

Include the Diaspora to Unite the Populace

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In the spring of 2018 a small university town in New South Wales, Australia, was abuzz with Bhutan election fever. The Druk Nyamrup Tshogpa (DNT) and Druk Phuensum Tshogpa (DPT) candidates wooed potential voters in Australia, and their supporters debated the topics of who would be a better candidate and which would be a better party.

A senior civil servant, who had resigned to pursue his Doctor of Philosophy (PhD) in Education in Australia, became the Election Commission of Bhutan's (ECB) focal person in the community. He received everyone's postal ballot and went to deliver postal ballots to every Bhutanese in the locality. He later collected the filled-in ballots and posted them back to Bhutan.

"I did it for democracy and the electoral process in Bhutan," he said. "I felt like I was in Bhutan on election duty." The father of two said he agreed to volunteer to facilitate the postal ballot voting because he understands the significance of voting: "If democracy is to succeed in Bhutan, the electoral process should be vibrant. Every vote matters."

He said he had merely facilitated the process and did not influence any person to vote for a particular candidate or a party. "Everyone here is pursuing a higher degree by research and it will not make any sense to try to influence anyone," he added.

Come the 2023 election, everyone in the locality expected the same process. However, with the ECB facilitating postal ballots for only students or Bhutanese working in embassies, there is no enthusiasm in the rest of the Bhutanese community. Discussion during the National Council election was limited to how the ECB's move was not inclusive.

Many Bhutanese overseas say that allowing every eligible Bhutanese residing outside the country to vote through postal balloting would keep them connected to their country. They would be interested in what

happens back home, post their views on their social media pages, and join discussions in both social and mainstream media.

When the 2023 National Council election neared, some Bhutanese in Australia wrote to the ECB, questioning the Commission's move to do away with the postal ballot facility for the Bhutanese diaspora.

In an email sent to the ECB's postal ballot facilitators, a member of the diaspora cautioned the ECB about taking away the right of Bhutanese citizens to take part in the democratic process, which would result in a gradual disconnect of the Bhutanese diaspora from the electoral process and even from Bhutan.

It conveyed the message that some people in the Bhutanese diaspora felt they were not being treated as equal citizens. "The ECB had already facilitated the postal ballot facility for Bhutanese overseas in the past," the email stated. "It doesn't cost anything, as the postal ballot is sent by email and voters bear the postal charges of the ballot."

A former executive member of the Australia Bhutanese Association of Canberra said the ECB and relevant agencies in Bhutan need to think twice about not facilitating postal ballot services for Bhutanese living abroad. "The ECB allows only students to vote, but there are Bhutanese who are neither studying nor have permanent residency," he said. "They should be allowed to vote."

He said allowing the Bhutanese diaspora to participate in the electoral process would ensure a more inclusive and representative democracy. "The Bhutanese diaspora plays a significant role in our country's development by contributing to the economy, culture, and global connections," he said.

According to the engineer, who contributes to Bhutan's knowledge society through his writing on both mainstream and social media, the experiences, perspectives and aspirations of the Bhutanese diaspora are valuable assets that should be considered when choosing leaders who will shape the future of Bhutan. "By allowing Bhutanese citizens living abroad to vote, the ECB will foster a stronger sense of belonging, engagement, and active participation in our democratic process, regardless of geographical boundaries," he said.

He also suggested that the ECB should allow Bhutanese with permanent residency overseas - but who are still Bhutanese citizens and are genuinely interested - to vote. "The ECB could establish mechanisms that will prevent any other factors that could negatively influence our elections from outside," he added.

Another member of the diaspora, who resides in Perth, said Perth has an eligible Bhutanese voter population of about two small dzongkhags, and not facilitating voting opportunities for the members might cause total disconnect. "The fear amongst our policy makers or decision makers must be that members of the diaspora would influence the outcome with external thinking," he said. "Such apprehension could undermine the democratic and electoral process."

Another member of the diaspora said that voting from overseas should be treated like how people in Bhutan who do not reside in their own villages and gewogs are allowed to vote for local leaders. "Bhutan is a small country. Everyone should be allowed to vote, as decisions taken by those in authority impact on everyone, irrespective of where one resides."

The ECB's Stand

The ECB cited section 331 of the Election Act of Bhutan 2008 as their reason for not facilitating postal ballots for Bhutanese living abroad. It states: "Diplomats and persons working in embassies of Bhutan abroad, any person on special government duty outside the country, members of the armed forces, any person on election duty, civil servants, their spouses and dependents, and students and trainees, could vote by post or online."

The ECB's media focal person, Phub Dorji, said the commission decided to go by what is there in black and white, fearing there would be problems if the ECB does not go by what is stated in the law, meaning the ECB Act. "We have facilitated postal ballot services in accordance with the law," he said. The ECB had quoted the same section of the ECB Act to stop the postal ballot facility for the NC election.

He said politics is a sensitive subject and facilitating too many voting options could bring problems in the future.

The ECB had framed a guideline to facilitate postal ballots in the past. The guideline was governed by the Postal Ballot Rules and Regulations. In the guideline, the commission stated that, given the small size of the Bhutanese electorate, the ECB finds it appropriate that all those eligible and interested to participate in the electoral process should be facilitated to take part in the democratic exercise.

Are Diaspora Members Less Bhutanese?

The ECB's move to stop facilitating postal ballot for all members of the Bhutanese diaspora comes during this age of digital technology where, at one time, Bhutan was even planning to facilitate an online voting system so Bhutanese could vote live from their place of residency.

While no one has said anything on record, there is a belief that because members of the diaspora do not live in the country, they would not share the same values and concerns as those residing in the country. Therefore, voters who had lost touch with national trends could derail the sentiments that are the basis for local politics in Bhutan.

It is also believed that allowing everyone to vote irrespective of where they live could distort the electoral results as political parties could manipulate members of the diaspora when they campaign across borders, especially in Australia.

While transnational campaigning could be expensive for political parties, there are international norms that could help the electoral systems remain apolitical. "Bhutanese diaspora members come to seek economic opportunities to make life better for everyone," a member said. "It is a global phenomenon for countries to facilitate a voting opportunity for their overseas diaspora."

What Numbers Indicate

While ECB officials stated they did not know the exact numbers of the Bhutanese diaspora, Phub Dorji said about 600 Bhutanese residing overseas registered for the postal ballot facility for the NC election this year. He said Bhutanese people say something, but do another. "Of about 600 who registered, only about 100 Bhutanese sent in their postal ballots," he said.

While exact numbers of the Bhutanese diaspora could not be obtained, media reports claim there are more than 35,000 Bhutanese living overseas in 113 countries, and more than 20,000 eligible voters. Perth in Western Australia alone has more than 15,000 Bhutanese, and there are many eligible voters in Middle East countries and the United States of America.

In the 2018 elections, more than 3,500 voters living abroad availed themselves of the postal ballot facility.

The Cost of Such a Decision

The decision has disappointed members of the Bhutanese diaspora who are resorting to conspiracy theories and adding to the unfounded and unestablished gossip on the political culture of Bhutan.

The ECB's action also does not align with political theories of keeping everyone engaged in politics. It is, in fact, causing disengagement of Bhutanese citizens living abroad.

Political theorists, including Aristotle, Rousseau, and Walzer, have always associated voting rights with citizenship. A political scientist focusing on Latin America, Claudia Zilla, stated that democracy, citizenship, and inclusion overlap, and inclusion is the key dimension of democracy.

Defining democratic inclusion in the perspective of democracy and citizenship theory, she describes inclusion as a requirement and achievement of democracy. "Democratic representation and participation build upon political rights, and when citizens are not allowed to vote, the foundation of democracy is at stake," said Zilla in a journal article.

It also stated that political equality is a condition in which all citizens have equal influence on the collective decision-making of a political community, including the equal consideration of preferences in a political system.

In a journal article on the right to vote for non-resident citizens in Europe, Dr Richard Lappin wrote that the right to vote is considered the most important political right for every citizen in International Human Rights Law.

He, however, explained that the right to vote is not absolute anywhere, and has its limitations based on age and citizenship. Countries around the world offer different voting rights to their non-resident citizens. “In the UK for example, voting right is facilitated for citizens with a close connection, and it does not provide voting rights to people who have not lived in the country for more than 15 years.”

International Practices

International organisations have advocated non-resident citizen voting. As of 2013, 123 countries allow external voting, where citizens living outside of their own country could vote with varying modalities to vote, which include sending postal ballots, voting at embassies, electronically, or by proxy.

The number of countries facilitating enfranchisement had increased to 140 by 2023. Countries with sizeable diaspora populations facilitate voting rights to their non-resident citizens. Developing countries, recognising the importance of economic remittance, emphasise the inclusion of their diaspora in elections, for political and economic reasons.

Some countries impose conditions on their diaspora, such as to visit or keep ties to one’s home country, for non-resident voting. While British citizens can vote for up to 15 years of living abroad, the United States of America allows its non-resident citizens to vote without any such conditions. In neighbouring India, non-resident Indians can register as overseas electors if they didn’t acquire citizenship of any country. The Election Commission of India has been proposing that the government allow its overseas voters to send postal ballots electronically since 2020, but the request has been under consideration over secrecy and resources. India facilitates postal ballots only to diplomats, armed forces, senior citizens, the disabled and those in detention.

Nepal also does not have any provisions for its overseas citizens to vote through postal or electronic voting. Nepal’s Supreme Court issued a directive in 2018 to the government to facilitate “out-of-country voting” for Nepali diaspora around the world, but it never materialised.

Many countries also allow their political parties to campaign globally through migrant associations, but there are also countries that do not allow transnational campaigning. With the advancement of technology, and political parties in Bhutan leveraging social media for campaigning, the same criteria could be used for migrant voters.

Way Forward

The ECB could extend its postal ballot facility but make voters bear the expenses. Postal ballot facilities should be extended to only interested voters, with authentic witnesses or guarantors, as it is mandated within the country.

In the last National Council election, the ECB just issued postal ballot forms online. Voters paid the postal charges. The ECB could extend that to all Bhutanese living overseas. People who care about politics, leadership and governance would pay to vote.

If the ECB is to follow the written law, it is time for our lawmakers to amend the ECB Act to make voting more inclusive.

Since democracy is based on principles of equality, all citizens should also have the same voting rights irrespective of where they live. In this age of technology and digital transformation, the ECB should facilitate online voting to allow every citizen to vote and, thereby, encourage and facilitate active citizenry.

Meanwhile, many members of the diaspora question their obligation to vote in a democracy and the obligation of the State to protect and facilitate voting rights for non-resident citizens. Otherwise, both the country and its citizens could be at the losing end.

With increasing migration in a globalised world, the ECB needs to be progressive to ensure that all citizens participate in the electoral process. The Constitution has guaranteed voting rights for all eligible voters.

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