

# The Thromde Elections: an Inadequate Constituency?

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## Whose City? Whose Thrompon?

Last summer, like in most summers, numerous potholes appeared in the stretch of road below the Kuensel office at Changzamtog. When it rained, water overflowed from the storm drainage and poured onto the road, filling the potholes. It became a trap for motorists.

Those plying the road cursed the thromde (municipal), responsible for the upkeep of the city infrastructure. As I am a resident and a voter from Babesa, South Thimphu, friends living or working in Thimphu chided me. They would ask me to “tell your thrompon (mayor)” to fix this or “resign if he can’t maintain a road in the capital city”.

Their frustration is valid.

Even if people have lived and worked a good part of their lives in the capital city, they have no right to vote for representation in the thromde council or for the thrompon unless they have their census in the municipality.

Down south in Phuentsholing, a commercial hub and gateway to the country, the city traffic is completely chaotic. There is no parking space, even as the number of vehicles surges daily. It did not rain this winter and the town soon became a dust bowl. Residents claimed that they could literally see dust in the air they breathed. They resorted to masks.

In Samdrup Jongkhar, residents have only one wish — a reliable and clean drinking water supply. They have heard of several projects for decades. All they want is a leader who can translate these projects into a 24-hour water supply. The rest can wait.

Meanwhile, Gelephu is blessed with flat land. Landowners want the thromde to speed up opening the local area plans for development. Residents know the potential of the thromde. They are waiting.

After two rounds of elections, or nearly a decade of decentralising the management of thromdes to an elected thrompon and a council of elected representatives, the issues that urban Bhutan have to grapple with have not changed much. Some say things have worsened.

Bhutan had, at least in some towns, thrompons for many years. The thrompon of the past was a beleaguered figure, a senior civil servant whose main task was to deal with complaints, particularly concerning land. The thrompon was also looked upon as a disciplinarian, feared mostly by illegal street vendors.

In 2011 when, for the first time, four thromdes elected their thrompon and a council under a democratic set-up, social expectations soared. There was optimism that an elected mayor would turn things around. There were expectations that thromde residents would fully partake in electing their mayor. Hopes were high that an elected mayor with his elected team would bring an end to the never-ending problems in the thromdes.

Issues were highlighted and priorities were tabled as candidates campaigned for the office. Water shortage and overflowing drains, garbage and sewerage, increasing vehicles and shrinking parking space, housing shortage and illegal settlements — the list ran long. The first batch of thrompons elected was supposedly the right persons to turn these problems into opportunities.

## Who Elects the Thrompon?

Not many. The responsibility to pick the “right candidate” fell on a handful of residents who had civil registration in the constituency. Thousands of Bhutanese who live and work in the towns, who depend on the thromde’s services and pay for some of them, have no say. In a big city like Thimphu, many see the tiny pool of votes as not being representative, with about 98,140 (BLSS 2017) residents deprived of the right to choose the mayor of the city they live in.

The first thromde election on January 21, 2011, saw a 50.76 percent voter turnout, but this is not much in actual numbers. There were 8,462 registered voters in the four thromdes. Only 4,295 turned up at the polls. The capital city witnessed 1,335 people elect the mayor. It was fewer in Phuentsholing, a town with an estimated resident population of 25,000, where 182 of the 617 eligible voters elected the thrompon of this busiest of border towns. In Samdrup Jongkhar, 140 people elected their thrompon (Kuensel January 26, 2011).

If the number of voters were few, the candidates were even fewer. Thimphu and Gelephu thromdes did not have enough tshogpa (representative) candidates, and it took the Election Commission of Bhutan some effort to assure residents that the Thromde Council could function without all its members.

Five years later, when more residents and members of extended families would have reached the age to exercise their franchise, the second thromde election was a disaster in terms of participation. The capital city's incumbent thrompon had no rivals. Phuentsholing thromde also had a lone candidate.

Despite an increase in the number of eligible voters, by 1,049 (Kuensel 2016), only 31 percent or 2,557 of the 7,278 registered voters took part, including 150 who did not want the thrompon for a second term in Thimphu. Thimphu thromde, extending from Changtagang in the north to Ngabirongchu in the south, saw fewer than 10 percent of the population — 2,107 people — elect the thrompon and his team<sup>1</sup>.

In Phuentsholing, the lone candidate did not win by a huge majority. There were 239 votes against him. He won by a narrow margin of nine “yes” votes. Gelephu, with three candidates, fared better with a 61 percent turnout, or 677 voters out of 1,121.

## Developing Urban Bhutan

Bhutan's capital is not an old town. As a late-comer, the capital city had the opportunity to be the most beautiful town. There were ample lessons to be learnt from mistakes early developers made where, for instance, serene hill stations and lush paddy fields were transformed into ugly towns.

Keeping in mind the changing demographics, landscape, and future prospects, a long-term (25-year) plan was drawn. The Thimphu Structure Plan (2003-2027) provides guidelines for the development of the capital city.

Based on the concept of intelligent urbanism, the plan was to balance development with nature and heritage, making it convivial and efficient. Detailed strategies were laid out. The plan aimed to make Thimphu a dream city by 2027, providing residents with adequate space to work, drive, jog, cycle, picnic, relax and be close to nature, while preserving traditional Bhutanese aesthetics.

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<sup>1</sup> Thromde tshogde consists of not less than seven and not more than 10 elected members including the thrompon.

Unfortunately, Thimphu is not any closer to that vision. Fourteen years into the Plan, the irony of Thimphu's development is that it is now quoted as an example for “a study relevant for government and international development partners for understanding policy implementation failures”<sup>2</sup>.

In less than a decade, what is evident is the loss of greenery through a feverish concretisation of paddy fields from Ngabirongchu to Changtagang. The growth has been haphazard and confused. Commercial priorities and the need for more space led to the tearing down of traditional architecture, except for the two *dzongs* and the few monasteries.

The city itself has become a veritable monster. It lacks affordable housing; water for domestic use is a constant problem; the crime rate has soared over the years; urban sanitation is poor; and people live amidst piling garbage. There is no efficient public transport and the rush hour traffic has begun. The concept of zoning has become a joke. In short, Thimphu is fast becoming a distressed capital city.

The implementation of the Plan began well before the first thromde election in 2011 so it is unfair to blame the thromde council or the thrompon entirely. But, with the transition to local governance, there were expectations that the decentralisation of power would include the local populace in shaping the growth of the city they live and work in.

The mayor and the council were expected to play a crucial role in determining the present and future course of development of the town and the community. However, in implementing decisions or plans, consultations were restricted to landowners, considered the main stakeholders, excluding a majority of the resident population.

## Residential Voting?

Should we then let residents have a say by extending the voting right to them?

Yes, say many.

Electoral laws right now are restrictive. To be eligible to cast a vote in the thromde election, people have to be “registered in the civil registry and have the *gung* (unique household number) or *mitsi* (civil registration in that place” (Election Act, 2008). To have a *gung* and *mitsi*, a person should own landed property. This automatically disqualifies those who have lived in a thromde for decades but do not own landed property.

<sup>2</sup> Thimphu's Growing Pains, challenges of implementing the city plan, Manka Bajaj, 2013

From the experience of the two elections, there is a need to boldly revisit certain legal provisions to allow all urban residents to vote. The argument is that people who depend on the thromde services, pay for them, and are affected by the decision of the thromde, should be allowed to vote. This, they argue, would represent a wider spectrum of the people in the thromde, rather than a handful of landowners participating in what seems like bourgeois politics.

According to records with the National Land Commission, there are about 3,670 landowners within the thromde. Assuming five as the average size of a landowner's family, with three above the age of 18, there are only about 11,000 eligible voters. Given past experiences, even if 50 percent turn up for the polls, only about 5,500 people would be electing the thrompon.

In an urban election, policy and electoral decisions made at the local level matter because it is a political sphere that touches regularly and deeply the daily lives of residents<sup>3</sup>. The rule, many feel, should change to be inclusive. "How can a handful of people decide issues and policies that affect thousands?" asks a Thimphu resident who owns a building, but has his *mitsi* in Punakha. The elected thrompon should work towards ensuring inclusiveness.

There is no study to see if voter turnout is a central component driving local policy decisions. For instance, there are suspicions that the elected mayor could prioritise his voters' concerns to keep his vote bank safe. The feeling is that the thrompon, although "apolitical", is a politician and will represent the interests of his support base. He is seen as being directly accountable to people who voted him or her into office. The rest does not matter to him. "How fair is that in a democracy where the essence is about majority?" argues another resident who has lived 20 years in Thimphu. "What makes me ineligible after I have lived in a particular city for 20 years?" The questions are many.

Restricting voting rights to residents with registered census also means discouraging participation in the elections. There is an argument that allowing every resident to vote would mean a bigger pool of candidates. Participation could be for thrompon or the council members. An analysis of news articles (Kuensel 2011, 2016) of the two thromde elections indicates that there is widespread apathy among the registered residents regarding participation in the elections. Some were "forced" to join, while others joined on the "behest" of the people. Finding tshogpa candidates has been a challenge. In the Thimphu election, there were no thrompon candidates from two of the most urbanised constituencies, Changangkha and Motithang.

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3 Where Turnout Matters: The Influence of Turnout on Local Government Spending, Zoltan Hajnal, 2012

## Will Allowing All Residents to Vote Make a Difference?

The answer is mixed.

Experience in major towns elsewhere shows that turnout does matter. Participation could increase if people with property but without registered *mitsi* are allowed to exercise their franchise. “There would be more candidates and the competition would be healthy,” says a businessman who constructed a four-storey building in Olakha.

Since urban areas have a more educated population, residents say they could question the promises and policies of the aspiring candidates and choose wisely. A study on voter turnout and its impact on policy decisions could provide useful indicators. Participation is critical in the formulation of policies that includes all, even the urban homeless or the disadvantaged.

The pluralist model of urban politics maintains that local governments are open to influence from a wide range of groups, and anticipate reactions of groups to policy choices<sup>4</sup>. Therefore, to ensure that decisions are of public interest or preference, the independence of the council, headed by the mayor, is deemed important. The council members are bound by the same voter interest. If residents are to enjoy better planning or growth, residents must sit on the council. Decisions today, for instance, are made by members of the council some of whom cannot read or interpret simple maps.

In Bhutan’s urban planning, two interest groups are identified — the residents and the landowners. The residents want open space, good parks, and roads. The landowners do not want to part with their land. They therefore sabotage good plans. One group is driven by the desire for quality of life; the other wants to make the most of the land it owns. It is here that the role of the elected thrompon and the council becomes critical. But when they are accountable only to the landowners (voters), good planning could be compromised. Planners say urbanisation is at the heart of civilisation in today’s context. It is a global trend that the number of people living in the urban areas will only increase.

In an ideal situation, to provide checks and balances to the council, there should be representation, with equal rights, say, from experts like planners, architects, designers and retired civil servants who have lived all their lives in the thromde. This can happen when voting rights are extended to residents without landed property or *mitsi*.

<sup>4</sup> Where Turnout Matters: The Influence of Turnout on Local Government Spending, Zoltan Hajnal, 2012

Landowners alone will therefore not influence the council. “You know the river is flowing in the wrong direction, but you can’t do anything,” says a planner who attended council meetings as an observer. “If we have a say, we can challenge wrong decisions.”

At a time of policy devolution, when more and more policies are both initiated and implemented at the local level, the decisions of local governments are increasingly important. The thromdes will only grow both in size and population. It is estimated that, by 2020, 50 percent of Bhutanese will be living in urban areas (Thromde Finance Policy 2012). That’s why we must develop more towns, including yenlag (satellite) towns. There is the need to have another look at our policies and legislation. There will be no room for discussions, choice, or discourse once more villages are turned into concrete jungles. It will be a shame to repeat the same mistakes.

## **Sustainability of the Thromde**

Critics argue that a local government without financial authority will have no power to implement policies. Municipalities need to be empowered not only through votes, but also through financial autonomy. Local governments today, in addition to the revenues collected through taxes, fees, and service charges, depend on earmarked budgetary support from the central government.

There are many ways local governments can affect local policy. One way is through fiscal decisions like raising money via higher taxes, charges, and fees or even incurring greater debt. However, there are restrictions. The land tax in Thimphu thromde, for instance, is based on unit and not on land value. In other words, the tax on a commercial unit in Norzin Lam and Olakha is the same although the value of land is immensely different. Thimphu landowners pay land tax based on outdated policy (Taxation Policy, 1992), which does not capture many aspects of realities of thromde governance. After nearly two decades, the rate is Nu 0.50 per square foot (commercial land) and Nu 0.25 per square foot in residential areas.

The Thromde Finance Policy has a noble intention. It is intended to support and assist thromdes to establish sound financial management practices, to strive towards financial sustainability and self-reliance, within the principles of decentralisation, economy, equity, efficiency, effectiveness, transparency, and accountability (Thromde Finance Policy, 2012). An elected mayor or the council will be pursuing a populist policy by not revising fees or taxes. Even if they propose a policy, there are limitations: It needs the approval of the Finance Ministry or the Parliament.

Non-voting residents agree that fees could be increased if services are improved. “Not many would feel the pinch of paying Nu 500 a month for regular and reliable waste collection,” says one. The lack of services is summed up by a resident who said his children grew up in his sitting-room because of lack of services and amenities. “(Our) urban children are becoming prisoners in their own homes.”

Thromdes could raise funds from increased local taxes, fees, and services charges. This will happen when the mayor is answerable, not only to a group of landowners, but to its residents as well, including tenants. Without financial authority, the elected government at the centre would jeopardise the noble vision of the local government. Some residents believe that, ideally, thromdes should be able to sustain themselves by raising their own revenue without having to be answerable to the voters and the central government.

To allow residential voting, electoral laws must change. Bhutan’s electoral laws were enacted and implemented without the wisdom of foresight. After several rounds of elections, both parliamentary and local government, there is a need to amend the Election Act of 2008. One provision that needs amendment concerns voting rights. The Constitution guarantees the right to vote, but restricts voters with the provision of having to be registered in a constituency for at least a year, “to prevent fraud and gerrymandering”<sup>5</sup>.

## Chance for Change

A Kuensel online poll, still active when this article was written, asked its readers what Thimphu thromde should prioritise in the 12<sup>th</sup> Plan. The options were water shortage, bad roads, parking issues, and all of the above. Some 68 percent (586) of those who voted said “all of the above”. This is an indication that the thromde needs to improve all its services.

The next local government election is three years away. Time is on our side. It is imperative to revisit relevant legislations if our policymakers are to allow residential voting for inclusiveness and broad-based participation in deciding the quality of life in a city.

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5 The Constitution of Bhutan, principles and philosophies, Sonam Tobgye, 2016