

# **Pluralism the Hard Way**

**Governance Implications of the Dorje Shugden Controversy and the Democracy- and Rights  
Rhetoric Pertaining to It**

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## Introduction

Ever since the majority of the Tibetan religious elite were squeezed out of their country in 1959, Western followers of Tibetan Buddhism have struggled to translate and incorporate the Buddhist concepts of mind and consciousness into Western languages and understanding. Likewise the Tibetans in exile have struggled to translate modern Western notions of government, democracy and civil rights into their own conceptual world. Within the past few decades the Tibetan diaspora have taken various steps towards incorporating democratic values into their own form of government and various studies have been carried out analyzing the whereabouts of this democratisation process.<sup>1</sup>

Undertaking yet another such study I am assuming that a subject of conflict would be one of the more revealing topics to investigate, and thus I have chosen to take a closer look at the so-called Dorje Shugden<sup>2</sup>-controversy, in order to get a better understanding of how the concepts of modern Western government are discussed among the Tibetans in exile. The Shugden-controversy itself stems from the Dalai Lama<sup>3</sup> banning the worship of the deity called Dorje Shugden and, relying only on westernized conceptual thinking, this controversy might look as simple as the Pope banning the worship of Lucifer or a dubious saint. If we, however, consider the worldly connotations of this spirit in the struggle for political power in Tibetan governance, things are not that simple and the ban has sparked an intense debate among the Tibetan exiles and their Western followers. Shugden's implications on pluralistic coexistence are heavily debated and terms such as "illegal ban", "democracy", and "freedom of religion" are often seen in the debate. Since such terms are usually imbedded in a democratic discourse, I find it interesting to take a closer look at this controversy, and the debate pertaining to it, in order to find out what we may learn about the Tibetan diaspora's democratization process and the conceptualisation of democratic values.

In order to understand the nature of the Shugden-controversy I will give an overview of the history of this controversy up until the present-day situation. In doing so, I will rely mainly on the scholarly works of Dreyfus<sup>4</sup> and McCune<sup>5</sup> for the early history; and the statements of the

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<sup>1</sup> The studies of the democratization-process in the Tibetan diaspora include a.o. Brox (2008), Frechette (2007), Sangay (2003) and Ardley (2003).

<sup>2</sup> In order to enhance the readability of this paper I have chosen to transcribe Tibetan names and words according to their pronunciation. A list of their proper spelling, according to the transliteration system proposed by Tyrell Wylie, is provided in Appendix B.

<sup>3</sup> If nothing else is specified the term "Dalai Lama" will be referring to the present, 14<sup>th</sup>, Dalai Lama in this paper.

<sup>4</sup> Dreyfus (1999).

<sup>5</sup> McCune (2007).

present-day participants of the controversy for modern history. I will also relate the attitude towards blending religion and politics among Tibetans in exile, the recent moves towards democratization of the Tibetan diaspora and the current status of The Central Tibetan Administration<sup>6</sup> (henceforth CTA). On these topics I will rely mainly on the research by Brox,<sup>7</sup> Frechette,<sup>8</sup> Ardley<sup>9</sup>, and Mills;<sup>10</sup> and I will analyze the topic of religion vs. politics and the current status of CTA from their findings.

Furthermore I will look into the current debate on the subject and analyze some of the discourses pertaining to democracy and civil rights. For this purpose I have identified the two parties in the controversy as being the Dalai Lama and CTA as the opponents to the worship of Shugden, and the London-based organisation "The Western Shugden Society" (henceforth WSS) and the Delhi-based "Dorje Shugden Devotee's Charitable & Religious Society" (henceforth SDCRS) as the proponents of Shugden worship.

### **History of Dorje Shugden and the Pertaining Controversy**

The spirit of Dorje Shugden stems from the unworldly afterlife of Drakpa Gyaltsen (1618-1655). As a child he was a candidate to become the new Dalai Lama, but failed to do so and became a prominent figure in the ruling Geluk hierarchy instead. Some animosity seems to have arisen between him and the 5<sup>th</sup> Dalai Lama (1617-1682) and he was found murdered in his chambers, with a white ceremonial scarf stuffed down his throat, at the age of 37.<sup>11</sup> Some of the major spiritual points of dispute in the Shugden-controversy are pertaining to the nature of the animosity between Drakpa Gyaltsen and the 5<sup>th</sup> Dalai Lama, and the nature of Drakpa Gyaltsen's spirit after his death. Proponents of Dorje Shugden see him as a wisdom Buddha<sup>12</sup> and claim that the dispute between Drakpa Gyaltsen and the 5<sup>th</sup> Dalai Lama was ultimately settled after the death

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<sup>6</sup> "Central Tibetan Administration" is the name used presently for what is also known as "The Tibetan Government in Exile".

<sup>7</sup> Brox (2008), Brox (forthcoming).

<sup>8</sup> Frechette (2007).

<sup>9</sup> Ardley (2003).

<sup>10</sup> Mills (2003)

<sup>11</sup> This minimalistic account of Drakpa Gyaltsen's life is derived mainly from Dreyfus (1999) p. 6-7 and McCune (2007) p. 8, 18, 38 and 57.

<sup>12</sup> <http://www.westernshugdensociety.org/en/dorje-shugden/> - Retrieved 8/10 2009 and McCune (2007) p. 10.

of the former,<sup>13</sup> whereas the opponents see Shugden as a troubled spirit whom it is dangerous to worship.<sup>14</sup>

Historically there seem to have been some propitiation and worshipping of Shugden among prominent Geluk hierarchs following Drakpa Gyaltsen's death, but Dreyfus and McCune claim that such practices had become only minor phenomena by the turn of the 20<sup>th</sup> century.<sup>15</sup> In trying to uphold Geluk supremacy and purity, the practice of worshipping Shugden was invoked and promoted again by Pabongka (1878-1941) in the beginning of the 20<sup>th</sup> century, as a countermeasure to the, by then, very popular Rime-movement, which emphasised a more eclectic religious approach, promoted by the Nyingma monastic order mostly resident in East-Tibet. As was the case with the source of the Shugden-myth, Drakpa Gyaltsen, promotion of Shugden worship again met with restrictions by the Dalai Lama of the day - The 13<sup>th</sup> - and it wasn't until after his death in 1933 that Pabongka could freely promote the worship of Shugden in order to revive the Geluk monastic order.<sup>16</sup>

These topics also constitute some of the major points of dispute in the present-day controversy: Firstly the notion that there seems to be an almost inevitable animosity between those of the Dalai Lamas who were strong enough to seize power in Tibet<sup>17</sup> and Dorje Shugden or Drakpa Gyaltsen personally. Secondly, even though the Dalai Lamas have all come from the Gelug tradition, they have not been leaders of the Gelug establishments *per se* and, in order to keep the nation together, they seem to have had to secure the loyalty of other monastic traditions too and were often in favour of the more eclectic Rime-movement.

The practice of Shugden worship - and the resulting Geluk revival - lived on after Pabongka's death in 1941 without causing much trouble. Pabongka's disciple, Trijang Rinpoche (1901-1983), became one of the main teachers of the present Dalai Lama and the practice of

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<sup>13</sup> Shugden proponents back the claim of the dispute between Drakpa Dyaltsen and The 5<sup>th</sup> Dalai Lama being settled by referring to the existence of a prayer of devotion composed by the latter. This prayer can be found in English translation on both WSS's and SDCRS's webpages:

<http://www.shugdensociety.info/praise5DalaiLamaEN.html> - Retrieved 8/10 2009

<http://www.westernshugdensociety.org/en/dorje-shugden/is-the-present-dalai-lama-really-following-the-great-fifth/> - accessed on 081009.

Interestingly neither McCune (2007) nor Dreyfus (1999) has any mention of this prayer in their works.

<sup>14</sup> Dreyfus (1999) p. 16-17 and McCune (2007) p. 7-8.

<sup>15</sup> Dhongthog (1996) p. 16 as cited in McCune (2007) p. 21 and Dreyfus (1999) p. 14-15 + 19-24.

<sup>16</sup> Dreyfus (1999) p. 26-37.

<sup>17</sup> It is a notable trait of Tibetan history that between the death of the 5<sup>th</sup> Dalai Lama at the end of the 17<sup>th</sup> century and the emergence as a ruler of the 13<sup>th</sup> Dalai Lama in the beginning of the 20<sup>th</sup> century, the Dalai Lamas only rarely held any political power in Tibet.

Shugden worship was passed on to him and most of the Geluk establishment as a mainstream practice.<sup>18</sup>

The dispute started to surface again in the mid 70-ties as Dzeme Rinpoche published "The Yellow Book" in 1973.<sup>19</sup> This book was intended as a complement to Trijang's commentary on Pabongka's praise of Shugden, but its stories of how a long line of Geluk practitioners had their lives shortened by Shugden because of their engaging in practices foreign to the Geluk tradition, became a stumbling stone for many.<sup>20</sup> In itself the contents of "The Yellow Book" were "rather unexceptional [and] ... not rare in any of the four Tibetan schools" according to Dreyfus,<sup>21</sup> and most of the present-day Shugden proponents do not even seem to find it necessary to defend its contents. Nevertheless the Dalai Lama may very well have seen it as a threat to modernisation and the eclectic approach he himself was engaging in and promoting, and so he reacted quite strongly according to Tibetan standards by refusing the long life offering by the Tibetan government at the 1976 Tibetan New Year,<sup>22</sup> speaking out publicly against the practice of Shugden worship in 1978 and 1980, and having a Shugden statue removed from one of the main Geluk monasteries in 1983.<sup>23</sup> Meanwhile the debate was soaring between proponents and opponents of Shugden and The Yellow Book.<sup>24</sup>

In March 1996 the controversy became visible to the outside world by the Dalai Lama's public announcement that worship of Shugden should be abandoned, and that individuals who did not want to give up this practice should refrain from getting teachings and initiations from him.<sup>25</sup> In the following months campaigns were initiated by CTA and the major Tibetan NGOs to "make His Holiness the Dalai Lama's advice clear to all Tibetans living across India".<sup>26</sup> During this campaign the waves of the controversy got choppy for the first time, and there were reports of crowds getting out of hand, menacing letters, *berufsverbot*, forced signature campaigns and house-to-house searches carried out by Tibetan NGOs - all targeted against Shugden devotees. On May 23<sup>rd</sup> The Dorje Shugden Devotees Charitable and Religious Society (SDCRS) was registered in Delhi.<sup>25</sup> On June 6<sup>th</sup> the Tibetan Parliament in Exile passed a resolution siding clearly with the Dalai

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<sup>18</sup> Dreyfus (1999) p. 36-39.

<sup>19</sup> There seems to be some discrepancy among my sources as to the exact year of publishing of "The Yellow Book". Dreyfus (2003), and McCune (2007) citing the former, says 1973; Wikipedia (2009) has 1974 and Dreyfus (1999) says 1975.

<sup>20</sup> Dreyfus (1999) p. 39-43 and CTA (1998?) p. 8-9.

<sup>21</sup> Dreyfus (1999) p. 43.

<sup>22</sup> Dreyfus (1999) p. 41-49.

<sup>23</sup> WSS (2008) p. 20-21.

<sup>24</sup> McCune (2007) p. 39-41.

<sup>25</sup> WSS (2008) p. 21-30.

<sup>26</sup> CTA (1998?) p. 11.

Lama's stance - especially concerning personnel in governmental and monastic institutions - but stressing that it was ultimately a personal matter in which harassment should not take place.<sup>27</sup> In the same resolution they denied allegations of imposing a *berufsverbot* and other charges put against them. As time passed the Dalai Lama kept speaking out against Shugden and various initiatives were taken by the major monastic communities to heed his advice. SDCRS tried to make him withdraw the ban through demonstrations and requesting audiences to discuss the matter, but essentially got nowhere with their pleas.<sup>25</sup> Another prominent Geluk Lama, Kelsang Gyatso - also disciple of Trijang Rinpoche and by then residing in England as a teacher in the New Kadampa Tradition - founded the Shugden Supporters Community which staged protests during the Dalai Lama's visit to England in the summer of 1996 and subsequently managed to reach international media on a broader scale with their pleas.<sup>28</sup>

About one year after the beginning of the controversy, the principal of The Tibetan Institute of Buddhist Dialectics and outspoken supporter of the Dalai Lama's stance, Lobsang Gyatso, and two of his students were found stabbed to death in their office on February 4<sup>th</sup> 1997. Indian police identified the murderers as having connections to SDCRS, but none of them were caught and they are believed to have escaped back to Tibet. Five members of SDCRS were arrested for interrogation and a "Red Notice" was issued through Interpol to the Chinese authorities, but the murder case remained unsolved.<sup>29</sup>

Skirmishes lingered on in the Tibetan diaspora for a while - mainly in the monastic communities. The Tibetan Parliament in Exile passed another resolution on September 17<sup>th</sup> 1997, basically repeating its stance from the previous resolution, but specifying restrictions to apply particularly to the 3 main Geluk monasteries, Sera, Ganden and Drepung in South India, and adding the allegation of some pro-Shugden activists being supported by the Chinese government.<sup>30</sup> In June 1998 Amnesty International replied to allegations of human rights abuses, put forth by Shugden Supporters Community and SDCRS, by stating that none of the evidence put forth "falls within AI's mandate for action".<sup>31</sup> By the turn of the millennium the controversy came back to a level which was hardly traceable to the outside world.

By this time the ban seemed to be firmly in place and individuals of the monastic communities who did not wish to give up their Shugden worship were met with restrictions,

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<sup>27</sup> CTA (1998?) p. 34.

<sup>28</sup> CTA (1998?) p. 57-75 and Wikipedia (2009).

<sup>29</sup> CTA (1998?) p. 47-50 and Wikipedia (2009).

<sup>30</sup> CTA (1998?) p. 35-36.

<sup>31</sup> Toot (2009).

although some sections of the 3 main Geluk monasteries stayed firmly committed to their devotion to Shugden. SDCRS changed their strategy and started involving the Indian authorities by sending petitions to various government offices in 2007. In the same year a dispute developed as some newly arrived refugee monks in the Tibetan Refugee Centres in Dharamsala and Kathmandu were denied entry to Tibetan exile-monasteries by CTA due to their unwillingness to denounce their practice of Shugden. Consequently they were blocked from their onward journey into exile and got stuck in the Refugee Centres. SDCRS's campaign directed towards Indian authorities received only sympathetic letters in return, and typically The National Human Rights Commission of India refrained from interfering by referring to the controversy as a "a debate on spiritual issues".<sup>32</sup> In the beginning of 2008 the Dalai Lama launched a drive towards separating the still-remaining Shugden devotees from the Geluk monasteries by suggesting a referendum among the monks concerning their willingness to share religious facilities with Shugden devotees and consequently the Shugden devotees were separated from the rest of the Geluk-establishment and given allotments to build their own monasteries. This referendum triggered a new wave of protests during the Dalai Lama's visits to the US and Europe during the spring and summer. At approximately the same time SDCRS managed to gather enough evidence of "religious discrimination", according to the Indian constitution, to get the High Court in Delhi to adopt a case which is currently still running.<sup>33</sup> The status of the moment is such that two new monasteries have been built in two of the major Tibetan Settlements in India<sup>34</sup> and the parties involved in the controversy are awaiting the verdict of the High Court in Delhi.

### **The Issue of Religion vs. Politics in Tibetan Governance**

Whether the Shugden controversy is interpreted as "a debate on spiritual issues"<sup>32</sup> or "as a metaphor representing the interests of certain groups making claims to power"<sup>35</sup>, neither of these two notions seem to capture the whole picture in my perception, since "claims to power" and "spiritual issues" seem to have been two sides of the same coin throughout Tibetan history. This dual aspect of governance may be traced back to the 12th century when the Mongol emperors installed the Sakya monastic order as rulers of central Tibet and consequently turned "claims to

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<sup>32</sup> WSS (2008) p. 65.

<sup>33</sup> This entire paragraph is a summary of WSS (2008) p. 50-101 and Wikipedia (2009).

<sup>34</sup> The homepages of the two new monasteries dedicated to Shugden practice may be seen at <http://www.dorjeshugden.com/serpom.htm> and <http://www.dorjeshugden.com/shargaden.htm>.

<sup>35</sup> Nau (2007) - abstract.

power" and "spiritual issues" into matters handled by the same personnel<sup>36</sup> - as it has been ever since in Tibetan pre-exile history.

Modern-day scholars in the field of tibetology have also made observations on this mix of religion - or *chos* as the tibetan word goes<sup>37</sup> - and governance. Frechette refers to the ancient ideal among Tibetans of an "enlightened government", in which "some degree of authoritarianism should be considered legitimate" due to "political leaders, such as the Dalai Lama, with a higher state of mind".<sup>38</sup> Brox, after conducting a series of interviews among Tibetans in the diaspora, has outlined 3 categories of attitudes towards secularism in governance among the Tibetans. One category, "The Displacers", sees religion and government as being two separate entities as in most Western versions of governance. Another, "The Encompasers", argue that religion should play some role in government, albeit with no partiality towards religious tradition. Finally, "The Traditionalists", who may be seen as the "conservatives" among the Tibetans, refer to the "enlightened government" and Tibet's old system of governance guided by religion.<sup>39</sup> It is notable here that only one out of the three categories deals with a complete separation of religion and government.

Based on these observations, and others like them, it seems evident that statements such as "secularism ... is applicable to non-Christian societies everywhere that have become modern", put forth by Charles Taylor (b. 1931),<sup>40</sup> do not seem applicable to the ways in which Tibetans perceive governance as of today. In fact the debate among the Tibetan exiles seems more to go along the lines of how to *include* their religion, or *chos*, which is often seen as a central part of their identity<sup>41</sup> - in their modern form of governance.<sup>42</sup> By this observation it should be reasonably clear that, although the Shugden controversy can be seen as solely a spiritual dispute, it also has political implications (and vice versa).

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<sup>36</sup> Kapstein (2006) p. 110-116.

<sup>37</sup> When translating the English word religion with the Tibetan *chos*, it is notable that *chos* can also translate entities such as the English "truth", "moral" and "ethics", Brox (2008) p. 37 + 70-71.

<sup>38</sup> Frechette (2007) p. 99.

<sup>39</sup> Brox (forthcoming).

<sup>40</sup> Charles Taylor, as cited in Asad (2003) p. 2.

<sup>41</sup> Kolås (1996) and Dreyfus (1994).

<sup>42</sup> For further discussion of how to exclude/include religion in governance see e.g. Brox (forthcoming).

## **Democratization in the Tibetan Diaspora**

The ban on Shugden worship has often been legitimized by the Dalai Lama as a move to avoid degradation of Tibetan Buddhism into becoming a religion of spirit-worship. As such it may be seen as a drive towards modernisation of Tibetan religion and it is probably no coincidence that this modernisation has happened parallel to a drive towards modernization of Tibetan governance in exile. Coming into exile in 1959 a popularly elected parliament, The Assembly of Tibetan People's Deputies, was established in 1960 and a constitution was drafted in 1963 - all seemingly based on the idea of claiming power upon returning to Tibet. This setup still had significant traces of the old Tibetan style of governance with the Dalai Lama as the head of state holding the last say in all legislative procedures. As nothing happened with regard to returning to Tibet, further moves towards genuine democracy were launched in the late eighties. Following due discussion and preparation "The Charter of the Tibetans-in-exile" was implemented in 1991. Without replacing the 1963-constitution, this Charter laid down the structures for the legislative procedures of the Central Tibetan Administration and implemented the tripartition of power and many other features seen in modern liberal democracies. Contrary to the Dalai Lama's explicit wishes it did not, however, remove his last say in legislative procedures and other dealings of government; and it did not declare CTA a secular government. So far the last move towards modernizing exile Tibetan governance has been the direct election of a prime-minister who subsequently selects a cabinet of ministers who may be accepted or rejected by the parliament, and in consequence of this move the Dalai Lama has begun to describe his own role in politics as "semi-retired".<sup>43</sup>

Several scholars have noted the previously autocratic ruler of Tibet, the Dalai Lama, to be one of the main instigators of democratic reforms, and the Tibetan people, or their popularly elected assemblies, to be hesitant about accepting the final responsibilities of governance.<sup>44</sup> In doing so the Dalai Lama has consistently agitated for democracy being compatible with the fundamentals of Buddhism<sup>45</sup> and pushed towards a secularisation of his government.<sup>46</sup> As such the shortage of democracy, which is still easily spotted in CTA, may be said to be due to the lack of real need and interest among the Tibetan diaspora.

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<sup>43</sup> This minimalistic run-down of reforms towards democratization has been derived mainly from studies carried out by Ardley (2003), Brox (2008) and Frechette (2007).

<sup>44</sup> Brox (2008) p. 103-147 and Frechette (2007) p. 113.

<sup>45</sup> Brox (2008) p. 67, 112, 115, 117+118 and Frechette (2007) p. 113-114.

<sup>46</sup> Brox (forthcoming) p. 114.

The status of the Tibetan democracy as of today is such that out of respect for the regional and religious set-up of their homeland, and maybe also out of fear for disunity, candidates for parliament are listed by their regional and religious affiliation - not by political parties - and can only be elected by people from their own region or religion. Organisations or parties can, however, freely campaign for individuals on these election lists.<sup>47</sup> Civil society in the Tibetan diaspora seems to be in good shape with a considerable number of organisations and a lively debate among people and scholars about what to do next in the evolution of Tibetan governance.<sup>48</sup> There seems however not to be any traceable opposition to the Dalai Lama's authority.<sup>49</sup>

Ardley has classified the Dalai Lama's regency as "charismatic" by the Weberian model, due to the "highly emotional type of devotion to and trust in the leader". Although his regency is alien to the fundamentals of democracy, she finds that "there may still be a position for a charismatic leader such as the Dalai Lama".<sup>50</sup> This indeed seems to be the case in the Tibetan perception.

When analyzing the situation of Tibetan governance in exile, we should also take a look at the actual status of CTA being located on Indian territory. Even though CTA has been granted a wide degree of autonomy and are running departments of e.g. healthcare, social welfare, education, religion and culture independently within the Tibetan communities, they still have to operate within the Indian constitution. This means that the judicial power, The Tibetan Supreme Justice Commission, can only pass judgement on internal matters and CTA has no law enforcement unit. Upon undertaking a study of the Shugden controversy, Mills has found CTA's situation to be "technically and legally something akin to a private NGO".<sup>51</sup> In analysing the traditional power structure of pre-exile Tibet he also finds that "Because sacred authority [of the Dalai Lama and the Central government] was functionally separate from the local exercise of power, ... , that authority was rarely if ever compromised by the abuse of power that did occur".<sup>52</sup> Brox has carried out an analysis of the workings of democracy on a local level and the organisations constituting the civil society of the Tibetan diaspora. These entities seem to constitute a considerable power of

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<sup>47</sup> "The National Democratic party" and "Youth for Better MPs" are examples of groups advocating for individuals at the last election for parliament in 2005. Brox (2008) p. 169-172 + 180-186.

<sup>48</sup> Jamyang Norbu and Tibetan Youth Congress are examples of a scholar and an organisation respectively who frequently make their voices heard in the modernisation/democratization-debate.

<sup>49</sup> Brox (2008) p. 104-106.

<sup>50</sup> Ardley (2003) p. 352.

<sup>51</sup> Mills (2003) p. 59.

<sup>52</sup> Mills (2003) p. 60.

mobilisation and at the same time they declare loyalty to the Dalai Lama.<sup>53</sup> It should be reasonably evident that due to these factors, even without law enforcement units, a certain amount of "social pressure" can be exerted as decisions seep from the government down to the public.

By highlighting the charisma of the Dalai Lama's leadership and the status of Tibetan civil society, I wish to point the reader's attention to how something which may have been meant as "spiritual advice"<sup>54</sup> from the Dalai Lama, may amount to real trouble in everyday life for an ordinary Tibetan who might not want to follow this "advice". Along with Mills' findings they may also lend themselves to explaining why this controversy "slips through the fingers" when trying to understand it in a liberal democratic and civil rights framework.

### **Present-day Discourses of the Shugden Controversy**

In the hope of gaining some insight into how democracy and civil rights are perceived and conceptualized among the Tibetans in a time of crisis, I have turned my attention towards the current debate on the Shugden controversy. Being a very contemporary debate, most printed sources are not up to date, which is why I have relied mainly on web-pages and blogs to identify the main discourses.

Let it be said right away that a lion's share of this debate is not about democracy and civil rights at all, as the majority of the arguments put forth remain deeply imbedded in what we could call "Tibetan traditionalist religious debate". The sheer weight of this kind of arguments may be the reason why it has so far sparked only wonder and surprise, with only a few sympathetic statements from communities and organisations not directly involved in Tibetan Buddhism.

Firstly, Shugden proponents have often classified the Dalai Lama's discouragement of Dorje Shugden practice as a "ban"<sup>55</sup> on a religious practice without qualifying this "ban" further. Oxford Advanced Learner's Dictionary defines the term "ban" as "to forbid something officially"<sup>56</sup> and, taken as a strictly legal term, this expression seems somewhat at odds with the Dalai Lama's and CTA's status in the Indian society and their very limited ability to ban anything on Indian soil.<sup>57</sup>

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<sup>53</sup> Brox (2008).

<sup>54</sup> Dalai Lama's discouragement of Dorje Shugden practice has consistently been labelled "spiritual advice" by CTA. CTA (1998?) p. 1, 10 and 33.

<sup>55</sup> The term "ban" is used persistently on the homepages of WSS and SDCRS.

<sup>56</sup> Hornby (1995) p. 79.

<sup>57</sup> Please refer to the above description of CTA's status in India or Mills (2003), Frechette (2007), Brox (2008) and Ardley (2003) for further details.

After all the possibility of escaping the ban imposed on the Tibetan communities by applying for Indian citizenship is existent and has in fact been considered by some Shugden devotees.<sup>58</sup>

Taken in a wider sense, however, it seems to imply that a decree coming from the Dalai Lama, being backed by CTA and the Tibetan civil society, may amount to something similar to a "real legal ban", had they in fact possessed the means to enforce laws and a full-scale government apparatus. This hypothesis is also brought forth as an argument by some Shugden proponents to back their claims. Wording the discouragement of Shugden practice as a "ban" may also unveil the force of "social pressure" which can be exerted in a highly communal society such as the Tibetan diaspora. Disregarding the somewhat toothless status of CTA, it seems that something which feels like a "real ban" *can* actually be imposed within the Tibetan communities - even without the means of law enforcement.

CTA on the other hand has consistently referred to the "ban" as "advice"<sup>59</sup> given by the Dalai Lama, although the phrase "In *forbidding* the propitiation of Shugden" has sneaked into the resolution from The Tibetan Parliament in Exile on June 6<sup>th</sup>, '96.<sup>60</sup> Seemingly well aware of the civil-rights issues that such a ban may provoke, they take great care to stress that such matters "are up to the individual"<sup>60</sup> and point to their lacking ability to enforce laws on Indian soil.<sup>58</sup> They also stress that "As the spiritual leader of the Tibetan people, it is the responsibility of the Dalai Lama, to give proper guidance to his people"<sup>58</sup> and refer to this advice with "thanks and gratitude".<sup>61</sup> In doing so the imposing of the ban comes to look more like a campaign led by the government - on a par with what most democratic governments undertake from time to time when they e.g. try to ban smoking in their societies.

The point of the matter is of course how this campaign - or ban - is carried out in real life. As the High Court in Delhi is currently investigating the critical issues of CTA's campaign, I will not forego their judgement but for now stick to the conclusion that what one side regards as a genuine ban, the other regards as a strongly felt campaign.

Digging further into the debate we do actually come across various qualifications of the term "ban". In WSS's campaigning material the ban is qualified as a.o. "illegal"<sup>62</sup> and

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<sup>58</sup> Chauhan (2000).

<sup>59</sup> CTA (1998?) p. 1, 10 and 33, Chauhan (2000).

<sup>60</sup> CTA (1998?) p. 34.

<sup>61</sup> CTA (1998?) p. 33.

<sup>62</sup> WSS (2009a).

"unconstitutional".<sup>63</sup> The former term is justified by the Dalai Lama "using his unelected position as head of the Tibetan government in exile" to be "interfering with religious freedom by imposing a ban on the practice of Dorje Shugden"<sup>62</sup> - and thus it seems to be rendering the ban illegal due to the Dalai Lama's undemocratic status in the Tibetan government. Noting that WSS is resident in London and subsequently must be under the influence of Western values, I find it a remarkable trait of the debate that such qualifications are virtually absent in the statements put forth by what may be seen as the more indigenous segment of Shugden devotees,<sup>64</sup> even though they criticize the ban itself fiercely. It is not, however, the case that Tibetans residing in India, when dealing with the question of authority on a more local level, may not utter statements like "We did not vote for you so who are you to tell us what to do?"<sup>65</sup> Brox has dealt with the issue of legitimacy of leaders in the Tibetan diaspora, explaining how local leaders are usually elected among their peers and owe their legitimacy to this elected status, whereas higher leaders of mayor-like status are usually appointed by CTA in order to enhance their authority and raise them above local dispute.<sup>66</sup> From these studies we may provisionally conclude that the higher we get in the governmental hierarchy, the more the Tibetans are willing to accept the legitimacy of an unelected leader; and in the Shugden controversy this indeed seems to be the case, as the people "wronged" by the leaders' decisions refrain from questioning the authority and legitimacy of the leader himself, and settle with criticizing the decision and making pleas to reverse it.

The Shugden controversy also testifies to the dual aspect of religion and politics imbedded in Tibetan traditional governance and the debate reveals a considerable mix and confusion of secular and religious language. One of the more bizarre cases of this we find in a press release dated May 2008 by SDCRS, where the Dalai Lama's actions are compared to a hypothesis of The Pope instigating a similar ban in his own country, Italy. This hypothesis seems not at all to recognize The Pope's complete separation from the legislative procedures and the secular status of the government of his country.<sup>67</sup>

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<sup>63</sup> WSS (2009c) - as The High Court in Delhi is treating the constitutional implications of the ban, I will leave this issue out of this paper.

<sup>64</sup> I have not been able to find qualifications of the term "ban" on the homepages of SDCRS or other Shugden devotees' organisations residing in India.

<sup>65</sup> Brox (2008) p. 270-272.

<sup>66</sup> Brox (2008) p. 258-277.

<sup>67</sup> SDCRS (2009) *Sub-page*: "News & Press Releases".

One of the major slogans of WSS sees the Dalai Lama as the "giver of religious freedom"<sup>68</sup> and refers to him as the sole instigator of all the hardships Shugden devotees have had to endure since he started discouraging Shugden worship, without dealing with what may have happened since his discouragement of the practice seeped down through government organisations and Tibetan NGOs to the people.<sup>68</sup> In itself this discourse may be seen as an argument pertaining to the traditionalistic ways of Tibetan governance, with the Dalai Lama in complete control of all the government functions, and it reveals no recognition of other branches of government functioning independently of the Dalai Lama. Probably contrary to the intention, this discourse seems to retain the Dalai Lama's position as an autocratic monarch with sovereign powers of both religion and governance.

CTA also bear witness to the dual aspect of religion and governance in their material concerning the controversy, but seem a bit better versed in the civil-rights issues of the conflict when referring to the "advice" of the Dalai Lama, the individual's right to choose and the undertaking of spreading the advice on their own accord.<sup>69</sup> Even though the picture stays blurry due to fact that the monasteries remain under CTA's control - and are referred to as the primary target for uprooting Shugden practice - the discourses of CTA seem to play better into the hands of a modern day governance concept where different branches of government function independently of each other but may agree on various subjects anyhow.

Generally democratic values have been invoked and discussed on various occasions during the controversy. CTA and the Dalai Lama have justified their campaign against Shugden practice by rendering it contrary to pluralism and claiming it promotes sectarianism.<sup>70</sup> To back this claim further CTA has also promoted material pointing to how a ban the other way around has in fact been imposed by the Shugden devotees towards followers who engage in practices not prescribed by their tradition.<sup>71</sup> By these perceptions the ban, from CTA's point of view, is said to be "the dilemma of the liberal: do you tolerate the intolerant?"<sup>72</sup>

Apart from brief mentioning on the webpage of WSS on the importance of not mixing traditions,<sup>73</sup> the connotation of Shugden worship being contrary to pluralism and promoting

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<sup>68</sup> WSS (2009a).

<sup>69</sup> CTA (1998?).

<sup>70</sup> CTA (1998?) p. 3-15.

<sup>71</sup> CTA (1998?) p. 65+72.

<sup>72</sup> CTA (1998?) p. 59.

<sup>73</sup> WSS (2009a) *Sub-page*: "Dalai Lama Stop Lying" and WSS (2009c) *Sub-page*: "Sectarianism".

sectarianism, if existent, is hardly ever mentioned by Shugden devotees. This practice is merely referred to as upholding a pure lineage of the tradition and other aspects of this practice may be said - again, if existent - to be down-played considerably.

A direct move towards claiming democratic legitimacy was made recently by the Dalai Lama as he invoked an ancient Buddhist tradition of making decisions among the monks, through a referendum by the use of voting-sticks, on whether or not they should separate Shugden worshippers from non-Shugden worshippers.<sup>74</sup> In doing so, he not only invoked the legitimacy of a democratic referendum, but also reconfirmed his long-time stance of Buddhism being compatible with democracy.

This voting-stick referendum is criticised by SDCRS for being unfair, not allowing free debate prior to it and having a predetermined outcome.<sup>75</sup> WSS take their criticism a step further by claiming that such a referendum has no place in a religious matter such as this and that it makes a "mockery of democracy".<sup>76</sup> Instead both organisations turn the controversy into a debate on one of the civil rights central to modern democracy and claim the ban to be a breach of religious freedom.<sup>77</sup> This claim has been a mainstay of the campaigns carried out by Shugden devotees during the Dalai Lama's visits to Western countries and, if nothing else comes out of this campaign, they have at least had their share of trying to influence public opinion through exercising another essential civil right: The freedom of speech.

In consideration of all that has been said and done in this controversy, there seem to be some lines of action, commonly used in modern democracies to settle disputes, which are excelling by their absence and I would like to finish this discussion by taking a brief look at these options.

Firstly there seem to have been no attempts to try to influence the ban at government level by promoting a Shugden-friendly candidate in parliamentary elections. Even though the democratic set-up in the Tibetan diaspora does not leave room for the nomination of a "Shugden-party" as such, groups and individuals are free to promote individual candidates or lists of

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<sup>74</sup> SDCRS (2009) *Sub-page*: "Declaration" and WSS (2008) p. 70+80.

<sup>75</sup> SDCRS (2009) *Sub-page*: "Declaration".

<sup>76</sup> WSS (2009a) *Sub-page*: "Ostracism".

<sup>77</sup> The claim of the ban to be a breach of the principle of religious freedom is seen all over the Shugden devotees' campaign and may be seen a.o. on SDCRS (2009) and WSS (2009a).

candidates as they wish. At least in theory promotion of a candidate, who could in turn make the Shugden devotees' voices heard in the legislative assembly, should therefore be possible.

Secondly, even though Shugden devotees claim the ban to be unconstitutional according to article 17 of the Tibetan constitution,<sup>78</sup> there seems to have been no attempt to raise the matter in The Tibetan Supreme Justice Commission. The mandate for this commission is explicitly to settle disputes relating to "the interpretation of the Charter for the Tibetans in exile" and "the conduct of the officials serving in the various functionaries of the CTA".<sup>79</sup> If the claims of the Shugden devotees are substantial, this seems to be the right place to put their grievance.

Whether or not the absence of such initiatives may be due to the lack trust in, the believed incompetence of, or lack of familiarisation with the functions of institutions operating in democratic societies, they might very well constitute an interesting trial for these newly established democratic functions within CTA.

## **Conclusion**

By means of this paper I hope to have substantiated the claim that there are various issues in the Shugden controversy that may prove interesting when dealing with a more detailed understanding of the democratization-process in the Tibetan diaspora. Despite the overall spiritual nature of this controversy, arguments pertaining to democratic values seem to have crept into the debate on various levels, indicating that such a matter, in a modern-day society, should not only observe traditional religious rules but also be in line with principles of modern governance. Moreover both parties in the controversy invoke democratic values and seem to take great care not to overstep the fine line of what is acceptable in democratic societies when putting forth their arguments. Even though some of these arguments bear traces of thinking along Tibetan traditionalist lines, I think we can safely say that the debate bears witness to a dispersion of democratic values into fields previously unaffected by these values.

Some of the democratic shortcomings of Tibetan exile governance are, however, also highlighted in this controversy. The obvious undemocratic nature of the Dalai Lama institution has been noted by many, not least the current Dalai Lama himself. Despite this fact, it seems that the legitimacy of this institution, or the current Dalai Lama himself, is only rarely questioned by Tibetans wronged by its authority and that the invocation of democratic legitimacy pertaining to the Dalai Lama institution has mostly been put forth by associations residing in the West.

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<sup>78</sup> WSS (2009c) *Sub-page*: "The ban is illegal and unconstitutional".

<sup>79</sup> CTA (2009).

So far the usual ways of settling disputes in democratic societies have not been tried. It seems to me that if the democratic transition of CTA should be more than just a name, the institutional trouble-shooters of democratic governance could do with some hands-on experience in order to mature. It may be that the implications of the Shugden controversy are at the moment too big for institutions such as The Supreme Justice Commission, but we may hope that one day Tibetan government institutions will be able to stand alone and take important decisions without guidance by, or possibly even contradicting, the Dalai Lama.

Finally the Shugden controversy may also be seen as revealing a "blind spot" in the traditional democracy and civil-rights framework, since such a framework remains somewhat unable to cope with the devotion of the Tibetan people towards the Dalai Lama, the mix of politics and religion and the "loose" structure of the Tibetan community. So much the more reason for the Tibetans to find a form of governance which is at the same time democratic in nature and a reflection of Tibetan values and identity.

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## Appendix B: Transliteration of Tibetan Words and Names

### Tibetan Words and Names

### Wylie transliteration

Dorje Shugden	<i>rdo rje shugs ldan</i>
Drakpa Gyaltzen	<i>grags pa rgyal mtshan</i>
Dzeme Rinpoche	<i>dze smad rin po che</i>
Gelug	<i>dge lugs</i>
Kelsang Gyatso	<i>bskal bzang rgya mtsho</i>
Lobsang Gyatso	<i>blo bzang gya mtsho</i>
Nyingma	<i>rnying ma</i>
Pabongka	<i>pha bong kha</i>
Rime	<i>ris med</i>
Trijang Rinpoche	<i>khri byang rin po che</i>