doopgein Sheptoon confined himself entirely to religious matters. This led to administrative and temporal matters and foreign affairs coming more and more within the domain of the Deb Raja who, in actual practice, became a pawn in a perennial struggle for power waged by the two most powerful Penlops, the Governors of Eastern and Western Bhutan with headquarters at Tongsa and Paro, respectively.

Throughout the eighteenth century, therefore, Bhutan witnessed intermittent internal conflict. The Penlops of Tongsa and Paro were usually at war with each other. The procedure of election in the case of Deb Raja was reduced into one of nomination by whoever of the Penlops was the more powerful. The Deb Raja consequently became a mere nominee of the strongest Penlop at any given time. The Penlops usually appointed the dzongpons or the district chiefs and when the Penlop fell from power, the dzongpons were dismissed with him.

#### The Civil War

The dualism of the Deb Raja and the Dharma Raja, one elective and the other hereditary in theory but depending on appearance of reincarnation in practice, brought weakness all round and consequent deterioration of authority which in turn led to endless strife. Whoever could manage to come into power and authority, assumed the title of Penlop and appointed the Deb Raja of his choice, his sway lasting only till he was ousted by a

still more powerful adversary. Consequently, the country came to be without a system of government which could be said to be lasting or effective. As a result, there were frequent outbreaks of civil war among the contending chieftains in which even the Tibetans joined hands such as in 1717 and 1730. This led to political instability in the country. The question of succession to the office of Shabdrung Rimpoche or the Dharma Raja led to a civil war in 1728-30. Wang Paljor, the eighth Deb Raja or Desi of Bhutan, installed Lama Chhole Namgyal, his own chief councillor, as Shabdrung Rimpoche II much against the wishes of Bhutanese clergy who had an important say in the matter. Thus neglected, the High Bhutanese Lamas resorted to arms. Wang Paljor was forced to take refuge in Lhuntse Dzong in North Bhutan from where he sought military support from Miwang Pholhane of Tibet.<sup>5</sup> However, before any tangible results of this approach to Tibetans could accrue, Wang Paljor was killed by someone who proclaimed himself as the successor Deb Raja. Meanwhile, the High Lamas had reinstalled their nominee and appointed a new Desi or Deb Raja. This led to the creation of rival factions, one supporting the nominee of the High Lamas and the other supporting the self-styled Deb Raja who had murdered Wang Paljor. The two factions clashed at Pangri Sampa near Thimphu under the respective command of the new Desi (Deba Raja) and Dondub Gyalpo of Kabi. This invited Tibetan intervention and the frontier forces of Tibet marched into Bhutan towards the end of 1730 and forced recognition of Jigmi Dakpa as Shabdrung Rimpoche II (1724-61). Ultimately, armistice was negotiated at Paro as a result of appeals made to Pholhane by Panchen Lama II (Lobsang Yishi, 1663-1737), Karmapa Changchub Dorji, and the abbot of Sakya.

#### The Conflict with Cooch Behar

Ever since its establishment in 1510 A.D. Cooch Behar had been the target of repeated Bhutanese incursions which increased both in tempo and frequency with the passage of time. The seeds of conflict were sown by Vishwa Singh the brother and successor of Chandan who was the founder of the State. Vishwa Singh demanded tribute from the rulers of Bhutan. The Bhutanese ignored this demand which led to a declaration of war by Cooch Behar. The Bhutanese were forced to acknowledge the supremacy of Vishwa Singh and agreed to pay an annual tribute. Vishwa Singh's son Nar Narayan (1555-1587), the most powerful ruler of Cooch Behar harboured even greater ambitions to include Bhutan within his Kingdom and he succeeded in occupying the territory of Bhutan bet-

ween the Hindola and Sankosh rivers. However this encroachment was short-lived as Bhutan shook off its allegiance to Cooch Behar during the rule of Maharaja Bir Narayan (1621-25) and ceased to pay the tribute. Thereafter Cooch Behar was gradually on the decline until in 1661 it was conquered by Mir Jumla when Maharaja Prana Narayan<sup>6</sup> (1625-1665) fled for safety to Bhutan. In the factional feuds of a weakened Cooch Behar, the Bhutanese supported the Raikat (or Raja) of Baikunthapur, hereditary chief minister of Cooch Behar against Nazir Dev of Balrampur, hereditary Commander-in-Chief of Cooch Behar. Thus in 1711, the Bhutanese secured a compromise between Nazir Dev, Shant Naryan and the Mughal Subedar of Bengal, on the one hand, and Raikat Darpa Dev and the Bhutanese on the other. This strengthened the position of the Bhutanese who stationed in Cooch Behar their agent named Gya Chila along with an escort. Bhutan went a step further and struck the Ngutam (a silver coin) for circulation in Cooch Behar thus undermining the independence of Cooch Behar as a State. The Bhutanese also afforded protection to the infant Raja Debendra Narayan (1764-66) of Cooch Behar who was, however, got murdered by Nazir Dev Rudra Narayan who wanted to instal his own nephew Khagendra Narayan as the ruler of Cooch Behar. The Bhutanese, however, put up the step-brother of the late Raja as the successor to the throne of Cooch Behar but this attempt was thwarted by Nazir Dev by seeking the assistance of the East India Company.

In 1768, Shidar (or Deb Judhur) became the Deb Raja of Bhutan. He was an aggressive ruler. He ruthlessly suppressed the influence and power of the clergy at home and in order to strengthen his external position sought friendly relations with Tibet and Nepal by forging alliances with Panchen Lama III (Palden Yishi, 1738-80) and Raja Prithvi Narayan Shah of Nepal (1742-75). During the reign of Shidar, the Bhutanese kept Cooch Behar under control and carried out raids when necessary. In 1771, they kidnapped the Crown Prince and the Queen of Raja Dhairjendra Narayan of Cooch Behar. In 1772, the Bhutanese abducted the Raja also. At this jucture, Nazir Dev of Cooch Behar approached the British for help which came promptly. The British intervention in 1772 opened up a new era in Bhutan's history leading to ever-increasing relations between British India and Bhutan which aspect is dealt with hereafter.

#### Relations with British India

British intercourse with Bhutan commenced in 1772 A.D. Prior to this there

6Sen, Dr. S.N., Prachin Bangla Patrika Sankalan, p. 3 (Calcutta 1942).

is little on record to show that the British had any political relations with Bhutan. However, from 1772 A.D. until 1947 when the British transferred power to Free India, Bhutan came under the ever-increasing influence of the British India policies which gave shape to the building of Bhutan as a distinct political entity with the establishment ultimately of hereditary monarchy in 1907. The development of British India and Bhutanese relationship was so gradual and so well marked that the study of this period from 1772 to 1947 can be divided into the following three distinct stages:

- (1) Relations between India and Bhutan from 1772 to 1865 when the Treaty of Sinchula was signed.
- (2) From the Treaty of Sinchula in 1865 to the Treaty of Punakha in 1910.
- (3) From the Treaty of Punakha in 1910 to the transfer of power to Free India in 1947.

## (i) From 1772 to 1865

#### Relations between India and Bhutan

As stated earlier, on being approached by the Nazir Dev of Cooch Behar for help against the Bhutanese on abduction of Raja Dhairjendra Narayan of Cooch Behar in 1772, the British extended prompt assistance. An agreement was thus signed on 5th April, 1773 by which Cooch Behar was required to pay immediately Rs. 50,000 to the British Collector of Rangpur to meet expenses of the troops deployed to assist them and, subsequently, to pay one half of the revenues of the State to the East India Company. This agreement served two purposes: succour to Cooch Behar and establishment of feudatory relations with the British for the first time. The British sent a small force and the Bhutanese were driven out of Cooch Behar and three forts of Daling, Chitchacotta and Passakha were also occupied. In their desperation the Bhutanese appealed to Tashi Lama who, during the minority of Dalai Lama, was acting as Regent of Tibet, as also his ally Prithvi Narayan Shah of Nepal. As a result of intercession by Tashi Lama, Warren Hastings concluded peace with Bhutan on 25 April 1774 at Fort William in Calcutta. The text of this treaty will be found at Appendix II. This treaty bound the Deb Raja to respect the 'Territory of the East India Company', to deliver up ryots running away from the Company's territories; to pursue any demands the Bhutanese might have against British subjects before the regular Courts of the British Government; to refuse shelter to all those

who were hostile to the English, and to allow English troops to chase them into Bhutan; to permit the Company to cut timber in the forests under the hills, and to protect the wood-cutters. The Bhutanese undertook to deliver up the captive Raja of Cooch Behar and his brother and to pay a tribute of five Tangun horses for the Fort of Chitchacotta. As the British now had access to both Bhutan and Tibet, Warren Hastings, sent trade-cum-intelligence missions to Bhutan and Tibet.

The first such British Mission was led by George Bogle of the Bengal Civil Service in May 1774. Warren Hastings was prompted to send this Mission by the friendly tone of the mediatory letter of the Panchen Lama on behalf of the Deb Raja. The purpose of this Mission, which was primarily sent to Lhasa since Bogle's letter of appointment of May 13, 1774 made no specific mention of Bhutan, was to 'open a mutual and equal communication of trade' between the inhabitants of Tibet and Bengal and'to 'enquire into the nature of the road between the borders of Bengal and Lhasa and other countries lying between them'. This implied a visit to Bhutan as well since the Mission was to gain the Deb Raja's consent to passage of Indian traders to Tibet across Bhutan. Bogle, accompanied by Hamilton as Medical Attendant, left Calcutta on the 6th of May 1774 taking with him as presents a selection of philosophical instruments, cloth manufactures of Britain and India, cutlery, hardware, and firearms. These presents were also meant to serve as specimens of the articles that could be supplied. In addition, some valuables like strings of pearls, corals, brocades and shawls were also sent by the Governor-General to the Teeshoo Lama.<sup>7</sup> This description indicates that the main objective of the Mission was to establish trade relations between India and Tibet through Bhutan. Proceeding through Cooch Behar, Bogle was detained at Tassishujung when he entered Bhutan for passports. Travelling by the Buxa-Paro route thus traversing the western extremity of Bhutan, he reached Tashi-Cho-Dzong, the capital of Bhutan in July 1774, where he was well received and spent some time. During his talks with the Deb Raja, Bogle made known the desire of the East India Company to develop trade between Bengal and the northern nations and explained how Bhutan would stand to benefit from it provided it helped the movement of trade which had to transit through Bhutan. The reactions of the Deb Raja were favourable and he promised consideration of the matter on Bogle's return from Tibet. The Deb Raja also requested that his annual caravan to Rangpur be given British assistance and protection. This resulted in Warren Hastings sending

<sup>7</sup>Pemberton's Report. See also Rennie, op. cit., p. 30.

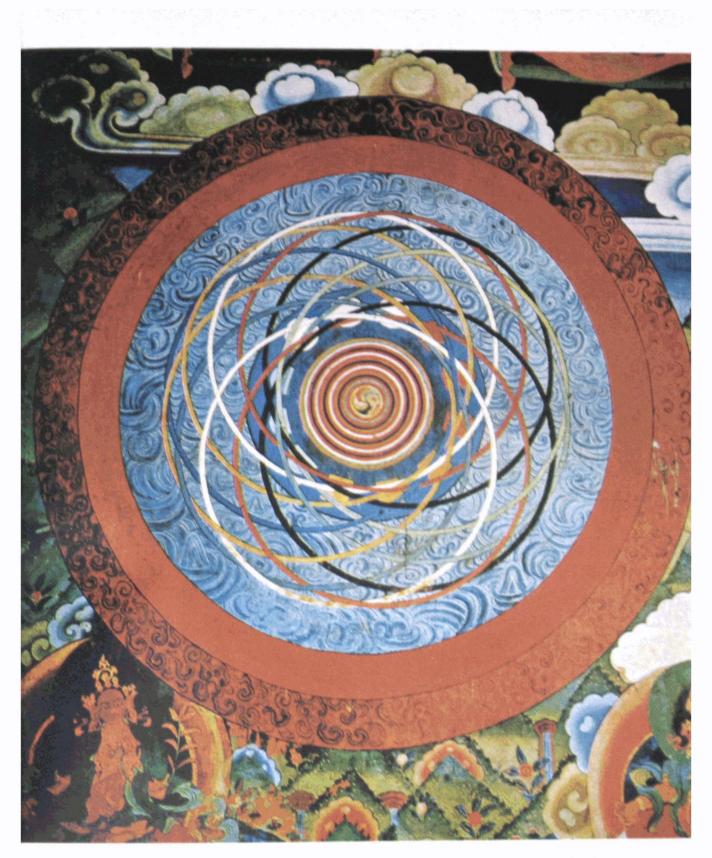
a *perwana* to the Deb Raja for the encouragement of Bhutanese subjects who might wish to come with trade caravans to Rangpur and other districts under the Company's authority. The letter sent in November 1774 enclosing the *perwana* also made it clear that a regular list of articles of trade between the two countries should be drawn up. Bogle left Bhutan for Tibet in October 1774. After establishing a close friendship with the Tashi Lama and securing hearty cooperation and support for Indo-Tibetan trade, Bogle returned to Bhutan in May 1775 where he stayed for about a month to secure consent of the authority in Bhutan to allow the passage of merchandise through their territory to and from Tibet and Bengal. After protracted negotiations, the consent of Bhutan was forthcoming and hence the Bogle Mission returned to Bengal some time in April 1775.

In the absence of any records, it cannot be said if the Bogle Mission had been charged with any political errand as such. It is correct, however, that Warren Hastings did give Bogle a free hand to make the best possible arrangements. That the Bogle Mission was a success can be concluded from the fact that Warren Hastings entrusted him with another mission to Tibet in 1779 since Bogle had revealed a distinct possibility of the growth of Indo-Tibetan trade. He also prepared the way for the establishment of extensive tea-plantations in Bengal and Assam under the British management. It was he who reported that tea was a universal beverage in Bhutan and Tibet and was entirely imported from China. Bogle, therefore, argued that tea plantation in India could lead to the capturing of this lucrative item of trade from China. The need for extensive tea plantation later led the British to annex the Assam and Bengal Duars which indirectly paved the way for absorption of Assam within the British Indian Empire. Thus Bogle Mission had economic implications.

Before attempting a narrative of the subsequent Missions to Bhutan conducted by Hamilton in 1775 and 1777, it may be worthwhile making an assessment of the importance of Bogle Mission and to state briefly its achievements.

(i) To start with, Bogle Mission opened the door for trade and commerce with a highly inaccessible region and with two countries, namely Tibet and Bhutan.

(*ii*) Secondly, though there are no records left by Bogle, it has been possible to ascertain from the accounts given by Turner (1783) and White (1905 and 1907) who led subsequently Missions to Bhutan, that Bogle had concluded with Bhutan a treaty of considerable commercial importance.



A frescoe of a mandala at Paro Dzong. The mystic spiral is surrounded by a flamingred circle' of fire



The Dharma Raja or Spiritual Ruler, His Holiness Ngawang Namgyal (or Shabdrung Rimpoche), well-known for his efforts to unify Bhutan and establish law and order in the country (1594–1651 A.D.)

According to this treaty, the Bhutanese were to enjoy the privilege of trade in Bengal as before, free of duty and hindrance; the duty levied at Rangpur on the Bhutanese caravans was to be abolished. The Deb Raja undertook to allow Indian merchants to pass through his territory between Bengal and Tibet; the exclusive trade in sandal, indigo, skins, tobacco, betelnut and pan was to remain with the Bhutanese. These articles<sup>8</sup> of a trade treaty concluded by Bogle with the Deb Raja are given in Appendix III.

(*iii*) Again, we get a glimpse of the constitutional status of Bhutan from the account given by Turner who states that the Bogle Mission failed to obtain permission for the English and European traders to enter Bhutan. In addition, the fact that Mr. Bogle was detained at Tassishujung for passports is conclusive proof of the independence of Bhutan as a separate State.

(iv) It was the success of the Bogle Mission which furnished a great attraction and encouragement for the British to continue their follow-up action in relation to the Himalayan States.

Thus a further British Mission, the second in the series, was sent to Bhutan in November 1775 under Hamilton who had earlier accompanied Bogle during his first Mission in 1774. One of the objectives of the Hamilton Mission of 1775 was to examine the Deb Raja's claims to the districts of Ambaree-Falacottah and Jalpaish. After taking local evidence, Hamilton came to the conclusion that equity demanded their restoration to Bhutan and held that if restitution was made, the Deb Raja could be induced to honour his agreements with the British.

The third British Mission to Bhutan was again under Hamilton in 1777, this time to offer congratulations to the new Deb Raja on his succession.

In 1779, on an invitation extended by Penchen Rimpochi it was arranged that Bogle should meet him in Peking. This visit, however, did not come off since both Bogle and the Lama died suddenly. This came as a temporary setback. But it was not before long when intelligence reached Warren Hastings at Calcutta that the reincarnation of the late Penchen Rimpochi had taken place. On this auspicious occasion, Warren Hastings sent in 1783 a Mission under Captain Turner of the Bengal Army. Captain Turner was accompanied by Lieutenant Davis of the Bengal Engineers, as Surveyor, and Robert Saunders as Surgeon. Travelling via Murshidabad, Rungpur and Cooch Behar, the Mission arrived at Chichacotta

<sup>8</sup>White, John Claude, Sikhim and Bhutan, published by Edward Arnold, Publisher to the India Office, 1909, pp. 248-49.

on May 11, 1783 and then went further to Tassishujung reaching there on June 1, 1783. The Mission was detained at Tassishujung for over three months for want of permission from the Regent Teeshoo Lama to proceed further towards Tibet. When the permission did ultimately arrive, the size of the Mission had been limited to only two. Thus Lieutenant Davis had to return to Bengal leaving Turner and Saunders to proceed further. This incident brings out the full sovereignty and independence of the Himalayan States at the time. As in the case of Bogle Mission, there is nothing on the record of the Turner Mission to show that Turner whose errand was primarily to proceed to Tibet was charged with any specific diplomatic assignment in Bhutan. However, it appears from the subsequent account given by Eden,<sup>9</sup> who led the sixth mission to Bhutan, that Turner was authorised to cede to the Bhutan Government the district of Ambaree Fallacottah, hitherto a British territory. this ceding of the district was accomplished by Turner. On his return journey from Tibet, Turner reached Bhutan in December 1783 and stayed there for a month with the Deb Raja. Commenting on trade relations with Bhutan, Turner said in his report that the trade regulations for carrying on the commerce of the Company through the dominions of Bhutan by means of the agency of Indian merchants were settled by the treaty entered into by Bogle in 1775 (see Appendix III). Turner further observed in his report that: 'The Deb Raja having acknowledged to me the validity of that treaty, it became unnecessary to enter into another, since no new privileges and immunities appear to be required until commerce can be established on a different footing with respect to the views and interests of the Raja of Bhutan, by whose concurrence alone the proposed commercial intercourse with Tibet can be made to flourish.' This observation of Turner obviously shows the fairly important position that Bhutan occupied in the northern trade of India. It is also clear that the Bhutanese held the lever firmly in their hands. On the whole, therefore, the Turner Mission achieved nothing substantial by way of commercial facilities.

Comparative lull prevailed in the relations between Bhutan and the East India Company for nearly half a century from 1783-84 when Turner Mission was sent until 1826 except for the visit of an Indian official Kishen Kant Bose who was sent to Bhutan by the Judge of Rangpur to seek a settlement of the incessant border disputes.

#### The Problem of the Duars

In 1826, the relations of Bhutan and the East India Company headed for trouble. After the British had driven the Burmese out of Assam as a result of the first Burmese War (1824-26), the extent of the Indo-Bhutan boundary increased and with it increased the boundary disputes resulting from the unsatisfactory relations of the Assamese with the Bhutanese. The bone of contention was the conflict over the Duars of which there were as many as eighteen: seven Assam Duars and eleven Bengal Duars. At the base of the lower ranges of the Bhutan hills, there lay a narrow strip of country. ten to twenty miles in width, extending from Dhanasiri river in Assam in the east to the river Teesta, on the frontier of the Darjeeling district, in the west. This rich and fertile tract was known as the Bhutan Duars (Passes). Each Duar came to be known by the name of the pass leading to it, and the whole area came to be known as the Athara (Eighteen) Duars of which eleven known as the Bengal Duars were situated between the Teesta and the Manas, while the seven known as the Assam Duars were situated between the Manas and the Dhanasiri. Estimated at about 220 miles in length with an area of 4,400 square miles, these Duars were inhabited by Mechis and Kachari tribes and were administered by the Bhutanese Jongpens. However, the local administration of these Duars was in the hands of Bengalis, Assamese and Kacharis who were appointed by the sanad of the Deb Raja. While Bhutan had control over the Bengal Duars which they had wrested from the Muslim rulers of the country, the case of the Assam Duars was different. The Assam Duars were never under the absolute possession of Bhutan. They were controlled by the Ahoms who could not maintain law and order in the area and were, therefore, led to purchase security by making over their Duars to the Bhutanese in consideration of an annual payment of yak tails, ponies, musk, gold-dust and blankets. Thus when the British occupied Lower Assam, they renewed and continued the engagements made by the Ahom rulers with the Bhutan Government. These arrangements were so complicated that soon interminable disputes became inevitable. As the payments made by Bhutan were in kind, question frequently arose as to the value of the articles given and received. Their actual value often fell below the Bhutanese assessment thereof and this led to arrears of payments due from the Bhutan Government. When pressed for clearance of such arrears, some of the Bhutanese took offence and retaliated by plundering the frontier areas. Their first attack was on Chatgar in Booree Goomah Duar in October 1828. Such incidents embittered relations

between the British Government and the Bhutanese rulers and during the period 1828 right down to 1864 the relations between the two were far from cordial. During 1828-1836, there were as many as five serious outrages in which the Bhutanese attacked British outposts and carried off British subjects. It may be worthwhile mentioning here that although no records of British subjects on Bhutanese territory are available, 'grounds exist for believing that the faults were not altogether on the side of the Bhutanese and that a certain lawlessness of action prevailed on both sides of frontier'.<sup>10</sup> In any case, the British took punitive action and took over Booree Goomah Duar which was restored to the Deb Raja only in 1834. A special corps called Assam Seebundy Corps (later known as 2/8th Gurkha Rifles) was also raised in 1834 for the protection of the frontier.

In 1836, the British attached the Banksa Duar for arrears of payment due to them. Thereupon the Deb Raja and the Tongsa Penlop declared that the communications addressed by the British to Bhutan Government in connection with arrears of revenue had never reached them. They requested that the arrears might be made good from the Banksa Duar and the Duar itself should be restored to Bhutan. The British Government promised to surrender the Duar on condition that Bhutan entered into an agreement for the better management of the Duar and the extradition of offenders against the British Government. Unfortunately, an agreement was made with subordinate Bhutanese officials who, according to Eden, held very low ranks and could not commit the Government of Bhutan as they lacked authority. This agreement was, therefore, never ratified by the Deb Raja, although the Duar had been surrendered in anticipation of the ratification. It became clear later that all communications from the British Government were withheld by the Bhutanese frontier officials from the Durbar. This gave rise to the need for entering into direct communication with the Bhutan Durbar.

Accordingly, in 1838, the Governor-General sent Captain Pemberton to Bhutan as his Envoy to settle the terms of commercial intercourse between the States, and, if possible, to effect such an adjustment of the tribute payable for the Duars as might diminish the chances of misunderstanding arising from that source. The unfriendly relations that had existed for quite some time came in the way of the success of the Pemberton Mission which ultimately turned out to be a total failure. The draft treaty proposed by him was eventually rejected by the rulers of Bhutan. This treaty provided, *inter alia*, for the same privileges of free trade in Bhutan

<sup>&</sup>lt;sup>10</sup>Rennie, op. cit., Preface, viii.

for subjects of the British India Government as the Bhutanese already enjoyed in India. It was Tongsa Penlop who objected to the proposed treaty since his interests were directly affected by the arrangement for the punctual payment of the tribute for the Assam Duars. At his instigation, the Bhutan Government finally rejected the treaty.

The failure of the Pemberton Mission led the British authorities in India to think in terms of permanent annexation of the Duars as the only effective answer to Bhutanese incursions which continued unabated. In 1841, therefore, all the Assam Duars were taken over in return for an annual compensation of Rs. 10,000. In 1842, the estate of Ambaree Fallacottah was also taken over at the request of the Bhutanese. The annexation of the Assam Duars not only served the interests of security of the British frontiers but also, as already stated, fulfilled a major motive for economic gain linked with the growth of tea-plantations for which Assam was most suited.

The annexation of the Assam Duars, however, solved only a part of the problems of the frontier since Bhutanese incursions on the villages in that region continued for several years thereafter. Moreover, the Bengal Duars continued to remain a sore spot. The British would perhaps have annexed the Bengal Duars soonest possible. However, this had to be postponed due to the more urgent and serious problems which the British Government of India had to face on the Indian sub-continent concerning the Afghan War and the Anglo-Sikh Wars which led to the annexation of Sind and the Punjab, respectively. It was not until 1850 that the problem of the North-East Frontier came up again to be seriously considered by the British. Lord Dalhousie commenced action by appointing Jenkins to be in sole charge of the Bhutan frontier. The British Government adopted a clearly defined policy towards the Bhutanese. The Bhutanese raids on Goalpara, Cooch Behar and Rangpur frontiers were met with determined resistance by the British arms. In this connection, Ashley Eden, who subsequently led the British Mission to Bhutan in 1864 has observed: "For thirty years, scarcely a year has passed without the occurrence of several outrages anyone of which would have fully justified the adoption of a policy of reprisal and retaliation." The British made representations to the Deb Raja and consequently the Deb Raja ordered the Tongsa Penlop to make good the losses. The Tongsa Penlop, on the other hand, addressed two letters to Jenkins, Agent to the Governor-General, asserting: "I am a Raja like the Deb Raja" and stating that the British should not have addressed the Deb Raja direct. This led Lord Dalhousie to direct

the Agent by a communication dated January 11, 1856, to send a stern warning to the Tongsa Penlop. The warning which was given in January 1856 demanded of the Tongsa Penlop an appropriate apology for the disrespect shown to the Agent. The warning also made it clear that any recurrence of Bhutanese incursions would be met by permanent occupation of the Bengal Duars. Further, the Deb Raja was told that he would be responsible for the acts of his subordinates. The British conveyed their warning in the following words:

"....His Lordship in Council is not unaware that the Deb Raja is the nominal head of the country, and that it is the conduct of the Tongso Penlow and his brother, the late Dewangiri Raja, and not the conduct of the Deb Raja, which has called for some measure of severity on the part of the British Government. But it is obvious that the Deb Raja, even though he may be ostensibly well disposed towards the Government, is unable, or unwilling, or remiss in his endeavours to restrain his subordinate chiefs, and it cannot be permitted that for this want of power, or want of will, or want of energy, the subjects of this Government should suffer. The Deb Raja must share in the penalty due to the delinquencies of those who own his authority, and for whose acts of aggression on British territory he must be considered responsible."<sup>11</sup>

The British were known for their legalism wherever they went and in this case they made a strong legalistic approach. It is true that state responsibility arises for acts of subordinate officials, although the Government of the State may not be even aware of the acts of omission and commission of its lesser officials. The principle of vicarious responsibility was applied by the British in this particular case and for the injuries suffered causing damage, a demand for compensation was made. Accordingly, the British authorities promptly deducted a sum of 2,868 rupees from the Assam Duars compensation money being the value of the property plundered by the men of the Dewangiri Raja, the brother of Tongsa Penlop. In regard to this incident, the British had applied the correct principles of State responsibility accepted as valid in international law.

Meanwhile, even as the letters of apology were in transit, the hereditary zamindar of the Gooma Duar was kidnapped. This enraged the British Agent to the Governor-General who recommended annexation of the Bengal Duars as redress. However, it was decided first to make efforts to secure the release of the zamindar to which the Deb Raja replied

<sup>&</sup>lt;sup>11</sup>Rennie, op. cit., Appendix B, p. 400.

that the zamindar was his subject. Further incidents took place in 1856 but the British were unable to take any concrete steps owing to the Indian Revolt of 1857. With the British preoccupied with their problems in India, the Bhutanese again became active on the borders and it was only in March 1860 that the British took over the estate of Ambaree Fallacottah.

# Bhutan and the Revolt of 1857

There can be no doubt that Bhutan's sympathies lay with India in her struggle for independence. Whatever might be the nature and the character of the Indian Revolt of 1857, it could be broadly categorised as a movement against the British rule in India. The numerous cases of incursions, raids and border harassments which the Penlops and the lesser officials of Bhutan organised during 1857 and soon thereafter were in sympathy with the struggle which was proceeding in the plains of India against the British rule. The attitude of the Bhutanese was based on the general mistrust and resentment against any encroachment upon their freedom and independence. Bhutan's attitude to the events of 1857 was sympathetic to the Indian aspirations. This was known to the British. This is clearly brought out in the conversation which took place between Eden, the Head of the British Mission to Bhutan in 1864, and the ex-Penlop of Paro, who informed Eden that "the confidential adviser of the latter (Tongso Penlow) was a Hindostanee, who came to Bhutan after the Bengal mutiny, bringing with him papers purporting to bear the seals of 'The Kings of Delhi, Lahore and Nepaul' and that he had proposed to the Bhutan Government to join a general war for the purpose of driving the English from India. All this, as will be seen hereafter, proved to be true".12

In the light of the aforesaid facts, the conflict between Bhutan and the British in India becomes more understandable in the sense that the true raison d'être comes to light. The frequent raids by Bhutan on British territory not only continued, but got multiplied after 1857. It was in 1861, for example, that some British subjects and residents of Cooch Behar were abducted by the Bhutanese. The British demanded surrender of the British subjects and release of the stolen property but the Bhutanese did not oblige. At this stage, Major Hopkinson, the Agent of the Governor-General suggested that the Government should either occupy a portion of the Bhutanese territory or send a mission to Bhutan to bring home to

12Rennie, op. cit., pp. 96-7,

the authorities in Bhutan the consequences of the predatory acts of their subjects.

### The Eden Mission

In 1862, the Government of India decided to send a mission to Bhutan under the leadership of Ashley Eden. On August 11, 1863, Eden received his instructions, which were to the following general effect matters of detail being left to his discretion:

- (i) To explain in a friendly and conciliatory spirit to the Bhutan Government, the circumstances which had rendered it necessary to occupy Ambaree Fallacottah, and withhold its revenues, and to inform it, that, in the event of the demands of the British Government being complied with the occupation would cease, and that, though the management of the estate would continue as formerly in the hands of the latter, the rents would be paid to Bhutan.
- (*ii*) To demand the surrender of all captives carried off, and the restoration of property taken from British, Cooch Behar and Sikim territories.
- (*iii*) With reference to the aggressions on the part of British and Cooch Behar subjects complained of by the Bhotanese, proof to be required, and such redress given as the circumstances may call for.
- (*iv*) To endeavour to effect some satisfactory arrangement for the rendition of criminals by the British and Bhotan Governments respectively.
- (v) The Bhotan Government to be made fully aware of the position in which the protected states of Cooch Behar and Sikim stand to the British Government, and that any aggression committed on them by Bhotan would be viewed as unfriendly conduct towards the British Government.
- (vi) To secure, if practicable, free commercial intercourse between Bengal and Bhotan as well as protection to traders and travellers.
- (vii) To obtain all the information possible respecting the nature, population and resources of the country.
- (viii) To try and secure the results of the mission in the form of a Treaty, a draft of such as would be desirable being furnished.<sup>13</sup>
   <sup>13</sup>Rennie, op. cit., pp. 58-9.

Accordingly, the Eden Mission was also given a draft of a Treaty by the Government of India before its departure and the Mission was required to reduce to written record any agreement negotiated with Bhutan. The Mission was further instructed that if the Bhutan Government refused to do substantial justice and to accede to the main principles of the draft treaty, Eden was to withdraw from the country and inform the Bhutan Government that Ambaree Fallacottah would be permanently annexed. In the event of further incidents of violence from Bhutan, the British Government would take such steps as might be necessary to secure the safety of their own and the Sikkim and Cooch Behar territories.<sup>14</sup>

The Eden Mission arrived in Darjeeling in November 1863 where it had to wait for more than a month, partly owing to Bhutanese reluctance to receive the Mission and partly due to the fact that Bhutan was busy with 'one of its periodical civil wars'. The Punakha Dzongpen and the Tongsa Penlop had deposed the Deb Raja and set up another Deb Raja to receive the Mission. Ultimately, Eden started on his fateful Mission in January 1864 and reached Punakha on March 15, 1864. He found the new Deb Raja a mere puppet in the hands of the Tongsa Penlop who had never forgiven the British for their annexation of the Assam Duars. The British Envoy was subjected to a humiliating treatment and Eden was made to sign a treaty proposed by the Penlop. The text of this Treaty signed in 1864 under duress is given at Appendix IV.

An examination of the wording of this treaty reveals that it throughout respected the principle of equality in bilateral relationship except for the demand to receive back from the Feringees (British) the tracts belonging to Bhutan. If Eden found the need for affixing the words 'under compulsion' after his signature on the treaty, it could only be in relation to the possible involvement relating to ceding of territory to Bhutan. In every other respect, commencing from the apportionment of the blame for thefts, robberies, incursions, raids, etc., to the surrender of offenders, there had been complete equality between the two parties. For example, this treaty recites that 'certain bad men on the Bhoteah side stole men, cattle, and other property and committed thefts and robberies, and the Feringees' (British) men plundered property and burnt down houses in Bhutan'. Again, in another place, the treaty says: "The Feringees (British) will surrender such offenders to the Bhotanese, and the Bhotanese will in like manner surrender offenders to the Feringees." Furthermore, the Treaty says that if any bad men committed any aggression 'the rulers of the place

14White, op. cit., pp. 256-57.

in which the offender lives shall seize and punish him'. Another strange clause in the treaty was to the effect that out of the four States, namely Bhutan, Feringees (British), Behar and Sikkim, if any one committed an act of aggression on the other, the aggressor will be punished by the alliance of the remaining three States. This treaty is of historical value and of great legal interest but since it was repudiated by the British, it was totally ignored in actual effect. Some of the aspects of this treaty which would be of great legal interest and value to the student of development of international law concepts are given below.

First and foremost, it would appear that this is perhaps the only treaty on record which has been signed by a party by putting the words 'under compulsion' beneath the signature.

Secondly, this is perhaps the only treaty which recites the name of the negotiator Cheeboo Lama who acted as an interpreter between the Bhutanese and the British. This is of some significance because when the treaty was repudiated by the British, the Deb Raja of Bhutan wrote to Cheeboo Lama who was the interpreter-cum-negotiator and appealed to him to decide whether at any time force was used by Bhutan. Rennie has given a translation of the letter addressed to Cheeboo Lama in this connection which is reproduced below:

"The British say you were interpreter to the mission, we do not know what you said and Eden did not know what we said, but you know whether the treaty was not agreed to. We used no force, if we had, it should have been mentioned at the time, and you should not have afterwards allowed Eden on his return to deceive the Governor-General and lead him to write to the Dhurma Raja that we had used violence. Our Bhutan custom is this, that an answer once given is given, and a bargain made is made, so we did not tell the Deb Raja of this. If the treaty made last year is not allowed, if another right dealing person will come, or if a representative is wanted from hence, write so, therefore, we have sent this order to you, but if an attack made upon us is right or wrong, recollect that you are responsible as the go-between. We cannot make restitution of anything now. The low country is unhealthy also, and an envoy could not be sent; when the sickness is less send for one. The case as regards robbery and theft is as follows: In the Cooch Behar territory and ours, the faults are equal-besides the English Government has taken seven Talooks of the Dangsi Terai (the Assam Dooars), and the rent of Ambaree Fallacottah has been withheld for some years. These are causes for our declaring war, instead of which the British Government are doing it. Make them do right. If we can withstand them we will, if not we will remain passive. Now you are the originator of confusion, you are a Sikimese and we shall have something to say to you; remember

this and say it to the English Authorities. Well, if there is no confusion between the British and the Dhurma Raja, there will be nothing to say between us. Having considered all this, send your answer through the Jungpen of Dhalimkote."<sup>15</sup>

It may be mentioned here that Rennie has supported the contention of the Bhutanese that the fault lay on both sides. To quote Rennie again:

"The remark about faults being equal on both sides as regards aggressions against property, has very likely a fair amount of truth in it—at least such is my opinion, inasmuch as in compiling the narrative of the train of events which gradually brought matters to a climax. I formed the conviction that in the official sources from which my information was obtained, but one side of the case was prominently shown, and that as 'every medal has its reverse' so, in all probability, had the Bhotanese a story of complaint also. Several occurrences which are casually alluded to in the documents referred to our troubles with Bhotan, tend to favour the impression that a series of raids and counter-raids have been going on for many years—the state of matters, in fact, on the north-eastern frontier, having been somewhat similar to that which was for so long characteristic of the English and Scotch borders."

In the footnote, Rennie further observes:

"Notwithstanding all that has been written against the Bhotanese, some grounds exist for entertaining the belief that at one time they were not so bad as it has become the custom of late to represent them, as well also as to give rise to a suspicion that defects of government on our part on the frontier may have had something to do with the insecurity to property and person which seems to have existed there for such a length of time."<sup>16</sup>

The foregoing observation of Rennie is further confirmed by what White wrote after his visit to Bhutan in 1905:

"I cannot help thinking Messrs. Griffiths and Eden have exaggerated what they saw, and as we know with what discourtesy they were treated, it is perhaps not altogether unreasonable for them to have seen only the worst side of the people (of Bhutan)."<sup>17</sup>

The third point relating to this treaty signed under duress is that the

<sup>15</sup>Rennie, op. cit., p. 157.

<sup>&</sup>lt;sup>16</sup>Rennie, David Field, *Bhotan and the Sotry of the Doar War*, pp. 157-59, <sup>17</sup>White, John Claude, *Sikhim and Bhutan*, p. 12.

British Government argued that the envoy had no authority to agree to such terms and that the treaty had not been ratified. However, Eden while affixing his signature did not write the words 'without authority' but used the words 'under compulsion'.

In the Vienna Convention on the Law of Treaties opened to signature and ratification on 23rd May, 1969, various legally admissible reasons are given for rendering treaties invalid such as error (Article 48), fraud (Article 49), corruption of a representative of a State (Article 50), coercion of a representative of a State (Article 51), coercion of a State by the threat or use of force (Article 52).<sup>18</sup> The aforesaid codified version of international law of treaties has superseded the old customary principle of international law by which duress did not vitiate a treaty. To quote Oppenheim:

"However, with regard to the freedom of action of the State as such, International Law as it existed prior to the Covenant of the League, the Charter of the United Nations, and the General Treaty for the Renunciation of War, disregarded the effect of coercion in the conclusion of a treaty imposed by the victor upon the vanquished State."<sup>19</sup>

It may, therefore, be mentioned that in 1864 when this treaty was signed 'under compulsion' the law on the subject had not developed to the extent to which it has done now. However, it can be stated that the coercion of a representative of a State as against coercion of a State as such would have vitiated a treaty signed in the latter half of the 19th century. In any case, lack of authority has always been a valid reason for nullifying a treaty and the British advanced that plea when repudiating the Treaty. Moreover, in the light of the Vienna Convention on Treaties of 1969, this treaty would be certainly invalid if compulsion was used.

Apart from the aforesaid, it may be stated that the Eden Mission registered an utter failure. The Government of India was accordingly outraged at what had happened and promptly decided to annex Ambaree Fallacottah and, in addition, to withhold payment to Bhutan of subsidy for the Assam Duars. The annexation ordered by the British was conveyed to the Deb Raja by a *Khareeta*, a legal instrument special to the Indian region signifying some sort of a direction from a superior to an inferior power. The text of the aforesaid Khareeta of Annexation dated 9th June 1864 which was addressed to His Highness the Deb Raja will be found

<sup>&</sup>lt;sup>18</sup>UN Doc A/Conf/39/27.

<sup>19</sup>Oppenheim, International Law, Vol. 1, 7th ed. (1948), pp. 802-03.

at Appendix V. Apart from this demand of surrender of territory, the British made a further demand on Bhutan to surrender the Cooch Behar captives who were alleged to be illegally detained by the Deb Raja. It was further conveyed to the Bhutanese that their failure to give any positive response would lead to permanent annexation of the Bengal Duars and such other territory as may be necessary. The British interest in the Bengal Duars as well as the Assam Duars was largely economic because this tract was rich in timber and, as stated earlier, fertile for cultivation of tea, tobacco and mustard. As Bhutan refused to answer the British Khareeta demanding annexation of Ambaree Fallacottah, it became a matter of prestige for the British to resort to arms to maintain their authority in the region.

# Anglo-Bhutanese War, 1864

The British accordingly proceeded with the annexation of the Bengal Duars and the Anglo-Bhutanese War ensued. The text of the Proclamation dated 12th November 1864 regarding the annexation of Bengal Duars will be found at Appendix VI. This order of annexation recites the so-called "outrages committed by the subjects of the Bhutan Government within British territory" and proceeds to state that "the Governor General-in-Council has, therefore, reluctantly resolved to occupy permanently and annex to British territory the Bengal Duars of Bhutan". The Proclamation did not declare a war but annouced the decision to annex territory which led to the Anglo-Bhutanese War of 1864. Brigadier-General Malcaster and Brigadier-General Dunsford commanded the British forces and swept over Bhutanese strongholds in quick succession. Thus by January 1865, the military occupation of the Duars was completed. The Deb Raja could not reconcile himself to this fate. Even before the occupation of the Duars had been consolidated and normalised by the British, he addressed a manifesto to the British officers in command stating:

"In a tone of pained surprise that the Deb Raja could not believe that the Queen of Great Britain had ordered the seizure of his territory; that as the customary declaration of war had not been made, he did not consider that the British had occupied the Duars. If, however, they insisted on attacking his country without a declaration of war, he would send against them, a divine force of twelve Gods who were 'very ferocious ghosts'."<sup>20</sup> It would appear as if in this case Bhutan was guided by the ancient laws of India governing inter-State belligerent relations because Manu expressly forbids the killing of enemy personnel found sleeping, naked, combing hair, etc., which indicates that surprise action without notice was not permissible in accordance with civilized conduct.<sup>21</sup> It could, therefore, be stated that in 1864, according to the traditional mode of relations between States, a declaration prior to an armed conflict was at least customary as a pure matter of civilized behaviour. Whatever may be the legality, it was clear that the Deb Raja was not prepared to accept the annexation without a fight.

The threat given by the Deb Raja of invoking the ire of twelve Gods did not prove to be unfounded. The Tongsa Penlop, soon after, swept down upon the eastern post of Dewangiri with a strong Bhutanese force and cutting off its water supply compelled its evacuation by the British on 5th February 1865. Similar attacks followed all along the occupied territory and, for a time, there was complete disorganisation in the British ranks and reinforcements had to be called for. General Malcaster and General Dunsford were replaced by Brigadier-General Tombs, C.B., V.C. and Brigadier-General Frazer Tytler, C.B., respectively. The new Generals were given independent commands, the former of the Right, and the latter of the Left Brigade. It was not until March 1865 that the British could deliver a counter-attack and recapture the posts which they had been forced to evacuate earlier. A complete lull followed thereafter throughout the summer of 1865 and this proved instrumental in negotiating a settlement. The British threatened military action on an extensive scale right inside the territories of Bhutan. This threat made the Bhutanese relent and in October 1865 the Deb Raja informed the British that he had ordered his officers to meet and negotiate a settlement with the British.

The peace negotiations which followed resulted in a treaty with Bhutan. The text of this Treaty which was finally concluded at Sinchula on November 11, 1865, is given at Appendix VII. This Treaty is known to the Bhutanese as the Ten-Article Treaty of Rawa Pani and will remain one of the most important landmarks in the annals of British-Bhutanese relations. Though Article 1 of the Treaty aims at establishing perpetual peace and friendship between the British Government and the Government of Bhutan, Article 2 specifically mentions of 'repeated aggressions of the Bhutan Government' and concludes by stating that the eighteen

<sup>&</sup>lt;sup>21</sup>Manusmrti, VII, 92. Sukraniti and Mahabharata also likewise forbid the killing of enemy personnel in specified cases.

Duars were to be ceded by the Bhutan Government to the British for ever. In Article 4 of the Treaty, Bhutan expressed 'its regret for past misconduct' and agreed to receive an annual allowance from the British Government. The grant of this annual allowance was itself subject to the condition that the Bhutan Government would check the violent activities of its subjects and would comply with the provisions of the Treaty. Again, under Article 8 of the Treaty, Bhutan Government agreed to refer all its disputes with the Rajas of Sikkim and Cooch Behar to the British Government and abide by its decisions. It may be mentioned here that Article 8 is typical of British bilateral diplomacy in India in so far as it takes full advantage of the internal dissensions of the Rajas of the area by appointing the British Government as the sole arbitrator in any dispute. The wordings of Article 8 to the effect that 'the British Government hereby engage to enquire into and settle all disputes and complaints in such manner as justice may require and to insist on the observance of the British decision by the Rajas of Sikkim, Cooch Behar and Bhutan' gives a position of political superiority to the British. The British Government gets installed as the supreme court of appeal over disputes of the Rajas. This reminds one of clause 30 of the Protocol signed on 18th February 1854 between Maharana Saroop Singh of Udaipur and Lt. Col. Robinson on behalf of the East India Company. This Protocol enabled the British Political Agent in Mewar to give final decisions in all disputes between the Darbar (Ruler) and the Jagir Chiefs (Feudal Nobles) of Udaipur. It was by this method that the British could have their subtle intervention in the region to maintain a balance of power in their favour. They also helped in the maintenance of peace this way. Furthermore by providing 'free trade and commerce between the two governments' and by granting 'all Bhutanese residing in British territory equal justice with British subjects', the British Government of India may have been thinking in terms of bringing Bhutan under its hegemony. In 1867, the Deb Raja was entered in the Salute List as entitled to a salute of 15 guns thereby implying that he was a subordinate ruler.

#### (ii) From 1865 to 1910

# From the Treaty of Sinchula to the Treaty of Punakha

The Treaty of Sinchula signed in 1865 almost a century after the first British Indian political contact with Bhutan in 1772, may at best be said to have lulled the situation on the turbulent frontiers. As far as the implementation of the Treaty was concerned the clauses relating to subsidy acted as a political lever. Thus, for example, in 1868, the payment of subsidy was summarily withheld when Bhutan sent an officer of inferior rank to receive it coupled with the fact that Bhutan had terminated inter-communication link between Bhutan and Buxa. The subsequent course of Indo-Bhutanese relations indicated resentment and distrust in the attitude of the Rulers of Bhutan who were keen to intrigue against the rising tide of British power which tended to eclipse Bhutan's independence. This feeling was perhaps inevitable after July 4, 1866, when a Proclamation was issued by the Governor General-in-Council (Appendix VIII) that "in pursuance of Article 2 of the Treaty concluded on the 11th day of November, 1865, the whole of the tract of the 18 Duars stood ceded to the British".

The military confrontation with the British had brought a certain amount of internal political unity in the State of Bhutan facing a common enemy. Thus in the period of comparative peace following the Treaty of Sinchula, internecine rivalries which have been the bane of Bhutan, again came to the surface. In 1869, a civil war broke out in Bhutan in which the Tongsa and Paro Penlops and the Punakha Jongpen rebelled against the Deb Raja who was supported by the Wangdu Phodran Jongpen. Both the parties approached the British who refused to intervene in the internal affairs of the State. This astute policy of non-intervention while making full use of the subsidy factor was elaborated in his letter by the Secretary of State as follows:

"The Secretary of State approved the policy of cash payment by the Government of India on the ground that it would conduct to the great objects of an enduring peace and the protection of the inhabitants of the frontier. It was not desirable to impoverish Bhutan by absorbing the entire revenues of the Duars for it would have deprived that government of the means of enforcing its authority over its chiefs and functionaries. Moreover, by non-payment of the stipulated sums in the event of any infraction of the terms of the treaty or commissions of acts hostile to the peace and security of the frontier, you will hold in your hands a material guarantee for the good conduct of the Bhutan Government and for the due observance of the treaty."<sup>22</sup>

Again, in 1877, there was another civil war caused by the pretensions of a rival claimant and Jigme Nam Gyel assumed supreme authority to crush the rebels. Yet another contest for the office of Deb Raja occurred

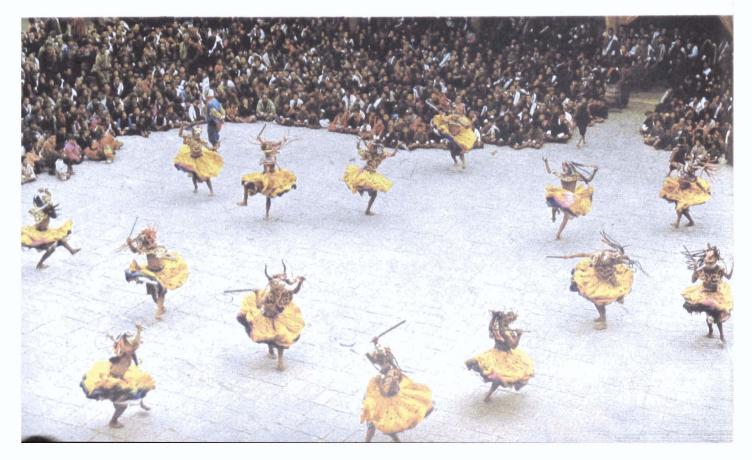
<sup>22</sup>Pol. Letters from Secretary of State, No. 4 of 1866, *Parliamentary Papers*, No. 13 (House of Commons), Vol. 2, 1865, p. 281.





The monks' orchestra of Thimphu Dzong at a ceremonial function

A scene of Domchen religious festival at Tashichhodzong in Thimphu. Armed with swords, the antlered State dancers "Shachham" symbolize the blessings of God and demonstrate religious and moral lessons



three years later in 1880. During all these recurring internecine conflicts, the British kept aloof in spite of approaches by the rivals concerned for help. All requests for arms and ammunition were summarily rejected. As a result, the civil war in 1885 proved decisive and the Tongsa Penlop Ugyen Wangchuk emerged as the virtual ruler of Bhutan. There had been a serious tussle for the election of the Deb Raja. The Tongsa Penlop, who tried his best to press for the appointment of his nominee, failed. Thereupon, the Tongsa Penlop kept the office of Deb Raja in abeyance, secured possession of its seal and emerged as the strong man of Bhutan. To consolidate his position Ugyen Wangchuk sought close and friendly relations with the British who also looked with satisfaction at the emergence of a strong man who could guide the destinies of Bhutan. In August 1885, the Tongsa Penlop decided to fill the vacancy of the Deb Raja. He got his nominee, Pang Sangye Dorzi, commonly known as "Yanpe Lopen" duly elected. The new Deb Raja was reduced to the position of a mere titular head as he was forced to abdicate all his powers in favour of the Tongsa Penlop Ugyen Wangchuk. In order to consolidate his position further against his political rivals, the Tongsa Penlop adopted the conciliatory policy of obtaining British support. The Bhutanese could not, therefore, be pressurized by the Tibetans into joining them against the British expedition to Sikkim in 1889. During the same year, the Paro Penlop visited the British Political Agent at Kalimpong as a gesture of friendship. The Tongsa Penlop also demonstrated his keen desire to win over the British during the Younghusband Mission to Tibet. Ugyen Wangchuk was further instrumental in assisting Colonel Younghusband in communicating with Tibetan officials both during the march to Lhasa and during the period of negotiations culminating in the Convention of 1904. When the British Mission advanced into Tibet in 1904, the Tongsa Penlop accompanied the mission to Lhasa and showed great keenness to have closer ties with India. The Government of India was equally keen to have friendly relations with Bhutan through which ran the lines of communication from India to the trading posts in Tibet. The political affairs of Bhutan from 1903 were no longer looked after by the Government of Bengal. The Government of India assumed direct responsibility and the British Mission to Lhasa was also authorised to correspond directly with Bhutan. The friendly relations between Bhutan and the British were further strengthened when in 1905 a new political charge was created under the direct control of the Central Government of British India. A Political Agent was appointed by the centre in direct relationship with Bhutan.

Closer and friendly relations between the Government of India and the Tongsa Penlop went a long way towards reducing mutual suspicion. The efforts of the Tongsa Penlop were appreciated by the British who granted him the title of the Knight Commander of the Indian Empire. J.C. White was at that time the Political Officer in charge and he made a special visit to Bhutan in March 1905 to present to the Tongsa Penlop the Insignia of the Order. This was the first British Mission to go to Bhutan almost forty years after the Eden Mission and was the seventh British mission in the series. As against the earlier missions, the White Mission of 1905 was received with all warmth, enthusiasm and friendliness of which White

speaks so eloquently in his historic publication : Sikkim and Bhutan. White was so impressed by the Tongsa Penlop that he later wrote: "Sir Ugyen is the only Bhutanese I have come across who takes a real and intelligent interest in general subjects, both foreign and domestic. I was deeply impressed by his sense of responsibility and genuine desire to improve the conditions of his country and countrymen."<sup>23</sup>

In view of the growing friendly relations with Bhutan, it was considered desirable that the Dharma-Deb Raja of Bhutan and the Tongsa Penlop should have an opportunity to receive the Prince of Wales (later King George V) during the latter's tour of India in 1906. The Tongsa Penlop was treated with great consideration inasmuch as the Prince of Wales and the Viceroy returned the visit of the Bhutanese Leader.

By 1907, Ugyen Wangchuk, the Tongsa Penlop, had greatly strengthened his position and was progressing fast to assume the Headship of the State. This process was hastened by the appearance of the new reincarnation of the Shabdrung Rimpoche in 1907 and the death of Deb Raja Cholay Tulku the same year. Again it was that very eventful year which witnessed the unique election of Ugyen Wangchuk by a unanimous vote of the Bhutan Chiefs and the principal Lamas as hereditary Maharaja of Bhutan. The British and particularly the Political Agent, John Claude White, helped in the establishment of hereditary monarchy as may be observed from what White said at the installation ceremony held on 17th the December, 1907:

"I am convinced that you have taken a wise step in thus consolidating the administration of the State. Sir Ugyen has been my friend for many years, and you could not have made a better choice. His integrity, uprightness, and firmness of character commend him to every one, and his accession to the Maharajaship is not only a gain to Bhutan, but is of great advantage to the British Government, who will henceforth have a settled government, with a man of strong character as its head, to negotiate with."<sup>24</sup>

The advantages that accrued to Bhutan by the creation of hereditary monarchy were immediately discernible. First and foremost, it led to internal political stability and peace externally which were the very foundations for the building up of Bhutan. Again, after 1907 there was great cordiality between the British and Bhutan. To put it in the words of John Calude White: "At the present comment Bhutan and its people are thoroughly and entirely friendly to the English, and wish beyond everything to enter into close relationships with them...."<sup>25</sup> Further observation by Claude White reveals the principles of British strategy in keeping close to Bhutan to ward off Chinese influence and thus help Bhutan in maintaining her political integrity. He observes: "I cannot pass over the fact that the present time is a critical one for relations between (British) India and Bhutan, and that if we do not support the new Maharaja openly and generously grave complications may be the result."<sup>26</sup>

Again, what Bhutan needed were concrete steps to ensure material well-being of the State. The far-sighted Ugyen Wangchuk, was not unaware of the fact that apart from political stability there was the dire need for betterment of his people. His first task after his installation as the Head of the State was, therefore, to open Bhutan to Indian agencies to develop its resources. He lost no time in this direction and taking advantage of White's presence he made a beginning straightaway. White himself has given an account of the approach made by the Maharaja and the discussions as recorded by White show the deep interest and the far-sighted statesmanship of Ugyen Wangchuk. White states as follows:

"I remained behind, at the urgent request of the new Maharaja and his Council, to discuss with them many projects and schemes for the welfare and improvement of the country. These covered a large area schools and education, population, trade, the construction of roads, the mineral resources of the country and the best method of utilising them, the desirability of encouraging tea cultivation on the wastelands at the foot of the hills, which are excellent for the purpose and equal to the best tea land in the Duars.

<sup>24</sup>White, op. cit., pp. 228-29. See also Chapter V which follows for the installation ceremony.

<sup>25</sup>White, op. cit., p. 230. <sup>26</sup>Ibid.

"The discussions were long and earnest, and the Tongsa and all his Council entered most fully into everything. The great stumblingblock to all advancement was the lack of funds, and this was clearly recognised by them all, as well as the fact that money must be raised; but the difficulty was how to do it. The sale of timber, mining concessions, and grants of tea land would all be means of bringing in a considerable revenue, and they decided to move the Government of India in the matter."<sup>27</sup>

About Sir Ugyen Wangchuk, White observes: "I have never met a native I liked and respected more than I do Sir Ugyen. He is upright, honest, open, and straightforward, and I wish it had been possible to remain in India till he had at least commenced some of *his* schemes of reform. He has a very difficult task before him, and at this time especially requires help given to him sympathetically and directly, without the trammels of official red tape."

The British were thus keen to further cement the relationship with Bhutan and proposed a new treaty to be concluded with the new Maharaja. White, the Political Officer, was strongly of the view that the Government of India should utilise "this unique opportunity of a new regime to enter into a new treaty and to increase the inadequate subsidy". Before, however, a treaty could be concluded, Sir Charles Bell took over charge as Political Officer in May 1908. The question of a new treaty with Bhutan continued to receive consideration even after this change in the office of the Political Department of the Central Government and it was not until 1910 that the Treaty of Punakha was actually signed.

#### (iii) From 1910 to 1947

From the Treaty of Punakha to the transfer of power to Free India The Treaty of Punakha was signed on 8th January, 1910, by His Highness Sir Ugyen Wangchuk, K.C.I.E., Maharaja of Bhutan, on the one side and Mr. C.A. Bell, Political Officer in Sikkim, on the other, in virtue of full powers to that effect vested in him by Earl of Minto, the then Viceroy and Governor-General of India-in-Council who subsequently ratified the treaty on March 24, 1910. This Treaty amended Articles IV and VIII of the earlier treaty concluded at Sinchula on November 11, 1865. By amending Article IV, the annual allowance to the Government of Bhutan was increased from fifty thousand rupees to one hundred thousand rupees. Again, Article VIII of the Sinchula Treaty of 1865 was revised to make

<sup>27</sup>*Ibid*, pp. 232-33.

British non-interference in Bhutan's internal affairs dependent on Bhutan's acceptance of the British advice in Bhutan's external affairs. Some of the noteworthy features of the Punakha Treaty of 1910 are mentioned below.

The revised Article VIII has the provision relating to disputes in the region being settled by the arbitration of the British.

Another noticeable feature of the Treaty is that it has been signed on behalf of Bhutan by no less than 11 dignitaries beginning with the Dharma Raja, the Maharaja of Bhutan, the Tatsang Lamas and going down to the Penlops and Jongpens. It is strange, however, that the preamble to the Treaty recites His Highness Sir Ugyen Wangchuk, the Maharaja of Bhutan as the only other party to the Treaty. Nevertheless, the signatures of the Authorities in Bhutan mention the Maharaja of Bhutan as second immediately after the seal of the Dharma Raja. In order that the Treaty may be binding, it was considered essential by Bhutan to have the signature of the Dharma Raja as well as the Lamas, the Penlops and others. Whatever may have been the position on the Bhutanese side, the British were quite clear that Ugyen Wangchuk wielded the necessary authority and he alone was to be accepted as a party to the Treaty. This aspect had to be clarified and confirmed if Bhutan was to emerge as a sovereign State member of the international community. In 1949, therefore, the treaty signed with independent India witnessed this necessary change insofar as the Druk Gyalpo of Bhutan ratified the treaty of 1949 as the Head of the State of Bhutan whereas Shri C. Rajagopalachari, Governor-General of India, ratified it on behalf of the Government of India.

In addition to the Treaty of 8th January 1910, another treaty was concluded between the British Government of India and the Bhutanese Government in November 1910 which sought to simplify the antiquated extradition procedure. This Treaty was signed by Rai Ugyan Dorzie Bahadur, Deb Zimpen (Secretary to the Maharaja of Bhutan) on the Bhutanese side and by Mr. C.A. Bell, Political Officer in Sikkim, on the British side, in virtue of full powers granted to them, respectively, by the Maharaja of Bhutan and the Viceroy and Governor-General of India.

The texts of both the aforesaid Treaties are given in Appendices IX and X.

After the conclusion of the Treaty of Punakha, an era of friendly cooperation between the British Government of India and Bhutan ensued. There was such smooth sailing on both sides that no occasion arose as would have warranted British intervention in the internal affairs of Bhutan. In 1911, the Maharaja of Bhutan was present by special invitation at the Durbar held in Delhi by the King Emperor. Druk Gyalpo Ugyen Wangchuk was keen to see Bhutan develop and for this purpose funds were needed. His occasional approaches for increase in the allowance payable to Bhutan under the 1910 Treaty did not bear fruit till 1941 when the allowance was increased by rupees one lakh during the reign of his son who succeeded him in 1928. However, the Government of India helped Bhutan by training Bhutanese students in various technical subjects.

Again, in 1914-15, an agreement was made for capturing elephants in the districts of Assam and the contiguous areas of Bhutan to improve finances of the State. While elephants abounded on the Indian side, the best stockade sites lay in Bhutan. Moreover, elephants crossing the frontier would be lost unless they were pursued across the frontier. To overcome difficulties, the area in question was mapped out into three Mahals which were named as the Goalpara, Kamrup and Darrang Mahals. The first was to be worked during 1915-17, the second in 1917-19 and the third in 1919-21. Thereafter the arrangement was to be left open subject to confirmation, modification or discontinuance. The profits derived from the operation were to be shared equally by Bhutan and Assam. However, Bhutan was allowed the right of closer control over grazing, poaching and firing by the Nepalese settlers in Bhutan, in the adjoining reserve forests of Assam. These joint Elephant Mahals were profitably operated by the Governments of Bengal and Assam, and Bhutan. Again, when the First World War broke out in 1914, the Maharaja of Bhutan gave rupees one lakh to the War Relief Fund. In spite of this cooperation, and the keenness of Druk Gyalpo Ugyen Wangchuk to develop Bhutan, it must be stated that the progress was neither rapid nor substantial. With the wane of the Chinese influence in 1912, the north-western borders were comparatively quiet and from the British viewpoint, therefore, Bhutan's political importance also receded somewhat in the background. Consequently, Bhutan did not receive as much aid as was necessary for its rapid economic development.

The great Tongsa Penlop, Ugyen Wangchuk, the first Hereditary King of Bhutan since 1907, was succeeded by his son Druk Gyalpo Jigme Wangchuk in 1928. He was a worthy successor to his great father and maintained all efforts to achieve progress initiated by his predecessor. On the whole, however, this was an uneventful period of quiet and peace. The British Empire reached the pinnacle of its glory both at home and abroad with the Silver Jubilee Celebrations of King George V in 1935. Its reputation had spread so far and wide as to keep the inaccessible mountain Kingdom of Bhutan in continued friendly terms. But soon thereafter, World War II commenced and brought in its wake the disintegration of the British Empire in the East. This introduced a new chapter in the history of Indo-Bhutanese relations which aspect is dealt with later in Chapter VIII.

# IV

### ART, CULTURE AND RELIGION

#### Architecture

DURING THE early part of the 7th century, the first settlers came from the 'Roof of the World' and with them the first Buddhist missionaries, who laid the foundations of the first Buddhist temples in the Eastern Himalayas. In the Valley of Paro (*sPa-gro*), in western Bhutan, the Kyichu Lhakhang (*sKyer-chu lHa-khang*) was erected and in Bumthang (*Bum-thang*) the Jampa Lhakhang (*Byams-pa lHa-khang*) of the future Buddha Maitreya. Both these holy places have been carefully preserved and rejuvenated, repaired and enlarged down the centuries until the present time.

As already mentioned before, at the end of the 8th century, Sindhu Raja, an Indian refugee prince, built up a principality in Bumthang. Attacked by King Nao-che from the south, he called for help from Padma Sambhawa, the Buddhist converter and messenger of peace from Uddiyana (in the northwest of ancient India), who was at that time on mission to Tibet. From there he proceeded to Bumthang, welcomed by the followers of the old sect, the Nyingmapa (rNying-ma-pa), who called him Guru Rimpoche, the 'Precious Teacher'. During his successful mission in the Eastern Himalayas not only the oldest rock monasteries were founded, like Thowada (mTho-ba-Brag) in Tang in the north of Bumthang, but also Sengge Dzong (Senge-ge rDzong), spelt 'Singyi Dzong' in Bhutanese, in the northwest of the district of Kurto (sKur-stod) and the Tiger's Den Monastery Taktshang (sTag-tshang dGon-pa), above Paro. The altar niche of the Kuje Lhakhang (sKu-rje lHa-khang) in the valley of Bumthang was Padma Sambhawa's meditation grotto, demonstrating the religious architecture of a temple built around a natural cave, which is characteristic of Bhutanese rock monasteries. The earliest foundations of the religious, Stupa-like monuments called 'Eye Chortens' of eastern Bhutan are also ascribed to this epoch, the biggest of them now being Chorten Kora (mChod-rten aKo-ra), situated to the east of Tashiyangtse (bKra-shis gYang-rtse) in the north of Tashigang (bKra-shis-sgang).

Thangtong Gyalpo (*Thang-stong rGyal-po*) has also been attached to this Nyingmapa tradition. He lived from 1385 to 1464 and was the first and the only pioneer-engineer of Central Asia and the Eastern Himalayas. He constructed the famous iron-chain bridges (*lCags-zam*) and a relic of one of his iron-chains is still kept in his family monastery, which is situated near the new road leading from Paro to Thimphu. But, since the cultural development of the ancient epoch focused only on spiritual values, his work became a legend, like the life of Pamalingpa (*Pad-ma-gling-pa*), who is worshipped as Padma Sambhawa's true incarnation and preached in Bumthang at the end of the 15th century. These old traditions were written down in 'Book-Treasures' (*gTer-ma*) and hidden in caves, dedicated as advice to future generations.

#### The Dzong Fortresses

It was in the early 17th century that the big fortresses, the dzongs (rDzong), were erected, which became the spiritual and administrative centres of every district. They included within their tapering strong-walls the buildings of the main monasteries as well. The head-monastery of Bhutan where the Head Lama had his seat was the Tashicho Dzong (bKra-shis-Chos-rDzong) of Thimphu, the capital. These dzongs constitute the architectural monuments of Bhutan and remain a unique feature of the landscape. They resemble mediaeval castles, once having been important fortifications, always ready for defence and sally. In their most ancient forms, the dzongs have a round tower and are surrounded by round watchtowers. They were mostly built on mountain-spurs, as if grown out of the rocks. They overlook and command the whole valley below, some of them still surrounded by ruins of watch-towers and observation posts, situated higher up the hillsides. The Drukpa Dzongs were founded by Shabdrung I. However, the Simthokha Dzong (sems-rtogs-kha rDzong), built in 1618, is the oldest Drukpa fortress erected in the south of the Thimphu Valley. The Dzong of Punakha (SPu-na-kha sPung-thang rDzong), constructed shortly afterwards, became the famous royal winter-residence and now embraces eighteen temples. It is a 'river-dzong' erected at the junction of 'Father River' and 'Mother River', the Pho Chu and the Mo Chu, once connected by swinging iron-chain bridges. To the southeast of Punakha, the famous Wangdiphodrang Dzong (dBang-hdus-pho-brangr Dzong) was built with a wooden bridge of jutting-out planks, supported by bridgetowers and connecting it with the opposite bank. In the west the mighty Paro Rinpung Dzong (sPa-gro Rin-spungs rDzong) began to dominate the

whole valley and was, after destruction by fire in 1905, re-built and restored exactly after the old pattern. Tongsa Dzong (*Grong-sar rDzong*), the 'Castle above the new Village', marks the border of eastern Bhutan. Its western part with the strong-walls was also erected during the 17th century and extended and enlarged from generation to generation. Tongsa Dzong, built below the old Tiger Dzong (*sTag rDzong*) and above 'New Village' (*Grong-sar*), is the ancestral dzong of the present royal family. It is situated on the path leading to the eastern districts of Bumthang, Monggar (*Monggar*), Kurto (*sKur-stod*) and Tashigang (*bKra-shis-sgang*). It is a path which still preserves mediaeval rock-steps and stone-roads going over the high mountain-passes. Like the Roman roads of the ancient world of the Mediterranean, these lines of transport in the mountain fortresses of the Himalayas remain a unique contribution to human civilization in the history of mankind.

Thanks to the rich forests of the Eastern Himalayas, the buildings of the dzongs display plenty of fine as well as massive wood work. The dzongs have beautiful wooden balconies and galleries, worked in the traditional style of nail-less frame-work, which is characteristic of all Bhutanese houses. Not only was Bhutanese architecture nail-less but Bhutanese transport and traffic was also wheel-less. Only for heavy loads of stone necessary for the building of the houses, a two-wheeled, simple dray-cart was used. For traffic and travelling there existed no wheeled treck-wagon of any kind. Elderly people and dignitaries, on special occasions, were carried in palanquins, borne on the shoulders of men. Walking, or riding on horses, or mules, and on yaks in the highest mountain regions, was the usual way to proceed from place to place.

We get some graphic accounts given by foreign travellers who from time to time visited dzongs and monasteries and described their architecture as well as the art of objects worshipped in the temples such as Buddha statues or the temple bells, etc.

Of all the striking accounts that we have of the architecture of the dzongs of Bhutan, it could perhaps be stated that the two descriptions of the great Paro Dzong by the well-known leaders of British Missions to Bhutan, namely, Turner in 1783 and Eden in 1864 make the most fascinating reading. Turner who saw the dzong in late 18th century observed as follows:

out, more with a view to strength and defence than any place I have seen in Bhutan. It stands near the base of a very high mountain; its foundation does not decline with the slope of the rock, but the space it occupies is fashioned to receive it horizontally. Its form is an oblong square; the outer walls of the four angles, near the top of them, sustain a range of projecting balconies, at nearly equal intermediate distances. which are covered by the fir caves that project, as usual, high above and beyond the walls, and are fenced with parapets of mud. There is but one entrance into the castle, which is in the eastern front, over a wooden bridge, so constructed as to be with great facility removed. leaving a deep and wide space between the gateway and the rock.

"Opposed to the front are seen, upon the side of the mountains, three other buildings, designed as outposts, placed in a triangular position. The outer one is most distant from the palace, and about a double bowshot from those on either side, as you look up at them. The outer building and that on the left defend the road to Tassisudon, which runs between them; that on the right the road from Buxadewar and passage across the bridge. On the side next the river, from the foundation of the castle, the rock is perpendicular, and the river running at its base renders it inaccessible. The bridge over the Patchieu, which is at no great distance, is covered in the same manner as those at Tassisudon and Punakha, and has two spacious gateways."<sup>1</sup>

An equally interesting description of the same Paro Dzong, as given by Eden, who led a British Mission to Bhutan in 1864, also merits reproduction:

"The fort of Paro is a very striking building, and far surpassed the expectations we had formed from anything we had heard of Bootian architecture. It is a large, rectangular building, surrounding a hollow square, in the centre of which is a large tower of some seven stories, surmounted by a large copper cupola. The outer building has five stories, three of which are habitable, the two lower stories being used as granaries and stores and are lighted with small loopholes. while the upper stories are lighted with large windows opening in most cases on to comfortable verandahs. The entrance to the fort is on the left side, by a little bridge over a narrow ditch; the gateway is handsome, and the building above is much higher than the rest of the outer square; it is ornamented and painted, and has a number of well-executed inscriptions engraved in stone and iron, some of them gilt. At the gateway are a row of cages in which are kept four enormous Thibetan mastives. These beautiful animals are very ferocious: they are never taken out of their cages; they are said, however, to be less dangerous than they otherwise would be from their overlapping jowls, which prevent their using their teeth as freely as ordinary dogs. The first thing which catches the eye on entering the fort is a

<sup>1</sup>White, John Claude, Sikkim and Bhutan, published by Edward Arnold, Publisher to the India Office, 1909, p. 125.

huge praying cylinder, some ten feet high, turned by a crank; a catch is so arranged that at each turn a bell is rung. The gate of the fort is lined with light iron plates. On entering the fort you are surprised to find yourself at once in the third storey, for the fort is built on a rock which is overlapped by the lower stories and forms the ground base of the courtyard and centre towers....After passing through a dark passage which turns first to the left and then to the right, a large well-paved and scrupulously clean courtyard is reached: the fine set of rooms on the left is devoted nominally to the relations of the ladies of the palace, in reality, I believe, to the ladies themselves, who, however, are supposed to live outside the fort, in accordance with the theory that all in authority are under obligation of perpetual celibacy. Beyond these rooms is a second small gateway, and the first set of rooms on the left hand belong to the ex-Paro Penlop; they are reached by a very slippery and steep staircase, opening into a long vestibule, in which the followers lounge; this leads into a large hall in which his sepoys mess, and in which one of his amla is always in waiting. Beyond the hall is the Penlop's state room; it is somewhat low, but of great size and really very striking, for the Bhutanese have derived from their intercourse with Tibet and China in old days very considerable taste in decoration. The beams are rudely painted in blue, orange, and gold, the Chinese dragon being the most favourite device, the roof is supported by a series of carved arches, and all round the room and in the arches are suspended bows, quivers, polished iron helmets, swords, matchlocks, coats of mail, Chinese lanthorns, flags, silk scarves consecrated by the Grand Lama of Tibet, arranged with the most perfect taste."2

The aforesaid description of the Paro Dzong would reveal that these huge mountain-fortresses, carved out in the Himalayas, were somewhat simple and straightforward in their architecture compared to the complicated designs which Indian forts displayed, particularly those built in the middle ages such as the famous fortress of Daulatabad or Daualata Giri or the fort of Asirgarh and that of Ranthambore. Indian forts usually had deep moats and several architectural devices by which the enemy could be annihilated after being caught in a trap. The geographical terrain ruled out moats in Bhutan particularly when high level mountain sites difficult to climb were readily available. Even in India the fortresses located on top of hills had no moats like the fort of Chittor. However, any typical Indian fort would invariably have several gates some of which could be locked and the enemy trapped to destruction if he did not know the ins and outs of the fortress which details could be gathered through espionage alone. The dzongs of Bhutan were not in that class at all since they were essentially centres of religion coupled with seats of administration apart

<sup>2</sup>*Ibid*, pp. 126-27.

from being focal points for the development of art and culture in addition to defence.

Another account of Bhutanese monastic art is to be had from the description given by John Claude White when he visited the famous Paro Ta-tshang monastery in 1906 and 1907. He observes as follows:

"The most holy shrine, the sanctuary round which all the other buildings have sprung up, was situated in a cave. The cave is not large, and in it was a gilded chorten filled with small images of Buddha in copper-gilt, each seated on a lotus, and many of very good design. The other buildings were for the most part ordinary temples, with frescoed walls and altars, with butter lamps and incense burning, and in the principal one there was a very fine brass Buddha of more than life size, surrounded by his satellites. There were also some unusually good specimens of dorjes (thunderbolts) and purpas (daggers), both of which are used in the temple services. They were supposed to be of holy origin, and to be found amongst the solid rocks near the shrine."<sup>3</sup>

#### Arts and Crafts

The art and craft of Bhutan have been influenced both by China and India. However, the effect of real Indian influence is somewhat less marked than that of Burma and Siam, which entered by way of Assam and was, therefore, often taken to be Indian influence.

The art and industry of Bhutan cover a wide range of activity, beginning with artistic production of objects of gold, silver, and copper and including production of steel weapons like swords and daggers. Bhutan is well known for its articles of brass and bronze as well. It may be mentioned here that particular excellence was reached in producing combination of silver and gold work for which India has also been famous. In Varanasi, the most ancient capital of Hinduism in the heart of India, gold and silversmiths have excelled in producing designs in white and yellow by intertwining gold and silver into picturesque patterns. This work of great art is known as Ganga-Jamuni art in India. The same technique but with Bhutanese setting and pattern has been flourishing in Thimphu and other centres of culture like Paro from ancient times.

One example of this special art of Bhutan has been reproduced in colour along with three miniature paintings of Lord Buddha, Goddess Tara and Guru Padma Sambhawa.<sup>4</sup> These Ganga-Jamuni designs are so striking that Claude White has held them to be 'one of the most exquisite

<sup>3</sup>*Ibid*, pp. 217-18.

<sup>4</sup>This piece of Bhutan art of 17th century A.D. could have belonged to the Great Doopgein Sheptoon who helped consolidation of the Kingdom of Bhutan.

specimens of workmanship in silver and silver gilt' that he had ever seen. He was referring to an Indian *pan*-box about 8 inches in diameter and  $2\frac{1}{2}$  inches deep which he says was of a purely Chinese dragon pattern.<sup>5</sup>

Again, production of temple bells, swords, daggers and knives in distinct Bhutani designs can also be said to be the result of excellent craftsmanship. In the olden days indigenous methods were used to extract steel from charcoal iron. However, the work now continues on the basis of steel bars that are imported as the process of extracting iron from ore is a tedious one.

The craftsmen in Bhutan have also excelled in bronze casting and fine metal works of all kinds. It is possible that in the early 16th century A.D., there was a bronze foundry operating in the Punakha Dzong for production of bronze castings for which Bhutan has become famous. Here again, traces of Indian influence can be visibly located. In the different types of bronzes made, there were three varieties associated with Indian bronzes, namely, Sharli, U-li and Nupli which originated respectively in eastern, central and western India. Again, the beautiful yellow bronze called Kadam Lima was introduced in the 11th century A.D. by an Indian saint when he went to Tibet with a view to preaching Buddhism. Among the finest specimens of bronze art of Bhutan is perhaps the Buddha in Bhumisparsa Mudra found in Wangdiphodrang monastery. It may be worth reproducing the description of this bronze which dates back to the 16th century A.D.

"The Buddha in Bhumisparsa Mudra is an early and rare bronze made in Bhutan. It will be noticed that while the face is moulded in perfect proportion and displays a beautiful serene expression, the hands and feet are rather heavily made and are not in keeping with the elegant figure. This feature is typical of the Bhutanese style in which a number of images of Bon deities also seem to have been made during this period. The Bon-po faith seems to have had a considerable following in Bhutan and even today in the country's interior people subscribe to its Shamanistic practices. Its chief priests, called Shen, exercised great authority and played a prominent part in rituals and funeral ceremonies which required the sacrifice of many victims. Its religious leader was Miwo Shenrap, a native of western Tibet, who appears to have been greatly influenced by popular forms of Shaivism and took over some of its rites as practised in Kashmir and in the Punjab Hills. The iconography of its art forms also absorbed many Tantric symbols associated with Shiva's worship."<sup>6</sup>

<sup>5</sup>White, op. cit., p. 297.

<sup>o</sup>Madanjeet Singh, *Himalayan Art*, UNESCO Art Books published by the New York Graphic Society Ltd. (1968), p. 263.

There have been many admirers of Bhutanese monastic art in metal, and White may be regarded as one of the great admirers who has described some of the fine metal works in the following words:

"I have also seen exceedingly fine specimens of copper and brass work, chiefly articles for the decoration of their altars, such as trumpets, candlesticks, rice-boxes, tables, etc. The craftsmen further cover many of their temple pillars with copper or silver beaten into most beautiful patterns and the altar tables are examples of beaten work with bold designs."<sup>7</sup>

Again, as greater credit was assigned to the construction of large statues to earn higher religious merit, Bhutan also took to this 'giant art' which had become a popular custom in the Himalayas during the 7th century A.D. This religious tradition of commissioning large statues was carried out in Bhutan by the use of the plastic medium of clay instead of stone or metal. It is said that these<sup>8</sup> statues were profusely painted and gilded to give an appearance of metal and wrapped in the robes appropriate to the status and significance of the divinities. Ritual required that the gilded patina be renewed annually.

With greater specialisation and as the monasteries became richer, the practice of gilding figures of clay was replaced by that of covering them with thin plates of metal designed in a kind of shell to cover the entire figure except the face. This 'shell' was mostly made by beating the metal plates into shape, and some ornamental parts were added to this by casting. One such beautiful example covered with 'silver' plate is *Vajrasattva* which has been described as follows:

"This gigantic and impressive sculpture obviously evoking a divine presence is constructed within the confines of rules laid down by Indian patterns. Its meditative stillness, like its gilded patina, is on the surface and does not impart that indescribable atmosphere of spirituality to be seen in early Buddhist art. Only when it comes to details is it that the talent of the Bhutanese craftsmen appears in their ingenuity of ornamentation. This decorative sense is beautifully used in making the crown that Vajrasattva wears, and also his robes with their embroideries, emblems, etc.

Vajrasattva's status in the Vajrayana pantheon is anomalous. He is generally regarded as the sixth Dhyani Buddha and also as the

<sup>7</sup>White, *op. cit.*, p. 298. <sup>8</sup>Madanjeet Singh, *op. cit.*, p. 265. priest of the other five. His worship is essentially secretive in nature and especially in his Yab-Yum form he is not shown in public."<sup>9</sup>

Another industry of Bhutan centres round the manufacture of casting bells with very fine tones. The composition used for the best bells includes a large quantity of silver. However, these bells are not made of any great size. The largest bell is not more than 24 inches in diameter.

Again, the production of attractive swords is described by White as follows: "Their swords are very handsome weapons, with finely finished blades, elaborately wrought silver handles inlaid with turquoise and coral and silver scabbards with gold-washed patterns, attached to handsome leather belts with brightly coloured silk cords and tassels."<sup>10</sup>

The Bhutanese women have an old tradition of producing not only woven strips of cotton, but also of sheep's wool, which is rain-and-windproof. Rather unknown is the fact of the existence of native silk of the southern Bhutanese cocooneries having an age-old tradition. Weaving is, thus, a national industry of every household. It may be regarded as a cottage industry where considerable art is displayed in producing designs and patterns which rank as the speciality of the country. In fact, every home has a room devoted to weaving in which wool, silk and cotton textiles are produced along with floor carpets.

Another speciality of Bhutan is the great art display in monasteries where beautiful needle-work pictures of the saints are produced on hanging banners. It appears innumerable pieces of coloured silk and brocades are applied in a most artistic manner with elaborate stitches of all kinds. This is, indeed, a veritable work of art.

Yet another artistic industry is based on the use of split cane. There is production of excellent basket work. Apart from basket weaving, there is also the production of mats, finely woven of the same material, namely, split cane. They are reported to be delightfully fine and soft, so flexible that they can be rolled up into quite a small space and they are durable.

A mention has already been made of the importance of wood<sup>11</sup> carving in Bhutan. According to tradition, sandalwood statues from India were specially sent to some of the shrines in Bhutan to be consecrated as objects of worship. In addition, craftsmen specialised in wood work were called from Cooch Behar and employed on wood carving. Of the several

<sup>9</sup>*Ibid*, pp. 265-66. <sup>10</sup>White, *op. cit.*, p. 298. <sup>11</sup>See also Madanjeet Singh, *op. cit.*, p. 282.



A lay lama with Tashi Goma—a temple made of wood. It is carried from place to place





masterpieces of this Bhutanese school of wood carving, the one which is regarded as outstanding is to be found in the Thimphu Dzong. It is the statue of Garuda which, according to Vajrayana Buddhism, is associated with Vajrapani. Garuda is a well-known figure in Hindu mythology, being a very popular deity. The Chinese traveller-philosopher, Hiuen-Tsang (7th Century A.D.) states that Vajrapani was connected with subduing the gigantic snake in Uddiyana. Again, the Buddhist belief is that when the *nagas* (serpents) came to listen to the sermons of Lord Buddha, it was Vajrapani's duty to protect them from their enemy, the Garuda. In order to achieve this objective, Vajrapani assumed the form of Garuda himself and he is, therefore, always shown on the top of Prabhavalis of important Buddhist divinities.

It may be mentioned that Royal patronage of the craftsmen has been a great factor in maintaining the high level of artistic tradition. The excellence of the work produced in Bhutan could also be due to the system which prevailed there. Each Penlop and Jongpen had amongst the retainers workmen who worked for art alone. Thus great encouragement was given to all industries which were art oriented.

#### Language and Culture

The chief language of Bhutan is the so-called 'Dzong Language' or Dzongkha, which is taught in all schools and written in classical Tibetan block letters Ucan for purposes of print. For handwriting this Ucan script is at places altered. Although Dzongkha may have its origin in classical Tibetan, it varies greatly in pronunciation. Prefixes and end-letters, which become mute in the high Tibetan languages, are still spoken or at least heard in the Bhutanese pronunciation, and the vowels a, e, and ä change to 'i' (spoken 'ee'). According to Dr. Blanche C. Olschak the difference between Dzongkha, and the spoken Bhutanese languages and dialects, and high Tibetan is as wide as the difference between high-German and Swiss-German, or even between School-German and Dutch. The pronunciation of the different dialects spoken in Bhutanese districts, varies widely. Again, in the southeast of the country the Mon and Khen languages of aboriginal inhabitants of the Himalayas are still alive. These old languages are a striking linguistic mirror of the rich Bhutanese tradition comprising treasures of local legends, songs and plays, and are a lively echo in which still resound the voices of sunken pre-historic times. Six of these dialects or languages of the country belong to the Dzongkha group. These are:

- 1. DZONGKHA (*rDzong-kha*), the 'Language of the Dzongs', especially spoken in west Bhutan and the common school language;
- 2. TAPADAMTENG (*ITag-pa hgram-steng-pahi Kha*) in the southwest near Buxa;
- 3. LAYA LINGZHI (Lah-ya gLing-bzhi-pahi Kha) the shepherd language of the northwest in Laya and in Lingzhi;
- 4. TSHALINGPA (*Phyab-gling-pahi Kha*) in the Tshali Area of the Shongar district and in east Bhutan;
- 5. DAGPAKHA (Dags-pahi Kha) a Tibetan dialect of the northeastern border; and
- 6. MIRA SAGTENGPA (*Mi-ra Sag-steng-pahi Kha*) Tibetan dialect of Tashigang in the farthest east of Bhutan.

Again, the following seven dialects belong to the so-called Khen languages:

- 1. MANGDIKHA (Mang-sde-pahi Kha) in the Mangdi district (Tongsa);
- 2. GUNGDEKHA (dGung-sde-pahi Kha), an archaic language of the south, originally without relation to Khenkha, today reluctantly joined to the Khen-group;
- 3. KHENKHA (Khyen Kha) in the Khen district south of Tongsa;
- 4. BUMTHANGKHA (Bum-thang-pahi Kha), especially in Bumthang and in the whole of central Bhutan;
- 5. TSAMANGKHA (*rTsa-mang-pahi Kha*), in the east-north-east on the eastern border of Kurto;
- 6. KURTOPAKHA (sKur-stod-pahi Kha), especially in Kurto; and
- 7. SALABEKHA or YANGTSEPAKHA (gYang-rtse-pahi Kha) in the Yangtse district (and in Tawang and in southeast Tibet).

All these dialects are said to have had no script of their own, but they are now transcribed into Ucan. Furthermore, there are two dialects belonging to the Mon-group. These are:

- 1. MONPAKHA (Mon-pahi Kha) in the south and southeast; and
- 2. SHARCHAGPAKHA (Shar-phyags-pahi Kha) in the east and southeast, especially spoken in Tashigang and Dungsam.

The aforesaid account of the numerous dialects that are spoken in Bhutan gives one a confused impression. Dialects exist all over the world and are subsidiary to the main spoken languages. As far as Bhutan is concerned, it may, therefore, be mentioned that there are four known main languages as follows:

(a) DZONGKHA, spoken in the western and northern Bhutan, is also the official language of the country;

- (b) BUMTHANGKHA in central Bhutan;
- (c) SARCHAPKHA in eastern Bhutan; and
- (d) NEPALI in southern Bhutan.

In regard to the first three Bhutanese languages, namely (a) to (c), it may be mentioned that the script used by them is the Tibetan Ucan. The Nepalese language is written in Nagri. In urban areas Hindi is not unknown. Moreover, English is used extensively in the offices.

#### Folk Dances

Among the Bhutanese population, living undisturbed for more than a thousand years in their mountain valleys, there still survive not only the oldest dialects of the ancient languages but also folkloristic treasures having their roots in the dawn of history. This was possible because Bhutan, often called the last "Shangri-la", was a closed mountain paradise and indeed a sealed country. From 1774 till 1921 only thirteen British diplomatic missions visited the country. Already in the first report of George Bogle, in 1774, it was emphasised that all Bhutanese were swordbearers, the servants as well as the lords. All of them wore the same dress according to their own tastes, with no distinction of rank or birth. And all visitors were, and still are, enthusiastic about the gay festivals and folkdances and the performances of religious mask dances. The art of folkdance, as old as Bhutan, is a special art of the Bhutanese practised in every remote village, or in the courts of the dzongs, under the guidance of a dance-master, who acts also as a mediaeval choreographer during festivals. The performance of the ancient sword dance is a culminating point, displayed by the headman of the village. The sword dancer is joined by the round-dance of the men who for this event are clad in ancient armour, namely the swords and buckler shields, covered by rhino skin. These laymen dancers introduce the religious festivals performed either on the New Year which, according to the moon calendar, is in February, or on the foundation anniversaries of a monastery. On these occasions the religious mask dances as well as other dramatic plays are shown, which date back to the end of the 8th century. The costumes and the precious wooden masks belong to the monasteries. They are stored in the temple of the Protective Deities and given out only for dance ceremonies. All these dances and mask plays have a distinct educational value, illustrating old legends and the victory of Good over Evil, and emphasising the short duration of all mundane and material values. The accompanying music for the religious dances is played by an orchestra of monks having big and

small drums, long and short trumpets and clashing cymbals. The laymen dances are accompanied by old songs which also give the rhythm to everyday work. Songs of the Central Asia Gesar Epic are still alive in Bhutan. Competitions in archery are usual and the Bhutanese are said to be the best archers of the Himalayas. Every popular Bhutanese festival is furthermore a show of traditional handicraft. The Bhutanese wear their national costumes made from handwoven material and each valley has its own pattern.

#### Printing and Painting

Old Bhutanese blockprints are a treasure-trove of information on the early history of these regions. The best known printing sites were situated in Simthokha Dzong and Punakha Dzong, a blockprint centre which was once famous for editions of the Tibetan Holy Scripts. The wooden printing-blocks were, however, often destroyed by fire which also burnt down the framework architecture of the houses and the temples. Rare copies of Bhutanese prints are now being collected for a 'Bhutan Museum', for which the round tower above Paro Dzong is reserved.

The traditional art of painting is especially taken care of in the rock monastery of Bumda, situated high above the Tiger's Den monastery, in the north of the valley of Paro. There are also the religious picture rolls, which grace temple halls and altar corners. The Bhutanese painters are, moreover, famous for their wall-paintings, such as the series of Cosmic Mandalas which cover the walls right and left of the entrance of the temple of Paro Dzong, or like the frescoes of the temple of the Protective Deities in Kunzangda (*Kun-bzang-drag dGon-pa*) in Bumthang.

Bhutan is also famous for its exquisite embroidery. In *Tankas*, which may be described as religious scrolls, we have the best specimens of embroidered paintings of gods and goddesses in artful combination of colour. The *Tankas* require a high degree of skill and artistic imagination. There are various sizes of *Tankas* and one of them is reproduced in colour to indicate the mastery of its artistic pattern. The usual deities depicted in *Tanka* paintings are Goddess Tara or the Guru Padma Sambhawa, popularly known as Guru Rimpoche, and Lord Buddha. The *Tanka* art is an ancestral inheritance which is still very much alive and is actively encouraged by the present King.

Apart from painting on silk, Bhutan was well known for wall-painting<sup>12</sup> of which a brief mention has been made earlier. Some of the masterpieces of wall-paintings depict the legends of Buddha's life as well as the events leading to the nirvana of Siddha Lutsoka, a Brahman from Bengal. This is again indicative of the Indian influence not only on the art of Bhutan but also on the development of its religious philosophy. It has been stated that the technique of applying colours on the walls as well as the line drawings and composition of figures are essentially derived from the Ajanta methods. The main large figure is the focal point towards which flock the smaller divinities. Again, the central figure is motionless remaining in a static ritual pose. However, as the scenes spread out there is more and more of movement felt to compensate for the rigidity of the principal divinity. These basic principles of the Ajanta school are to be found in Bhutan as well.

Bhutan, the 'Land of the Thunder Dragon' is, indeed, a treasure house of precious and colourful traditions. This rich inheritance has been truly handed down from olden times and kept alive in the new environment of a rising technical development to which the Bhutanese adapt themselves in a practical and unprejudiced, open-minded way. Bhutanese character has been built on the all-embracing tolerance of the inborn Buddhist principles which point to the path of the 'Serenity of the Mind'. Their shining faces vividly describe the true character of the nation.

#### The Religion

The religion of Bhutan before the advent of Buddhism in 8th century A.D. would always remain somewhat difficult to describe. Bhutan's 'original religion' has been called Pon and perhaps broadly falls in the category of Animism. One is inclined to believe that this original religion must be entirely based on nature worship. As the Sun is the strongest manifestation of nature known to the naked eye, Sun worship along with the worship of snakes, because the latter constitutes the symbol of death, may have been in vogue in the centuries prior to the introduction of Buddhism by Guru Padma Sambhawa. Ponism had its own rituals which were directed against the eradication of demons and all evil spirits who brought misery and sickness to mankind. With the impact of Buddhism most of the rituals of Ponism got superseded or suppressed. But some aspects of nature worship which Ponism professed were duly incorporated in the Mahayan Buddhism which Guru Padma Sambhawa introduced in the 8th century A.D. Thus the religion of Bhutan today is essentially a sect of Mahayan Buddhism, allowed by the process of evolution to develop and establish a distinct faith of the land which may be called the National

Church of Bhutan. It appears necessary to briefly describe how this evolution took place in theory, in actual practice as well as in the organisation of Bhutan's religious order manned by Lamas.

Guru Padma Sambhawa was a well known teacher of mysticism and hailed from the ancient Indian University of Nalanda which was visited by Hiuen Tsang, the Chinese Doctor of Law and famous pilgrim-traveller to India (629-645 A.D.), who studied there the Brahmanical science of Yoga. It is well known that this University was a flourishing seat of learning during the reign of Harsha, the King who ruled northern India from 606 to 647 A.D. Among the numerous virtues of this Guru, it is said that he had a profound knowledge of tantricism. It is well known that Buddhism in its purest form as it was born in India had little or no tantric rituals. In its developed form Buddhism did come to display the inevitable impact of the all-pervading strong Brahmanic influence of Hinduism. One aspect of this influence was the chanting of mantras involving the repeated recitation and incantation of prayers so typical of Hinduism and the basis of the prayer-wheel system. This repetitive chanting with well known symbolical aphorisms of bijas was a pure Brahmanical tantric approach. The great Buddhist mantram 'Mani Padma Hum', cannot be said to be devoid of profound Indian influence because the symbolical abbreviation or bij 'hum' is essentially a tantric concept so well known to ancient Indian religion. This is apart from the Sanskrit words used and the basic concept which could stem from Hinduism. It was Mahayana Buddhism which carried this tantric formula to Tibet and the developments that took place on the Roof of the World were so typically Tibetan that a new school of thought or a distinct sect may be said to have been born with its own expounded principles. It was this Tibetan influence which converted Buddhism into a strong tantric cult of its own. Similarly, the development of Buddhism in Bhutan was essentially tantric and quite often the elements of nature worship of Ponism were kept alive to produce a colourful amalgam of different sects and faiths welded into one religion. When we accept the profound Tibetan influence on the religion of Bhutan based primarily on Buddhist concepts, we must also accept the inherent Indian influence which Tibetan tantricism so clearly reveals. For example, Goddess Tara, a deity well known to Indian tantricism, is the presiding deity of many spiritual concepts and principles of metaphysics and religious philosophy of Bhutan, Nepal and Tibet. There are several similar gods and goddesses which are common both to the Hindu mythology and to the religious legends of Bhutan. The very concept of Avalo-

kiteshvara or the god with a thousand eyes is basically Vedantic inasmuch as omnipresence is an attribute of Divinity as He is the eternal witness to all things that happen in the world since there can be no secret from Him. This attribute has been deified in the form of God Avalokiteshvara who sees everything with his thousand eyes. Buddhism has borrowed this concept inasmuch as Lord Buddha himself is depicted with a thousand eyes and a thousand arms as Bodhisattva called Chentong Chhaktong. It was, therefore, through Tibet that Indian Brahmanical tantricism may be said to have left its indelible mark on Buddhism as practised in Bhutan or elsewhere. It was a long drawn-out process of evolution by which tantricism as practised in Tibet first and Bhutan subsequently developed its own distinguishing characteristics of the land but not without the profound Brahmanical influence of tantric worship as known in India. This evolutionary process must have been a continuous one but its narrative through the long drawn-out history of this region is not easy to disentangle and decipher. However, the broad features of this story have been given earlier and are summarised in the pages that follow. In 8th century A.D. the teachings of Padma Sambhawa resulted in the establishment of several Buddhist holy places which became the cherished goal of pilgrims belonging to different sects within the broad category of Mahayana Buddhism. The earliest information we get is that of the Nyingmapa sect. All these sects are supposed to be teaching the truth namely, the transmitted word of Buddha, differing only in form or method but never in substance.

#### The Drukpa Sect

It has been stated earlier when dealing with the history of Bhutan that after the Nyingmapa, the adherents of the sect of the Sakyapa (Ss-skya-pa) arrived in Bhutan. However, from the 11th century onwards the Kargyupa (bKah-rgyud-pa) had started flowing into the country. They always venerated the Indian Buddhist Saint Naropa as their Mahaguru. A branch of the Kargyupa school, the sect of the Drukpa (hBrug-pa) finally established the State religion of Bhutan. The outstanding scholar Pamkarpo (Pad-madkar-po), who lived from 1527-92, systematised the teachings of the Drukpa. He was a gifted writer and his completed works give a wealth of information. He insisted on enforcing strictly the rules for monks prescribed for the Drukpa Kargyu. Shabdrung Ngagwang Namgyal (Zhabsdrung Ngagdbang rNam-rgyal), the leading Drukpa incarnation following Pamakarpo, entered Bhutan over the Lingzhi Pass (gling-bzhi-La) in 1616 A.D. As mentioned earlier, Shabdrung I (1954-51), founded the independent theocracy of the 'Land of the Thunder Dragon', Drukyul (*hBrug-Yul*), and impressed his religious and political seal on the country, which was called after his Drukpa school. As described before, he represented in personal union the spiritual and worldly power of the state, which, by his incarnated followers, was divided into the position of a Dharma Raja and of a Deb Raja. The 'Iron Monastery', Cari Gompa (*lCags-ri dGon-pa*), in the north of Thimphu (*Thim-phu*), is a memorial to his first resting place in western Bhutan. Its temple hall is graced by a series of painted scrolls depicting the line of the eleven Shabdrungs, whose incarnations lasted for nearly 300 years and ceased to take place only after 1905, a date which marks the beginning of the new era of Bhutan about which more is stated later.

Under the reign of Shabdrung I, the law was based on the Principles of Buddhism which are analogous to the Ten Commandments of the Christian world. However, the Buddhist advice of 'do not kill' is embracing all beings, including animals, and abolishing hunting. The ardent Buddhist wish for 'Luck, Happiness and Peace for all Beings' is cut into the Bhutanese rocks, printed on prayer-flags and revolving endlessly in the prayerwheels. Furthermore, they have a tradition, cherished from the 7th century, of popular commandments for the right way of a peaceful existence, mentioning respect for parents and elders, as well as avoidance of unfriendly words, and above all, of evil thoughts, which are emphasized as the roots of all sin. According to the Buddhist tradition it is said, that everyone who does not act in the right way is first of all-by evil action, evil speech and evil thought-hurting himself and damaging his own future fate. If the greatest principle of Buddhism is non-violence, it can be said that in Bhutan it was developed to cover non-violence against the animal kingdom as well. The principle was: 'Thou shalt not kill to eat.' In the circumstances, Bhutanese do not destroy animals but have no objection to eating meat if the animal is found dead or meat is available. This is the reason for archery being confined in Bhutan to ceremonial occasions as a show-piece of marksmanship. No other use of archery is permitted by the country. In 1626, two Portuguese missionaries reached western Bhutan and reported about the astonishing and open-hearted tolerance and respect for the foreign religious and social ways of life. This kind of tolerance and mutual understanding has not been a feature of all civilized countries of the world.

The national religion of Bhutan is, therefore, an original growth of the land and not a mere reproduction of what the religion of the ancient land of Tibet or India could offer. There has, however, been a clear and distinct Tibetan influence which aspect cannot be ignored or doubted. The religion of Bhutan has developed and evolved through centuries commencing, as we have already said, from worship of nature and Ponism to tantric practices governing meditation as well as recitation of mantras and culminating in congregational worship and renunciation. The presentday Bhutanese belong mainly to the Nyingmapa and Kargyupa sects. The Drukpa sect of Buddhism is the real foundation of the national church of Bhutan today.

It may be repeated to lend emphasis that the most characteristic feature of the present religion of Bhutan is its autonomy and independence for it is no longer subservient to the Tibetan religious order or for that matter the Buddhist church of any other land. Whatever Tibetan influence or supremacy the Dharma Raja acknowledged became a thing of the past when, in 1905, the institution of the Dharma Raja came under the hegemony of a single unified authority, namely, the Druk Gyalpo of Bhutan. Though several attempts were made subsequently to revive the institution of Dharma Raja to its ancient glory, these efforts did not yield any results, and after 1960 it could be asserted that the institution of religious Head of the State was relegated to the background. In its place a national high-priest as the head of National Church has already been born. With the establishment of this National Church, Bhutan has reformed its religion for its emergence as a modern State ready to participate in the life of the international community.

No description of the religion of Bhutan would be complete without a word on the importance of the Lamas. Coelho has estimated that there are at present about 5,000 Lamas<sup>13</sup> in the country. They dominate the religious life of the people. They observe the principles of absolute clerical celibacy and are supposed to devote their entire life to prayer and meditation. As such they have no means of livelihood but have in turn to depend upon the charity of the people. In this connection it may be mentioned that the Government also makes contributions for the maintenance of the Lamas who run the numerous monasteries of the National Church always housed in the dzongs of Bhutan which are the centres of administration, politics and religion. The centre of activity of the Lamas is the monastery, and almost every village of Bhutan has a monastery of its own. No religious ceremony would be possible without the existence of trained Lamas who take a leading part in celebrating the numerous festivals

<sup>13</sup>Coelhe, V.H., Sikkim and Bhutan, p. 81.

which take place throughout the year. Again, the Lamas are exempt from any kind of taxation. The religion of Bhutan is made picturesque by the devoted Lamas who lead a colourful life of renunciation, and the centres of religion, namely, the great monasteries, remain the finest example of Bhutanese architecture symbolic of the reverence and importance which is given to religion and to the Lamas in Bhutan.

## PART II THE STATE AND ITS GOVERNMENT

1

# V

### POLITICAL INSTITUTIONS

BOTH LAW and political theory of ancient Bhutan, as far as recorded history can make it out, point to kingship with its own unique concept as the pivotal political institution of the country. It is possible that in the days of ancient Bhutan Kingship existed based somewhat on the concept of Aryavarta in its hereditary all-powerful form, supreme in matters spiritual as much as in affairs temporal. However, in the Middle Ages the institution definitely changed owing to the influence of Buddhist philosophy and Tibetan institutions on Bhutan. It then became Kingship in the cloak of Deb Raja, which functioned side by side with the Dharma Raja. These two concepts peculiar to the region need explanation, which is attempted subsequently in the light of political theory as well as the growth of political institutions of the country.

#### The Theory of Kingship: Deb Raja and Dharma Raja

This mediaeval concept of dual authority, one supreme in temporal affairs and the other in spiritual, was not merely typical of mediaeval Bhutan since it has been known to exist for centuries in mediaeval Europe as well. However, this diarchy of spiritual and temporal Heads disappeared gradually with the growth of nationalism in Europe and it appears that with the advent of the modern age it gave birth to a hereditary monarchy in Bhutan in 1907 which not only furnishes today the Head of the State in temporal matters but claims supremacy all-round. Thus monarchy in Bhutan has undergone endless vicissitudes of fortune exhibiting spectacular changes in conception from a single hereditary institution in the ancient past to an elective position of Headship in temporal affairs with a status co-equal in rank to the spiritual Head which characterised the Middle Ages and lasted in Bhutan till the 19th century. These marked changes have been the result of both political theory and political influences coupled with the events of history which dominated this region. An attempt is accordingly made below to examine these different theories and influences.

In the absence of any recorded early history of Bhutan, we may rely on the well-known legend of the 7th century A.D. when King Sangaldin conquered the countries of Bengal and Bihar and subdued Bhutan, fighting against Raja Kedar of Gaur. This Bhutanese legend indicates that the Indian influence on the political theory of Bhutan was distinctly towards the establishment of and respect for the institution of kingship. Another powerful factor influencing both the course of history and the religion and politics of Bhutan was the advent of the Indian Guru, Padma Sambhawa, in the middle of the 8th century A.D. It is to the credit of this great Buddhist Guru that Bhutan was won to the Buddhist way of life. The contemporary rulers of that period were the Khi-kha-ra-thoid of Khempajong in Kurtoi and Naguchhi, King of Sindhu. When Padma Sambhawa or 'the lotus born' arrived in Bhutan, Raja Naguchhi who had founded the kingdom of Sindhu had been defeated by Raja Nabudara, who hailed from the plains of India and it was the Indian Buddhist Guru who removed the grief of Raja Naguchhi due not merely to this defeat but also because of the loss of his eldest son who was killed on the battlefield. Thus, both the Buddhist and the Indian influence as well as the current State practice and institutions known at that time all pointed to kingship as the fountainhead of authority in this region. The political theory of Buddhism, more or less, reiterates what the Mchabharata recites that, when the Golden Age came to an end and greed and selfishness swayed the human mind, the law of the jungle soon came to be established and it was against this rule of Matsyanyaya that God created a code of law known as Dharma along with a king named Virajas to restore conditions of order, law, justice and security. Thus, according to ancient theory, the State came into existence to create cosmos out of chaos through the instrumentality of the institution of the King which had the sanction of Danda or force behind it. Digghanikaya, the well-known Buddhist canonical text in Pali reiterates the above theory for the establishment of Dharma through kingship so well expounded in the Shantiparvan of Mahabharata. There is, however, a point of difference between the Buddhist approach and the one based on the ancient philosophy of Aryavarta relating to the origin of kingship which may have had its influence and this aspect is examined subsequently.

The noteworthy characteristic of this ancient theory of kingship in Aryavarta is that the supremacy of *Dharma* or the righteous law is established through the sanction of *Danda* which the king wields according to *Dharma* and hence both *Danda* and *Dharma* get equated to and identified as one entity which has been so graphically portrayed in Manusmrti by the aphorism: Dandam Dharma Vidur Budha.

In ancient Bhutan when the Indian influence predominated there is reason to believe that the solitary all-powerful institution of kingship thrived in the Himalayan region as well.

However, this identification of Danda and Dharma into one single institution of the king, who is made responsible for the enforcement of law, came to be somewhat altered in the context of the political theory of mediaeval Bhutan where the wielder of Danda or the Deb Raja got separated from the wielder of Dharma or the Dharma Raja. This division of power into spiritual and temporal could only be the result of regional historical influences and the impact of events in the course of the history of Bhutan. It is certainly not easy to explain the development of these two separate institutions in Bhutan. There would appear to be something more than the mere events of history which brought Tibetan influence and its pronounced pro-monastic bias to bear on the political institutions of Bhutan. A careful study of the origin of the institutions of Deb Raja and Dharma Raja leads one to the conclusion that there was something inherent in the Buddhist political theory which helped to foster the growth of spiritual authority and to augment its position and prestige so as to make it rank co-equal in status to the temporal power. It is, therefore, worthwhile examining the influence of Buddhist political philosophy as well as the impact of Tibetan monasticism on the development of Bhutan's political institutions.

As far as the Buddhist influence is concerned, it is well known that according to the political philosophy preached by Lord Buddha, the King had no divine origin. This stands in sharp contrast to the political theory of *Mahabharata* and the constitutional law of *Manusmrti*, which both recite unequivocally that divinity alone installed the King and endowed him with "powers that could only be ordained by God". This may have quite easily led the ancient Aryavarta to the establishment of a single institution, namely that of the King as the Head of the State combining in himself the temporal and spiritual powers of the State to be exercised subject always to the laws of *Dharmashastra* which reigned supreme. In sharp contrast to the above philosophy stands the Buddhist concept of the State, which is contractual, depriving the royalty thereby of its divinity and creating *ipso facto* a vacuum in the spiritual sphere which had to be filled up by a proper spiritual authority. According to the *Baudhayana Dharmasutra*, the king was a pure temporal entity devoid of spiritual power because he was charged with the primary duty of physical protection for which he received a mundane material remuneration of 16 per cent of the produce as his wages *"sadbhagabhrto raja rakset prajam."* This approach to the concept of the State with King as an exclusive temporal authority in an age when spiritualism was at its height, must have led inevitably to the creation of a spiritual authority and the separation of power based on the two spheres.

The importance of the spiritual power asserted itself both in Nepal and in the Indian plains where monarchies grew and developed but in both these regions it could be clearly noticed that the spiritual ascendancy had taken an altogether different turn. The politico-cum-religious theory of kingship in Nepal recognises the deity Pashupatinath as the Head of the State, and the King as His representative who rules the State with all the regalia attached to that office on behalf of and as ordained by Lord Siva himself. This theory is somewhat analogous to the one so well known in Indian history associated with the Maharanas of Mewar (Udaipur) and dating back to the 8th century A.D. The Maharana of Udaipur styles himself as the Dewan or the Prime Minister of Lord Eklingnathji, another from of Lord Siva, who was regarded as the real Head of the State, of Mewar. The same concept dominated the political theory of the South Indian State of Trivandrum where the Maharaja was recognised as the representative of Lord Padmanabha and he ruled the State on His behalf. It is, therefore, of some interest to note that in the Himalayan Kingdom of Nepal the spiritual ascendancy was recognised by declaring Lord Pashupatinath as the Head of the State and the King as his viceregent. It is well known that Nepal is the meeting point of three cultures, namely Indian, Buddhist and Tibetan, but neither the Buddhist nor the Tibetan influence could predominate to such an extent as to lead to the establishment of two Heads of State for affairs spiritual and temporal, as was destined in Bhutan.

It is also noteworthy that Buddhism as practised in India could never develop its forces to the creation of two institutions, spiritual and temporal, even in the days of Emperor Ashoka when Buddhism was at its zenith. This was perhaps because Buddha himself accepted that the *raison d'ètre* of the King was the creation of cosmos out of chaos. In fact, Buddha himself went a step further inasmuch as he preached in the Sutras that "A King if he is fond of *Dharma* or righteousness finds the path to happiness both in this and the future lives. The subjects will act as the ruler acts and therefore the ruler should always try to proceed on the path of spiritualism." This indicates that Buddha required the King to be spiritual as well. However, he never accepted that kingship had a divine origin. The political philosophy of Aryavarta was so strong in favour of the headship of the King in all aspects of life of the State that Buddha's preaching as far as lack of divinity in royalty was concerned could not go to the extent of dividing the Indian concept of the State into two realms, spiritual and temporal. However, when Buddha's preachings came outside the domain of the philosophy of Aryavarta, they took a different interpretation and in Tibet particularly the monastic and the spiritual became paramount. No wonder, therefore, that in Bhutan the political philosophy of Buddha permitted the growth of temporal and spiritual authorities, to rank equal and to march *pari passu* for the success of the State. This was the political theory and it departed widely from the political practice. The diarchy which resulted from the existence of the Deb Raja and the Dharma Raja led to perpetual conflicts until one dominated the other.

The second potent cause for the division of power in Bhutan, as already stated, can be attributed to historical and regional influences. There was, for example, for some centuries to come Tibetan influence which made the priest rank co-equal in status to the King. It is well known that the Priestly King Langdarma who reigned in Tibet from 803 to 843 A.D. invaded the region of Bhutan and this must have considerably added to the assertion of the importance of the spiritual element in the political theory of the State. The Tibetan influence continued because two centuries later Bhutan is reported to have been again occupied by the followers of King Triral-chan of Tibet.

Apart from the influence of these historical events, there must have been also considerable impact on Bhutanese history, culture and institutions, consequent on the origin and growth of the Drukpa sect of Buddhism, founded by Yeses Dorji at Ralung. Gro Gond Tshangpa Gyal-ras or commonly known as Yeses was born in A.D. 1160 and lived for 50 years. The influence of Yeses must have been of a long lasting nature because it has been recorded that it was entirely due to Yeses and his followers that Bhutan began to emerge as a separate and distinct entity. The importance of the Lamas, their influx and the building of monasteries and temples all over the land was symbolical of the exercise of co-equal power by the spiritual Head in relation to the temporal head. It must have been the strong influences of the aforesaid type mixed with the events of history and coupled with the political theory of Buddhism that led to the birth of two powers or authorities which lasted till the last years of the 19th century and has been so graphically portrayed by foreign travellers like John Claude White and David Field Rennie. It may be pertinent to quote the constitutional rules of Bhutan as depicted by White:

"The form of government is two-fold, viz., spiritual and temporal. 1. The spiritual laws are said to resemble a silken knot, i.e. easy and light at first, but gradually becoming tighter and tighter. 2. The temporal or monarchical laws resemble a golden yoke, i.e. growing heavier and heavier by degrees.

This two-fold law was composed by a spirit of perfect disinterestedness."<sup>1</sup>

Another written account, about a century old, which we have of the political theory and institutions of Bhutan is from David Field Rennie, who also mentions of the spiritual and temporal heads as follows:

"In theory there is said to be an excellent system of government in Bhutan. As the Government now exists, there is no doubt that it has two nominal heads, known to us and to the neighbouring hill-tribes under the Hindoostanee names of the Dhurma and the Deb Rajas, though called by other names, as I am given to understand, by the Bhutanese themselves. The former is the spiritual head, the latter the temporal one. The theory of government, in fact, is framed somewhat on the same principle as now exists in Japan, which is ruled over by a spiritual king (the Mikado), who is not supposed to interfere in temporal matters, but to leave them to the care of a chief executive officer—the Tycoon. In Bhutan, however, the relative position of the temporal ruler differs from that of the Tycoon in Japan; the Tycoon possessing real power, while the Deb Raja is believed to have none—at least at the present day, as our latest intercourse with his Government has fully established."<sup>2</sup>

#### The Council

Apart from the two key institutions of Deb Raja and Dharma Raja there has been from the old times a third important institution—that of a council capable of advising both the spiritual and the temporal Heads of the State. There is no written record of the existence of the council and its importance except for an interesting account given by Rennie, which may be regarded as applicable to 18th and 19th century Bhutan. However,

White, John Claude, Sikkim and Bhutan, published by Edward Arnold, Publisher to the India Office, 1909, p. 301.

<sup>&</sup>lt;sup>2</sup>Rennie, David Field, *Bhotan and the Story of the Doar War*, Reprint by Bibliotheca Himalayica, 1970, p. 15.

the earlier existence of the council throughout the Middle Ages cannot be disputed.

"The Dhurma and Deb Rajas are supposed to be aided in conducting the affairs of state by a ministerial Council styled the Lenchen, composed of the following permanent members: The Lam Zimpen, or Chief Secretary to the Dhurma Raja; the Donnai Zimpen, or prime minister; the Tassishujung, the Poonakha, and Angdu Forung Jungpens, or the governors respectively of the forts of Tassishujung, Poonakha, and Angdu Forung; the Deb Zimpen, or chief secretary to the Deb Raja; and the Joom Kalling, or chief judge.

In addition to the foregoing seven ordinary members of the Lenchen, there are three extraordinary members who attend council when they happen to be at the seat of government, and who are liable to be called on to attend at any period of emergency. These are the Paro, the Tongso, and the Daka Penlows—the governors respectively of Western, Eastern and Central Bhutan. When they are present, the Council receives the collective title of Chenlah."<sup>3</sup>

This third organ of the State, namely, the institution of the ministerial council consisting of important dignitaries to advise both the spiritual and the temporal authorities must have been a great co-ordinating factor and a link in the event of a conflict between the two Heads. In any case, there appears to be little doubt that the institution of Lenchen which got the title of Chenlah when the three Penlops of Paro, Tongsa and Daka attended the meeting, gave birth to the modern concept of the Royal Advisory Council which exists today to advise the King. Moreover, the fact that in the Middle Ages the ministerial council of Lenchen existed is highly indicative of the fact that there was no absolutism in theory at least whether in temporal or spiritual affairs. There must have been administration by and through the council and by advice and not by the dictates of one man which may be regarded as a typical characteristic of Bhutan. On the whole, therefore, the council may be regarded as an institution as deep-rooted as the Dharma Raja and the Deb Raja.

Moreover, if the testimony of Pemberton and Eden is to be relied upon, there were two advisory councils, one for the Dharma Raja and the other for the Deb Raja. The council of the Dharma Raja was 'composed of 12 principal Gylongsor priests from among those who habitually lived in the palace'. It was the duty of the council to advise the Dharma Raja and to assist him in controlling and directing the religious and literary pursuits of the priestly order. In addition when there was a minority of

<sup>3</sup>*Ibid.*, p. 16.

the Dharma Raja the council became all-important and all-powerful. Again, the council of the Deb Raja was composed of 6 ordinary members known collectively as Lenchen and 3 extraordinary members known collectively as Chenlah, which aspect has been described above. There are others who talk of a single advisory council advising both the spiritual and the temporal Heads. It is possible that the two councils, one of Gylongs or the priests and the other of Chenlah had joint meetings together and when they so met they constituted a single body of 21 persons. However, for the day-to-day administration of the temporal and spiritual affairs, the likelihood is that the two councils functioned separately and were separate units attached to the two Heads of the State.

# The Supremacy of Spiritual Law

The first tenet of Buddhism is Dhammam Sarnam Gachhami which stands for complete surrender to law. As Buddha was a great social reformer of his time continuously preaching against the social evils of the age, he could not have perhaps given better advice to his devotees than to ask them to take the shelter of law, and under its protection seek social reform. By practical experience the Enlightened had realised that if his followers broke the law they would be punished and he could not help them. Buddha, therefore, advocated all reforming action subject to the law of the land. This cardinal tenet of Buddhism of not only respecting but surrendering oneself to law was a characteristic feature of the history of India during the Buddhist regime, and remained a landmark of Buddhist influence wherever Buddhism spread throughout the different regions of Asia. In the circumstances, the three institutions mentioned above were subject to the higher spiritual law of the land which ranked as a vital institution affecting the life of Bhutan for centuries after the advent of Buddhism in the 8th century A.D. As the emphasis was throughout on the monastic and spiritual aspect of life, the spiritual law became for all purposes the law governing social existence including the civil and criminal aspects. For example, non-voilence, the cardinal principle of Buddhist life, found concrete expression, based on Tibetan influence, by commuting penal sentence on offences like theft and robbery into payments of fine only. This commutation into payment of money for criminal offences was reduced to a tabular chart which is striking and, as noticed by White, is reproduced below:

"This two-fold system of government established in Bhutan rendered the country happy and prosperous, taking for example the system of the great Saint-King of Tibet, whose very first prohibition was against the taking of life, a crime punished by the realisation of blood-money in case of homicide, and damages or fine in case of attempted homicide. A penalty of hundred-fold repayment was realisable in cases of robbery or theft of church or monastic property, eighty-fold repayment in cases of stealing the king's property, eightfold repayment in cases of theft amongst subjects. Adultery was punishable by fines. Falsehood was punishable by the offender being put to oath in a temple, and the invocation of tutelar deities and gods. Over and above the prevention of the ten impious acts, all were required to regard parents with filial respect and affection, and elders with reverence, to receive with gratitude any kind action done by others to themselves, and, lastly, to avoid dishonesty and the use of false measures, which constitute the sixteen acts of social piety."<sup>4</sup>

The aforesaid description of the laws of Bhutan is indicative of the influence of both India and Tibet as well as that of monasticism on the laws and political organisation of the State in Bhutan.

# The Code of Conduct for Deb Raja

In fact, there was a regular code of conduct prescribed for the Deb Raja and this code must have held sway during the Middle Ages and left its legacy in a modified form even today. The position of the Dharma Raja and the duties enjoined on the Deb Raja by the spiritual law of the land are described by White and before they are reproduced below, it may be mentioned how the aforesaid code of law reflects the checks to royal absolutism enjoined upon the King in ancient India. Herein lies the influence of political thought of Aryavarta on Buddhism. In an age which was essentially religious, when the very concept of sin was so awe-inspiring as to act as a deterrent to law-breaking, it was considered adequate to prescribe that the 'ruler who collects his dues from his subjects but fails to offer them protection and to do his duty sinks into hell' (*Manusmrti*, VIII, 307).

Again, in Yajnavalkyasmrti it is clearly laid down that any punishment given by the king contrary to the laws of Dharma would result in his destruction whereas punishment meted out in accordance with Dharmasastra would entitle him to a place in heaven (Yajnavalkyasmrti, XIII, 357). In addition to these injunctions the maxim was that all wrongs are attributable to the King which stands in sharp contrast to the Western theory: 'The King can do no wrong.' The laws of Dharma threatened the King with penalties for every mistake committed in the governance of his

4White, op.cit., pp. 202-03.

kingdom, whether seen or unseen. This ancient Indian thought is so vigorously reflected in the code of conduct prescribed for Deb Raja in Bhutan that it went to the extent of making that institution elective and hence weak as against hereditary and strong. It was the Council of Ministers and high officers who elected the Deb Raja, which aspect must have seriously undermined the power and prestige of the temporal Head, who could be thrown out at the will of the power lords in actual practice. However, theoretically, it was perhaps ideal from the viewpoint of establishing checks to temporal absolutism. In addition were the duties enjoined on the Deb Raja which, as gathered by White, make interesting reading and are relevant from the viewpoint of political theory of Bhutan. They are reproduced below:

"They (Deb Rajas) should encourage religious institutions and the inculcation of knowledge, and religious sentiment therein.

"They should see that the priests are properly trained in the ten pious acts; that they gain the necessary accomplishments in (a) dancing, (b) drawing or making mandalas, and (c) psalm-singing; besides acquiring knowledge in the two-fold method of meditation. The above should be for those who expect to spend their lives as priests. Those who are to acquire the other branches of learning, such as rhetoric, poetry, and dialectics, also must be encouraged, and their progress enforced by periodical examinations in each of these several branches.

"An annual circular *perwana* should be issued to those in charge of the State monasteries, requiring that the monastic properties of value, whether they be ornaments for the altar, treasures, coins, plates, utensils, & c., should not be disposed of or misused in any way. To those also amongst the priesthood who are engaged in handicrafts (e. g., painting, sewing, embroidery, carving, modelling, & c.), and those also who are engaged in menial service, should be taught thoroughly writing and rituals, and they should be thoroughly imbued with the ten pious sentiments. In short, the Deb should consider it a daily duty to inquire into the state of the raiyats' condition, whether they are happy or unhappy, contented or discontented, and strain his utmost power to render them happy.

"They should prohibit indiscriminate life-taking, by forbidding cruel sport on the hills and fishing in the rivers. This effectually strikes at the cause of several ills in the future.

"The collection of taxes, raising of labour contributions, and trial of cases constitute the administrative duties, on the proper discharge of which depends the happiness of a nation.

"A constant check and inquiry as to whether, out of those who are sent on these duties, there are any who exempt certain persons, some from partiality, and tax others heavily in consequence of grudges or prejudice, should be exercised and kept up. "The officers posted on the frontiers should be constantly reminded of the fact that the peace of the central nation depends upon the conduct of the borderers. The borderers, if they commit lawless raids into others' territories in their vicinity, will give occasion for reprisals and involve the nation in the horrors of foreign warfare in an unjust cause. Therefore they should be exhorted to live peaceably.

"To be brief, these are the three ends to be secured:

- 1. The contentment of the raiyats.
- 2. The proper influence of and respect for officials or authorities.
- 3. The support of the Sangha, or the body of the Trinity.

"Therefore it is absolutely necessary that the Deb Raja, as the temporal ruler of the people, should be well versed in the method of securing these ends.

"The most effectual and shortest method of securing the first end, the raiyats' happiness, is by administering strict justice. If a ruler would devote himself to administering justice impartially, he would make all his subjects happy in a single day. For it was by this means that the ancient dynasty of Tibetan kings secured happiness for their subjects and popularity for the rulers themselves, and also by which the Dhurma Raja of Bhutan (Shabdung Rimpochi) succeeded in subduing the stiff-necked and lawless people of Bhutan, and rendering his reign so very glorious and popular. The main end of establishing law and justice is to give peace and security to both the ruler and his subjects, and in particular to promulgate the Dhurma and to perpetuate the Hierarchy of the Buddhist Sangha, which embodies and represents the three chief principles of the Buddhist Trinity."<sup>5</sup>

#### The Institutions in Practice

The Theory of the political institutions of Bhutan as well as the laws which governed them differed widely from the practice. Many developments took place during the course of the history of Bhutan, in which there were conflicts between the temporal and the spiritual Heads and at times owing to minority or weakness of one authority the rival authority established its hegemony over the other. One example of the weakness of the institution of Deb Raja is had from the account of Rennie who describes the position prevailing in the 18th and 19th centuries as follows:

"The Deb Raja is supposed to be elected by the council of permanent ministers, and to be chosen from amongst the principal officers of the country, who are eligible for seats in the Council. At the present day, however, in practice the government of the country has fallen in reality into the hands of the Penlops of Eastern and Western Bhutan, who are usually at war with one another, and the Deb, now merely the nominee of whichever of the two happens to be for the time the most powerful—though in theory they (the Penlops) are supposed to be nominated by the Deb—the practice, however, being that they fight their way to power. The Deb Raja is consequently a mere puppet who exercises no influence whatever in Government matters. Mr. Eden observes: There are generally some three or four Debs or ex-Debs in the country. The Paro Penlow nominates a Deb and places him on the throne; a few months afterwards the Tongso Penlow ejects him and substitutes his own puppet. He is in his turn ejected by the Paro Penlow, and so this perpetual struggle goes on, and has gone on without interruption for the last fifty years."<sup>6</sup>

The aforesaid account represents degeneration of the institution of Deb Raja and even its disintegration inasmuch as several Deb Rajas came into existence creating circumstances leading to anarchy and chaos. In the long history of ancient lands the rise and fall of institutions and kingdoms is witnessed time and again. Bhutan was no exception to this rule of history. However, it recovered quickly in the early years of the current century from the chaotic conditions created by the warring factions of the Penlops, Jongpens and war lords who had become virtually independent of central control and were seating and unseating the Deb Rajas. It is possible, as has been described by some contemporary writers of the 19th century, that the authority wielded by the Penlops and Zimpens in their respective jurisdictions had become so absolute that it even extended to capital punishment without any reference to the Deb Raja.

It is perhaps true that in the 19th century, real power vested with the two Penlops of Paro and Tongsa who had reduced the institution of the Deb Raja to a mere puppet in their hands. It is also possible that the Deb Raja aware of the power of the Penlops endeavoured to strengthen his hands by identifying himself as close as possible to the Dharma Raja. In short, the Deb Raja was rendered dependent upon the Dharma Raja in order to get the sanction of religion to what he considered to be necessary in the political interests of the State. It was in such circumstances when a power vacuum was created that the institution of the Deb Raja was established in the form of a hereditary monarchy and this time it rose in its temporal sublimity to render the spiritual power both secondary in importance and subordinate to the temporal institution of kingship. The facts leading to the hereditary monarchy in Bhutan after 1907 are described later. However, at this stage, a word may be said about the other institution of Dharma Raja in practice.

#### Selection of the Dharma Raja

As stated earlier, the concept of Dharma Raja was the result of Tibetan influence on the institutions of Bhutan. Thus the Dharma Raja was looked upon in Bhutan in the same light as the Grand Lama of Tibet, the underlying concept being that the Dharma Raja was a perpetual incarnation of the Supreme Deity, Lord Buddha himself. Thus it often happened that during the interval between the death of Dharma Raja and his reappearance, *i. e.* until he reached an age sufficiently mature to ascend the spiritual throne, the office of Dharma Raja came to be filled by a proxy from among the priesthood. There are two different versions given by Captain Pemberton and Eden about the manner in which officiating Dharma Raja was appointed in the Middle Ages of Bhutan. According to Captain Pemberton, "The Dhurma Raja, like his great prototype of Lassa (the Grand Lama), is supposed to be Buddh himself, clothed in human form, and by successive transmigrations from one corporeal frame to another, to escape the ordinary lot of humanity. On the death or temporary withdrawal of the Dhurma from the sublunary scene of his existence, his office remains vacant for a twelve month, during which time the senior Gylong, or priest, regulates the religious observances of the country." However, Eden reports otherwise. According to him the Dharma Raja succeeds by incarnation. Again, during the interval between his death and reappearance the office is held by spiritual chief named Lam Thepoo.

The above description indicates the possibility of frequent paralysis in the spiritual administration during the interregnum prior to location of the new Dharma Raja. As far as the selection of the Dharma Raja is concerned, the account given by Rennie is as follows:

"The first signs of reappearance of the Dharma Raja are supposed to be indicated by the child refusing his mother's milk and displaying a preference for that of the cow. He is also supposed to articulate a few words distinctly and convey his meaning in an intelligible manner by certain signs. As soon as the news of these miraculous indications reach the court, a deputation composed of the principal Lama priests proceed to the spot where the young Dharma is reported to have reappeared, taking with them all the articles that in his former state of existence he had been in the habit of using. These are spread before the child, mixed up with some others made to resemble them, with the view of testing the infallibility of the newly-born deity, who, as a matter of course, always selects the proper ones; and the priests declare their conviction that he is their former spiritual head, and convey the child with great ceremony to Poonakha at which place all installations of either the Dharma or the Deb Rajas must be made, otherwise they are not valid."<sup>7</sup>

This would indicate the difficulties faced on the spiritual side not only to fill the vacuum, which may quite often be caused by minority of the spiritual Head, but also the controversy which may follow the selection or the location of the new Dharma Raja. It is stated that when Captain Pemberton visited Bhutan, the Dharma Raja was a child of nine years. Again, at the time of Eden's mission, the office is said to be filled by a 'shylooking youth of eighteen'. The result was that the spiritual council undertook the conduct of spiritual affairs till the Dharma Raja came into position. In practice, therefore, the working of this institution must have presented several difficulties.

In conclusion, it may be stated that the concept of Dharma Raja and its institutionalisation in Bhutan remain a unique feature of the history of nations. Though a spiritual entity, the Dharma Raja in his heyday had such influence in the politics of the State that no description of the political or even social institutions of Bhutan would be complete without a mention of the Dharma Raja, the essential counterpart of the Deb Raja. The influence of the Lamas is well known in the Middle Ages to have extended to the entire national life of Bhutan. This institution of Dharma Raja was, therefore, something outstandingly distinctive in conception, difficult in implementation in its ideal form and it gathered fatal importance with the advent of the modern world. It may be said today to be not merely on the decline but totally eclipsed as compared to its original form when it existed in all its colourful glory in the Middle Ages. A strict scrutiny of the institution would reveal that it could hardly go down in history as providing a regular or normal Head of the spiritual affairs of the State because of the frequent vacancies it led to in locating the reappearance of the Dharma Raja and the interregnums of proxies and minorities which followed. If nature abhors a vacuum, the institution of Head of the State, whether temporal or spiritual, abhors a vacancy and the Dharma Raja was, therefore, a flickering flame of light at once mystic and vague, complicated and at times inexplicable and, therefore, worthy only of the Middle Ages. Being essentially a flourishing child of the age in which it was born, it has died a natural death but leaving behind

a successor church which is best geared to the requirements of modern Bhutan.

These ups and downs in the power and prestige of one or the other of the two Heads of the State in Bhutan as well as the possible conflicts between the two authorities remind one of the contest between the Empire of the Papacy of Mediaeval Europe. It is known that Emperor Henry III in 1046 A.D. deposed two or perhaps three bad Popes and then proceeded in succession to appoint four good ones. However, his successor Emperor Henry IV, caught in a struggle against the obstinate Cardinal Hildebrand elected to the Papacy in 1073 A.D. as Gregory VII, found no alternative on being excommunicated but to surrender to the Pope, offer penance and receive absolution. In fact, the contest between Henry IV and Gregory VII started with the Emperor deposing the Pope and the Pope replying by deposing and excommunicating the Emperor. However, as stated earlier, this time the Pope came out victorious. In the history of Bhutan, it would appear that in the Middle Ages, the spiritual power was in the ascendant which was quite in keeping with the characteristic of the Middle Ages throughout the world. Even in Europe of the 11th century A.D., it was said that "as the soul was nobler than the body, as the sun outshone the moon, so was the spiritual superior to the temporal power". In the age of superstition, the church possessed 'powers of the soul more mighty than armies'. Again, what Gregory VII had initiated reached its zenith with the pontificate of Innocent III who was known as the 'Iron Pontif' and the Priest King of Europe who brought Papacy to the summit of its power perhaps more temporal than spiritual in early 13th century Europe. For example, it was Innocent III who had dared to place England and France in interdict and to launch the most successful of the Spanish crusades apart from exacting from the rulers of Aragon and Portugal the surrender of their respective countries as fiefs to be held of the Holy Sea. Again, Innocent III had no scruples in excommunicating King John of England and on his submission in excommunicating the barons and nullifying the Magna Carta.

There is no wonder, therefore, that, in the Middle Ages, Bhutan witnessed a drama on a much smaller scale but of the same design and pattern which Europe of the Middle Ages witnessed for centuries commencing with the revival of the Roman Empire with the coronation of Charlaman in 800 A.D. There can be no doubt that Bhutan witnessed this struggle between the temporal and the spiritual authorities on a much smaller dimension. The spiritual ascendancy of the Middle Ages soon yielded place to the ascendancy of the temporal power which gradually came to the forefront with the advent of the current century. If it was the rising tide of nationalism which broke the omnipotence of the Empire and the Papacy it was the physical efficacy of the temporal power of the Tongsa Penlop of Bhutan which brought about the necessary unification of the authority and the country under the institution of kingship.

#### Hereditary Kingship

It is recorded history that prior to the advent of monarchy in 1907, there was internecine strife and feudal anarchy of the worst order prevalent in Bhutan. The lofty, rugged and inaccessible ranges with deep dividing valleys making communication difficult, if not impossible, had converted almost each valley into a separate territory governed by the all-powerful Penlops or Jongpons. This aspect has been described earlier but it may be mentioned again to portray correctly the circumstances which led to the establishment of the central unified authority of the King which was born out of sheer necessity to save the country from disintegration. In this connection, the efforts of the British power in India which exercised paramountcy or some sort of suzerainty in Bhutan proved helpful.

The technique of British diplomacy in relation to the Indian States, whether in Rajasthan, in Central India or in Bhutan, was to search for and locate the centre of power and by entering into relations with that seat of power make efforts to augment it and to build it up in their own interest. A study of the treaties which the East India Company concluded with the Indian States from 1799 to 1854 A.D. and particularly those for which Lord Hastings was responsible in Rajasthan, indicate this tendency to a marked degree. Thus, for example, when the real power came to be vested in the feudal nobles as against the ruler of an Indian State, the authorities of the East India Company often inserted a clause by which the feudal nobles or jagirdars were not only recognised but lauded to the extent that their disputes with the ruler were encouraged by the process of enforcing the mediation of the East India Company. The mediator's decision was always a political one capturing power where it lay by siding or sympathising with it. In Mewar it was the feudal nobility which was pampered. On the other hand, if the seat of the power lay with the ruler and not with the feudal jagirdars, the treaty often recited that the refractory chieftains of the ruler would be enemies of the East India Company. This policy of locating the seat of power and winning it over helped the British in building up their empire in India. To illustrate this proposition, in spite of the diversion that may be involved, it may be worth quoting here the relevant clauses of the treaties signed by the Rulers of the two neighbouring States of southern Rajasthan, namely the Maharana of Udaipur on 8th February, 1854 A.D. and the Maharawal of Dungarpur in 1818 A.D. As the feudal nobles of Udaipur were powerful, the relevant clause 30 of the *Kaulnamah* or the Protocol signed between Maharana Suroop Singh of 'Oudeypore' and his nobles and chiefs mediated by Lt. Col. Robinson on 8th February, 1854 ran as follows:

"After the execution of this Kaulnamah, which abrogates all previous ones, any disputes that may arise at any time between the Durbar (Ruler) and his jagir chiefs (feudal nobles) must be brought to notice within three months, for the decision of the Political Agent in Meywar and the Governor General's agent in Rajputana, whose decision will be final. Any case not submitted within the above period will be dismissed as groundless."<sup>8</sup>

On the other hand, as the Maharawal of Dungarpur was all powerful in relation to his jagirdars, the relevant article 12 of the treaty signed with the East India Company in 1818 reads as follows:

"The British Government is not to countenance the connections or relations of the Maharawal, his heirs and successors, who may prove disobedient; but to afford to the Maharawal aid in bringing them under due control."<sup>9</sup>

It would appear that the aforesaid policy of state which the British enforced throughout the establishment of their rule in Asia, was applied with full vigour in the case of Bhutan as well. In actual practice, it yielded rich dividends wherever it was applied. For example, it was this very astute policy of winning over the powerful elements, wherever they lay, which was responsible for the British success in the revolt of 1857, a turning event of history often described as the first attempt of India to become independent. Sir George Mecaulay Trevelyan has observed that the central regions of India, remained neutral during the revolt of 1857 which was a potent cause for the failure of the revolt.<sup>10</sup> However, this great historian of England does not proceed to investigate into the reasons for

<sup>8</sup>Aitchison, C.U., *Treaties, Engagements and Sanads*, 1876, Volume on 'Rajputana', -See Oudeypore. See also Revised Edition, 1929, Vol. III, p. 35.

9Aitchison, C.U., op. cit., Vol. III—Treaty with Dungarpur—of perpetual friendship alliance and unity of interest—Article 12, p. 451.

<sup>10</sup>Trevelyan, G.M., *History of England*, 1934, p. 675. See also by the same author **British History in the 19th Century (1782-1901)**.

this neutral attitude of this region of India. It can be stated, however, as a result of historical research, that the reason for this indifference could be assigned to the success of the British policy in winning over all seats of power and thus neutralising possible opposition, if not winning it over.

In the circumstances, J.C. White, the then political agent to Bhutan, functioning to enforce this well-defined policy, could not have taken much time to conclude that among the various petty and powerful potentates that existed in Bhutan, the Tongsa Penlop Ugyen Wangchuk was easily the most powerful element. He was outstanding in his influence as well as his character and ability as he had the courage and the initiative to take Bhutan out from its chaotic condition. In fact, it appears as if destiny had produced the right man for the unification of the country and the establishment of central authority needed for the emergence of modern Bhutan. Even if it is conceded that the British political officer helped in the election of the Tongsa Penlop as the hereditary Maharaja of Bhutan, there can be no denying the fact that Ugyen Wangchuk by his own efforts had already built himself up to that status and position to be so promoted. It could even be stated that given the time and the opportunity, he would have emerged as the supreme Deb Raja and even established himself as a hereditary monarch without any external assistance because he had in him the greatness needed to fill that high office and to accomplish that which was most needed by the country. Ugyen Wangchuk succeeded to a large extent in eliminating the rival Penlops as well as to check the influence of the Dharma Raja whom the people of Bhutan and particularly those in the eastern region had held in high veneration.

We have a graphic account given by John Claude White of his Second Mission to Bhutan when on 17th December, 1907 the historic ceremony at which the Tongsa Penlop was elected as the hereditary King of Bhutan took place. It indicates clearly the supremacy of the elected King over the rival spiritual head who was seated on his left focusing all the attention on the King who sat on the central throne. The following is the description of that most eventful day in the history of Bhutan:

"The Tongsa occupied the centre throne, placing me on his right hand, and the Lama Khenpo, Ta-tshang Khenpo, on his left. The other members of the Mission were seated on chairs on the right of the aisle, the members of council, headed by the Paro Penlop, just below them on the same side; opposite, on the left on the aisle, was the Tango Lama and other representative Lamas, in their gorgeous robes of office, and wearing brocade hats. My orderlies and the escort were lined up behind my seat and the chairs occupied by the other members of the Mission. Facing the Tongsa, at the further end of the room, was an altar covered with lighted silver butter lamps. The broad aisle in the centre of the room was kept clear, but all other available space was filled by a dense throng of spectators, monks and laymen on either side, minor Jongpens and officials at the lower end. In the gallery a band of Lama musicians was stationed, and another dense mass of interested on-lookers, some of whom even invaded the roof to watch through the space removed for light and air, although they were repeatedly driven off by the Lamas.

"The proceedings were opened by the formal presentation of the Durbar gifts from the Government of India, which were brought in and placed in front of Tongsa Penlop. This was followed by the presentation of the Ta-tshang Khenpo's gifts, which were laid on the floor by his attendants. Next came the Tongo Lama, as head and representative of the monastic body. Leaving his mitre and silken cope in his place, he advanced in the ordinary red monk's garb and prostrated himself twice, then returned to his seat and resumed his vestments. After the Tango Lama came the councillors, in order of seniority, following them the Jongpens of the different Jongs in a body, and so on until all had made their several obeisances and contributed their offering to the mighty pile of silks, cloths, silver coins, and gold-dust in the centre of the hall. The Maharaja-elect and the council then presented the Mission with scarves."<sup>11</sup>

Apart from the colourful ceremony of investiture and installation, there was an equally colourful and important document executed which recorded and solemnised the establishment of the key institution of kingship. As this document establishes not only hereditary monarchy but important principles, a copy of the original text is reproduced as Appendix XI. This account would not, however, be complete without giving here the English translation of the sanctified document on which the Lamas, Lupons, Councillors and other dignitaries affixed their signatures and their seals. It ran as follows:

"There being no Hereditary Maharaja over this State of Bhutan, and the Deb Rajas being elected from amongst the Lamas, Lopons, Councillors and the Chiolahs of the different districts, we the undersigned Abbots, Lopons and the whole body of Lamas, the State Councillors, the Chiolahs of the different districts, with all the subjects, having discussed and unanimously agreed to elect Sir Ugyen Wangchuk, Tongsa Penlop, the Prime Minister of Bhutan, as Hereditary Maharaja of this State, have installed him, in open Durbar, on the golden throne on this the 13th day of the 11th month of Satel year, corresponding to the 17th December, 1907, at Poonakha-phodang.

"We now declare our allegiance to him and his heirs with unchanging mind, and undertake to serve him and his heirs loyally and faithfully to the best of our ability. Should any one not abide by this contract by saying this and that, he shall altogether be turned out of our company.

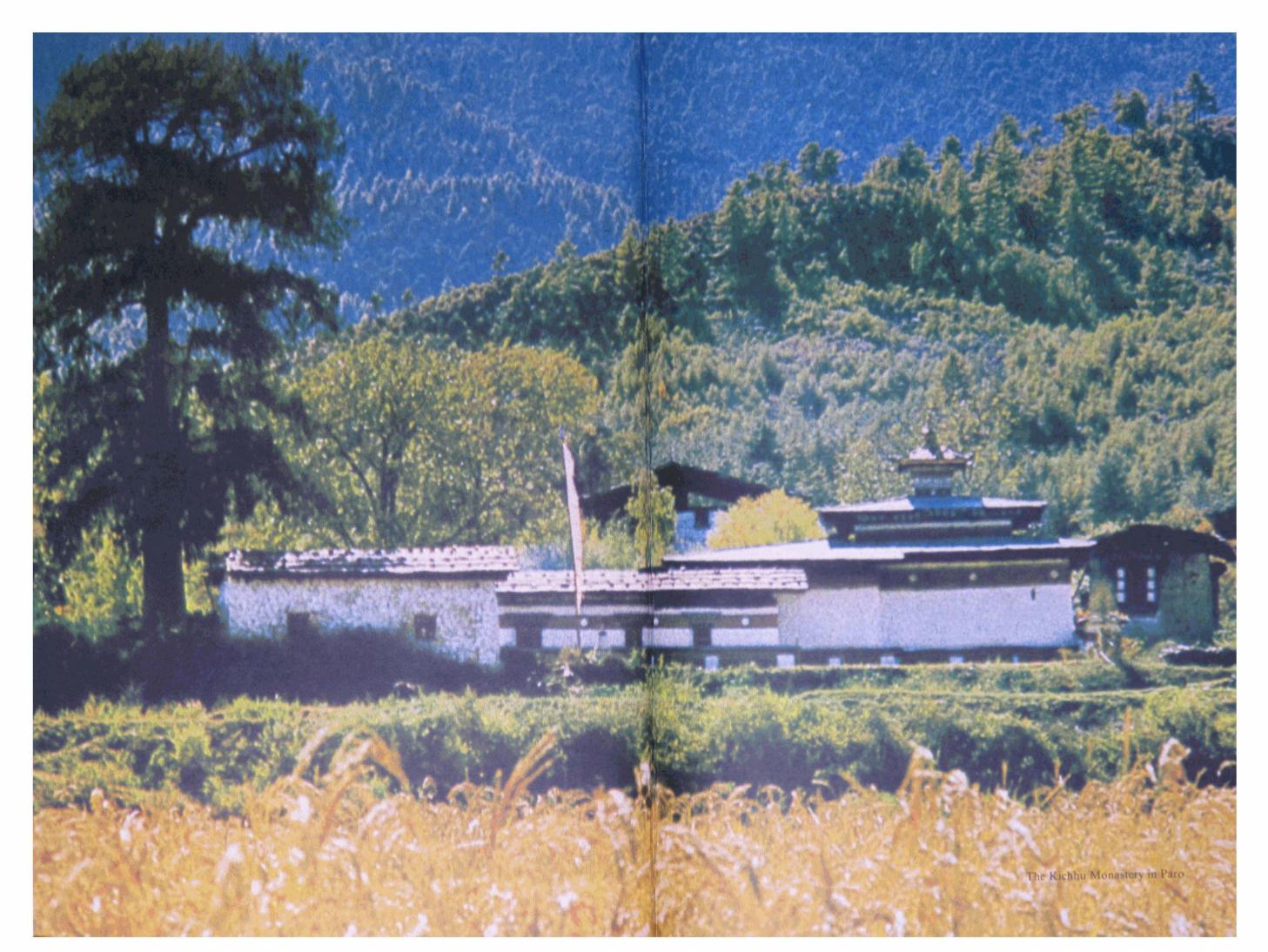
"In witness thereto we affix our seals'.'12

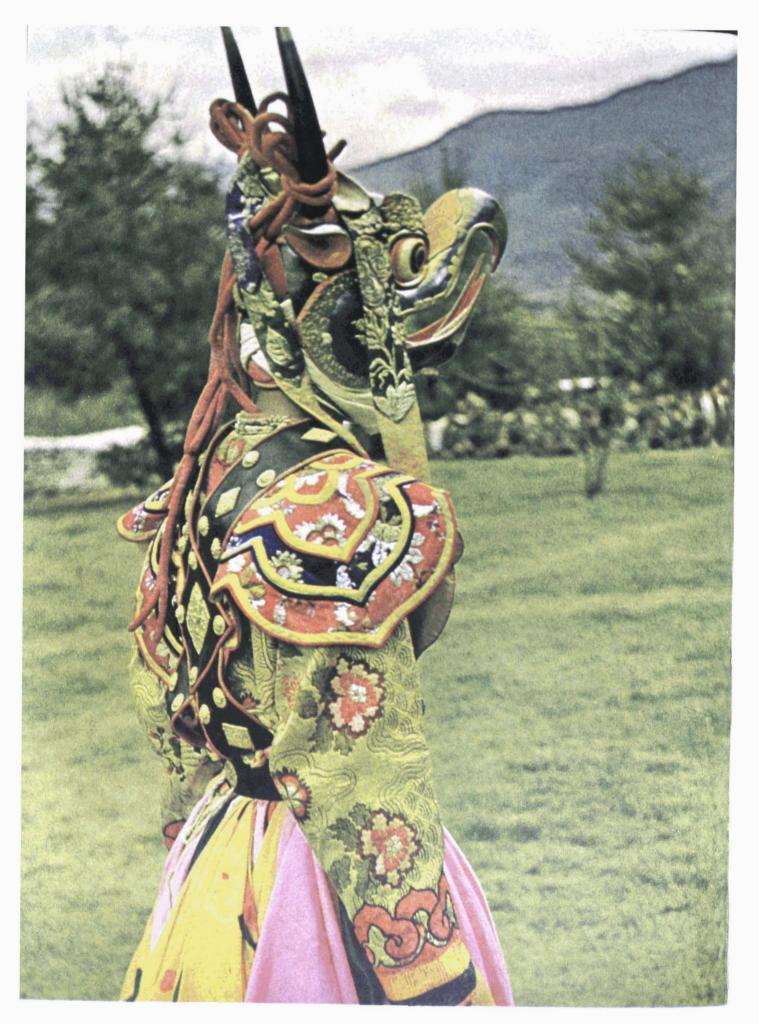
The hereditary kingship of Bhutan was thus established in 1907 and that too by the elective method. Such is the greatness of the tradition of Bhutan in respect of its political theory and its unique political institutions. This may remain one of the very few examples in world history of how a hereditary monarchy came into existence by an elective process and, what is somewhat bewildering, put an end to the undue influence of the clergy and the priest by destroying the material theory of separation of powers between the spiritual and the temporal Heads of the same State. The event was, therefore, at once momentous in the annals of Bhutan ushering a new era not only in the constitutional history of the country but in its economic and social life as well of which more is said later.

We may conclude this chapter, therefore, with the note that both the institutions of Dharma Raja and the Deb Raja having had their hey-day in the past, stand today totally modified and replaced by such efficient institutions as the genious of Bhutan could produce to meet the requirements of the age that is as well as the age which is to come. The King, the Royal Advisory Council and the Tshogdu are all steps in the right direction to build a great Himalayan State unique in kind, effective in form and fascinating in study.



A guardian deity wearing a crown of scorpion claws and covered by a myriad eyes, the lower part of his body being the coiled tail of a snake. The wrathful protector of the planetary cycle gallops away, surrounded by flames





# VI

# THE ORGANISATION OF GOVERNMENT

MODERN BHUTAN has a hereditary kingship assisted in the discharge of its functions by three organs of the State which are: first, the Tshogdu or the National Assembly, a representative body; second, the Advisory Council which, in turn, is aided by a regular Central Secretariat constituting, as it were, the third limb of the Government machinery. The three together may be said to constitute the central machinery of Government functioning at Thimphu, the capital of Bhutan. However, in addition, there is a regular network of local administration which functions on the basis of a hierarchy of administrative units like the districts and the remote, distantly spread villages of Bhutan which constitute the basic unit. In short, therefore, any description of the machinery of Government would have to take into account both these broad aspects, namely—

- (A) the central machinery of the executive and the legislature at the capital; and
- (B) the local administration of the villages and districts.

Again, in any system of government the judiciary providing first the adjudicatory machinery for the application of the law of the land by judicial decision making and, secondly, the sanction behind the law for its implementation provided by the armed might of the State, constitute the other two vital limbs of the State which must be added to the two just mentioned above. These are:

- (C) the judiciary, and
- (D) the armed forces.

All these four broad aspects need to be examined in further detail in order to get a clear and comprehensive account of the organisation of Government of this new-born member of the international community.

## (A) The Central Government

As already mentioned, the time-honoured organs of Government to discharge the two basic functions of the State, namely the executive and the legislative, are to be found in modern Bhutan on the same broad basic pattern as in any other modern State of the world except that the distinct stamp of Bhutanese character is writ large on them making them, therefore, unique and distinctive. An attempt is made below to describe both these aspects separately.

(i) The Executive: The King of Bhutan or Druk Gyalpo as he is called, is the central pivot of the executive arch of his country. Though in the early stages of the constitutional history of Bhutan, there may have been a dual order of the Deb Raja and the Dharma Raja or the spiritual and temporal authorities of co-equal status as was witnessed in the Europe of the Middle Ages, it can be stated that today the King of Bhutan stands established unequivocally as the Head of the State in every respect. As far as the internal machinery of Government is conerned, he is the fountain-head of the executive power and externally the exclusive symbol of the State. Again, the Druk Gyalpo is not only the chief of State but also Commander-in-Chief of the armed forces, the highest Court of Appeal and the wielder of commanding influence in matters religious and spiritual. With the termination of the office of Dharma Raja the local church is organised under the control of the King. The Chief Abbot is, thus, confirmed in his office by the Royalty which reigns supreme.

In spite of this unique position, the King administers the State through advisory and conciliary machinery both on the executive and the legislative side. As already mentioned, he functions not only through the Tshogdu or the National Assembly which has been described under the head 'Legislative Function of the State', but is equally aided by his Advisory Council on the executive side for the day-to-day discharge of the functions of the government at the centre. As the Advisory Council of the King is the main organ assisting the Head of the State on the executive side, it needs to be described in some detail.

The Royal Council: The Royal Council or Lodoi Chopdah functions on a regular basis and is in session throughout the year as against Tshogdu which meets twice in one year. It was established by the King in 1965 and comprises eight members headed by a Chairman called the Kalonrepresentative of the Government with the rank of a Minister. The remaining seven members include five representatives of the people representing the different regions and two Lamas representing the monasteries.

The Royal Advisory Council acts as the main advisory body charged with the function of assisting the Druk Gyalpo (the King) and the Government on all foreign and important domestic issues which may arise from time to time. Judging from the representative character of its composition, it can be said to represent in miniature the country at large. There is no overlapping between the functions of the Royal Council (Lodoi Chopdah) and the National Assembly (Tshogdu) because the former discusses matters chiefly of day-to-day concern to the country and as these generally fall within the ambit of the executive, the Council may be said to be the main advisory organ of the State. Moreover, the Royal Council has since emerged as a 'Council of Elders' with all its members being also members of the Tshogdu with which it is closely linked up. In one sense, therefore, the Council may be said to somewhat correspond to the modern cabinet of a parliamentary democracy, inasmuch as it includes five representatives of the people who are all members of the National Assembly. It would, however, be inaccurate to equate the Royal Council to the Cabinet of modern times as the Council is essentially advisory in character and does not comprise all the Ministers, and it is not responsible to the National Assembly. Moreover, it gives advice to the Ministers as well.

The Council holds regular meetings every day and the Ministers are required to attend its meeting once a week and answer questions relating to their Ministries. The Council also functions as an advisory body insofar as the Ministers may consult the Council on all important issues and take advice. The members of the Council have access to His Majesty the King who also consults the Council on all important matters. Recently another important function has been assigned to the Council by giving it the power of arbitration between the Departments or between the Ministries in all cases of dispute or difference of opinion. In such cases the Council's decision is final.

Apart from being merely an advisory body as the name Royal Advisory Council goes to suggest, the Council also acts as the watch-dog of the people. Its members tour their respective areas to assess the implementation of Government's policies and directives. While doing so, they try to gather the reaction of the people to the policies of the State. This reaching-out to the masses by this highest representative body which has access to the King not only makes its advisory function more effective but also enables it to be a check on the Government, particularly the Ministers. As it is continuously in session and represents all regions of the country, its aforesaid check is really effective and healthy. Council of Ministers: The Ministers are responsible to the King and take orders from him, being advised by the Royal Council. There is no institution of the Prime Minister. The King himself discharges the functions of the Head of Government. All the Ministers are of equal rank. Jigme Dorji was designated as Prime Minister as a matter of courtesy only. The title originated at the time of the visit of India's Prime Minister Nehru in 1958 out of sheer consideration of protocol. There were no ministerial appointments in Bhutan before May 1968. The King has, however, made some appointments since then. There are Departments of Government now created, headed by Ministers, and having officers at secretariat level to assist them. At present there are the following Ministers of Departments who constitute the Council of Ministers :

- 1. Minister for Trade, Commerce & Industries
- 2. Home Minister
- 3. Finance Minister
- 4. Minister for Development and Department of External Affairs

The Central Secretariat: The administrative secretariat of the Government is located in the capital Thimphu. Lower in the official hierarchy are the Dzongdas or district officers, the Thrimpons or the magistrates and the Ramjams or subdivisional officers who are assisted by the Gapps or the headmen who in Nepali areas are called Mandals. In some of the larger districts the Dzongdas have also the help of Nyerchens or revenue collecting officers, as also Dronyers or protocol officers. The detailed functioning of this official machinery will be found in the pages that follow where local administration of the villages and districts has been described.

(ii) The Legislature: The National Assembly or Tshogdu, as it is called in Bhutan, is the legislative organ of the State. A descriptive account<sup>1</sup> of the Tshogdu which plays a vital role in the political set-up of Bhutan is attempted below.

Origin: In common language, any gathering of people for discussing their common interests is called *Jomdu* in Bhutan. However, the higher and bigger meetings are called *Tshogdu*, put more politely. The name Tshogdu has thus come to be given to an assembly of representatives of the people, the monasteries and the Government gathered together for discussion. It may not perhaps be far-fetched to mention here that the names Jomdu

<sup>1</sup>See also *Tsongdu, The National Assembly of Bhutan,* a booklet published by Information Service of India, Political Office, Gangtok, Sikkim, 1969. and Tshogdu seem to be close to the Sanskrit words Janata meaning the common people or their assemblage and Sowgatah meaning a Buddhist which in course of time came to connote an assembly of the learned Buddhist monastic overlords of Bhutan. Notwithstanding the origin of the name Tshogdu, it may be stated that the National Assembly in its present form was first conceived by the present Ruler of Bhutan, His Majesty the Druk Gyalpo. It was in 1952 on his accession to the throne, that the King decided to establish this National Assembly representing the people, the monks and the officials, to advise the Government on all matters of national importance. The Tshogdu was inaugurated in the year 1953 at Punakha from where it was later shifted to the new capital of Thimphu.

Composition: The composition of the Tshogdu, in keeping with both tradition and the political requirements of the country, includes three categories of members, namely (a) people's representatives, (b) monastic representatives, and (c) official representatives. The present strength of the National Assembly or Tshogdu is fixed at 150. It may be worthwhile mentioning here the manner in which the three categories of representatives become members of Tshogdu.

(a) People's Representatives. are elected by an indirect method. The villagers by a consensus select their representatives and nominate them to the Tshogdu. The number of representatives is based on population and, therefore, the number of villages in each district. Although the size of each constituency has not been specified, the number is dependent on the size of the population. For example, Tashigang, a district in Eastern Bhutan, being the most populous, sends the largest number of representatives.

The people's representatives are elected for a term of three years only. They roughly constitute half the total strength of the Tshogdu.

(b) Monastic Representatives are nominated by the various monastic bodies located in the main dzongs of the country like Thimphu, Paro, Wangdiphodrang, Tongsa, Lhuntshi and Tashigang. (Dzongs are the headquarters of the main districts.)

The term of these representatives is also three years. They constitute about one third of the total strength of the Tshogdu.

(c) Official Representatives are nominated by His Majesty the King mainly on functional basis. They consist of Ministers, Members of the Royal Advisory Council, senior civil servants like the Dzongdas, the Thrimpons Judges of each dzong area, and Ramjams (sub-divisional officers) or Assistant Civil Administrators of minor dzongs where there are no Thrimpons or Nyerchens (Revenue Officers).

It may be noted here that there being no cadre of civil servants in Bhutan, they are appointed from amongst the public on merit and integrity by a Royal Command and can expect to rise to the heights of a Minister. For example, the present Home and Finance Ministers were originally appointed from public life as civil servants and later elevated to their present rank due to their long and meritorious service to the country. They function subject to the checks of the Royal Advisory Council and under the ultimate command of the King. This is, indeed, a distinguishing feature of the constitutional set-up of Bhutan insofar as civil servants can legitimately aspire for the political office of Ministers unlike many other countries where holders of office of profit are debarred from being elevated to the Legislature. The system of parliamentary democracy that we have in India on the Westminster pattern bars civil servants, so long as they are in the employ of the Government, from contesting elections and hence renders impossible their holding office of Minister responsible to Parliament. This is a feature characteristic of parliamentary democracy such as in the UK, Canada, Australia, France, etc., as against presidential democracy of which USA furnishes a classic example as members of the President's cabinet have no place in the Congress. In Bhutan the growth of the constitutional pattern is essentially on its own at once unique and distinctive which remains the unmistakable trait of the country itself. Comparisons would, therefore, be very much odious but the basic trend which is so noticeable is to bring about an association of the people to the largest extent possible in the governance of the state without allowing the executive to be weakened or the machinery to deteriorate in efficiency. The objective of the King is indeed laudable inasmuch as he wants self-government to march hand in hand with sound, efficient government. The importance, therefore, of the bureaucratic element is justified in the interests of continuity and efficiency till the democratic process develops and replaces the bureaucratic. The official representatives of the Tshogdu, therefore, in appropriate cases, are allowed to continue their membership of the Tshogdu even after the expiry of their normal term which is three years. Again, through his Ministers, the Druk Gyalpo plays an active role by opening discussions and presenting draft bills or proposals for consideration by the Assembly.

The Speaker: The Speaker is the Presiding Officer of the Tshogdu and the most important person in the hierarchy of the members. He is elected

from amongst the members for a term of three years. Candidates are proposed on the floor of the Assembly and elected by a simple majority vote. Generally, the Speaker is a very senior member and usually ranks very high in his own right in the monastic order.

Functions of Tshogdu: As for the powers and functions of Tshogdu. it plays the triple role of (i) enacting laws, (ii) approving senior appointments in the Government, and (iii) advising on all matters of national importance. In this context, the Tshogdu has not only legislative functions but also acts as a parliamentary and advisory body. It has assumed an importance over the years which is vital to the constitutional evolution of the State of Bhutan. Complete freedom of speech prevails in the National Assembly and members are given the assurance that any criticism, even of the rights of the throne, will not be subject to punishment. With its widely representative character and its multifarious roles, the Tshogdu tends to strengthen the sense of national awareness and unity of the country. There is yet no party politics in Bhutan and hence the Government is based on the principle of representation and not party responsibility to the electorate although the King may have plans to establish ultimately a constitutional monarchy with the people having the final voice in the country's affairs.

The Assembly has played an important role in enacting various civil, criminal and property laws. For instance, nearly all the civil and criminal laws applicable in the law courts have been passed by the Assembly and duly codified. It has decided issues and passed laws relating to land taxation, compensation, property and land tenure system. Although the King earlier had the right to veto any bill passed by the Tshogdu, it is significant that this right has since been surrendered. A bill passed by the Assembly will now go to the King for his signatures as Head of the State before becoming an Act. If the King has any objections to the bill, he will refer it back to the Tshogdu with his objections and can also address the members on the subject, if he so desires. However, if the bill is again passed by the Tshogdu with a simple majority, it will automatically become an Act.

Again, as already stated, all important appointments made by the King like those of Ministers and members of the Royal Advisory Council are confirmed by the Tshogdu. The Tshogdu itself also has the right to appoint Ministers. The King also retains the right to appoint Ministers but such appointments must be approved by a majority vote. Appointments of senior civil servants also require ratification by the Tshogdu.

Though it has not been specifically provided, it is generally understood that a Minister or a senior civil servant can be removed by the Tshogdu by a majority vote at any time. Even the Privy Purse of the King and salaries of Ministers are debated in the House and approval given. Every member has the right to raise any issue connected thereto and ask for a revision or amendment.

As an advisory body on national issues and policy decisions, the role of the Tshogdu has been vital. The King or his Ministers put up the issues before the members who debate on these issues with full freedom. Even the King is not immune from criticism both as the Head of the State and as a person. Members can on their own call upon the representatives of the Government to explain any Government action and the official representatives must answer to the satisfaction of the House. On such issues, the official representatives do not normally vote. In short, the members have full freedom of expression, as stated earlier, and they have used this right without hesitation.

In this context, the membership of official representatives is significant. Besides representing an important section of country's life, they explain their actions and Government policies and have a right to answer in person any criticism of their policy or action. Officials other than those who are members can also be called by the House and asked to explain their actions. Heads of Departments are sometimes called for to discuss important issues. All Heads of Departments are required to be available during the proceedings of the House and often small groups of members meet such officers separately to raise local issues.

The King in his opening address gives the members an idea of the issues he would like the members to discuss and consider. In fact, his address is more in the form of explaining to the House the important issues facing the country and the Government's thinking on such matters. In some cases, the address seeks to get the Tshogdu's approval of the line adopted by the Government and in others the King wants a consensus to determine the future course of action.

# The Monarchy and the Tshogdu

Although the constitution functions under a monarchy, the Tshogdu does not act as a mere stamping body. The position in actual practice is that the King, anticipating the fast changes taking place in the country and with a deep devotion to the cause of the people's participation, has encouraged the Tshogdu, his own creation, to act more and more independently. Recent years have witnessed vital though gradual liberalisation of the political system in Bhutan even though there are no political parties in the country. In the April-May 1968 session of the Tshogdu, the King ordered that Bhutan would thenceforth be a constitutional monarchy. During the following session held in October-November the same year, he announced that he would abdicate if and when 75 per cent of the members of the Tshogdu passed a vote of no-confidence against him. Following the King's proposal, the Tshogdu at its first session in 1969, unanimously decided that popular approval would be the basis for continuity of a monarch's rule and that if a vote of no-confidence in the King was passed by a two-thirds majority, the King must abdicate in favour of the next member of the present dynasty in the line of succession. While giving these powers to the Tshogdu, the King further proposed and it was accepted, that every three years the monarch should seek a vote of confidence from the Assembly by a twothirds majority vote. In other words, the King, for all practical purposes, will have a tenure like a Prime Minister. An adverse vote of confidence will automatically mean the removal of the monarch. Furthermore, the King can be removed at any time by a two-thirds vote of Tshogdu irrespective of the period of three years. Succession will, of course, be on the hereditary basis. This is indeed a revolutionary move on the part of the King of Bhutan unparalleled perhaps in the history of the monarchical world. Thus the King, notwithstanding his position and traditional loyalty by virtue of which he can play a dominant role in acting as a check on freedom of expression and action, has in fact himself already started the trend towards strengthening the powers of the Tshogdu by reducing his own, which speaks of the vital role Tshogdu has recently been playing and will play in the future in the national life of Bhutan as well as in its international life as a member of the world comity of sovereign States.

#### People's Representatives

The last few years have indeed seen an awareness amongst the people to judge all the issues placed before them in a wider perspective. This has been particularly noticeable in spheres of development activities in the country. Important issues like the functioning of the Council of Ministers under a watch-dog system of the people, country's external relations and even the question of succession to the throne have been debated. In this context, the role of the People's Representatives on the Tshogdu deserves a special mention. Like other countries with a system of parliamentary democracy, the People's Representatives are in close touch with their constituents. Grievances and representations of the people are presented before the House. On return to their villages after the session, the representatives are required to give a report on the proceedings of the Tshogdu and in particular convey to the people the outcome of their representations. It has been noticeable that ineffective representation by a member in the Tshogdu has led to his severe criticism by his constituents.

#### **Conclusion**

In short, therefore, the National Assembly not only performs the triple functions enumerated before of enacting laws, approving senior appointments and advising Government but also provides a valuable forum where the grievances of the people can be ventilated and the authorities that be whether Ministers or District Officers can be questioned and cases of maladministration exposed to light for immediate rectification. The function of "interrogation of Government" by the legislature known in common parlance as the "question hour" function, is performed with great gusto by the Tshogdu in Bhutan and this certainly acts as a check to keep the ship of administration on an even keel. The presence of Government officials is, therefore, in one sense necessary to make effective this constitutional check. As the District Officers in control of the dzongs are also members, they have a responsibility to the National Assembly apart from being criticised for their actions. For redress of grievances of the people at large in the country this is an effective safeguard. Moreover, according to the well known canons of any law, no criticism is considered fair if made behind one's back and without any opportunity being given to the person attacked to explain his conduct. On the basis of this basic principle, the composition of Tshogdu with the official class represented on it, is on the whole helpful in the present context.

The Tshogdu is a healthy meeting ground of all concerned to pull their weight in the direction of success. If it gives a sense of importance to the official class, it also places them under a heavy responsibility both to behave properly and to act legally in the interests of the country and the people at large. The Tshogdu, therefore, is a constitutional innovation and a symbol of harmony of all classes, the ruler and the ruled. It may be worth mentioning here that in accepting the recent changes, the Tshogdu itself has used the term "Democratic Monarchy". Irrespective of this phraseology, Bhutan now has emerged as a Constitutional Monarchy with Tshogdu as the 'Sovereign Body' representing the will of the people. It is essentially a Bhutanese institution and to appreciate it one has to look at it from the viewpoint of Bhutan. In order to provide a glimpse of the functioning and constitution of this august body, the Constitution of the National Assembly as notified in *Kuensel*, Vol. VI, No. 12, dated November 14, 1971, after its promulgation by the National Assembly has been reproduced as Appendix XII.

#### (B) Local Administration

The Village: The basic unit of administration at the ground level has been the village in the past as it is even today. Thes cattered populace and the diverse climatic conditions together with the lack of adequate means of transport and communications have been the main obstacles to a uniformly integrated scheme of administrative control of the country in the past with the result that the pattern has developed with some variations from place to place. For instance, there are groups of villages in the remote valleys which for centuries may have remained somewhat removed from the laws and requirements of the central administration but this lacuna has now been totally removed by the growth of transport and modern means of communication such as telephone and the wireless. There can be no doubt, however, that the far-flung villages dotting the rugged terrain of this mountainous Himalayan kingdom have of necessity been somewhat self-contained units of administration from time immemorial. The village authority is the headman called the Gapp who represents a village or a group of small villages which, on the basis of one vote for each family, elect him for nomination as the Headman for formal appointment as Headman by the King. In the Nepali areas which are mainly the southern regions of Bhutan, the village administration is carried out by the Mandal. The Gapp or the Mandal is responsible for carrying out orders received from the Zimpon, or the district authority. However, it is the Gapp or the Mandal who can be said, for several reasons, to be the spark-plug, as it were, in the administrative machine: First, he not only provides the immediate executive authority at the village level but combines in himself the judicial functions as well. In minor criminal offences he acts as the judge and dispenses justice at his level. Secondly, it is the Gapp or the village Headman who, in turn, elects to the Tshogdu (National Assembly) the people's representatives who constitute roughly half the total strength of the Tshogdu. There is thus a direct link established between the central machinery and its organs on one side and the basic units of general administration, namely the villages, on the other side. It is the latter which have, through the ages, sustained the fabric of the statehood of Bhutan amidst the lofty Himalayas.

The District and the Dzong: Administratively, Bhutan is divided into four areas. The area with a width of about 25 to 30 miles running along the southern border of Bhutan with India is called the Southern Bhutan Division and is in the charge of a Commissioner. The rest of Bhutan is divided into three areas: Eastern Bhutan, Central Bhutan and Western Bhutan. The population of Southern Bhutan largely consists of Nepali immigrants who have been granted citizenship rights while those of the other three areas are Bhutanese called Drukpas.

There are three dzongs in Eastern Bhutan, five dzongs in Central Bhutan and seven dzongs in Western Bhutan. The Southern Bhutan has three districts. The dzong is the unit of district administration in Bhutan administered directly by the Home Ministry through Dzongdas. The administrative boundaries generally follow watersheds or mountain ranges. However, no accurate map of internal administrative divisions exists as yet.

The head of the administration at the dzong or district level is the Dzongda (Deputy Commissioner). He is primarily responsible for law and order within the district. The other senior officer in the dzong is the Ramjam who is responsible for collection of revenue and finances of the district. The heads of the districts in Southern Bhutan are called Deputy Commissioners.

Each dzong is further divided into subdivisions. Each sub-division has a Sub-Divisional Officer called Ramjam with the following staff:

Mungapa, also some time called Assistant		
Sub-Divisional Officer		2
Chupin, Headman	••	10
Chuyo, an Assistant to Chupin	••	10

Each Chupin, along with his Assitant Chuyo, controls a number of villages. At the base is the village Headman elected for three years. As already stated, the village Headman assisted by a village panchayat, passes sentence in the case of minor criminal offences. More serious cases are tried by the district and senior dzong officers. Everyone has a right to appeal to the King whose word is final. Only the King could impose death penalty which, however, has since been abolished by the present King.

The aforesaid local administrative machinery is linked with the central government secretariat in the capital Thimphu and functions directly under the Home Minister, who, in turn, is the principal adviser to the Druk Gyalpo on all domestic matters. In order to get a picture of the functioning of the district officers at the dzong level portrayed by a foreign traveller of recent times, it may be worthwhile reproducing the experience of Michel Peissel when he visited Punakha and met the Ramjams of the district. The following description of how the Ramjam verifies the credentials of a new entrant to the dzong is interesting.

"...Punaka, although for centuries the capital, was nothing more than the dzong. A whole city enclosed in one building. On arrival I enquired as to the whereabouts of the Trimpon, the Lord of the Law. He was away; so was the Nyerchen, I was told. Since it was summer the dzong was practically deserted. There was only the Trimpon Ramjam, the title of Ramjam being that given to the elected heads of the districts into which the region dependent upon the dzong is divided. The Ramjams are usually four or six in number. Two are required to work in the dzong, one as assistant to the Lord of the Law and the other to the Chief Steward. The Lord of the Law's Ramjam turned out to be an old man with white hair and a rather scraggy frame. He welcomed us demanding to see my credentials. This done, he said that we could occupy a room in the royal pavilion, a large Bhutanese house set on the edge of the river."<sup>2</sup>

Again, an account is also given of the official regalia of the Ramjam as follows:

"In Bhutan, where money is not the mainspring of men's ambition, it was natural for the Ramjam to display to me the emblems of his pride and rank; his silver sword, symbol of office and effective reason for the respect shown him. His sword, rifle and pistol, along with a tasselled silk needle pouch and similarly adorned money bag were, I now discovered, the official emblems of the Ramjam's rank. These last two surprising items the Ramjam extracted from a large paper bag of Bhutanese make and showed me proudly how they should be worn."<sup>3</sup>

### (C) The Judicial System

If the judiciary functions as an instrument for the maintenance of law and order, it may be stated at the outset that since by nature and character the Bhutanese are not given to crime and violence, the entire State can be said to have a peaceful existence. There are no riots or mass agitations of any kind and minor incidents of theft are adequately dealt with according to the law and the judicial machinery which already exists. There is, therefore, no law and order problem as such in Bhutan.

<sup>2</sup>Michel Peissel, Lords and Lamas, 1970, p. 79. <sup>3</sup>Ibid., p. 83.

As was the legacy of the British rule in India, the executive and the judicial authorities were combined in one in Bhutan. Since 1970, however, the judiciary in Bhutan has been completely separated from the executive. An attempt is made below, therefore, to give a brief account of the adjudicatory machinery as well as the law which it is called upon to administer.

Law: There exists a written code of law and both civil and criminal cases are decided according to that code. As far as criminal law is concerned, the penal aspect is somewhat light inasmuch as punishment varies from fine to terms of imprisonment depending upon the nature of the crime committed. As far as capital punishment is concerned, it has, as already stated, since been abolished by the present King.

Again, the civil law code of the land is adequate to meet the needs of the population. It exists without the well-known complications of the law and the hair-splitting processes of procedures and interpretation which are so characteristic of our complicated civilization. Simplicity is the key-note of the civil and the criminal codes of the land, which is really blessed in this respect.

Judiciary: In order to appreciate the organisation of the judicial machinery, it is necessary to go back to the local administration which has been described earlier. For example, minor criminal offences are judged by Gapps and Mandals. Above them come the Thrimpons who have powers equivalent to those of session Judges within their own specific areas. Every Thrimpon has a judicial function to perform when he gets either a case of original jurisdiction or an appeal from down below. The higher Court of Appeal is the High Court in Thimphu and then the Druk Gyalpo himself who gives a final decision on all appeals that are made to him. The High Court has five High Court Judges appointed to hear appeals in the first instance. The final appeal lies to the King. These appeals may be by way of mercy or by way of a settlement. The great merit of the system is that there is no delay and justice is readily and promptly available.

# (D) Police and the Armed Forces

Bhutan has an adequate police in the form of a militia and an armed force for the maintenance of its authority for all internal purposes of the administration of the State. The police functions are thus performed by the militia. Each dzong or district has a small contingent of militia men with a strength of about 25 under the charge of an officer and they assist the Thrimpon or the Deputy Commissioner in the maintenance of law and order in the dzong. They also man the border check posts along the borders of Tibet and India. Thus, if a Government needs an armed might to maintain its prestige and power within the State with a view to supplying the sanctions behind the law, the police militia and the armed forces of Bhutan suffice for that purpose. The Druk Gyalpo is the Commander-in-Chief of the Armed Forces. Crime within the state is rare since thefts are few and murders are almost unknown.

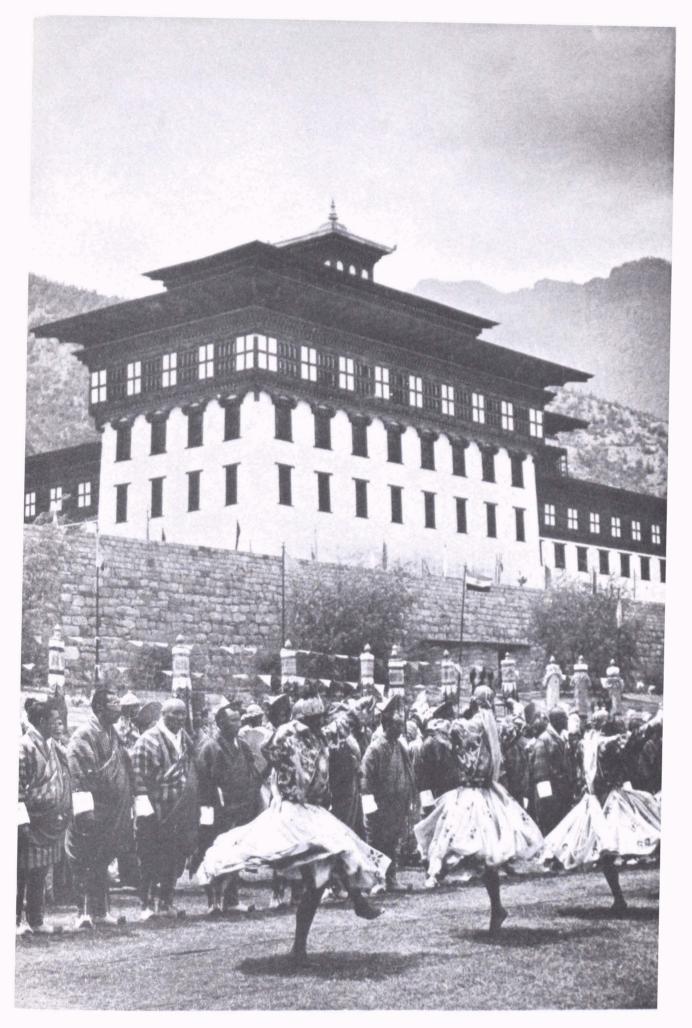
However, as far as the task of external defence is concerned, it is indeed a formidable one. The high mountainous terrain is both a great asset in national defence and a drawback. The inaccessible mountain ranges are traversed by passes at high altitudes and the problem of the defence of the passes can be arduous. Even so, the armed forces are being re-equipped and re-organised and, in this connection, the assistance given by India has been welcome by the Government of Bhutan. There is an Indian training team which is re-organising the armed forces into a modern, efficient fighting machine. The brother of the Druk Gyalpo is the Deputy Commander-in-Chief of the armed force which has its headquarters near Thimphu.

# (E) External Affairs

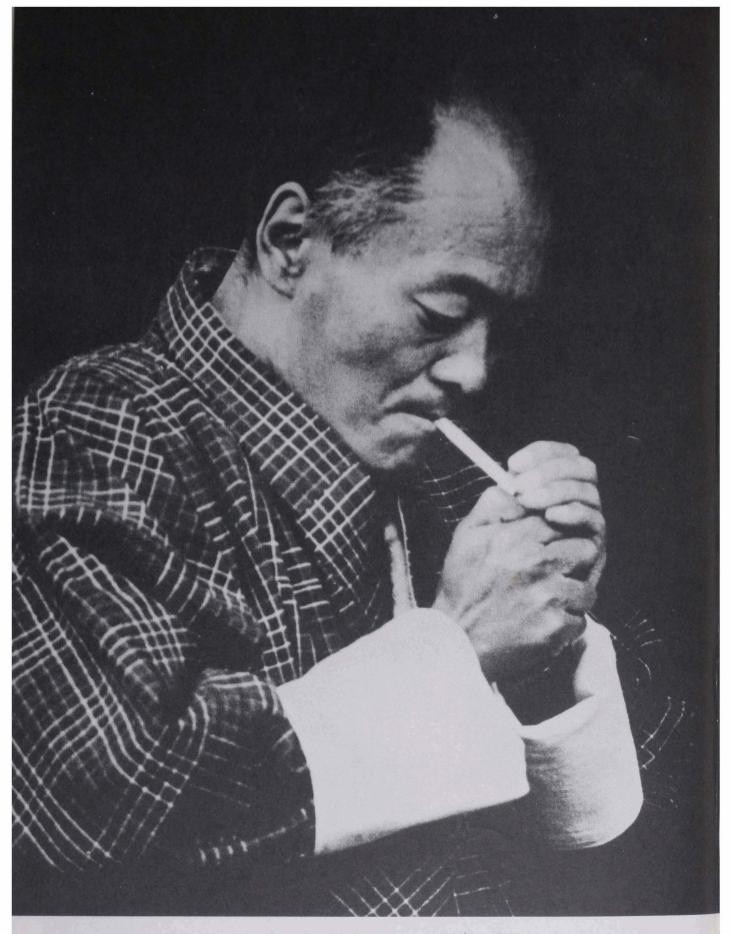
The rise to statehood of Bhutan in external relations is a part of the story of emergence of modern Bhutan described in the chapter that follows. It may suffice to state here while describing the machinery of Government that the political organisation of the State today has the King as the organ fully equipped to discharge the functions of the State.

# Conclusion

All human insitutions are born out of necessity and they take their shape and form according to the genius of the people and the nature of their requirements. The machinery of Government, as it has developed in Bhutan, is certainly symbolic of the distinctive genius of Bhutanese and it certainly meets their requirements in their entirety. It is only when life gets sophisticated that social or political institutions also become complicated and the government machinery which exists to help blossom the life of the State becomes a giant, eating into its own vitals. Bhutan has all the wheels of the State freely moving and hence giving what the people expect and what is much more important now fully geared to conduct the external relations of the State which has very recently acquired membership of the United Nations. The King has emerged as the principal authority capable of committing the State in its external relations and acting as the mouth-piece of Bhutan for the conduct of foreign affairs. Thus Bhutan is now fully equipped in its governmental machinery both internally and externally to play a useful role as a member of the world community of sovereign States.



A function at the Government Secretariat at Thimphu



His Majesty Jigme Dorji Wangchuk (1952–1972)



Her Royal Majesty Ashi Kesang Wangchuk



Ugyen Pelri Palace at Paro-Residence of Her Royal Majesty, the Queen



# VII

## ECONOMIC DEVELOPMENT

As THE economic aspect lies at the root of the welfare of a modern State. no monograph on the advent of a new member to the world community would be complete without a mention at least of its financial and material well-being as well as its potentialities of development. Hidden in the mountain fastnesses of the Himalayas, Bhutan enjoyed a period of isolation for several centuries. It was left to the present King, His Majesty Jigme Dorji Wangchuk, to come to the correct decision that for the progress and economic strength of his country the policy of isolation hitherto pursued had to be abandoned. Accordingly, the Goverment of Bhutan commenced negotiations, and quite naturally, with its immediate neighbour, the Government of India, and their efforts were marked with great success. The Indian Planning Commission gave Bhutan all the assistance that was necessary for drafting of the First Five-Year Development Plan. It was in 1958 that the late Prime Minister Nehru promised all the assistance that Bhutan needed for its economic development and in 1961 a Five-Year Development Plan for Bhutan was drafted by the Planning Commission and was duly approved by the Government of Bhutan for implementation during the period 1961-66. The Government of India agreed to finance wholly this plan which had a total outlay of Rs.175 million. Again, the assistance which the Government of India has given to Bhutan has been quite noteworthy in subsequent years as well. Since 1962 India has given aid to the extent of Rs.300 million for the construction of roads. This is in addition to Rs.200 million being spent on the Second Five-Year Plan. India sponsored Bhutan's membership of the Colombo Plan in 1965 and since then Bhutan has got aid from this organisation also. In order to appreciate the economic aspect which is connected with the material development of Bhutan, it may be worthwhile giving here a broad picture of the Five-Year Plans of Bhutan.

First Five-Year Plan (1961-66)

The outlay for some of the items included in the First Five-Year Plan was as follows:

Items	<b>Provision in millions</b>
	Rs.
Roads	62.00
Education	10.00
Transport	7.50
Health	3.20
Forest	3.20
Agriculture	2.00
Power	1.60
Animal Husbandry	1.50
Industries	1.10
Miscellaneous	9.10

*Roads:* More than 900 kms of roads constructed since planning began have completely changed the pattern of life in Bhutan. The 208km road linking Phuntsholing on the West Bengal border with Paro and Thimphu, crossing altitudes as high as 10,000 ft., has opened up western Bhutan in a most remarkable manner. The road leading to Paro has been extended to Ha, a smaller town further to the west. At the eastern end, Tashigang is linked with Darranga. Roads from the southern foothill towns of Sarbang and Gelephu running north to Chirang and Tongsa, have opened up southern and central Bhutan. Work is proceeding on a 480-km west-east lateral road between Thimphu and Tashigang, and, with its completion, Bhutan gets effectively served by a regular system of road network.

*Road Transport:* With the construction of roads, ancient methods of transport came to an end and vehicular traffic has started on a regular schedule to link some of the important places of Bhutan with the outside world. The Bhutan Government transport service organised within the last three years, now runs passenger and freight services on all the roads. The organisation of a road transport service has made it necessary for starting automobile workshops at Phuntsholing and Thimphu.

Communication Facilities: The age-old system of sending mail through special messengers from one dzong to another has now given way to modern means with the advent of planned development.

There are at the present moment about 36 post offices in Bhutan and

the mail is carried by jeeps, as far as possible. Bhutan has its own Philatelic Bureau, where beautiful stamps are designed. Most of the district headquarters have wireless connections with Thimphu. There is also a telephone and telegraph connection between Paro, Thimphu and Phuntsholing. The former two places have got automatic telephone exchanges.

*Education:* Teaching has traditionally been in the hands of the Lamas, whether it is of arts, crafts or academic studies. Before planning commenced, there were only 36 lower primary schools and 23 upper primary schools in various parts of Bhutan. The total enrolment was about 2,500 children. Now there are over 108 schools, including two public schools, catering to 15,000 students, one teachers' training institute and one technical school. Quite a few hundred Bhutanese students are receiving education in India on scholarships given by the Government of Bhutan as well as the Government of India.

*Health:* The general standard of health in the country is good. The mountain air is indeed healthy as in other parts of the world which have this advantage of natural elevation. In the valleys and the plains there is malaria which is being controlled. In fact, considerable advance has been made today in eradicating malaria. A Public Health Department under a Chief Medical Officer has been set up in Thimphu. The old hospitals have been renovated and qualified doctors appointed. Besides, three new hospitals have been constructed and over 40 new dispensaries have been established. The number of mobile medical units has been increased. A scheme for supply of fresh water and proper hygienic drainage has been initiated.

Agriculture: Bhutan is an agricultural country and its economy is therefore mainly agricultural. This is true despite the fact that the cultivated land forms a small proportion of the total land because of the character of the terrain. Large areas still remain as virgin forests or can be used for grazing cattle. Rice, wheat, barley, corn, millet, potato are the main crops. The source of irrigation is water from the rivers or springs. The development programme has brought with it the establishment of a regular Department of Agriculture which has started a large number of model agricultural farms, seed multiplication farms, agricultural research stations and development of extension work. Since horticultural crops yield considerable income to the Bhutanese, efforts are being made to increase the area under fruit and vegetable cultivation. One of the greatest assets of Bhutan is the availability of almost every conceivable type of agroclimatic region. Animals & Animal Husbandry: There is ample wealth of livestock in Bhutan and both poultry and dairy animals hold an important place in its rural economy. Yaks constitute the domesticated cattle wealth of Bhutan and are found in the extreme north. A Department of Animal Husbandry was set up during the First Plan period. Again, half a dozen livestock farms in different parts of the country, the establishment of a sheep breeding farm, a Mithun breeding centre in eastern Bhutan and availability of veterinary services throughout the country, represent solid achievements made after the inception of planning.

There is abundance of wild life in the Manas area. Almost every type of wild animal—elephant, rhinoceros, tiger, leopard, sambhar and deer—is found there. Again, bears are found in large numbers and the musk deer abound in the snow region. Pheasants, jungle fowl and other feathered game are in plenty. Bhutan has also long been famous for its sturdy and strong, though small, breed of horses and ponies.

Forests: Bhutan has immense forest wealth. At lower altitudes there are forests of Sal. Moreover, Oak trees are found in plenty in the central zone, while the high altitudes abound in conifers, pine, fir, spruce and larch trees. The Forest Department of the Government of Bhutan has initiated a wide range of measures for conserving the forest wealth and exploitation of the forest products. The sale of timber has been well organised. A wild life sanctury has been developed at Manas.

*Minerals:* Extensive deposits of minerals like coal, dolomite, graphite, gypsum and lime-stone have been discovered in Bhutan in substantial quantities. Mica is found everywhere and there are immense potentialities for its exploitation. A unit of the Geological Survey of India has been working in Bhutan for some years to assist the Government of Bhutan in every way to locate mineral deposits.

Industry: There is already in existence a fruit preserving plant which processes oranges and pine-apples. A distillery, which is giving sizeable revenue to the Bhutan Government, is located at Samchi. Orange juice and other fruit products of the government food preservation factory are finding a good market in India. Ginger is also processed in a factory near Samchi.

Handicraft products are diverse, including many textiles, metalware, leather goods and wooden articles. An important craft is the production of handmade paper from the bark of local bushes. Wood-carving is a speciality, along with the ancient art of weaving woollen and cotton fabrics. The making of blankets occupies a large number of people, chiefly women. Possibilities for setting up of a rayon and a paper pulp factory and a match factory are being explored.

*Trade*: Trade routes have existed for many centuries on the north and west between Bhutan and Tibet and on the south between Bhutan and the neighbouring States of Assam and Bengal in India. With the Chinese occupation of Tibet in 1959–60, all trade with Tibet and China has virtually come to an end. Now Bhutan has to export her products consisting of woollen hand-woven material, carpets, fruit, etc. to India, which also supplies all the items required by it.

*Power*: Torrential rivers and streams in Bhutan have hydroelectric potential. In most areas the mountainous surface and high precipitation favours the development of water power. The systems of the Torsa, Raidak, and Sankosh in the west, and the Manas and its large tributaries in the east, offer several promising sites for power development. The engineers of the Indian Central Water Power Commission have helped the Bhutan Government in setting up a Hydel Directorate by loaning the services of technical personnel to Bhutan. The Hydel Directorate has constructed a 400 kw hydel project to serve the capital, Thimphu, as also another hydel project (400 kw) to serve the needs of the western Bhutanese town of Paro.

In 1961 India and Bhutan signed a pact to harness the Jaldhaka river for hydroelectric power. Rising in Sikkim, the Jaldhaka runs for 12 miles along the border of Bhutan and India. A diversion weir has been constructed on the border, partly in Bhutan but mainly in West Bengal, from which water is brought to the power house through a tunnel more than 2 miles long. The plant generates 18,000 kilowatts of power, of which Bhutan receives without charge 250 kw daily, and India pays a royalty of Rs. 8 per kw annually for the rest. In addition to bringing benefit to the northern areas of West Bengal, and including the tea plantations, the Jaldhaka plant is a great boon to southwestern Bhutan, which has no coal and oil supplies and where transport is difficult.

#### Second Five-Year Plan (1966-71)

Again, Bhutan doubled the pace of development in its Second Five-Year Plan (1966-71) in which a sum of over Rs.200 million was spent. This amount also was provided by the Government of India. The Second Plan concentrated mainly on the improvement of agricultural and horticultural output, raising the level of education and creating cadres of qualified technical personnel, improvement in animal husbandry schemes, establishment of a network of communications to provide for economic outlets for surplus produce to the plains of India, restoration of the depleted forest reserves in southern Bhutan, and proper afforestation of forests in northern Bhutan.

Bhutan started some new revenue-raising schemes in the small scale industries in the Second Plan. The breakdown of expenditure on various fields under the Second Plan was approximately of the following order:

Items	Provision in millions Rs.
1. Development Wing Hqrs. &	<b>A</b> Ø.
Office of F.A. & C.A.O.	6.5
2. Agriculture	35.0
3. Animal Husbandry	6.6
4. Cottage Industries	0.8
5. Education	25.0
6. Forest	8.1
7. Health Services	12.8
8. Postal	5.7
9. Publicity	1.7
10. Transport	15.3
11. Mechanical Workshops	5.9
12. Power (Hydel)	7.3
13. B.E.S. (Roads, Water Supply,	
Electrification, etc.)	68.0
14. Industries & exploitation of	
natural resources	0.9
15. Preservation of Ancient	
Monuments	0.4
Total	200.0

Thus, at the close of the Second Five-Year Plan in 1971, Bhutan may be said to have made noteworthy economic strides. Bhutan had spent over Rs.100 million from 1961 to 1966 during the First Plan when an infra-structure of development in vital fields had been created. It was the function of the Second Plan, therefore, to develop further the infra-structure which was achieved by spending Rs.200 million, i.e., double the amount of the First Plan, on the aforesaid items. The highlights of the Second Plan may be said to be self-sufficiency in agriculture and the opening up of the inaccessible regions of Bhutan by construction of roads, water supply and electrification. While Rs.35 million were spent on agriculture, almost Rs.70 million were spent on roads and electrification, making thereby a total of over Rs.100 million which is 50 per cent of the total plan outlay of Rs.200 million. The advance registered, therefore, in the fields of agriculture and road construction during the Second Plan period may be briefly stated as follows:

Agriculture: As said earlier, the Department of Agriculture was established in 1961 for the modernisation of agriculture. The main emphasis has been on increasing food production by regional specialisation of crops, provision of improved seeds, implements and fertilizers, introducing new and improved varieties, popularising fruit and vegetable cultivation and research in new plantations such as apple, snow fruit etc. In the last ten years, a large number of agricultural farms, seed multiplication farms, agricultural research stations in varying agro-climatic conditions of the country have been set up. By 1971, there were 9 regional agricultural research stations and extension farms, 3 agricultural research and extension stations, 4 orchards and 1 sericulture research station in Bhutan. These research stations and extension farms have trained a large number of farmers in modern methods of farming. Besides the conventional crops, Bhutan has taken to horticulture in a big way. For the first time in the history of Bhutan, production of apple of delicious taste and varieties both at the Government and private farms has started. Thus foundations have been laid for accelerated development of agriculture in the future so that the country has excellent prospects of becoming self-sufficient in foodgrains apart from developing cash crops like apple, orange, potatoes and cardamom in a big way.

For the improvement of cattle 6 livestock farms have been established. A cheese-making plant has been set up at Sa-Ganga and a Mithun breeding farm at Thromeng along with small pisciculture units which all came up in the Second Plan period. A special unit of mule and horse breeding was opened at livestock farm at Bidung. Necessary steps were also taken to control the Gid disease of Yaks and common diseases like rinderpest etc.

*Roads:* The 480 km. East West lateral road between Paro and Tashigang through the heart of the country has been opened. This will bring about greater integration between the eastern and the western

regions of Bhutan and will also facilitate the economic development in these regions in future. The Bhutan Government Transport Service was organised in 1964, with a fleet of passenger buses and trucks.

The work on new hydel projects already started to electrify Wangdiphodrang and Tashigang is expected to be completed shortly. The foothill towns of Sarbhang, Bhur, Gaylephieg and Samtrup, Geonkar and Deothan are being linked with the Assam Grid to get supply of power.

#### Third Five-Year Plan (1971-76)

Bhutan is now busy implementing its Third Five-Year Plan which commenced in April, 1971. The Plan was prepared in consultation with the Planning Commission of India, and has an outlay of Rs.350 million. Some of the major features of the new Plan relate to operation of public enterprises on commercial lines, mobilisation of additional resources to finance development plans and to curb inflationary tendencies, and setting up of Standing Committees for electricity, road transport and commerical enterprises, etc. In view of the increased emphasis on agriculture, hope is expressed that Bhutan is poised for self-sufficiency in food grains, pulses and vegetables, etc. and some export under horticultural industries. In respect of power generation, the Plan envisages an East-West Transmission Grid. In the field of industry and mines, a greater stress is laid on projects which can be executed with local raw materials and technical skill. Under transport and communications, revenue-raising schemes have received special attention. Under social services, increased emphasis has been laid on improvement of quality than expansion in quantity.

In this connection the assistance from Colombo Plan may also be mentioned. Australia, as a member of the Colombo Plan, has been giving aid to Bhutan and its contribution has been of the order of US \$150,000.00. This included supply of 14-ton international diesel trucks and spares, as also some Corridale sheep and Jersey cattle. The Australian Government have also offered five scholarships to Bhutanese students in the field of science and technology.

#### Conclusion

The economic development of Bhutan commenced after 1947 when the British rule in India came to an end and during the last two decades it can be described as spectacular. Bhutan has taken full advantage of the prevailing practice of getting financial aid for the development of a country and the close co-operation and full collaboration between Bhutan and her

neighbour India to bring about the economic prosperity of Bhutan has been at once fruitful with lasting results. At the end of the two Plans in 1971 when Bhutan embarked on its Third Plan, a positive conclusion could certainly be drawn on the economic viability of the State in many fields of activity. As far as food production is concerned, which is the first essential requirement, Bhutan can claim itself to be viable. Industrialisation on a large scale need not be the objective of humanity in every part of the world inhabited by mankind. The environmental pollution of an alarming order which follows in the wake of massive industrialisation is conducive neither to human life nor to human happiness. Bhutan is aiming at industrialisation which is necessary for her economic growth and does not wish to proceed to the other extreme as has been noticed in some of the highly developed States of the world. Greater industrialisation of Bhutan will certainly come in the wake of future economic development of the State but it must be kept within limits and in this regard nature herself appears to have ordained that the scenic beauty of the State and its clean and clear environment shall not be corrupted because of the limitations imposed by the geographical factors, the position and the terrain. Whatever industries the country needs for itself have been planned and shall be established in due course. Economically, therefore, there can be so clearly seen the emergence of Bhutan as a modern viable State taking into consideration its size and population.

Bhutan's development today can be attributed directly to the farsighted thoughtfulness of His Majesty the Druk Gyalpo coupled with the unstinted support that His Majesty managed to secure from Bhutan's immediate and age-old neighbour India. In this regard, before closing this chapter, it may be worthwhile reproducing here from His Majesty's Address<sup>1</sup> to the National Assembly of Bhutan at its 35th Session of October, 1971. In his address, His Majesty observed as follows :

"Nearly ten years have passed since we took the path to development and much has been achieved through the efforts of you Members and those of the various Government servants. You have contributed your abilities for the national benefit. But still in comparison with other advanced nations, we have much to achieve. The Members of this Assembly have done appreciable work and have brought forth many points and these have been most beneficial. Your devotion to the national cause without any tinge of self-interest,, your richness of thought and selflessness will maintain the momentum of success for the nation, identified in national peace and prosperity.

<sup>1</sup>See *Kuensel*, the Weekly Official Bulletin of the Royal Government of Bhutan, Vol. VI, No. 12, pp. 2 & 3.

"We have presently one Representative from India and we ourselves have Representatives in India and the United Nations. Other countries have also evinced keen interest to exchange diplomatic missions with us. Since our nation is still in the initial stages of development, we find it difficult to send and accept Representatives yet. For one thing, we do not have the trained personnel to send abroad on such missions, nor do we have the financial capacity since this entails very heavy expenditure. You might by now have become aware of the expense incurred in sending our Representative to New York from the Budget Report submitted by the Finance Minister. So before we can send Representatives abroad, we must make sure of adequate facilities and that we must achieve rapid successes in all fields of development. That is why I have postponed the idea of the exchange of diplomatic missions for a few years yet.

"In this context, some of you might be wondering why if we cannot have Representatives in other countries, do we have a Represantative in India and Indian Represantative here in Bhutan? Bhutan cannot maintain the same ancient policy as there has been vast changes everywhere else in the world and accordingly, we need to bring about certain changes in our own political framework, which will bring about the development, security and peace so vital for the growth of the nation. But since we are economically unequipped to achieve these aspirations, we turned to our age-old neighbour India from whom we may procure necessary labour and various other forms of assistance. It accentuated the need for an Indian Representative in Bhutan; through him, we may secure the necessary help, which you must be aware that we are getting from the Government of India.

"We had had the opportunity of living as close neighbours of the British during the British rule in India for about seven generations. What we benefited by living as neighbours was that we lost a part of our territory to them. You may think that we had not asked for aid from British India, but we did and the response from the British was not encouraging.

"Had they given the assistance that we asked for, Bhutan might have progressed far more than we have progressed today. I began actively serving my father the second King of Bhutan when I was aged 16. Should you so desire, I am prepared to recount how hard we tried for British aid and how reluctant they were to grant that aid.

"Two or three years back, there were some who had got hold of the misconception that we had sold Bhutan to the Indians and even several officers and Members of the National Assembly were entertaining such doubts as I had been coordinating all national activities with the guidance of the Indians. Now that we have become a full member of the United Nations, we have proved our sovereignty and independence and there need no longer be any doubts in this respects."

### PART III

## BHUTAN ENTERS THE WORLD FAMILY OF NATIONS

# VIII

# EMERGENCE OF MODERN BHUTAN 1947-1967

IF THE study of the past history of Bhutan and the growth of its political institutions is any guide, it could be concluded that great strides were required to be made all round and particularly in three directions before a modern State was born. Political unification, social and religious consolidation and economic development were the sine qua non for the emergence of modern Bhutan. It is, indeed, remarkable that Bhutan achieved all that was necessary for the purpose in a record time. The process of history is always marked by stages which, in historical terminology, are often described as landmarks. Modern Bhutan may be said to have commenced its task of unification in 1907, which may be accepted as a distinct landmark in her history. And it was not until the sixties of the current century that Bhutan could be said to have been well on the road to accomplishing her desires. Thus from 1907 to 1967, which is just over half a century of eventful years, there were no less than three landmarks which would divide up our narrative. If 1907 initiated the process of unification and developments, it was 1947 which witnessed the disappearance of the British from the Indian scene, a momentous event which helped accelerate that process considerably. Again, 1961 may be said to have placed Bhutan on the road to proper economic development so very essential to the building up of the modern State which finally came to be realised in 1971 in the shape of Bhutan's admission to the United Nations. The period 1907 to 1947 may be said to be one of consolidation which has already been described before. The period for the emergence of modern Bhutan may, therefore, be cited as 1947 to 1967. We are primarily concerned here with the latter period and an attempt is made below to narrate the developments from the viewpoint of

(1) Internal political unification and external consolidation of relations; (2) Religious unification and emergence of national church; and(3) Economic Development.

#### (1) Political Unification and External Consolidation

On 15th August, 1947 when India won her independence she inherited from the predecessor Government, power, prestige, position, responsibilities and obligations of a wide and multifarious character in which could be included the relationship of New Delhi with Bhutan. Apart from tradition and custom developed by the British in relation to Bhutan which also devolved on free India as the successor power, there were two concrete and tangible legacies in the shape of the Indo-Bhutan treaties of 1865 and 1910 which the British left behind in 1947. They may be regarded as the corner-stone of British-Bhutan relationship since both custom and tradition had been built and developed round them from the date of the conclusion of those treaties till the disappearance of the British Power from the region. One of the knottiest problems known to international law is the question of legal succession of treaties and there is no doubt that in 1947 India inherited literally hundreds of imperial treaties many of which had mainly served the colonial interests of the mother country. There were, however, other kinds of treaties creating legal obligations of a binding nature. India, therefore, very wisely did not apply the general principle of 'tabula rasa' (clean State theory) in all cases because that would have meant unilateral repudiation of several legal obligations. However, Prime Minister Pandit Jawaharlal Nehru took no time to make a categorical declaration that while India was destined to play a positive role in the region, she could never think of doing so in colonial or neocolonial tradition which the British had left after 1947.<sup>1</sup> In accordance with the correct legal practice, the Government of India assured "all countries with which the British Government of undivided India had treaties and agreements that the new Government of India would abide by the obligations arising from them<sup>2</sup>". While making this declaration, India made it clear in no unequivocal terms that she was prepared "to relinquish her extra-territorial rights and other relics of British Imperialism".<sup>3</sup> In

<sup>1</sup>Jawaharlal Nehru, India's Foreign Policy, Selected Speeches, September 1948 to April 1961; Publications Division, Ministry of Information and Broadcasting, Government of India, pp. 42 & 43.

<sup>2</sup>Letters and Memorandum exchanged between the Governments of India and China, September-November, 1959—White Paper No. 2, Ministry of External Affairs, 1959, p. 39.

<sup>3</sup>Prime Minister on Sino-Indian Relations, Vol. I, In Parliament; External Publicity Division, Ministry of External Affairs, Government of India, p. 7.

accordance with these declarations, India proceeded to re-negotiate some of her treaties including the two treaties with Bhutan signed by the British in 1865 and 1910 which are relevant for our purpose.

It is well known that His Majesty's Government in their declaration of June 1946 on winding up of British Power in India had announced several procedures and steps to be taken among which was the setting up of a Negotiating Committee of Indian States to resolve the problems arising out of the British withdrawal from India. In January 1947 the Constituent Assembly framed a resolution empowering the States Negotiating Committee to examine and report the special problems of Bhutan, In the circumstances, Bhutan sent delegations to New Delhi in 1947 as well as in subsequent years for consultations on its future set up. It appears the Government of India rightly decided that a new relationship should develop between India and Bhutan, based on friendship and good neighbourliness. In 1949, a new treaty was, therefore, concluded by India with Bhutan "to regulate...the State affairs caused by the termination of the British Government's authority in India and to promote and foster the relations of friendship and neighbourliness so necessary for the well-being of their peoples".4

#### Status of Bhutan

It may be stated that in 1949 Bhutan had taken another step towards its emergence as a modern state. In that year a new chapter may be said to have commenced in Bhutan's relations with free India, its neighbour whose foreign policy was committed to promote the decolonization of countries in the continents of Asia and Africa and who wholeheartedly assisted Bhutan to rise to her full stature in the years that followed. In order to assess the advance registered with independent India, it appears necessary to attempt a comparative study of the legal status of Bhutan both before and after 1947.

#### Before 1947

It is well known that Bhutan never acknowledged the suzerainty of China. Sir Charles Bell has throughout maintained that before the conclusion of the treaty with the British in 1910, Bhutan was "in fact a completely independent State neither under China nor under Britain."<sup>5</sup> Coelho has, therefore, very rightly remarked that "throughout the centuries Bhutan jealously guarded the sovereignty of her kingdom and repeatedly denied

4Foreign Policy of India, Text of Documents (1947-1959), 2nd ed., Lok Sabha Secretariat, New Delhi, 1959, p. 17.

<sup>5</sup>Bell, Sir Charles, Tibet-Past and Present, 1924, p. 100,

and spurned any suggestion which might be construed to mean that she was subordinate to either Tibet or China."6 It is quite obvious that if the Chinese had enjoyed any kind of suzerainty over Bhutan either directly or through Tibet, and possessed even the semblance of a right or title to interfere in Bhutan, they would have protested against British annexation of the Assam duars in 1841 and later against the signature of the treaty of Sinchula in 1865 by virtue of which a large slice of Bhutanese territory. namely the 18 duars, got ceded in perpetuity to the British Government in India. Moreover, it is well known that throughout the 18th and the 19th centuries, Bhutan made war and peace with other States with no reference either to China or to Tibet. Again, in 1874, the Deb Raja declared that the mere annual exchange of presents between Bhutan and China did not in any way make Bhutan a tributary of China. In that year, presents of the value of Rs. 7,000 were sent by Bhutan to the Chinese Amban at Lhasa who, in turn, sent back presents of the value of Rs. 10,000 to Bhutan. Exchange of presents is indeed a mark of equality between parties. The independence of Bhutan could also be gathered from a number of historical events which took place in the 19th century and even after. For example, in 1885, Bhutan ignored the demand coming from the Chinese Amban at Lhasa for the restoration of a chieftain who had been expelled by one of the Penlops. Moreover, in 1888, during the Sikkim controversy Bhutan declined to accept the request of Tibet for assistance. The legal status of Bhutan as a separate sovereign State lending its good offices for purposes of mediation became quite clear in 1904 during the Young Husband expedition to Lhasa when Bhutan offered its help to bring about a solution to the dispute between the British Government and Tibet. Furthermore, even in May 1911, a Chinese official who had visited Paro was not given an interview by the Paro Penlop. The aforesaid events give us a clear glimpse of the correct legal status of Bhutan before 1947. It was an independent, autonomous State functioning under the treaty obligations arising out of the protocol signed by the British with Bhutan in 1910.

The period from 1910 to 1947 under the British paramountcy rendered the legal status of Bhutan somewhat incapable of a precise definition. Sir Benegal Rau had attempted a description of the legal status of Bhutan in 1947 and had observed that the State was "wholly autonomous" and that it could not be equated to an Indian State. He went on to observe that "further definition could not be attempted and the precise status of the territory may be said to be left undetermined".<sup>7</sup> This was so because in spite of the independent existence and autonomous political entity of Bhutan, the British had somehow regarded Bhutan as one of the Princely States of India and after 1924 tried to build it up as a Protectorate outside India. This led to considerable confusion in Bhutan's status during 1910 to 1947.

The historical background in which Bhutan got identified at first with the Indian States under the British Paramountcy is important because a radical change took place in 1935 when Bhutan was not included within the purview of the Government of India Act, 1935. However, after 1947, the foreign paramountcy ended and the assimilation of Bhutan into the category of Indian Princely States was very correctly terminated by free India. It is, indeed pertinent to quote the views of the Constitutional Adviser of the newly-born Government of India in 1947 : "Bhutan could not be an Indian State 'strictly so-called' and could not be taken even to be a State in India. Its precise legal status was, therefore, of a foreign State governed by treaty relations. It was foreign because it was in law not an Indian State nor was it a British territory. It was governed by the limitations imposed by the agreement which Bhutan had signed in 1910 with the British in India."8 This was perhaps the correct constitutional position immediately after 1947 with the vacation of the British Power in this region. However, immediately after the Treaty of Punakha in 1910, the British had every intention to assimilate Bhutan to the status of an Indian State. This would appear not only from the title of 'Maharaja' and 'His Highness' which were given to Ugyen Wangchuk, the Tongsa Penlop, who, in 1907, was crowned as the first Hereditary Ruler of Bhutan, but also from the inclusion of Bhutan in the Memorandum on Indian States.9 Again, Bhutan was given a salute of 15 guns, which is so typical and symbolical of the British attitude towards the Princely States of India. The grant of the title of K.C.I.E. in 1905 to Ugyen Wangchuk, the Tongsa Penlop, is yet another factor indicating that the British tended to equate Bhutan to the status of an Indian Princely State. However, when the Government of India Act, 1935, was on the anvil, it appears that though Sikkim was definitely included within the purview of that Act and given a seat in the Upper

<sup>7</sup>Rau, Sir Benegal, India's Constitution in the Making, 1960, p. 368. <sup>8</sup>Ibid.

<sup>9</sup>All the editions of *Memorandum on Indian States* published by the Political Department of the Government of India include Bhutan in the list of Indian States. Even the 1940 edition treats Bhutan like any other Indian Princely State.

House (Council of States) of the Federal Legislature of India, the name of Bhutan does not appear anywhere.<sup>10</sup> It is quite possible that the Political Department of the then Government of India had decided that Bhutan should be brought out of the Indian territory and made a British Protectorate. Thus, from 1935 onwards, Bhutan was allowed to move out of the category of the Princely States of India and this process continued till about 1942 when all things got paralysed owing to World War II. It was in this state that free India was required to deal with the legal status of Bhutan in 1947.

It is to the credit of India to have come to the quick conclusion that the entries made in the Memorandum on Indian States of 1940 were incorrect in law after 1947 as far as Bhutan was concerned. The Constitutional Adviser to the Government of India accordingly recommended that steps should be taken to delete Bhutan from that list. Sir Benegal Rau, Constitutional Adviser to the Constituent Assembly of India and later a Judge of the International Court of Justice had come to the conclusion that the main characteristic of an Indian State from the view-point of international law was that it had no separate external relations of any kind whatsoever. Bhutan on the contrary had external relations but they were then controlled by the agreement signed with the British in 1910.<sup>11</sup> In that treaty the Government of Bhutan had on its own bound itself to be guided by the advice of the British Government in its external relations. Thus a distinction could be drawn between an Indian State and Bhutan insofar as an Indian State was a part of the territory of India and treaties concluded by the Government of India ipso facto applied to the whole of India including such Indian States that had acceded to the Dominion of India after 1947. The same could not be said of Bhutan since the legislative writ of India did not ipso facto extend to Bhutan.

#### After 1947

It is clear, therefore, that in 1947, with the disappearance of the British from the region, Bhutan had emerged as a separate, independent sovereign State with whom treaty relations on an equal footing could be concluded. This would appear to be the irresistible logical conclusion because the Constituent, Assembly of India, which was summoned in 1947 so that His Majesty's Government could transfer power to that body, did not have

<sup>10</sup>See the Schedule to the *Government of India Act*, 1935 which gives the allocation of seats in the Council of States to the federating units of India. <sup>11</sup>Rau, Sir Benegal, op. cit. a representative of Bhutan. Again, the subsequent Parliaments which were summoned under the Indian Constitution had no legislative competence which could extend to the territories of Bhutan. It can be stated, therefore, that it is to the everlasting credit of free India that by excluding Bhutan from its executive and legislative jurisdiction, it definitely pronounced that Bhutan was no part of the territory of India and was, therefore, a totally autonomous independent political unit whose external relations could be governed only by the consent of Bhutan as expressed in a treaty. The legal status of Bhutan after 1947 may be said to be determined, therefore, by the Indo-Bhutan Treaty of 1949 which commenced a new chapter in the history of Bhutan's international relations.

#### The Indo-Bhutan Treaty, 1949

The Indo-Bhutan Treaty of 1949 was the result of negotiations in which Bhutan found that it was to her advantage to get the aid of free India in guiding her external relations once it was clearly and unequivocally established that Bhutan was no part of India contrary to how the British had treated it and that being a foreign independent State after 1947 it had all the powers to regulate its external relations which it decided to do with the advice of India. The text of the 1949 Treaty which Bhutan signed with India is reproduced as Appendix XIII. The main points needing emphasis may be briefly stated as follows:

(a) As the Bhutanese Delegation had pointed out that they did not like the use of the title 'Maharaja' which was uniformly borne by the Rulers of Indian States, the 1949 treaty takes good care to recognise the title of 'Druk Gyalpo'. Again, whereas the instruments of accession and the merger agreements signed by the Government of India with the Indian Rulers were all solemnised by the signature of the Ruler himself and not by his representative, the treaty of 1949 between India and Bhutan does not bear the signature of the Druk Gyalpo himself, but of his representatives who had Full Powers to sign on behalf of the Government of His Highness the Druk Gyalpo of Bhutan.

(b) Again, it is significant that like any other treaty negotiated with a full sovereign power, instruments of ratification were exchanged at the highest level, namely Rajagopalachari, Governor-General of India who ratified the treaty on behalf of India on the one side and Jigme Wangchuk, Druk Gyalpo as the Head of the State of Bhutan on the other side. In contrast with the ratification procedure followed in the case of Bhutan it is again significant that the instruments of accession and the merger agreements with the Indian States were not ratified although signed by V.P. Menon, Secretary to the Government of India on behalf of the Governor-General of India, which indicates that they did not have sovereign status. Bhutan was distinctly in a class of its own and could not be compared to the Indian States several of which had no treaty relations but held mere grants or sanads like Mysore. In short, therefore, it may be concluded that the Indo-Bhutan treaty of 1949 recognised the full sovereign status of Bhutan with full capacity, as a legally established international person, to enter into a treaty. Again, the treaty was freely negotiated and Bhutan on its own volition agreed to an arrangement governing its external relations which may be mentioned as the next point of constitutional importance.

(c) The Indo-Bhutan Treaty like any other treaty signed by sovereign States brings out a solemn undertaking by the Government of India, vide Article 2 of the Treaty, not to interfere in the internal affairs of Bhutan. The text of Article 2 of the Treaty is reproduced below for ready reference:

"Article 2. The Government of India undertakes to exercise no interference in the internal administration of Bhutan. On its part, the Government of Bhutan agrees to be guided by the advice of the Government of India in its external relations."

It would, therefore, appear that as far as the first sentence of Article 2 is concerned, there is nothing repugnant to the sovereignty of Bhutan. Again, in regard to the second sentence of Article 2 which relates to Bhutan's external relations, it is submitted that a sovereign State is entitled to be guided by the advice of another State and that could not on any account be regarded as repugnant to one's sovereignty. In fact, it is in the exercise of its sovereign right that Bhutan has agreed to be guided by the advice of the Government of India. It is well known that every treaty that a sovereign State signs, acts as a curtailment or an infringement of its sovereignty in so far as it voluntarily agrees to place fetters on the regulation of its conduct which prior to the treaty may be said to be totally in its sovereign discretion. It is well known that the treaties of the type of NATO, CENTO or MEDO which are military alliances, do, to a large extent, undermine the sovereignty of the State by prescribing a strict code of conduct in its external relations in certain eventualities. However, the fact that they have been entered into does not in any way deprive the parties of their sovereign status. This must be the conclusion because there are several spheres still untouched wherein sovereignty continues to be exercised. This is so despite the fact that some of the military alliances

do very seriously limit control over external relations. Thus sovereign Bhutan, as she emerged after 1947 with the disappearance of the British Power in India, had a sovereign right to enter into the treaty of 1949 and if it so chose to be guided by the advice of the Government of India this could not by itself be held to be indicative of lack of sovereign status. On the other hand, it confirms that Bhutan had sovereign status when it signed the Treaty and like any sovereign State of the world it maintains its sovereign status subject always to the treaties which it may have signed. It is, therefore, of constitutional importance both in internal and international law that the Minister for External Affairs of the Government of India stated on the floor of the Indian Parliament that "Bhutan is a sovereign independent State in special Treaty relations with India".12 It may be repeated that the legal status of Bhutan as a subject of international law is fully brought out by Article 2 of the Treaty reproduced earlier. While the first sentence relating to 'non-interference in internal relations' of Bhutan by India respects the important principle of Panch-Sheel which was later propounded by Pandit Jawaharlal Nehru in India's foreign relations with other sovereign States of the world, the second sentence of Article 2 is an exercise of the free will of the sovereign State of Bhutan in voluntarily agreeing to be guided by the advice of India in regard to her external relations. It may be mentioned here that China, the other great neighbour of Bhutan, after 1949, recognised that position and no less an authority than the Prime Minister Chou En-Lai himself affirmed that China was willing to live together in friendship with Bhutan without committing agression and that it "always respected the proper relations between Bhutan and India".<sup>13</sup> It is also significant that some 9 years after the conclusion of the Treaty, Prime Minister Nehru assured the people of Bhutan in 1958 that though "India is a great and powerful country and Bhutan a small one, India sincerely wished that Bhutan should remain an independent country". That Bhutan felt independent several years after the treaty of 1949 is proved by the fact that in a significant gesture Bhutan turned down the Chinese offer of assistance for economic development in 1961 and accepted India's aid to develop her economy.14 Again,

<sup>12</sup>See the Paper read by Shri Surrendra Pal Singh, Indian Deputy Minister for External Affairs on "Some Aspects of our Foreign Policy" in the Standing Committee of the Congress Party in Parliament on External Affairs on 29th, 30th and 31st August, 1970. See also International Law Reporter, Vol. I, No. 6, September 1970, p. 66. In addition, Keating's Contemporary Archives may be consulted, Vol. 15, 1965-66, 20926-B.

<sup>13</sup>See White Paper No. 2, p. 30. Also see Lok Sabha Debates, 1960 (66); Col. 2711 <sup>14</sup>Coelho, V.H., Sikkim and Bhutan, p. 78,

in the vital matter of defence, Bhutan exercised its choice once again in favour of India by asking India to assume responsibility for the protection of her frontiers. The Druk Gyalpo of Bhutan "openly stated in Calcutta in November 1961 that Bhutan had received Chinese offer for defence which had been totally rejected by them".<sup>15</sup> Prime Minister Nehru, therefore, speaking on the floor of the Lok Sabha (Indian Parliament) declared that India had agreed to assume full responsibility in regard to defence of Bhutan. Nehru proceeded to state that an act of aggression on Bhutan would amount to a direct aggression on India. This statement had a popular backing in Bhutan. The aforesaid account of events after the conclusion of the Indo-Bhutan Treaty in 1949 remains a proof positive of the fact that Bhutan has not only affirmed but augmented its legal status by exercise of its sovereign right to conclude treaties with other sovereign States.

(d) Another Article of considerable significance from the view-point of international law is the one relating to settlement of disputes concerning the interpretation of the treaty by recourse to arbitration. The provisions of Article 9 of the 1949 Treaty are reproduced below:

"Any differences and disputes arising in the application or interpretation of this Treaty shall in first instance be settled by negotiation. If within three months of the start of negotiations no settlement is arrived at, then the matter shall be referred to the Arbitration of three arbitrators, who shall be nationals of either India or Bhutan, chosen in the following manner:

- (1) One person nominated by the Government of India;
- (2) One person nominated by the Government of Bhutan;
- (3) A Judge of the Federal Court, or of a High Court in India, to be chosen by the Government of Bhutan, who shall be Chairman.

The judgement of this Tribunal shall be final and executed without delay by either party."

This article further confirms the question relating to legal status of Bhutan insofar as it equates both the High Contracting Parties on an equal footing. If all differences and disputes concerning the interpretation of the Treaty have to be settled by negotiation in the first instance and if they fail by reference to arbitration, it clearly amounts to legal recognition of the fact that both the parties in this regard respect the doctrine of sovereign equality of states. Apart from the usual practice of having on the arbitration tribunal one representative of each of the parties concerned, there is somewhat of a unique proposal in regard to the appointment of its chairman. If the Chairman has to be a judge of the federal court or of a high court in India, it is important that the nomination of the chairman has to be by the Government of Bhutan. In other words, the equities are maintained because the right of nominating the chairman of the arbitration tribunal of which two members are from the respective parties is of vital importance even though the choice may be restricted to the courts in India. It is submitted, therefore, that article 9 further confirms the basis of equality and helps to maintain the aforesaid determination of the legal position of Bhutan.

(e) Again, Article 3 proceeds to enhance the compensation granted to the Government of Bhutan under a previous treaty. It consolidates the entire compensation at Rs. 5 lakhs to be paid annually to Bhutan. The payment of compensation which exists on the basis of a consideration is another indication of the status of Bhutan in its bilateral relationship with India.

(f) Similarly, Article 4 may be said to further establish the principle of equality in the bilateral relationship between India and Bhutan since India agrees to return to the Government of Bhutan about 32 square miles of territory in Dewangiri region to set right the inequality of the British rule left as a legacy to the Government of India. The Government of Bhutan had claimed that the British had wrongfully annexed the territory of Bhutan as a reprisal for the transborder raids which according to them had been carried out by both sides and that both Bhutan and the British were equally guilty. However, the British had forced the annexation of Bhutan had maintained that the reprisals carried out by the British were "far in excess of the limits prescribed by law and the practice of civilized countries". The Government of India did right in ceding back to Bhutan about 32 square miles of territory.

(g) In accordance with Article 5, free trade and commerce between the territories of India and Bhutan was established. Moreover, free access was given to the Government of Bhutan along with other facilities for the carriage by land and water of its produce through the territory of India.

On the whole, therefore, the Indo-Bhutan Treaty of 1949 can be rightly described as ushering in a new era in the legal status of Bhutan leading ultimately to the emergence of Bhutan as a modern State fully equipped to become a member of the United Nations.

#### The Investiture of the King in 1952

If the Indo-Bhutan Treaty of 1949 consolidated the position of Bhutan both internally and externally, it may be said that the next important event of constitutional importance was the investiture of the King in 1952. As has been already stated, hereditary monarchy came to be established in 1907 on the basis of an elective principle and this nascent growth which replaced the age-old institution of Deb Raja had to face crucial stages which every monarchy faces, namely at the time of succession, before it consolidates itself. Ugyen Wangchuk the great Gyalpo who was installed as the 'first ruler' of Bhutan in 1907 died in 1926. He was a man of strong character who had unified Bhutan and guided Bhutan's destiny with his exceptional wisdom and ability for two decades. He left behind a 24-year old son Jigme Wangchuk who succeeded him. Thus 1926 may be regarded as another strengthening point in the establishment of the hereditary monarchy which was the central pivot round which the unification of the country had come to rest. Maharaja Jigme Wangchuk, the second hereditary head of Bhutan, was also a progressive ruler who negotiated the aforesaid Indo-Bhutan Treaty signed in Darjeeling on 8th August 1949. He carried further the process of consolidation and unification initiated by his father. It was, therefore, unfortunate that he died, still young, in March 1952 and was succeeded by his son Jigme Dorji Wangchuk, the present King. The continuance of the dynastic reign further strengthened the unifying institution of kingship in Bhutan. It was the great good fortune of Bhutan to have in Jigme Dorji a modern king equipped in every way to be the benevolent Ruler of a modern State. It was left to the young King who succeeded to the destinies of Bhutan in 1952, to further promote the interests of Bhutan both internally and externally and to achieve the objective of the admission of Bhutan into the world community of sovereign States. Many are the reforms that stand to the credit of the present King Jigme Dorji Wangchuk and a brief mention of these here would not be out of place because they have gone a long way in achieving the unification and consolidation of the State both at home and abroad.

#### The Present King

No description of the emergence of modern Bhutan would be complete without a mention of the personality of the present King. The Druk Gyalpo Jigme Dorji Wangchuk is Bhutanese to the core in his culture, education and upbringing though he has received higher education in India as well as in England and has broadened his outlook by contact with the rest of the world. He knows and speaks Hindi, English and Nepalese and a little of French as well. He is a voracious reader and maintains a very rich library. He is in this regard a veritable symbol of the national unity with his distinctive culture, customs and system of Government. It is indeed noteworthy that, in 1963, he succeeded in changing his title as ruler of Bhutan from 'His Highness' to 'His Majesty the Druk Gyalpo.' Thus the principle which was enunciated in 1949 in specifically mentioning the Bhutanese title of Druk Gyalpo in the Treaty was carried to its logical conclusion in 1963 when the words "His Highness the Maharaja" were replaced by the words "His Majesty the Druk Gyalpo". Being Bhutanese all in and all out, the present King of Bhutan quite rightly emphasised his Bhutanese designation as the Head of the State and India welcomed and recognised it.

The present King has a number of achievements to his credit in various fields. As far as the external relations are concerned, he has the monumental achievement of putting to an end Bhutan's age-old policy of isolation and opening up the country to modern concepts and institutions. However, as stated already, the Druk Gyalpo is keenly aware of the necessity of preserving the past in the country's cultural heritage. In fact, under his generous patronage, there has been a renaissance of the country's art and culture. Numerous schools have been set up for painting, singing, dancing and sculpture. A school for languages has also been set up in the capital for the study of Bhutanese language. Again, the King has taken care to see that regular books are published in the language of the soil. In addition, a national museum has been opened at Paro. This is a veritable flowering of the country's genius and the King gets exclusive credit for achieving it.

The keen eye of the Druk Gyalpo has not overlooked the more important constitutional, political and economic fields which are vital to the country's well-being. He has introduced a number of social reforms such as abolition of serfdom, the placing of ceilings for large land holdings and improving the position of women in society.

Again, nobody is perhaps so keenly aware of the rule of law, than the King himself who firmly believes that lex has always to be crowned as rex for the emergence of any modern state if it is to be a member of the international community. It is to the standing credit of the King that he has separated the judiciary from the executive and has established a high court at Thimphu. Being essentially modern in his outlook and actuated

also by the great religion which the Buddha taught, he has abolished capital punishment in the state.

There are numerous administrative and political reforms associated with the name of King Jigme Dorji Wangchuk. For example, as has already been stated, the King has established a National Assembly called Tshogdu which enjoys complete freedom of speech. Not satisfied with the mere establishment of the Assembly, the King has gone a step further in voluntarily granting greater powers to the Assembly from year to year with the result that it has now become almost a sovereign body with full powers to formulate policy, legislate on any subject, appoint and remove Ministers and officials, thereby becoming a veritable symbol of national unity. The Druk Gyalpo is democratic to the core and he has certainly not forgotten the elective principle which installed the monarchy in 1907. Thus he has permitted the National Assembly to have the extreme constitutional power of deciding the fate of the monarchy itself. He has set an unparalleled example in the constitutional history of the monarchies of the world by subjecting the monarchy in Bhutan to a vote of confidence by Assembly every three years. This is the method he has devised by which no monarch can assume arbitrary or despotic powers and no head of state can afford to become unpopular. The monarchy in Bhutan is thus subjected to a popular vote which will ever help to retain its efficiency. The present King has held his office subject to the principle of the survival of the fittest in the struggle for existence that goes on in the political world of nations both internally and externally. This aspect of an important unique development needs to be further elaborated to appreciate, in the words of the Official Bulletin of the Government of Bhutan, the exact nature and circumstances of events leading to the aforesaid constitutional innovation.

The first Speaker of the Tshogdu was elected in 1966. In 1968 the modern-minded King renounced his own right of veto, which in practice he had never used. In 1969, the Tshogdu, again on the motion of the King, was granted full sovereignty even to dismiss a king should he ever act against the welfare of his people. In the *Kuensel*, the Official Bulletin of the Royal Government of Bhutan, dated 15th June 1969, referring to the National Assembly held from May 9 to May 31, 1969, this important step towards a constitutional Monarchy was mentioned in the following words:

"Although Bhutan has so far achieved stability and prosperity under

a system of hereditary monarchy vested with absolute powers, the present ruler felt that in keeping with the changed circumstances prevailing in the world at present, a system of constitutional monarchy would be the most desirable form of Government for the country. It was suggested to the Tshogdu by the present ruler that we should develop a system of Government in which the King would continue to rule only as long as he enjoyed popular support. His Majesty the King, therefore proposed that if the people did not want a particular ruler, he could be removed by a two-thirds majority vote of the Tshogdu members. The throne would then be occupied by the next in order of succession of the Wangchuck dynasty. After a prolonged debate, the proposal was carried by an overwhelming majority.

"The present ruler also proposed that the Tshogdu should vote on the issue of a King's continuance as a matter of routine after a fixed period of time. After debate it was decided by the Tshogdu that the routine vote on whether the ruling King should continue or not should be taken by secret ballot every three years. This routine voting on whether the King enjoys the confidence of the people or not is in addition to the right of the Tshogdu to move a motion of no confidence against a ruler at any Assembly session. The Tshogdu also decided to initiate this procedure of routine voting by taking a vote of confidence on the present ruler. Vote was taken by secret ballot and it was found that 135 members were in favour of the present King's continuance, two were against and one abstained from voting."

In May 1971, the Tshogdu confirmed a second time the vote of full confidence for the King.

On the executive side, the King has devised the institution of the Royal Advisory Council which came to be established in 1965. It not only gives keen advice but also guides Ministers on all matters of national importance. Again, in 1968, the King also set up a Council of Ministers to help him in discharging administrative and executive function of the state. In the same year, he took direct charge of the army and is the Supreme Commander of the Armed Forces of Bhutan.

In the conduct of external relations of Bhutan, the King has appeared as the chief architect of Indo-Bhutan friendship. In this regard, he has made a personal contribution to the strengthening of relations between the two countries. In view of the growing political, economic and cultural relations between the two countries, the Governments of India and Bhutan decided, by mutual agreement, to appoint a Special Officer of India in Bhutan in 1968. His function was mainly to co-ordinate, expedite and facilitate the implementation of various Indian-aided projects in Bhutan as also act as the Liaison Officer of the Government of India with the Government of Bhutan on all other matters of mutual interest. This was

an important event in the history of Bhutan because for the first time they had permitted a Resident Representative of another country on their soil. This represented the first major step towards the departure of Bhutan from its isolationism. Again in 1970, President Giri of India was specially invited by the King on a State visit to Bhutan. He reached Thimphu by helicopter which landed on the new helifield of the Bhutanese capital.<sup>16</sup> It was during this State visit that India's wish to sponsor Bhutan as a new member of the family of the United Nations was given a concrete shape. This was followed by the visit of His Majesty the King of Bhutan to India in April, 1971 when it was decided to raise the representation of both countries in each other's capital to full diplomatic level. In May, 1971 a Bhutanese Ambassador was appointed to New Delhi, and in July, 1971 an Indian Ambassador was welcomed in Thimphu. Lyonpo Pema Wangchuk presented his credentials as Bhutan's first Representative in India to the President of India on 17th May, 1971. Similarly, Shri B.S. Das presented his credentials as India's Representative to Bhutan to His Majesty the Druk Gyalpo on 15th July the same year. On this occasion the King said (Kuensel, July 21, 1971): "Today marks the culmination of a long historical process. Centuries of friendship and close association has found fulfilment in the exchange of full-fledged ambassadors between our two countries. Slightly over a decade ago, we gave up our traditional policy of national isolation, and embarked on a process of modernisation with the active assistance and guidance of your Government. Since then much progress has been achieved in the sphere of international development. Externally, we are about to enter the international scene, and I think it is only in the fitness of things that our first major step in this direction should be the establishment of diplomatic relations with your country. India occupies a very special place in the hearts of my poeple. In the past we looked to India for inspiration in spiritual and cultural fields. Today we look to India for guidance and assistance in transforming our country into a modern State."

In the economic field, it is to the credit of the King that he has, by securing assistance of India, brought about a so-called silent revolution in Bhutan. His foreign policy has, therefore, brought in economic aid so vital to the emergence of the modern state of Bhutan.

On the whole, therefore, the investiture of King Jigme Dorji Wangchuk in October 1952 may be said to be a landmark in the constitutional

<sup>16</sup>The author had the unique privilege of accompanying the President of India on this State visit which was marked by great cordiality on both sides.

development of Bhutan as well as the unification and consolidation of the State.

#### (2) National Church

In an ancient land where religion had played not only a vital but dominating role in the life of the people, the true measure of which could be had from the development of the institution of Dharma Raja who was the Head of the State in spiritual matters, co-equal in status to Deb Raja, there could be grave dangers to the development of Bhutan as a modern political State on the right lines. The first danger was that the State in Bhutan could easily degenerate into a theocracy or a papal State or even get paralyzed in the dualism of authority working under a crippling diarchy. Another danger, equally serious, emanated from the Tibetan influence and the superiority of the Dalai Lama in the region. This could have easily led to subordination of the Dharma Raja in all affairs religious to an extranational authority which would have undermined the religious independence and, in due course, the political entity of Bhutan. Thus if Bhutan was to ever emerge as a modern State, it had to work its way towards religious unification and the creation of a national church. This vital process in the religious-cum-constitutional history of Bhutan commenced in 1907 when Ugyen Wangchuk became the hereditary monarch of Bhutan and was given a clear precedence over the Dharma Raja. This aspect has been discussed before and it need only be emphasised here that the initiative given by the first hereditary monarch Ugyen Wangchuk not only in reducing the authority of the rival Penlops but also in eradicating the exaggerated influence of the Dharma Raja, was carried further by his successors in spite of considerable difficulties. It is well known that Ugyen Wangchuk was able to assert his authority over the Dharma Raja because in 1904 the incumbent of that office had died and for nearly three years the reincarnation had not appeared with the result that the Deb Raja could assume leadership of both the religious and secular administration of the country. This had given an opportunity of centuries to Ugyen Wangchuk who had taken it greatly to his advantage. However, in 1926, when the first great monarch passed away, the succession of the second hereditary Maharaja of Bhutan gave an opportunity to the Dharma Raja to assert himself. Taking advantage of the new reign, the Shabdrung Rimpoche tried to recapture the temporal powers which he had lost to the Deb Raja centuries ago. At the time of the installation ceremony, therefore, he emphasised his importance by taking a scarf

from the tomb of the first Shabdrung Rimpoche and further proclaimed that he was performing religious ceremonies which were specially devised to bring divine wrath on the new Maharaja. This was not all. The Dharma Raja was prepared to seek external assistance to curb the powers of the hereditary monarch of Bhutan. It was reported, therefore, that in 1931. the Shabdrung's brother had approached Mahatma Gandhi at Borsad. Apart from India, even the Tibetan authority was approached since the followers of the Dharma Raja of Bhutan had gone to Tibet to enlist support. However, Maharaja Digme Wangchuk was as great as his father in not allowing the unified central authority to suffer as that would have registered a setback to Bhutan. He quickly discovered that Shabdrung Rimpoche had broken his vow of celebacy and he, therefore, ordered his confinement in the monastery at Talo. It appears that this confinement broke the heart of Shabdrung Rimpoche and he committed suicide on 12th November, 1931. This led to serious repercussions though not from the British because they perhaps visualised that this closed a chapter of Bhutanese history which was fraught with potential danger to the existing Ruler and to the future of the country. However, Tibet could not sit quiet when the news of the suicide reached the Dalai Lama. It appears that the Bhutanese representative to Lhasa was summoned before the Kashag to explain the death of Shabdrung Rimpoche. In addition, a letter had also been received by the Maharaja of Bhutan asking him to explain the full details of the incident. At that awkward moment the intervention of the Political Officer in Sikkim came as a God-send. The Tibetan authorities were explained in clear unequivocal terms that any interference in the affairs of Bhutan would immediately bring about the intervention of the British on behalf of the Maharaja of Bhutan. It is on record that the Dalai Lama finding no alternative, climbed down to assure the Government of India that the episode could be treated as closed. One would have thought that this ended the great institution of Dharma Raja and once for all established the unified headship of the State of Bhutan and put an end to the diarchy. However, for some years more, the Dharma Raja continued to assert himself but without success. There were some important developments in the constitutional process of the elimination of the Dharma Raja which deserve a mention. It was in 1950 that a re-incarnation of the Dharma Raja was murdered which was attributed to some sort of a royal intrigue. Again, in 1952, Dujom Rimpoche, the head of the red hat sect of Lamas visited Bhutan and looked around for a fresh re-incarnation of the Dharma Raja. He had hoped

that he would be able to establish his influence over the Buddhists of Bhutan by this manoeuvre. This had in fact the reverse effect. His activities created a hostile impression and aroused deep resentment of the poeple as well as that of the King. Dujom Rimpoche was, therefore, forced to run away to Tibet and was subsequently forbidden to enter into Bhutan. This was not all. Another attempt was made in 1962 by a young Bhutanese boy, the son of the sister of the late Lama Shabdrung Rimpoche. This young boy claimed to be the latest incarnation and was brought to Lum La near Tawang in NEFA<sup>17</sup> by his father. However, this move also totally fizzled out and ever since then there has been no resurgence of the movement to establish a Dharma Raja on the basis of a re-incarnation.

It may be concluded that as the Dharma Raja physically disappeared from 1950 onwards and the attempts in 1952 and 1962 to reinstate him having failed, the institution of kingship gained an overall importance. Again, a concrete step forward was taken when a High Priest of Bhutan owing allegiance to no outsider but exclusively national in character was established. The present King has undoubtedly laid the foundations of an independent national church functioning in Bhutan for Bhutan and looking to occupy no co-equal status with the King to undermine the authority of a single unified Head of State who alone could project the image and conduct the external affairs of Bhutan. The development of the concept of national church based on what was founded by Padma Sambhawa and preached by the red hat Lamas fulfils in its entirety the national religious aspiration within the State. The services rendered by the three hereditary monarchs of Bhutan will thus go down in history as memorable. The emergence of the modern State of Bhutan is in no small measure the result of the noble efforts of the present King as well as those of his worthy predecessors.

#### (3) Economic Development

To meet the ever-increasing requirements of a State aiming to function efficiently in the modern world, economic development of its resources would appear to be its first *sine qua non*. The spectacular economic advance made by Bhutan during the last decade or so has been the subject of a separate chapter. It is hardly necessary, therefore, to repeat here the rapid development that has taken place consequent on the economic aid given by India from 1960 onwards. Apart from the means of communication

<sup>17</sup>NEFA or the North-East Frontier Agency now forms part of the recently constituted Union Territory of Arunachal Pradesh of India. and the provision of road transport to open up the inaccessible areas of Bhutan, great strides have been made to bring about the economic viability of Bhutan in every way possible. In addition to what has already been stated before, it may perhaps be worthwhile highlighting some of the other essentials of a modern state in the economic field which aspect is briefly summarized below:

(i) If a national currency is an attribute of sovereignty, Bhutan has had its own currency in the form of crudely cast beautiful copper coins known as Zangtam which were introduced in the sixteenth century. Again, Bhutanese silver coins known as Tikchungs, were introduced about 20 years ago. In 1959, Bhutan modernised its currency in the sense that it introduced the decimal system. It also introduced a series of coins in copper and nickel called Zangtrum, Matrum, Chetik, Tikchung and Druktrum which may be said to be equal to 1, 5, 25 and 50 paise and one Indian rupee respectively. In 1964 sets of gold coins Sertums, were struck and issued to commemorate the reign of the present King's late father. Bhutanese paper money is still unknown.

A gold Sertum is equivalent to 100 Nutams; a Nutam to 100 Chidams. A fifty Chidam coin is called Tikchung. Tikchungs form Bhutan's most popular currency. All payments to daily wage earners are made in Tikchungs. The copper Zangtam is difficult to find nowadays while the gold coins (subject of a special issue of handsome commemorative postage stamps) are used exclusively for presentation purposes.

(ii) Another attribute of sovereignty is national postage of universal validity. Bhutan has its own postage and issues a number of stamps which are of great value to the collectors. Some of the most attractive and artful national stamps of Bhutan are reproduced in colour on the facing page.

Though runners had long carried letters between dzongs and villages, a formal postal system was introduced into the country only in 1962. The country's first monarch, animals real and imaginary, birds, flowers, dzongs, butterflies, art, have all been the subject of special commemorative and definitive issues. There have been commemoratives to honour President John F. Kennedy, and Mahatma Gandhi, and to demonstrate Bhutan's interest and participation in international fairs, expositions and occasions.

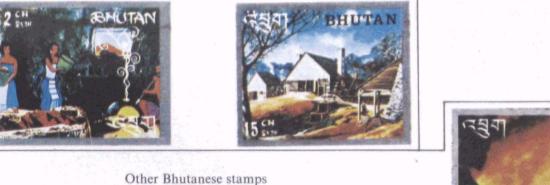
Bhutan was the first country in the world to issue three-dimensional postage stamps to commemorate man's exploration of space. It scored a first again by printing postage stamps on metal foil, while a recent exquisite of stamps reproducing in miniature the sacred scroll paintings of Bhutan has been printed on silk.



**RELIGIOUS THANKA PAINTINGS** FIRST DAY COVER 30.9.69

Sakya Muni (Gautam Buddha)

Bodhisatva or Vajrapani (tł chief of Tantric deities) in h wrathful manifestations



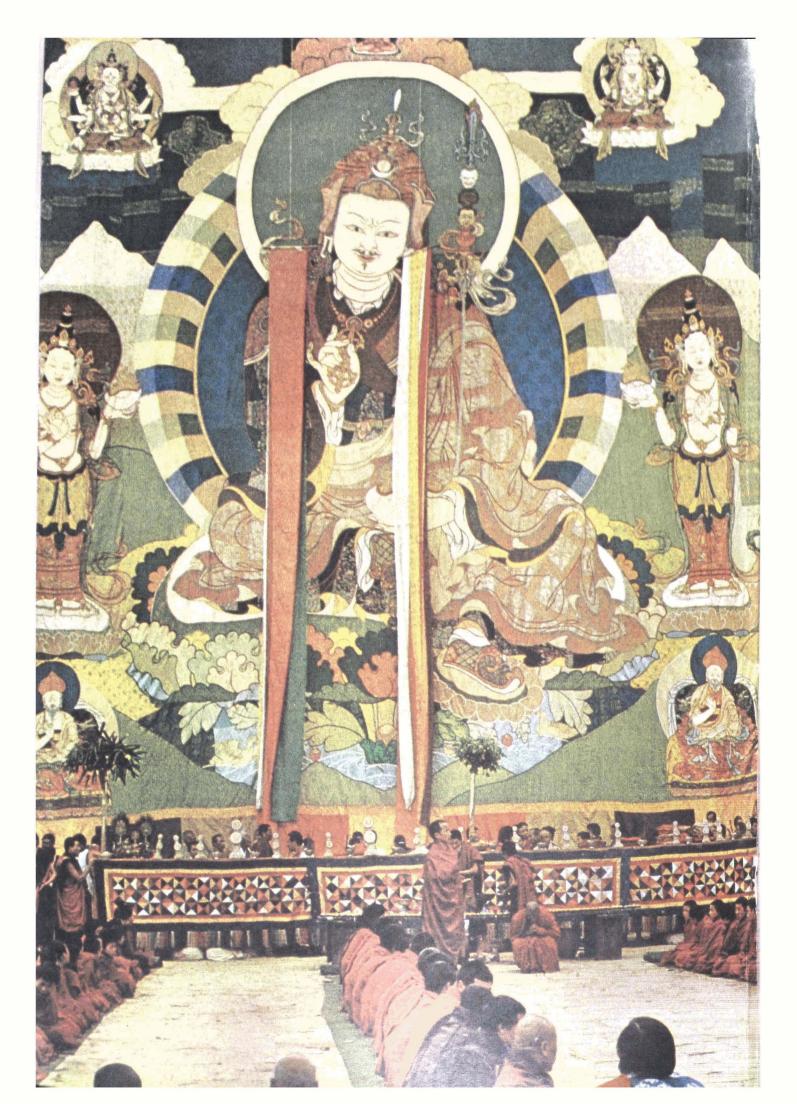






#### (Plate on the backside)

The great Thanka at Paro Dzong hung on wall for annual celebrations. The main figure is of Guru Padma Sambhava.



(*iii*) No modern State can function today without a central bank. The Bank of Bhutan was established by the present King on May 28, 1968 at Phuntsholing with a capital of Rs 2.5 million (25 lakhs). It deals with current deposits, savings bank deposits and fixed deposits. It also undertakes purchases of rupees, sterling and the U.S. dollars and gives traveller's cheques. It may be of some interest to know that the charter of this bank which was established under a royal decree was prepared by the Chartered Bank of the United Kingdom and it is functioning as one of the most efficient modern banks in the East.

(iv) Again, trade representation abroad is also not only an expression of sovereignty but a necessity for a modern State. Bhutan has a trade representative in Calcutta and a Royal Bhutan Liaison Office has been established in New Delhi from March 1, 1971. Again, in accordance with Article 5 of the Indo-Bhutan Treaty of 1949, there is free trade and commerce between the territories of India and Bhutan. The import-export regulations have been enacted through administrative instructions.

### Symbols of Sovereignty

The two well-known symbols of State sovereignty—the Royal Crest, and the National Flag, have been most artistically conceived in Bhutan. The symbolism is full of meaning and deep significance. A brief mention is made therefore of each of these symbols which makes fascinating reading.

### The Royal Crest of the Kingdom of Bhutan

The sacred jewel symbol at the top signifies that in this Buddhist Kingdom the Precious Sovereign is raised supreme above all heads, in the compassionate form of the Triple Gem.

The crossed Vajras in the centre represent the harmony between the good ancient customs of secular and spiritual law, and modern power and authority. These essential qualities flow imperceptively and naturally from the spiritual essence of the Vajra.

The male and female turquoise thunderdragons embraced in unity symbolize the name of the kingdom: 'Druk' means Thunder Dragon. The thunder of summer storms like a dragon's roar reverberates across mountain and valley echoing of the country's glory.

### National Flag of the Kingdom of Bhutan

The upper yellow half of the flag signifies the secular authority of the King. It is the colour of fruitful action in the affairs of both Religion and State. The dragon symbolizes the name of the Kingdom (Druk), and its colour, the white of purity, is indicative of the loyalty of the country's many racial and linguistic groups. The snarling mouth expresses the stern strength of the male and female deities protecting Bhutan, while the jewels clasped in its claws symbolize the wealth and perfection of the country.

Thus with the economic development described in an earlier chapter and the establishment of aforesaid necessary economic and financial institutions, Bhutan can be said to have emerged as a modern State in every sense of that term whether considered politically, socially, religiously or economically. It has its own national institutions within its national framework and the last few decades have not only unified and consolidated these institutions but established their working on a high order of efficiency. The State of Bhutan is equipped in every respect to play a useful role as a member of the international community of sovereign States.

# IX

# NATIONS WELCOME BHUTAN 1967-1971

#### Admission to the Colombo Plan

THE FIRST step on the path leading to the introduction of Bhutan to the international community was taken in 1962 when Bhutan was admitted as a member of the Colombo Plan which consists of sovereign States originally restricted to members of the Commonwealth but now spread all over South-East Asia and beyond. As this admission has its own bearing on the legal status of Bhutan and registers Bhutan's first entry into a regional group of States, it may be worthwhile briefly describing the organisation of the Colombo Plan. The Plan had its inception at a meeting of the Commonwealth Foreign Ministers in Colombo in January, 1950. The raison d'etre of the Plan is that since political independence has been achieved, economic development becomes an urgent problem of South and South-East Asia which can best be tackled by a cooperative effort of sovereign States of the region. With the numerous achievements of the Colombo Plan, there was constant expansion of its membership and from the original 7 Commonwealth countries in 1950 its strength increased to 24, including 16 non-Commonwealth countries, in 1968. The region now extends from Iran in the west to the Philippines in the east and from the Republic of Korea in the north to Australia in the south, embracing a population of over 900 million people. India sponsored the membership of Bhutan under the Colombo Plan and it was in 1962 that full membership was granted. As the Colombo Plan is an international programme of sovereign States receiving economic aid on a cooperative basis, Bhutan's admission may be said to have attained recognition from the States of this region who are all engaged in multilateral economic relationship. Again, as the Colombo Plan in actual operation is bilateral, it may be stated that there was clear admission of the sovereign equality of Bhutan with the other States members of the Colombo Plan. Thus

apart from India, Bhutan has bilateral ties with Australia and Japan who have been giving their aid under the Plan.

### Admission to the Universal Postal Union

Another landmark in the history of Bhutan's entry into the international community was the admission of Bhutan to the Universal Postal Union in 1969. India assisted Bhutan's membership in 1968 which bore fruit the following year. The Universal Postal Union is, perhaps, one of the oldest inter-governmental international organisations in the world. It was the second Postal Congress held in 1878 which changed the name of the organisation from General Postal Union to Universal Postal Union. In 1961 there were as many as 112 nations, members of the Universal Postal Union. On 1st July, 1968 the membership had increased to 137 countries of the world. Bhutan's membership of the Universal Postal Union in 1969 is, again, relevant in the context of its legal status, particularly because Bhutan was admitted into the Union under paragraphs 2 and 4 of the Constitution of the Organisation. As this furnishes a proof positive of Bhutan's sovereignty, it may be worthwhile reproducing the aforesaid two articles of the constituent instrument of the Universal Postal Union:

- Art. 2. "Any sovereign country which is not a member of the United Nations may apply for admission as a Member Country of the Union."
- Art. 4. "A Country which is not a member of United Nations will be deemed to be admitted as a Member Country if its application is approved atleast by two-thirds of the Member Countries of the Union...."

It is not record that as many as 137 members of the Universal Postal Union were consulted in the matter of Bhutan's application for admission. Again, 121 replies were received in the affirmative, whereas 16 countries refrained from sending any reply. It is also on record that no country abstained or opposed Bhutan's candidature. Bhutan was accordingly admitted to the Organisation in 1969 and is now a regular member of the Union bringing out stamps of unique beauty and distinction. This was Bhutan's first admission to a regular international organisation of a world-wide character. It may be said to have paved the way for the next step, namely the entry of Bhutan into the United Nations.

### Admission to the United Nations

If the membership of the United Nations constitutes ipso facto member-

ship of the world community of States, Bhutan's admission to the United Nations may be regarded as the culminating stage of the development which was started by India in 1962 in sponsoring Bhutan's admission to the Colombo Plan. The application for admission to the United Nations was made by the King as the Head of the State on 10th December, 1970. It was addressed to the Secretary-General of the United Nations and has been reproduced as a Security Council paper S/10050 of 22nd December, 1970. As this is a historic document and is brief, it may be worth while reproducing it below:

"I have the honour, on behalf of the Government of Bhutan, to make application for Bhutan to be admitted to the United Nations Organisation.

"2. I should be grateful if you would arrange for this application to be placed before the Security Council and the General Assembly.

"3. My Government endorses the purposes and principles stated in the United Nations Charter and declares that it accepts the obligations incumbent upon Members of the Organization and solemnly undertakes to fulfil them.

"4. The Government and people of Bhutan are acutely aware of the proven value of the United Nations Organisation to small and developing nations of the world and consequently attach great importance to membership.

> (Signed) Jigme Dorji WANGCHUK The King of Bhutan"

The basic provisions of the United Nations Charter governing admissions to that world organisation are to be found in Article 4, which is reproduced below:

- "1. Membership in the United Nations is open to all other peaceloving states which accept the obligations contained in the present Charter and, in the judgment of the Organisation, are able and willing to carry out these obligations.
- "2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council."

It would appear from the aforesaid provision that the two fundamental requirements for admission are : (a) acceptance of the obligations of the Charter, and (b) the ability and the willingness to carry out these obligations. On the basis of the aforesaid criteria there could be no doubt whatsoever, of Bhutan's admission because this peace-loving State at once

accepts the obligations of the Charter. Again, it has the unequivocal intention of always carrying out these obligations. As far as the ability to discharge the obligations is concerned, it may be stated that it has certainly all the necessary resources, both in respect of finances and man-power as much as a number of the member States of the United Nations today possess. In the circumstances, Bhutan has as much a right to be a member as any other existing member of that body today.

As far as the prescribed procedure is concerned, it may be mentioned that the Security Council examines all questions of admissions first and makes its recommendation to the General Assembly. The decision is taken by the General Assembly, but it has to be based on the recommendation of the Council. The consideration granted by the Security Council to the application of Bhutan merits a detailed mention, because it is indicative of the sincere welcome which Bhutan received in obtaining unanimous recommendation of the Council for its admission.

#### Consideration by Security Council

The Security Council plays a key role in the procedure for the admission of new members. The modalities of the Security Council are governed by its own rules of procedure. In this connection, the provisions of Rule 59 may be reproduced as Bhutan's application had to follow the procedure prescribed therein:

"Unless the Security Council decides otherwise, the application shall be referred by the President (of the Council) to a committee of the Security Council upon which each member of the Security Council shall be represented. The Committee shall examine any application referred to it and report its conclusions thereon to the Council not less than 35 days in advance of a regular session of the General Assembly...."

It is said that this particular provision has not been adopted in actual practice in many cases. In fact, the United States tried to invoke it on 10th October, 1970, when the Security Council considered the question of Fiji's admission to the United Nations. The United States did not oppose Fiji's candidature as such since their representative, Ambassador Yost, stated that there was no doubt in the view of his Government that Fiji was, in the words of Article 4 of the Charter, 'able and willing to carry out' the obligations contained therein. While, therefore, they were prepared to admit Fiji into the United Nations, the United States Ambassador felt that it was necessary, as a matter of principle, to apply the provisions of Rule 59 in all cases of admission. In this connection, it appears necessary to reproduce the United States argument, which ran as follows:

"We believe that the time has come, now that the United Nations has 126 members and will, in a few days, have 127, for the Council once again to pay strict attention to its responsibility laid down in the Charter in this regard: that is, to examine with great care in each case whether the applicant is not only willing but able to bear the considerable burdens and obligations of membership. Certainly if the council and the Assembly were so to deviate from the Charter as to admit in the future considerable numbers of States not able to carry out the obligations of membership, not only would this amount to a revision of the Charter, but it would seriously weaken our organization. It would reduce its prestige, effectiveness and credibility just at the time when ... it most needs strengthening and the widest possible support."

However, on account of the proposal formally made by Zambia, another member of the Council, to suspend Rule 59, the entire consideration of the proposal escaped the formality imposed by that rule of procedure. Zambia carried the day in the Security Council with 10 in favour, 4 abstentions and 1 voting against. Though Fiji was thus recommended by the Council for admission without any reference to the Committee on the Admission of New Members, in the case of Bhutan it was decided to observe the provisions of Rule 59.

Bhutan's admission to the United Nations was accordingly referred under Rule 59 to the Committee on Admission of New Members for examination and report. The President of the Security Council suggested that the Committee on admission of new members should meet that very afternoon, namely, on 9th February 1971 'in close session and conference' and submit its report to the Security Council. The Committee on Admission of New Members reported to the Security Council on 9th February, 1971, recommending the admission of Bhutan and the Council unanimously adopted it.<sup>1</sup> The discussion which took place in the Council when each member expressed his sentiments deserves a separate mention.

<sup>1</sup>See UN Doc S/10109 of 9-2-71 which states as follows: "The Committee decided to recommend to the Security Council the adoption of the following draft resolution: *'The Security Council* 

'Having examined the application of Bhutan for admission to the UN (Doc S/10050).

'Recommends to the General Assembly that Bhutan be admitted to membership in the United Nations'. ''

#### Statements on Admission in Security Council

The statements made by the Members of the Security Council regarding Bhutan, after unanimously adopting the Resolution on February 9, 1971 recommending to the General Assembly to grant the necessary admission, are remarkable for their graphic description of the country and sincere expression of goodwill and admiration for the prospective member—its Buddhist traditions and spiritual teachings, its "revivifying air coming from the Himalayan mountain tops possessing the secret of eternal youth so vitally needed by the prematurely ageing UN organisation",<sup>2</sup> its unparalleled scenic beauty with its daily horizons of snow-capped peaks reminding one of the veritable Shangri-la of the world.<sup>3</sup> These statements are worth reproducing here for, even though somewhat long, they are throughout most fascinating to read. As this chapter is devoted to Bhutan's welcome admission to the United Nations it could hardly be regarded as complete without a full description of the proceedings of the Security Council which opened its arms to admit Bhutan.

On February 10, 1971, at 3.00 p.m., the President announced that India had requested for permission to participate in the discussion which was duly granted. The Permanent Representative of India to the UN lauded the Council's decision supporting Bhutan's candidature for admission to the United Nations as "a final manifestation of Bhutan's independent stature and nationhood."<sup>4</sup> He said:

"As one of India's closest neighbours, Bhutan has intimate relations with my country in many fields. We have historical, cultural, economic and political links going back many centuries. Naturally, through the ages we both have had our ups and downs and we both hope that the lessons learnt of the past will help us contribute our utmost to the achievement of the objectives of the Charter. We are therefore both proud and gratified that Bhutan is about to enter this great Organization to participate, with the other Members of the United Nations, in the endeavours to promote peace and prosperity all over the world.... It is gratifying and wholly commendable that under the able, active and imaginative guidance of its present Monarch, His Majesty King Jigme Dorji Wangchuk, Bhutan is determined to introduce and pursue programmes for full economic and social development in cooperation with the rest of the world. We on our part have done and will continue to do whatever we can to help these developments in Bhutan.

"While my delegation would like to reiterate on this occasion the Government of India's unqualified confidence in Bhutan's ability to <sup>2</sup>See UN Doc S/PV 1566 of 10-2-71, p. 18. <sup>3</sup>*Ibid.* pp. 9 & 10. <sup>4</sup>*Ibid.* p. 7. fulfil the obligations of the Charter as a Member of the United Nations, we are at the same time confident that Bhutan's membership would be a welcome asset to this Organization both in its political and in its development activities. I would therefore conclude by welcoming the decision of the Security Council, by thanking once again the members of the Council for their speed, unity and goodwill and by expressing the hope that Bhutan will be a full and active Member of the United Nations before long. Meanwhile, we pledge our full support to work in co-operation with Bhutan. We have consistently tried to work in harmony with all Asian countries, particularly with our neighbours, and we look forward to the closest bonds of friendship, co-operation and understanding with this new colleague of ours in the United Nations."<sup>5</sup>

The next speaker was Sir Colin Crowe of the United Kingdom who referred to past history and expressed noble sentiments some of which are reproduced below:

"In the year 1774 a British Diplomatic Agent, George Bogle, was one of the first Europeans ever to visit Bhutan. The more he saw of the Bhutanese the more he liked them. Writing about the people, he said:

'The simplicity of their manners, their slight intercourse with strangers and a strong sense of religion preserve the Bhutanese from many vices to which more polished nations are addicted. They are strangers to falsehood and ingratitude.'

"For centuries the people of Bhutan lived in what can fairly be called a splendid isolation. 'Splendid' is the least of the praises that one could bestow on the beauty of a country whose daily horizons are the snow-capped peaks of the Himalayas and the valleys that plunge down to the plains of the Brahmaputra. The exact location of Shangrila, like that of the Garden of Eden, is often disputed. But few lovers of nature—whether botanists, horticulturists, mountaineers or simply travellers—would be inclined to disagree that the valleys of Bhutan are exceptionally strong candidates for the site.

"The other outstanding influence on the life of the people of Bhutan has been the Buddhist religion. Today, no less than in the past, it directs their lives as obviously as it inspires their beautiful architecture.

"For nearly 200 years since the visit of Mr. George Bogle my Government has enjoyed close relations with the Government of Bhutan and my countrymen have formed valued and lasting friendships with its people. We are thus especially glad that the Government of India has been the first to lend its support to the application which Bhutan has made for membership of the United Nations. "Today Bhutan no longer avoids 'intercourse with strangers'. Under a democratic Monarch and his accomplished Queen the Bhutanese have already taken several important steps forward on the world's stage. In 1962 Bhutan joined the Colombo Plan. In 1969 the Bhutanese Government joined the Universal Postal Union. In 1969 and 1970 representatives of the Government of Bhutan, including the King's half-brother, Prince Namgyal Wangchuk, whom many of us here had the honour of meeting, attended sessions of the General Assembly. It is always pleasing to find that someone who has attended our gatherings wishes to become even more closely associated with us. We for our part are very glad to join in recommending the admission of Bhutan to the United Nations and look forward to extending a warm welcome to its representatives when they are seated among us."<sup>6</sup>

He was followed by Mr. Longerstaey, the Permanent Representative of Belgium to the United Nations, who too was lavish and generous in his observations, extracts of which are given below:

"My delegation feels that Bhutan fulfils the conditions set forth in the first paragraph of article 4 of the Charter, and we have therefore supported the recommendation for its admission which the Security Council will make to the General Assembly.

"My Government is very pleased at the decision of the sovereign of Bhutan, His Majesty Jigme Dorji Wangchuk, to ask for the admission of his country to the United Nations. In fact, that independent State has already affirmed its international personality since it already takes an active part in certain activities of the community of nations, particularly by its adherence to the Universal Postal Union and by its participation in the work of the organization charged with the implementation of the Colombo Plan. Bhutan can be proud of a long historic past and some of the evidence of that past can be traced back to the ninth century. True to its most noble Buddhist traditions, it has preserved its cultural and religious development from foreign influence and has thus consolidated its political independence. Its spiritual teachings have constantly inspired and oriented the beneficent action of the sovereign and of the Government, particularly in the humanitarian field, in the emancipation of women and in agrarian reform.

"My Government is very gratified at the confident relations which exist between the Indian Union and Bhutan. Thanks to the generous and substantial assistance given by the Government of New Delhi, the five-year development plans for 1961-1966 and 1967-1971 have adequate financial and human resources. My delegation expresses the hope that this harmonious co-operation will continue and that it will further increase in the future, particularly by the implementation and utilization of the natural resources of the country.

"Now that Bhutan is broadening its horizons to the entire world, new perspectives of development are opened up in the specialized agencies of our Organization. Its Government can rest assured of the best understanding and of the effective assistance of Belgium when questions which are of particular interest to Bhutan are examined in the various organizations which are members of the United Nations family.

"My delegation is very happy at the idea that we shall be seated next to the delegation of Bhutan in all the assemblies and in all the organs of the United Nations family. Fruitful trade relations already exist between our two countries. In the General Assembly, my delegation will attach great value to the words of wisdom and moderation inspired by Buddhist precepts and vision of human relations. We are convinced that that country of Upper Asia will make an original contribution to the solution of the many problems which confront our Organization."<sup>7</sup>

Mr. Kosciusko-Morizet, the distinguished Permanent Representative of France who spoke so eloquently in his great language of elegance and beauty touched all aspects both in regard to Bhutan and the United Nations and his statement merits being reproduced in its entirety.

"Indeed, the objective of universality that we must seek is still far from having been attained. But, during the last few months, that objective appears nearer. The great family of the United Nations has welcomed, with the admission of Fiji a short time ago, its 127th Member, and the Council has today pronouned itself unanimously in favour of the admission of Bhutan.

"Thus, after the islanders of the sunny shores of the Pacific, we trust that the highlanders of the country of snow-capped mountains will, from the very next session of the General Assembly, join us in our common efforts to achieve a better and peaceful world. Coming from widely differing regions, imbued with diverse cultures and traditions, both groups thus attest to the prodigious diversity of the world. But they also attest, without any doubt, to the vitality of our Organization and to the scope of the message inscribed in the Charter.

"My delegation had no doubt that Bhutan is ready to assume the obligations of our Charter. It is therefore without any surprise that it welcomed the conclusions of the Committee on the Admission of New Members, and we wish here to hail that Committee's revival. Indeed, a local proverb says that "When a Bhutanese draws his sword, the entire valley trembles". We are nevertheless convinced that Bhutan is a peaceful country. It is true that this 'land of dragons'

<sup>7</sup>*Ibid.* pp. 11 & 12,

carries on its flag the image of that redoubtable beast. But we know that that image is white, the colour of purity.

"Bhutan has enjoyed the sponsorship of India, a nation with which France is happy to maintain friendly and confident relations. In accordance with the Treaty of 1949 between India and Bhutan, that country agreed to be "guided by the advice of the Indian Government" concerning foreign affairs. We are gratified that the Indian guide has led his companion to the very gates of the United Nations.

"Like its majestic summits shrouded in mist, Bhutan itself for centuries has exercised a mysterious fascination on the foreigner. Have not some sought to see in this snowy kingdom the legendary Shangrila, "that mountain paradise where innocence, peace and beauty preserve the secret of eternal youth". Until very recently few travellers, or few Westerners, have had the rare privilege of admiring these grandiose landscapes and these well-known monastery-fortresses—the Dzongs whose formidable silhouettes dominate the important strategic mountain passes.

"But for the last few years the mist has been dissipated. Under the impulse of an enlightened monarch, Bhutan, while remaining faithful to its age-old traditions, has opened its doors to the world beyond and resolutely undertaken the road to progress. In 1960 it took six days travelling on a mule to reach the capital, Paro, from the Indian frontier. According to the Press, the same destination may be reached in five hours travelling by car. Jeeps, buses and trucks are rapidly replacing horses, mules and yaks as a means of transport. No doubt the lovers of the picturesque will deplore it. But none will regret that in the last few years Bhutan has made a spectacular step forward toward democracy and economic and social progress, and that since 1952, the year when the present sovereign took the throne, these steps have been taken with seven-league boots.

"Desirous of improving its independence, and at the same time wishing to maintain its originality, thanks to the assistance of the international community, and to speed up its evolution so boldly outlined by its sovereign, Bhutan has today obtained our support without difficulty. We have no doubt that the next General Assembly, in accordance with our recommendation, will admit Bhutan to membership of the Organization and that, in the future, the United Nations will be able effectively to assist it to achieve its legitimate aspirations.

"For its part the United Nations can only benefit from a closer co-operation with a country that is imbued with a Buddhist spirit of tolerance and respect for life.

"Some contend that our Organization has aged prematurely. How should it then fail to hasten to welcome a State possessing the secret of eternal youth? May its vigour be strengthened by breathing the revivifying air coming from the Himalayan mountain tops."<sup>8</sup> The next statement was that of the distinguished representative of Japan, Mr. Tsuruoka, the Chairman of the International Law Commission, who as an Asian welcomed with open arms the admission of Bhutan to the U.N. His statement is also worth reproducing and is given below:

"I am much pleased to take part in this meeting of the Council and seeing its members offering blessings to the Kingdom of Bhutan, which has applied for membership to the United Nations as its 128th Member. To the delegation of Japan it is indeed a source of great joy that the first work assigned to us in the Security Council this year should be such a felicitous item, the admission of a New Member to the United Nations. The pleasure of my delegation is all the greater because the application in question comes from an emiment member of Asia, to which my country belongs. Although Bhutan and Japan are not geographical neighbours, our two countries have much in common in many respects. The two nations are closely connected by ties of Eastern Asian civilization. It might be recalled in particular that the ancestors of the two peoples were already linked as early as in the sixth century. This link was made possible through the religion and civilization of Mahayana Buddhism which started in that part of the world. Based upon these relations between the two peoples, there has developed a particular sense of friendship and mutual respect between us.

"In recent years the relationship between the two countries has also been friendly and cordial. In 1969 we had the honour of welcoming to my country Her Majesty Queen Kesang Dorji. On the occasion of Expo '70, we had the pleasure of receiving the Deputy Minister for Internal Affairs of Bhutan, His Excellency Mr. Dhenduk Phuntsok, as a special guest of the Ministry of Foreign Affairs of Japan.

"In the field of economic and technical co-operation, the relations between the two countries were placed on a secure basis in 1962, when the Government of Japan supported Bhutan's application for membership of the Colombo Plan for Co-operative Development. Since then, there has been an increasing number of programmes of economic and technical co-operation. In 1967 my country also supported the application of Bhutan for membership of the Universal Postal Union, and in September 1969 we welcomed the Minister of Development, His Excellency Mr. Dawa Phuntsok, when he attended the sixteenth Congress of the Universal Postal Union, held in Tokyo.

"The kingdom of Bhutan, one of the oldest nations in Asia, has a population estimated at nearly 1 million and a territory of more than 18,000 sq. miles. I should like to refer to the letter of the King of Bhutan, His Majesty Jigme Dorji Wangchuk, reproduced in document S/10050, in which he stated that his Government

'endorses the Purposes and Principles stated in the United Nations Charter and declares that it accepts the obligations incumbent upon Members of the Organization and solemnly undertakes to fulfil them.' (S/10050, para. 3).

"In the light of all those and other pertinent facts, there is no doubt that the Kingdom of Bhutan, as a sovereign State, is able and willing to carry out the obligations of Member States under the Charter.

"My delegation is very happy that the draft resolution contained in the report of the Admissions Committee has been unanimously adopted by this Council."<sup>9</sup>

Again, Mr. Malik, the able representative of the U.S.S.R., who highlighted the Soviet policy of supporting the inalienable right of people to free and independent existence, also made a statement in the following words:

"My delegation supported that request by Bhutan for admission to membership in the United Nations. This position of the Soviet Union was determined by the basic principles of the Soviet Union's foreign policy.

"The great October Socialist Revolution in Russia ushered in a new historical era and started the formation of new independent States in countries of the East, as all those countries were then called that fell outside the continents of Europe and America. The national liberation and rebirth of the 'countries of the East' began at that time.<sup>10</sup>

"The Soviet Union has always been, and remains, a determined supporter of enlisting the active participation in world politics and in international life of the peoples of the countries of Asia and Africa, and of the peoples of all countries which, for one reason or another, are denied such an opportunity. On the basis of this principle followed by the Soviet State, my delegation welcomes in Bhutan the emergence of yet another—the 128th—Member of the United Nations."<sup>11</sup>

Mr. Vinci, the distinguished representative of Italy emphasised the importance of the decision to admit Bhutan as a further step towards the universality of membership of the UN. His observations were also pertinent and are reproduced below:

"The unanimous decision the Security Council has taken today is significant not only for Bhutan but for the United Nations, since it represents, in our view, a further step towards the universality of our membership, towards an objective which we consider of the greatest importance for the Organization. This world Organization,

<sup>9</sup>*Ibid.* pp. 19-21. <sup>10</sup>*Ibid.* pp. 22. <sup>11</sup>*Ibid.* p. 23. being called upon by its Charter as well as by the rising expectations of mankind to seek solutions to the world's problems on a global scale, has in fact a vital interest in widening its authority over all continents. We were therefore glad to associate ourselves with the unanimous recommendation adopted today, the more so since my delegation had no doubt whatsoever, from the very moment the application was introduced, that Druk Yul, the 'Land of Dragons', known as Bhutan, met all the requirements indicated in Article 4, paragraph 1, of the Charter.

"Bhutan is a relatively small country, of 18,000 sq. miles, but with a population of nearly 1 million proud inhabitants who have strongly asserted their independence throughout the centuries a country respectful of its ancient religious, cultural and national heritage and solidly attached to a tradition of internal stability, and at the same time responsive to man's everlasting search for political, social and cultural advancement and economic progress, as testified to by the development of democratic institutions, the implementation of far-reaching reforms, and the achievement of two five-year plans for socio-economic development.

"Lofty mountains of majestic beauty surround Druk Yul, but since it is land-locked its people have never been spurred to turn down peaceful contacts with the external world. And may I recall that the Western world owes the first testimony on the 'Land of Dragons' to two fathers who were sent to Bhutan by their superiors of the Jesuit Order, the same religious order which in the early seventeenth century, for the sake of studying the Buddhist and other oriental civilizations, established in my home town, Naples, an institution whose main aim was to assist visitors from the Far East in their approach to the Western, Christian world. The legend says that Bhutan was called also 'the country of hidden treasures', since Guru Kampoche had buried there invaluable spiritual and cultural treasures to preserve them for future generations. We think that world civilization can only gain from the riches of Bhutan's culture and tradition."<sup>12</sup>

The admission of Bhutan was indeed unanimous and all members spoke affirmatively and strongly in favour. The African members were equally full of praise and expressed pleasure over this event. Mr. Terence, the distinguished representative of Burundi in the Security Council stated as follows:

"Finally, the delegation of the Republic of Burundi would wish to express itself on the matter before us, namely, the admission of the Kingdom of Bhutan to the United Nations, an admission which fills us with joy. By doing this, the delegation of Burundi remains faithful to the idea that it laid down for itself with regard to the universality of our institution. It subscribes then, by this act, to the desire of the people of Bhutan to increase the United Nations family.

"Along the same order of ideas, my delegation believes that the peace of the world cannot be achieved until all nations, great and small, have joined the United Nations, and in this connexion we could not silence our congratulations—which are well-deserved—to the new Member of the United Nations, namely, the Kingdom of Bhutan. We would also presume that this new Member will have an important role to play in the international arena, the role which all nations, great and small, are called upon to play in order to round out the roles already played and the contributions already made by other Members of the United Nations.

"It goes without saying that that universality to which we attach such importance will not be fully achieved as long as important a Power as China is kept out of the United Nations and we trust that that lacuna in our Organization will be corrected in the not too distant future so that the United Nations may be able fully to play the role that it is called upon to play and to respond in a more concrete manner to the role given to it, namely, achieving international peace and security among the nations of the world."<sup>13</sup>

He was followed by Mr. Savage, the distinguished representative of Sierra Leone who made a brief but moving statement, the relevant portion of which is reproduced below:

"My delegation, deeply entrenched in its belief in universality, has always stressed the significance this concept has for international peace and security, for the continued vitality of this world Organization and therefore for mankind.

"A small, peace-loving country opening its frontiers to the outside world and stretching out its hands for acceptance by all and admission to the family of nations should, in our opinion, be received with warmth and enthusiasm.

"Those are some of the reasons why we have voted here this afternoon in favour of admitting a fellow developing nation that wants to become the 128th Member of our world body. We look eagerly forward to the day when the Kingdom of Bhutan will be seated in the various organs of the United Nations."<sup>14</sup>

It may be mentioned that statements were also made on the same note by the distinguished representatives of Poland, Somalia, Argentina and

<sup>13</sup>*Ibid.* p. 31. <sup>14</sup>*Ibid.* p. 37. Nicaragua. The concluding remarks were those of the President of the Security Council, Ambassador Yost of the United States, who wound up the debate. His observations also merit attention and the relevant aspects are reproduced below. Mr. Yost said:

"It was with distinct pleasure that I concurred in the recommendation of the Security Council's Committee on the Admission of New Members, and that I consequently supported the application of the Royal Government of Bhutan for membership of the United Nations. The United States looks forward to welcoming a Bhutanese delegation to the twen.y-sixth session of the General Assembly next fall, and to working with it thereafter.

"The United Nations has drawn strength from the diversity of its membership. Significant contributions to its fundamental objectives of peace, justice and progress have been made by Members which are as different in size, wealth and experience as members of the international community as they are distinct in their geographical location, form of political organization and cultural and historical traditions.

"Although Bhutan is a relatively small country, it has long prided itself on its cultural traditions and its strong sense of national identity. In recent years not less than three different United States Ambassadors have visited Bhutan. They have all been impressed by the beauty of the country and by the determination which it is demonstrating in its efforts to achieve economic development while simultaneously preserving Bhutan's rich traditions and ancient culture.

"When Bhutan joins the United Nations later this year, it will undoubtedly contribute from its own experience to the United Nations efforts to promote development and to improve international co-operation, while continuing to participate in the United Nations system's programmes designed to assist countries to develop and perfect their economies. We are also certain that Bhutan will be able to contribute to other aspects of the Organization's work in a wide variety of fields of importance to the international community.

"As President of the Security Council and in accordance with Rule 60 of the Council's provisional rules of procedure, I shall immediately request the Secretary-General to transmit to the General Assembly the text of the resolution we have just adopted, together with the verbatim records of the meetings at which it was discussed."<sup>15</sup>

As the Security Council has to make the recommendation, it takes the initial step and, in actual practice, the decisive one for admission of a new member. The unanimous recommendation of the Security Council was, therefore, placed before the General Assembly on the 21st of Septem-

<sup>15</sup>*Ibid*. p. 42.

ber, 1971, the first day of the 26th Session. Thus the formality of the admission of the new member was left to the General Assembly and taking the precedent of the Security Council, the Assembly also adopted a unanimous resolution welcoming the admission of Bhutan to the UN. It was thus on the third Tuesday of the month of September, 1971 that Bhutan stood as a member of the United Nations. The resolution adopted by the General Assembly in this regard is reproduced below:

"2751 (XXVI)—Admission of Bhutan to membership in the United Nations. The General Assembly

having received the recommendation of the Security Council of 10 February 1971 that Bhutan should be admitted to membership in the United Nations,

having considered the application for membership of Bhutan Decides to admit Bhutan to membership in the United Nations."<sup>16</sup>

The aforesaid resolution was sponsored by no less than 47 States from all continents of the world and after its unanimous adoption, a number of delegates made statements welcoming the admission and expressing sentiments somewhat similar to those expressed in the Security Council. A few of these statements are reproduced below to indicate the admiration with which Bhutan was welcomed by the international community. The representative of India was the first to speak and he observed as follows:

"His Majesty the King of Bhutan is perhaps the only monarch in history who has of his own accord handed over full powers to his people. The people of Bhutan are most peace-loving and friendly and they are justly proud of their own traditions and culture. They are also forging ahead along the path of modern development. It has been India's privilege to participate in co-operative efforts with the Government and the people of Bhutan in this task under the wise and able leadership of His Majesty King Jigme Dorji Wangchuck. Bhutan has chosen for itself the path of peace and non-alignment. We are confident that, under the continued leadership and inspiration of His Majesty the King, Bhutan will make rapid strides in its development plans."<sup>17</sup>

Again, the representative of Iran had the following observations to make:

"The admission of Bhutan to membership in the United Nations is likewise a source of great pleasure to us. Because of its geographical

<sup>16</sup>See Doc RES/2751 (XXVI) 24th September 1971.
<sup>17</sup>See Doc A/PV/1934 of 21-9-71, pp. 37 & 38.

position, Bhutan has served as a bridge between two great ancient civilizations. We are confident that Bhutan will also make valuable contributions to the work of this Organization."<sup>18</sup>

Sir Colin Crowe, the representative of the United Kingdom made a long statement, the relevant part of which is reproduced below :

"The first of our new Members, in order of admission, is Bhutan. On 10 February this year I was able in the Security Council to express the particular pleasure of my Government at the proposal that Bhutan should be admitted to membership of the United Nations. For several centuries my country has enjoyed close relations with Bhutan, and my countrymen have formed valued and lasting friendships with its people. I do not need to repeat here what I said in the Security Council, except to add, on behalf of the Western European and Others Group, several of whom have geographic as well as friendly affinities with Bhutan, how glad we are that Bhutan is now a Member. We welcome among us their representatives, headed by His Royal Highness Namgyal Wangchuk. They are no strangers in this place, since they have individually visited us as friends and observers of our proceedings in the past. We look forward to the contribution that I am sure they will make to the work of this Organization."<sup>19</sup>

The representative of Nepal, Mr. Khatri, who hails from a neighbouring State, extended a cordial welcome to Bhutan in the following words :

"If we rejoice at the increase in membership of the United Nations and further steps taken in this way towards the universality of the Organization, the delegation of Nepal finds particular reason to be gratified at the admission of the Kingdom of Bhutan, a country of incomparable natural beauty with which my country shares many common features of geography, a neighbouring country with which my country is bound by strong historical ties of social, ethnic and cultural affinities. In recent years the personality of the land and its people has developed from strength to strength under the enlightened leadership of a beloved monarch, His Majesty King Wangchuck of Bhutan."<sup>20</sup>

The debate on the admission of Bhutan was wound up by His Royal Highness Prince Namgyal Wangchuck as the leader of the Bhutanese Delegation and his statement merits reproduction in its entirety :

<sup>18</sup>*Ibid*, p. 41.
<sup>19</sup>*Ibid*, pp. 42 & 43-45.
<sup>20</sup>*Ibid*, p. 46.

Prince Namgyal Wangchuck (Bhutan): "Mr. President, it gives me the greatest sense of pleasure to address this Assembly today on the occasion of the admission of the Kingdom of Bhutan to the United Nations. This is a historic occasion for us and marks the realization of one of our most cherished dreams. On behalf of His Majesty King Jigme Dorji Wangchuck, the Government and the people of Bhutan, I should like, therefore, to take this opportunity of expressing our deepest gratitude to all Members of this Organization assembled here today, and in particular to the Republic of India, which has spared no efforts in securing our admission to this free association of sovereign countries.

"May I, Mr. President, also take this opportunity of congratulating you on your election to the high office of President of the General Assembly. We have no doubt that you will guide the deliberations of this session with wisdom and dignity.

"It is only a decade or so since we ended our age-old policy of national isolation and opened our country to the outside world. The policy of national isolation was motivated in the past by self-interest due to geo-political considerations and not because of lack of desire or capacity to play an active role in the international community. The policy served its end and was instrumental in preserving our country's sovereignty and independence. With the changing of circumstances in the world and our desire to participate actively in the functioning of the international community, the policy lost its relevance when we joined the Colombo Plan for Co-operation Economic Development in South and South-East Asia in 1962.

"Our Government and people are fully committed to a policy of modernization, although we are at the same time aware of the importance of preserving our national identity by retaining the best in our ancient culture and tradition. None of us imagine that this will be an easy thing to do—to achieve this fine balance and synthesis—but with all our mind and effort directed towards this goal, we are confident of our success.

"As we present before this Assembly a short outline of present developments in our country, it is important to emphasize the fact that all the radical changes in the country have been initiated by the King himself. In the field of government and administration, it has been our aim to reform our traditional institutions to meet the needs of the present age. Representative institutions like the National Assembly, Council of Ministers and the Royal Advisory Council have been established. The sovereign powers of the Monarch have been voluntarily surrendered to the National Assembly. The judiciary is separated from the executive and a uniform legal code based on custom and present necessity has been introduced.

"With technical and financial assistance provided by the Government of India, we have successfully completed two Five-Year Plans and have recently launched a third. The social and economic infrastructure of our country is being built up through these Plans. In implementing all these developmental projects, it has been our constant endeavour that they should not conflict with the existing values of our society, the peace and purity of our natural environment and the right of the individual to pursue his private life without interference.

"That we should today have succeeded in gaining admission to this Organization whose aim represents the highest aspirations of mankind, whose contribution to the maintenance of international peace and security has been substantial, and whose work in nationbuilding has done so much for the progress of mankind, is an occasion of great happiness and rejoicing in my country. I should like to take this opportunity now of expressing our Government's fullest confidence in its ability to participate as an active and useful Member of this Organization and also of its firm resolution to abide by the basic obligations required of its Members as enshrined in the Charter.

"My Government is extremely happy that Bahrain and Qatar are being admitted as Members of the United Nations along with my country. I should like to extend our warmest felicitations to the delegations of Baharain and Qatar on this auspicious occasion.

"Before I conclude, may I, Mr. President, convey the greetings of His Majesty the King of Bhutan to you and through you to all the delegations assembled here today."<sup>21</sup>

Thus a new era in the history of Bhutan may be said to have dawned on the 21st of September, 1971. It not only ended its isolation dictated by geography, but opened the door to further modernization and progress.

This chapter would not be complete without mentioning a word about the distinguished members of the first Bhutanese Delegation to the U.N.

As stated earlier, His Royal Highness Namgyal Wangchuck, Minister of Trade and Industries to the Bhutan Government led the delegation. He is also the distinguished brother of His Majesty the King. He was assisted by Lyono Dawa Tsering, the Minister of Development. Another member of the delegation Lyonpo Sangay Penjor, was the very able first Permanent Representative of Bhutan to the U.N. This team was assisted by Desho Dago Tshering and may be regarded as a high powered delegation indicating the importance attached by Bhutan to the U.N.

Every member of the international community whether at intergovernmental or nongovernmental level both in and out of the U.N. has expressed sincere sentiments of hope for the success of Bhutan as a member of the world comity of nations. May its efforts be always blessed!

## Х

### CONCLUSION

IF THE salvation of the U.N. lies in getting into its fold all peace-loving States, this world organisation could not have done better than to open its doors to Bhutan. A State at once wedded to peace by history, culture and religion, Bhutan will be an acquisition to the U.N. as it will only lend its helping hand of support to the cause of righteousness.

If the effectiveness of the U.N. lies in bringing together States that are non-controversial and have no political conflicts or problems of their own, Bhutan's admission augurs well for the future of the U.N. Bhutan is a State away from power politics, non-controversial in its basic existence as well as in its future outlook. The U.N. can, therefore, only gain in its strength by the admission of Bhutan.

If the greatness of the U.N. lies in the universalism of its existence, the admission of Bhutan may be said to have fulfilled a necessity and that too for many reasons. First and foremost, Bhutan represents a unique character of its own, a distinctive genius and an unparalleled culture with its own political theory and constitutional organisation. If the U.N. like any representative organ whether international or the national legislature of a State, can be reckoned to be true to its principle only if every shade of political opinion and every kind of human existence is represented on it, the U.N. could not have allowed its premier representative organ, the Assembly, to be without this freak creation of nature which by its admission adds to the colour, lustre, variety and, above all, universalism of the U.N.

Mr. Vinci, the Permanent Representative of Italy in the United Nations, very cogently pointed out that Bhutan's admission to the U.N. was "a further step towards the universality of our membership—towards an objective which we consider of the greatest importance for the organisation". Several other members of the Security Council, as has been mentioned earlier, emphasised the vital interest of the U.N. in widening its authority over all continents of the world on a global scale. For the U.N. an open-door policy furnishes the only answer. There should be at least one organisation in the world where all autonomous political units, whether big or small, can meet on equal terms. It is the compulsion of events which leads frequently to the establishment of new States which are more often small than big. While this monograph has been on the anvil, Bahrein has declared its independence and gained admission to the U.N.<sup>1</sup> As this development in the world persists, the correct answer in law, politics and history would be to eradicate the closed-door policy and, in the case of at least one organisation of the world, welcome all those who express a desire to come within its fold. The Chinese case long illustrated the futility of the bang-door policy which has already suffered a total reversal. The U.N. should, therefore, always be a universal force.

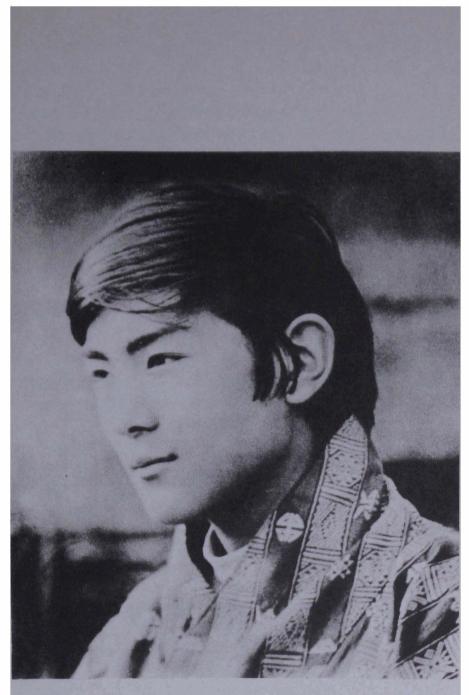
Lastly, if the U.N. is to build up its muscles to enforce its will in the world, it can only do so through the truly democratic processes of formulating world public opinion which could act as a sanction in favour of its decisions. Again, to build such world public opinion as an effective instrument of sanction, it is necessary that the basic organ of the General Assembly should have as broad a base as possible. On no account should it give the impression of being a monopoly of the few howsoever great and powerful they may be. It should include States of every clime and culture, every school of political opinion and in every stage of economic development. In this exercise, numbers count, whether of big or small States, but since the big are fewer, the small but numerous will alone help to keep the vessel on an even keel. Bhutan, though small, will, therefore, have its own contribution to the formulation of world public opinion. In this regard, it will be an asset to the U.N. since all should know that this Buddhist State founded on the principle of non-violence could only throw its weight on the side of the just and the deserving.

Again, if Bhutan has been an acquisition to the U.N. there can be little doubt the U.N. in its turn will also be a great acquisition to Bhutan. In the furtherance of the economic development of the State, Bhutan's membership of the U.N. is bound to prove most beneficial in the long run. Moreover, if a member of the world community has to perform its role in the international life today, the forum of the U.N. provides the true path. Even China after a long spell of solitude in diplomatic relations has found the aegis of the U.N. as providing the most convenient and

<sup>&</sup>lt;sup>1</sup>On August 14, 1971, Bahrein declared its independence and sought admission to the UN.

effective platform for the conduct of inter-State relations. The U.N. may be accepted as the greatest contact centre for obtaining quick consultations and prompt response to international events. This is much more so these days because numerous States rely principally on their Permanent Missions in New York to contact the Permanent Missions of the rest of the world who are found one and all in the U.N. and at no other spot in the world. No individual State can or does maintain its own missions in each and every State of the world today. There can be little doubt, therefore, that Bhutan will gain by its admission to the U.N. perhaps as much as the U.N. will have a jewel of an asset in its midst.

We may conclude this exercise on Bhutan celebrating its admission to the U.N. by submitting that in the strength and the growth of the U.N. lies the ultimate solution to the age-long riddle of world peace. If the science of the West with its spectacular climb to the moon is necessary for the comfort of the world, let it be known that the wisdom of the Orient as symbolised by the spiritual teachings of Asia is equally necessary for the salvation of mankind.



His Majesty Jigme Singye Wangchuk, the Druk Gyalpo of Bhutan (July 24, 1972)

### POSTSCRIPT

### King Jigme Dorji Wangchuk of Bhutan Passes Away

JUST AS the publication of this monograph was nearing completion with its final prints being rolled out of the press, Bhutan was suddenly plunged into deep grief by the sudden and untimely demise of its 43-year-old Ruler, King Jigme Dorji Wangchuk. The end of this great Monarch, the architect of modern Bhutan and the beloved of his people, came suddenly on the night of Friday, July 21, 1972. The King is survived by the Queen, Her Majesty Ashi Kesang Wangchuk, the Crown Prince (since installed as the new king), three daughters and his mother, Her Majesty Ashi Phuntsho Chhoden. His Majesty King Jigme Dorji Wangchuk was the third ruler in succession since the establishment of hereditary monarchy in Bhutan in 1907. He was installed to the throne on October 27, 1952.

This irreparable loss to Bhutan was a loss alike to India. Bhutan, said the Prime Minister, had "lost in him a great monarch and India a staunch friend." In a message to the Royal Mother, the Prime Minister said: "By his affection and goodwill for India, he had endeared himself to the people of India as he had the people of Bhutan."

### Crown Prince Enthroned

The Crown Prince, Jigme Singye Wangchuk, was enthroned at the auspicious time of 7.00 A.M. on Monday, July 24, 1972 as the King of Bhutan at a simple ceremony held at the Royal Cottage in Thimphu, on a formal request by the Ministers and Members of the Royal Advisory Council. His Majesty King Jigme Singye Wangchuk is the fourth in line of the Wangchuk Dynasty which, as mentioned earlier, was established in 1907. The formal coronation of the King, the world's youngest ruling monarch, will take place at a later date. Meanwhile, at its 37th Session held in September, 1972, the National Assembly of Bhutan ratified the earlier decision of the Lhengyel Shungtshog comprising the Cabinet and the Royal Advisory Council that no Regency Council need be appointed and the new King be vested with full powers. This unanimous decision taken by the National Assembly on September 11, 1972, is

indicative of the full confidence which the young King enjoys not only among the elected representatives but also among the masses of Bhutan. This indeed augurs very well for the Kingdom.

His Majesty Jigme Singye Wangchuk, the present King of Bhutan, was born on November 11, 1955, corresponding to the Wood-Sheep year of the Bhutanese Calendar at Dechhenchholing Palace in Thimphu. His Majesty had his early education in Bhutan. He went to study at North Point in Darjeeling for one year in 1963, and in 1965 he went to study in England. In order that His Majesty may fully imbibe the rich cultural heritage of the land, he returned to Bhutan in 1970 and continued his studies at the Ugyen Wangchuk Academy at Paro. He is a keen sportsman and, in his capacity as the Crown Prince since March 1972, he has been actively associated with the Government of the country, having been the Chairman of the Planning Commission of Bhutan. On May 15, 1972, he was made 'Tongsa Penlop', a privileged position similar to that of the Prince of Wales, on the recommendation of the Lhengyel Shungtshog, the State Cabinet, which was approved by the National Assembly and the late King, His Majesty Jigme Dorji Wangchuk.

Immediately after his enthronement, His Majesty Jigme Singye Wangchuk affirmed that he would follow the policies set forth by his late father and would work for further strengthening the existing ties between Bhutan and India. The Representative of India in Bhutan was the first person to call on His Majesty Jigme Singye Wangchuk on his accession to the throne on the morning of July 24, 1972, and he conveyed the congratulations of the President and the Prime Minister of India to the new Monarch. His Majesty the King sent separate messages to the President and the Prime Minister of India and these are reproduced below.

Message dated July 25, 1972, from His Majesty the King of Bhutan to the President of India:

"On behalf of my family and myself, I would like to thank Your Excellency and the Government and people of India for your kind and sympathetic message on the untimely demise of my father. He has left a void in our hearts which cannot be filled. My late father had the highcst affection and regard for Your Excellency and Mrs. Giri and I shall always remember the many kindnesses which we received from your hands during our visit to New Delhi in April 1971. He had forged very strong ties of friendship and cooperation with your great country and it shall be my constant endeavour to further consolidate these ties in the years to come."

Message from His Majesty the King of Bhutan to the Prime Minister of India:

"On behalf of my mother, my sisters and myself, I would like to offer our warmest thanks to Your Excellency and the Government and people of India for the kind message of condolence. The untimely demise of my father is an irreparable loss to my people and a great personal blow to my family. I am grateful to Your Excellency for your assurance of support in the discharge of my new and heavy responsibilities. On my part, I would like to assure Your Excellency that I will follow in the foot-steps of my father, and make every effort to strengthen further the existing ties of friendship between our two countries in our mutual interest."

Again, in the sad hour of her national bereavement, friendly Bhutan received India's assurances of continued support, cooperation and friendship when Vice-President of India, Shri G.S. Pathak, arrived in Thimphu on August 17, 1972 at the head of an Indian Delegation to pay homage to the late King Jigme Dorji Wangchuk. The Vice-President of India observed that Bhutan had made great progress under the 'sagacious leadership and broad vision' of the late King and his death was an irreparable loss to the country. His Majesty emphasised that he wanted to further strengthen friendship with India and he believed there would be more cooperation and continued good relations and cordiality between the two. The Vice-President of India assured His Majesty that India would always extend all cooperation and every assistance.

### Druk Gyalpo and the World Press

King Jigme Singye Wangchuk, the Druk Gyalpo of Bhutan. had his first ever meeting with the World Press on August 20, 1972. At this Press Conference, the 17-year-old Monarch freely answered questions on a wide range of topics and while so doing also touched upon various aspects of the policy that Bhutan would follow. He asserted that Bhutan's policy would continue to be based on non-alignment and peaceful co-existence with all countries. He observed: "In keeping with our Buddhist traditions, we shall try to promote the ideals of peace and non-violence in this troubled world through such agencies as the United Nations." As for foreign policy, the King stated: "Our foreign policy will continue to develop friendship, understanding and cooperation with all countries and specially with our neighbour India." In regard to foreign aid, the King said, multilateral aid from international bodies like the specialised agencies of the United Nations would be "welcomed only in order to supplement and complement Indian aid." On being asked if he would like to review the Indo-Bhutan treaty, the King firmly replied in the negative. "We don't propose to review the treaty. They have not approached us and we have not approached them." said he, adding that, "The treaty is working well, and India had been helping us a lot to accelerate the pace of economic development set forth by my late father. We are receiving very good technical and financial assistance from India or through India."

In regard to internal administration, governance and development of Bhutan, the King had significant remarks to make in reply to questions asked by the newsmen. Paying an eloquent tribute to his late father, the King said: "He made an immense personal contribution to all phases of the progress and development of our country internally. There was a flowering of the arts. Serfdom was abolished, laws were codified, land reforms introduced and, most important of all, he encouraged the people's participation to the government of the kingdom through such representative institutions as the National Assembly, Council of Ministers and the Royal Advisory Council." The King said that it was due to his father's great wisdom, foresight and untiring efforts that Bhutan has emerged as a modern progressive State preserving all that was precious in our culture and tradition. "I am determined to follow in his footsteps," he said. The King defined his monarchy as partly 'a constitutional one' with the National Assembly having the power to remove the monarch with a two-thirds majority against the King. The King emphasised: "We will slowly and gradually develop into a constitutional monarchy." In reply to a question concerning the rule of monastery vis-à-vis the rule of King in Bhutan. His Majesty said:"There is a clear division of power between the head of the monastery, Jey Khempo, and the King. In all religious matters, Khempo is the deciding authority, and for the State administration, the King will have his final say. There is no clash of interests between the two."

With a young and enlightened Monarch who is now the Head of the State, there is sanguine hope entertained by all in Bhutan that the country will continue to march on the path of progress and development as ever before and play its role in the World Comity of Nations where it has recently found its due place.

### **APPENDICES**

### **APPENDIX I**

### PRINCIPAL ANIMALS AND BIRDS FOUND IN BHUTAN AND ITS NEIGHBOURHOOD AND THEIR HABITAT

*Elephants*—Along the lower hills and in the Duars, penetrating in the rainy season into the hills to an elevation of 11,000 feet.

Rhino-In a few of the lower valleys of Bhutan, but not common.

Bison-In the lower valleys and outer hills of Bhutan.

Mythun-Do. do.

*Tiger*—In all the outer hills and valleys, and occasionally in the lower valleys up to 9,000 feet.

Common Leopard-Throughout the hills up to an elevation of 8,000 feet.

Clouded Leopard--At elevations from 4,000 feet to 6,000 feet.

Snow Leopard-Rare, and only met with at high elevations above 11,000 feet.

Black Leopard—Rare, but met with in the dense jungles at elevations of 3,000 feet to 4,000 feet.

Lynx—Rare; only at high elevations bordering on Tibet over 16,000 feet. Wolf—Do. do.

Jackal-Has been imported from the plains of India, and is occasionally seen as high as 6,000 feet.

Wild Dog—Not very common, but is met with in packs between the plains and a height of 6,000 feet. There is said to be a second species.

Shau (Cervus affines)-Inhabits a tract to the north-east of the Chunbi Valley.

Sambur-In all the lower hills.

Cheetah-Do. do.

Hog-deer-Do. do.

Barking Deer-Throughout the hills up to an elevation of 9,000 feet.

Musk Deer-In the higher valleys at an elevation of 11,000 feet.

Goral—Throughout the hills at an elevation of 4,000 feet to 8,000 feet.

Serow-Throughout the hills at elevations from 4,000 feet to 9,000 feet.

Thar-Somewhat rare; at elevations from 6,000 feet to 14,000 feet.

Takin (Budorcas taxicolor Whitei)—Very rare; only occasionally at elevations from 12,000 feet upwards.

Tibetan Gazelle—At elevations of from 17,000 feet to 19,000 feet in a few of the higher valleys opening into Tibet.

Nyen (Ovis ammon)—Only found on very high ground on the borders of Tibet, from 17,000 feet upwards.

Nao, or Burhel (Ovis nahura)—Throughout the hills at high elevations from 16,000 feet upwards.

Kyang—Very rare; at high elevations on the borders of Tibet.

*Bear*—Three species, one inhabiting high altitudes from 11,000 feet to 12,000 feet; the common black bear, found everywhere, from 6,000 feet downwards; and a third species, also said to be common, inhabiting the lower valleys.

Monkeys—Three species, one inhabiting the slopes near the plains, one at an elevation from 3,000 feet to 6,000 feet, and the langur, found from 7,000 feet to 12,000 feet.

Cat-bear-Not uncommon at elevations from 7,000 feet to 12,000 feet.

Cats--Many species, which inhabit the dense jungle all along the hills.

#### **GAME-BIRDS**

Jungle Fowl—Throughout the hills, up to 4,000 feet.

Kelij Pheasant-Throughout the hills at elevations of 2,000 feet to 4,000 feet.

Tragopan, or Argus Pheasant—Throughout the hills at elevations of 7,000 feet to 9,000 feet.

Blood Pheasant-In Western Bhutan at 9,000 feet to 13,000 feet..

Monal-Throughout the hills at elevations of 9,000 feet to 15,000 feet.

*Wood Partridge*—There are two species, distinguished only by a white marking on the neck and a slight difference in size. Found throughout the hills in dense bamboo jungle at 5,000 feet to 8,000 feet.

Snow Partridge—Throughout the hills above 15,000 feet. Snow Cock---Do do.

Woodcock—In the cold season in the middle valleys and in summer in the higher valleys, but not above 13,000 feet.

Solitary Snipe-In wet, marshy ground above 11,000 feet.

Ram Chicoor---Throughout the hills at elevations above 14,000 feet.

Tibetan Sand Grouse-Along the Tibetan boundary above 17,000 feet.

Quail—Found in cornfields in Bhutan at 9,000 feet in May and June.

Partridge-Only a few at high elevations.

Duck—Cold-weather visitors. Only a very few breed on the higher lakes. Geese—Do. do.

Snipe-Do. do.

Pigeons---Imperial, snow, blue rock, and many species of wood pigeons are found.

### APPENDIX II

### ARTICLES OF THE TREATY OF PEACE BETWEEN THE HONOURABLE EAST INDIA COMPANY AND THE DEB RAJA OF BHUTAN, 1774.

Ist: That the Honourable Company, wholly from consideration for the distress to which the Bhootans represented themselves to be reduced, and from the desire of living in peace with their neighbours, will relinquish all the lands which belonged to the Deb Rajah before the commencement of the war with the Rajah of Cooch Behar, namely, to the eastward, the lands of Chitchacotta and Pangolahaut, and to the westward, the lands of Kyruntee, Marragaut, and Luckypoor.

2nd: That for the possession of the Chitchacotta Province, the Deb Rajah shall pay an annual tribute of five Tangun horses to the Honourable Company which was the acknowledgement paid to the Behar Rajah.

3rd: That the Deb Rajah shall deliver up Dhujinder Narain, Rajah of Cooch Behar, together with his brother, the Dewan Deo, who is confined with him.

4th: That the Bhootans, being merchants, shall have the same privilege of trade as formerly, without the payment of duties; and their caravan shall be allowed to go to Rungpoor annually.

5th: That the Deb Rajah shall never cause incursions to be made into the country, nor in any respect whatever molest the ryots that have come under the Honourable Company's subjection.

6th: That if any ryot or inhabitant whatever shall desert from the Honourable Company's territories, the Deb Rajah shall cause him to be delivered up immediately upon application being made for him.

7th: That in case the Bhootans, or any one under the Government of the Deb Raja, shall have any demands upon or disputes with any inhabitant of these or any part of the Company's territories, they shall prosecute them only by an application to the Magistrate, who shall reside here for the administration of justice.

8th: That whereas the Sunneeyasies are considered by the English as an enemy, the Deb Raja shall not allow anybody of them to take shelter in any part of the districts now given up nor permit them to enter the Honourable Company's territories, or through any part of his, and if the Bhootans shall not of themselves be able to drive them out, they shall give information to the Resident on the part of the English, in Cooch Behar, and they shall not consider the English troops pursuing the Sunneeyasies into those districts any breach of this Treaty.

9th: That in case the Honourable Company shall have occasion for cutting timber from

any part of the woods under the Hills, they shall do it duty free, and the people they send shall be protected.

10th: That there shall be a mutual release of prisoners.

This Treaty to be signed by the Honourable President and Council of Bengal, etc., and the Honourable Company's seal to be affixed on the one part, and to be signed and sealed by the Deb Raja on the other part.

Signed and ratified at Fort William, the 25th April, 1774.

WARREN HASTINGS WILLIAM ALDERSEY P.M. DACRES J. LAURELL HENRY GOODWIN J. GRAHAM GEORGE VANSITTART

# APPENDIX III

### ARTICLES OF TRADE DRAWN UP BY BOGLE IN 1774 WITH THE DEB RAJA OF BHUTAN

"Whereas the trade between Bengal and Tibet was formerly considerable, and all Hindu and Mussalman merchants were allowed to trade into Nepal, which was the centre of communication between the two countries, and whereas from the wars and oppressions in Nepal the merchants have of late years been unable to travel in that country, the Governor as well as the Deb Raja, united in friendship, being desirous of removing these obstacles so that merchants may carry on their trade free and secure as formerly, have agreed on the following articles:

"That the Bhutanese shall enjoy the privilege of trading to Bengal as formerly, and shall be allowed to proceed either themselves or by their gomasthas to all places in Bengal for the purpose of trading and selling their horses free from duty or hindrance.

"That the duty hitherto exacted at Rangpur from the Bhutan caravans be abolished.

"That the Deb Raja shall allow all Hindu and Mussalman merchants freely to pass and repass through his country between Bengal and Tibet.

"That no English or European merchants shall enter the Deb Raja's dominions.

"That the exclusive trade in sandal, indigo, skins, tobacco, betel-nut, and pan shall remain with the Bhutanese, and that the merchants be prohibited from importing the same into the Deb Raja's dominions, and that the Governor shall confirm this in regard to indigo by an order to Rangpur."

## APPENDIX IV

### TRANSLATION OF THE DOCUMENT WHICH MR. EDEN SIGNED UNDER COMPULSION IN 1864

#### Agreement :

That from to-day there shall always be friendship between the Feringees (English) and the Bhotanese. Formerly the Dhurina Raja and the Company's Queen were of one mind, and the same friendship exists to the present day. Foolish men on the frontier having caused a disturbance, certain men belonging to the British power, living on the frontier have taken Bulisusan (Julpigorie?) between Cooch Behar and the Kam Raja, and Ambaree, near the border of Sikim, and then between Banska and Gowalparah. Rangamuttee, Bokalibaree, Motteeamaree, Papareebaree, Arioetta, and then the seven Eastern Dooars. Then certain bad men on the Bhoteah side stole men, cattle, and other property, and committed thefts and robberies, and the Feringees' men plundered property and burnt down houses in Bhotan. By reason of these bad men remaining, the ryots suffered great trouble; and on this account the Governor-General, with a good intention, sent an envoy, Mr. Eden, with letters and presents, and sent with him Cheeboo Lama, the Minister of Sikim, and on their coming to the Dhurma and Deb Rajas, making petition, a settlement of a permanent nature has been made by both parties. The Dhurma Raja will send one agent to the east and one to the west; when they shall arrive on the frontier of the Company's territory, they shall, after an interview with the Feringees' agents, receive back the tracts above mentioned belonging to Bhotan, and after these shall be given back, and on full proof being given against persons charged with cattle stealing, & c., the Feringees will surrender such offenders to the Bhotanese, and the Bhotanese will in like manner surrender offenders to the Feringees. After that each shall take charge of his own territory, look after his own ryots, and remain on friendly terms, and commit no aggressions, and the subjects of either State going into the neighbouring State shall be treated as brothers.

If, notwithstanding, any bad men on either side shall commit any aggression, the rulers of the place in which the offender lives shall seize and punish him. And as Cheeboo Lama is the interpreter between the Feringees and the Bhoteahs, the Sikimese are therefore henceforth to assist the Bhoteahs. We have written about that the settlement is permanent; but who knows, perhaps this settlement is made with one word in the mouth and two in the heart. If, therefore, this settlement is false, the Dhurma Raja's demons (names omitted) will, after deciding who is true or false, take his life, and take out his liver and scatter it to the winds like ashes. The Bhotan army will take possession of Sikim, and if the Raja of Cooch Behar shall attempt to take any land belonging to Bhotan, the Bhotan Government, the Sikim Government, and the Company will invade Cooch Behar. If the Feringees atempts to take land from Bhotan, the Bhoteahs, Sikimese, and Beharees will invade the Company's territory; and if the Behar Raja shall invade Sikim, the Bhotanese, Sikimese, and the Company shall invade Behar. Whichever of the four States, Bhotan, Feringees, Behar, Sikim, commit aggression, the other three

shall punish it; and if, whilst this agreement remains, any other enemy shall arise to any of the States, the other shall all assist him. This agreement is made between the Feringees and the Bhotanese. And this is the seal of the Dhurma and Deb Rajas.

Seal here attached.

Ashley Eden (Under compulsion)

The year Singee, 21st month, Danopipa

# APPENDIX V

### KHUREETA TO HIS HIGHNESS THE DEB RAJAH INTIMATING THE ANNEXATION OF AMBAREE FALLACOTTAH (DATED SIMLA, 9TH JUNE 1864)

You are well aware that for many years past wanton outrages have been committed by your subjects within the territories of the British Government and within the territories of the Rajas of Sikkim and Cooch Behar, who are under British protection. Men, women, and children have been kidnapped and sold into slavery; some have been put to death; others have been cruelly wounded; and much valuable property has been carried off or destroyed. These outrages, it is well known are not the act of individual criminals, who set the laws of Bhootan at defiance; they are perpetrated with the knowledge and at the instigation of some of the leading Chiefs of Bhootan. Over a period of thirty-six years these aggressions have extended. Many remonstrances have been in vain addressed to the Bhootan Government, and the British Government has been compelled, in its own defence and the defence of its protected and subordinate allies, to have recourse to measures of retribution. In 1828 and 1836 the British Government were most reluctantly forced to occupy the Booree Gooma and the Banska Doars, but these districts were subsequently restored to the Bhootan Government in the hope that the Bhootan Government would fulfil the offices of friendship towards their neighbour by restraining their subjects from the commission of such aggressions for the future.

This hope proved illusory, and after the British Government had in vain endeavoured to secure a better understanding with the Bhootan Government by means of a friendly mission, it became necessary in 1841 to annex permanently to the British dominions the seven<sup>1</sup> Assam Doars, a measure which, it was believed, would convince the Bhootan Government that British territory cannot with impunity be persistently and wantonly violated. Nevertheless, the British Government, willing to believe in the friendship of your Government, and careful only to secure an undisturbed frontier and to leave at peace with the people of Bhootan, paid to your Government annually a sum of Rupees 10,000 from the revenues of these Doars.

But even this moderation on the part of the British Government, this sign of its anxiety above all things for peace, was misunderstood. Outrages did not cease. Precautions had to be taken for the defence of the British frontier, and not only the Deb and Dhurma Rajahs, but the local Governors on the frontier, particularly the Tongso Pillo, had to be distinctly warned that unless these insults to the British Government were put a stop to, the British Government would have no alternative but to resort to further measures of retribution.

These warnings were ineffectual; it is unnecessary to repeat the numerous acts of aggression to which the British Government patiently submitted, and the further remonstrances which were addressed to your Government before they carried their threats into execution by the stoppage of the rent of Rupees 2,000 a year for the Ambaree Fallacottah, which the British Government held in farm. Of the reasons which forced the British Government to this measure, your Government were duly informed, and

you were warned that the rents of Ambaree Fallacottah would not be paid until full reparation should be made, captives released, and the guilty parties punished. These measures also proved ineffectual; and as the British Government were unwilling to be committed to a course of retributive coercion, it was determined to make one effort more by peaceful negotiation and the despatch of a friendly mission to explain fully the demands of the British Government and to put the relations of the two Governments on a satisfactory footing. Of this intention the Bhootan Government were informed in 1862 by a special messenger, who carried letters to the Deb and Dhurma Rajahs, and by more recent letters addressed to you by the Honorable the Lieutenant-Governor of Bengal. The mission, under the conduct of the Honorable Ashley Eden, a high functionary of the British Government and my Envoy and plenipotentiary, reached your Court at Poonakha on 13th March 1864. Mr. Eden was the bearer of a Draft Treaty which he was instructed to negotiate with you. The terms of that Treaty were so just and reasonable, and so favourable to the best interests of both Governments, that I did not anticipate its rejection, more especially as Mr. Eden had full discretion to modify any of the details not inconsistent with the principles of the Treaty to meet the wishes of the Bhootan Government. It was, of course, optional with you to accept or reject this Treaty in whole or in part, and had you received my Envoy in the manner suited to his rank as my representative, and as by the usages of nations he ought to have been received, but declared your inability to accede to the demands of the British Government, this rejection of my proposals, however much to be regretted as forcing the British Government to coercive measures for the protection of the persons and property of its subjects, would not in itself have been an offence.

But you are aware that not only have the just demands of the British Government been refused, but they have been refused in a manner disgraceful to yourself and to your Durbar and insulting to the British Government. Not only has the Envoy deputed to your Court not been received with the dignity due to his rank; he has not even received that protection from personal insult and violence which is extended to an Envoy by the laws of all nations save the most barbarous. By the Tongso Pillo and his coadjutors in Council the letter addressed to you on the part of the British Government has been treated with contumely; my Envoy was publicly insulted and derided in your own presence, and has been compelled under threats of personal violence to sign an engagement agreeing to restore the Assam Doars.

This engagement I entirely repudiate, not only because it was beyond Mr. Eden's instructions to agree to any such terms, but because the engagement was extorted from him by personal violence and threats of imprisonment. The treatment to which the mission which was deputed to your Court to remove all causes of dispute by peaceful negotiation was subjected, has been so disgraceful that the British Government cannot allow the Government of Bhootan to go unpunished.

I am aware that your authority has been usurped by the Tongso Pillo and other Chiefs, but it cannot be permitted that, for the insubordination of your Chiefs and the internal distractions which weaken the Government of Bhootan, the subjects of the British Government should suffer and the Envoy of the British Government should be insulted and maltreated.

I therefore inform you that the district of Ambaree Fallacottah, heretofore held in rent from the Bhootan Government, is permanently annexed to the British dominions, and that all payments of rent from that district and of revenues from the Assam Doars to the Bhootan Government have ceased for ever. You have been informed bothin writing and by my Envoy that all British subjects of Cooch Behar and Sikkim, of whom there are said to be more than three hundred, who are now held captive by your Chiefs and in your monasteries, or are detained in Bhootan against their will, must be released, and that the property which has been carried off from British territory, or Cooch Behar, or Sikkim within the last five years, must be restored. I now warn you that, unless these demands are fully complied with by the 1st day of September next, that is, three months from this date, I shall take such further measures to enforce these demands as may seem to me to be necessary.

(Sd.) John Lawrence

The same to the Dhurm Raja.

<sup>1</sup>Ghurkola, Banska, Chappa Goonee, Chappakhamar, Bijnee, Booree Gooma, Kulling.

## **APPENDIX VI**

### PROCLAMATION REGARDING THE ANNEXATION OF BENGAL DUARS (12TH NOVEMBER, 1864)

For many years past outrages have been committed by subjects of the Bhootan Government within British territory, and in the territories of the Rajahs of Sikkim and Cooch Behar. In these outrages property has been plundered and destroyed, lives have been taken, and many innocent persons have been carried into and are still held in captivity.

The British Government, ever sincerely desirous of maintaining friendly relations with neighbouring States, and specially mindful of the obligations imposed on it by the Treaty of 1774, has endeavoured from time to time by conciliatory remonstrance to induce the Government of Bhootan to punish the perpetrators of these crimes, to restore the plundered property, and to liberate the captives. But such remonstrances have never been successful, and, even when followed by serious warning, have failed to produce any satisfactory result. The British Government has been frequently deceived by vague assurances and promises for the future, but no property has ever been restored, no captive liberated, no offender punished, and the outrages have continued.

In 1863 the Government of India, being averse to the adoption of extreme measures for the protection of its subjects and dependent allies, despatched a special mission to the Bhootan Court, charged with proposals of a conciliatory character, but instructed to demand the surrender of all captives, the restoration of plundered property, and security for the future peace of the frontier.

This pacific overture was insolently rejected by the Government of Bhootan.Not only were restitution for the past and security for the future refused, but the British Envoy was insulted in open Durbar, and compelled, as the only means of ensuring the safe return of the mission, to sign a document which the Government of India could only instantly repudiate.

For this insult the Governor-General in Council determined to withhold for ever the annual payments previously made to the Bhootan Government on account of the revenues of the Assam Doars and Ambaree Fallacottah, which had long been in the occupation of the British Government, and annexed those districts permanently to British territory. At the same time, still anxious to avoid an open rupture, the Governor-General in Council addressed a letter to the Deb and Dhurma Rajahs, formally demanding that all captives detained in Bhootan against their will should be released, and that all property carried off during the last five years should be restored.

To this demand the Government of Bhootan has returned an evasive reply, from which can be gathered no hope that the just requisitions of the Government of India will ever be complied with, or that the security of the frontier can be provided for otherwise than by depriving the Government of Bhootan and its subjects of the means and opportunity of future aggression.

The Governor-General in Council has therefore reluctantly resolved to occupy permanently and annex to British territory the Bengal Doars of Bhootan, and so much of the Hill territory, including the Forts of Dallingkot, Panakha, and Dewangiri, as may be necessary to command the passes, and to prevent hostile or predatory incursions of Bhootanese into the Darjeeling District or into the plains below. A Military Force amply sufficient to occupy this tract and to overcome all resistance, has been assembled on the frontier, and will now proceed to carry out this resolve.

All Chiefs, Zemindars, Munduls, Ryots, and other inhabitants of the tract in question are hereby required to submit to the authority of the British Government, to remain quietly in their homes and to render assistance to the British troops and to the Commissioner who is charged with the administration of the tract. Protection of life, and property and a guarantee of all private rights is offered to those who do not resist, and strict justice will be done to all. The lands will be moderately assessed, and all oppression and extortion will be absolutely prohibited.

The future boundary between the territories of the Queen of England and those of Bhootan will be surveyed and marked off, and the authority of the Government of Bhootan within this boundary will cease for ever.

Fort William, The 12th November 1864 By order of the Governor-General in Council, (Sd.) H.M. Durand, Colonel, Secy. to the Government of India

## **APPENDIX VII**

### THE TREATY OF SINCHULA, 1865

Article 1: There shall henceforth be perpetual peace and friendship between the British Government and the Government of Bhootan.

Article 2: Whereas in consequence of repeated aggressions of the Bhootan Government and of the refusal of that Government to afford satisfaction for those aggressions, and of their insulting treatment of the officers sent by His Excellency the Governor-General-in-Council for the purpose of procuring an amicable adjustment of differences existing between the two States, the British Government has been compelled to seize by an armed force the whole of the Doars and certain Hill Posts protecting the passes into Bhootan and whereas the Bhootan Government has now expressed its regret for past misconduct and a desire for the establishment of friendly relations with the British Government, it is hereby agreed that the whole of the tract known as the Eighteen Doars, bordering on the District of Rungpoor, Cooch Behar and Assam, together with the Talook of Ambaree-Fallacottah and the Hill territory on the left bank of the Teesta up to such point as may be laid down by the British Commissioner appointed for the purpose is ceded by the Bhootan Government to the British Government for ever.

Article 3: The Bhootan Government hereby agree to surrender all British subjects as well as subjects of the Chiefs of Sikkim and Cooch Behar who are now detained in Bhootan against their will, and to place no impediment in the way of the return of all or any of such persons into British territory.

Article 4: In consideration of the cession by the Bhootan Government of the territories specified in Article 2 of this Treaty, and of the said Government having expressed its regret for past misconduct, and having hereby engaged for the future to restrain all evil-disposed persons from committing crimes within British territory or the territories of the Rajahs of Sikkim and Cooch Behar and to give prompt and full redress for all such crimes which may be committed in defiance of their commands, the British Government agree to make an annual allowance to the Government of Bhootan of a sum not exceeding fifty-thousand rupees (Rupees 50,000) to be paid to officers not below the rank of Jungpen, who shall be deputed by the Government of Bhootan to receive the same. And it is further hereby agreed that the payments shall be made as specified below:

On the fulfilment by the Bhootan Government of the conditions of this Treaty wenty-five thousand rupees (Rupees 25,000).

On the 10th January following the 1st payment, thirty-five thousand rupees (Rupees 35,000).

On the 10th January following forty-five thousand rupees (Rupees 45,000).

On every succeeding 10th January fifty-thousand rupees (Rs. 50,000).

Article 5: The British Government will hold itself at liberty at any time to suspend the payment of this compensation money either in whole or in part in the event of misconduct on the part of the Bhootan Government or its failure to check the aggression of its subjects or to comply with the provisions of this Treaty. Article 6: The British Government hereby agree, on demand being duly made in writing by the Bhootan Government, to surrender, under the provisions of Act VII of 1854, of which a copy shall be furnished to the Bhootan Government, all Bhootanese subjects accused of any of the following crimes who may take refuge in British do m inions. The crimes are murder, attempting to murder, rape, kidnapping, great personal violence, maiming, dacoity, thuggee, robbery, burglary, knowingly receiving property obtained by dacoity, robbery or burglary, cattle stealing, breaking and entering a dwelling house and stealing therein, arson, setting fire to village, house, or town, forgery or uttering forged documents, counterfeiting current coin, knowingly uttering base or counterfeit coin, perjury, subordination of perjury, embezzlement by public officers or other persons, and being an accessory to any of the above offences.

Article 7: The Bhootan Government hereby agree, on requisition being duly made by or by the authority of the Lieutenant Governor of Bengal, to surrender any British subjects accused of any of the crimes specified in the above Article who may take refuge in the territory under the jurisdiction of the Bhootan Government, and also any Bhootanese subjects who, after committing any of the above crimes in British territory, shall flee into Bhootan, on such evidence of their guilt being produced as shall satisfy the Local Court of the district in which the offence may have been committed.

Article 8: The Bhootan Government hereby agree to refer to the arbitration of the British Government all disputes with, or causes of complaint against, the Rajahs of Sikkim and Cooch Behar, and to abide by the decision of the British Government; and the British Government hereby engage to enquire into and settle all such disputes and complaints in such manner as justice may require, and to insist on the observance of the decision by the Rajahs of Sikkim and Cooch Behar.

Article 9: There shall be free trade and commerce between the two governments. No duties shall be levied on Bhootanese goods imported into British territories nor shall the Bhootan Government levy any duties on British goods imported into, or transported through, the Bhootan territories. Bhootanese subjects residing in British territories shall have equal justice with British subjects, and British subjects residing in Bhootan shall have equal justice with the subjects of the Bhootan Government.

Article 10: The present Treaty of Ten Articles having been concluded at Sinchula on the 11th day of November, 1865, corresponding with the Bhootea year Shim Lung 24th day of the 9th month, and signed and sealed by Lieutenant-Colonel Herbert Bruce, C.B., and Samdojey Deb Jimpey and Themseyrensey Donai, the ratifications of the same by His Excellency the Viceroy and Governor-General or His Excellency the Viceroy and Governor-General-in-Council and by their Highnesses the Dhurm and Deb Rajahs shall be mutually delivered within thirty days from this date.

H. Bruce, Lieut.-Col. Chief Civil and Political Officer, In Dabe Nagri, In Bhootea language. This treaty was ratified on the 29th November, 1865 in Calcutta by me. John Lawrence, 25th January 1866 Governor-General

# **APPENDIX VIII**

### PROCLAMATION OF ANNEXATION OF THE DOARS AND OTHER TERRITORY OF BHUTAN (4TH JULY 1866)

Whereas in the Proclamation issued on the 12th November, 1864, His Excellency the Viceroy and Governor-General in Council announced his resolution of occupying permanently and annexing to British territory the Bengal Doars of Bhootan and somuch of the hill territory, including the forts of Dalimkote and Dewangiree, as might be necessary to command the passes and to prevent hostile or predatory incursions of Bhootanese into the Darjeeling District, or into the plains below.

And whereas, in pursuance of that resolution, the British Government, under Article II of a Treaty concluded on the 11th day of November 1865, has obtained from the Government of Bhootan for ever the cession of the whole of the tract known as the Eighteen Doars bordering on the districts of Rungpoor, Cooch Behar, and Assam, together with the Talook of Ambaree Fallacottah and the Hill territory on the left bank of the Teesta, up to such point as may be laid down by the British Commissioner appointed for the purpose.

It is hereby declared that the territory ceded by the Bhootan Government as aforesaid is annexed to the territories of Her Most Gracious Majesty the Queen of England.

It is further declared that the ceded territory is attached to the Bengal Division of the Presidency of Fort William, and that it will accordingly be under the immediate control of the Lieutenant-Governor of Bengal, but that it shall not be subjected to the general regulations.

Simla, The 4th July 1866 By order of the Governor-General in Council (Sd.) W. Muir, Secretary to the Government of India

# APPENDIX IX

### THE TREATY OF PUNAKHA, 1910

Whereas it is desirable to amend Articles IV and VIII of the Treaty concluded at Sinchula on the 11th day of November, 1865, corresponding with the Bhootea year Shing Lang, 24th day of the 9th month, between the British Government and the Government of Bhutan, the undermentioned amendments are agreed to on the one part by Mr. C.A. Bell, Political Officer in Sikkim, in virtue of full powers to that effect vested in him by the Right Honourable Sir Gilbert John Elliot-Murray-Kynynmound, P.C., G.M.S.I., G.M.I.E., G.C.M.G., Earl of Minto, Viceroy and Governor-General of India-in-Council, and on the other part by His Highness Sir Ugyen Wangchuk, K.C.I.E., Maharaja of Bhutan.

The following addition has been made to Article IV of the Sinchula Treaty of 1865:

"The British Government has increased the annual allowance to the Government of Bhutan from fifty thousand rupees (Rs. 50,000) to one hundred thousand rupees (Rs. 1,00,000) with effect from the 10th January, 1910".

Article VIII of the Sinchula Treaty of 1865 has been revised and the revised Article runs as follows:

'The British Government undertakes to exercise no interference in the internal administration of Bhutan. On its part, the Bhutanese Government agrees to be guided by the advice of the British Government in regard to its external relations. In the event of disputes with or causes of complaint against the Maharajas of Sikkim and Cooch Behar, such matters will be referred for arbitration to the British Government which will settle them in such manner as justice may require and insist upon the observance of its decisions by the Maharajas named."

Done in quadruplicate at Punakha, Bhutan, this eighth day of January in the year of our Lord one thousand nine hundred and ten, corresponding with the Bhutia date, the 27th day of the 11th month of the Earth-Bird (Sa-ja) year.

C.A. Bell, Political Officer	Seal of Political C in Sikkim	Officer	Seal of Dharma Raja
in Sikkim		Seal of His	Highness the Maharaja
			of Bhutan
			Seal of Tatsang Lamas
			Seal of Tongsa Penlop
8th January 1910			Seal of Paro Penlop
			Seal of Zhung Dronyer
			Seal of Timbu Jongpen
			Seal of Punaka Jongpen
		Seal of V	Vangdu Potang Jongpen
			Seal of Taka Penlop
			Seal of Deb Zimpon

#### Minto

Viceroy and Governor-General of India This Treaty was ratified by the Viceroy and Governor-General of India-in-Council at Fort William, on the twenty-forth day of March, A.D. one thousand nine hundred and ten.

> S. H. Butler Secretary to the Government of India, Foreign Department

# APPENDIX X

### THE TREATY OF NOVEMBER 1910 BETWEEN INDIA AND BHUTAN CONCERNING ENTRADITION AND OTHER RELATED MATTERS

Whereas the Government of Bhutan have applied to the Government of India for a simpler form of procedure for the mutual surrender of criminals than that at present in force, Mr. C.A. Bell, Political Officer in Sikkim, in virtue of full powers vested in him by the Right Hon'ble Sir Gilbert John Elliott-Murray-Kynynmound, P.C., G.M. S.I., G.M.I.E., G.C.M.C., Earl of Minto, Viceroy and Governor-General of India, and Rai Ugyan Dorzie Bahadur, Deb Zimpen, in virtue of full powers granted to him by His Highness Sir Ugyan Wangchuk, K.C.I.E., Maharaja of Bhutan, hereby agree as follows:

(1) The British Government shall, on demand being duly made in writing by the Bhutan Government, take proceedings in accordance with the provisions of the Indian Extradition Act, 1903 (of which a copy shall be furnished to the Bhutan Government), for the surrender of all Bhutanese subjects accused of any of the crimes specified in the first schedule of the said Act who may take refuge in British territory.

(2) The Bhutan Government shall, on requisition being duly made by the Government of India, or by any officer authorised by the Government of India in this behalf, surrender any British subjects, or subjects of a foreign Power, whose extradition may be required in pursuance of any agreement or arrangements made by the British Government with the said Power, accused of any of the crimes, specified in the first schedule of Act XV of 1903, who may take refuge in the territory under the jurisdiction of the Bhutan Government, and also any Bhutanese subjects who, after committing any of the crimes referred to in British territory, shall flee into Bhutan, on such evidence of their guilt being produced as shall satisfy the local court of the district in which the offence may have been committed.

Done in quadruplicate at Kalimpong this twenty-first day of November in the year of our Lord one thousand nine hundred and ten, corresponding with the Bhutia date the twentieth day of the second ninth month of the Iron-dog year.

C.A. Bell, Political Officer in Sikkim Seal of the Political Officer

in Sikkim

Seal of Deb Zimpen

Hardinge of Penshurst,

Viceroy and Governor-General of India.

This Treaty was ratified by the Viceroy and Governor-General of India-in-Council at Fort William on the thirteenth day of December, A.D., one thousand nine hundred and ten.

> J.B. Wood, Secretary to the Government of India, Foreign Department

## APPENDIX XI

DOCUMENT EXECUTED IN 1907 WHICH RECORDED AND SOLEMNISED THE ESTABLISHMENT OF HEREDITARY MONARCHY IN BHUTAN



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# APPENDIX XII

### THE CONSTITUTION OF THE NATIONAL ASSEMBLY

### Rules and Regulations for Assembly Meeting

His Majesty the King has been pleased to command the following Rules to be observed by the Members of the National Assembly (consisting of the Members of the Royal Advisory Council).

It is the duty of every countryman to develop this beautiful country of ours in the political and religious fields; when our country is developed then every Dzong and the people living therein will be happy and prosperous.

Our Constitution may not be as big in comparison to other countries of the world but taking into consideration the welfare and the improvement of the living conditions of the People, all the Members have agreed to take up the measures necessary so His Majesty the Druk Gyalpo graciously established the National Assembly.

It is always wiser to arrive at a decision (to improve our country) in consultation with many intellectuals than to have one single person make that decision alone. This will prove beneficial not only for contemporary times but for posterity too. The National Assembly has been established with this aim in view.

The administration will be run according to the decisions taken by the National Assembly. Due to the Grace of God and the able steps taken by our previous rulers, we have maintained the independence, and national integrity of our country. But, while preserving the gem of independence, we are still backward because of lack of education. We have not been able to improve much.

Other countries of the world have achieved rapid improvement because of rapid progress in education. Under the present circumstances, we too must bring ourselves to a point equal to that of these developed nations. As such, we must place greater emphasis on national development. This must be the foremost duty of all of us.

All Members, therefore, should work in unity to improve the country keeping in mind our culture, religious heritage and traditions of the past. We must thrust aside selfish attitudes and dedicate ourselves to the task of nation building. We must learn from our past follies. With these in view, the following 18 Rules and Regulations will be followed by the National Assembly.

#### Rule No. 1.

His Majesty will nominate Members of the Royal Advisory Council from Government servants, the Monk Body will elect its Members from the Central Monk Body and the People's Representatives shall be elected by the People.

#### Rule No. 2.

The Identity Cards of the Royal Advisory Council will be issued by His Majesty, Identity Cards of Members from the Monk Body will be issued by the Central Monk Body, and of People's Representatives, Identity Cards will be issued by the People's Body.

### Rule No. 3.

Members unable to attend the National Assembly sessions due to sickness or otherwise cannot send any other person on their behalf. The Speaker must be informed of any inability to attend in writing.

#### Rule No. 4.

In accordance with Bhutan Law Book A(12), Chapter 2, the following persons shall not be eligible for Membership of the National Assembly :

- (1) A person who is not a Bhutanese National.
- (2) A person who is less than 25 years old.
- (3) A person who is mentally disabled.
- (4) A convict.
- (5) A person who has served a prison sentence.

### Rule No. 5.

A Member shall hold office for three years but should it be necessary for the Member to be changed, an application should be made to the Speaker.

#### Rule No. 6.

Should a Member be found unfit to serve as a Member, the Assembly may decide in favour of his removal.

#### Rule No. 7.

The number of Assembly Members shall be decided once every five years by the Assembly itself and the number decided upon shall be fixed—no more, no less.

#### Rule No. 8.

*Election of the Speaker*: The Speaker shall be elected by the National Assembly every three years. Should the Speaker be unable to attend due to sickness or any other reason, then the Assembly reserves it's right to elect another Speaker.

#### Rule No. 9.

The Speaker has full powers to maintain proper order in the Assembly hall. No Member may object against him.

#### Rule No. 10.

The Speaker shall fix the date of sessions of the National Assembly which shall be twice a year. But in emergencies and under extra-ordinary circumstances, the Speaker, with the Royal Command of His Majesty, may convene a meeting at any time.

#### Rule No. 11.

Every Member shall have the full right and privilege to express his thoughts in the Assembly. No rule or law can interfere with a Member's freedom of expression.

#### Rule No. 12.

Every Member shall be equal in the National Assembly and all Members may discuss any subject till a suitable decision is reached.

#### Rule No. 13.

No Member shall raise a subject of any nature in the Assembly which is motivated

with a desire to fulfill his own or that of his relatives' self-interests. Such matters will not be permitted to be discussed.

### Rule No. 14.

Members may not contradict or take personal advantage of any decision that has been reached by the Assembly. Should any Member attempt to find fault with the decision, to start a quarrel or take the matter to court, he shall be termed a convict and be removed not only from service but also from society and ultimately from the country.

#### Rule No. 15.

If a Member wishes to raise a point which is for the welfare of a particular person but not a Member of the Assembly, then that Member may come to the Assembly and petition the Speaker who can grant his consent.

#### Rule No. 16.

No Member may reveal to an outsider any secret discussions that have taken place in the Assembly.

#### Rule No. 17.

All the proceedings of meetings, be they large or minor, shall be passed by a twothirds majority vote.

#### Rule No. 18.

All Assembly decisions may be changed either by the Assembly or by the King. No one else can rectify these decisions.

# **APPENDIX XIII**

### TREATY BETWEEN INDIA AND BHUTAN, 1949

The Government of India on the one part, and His Highness the Druk Gyalpo's Government on the other part, equally animated by the desire to regulate in a friendly manner and upon a solid and durable basis the state of affairs caused by the termination of the British Government's authority in India, and to promote and foster the relations of friendship and neighbourliness so necessary for the well-being of their peoples, have resolved to conclude the following Treaty, and have for this purpose, named their representatives, that is to say Sri Harishwar Dayal representing the Government of India, and Deb Zimpon Sonam Tobgye Dorji, Yang-Lop Sonam, Chho-Zim Thondup, Rin-Zim Tandin and Ha Drung Jigmie, Palden Dorji, representing the Government of His Highness the Druk Gyalpo, Maharaja of Bhutan, who have full powers to agree to the same on behalf of the Government of Bhutan.

Article 1: There shall be perpetual peace and friendship between the Government of India and the Government of Bhutan.

Article 2: The Government of India undertakes to exercise no interference in the internal administration of Bhutan. On its part the Government of Bhutan agrees to be guided by the advice of the Government of India in regard to its external relations.

Article 3: In place of the compensation granted to the Government of Bhutan under Article 4 of the Treaty of Sinchula and enhanced by the Treaty of the eighth day of January, 1910 and the temporary subsidy of Rupees one lakh per annum granted in 1942, the Government of India agrees to make an annual payment of Rupees five lakhs to the Government of Bhutan. And it is further hereby agreed that the said annual payment shall be made on the tenth day of January every year, the first payment being made on the tenth of January, 1950. This payment shall continue so long as this Treaty remains in force and its terms are duly observed.

Article 4: Further to mark the friendship existing and continuing between the said Governments, the Government of India shall, within one year from the date of signature of this Treaty return to the Government of Bhutan about thirty-two square miles of territory in the area known as Dewangiri. The Government of India shall appoint a competent officer or officers to mark out the area so returned to the Government of Bhutan.

Article 5: There shall, as heretofore, be free trade and commerce between the territories of the Government of India and of the Government of Bhutan; and the Govt. of India agrees to grant the Government of Bhutan every facility for the carriage, by land and water, of its produce throughout the territory of the Government of India, including the right to use such forest roads as may be specified by mutual agreement from time to time.

Article 6: The Government of India agrees that the Government of Bhutan shall be free to import with the assistance and approval of the Government of India, from or through India into Bhutan, whatever arms, ammunition, machinery, warlike material or stores may be required or desired for the strength and welfare of Bhutan, and that this arrangement shall hold good for all time as long as the Government of India is satisfied that the intentions of the Government of Bhutan are friendly and that there is no danger to India from such importations. The Government of Bhutan, on the other hand, agrees that there shall be no export of such arms, ammunition, etc., across the frontier of Bhutan either by the Government of Bhutan or by private individuals.

Article 7: The Government of India and the Government of Bhutan agree that Bhutanese subjects residing in Indian territories shall have equal justice with Indian subjects, and that Indian subjects residing in Bhutan shall have equal justice with the subjects of the Government of Bhutan.

Article 8: (1) The Government of India shall, on demand being duly made in writing by the Government of Bhutan, take proceedings in accordance with the provisions of the Indian Extradition Act, 1903 (of which a copy shall be furnished to the Government of Bhutan), for the surrender of all Bhutanese subjects accused of any of the crimes specified in the first schedule of the said Act who may take refuge in Indian territory.

(2) The Government of Bhutan shall, on requisition being duly made by the Government of India, or by any officer authorised by the Government of India in this behalf, surrender any Indian subjects, or subjects of a foreign Power, whose extradition may be required in pursuance of any agreement or arrangements made by the Government of India with the said Power, accused of any of the crimes, specified in the first schedule of Act XV of 1903, who may take refuge in the territory under the jurisdiction of the Government of Bhutan, and also any Bhutanese subjects who, after committing any of the crimes referred to in Indian territory, shall flee into Bhutan, on such evidence of their guilt being produced as shall satisfy the local court of the district in which the offence may have been committed.

Article 9: Any differences and disputes arising in the application or interpretation of this Treaty shall in first instance be settled by negotiation. If within three months of the start of negotiations no settlement is arrived at, then the matter shall be referred to the Arbitration of three arbitrators, who shall be nationals of either India or Bhutan, chosen in the following manner :

- (1) One person nominated by the Government of India;
- (2) One person nominated by the Government of Bhutan;
- (3) A Judge of the Federal Court, or of a High Court in India, to be chosen by the Government of Bhutan, who shall be Chairman.

The judgement of this Tribunal shall be final and executed without delay by either party.

Article 10: This treaty shall continue in force in perpetuity unless terminated or modified by mutual consent.

Done in duplicate at Darjeeling this eighth day of August, one thousand nine hundred and forty-nine, corresponding with the Bhutanese date the fifteenth day of the sixth month of the Earth-Bull year.

Harishwar Dayal,

Political Officer in Sikkim

Deb Zimpon Sonam Tobgye Dorji Yang-Lop Sonam Chho-Zim Thondup

Rin-Zim Tandin Ha Drung Jigmie Palden Dorji

#### **INSTRUMENTS OF RATIFICATION**

Whereas a Treaty relating to the promotion of, and fostering the relations of friendship and neighbourliness was signed at Darjeeling on the 8th day of August 1949 by representatives of the Government of India and of the Government of High Highness the Druk Gyalpo, Maharaja of Bhutan, which Treaty is, word for word, as follows:

The Government of India, having considered the Treaty aforesaid hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

In witness whereof this instrument of ratification is signed and sealed by the Governor-General of India.

Done at New Delhi, the 22nd day of September, 1949.

C. Rajagopalachari, Governor-General of India

\*

Whereas a Treaty relating to the promotion of, and fostering, relations of friendship and neighbourliness was signed at Darjeeling on the eighth day of August, 1949 by Representatives of my Government and of the Government of India which Treaty is, word for word, as follows:

\*

My Government, having considered the Treaty aforesaid, hereby confirm and ratify the same and undertake faithfully to perform and carry out all the stipulations therein contained.

In witness whereof I have signed this instrument of ratification and affixed hereto my seal.

Done at Tongsa, the fifteenth day of September, 1949.

J. Wangchuk, Druk Gyalpo.

### **BIBLIOGRAPHY**

Aitchison, C.U., Treaties, Engagements and Sanads, Vol. II-India; 1909.

Bell, Sir Charles, Tibet-Past and Present, 1924.

- Bhutan and Sikkim, published by Information Service of India, Political Office, Gangtok, Sikkim
- Coelho, V.H., Sikkim and Bhutan, published by the Indian Council for Cultural Relations (1967)
- Eden, Ashley, Report on the State of Bhootan (1865).
- Foreign Policy of India, Text of Documents (1947-1959). 2nd ed., Lok Sabha Secretariat, New Delhi.
- Hunter, W.W., Director General of Statistics to the Government of India, *The Imperial Gazetteer of India*, Vol. II. 2nd ed., published by Trubner & Co., London, 1885.

International Law Reporter, Vol. I, No. 6, September 1970.

- Jawaharlal Nehru, India's Foreign Policy, Selected Speeches, September 1948 to April 1961, Publications Division, Ministry of Information and Broadcasting, Government of India.
- Karan, Pradyumna P., and Jenkins, William M., Jr., The Himalayan Kingdoms: Bhutan, Sikkim and Nepal, University of Kentucky Press, Lexington, 1967.
- Karan, Pradyumna P., Bhutan—A Physical and Cultural Geography, University of Kentucky Press, Lexington, 1967.
- Keating's Contemporary Archives, Vol. 15, 1965-66, 20926-B.
- Kuensel, the Weekly Official Bulletin of the Royal Government of Bhutan, Vol. VI, No. 12, November 14, 1971.
- Letters and Memorandum exchanged between the Government of India and China, September-November, 1959-White Paper No. 2, Ministry of External Affairs, 1959.
- Lok Sabha Debates, 1960 (66); Col. 2711.
- Memorandum on Indian States printed by the Political Department of the Government of India from time to time.
- Michel Peissel, Lords and Lamas, 1970.
- Pemberton, R.B., Report on Bootan (1838).
- Political Letters from Secretary of State, No. 4 of 1866; Parliamentary Papers, No. 13 (House of Commons), Vol. 2. 1865.
- Prime Minister on Sino-Indian Relations, Vol. I, In Parliament External publicity Division, Ministry of External Affairs, Government of India.
- Rahul, Ram, The Himalaya Borderland, Vikas Publications, 1969.
- Rau, Sir Benegal, India's Constitution in the Making, 1960.
- Rennie, David Field, Bhotan and the Story of the Doar War, first published by John Murray, Albemarcle Street, London, 1866; Reprint by Bibliotheca Himalayica, 1970 Ronaldshay, Earl of, Lands of the Thunderbolt, 1923.
- Sandberg, G., Bhotan: The Unknown Indian State (1897).
- Sen, Dr. S. N., Prachin Bangla)Patrika Sankalan, 1942 (Calcutta).
- Singh, Madanjeet, Himalayan Art, UNESCO Art Books published by the New York Graphic Society Ltd., (1968).
- Trevelyan, G.M., British History in the 19th Century (1782-1901).

Trevelyan, G.M., History of England, 1934.

Tsongdu, The National Assembly of Bhutan, a booklet published by Information Service of India, Political Office, Gangtok, Sikkim, 1969.

Turner, Captain Samuel, Account of an Embassy to the Court of the Teshu Lama in Tibet (1800).

UN Doc A/PV/1934 of 21-9-71.

UN Doc RES/2751 (XXVI) of 24-9-71.

UN Doc S/10109 of 9-2-71.

UN Doc S/PV 1566 of 10-2-71.

White, John Claude, Sikhim and Bhutan, published by Edward Arnold, Publisher to the India Office, 1909.

