

# Democracy and Local Government in Bhutan

*Rabilal Dhakal*

Local government (LG) has not received much attention in the larger discussion of governance and political system in Bhutan, unlike the democratic transition that Bhutan formally made in 2008. Bhutan's decentralisation phase that started in 1981 with the start of Dzongkhag Yargay Tshogdu (District Development Committee) and Gewog Yargay Tshogchung (County Development Committee) in 1991, opened up key roles LG should play, pave a path to democratic governance at the grassroots. When Democratic Constitutional Monarchy was established in 2008, LG was not in direct focus but was inherently a part of the system.

The success of Bhutan's political system lies in the success of the local governments which will aid the centre in providing apolitical services. LGs being closest to the people makes them as important, if not more, than the central government. Local governments consist of three bodies: the dzongkhag tshogdu (district council), thromde tshogde (municipal council) and gewog tshogde (county council). With its mandate to provide apolitical democratic governance for the local communities, LGs are an integral part of the political system.

Bhutan, in the evolution of governance, has experienced a variety of government systems that did not necessarily see LG as a separate entity from the centre. From a clan-based political system in the 13<sup>th</sup> century, to a theocratic system in the 17<sup>th</sup> century and the Monarchy in the first half of the 20<sup>th</sup> century, Bhutan saw a distancing of local communities in most aspects of decision-making.

The establishment of hereditary Monarchy in 1907, with a social contract from the ruling elites, perhaps marked the importance of the local communities but not their direct involvement. Clear, robust local participation and direct involvement of the people at the grassroots level can be identified with the 2005 gup elections that brought the people of 205 gewogs to decide on local affairs, albeit in an existing system.

Bhutan transitioned to a new system, while local communities were managed under the old system. With the passing of the Local Government Act, the Election Act, and the Constitution in 2008, LGs were instituted with clear mandates. 2021 saw the successful completion of the third term of LGs in the current system. The increase in voter turnout, as well as the contestants, warrants a closer look at its development and national relevance. This article looks at the experiences in the build-up to the gewog tshogde election in Dorokha dungkhag, with a primary focus on dhamngoi zomdu<sup>1</sup> (referred to as zomdu hereafter).

## **Electoral Mandate of the Dhamngoi Zomdu and its Role in the Locality**

The readiness and capability of an aspirant is not self-declared but is decided by the majority, which decides who is best suited for them. One can only be a potential representative upon the consent given by the people in the dhamngoi zomdu, which is the process of selecting one candidate from a locality, who would then represent himself/herself in the main election, contested by as many contestants that are approved by electoral law.

As mandated by the Constitution, “the involvement of communities and community organisations in matters of local governance”<sup>2</sup> brings people together to fulfil the primary aim of people-led governance. The choices of the candidates as well as the will of voters are exercised in this process. A constituent can only have one representation in the election, and a zomdu provides an opportunity to filter out the weaker ones, where multiple aspirants contest. It may not always be about choosing the strongest candidate<sup>3</sup> but it is an expression of personal choice and civic right.

The feeling and excitement among the voters can be equated to any festive occasion.<sup>4</sup> Zomdu can only proceed when the Election Commission of Bhutan (ECB) formally announces the permissible dates/time, but the actual build-up can be as long as two to three years. This is the time when an interested individual directly or indirectly conveys his/her intention to the local community, and for the locality to consider its future representative.

<sup>1</sup> Dhamngoi zomdu is the Dzongkha term for the selection of a candidate for the main election

<sup>2</sup> Constitution of Kingdom of Bhutan (2008), article 22 (4,C)

<sup>3</sup> Personal communication with the GT candidate

<sup>4</sup> Personal communication with a GT participant

This exercise prior to the zomdu is voluntary in nature, and discussions take place in informal and social gatherings. People also keenly follow and observe the developments in other villages/localities to observe who is likely to contest the future election. This has a direct impact on their choice of candidate, as they try to compete with the other side. Oftentimes, if one constituent has a single aspirant, he/she is voted yes to contest the main election as a matter of prestige for the particular community.<sup>5</sup> Formal selection of a candidate in the zomdu is facilitated by officials from the ECB.

### **Local Traditions and The Electoral Process**

Can Bhutan preserve its local traditions as it embarks on a system that has to accommodate ideological and political differences? The open electoral system is new in Bhutan, which had relied on the wisdom of religious and cultural leaders for both spiritual and political authority. More freedom often excites people and can lead to more challenges in the short term. The local communities will have to find a balance between keeping the old traditions alive and embracing the new system.

As we gradually move from a patronage system to a more open and individualistic, yet communal, style of governance, local communities in Bhutan will challenge the notion of elitist authority to gain more equal representation and rule. Bhutan, for most of its history, has witnessed the rule by elites at both national and community levels.

The constitutional separation of religion and politics, by not allowing religious personalities to contest both local and national elections<sup>6</sup>, provides new avenues equally to all the aspirants. However, the close connection and ties of the people can be altered by the present political system, as one observer said: “The closeness we had during our parents’ time is broken by the recent LG election and has divided our community.”

Differences in views and preferences for candidates may not be as divisive as some people construe it to be, but the traditional notion of seeking a total consensus creates conflicts with democratic practices. The 2021 LG

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<sup>5</sup> Voter from Tading gewog.

<sup>6</sup> Constitution of Bhutan (2008), Article 3 (3)

elections saw 3,500 candidates<sup>7</sup> contest for various posts, an increase of more than 100 from the 2016 elections. The numbers will only increase. The overall voter turnout in the same election was a record 68.42%.<sup>8</sup> This increased participation will hopefully make LG elections develop its own trends.

The increased participation, which leads to material benefits in exchange for votes, as in the case of 2022 Philippines election<sup>9</sup>, might however derail the present system and lead to a complete overhaul of the political system. The stringent law of the day, if applied consistently, will potentially avoid the derailment. Leniency from the ECB might encourage the tradition of malpractices, as one contestant argues.<sup>10</sup>

The poor representation of female candidates still remains a challenge and setback for a Gross National Happiness-based equitable society. There were no women represented at the dhamngoi zomdu in Dorokha dungkhag in the 2021 LG election. Male dominance has been strongly embedded in this region. Improved access to women's education and exposure has not yet improved the support base for women aspirants.

National development, however, shows encouraging signs, as the number of women participating in the LG elections increased by 100% from 200 in 2016 to 491 in 2021.<sup>11</sup> With seven gups, the elected head of a gewog,<sup>12</sup> now being women, and the likelihood of this increasing in the future, the traditional stereotyp is expected to gradually fade.

The zomdu experience in Dorokha, where a majority of voters were women, might change women's representation in the next round. Phuntsho Choden & Kunzang Lhamu (2020) argue that the difference between myth and

<sup>7</sup> Election commission of Bhutan (32-12-2021), Press release. Declaration of The Results Of The Polls Of The Third Local Government Elections, 2021.

<sup>8</sup> Kuensel (7th January, 2022), Record voter turnout this election. Retrieved from <https://kuenselonline.com/record-voter-turnout-this-election/>

<sup>9</sup> Andrea C Wong (7th February, 2022). Philippine elections and the politics behind it. Retrieved from <https://www.lowyinstitute.org/the-interpretor/philippine-elections-and-politics-behind-it>

<sup>10</sup> Interview with LG contestant on 25<sup>th</sup> July, 2022. He believes that the ECB has not taken serious actions on violators of election rules.

<sup>11</sup> Dechen Dolkar (25<sup>th</sup> December, 2021), Increase of women representation in LG. Kuensel. Retrieved from <https://kuenselonline.com/increase-of-women-representation-in-lg/>

<sup>12</sup> Gup is the elected head of a particular gewog/county

reality subdues Bhutanese women, as it does elsewhere.<sup>13</sup> Slow and resisted change is perhaps reminiscent of Bhutanese tradition.

### **Contesting the Apolitical Nature of the Electoral Process**

There is a thin line between what is apolitical and political in practice. LGs in Bhutan are supposed to be apolitical by law but there is confusion in both defining and understanding what makes one apolitical. Apolitical is defined as not being connected with politics, or not connected with any political parties.<sup>14</sup> It is impossible to be apolitical by the very definition, unless it is defined by Bhutanese law differently. Political parties and politicians have been confused themselves about apolitical-ness which they say is narrow and a major constraint.<sup>15</sup>

Contesting in LG elections while being apolitical is both impractical and impossible. Bhutan's LGs are loosely apolitical because they are not affiliated to political parties and the law disallows members of political parties to contest any LG election. Yet by the virtue of candidates contesting elections based on their manifestos and vying for the seats of authority, LGs are political.

Zomdu makes an interesting case of a classic political contest in practice as it involves ideologies, campaigns, competition, collusion and collaboration, and power. ECB provides an equal platform and period for eligible contestants to campaign and connect with the voters. This is perhaps the most important and interesting phase of the LG election process.

The best platform for voters to understand the candidate is from the promises and capability one shows during the campaign period. Many voters look forward to hearing from candidates to see what they have to offer to the community and, at the same time, to also let candidates know what people want. It leads to negotiations and discussions on the needs beyond pledges and scope of the LG authority.

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<sup>13</sup> Phuntshok C & Junzang L (2020), Bhutanese Women in Politics: Myths and Reality. Druk Journal. Retrieved from <http://drukjournal.bt/bhutanese-women-in-politics-myths-and-realities/>

<sup>14</sup> Cambridge dictionary meaning of apolitical. Retrieved from <https://dictionary.cambridge.org/dictionary/english/apolitical>

<sup>15</sup> MB Subba (18<sup>th</sup> May, 2018), what is being apolitical? Kuensel Report retrieved from <https://kuenselonline.com/whats-being-apolitical/>

Some observers, however, feel that this kind of gathering divides people and also leads to fake and unachievable promises.<sup>16</sup> The options to reach voters are limited and candidates resort to whatever is available. The most popular platform used by contestants is the WeChat messaging app. Many short and long voice messages are circulated among the voters, directly between individuals or through group messages. This has often led to the circulation of false information that would impede the chances of winning for other candidate(s).

Many developments transpire both before and after the zomdu. Collusion and collaboration are open secrets. Candidates and supporters team up to plan the best possible ways to win in the zomdu. Supporters in particular colluded to either vote-in or vote-out the other contestants.

In one example, a candidate and his supporters met with voters from another chiwog<sup>17</sup> before the zomdu did not support a particular candidate, as he had better chances of winning in the main election. This is often done with the promise of helping people after the election, or through monetary support.<sup>18</sup> Some candidates also help people with free transportation, using their own vehicles or paying transport fares or by hiring vehicles with the understanding that they vote for him. Offering labour contribution in agriculture is another way of coaxing voters for support.

Although these practices are acknowledged to be corruption, they are conducted so subtly that election officials have not been able to catch and penalise the wrongdoers. Very few cases are detected by ECB and candidates are, therefore, not disqualified for corrupt practices. ECB disqualified two candidates from Dragteng gewog in Trongsa for corrupt practices<sup>19</sup> in a rare case scenario, but this is just the tip of an iceberg. One of the most common forms of corruption is the mobile data and talk-time recharges done through mobile banking. One candidate from Dumtse gewog was fined by ECB<sup>20</sup> for recharging a voter's voucher but was not disqualified for the act.

<sup>16</sup> Interview with a LG contestant on 25<sup>th</sup> July, 2022

<sup>17</sup> Chiwog can be one village or two clubbed for electoral purpose.

<sup>18</sup> Personal communication with a voter from Dophuchen gewog.

<sup>19</sup> Nima Wangdi (11<sup>th</sup> December, 2021), ECB disqualifies two LG candidates. Kuensel. Retrieved from <https://kuenselonline.com/ecb-disqualifies-two-lg-candidates/>

<sup>20</sup> BBS (1<sup>st</sup> December, 2021), ECB penalises former Dumtse gup for recharging voucher to a voter. Retrieved from <http://www.bbs.bt/news/?p=161978>

One candidate<sup>21</sup> believes it will lead to more corrupt practices if stringent actions are not taken by the ECB. These acts continue after the zomdu and before the main election. If this continues, no capable individual will be able to contest LG or National Assembly elections if he or she is poor.<sup>22</sup> The possibility of LG elections being decided by muscle and money power cannot be ruled out in the future, going by current trends.

### **Why Dhamngoi Zomdu Warrants National Attention**

As Bhutan has embarked on a political system of its own construct at both national and local levels, a clear soul-searching of the current system is needed for continuity and betterment. LGs form the bedrock of Bhutan's political structure, and the overall success of the nation will be largely dependent on how the government deals and works with strengths and weaknesses of LGs.

What transpires during the zomdu and the reasons behind it warrant the attention of the government. LGs are directly dependent on government for administrative, managerial, and technical support, as mandated by the constitution.<sup>23</sup> Failure of the LGs would, in the long run, cripple the central government.

Learning from the aspirations of people as seen in the build-up to the LG election will ensure efficient and effective governance in Bhutan. Some of the most important issues and concerns raised during the zomdu are maintenance of farm roads, reliable irrigation channels, connectivity roads, more support for agriculture, wildlife conflicts, and one-window services to be available at the gewog offices.

Zomdus are not necessarily a contest, but the first platform for local communities to highlight and discuss vital developmental needs. These are also the same concerns raised during political campaigns in the build-up to the National Assembly as well as National Council elections. This shows that the government is not doing enough to live up to expectations. The issues of irrigation and wildlife conflict have been perennial in Dorokha

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<sup>21</sup> Interview with a LG contestant on 25<sup>th</sup> July 2022.

<sup>22</sup> Personal communication with a voter from Dophuchen gewog.

<sup>23</sup> RGoB (2008), Constitution of Bhutan. Article 22 (8C)

dungkhag and many other regions. These issues may be picked up and addressed by politicians while they research to plan new pledges for future elections.

People also believe that their local representative should have good Dzongkha language skills and be vocal in taking up local issues with the higher authorities, as they believe that work will be done only under pressure. Development is a right, and the practice of having to bargain with the higher authority is not sustainable, nor is it correct.

Close attention should also be paid to corrupt practices that transpire during and after the zomdu, as it has a direct impact on the national elections. The use of money, favours, conditional services and defamation exercises prevalent in the LG election will only be infused in the central government election if it is not addressed in time.

The annual Anti-Corruption Commission report showed that corruption complaints against the local government was among the highest<sup>24</sup>, and will continue unless measures are put in place. The LG election procedures, including the zomdus, mirror the democratic government election process, and the long-term success of Bhutan's political system will be largely driven by how central government and LGs work together to build a responsible, clean and vibrant democratic culture.

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<sup>24</sup>MB Subba (25<sup>th</sup> December, 2021), Addressing corruption and accountability. Kuensel report retrieved from <https://kuenselonline.com/addressing-corruption-and-accountability/>