

# Civic Space and Religious Minorities in Bhutan

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## Background

Bhutan transitioned to a democratic form of governance in 2008, opting for a constitutional monarchy. The 2008 Constitution of the Kingdom of Bhutan guarantees citizens their right to civil liberties, freedom of expression, association, and to follow one's religion. Media development was sporadic after 2008 with several newspapers and radio stations set up. There is also an enhanced professional cadre of journalists in the country for the collection of information, analysis, and dissemination.

Civil society, in one form or another, has existed in Bhutan from time immemorial. It is unimaginable that the Bhutanese would have survived for centuries without collaborating with each other in the harsh and rugged terrain, isolated mountain communities and high state of underdevelopment. Hence, even before the required legislation for the non-government sector was enacted, Bhutan already had a number of NGOs such as the National Women's Association of Bhutan, the Royal Society for Protection of Nature, and the Youth Development Fund, among others. However, formal civil society grew only after the enactment of the Civil Society Organisations Act 2007 (hereafter, the CSO Act), which provided a platform and framework within the ambit of which CSOs could apply for registration. There are 51 CSOs currently active in Bhutan.

Bhutan is a predominantly Buddhist country with an estimated 75 per cent of the population following Mahayana Buddhism of the Drukpa Kagyu and Nyingma sects. Other religions also co-exist in the country with the Constitution, although specifying Buddhism

as the spiritual heritage of the country, guarantees freedom of religion. The majority of Bhutanese today follow Buddhism and Hinduism, with a minority following Christianity.

This chapter first discusses the state of civic space in Bhutan, elaborating on two aspects: civil society and the media. In exploring religious minority issues, it will focus on Christians as a minority group. Christians are few in number compared to followers of other religions, have faced discrimination in the past, and continue to be discriminated against even today.

## **Objectives**

The main objective of this chapter is to better understand civic space and the kind of discrimination Christians as a religious minority face in Bhutan. It is relevant because as of yet there is not much understanding of how religions other than Buddhism have been faring in the country. Hence, this chapter has the potential of adding to the body of knowledge not only about civil society and the media but also about a minority religion in Bhutan.

Civic space allows individuals and groups to contribute to policy-making that affects their lives by accessing information, engaging in dialogue, expressing dissent or disagreement, and coming together to express shared views. This paper will explore whether conducive conditions exist that enable civil society to play such a role in the political, economic, and social life in Bhutan.

The questions being addressed here are:

- i. What is the status of civic space in Bhutan?
- ii. What restrictions exist for NGOs, CSOs, and other organisations in registering, raising resources, and undertaking their work?
- iii. What forms of discrimination do minority religious groups in Bhutan face?
- iv. Why do they face discrimination?
- v. What coping strategies do minority religious groups use against discrimination?
- vi. Are religious groups/minority-focused groups able to organise themselves?

- vii. How are minority religious groups hindered from mobilising themselves against discrimination?

## **Methodology**

This paper uses the Minority Rights Framework to structure the study tools, data, and analysis. The primary mode of data collection involved in-depth open-ended interviews with a few members of the Christian community. It was initially envisaged that respondents would be sampled purposively and stratified to represent different age groups and social backgrounds. The intent was to interview individuals until data saturation was reached. However, this was not possible owing to the difficulty of finding respondents willing to be interviewed for the study.

The methodology chosen is also ideal given the current context in Bhutan wherein it is not possible to carry out a structured survey on religious minority rights without government-designated authorities endorsement of all surveys conducted in Bhutan, and it is extremely unlikely that the authorities would have endorsed such a survey. And, should surveys be carried out clandestinely, it could put both researchers and respondents at risk. A few persons known through personal contacts consented to being interviewed after due ethical considerations were followed. Secondary sources such as legislation, data, reports, and news articles were reviewed to supplement field work findings.

Besides information on the legal and policy environment, there is very little information available in Bhutan on civic space parameters. Therefore, online sources were used to extract data and information on reports from organisations such as the Bhutan Centre for Media and Democracy. Data from international agencies such as the Freedom House and the US Department of State were used. Since there is no data available on religions and religious groups in Bhutan, the study had to depend on online sources such as the annual Report to Congress on International Religious Freedom.

In terms of limitations, it should be noted that it was not easy to convince potential respondents. Several individuals were approached but they declined to participate after the objectives

of the study and ethical considerations were spelled out; this indicates the sensitivity of discussing religion with Christians in Bhutan. Despite this, three respondents agreed and were interviewed. Based on these few interviews, this paper has been written keeping in mind that the study can never be considered representative in any statistical sense. Nevertheless, the interviews provided rich information on some aspects of Christianity and lives of the Christian population in Bhutan that is generally not well known.

## **Findings**

### **Constitutional, Legal and Policy Frameworks**

The Office of the United Nations High Commissioner for Human Rights (OHCHR) defines ‘civic space’ as ‘the environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: accessing information; engaging in dialogue; expressing dissent or disagreement; and joining together to express their views.’<sup>1</sup> Using this definition, there are several pieces of legislation in Bhutan that have a bearing directly or indirectly on civic space and minority rights in Bhutan. These are discussed in this section.

### ***The Constitution of Bhutan 2008***

Under the fundamental rights guaranteed in the Constitution, Bhutanese citizens have the right to freedom of speech, opinion, and expression (Article 7.2) and the right to information (Article 7.3). The Constitution also guarantees freedom of press, radio and television and other forms of dissemination of information, including electronic (Article 7.6). Citizens also have freedom of peaceful assembly and freedom of association, other than membership of associations that are harmful to the peace and

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<sup>1</sup> ‘What is Civic Space’, United Nations Human Rights Office of the High Commissioner, accessed on September 30, 2020, <https://www.ohchr.org/EN/Issues/CivicSpace>.

unity of the country; citizens also have the right to discern and not be compelled to belong to any association (Article 7.12).<sup>2</sup>

### ***Civil Society Organisations Act 2007***

The CSO Act enacted in 2007 provides the framework for the establishment and growth of civil society, to promote social welfare and improve quality of life of the people but also to ensure a system of public accountability for responsible self-regulation and to promote public partnership through government-CSO partnership. Over the years, however, CSOs have faced several legal constraints to taking up certain activities. For example, the CSO Act 2007 is silent on the advocacy function of CSOs. And since any advocacy can be construed as ‘political’, which is prohibited by the Act, it deters any advocacy work by CSOs in support of issues faced by their target group.

There have been some instances when CSOs have advocated and lobbied the government and have also been involved by the government in the review of legislation. However, CSOs are reluctant to engage in advocacy for fear of having their registration certificates revoked or withheld when going for the annual renewal. One reason why CSOs do not apply to work in the area of advocacy for certain religious, ethnic, or minority group is because their applications for registrations would not be approved in the first place. Requests can be made under the Religious Organisations Act 2007 but religious groups like Christians have not been able to register as such under that act.

Activism and advocacy are few and far between in Bhutan. Several CSOs indulge in such activities that lie in mandate but these issues are generally non-contentious ones such as domestic abuse, support for women, LGBTIQ+, the environment, people living with HIV/AIDS, and people dependent on drugs and alcohol, among others.

### ***Bhutan Information, Communications and Media Act***

The Bhutan Information, Communications and Media Act was passed in 2018. The Act calls for strengthening the independence of

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<sup>2</sup> The Constitution of the Kingdom of Bhutan, 2008, <https://www.nab.gov.bt/assets/templates/images/constitution-of-bhutan-2008.pdf>.

the media for a free and vibrant fourth estate. A Media Council has also been established to monitor offensive and harmful content, but there is also fear that it could lead to an erosion in press freedom and foster greater self-censorship.<sup>3</sup>

### ***Religious Organisations Act 2007***

The Constitution guarantees citizens the right to freedom of thought, conscience and religion while providing the safeguard that no person shall be compelled to belong to another faith by means of coercion or inducement. The Religious Organisations Act 2007 guides the establishment of religious bodies in order to benefit religious institutions and protect Buddhism as the spiritual heritage of Bhutan.<sup>4</sup> There, however, is an absence of any element of advocacy that religious organisations can take on for their adherents. According to both the Constitution and the Religious Organisation Act, proselytisation is banned while the Act also requires religious organisations to be apolitical as well.

### **Civic Space in Bhutan**

The Freedom House Report of 2018 granted Bhutan the designation of being only ‘partly free’, with an overall score of 59 out of 100: 29 out of 40 for political rights and 30 out of 60 for civil liberties.<sup>5</sup> Some of the reasons mentioned for the low score are discrimination based on ethnicity and religion and use of libel and defamation cases against journalists.<sup>6</sup> The same report acknowledges that while there are multiple media houses, all are dependent on the government for income from advertisements. The media environment has a high degree of self-censorship, and critics are silenced by the powerful through the use of anti-defamation laws.

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3 ‘Freedom House Report 2018–Bhutan’, Freedom House, accessed June 1, 2020, <https://freedomhouse.org/country/bhutan/freedom-world/2018>.

4 National Assembly of Bhutan, *Religious Organizations Act 2007* (Thimphu: National Assembly of Bhutan, 2007), [https://www.nab.gov.bt/assets/uploads/docs/acts/2014/Religious\\_organisation\\_act\\_of\\_BhutanEng2007.pdf](https://www.nab.gov.bt/assets/uploads/docs/acts/2014/Religious_organisation_act_of_BhutanEng2007.pdf).

5 ‘Freedom House Report 2018–Bhutan’, Freedom House, accessed June 1, 2020, <https://freedomhouse.org/country/bhutan/freedom-world/2018>.

6 Ibid.

### ***Civil Society***

Several organisations such as the Royal Society for Protection of Nature (RSPN) and the National Women's Association of Bhutan (NWAB) existed before 2007 and following the enactment of the CSO Act, these groups could register for formal recognition as a CSO. There are now 51 active CSOs in the country. These CSOs are allowed to secure funds from sources both within and outside the country, and several donor groups have supported CSO projects since 2010. Some CSOs such as the Bhutan Centre for Media and Democracy also regularly hold capacity-building events with other CSOs on democratic principles and practice, media literacy, use of media, and leadership. A report shows that only 43 per cent of the respondents in a study felt that CSOs contributed to strengthening democracy whereas 54 per cent were not aware if CSOs have made such a contribution or not.<sup>7</sup> This suggests that CSOs have low visibility in Bhutan's development and democracy sectors.

Most CSOs are primarily engaged in service delivery to their constituents and target groups. There are a few that are involved in development projects while others provide services to specific vulnerable groups such as women facing domestic violence, people living with HIV/AIDS, those suffering from alcohol and drug addiction, etc. CSOs can carry out their mandate with funds raised by themselves from a range of sources not limited to residential bilateral and multilateral donors, international agencies and NGOs, corporate sector, and individuals from within the country and abroad. None of the CSOs, however, pursue advocacy as their main activity.

CSOs would not have advocacy mentioned in their Articles of Association because it is likely to have been screened out before being registered. Provisions on advocacy are unclear in the CSO Act. Several CSOs have been involved in advocacy within their specific mandate, such as people living with HIV/AIDS or the rights of the LGBTIQ+ community, among others. CSOs received

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<sup>7</sup> UNDP Bhutan, *National Human Development Report: 10 Years of Democracy* (Thimphu: UNDP Bhutan, 2019) <http://hdr.undp.org/sites/default/files/nhdr-2019ii.pdf>.

a boost from the King, who awarded them gold medals in 2016 in recognition of their services. CSOs in the last five years have also become more organised as a fraternity and have formed a CSO Coordination Committee to represent their collective interests.

Although the Constitution guarantees freedom of assembly,<sup>8</sup> this right is curtailed by certain government restrictions. For instance, if people want to have a public gathering, they require prior government approval, which can be denied. Other measures such as curfews and government-designated location of demonstrations affect the right to peaceful assembly. Although the CSO Act in principle allows people to associate and establish CSOs, registration can be withheld if the CSOs' articles of association and memoranda of understanding are construed as being 'harmful to the peace and unity of the country.'<sup>9</sup> The fact that this has not happened so far reflects the compliance of CSOs but also the inability of the regulatory body, the CSO Authority, to monitor and enforce compliance, especially if some CSOs enjoy powerful patronage.

The government's hand in enforcing restrictions on freedom of assembly is also reinforced by the Penal Code of Bhutan, which prohibits promotion of civil unrest.<sup>10</sup> There have been a few cases where citizens have assembled and made their demands to the state. More than a decade earlier, some people had held a peaceful march to protest the inadequacy in government action to hold an inquiry and bring defaulters to account when a dam opened for cleaning caused a flood, washing away six children playing downstream. This resulted in some civil servants who had participated in the peace march being reprimanded and even being relieved from service. In another instance, a few years ago, the parents of youths sent to Japan through a company to 'earn and learn' were unduly overcharged and faced immense difficulties in finding jobs and accessing health care in Japan. The youths faced hunger and

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8 Ibid.

9 National Assembly of Bhutan, *Religious Organizations Act 2007* (Thimphu: National Assembly of Bhutan, 2007), [https://www.nationalcouncil.bt/assets/uploads/docs/acts/2014/Civil\\_Society\\_Act,\\_2007Eng.pdf](https://www.nationalcouncil.bt/assets/uploads/docs/acts/2014/Civil_Society_Act,_2007Eng.pdf).

10 UNDP Bhutan, *National Human Development Report: 10 Years of Democracy* (Thimphu: UNDP Bhutan, 2019), <http://hdr.undp.org/sites/default/files/nhdr-2019ii.pdf>.

sickness and some even resorted to petty theft to survive. The parents hired a lawyer and formally launched a complaint to the Royal Bhutan Police. This time the police launched an inquiry and arrested those responsible. Both incidents were reported in the media, including by *Kuensel*, the government-owned newspaper.<sup>11</sup>

### **Media**

Until 1999, Bhutan only had state-owned and -run media, namely, the daily newspaper *Kuensel* and the Bhutan Broadcasting Corporation radio. In 1999, access to the internet and television was approved with services provided by government entities, the Bhutan Broadcasting Service and Bhutan Telecom. Thereafter, many private newspapers and radio stations have proliferated in the country, leading to a plurality in media outlets.

People access media according to their preference and affordability. The use of cellular technology has accelerated access to the web from hand-held devices. Many people use social media platforms and this has, over time, replaced mainstream media for communication, news and entertainment. According to Bhutan Watch 2019,<sup>12</sup> an organization researching on issues related to Bhutan out of Nepal, ‘social media have become informal platforms for people to express themselves about corruption, politics, leaders, issues and even news, with little or no censorship’. However, the incidence of minority groups like marginalised ethnic groups and religious groups using the social media platform to express themselves is limited although the LGBTIQ+ community has come forth occasionally in social media.

Journalists in Bhutan practise self-censorship, which is an effective indicator of the degree of lack of freedom of media in the country. Journalists are unable to freely express themselves and it is possible that they fear retribution for their content which may not be palatable to people in power and influence. They have also reportedly faced threats from the government. Even private media

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<sup>11</sup> Kuensel, ‘Police Detains BEO owners’, *Kuenselonline.com*, August 1, 2019, <https://kuenselonline.com/police-detains-beo-owners/>.

<sup>12</sup> ‘Rights under shadow. Status of Human Rights Report 2018’, Bhutan Watch, accessed on June 1, 2020, <http://www.bhutanwatch.org/rights-under-shadow/>.



houses face increasing intimidation and journalists and media houses are not even protected by law.<sup>13</sup> Making things further difficult for journalists is the Penal Code of Bhutan, which defines defamation and libel as offences punishable with a penalty of three years' imprisonment.<sup>14</sup>

Freedom of expression is constitutionally guaranteed and generally respected in the country. This freedom is exercised through an independent press, an effective judiciary, and a functioning democratic political system.<sup>15</sup> A UNDP study showed that 68 per cent respondents believe that the media is free to express the truth whereas 82 per cent felt that media has been able to voice the concerns of the people.<sup>16</sup> Yet, existing laws can penalise speech that creates or attempts to create 'hatred and disaffection among the people' or 'misunderstanding or hostility between the government and people', among other offenses.<sup>17</sup> The language

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13 Susan Banki, 'Bhutan: Chasing Development in the Dragon Kingdom', *East Asia Forum*, February 13, 2020, <https://www.eastasiaforum.org/2020/02/13/bhutan-chasing-development-in-the-dragon-kingdom/>.

14 'State of Civil Society Report 2020', CIVICUS, accessed on June 1, 2020, <https://www.civicus.org/index.php/state-of-civil-society-report-2020>.

15 'Freedom House Report 2018–Bhutan', Freedom House, accessed on June 1, 2020, <https://freedomhouse.org/country/bhutan/freedom-world/2018>.

16 UNDP Bhutan, *National Human Development Report: 10 Years of Democracy* (Thimpu: UNDP Bhutan, 2019), accessed on June 1, 2020, <http://hdr.undp.org/sites/default/files/nhdr-2019ii.pdf>.

17 National Council of Bhutan, *National Security Act 1992* (Thimphu: National

of the law can be misinterpreted and thus misused. Therefore, citizens are reportedly careful when exercising this freedom as they could be charged with defamation, especially if they criticise the powerful.<sup>18</sup>

The Bhutan Information, Communications and Media Act 2018 does not contain any clauses for the protection of journalists or guarantee freedom of information. The Act also prohibits any alliance of media houses with political parties while banning the media from endorsing electoral candidates. The 2018 Bhutan Human Rights Report states that rather than being facilitative, the Media Council established under the amended Media Act has led to increased self-censorship among journalists especially during elections. Bhutanese enjoy internet freedom, and there have been no restrictions on any websites except the blocking of a few pornographic sites and those considered anarchic to the state.<sup>19</sup> The report also states that citizens' internet activity and communications have not been monitored.<sup>20</sup>

Civic space in Bhutan may have expanded to a certain degree after Bhutan transitioned to a democracy and internet technology made participation in social media, and, by extension, in democracy, possible. However, civic space as of yet is 'obstructed'<sup>21</sup> because existing legislation is inadequate in guaranteeing the spirit of the Constitution. For instance, citizens, including journalists, have the right to freedom of expression but no safeguards exist in operational rules and regulations to protect citizens when they assert this right. Citizens are allowed right to peaceful assembly but in practice are discouraged by authorities and people can be targeted for participating in such events. CSOs exist but their

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Council of Bhutan, 1992), [https://www.nationalcouncil.bt/assets/uploads/docs/acts/2014/National\\_Security\\_Act\\_1992Eng.pdf](https://www.nationalcouncil.bt/assets/uploads/docs/acts/2014/National_Security_Act_1992Eng.pdf).

18 United States Department of State, *Bhutan 2017 Human Rights Report* (Washington D.C.: United States Department of State, 2018), accessed on June 1, 2020, <https://www.state.gov/wp-content/uploads/2019/03/BHUTAN-2018.pdf>.

19 United States Department of State, *Bhutan 2017 Human Rights Report* (Washington D.C.: United States Department of State, 2018), <https://www.state.gov/wp-content/uploads/2019/03/BHUTAN-2018.pdf>.

20 Ibid.

21 'CIVICUS Monitor: Tracking Civic Space', CIVICUS, accessed on June 1, 2020, <https://www.civicus.org/index.php/what-we-do/innovate/civicus-monitor>.

role does not transcend service provision and causes which require attention which therefore continue to fester and remain unaddressed. Besides, differential application of the law has also led to a situation at odds with the intent of laws. Citizens, civil society, and journalists are restrained from advocacy and activism as any effort to do so can be construed as a 'political' act or deemed disruptive of the public order, leading to substantial penalties.

### **Religious Minorities in Bhutan**

The majority of the people in Bhutan follow Buddhism, with the main sects being Drukpa Kagyu and Nyingma. Hindus form the second largest religious group. Among the Lhotsampa community who are people of Nepali origin inhabiting the southern border region in Bhutan, there are also people belonging to the Rai and Limbu sub-ethnic communities who are followers of Kirat Dharma. There are also small groups of Bhutanese citizens who still follow the traditional Bon (animist) beliefs and practices in addition to being adherents of one of the two Buddhist sects in Bhutan. There are also Christians in Bhutan, with most of them being Roman Catholics and others belonging to Protestant denominations.

Bhutan has never been featured either as a 'Country of Particular Concern' or in the 'Special Watch List' in the United States Religious Freedom Report.<sup>22</sup> However, this does not mean that there are no underlying issues regarding religious freedom. The Constitution protects freedom of religion, but local authorities are known to harass non-Buddhists. While Bhutanese of all faiths can worship freely in private, people experience pressure to participate in Buddhist ceremonies and practices.<sup>23</sup>

Though freedom of religion is guaranteed by the Constitution of Bhutan, recent history shows that the state, and to a certain extent the general public, have had issues with Christianity and Christians. There have been cases of proselytisation where people

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<sup>22</sup> 'International Religious Freedom Report 2020', United States Commission on International Religious Freedom, accessed on June 1, 2020, <https://www.uscifr.gov/publications/2020-annual-report>.

<sup>23</sup> 'Freedom House Report 2018—Bhutan', Freedom House, accessed 1 June 2020, accessed on June 1, 2020, <https://freedomhouse.org/country/bhutan/freedom-world/2018>.

have been convicted in accordance with the Constitution and the Penal Code of Bhutan.<sup>24</sup> Proselytisation, however, continues discreetly by both Bhutanese and tourists entering the country.

With this background, the following section will further discuss the output of the in-depth interviews in terms of the situation of Christianity in Bhutan, religious practice, conflicts related to Christianity, and discrimination against them. The respondents are young people of Lhotsampa ethnicity and Christian faith who were among the few who consented to participate in the interviews.

### ***Christianity in Bhutan***

The first Christians to arrive in Bhutan were two Portuguese priests in 1627, whose attempts to build a church and convert people were, however, unsuccessful.<sup>25</sup> It took 350 years before Christians entered Bhutan again when in the early 1970s, Roman Catholic priests and nuns were invited by the Government of Bhutan to manage a few schools in specific areas in the country. Several Catholic priests and academics were recruited to teach in these schools. There is no record of overt attempts at conversion of students by these priests and nuns, suggesting that they confined their activities to management and teaching at the institutions they were assigned to. This also explains why they continued to assist the government in educational activities for over 25 years. After their stint in Bhutan, the Jesuit priests and nuns returned to their parent institutions' churches in West Bengal and Canada.

In the absence of any hard data, the US State Department's Religious Freedom Report for 2019 estimates the number of Christians in Bhutan to range anywhere between 8,000 to 30,000.<sup>26</sup> The respondents for the study were also asked to estimate how many Christians there are in Bhutan. The figures estimated were

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<sup>24</sup> 'International Religious Freedom Report 2019', United States Commission on International Religious Freedom, <https://www.uscirf.gov/publications/2019-annual-report>.

<sup>25</sup> Baillie, Liza. 'Father Estevao Cacella's Report on Bhutan in 1627', 1627, Translated from Portuguese, *Journal of Bhutanese Studies* (1999), [http://himalaya.socanth.cam.ac.uk/collections/journals/jbs/pdf/JBS\\_01\\_01\\_01.pdf](http://himalaya.socanth.cam.ac.uk/collections/journals/jbs/pdf/JBS_01_01_01.pdf).

<sup>26</sup> 'International Religious Freedom Report 2019', United States Commission on International Religious Freedom, accessed on June 1, 2020, <https://www.uscirf.gov/publications/2019-annual-report>.

rather extreme, which is not surprising since official figures are neither available nor accessible. Estimation also becomes difficult due to self-censorship of Christians who may not declare their religious beliefs, and usually list the religion they adhered to before conversion for fear of any reprisal from the authorities.

The persons interviewed for this paper were young individuals who may not have complete knowledge about the history of Christianity in Bhutan. They believed that along with western education, Christianity may have come into Bhutan through Christian teachers recruited from India and Jesuits brought in to manage schools in Bhutan. They reasoned that Christianity may have spread mostly in the 1960s and 1970s, extrapolating from the time their parents became Christians. The growth of other sects is linked to the Christian movement in neighbouring India, where evangelists are suspected of leading conversions using material inducements.

On the ethnic profile of Christians, based on personal observations and interactions with people, it can tentatively be said that most Christians belong to the Lhotsampa minority group, and hence, Christians are bearing the double burden of discrimination of being both an ethnic and religious minority. However, there are some Sharchogpas (from eastern Bhutan) and Ngalongpas (from western Bhutan) who have also adopted Christianity.

There are conflicts within Christian denominations arising from differences in doctrines regarding their understanding of truth and practices. While practices of some denominations are orthodox in nature, others are liberal. There are reports of members of one denomination stigmatising other denominations and finding faults in their prescribed norms. However, there has been no conflict between Christians and people from other faiths reported in the media. Since this study only included Christians as respondents, it was not possible to get the perspective of people from other religions on how they felt about Christians.<sup>27</sup>

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<sup>27</sup> One respondent said that when someone he met realised that he was a Christian, the person 'lectured' him on Buddhism and even stated that most people in Bhutan follow Buddhism. That kind of stigmatisation is likely to continue into the future.

### ***Discrimination***

Respondents stated that there have been reports of Christians in Bhutan losing jobs during the 1990s. A respondent said that until about 10 years ago they used to live in constant fear while holding weekly church services. While some changes might have occurred in the years since, Christian children are humiliated at school by teachers and often ostracised by their non-Christian friends. Christians are also ostracised by their own relatives after conversion. Some face stigmatisation at work with colleagues avoiding them. Christians in the past were reportedly imprisoned and beaten. Some claimed that their citizenship cards were not updated until they re-converted to their original religion.

There is a range of ways in which Christians in Bhutan are reportedly being discriminated against. In villages, they are deprived of government-subsidised agricultural inputs. Children from Christian families have been denied admission to school. Christians have had to worship in fear. Christians have been arrested on grounds of proselytisation.<sup>28</sup> There have been cases where Christians have been deprived of state benefits as well as faced harassment, especially in rural areas, as noted by the author during his interactions with a Christian family in a village.

Bhutanese Christians have not been allotted burial grounds either. There was an area in the capital Thimphu that had been designated as a burial ground but the order was later rescinded after people living near the site complained of exhumation of bones by dogs and wild animals. Members of the Church of the Brethren take the bodies to Jaigaon (a town on the Indian side of the Bhutan-India border) for burial in the land they have bought. The elders of this community have asked for a graveyard in Bhutan itself but their pleas have thus far been ignored. The Pentecostal Church has a practice of burying the dead in a cemetery in Chamurchi (another border town in India). Roman Catholics take their dead to Jaigaon or to Darjeeling (in North Bengal, India) for burial.

The reason Christians attribute to this discrimination is the

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<sup>28</sup> 'International Religious Freedom Report 2018', United States Commission on International Religious Freedom, accessed on June 1, 2020, <https://www.uscirf.gov/publications/2018-annual-report>.

insecurity faced by other religions due to the increasing number of Christians in the country. Further, while Christianity is considered a foreign religion, Hinduism is seen in a more kindly light since it has deities in common with Buddhism, albeit with different names.

Christians in Bhutan have adopted a 'do nothing' approach towards discrimination despite being fully aware of the fact. It is likely that Christians fear that some action may be taken by the government and members of other religious communities if they were to stand up against discrimination in any way. One of the reasons for this inaction is also that since most Christians are Lhotsampas, they already have experience of discrimination and total marginalisation in their social, economic, and political lives owing to the 'Southern Problem'. Many Bhutanese know the problem that occurred in southern Bhutan and mainly of southern Bhutanese (Lhotsampas) affected by state policy as the 'Southern Problem'. They are unwilling to re-visit that phase of suffering in their lives.

It is also notable that there has not been any broad-based movement of Christians to raise their concerns with the state. This is probably due to the small number of Christians in the country, fragmented nature of organisation among Christians of different denominations, and prohibition of dissent. There are no religion-based civil society groups in the country. Religious groups have to register as a religious organisation under the Religious Organisations Act and cannot operate as a CSO. Christian churches have often been unable to obtain registration from the government,<sup>29</sup> which means that they cannot raise funds or buy property, placing constraints on their activities. In view of the situation prevailing thus, it is evident that Christians face closed civic space in Bhutan and cannot organise for any form of activism and advocacy for their religious rights in the country.

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<sup>29</sup> 'International Religious Freedom Report 2019', United States Commission on International Religious Freedom, accessed on June 1, 2020, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/bhutan/>.

## **Conclusion**

Within limitations of data access and availability in the country on civic space and religious issues as well as constraints due to the COVID-19 situation, this study is an initial attempt to augment understanding of the civic space in Bhutan through an exploration of civil society and the media in the country. The chapter also sought to understand the many ways in which Christians face discrimination in everyday life.

The transition to democracy with the 2008 Constitution guarantees freedom of speech, opinion and expression and freedom of press, radio, and television. Other rights also encompass rights to peaceful assembly and association other than that which is harmful to the peace and unity of the country. The CSO Act 2007 provides the framework within which CSOs can operate, but the Act is largely silent on issues of advocacy. CSOs thus remain silent on important issues out of fear of revocation of their registration. The Information, Communication and Media Act 2018 similarly has substantial content on information aspects but is limited in coverage in terms of roles and responsibilities of media houses and does not contain provisions for protection of journalists.

Advances in the plurality of media in Bhutan accelerated after citizens accessed television and internet in 1999. After 10 years, many more media houses supplemented the state sponsored radio and newspaper. The penetration of cellular technology in the last 10 years has also led to wider adoption of social media in the country. The population is therefore active in social media and news is more rapidly accessed in social media than mainstream media. Besides, opinions and views are expressed more openly in social media platforms, though often under pseudonyms. This is because in recent years, defamation laws have been invoked against citizens and journalists because of which people and journalists have become wary and even censor their views.

Many CSOs in Bhutan deliver services to meet the needs of target groups sometimes unmet by government development programmes. Although many CSOs identify specific issues which they would like to lobby for, the possibility of having their registrations revoked deters them from advocacy. This is a huge

constraint on the ability of CSOs to play a watchdog role in the country and to institute a check-and-balance system on government which can become tyrannical if not checked. It should be noted thought that CSOs have submitted a proposal for amendment of the Act but it has not been deliberated in the National Council, one of the houses of the Bhutanese Parliament as yet but only by one of the Committees of this house.

Christians are a religious minority not only because of their limited population but also because of the discrimination they face in Bhutan. The fundamental right to freedom of religion enshrined in the Constitution has enabled people to follow Christianity. Yet, they face challenges and restrictions in various forms. Even after several attempts, Christians have not been able to register themselves as a religious organisation under the Religious Organisations Act 2007. There are no churches, so people are compelled to worship in private. Furthermore, as of yet Christians have not been able to obtain a burial place in the country.

Though overt discrimination ceased after democratisation, Christians still face subtler forms of discrimination like stigmatisation and to some extent deprivation of state benefits. Of particular concern are ethnic *Lhotsampas* who have become Christians since they face double discrimination. No CSOs have taken up the cause of Christians and it is likely that any CSO attempting to do that would not be registered in the first place. Christians in the country seem divided by their denomination, practices, source of funds, and leadership, and, as with CSOs and the media, Christians, too, refrain from raising a voice regarding their rights and needs.

## **Recommendations**

In view of the above, the following recommendations are proposed:

- i. The primary recommendation for enhancing civic space in Bhutan is amendment of the relevant legislations, namely, the CSO Act and the Religious Organisations Act, to allow for advocacy efforts by CSOs and religious organisations invoking the provisions in the Constitution guaranteeing the right to freedom of expression.

- ii. The laws also need to guarantee protection of people who assert their fundamental rights. The Information, Communication and Media Act, for instance, does not protect journalists from the powerful elite and the government.
- iii. Christians should be granted legitimate recognition as a group asserting their constitutional right to follow any religion. Furthermore, they should be given an opportunity to register as a religious group which would pave the way for fulfilling their needs through a process of engaged dialogue.