

# The Royal Court of Justice Crest

By: Lungten Dubgyur

## I. Background

The Court Crest or the Seal of the Royal Court of Justice plays an important role under the Bhutanese Justice system. It symbolises the magnificent embodiment of justice and the basis for the administration of justice under Bhutanese legal system. The Royal Court of Justice Crest is not only used as a symbol through wall paintings and carvings in the Courtrooms in Bhutan, it is also used in the daily administration of Justice.

Every judgement or judicial order must bear the seal of the Court. The Royal Court uses two colours of the Court seal. The red seal is used in passing judgements and important judicial orders while blue seal is used in serving summons order and other administrative order relating to judicial matters. Every paper used by the Court also bears the Court crest for its validity and sanctity of law and justice in the Kingdom.

The earliest design for the Court crest appears in the Thrimzhung Chhenmo (The Supreme Law, 1959). The design depicts a mirror with a vajra handle on which there are three dots. However, the Court never used this crest.

Thereafter, and until the adoption of the present Court Crest described below, the crest used was a sword with a silk scarf. Both the Royal Bhutan Police and Sherubtse College use a similar crest. According to Court records, this crest was last used on a High Court judgement in 1982, and the last usage of the seal bearing this design was in 1992.

To reflect the principles of justice embodied by the Court, it was felt that a new crest embodying these principles was required. After discussion within the judiciary, it was decided to design a new Court Crest. Dasho Shingkar Lam was asked to design a new Crest. Working closely with the High Court judges, and with due care to the meaning and significance of the Court Crest, a proposal was submitted to His Majesty the King. The Court Crest was approved by His Majesty and was adopted as the new Royal Court of Justice Crest in 1982. The Court Crest comprises eleven elements:

- Background
- The Wish-fulfilling Jewel
- The Wheel of the Law
- The Truth of a Mirror
- The Golden Parasol
- The Dragons of wisdom and method
- The Lotus Blossom
- The Silken Knot
- The Golden Yoke
- The Summit of a Mountain
- The Vastness of Oceans
- The Circle of Vajras
- The Background Colours

The symbolism and meaning of each element is described and explained below with reference to Buddhist scriptures.



## II. The Wish-fulfilling Jewel

The Court Crest comprises eleven elements with a precious wish-fulfilling jewel occupies the centre. This precious jewel is described as being smooth, eight-faceted and fashioned of lapis lazuli like a vaidurya jewel (a precious gem). According to Buddhist scriptures, the precious jewel is said to have arisen from the accumulation of positive merit by a Chakravartin King or a universal monarch who possesses all the attributes of royalty and rules wisely for the benefit of all sentient beings.

The wish-fulfilling jewel is one of the seven possessions of the Chakravartin monarch and represents the harmony of justice whereby the rule of law (equality before the law, fair trial etc.) is followed evenly and consistently like the four classes of perfection. In the center of the Court Crest, the wish-fulfilling jewel is shown with four swirling colours (it is called norbu gay khyil) which also represent the Four Noble Truths taught by Buddha. Wherever the wish-fulfilling jewel exists, it therefore fulfils all desires easily. Similarly, litigants shall obtain fair and equal justice based on the determination of the truth through a close examination of the facts in issue.

## III. The Wheel of the Law

With the wish-fulfilling jewel as the hub, a Chakra or wheel with eight spokes made of gold and other precious metals can be seen. Just as the wish-fulfilling jewel is believed to have arisen from the positive merit accumulated by the King, so the Wheel of the Law is held to represent the positive virtues of the King.

According to Buddhist scriptures, it is said that external enemies automatically surrender without any resistance before the universal monarch, who possesses such incomparable merits and who turns the Wheel of Law in a thousand realms. The universal monarch not only rules his subject with compassion, but also conquers enemies with his might and strength. Each spoke of the wheel represents one aspect of the Eight Fold Noble Path taught by Buddha.

## IV. The Truth of a Mirror

The mirror is depicted in the central of the Crest. The mirror represents the importance of transparency and clarity. It represents one of the auspicious offerings made by the goddess of light (Prabhavati) to lord Buddha.

In the Dance of the Raksha Mangcham, the Lord of Purgatory or the Lord of the Dead carries a mirror. The mirror he holds to judge the dead has a design made up of the three types of calculating pebbles used in assessing each person and resembles the original court crest that appeared on the Thrimzhung Chhemno. The mirror that the Lord of the Dead carries reveal all the actions engaged in by the deceased making it impossible for them to lie or hide their non-virtuous deeds. Likewise,

the judicial process seeks to prove or disprove the issue in dispute whilst being transparent and clear to all the parties involved.

In a text composed by the fourteenth century tertön (treasure discoverer), Karma Lingpa, the deceased who appear before the Lord of the Dead are judged with a black pebble for each negative action and a white pebble for virtuous actions. The pebbles are dropped onto scales held by a monkey-headed attendant. Looking in the mirror, the Lord of the Dead, impartially notes what is revealed, as a judge will look on the facts of each case impartially. As with reflections in a mirror, the process of establishing the facts in each case is central to the process of rendering justice and in Bhutan it reflects the professionalism and practical experience of the Drangpon.

## **V. The Golden Parasol**

Above the Wheel of the Law is a Golden Parasol, which rotates and offers shelter. The Parasol or the umbrella of justice embodies that justice is administered without fear or favour, devoid of any bias, and equal protection under the law. The Golden Parasol is also an auspicious symbol of the Dual System. According to scriptural sources, the rotating Golden Parasol was derived naturally in this world from the perfect combinations of the various precious materials. On one level, the Parasol, a possession of the Chakravartin King, reminds us that the universal monarch unites the secular and spiritual laws, and consistently thinks only of the well being of all sentient beings.

Moreover, the coolness of the shadow of the Parasol represents the supremacy of law. In the shadow of the Parasol, all beings are protected by the law and the Parasol reminds us that justice and the due process of law protects all, including the criminal whose rights and welfare are protected by clear procedures, the right to a hearing and to legal representation. Therefore the Parasol symbolises access to justice for everybody, and the duty of each person to uphold the law and defend justice.

In the scriptures, the parasol is said to offer protection from the blazing heat of diseases and victory over war, conflicts and other forms of discords. Therefore, it represents the importance of justice to securing and maintaining the well being of the citizens.

## **VI. The Dragons of wisdom and method**

On either side of the Wheel of the Law and supporting it in their claws, are two Dragons, one male and one female. The Dragons are considered to be the manifestation of lords of luck or good fortune. In Bhutan, the Dragon symbolizes both the name of the Kingdom (Druk, literally "dragon"), the name of the Druk Kagyu sect, whilst their colour, white, symbolising purity, is indicative of the loyalty of the country's many ethnic and linguistic groups.

Like Gempo Chamdrel (protector deity and his consort) in the combination of its wisdom and method, the Dragons protect the country, whilst the thundering sound of the Dragons signify the fame and reputation of the political and the justice system of the country to throughout the world. Just as the sound of the thundering Dragon suppresses all other sounds, so does the delivery of fair and equal justice curb evil and suppress wrongdoers.

## **VII. The Lotus Blossom**

The full-blown lotus blossom emerges from the muddy waters just as the fully enlightened being arises out of delusions and negativities of samsara. The lotus blossom delights the eye of the beholder and its scent pervades all ten directions. The lotus is the symbol of absolute purity. Although the lotus blossom grows from the muddy waters, it is stainless; likewise the judicial process should not be influenced by any unwanted influences.

As nectar from blossoming lotus flower attracts bees and other insects, a fair, transparent legal system attracts the support of ordinary people who have confidence in the judicial process. This confidence is based on the knowledge and recognition that the courts will give all parties a fair hearing, assess the facts of each case impartially and render a decision based on the facts

presented. Therefore, the lotus blossom symbolises the purity of the judicial process and its ability to rise above mundane concerns to ensure that justice is given.

### **VIII. The Silken Knot or the Knotted Scarf**

The Silken Knot or the Knotted Scarf represents softness and lightness of touch. The Knotted Scarf is white and made without fissure or joint representing the positive merit of the Gods. Together with the Golden Yoke described below, the Knotted Silk Scarf symbolises the spiritual laws which are light and soft in touch, but which become tighter and tougher for those who break them.

The Knotted Scarf and the Golden Yoke remind us that in the Dragon Kingdom the teachings of Buddha are maintained without deterioration. Therefore, religion and law are being upheld properly in accordance with the standard rules and regulations. The Knotted Scarf reminds us that in Bhutan, the foundation of justice lies in the teachings of the Buddha, in which fundamental principles of justice have ensured an effective and just system of justice in the Kingdom.

### **IX. The Golden Yoke**

According to Buddhist scriptures, the Golden Yoke, which represents secular law, was made by smelting of heavy gold taken from the earth as a treasure. The Golden Yoke signifies that everybody, irrespective of social status and background, is equal before the law. The purity of the gold also symbolises the administration of justice in equal measures. Accordingly, we are all entitled to equal and effective protection by the law without discrimination. The purity of the gold further symbolises the essential criteria for justice.

However, if we break the laws, depending on the nature of our breach, the weight of the Golden Yoke will become heavier and heavier, reflecting the severity of our crimes. Therefore, we can understand the Golden Yoke to refer to our personal obligation to adhere and respect the laws of the nation. By doing so, the weight of the laws will appear light and we will enjoy the security the laws provide without hindrance.

### **X. The Summit of a Mountain**

The King of Mountains, Mount Meru, is formed from the collective good wishes of the enlightened one and karmic deeds of all sentient beings. Mount Meru is composed of four tiers, which signifies that the judicial proceedings before the Royal Court of Justice are maintained in accordance with the due process of law.

The metaphor of climbing to the summit of Mount Meru, like a tortoise slowly climbing the mountain, represents the importance of following due process and not seeking to omit any part of the judicial process. For example, no appeal may be admitted or made to a higher court until the final judgment is delivered in the lower court.

### **XI. The Vastness of Ocean**

The Oceans between the mountains is formed from the collective good wishes of the enlightened one and karmic deeds of the sentient beings.

Like the immeasurable vastness and unfathomable depth of the Ocean, the provisions of the Bhutanese laws and its subordinate legislation are profound. The vastness of the Oceans further signifies the jurisdiction of the law, which extends without exception across the country and the depth of the Ocean symbolizes the profundity and the philosophy of law and its juridical basis.

### **XII. The Circle of Vajras**

Encircling the other elements of the Crest are sixteen vajras. The vajras signify indestructibility and inviolability. Furthermore, the diamond-like vajras with the blue background represents the Nga

Chudruma or the Sixteen "I"s, of the Zhabdrung, Nawang Namgyal. It also represents the inviolable conduct of sixteen virtuous or the sixteen pious acts and the sixteen types of codes or laws under Buddhism.

This indicates that once there is the finality of the judgement it is like the vajra, indestructible and unalterable, thus reflecting the doctrine of *res judicata*.

### **XIII. The Background Colours**

The Crest is set against a background comprised of two colours. The inner colour is orange and represents the spiritual power of the Buddhist doctrine manifested in the Kagyu and Nyingma sects of Mahayana Buddhism. The outer colour, yellow, represents the secular authority of the King. The perfect balance between the two colours underscores the balance between the spiritual and temporal laws in the Kingdom. They act to remind us of the Dual System of government established by the Zhabdrung Ngawang Namgyal that although altered in its form, remains central to the administration of the Kingdom. In turn, the balance between the secular and spiritual laws reflects the role of justice that draws its inspiration from the fundamental teachings of Buddha. In turn, these fundamental principles are made manifest in the administration of justice in contemporary Bhutan.