

Early Happiness Policy as a Government Mission of Bhutan: A Survey of the Bhutanese Unwritten Constitution from 1619 to 1729*

*Michael Givel** and Laura Figueroa****

Abstract

Modern Gross National Happiness in Bhutan contains nine domains including: standard of living, good governance, time use and balance, community vitality, cultural diversity and resilience, ecosystem diversity and resilience, health of the population, education, and psychological wellbeing which address modern policy issues. The nine domains also balance material and spiritual concerns in a holistic manner. However, were the nine domains related to happiness policy before and after Bhutan became a nation? The unwritten constitution of early Bhutan, includes Nga Chudruma of 1619, the Tsa Yig Chenmo of 1629, the first Legal Code of 1652, and updated Legal Code of 1729. Happiness policy in early Bhutan promoted a view of a wise ruler providing governmental support so citizens may become enlightened due to Mahayana Buddhism. Happiness policy in Bhutan has evolved from an early Buddhist focus to a range of factors that maintain Mahayana Buddhist traditions balanced with modern societal requirements.

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** Department of Political Science, University of Oklahoma. Correspondence: mgivel@ou.edu

*** Honor's College. Correspondence: laura.figueroa@ou.edu

Introduction

In 1987, His Majesty King Jigme Singye Wangchuck stated in an interview in the Weekend Financial Times of London that placed Gross National Happiness (GNH) above Gross Domestic Product (GDP) as a primary value:

We are convinced that we must aim for contentment and happiness. Whether we take five years or 10 to raise the per capita income and increase prosperity is not going to guarantee that happiness, which includes political stability, social harmony, and the Bhutanese culture and way of life (Elliot)¹.

This pronouncement and policy by the fourth King of Bhutan has continued to be advanced to balance the growing pressures of capitalism and modernization with Bhutan's ancient Mahayana Buddhist traditions and culture (Dorji 1997; Dorji 2008b; Dorji 2004; Mathou 1999, 2001; Ramakant and Misra 1996; Rose 1977; Sinha 2001; Voice of America News 2005; Wangchuk 2004; White 1909). In this paper, happiness is defined as current satisfaction with one's entire life or a satisfaction with a fulfilling life based on altruistic actions. Some prior references in scholarly works have drawn a tentative historical policy link and connection between modern GNH and early happiness policy shortly after the creation of Bhutan in 1651 (Ura et al. 2012). This paper furthers our understanding in a comprehensive manner of early happiness policy in Bhutan from 1619 to 1729. Furthermore, we provide a comprehensive analysis of the

¹ Some scholars and observers believe the 4th King flying back from Havana, Cuba from a Non-Aligned Nation conference mentioned GNH as more important than GDP in an interview with an Indian journalist at the Bombay, India airport in 1979. However, no authoritative citation or quotation confirming this interview has been produced as of this writing. Other scholars and observers have argued that the 4th King said GNH is more important than GDP in 1972. Again, there is no definitive or authoritative direct source citation of this as of this writing.

similarities and differences of early Bhutanese legal provisions on happiness with GNH.

In Bhutan, the current method for evaluating happiness under the GNH includes a balance of the four pillars: economic growth, cultural preservation, ecological protection, and good governance with no corruption (Centre for Bhutan Studies 2011b, 2011a). For the purposes of further analysis of GNH on Bhutanese society, the four pillars have been expanded into nine domains (Centre for Bhutan Studies 2011b, 2011a; Thinley 2009). The nine domains include: standard of living, good governance, time use and balance, community vitality, cultural diversity and resilience, ecosystem diversity and resilience, health of the population, education, and psychological wellbeing (Centre for Bhutan Studies 2011b, 2011a; Thinley 2009). The Centre for Bhutan Studies - a Bhutan-based think tank - has also recently developed 33 measures based on national public opinion surveys to assess the progress toward national wellbeing as reflected in the nine domains (Centre for Bhutan Studies 2011b, 2011a; Thinley 2009). Ultimately, at the center of all development efforts under GNH is a focus on the material and spiritual welfare and wellbeing of each individual in Bhutan (Centre for Bhutan Studies 2011b, 2011a). But, what are the linkages of the nine domains of modern GNH with early Bhutan happiness policy?

Methodology

In order to ascertain what the linkages are between modern GNH policies and measures and early Bhutan happiness policies we provide a context analysis of all legal provisions that directly reference happiness policies from 1619 to 1729. From 1651 to 2007 Bhutan did not have a formal and written Constitution. The first formal constitution was written in 2008 (Royal Kingdom of Bhutan 2008) From 1619 to 1729 several key legal documents comprised Bhutan's unwritten constitution. Unwritten constitution is defined as:

The customs and values, some of which are expressed in statutes, that provide the organic and fundamental law of a state or functioning as a constitution....Many aspects of an unwritten constitution are based on custom and precedent (Black's Law Dictionary).

These key legal documents are the early unwritten Constitution of Bhutan and include: Nga Chudruma of 1619, Tsa Yig Chenmo of 1629, first Bhutanese Legal Code of 1652, and a second and updated Bhutanese Legal Code of 1729 (White 1909; Dorji 1997; Tshewang; Asis 1986; Givel 2014; Dorji 2008a). The Tsa Yig Chenmo and the Nga Chudruma are two such examples (Dorji 1997; Dorji 2008a; Tshewang). The Nga Chudruma is Shabdrung's seal of victory over his rival Tsang Desi Phuntsho Namgyel and is a testimony to his right as an embodiment of Avalokiteshvara (the Buddha of Compassion in Mahayana Buddhism) to rule Bhutan as a Mahayana Buddhist kingdom (Dorji 1997; Dorji 2008a; Tshewang). The Tsa Yig Chenmo was written at the Ralung and Cheri monasteries and finalized in 1629 as a primary religious code of required monastic behaviour (White 1909; Asis 1979). The First and Second Legal Codes contain Mahayana Buddhist civil and criminal provisions.

A translation from Tibetan Chokey to English of the Tsa Yig Chenmo is in Appendix I of John Claude White's 1909 book, *Sikkim and Bhutan: Twenty-one Years on the Northeast Frontier, 1887-1908* (White 1909). Chokey to English translation of the Nga Chudruma is available in Dasho Sangay Dorji's book, *The Biography of Shabdrung Namgyal* and Lam Pema Tshewang's book, *History of Bhutan* (Dorji 2008a; Tshewang). A Chokey to English translation of the Bhutanese Legal Code of 1652 was completed in 2014. Finally, a Chokey to English translation of the Bhutanese Legal Code of 1729 is contained in Michael Aris's book, *Sources for the History of Bhutan*.

In this paper, all direct references for the unwritten Constitution of Bhutan from 1619 to 1729 related to governmental promotion of happiness will be coded. The happiness policy references will then be provided in chronological order in the Results section. A description of the meaning and context of each reference along with a summary of the overall purpose and intent of early happiness policies in Bhutan from 1619 to 1729 will then be provided. This summary will then be compared with the nine realms of GNH to determine the nature of the linkages, if any, of happiness policy from early Bhutan to 2014.

Results

The establishment of the political institutions to facilitate and steer toward the primary collective policy goal of happiness and wellbeing in Bhutan commenced in 1616 AD with the arrival of Shabdrung Ngawang Namgyal from Tibet (Dorji 1997; Sinha 2001; Gulati 2003; Labh 1996; Rose 1977; Zangpo 2002). Shabdrung Ngawang Namgyal's arrival into Bhutan was previously prophesized by Guru Rinpoche, or Guru Padmasambhava, who brought Mahayana Buddhism to pre-Bhutan in 747 AD (Dorji 1997; Zangpo 2002; Dubey 1996; Gross National Happiness Commission 2002-2007). Guru Rinpoche arrived to pre-Bhutan from the Swat Valley in modern day Pakistan (Aris 1994; Denman and Namgyel 2008). Many in Bhutan consider the Guru Rinpoche to be a second manifestation of the Buddha (Dubey 1996). The Shabdrung was born in 1594 in the Gya clan in Tibet (Dorji 1997). The Shabdrung, who was the 18th Prince-Abbot of the Brug-pa Monastery at Ru-Lung and ranked fifth in the entire Tibetan hierarchy, ruled until 1606 (Sinha 2001; Aris 1979). He was forced into exile from Tibet in 1616, at the age of 23, due to a power struggle with a rival ruler, Tsang-pa (Sinha 2001; Aris 1979). The Shabdrung subsequently fled south of Tibet to the Himalayan region that is now modern Bhutan.

Happiness Under Buddhist Theocracy

From 1616 to 1651, the Shabdrung unified Bhutan under one governmental authority, establishing a theocratic two-fold system of government known as Chhyosi Nyidhen (Dorji 1997; Gulati 2003; Rose 1977; Sinha 2001). During this period, Mahayana Buddhism was established as the state religion (Dubey 1996). The establishment of Chhyosi Nyidhen also represented the triumph of the Drukpa, or Thunder Dragon, school of Buddhism over all rivals (Dorji 1997; Dubey 1996; Gulati 2003; Labh 1996; Rose 1977; Sinha 2001; Zangpo 2002). The five local factions of local lamas, or Buddhist teachers, who opposed the Shabdrung were eventually defeated (Aris 1994; Gross National Happiness Commission 2002-2007). Dzongs, which are large fortresses that encompassed religious, military, and civil administrative activities also contained temporal and religious administrators who governed Bhutan. The establishment of Dzongs was a key political approach by the Shabdrung to consolidate civil and religious rule amongst various local Buddhist clans (Ardussi 2009; Aris 1994; Gross National Happiness Commission 2002-2007). Dzongs also served as a key military strategy as they were built in defensive locations to successfully repel most Tibetan, and in once case Tibetan and Mongol military attacks during this period (Ardussi 2009; Aris 1994; Gross National Happiness Commission 2002-2007).

The unified twofold system of governmental rule in conjunction with the establishment of modern Bhutan occurred in 1651. Under it, the secular matters of the nation were overseen by a Druk Desi (or Deb Raja), the first of which was Umzey Tenzin (Dubey 1996; Dorji 1997). The Shabdrung, who was also a Buddhist monk, assumed spiritual leadership of Bhutan as the Je Khenpo, or Dharma Raja, until his death later that year at the Punakha Dzong (Dubey 1996).

Nga Chudruma Happiness Policies

The first important document of Bhutan's early unwritten constitution is the Nga Chudruma or 16 Is (Figure 1) of the Shabdrung written in 1619. The Nga Chudruma was issued by the Shabdrung after his military victory over Tsang Desi Phuntsho Namgyal a rival of the Drukpa school of Buddhism. The verses of the Nga Chudruma state:

I, who turn the wheel of the dual system;
I grant refuge to all;
I am the holder of the precious teachings of Palden
Drukpa;
I am conqueror of all who pretend to be Drukpas;
I am the one accomplished in poetry;
I am the source of moral aphorisms;
I, the lord whose views are limitless;
I, refute those who hold wrong views;
I, the lord of the authority of debates;
I am him before who everyone trembles;
I am the hero who conquers the host of evils;
I am him whose powers cannot be obstructed by any
sorcerer;
I, the powerful lord with mastery over speech;
I am one who excels in all sciences;
I am the emanation prophesized by illustrious
beings;
I am the one, who subdues impostors (Dorji 2008a).

Explanatory verses state the following:

Lord of Tibet, one worthy of spiritual undertakings,
A divine emanation whose deeds are vast and great,
Kunkhyen Pema Karpo had stated his reasons.
Who is second to him in the world now?

It is Ngawang, who is always victorious in every direction!

That I am thus is clear in the centre (of Nga Chudruma seal)

The sixteen I's in different directions

Encircle it, suggesting harmony with the outside world.

Four circles inside, for squares outside,

And the four conches signify the flourishing of spiritual deeds,

And subjugation of the three realms with the sound of "I".

The swords of sorcery surrounded the Wheel.

An auspicious sign of victory from all of the four directions,

And accomplishment of four kinds of spiritual undertakings.

Composed by the lion known as Ngawang,

May it resound in every direction at all times (Dorji 2008a)!

Figure 1. Nga Chudruma Wall Painting at Tango Goemba Monastery, Bhutan



Picture taken by Author on July 2, 2014

The following is an overview of the context and meaning of the 16 Is. In the first I, Shabdrung states he turns the wheel of the dual or Mahayana Buddhist civil and religious theocracy of pre-Bhutan. This can also refer to The Golden Wheel, the last of the eight auspicious symbols, which represents the Buddhist canon of the eightfold path (Beer 1999).

I grant refuge to all is one of the fundamental rites of passage for Buddhists, by which they take refuge in the Three Jewels: Buddha, Sangha, and Dharma, and thus are undoubtedly defined as Buddhist (Gethin 1998). Shabdrung is thus clearly stating that from the founding of Bhutan all of its people will have the opportunity to take refuge in the Three Jewels of Buddhism through him. Shabdrung is effectively providing shelter (spiritual and socio-political) to a people who deeply cherish it. This sense of protection is a symbol for one of the eight auspicious symbols of Buddhism, The Parasol (Beer 1999).

I am the holder of the precious teachings of Palden Drukpa, refers to the Shabdrung as a fundamental image of the

Palden Drukpa Buddhist tradition. He is hailed as the one and only “precious jewel” of the Drukpa lineage (Dorji 2008a). Because of his background in the Drukpa lineage he is an authentic vessel for the dissemination of its teachings. The Buddha’s teachings maintain their power independently of how many people come into contact with them. In this way, the teachings themselves are a source of infinite spiritual wealth. A symbol for the holder of the teachings could then be The Treasure Vase which is always full even after countless people have “taken” the contents (Beer 1999).

I am conqueror of all who pretend to be Drukpas is congruent with the Shabdrung’s victory over rival Buddhist religious groups including Tsang Desi Phuntsho Namgyal in Tibet (Phuntsho 2013). The consequent celebration of the Shabdrung triumph is representative of The Victory Banner, another of the eight auspicious symbols of Buddhism (Beer 1999).

I am the one accomplished in poetry, reflects that throughout his life, Shabdrung had extraordinary abilities in arts, particularly those relating to Buddhism. He excelled in Kalacakra and Catuhpitha astrological systems, “grammar, poetry and the interconnection of words and meaning (*mtshams byor*), instantly comprehending these sciences” (Dorji 2008a). Shabdrung was exceptional from a young age in his ability to acquire skills and learn of the world around him (Phuntsho 2013).

I am the source of moral aphorisms is related to the Shabdrung being seen as the Buddha of Compassion (Avalokiteśvara), Shabdrung was and is fundamentally seen as a beacon of wisdom and moral teachings in the eyes of the Bhutanese people. The “bases of merit” in Buddhism can be divided into three major categories: generosity (*dana*), ethical conduct (*sila*), and meditation (*bhavana*) (Gethin 1998). Shabdrung Rinpoche excelled in these elements at different periods of his life: protecting life of people, going on multiple meditation retreats for extended periods of time, and the

giving of gifts across the land (Phuntsho 2013). The source of moral aphorisms must be completely pure; in this way, Shabdrung is likely referencing the third auspicious symbol, The Lotus which is the ultimate representation of purity and Enlightenment (Beer 1999).

I, the lord whose views are limitless, is indicative of Buddhism as a limitless doctrine in both scale and time; owing to the endless cycle of rebirth (samsara) and suffering, the teachings provide limitless relief to suffering souls. Shabdrung states that he is limitless, in sync with The Endless Knot, one more auspicious symbol of Buddhism. This auspicious symbol of Buddhism represents both dependent origination (samsara) and the wisdom and compassion of the Buddha, both of which are necessarily limitless representing eternal harmony (Beer 1999) .

I refute those who hold wrong views is linked with the Shabdrung as the Buddha of Compassion (Avalokitesvara), a bodhisattva who has the life quest of helping people be free of danger and suffering (Watson 1993). Shabdrung is largely hailed as Avalokitesvara and thus sought to reduce the suffering of his people. In Buddhism the causes of suffering are greed, hatred, and ignorance (Gethin 1998). Shabdrung would effectively be refuting those with wrong views by promoting Buddhism in Bhutan.

I, the lord of the authority of debates, reflects that debate plays an important part in Buddhism. In the Kalama Sutta, the Buddha prescribed a healthy dosage of debate alongside faith for spiritual advancement (Gethin 1998). Shabdrung was seen to have progressed to impossibly elevated states of mental clarity and thus be able to see true reality for himself and his people.

I am him before whom everyone trembles. Shabdrung was said to be incredibly advanced in the arts of sorcery and tantric magic, achieving tremendous feats of strength: Through meditation, he transformed his mind to one

symbolizing great anger. His movements were very violent and his speech, aggressive. His gaze was unlike anything and when he glanced, ritual banners called *chenzing* would shake. The stench of burning flesh could be smelt and everyone present at the rituals including Shabdrung's attendants experienced deep fear and astonishment (Dorji 2008a).

I am the hero who conquers the host of evils. As the founder of Bhutan he conquered the impeding dangers of invasion by means of strategic military precision. As the Buddha of Compassion he overcomes the Buddhist evils of suffering due to ignorance, attachment, and desire.

I am him whose powers cannot be obstructed by any sorcerer. Even after numerous attacks from Tibetan sorcerers sent predominantly by Tsang Desi, Shabdrung was able to survive. One such attack is said to have occurred when Shabdrung was meditating in a cave near modern-day Tango Goemba, Bhutan and sorcerers attempted to collapse boulders onto him. While the cave experienced tumultuous trembles which would have left any other person dead, Shabdrung is said to have stopped the attack with his powers and survive unscathed (Dorji 2008a).

I, the powerful lord with mastery over speech refers to Shabdrung's commitment to maintaining truth of speech—one of the five Buddhist precepts. This specific stanza is symbolic of The White Conch, one of the eight auspicious symbols, which represents the sound and sovereignty of the Buddha's teachings (Beer 1999). In this manner, Shabdrung having mastered speech has reached the ability to truly express superior sounds—those of the Buddha.

I am one who excels in all sciences. Science in this non-western context refers to an understanding of the self through Buddhist eyes, the development of advanced sorcery and magic, and perfection of military strategies to protect the homeland, all of which Shabdrung successfully achieved in this lifetime.

I am the emanation prophesied by illustrious beings. Shabdrung was prophesied to be the precious lineage-holder of the Palden Drukpa by the *Tantra of the Great Compassionate One Who Liberates All From Samsara* scripture (Dorji 2008a). The Ralung establishment viewed Shabdrung as the incarnation of Pema Karpo “based on prophecies which the late master is said to have left behind” (Phuntsho 2013; Beer 1999).

I am the one who subdues impostors relates to his continued military victories. The Shabdrung was able to hold a firm ground in his newly established land and eliminate imposters with his greatness.

The Nga Chudruma represents a declaration by the Shabdrung that he is the sole and legitimate ruler of the new emerging Drukpa and Mahayana Buddhist state later to become Bhutan in 1651. His declaration indicates he was seen to be a modern manifestation of the Buddha of Compassion. His Drukpa lineage from Tibet is not in dispute. His mastery over wisdom, Buddhist practices, and the ability to rule are uncontested. However, none of the 16 I’s represent any direct references to happiness policy.

Tsa Yig Chenmo, and Happiness Policies

The Tsa Yig Chenmo provides regulation of Buddhist religious behavior including moral requirements (White 1909). The only provision directly referencing happiness policy in the Tsa Yig Chenmo states:

Buddha says in the Sutras, “A king, if he is fond of Dharma finds the path to happiness both in this and in the future lives. The subjects will act as the ruler acts, and therefore should the ruler strive to learn Righteousness” (White 1909).

This provision is clearly a guide for a ruler in pre-Bhutan to move the entire nation toward the Buddhist path of becoming enlightened particularly by ruling in a righteous manner as is

required by Buddhist Dharma. Happiness policy in this regard is good governance to promote the collective Enlightenment of all in pre-Bhutan.

First Bhutanese Legal Code of 1652 and Happiness Policies

The first and only known version of the first legal code of the Shabdrung is located outside of the Punakha Dzong in Punakha, Bhutan (Figure 2). The code is etched in black slates and was enacted in 1652 one year after Bhutan became a nation and the Shabdrung's death. The only reference of happiness policy in the First Legal Code is located in the preamble:

It is the nature of the Buddha and his heirs to engage in various skills in activities through which the benefit and happiness of the infinite world of sentient beings is obtained.

Again, like the provision in the Tsa Yig Chenmo, this provision provides a framework and mandate for rulers in Bhutan to move the entire nation toward becoming enlightened.

Figure 2. First Legal Code of Bhutan of 1652, Outside Punakha Dzong, Bhutan



Photo Taken by Author on July 19, 2014

Second Bhutanese Legal Code of 1729 and Happiness Policies

The original legal code was updated in 1729 (Aris 2009). The second legal code was much larger in terms of length and contained several provisions related to happiness policy in Bhutan. In the Introduction it states:

In accordance with these words, in general the happiness of all beings who are as limitless as the sky's extent depends on those very places where a Buddha's teachings have spread.

Later in the Introduction the Second Legal Code instructs:

The good religious observance of humans
Form the basis of the holy dharma
The practice of the dharma together with its basis
Will gain one happiness

Toward the end of the Introduction the means to obtain happiness is revealed:

If there is no law, happiness will not come to beings. If beings do not have happiness there is no point in the Hierachs of the Brug-pa upholding doctrine of the dual system. Therefore, holding the precious doctrine in one's heart, it is necessary to enact legal observances like those of the Dharmaraja (Je Khenpo or head Monk) Srong-btsans Gampo, which establish a justice devoid of bias or partiality.

Furthermore:

The happiness of beings depends on the doctrine
And the doctrine on being who uphold it.
Thus it happened, and so for beings who uphold the doctrine there is cause for desiring an establishment of happiness in doctrine and among beings by setting up whatever is fundamental to a dual system [of legal administration] under which all beings are looked upon as an only child.

In the second part recounting the requirement of rulers to lead:

Now, as the chief actions befitting as Desrid Phyagmdzod, who is the illuminator of the doctrine of the joint system (of religious and state law) and master of the practice of legal observances, the Bhaavat has said in the sutras:

If the king becomes enamored of religion
It is the path to happiness both in this and future lives
Subjects will also act as the king acts
Therefore he must learn how to live in accord with religion.

Continuing further:

In accordance with these words, since this southern range is itself the unequalled and glorious `Brugpa Rinpoche's field of conversation, there is a definite need for not inferior designs to further the happiness of beings and of the doctrine by honouring on high the lotus feet of Mighty Ngag-gi d-Bangpo, the Jina's ruler.

Additionally:

In general the reason for instituting laws is for the very sake of the happiness of subjects in various districts. In particular, it is for the purpose of upholding, guarding, and diffusing the sangha which [abides to] the Vinaya rules of the Buddha and [forms] the basis of the doctrine.

A final section of the second part of the Second Legal Code is this passage:

When the Vinaya rules decline the land is
filled with oath-breakers.
The causes of happiness of beings to diminish.

In the final section another passage related to the role of the religious states reads: "Which is the goal of temporal circumstances, the sure result of beneficial happiness." These sections related to government promotion of happiness policies in Bhutan are all oriented toward wise and just rulers promoting policies that facilitate citizens to become enlightened.

Summary

The early mission of Bhutan, as was true in the Tsa Yig Chenmo and the First Legal Code, is for the rulers of Bhutan to rule wisely so that all subjects may reach high levels of

spiritual advancement. This objective is stated in great detail in the Second Legal Code. However, the 16 I's, do not have explicit provisions for promoting happiness.

Discussion

The unwritten early constitution of Bhutan clearly contained several references to a judicious ruler promoting the collective happiness of a nation so that all citizens of Bhutan would become Enlightened. In modern times, happiness policy in Bhutan as embodied in the GNH Index, has expanded into a holistic measure of nine domains that balances various specific material and spiritual requirements of wellbeing and happiness. Included in the nine domains are: psychological wellbeing, health, education, time use, cultural diversity and resilience, good governance, community vitality, ecological diversity and resilience, and living standards (Centre for Bhutan Studies 2009a, 2009b, 2011a). In early Bhutan, happiness policy was congruent with the dual system of government promoting happiness through a spiritual path by grace of wise rulers. In the modern context, happiness policy has evolved to encompass a variety of other concerns such as the promotion of traditional Mahayana Buddhist values while meeting social and material needs. This evolution of modern happiness policy is reflective of modern issues facing the nation. This is a significant evolution of Bhutanese happiness policy from the early days of pre and post Bhutan when the primary concern was collective action through government policies to promote the Mahayana Buddhist goal of Spiritual Enlightenment.

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