CHAPTER IV

NEPALESE IMMIGRANTS IN BHUTAN:
A CASE OF ETHNIC POLARISATION
DISTRICTS OF BHUTAN DOMINATED BY NEPALESE POPULATION

NOTE - THE BOUNDARIES AND NAMES SHOWN ON THE MAP DO NOT IMPLY OFFICIAL ENDORSEMENT OR ACCEPTANCE OF THE UNITED NATION.
The kingdom of Bhutan consists mainly of four ethnic groups—the Ngalongs, Sarchops, Khengs and the Lhotshampas (Nepalis) each confined to a particular geographic region. Eastern Bhutan is inhabited primarily by Sarchops, who are possibly the earliest settlers in Bhutan. They have their ethnic roots in Arunachal Pradesh in India and are of Indo-Mongoloid origin rather than of Tibetan descent. The Sarchops speak their own language, Tsangela; and have a distinct ethnic identity of being "Sarchop".

The inhabitants of Central Bhutan clustered around Bumthang, known as Khengs, appear to be related to each other and speak a similar language, although the different groups of people in the area have distinct regional identities.1 Their ancient clan leaders claim to trace their roots to the exiled Prince Tsangama of Tibet.2 The Ngalongs, are concentrated mainly in Western Bhutan. These people are of Tibetan origin. They migrated into Bhutan in the ninth and tenth century A.D.3 The Ngalongs speak a dialect similar to Tibetan which varies not only from valley to valley but even from village to village4. Both the Sarchops and the Ngalongs are Buddhist of the 'Drukpa Kagyup sect'.5 Besides, the above

1 Christopher Strawn, Falling off the Mountain: A Political History and Analysis of Bhutan, the Bhutanese Refugees, and the movement in Exile (Wisconsin, 1992), p.7
4 Aris, n.2, p.XIV
5 The Drukpa Kagyupa was founded by Tsangpa Gyaney Dorje (1161-1211). It was introduced in Bhutan by Phajo Drugam Zhigpo in the 13th century A.D. Through the efforts of Phajo and his sons, the Drukpas became the most dominant sect in Bhutan starting with the Western part of the country. It was later strengthened by the visit of other Drukpa teachers and in 17th century when Zhabdrung Ngawang Namgyal unified the country, this school was adopted as state religion. Refer to the Government of Bhutan, Department of Education. History of Bhutan (Thimpu, 1994), p.31 and pp.34-41.
mentioned communities, the other minor communities include Lepcha, mainly residing in Western Bhutan especially in Ha Valley, the Doyas are found mostly in Samchi district in Southern Bhutan and Brokpas and Birmus are nomadic tribes found in the high altitudes in the Central and Eastern Bhutan.6

Apart from these ethnic groups, there are people of Nepali origin who migrated to Bhutan in the last century and are mainly concentrated in the southern part of Bhutan. They are referred to as Lhotshampas.7 It is this group who has been facing the problem of assimilation of late because of what they perceive as the ‘absorptionist’ policy of the government of Bhutan. The non assimilation of the Nepalese can be attributed to their long period of stay in Bhutan with the freedom to practise their culture and tradition.

II

Due to the absence of a common border between Nepal and Bhutan, migration of Nepalese to Bhutan was a-step migration involving two stages. The Nepalese, in the first stage, migrated to India and then to Bhutan. Before analysing the causes for the migration to Bhutan it is pertinent here to discuss the dynamics of Nepalese society which was responsible for the migration of the Nepalese to India.

One of the important reasons for the migration of Nepalese can be attributed to the internal socio-political dynamics prevalent at that period of time. The main form of land tenure prevalent in Nepal were Raikar, Guthi, Birta, Sera and Kipat.

7 This term literally means the people of the south. After this nomenclature was approved by the National Assembly 43rd session in 1975, an executive directive was issued by the Government whereby the use of any other term would be considered as an insult to the southern Bhutanese and a fine of Nu 500 would be realised from the offender. As cited in Jigmi Y. Thinley, “Bhutan: A Kingdom Besieged” in Bhutan: A Traditional Order And Forces Of Change (Thimpu, 1993), p.14.
The high rate of rent and facility of impressing compulsory and unpaid labor services had made the condition of the peasants very miserable. Even the land grants and assignment policies followed by the Gorkhali rulers favoured particular classes and communities in the society and the exclusion of others. Apart from this, the Royal Palace levies, known as ‘Walak’ and local levies to local Kotwals, police and Zamindars for taxes on marriage, use of communal facilities and source of water and tax on religious ceremonies, land settlement operations and cost of stationary and furniture used by local offices was widely considered as being exploitative. In the later part of the eighteenth century, the population of the hill areas increased. Though Tarai was sparsely populated in comparision to the hills, people were reluctant to settle there because of the malarious, hot and humid climate. The prevalence of slavery also added to the misery of the people. All these factors led to the Nepalese migration to India.

The migration of Nepalese was also facilitated by certain external factors like the British policy of recruiting in the army and other economic and strategic reasons. “The British had to adopt many clandestine measures to lure Nepalese, including the encouragement ... to settle in places like Shillong, Darjeeling and Dehradun and despatching gallawalas to collect young boys for their army. It was only after the Rana regime was established in Nepal in 1846 that a formal clearance to recruit Gorkhas was received by the British”. The recruitment in British army not only brought large dividends in the form of salary and pension to

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8 The tenants cultivation of “Birta and Gulti” land which was owned by the priest or other people was more profitable than personal cultivation because of the above reason. M.C. Regmi, A Study Of Nepal’s Economic History, 1768-1846 (Delhi. 1971), p.29 and p.35.
9 ibid, p.40.
10 ibid, p.66.
11 Tanka Bahadur Subba. Ethnicity, State and Development (Delhi, 1992). p.57
the Nepalese but was also considered a prestigious profession. Thus, many Nepalese migrated to join the British Army.

Many Nepali migrants were brought into Assam and Darjeeling area to work in the tea plantations of the British government. After the discovery of Chumbi Valley of Sikkim as a route from India to Tibet, many artisans, "mostly Newars and few Sherpas, moved to Kalimpong and Sikkim." The British "who were in the process of establishing tea plantations in Darjeeling, which required a labour force capable of working in steep hilly areas, as well as a non-Buddhist community in Sikkim that could serve as a counter to what the British perceived to be pro-Tibetan Buddhist policy in that state which did not co-operate with the British policies designed to 'open up Tibet'. The Nepalese fitted both the criteria....By 1900 A.D Nepalis had become a majority community in both Darjeeling and Sikkim..." The eastward movement of Nepalis can be traced back to history when Nepal invaded Sikkim in 1774-75 A.D and occupied the western region. It led to a substantial number of Nepali settlement. However, when the status of Sikkim was restored in 1812, the Nepalis who had settled there stayed back. The British influence in Sikkim increased after 1812 and it became a British protectorate in 1861. To serve its trade interest in Tibet, Sikkim became the gateway for an easy access to Tibet. To multiply its trade "...the British needed more Nepalese laborer to develop Sikkim's communication network for access to Tibet. By 1891, the Nepalese constituted

12 V.B.S Kansaker, "Indo-Nepal Migration Problem and Prospects" Contribution to Nepalese Studies (Kathmandu), vol.11, no.2, April 1984, p.53.
13 ibid., p.52.
15 B.S.Das, The Sikkim Saga (Delhi, 1983), pp.5-6
fifty-one percent of Sikkims’s population ... The rapid development of the tea
estates on the periphery of Bhutan and Sikkim and large deployment of Nepalese
labour there added impetus to their further migration to Bhutan and Sikkim.”16

Nepalese migration to Bhutan can be attributed to a number of reasons.
According to the government sources, it was in the year 1900 A.D that Kazi Ugyan
Dorgi, the Prime Minister of Bhutan who was in the charge of southern Bhutan,
was authorized by Tongsa Penlop to recruit Nepalese as contractual labourers or
‘tangyas’ (forest labourers) for the extraction of timber and clearing forests in the
south.17 Ugyan Dorji who also had his estates in Kalimpong and Sikkim, had
been “closely observing the economic transformation brought about in Sikkim,
Darjeeling and Kalimpong sub-division through the help of industrious and
preservant Nepalis.”18 Thus, he decided to settle the Nepalese in Southern
Bhutan. Another significant reason for Kazi’s policy of recruitment was his own
interest in developing the southern foothills for he was the person who had to pay
annual rent to the central rulers with no questions asked as to how much actually
was realized from the people of southern Bhutan.19 All these considerations led
the Bhutanese to encourage Nepalese migration in the absence of indigenous
labour force.

Since Bhutan’s tarai was malarious, hot and humid, the Bhutanese were not
interested to settle here. Apart from these reasons, Bhutan was sparsely populated
and there was no incidence of poverty and they were mostly thriving on the trade
with Tibet. Even till date population pressure is not much on the hills. The land in
Tarai was very fertile and above all it was sparsely populated. This seemed to the
Nepalese of adjoining areas as an attractive proposition to migrate and settle down.

16 ibid, p.6.
17 Thinley, n.7, p.3.
18 Sinha, n.6, p.37.
Migration has always been and is an outcome of internal dynamics and external opportunities which motivate the migrants to move out. It was thus the population pressure and imbalance in the land-population ratio in Nepal and the adjoining Nepali dominated areas which acted as a push factor forcing the Nepalese to migrate. Moreover, the land was fertile though the climatic condition was adverse in southern Bhutan. The Nepalese who had no other option or alternative, southern Bhutan solved their purpose as far as land was concerned.

The history of Nepalese migration to Bhutan has led to serious controversies in recent years with the government of Bhutan and the rebel leaders giving different dates about the Nepalese settlement in Bhutan. The controversy has arisen due to the fact that both the communities try to prove their presence in the country centuries ago so as to claim that they have settled there since long and the country rightfully belongs to them. Like the Nepalese, the Bhutanese have also settled in Bhutan. It is important here to trace the history of settlements in Bhutan.

II

The history of Bhutan dates back to as early as the seventh century. Frequent invasions from the northern side (Tibet) have been recorded. According to Michael Aris, an expert in Tibetan history, “if one were to apply the label ‘indigenous’ to any peoples in Bhutan...one would be tempted to focus on a very small community of jungle-dwellers...known as the ‘toktop’.... They were once a people who appear to have spread over the whole country and who have now all but disappeared under the impact of fresh migration or military defeat from the north.” Rennie’s account of Bhutanese history traces the origin of the name of the country to “Bhoteahs....The word ‘Bhutan’ simply meaning the country of Bhots and Thibetians....The Bhoteahs, and the Thibetians are infact the same

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20 Aris. n.2. pp. xvii-xviii.
people, the former being what may be termed a colonial branch of the latter, who have become alienated in a considerable measure from the mother country.”\textsuperscript{21}

The migration of Nepalis can be traced to three sources i.e., the British missions to Bhutan, the government of Bhutan sources and the claims by the \textit{Lhotshampa} refugee leaders. However, from among these the British source appears to be more authentic because it records the society and politics of Bhutan not with any political intentions.

The history of migration of Nepalese to Bhutan, according to a noted scholar, dates back to the signing of Sinchula Treaty of 1864. “A side effect of this development was large scale immigration of the Nepalese, first to Darjeeling, then to Sikkim and Duars. The Nepalese expansion to the southern foot hills could not wait longer since these were the regions inhabited by a few \textit{Mech} tribesman with a distant Bhutanese control.”\textsuperscript{22}

Up to the twentieth century, there had been little settlement in the southern foothills of Bhutan compared to the adjoining areas. In 1904, British Political Officer, Charles Bell, “noted that as soon as he had crossed the border all cultivation virtually ceased as the area was sparsely populated.... By comparison with Kalimpong and Sikkim this part of the country could support 150 persons to the square mile. At present it can be only 20 or 30.”\textsuperscript{23} He mentioned about

\begin{itemize}
\item \textsuperscript{21} D.F.Rennie, \textit{Bhotan and the Story of Doar war} (New Delhi, 1970), p.3. Also refer to pp.4-6 for further reading.
\item \textsuperscript{23} Peter Colliester, \textit{Bhutan and the British} (London. 1982), p.170.
\end{itemize}
Sipchu, and Tsang-be in Bhutan, the Kazis were Nandalal Chetri, Gajanan Gurung and Lal Singh Gurung as thickadars (contractual landlords) controlling 2,730 houses and about 15,000 persons; out of the above figure 14,000 were reported to be the Nepalese\(^2\). All these reference about the Nepalis makes their presence evident.

J.C. White, the political officer of Sikkim, in a political mission to Bhutan in 1905 also wrote about the presence of Nepalis in Ha Valley he had observed that, "...for the last fifteen years their (Bhutanese) winter grazing grounds near Sipchu and the lower hills have been seriously curtailed by the increasing irruption of Nepalese settlers. ..."\(^2\) which proves their presence in the western Bhutan. Further, describing the influx of 'paharis' to the lower hills of Bhutan, he wrote: "In a very few years the whole of outer hills will be settled with Nepalese and it will require a good deal of fact and firmness on the part of the Bhutan authorities to keep them under proper control"\(^2\)

The other source which speaks of voluminous migration is Major W.L. Campbell, 'officiating' political officer, who had been with J.C. White to Bhutan in 1907 to attend the coronation of the first King belonging to the present dynasty. He wrote of unsuccessful attempts to recruit soldiers for the Indian Army from the Nepalese settlers in Bhutan.\(^2\) Charles Bell in a mission to Bhutan has also mentioned about the influx of Nepalese.\(^2\)

F.M. Bailey in 1927 considered that the major problem facing Bhutan was no longer the succession (to the throne) but the settlement of so many low-land Nepalis in the lower valley as the Bhutanese who still disliked living at the height

\(^2\) Sinha, n.6, p.38.
\(^2\) J.C. White, *Sikkim and Bhutan* (Delhi, 1984), p.113.
\(^2\) Collister, n.23, p.155.
\(^2\) ibid, p. 174.
\(^2\) ibid, pp. 166-67.
of more than 5,000 feet, avoided going there if they could help it. The number of Nepalese living in these areas was now estimated to be about 50,000.\textsuperscript{29} However, there is a possibility of this estimate not being accurate as it was not based on a proper census, and is a mere guess work.

Other British officers who mentioned about the presence Nepalese settlers were Williamson and B.J Gould. Williamson in his report in 1932-33 wrote that Captain C.J.Morris, who in 1917 was unsuccessful in his effort to assess the available Nepalis Gorkha manpower for reserve recruitment in the army in the time of war, was successful this time. Williamson was impressed to see fourteen Bhutanese boys taking training in Shillong with 2/10th Gorkha Rifles\textsuperscript{30}. He also referred to ‘Gorkha Colonist’ being disgracefully exploited by certain Nepalese landlords\textsuperscript{31}. All these statements prove that Nepalese were not only settled but also owned considerable amount of property in the area.

B.J.Gould in his mission in 1938 referred to the problem of declining indigenous population as a result of the influx of Nepalese coming into the south\textsuperscript{32} and recommended measures to control the Nepalese population. Further, Gould mentioned, that “a hundred and twenty-four Bhutanese subjects of Nepalis origin had joined Gurkha regiments. In Bhutan itself, there was now a very small platoon mostly Gurkha trained, and a reserve of 1,900 rifles.”\textsuperscript{33} These reveal that the Nepalis had come to be trusted as citizens, though they were not formally conferred with citizenship.

Bailey’s report of 1927 gives a crude estimate of Bhutanese of Nepali origin which was endorsed by Capt. C.J.Morris in his mission to Bhutan in 1932 to find

\textsuperscript{29} ibid, p.179.
\textsuperscript{30} ibid, p.186.
\textsuperscript{31} ibid, p.187.
\textsuperscript{32} ibid, p.191.
\textsuperscript{33} ibid, p.194.
out the strength of Gorkhas to recruit in British Army. He made an extensive tour of the two Nepalese districts and gave a rather crude estimate of the Nepalese population in Bhutan. One point of interest in his report is that of the large size of the Nepalese families. That is how he found 1493 houses in the eastern and 4,000 houses in the western district with an estimate of 60,000 Nepalese in Bhutan.

The British missions confirm that the settlement of Nepalis in Bhutan dates back to the late part of nineteenth century and more accurately after the Sinchula Treaty of 1965. Apart from these sources, which underscore the Nepalis migration, there are some other British sources according to which by 1905, there was a considerable amount of Nepalese migration. This was confirmed by J.C. White, the British representative, who was present at the time of the coronation of the first elected hereditary monarch of Bhutan. J.C. White wrote about the presence of Nepalese in the Ha valley and the fightings they used to have with the Bhutanese. He apprehended that in a few years the whole outer hill will be settled with Nepalese if the Government did not take a firm stand. There is conclusive government document which endorses to the above mentioned facts on Nepalis migration. The order which contained the seal of ratification by the 5th Shabdrung Jigney Chogyal and that of Wangdu Dzongpeon was issued on the 5th Rabjung which corresponds to 8th October (1900 A.D.). It appears reasonable to presume that while the British had no official role in bringing in Nepalese to Bhutan, Kazi Ugyen may have been subjected to pressure from the local British authorities in Darjeeling who were faced with an unemployment situation concerning the Nepalese who had by then flooded the hill station. As a noted scholar has put it, “in 1838 he [Kazi Ugyen Dorji] was appointed as Ha Thrungpa, chief of Ha, with rights over the whole of southern Bhutan and rights vested in him to settle

34 C.J. Morris (1932), as cited in Sinha. n.6, p.39.
35 See White. n.25. p.113.
36 As cited in Thinley, n.7, p.3.
immigrant Nepalis in his territory\textsuperscript{37}. As has been discussed earlier, Kazi Ugyen Dorji observed the economic transformation in the bordering areas by Nepalese which later influenced him in his decision to recruit Nepalis in Bhutan. The government document while referring to 1900 A.D.\textsuperscript{38} as the year when Nepalese arrived in Bhutan again contradicts itself when it says that “among many signatories representing regions, district and communities at the coronation of Ugyen Wangchuk in 1907, there was no hint of Nepalese community in the country, much less a signatory on their behalf.”\textsuperscript{39}

The Bhutanese dissidents of Nepali origin, who are in exile now, on the other hand, mention sources which date back to the 7 century A.D. when the 33rd King of Tibet, Tshengtshen Gampo, took a team of Newari artisans from Kathmandu Valley for constructing 108 monasteries, including Paro Kiyachu and Bumthang Jamphel Lakhags at the initiation of his Queen, the Nepali princess Vikruti Devi, for the spread of Buddhism in the Himalayan region. These artisans are believed to have settled in the fertile valley of eastern and central Bhutan\textsuperscript{40}. Dawa Tshering, the Foreign Minister of Bhutan confirmed this, when he said that “the Nepalese have been settling down in our southern plains from the seventh century. We welcomed them because they were hard-working people. But they

\textsuperscript{37} Sinha, n.6, p.37.
\textsuperscript{38} Thinley, n.7, p.3.
\textsuperscript{39} ibid, However, this is quite impossible for the Nepalese who were immigrants in Bhutan at the time of Ugayn Wangchuks coronation to give their signatures owing allegiance to the King. They were not a party to the violent power struggle which Bhutan was witnessing then by the different groups. Moreover, their migrant status did not give them any legitimacy to affirm their loyalty. The report of David F.Rennie (1864), Charles Bell in 1904, John Claude White in 1905 clearly stated about Nepalese settlement although sparse. Then the signature for the coronation of Ugyen Wangchuk in 1905 can not be taken as a cohesive proof for the non-existence of Nepalese.
\textsuperscript{40} Bhutan National Democratic Party (BNDP), 16th March 1993 as cited in Strawn, n.1, p.41.
cannot be permitted to swamp us." There are other sources which argue that when Guru Padmasambhava came to Bhutan in the 9th century to preach Buddhism, he brought an entourage of Nepalis who might have later settled in Bhutan. The Bhutanese refugee sources even maintain that the first Shabdrung brought Nepalis. In 1624 A.D. he had visited the kingdom of Gorkha to request for troops to guard the frontier of Bhutan. The Gorkha King Ram Shah consented to the request and sent 41 families to serve and protect Bhutan. Similarly many workers were sent by Shiv Singh Malla of Kathmandu to work on the Dzong (forts) and monasteries. These families from Gorkha and Kathmandu were settled as Bhutan's subjects. The government reports, however, do not confirm this; neither do the British missions. The Government sources confirm that "since the temporal region of Deb Minjier Tenpa (1667-1680) Newari craftsmen who were renowned for their artistic skills in metal work were commissioned by Bhutan for execution of religious objects and casting of statues".

All these sources although claiming some date or the other, however, lack authenticity about the exact date of the Nepalis migration. Though the government admits and the rebels claim that Nepalis artisans had visited Bhutan to build dzongs, it is very unlikely that any of these people settled down and there is no proof of this in Bhutan. The British missions do not speak about any Nepalese settlement before 1864. Though the exact date of migration is now politicised, it is safe on balance to rely on the British mission reports.

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43 Thinley, n.7, p.4 Also see Strawn, n.1, p.41.
III

From the very beginning of the settlement of Nepalese, the Bhutanese adopted a policy of isolation to isolate the Bhutanese of Nepali origin as completely as possible from the rest of Bhutan's society by restricting them to the disease prone southern Bhutan. The whole of southern Bhutan was under the control of Dorgi family who were ruling over them from Kalimpong. The Nepalis were mostly engaged as agricultural labourers. Moreover, they were not granted citizenship of Bhutan. Though the Nepalese were politically more conscious, the first political organisation formed by them was “Jai Gorkha” solidarity front. Being influenced by the freedom movement of India and the fall of the autocratic Rana rule in Nepal, Bhutan state congress was formed to put forward the grievances of the Nepalese population. The primary goal was the elimination of government policies that were allegedly discriminatory against the Nepali Bhutanese community vis-à-vis other communities in Bhutan. As a noted scholar has put it, “...their right to own and cultivate land was strictly regulated, not only in the Bhutan high lands which were to all extent and purposes closed to them, but in southern Bhutan as well. Even their residence in Bhutan was on a tenuous basis, making them easy objects of exploitation by the local Bhutanese official and their Nepali Bhutanese agents. However, the movement failed because it could not garner much support from the Nepali Bhutanese community because of its limited appeal and the fear that it may affect their land ownership rights.46

The policy of the government of Bhutan after 1950 can be compartmentalised into two distinct phases. The phase during the years 1950-1985 is marked by efforts at assimilating the Nepalese society into the Bhutan’s political and social life. After 1985, the government followed a vigorous policy of

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44 ibid., p.135.
46 ibid, p.112.
integration by imposing the Bhutanese language and culture to ‘absorb’ them into Bhutanese society.

In 1958, the Nepalese of Bhutan were granted citizenship. It was decided in the National Assembly that “the Nepalese of Southern Bhutan should abide by the rules and regulations of the Royal Government and, pledging their allegiance to the King, should conscientiously refrain from serving any other authority (such as Gorkha). They should submit a bond agreement to this effect to the Government”.

47 The citizenship right not only gave them legitimacy but conferred on them political and economic rights at par with other communities of Bhutan. Tshogdu (National Assembly) which had been established in 1953, gave representation to the Southern Bhutanese in 1958, thus including them in the decision-making process. The southern Bhutanese were represented in the Bhutanese civil service. They were free to study in their mother tongue and teaching was imparted in Nepali also. In the National Assembly, other than Dzongkha, the national language, the debates were translated into English and Nepalese also. The national newspaper of Bhutan, The Keunsel, also had three editions - English, Dzongkha and Nepalese. The Nepalese were also taken in the army and police and were included in the cabinet and judiciary48. They were allowed to open Sanskrit Pathasalas and celebrate all their holidays, Their culture and traditions were generally accepted including their own dress and language. Thus till the mid 1980s, the policy of Bhutanese governments towards Lhotshampas was accommodating and cordial.

The major shift in the policy of the government towards southern Bhutanese in the late eighties can be attributed to a number of factors. The census exercise of 1988, which indicated the alarming number of growing Nepalese population which

48 Sinha, n.6. p.223.
had almost doubled especially in the Samchi, in southern Bhutan. This induced a sense of insecurity in the Bhutanese mind. Bhutan became apprehensive about its identity, culture and its Mahayana form of Budhism which is unique and exclusive.

The Bhutan government was also insecure about the strategic location of southern Bhutan. As an expert has put it, the “Nepali Bhutanese are concentrated in an area where they constitute an overwhelming majority of the population...harbouring at least some sense of alienation from the broader society in which they live and the government which rules over them”.49 “The overwhelming majority see themselves as Nepalese not necessarily as sojourner (of Bhutanese) but as members of an extended community on others land.”50

The Nepalese were also suspected to be the carriers of revolutionary ideas due to their interaction with the Indians and Nepalis living beyond the border. The geographical location of southern Bhutan has made the region politically vulnerable to the influence of neighbouring countries. The Nepalese are politically more conscious and outward looking people compared to the northern Bhutanese who are more conservative due to the lack of education and political socialisation. The Nepalese were suspected to be carriers of revolutionary ideas mainly due to geographical proximity and than extra territorial ethnic linkage and loyalty. To quote Leo E. Rose

they are relatively recent immigrants, stemming from the very difference (and in some respect antagonistic) Hindu cultural and value system and are generally resistant to integration into Bhutan’s traditional social community and political culture...their more natural line of association runs south and west rather than north. Moreover, a few of the Nepali Bhutanese have been socialised in Indian political values-democratic, Marxist and Hindu orthodoxy-either before migration to Bhutan or as a part of their education across the border in India....The political tradition of Bhutan, including perhaps those surrounding the monarchy are not deeply ingrained in the Nepali Bhutanese and their loyalty to the system is sometime questioned.

49 Rose, n.45, p.47.
Nor is there any integrating process at work that might change the social and political environment to one more congruent with the rest of Bhutan.

The general fear of ethnic Bhutanese was that, soon a time would come when they would become a minority in their own country. The Sikkim's merger with India was a historical fact which has whipped up the fear of Nepali's potential as a force of political change. Further, the Gorkha National Liberation Front (GNLF) movement in India and the occasional cry for Greater Nepal by these ethnic Nepalis only strengthened their fears. As the Foreign Minister of Bhutan Dawa Tshering, has said "...Just a century ago there were no Nepalese in Darjeeling hills and Sikkim, areas contiguous to us. The imperial gazetteers are historical proof of that. Now they constitute the overwhelming majority, they have political power and they are undisputed leaders in the region. This is historical experience for us"51.

There is a sense of tremendous insecurity which is reflected in the mind of the elite of smaller states which strive to preserve their unique culture and tradition without migrants tampering it. "They want to take over" one official lamented, referring to the apprehension of Nepalese forging a common political entity which might see "...Bhutan to be part of the Greater Nepal."52. It was mostly in order to tackle all these fears and insecurities emanating from the political environment beyond the border and the volatile southern Bhutan, that steps were taken to evolve a 'national identity' in the form of Driglam Namzha.

In the present context, the whole gamut of the conflict stems out from the different interrelated factors like separate ethnic identity which is perceived by the

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51 Economic Times (New Delhi), 23 May 1993.
southern Bhutanese as an essential part of human rights and does not form a part of 'National Identity' of Bhutan. The factors which are gaining importance in the context of Bhutanese plural society are national identity vis-à-vis ethnic identity of the citizens and the ingredients of the concept of integration in such a society.

National identity is the identity of the individual in a broader sense. It is above the personal identity and recognises individual's identity in a broader community i.e. international community. As a scholar has put it, "Although identity is subjective, multiple and situationally fluid, it is not infinitely fluid. Cultural properties or the individual do constrain the possible range of choice of social identities".\(^{53}\) Though the individual plays an important role in the formation of social identity, national identity is always all encompassing and cannot be identified with any groups or culture as seems to be happening in Bhutan. Cultural imposition has infused a sense of insecurity among the Nepalese and alienates them rather than bringing them into the fold of integration. The role of authority or policy maker assumes significance here.

The present crisis which Bhutan is facing is a dichotomy between ethnic identity versus national identity. Bhutan is a plural society having different ethnic and linguistic groups and two major religions i.e. Buddhism and Hinduism. Bhutanese identity is more or less synonymous with the 'Drukpa identity'. The conflict which started as a problem of illegal migration has more to do with the question of identity-Drukpa identity or national identity versus Nepali identity or peripheral ethnic identity. The term 'Drukpa' refers to the followers of Drukpa Kargyup sect of Buddhism. As has been observed by a scholar,

...the different ethnic groups in western, central and eastern Bhutan are called Drukpa because of their shared religious belief not because they

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form a single culture or ethnicity. In common usage, however, the rubric term Drukpa has slowly began to be synonymous with Bhutanese.\textsuperscript{54}

The Bhutanese identity emphasizes Dzongha language, the dress of the major communities i.e. Kho and Kira, and other etiquette that are included in the cultural edict known as Driglam Namzha which will be discussed subsequently.

The Nepali identity emanates from their socio-religious and cultural roots and is distinct from the Drukpa identity. The lineage and linkage of the southern Bhutanese is seen more as an alien identity rather than a part of Bhutanese identity. The two different and distinct identities owe their origin to two different sources. Thus one identity that is given precedence over the other can lead to the clash of cultures. “Every society contains the potential contradiction between the two system of actions, that is between the ideas, values and rules by which individual identify themselves and act on their projects and those by which the state legitimizes the exercise of authority.”\textsuperscript{55} The identity of southern Bhutanese is drawn from their socio-cultural and religious beliefs. The Hindu religion, its caste structure, their typical dress, distinct language and food habit constitute their distinct identity. Moreover, the cultural traits are similar with the large segment of Nepalese living in Nepal and contiguous border of India. It makes them more outward looking and distinct from the Bhutanese. As a noted scholar has put it,

The Nepalese as a distinct cultural group, are very proud of their tradition and in fact, they look to Nepal and India as the centres of their civilisation, historical achievements and religious pilgrimage. As the Nepalese elite castes abhor beef, polyandry and widow remarriage prevalent among Brugpa lamaist, they themselves practice ritual purity, personal and food pollutions, there is definitely a cultural gulf between the two countries.

Justifying the need for a national identity, the King pointed out that

\textsuperscript{54} Dhakal and Strawn, n.41, p.46.

there is a tendency among our people to identify themselves more closely with nationalities of other countries... in a large country (ethnic) diversity adds colour and character to its national heritage without affecting national security, but in a small country like ours its adversely affects the growth of social harmony and unity.56

So in 1988, Bhutanisation programme started with the concept of 'one nation one people'. It was maintained that, since Bhutan was "neither an economic nor a military power, so the only factor we can fall back on which can strengthen Bhutan’s sovereignty and security was our identity, our different identity we are really the last bastion of Himalayan Buddhism."57

The programme of distinct cultural identity in the form of Driglam Namzha was introduced as a major policy in the sixth plan. The justification for it as explained officially was that “the well-being and security of the country depended on the strength of its culture, traditions and value systems. Therefore, every effort must be made to foster the unfailing faith, love and respect for country's traditional values and institutions..."58 and it also includes national dress and language. As explained, there was an “unavoidable necessity for a small country like Bhutan to have easily recognised type of dress."59 Though the dress code was strictly enforced in the Sixth Plan document, the reference to the importance of culture and customs was made during the fiftieth National Assembly.60 It may be pointed

59 Government of Bhutan, *The Facts Behind Recent Development Southern Bhutan* (Thimpu, 1990), p.10. Also see Clad, n.56, for the details of the interview with the King of Bhutan.
60 The Fiftieth National Assembly stressed the importance of being educated on culture and customs especially the student should be given education in this
out here that the policy of nationalistic cultural "orientation" had started even earlier in 1977. It was decided to adequately acquaint the graduates educated outside Bhutan with the Bhutanese programme of socio-economic transformation. The necessary action for the implementation of Driglam Namzha, was taken by the Home Ministry in 1989 which circulated a brief compilation of the cultural edict. It was agreed that the National dress must be worn during the National Assembly. The dress code was however unacceptable to the Southern Bhutanese. This is reflected in the debate where the member from Samchi and few members from Southern Bhutan "expressed the inconvenience in wearing the National Dress...and requested that they be exempted from wearing the national dress, as they felt they would be criticised by some members of the society." Observing the reluctance of some government officers to observe the custom, the Home Minister explained the significance of such a cultural edict in following lines- "Peldon Drukpai Diglam Namzha which symbolised our country's independence and sovereignty is very important for our people to observe and abide by it. In order to implement the cultural edict, some steps were taken subsequently. The Department of Education on its part, to preserve the religion, culture and tradition of Bhutan introduced a special subject was in all the schools. Explaining the importance of national identity as envisaged in Driglam Namzha, the Deputy Home Minister said that the dress and customs of the people living in the north need not necessarily comprise the basis for promoting our national identity. What regard. Refer to Fiftieth Session of National Assembly Debates (1979), Res. no.40, p.30

61 Sinha, n.6, pp. 207-8.
62 Fifty First National Assembly (Spring, 1979), Res. no.19, p.14.
63 ibid.
64 Fifty Second National Assembly (Autumn, 1979), Res. no.53, p.45. Also see The Times (London), 2 April 1994.
65 Fiftysixth National Assembly (Spring, 1981), Res. no.26, p.20.
is imperative he said, was that a small country such as Bhutan should have a distinct national identity that would always stand as a proud and common symbol of strength to promote and safeguard the well being of the people and sovereignty of the nation.66

The King issued a Royal Khaso (decree) on sixteenth January 1989, implementing Driglam Namzha as a part of the promotion of the distinct national identity and “one nation one people” emerged as theme of the Sixth Five Year Plan67. Driglam Namzha was seen as symbolising the traditional values and etiquette, As explained

...it is the fountain of all the common social values and traditions of Bhutanese society. Such virtues as respect for teachers, the sovereign, parents and elders; the institution of marriage and family, civic duties and behaviour that keep together the strands of the Bhutanese social fabric emanates from the source”.68

As a part of the ‘national identity’ policy, National Dress code was implemented in Bhutan. Though the dress code was only applicable on formal occasions, in practice it was required to be worn everywhere “except by the Bhutanese operating modern machinery in workshops, factories etc., where the use of Kho”69 was inadvisable. Nationals other than mechanics were not allowed to wear any other dress in lieu of their national dress. Any person violating this rule was to be arrested and was liable to imprisonment70. It was stipulated that any break of this law would invite a fine of Ngulstron 500 for the first offense, Ngulstron 1000 for the second time and rigorous imprisonment if the same

66 Sixty Eightieth National Assembly (Spring, 1987), Res. no.4, p.5.
68 Thinley, n.7, p.19.
69 Kho is the dress for men and Kira is a long dress to be worn by women.
70 Government of Bhutan, Thirty sixth National Assembly (1972), Res. no.29, p.9.
offender was caught for the third time. What made the security forces enthusiastic for its implementation was the fact that "fifty percent of the fine amount was to go to the police as an incentive". The hostile reaction to the imposition of the national dress was spontaneous among the Nepalese because of obvious reasons. Even officials admitted the "provocative manner in which it was implemented by overzealous functionaries". Further, the national dress was most unsuitable and uncomfortable in the hot and humid climate of Bhutan's Tarai. The material needed for the dress was is very expensive thus beyond the means of ordinary Nepalis. More important, the older generations of the Nepalis are not used to such kind of dress.

In a bid to preserve its unique identity the country became more inward looking. A country that had opened its door to tourism in 1974, stopped promoting it from 1986. As explained by the King, "we felt that tourism in a traditional, religion oriented and land locked country is not beneficial. Our younger generation tries to ape the West. The disadvantage outweighs the benefits".

Another measure which was a source of irritation between the two communities was the proposal of the one kilometer wide 'Green Belt' all along the Indo-Bhutan border. The government promised to give adequate compensation if the land fell under the green belt policy and the main township was excluded from this policy. The government justified the green belt policy for conservation of forests and maintained that it was also agreed in principle by government of India.

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71 Times of India, 21 March 1990. Also see Paramanand, Politics of Bhutan: Retrospect and Prospect. (Delhi,1992), p.130. Where he writes a fine of Rs.100 being imposed. Also see "Druk Nightmares", Frontline, 9 October 1992.
72 Paramanand, n.71.
73 Thinley, n.7, p.21. In Thimpu And Phuntsholing most of the people are not wearing national dress and mostly the Ashis and Dashos and the children of senior officials in these areas. Seventy first National Assembly (Autumn,1992), Res.iv, no1., p.16.
74 Hindustan Times, 25 September 1990.
to have a forested belt of one kilometer each on either side of the international boundary line. This however, threatened to displace fifty percent of Nepalis population.\textsuperscript{75} In Samchi alone 44,000 acres forest land was found to be illegally farmed.\textsuperscript{76} The policy of green belt as explained by the government, was necessary to protect the illegal immigrants coming and encroaching which could have harmful consequences for a country possessing a higher percentage of forest land (55\%) than the other countries in South Asia.\textsuperscript{77} Green belt policy was however not implemented because of criticism and protest.

Bhutan is a multilingual state. The national language, Dzongkha is not spoken in the whole of Bhutan. To quote Leo E. Rose an expert in Bhutanese politics,

it is a language of administration, and the lingua franca of the country- at least to the extent there is one. It is also the language used (along with the Tibetans) within the Drukapa religious establishment, which makes it a medium of communication on a limited but important scale throughout most of the country... it is the language of home in Western Bhutan... The linguistic character of Eastern Bhutan reveals that Dzongkha is generally understood only by those people who live in the vicinity of the Dzong itself.... the government officials from outside usually require an interpreter to communicate with the people of their area of jurisdiction\textsuperscript{78}.

According to Van Driem, a Dzongkha language scholar, “Dzongkha is not the only lingua franca between various populations groups in Eastern Bhutan, and

\textsuperscript{75} Government of Bhutan, \textit{Sixty Nineth National Assembly}, (Spring,1990), Res. no.2, pp.1-3 and Annexure I.
\textsuperscript{76} \textit{Hindustan Times}, 4 April 1994.
\textsuperscript{77} Recent satellite photographs shows deforestation increasing in Southern Bhutan. Refer to Clad, n.56.
\textsuperscript{78} According to the official Bhutanese source, there are eleven different dialectics spoken in Eastern Bhutan. Refer \textit{The Kuensel},2 January 1972, as cited in Leo E. Rose, n.45, pp.42-43. In addition, there are three or four dialects that cannot be identified with any other local languages. Refer Rose, n.14, ibid. Also refer to Nagendra Singh, \textit{Bhutan} (Delhi,1985), pp.65-7.
in recent historical times both Nepali and English have come to serve as lingua franca in various domains, Nepali predominantly in South and English throughout the Kingdom. He has divided the language into four broad categories, Central Bodish language which covers six languages and has 1,90,300 speakers, East Bodish language 1,08,000, other Bodish language of Bhutan 1,44,500 speakers and Indo-Aryan 156,000 speakers. From among the major languages there are 1,60,000 Dzongkha speakers, 138,000 Tshangla (Sharchop) speaker and 1,56,000 Nepali speakers. Over the years, however, systematic efforts have been made in Bhutan to evolve Dzongkha as national language. First, efforts were made to reduce the use of English as official language. Text books were prepared by the Department of Education to educate people in the National language and adequate gracemarks were given for the students of southern Bhutan in Dzongkha. It was also decided to make Dzongkha the working language of the National Assembly in 1980. However, for the time being those members who have difficulty in speaking Dzonzkha are allowed to speak in their regional languages. Systematically, Dzongkha was made an important language by reducing the use of other languages. It was explained that it is not possible for the Government to provide teachers or teaching in regional language owing to inadequacy of funds. To strengthen the use of Dzongkha “it was resolved that correspondence, accounts, sign boards of offices, house numbers and milestones would as far as possible be

80 ibid, p.4.
81 Government of Bhutan, Forty Fifth National Assembly, p.3.
82 Government of Bhutan, Fiftieth National Assembly, n.60, p.29.
written in *Dzongkha*”. The teaching of Nepali in the school of Southern Bhutan was stopped in 1988. The government however, maintains that until 1988 Nepali was being taught up to grade five in all the primary schools in the South as third language and not as a medium of instruction. Nepali was dropped from the school for reasons other than the ethnic ones, with the introduction of New Approach to Primary Education (NAPE). The government justified dropping of Nepali language by citing the grievances of other language groups that perceive Nepali as a foreign language. “... Nepali is the national language and *lingua franca* of another country... Nepali language was only serving to accentuate the dichotomy of two distinctive national cultures in Bhutan.”

However, it must be pointed out that the government has given more importance to Nepali language as compared to other languages spoken in Bhutan. It is used as working language in National Assembly and all important government documents are translated and circulated in this language. Furthermore, the mass

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86 Thinley, n.7, p.20.
87 The decision to exclude the language as a separate subject was taken on several technical grounds after prolonged years of debate among the education policy makers which included international educationist as well...consensus for a need to reduce the number of subjects led to the decision to drop Nepali from the formal curriculum in southern schools...those who are genuinely interested in studying the language there is no restriction in private tuitions and joining sanskrit pathsalas.Refer Thinley, n.7, p.21. Also refer to the *Thirty Fifth National Assembly Debates*, (1971), has made the use of Dzongkha by one and all.p.13.
88 Though among the Nepalese community there are many languages spoken like Gurung, Newari, Sherpa, Tamang, Limbu etc. however, Nepali is essentially the link language and essentially a unifying factor. Refer to Rose, n.45, pp.6-7. In Nepal where Nepali is the national language, though it is multi-lingual country,in Bhutan however, “continuation of Nepali teaching was considered discriminatory and supportive of another country’s suppressive policy to undermine other linguistic culture”.See Thinley, n.7, p.21
media in Bhutan print or broadcast Nepali editions and programmes. Translating proceedings of National Assembly into Nepali still continues in spite of some reports of a proposal for its discontinuation from 1992 onwards. It was proposed by the chimis of Samchi and Dagapela that this process should be allowed to continue for another three to six years to enable Lhotshampas (Southern Bhutanese) Chimis to become fully conversant in the national language. As many chimis objected to this proposal, the King intervened and said that, “the proposal to discontinue translations would not be useful at a time when the country is going through a difficult period and when clear communication between all its citizens and the government was even more important than before”.

Tireless efforts were also made by the Bhutanese government for greater integration by introducing inter-ethnic marriages. This effort was ineffective as it was unable to produce the intended objectives because of the socio-cultural constraints. In order to encourage the process of assimilation through intermarriages of the northern and Southern Bhutanese, marriage incentives were announced, when the previous cash reward of Nu. 5,000 was increased to Nu 10,000 if the marriage lasted for five years. But this policy failed to achieve its objective in southern Bhutan due to the requirements in Hindu religion to marry within one’s own caste.

By putting restriction on the marriages to foreigners the government wanted to achieve the dual benefit of assimilation and national integration. The Marriage Act was promulgated in 1980. The clauses of the Act (see appendix-iv) stipulated that, “promotions shall not be granted to a Bhutanese citizen married to

89 Thinley, ibid, p.22.
90 Seventy First National Assembly Debates, (Autumn, 1992), res.iv, no.3, pp.21-2
91 Government of Bhutan, Sixty Eightieth National Assembly, n.66, res.no.9, p.10.
92 For the text of the Marriage Act see INHURED International, n.67. pp.62-7. (see Appendix-IV).
a non-Bhutanese with effect from 11 June 1977 and such a person will never be
given promotion beyond the post he/she held at the time of marriage with a
foreigner. He can not be promoted beyond a post of sub-divisional officer. Further
he shall not be employed in the Ministry of Defense and Foreign Ministry and
shall not get facilities enjoyed by other citizens”. However, later it was clarified
by His Majesty, the non-national spouse ‘would be granted special residential
permit and would also be entitled to health, education, and other social benefits
extended to the citizen of the country’.

IV

The ethnic problem which has assumed its present stature owes its genesis
to a number of problems and grievances among the Southern Bhutanese that have
accumulated over the years.

The structure of the National Assembly is a major factor among the
grievances. The distribution of seats is not according to the population. Ethnically
the Ngalongs have 77 members, Sharchops 58 and Nepalese 16 members out of a
total 151 seats. The Home Minister while arguing for the present system of
representation said, “one member may represent 5000, one may represent 2000.
However, this can not be said that people are not represented. The Government
wants to achieve maximum representation. Unlike the Home Minister, His
Majesty, the King accepted the unfairness in the representation when he said “in
the South the representation is not fair. When my father established the National
Assembly in 1954 no one had any idea about it and nobody wanted it. So, when he
forced its creation, the seat representation was done on an ad hoc basis. We had no

93 ibid.
94 Government of Bhutan, Sixty Seventh National Assembly Debates, (21
95 ibid, p.2,and see The Times. 29 October 1990.
96 Dago Tshering in an interview with the author in Tashichhodzong (Thimpu), 27
October1995.
census. It definitely needs to be changed in accordance with the demography distribution in the districts.\(^\text{97}\)

The representation of only 16 members from southern Bhutan does not give them much chances to present their grievances, as that can always be overridden by the majority, belonging to the Sarchop and Ngalong community. There is no secret ballot system and most of the legislation or important policies are passed through consensus. The under representation of the Lhotshampas does not give them any weightage in the decision making process. The present refugee crisis and the problem inherent in the crisis enhances the feelings and reinforces the fact of inadequate representation in the National Assembly. For instance, the government held the view that before implementing the policy of ‘Driglam Namzha’, it was approved by a referendum held in all eighteen districts of southern Bhutan, which supported overwhelmingly the government efforts to revive and preserve Bhutanese traditions and culture. But as the government went forward with the implementation, the southern Bhutanese registered their protest through a demonstration in August 1990. This makes it evident that, the DYT (District Development Committee) and the representative in the National Assembly in their feedback to the Government about the acceptability of the southern Bhutanese did not convey the true feelings of the people.\(^\text{98}\) It can be further inferred that the prevalent system of governance does not leave enough scope for ventilating grievances.

In 1978, the system of electing ministers in every five years was done away with. From 1980 onwards, elections for the people’s representative was

\(^{97}\) In an interview in *Sunday* (Calcutta), vol. 17, no. 19, 28 October-3 November, 1990, p. 27

\(^{98}\) The representatives are not elected by the system of universal suffrage thus not accountable to the people. They are not adequately represented in the National Assembly.
discouraged. Instead District Administrative Officers were made to nominate them. Hence, the present National Assembly which is packed by such nominated representatives is seen by many in Southern Bhutan as nothing more than a rubber stamp Assembly99. More important, the executive is supreme over both the legislature and judiciary. “The executive does not represent the people and the ministers are not elected but appointed by the King”100. Thus the sense of accountability is absent because they are not dependent on the people for their political sustenance and survival. Though “the ministers may have to report to the Assembly, but their primary responsibility is to the King; in reality it is only the loss of his confidence that they are in any danger of being removed from the office”101.

The king enjoys a significant and important position in the Bhutanese polity. Though there is a council of ministers and National Assembly, in actual practice the King is all powerful. “The Druk Gyalpo is still not only the Head of

99 AHURA, Bhutan: A Shangrila without Human Rights (Jhapa,1993), p.5. Also see PFHRB, Bhutanese Refugees: The Otherside of Shangrila (Kathmandu,1995), p.7, Rose, n.45, p.160. The Education Secretary Thinley Gyamtsho said in an interview with the author on 27 November 1995 in Thimpu, “we have voting rights, though we do not have universal suffrage. Each household has a vote. Here we do not go for individual decesion but on family decesion, community decesion. In one family a husband and wife cannot have two opinion, because without consensus the family will not be able to run. Thus emphasis is more on consensus rather than competition”. However, the one family one vote system is not prevalent now. Refer to The Amended Chathrim for Election to National Assembly (Thimpu,1995), p.5.

100 AHURA, n.99, p.7. Also see Rose, n.45, pp.155-6.

101 Rose, n.45, p.156. The Trade Minister Lynpo Om Pradhan in an interview on 29 November 1990, with the author in Thimpu told, “I am an employee of His Majesty and not a representative of Souther Bhutanese” when asked about whether the selection procedure is democratic, he replied “Bhutan has its own method of administration. Democracy is never heard of here. Since socio-economic development is low and people are illeterate in this type of society democracy is not possible”.


the State but the ruler of the country, and the decision-making process continues to be concentrated in the Palace."\textsuperscript{102} The national Assembly has never rejected royal recommendations except in 1969, when Kings suggestion for granting freedom of speech and expression was rejected by 80 percent of the National Assembly member voting against it.\textsuperscript{103} It was decided that, "the freedom of speech and expression to the people, although good in principle, was premature in view of the general backwardness of the people and their lack of political consciousness."\textsuperscript{104} At the same time, the King has been able to by and large retain his popularity among the common people. As a scholar has put it while commenting on the orientation programme for National Volunteer Service:

These paternalistic and populist postures attempt to endear the King to the average subjects.... For their selection, stipend, maintenance, guidance and ultimate awards, then posting, increments, promotions and overall careers, these young graduates hold the King responsible. So far as rural folks are concerned, for any development activity or special welfare programmes such as education, health child nourishment, road improvement etc. they are obliged to the royal sovereign because such steps are new to them.\textsuperscript{105}

The lack of political activities inside the kingdom has resulted in the absence of political socialisation and political education. Most of the people in Bhutan are not only illiterate but they are not familiar with basic principles of democracy. The absence of mass media for their exposure to the outside world has been systematically delineated. The ban on satellite television was done for the survival of present political system. The lack of exposure to the outside world and isolation has made the people to have faith in the present system.

\textsuperscript{102} Rose, n.45, p.156.
\textsuperscript{103} Government of Bhutan, \textit{Thirtieth National Assembly Debates}, (Spring, 1969), res.11, p.5.
\textsuperscript{104} ibid.
Political parties are banned and there are no political activities inside the kingdom. There is also no opposition to check the government. Most of the members of the National Assembly are not in favour of any change in the present system because any introduction of modern concepts of democracy would result in losing their privileged positions in the society. Thus, the sustenance of the present system is partly due to the pressure of traditional forces. Jigme Dorji Wangchuk introduced the present National Assembly and many liberal democratic ideals that includes the election of the King every three year if a particular King is found unfaithful in the interest of the country and it would be decided by two third majority in the National Assembly. Further more, in the thirty sixth session of the National Assembly, His Majesty the King proposed that the decisive majority on the no-confidence motion should be increased from two third to above fifty percent. Finally, this system of election was done away with in 1973 when all "the members unanimously agreed that since His Majesty, as the rightful hereditary King of Bhutan, enjoyed the complete loyalty and confidence of the people, no votes of confidence in the King would henceforth be held."

The law of TSA WA SUM, meaning King, country and people (see appendix-v), however, prohibits any opposition to the King or the government. It treats any opposition, either peaceful or violent, as an act of treason and prescribes severest punishments including death penalty. "... it prohibits peaceful opposition,

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106 The first vote of confidence on the King was held in the 1969 session of National Assembly and 135 members voted against it. Government of Bhutan, Thirtieth National Assembly Debates,(Spring,1969), res.,12 and 13, p.6.
freedom of opinion and expression, and assembly". The Kuensel is the only newspaper that have circulation in Bhutan and it is under government’s control. It refrains from harsh criticism against any policy of the government Being the only newspaper in the country it restricts itself to the news inside Bhutan, thus it serves as a mouth piece of the government. There is a ban on dish antenna to receive foreign television programme to protect their culture from foreign influences. Although Bhutan shed its isolation and started its modernisation process in the early sixties. "... the Bhutanese were determined to be very selective about those facets of modernisation that would be introduced into Bhutan. Such total alien institutions as political parties were, of course, anathema.” In this kind of society, political socialisation and political education are highly improbable. “It was not that most Bhutanese were resistant to modern political concepts, but they have never heard of them”.

The lack of freedom of speech and expression itself explains the state of Human Rights situation in Bhutan. When there was a proposal to extend the right to freedom of speech and expression to all these Bhutanese it was not accepted because “most of the member felt that granting of freedom of speech to the people,

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110 While answering to a question about the role of a newspaper acting as a check on the governments policy, he said, “We have a limited freedom. By tradition there is no open discussion in writing and it is difficult to criticise at this particular moment and this is done cautiously and since society is interdependent here, you cannot criticise because of relation. It is hard to do that.” In an interview with Kunley Dorji, Editor, *The Kuensel*, 28 November 1995 (Kuensel Corporation, Thimpu)

111 Government of Bhutan, *Seventy First National Assembly Debates* n.73, res. iv, no.i, pp.16-19. It is mentioned that the violaters of the ban on dish antenna is mostly done by highly placed and influential officers in Thimpu and Phuntsholing.

112 Rose, n.45, p.109.

113 ibid.
although good in principle, was premature in view of the general backwardness of the people and their lack of political consciousness...it was resolved that the public would not be granted the freedom of speech at present.  

114 In an interview with Minister of Trade and Industry, Lynpo Om Pradhan said “it depends on the kind of society where one is staying to have what kind of freedom. Change from a particular society to another society where one can have freedom cannot be drastic.” 115 The citizenship issue is linked with the provision of not speaking or acting in any manner against the King, Country and People. In addition to this the Citizenship Act of 1985 was directly aimed at southern Bhutanese and it affected them in the worst way by categorising members of one family on the basis of Citizenship Law.

For the first time in the Bhutanese history, Nepalese were granted citizenship when the Nationality Law of Bhutan 1958 was enacted by the 11th session of the National Assembly 116. This Act was amended in 1977 to control migration putting some stringent provisions. For the first time the knowledge of National Language both written and spoken was necessary, in addition to the knowledge of history of Bhutan 117.

114 Government of Bhutan, Thirtieth National Assembly Debates, n.106, res.11, p.5. The Secretary Education in an interview said, “Positive criticism as all right it is like putting a problem”, n. 99.

115 In an interview in Thimpu, 29 November 1995.


117 Other changes in this Act includes a detailed version of oath of allegiance including the law abideness and observance of customs and tradition of Bhutan and have not committed any Act against the TSA-WA-SUM. The significant modification in the 1977 Citizenship Act was the clause cha-1, which requires that when a Bhutanese man is married to foreign women his children will be considered as Bhutanese citizen but not his spouse. However that was not true in the case of vice versa. The children of Bhutanese father married to a non-national spouse has to register in the official record within one year of their birth. whether
The 1985 Citizenship Act (see appendix-iv), has been the major bone of contention between the southern Bhutanese and the Royal Government. It affected them considerably since they mostly have marriage relationships outside the country because of caste and religious requirements of the Hindu society. Converse the provisions of the previous Act where a Bhutanese father married to a foreigner, offsprings were considered as citizen by birth, This Act stated that “a person whose parents were both citizens of Bhutan would be deemed to be a citizen of Bhutan by birth.” 118 The requirement to fulfill the criteria for applying where a single parent is a Bhutanese citizen is “the person must have attained the age of 21 years and 15 years residency in the case of a person either of whose parents is a citizen of Bhutan.” 119 This provision overnight changed the fate of many children who became non-nationals and were required to apply for citizenship only after attaining 21 year. The additional clause which was added in this Act was that “the person must be able to speak, read and write Dzonkha proficiently” 120, “have good moral character...must have no record of having spoken or acted against ‘the King, Country and People’ of Bhutan in any manner whatsoever” 121. The Royal Government of Bhutan also reserved the right to reject any application for naturalisation without assigning any reason.” 122

The requirements for attaining citizenship by applying through the provision of the 1985 Citizenship Act was made more difficult. Not only was the knowledge of Dzonkha necessary but proficiency was needed. It affected the children of the non-national spouse where one parent was not from Bhutan. The

his children are born inside the country or outside, if not registered within one year has to apply to the Home Ministry for registration. ibid, pp52-3
118 ibid, p.55.
119 ibid
120 ibid, p.56.
121 ibid
122 ibid, p.57. See appendix-IV.
children and one of their parents who was not from Bhutan, were declared illegal immigrants. This was applicable to the marriages that took place after 1958.123

The tax receipt of 1958 was required to prove one's residence in Bhutan. However, in 1970, it had decided that lands would be allotted to the landless people of southern Bhutan in the following order of priority (i) flood affected people, (ii) people who did not possess land from the beginning, (iii) people separated from a house owing to insufficient land.124 It was difficult for these people to produce the land tax receipts of 1958. The taxation in kind prevailed in the past, resulted in many people not having tax receipts.125 The list of the so-called 'illegal immigrants' also included those 'Sukumbashis' or landless people who were granted lands and were resettled by the government in 1970s. During the census operation of 1988, they were listed as illegal immigrants since they failed to produce the documents of 1958.126

With regard to the clarification about the 1985 Citizenship Act, about the status of non-national wife and children, the Deputy Home Minister reported to the National Assembly that "all inter-marriages between Bhutanese and foreign national prior to coming into force of 1977 Citizenship Act would be governed by the 1958 Citizenship Act. Similarly cases prior to coming into force of 1985 Act would have to be subjected to the provision of 1977 Act. Inter marriages after

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125 Government of Bhutan, Sixteenth National Assembly Debates (Spring 1961), res.13, p.6. The resolution reads, it was found that the collection of various taxes in the form of butter...will not be made on the people owning cow...the previous system of collecting tax in form of meat was abolished.
126 ibid, p.7.
1985 would come under the purview of the 1985 Citizenship Act." His Majesty, the King, said: "non-nationals married to Bhutanese...could be granted special residence permit. They would also be entitled to health, education and other social benefits extended to the citizens of the country." The grant of special residence permit was limited to those married prior to the coming into force of 1985 Act and not to those who married thereafter so as to prevent anybody adopting the method of marriage as a means to migrate.

The rules for termination of citizenship also remained ambivalent in nature. The change in the implication of provisions of various Citizenship Act is significant. A clause in 1958 Citizenship Act provided that, "if any citizen or national engaged in activities against His Majesty, the Druk Gyalpo, or spoke against His Majesty, or the people of Bhutan" he would cease to be a citizen of Bhutan. The 1977 Citizenship Act provides that, "anyone having acquired Bhutanese citizenship if found involved in acts against the King or speak against the Royal Government or associates with people involved in the activities against the Royal Government shall be deprived of his/her Bhutanese citizenship". Under this Act those people who associated themselves with any person who was directly involved against the King or Royal Government would lose his citizenship. The 1985 Citizenship Act lays down two conditions which affect the...
fate of many southern Bhutanese, who participated in the demonstration in the 1990 and now are refugees. Apart from making annual registration in the census department compulsory, the Clause relating to the Termination of Citizenship reads that "any citizen of Bhutan who has acquired citizenship by naturalisation may be deprived of citizenship at any time if that person has shown by act or speech to be disloyal in any manner whatsoever to the King, Country, People."132 This provision applies to the people who have got citizenship through naturalisation, and is thus seen as being directed at the southern Bhutanese. Though the law was applicable to the whole of Bhutan, the southern Bhutanese were affected the most. The southern Bhutanese had marriage relationship outside the boundary of Bhutan because of non availability of suitable matches, and the considerations of religion and the inherent system of marrying inside the caste. The other provisions are that children of Bhutanese parents leaving the country without the knowledge of Royal Government of Bhutan would lose their citizenship, and their property would be confiscated.133 Though it has been debated in the National Assembly to settle the landless people of eastern and central Bhutan, in the lands left by the people of Southern Bhutan who are now refugees staying in the camps in Nepal, however, the proposal for the time being has been shelved in view of the prevalent situation in the country.134 The government’s policy after 1980 rather than being integrative have generally resulted in a disruptive device frustrating the policy of ‘one nation one people’.

132 The 1985 Citizenship Act included country and people and dropped the term government. It also referred to not only acts but speech against the King, country and people. This was very ambiguous for it failed to distinguish between peaceful protest or demonstration against violence, ibid, p.57.
133 ibid, p.58.
134 Government of Bhutan, Seventy Third National Assembly Debates, n.84, res.VI, no.2, p.42.
In 1988, Census was taken in the five districts of southern Bhutan. The result of the Census sent shock waves among the Bhutanese elite. "The 1988 census not only identified a substantial number of illegal immigrants but also revealed an unprecedented rise in the Lhotshampas population. In just one instances the population of Samchi district, which is the most accessible part of southern Bhutan for the Nepali migrants had doubled within a period of ten years." The government justified the Census exercise in order to flush out the illegal economic immigrants. Bhutan is one country which has been facing the shortage of manpower both skilled and unskilled to undertake development activities. The issue of non-national labourers had surfaced in the various Debates of the National Assembly. The government is quite conscious of their presence and keeps strict vigil over them. Even the issue of non-national labourer is so sensitive that the members apprehended that it might undermine the sovereignty of Bhutan. To assure them the King replied, "... imported manpower would be retrenched after the Bhutanese acquired the necessary skills." The import of labourer has been banned since 1971 in government and private organisations except the Ministry of Trade and Industries which was permitted to import labour "for imparting training...and take the responsibility for the imported labour." It was further decided that they cannot use land and should be transferred every year. Such cautiousness on the part of the government reveal that it was not

137 Government of Bhutan, Twenty fourth National Assembly (Spring, 1966), res.12, pp.3-4
139 ibid.
easy for the non-nationals to settle in Bhutan in the event of being kept under strict vigil.\textsuperscript{140}

Fears of illegal migration made the government of Bhutan to introduce new citizenship identity card after verifying the credentials of the person and to detect illegal migrants. The apprehension of the government is for obvious reasons. As explained by the government "the true dimension of the problem can be appreciated from the fact that Bhutan's population which is about 6,00,000 is only a fraction of the ten million Nepali living in India, most of them in the areas immediately across the border and another twenty million living in neighbouring Nepal."\textsuperscript{141} The census was taken in southern Bhutan, officially utilising the 1985 Law. The census team placed people into seven categories\textsuperscript{142}, utilising the 1985 citizenship Act as the basis of determining citizenship and categorising the people as per the citizenship law. Children having single Bhutanese parents were evicted after being considered that they are non-nationals, as people staying in the refugee camps in Nepal have confirmed. Categorisation was done by a committee of

\textsuperscript{140} Government of Bhutan, \textit{Thirty Fourth National Assembly}, (Spring 1971), res.32, p.15, and also see \textit{Thirty Sixth National Assembly}, n.70, p.10, \textit{Forty Ninth National Assembly} (Autumn,1978), res.20, p.17, The import of labourer was completely banned. The \textit{Dongkhag Yangey Tshochungs} (District Development Committee) of Samchi Gaylegphug with Food Corporation of Bhutan was to render all possible assistance to overcome labour shortage. Refer to \textit{Sixtieth National Assembly}, res no.9, p.9.

\textsuperscript{141} Government of Bhutan, \textit{Anti-National Activities in Southern Bhutan: An Update on Terrorist Movement} (Thimpu,1992), p.32.

\textsuperscript{142} F-1 genuine Bhutanese, F-2 returned migrants, F-3 "drop outs" cases i.e. people who were not around at the time of the census, F-4 a non-national women married to a Bhutanese man, F-5 a non-national man married to a Butanese women, F-6 adoption case (children who are legally adopted), F-7 nonnationals, i.e. migrants and illegal settlers, refer to Amnesty International, \textit{Bhutan: Human Rights Violation against the Nepali Speaking population in the south} (London, December 1992), p.5 as cited in INHURED International, n.67, p.6.
twelve persons including three village elders\textsuperscript{143}. However, as the refugee sources put it, "the village elders were allowed little or no role and very few southern Bhutanese were included in the census team."\textsuperscript{144} The Census team were arbitrary in categorising the people. Some people who "had previously held Bhutanese Citizenship Identity Cards, following an initial census exercise which took place between 1979 and 1981, and had believed their status in Bhutan to be secure, found during the latest census that they were classified as non-nationals, or 'illegal immigrants', and were required to leave the country\textsuperscript{145}". The basis of ascertaining the citizenship was the tax receipt and acquisition of property before 1958 when citizenship was conferred on the southern Bhutanese. "Any documentary evidence whatsoever (land ownership deeds or document showing sale/gift/inheritance of land, tax receipt of any kind etc.) showing that the person concerned was a resident in Bhutan in 1958 is taken as conclusive proof of citizenship."\textsuperscript{146} "The cases of persons who have no documentary evidence to show that they had lived in Bhutan before 31st December 1958 were to be verified by three village elders of the area who are elected members of Census Committee and who must all be southern Bhutanese".\textsuperscript{147} The inclusion of Southern Bhutanese in the Census team was just to give respectability to the Census exercise. There was, however, every possibility of these people being pro-regime given the political situation of the country. As a scholar has put it "The state selects and nominates Nepalese to the various formal bodies, who are more pliable and do not necessarily represent the popular feelings of the Nepalese."\textsuperscript{148}

\textsuperscript{143} ibid.
\textsuperscript{144} ibid.
\textsuperscript{146} Government of Bhutan, n.135, p.35.
\textsuperscript{147} INHURED International, n.67, p.36
\textsuperscript{148} Sinha, n.6, p.238.
The census exercise also required the physical presence of the family members in the time of census and this was mandatory. Those people who were not present would fall under F-3. As explained by a refugee sources:

This has meant undue trouble and costs every year for students and others who are away from their villages. The government raised the cost involved for undertaking census from the local population. That year every household had to pay Nu.25.00 for meeting the food and entertainment cost of Census officials. Each house hold was also made to pay Nu 450.00 as payment for Goonda Woola (labour contribution based on household) and property taxes for 1995 in advance.149

The government justifying its action against the southern Bhutanesee maintained that they were illegal immigrants who had no right to stay in Bhutan and had thus to be evicted. However, “in screening arrivals to the camps the government of Nepal reports that, in addition to the 66 percent with citizenship cards, 12 percent of those seeking asylum in the camps have land documents and 17 percent have other documents such as tax receipt.”150 The government requirement of 1958 tax receipt as a proof of citizenship was brushed aside when the government clarified “Payment of property tax in itself is hardly proof of Bhutanese citizenship for there were many illegal immigrants in Bhutan who had acquired property.”151 While realising the presence of refugees in the camps having Citizenship Identity Card and tax receipt, the government again clarified “producing citizenship identity cards and tax receipt posed no problem as these could be easily duplicated... the government failed to take the precaution...and had

printed the card in the commercial press in Calcutta.”152 Thus, while the Government had decided that these documents were proof of Citizenship at the time of Census operation after coming to know the fact that many people in the refugee camps had such documents again said that it was not a conclusive evidence of Citizenship.

The government of Bhutan quotes different population figure from time to time according to the requirement of the situation. This has resulted in difficulty and confusion to arrive at the actual population figure. At one point of time, the government quoted the figure of population over seven lakhs and out of which one fourth consisted of southern Bhutanese in 1960.153 To quote another source, “out of Bhutan’s total population of 1,370,00, 45 percent are of Nepalese ethnic origin. The Bhutanese Monarch, Jigme Singye Wangchuk, stated in 1989, that out of these, 28,000 Nepalese were illegal immigrants.”154 The official figure is however stated to be 600,000 in 1990 (as in Seventh Five Year Plan Document). It is stated that the growth of population is likely to rise above the current 2.5 percent and is projected to rise between 7,13,211 and 7,68,050 by 1997.155 Thus, the figure which the government quoted in 1960 is quoting for projected population for 1997. The World Bank in a paper entitled ‘Social Indicators of Development 1994’ gives the population of Bhutan in mid-1992 is 1.5 million.156 Whereas the population of Bhutan was quoted as 1 million when Bhutan applied for United Nations membership in 1975.157 All these differences in population figure raises

152 ibid, p.9. Also see Thinley, n.7, p.37.
157 When asked about the discrepancy in the population figure, the Home Minister said they need it for U.N membership. But, when asked that the government cannot have two official figures one in 1990 and one in 1975, as it
the suspicion that Bhutan is concealing its exact population data. If one will go by history, the present population figure raises doubts. Captain R.B. Pemberton in his mission to Bhutan in 1937-38 gave a very crude estimate of population which was estimated at 1,45,200. He wrote, "low as this estimate appear and unsatisfactory as the data avowedly are on which it is founded, I am inclined to think it would on a more minute investigation be found rather in excess than defect of the truth."

In addition to this the large scale Nepalese migration in the last part of eighteenth century and first part of nineteenth century much have added to the existing population figure. The present population figure thus does not seem very convincing.

The Southern Bhutanese also feel that they are under represented in the civil services. In 1950, the number of bureaucratic officials were very few since there were no separate Ministries. After 1960 when the process of modernisation started, the bureaucrats assumed much importance. The high-ranking bureaucrats are also the members of National Assembly and Cabinet. By 1972 there were a number of departments, organised on a more "modern basis that exerted substantial authority on virtually all subjects. Decision-making became the virtual monopoly of the Thimpu 'boys' who, on most occasion paid little attention to the views of local leaders-scattered all over the country or even their representative in the Tshogdu (National Assembly)."

In the civil services, the northern Bhutanese constitute 73.50 percent and southern Bhutanese 26.50 percent. However, the government maintains that there is no discrimination towards southern Bhutanese. There are many Nepalese in the army, the police and the

creates confusion about its reliability, the Home Minister replied, "our conscience is clear". In an interview with the Home Minister on 28 November 1995, Thimpu.

158 H.K. Kuley ed. n.22, p.236.
159 Leo E. Rose, n.14.
160 Data collected from Royal Civil Service Commission (1 November 1995, Thimpu).
Royal Body Guards\textsuperscript{161}. Since the population figure, ethnic wise, is not available, one cannot accurately figure out the true representation according to the population. The data of regionwise representation in the civil service indicates a bias in favour of the northern Bhutanese. The southern Bhutanese are more educated than the northern Bhutanese\textsuperscript{162} but the representation in bureaucracy is quite negligible. The government, on its part, maintains that after 1990 there is no discrimination against southern Bhutanese because of their uprising against the government. The number of the southern Bhutanese appointed till 27 November 1992 is 1,084, after 1990, 1084 southern Bhutanese have been promoted and the number of southern Bhutanese sent abroad for training is 480 and for professional courses their number is 70\textsuperscript{163}.

It has also been put forward that “the representation of the southern Bhutanese in the police is about 22 percent, and in the army about 25 percent. Infact, many of the Nepalese occupy senior posts in the army, the police and civil service and they are fully involved in all aspects of policy formulation and decision-making\textsuperscript{164}”. Even the Lhotshampas admit that there is no discrimination in getting jobs but they maintain that, “the top position inevitably go to the Drukpas”.\textsuperscript{165} All these factors have made for mounting grievances of the southern Bhutanese, who have seen themselves as being discriminated against because of their ethnic origin.

\textsuperscript{161} Dasho Khandu Wangchuk, Secretary Planning Commission in an interview with the author (28 November1995, Thimpu)
\textsuperscript{162} In twelve northern Dzongkhags, there are 120 schools with 36,798 students and enrolment ratio is 40%, in five southern dzongkhags and one dungkhag (subdivision) there are 80 schools, 31054 students and enrolment ratio is 81%. For detail refer Government of Bhutan, n.135, pp.18-21.
\textsuperscript{163} ibid., n.151.
\textsuperscript{164} Paramanand, n.71, p.126
\textsuperscript{165} S.N.M Abidi, “Rumblings of Discontent”, Illustrated Weekly (calcutta), pp.4-10 November, 1990.
After the 1990 demonstration, the government made it compulsory to obtain a no-objection certificate from the police to take admission in schools. This policy was only applicable to the Southern Bhutan. The government stated that this was done “to ensure that all bonafied Bhutanese children received the first preference for admission in schools”, and it “would not be issued to those students who have been involved in anti-national activities and to the children of illegal immigrants”. No objection Certificate (NOC) was also required for the release of cheques to farmers for the sale of their cash crops.” However, NOC have been since discontinued and all children are now free to join schools irrespective of their antecedents.

Although the National Dress was accepted by the southern Bhutanese which was required to be worn in formal occasions, it has now been gradually required to be worn in the home as well as outside. A person, who at present working under the Government of Bhutan and wants to remain anonymous, said “though it is not written as a law it is compulsory to wear it in the market places”. Many people in the refugee camps expressed the view that the old people who were not used to such dresses were also asked to wear the national dress.

166 Paramanand, n.71, p.131.
167 ibid. As the government explained “the money due to the owners of this cash crops is merely frozen and not confiscated” and “will be released once the current disturbed situation is resolved”. Bhutan Embassy, Press Release(New Delhi,1991), p.5, as cited in ibid. Also see INHURED International, n.67, p.24.
169 In an interview with Om Dhungel, President, Bhutan Coalition for Democratic Movement on 7 November 1995, Kathmandu.
170 In an interview with an official in Thimpu on 28 November 1995.
dress.\textsuperscript{171} As has been discussed earlier heavy fines was imposed in the case of nonconformity with the dress code.

There is also a grievance that the request for a seat in the National Assembly to a Hindu pundit was turned down though the presence of monk-body was ensured.\textsuperscript{172} Previously, when a proposal was made by some members of southern Bhutan to declare a holiday for observing Hindu festival by including it in the government list of holidays, it was stated that since there is no restriction on celebration of seasonal festivals in different regions of the country, thus it was not necessary to include such holidays in the government holiday list.\textsuperscript{173} However, as the 8th, 15th and 30th days of each month is observed as religious holidays in Bhutan for the Buddhists to perform pujas, failing which the people were to bath at least and maintain the cleanliness of their house.\textsuperscript{174} However, Dussera has been declared as a national holiday since 1980.\textsuperscript{175} The government in 1988 banned the Kirtan Sanghs.\textsuperscript{176}

Until 1975, the southern Bhutanese were required to get identity permit for movement within Bhutan. By law, southerners, may own land and establish business in the North and northerners have the same right in the South. Nevertheless, it is reportedly still difficult for non-Buddhist Bhutanese (except government officials) to buy property in Buddhist areas. This is evident from the

\textsuperscript{171} Information gathered from the interviews held in the refugee camps of eastern Nepal from 3-10 December 1995.

\textsuperscript{172} It was clarified since the National assembly has limited number of seats the proposal cannot be accomodated due the limited membership even some monks of different monastries could not be accomodated. Refer to the \textit{Fifty Second National Assembly Debates}, res. 46, n.64,p.39

\textsuperscript{173} Government of Bhutan, \textit{Fourty first National Assembly} (Autumn,1974), res.4, p.2.

\textsuperscript{174} Government of Bhutan, n.172.


\textsuperscript{176} Sinha, n.6, p.207.
fiftieth National Assembly debates. It was decided unanimously that "landless people from southern Bhutan will be granted land in the interior" areas of Bhutan. The decision to maintain Census record every year requires the physical presence of the resident at the time of the Census exercise. This has amounted to unnecessary expenditure incurred in the traveling.

In the background of all this, grievances which have accumulated over the year found expression in a demonstration held in the tiny town of Chirang in Southern Bhutan on 24th September and 4th October, 1990. Before the demonstration, a petition was given to the king by two councilors of Royal Advisory Council, Mr. Teknath Rizal and B.P Bhandari to his Majesty, the King, on 9th April 1988 about the excess done by the census team and the genuine grievances of the southern Bhutanese. Instead of being given a hearing on alleviating the grievances the petitioners were arrested and put into jail and were dismissed from the Royal Advisory Council. After their release they fled Bhutan. Soon after People Forum for Human Right in Bhutan (PFHRB) was formed in Nepal highlighting the plight of southern Bhutanese.

The demonstration in September 1990 was organised by Bhutan People's Party, formally known as United Liberation People's Front (ULPF) based in Siliguri. The party President, Mr. R.K. Budhathaki, former employee of the government of Bhutan put forth his 13 point demand to the King on 26th August 1990. In the mass demonstration in the five Southern districts and one subdivision in southern Bhutan, the Lhotshampas burnt down the national dress to

178 Government of Bhutan, n.172.
180 Government of Bhutan, n.135, p.5.
show their disapproval of the government policy. The demonstrators destroyed schools and government property in violent reaction to the governmental policy.

The pamphlet "The Gorkha People of Southern Bhutan Must Unite and Fight", that was circulated before the demonstration was explicit in its statement by making it a security threat. The pamphlet was explicit in its aims and objectives which was stated "to create another Gurkha state". The government came down heavily on the demonstrators leading to loss of life and property. Many people fled Bhutan and took refuge in India and later shifted to the refugee camps in Nepal maintained by the UNHCR. Even those people who were present and were just watching the demonstration were evicted as they were considered as conspirators and were made to sign voluntary emigration forms. Many of them fled because of terror inflicted by the security forces and sometime out of the insecurity born of watching many people fleeing the country. In a circular of the Home Ministry that reads "any Bhutanese national leaving the country to assist and help the anti-nationals shall no longer be considered as the Bhutanese citizen. It must also be made clear that such people's family members living under the same household will also be held fully responsible and forfeit their citizenship.'

182 The issue is discussed in detail in chapter V.
183 The Lhotshampas who participated in the demonstration actively and those who watched it were clubbed as Ngaloops and tortured, arrested and evicted. This was found out from the interviews held in the eastern Nepal camps, 5-9 December, 1995.
184 ibid.
185 Dago Tshering, the Home Minister in a government circular (Thimpu, 17 August 1990), as cited in INHURED International, n.67, p.31. However, the reason that is given by the government to the international medias "the member of families are leaving to join other members in the refugee camps". As cited in Thinley, n.49, p.29. Also refer to Youth Organisation of Bhutan, n.42, p.19.
The UNHCR applies strict method for screening those people who are arriving at the Indo-Nepal border in Kakarvitta. A UNHCR program officer had reportedly said “either they have their citizenship cards or land /property receipts or birth certificates and they are also reportedly extremely strict while verifying credentials. Though in the beginning the refugee were not screened but after sometime the screening process started, after the UNHCR took over the charge of the refugees. Thus after the screening process was introduced, there is no chance of any one not being a genuine refugee who has been admitted to the camps.

The Bhutanese government, however has maintained that the people who left were illegal immigrants who came to Bhutan to avail of the social benefits given by the Government. The exact percentage of illegal immigrants has, however, varied from time to time. According to Tshering, “Five percent of the Bhutanese-Nepali are illegal denizens, non-citizens who have sneaked in to avail the social benefits meant for citizens.”

The Government has also maintained that the Southern Bhutanese were not discriminated against since there were more health centres and schools in the south than in other parts of Bhutan. However, the numbers of medical facilities and schools in south can be attributed to the densely populated areas of Southern Bhutan. As for the government’s contention regarding the resource allotment

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186 *Sunday* (New Delhi), 6 March 1993. Also see INHURED International, n.67, pp.35-8. For a detail account of the documents in possession with the refugees see His Majesty Government of Nepal, Home Ministry, Operation Management Implementation Unit (OMIU) for Bhutanese Refugees as cited in Bhutan Observer (Kathmandu), vol.1, no.3, 1994.

187 In an interview with Pashupati Karamchari, former CDO (Chief Development Officer of Jhapa), on 24 November 1995 in Kathmandu.

188 The claims by the Home Minister that many of the people in the refugee camp are not from Bhutan is not reliableSince 5% works out to 30,000. The number of refugee is more than one lakh. See S.N.M Abidi, n.65, p.2.

189 The medical facility is inadequate as well as the school facilities. Refer to Sinha, n.6, p.178.
to the Southern Bhutan that it is much higher than in other parts of the country. It may be pointed out that it is due to the larger contribution of Southern Bhutan to national revenue. As the government documents themselves show, "the southern Bhutan's export of four cash crops (ginger, betel nut, cardamom and oranges) resulted in the income of Nu 393 million a year... compared to 105 million in northern Dzongkhag".

The Bhutanese government also attributes another reason for the exodus of the Lhotshampas who are making way to the refugee camps in eastern Bhutan. As the King, in a recent interview, stated: "the Nepalese in the refugee camps of Jhapa are not Bhutanese of Nepalese origin but also constitute Nepali... in the adjoining area of India. This was a plank of the BPP and the others to increase the refugees just to show the world and draw attention that how many people have been driven away..." Explaining the reason as why the Lhotshamps were flocking towards the camp, His Majesty The King of Bhutan said in the same interview, "...you get free housing, free electricity, drinking water, proper sanitation, free monthly ration, nutritional substance, free clothing and blankets, education up to class 10 and $3 a day. There are eight vocational training programs and income generating vocational training schemes. And above all if you work outside the camp whatever you earn is extra..." Although the government claims that life in camps is more lucrative than in Bhutan, but in reality the contention is uncertain because the mere existence of the refugees depends on the UNHCR assistance. The government, cannot be given a totally clean chit as far

190 Government of Bhutan, n.175, p.48.
191 ibid, p.14.
193 ibid, Also see The Times, 19 April 1994, The Hindu, n.168.
194 The UNHCR representative Rossella Pagliucci, in an interview on 23 November 1995.
as violence and inflicting terror among the Southern Bhutanese are concerned. As has been pointed out by an independent source,

in their effort to crush the pro-democratic movement in Southern Bhutan, government forces have acted without regard for International Human Rights law. Soldier of Royal Bhutan Army and members of Royal Bhutan Police have used lethal force against the demonstrators shooting scores of unarmed civilians. They conducted house-to-house searches without warrants, seizing man and beating them, threatening and often misbehaving with the female family members and burning down the entire villages.195

VI

There are, however, also instances of violence and Human Rights violations by BPP in the initial stage of the refugee problem196. There are reports of people having been forced to leave the country after receiving threatening letter from the BPP197. However, BPP claims to have now changed its method of violence to achieve its end and has taken a method of negotiation and peaceful demonstration or rallies to achieve its objective. However, it has not given up its option of violence as an alternative in the event of any future confrontation198.

195 Tamil Times (Colombo), 15 November 1994. This article is a shortened version of an issue entirely dedicated to the human rights situation and the ethnic confrontation in Bhutan since its origin. The report is prepared by the Human Right Documentation Center (SAHRDC), Delhi. Also see INHURED International, n.67, pp.27-30, AHURA, n.99, pp.34-127 and HUROB Yearly Reports
196 Government of Bhutan, n.135, pp.27-43, and n.136, pp.1-4 and 15-6
197 A person who was a former National Assembly member and want to be unanimous said that he received a letter from BPP to leave the country. Since the government was unable to provide security to him and his family members, he left. Presently he is staying in Goldhap Camp. In an interview held in Goldhap camp on 4 December 1995.
198 In an interview with the BPP General Secretary Tenzing Zhapo (now resigned from the party), on 6 November 1995, Kathmandu.
Bhutanese laws about emigration of Lhotshampas or for that matter any Bhutanese, says in absolute terms that those who emigrate will lose their citizenship. That is why, it is argued by Southern Bhutanese, voluntary migration (forced in some cases) was permitted and was in fact a welcome idea to get rid of the Southern Bhutanese population that otherwise would have been difficult. Though the King requested the people to stay back but once the King left, the security forces inflicted terror which made the people emigrate.

The King admitted the excesses when he said, “I am sorry to say that some of the things we did to implement this have been unfortunate, we meant well but these did not have a very good impact.” The Home Minister also confirmed this when he said, “in bilateral talks we have agreed to identify the people who are forcefully evicted, that itself means that forceful eviction was there.” However, the Trade Minister Lynpo Om Pradhan, a Southern Bhutanese, represented the feeling of most of the refugees. When he said that, “categorisation of people was most unfortunate.” Sangay Wangchuk, Secretary Special Commission, felt that the “timings was not right for the implementation of this policy.” It can be concluded that the way the government enforced the policies resulted in the further alienation of the Lhotshampas.

The ethnic Bhutanese organisation representing the Southern Bhutanese sentiments are Bhutan People’s party (BPP), student union of Bhutan and Bhutan National Democratic Party (BNPD), Human Rights Organisation of Bhutan (HUROB a fraction of former PFHRB), Peoples Forum for Human Rights (PFHRB), Associates of Human Rights Activist (AHURA), and Bhutan Congress.

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199 Dhakal and Strawn, n.41, p.305.
200 Sunday, n.106.
201 In an interview with the Home Minister, n.96.
202 In an interview with the Minister of Trade and Industries, n.101.
203 In an interview with Sangay Wangchuk, Secretary Special Commission, 28 November 1995 in Thimpu.
Party. All these parties are ethnic Nepalese parties. A significant development among these parties in exile, that has given credibility to the movement against the ruling elites but neutralising the ethnic character is the Druk National Congress (DNC), lead by Rongthong Kunley, a Sarchop from eastern Bhutan. The DNC has not only accused the government about economic and political discrimination but also of religious discrimination.

The strategy of all these parties is the same which not only includes change in the present structure but also in the future political system including the form of government. A significant development about the parties in exile is that although they have been in existence for near about five years striving for common goals separately, they have come together for the first time under the banner of Bhutan Coalition for Democratic Movement (BCDM).

The coalition of parties is yet to achieve any significant objectives except for making the refugees aware of their solidarity. The parties in the past have tried to meet different leaders of Indian political parties and the Nepalese political parties. However, it never had the required impact because of India’s stand on the refugee crisis. The Government of India’s stand on this issue is that India will not allow its territory to be used for terrorist activities against Bhutan. Moreover, the presence of refugees in Nepal is less worrisome for the Indian politicians. The BNDP had presented a memorandum to the Indian Parliamentarians to discuss specifically on the “political crisis in Bhutan” in the then session of the Indian Parliament.

Parliament and had come up with a set of specific recommendations to the Royal Government ...206

Meanwhile The DNC has gone ahead to bring consciousness inside Bhutan by organising Poster campaign inside Bhutan. The poster was both in English and Dzongkha. It includes nine demands, including demand for Human Rights, abolition of forced labour, freedom of speech and expression, independent judiciary and impartial election to National Assembly207. Interestingly it did not include any demand for parliamentarian democracy or constitutional monarchy as demanded in its manifesto. While the manifestos of BNDP and DNC clearly accepts ‘Gho’ and ‘Kira’ as the national dress, the BPP’s manifesto is silent about that. Both BNDP and BPP’s manifesto accepts Dzongkha to be the national language208. The BPP, on the other hand, accepts Dzongkha, Nepali and Sharchhopka as national languages at par with each other.209 It further emphasised that no dress should be made compulsory except in schools and for security forces.210 The DNC Chairperson being an ethnic Bhutanese has more credibility to appeal, for his demands being considered as genuine demands representing the indigenous ethnic group, rather than the migrant Nepalese. Believing that the revolution for a political change would be successful, Om Dhungel, President BCDM pictured a bright future of the coalition in bringing about change in the political system of Bhutan, while attributing that the ‘Congress was unsuccessful earlier because the Congress that was formed in 1952 was the

206 BNDP, Memorandum to Honourable Members of Indian Parliament on the Political Crisis of Bhutan (no place, n.d.), p.3.
207 Druk National Congress has issued the posters but it does not have the name of the place and date.
208 Refer to BNDP manifesto, article3, 132. It refers to Dzongkha as national language to be used in ceremonial context. Also refer to DNC manifesto, n.204, p.13.
209 Refer to BPP manifesto, n.205, p.10.
210 ibid.
extension of Congress elsewhere as in India, Nepal and Sikkim congress\textsuperscript{211}. Both the BNDP and BPP hold that India should intervene and it is only through effective mediation by India, that the problem can be solved because of the Indo-Bhutan Treaty of 1949. The BPP feels that the government of India should help them because it is in their security interest. If the peaceful method would not succeed, he warned, that the BPP would adopt violence and there would be no dearth of funds\textsuperscript{212}.

There is a significant change in the level of political education of the people in the camps compared to people in Bhutan. Though people have become politically conscious in the sense that they are well versed with terms like Human Rights and Democracy. However, due to the ban on the entry of political leaders and any political activities inside the camp, the level of political socialisation is not high. The success of any democratic movement is a time consuming effort, for most of the people in the camp are farmers or illiterate and they left Bhutan because either they were tortured or evicted and not because they felt that Democracy and Human Rights were not there\textsuperscript{213}.

The policies of the government, as has been discussed, before the 1980s were of accommodative and integrative. The Nepalese who were free in the cultural and religious sphere to practice their own customs and tradition remained at peace. However, the change of policy after 1985 has led to serious dissatisfaction. The southern Bhutanese and their leaders feel that it is due to the under representation in functioning of the government and the draconian measures passed by the National Assembly. Since there is no freedom of speech and

\textsuperscript{211} In an interview with Om Dhungel, 7 November 1995.
\textsuperscript{212} Tenzing Zhapo, Secretary BPP in an interview on 16 November 1995 in Kathmandu.
\textsuperscript{213} As found out through interviews held in five camps of the eastern Nepal i.e. Goldhap, Beldangi I, II and extension, and Sanischari camp
expression and even peaceful protest against the government is not allowed, it is
difficult to ventilate grievances. The indiscriminatory arrests, torture and eviction
are all the outcome of the undemocratic functioning. Moreover, the traditionalist
forces plays an important role. It is very significant to note that the central Monk
Body has gradually acquired greater voice in the decision-making on issues that it
had not much influence under the first two Wangchuks. This was probably one
factor in the adoption of “Driglam Namzha” in the late 1980s214.

The democratisation process that was previously initiated by Jigme Dorji
Wangchuk instead of being carried further was curtailed by restoring all the power
on the King. It is the democratisation of the polity which can give the migrants
equal say in the governance of the country, and can psychologically make them a
part of the system.

With a close society where the freedom of press is a dream and the
government can influence and decide what the people should know and what the
world outside should be aware of, the lack of information and government
restrictions makes it difficult to analyse the problem in Bhutan

It is clear that greater effort would have to be made for integration of all
people in the plural society of Bhutan, integration not at the cost of culture,
tradition and the custom of the people but by giving them equi-responsibility of
governance. As Myron Weiner writes, “the term integration thus, covers a vast
range of human relationship and attitudes --- the integration of diverse and discreet
cultural loyalties and the development of a sense of nationality...the integration of
the ruler and the ruled, the integration of citizens into common political process;
and finally the integration of the individuals into organisation for purposive
activities.”215

214 Rose, n.14, p.5.
215 Myron Weiner, “Political Integration and Political Development”, *Annals of
American Academy of Political and Social Science*, vol.358, March 1965. p.54 as
A balance has to be struck between the accommodative attitude of the government and the expectations of the refugees. But certainly the movement has politicised the otherwise apolitical, naive masses of Bhutan who till date were not exposed to the idea of democracy, popular participation etc. "...the Nalongs and Sarchop population are being exposed to novel ideals and processes"216, making for new uncertainties on the kingdom in the years to come.

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cited in Fredrick H Gaige, *Regionalism and National Unity in Nepal* (Delhi, 1979), p.73.

216 Dixit, n.204, p.12.