

श्री यहॅम्भूर'ग्ययर'देवा

RIM NEWSLETTER

April 2007, Issue No. 1

Section A:

English Section

Section B:

Dzongkha Section

It's been a while since the newsletter's been published but we're back and we're better than ever before. The purpose of the newsletter is to keep the community informed, educated and is also a platform to display the works and talents of our very own faculty and trainees. Please enjoy reading it!

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The Royal Institute of Management

Editorial

es Brown said, "Change is Adifficult but often essential to survival." Change is indeed an unavoidable characteristic of life and no one can escape it. In Bhutan, we have witnessed an incredible rate of all-encompassing change - both economic and political. Has life changed as a result? Of course, it has. The rapid rate of development that has taken place in the past decade alone is incredible. The advent of political democracy, easy availability of foreign goods, unbelievable expansion of infrastructure and roads accompanied by increased automobile flows and fast-growing rates of remittances - these are but a few examples demonstrating change for us. Life is completely different in 2007 as opposed to what it was in 1992. Yet despite all this change, it is reassuring to see that our culture, sense of society and respect for religion remains intact, even though it may be slightly altered. As discussed in detail in the two main articles contributed by our very own lecturers, even with the advent of drastic

political change, individuals will still most likely seek the blessings of our spiritual leaders and deities. Even with the changing despite economy and mainstream economists may say, economic transactions in Bhutan are affected by other factors such as family and societal ties. Are these observations reassuring? They most certainly are for if one were to constantly adapt to change without keeping your feet grounded, one could easily forget their identity in the process of flying. In other words, adaptation to change is a necessity and part of the evolution of life but there are ideals and features such as culture and religion that one should and needs to hold onto for if one does not, its very essence is lost. Move forward, adapt to new ways but be sure to have your feet grounded and check back with your roots from time to time. As Alfred Whitehead once said, "The art of progress is to preserve order amid change and to preserve change amid order."

Is Our God Apolitical?

By Sonam Chuki, RIM

The North Easterly wind of political change has blown across the snow capped mountain ranges of the land of the peaceful dragon. There is only a few months waiting for the parliamentary style of democracy to be introduced in Bhutan. The basic institutions to support democracy as required in our context are established in the

form of the Anti Corruption Commission, the Election Commission, the Attorney General's Office and the two private run print media groups. Each of these is carrying out their responsibilities to prepare the country for a new system of governance.

The Election Commission is vigorously educating the general population on the voting rights and the importance of participating in electing a "good leader" to manage the nascent democracy. The state run and private newspapers are equally publishing stories related to the advent of democracy in Bhutan. The Anti Corruption Commission is moving carefully and steadily to bring the

corrupt to justice including senior government and corporate officials. The draft constitution has several safeguards in place to establish political parties free from the biases of ethnicity, regionalism and religious association. In addition, the Election Commission clearly pointed out that religious figures such as the Lams and Trulkus cannot take part in politics. This is a "good" safe guard as it implies to be a preventive measure against politicizing religion.

However, can our God remain apolitical in a deeply religious country like ours? If the past is any indication of the future, our God would be hard pressed to remain apolitical. Parties and candidates will go knocking at God's door in a desperate bid to woo God on their side. Even for the purpose of win-

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ning games like football, archery and khuru matches, the Gods (deities) are invoked to take sides. In 2008 and even towards the end of 2007, there will be desperate attempts to offer soekhas to have God on their side. With God on your side, no opponent would be unconquerable. Thus, winning the people's hearts depends on the frequency of the political candidates visit to the likes of Dechenphug monastery.

Our age old culture has a wealth of wisdom to win God's favor through various approaches. The methods range from offering soekhas to the willage doi: (Kay Lba and Yul

birth and village deities (Kay Lha and Yul Lha) to reciting powerful mantras like Lungta and Khamchu Nangpo such that they will have an immediate effect. In addition, another approach is inviting astrologers (Tsips and Motapmis) to conduct rituals of different kinds, for an instant good result. Such practices are normal and especially true in rural Bhutan, where the majority of our population lives. Even as we are moving into a rational and a scientifically driven 21st century world, our tradition of resorting to

win God's support is alive.

At present, the religious community consists of Lams, Trulkues, monks, nuns and lay practitioners like gomchens, tsips and motapmis' whose services are indispensable in our daily life. We are so dependent on God through them during bad times. During the

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annual school examina-"In 2008 and even tions in Thimphu, for example, there is an endless line of parents and children waiting to reof 2007, there will ceive blessings from Ap Gaynyen at Dechenphug monastery. Moreover, many parents conduct special mantra recitaand tions ritual homes for their children's success in competitive examinations, as the excellent result has become the ticket in fetching good jobs. In addition, of recent time, there is a trend of our spiritual teacher's popularity the welldeveloped countries in East Asia and the West. Some of the pious mas-

ters have managed to establish themselves and have the ability to heal suffering minds. However, many others have succeeded in minting green currency by introducing powerful sacred rituals "to make money" in ever increasing cold cut throat market life. Some of the observers at home and abroad call it "commercialization of Buddhism." A couple of years ago, the Newsweek Magazine had termed this trend of

commercial Buddhism as "Hollywood's most fashionable religion."

If such is the call of the day, when a new political change takes place, God's service would be sought after. The religious figures can be one of the key actors in terms of making informal advice, as they are God's representatives on Earth. Therefore, how can God not bless the ambassadors! As human beings, we remember God and the prayers during crisis. Hence, we will try our luck in seeking God's favor as the political environment changes, making place for a new one. This is because the political system is the basic unit of the nation's body to regulate the breath of life.



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Society is More than Just Economic Forces

By Damber S. Kharka, RIM

ichard Swedberg (1994) argues that in order to fully understand the complexity of the market phenomenon, ones needs to study both economic and sociological aspects. Rather than evaluating this question purely from economic prospective, one needs to understand both economic and social relationships that tie up different actors in the orange industry. Further, he reports that prices and exchange ratios in societies of all kinds are affected both by supply and demand and by a variety of social structural effects. The trade relations become less personalized and embedded in ongoing personal relations if the social, cultural, and geographic distance between traders is greater. Cultural differences create acute problems of trust between actors, which can sometimes be resolved only because of the existence of personal ties. Individuals' dependence on interchange of material, social and cultural activities result in a relationship of interdependence between actors.

In Granovetter (1994), Sahlins argues that supply and demand does not have an impact on price in traditional inter-group trade because such impact requires that all trades be interconnected in a competitive market. He observes that exchange ratios have moral force, and can thus in the short run, remain stable whatever the supply-demand situation be. Within a social partnership relationship, the pressure is on traditional and social rates rather than economic exchange rates. Sahlins' broad generalization as reported in Granovetter is that the exchange rates are differentially sensitive to changes in supply/demand in a dif-

ferently organized trade system where trade rela-

tions are dependent on social qualities.

Bhutanese economy from its barter trading concept has come a long way in its journey towards market economy. Market economy relies on market forces (demand and supply) to determine market clearing price. However, evidence on marketing clearing at the rural level suggests that besides these forces, the sociological factors have played a strong role in determining the prices of products and services. We studied the marketing chain and behaviors of market actors (the growers, local contractors and exporters), examining the nature of pricing decision in the orange business at the rural set up for a sample of orange growing Dzongkhags. We found that business transactions settled between actors is dependent heavily on non- economic rules, norms and traditions that stems from old bargain and barter-like practices. These practices are primarily rooted in the Buddhist/Hindus religious traditions and local culture. Rather than just the economic rules of the market, the social and cultural factors have played a significant role in the exchange process of oranges.

Local contractors who emerge as middlemen between orange growers and main exporters benefit substantially from the orange harvest every year. In any business unit getting output from the production center to the final consumer requires marketing channels. The marketing functions in orange business in Bhutan include transportation of oranges from the farm to the market place, standardization and grading of

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product, financing the business process, taking risks against natural calamities and price fluctuation, and collection of market information. In Bhutan, for oranges and other agricultural products, different private individuals and firms at different levels provide the marketing functions.

At the farm level, the better off and influential villagers immerge as local contractors. Some of them provide petty loans to the marginal growers in terms of both cash and kind. They see the orange harvest as their means of loan recovery with quick profits. Marginal farmers usually are in need of loans during the year for several purposes such as buying food rations as their own cultivation does not last for the whole year, sickness, birth, death, marriages and religious ceremonies etc. The contractors usually get into the purchase deal long before harvest season, even before the fruits are seen on the trees. They then usually sell to the more professional and experienced/bigger contractors who have links with the exporters. The second layer of buying and selling takes place a few months before the harvest season. The second layer contractor simply holds orchards till the time the

fruits are seen on the trees. For holding the orchards for a few months, they also take some risk. However, their speculation to sell at a much higher price to the exporters comes true most of the time. In many cases, these second layer contractors are also the agents for the exporters.

The findings suggest that orange growers, especially the marginal fruit farmers, were on the weaker side during price negotiations as they sell the oranges long before the harvest season begins due to their finan-

cial crunch. It seems that the marginal fruit farmers are more of the price takers for their orange production. Richer farmers who are better informed about the market economy and are economically more independent, are able to negotiate better price deals as their dependence on local contractors is lower.

"Even if the financial needs of the poor orange growers are addressed, they would still prefer selling their oranges to local contractors as they are closely knitted in a relationship of social

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interdependence."

Given the above scenario, our research further investigated into the possibility of shortening the marketing chain. We asked marginal farmers how they felt on the idea of eliminating local contractors so that they could wait for the right time to sell their oranges themselves, which in turn would help address their financial needs. Findings suggest that the trading between orange growers and local contractors is not just an economic question. Even if the financial needs of the poor orange growers are addressed, they would still prefer selling their oranges to local contractors as they are closely knitted in a relationship of social and cultural interdependence.

Given the unique social and cultural setup of the orange growers and interdependence on all socioeconomic spheres of life among actors in the industry, the market

in orange industry in Bhutan is differently organized compared to modern markets. The texture of economic relationships between actors in the orange industry in Bhutan cannot be understood without studying the culture and societal structure. Modern economic analysis alone cannot help us to understand exchange rationale between individuals because social motives exist behind most economic transactions among farmers, local Page 5

contractors and exporters. For instance, the common feeling is that the local contractors pay less to the farmers as compared to what they would probably get from the exporters. Nonetheless, it is the long term social and cultural associations between buyers and sellers that has produced close clientelized attachments between them.

Mainstream economics probably fails to explain the rationale for price fixation on buying and selling in a society that highly values the social and cultural aspects of life. Other actors influence the actors in the orange business at the village level in Bhutan. They are part of groups and society unlike the assumption of mainstream economics that individual economic actions are rational and uninfluenced by other actors. Mainstream economics has always put its focus on market and market forces as if society is a given constant. In contrast, the sociological views suggest that the economic actions are to be seen as an integral part of society (Smeler and Swedberg 1994) since society is the basic reference of economic actions.





LEGAL SECTION

INTRODUCTION TO LAW

What is law?



Ever since human communities came into existence, an unwritten code of ethics prevailed to govern the relationships amongst them. Gradually, as communities evolved into societies, ethnicity took root and fair and just interpretation of codes of ethics became an important aspect of social philosophy. These ethics are the comment of society and essential medium of change in understanding social values, accordingly certain rules were framed. These sets of rules and regulations of human conduct are called "law". Law in its most general and

comprehensive sense signifies a rule of human conduct, governing relationship between two or more persons. The Black's Law Dictionary defines law as "the regime that orders human activities and relations through systematic application of the force of politically organized society..."

Broadly, laws can be divided into two kinds:

National Law: It regulates the relationship between individuals or individuals and the state.

International law – It is a body of rules which are regarded by the civilized states as binding in their relationship with other states. It arises primarily in the form of treaties and conventions.

Law in its general or universal sense includes different varieties or species. These are:

Law of Nature – It consist of those ideals, abstract principles of universal justice and applicability which were considered to be based on Reason or God for the guidance of all times or for all places. According to Greeks, Romans and Hindus in ancient time to live according to reason was to live according to nature itself.

Customary law - It consists of rules of human action, establishes by usage and regarded as legally binding by those to whom the rules are applicable. Such laws are generally followed by the political society as a whole, or by some part of it. Therefore these laws are adopted by the courts and applied as source of law.

Physical law - Physical laws are those which describe general nature and principles according to which the physical phenomenon act and interact under given conditions. It is also known as scientific law

Moral law – Moral laws are also termed as ethical rules which generally lay down an ideal standard for human behavior. It includes right conduct, right means and fair play etc.

Conventional law - Any rule which is voluntarily agreed by parties in their mutual

relationship with each other is known as conventional law.

Constitutional law – It is that basic and fundamental law of state which governs or determines the structure and functions of its various organs.

Common law – It consist of those principles, usage and rules of action applicable to the government, security of persons and property. Such Laws do not rest for their authority upon any express or positive declaration of the will of the legislature.

Equity law – It is that law which is based on 'fairness'. All legal systems of the world developed equity law as a corrective to the law of the land.

Administrative law – It is the law relating to the organization and services performed by various administrative agencies of government. It deals with powers of all such bodies and determines their rights and duties.

By-laws – It is the legislation of subordinate law-making bodies.

Material law – It means the suspension of ordinary law and government of a country or part of it by Military Tribunals.

Military law – It is that law which regulates the conduct of those serving in the armed forces and is subjected to the jurisdiction of Court Martial.

Public law – It is that part of law which is applicable to State in relation to its subject.

Private law – It is that part of the law which determines relationship between individuals in their ordinary private capacities like law of contracts, the law of property, etc.

Civil law – It is the law of the land i.e. the legal system of a particular country.

Highlights of Campus Events

Dzongkha Extempore Speech Competition

The first literary event of the year – a Dzong-kha extempore speech competition – took place on February 26, 2007. Thirty trainees from various courses participated including one lady contestant. Kuenga Lhendup from PGDPA was awarded the best speaker position followed by Ugyen Tenzin "P" from PGDFM in second place and Tshering Penjor of PGDPA in third.

Religious Talks

The RIM family had the privilege of a session on Buddhism from the ninth **Khamtruel Rinpoche** who is currently studying in Tango. His Holiness briefed the RIM family on the relations between Buddhism and happiness and proved to be a great inspiration to everyone listening. The talk was followed by a question and answer segment. His Holiness was kind enough to bless everyone present individually by giving them wang.

The author of *Tibetan Book of Living and Dying*, **Sogyal Rinpoche**, delivered a talk on Buddhism on March 30 and 31. The two-day teaching highlighted the essence of Buddhism. Rinpoche delivered an inspiring talk on nature of mind, practice of meditation, compassionate love and care and karma. The talk, organized by some local volunteers, saw participation from members of the royal family, ministers, senior civil servants, distinguished diplomats and many devotees.

First Cultural Show of the Year

The "Get together show" held on March 14 was a huge success thanks to efforts of the cultural committee. A variety of cultural items including multiple dances, solos, and duets were staged by the trainees and visiting Japanese lecturer Ken. According to the Cultural secretary, the show was organized to "familiarize and promote bonding" among the trainees.



Volleyball Pick-up Tournament

A volleyball tournament was organized from March 7-22. A total of eight teams participated. Yuelgyel emerged as the winners, defeating Puendru in two straight games. The winning team received a cash prize of Nu.1200 and Nu.900 was awarded to the runners-up. Certificates were also awarded to the finalists by the chief guest Dasho Sonam Rinchen.

Dzongkha Section

क्रिंस्स्रुग्मियिते स्रुव्तालु

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तह्यम्भैरक्ट्र्र्र्ण्यातस्य

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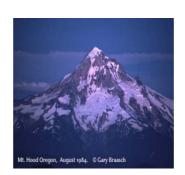
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- पटस्तयन् विकास्त्रेण ज्ञावराष्ट्रम्थ देवा श्रीत अधाय विकास विकास
- गो र Every evening 'रःचरुश'गार्हेश' सुरःचरूत'सुगार्द्धत' walk 'वर'त्यें हैं स्पित्
- ष्रे हु.रे.ल.ध्यान्यः र.चरुश्याध्रेशः शिरःचक्षेष्रःस्याक्षेषःचर्णतान्यः प्रक्तुःषुःस्री

रमेनान्यः र्मायामयामेयरामग्रहा।

र्वेट्यापर्वेद्यर्थेट्या बेर इदिन्या श्रुट्या वर्षेद्र दी

Donkey:

- 2) 🏋 (animal of the horse family)
- वे मोन्नेव में भूगवायाया मिलिनाया (stupid/stubborn person)

खेबराजयः राजीयार्यः भीतयः ह्र्यावपुः स्प्रीत्त्रप्ताचे स्वाप्त्रप्ताचित्रप्ताचित्रप्ताचित्रप्ताचित्रप्ताचित्रप प्रचीटा तिर्याद्वर्ष्ण्यपार्ष्यः स्वाप्त्रप्ताचित्रप्ताचित्रप्त्रप्त्रप्ताचित्रपत्त्रप्ताचित्रपत्त्रपत्तिचित्रपतिचित्रपतिचित्रपत्तिचित्रपतिच

र्वेदगाविश्वदबी

पड़ियाचर्चर हो. जैयासूँगापर व्यादिर चरेयां के बरातर क्षेर पर्टेर हूं राजवूर हो. लाजू क्षे. ली. वु. क्षेयाचेर चुरा प्राप्त क्षेयां पर्टेर विश्व क्षेयां पर्टेर विश्व क्षेयां विश्व क्षेयां क्षेयां क्षेयां विश्व क्षेयां क्षेयं क्ष

नियालयः स्थानुर्भयानुवार्स्यन्ते । क्षेत्रन्ते स्वायते नरावायाना निवालयः

्रह्मायब्दायाः क्षेत्राच्छे व्यास्कृत्यायः वात्याः क्षेत्रायः व्याप्ताः विद्यायः व

चयुःचित्रात्तः यामः क्रियः व्याप्ति क्रियः अप्ताप्ति चार्श्वरात्तः स्रीटः वृत्तः वृत्तः अप्ताप्ति विक्राप्ति व क्रियः विक्रियः विक्

न्यः ब्रिंग्यायर्थे (त्या स्मिन्त्यायरः) क्रिंग्वेरः क्षे त्यने त्या स्मिन्त्र क्षेत्रः कष्टि क्षेत्रः क्षेत्रः कष्टि क्षेत्रः क्षेत्रः क्षेत्रः कष्टि क

र्चरःगुःवर्धेवःयवैःस्ट्रिर्श्वे।

्ये क्रियं प्रत्ये क्षेत्र प्

र चेंद्रगुप्च बुरावय र्शेट्यो बेर पते क्रुं सर्वे वृत्री

३) प्रतिष्टरस्रेर. त्र्र्याप्रिक्षियायमःस्रियायीःस्रोत्तरायायः प्रित्यम्प्रीत्वविषयास्यस्यविष



र्म्यानमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त वितःसर्भात्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रमान्त्रम

द्या प्राप्त क्षित्र क्षित्

सूर-ग्री-स्थार्यकाने वित्र-क्ष-स्वीत्र स्था व्यवाक्षिरकार स्थे त्यक्षक्षिक्ष क्षी स्थानिकः सूर-ग्री-स्थानिकः स्थानिकः स्यानिकः स्थानिकः स

নর্ঝিস্'ব্রমঝ'র্ই'हे। మ'স্অন্থ'নস্গার্মুদ'শীর্মুদ'শা

चग्रा भैषाचरे येगाय