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RELIGION AND STATE IN SIKKIM: THE PLACE OF THE BUDDHIST SANGHA

Pooja Thapa* and Anand Inbanathan**

Abstract

After Sikkim became a part of India in 1975, the reign of the Namgyal dynasty came to an end. However, Article 371F of the Constitution of India protects Sikkim's indigenous groups, by retaining already existing Sikkimese laws such as the Land Revenue Order No.1 of 1917, which forbids the sale of Bhutia and Lepcha land to other groups, as well as the reservation of a seat for the Buddhist Sangha (a religious organisation) in the state legislative assembly. This was through creating a separate constituency comprising the Buddhist Sangha and its members. Only the Sangha members can vote for a candidate, and the candidate is also a member. After getting elected, the Sangha member would be a Member of the Legislative Assembly (MLA) in Sikkim. Drawing on the literature as well as from fieldwork, this paper explores the historical and ideological background of the reservation of a Sangha seat in Sikkim's legislature, and its place in the Indian political sphere. The main purpose of this paper is to understand Sikkim's political system that is part of a secular democratic polity, i.e., India, but at the same time has a place for a religious organisation, which can also be considered as a civil society organisation, functioning in the state legislature. We also examine the role of the incumbent of the Sangha seat, and his functioning in the state legislative assembly, which should also be recognised as a unique situation, in that no other state legislature in India has a seat reserved for a religious organisation.

Keywords: Buddhist, Secularism, Sikkim, Sangha

Introduction

Free India has been created as a democratic polity. Every citizen is considered as equal, at least in principle, to every other citizen, and has a vote to be able to elect representatives who will speak on their behalf in the parliament, state legislatures, and in the institutions of local government, the panchayats. There is no preference given to any caste or religion, except in the case of disadvantaged groups (Scheduled Castes and Scheduled Tribes), who are provided with reservations of seats, i.e. the constituencies are reserved for specific groups, so that their groups will get a representation, which otherwise may not materialize. In the case of Sikkim, which became a new state of India in 1975, it has to follow the principles of the Indian Constitution, which are the same for all the states of the country and all citizens. However, Sikkim, which was designated as a Buddhist state by the Chogyal, the monarch of Sikkim (before it became a part of India), also became the only state in the country that provided a seat in the state legislature for the Buddhist Sangha, a religious organisation. This was an exclusive seat, only for Buddhists, who could contest as candidates, and the voters were also members of the Sangha, i.e. they too were Buddhists. Once elected, the Sangha member who is now a Member of the Legislative Assembly (MLA), functions just like any other MLA and has the powers and privileges of all MLAs.

Joseph Schumpeter (2003) viewed democracy as a competition for votes, and once representatives were elected, they should use their judgment in deciding what is in the best interest of the constituents. He was clear that ordinary voters did not know enough of the complex matters that

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would need to be assessed in the course of taking political decisions, which was best left to the people who had the knowledge and competence to take these decisions. The Sangha representative is undoubtedly unique in many ways. He is a Buddhist monk, and someone who represented a very small constituency (in comparison to other constituencies), and the voters are Buddhist monks and nuns who are registered members of 111 recognized monasteries in the state, and all of whom are also members of the Sangha. However, the Sangha representative functions as a full-fledged member of the legislative assembly, along with other elected representatives, on the basis of party identity, and took decisions as a legislator, which affected the whole state and all who lived in the state. In contrast to the Sangha constituency, all the other constituencies, of the parliament, state legislatures, or constituencies of the panchayats, are designated on the basis of the population size and those who live in a certain geographical area.

The functioning of the Buddhist Sangha representative should be seen in the context of a religious organisation that typically would conform to the characteristics of a civil society organisation (on civil society see Carothers and Barndt 1999-2000; Mahajan 1999). In Sikkim, the Sangha has been given a seat in the state legislative assembly. A civil society organisation or association is formed by citizens, to function relatively independently of the state and even political parties. It is meant to be an intermediary between the state and the individual or family (Carothers and Barndt p. 79). In this sense, the Buddhist Sangha could have been a civil society organisation, which also functions as an interest group. However, as we will describe in greater detail below, the Sangha is not really a civil society organisation, and the representative elected from the Sangha can be a member of the ruling party in the state, and hence, is a part of the government, and the Sangha is not entirely independent of the state. So, the Sangha is an institution that has characteristics of a civil society organisation, and also functions as part of the government when the Sangha representative who is a Member of the Legislative Assembly is also a member of the ruling party. A somewhat more restricted view of the position of the MLA from the Sangha is that he can be considered as a part of the government only if he is a Minister. However, what also needs to be considered is that the state legislators are the law makers, and the majority party in the legislature can frame the laws and policies that the executive implements. There is thus, a connection between the legislature and the executive when the majority party in the legislature also forms the government.

The present paper is based on a larger study conducted in Tashiding village, of West Sikkim, and covered various aspects of life in this village. Tashiding monastery, which is in this village is a prominent place for Buddhists to visit, and so too for others. A number of village residents were interviewed, and also functionaries of the government, political activists, religious leaders including lamas, and the Buddhist Sangha MLA, as well as the previous Sangha representative (former MLA), and officials of the State Election Commission.

The state and Buddhism in Sikkim

The Buddhist kingdom of Sikkim ceased to exist as an independent political entity on May 16, 1975, and became a part of the Indian Union, as the 22nd Indian state. With the enactment of the 36th Constitutional Amendment Act, 1975, it simultaneously abolished the rule of the Chogyals.¹ Sikkim had to adopt the Indian Constitution and the principles of Indian secularism. The term 'secular' was introduced in the preamble of the Constitution through the 42nd Amendment Act, 1976. 'Secularism' in India "does not require exclusion of religion from the public sphere", and hence, while recognising that individuals would have religious beliefs, religion should be separate from the state, in the sense of being separate from the functioning of the government. This principle has not been strictly maintained in Sikkim. Secularism also "implies recognition of all religions by the state" and its neutrality towards them.²

Article 371F of the Constitution, which provided the legal framework for the integration of Sikkim with India, maintained the validity of the old laws of Sikkim. This allowed a seat to be reserved for the 'Sangha'—that is the community of monks, and 'anl' (nuns), in the state legislative assembly. Sikkim retain edits Ecclesiastical Affairs Department (EAD) even after becoming a part of India. This Department was originally in charge of the preservation and maintenance of Buddhist monasteries, and today, also includes Hindu temples, churches, mosques, and mangheem (Limbu temples; an indigenous tribe of Sikkim) within the state. Although the field of action of the EAD was revised after 1975, and included institutions of all other religions in the state, rather than only the Buddhist monasteries of Bhutias and Lepchas, the Sangha seat, in practice, still represents only the Buddhistswithin the Lepcha and Bhutia groups. However, Buddhist institutions have been developed in other groups, in particular among the Tamang and Gurung. No religious group other than Buddhists has a served seat in the state Legislative assembly.

The Sangha is the smallest constituency in the state in terms of the number of voters.³ The elected Sangha representative acts as a full-fledged member of the legislative assembly, entitled to all the privileges and immunities of a legislator, who may voice the concerns and interests of his constituents. Additionally, he is also a member of his party and represents his party's policies. Being a full member of the legislative assembly, he can participate in all the discussions and functions of the assembly. Constituencies in India conform to one pattern. They are based on population size, and each constituency has a certain number of people who live in that area of the constituency. This does not immediately mean that once the population increases, the number of constituencies in a state, for example of the Lok Sabha seats, will also correspondingly increase. They have been held constant for the time being, and only after some more time there will be a reconsideration of the number of Lok Sabha seats, based on the population. However, in the case of the Sangha, it was not created on the

Tib. *chos rgyal, ruler* according to the principles of the Buddhist dharma (Vandenhelsken, 2003:56). On the early history of the Sikkim monarchy see Mullard 2011; regarding more recent events, see among others Datta-Ray 1984; Jha 1985.

Jaffrelot (2011). On Indian Secularism see also Madan (1987), Bhargava (1998), Srinivasan (2014), Mehta and Puniyani (2017).

The total number of voters in the Legislative Assembly election 2019 for the Sangha constituency was 3293, and total voter turnout was 2338.

basis of population size, but on specific characteristics, namely, all of them are Buddhists, monks, lamas and nuns who are registered in monasteries, which have themselves been registered. Another important distinction between the Sangha constituency and other constituencies is that only the registered members can vote or contest in the elections. In other constituencies, only the candidates are from specific groups for whom the constituencies have been reserved. For instance, if the constituency is reserved for a person of the Scheduled Castes, then only one from a scheduled caste groups is eligible to contest. However, the voters are all those who are listed as living within the geographic area of the constituency, who could be members of any group, and have only to be eligible voters (Indian citizens who are 18 years old, and are registered voters). The Buddhist Sangha in Sikkim does not have a geographic location for its constituency, and members could be from any part of Sikkim, but are registered with various monasteries.

Political representation is a hallmark of modern democracy. While democracy provides the government that is elected by the people, representation is the mechanism through which people are in principle able to have someone to speak on their behalf in the legislature. Hence, political representation is the act of representing the subject's opinions, demands, and views in the political processes. The essential meaning of the concept of representation can be understood through Thompson's definition. Representation is the "process in which one individual or group (the representative) acts on behalf of other individuals or groups (the represented) in making or influencing authoritative decisions, policies, or laws of a polity" (Thompson 2001: 11696). The Sangha member of the legislative assembly may put forward the demands of the Buddhist monks to the legislative assembly, but as a member of his political party, he will use his judgment and understanding of the issues. If his constituents' demands are against his party's wishes, he will not support them.

Historical background of the political representation of the Sangha in Sikkim: The provision of the Sangha seat

The reservation of a Sangha seat was introduced at the second election to the Sikkim State Council in 1958 by Sir Tashi Namgyal, the eleventh Chogyal (1893-1963). In the Proclamation of 17 March 1958, the Chogyal announced the reservation of one seat for the Buddhist Sangha and one seat for the 'general' population. The seats were distributed as follows: six seats for Bhutias and Lepchas, six for Nepalese, one for the Sangha, one general and six for representatives nominated by the Chogyal. The Chogyal justified the reservation of the Sangha seat in the following words:

It has long been felt, as the monasteries and the Sangha have constituted such a vital and important role in the life of the community since the earliest known history of Sikkim, and have played a major part in the taking of decisions in the councils of the past, there should be a seat specifically reserved for the Sangha in the Sikkim Council (Sikkim Darbar Gazette Extraordinary, 17 March 1958).

The population of Sikkim for centuries comprised three ethnic groups: *Lo* (Bhutias), *Men* (Lepchas), *Tsong* (Limbus) who by signing the "*Lho-Men-Tsong-Sum"* agreement accepted the supremacy of Phuntshogsrnamrgyal and agreed not to have separate self-government but abide by one

order.⁴ These groups were defined as 'the three races living in Sikkim' by the Bhutia rulers.⁵ However, in the course of Sikkim's history, other ethnic groups began to settle down and were classified as 'Nepalis' by the British colonial administration. Today, the population of Sikkim comprises two large groups, the minority Bhutias and Lepchas, and the Nepalese, and scholars have shown that this dichotomous view had been historically constructed.⁶ The political context in which the Sangha seat was introduced further reinforced this binary division of the population. However, this dual division of the population is too simplistic because the two categories are diverse in terms of religion and socio-economic conditions.⁷ The Sangha seat was created in the same context that saw the politicization of the opposition between Bhutia and Lepcha, and the Nepalese.

The Sangha seat was introduced by the King based on the Tibetan political theory of Chossrid lugs anyis which involves the unification of the political and spiritual worlds, and on the concept of Lhade-mide, a traditional state council of Sikkim that existed in the past. Mullard (2011) describes Chossrid lugs gnyis as the unification of the religious and political realms in Tibetan societies which is "considered a perfect mode of government, whereby the religious influences and shapes the political and the political (through sponsorship, for example) influences the religious. In this way, a political figure or a government is obliged to actively preserve and promote Buddhism."8 In Sikkim, this principle was applied in governance and politics through the participation of the lamas in the king's council, particularly of Pemayangtse monastery.9 The Sikkimese history begins with three lamas coming to Yuksam to crown the first Chogyal in 1642. 10 For instance, one of the political functions of Pemayangtse monastery was to recommend a lama for the Royal Council, who was later referred to as 'councillor' or 'executive councillor' (Vandenhelsken 2003: 61). Besides religious functions, the lamas of Pemayangtse monastery also held important roles in the politics and administration of the state and had the power to try civil and criminal cases (Tran 2012: 14). For example, the *History of Sikkim*¹¹ describes how the seventh Chogyal, Tsugphud Namgyal (1785-1863) ordered the lamas and Kazis (ruling class of Sikkim, and acted as feudal lords) to assist his son Sridkyong Namgyal in the administration of the state. 12

The archetype of this Tibetan principle of governance found in Sikkim was the *Lhade-Mide*. It is said that the third Sikkimese ruler Chagdor Namgyal (1686-1716) formed a council called *Lhade mide* for administrative purposes in the early 1700s. The *Lhade* was a congregation of monks and *mide*, the

⁴ Tripartite Agreement: "Lo-Men-Tshong Sum" 1641 in Moktan 2004: 2.

⁶ See Arora 2007 and Vandenhelsken 2009.

A principal monastery of Sikkim where only the descendants of twelve Lhopo (Bhutia) noble clans are eligible for admission. The privilege of coronation of Chogyal is exclusively enjoyed by the lamas of this monastery.

⁵ Vandenhelsken 2009: 168.

⁷ For further details see Vandenhelsken 2011: 96-98.

⁸ Mullard 2011: 25

¹⁰ However, this date has been debated (Mullard 2005: 75).

¹¹ It was commissioned by Maharaja Thutob Namgyal and Maharani Jeshay Dolma of Sikkim in 1908 and translated by Dawa Samdup from Tibetan to English.

Another reason is that Tsugphud Namgyal was an incarnate lama who devoted most of his time to religious matters, so he called for his son Sridkyong to be assisted in the administration. We are thankful to Alex Mckay for this point.

congregation of the laity (Kazi 2009: 32). Balikci (2008: 316) described *Lhade mide* as "the traditional state council which consisted of the abbots of the monasteries, the *kazis*, the ministers, the main appointment holders and the representatives of the people. It was composed of equal number of lamas and laymen (Balikci 2008: 381).

According to our informants Chewang Pinsto and Tseten Tashi Bhutia¹³, General Secretary, and convenor of Sikkim Bhutia Lepcha Apex Committee (SIBLAC) respectively, *Lhade-mide* existed at the time of the first Chogyal Phunsuk Namgyal. The Chogyal selected twelve men from each of the three major communities: Bhutia, Lepcha, and Limboo¹⁴. Out of the twelve men from each community, six were monks and six were laymen. Thus, a council was formed comprising a total of thirty-six men under the Chogyal. Acharya Tshering Lama, Chairman of the Ecclesiastical Affairs Department also said the same, and that out of thirty-six men, nine were made ministers, out of which five were in the Sangha. A Lepcha senior monk, *Yugthing* was the Prime Minister. ¹⁵ The main function of the *Lhade-mide* was to guide the ruler and assist in the administration of the country. Given the role played by the *Lhade-mide* and the Sikkimese lamas, the eleventh Chogyal, Sir Tashi Namgyal institutionalized the Sangha seat in 1958 to give the Buddhist monasteries a seat in his executive council, and this continued even after Sikkim became a part of India.

John Claude White, the first British Political Officer, introduced a land settlement programme in 1888 known as the lessee system, which brought a significant change in the land ownership pattern in Sikkim. Under this new arrangement, several Kazis¹⁶ and the monasteries lost their landholdings, which were redistributed to the lessee landlords consisting mostly of the kazis having good terms with the Political Officer, and to the Nepali landlords (mainly of Newars, a sub group of Nepalese) called as Thikadars. However, the leased land given to the kazis (mostly of Bhutia and Lepcha origin) was for fifteen years, while for the Nepali landlords it was ten years (Rose 1978: 215). The landlords under the British employed cheap Nepali labourers on a contract basis to generate state revenue. The unrestricted inflow of the Nepalese quickly multiplied their population, who began to settle beyond their confined areas. 'They started encroaching upon the forests of Sikkim and cutting down valuable timber' (Rustomji 1987:9). Besides the responsibility of collecting taxes for the Chogyal, i.e. the landlords, wielded enormous unchecked administrative and magisterial powers in their respective territories (Elakas). Thus, the tenants who were mostly Nepalese were severely exploited. Oppressive systems like forced labour, compulsory free labour duty (Kuruwa), free porterage (Jharlangi) were also in practice. Nepalese farmers had to pay higher land rent than their Bhutia and Lepcha counterparts (Sengupta 1985: 21). To protect the Bhutia and Lepcha land and to check the Nepalese settlement, Land Revenue Order No.1 was issued in 1917 by Charles Bell, which prohibited the alienation of Bhutia and Lepcha land in favour of non-hereditary subjects (Nepalese) (Ibid: 21). Thus, a series of measures that favoured the interests of hereditary subjects (Bhutias and Lepchas) were considered discriminatory for the Nepalese tenants. This inevitably gave rise to a feeling among the Nepalese population of being

¹³ Telephonic interview on 04/09/2018.

¹⁴ This spelling is used by some authors, while other authors spell it as Limbu, and refer to the same group.

¹⁵ Tshering Lama, interview transcript, 2/06/2018

¹⁶ Title for Sikkimese landlords.

'outsiders' and 'foreigners', even though they had been living in the country for generations.¹⁷ It sowed the seeds of 'insiders and outsiders', which gradually led to the division of the Sikkimese population into Bhutia and Lepcha vs. the Nepalese.

Under these circumstances the Sikkim State Congress emerged as the first organised political party¹⁸ in the 1940s, inspired by democratic ideals and became popular among the Nepalese ryots (tenants). It demanded the abolition of landlordism, the formation of a democratic government and the accession of Sikkim to the Indian Union (Gurung 2011: 318). In a document entitled, *A few facts about Sikkim State*¹⁹, Tashi Tsering, the president of the party wrote:

Sikkim is a small Indian state. Its ruler, Maharaja Sir Tashi Namgyal is of Tibetan descent and so are his personal adherents called Kazis, who formed the majority of the landlords of Sikkim. The subject people or ryots have no voice in the administration and they have long groaned under the pernicious yoke of landlordism.²⁰

The party was successful in its 'No Rent' campaign, which led to the abolition of forced labour and house tax in 1949 (Basnet 1974: 92). Other political parties mushroomed such as Sikkim National Congress (SNC), Sikkim Janta Congress (SJC), and Rajya Praja Sammelan (RPS). SNC and SJC later formed a Joint Action Council in 1973 demanding the abolition of 'parity system' in the State Council (Kazi 1993: 220). By and large, these nascent political parties were mainly opposed to the king, and fought for democratic reforms.

The Sikkim National Party, however, advocated preserving the distinct national identity of Sikkim, and maintaining a friendly relationship with India. This party's policy was called the "antithesis of the policy of the state congress" (Sengupta 1985: 152) and was popularly known as the king's party, since it enjoyed the Maharaja's patronage. The party was against the popular demands of the Congress that Sikkim should become a part of India. This party remained under the leadership of affluent Bhutias, with the backing of the Lamas (Jha and Mishra 1984: 15). The party's determination to preserve the independence of Sikkim is reflected through its resolutions: (a) Historically, socially, culturally and linguistically, Sikkim has closer affinities with Bhutan and Tibet (b) From the geographical and ethnic point of view, Sikkim is not a part of India. She has only political relations with the latter, which were imposed on her (c) From the religious point of view, being Lamaist, she is quite distinct

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The first British census of 1891 shows the total population of Sikkim as 30,458 including the Nepali immigrants, and the combined population of Bhutia, Lepcha and Limbus as 14,021. So according to the census, the Nepalese were already the majority. However, this figure has been shown as inaccurate by Mullard. For details see Mullard 2011: 210.

¹⁸ Jha and Mishra 1984: 14.

¹⁹ Tashi Tsering composed a pamphlet, 'A Few Facts about Sikkim State' which was translated into Nepali by Chandra Das Rai, a prominent Congress leader (Basnet 1974: 76).

²⁰ Moktan 2004: 107.

²¹ Kazi 2009: 36. See also, Rustomji 1987 p. 46, where the author explains the reluctance of Sikkimese rulers to welcome democracy in Sikkim because the concept of *Dharma Raja* still existed, and the king was obliged to look after his people.

²² Rustomji 1987: 46.

from India (d) The policy of the party is to maintain intact by all means the indigenous character of Sikkim and to preserve its integrity.

Thus, the first political parties represented all the ethnic communities, and communal feelings (when members of one ethnic community carry feelings of anger, discrimination, and inequality towards another, it leads to ethnic conflicts and polarization) were reinforced due to political disagreements and ethnic differentiation. The core of this communal strife was the demand for a more democratic and egalitarian society in the kingdom. To cope with the demand, the Maharaja, Tashi Namgyal introduced a 'parity system' in Sikkim's Council, through the "Constitutional Proclamation" issued on 23 March 1953, allotting six seats each for Bhutias and Lepchas, six seats for the Nepalese, and six were to be appointed by the Maharaja in Sikkim's Council. However, through parity and reservation of seats for the monasteries, the ruler aimed to safeguard and advance the interests of the minorities (Bhutia and Lepcha) (Rustomji 1987: 32). This 'parity system' reflected the binary division of the Sikkimese population (Vandenhelsken 2011: 98). 'Thus, ethnic parity got institutionalised in the polity',²³ and this was reflected when the Congress won all the seats reserved for the Nepalese, and the National party won all the seats reserved for the Bhutias and Lepchas in the first election to the Sikkim Council in 1953. Ethnic division was there from the very beginning in Sikkimese society. The king made every possible effort to subdue his Nepali opponents. He tried to represent Sikkim as a Buddhist kingdom, to construct the Sikkim national identity to counter his Nepali opponents. He emphasised the category of 'Aryan' versus 'mongoloid' within the Nepali community, as 'the decisive factor in his decision to adopt a "divide and rule" policy in the 1950s' (Rose 1990: 71). It indicated the idea that most Nepali Sikkimese are not Indo-Aryan but culturally are Buddhist, with ancestral links to Mongolian tribes: Gurung, Rai, Tamang, Newar, Limbu, and Magar, or mountain peoples, some of whom, generations back, had migrated from the Tibetan plateau to Nepal, and their ancestors, finally to Sikkim (Hiltz 2003:74) Thus, by underscoring the Mongoloid roots of the Nepalese the king believed he could win over the democratic forces.

The second election of 1958 was a turning point towards political awareness and the communalisation of Sikkim. It was for the first time, at the second elections, that the Maharaja, through a Proclamation dated 17th March 1958, decided to reserve one seat for the Buddhist Sangha and one seat for the general population, besides six seats for Bhutias and Lepchas, six for the Nepalese and six representatives to be nominated by the Maharaja.²⁴

The creation of the Sangha seat, according to Basnet (1974: 109) responded to an electoral strategy of the Durbar: as the 'General seat' was very likely to go to the State Congress (supported mostly by the Nepalese) in the next elections. The Sangha seat was introduced to maintain the balance with the pro-Durbar party, as it would certainly go to the National Party (supported mostly by Bhutias and Lepchas).

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²³ Jha and Mishra 1984: 15.

The general seat was meant to accommodate those who did not fall under the category of Bhutias and Lepchas or Nepalese, but were permanent residents of Sikkim (Kazi 2009: 32).

Debating the Sangha Seat

After the merger with India in 1975, political turmoil divided the ruling Janata Party, and Sikkim was placed under president's rule in August 1979.²⁵ The Indian Parliament through the 1979 Representation of the People Act, nullified the parity formula, and confirmed twelve seats for the Bhutias and Lepchas, one for the Sangha, two for scheduled castes and the remaining seventeen seats were declared as 'general' (Sinha 2006: 11), and opened to all including the plainsmen (Vandenhelsken 2009: 181) of non-Sikkimese origin. The Bill scrapped the reservations for the Nepalese. A Nepali politician, R. C. Poudyal claimed the reservation of seats for the Bhutias and Lepchas, and the Sangha seat, as unconstitutional, and non-secular, since it was based on 'race' and 'religion'. Calling it a 'Black Bill' (Sengupta 1985:176), Poudyal filed a writ petition against the Bill. The issue was intensively discussed in the Delhi High Court in 1979, under Article 226 of the Constitution, and in Sikkim High Court in 1980, before it was finally transferred to the Supreme Court in 1982 (Kazi, 2009: 50).

Members of opposition parties questioned the reservation for the Sangha in the state assembly of 1979. For instance, B.B. Gurung who strongly advocated democracy in Sikkim questioned the reservation in the following words:

India is a secular country and many communities are living in peace and harmony. When there is no provision of Sangha seat in other twenty-one States of India, why there is one for Sikkim? By doing this, Article 14 and 15 of the Constitution have been violated. By retaining the Sangha seat, the spirit and the basic structure of the Constitution have been violated and it is against Article 15 of the Constitution which explicitly prohibits discrimination on grounds of caste, sex, religion or place of birth. Here religion has been made the tool of politics.²⁶

Another politician, Dugo Bhutia, a member of Sikkim Prajatantra Congress opposing the Sangha seat said:

The Buddhists have been given representation in this House by making provision for a 'Sangha' seat but there is no such provision for Hindu Nepalis. If Buddhists are to get a seat, then, such a facility would be given to Hindus also.²⁷

When the case was contested in the Supreme Court in 1984, the Court pointed out that under Article 371F (f) reservation of seats in the Sikkim assembly for Bhutias and Lepchas, and the Sangha, were justified.²⁸ Justice Thakar defended the Sangha seat by pointing out that similarly the seats for the Anglo-Indian community are reserved to safeguard their rights.²⁹ When the petitioners argued that the Sangha is connected to a religion, Justice Bhagwati stated, 'Sangha is the section of the people'.³⁰

²⁵ Sikkimarchives.gov.in. Gazette No. 67 dated 19th August, 1979.

²⁶ Reports of Assembly session 1979, p. 59.

²⁷ Reports of Assembly session 1979, pg 43.

²⁸ Kazi 1993: 128.

²⁹ Ibid: 126.

³⁰ Ibid: 131.

Justice Thakar observed that the matter of seat reservation was political in nature and if the court gave its verdict on the case, it would create an Assam-like situation in Sikkim. The matter remained pending for fourteen years until the Supreme Court made a historic judgement on February 10, 1993 approving the reservation of a seat for the Sangha, and for the Bhutias and Lepchas, in the State Legislative Assembly. Justice Venkatachaliah stated "The inequalities in representation in the present case are an inheritance and compulsion from the past. Historical considerations have justified a differential treatment".³¹

The Sangha and the State

The Sangha MLA, Sonam Lama was from the ruling party Sikkim Krantikari Morcha (SKM). Sonam Lama won the Sangha seat in the 2014 general elections defeating his opponents, Tshering Lama of the Indian National Congress (INC) and Palden Lachungpa of the Sikkim Democratic Front (SDF). The tenure of the Sangha MLA is for five years as with the entire state legislature. The Sangha constituency does not have any specific population or geographical location. The eligible voters of the Sangha are the registered monks and nuns who are 18 years old and above. Shyam Pradhan, the Deputy Chief Electoral Officer explained that although there are one hundred and eleven monasteries recognized by the EAD, ³² only the registered monasteries in the Election Commission of India (ECI) are eligible to vote. Currently, there are 51 monasteries registered by the ECI. The voters can join other registered monasteries if their village monasteries are not registered. If they are not registered in a registered monastery, they will have to cast their vote for the general candidate and not to the Sangha seat candidate. Other monasteries will get registered when the next delimitation takes place in 2026.³³

The focus on this Sangha representative is because he was the current member when field work was done, and could be interviewed as a MLA. At the time of the interview, Sonam Lama was completing his first term. He was elected again in 2019 for a second term. During his first five-year tenure (2014-2019) as MLA, Sonam Lama proposed three resolutions in the assembly. We have reviewed the kind of activities that the Sangha representative can be engaged in, and this is only an example of what he does. Clearly, it is seen that though he was elected from a constituency that is based on religious identity and membership, the resolutions that he moved in the legislature were not entirely of a religious nature, and was certainly not to represent only his constituency, or for the benefit of his constituents alone. The first resolution was to restore the seats for the Nepalese in the state assembly, which were removed in 1979. Before the elections, the Representation of the People (Amendment) Ordinance, 1979, was issued which replaced the existing parity system with a new formula of seat reservations (Thapa, 2002: 4). This removed the reserved seats for the Nepalese. 'Plainsmen' refers to both the earlier settlers who came as traders, and the newcomers who migrated after Sikkim's merger with India (Vandenhelsken 2009: 181). The Nepalese of Sikkim also fear being

EAD recognises those monasteries which are 100 years and more in age as the most important monasteries with their estates and compounds well demarcated, and provide financial aid for their maintenance.

³¹ Ibid: 337.

³³ Shyam Pradhan, interview transcript, 30/06/2018.

outnumbered by the plainsmen, and that they could end up being outvoted. Today, the reserved Nepalese seats of the past have been converted to general seats, and plainsmen can also contest these seats. Buddhist political leaders like Sonam Lama and activist Tseten Tashi are apprehensive that soon the plainsmen will become a dominant group politically, socially, economically and numerically. That is why 'Sikkim for Sikkimese' and 'son of the soil' policy have been adopted by the indigenous Bhutias and Lepchas as an influential weapon to preserve their identity and political presence, and now that also includes the Sikkimese Nepalese. Tseten Tashi is quite vocal in his belief that there is no political security for the Sikkimese Nepalese:

At least there was protection for them during the Chogyal's period since sixteen seats were allocated for them at the first election held in 1974. But today it has become general, so even plainsmen can contest. So where is the security for our Sikkimese Nepalese? It was us, Bhutias and Lepchas who went on dharna in Jantar mantar [Delhi] in 2003 seeking restoration of Nepali seats. Not a single Nepali was there. Because what we feel is, if Nepalese are protected, we Bhutias and Lepchas are also protected.³⁴

Tseten Tashi now considers plainsmen as a greater threat than the Nepalese, who are numerically the largest group. Many Buddhists feel discriminated against, and promote a Sikkimese identity that excludes plains men. Where once the debate over Sikkimese identity was concerned with whether the Nepalese were a Sikkimese group along with the Bhutias and Lepchas, it has shifted to the question of whether it can include plainsmen, with the Lepchas and Bhutias now accepting Nepalese as Sikkimese.

Along with Nepali seats, Sonam Lama is demanding that the state government provide seats to the Limbu and Tamang communities in the state legislative assembly, as they were recognized as tribes in January 2003, but are without any reserved seats. The Sangha MLA supports the view of Limbu and Tamang associations, who argue that the ruling party (Sikkim Democratic Front) is deliberately delaying the matter. To provide benefits to Limbus and Tamangs, the government has proposed to increase the legislative assembly seats from 32 to 40, based on the recommendations of the Burman Commission Report. Thus, five seats will be allotted to Limbu and Tamang communities: four for Limbu and one for the Tamang. However, several Limbu and Tamang organisations are demanding that the seats be given to them from the existing 32 seats i.e., from the 17 general seats. The Sangha MLA, and the activist Tseten Tashi think that if assembly seats are increased from 32 to 40, the new constituencies will be formed by dividing the existing constituencies. In Sikkim, the population is higher in towns like Jorethang, Rangpo, Gayzing, Singtam, Mangan, and Gangtok because of the migration of plainsmen. Business groups are mostly concentrated in these towns, so the majority of voters are also plainsmen

³⁴ Tseten Tashi, interview transcript, 18/11/2016.

In 2008 the Commission for Review of Environmental and Social Sector Policies, Plans and Programmes (CRESP) chaired by Prof. B.K. Roy Burman, appointed by Sikkim Democratic Front (SDF) submitted a report which recommended the increase of total number of seats in the state assembly from the 32 to 40 to give adequate representation to Limbu and Tamang communities, which were already included in the Union list of Scheduled Tribes in 2003.

³⁶ Sikkim Express, 5th March, 2016.

who will elect their candidate from these new constituencies. In other words, Bhutia and Lepcha seats will no longer have a decisive role in the government. Organisations such as the Bhutia Lepcha Protection Force (BLPF) and Sikkim Bhutia Lepcha Apex Committee (SIBLAC) are demanding the corresponding enhancement of Bhutia and Lepcha seats if the Assembly seats are increased to 40. Otherwise, the proportion of Bhutia, Lepcha seats will be reduced from the existing 37.5% to 30%. They justify their demand based on Article 371F and the 8th May 1973 Tripartite Agreement, which provided Bhutia and Lepcha seats. However, they were not based on their population ratio, which is the rule at the all-India level, but were based on history, culture, and traditions.

The second resolution moved by the Sangha MLA was centred on the 88 MW Tashiding Hydro Electric Project (THEP) built on the right bank of River Rathong Chu in the West district of Sikkim. The project site is about 5.8 km away from Fambong Lho Wildlife Sanctuary. On the left bank of the river lies the Tashiding monastery, where the important age-old *Bum chu³⁷* ritual is held annually.

The main arguments of the protest against the project are religious and environmental factors. The project site is located close to Tashiding, which is considered as one of the holiest places blessed by Guru Rinpoche³⁸ and is a spiritual centre or navel of Demojong.³⁹ Buddhist people strongly believe that every land, mountain, forest, lake, river, cave are places in which the local and territorial deities reside. The Rathong Chu is considered as one of the most sacred rivers. It is the collection of holy lakes and springs of Demojong and that is why the river water is used in *Bum chu*. The project uses water from the Rathong Chu river to generate electricity. River water is diverted to different directions from its main course through tunnels. The Buddhist people were offended because they believed that the project was defiling their sacred land and river because of drilling, and the use of explosives to construct tunnels through the hills. They were against the project, citing violations of the Places of Worship (Special Provisions) Act of 1991, extended to Sikkim in 1998, which details a list of sacred shrines, rivers, lakes, caves, rocks, mountain peaks, hot springs, stupas, and even sacred groves, and strictly specifies that no construction or conversion or development project scan be allowed at these or near these places. In the words of Sonam Lama, the Sangha MLA:

In 1997 Chamling Sahab⁴⁰ started the Rathong Chu project and later scrapped it. We are thankful to him for that. So today what is the problem? It's the same river, same chief minister, and the same party, so we pleaded with him to scrap the Tashiding project but the government rejected our resolution.⁴¹

Padmasambhava or Guru Rinpoche was the great eighth century Buddhist and tantric practitioner, an Indian saint and a scholar who travelled to many places in the Indian Subcontinent and spread Buddhism. He is considered the root guru of the Nyingma lineage of Tibetan Buddhism.

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³⁷ For details on *Bum chu*see (Dokhampa 2003).

³⁹ Demojong or 'the valley of rice' is the sacred hidden landscape located in West Sikkim around Mt. Kangchendzonga, which consists of a large number of sacred hidden treasures. It became synonymous with Sikkim.

⁴⁰ Pawan Kumar Chamling was Chief Minister of Sikkim for nearly 25 years, from 1994 to 2019.

⁴¹ Sonam Lama, interview transcript, 18/11/2016).

Tseten Tashi stated:

We worship Kanchendzonga as our guardian deity; we worship River Teesta, River Rangit and all the rocks. Sikkim is considered a holy place, heaven from a Buddhist point of view and these are there in Buddhist scriptures like *Nesol*. But now they are being attacked in the name of development and we have been appealing, crying and writing to central government but nobody is bothered because everywhere money works.⁴²

The project site is about 5 kilometres from the buffer zone of the Kangchendzonga National Park which was declared as a World Heritage Site by the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in July 2016, and is also within 10 kilometers of the Fambong Lha Wildlife Sanctuary. According to a Supreme Court order, no construction is allowed within 10kilometres of the boundary of any national park. To solve this controversial issue, the Ministry of Environment and Forest (MoEF), Government of India (GOI) released a draft notification on 3 February 2014, where the width of the buffer zone around Sikkim's national park and four wildlife sanctuaries, was reduced from 10 kilometres to between 25 to 200 meters. Further, the project has not received the mandatory statutory Clearance from the National Board for Wildlife. Sonam Lama, when he was the president of the National Sikkimese Bhutia Organisation (NASBO), filed a Public Interest Litigation (PIL) in 2012 against the private company, Shiga Energy Private Limited, which was constructing the project. He, along with several Bhutia and Lepcha organisations like SIBLAC and Save Sikkim, are jointly engaged in legal battles against the project.

The third issue that the Sangha MLA was working on was to bring the 17th Karmapa, Ogyen Trinley Dorje, spiritual head of the Kagyu school of Tibetan Buddhism to Sikkim. He escaped from Tibet and came to India in 2000 at the age of 14. The Indian government has not permitted the Karmapa to visit Sikkim, citing security reasons, although the Karmapa's international headquarters is at the Dharma Chakra Centre in Rumtek, Sikkim. It appears that the state government has been ignoring the issue of bringing the 17th Karmapa to Sikkim. The issue has never been discussed in the state assembly, even though it has been embodied in the manifesto of the ruling party since it was formed in 1994.⁴³

On 4th May 2016, Denzong Lhadey Tsogpa, an organisation of monks and monasteries, along with representatives of various political parties and organisations, participated in a day-long peaceful protest rally in Delhi, pleading with the central government to allow their spiritual guru to visit Sikkim, since they are also aware of the complexities involved in the matter.⁴⁴ The Karmapa was permitted to visit Mirik (West Bengal) in the past, which is not far from Sikkim, and this further disappointed the Buddhist population of Sikkim. According to Sonam Lama, the religious sentiments of a large number of Buddhists was being ignored, who take it as an insult to their religion, since their Dharma Guru was being regarded with suspicion by the central government. People even began to question if the Indian

⁴² Tseten Tashi, interview transcript, 18/11/2016.

⁴³ Sonam Lama, interview transcript, 18/11/2016.

⁴⁴ The issue of Karmapa is a disputed one. It is a trans-national issue because of the involvement of the Tibetan authority and Chinese government. Also, there are three claimants for the position of 17th Karmapa, Ogyen Trinley Dorje, Trinley Thaye Dorje and Dawa Sangpo Dorjee.

government treated them as its citizens or not. Finally, on 10th July 2016, the Sangha, with the consensus of lamas from all the monasteries of Sikkim, decided to start an indefinite hunger strike at Bhutia Lepcha House, in Gangtok, until the state and central government resolved the issue. They thought that this was the only path left for them to fulfil their demand, since they were being sandwiched between the central and the state government. The hunger strike lasted for 707 days, and only came to an end on 16 June 2018, after the Cabinet Committee on Security approved the 17th Karmapa's right to visit Sikkim, although not Rumtek.

The then ruling party, Sikkim Democratic Front (SDF) accused Sonam Lama of deceiving the people with false information on the Karmapa issue. They asserted that it was only because they had been pursuing the matter honestly for several years that the central government approved the Karmapa's visit to Sikkim, and this was possible because of the peaceful and harmonious environment, and the good relations which the state government had with the central government.⁴⁵ It seems both the parties were competing to get credit for a long-awaited matter that was going to be resolved soon. The ruling party blamed the opposition party for the delay in resolving the Karmapa issue because they had been creating a chaotic situation through the hunger strike. In an interview, the Advisor of the Ecclesiastical Affairs Department stated:

To date, the SDF government has already submitted about 37 memorandums to the Indian government for Karmapa. Recently, ten lama delegates were sent by the CM to meet and discuss with Karmapa. Karmapa told us that we should not have sat on a hunger strike in Sikkim because the fact that He can stay in India itself is a very big thing. Sikkim is a border area and if we conduct a hunger strike for him tomorrow, GOI may ask him to leave and for him, there is nowhere to go. So, the Karmapa was very sad about this. This we came to know very clearly there. And the Karmapa had written a letter asking them not to conduct a hunger strike, and things should be in peaceful way. When the right time comes, He will come there himself. 46

Yet Captain Yongda⁴⁷ of Pemayangtse monastery held a very different view. According to him one of the precepts for monks is that they should not openly complain about or demand anything. Dharnas or hunger strikes by monks are not allowed. He strongly opposed conducting hunger strikes.

Who is Karmapa? He is not an Indian. What is the origin of Karmapa? Tibet! So why should Indians be bothered about a Tibetan? What right do the Sikkimese people have to talk and fight for a foreigner and go on a hunger strike? Why is the government not taking any action?⁴⁸

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⁴⁵ Summit Times, 25th June 2018.

⁴⁶ Pem Tshering Lama, interview transcript, 22/06/2018.

⁴⁷ Yab Sonam Yongda was captain in the Sikkim Guards and Chogyal Palden Thondup Namgyal's last ADC (Aide De Camp). He joined the Pemayangtse monastery of noble clans at a very young age. He was detained several times by the Indian government during the political turmoil between 1973- 1977. In 1979 he established a school called Denjong Padma Choeling Academy near Pemayangtse monastery, which aims to instill and maintain Sikkimese Buddhist traditions.

⁴⁸ Captain Yongda, interview transcript, 27/06/2018.

The Buddhist Sangha in Sikkimese society has always functioned in areas beyond its conventional role of conducting rituals and chanting prayers since its members are not divorced from the mundane and everyday affairs of the people among whom they live. In the modern political sphere, the monks do not form a significant vote bank. With 29.6% of the total population⁴⁹, Buddhists represent the second-largest religious group in the state, the largest being Hindus who are 57.76% of the state's population (Census 2011). Buddhists are, thus, the single largest minority in Sikkim. Responding to the salient issues in the minds of the Buddhist population is one of the factors that determine the popularity and electoral success of a party. The MLA of the Sangha constituency can be from any political party, and while working to fulfill his party's agenda, must also be concerned with the larger multi-ethnic society. While the Sangha legislature seat comprises an exclusive constituency, and of a particular religious group, the manner of functioning of the Sangha MLA is that of an outwardlooking representative, who does not consider only the interests of the Sangha itself or its members in his role as MLA. As a member of a political party, the Sangha representative does what the party wants its members to do. Thus, the support for the restoration of Nepalese seats, for example, in a state where Nepalese are the majority group, maximises the party's electoral appeal. Nor is the Sangha representative necessarily a Bhutia or Lepcha. As Sonam Lama explained, "A monk can be a Bhutia, Lepcha, Nepali, Marwari or Bengali," although, in reality, Bhutias have been the predominant ethnic group occupying the seat. The table below, listing Sangha MLAs since the first election held in 1979 under the Indian Constitution, and the monasteries and the party to which they belonged when they won the seat, shows that aside from Tshering Lama, who is a Lepcha, the Sangha MLA has always been a Bhutia.

Table No. 1: Sangha Representatives and their Ethnic and Political Identities

SI No	Year of election	Name of the candidate	Name of the monastery	Ethnic Identity	Sect	Political party
1	1979	Lachen Gomchen Rinpoche	Lachen Ngodrup Choling	Bhutia	Kagyud	Independent (IND)
2	1985	Namkha Gyaltsen	Ralang	Bhutia	Kagyud	Sikkim Sangram Parishad (SSP)
3	1989	Namkha Gyaltsen	Ralang	Bhutia	Kagyud	(SSP)
4	1994	Namkha Gyaltsen	Ralang	Bhutia	Kagyud	Indian National Congress (INC)
5	1999	Palden Lachungpa	Lachung (SamtenCholing)	Bhutia	Nyingma	IND
6	2004	Tshering Lama	SimigDuduling	Lepcha	Nyingma	INC
7	2009	Phetook Tshering Bhutia	Namchi Ngadak	Bhutia	Nyingma	Sikkim Democratic Front (SDF)
8	2014	Sonam Lama	SimigDuduling	Bhutia	Nyingma	Sikkim Krantikari Morcha (SKM)
9	2019	Sonam Lama	SimigDuduling	Bhutia	Nyingma	(SKM)

Source: Fieldwork data

⁴⁹ State Socio Economic Census 2006, p.358 (published by Department of Economics, Statistics, Monitoring & Evaluation, GOS).

Limits on the Sangha seat

While the Sangha provides a space for the election of one member from this constituency, it also gives the elected representative a wider area to function in, i.e., the entire state and as a member of the legislative assembly. The voters, however, being a small number, do not get any noticeable benefit that they are able to see. In the 2014 general elections, the total number of registered voters for the Sangha constituency was 2904 and the number of voters who voted was 2198, with 706 voters not voting i.e. about one-third did not vote. 50 The main reason cited was that the monks had shifted their names from the Sangha voter list to the general voter list, to be eligible to get socio-economic benefits from the government such as GC roofing sheets, seeds, water pipes, etc. The Sangha is the smallest constituency in terms of numerical strength, and the most neglected one. According to the Sangha MLA, if the lamas removed their names from the Sangha list of voters, the numerical strength of the constituency would gradually diminish and also its significance. Another issue is that unlike monks in Tibet who are celibate, Sikkimese lamas are married and have families. Besides performing their duties as monks, they also cultivate their lands, support their families, and have social obligations. Thus, the prospective benefits from the government are equally important to them. That is why the Sangha MLA proposed having Sangha representatives at the Panchayat (local rural government) and municipality levels so that monks do not miss out on any government assistance.⁵¹

Realizing the issue of benefits, the then ruling SDF party held the 'Lama Mela' or fair on 29th June 2018 to win the support of influential lamas, mainly in view of the 2019 elections (which was just after the present fieldwork was done), where the Chief Minister announced special benefits and aid exclusively for the lamas. The Advisor of EAD stated:

Since our government came to power our lamas are getting several benefits, be it Tibetan, Drukpa, or Sherpa, even those who come from outside to study here get these benefits. If one sees in the field of religion, all religions have been benefitted. This is a historic moment because before this there has never been such a big arrangement for the lamas. We are personally visiting each *gompa* [monastery] and inviting the lamas to attend the function on 29th and get the benefits. There is no discrimination of the lamas, benefits are for all irrespective of their different party affiliation.⁵²

Informants in the Electoral Office pointed out that the course is now changing. The Sangha voters are increasing, with new enrolments, and this is partly after the 'Lama mela' took place, where the Chief Minister assured special privileges to them.

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Statistical Report on General election, 2014, To the Legislative Assembly of Sikkim, Election Commission of India, New Delhi.

⁵¹ Telephonic conversation with Jacob Khaling, SKM Spokesperson on 17/10/2018.

⁵² Pem Tshering Lama, interview transcript, 22/06/2018.

Conclusion

The Sangha, as a Buddhist institution, not only looks after the core religious matters but is also engaged in non-religious issues, concerning the larger population. While in the past the Sangha seat was designed as a representation of a nation that had defined itself as Buddhist, today it has come to represent the protection of Sikkim's distinct identity, as well as that of the people of Sikkim, against the possibility of being outnumbered by people from other parts of India, and thereby losing their distinctive Sikkimese identity. The Buddhist minority, through the Sangha, uses its religious identity to negotiate an effective Sikkimese identity with the state, as also a recognition of being "sons of the soil". The Sangha MLA views the Sangha seat as a platform that provides a common space for people to preserve their shared Buddhist identity all over Sikkim, irrespective of their party affiliations and other differences. Lay people have close connections with the Sangha. For important events like birth, marriage, and death, they require the services of the monks and lamas. So, they have a reciprocal relationship. The Sangha builds a social and community network and develops a sense of security and belonging amongst the Buddhists. It is a symbol of unity. All the study respondents stated that they felt politically secure through the reservation of a Sangha seat. This is particularly because the Sangha represents the indigenous minority Buddhists within the present political space, to protect themselves from being overwhelmed by the numerically larger Hindu Nepalese, and the increasing number of plainsmen from other states of India. It is a common and powerful ground where Buddhist lamas and laymen have the freedom to highlight their collective perceptions, where they can contest, protest, interrogate, and express their views to the state. With a diverse population, strong ethnic boundaries, and feelings of 'insider and outsider', there is always a competition for resources and exercise of power. Respondents in the study said that first, a community must have political rights i.e., through reservations. This ensures their freedom from the infringement of the government, provides for effective participation in public matters, and decision-making powers. Once it is secured, socio-economic rights would automatically follow. The political seat reserved for the Sangha is a unique seat guaranteed by the Indian Constitution, despite its secular character, and is highly prized by Buddhists, because it upholds Buddhist values.

While signing the agreement of 8th May 1973, before the merger of Sikkim with India, there were three major communities, Bhutia, Lepcha, and Nepalese of Sikkimese origin, who then became Indian citizens. The grounds on which reserved seats for Sikkimese Nepalese were declared 'general' by the parliament was that they were in a majority, and they cannot have reservations, which is seen by some in Sikkim as a wrong decision. The Sangha MLA's perception is that development in the state should be Sikkimese-centric, with the rights of the three major communities of Sikkimese origin secured and protected in every respect, and to be at the centre of every development process.

The functioning of the MLA who occupies the seat that was reserved for the Buddhist Sangha not only represents the interests of the Sangha and Buddhists of Sikkim but also functions as an elected representative of the legislature. The latter functions are what Schumpeter (2003) had indicated as the manner in which a representative should act, and that is, not just do what his or her constituents want them to do, but do what are in the best interests of the state. The Sangha seat and its incumbent

present aspects of both civil society and democratic functioning in the larger context of the state and government, and thereby also display a particularly unique phenomenon in India.

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