Sacral kings and divine sovereigns: principles of Tibetan monarchy in theory and practice

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He was very much a local boy. The Shaybanids lacked this – and do so to this day. There is no region within Uzbekistan that could identify with their legacy. In this official reading, the ethnogenesis of the Uzbeks was accomplished in Transoxania and more or less completed long before the group bearing this name actually arrived, namely in the eleventh and twelfth centuries. Other scholars, of course, dispute this interpretation and consider the impact of the Shaybanid invasion to be substantial in demographic terms (cf. Karmysheva 1969, 1976; Shanyazov 1978; Subtelny 1994).

Manz (1989) in her study of Timur argues that the main difference in political respects between his rule and that of his predecessors was the highly personalized chain of authority. He kept the Chinggisid institutions as well as their persons alive but stripped them of their power basis (e.g. by separating military units and control over land). The princes and followers ruling in various appanages had very little effective power. He made loyalty absolute and at the same time reduced the economic basis of the tribes. In Manz's view, this explains the phenomenal success story of Timur but also the particularly devastating situation after his death. None of his sons were prepared for the task of ruling in his place and the subsequent wars of succession were longer and more damaging to the state than usual.

I do not know whether Islam Karimov read Manz's book before he decided to make Timur his favourite. He probably would have approved of the first part of her explanation. And one could interpret his politics as an attempt to continue the regional power balance strategy inherited from Soviet times, while reducing the power bases of the regions and concentrating all real decision-making powers around his person. Hopefully, this will not provide the state of Uzbekistan with another parallel to Timurid times in the aftermath of his rule.

CHAPTER 6

Sacral Kings and Divine Sovereigns: Principles of Tibetan Monarchy in Theory and Practice

CHARLES RAMBLE

Introduction

In his monumental study of the Yarlung Dynasty of Tibet, Eric Haarh remarks (1969: 334) on 'the astounding number of historical kings who were murdered', a phenomenon he attributes to 'the persevering maintenance of the constitutional right to commit regicide'.

By 'constitutional right', Haarh is apparently referring to the tradition, attested to in both Tibetan and Chinese sources, whereby the king was buried alive when his son reached the age of thirteen. The power of the kings prior to the seventh century was certainly limited: of the four qualities guaranteed and transmitted by the ruler, 'only two appear actually operative in him: *mnga' t'ang* [majesty] and the *dbu rmog* [lit. helmet]. The *c'os*, the religious law, was the prerogative of the sacerdotal class and the *c'ab srid*, political authority, devolved, as regards the actual function of government, on the ministers' (Tucci 1988: 199).

As a political figure, the king was *primus inter pares*, the peers in question being the chiefs of the powerful noble clans, and it was only at the end of the sixth century, when the warring princelings decided to unite by swearing fealty to Tagbu Nyenzig of the Yarlung royal line, that the nature of this office began to change. Tagbu Nyenzig and his heir, Namri Lontsen, were both assassinated, and it was left to the latter's son, Songtsen Gampo (r. 627–649), to use his sovereign powers to establish an empire based in Central Tibet.

Modern Tibetan nationalism takes two forms. One perspective regards Buddhism as the inalienable core of Tibetan identity, and is centripetal around the figure of the Dalai Lama, the earthly manifestation of Avalokitesvara, the bodhisattva of compassion. The other view tends to sink its roots into the glorious days of the empire (seventh to ninth centuries), eschewing Buddhism as an alien religion that emasculated Tibet's celebrated military prowess. The fact is, however, that Buddhism provided the Tibetans with many of the prerequisites for an empire: the doctrine itself came as part of a package that included literacy, legislation and, perhaps most important, the ideal of the 'wheel-turning' monarch whose territorial conquests are coextensive with the range of the Dharma. The significance of Buddhism and the model of the *cakravartin* for the creation of the Tibetan empire have been examined by numerous authors (for example Macdonald 1987; Ruegg 1995; Kapstein 2000), but the perspective is balanced by an equally persuasive argument that Buddhism was fundamentally *bad* for Tibetan nation-building (e.g. Karmay 1996).

The religious commitment of some monarchs is beyond doubt. Lha Lama Yeshe Ö, the tenth-century descendant of the founder of the Kingdom of Guge-Purang (in Western Tibet) was ordained as a monk and yet continued to hold his royal office – a precedent that was followed by his two sons. As is well known, Tibetan historiography of the 'Second Diffusion' (post-tenth century) attributes to some of the early kings a greater measure of Buddhist piety than the facts, such as we know them to be, bear out. This being said, we ought not to dismiss altogether the claims of this literature as pious fiction. A recently-discovered manuscript, the *'Phang thang ma*, is one of three known catalogues of Buddhist works translated into Tibetan during imperial times. The work, which probably dates from the eleventh century, is said by the compiler to have been based on an original, apparently from the imperial period,

which was illustrated with miniatures of five of the emperors – all represented as being clothed in monkish robes.[1]

The emperor under whom the first monastery was built, and the first Tibetan monks recruited (with royal patronage), was Tri Songdetsen (*c.* 742–797). The earliest known account of these events purports to record an exchange between Vairocana, representing the Buddhist faction, and Chim Tagsher Legzig, who is appalled by the idea that secular offices should be taken over by the clergy:

> Monks! [says Chim Tagsher Legzig] The origin of your arguments came from the empty sky. The time is oriented towards the next life… May the monks hold the assembly of the palace! May the monks serve the lord! May the monks protect the land as border-guards!' and he shook himself in passion. Nobody dared to answer. Vairocana replied again: 'We monks can do it'. So, the Son of God was extremely delighted. (Pasang Wangdu and Diemberger 2000: 103)

The dynamic between Buddhism and royalty is epitomised in this excerpt: the king is delighted by the ascendancy of Buddhism, which will set him apart from and above his ministers; on the other hand, Buddhism will bring down the civil and military structures of the realm and, ultimately, the monarchy itself.

This observation accords with Haarh's conclusion that Tibetan kingship was never absolute; the sets of principles that afforded it legitimacy were also responsible for its attenuation. Haarh's subject was Tibetan kingship during the dynastic period. In this article I wish to extend the range of the investigation into two further avenues: a Tibetan treatise on the theory of kingship and statecraft, and secondly, a set of

[1] For a study of this text, see Halkias forthcoming. I am grateful to Mr Halkias for permitting me to read and refer to the unpublished manuscript of this article.

archives that reveal how the institution was regarded in relatively recent times in a borderland principality.

Principles of Tibetan Kingship

There are three related principles that seem to characterise the ideal of Tibetan kingship. The first is that the king does not impose his reign by force but takes the throne with reluctance; sovereignty is a dreadful burden that is shouldered for the benefit of the benighted, rudderless subjects. The prototype of royal accession is found in the myth of the first Tibetan kings, recounted in an early Bonpo work. The leaders of the twelve chiefdoms that make up Central Tibet are in search of a ruler who will bring them unity and order. In response to their entreaties a celestial voice advises them to invite a divinity of the *Cha* (Tib. *Phywa*) category. Their intercessor, they are told, should be another divinity called Karma Yolde. The prospective divine ruler, however, declines this invitation. 'Down there on earth there are various calamities, such as theft, poison, hatred, enemies, demons, lies, the *sri* spirit, the *btsan* spirit, imprecations, the crooked and yaks.' But Karma Yolde insists, making the assurance that there are measures against all these things, and the lord eventually relents.

The second characteristic of kingship is that it is contractual: royal authority is based on a covenant between the ruler and his subjects. In a celebrated episode from the earliest Tibetan literature the king, Songtsen Gampo, and his powerful minister of the Wä clan swear an oath of *mutual* loyalty: 'If you are not disloyal towards the…king', says Songtsen Gampo, we shall never, ever have [your] sons punished if they are innocent; we shall never listen to slander…'. Wä, in turn, swears that 'we shall never be disloyal towards the Pugya Tri Songtsen or his sons; we shall never be disloyal towards his lineage, never' (Macdonald 1973: 255–58; my translation). A similar formula – one that we shall encounter again below – is used to forge the bond between the king and his minister Gar:

> Let the lord not reject his subject…
> Let the subject not reject his lord
> (Macdonald 1973: 269–70).

The third feature of kingship is that the king is accountable to his subjects: a perceived breach of the covenant is taken as grounds for justifiable regicide. In the mythic accounts of the prehistoric kings, the first of the dynasty to leave his body on earth – as opposed to reascending to heaven – was the eighth king, Drigum Tsenpo. In a fit of insanity the king challenges his syce, Longam Tadzi, to a duel, thereby violating the compact that pertains between them: 'But why, Ruler?' Longam protests; 'I, a subject, cannot be the adversary of a Ruler'. Drigum insists and loses his life in the ensuing combat. The last ruler of a unified Tibetan Empire was Ui Dumten, better known by his later sobriquet Langdarma, who was assassinated in 842 by a monk. The likely motive seems to have been the king's rationalisation of over-generous state support for monasteries. Although contemporary evidence suggests that the king was a devout Buddhist, the killing is justified in later histories on the grounds of his persecution of the very religion he was supposed to be protecting.

Whether in Buddhist times or in the earlier period of sacral royalty, absolute monarchy – despotism – is curtailed by the association of the office with a set of principles that operate as limiting factors. The constitutional constraints are often masked in Tibetan literature by hyperbolic statements about the absolute power of 'the Supreme One, the Great Lord of Men', with reference to the prehistoric kings, or invocation of the *cakravartin* and *dharmarāja* in the case of the imperial rulers.

***The Sutra of the Prince's Law-giving*: a Tibetan Treatise on Statecraft**

Prescriptive literature concerning the status and duties of the kings is sparse (see Cüppers forthcoming). One of the few such works of which I am aware is contained in the *mDo Dri-med gzi-brjid*, the twelve-volume biography of Tönpa Shenrab

Mibo, the mythical founder of the Bon religion. The work in question, which appears in the second volume, is entitled the *Sutra of the Prince's Law-giving* (*rGyal-bus bka'-khrims bstsal-ba'i mdo*).[2] While the *gZi-brjid* has attracted the attention of Tibetologists for its sections on ritual (e.g. Snellgrove 1967) or hagiography (e.g. Kvaerne 1986), this particular sutra seems never to have been studied or even, to the best of my knowledge, cited by any scholar.[3] Most of this work – which runs to 117 pages in the 2000 Lhasa edition – is devoted to setting the scene for the discourse, with the eponymous Prince, the one-year-old Shenrab Mibo himself, being invited to expatiate on the subject of statecraft by the assembled multitudes of the realm.

The Prince begins with the statement that the 'Royal Law' has two aspects: the Bon Law of Ultimate Truth and the Law of Conventional Truth. It is only the latter with which we shall be dealing here. The general necessity for kings is set out in a series of analogies presenting the grim scenario of different sections of the natural world being dominated by lesser representatives – the fox instead of the tiger, the goat instead of the rhinoceros, the owl instead of the garuda, and so forth. This, the Prince says, is what human society would be like without the *cakravartin*. The sermon continues with a presentation of the Law as it applies specifically to key positions within the polity, as follows: the king himself (this passage is quoted at length below); the queen, who should above all be faithful to her lord and not bring herself or the palace into disrepute; the minister, who should collaborate with his colleagues, avoid deviousness, arrogance and idle chatter; the master-merchant, who should get on well with everyone, since the combination of an easy manner and a good head for

[2] The title in the Lhasa edition actually has *rGyal-bu'i* for *rGyal-bus*.

[3] I am indebted to Ven. Tenpa Yungdrung for drawing my attention to this work. The translations of excerpts given below should be regarded as preliminary, but I hope soon, in collaboration with Tenpa Yungdrung, to publish a more extensive study of this sutra.

business will enrich the kingdom; the military commander, who should be a paragon of good judgment, never taking suicidal risks, always looking for a peaceful solution and treating prisoners well, since this is the best way of ensuring that they will become turncoats; the subjects, who should know their station in life, pay their taxes, take care of their friends and protect their own virtue and honour. The opening passage, that deals with the need for kings in general and the conduct appropriate to those kings, runs as follows:

> Then the Teacher said, 'Listen, living beings of the Three Worlds; you, the assembled company, hear me! The Royal Law is twofold, comprising the Bon Law of Ultimate Truth and the Law of Conventional Truth. The Bon Law of Ultimate Truth is dealt with separately, and I shall now present the Law of Conventional Truth.
>
> Generally if the creatures of the Three Worlds had no powerful king, the polity would crumble.
> Without the great planets and the sun and moon, the hosts of stars would shine their feeble light.
> Without the conquering garuda, it is the owl's feathered horns that would rise.
> Were there no vulture, the quail (?) would spread its wings.
> Without the melodious voice of the cuckoo, the lark would be the sweetest singer;
> In the absence of the majestic lion, it would be the jackal (?) that snarled;
> But for the striped tiger the fox would show its whiskers;
> Without the mighty rhino the goat would paw the ground;
> Without the thunderous roar of the turquoise dragon the buzzing of flies would be the loudest sound;
> Without the mighty elephant it would be the bull that charged (?);
> If it were not for the powerful steed, the southern rhino would outstrip the rest;
> If the peacock, that overcomes poison, were not there, the parakeet's plumage would be the gayest;
> Without the Wish-fulfilling Tree the palm would be the finest;
> Instead of Indra, [the titan] Nyewang would stand supreme;
> Without Thangzang Shagchen the army of the Asuras would

be scattered,
And Dolbam Golo would take the lofty place of [the king of the serpent-spirits] Tsugna Rinchen.
Without Mt. Meru at the centre the hills would be dispersed,
And without a wheel-turning king there would be no distinction between a ruler and his subjects.
That is why the law of a mighty king must come foremost.
The promulgation of the royal law will bring peace to the land.
Power depends upon the straight, great golden rule.
If it splits or warps it must be mended with skill.
Lead the people on a straight course and peace will reign over the entire earth, but
Following a devious, crooked path will provoke conflict with all.

The law for a king is to wield power from the throne,
And by avoiding deceit and treachery he will bring glory to all.

Speak when appropriate, like the dragon that marks the seasons.
Too much idle chatter will incur the mockery of the people.
One word of the king should be the epitome of immutability.
Do not be too lavish with praise for what is good, or with blame for what is not;
Avoid showing up the faults of others, and exercise skill in discrimination.
However urgent a matter, attend to it methodically;
Though your ministers may be many, seek counsel from only one;
Though you may have many princes, let the eldest succeed you on the throne;
Too many queens will confuse the royal line –
There are many flowers, but the Udumbara is rare indeed.
Do not raise the mighty too high – keep them in the rank where they belong;
Do not neglect the lowly, but honour their proper station.

When, after this passage, the law as it pertains to the other elements of the society, down to the ordinary subjects, has been pronounced, the sermon takes a dramatic turn.

Listen, creatures of the Three Worlds, and
All those who belong to my court.
Though the king may reign powerful in the worldly realm,
Greater than the king, and superior to him, is the priest.

As in the opening passage, this pronouncement is illustrated in a series of analogies. Now, however, it is not brute power that defines supremacy, but rather subtler qualities such as beauty and intelligence.

Though Mt. Meru may be the highest point in the cosmos
The Wish-fulfilling Tree stands on its summit;
Though the garuda resides at the pinnacle of the world,
It is the cuckoo that has the sweetest song;
Though the [half-human] *shang-shang* bird is the brightest in the grove,
It is the parrot that speaks three hundred languages;
The dragon may be the fiercest thing in the air,
But it is the koïl that is gloriously melodious;
The lion may strut on its snowy glaciers,
But the most ferocious is the one-horned rhinoceros;
The water-sprite may rage in its ocean realm,
But it is the conch [the killer of water-sprites] that is irresistible in its strength;
Udumbara lotuses may be rare in the garden,
But it is the Tree of Paradise that heals living beings;
Although the 'King of the Six Excellent Substances' is a wonderful medicine,
The 'Universal Equaliser' is supreme;
The Lord of Men may be very powerful,
But it is the Enlightened Teacher who is his guide;
Therefore be close to gods, not men;
Keep the golden rule of the royal law (*rgyal khrims*) beneath you,
And hold the silken knot of the Bon Law above you.

The Prince then exhorts his listeners to support monastic and other religious institutions in a passage that contains the slightly minatory assurance that 'violation of the Bon Law will incur the punishment of karma'. The duties of the same members of the polity as those listed above are again

set out, but in more detail. (This time the list includes monks, who are enjoined to avoid alcohol and generally lead exemplary lives.)

While there is much to be said about this sutra as a whole, the significant point about the passages cited above is that the law, as it pertains to kings, is subsumed within a law of a higher order. We are told that 'the law for a king is to wield power from the throne'. The Tibetan vocabulary is potentially confusing, because the term 'royal law' is used in different contexts to mean at least three significantly different things:

1. The overarching Law that subsumes both the Law of relative reality *and* the Bon law of Supreme Meaning;
2. The Law of relative reality, that has to be kept beneath one's feet, as opposed to the silken knot of the Bon Law.
3. The Law of relative reality as it applies specifically to kings.

The first is usually called *rGyal-po'i bka'-khrims*, in which the syllable *bka'* is not only an honorific prefix for *khrims* ('law') but also means 'Word [of the Teacher]'. The third is usually *rgyal-po'i khrims* ('law of the king[s]'), and the second *rgyal-khrims,* an abbreviated form that, rather confusingly, is also used for the first. The terminology may be vague, but the differences in meaning are perfectly clear from the context.

In short, the king may be very powerful, but he must function within the superior Law, and is in any case superseded by the priest.

The relative status of priests and kings in areas of Tibetan culture is sometimes unclear. In the case of Qubilai Khan and his Tibetan preceptor, the arrangement was that the latter would only occupy a higher seat while giving religious instruction. While the ethnographic literature indicates that in

stratified Tibetan communities hereditary priests (or 'married lamas') rank below nobility and royalty, this does not mean that the authority of the latter was regarded as being supreme. The following section will explore the manifestation of this principle in the archives of an old Tibetan kingdom that, since the late eighteenth century, has been part of the nation-state of Nepal.

The Principles of Kingship in the Archives of Mustang

The unification of Nepal, which took place over most of the second half of the eighteenth century, combined the territories of some sixty previously independent or semi-independent principalities. One of the kingdoms in the highlands of west-central Nepal at this time was Lo. The name Lo appears in Tibetan literature from the earliest times, but the region itself remained relatively obscure until it was seized, in the fifteenth century, by Amepal, a nobleman from a neighbouring Tibetan principality. The city of Monthang, the capital of Lo, was founded by Amepal's son, Agonpal. Lo's power increased, and in the course of time its influence was extended southward as far as the temperate forests of Ghasa.

Lo's fortunes declined with the ascendancy of Jumla, which came to be the most powerful kingdom of what is now western Nepal.[4] In the first half of the seventeenth century, Lo was brought under the direct rule of Jumla, with an obligation to pay a substantial annual tribute and to provide military assistance in times of need (Schuh 1994: 77).

The suzerainty of Jumla appears not to have generated much of a sense of loyalty among its vassals. When the Gorkha forces passed through Lo on their way to make war with Jumla in 1789, they were offered no resistance. In recognition of this cooperative attitude, the Gorkhas permitted the rulers of Lo to retain their customary power, and the tribute

[4] Detailed accounts of relations between Lo and Jumla in the seventeenth and eighteenth centuries are provided by Jackson 1978: 218–24 and Schuh 1994: 68–88

previously levied by Jumla was now simply paid to the new sovereign power (Regmi 1970: 99).

The Enclaves of Mustang District

The modern Nepalese administrative district of Mustang, created in 1962, corresponds roughly to the territory of the old kingdom of Lo prior to its fragmentation by Jumla. (The name 'Mustang' is derived from an archaic pronunciation of 'Monthang', the capital of the kingdom.)

Mustang district comprises a number of enclaves that are recognised either as the residues of old administrative entities or the territories of ethnically distinct groups. It is the northernmost part that is nowadays referred to as Lo. Lo is the territory ruled by the King of Mustang at the time of the unification, and recognised by the Gorkhas as his domain. Below Gemi, the southernmost village in Lo, is the large community of Gelung, which (with the help of Jumla) broke away from the kingdom in the 1754 (Schuh 1994: 85).

Baragaon

Immediately to the south of Gelung is Baragaon. Baragaon now comprises nineteen settlements which, with the exception of five villages, are all Tibetan speaking. Baragaon is the anglicised form of a Nepali name meaning 'the Twelve Villages' (Bārhagāũ), but documentary evidence suggests that this is the translation of an older Tibetan name, Yulkha Cunyi (Yul-kha bcu-gnyis) meaning the same thing (Schuh 1994: 43).

After it had annexed Lo in the seventeenth century, Jumla reduced the potential threat of political opposition from its vassal by exploiting regional tensions and fragmenting the kingdom. An important instance of this policy in action was the secession by Baragaon from the ruler of Monthang in the seventeenth century. Since the sixteenth century Baragaon had been governed by the Kyekya Gangba, a noble family, but when the Kyekya Gangba ruler sought the aid of Jumla in a

conflict with the north, Jumla readily sent troops to help the petitioner.

The noble families from the north, led by the Kyekya Gangba clan, who came to Baragaon in the sixteenth century on behalf of Lo, established themselves in several settlements and ruled the area from castles which they either built themselves or inherited from an earlier political era. The task of representing Baragaon in dealings with Kathmandu was originally shouldered by the local nobility, but after the middle of the nineteenth century the descendants of the old dukes lost this position to the Thakalis, the group that dominates the southernmost part of Mustang district.

Panchgaon and Thak

South of Baragaon is a group of settlements known as Panchgaon, a Nepali name which has its Tibetan equivalent Yulkhanga (Yul-kha-lnga). Both terms mean 'the Five Villages'. Historically the most important village in this constellation was Thini, of which we shall more to say below. The region between Panchgaon and the southern boundary of Mustang district, comprising thirteen settlements, is known as Thak, and the people who inhabit it as Thakalis, an ethnonym that is also sometimes extended to include the inhabitants of Panchgaon.

The Legacy of Monarchy

Broadly speaking, government in Mustang has been represented by two models: democracy and monarchy. Monarchic government extended through the area following the establishment of the kingdom of Lo in the fifteenth century, but after that the story is one of gradual decline. The intervention of Jumla resulted in the northward withdrawal of Lo's power. A royal model continued to prevail in Baragaon under the authority of the Kyekya Gangba dukes, but over the course of time the real power of that family came to be reduced to the proportions of mere ceremony. Nevertheless, the concept

of monarchy is not limited to the constraints of *Realpolitik* but comprises rather a set of principles underlying a system of government.

To the extent that it remained under the power of the rulers of Lo, the northern part of Mustang has been subjected to uninterrupted monarchic authority, a situation that is reflected in the preoccupation of the greater part of the secondary literature concerning this region. Southern Mustang, by contrast, is characterised rather by a democratic form of local government. This fact, too, features in the work of a number of authors (e.g. Vinding 1998: 252ff.), and receives special emphasis in an article by Dieter Schuh (1990). However, it is in the area between these two extreme poles that we find the most interesting interplay of the two systems, and for this reason the enclaves of Panchgaon and Baragaon deserve special attention. The sharp ethnic and linguistic boundary between the two is the result of historical accident, and the available evidence suggests that the areas once exhibited considerably more cultural homogeneity than they do at the present time. By the same token, there are also good grounds for supposing that the very different forms of government in Panchgaon and Baragaon mask a common substratum of civil society and a shared set of political ideals. The evidence for this claim lies in a number of documents from the two areas.

Democracy and the Despot

The most important political entity in Panchgaon was Thini. Local sources suggest that it may originally have consisted of a principal settlement with half a dozen (the numbers vary according to sources) satellites. All that now remains of these lesser villages are a few ruins and some suggestive toponyms. Thini appears to have been very powerful before the rise of Lo, for it received taxes and tributes from certain settlements in what is now Baragaon, and from much further afield. Panchgaon and Thak were absorbed into the kingdom of Lo,

but shortly afterwards became independent (Schuh 1995: 8–11).

The leadership of Thini at this time consisted of a small group of headmen and lesser officials. In more recent times these various leaders (with the exception of the clan chiefs) held office for relatively short terms – one to three years – although it did happen that a particularly competent headman would be asked to retain his position for life. It is possible that the foundations of local leadership in the seventeenth century were similarly contingent. It is clear at any rate that the notion of absolute power was obnoxious to the political sensibility of Thini, as revealed by the continuing vitality of a story of the principality's brief encounter with monarchy.

The story, which is preserved in a number of textual and oral variants, runs as follows. King Thökarcen, a name meaning 'the one with the white turban', came to southern Mustang in quest of a throne, and found the confederation of Thini with no ruler other than a committee of elders. After some confusing preliminaries he comes to the point:

> 'Will you three elders accept me [as your king] or will you not?'
>
> 'Well, Precious King, we must discuss the matter with the other inhabitants of Ma-bu-sum.'
>
> 'So be it', [said the king], 'hold your discussion'. In the daytime both men and gods assembled, and in the night gods, demons and goblins met. We duly met at [the site called] Mapangcen and held the discussion. '[Even] if King Thökarcen flies in the air we shall consider him [as our king], and even if he enters the earth we shall so consider him.' (Ramble and Vinding 1987: 14)

This account was probably written a very long time after the events on which it was based, and its importance lies not in its historical worth but in its presentation of the circumstances in which the king accedes to the throne. At the beginning of the account we are left in no doubt that Thökarcen

has set out to seize a kingdom – indeed, any available kingdom – by force. But when it comes down to it, his aspiration is referred to the populace by the mediating elders, and it is only on the strength of their agreement that Thökarcen becomes king. (The clause about flying in the sky or entering the earth is a legal formula of the sort that is used in local documents to seal any kind of agreement, such as the resolution of a private dispute or the sale of a field.) Whatever the historical reality may have been, the document appears to legitimise Thökarcen's reign by formulating it as a contract, ratified by general agreement among the people. This presentation accords with one of the three principles of Tibetan kingship that were discussed above: the ruler's reign is contractual.

The account of the royal family of Thini contains two further aspects of kingship to which I would like to draw attention here. The only named successor of Thökarcen is Thangmigcen. He is not identified in the documents as one of his several sons, and the documents sometimes confuse him with Thökarcen. In the oral tradition they are conflated into a single character. At one point Thangmigcen is confronted by a hostile neighbour, King Punari, who threatens to cut off Thini's water supply if Thangmigcen does not permit him to settle in the vicinity. Thangmigcen acquiesces, not because he has been browbeaten but because he is concerned for the welfare of his subjects.

> King Thangmigcen thought concernedly, in accordance with his being a bodhisattva, 'If there is no water in this land, how will the water mills be turned, how will the fields be irrigated, and what can we drink?' The king and his subjects consequently held a discussion. (Ramble and Vinding 1987: 14)

– and they agree to establish peaceful relations with King Punari. The idea of the good king being a bodhisattva, someone who postpones his own liberation in order to reincarnate for the benefit of living creatures, is a well-established motif in

Buddhist literature. It accords with an indigenous Tibetan concept, discussed earlier, of the divinity who descends to earth *reluctantly* as a much-needed ruler.

The principle of the king's accountability is neatly illustrated by the story of the demise of Thangmigcen. Irritated by a hill that stood between the rising sun and his palace, he ordered his subjects to go and remove the offending peak. They had got no further than felling trees when they tired of the laborious task, and hatched a scheme to rid themselves of their oppressor. While the king was inspecting the site he was somehow persuaded to insert his hands into a split log that was held open with wedges. The wedges were quickly knocked out of place and the king was caught firmly by the fingers. All the subjects had to do was to roll the log down the hill, and the king's abuse of his power was dramatically punished.

The assassination of the king is presented as a justifiable regicide: the ruler is accountable to his people.

Whereas the communities of Panchgaon were directly under the suzerainty of Jumla, and treated 'horizontally' with one another, certain critical aspects of Baragaon's administration were taken away from the community and concentrated in the hands of the dukes. While the frontiers between the states of Panchgaon were fixed by the common consent of the communities concerned, the principal territorial divisions in Baragaon were imposed by the first duke, Pöndrung Trokyawa. Whether he really imposed them, as the Kag lawbook claims, or – which is more likely – merely reinforced existing boundaries, is irrelevant. The point is that the authority of the boundaries is sanctified not by agreement among the villages concerned, but by the ruler who stood above them all. Even after the annexation of Baragaon by the Gorkhas, and well into Rana times, the Kyekya Gangba family retained their position as hereditary local rulers, a status that was confirmed by decrees from Kathmandu.

I have found only one document that concerns accession to the dukedom of Baragaon, but this document

provides a striking illustration of the endurance of the principles of 'true' monarchy even in the hinterland of Tibetan civilization. The fact that the date given contains only the calendrical animal, either a Snake or a Dragon (Tib. *sbrul* or *'brug* – the word is not clear), and lacks an accompanying element, means that we can place it only within a twelve-year, rather than the full sixty-year, cycle. However, if the lord named Gung-rgyal in the document is the same as the Kun-rgyal who appears – still alive – in another document of 1820 from Dzar (Schuh 1994: 44), the work can be no earlier than the Iron Dragon year of 1820 or the Iron Snake year of 1821, and more probably dates from the next Dragon or Snake year twelve years later.

> From the Trithob Trashi Thog-gyal, the lord, to those between the ages of eighteen and sixty in the Twelve Communities of Lower Lo.
>
> When my father [A-khu] Gung-gyal became the Trithob [he said], 'Although I can endure the shooting pains in my upper body [occasioned by the thought of refusing this responsibility], my heart, in the lower part of my body, cannot bear it, and I shall accordingly come to the community below. Those aged between eighteen and sixty among the subjects of Lower Lo reached this agreement with the lord, and he remained [as our ruler].
>
> And now I shall do [likewise], but only because it is in accordance with the terms of the edict that was issued in the Monkey Year. And moreover, the lord and the people are united as one under the law. The lord, for his part, should not abandon his subjects, [the people of] Lower Lo, and the subjects for their part should not abandon their lord. The present sealed document has been issued to this effect...
>
> [The meaning of the next line is unclear, but seems to suggest that, three months earlier, he was considering going – defecting? – to the King of Lo.]
>
> If I have two lines on my heart, or behave like a needle with two points, I shall willingly pay a fine of one thousand rupees to my subjects of lower Lo, and...[remainder of sentence unclear]. In order that there should be no transgression of this matter, the Trithog Trashi [Thog-]gyal has issued this sealed document on the sixteenth day of the first month in a dragon (or snake?) year.[5]

The document is impressed with the seal of the lord of Baragaon, which bears the two Tibetan syllables 'Thog rgyal'.

This document is a fine example of the principles of monarchy. The circumstances in which the author's father, Akhu Gung-gyal, became the Trithob are expressed in terms of heroic service. More explicitly than in the case of Thini – where it is hard to mask the fact that King Thökarcen is an unprincipled adventurer – we see here the future ruler's reluctance to accept his office. He is racked with pity at the thought of the rudderless populace, and while his strong shoulders can bear this agony his compassionate heart undermines his resolve and he 'comes to them' as a ruler.

Trashi Thobgyal, too, accepts his destiny with great unwillingness. He does so only because he is bound to do so by the law. The law in question is alluded to in the phrase 'edict issued in the Monkey Year' to which the document refers. The edict is almost certainly a confirmation/deed from the King of Gorkha to the Duke of Baragaon granting him the right to continue to rule his traditional domain, but under the authority of the new, supreme rulers of a united Nepal. The earliest available Gorkhali document concerning Baragaon, dating from 1790 and addressed to the lord of Dzar, begins with the following reminder:

> [We] issued, be it recalled, a *[lāl]mohar* in the past [lit. yesterday] to the effect that you should enjoy the *birtto* [of] Bārhagāũ (Baragaon), *Nār* and *Manāṅ* (Manang) along with the *jāgāt* of *Kāk,* which you have enjoyed since olden times... (Pant and Pierce 1989: 21).

[5] The text of this document (classified as HMA/Te/Tib/59) can be found in Ramble forthcoming.

The date of the *mohar* in question is not given, but it may be noted that the nearest Monkey year to 1790 was the Wood Monkey year of 1788, just two years earlier.

The author of our document, Trithog Trashi Thobgyal, prefers to interpret the edict as a binding obligation that he must honour rather than the perpetuation of a sought-after privilege. He and his subjects are bound to each other under the terms of the law, and he promises, on pain of paying a substantial indemnity, that he will not deal with them in a duplex manner – as if he had two lines on his heart or behaved like a two-pointed needle.

Conclusion

To qualify as a true monarch, Montesquieu declared, a king must govern according to fixed and established laws (Durkheim 1992 [1957]: 76; Casajus 1996). In Tibet, too, the ideal of kingship is based on the concept of constitutional monarchy. The central principles that emerge from the literature are the following:

1. The king takes the throne reluctantly, at the invitation of his subjects and for their benefit. The office is a burden, not an opportunity.

2. The king's rule is contractual. He and his subjects make a compact of mutual loyalty, and the king's authority is legitimate only insofar as it conforms to a law that supersedes him.

3. The violation of this law by the king entitles his subjects to exact justice, which may extend to regicide.

A more extensive study of the *Sutra of the Prince's Law-giving* would entail comparisons with treatises such as bsTan 'dzin

chos rgyal's *Bhutan Legal Code* of 1729 and sDe srid Sangs rgyas rgya mtsho's *Guidelines for Government Officials*, and also, perhaps, the section on imperial legislation contained in the sixteenth-century *mKhas-pa'i dga-ston* (Aris 1986; Cüppers forthcoming a, forthcoming b; Uray 1972). What this article has attempted to do, however, is to explore the pervasiveness of these principles as an attitude, rather than as a legal obligation.

The character of Tibetan monarchy underwent a change in the seventh century with the adoption of the Indian models of the 'King of Religion' (*dharmarāja*) and the 'Wheel-turning Ruler' (*cakravartin*). These models afforded the kings the political power that had been denied them by the more archaic model of sacral royalty. But the fact that the kings were ruling on behalf of the dharma meant that they functioned under the aegis of a higher-order law than their own power.

The deep-seated character of the principle of constitutionality means that the power of kings can be constrained by anything that is seen as superior, depending on the context – a hypothetical 'Royal Law' in the case of the *Sutra of the Prince's Law-giving,* the Buddhist doctrine, or, in the case of the late dukes of Baragaon, the authorisation of their status by the government of the new nation-state of Nepal.

There is certainly no evidence that the *Sutra of the Prince's Law-giving* ever had any legislative force, but it is at least a robust statement of the principle of statutory limitations on royal power. The principle may seem like wishful thinking on the part of the clerical author and, more generally, the peers and subjects of any king, but it is crucially important for the institution of monarchy itself: the power of despots is coterminous with their monopoly of violence; monarchs sit on thrones even in democracies.