Reluctant democrats and the challenge of legitimation: the case of Bhutan

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Introduction

Bhutan is one of the most recent additions to the world’s democracies. For over a century the nation had been ruled by kings from the Wangchuck dynasty. But, in 2001, a radical change was announced by the fourth king. He gave instructions that a constitution should be prepared to pave the way to the creation of a constitutional monarchy in which the people would choose their governments and the institutions of the democratic state would operate. The first national democratic elections were held in 2007-2008 and the second in 2013.

Democratisation in Bhutan has aroused international interest because of its unconventional nature. It was introduced by the king, without any pressure from dissatisfied elites or popular dissent, normal explanations for democratisation, and has been variously described as ‘democracy by decree’ (Turner et al. 2011), ‘democracy from above’ (Sinpeng 2007), ‘when agency triumphs over structure’ (Gallenkamp 2012), and more popularly in Bhutan itself as ‘the king’s gift’. Furthermore, the citizens of Bhutan were reportedly unenthusiastic about the political change, most preferring to remain under the existing political arrangements (Kinga 2009; Gallenkamp 2013).

This unusual top-down transition from authoritarianism to democracy raises interesting questions relating to the political legitimacy of the new democratic order. Prime among these is, ‘how do you legitimise democratic institutions that do not have popular support?’ Democratisation in developing countries often creates competition among different interests and ideologies as to the most appropriate institutional arrangements and is frequently forged in struggle and conflict. But these are features absent from the history of democratisation in Bhutan. Every sign points to the importance of one person, the fourth king, in the transition to democracy although the situation becomes much more complex after this initial step is taken.

This paper aims to develop an understanding of the legitimation of a democratic state in Bhutan through an analysis of the context in which democratisation has taken place, both historically and materially. It also explores the question of
whether contemporary political legitimacy in Bhutan is more a matter of passive consent than active support, and whether the monarchy continues to play a role in validating the political institutions of a democratic state. The principal and somewhat paradoxical argument is that the strength of the legitimacy of the monarchy as the head of the authoritarian regime has provided the basis for the legitimation of the democratic state in Bhutan.

**Democratisation and legitimacy**

This paper adopts the traditional meaning of political legitimacy, that it is ‘the belief that the existing political institutions are the most appropriate ones for the society’ (Lipset 1984: 88). This can also be expressed as ‘the degree to which institutions are valued for themselves and considered right and proper’ (Bierstedt 1964: 386) or quite simply ‘the overall level of acceptance of the regime or government throughout the polity’ (Blondel 1990: 52).

While there is sometimes a leaning towards seeing democracy as the only mode of political legitimacy and ‘legitimate autocracy as an oxymoron’ (Gerschenski 2013: 18), there is plenty of evidence that all types of political regime ‘from naked tyrannies to pluralistic democracies seek to legitimate themselves’ (White 1984: 42). For example, longstanding dictator President Marcos of the Philippines ‘tried almost every trick in the legitimation book’ to maintain his authoritarian rule – legality, performance, combining divine right with charisma, and international support (Turner 1990: 749). He, like other authoritarian rulers, tried to establish the obedience-worthiness of the political order he had constructed. But Marcos and most authoritarian rulers engage in legitimation activities to forestall or counter democratic pressures coming from dissatisfied elites and masses. This case of Bhutan is in contrast as there were no such pressures. This does not mean that the ruling Wangchuck dynasty was disinterested in legitimation but rather the context in which they undertook it departed considerably from the norm. Their degree of success was also unusually high.

One of the problems of legitimation is whether it is an all or nothing affair. This is particularly evident in authoritarian regimes that run the gamut from high to low intensity repression (Levitsky and Way 2005). This is of particular concern for the Bhutanese case where benevolent dictatorship is an appropriate description of monarchical rule especially post-1952. It is also a matter of interest in hybrid regimes that characterise many developing countries and which feature both democratic and authoritarian elements (Diamond 2002). Do people demonstrate ‘conditional tolerance’ rather than willing obedience? For example, do people, for pragmatic reasons, obey laws and governments that they believe to be unjust but irremovable or quietly and without enthusiasm obey rules of which they
generally approve (Barker 1990). These examples can perhaps be viewed in terms of degrees of legitimacy that can sometimes be very low on the scale of identifiable legitimating characteristics.

Mentioned above is another puzzle of legitimacy. That is, whether citizens and organisations need to flag that they are making deliberate choices to obey as a signal of legitimacy. Must that overt behaviour be demonstrated? Do we need to explain our obedience, subject it to reasoned argument? Taking the lead from Barker (1990: 30) it can be argued that rather than seeing reasoned argument for legitimation as the only yardstick by which to judge legitimacy, ‘the deeper the sentiment or conviction, the less it depends on reason and the less it is likely to be articulated in reasoned argument’. It may be that where claims of legitimacy are most vocally articulated it might be because they are wished for rather than observed as operating. It might even be possible to identify a condition of ‘habitual legitimacy’ in which obedience is ‘not a deliberate choice but rather the absence of reflection of alternatives’ (Barker 1990: 29). This is of particular relevance to Bhutan where competing ideologies have been remarkable by their absence over the past century.

This discussion leads to the observation that legitimacy can be manifested in a variety of forms from ‘active consent, compliance with the rules, passive obedience or mere toleration’ (Gerschenski 2013: 18). But as stated earlier, regimes themselves are generally active in promoting their own legitimacy, albeit with differing amounts of vigour and in contrasting ways. Authoritarian regimes have often preferred performance legitimation while democracies like to parade the moral rightness of their order. Whatever the regime, it will engage in legitimation rituals, propaganda and education to justify the order. The citizens’ reactions will however vary according to circumstances as indicated above. The analyst may also wish to scrutinise legitimacy through different lenses to gain a more holistic view of the phenomenon. For example, Bensman (1979) identifies five aspects of legitimacy to which we might attend: the claim to power; the justification of a regime; the promise of a regime; self-justification by the fortunate; and belief in the claim, promises and justification of the aspirants to, or holders, of power (Turner 1990: 349). These are useful for examining the Bhutanese transition from authoritarian to democratic rule.

**Bhutan: a socio-economic profile¹**

While the country of Bhutan is known to many, this knowledge is often vague, sometimes fanciful and occasionally highly critical. Thus, it is useful to orient readers to some of the socio-economic facts about Bhutan to facilitate greater understanding of the setting of the country's politics.

Bhutan is a small Himalayan country, approximately the size of Switzerland, but with a population of only 720,679 in 2012. The GDP grew at an average rate of 9.1% between 2004 and 2012 when it reached US$5246 PPP. Agriculture is the major occupation involving 60% of the labour force. However, hydroelectric power and tourism are the major industries in financial terms. Although a poor country, poverty has been in decline falling from 23.2% of the population in 2007 to 12% in 2012. However, youth unemployment has been rising as more young people are educated and reject lives as farmers.

In the UNDP's human development calculations, Bhutan falls into the Medium Human Development category, albeit very close to the bottom of the category. This puts Bhutan slightly below the South Asia average but above Pakistan, Bangladesh and Nepal. Health indicators have been improving with life expectancy standing at 67 years in 2011, up from 60 years in 2000 and 56 years in 1994. Adult literacy in 2012 was low at 63% for a country with medium human development. Education indicators are, however, showing improvement with primary education being universal and secondary and tertiary enrolments growing. The youth literacy rate in 2012 was 86%.

Bhutan's development philosophy and practice of pursuing Gross National Happiness (GNH) as opposed to the single-minded obsession with Gross National Product (GNP) has attracted global attention and many admirers. It is a balanced philosophy of development drawing on traditional strands of Buddhist and Bhutanese thought and is based on four pillars: sustainable and equitable socioeconomic development, conservation of the environment, preservation and promotion of culture, and good governance (Ura and Galay 2004; Ura et al. 2012). GNH does not ignore economic growth but rather places it as one of a number of developmental objectives. GNH’s concern with good governance has particular relevance for political legitimacy as democratization may be seen as a leading the way in the quest for good governance.

**The establishment of authoritarian legitimacy**

Bhutan is an old state in which monarchy is a relatively recent institution. In order to understand the presence of so many reluctant legitimisers of democracy in contemporary Bhutan it is necessary to go back to the founding of the country to assemble all the pieces that are needed to complete the legitimization jigsaw for 21st century democracy. The approach can be loosely described as path-
dependency meets *longue durée*. Using this hybrid methodology we can define three distinct periods of history and three critical times or junctures that facilitate our comprehension of today’s legitimacy puzzle. While each is significant, the most recent critical moments have had the greatest impact on democratic legitimation. Thus, the most recent events will receive the most scrutiny in this paper.

The first critical event, the earliest path dependency moment, was the founding of Bhutan by the monk, Zhabdrung Rinpoche, in the first half of the 17th century. Through force and negotiation he succeeded in bringing together a group of small Himalayan territories so that by the end of the 1650s the area roughly corresponding to contemporary Bhutan had been demarcated and the people given a unifying identity – *drukyul*. Alongside the territorial delineation of the state, Zhabdrung also promoted political unity of its people under the banner of religion (Phuntsho 2013). Buddhism permeated the arrangements for the state so that ’the laws formalized the interconnectedness of the deep Buddhist spirituality and the common necessities needed in organizing and ruling a state’ (Gallenkamp 2011: 4). A dual system of religious and secular law was introduced and formed the basis of a theocratic or ecclesiastical state (Kinga 2009). However, the diarchy evolved into a ‘tightly interconnected synthesis’ (Sinha 2001: 63). The importance of this period was the consolidation of territory into a state that would become known as Bhutan, the creation of a national identity and the embedding of Buddhist thought into all aspects of governance. These are still core elements of the Bhutanese polity today.

Following the Zhabdrung’s death the country experienced periods of fragmentation and instability because of external threats from Tibet and civil strife among warring local leaders. The latter was particularly pronounced in the 19th century when *Druk Desi* (the secular leaders) moved in and out of office at a fearsome rate and there were 24 revolts while four *Druk Desi* were assassinated (Gallenkamp 2011). Also in the 19th century, Bhutan had to negotiate with the British imperialists from their Indian empire and even fought a short war with them in which some southern territory was lost, but none from the *Drukyul* heartlands (Phuntsho 2013).

In the second half of the 19th century, the efficacy of the ecclesiastical state had declined considerably and even after the short war with the British (1864-1865) ‘the magnates resumed their feudal conflicts’ (Phuntsho 2013: 468). It was time for the second critical juncture in the history of the Bhutanese polity. There emerged a strong local leader in Tongsa, Jigme Namgyal, who by his death in 1881 ‘had effectively laid the foundation for a unitary power and authority to rule over the country’ (Phuntsho 2013: 478). He handed on the baton for consolidation to his son, Ugyen Wangchuck, who took advantage of the geo-
politics of the region and the patterns of power within Bhutan to eventually create a monarchy in which he would be king. Indeed, he was the de facto ruler of Bhutan long before he was crowned and was crucially recognised as such by the British with whom he formed a strong relationship. He moved from ‘tactics of blunt coercion to those which produced harmony and consensus’ enabling him to ‘introduce constitutional changes that left him and his heirs triumphant and the country’s survival as a sovereign state assured’ (Aris 1994: 75). Ugyen Wangchuck’s creation of and ascent to the throne was a popular move authorised by all of the country’s significant leaders and the ‘contract between ruler and ruled legitimised the authority of the king’ (Wangchuk 2004: 838).

The role of consolidator of the state with the monarchy and asserting their indivisible power practiced so adroitly by the first king was assumed by his son, Jigme Wangchuck, the second king, in 1926. While there were a few early concerns about challenges to the legitimacy of his claim or of the Wangchuck dynasty as the rulers of Bhutan, these worries soon passed. Ura (2010: 45) sees the key contribution of the second king as holding the country together for two decades ‘when the nations around Bhutan were going through traumatic changes’, notably the chaos of Maoist revolution to the north and civil disobedience to the south. It was continuity rather than change that characterised the second king’s 20 year rule. He did demonstrate interest in developmental matters such as in education, health and infrastructure but the steps he took to address these issues were very small. Bhutan still remained a very poor state isolated from most of the world with a population with negligible awareness of what happened outside their particular Himalayan valley. On tax matters, the king did make reforms in favour of the citizens and to promote equity, a policy that earned greater domestic respect and legitimacy (Phuntsho 2013; Ura 2010). But his lasting legacy was the maintenance of peace, stability and sovereignty, all of which contributed to further emphasising the legitimacy of the monarchy as the undisputed rulers of Bhutan.

**Development and change**

The third king’s ascent to the throne in 1952 marked the next critical juncture in the history of the Bhutanese state and the pattern of political legitimacy that characterises the country. The new king, Jigmi Dorji Wangchuck, guided Bhutan’s first steps into modernity by establishing the institutions and symbols of the modern nation-state – legislature, judiciary, executive, standing army and modern bureaucracy (Kinga 2009: 27). He also commenced work on socio-economic development with the monetisation of the economy, urbanisation, construction of infrastructure, and the provision of health and educational institutions. Support from India was crucial and in the early stages of socio-economic development Indian planners were recruited to manage the transition
from tradition to modernity, albeit one that was incremental and slow paced. Socio-economic development took second place to political development (Ura 2010). Under Indian guidance, the third king also extended the country's international connections, including membership of the United Nations, thus taking its place among the world's states.

The foresight of the third king was the realisation of ‘the inefficacy of unquestionable centralized authority to secure status of both the monarchy and the country’ (Phuntsho 2013: 566). ‘Interactive rule and consultative governance’ were needed to guarantee stability, sustainability and security. Changes must be incremental. Thus, he established the National Assembly (*Tshogdu*) in 1953, one year after becoming king. This body comprised of the three legitimating pillars of the Bhutanese polity – monks, bureaucrats and the people – and was to operate on the Bhutanese principles of consensus and deliberation (Gallenkamp 2011). It was later complemented by the Royal Advisory Council (*Lodoe Tshogde*) and the first steps towards establishing the rule of law. This was achieved through writing the Supreme Laws (*Thrimshung Chonmo*) that combined elements of tradition with the demands of modernity and the creation of the High Court. Mediaeval administration faded into memory as new educated Bhutanese built a modern bureaucracy. To emphasise the emergence of a new era in Bhutanese history the last remnants of bonded labour and serfdom were abolished. This did not mark an attempt to break from the past. Far from it, tradition as expressed in culture was seen as essential glue for holding the nation together. It was promoted and even elaborated, for example in the advocacy of *Dzongkha* as a national language.

The fourth king was forced to take over the reins of government at the early age of 17 years after the unexpected death of his father. His contribution to the development of Bhutan and to the introduction of democracy was immense and has been celebrated by many authors (eg Ura 2011, 2012; Mathou 2008; Kinga 2009; Sinpeng 2007). It is debateable as to whether he had a clear vision of the path to democratisation as some authors contend. However, what soon became clear was the direction in which he was moving – further decentralisation of the power that had been consolidated by the first two kings and the continuation of socio-economic development. His first step was, however, in the other direction as he reversed some of his father’s liberalising measures including the abolition of the vote of no confidence in the king and the reintroduction of the king’s veto in the National Assembly.

After these early precautionary measures the fourth king embarked on a strategy for Bhutan that involved promoting a national developmental ideology in the form of Gross National Happiness (GNH) and progressively decentralising power both territorially and functionally. First introduced by the fourth king as the
germ of an idea in the 1980s, GNH has gradually been elaborated until it has become a coherent development philosophy and practice. It is explicitly linked with the 1729 legal code of Bhutan that states ‘if the Government cannot create happiness (dekid) for its people, there is no purpose for the Government to exist’ (Ura et al. 2012: 6). Thus, GNH is anchored in the history of Bhutan, clearly draws on Buddhist thought (2008) and is ‘inspired by traditional principles of conciliation, pragmatism, and compassion’ (Mathou 1999: 617). Giving Buddhism a central role in development was also manifested in increased financial investment by the state. During the reign of the fourth king, the number of monks more than doubled from about 3,000 to 6,807 not including those outside of the dzongs (monasteries) and there was an expansion and upgrading of monastic infrastructure (Ura 2010).

GNH is built on four pillars – sustainable and equitable socio-economic development, environmental conservation, preservation and promotion of culture, and good governance. Mathou (2008: 7) has made the pertinent observation that GNH has become ‘a rather cohesive national ideology, which has been a factor for legitimising the monarchy’ and that the four pillars provide a comprehensive framework ‘to structure potentially substantive political and social debates’. GNH has always been clearly identified with the monarchy. It can be used as evidence that the monarchy been primarily concerned with the wellbeing of the people of Bhutan and that their activities have been devoted to the achievement of GNH. Its unique Bhutaness contributes to the construction of national identity and is unlike the exclusively subjective interpretations of happiness that are especially common in the West. GNH is multidimensional and holistic and looks for material and spiritual development to take place side by side. It is also spelled out in the Constitution as Bhutan's development strategy and is inseparable from the identity of the monarchy. Despite some negative murmurings about GNH attributed to the government elected in 2013, there is no domestic opposition to GNH; and the government stated that it was only concerned about different strategies to achieve the objectives of GNH and not the substance of the philosophy. They were totally committed to it and not challenging the monarchy's creation.

While GNH has provided ideological and legitimation support for the monarchy, the fourth king took quite specific political steps to move the country along the road to democratisation in the incremental manner of his predecessor. In 1981, there was territorial decentralisation through the establishment of District (Dzongkhag) Development Committees (D YT s) to be followed a decade later by Block (Gewog) Development Committees (GYTs). These bodies were elected by heads of households and had responsibility for allocation of funds for local development projects. They also provided information and requests to central government that went into the five-year national development plans. On the
At the national level, the king reversed his earlier precautionary measures by devolving his executive powers and stepping down as head of government. The triennial review of the king's performance by the National Assembly was also restored while choosing the cabinet was no longer the king's prerogative. There were local elections in 2002 that, for the first time, featured universal suffrage. The relatively low turnout in these elections could have been an early signal of the people's mistrust or misunderstanding of this democratic process that was evident when the king travelled the country advocating the benefits of the soon-to-be constitutional monarchy and its associated national elections. But other institutions that are generally held to characterise democracy were also introduced in advance of the main events of drafting a constitution and holding the first national elections, matters to which we will return. Thus, the establishment of the Anti-Corruption Commission (ACC) was announced in 2005, the Election Commission of Bhutan in xxxx, while the Judicial Services Act of 2007 empowered the judiciary to take over its own personnel functions especially in the allocation of positions and promotions.

**A challenge to legitimacy**

While the third and fourth kings steadily pursued their long-term democratisation project with the backing of state officials and the acquiescence of citizens, there was one significant challenge to monarchical and regime legitimacy. This legitimation challenge was mounted by the people of Nepalese origin (Llotshampas) in the south of the country. This is a matter that has aroused great controversy and sharply divided opinion (Hutt 1994, 1996; Joseph 1999; Gallenkamp 2011; Ura 2010; Phuntsho 2013). In this paper these events and their implications are viewed within a framework of political legitimacy.

Spontaneous immigration to Bhutan from Nepal commenced around the end of the 19th century. Politicisation started at the time of Indian independence with some of the settlers forming the Bhutanese State Congress in 1952 with an agenda that included political liberalisation. But this organisation and its agenda found little support among the migrants. Immigration continued and a policy of integration was pursued as manifested in the 1958 Nationality Law of Bhutan that made citizenship available to Nepali migrants. However, ‘large numbers’ of migrants came to Bhutan in the 1960s and 1970s attracted by the availability of land and welfare benefits such as in health and education (Gallenkamp 2011: 14). A parallel migration into the neighbouring kingdom of Sikkim rendered the native population a minority and resulted in the emergence of organised political opposition to the monarchy. In 1975, at the invitation of the Bhutanese Prime Minister, India annexed Sikkim as its 22nd state. Meanwhile, in West Bengal, the Gorkhaland movement sought to establish a separate state for people of Nepali
origin leading to fears in both India and Bhutan of potential attempts to set up a ‘Greater Nepal’ (Gallenkamp 2011: 15; Evans 2010).

The reaction in Bhutan was to halt its integrationist policy and replace it with ‘an assertive homogenization policy’ (Gallenkamp 2011: 15). The terms of acquiring Bhutanese citizenship were tightened up with revisions to the Nationality Law in 1977 and 1985 and the assertion of a ‘one people, one nation’ policy as exemplified in the implementation of the Driglam Namzha code of national values and etiquette. A census was conducted in 1988 with the purpose of identifying and evicting illegal immigrants to Bhutan. This led to a violent response by sections of the Llotshampa population which the Bhutanese state classified as ‘open rebellion against the Royal Government’ and took strong action to evict up to 100,000 person from Bhutan (Mathou 2000).

The Llotshampa ‘rebellion’ was interpreted as a direct challenge to the legitimacy of the political regime of Bhutan by the incumbents of power in that regime. The dominant role of the monarch was under threat. The legitimacy of Drukpa culture as being the national culture of Bhutan was also perceived by the monarchy and their supporters to be under assault. The recent example of Sikkim's incorporation into India clearly showed to the power elite in Thimphu what could happen to a small state in a sensitive geo-political situation, sandwiched between two large powers – China and India. Thus, the choice was made to assert ‘nation-state-policies instead of state-nation-policies’ (Gallenkamp 2011: 16). Drukpa culture was to be imposed on all as the national identifier, as established by the Zhabdrung back in the 17th century, while the more recent but well embedded authoritarian monarchical political order was to be defended at all costs. Diversity and majoritarian democracy were most definitely not on the regime’s agenda.

**A short history of democratisation**

In this section we will deal with the years immediately after the declaration of democratisation leading up to the first elections in 2007-2008 and focusing on the efforts made to legitimate the new political arrangements. The huge problem facing the king was that the Wangchuck dynasty had been so successful in legitimating itself as the undisputed rulers of Bhutan that there was widespread concern or puzzlement about why there was any need to change to a new and unknown type of political regime.

The surprise announcement of the transition to democracy came in December 2001 when the king ‘commanded’ that a constitution be drafted to ‘safeguard the security and sovereignty of our nation, ensure the wellbeing of our people establish a democratic political system that will best serve the interests of our
country for all time to come’ (as quoted in Kinga 2009: 297). This development could be interpreted as conforming with the prescriptions of GNH in the field of good governance, a pillar of the holistic view of national development encompassed by GNH. Certainly the king had stated that absolute monarchy focusing on one person was not good for the Bhutanese people in the long-run. This was in part because ‘no matter how carefully royal children are prepared for their role, the country is bound to face misfortune of inheriting a King of dubious character’ (as quoted in Sinpeng 2007: 38). In short, relying on the monarchy to produce model rulers was too risky. It was also, as the king observed, a world in which the dominant mode of political organisation was democracy and where legitimacy in the global community of nations increasingly required demonstration of democratic credentials. Democracy could, said the king, be equated with the ‘Bhutanese system’ and as such had principles which were ‘inherently good and desirable’ (Planning Commission 2002). To forestall objections to democracy on the grounds of failure elsewhere – especially among neighbouring countries – the king further claimed that this was due to ‘mismanagement and corruption by those who practise it’ and not any flaws in the concept itself (Planning Commission 2002).

The democratisation process commenced with the drafting of a constitution to replace the royal decree of 1953 that gave the monarchy absolute powers. While many Bhutanese citizens, especially those in rural areas did not have a good understanding of a constitution or its purpose, the increasing numbers in the educated population who administered the country or worked in modern business organisations did acknowledge the legitimating importance of this symbol of democracy as did member of the international community. The constitution was drafted by a committee of 39 members with the Chief Justice as the Chair and was characterised by ‘intense deliberations’ (Mathou 2008: 25). Unlike in most democratising countries, there were no political factions or ideologists competing for their views to be represented in the constitution and no preceeding document of such importance. Thus, the drafting committee could start from scratch. What they did do, however, was introduce into the constitution the longstanding concerns with peace, stability, national unity, consensus and respect for the monarchy with overarching Buddhist principles. The formal legitimating document was thus as much a reflection of history as of transition to a new political order. The first draft was released in March 2003 and distributed throughout the country for discussion.

The king and other members of the royal family led the concerted efforts to gain acceptance for the constitution and the political changes it entailed, notably the handing over of government to popularly elected members of parliament. The vast majority of commentators concur that the Bhutan citizenry, especially the majority in rural areas, were reluctant to embrace democratisation. The
*Economist* (2007) reported that ‘for most Bhutanese, King Wangchuck’s imposition of democracy is unwelcome’ while Fatah (2007) went further, stating that ‘the consensus among Bhutanese is that democracy is a bad idea’. Even the King acknowledged that during his consultations across the country ‘the main concern of people is that it is too early to introduce parliamentary democracy’ (as quoted in Kinga 2009: 297). It was argued by some that the people were ‘politically docile’, ‘conservative in nature’ and preferred ‘the paternalistic style of governance under the direction of the monarchy’ (Sinpeng 2007: 40-41). The country had an ‘apolitical and disengaged public’ that had grown accustomed to the political and bureaucratic order of monarchical rule (Gallenkamp 2012: 15).

The people consented to the king’s desire for democracy because of his, and the monarchy’s more generally, legitimacy. Thus, legitimacy of one type of political regime was mobilised to obtain legitimacy for another type of regime. This was an unusual if not a unique occurrence in a world where popular mobilisation, regime disunity, elite pacts and international pressure were the normal drivers of democratisation (Turner et al. 2011).

There were four major reasons for this course of events. First, the position which the king occupied was invested with enormous legitimate authority and the king used that authority to promote or perhaps ‘command’ the transition. He provided a gift that the people could not refuse (Sithey 2013). Second, the monarchy was seen as providing Bhutanese citizens with peace, security and protection for more than a century. The paternalism as exhibited by successive monarchs was widely perceived as the most acceptable mode of political organisation. It was the norm. Democracy was thought to carry threats of disorder and widening inequalities (Fatah 2007).

Third, the benefits of development that had started to accrue to citizens were attributed to the king. Public officials were the implementers but they were doing the king’s bidding in building roads, expanding the health system and increasing opportunities for education. People were living longer, able to travel, and see their children receive education. The perceived driving force behind all these achievements was the king. Fourth, the monarch was seen to be generous. The third and fourth kings had lightened the burden of taxation, abolished bonded labour and maintained the distribution *kidu* (welfare) to those in need. Finally, the discourse of the regime was built around the monarchy. All forms of regime public relations placed the monarchy at the centre of everything that was good with Bhutan and depicted the kings as possessed of virtuous qualities such as wisdom, bravery, and learning. This projection of the monarchy, especially the fourth king, enabled him to enact the role of transformational leader ‘to shape and alter and elevate the motives and values and goals of followers’ and to apply moral leadership involving the identification of ‘mutual needs, aspirations, and
values’ (Burns 1978: 425 and 4; Turner et al. 2011). He operated in an environment in which there were mutually reinforcing forces for legitimating the monarchical regime and the king's place in it. Thus, when he directed that legitimate authority towards another type of political regime, his loyal subjects followed his directions not so much because of any attachment to the new arrangements but more because of their adherence to the wishes of the king.

The first national elections in 2007-2008 proceeded without crisis or the sort of conflict that often occurred in neighbouring countries and which was happening at the time in the Maldives, the other newly democratising nation in the region. The Electoral Commission demonstrated efficiency and effectiveness in the organisation of the elections, and parties, candidates and supporters generally kept within the rules of the game. There were even mock elections in the lead up to the real thing in order to familiarise citizens with the mechanics of voting. Even here the influence of the monarchy on the national psyche was evident. The fictitious party given the colour yellow won, allegedly because of yellow's associations with tradition and the king. When the proper election was held, the European Union Election Observer Mission was able to report that ‘the election process generally met international standards for general elections 'and that 'there had been a successful and orderly change from an absolute monarchy to a constitutional monarchy’ (EUEOM 2008: 3).

**Legitimacy and the contemporary politics of Bhutan**

It is now more than 5 years since the first national elections in Bhutan and an appropriate time to assess the progress of democratic consolidation and whether there have been accompanying changes in the nature of political legitimacy. As public opinion polls and surveys on the subject are largely lacking we have to look for other indicators to determine whether democratic institutions are being increasingly accepted as legitimate.

The first indicator of the acceptance of a democratic regime in Bhutan is the lack of opposition to the new arrangements. There has been no domestic dissent, no challenge to the institutions of democracy, no attempts to carry out additional political engineering and no restoration movement to reinstall the monarchy to their former position. This strongly indicates popular consent to the new regime. It has built on the legacy of sustained monarchical support for democratisation, and a tradition of political acquiescence where other concerns assume more importance. The high importance of political stability in the constitutional design has given additional emphasis to acceptance of the new order. This principle has been a central regime concern since the reconsolidation of the state and establishment of the monarchy under Ugyen Wangchuck. Stability is equated
with guaranteeing the existence of the Bhutanese state. Thus, the democratic system must have stability as a leading principle just like the authoritarian predecessor.

The second legitimating aspect of democracy in contemporary Bhutan is that monarchy is still in place, very much in view and very much supportive of democracy. For example, the king took the lead role in Election Commission television adverts urging citizens to vote in the 2013 elections. The monarchy still figures prominently in the public imagination not least because the king is an element of the parliament and that his and the queen’s activities receive considerably publicity. But the king has not overtly exerted power above his constitutional limits. For example, he did not step in to respond to appeals made from high profile politicians found guilty by the courts of involvement in illegal land dealings (Bhutan Observer 2013). But the king still has some formal powers. As part of parliament he must provide the royal assent to bills while he selects five of the 25 members of the National Council. He awards titles and decorations, grants citizenship and distributes land *kidu* and other types of *kidu* (Khandu nd). How far legislators and public servants anticipate the king's attitude to issues on which they make decisions is unknown but most probably significant.

A third indicator of the popular acceptance of democracy was the second elections. These took place in 2013, five years after Bhutan's first experiment with national elections. The second elections after a democratic transition can be a barometer of how well citizens are embracing the new political order and how far this new order has led to abuse of power and the growth of undesirable practices. In Bhutan, the second elections took place on time and the rules of the game were generally observed. The Election Commission proved to be efficient, honest and a strict enforcer of rules (Turner and Tshering 2014). There was greater competition for political office with the number of parties increasing from two to four, and the number of candidates for the National Council growing from 44 to 67. Voters were also prepared to remove incumbents. The Druk Phuensum Tshogpa (DPT) party that had won by a landslide in 2008 was ousted by the opposition party from the first parliament, the People’s Democratic Party (PDP) – from a 45 to 2 defeat in 2008 to a 32 to 15 victory in 2013. In the National Council election, of 15 incumbents of the first National Council that stood in 2013 only 6 succeeded in being reelected.

Despite these signs of democratic consolidation through the electoral process there were two aspect which give cause for thought about how far legitimation has proceeded. The first was the declining turnout in both elections. The 2007-2008 elections for the National Council had only attracted 53.04% of the registered voters but this already low figure declined further in 2013 with only 45.16% of voters going to the poll. While the situation for the National Assembly
was better the trend was still downward. In 2008, a very respectable 79.4% of
the electorate had voted but in 2013 that declined to 66.13%. The parties and
candidates certainly exhorted people to vote and the king added his support, but
the feeling of obligation, command or acceding to the king’s wishes that
characterised 2008 seemed to have declined if not departed. The second aspect
was the realisation that parties were weak institutions and unlikely or unable to
contribute much to political socialisation leading to democratic legitimation. The
electoral rules meant that parties were necessarily of the electoral type, restricted in their inter-election activities. They simply come to life every 5 years
but remain dormant in the intervening years.

The third legitimating factor for the new democratic order is that parliament has
been seen to have functioned reasonably well. This was anticipated to be a
potential problem given the government’s 45 seats as against the opposition’s 2
seats. How could there be appropriate opposition? From anecdotal evidence the
general public appear to have felt that numbers did not matter as much as might
be expected. The two-person opposition have been judged to have put in a
creditable performance leading one Bhutanese analyst to observe that the
opposition ‘fulfilled their constitutional role well, setting a standard for future
opposition parties’ (Sithey2013: 88). The National Council effectively pursued its
role of scrutinising government performance and proposals (Sithey 2013; BTI
2014).

The fifth legitimating factor has been that prominent institutions associated with
the new democratic order appear to be working well. The judiciary has
demonstrated a commitment to promoting the rule of law. Independent
adjudication has been demonstrated as shown in the first constitutional case in
2010 and in the land dispute involving leading government politicians (Sithey
2013; Wangchuk 2013). The Anti-Corruption Commission (ACC) and the Royal
Audit Authority (RAA) are also seen to have worked well. Bhutan has improved
its ranking on the Transparency International Corruption Perception Index to 31
among 171 countries in 2013 and is well ahead of its South Asian neighbours
(Turner and Tshering 2014). As people feared corruption and disorder might
accompany democratisation, the achievements of the ACC and RAA have worked
to allay those concerns and persuade people that democratic institutions can and
do work for public benefit.

Finally, democratisation has brought more media scrutiny to bear on public
officials. The number of media outlets has grown. Between elections, the number
of newspapers grew from three to twelve, local radio stations from four to seven
and national television channels from one to two (MOIC 2013). This has given
Bhutanese citizens access to unprecedented amounts of information and
opinion. However, according to the Bhutanese Media Foundation (BMF 2012: v),
the ‘public’s trust in media has drastically declined’. Other surveys do not paint such a stark picture but there are certainly challenges to media freedom (MOIC 2013) that are reflected in Bhutan’s falling rank in the World Press Freedom Index – from 64 in 2010 to 82 in 2012 (WPFI 2013). There are suspicions of self-censorship, no freedom of information act and government has been accused of manipulating content through exercising its dominant role in the advertising market (Sithey 2013; Turner and Tshering 2014; BMF 2012). While the formal media may be restrained, social media have provided forums for the expression of robust opinions especially on electoral matters in 2013.

**What does it all mean?**

This paper has demonstrated that democratisation in Bhutan has been accompanied by legitimation. The population has acknowledged that the new institutions are ‘right and proper’ (Bierstedt 1964: 386) and that they have widespread acceptance (Blondel 1990). Whether they are seen as the ‘most’ appropriate political institutions is unclear but they are certainly widely viewed as appropriate (Lipset 1984). Thus, according to conventional political science definitions of legitimacy, democratisation in Bhutan has been a legitimation success.

The transition has been one in which ‘passive obedience’ or ‘compliance with the rules’ has been characteristic of legitimation (Gerschenski 2013). ‘Toleration’ would be too negative a characterisation while there was a general absence of the enthusiasm typical of ‘active consent’ (Gerschenski 2013). As has been shown, there was no democratic movement among the elites and masses as associated with ‘active consent’. The impetus for democratisation came from above, from the king at the apex of government. This is a unique situation as authoritarian political leaders do not relinquish their power willingly. They are forced out of office by other actors who challenge their legitimacy. In Bhutan, there was no such legitimation challenge. Rather, the problem for democratic legitimation was the strength of authoritarian legitimacy. The ruling Wangchuck dynasty had been extremely successful in promoting the rightfulness of their rule and its obedience-worthiness.

While authoritarian legitimacy was a problem for the fourth king in his attempts to persuade the Bhutanese people of the need for political change it also had its benefits. As the king had such high standing in the popular imagination he could persuade, apply pressure on or even command citizens to accept democratisation. He could be fairly assured that his plans for a democratic polity would not be rejected by a pliant population that had a century’s experience of accepting the decrees emanating from the centre. The Wangchuck kings had perhaps established a condition of ‘habitual legitimacy’ where choices were not
the norm (Barker 1990). While such legitimacy is of a passive character, there were other legitimating devices that reinforced it. Performance legitimacy was evident in the association of the Wangchucks with peace, stability, order, and improved socioeconomic wellbeing. Citizens made the direct connection between these desirable conditions and the actions of their monarchs. But habitual legitimacy was also assisted by the absence of competing political models. There had been no import of alternative political models and no discussion of different political futures. The condition of habitual legitimacy created by the Wangchucks militated against this. On the one occasion that political opposition arose among the Llotshampa population, the central state imposed its authority through exporting the offending population and enforcing the practices of *drukpa* culture.

One of the important lessons of this paper is the need to take a historical perspective when considering contemporary legitimacy. As indicated from the outset, the methodology adopted has been a somewhat loose amalgam of *longue durée* and path dependency. This was necessary to understand some of the building blocks that provide a solid foundation for democratic legitimacy. These include delineation of territory, nation and culture back in the 17th century; the reconsolidation and centralisation of the state under the Wangchuck dynasty; and the incremental road to change under the third and fourth kings. These are critical junctures in the history of the Bhutanese state that have been incorporated into the current efforts to legitimate democracy. But these historical foundations for the present have been supplemented, as occurs everywhere, by legitimation rituals, propaganda and education. Some of the rituals are anchored in history, ancient culture and the national heritage. Others belong to the new institutions and their formal practices. Education and propaganda have been provided by the state and media with the fourth and fifth kings playing leading roles in preaching or reminding citizens of the need to embrace democracy.

A final consideration in the quest for democratic legitimation in Bhutan is the international dimension. When Ugyen Wangchuck was busy reconsolidating the state at the end of the 19th century, he struck up a strategic alliance with the British imperial power in India. This mutually beneficial alliance was continued and strengthened when Ugyen Wangchuck became the first king. The tradition was maintained by the second king. It provided the dynasty and state with a very powerful friend. Indian independence saw the baton change hands but the essence of the relationship remained constant. The new government in New Delhi would continue to look after Bhutan’s interests in the world in exchange for Bhutan’s loyalty. The dependence on India has increased with post-1952 modernisation especially in economic matters but Bhutan has enlarged its circle of friends by joining the United Nations and regional groupings as well as
establishing formal ties with more distant countries. However, the relationship with India remains by far the most important. It is one that has not involved India exerting influence for Bhutan to democratise. India’s main concern is strategic – to maintain Bhutan’s status as a buffer state between India and China. Political stability and regime strength have thus been of paramount concerns to India but the nature of the regime has been of little import. India did not push Bhutan towards democracy but it undoubtedly watched Bhutanese democratisation carefully to ensure that political stability was not undermined, a matter on which both countries agreed.

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