

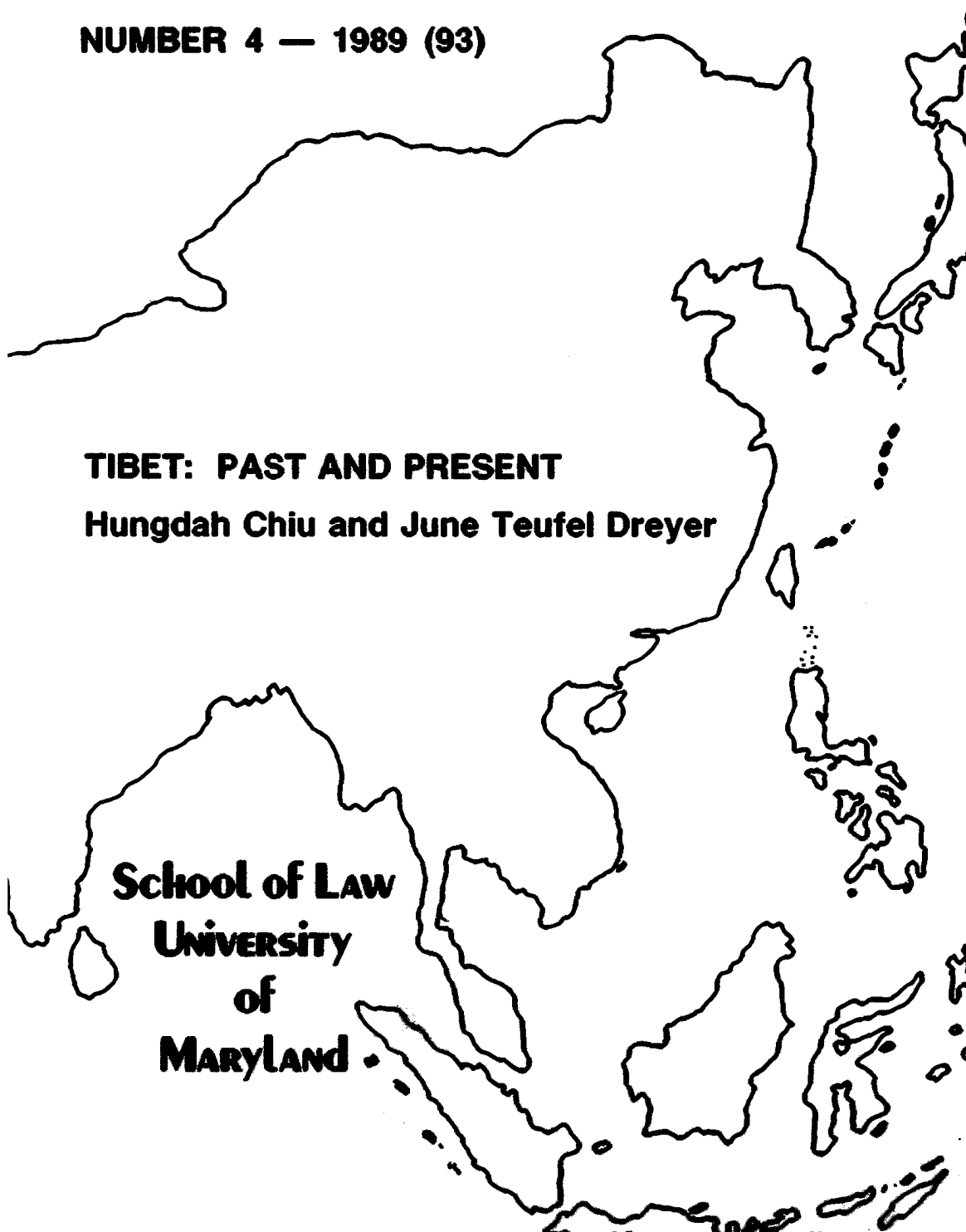
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TIBET: PAST AND PRESENT

Hungdah Chiu and June Teufel Dreyer

**School of LAW
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by Hungdah Chiu and June Teufel Dreyer***

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CHAPTER I. TIBET'S POLITICAL HISTORY AND STATUS

Hungdah Chiu

1. HISTORY OF TIBET BEFORE ITS INCORPORATION INTO THE CHINESE EMPIRE IN 1750

The name Tibet is derived from the Mongolian Thubet, the Chinese Tufan, the Tai Thibet, and the Arabic Tubbat.¹ The Chinese T'ang annals (10th century) place the Tibetans' origin among the nomadic, pastoral Ch'iang tribes recorded about 200 B.C. as inhabiting the great steppe northwest of China. Credible history of Tibet begins late in the 6th century. During the T'ang Dynasty (618-907 A.D.), Tibet, which was referred to by the T'ang as Tufan, was a powerful kingdom in the southwest part of present day China. The Tibetan leader Slon-brtsan-sgam-po launched an attack on China in 632 A.D. To pacify him, T'ang Emperor T'ai Tsung granted him Princess Wencheng as his bride. The Princess was credited with introducing Buddhism and Chinese culture to Tibet and keeping peace between China and Tibet for several decades. However, peace with China was broken in 670, and for two centuries Tibetan armies in present Tsinghai and the Sichuan area kept the Sino-Tibetan frontier in a state of war and once in 763 even captured T'ang's capital Ch'ang-an. Internal disunity, however, later caused the disintegration of the Kingdom between the 9th and 13th century. In 1207, Tibetans submitted to the Mongols to avert an invasion, but their failure to pay tribute to the Mongols later resulted in punitive raids by the Mongols. In 1247, a religious leader, the Sa-skya lama, was summoned to Mongolia and was appointed the Mongol's viceroy for Tibet. With the conquest by the Mongols of the Southern Sung Dynasty of China, the Mongolian Yuan Dynasty was established in 1279, and Tibet became a part of the Mongolian Empire.²

The collapse of the Yuan Dynasty and the establishment of the Chinese Ming Dynasty in 1368 brought an end of the Mongolian control and Tibet regained its independence, though its leaders did occasionally pay tribute to the Ming emperors.³ During this period, a

1. *The New Encyclopaedia Britannica, Macropaedia*, Vol. 18, 15th ed., Chicago et al.: Encyclopaedia Britannica, Inc., 1982, p. 372.

2. See *ibid.*, pp. 378-380.

3. See *Ming Shih* (Ming annals), Chuan: 331, published in 1739 by the Ch'ing government and reprinted by Beijing Chung-hua Book Co., 1974, vol. 28, pp. 8571-8596. In this

reform movement had arisen in the Tibetan Buddhist Church which was later referred to as Yellow Sect Lamaism because of the color of the vestments of its adherents, while the old church was referred to as Red Sect Lamaism. In the late Ming period, the Yellow Sect spread its influence to Mongolia.⁴

Due to the Lamaist belief in reincarnation, the successor as head of the Yellow Sect was to be found in a new-born infant. When the third successor of the Yellow Sect went to Mongolia, a powerful prince of Eastern Mongolia gave him the title Dalai (All-Embracing) Lama, and when he died there in 1588, his successor was found reincarnated as a Mongol baby. The second dignitary in the Yellow Sect was the Tashi Lama, generally known as the Panchen Lama, of the great monastery called Tashi-Ihunpo, west of Lhasa. A third figure emerged around 1600 as a permanent patriarch of the church in Outer Mongolia, the so-called "living Buddha" (in Mongolian, Hutukhtu) at Urga, modern Ulan Bator.⁵

The Dalai Lama achieved his temporal power in Tibet by making skillful use of Mongol and Manchu support. In 1641, a Western Mongol intervened in Lhasa on behalf of the Yellow Sect and put the fifth Dalai Lama (1617-1682) on his spiritual throne in Lhasa. After Manchus conquered China's Ming Dynasty in 1644 and established the Ch'ing Dynasty, China became more involved in Tibetan politics. In 1720, Ch'ing Government intervened to counteract the intervention by the Zungar Tribe of the Western Mongols. Later, a violent Tibetan civil war in 1727-1728 brought another Ch'ing intervention. The Dalai Lama's administration was then taken under the supervision of two Ch'ing imperial residents (am ban) and a garrison of troops. In 1750, Ch'ing Government intervened again to prevent a revival of Zungar intrigue and multiple murders in Tibet. The Ch'ing established the Dalai Lama in a position of full temporal power under a continued Ch'ing protectorate. From then on, he ruled through a council of four ministers under the supervision of the imperial residents and a Ch'ing garrison of fifteen hundred men.⁶ Tibet was then incorporated into the Chinese Empire. However, internally, Tibet still enjoyed almost complete autonomy. Chinese law, the Chinese writing system and the Chinese language were not applied there.

official history, the territorial scope of China does not include Tibet, see chuan 40 to 46, *ibid.*, vol. 4, pp. 881-1222.

4. John K. Fairbank, Edwin O. Reischauer and Albert M. Craig, *East Asia, Tradition and Transformation*, Boston: Houghton Mifflin Co., 1973, p. 220.

5. *Ibid.*

6. *Ibid.*, pp. 220-221.

2. BRITISH INTERVENTION IN TIBET AND THE 1914 “SIMLA CONVENTION”

In the spring of 1904, Great Britain launched a military expedition, from British India, to invade Tibet and compel it to conclude the so-called Lhasa Convention on September 7, 1904.⁷ During the negotiations for Chinese recognition of this “Treaty,” the Chinese side categorically rejected the British claim that China had suzerainty and not sovereignty there. Later, in the 1906 Convention between China and Great Britain respecting Tibet, signed at Peking on April 27, 1906,⁸ a compromise was worked out whereby China’s exclusive rights in Tibet were recognized without naming those rights sovereignty or suzerainty.

The Chinese position on sovereignty over Tibet was consistently maintained down to the end of the Ch’ing Dynasty in early 1912.⁹

When the Republic of China was inaugurated in 1912, seats were allotted to Tibet in the National Assembly, and the new five-colored national flag included the color black to stand for that part of the country. On April 12, 1912, the Chinese President issued a proclamation declaring that Tibet, Mongolia and Sinkiang were henceforth to be regarded as being on an equal footing with the provinces of China and as integral parts of the Republic.¹⁰

Tibetans, however, began to attack Chinese garrison forces there and also invade neighboring provinces of China. The President of the Republic of China then decided to send an expedition force to pacify the situation, which drove the Tibetans back to Tibet. Because of British intervention, Chinese forces could not enter Tibet. On January 11, 1913, Tibet and Mongolia concluded an agreement to recognize each other as independent states, but no other countries recognized the simultaneous declarations of independence by both Tibet and Mongolia.¹¹ Great Britain then proposed to have a conference to mediate the dispute between China and Tibet, and a Conference was held at Simla, India from October 13, 1913 to July 2, 1914. At the Conference, the Tibetan representative, Lonchen Shatra, demanded the inde-

7. See Chang Chung-fu, *Chung-hua min-kuo wai-chiao shih* (Diplomatic history of the Republic of China), Taipei: Cheng-chung Book Co., 1961, p. 97. Text of this Convention can be found in *Consolidated Treaty Series*, Vol. 196, pp. 313-315.

8. See Tieh-tseng Li, “The Legal Position of Tibet,” *American Journal of International Law*, Vol. 50 (1956), p. 395. Text of this Convention can be found in *Consolidated Treaty Series*, Vol. 201, pp. 120-121.

9. *Ibid.*, p. 397.

10. *Ibid.*

11. See Chang, *Diplomatic History of the Republic of China*, *supra* note 7, pp. 100-102.

pendence of Tibet. The British representative,¹² McMahon, submitted a draft of eleven articles. Article 2 provides:

The governments of Great Britain and China, recognizing that Tibet is under the suzerainty of China, and recognizing also the autonomy of Outer Tibet, engage to respect the territorial integrity of the country, and to abstain from interference in the administration of Outer Tibet (including the selection and installation of the Dalai Lama), which shall remain in the hands of the Tibetan government at Lhasa. The government of China engages not to convert Tibet into a Chinese province. The government of Great Britain engages not to annex Tibet or any portion of it.¹³

The Chinese representative, Ivan Chen, initialed the draft and on April 27, 1914 reported to the Chinese government, which instructed Chen not to sign the convention. The Chinese government also notified the British Minister in Peking that China would not recognize the Convention even if Great Britain and Tibet signed the convention. Despite the Chinese objection, Britain and Tibet signed the Convention on July 2, 1914.¹⁴

3. THE REPUBLIC OF CHINA AND TIBET, 1929-1949

With the unification of China by the Chinese Nationalist Party in 1929, Tibet's relations with China were gradually restored. In 1929, the Nationalist government dispatched a Peking Lama, Kung-chiao-chung-ni, as the special envoy to Tibet, and he was cordially welcomed by the Thirteenth Dalai Lama. Upon his return, the Thirteenth Dalai Lama appointed him as Chief Representative of the Tibetan Office in Nanking. The Dalai Lama also sent Ch'u-ch'en-tan-tseng from Tibet as Deputy Representative.¹⁵ On February 22, 1940, the Fourteenth Dalai Lama was installed by the Nationalist Government in Lhasa, and a Tibetan Office was established there.¹⁶ On August 10, 1949, the Panchen Lama was installed in office in Hsining, capital of Tsinghai Province. The Chairman of the Commission for Mongolian and Ti-

12. *Ibid.*, pp. 102-104.

13. *Ibid.*, pp. 104-105. English text in *Consolidated Treaty Series*, Vol. 220, pp. 144-145.

14. Cheng, *Diplomatic History of the Republic of China*, *supra* note 7, p. 106. Text of the Convention can be found in *Consolidated Treaty Series*, Vol. 220, pp. 144-147.

15. *Kuo-chia chien-shih ts'ung-k'an* (National reconstruction series), Vol. 2, *Nei-cheng yu pien-cheng* (Internal affairs and frontier affairs), Taipei: Cheng-chung Book Co., 1971, p. 25.

16. *Ibid.*, pp. 28-29.

betan Affairs of the Nationalist Government officiated over both of these ceremonies.¹⁷

In 1946, the Nationalist Government convened the Constitutional National Assembly to draft the new Constitution of the Republic of China. Tibetan delegates participated in the adoption of the Constitution which in Article 120 provides: "The self-government system of Tibet shall be safeguarded."¹⁸ On July 8, 1949, when the Nationalist Government forces were defeated by Communist forces on almost every battlefield, the Tibetan government ordered the Tibetan office of the Nationalist Government to leave Tibet on the grounds that the presence of Nationalist officials would provoke the Communists to invade Tibet. The office was closed on July 20, 1949, thus ending the Nationalist Government's official relations with Tibet.

4. CHINESE COMMUNIST INVASION OF TIBET AND THE 1959 REBELLION

In March 1950, the last stronghold of the Nationalist forces in Sikang Province neighboring Tibet was eliminated by the Communist forces, and the latter soon defeated the Tibetan forces in the Western part of Sikang. Tibet then was confronted with a large-scale Chinese invasion, and the Dalai Lama decided to submit in order to avert a large-scale war in which the Tibetan side was likely to be disastrously defeated.

On May 27, 1951, the Central People's Government of the People's Republic of China and the Tibetan Government concluded an Agreement on the Peaceful Liberation of Tibet in which the Chinese Communists agreed to respect the status quo regarding Tibet.¹⁹

On April 29, 1954, the PRC and India concluded at Peking an Agreement on Trade and Intercourse between India and the Tibetan Region of China,²⁰ which provided at least tacit recognition of Chinese sovereignty over Tibet. India agreed to withdraw military units stationed at the trading points of Yatung and Gyantse and to turn over to the PRC India's telegraph, telephone, postal systems, and trade route rest houses in Tibet, which India had inherited from the British Indian Government. The agreement also provided that India and China could each maintain three trading agencies in the other's

17. *Ibid.*, p. 30 and Li, "The Legal Position of Tibet," *supra* note 8, p. 397.

18. *Republic of China, A Reference Book*, New York: Collings, Inc., 1983, p. 431.

19. English translation in Jerome Alan Cohen and Hungdah Chiu, *People's China and International Law, A Documentary Study*, Vol. 1, Princeton, N.J.: Princeton University Press, 1974, pp. 391-393.

20. *United Nations Treaty Series*, Vol. 299, p. 59ff.

territory, and it prescribed six routes to which trade and pilgrim traffic would be limited.

As Chinese Communist Party, military and government cadres descended upon Tibet in increasing numbers, their impact upon the politics, economics, religion, and education of that region became correspondingly more pronounced. When they were followed by masses of Chinese immigrants, violence began to break out in sections of Tibet. By April 1958 the rebellion of one fierce Tibetan tribe, the Khambas, who had sought to evade the wave of Chinese immigration by resettling near the Nepalese border, had attained serious dimensions, and the PRC charged that arms were reaching the Khambas via Nepal. In July 1958, the Khambas demanded that the Chinese leave Tibet, a demand that was widely suspected to have been instigated by foreign powers. At that time the PRC sent India a protest alleging "subversive and disruptive activities against China's Tibetan region carried out in Kalimpong [India] by American and Chiang Kai-shek clique special agents, Tibetan reactionaries and local special agents."²¹

When the PRC sought to have the Tibetan government suppress the Khambas, this triggered a full-fledged revolt. In March 1959, Tibet denounced the 1951 agreement with the PRC and declared its independence. But the Chinese Communist forces quickly put down the revolt, and, no longer restrained by the 1951 agreement, the PRC followed up this military action with a thorough and reportedly bloody purge of Tibetan leaders.²² It dissolved the Tibetan government and turned its duties over to the Preparatory Committee for the Tibetan Autonomous Region, which had originally been set up under Tibet's principal leader, the Dalai Lama. When the Dalai Lama fled to India after the revolt failed, however, the Preparatory Committee fell under the control of Peking's puppet, the Panchen Lama. All obstacles had thus been removed for what the Communists called "the democratization of Tibet."

Despite the efficiency of the Chinese Communist forces; and despite India's earlier recognition of China's claim to sovereignty over Tibet, the rebellion stimulated Peking's fear that a new chapter in the history of foreign attempts to detach Tibet might be taking place. Further, Peking could not have been comforted by the fact that, after the rebellion had failed, thousands of Tibetans crossed into India and Nepal, mysteriously obtained arms there, and returned to Tibet.

21. Indian Ministry of External Affairs, *White Paper*, No. 1, p. 62.

22. For details, see *Tibet and the Chinese People's Republic, A Report to the International Commission of Jurists by Its Legal Inquiry Committee on Tibet*, Geneva, International Commission of Jurists, 1960.

Thus, in May 1959, the PRC's ambassador to New Delhi reasserted that Tibet was "an inalienable part of China's territory" and that no one had a right to "make Tibet semi-independent or even to turn it into a sphere of influence of a foreign country or buffer zone."²³

After 1959, Tibet was virtually under Chinese Communist military occupation. From 1966 to 1976, during the Cultural Revolution, Tibet, like other parts of China, was ruined by the actions of Red Guards and other leftist elements. Virtually every temple and monastery in Tibet was closed, damaged, or destroyed by the Chinese authorities, and thousands of Tibetan monks were imprisoned. Many Tibetans were also persecuted, killed or imprisoned. The Chinese authorities instituted a system of communes and collective ownership of yaks, seeking to tightly control the Tibetan population.

5. POST-MAO PERIOD

After the death of Mao Tse-tung in 1976, Chinese policy toward Tibet began to change. Since 1979, the Teng leadership has sought to repair some of the damage done to Tibet after two decades of repression. Several monasteries are being rebuilt, and funds have been allocated for roads and hydroelectric projects. The PRC government has stressed its commitment to preserve Tibet's unique cultural, linguistic and religious tradition in an effort to strengthen social stability.

However, despite taking a more liberal policy toward Tibet, the PRC does not want to grant genuine autonomous self-government to Tibet.

On September 30, 1981, the PRC made a specific nine-point proposal to Taiwan with more concrete terms for unification. The essential parts of it are as follows:

- (3) After the country is reunified, Taiwan can enjoy a high degree of autonomy as a special administrative region and, it can retain its armed forces. The Central Government will not interfere with local affairs on Taiwan.
- (4) Taiwan's current socio-economic system will remain unchanged, so will its way of life and its economic and cultural relations with foreign countries. There will be no encroachment on the proprietary rights and lawful right of inheritance over private property, houses, land and enterprises, or on foreign investments.
- (5) People in authority and representative personages of various

23. Cohen and Chiu, *People's China and International Law*, Vol. 1, *supra* note 19, p. 394.

circles in Taiwan may take up posts of leadership in national political bodies and participate in running the state.

- (6) When Taiwan's local finance is in difficulty, the Central government may subsidize it as is fit for the circumstances.²⁴

When the Dalai Lama, the exiled Tibetan leader, requested that the PRC allow Tibet the same autonomous rights as those the PRC offered to Taiwan, the request was rejected.²⁵

In September and October of 1987, anti-Chinese Communist riots broke out in Tibet, but were again ruthlessly suppressed by the Chinese Communist authorities.²⁶ The U.S. State Department, however, sided with the PRC, but the U.S. Senate voted to condemn the crackdown by the PRC.²⁷ It was reported later that because of strong Congressional reaction to such gross violations of human rights in Tibet, the U.S. State Department was reassessing its response to the PRC's Tibetan crackdown.²⁸

6. CONCLUDING OBSERVATION

There should be no doubt that China has had sovereignty over Tibet since 1750. No country in the world has recognized Tibet as an independent state after 1750. Despite the fact that Tibet has been part of China for this long period, before the establishment of the PRC in China in 1949, Tibet had always enjoyed almost complete internal autonomy under Chinese sovereignty. No Chinese government before the Communists had attempted to impose the Chinese language, writing system, taxes, political system or law on Tibet. The Communist government of China has thus broken with the traditional Chinese pol-

24. "Chairman Ye Jianying's Elaboration on Policy Concerning Return of Taiwan to Motherland and Peaceful Reunification," *Beijing Review*, Vol. 24, no. 40 (October 5, 1981), p. 10.

25. "Commentary by Chen Guoshao: The Trilogy That Fishes in Muddied Waters," *Bèijīng Zhongguo cinwen she* (Beijing China News Agency), (in Chinese), January 7, 1983, in *Foreign Broadcast Information Service, China*, January 21, 1983, p. U4.

26. See Daniel Southerland, "Tibet Monks Protest Rule by Chinese," *The Washington Post*, September 30, 1987, p. A28; John Schidlovsky, "At least 6 killed in Tibet protests against Chinese," *The Sun*, October 3, 1987, pp. 1A, 2A; "Curfew imposed after Tibetan protest," *The Sun*, October 5, 1987, p. 2A; "China sends security forces to Tibet after protests," *The Sun*, October 6, 1987, p. 2A; "60 Shout Out Dalai Lama's Name and are Seized in Protest in Tibet," *The New York Times*, October 7, 1987, p. A8 and "China Expels Western Reporters in Tibet," *The New York Times*, October 9, 1987, p. A3.

27. Elaine Sciolino, "Beijing is Backed by Administration on Unrest in Tibet," *The New York Times*, October 7, 1987, pp. A1, A9 and Elaine Sciolino, "U.S. Official Defends Stance on Turmoil in Tibet," *The New York Times*, October 15, 1987, p. A18.

28. Elaine Sciolino, "U.S. Is Reassessing Response to Beijing in Tibet Crackdown," *The New York Times*, October 18, 1987, pp. 1, 17.

icy toward Tibet. Only when the PRC decides to restore this traditional Chinese policy of leaving Tibet alone with genuine autonomous status under Chinese sovereignty, shall peace and stability be restored to Tibet.

CHAPTER II. RECENT UNREST IN TIBET

June Teufel Dreyer

1. BACKGROUND

In September 1987, anti-Chinese riots broke out in Tibet's capital city of Lhasa. They were quickly suppressed, but recurred periodically—21 times, five of them serious, according to official sources. Finally, in March 1989, faced with the largest, best-organized, and most destructive demonstrations to date, the central government imposed martial law on the region. As of November 1989, it remained in force.

The outbreak of hostilities, and the underlying resentment against China they revealed, took many observers, both Chinese and foreign, by surprise. From the central government's point of view, it had made real efforts to redress past mistakes. In 1980, the State Council issued a decree abolishing communes. A few years later, the government admitted that its policy of forcing Tibetans to raise wheat rather than the barley they preferred had been not only a cultural faux pas, but an ecological disaster as well. Emergency rations were shipped in, and Tibetans were allowed to return to the cultivation of barley. A new policy of religious freedom was announced. It became possible for lamaist Buddhists to make the pilgrimage to Lhasa again. Monasteries and temples destroyed during earlier, more radical phases of communist rule, could be rebuilt. The state contributed funds to help do so, and also attempted to return religious objects taken from the temples to their original owners. Young men were again permitted to become monks if they so desired. The central government continued to subsidize Tibet's budget: according to its statistics, 12 billion *renminbi* has been invested in the area in the thirty years since the last sizeable rebellion, in 1959. Tibetans who had fled abroad were encouraged to return. Feelers were put out to the Dalai Lama, the god-king of the culturally cohesive Tibetan theocracy, who has been in self-imposed exile since 1959. Beijing made it clear that it wished to negotiate the conditions under which he might be willing to return. In order to encourage economic development, the central government enacted preferential tax provisions for Tibet.

When Tibetans objected to the publication of a short story they considered offensive to their customs; the editor of the journal in which it appeared was told to apologize. Tibetans who took offense at groups of tourists being brought to witness their traditional sky burial ritual were also placated: the local government issued regulations banning the presence of outsiders.

The sum total of these policies seemed to have had positive results. Economic indicators turned upward. Though in most cases the changes were not dramatic, Tibet was clearly recovering from the ecological trauma of the early 1980s. The opening of Tibet to tourism allowed foreigners to see that monasteries were again functioning, and to observe pilgrims performing their devotions. Tourism also brought more money into the area. Seeking to capitalize on westerners' fascination with the fabled land of Shangri-la, in early 1987 the government announced plans to establish a Tibet Development Fund. Headed by two prominent Tibetans with excellent records of loyalty to the Beijing government, the Panchen [Baingen in Pinyin] Lama and a secular aristocrat named Ngapo Ngawang Jigme, the fund was to provide a conduit through which foreigners could contribute to the future prosperity of the area. In July, West German Chancellor Helmut Kohl made the first official visit by a head of state to Tibet since the People's Republic of China (PRC) took control. This was interpreted as an important symbol legitimizing China's control over Tibet.¹ Even the Dalai Lama praised the new policies.

2. TIBETAN GRIEVANCES

The riots that began a few months later shattered this facade of harmony and progress. As is so often the case, a great deal of frustration lurked not far beneath the apparently calm surface. In rural areas, herds did indeed recover after the communes were abolished, but differentially so: generally speaking, those families who previously had large numbers of animals before the imposition of communes became wealthy again, while those who previously had few animals returned to being poorer.² Understandably, their degree of satisfaction with the new policies varied accordingly. Taxes which had theoretically been abolished reappeared in the form of official imposts for services performed. Withal, however, the countryside remained quite peaceful.

It was primarily in urban areas that discontent festered. The increasing bounty of the countryside did not find its way into cities regularly: in 1986, Tibet's First Party Secretary revealed that cadres had to grow their own vegetables, and lamented the cruel "joke" that in a

1. "Kohl's Visit Controversial," AFP, Hong Kong, July 16, 1987, in United States Department of Commerce, *Foreign Broadcast Information Service, China* (hereinafter FBIS-CHI) July 17, 1987, p. H 1. "Kohl's Visit Controversial."

2. Melvyn C. Goldstein and Cynthia M. Beall, "Studying Nomads on the Tibetan Plateau," *China Exchange News*, vol. 14, no. 4 (December 1986), p. 6.

pastoral area, milk supplies could not meet the demand for them.³ The government reported that there were great problems of internal order in factories and offices, and that frequently these had important consequences involving serious harm.⁴ The periodic reports issued by the Public Security Bureau indicated that the theft of firearms and ammunition was an ongoing problem.⁵ Since China maintains that it has no political prisoners in Tibet,⁶ it is difficult to judge whether those involved were anti-government activists or common criminals.

While tourism had indeed brought money to certain cities, mainly Lhasa, not all Tibetans approved of it. Some welcomed the foreigners, and prospered by providing various services and selling them such items as ceremonial scarfs and the characteristically Tibetan coral, turquoise and silver jewelry. Others viewed tourism as exploitation visited upon Tibetans by the Chinese. In the words of one native, "First the Chinese cut our trees, mined our gold, and took our grain. Now there's nothing left, and they're selling our country to the foreigners."⁷ There was a widespread feeling that it was the Han Chinese, and not the local people, who profited by tourism. This situation seems to have been the result of miscalculation on the part of the Beijing government, rather than being done with malice aforethought. In order to encourage economic development in a region woefully behind the rest of the country, the central government had exempted Tibet from the general rule that one must be a permanent resident of a given area in order to start a business there. Taxes were also low when compared to the rest of the country. The result was that Tibetan cities, and Lhasa in particular, were inundated with a so-called "floating population" of Han Chinese from other provinces. Both foreign and official sources estimated them at nearly half the population of Lhasa, and a lesser, but still important, presence in Tibet's "second city" of Shigatse. Often mere teenagers who had been sent off by their desperately poor parents in neighboring provinces such as Sichuan, Gansu, and Yunnan to help improve the family income, these youngsters became hawkers and the proprietors of small stalls servicing both resi-

3. "Xizang Leader on Living Conditions for Cadres, Workers," Lhasa Radio, January 3, 1986, in *FBIS-CHI*, January 7, 1986, pp. Q2-3.

4. "Xizang Holds News Briefing on Social Order," Lhasa Radio, August 12, 1986, in *FBIS-CHI*, August 19, 1986, p. Q3.

5. "Criminals Sentenced at Lhasa Rally, One Executed," Lhasa Radio, September 14, 1986, in *FBIS-CHI*, September 18, 1986, p. Q1.

6. "PRC Denies Attempt to 'Eradicate' Tibetans," AFP, September 23, 1987, in *FBIS-CHI*, September 23, 1987, p.10.

7. Kerry Moran, "Will Tourism Kill Tibetan Culture?," *Asian Wall Street Journal*, June 29, 1987, p. 13.

dent Han and visiting tourists. Typically possessed of better linguistic and technical skills than the locals, they tended to take business away from native Tibetans. And, no longer under parental restraint, some became discipline problems as well.⁸

The status of the Tibetan language was another grievance local people held against the Beijing government. Theoretically, since Tibet had the status of an autonomous region, official and business dealings should have been conducted in Tibetan as well as Chinese. In practice, it rarely worked out this way, with even the normally complaisant Panchen Lama complaining in 1988 that “for the past thirty and more years, no importance has been attached to the use of the Tibetan language.”⁹ The Beijing government had issued repeated directives for Chinese residents of Tibet to learn the language, but in most cases they were ignored. Stories abound of individuals who, having lived in Tibet for twenty years or more, had learned only a few peremptory commands in the local language. Though cultural contempt was often a major factor in this refusal to learn Tibetan, it was not the only factor. The Han were typically not in the area voluntarily. Not wishing to remain there meant that they had little incentive to devote the long hours that would be necessary to learn this difficult language. Many would doubtless argue that they had difficulty enough in coping with the area’s harsh climate. Also, since 70% of the Tibetan population is illiterate, it must have seemed a largely wasted effort to learn to write the language, or to use it in official documents or on street signs, when most natives could not read them. Conversely, many Tibetans resisted the idea of learning Chinese in order to better get along in their own country, and with people whose presence was in any case unwelcome. This language gap had important consequences for equality of employment opportunities in Tibet: officials and factory managers who spoke only Chinese tended to prefer employees who could speak Chinese, and this excluded many Tibetans.¹⁰ Western visitors to Lhasa’s Holiday Inn reported that when they attempted to speak Tibetan to the waitresses, who were attractively clad in traditional *chuba*, they found that none could understand it: all the young ladies were in fact Chinese.

Even when Tibetans could speak Chinese and had skills that qualified them to hold the same jobs as Han, problems existed. In order to induce them to come to Tibet, Han workers were paid bonuses or sal-

8. “Influx of Chinese Into Lhasa Breeds Resentment,” AFP, March 7, 1989, in *FBIS-CHI*, March 7, 1989, p. 48.

9. *Renmin Ribao* (Beijing), April 4, 1988, pp. 1, 3.

10. *South China Morning Post* (Hong Kong), August 6, 1988, p. 5.

ary supplements to compensate for the hardships of life there. It is not surprising that Tibetans working alongside Han who received higher pay than they resented the fact.

Tibetans were also less than satisfied with the amount of religious freedom they were accorded. While in theory anyone could make the pilgrimage, in practice one had to receive permission from one's work unit. This was not always forthcoming. Sometimes the reasons were purely economic: having a large number of people away at the same time could affect production. At other times, the motivation for refusal was connected with social control factors. It was difficult for the authorities to distinguish a sincere pilgrim from someone who wished to organize resistance to the authorities. Indeed, given the closely intertwined nature of religion and politics in Tibetan culture, many local people would deny that the categories of sincere pilgrim and agent provocateur are mutually exclusive.

Other much-resented restrictions on religious freedom involve lamas complaining that the Party makes it difficult for them to spread their faith, and that it has placed limits on the number of people who may become monks. The Party's response has been to deny the first complaint and to counter the second with the contention that its policy of religious freedom does not depend on the number of lamas, but on how they are able to practice their faith.¹¹ Also bitterly resented is Beijing's refusal to recognize only those *tulku* (reincarnations of lamas) who were discovered before 1959; new searches have been banned.¹² As a result, an increasing number of monasteries were without spiritual leaders. In an attempt to reverse the effects of this slow diminution of monastic leadership, the Dalai Lama has reportedly been infiltrating into Tibet specially-deputized *tulku* who have been discovered in exile communities. As of mid-1986, this policy was said to have resulted in emissaries of the Dalai Lama taking control of thirty-eight temples and monasteries. Local authorities seemed disinclined to confront the takeovers, since they had strong popular support.¹³ It is possible that the central government in Beijing paid little attention to what was happening.

3. PATTERN OF DEMONSTRATIONS

The manner in which these grievances became translated into

11. *Ibid.*

12. *News Tibet* (New York), July 1986, p. 9.

13. Lawrence MacDonald, "State Concerned By Influx of 'Living Buddhas,'" AFP, September 15, 1986, in *FBIS-CHI*, September 16, 1986, p. K7.

militant acts quickly assumed a pattern. Groups of pilgrims, including monks and nuns, regularly traverse the Barkhor, an octagonal street surrounding Lhasa's Jorkhang, or central temple, in the course of performing their devotions. At an agreed-upon time, some of them will raise banners calling for independence, hoist Tibet's snow mountain and lion flag (banned by government authorities), and distribute anti-Chinese leaflets. Lhasa residents voice their support, shouting slogans. In those demonstrations that have turned violent, police and soldiers will move in to stop the demonstration, and there is rock and bottle throwing. Tear gas and firearms have been used against the demonstrators. The area is a busy one, and innocent bystanders, including small children, are often victims. The shops on the opposite side of the Barkhor from the temple may be affected as well. During the most recent demonstrations, in March 1989, shops belonging to Han Chinese were burned and looted. When the violence subsides, each side accuses the other of brutality; Chinese casualty figures generally number under ten, while Tibetans number them in the hundreds.¹⁴

Particularly distressing to the PRC is the presence of foreigners in the ranks of demonstrators. With a few exceptions, they have been strong supporters of the Tibetans. A legacy of China's 19th century and early 20th century history is acute sensitivity to outside powers interfering in the country's domestic politics. The government is also concerned with international perceptions of its human rights record. On neither count has it been happy with the eye-witness reports of foreigners. A typical example is this letter to the editor of the *New York Times*:

I would like to add to your report on human rights in China that, no matter how badly intellectuals and activists are treated, it cannot compare with Chinese brutality in Tibet. I was expelled from Lhasa on March 9, with approximately 100 other tourists, for one reason—so that there would be no witnesses to the army's actions against Tibetan demonstrators. I have never seen such vicious behavior. Thousands of machine-gun-carrying soldiers were packed in the back of trucks fitted with swing-type machine guns, which I always thought were for shooting down airplanes. The soldiers were kicking the Tibetans and hitting them with their rifles. What had started as a peaceful protest was deliberately escalated

14. See, for example, the account of the March 1989 riots by Robert Delfs, "Repression Repeated," *Far Eastern Economic Review*, March 16, 1989, pp. 10-11.

into a bloodbath. I'm willing to bet that the Chinese will not open fire on Han students in Beijing as they did on Buddhist monks and nuns in Tibet.¹⁵

The government has alleged that foreign involvement instigated the demonstrations. The head of the Party's United Front Work Department has accused Japanese "groups,"¹⁶ though it is important to note that he made no connection between these groups and the Japanese government itself. Dutch, American, and Austrian nationals have also allegedly been involved in the demonstrations, but apparently in a less organized way which is not quite as troubling to the PRC government. Foreign governments have tended to express sympathy for the plight of the Tibetan people, while stating that they do not challenge the PRC's contention that Tibet is an integral part of China.

While no doubt gratified that its sovereignty has not been seriously challenged, the PRC government clearly does not wish its present impasse in Tibet to continue. Although the government feels that it has already been most generous to Tibet, further concessions have been made. Some have been economic, some cultural. An example of the former is that lamas who have registered as urban residents will now enjoy the same state subsidies for food as local urban residents; elderly lamas are to get the same social security benefits enjoyed by local childless and infirm persons.¹⁷ In terms of culture, Tibetans are henceforth to be required to speak Tibetan when delivering speeches at important meetings. All documents and names must be provided in both Chinese and Tibetan. Rural schools have been instructed to concentrate on teaching in Tibetan, though they are required to teach the Chinese language as well. By 1993, middle school texts should be entirely written in Tibetan, and by 1997, most subjects taught in senior middle and technical schools should be taught in Tibetan. After 2000, institutes of higher learning should gradually start to use Tibetan as well.¹⁸ A government directive with both cultural and economic implications now requires Tibet's floating population to register with lo-

15. Andrew Failes, "Human Rights in China," *New York Times Sunday Magazine*, May 28, 1989, p. 12.

16. "Chinese Official Claims Japanese Aided Tibetans," *Kyodo* (Tokyo) March 24, 1989, in *FBIS, East Asia*, March 27, 1989, p. 3.

17. "Xizang's Baingen, Leaders on Lama Policy," Lhasa Radio, January 26, 1988, in *FBIS-CHI*, January 29, 1988, p. 32.

18. "Commentary Urges Tibetans To Reveal Separatists," Lhasa Radio, March 16, 1989, in *FBIS-CHI*, March 17, 1989, p. 57.

cal authorities.¹⁹

While the Beijing government must be given credit for making the above-mentioned efforts, it is doubtful that they will succeed in placating anti-Chinese resentment. The monks' grievances against the government are not primarily concerned with food rations. Directives on the use of the Tibetan language have been issued numerous times before; compliance has not been forthcoming. And, even assuming that all of the floating population can be induced to register with the authorities, registration will not necessarily solve the problems connected with their presence.

4. NEGOTIATIONS WITH THE DALAI LAMA

The most pragmatic solution to the PRC's dilemma with Tibet is an agreement with the Dalai Lama. According to all accounts, he remains the object of Tibetans' veneration and loyalty even after more than thirty years in exile. A Chinese belief to the contrary seems to have been the reason behind inviting a high-ranking delegation from his government-in-exile to visit Tibet in 1980. The members thereof were mobbed by local people, who became emotional to the extent that the central authorities immediately whisked the delegation out of the country.

Negotiations have continued, some open, some semi-secret, and some only rumored. Shortly before his death in early 1989, the Panchen Lama revealed that he had been in communication with the Dalai Lama over a period of several years.²⁰ Major issues involve, first, the administrative status of Tibet, and second, the status of the Dalai Lama after he returns to Tibet. As to the first matter, the Chinese have refused to consider any form of independence. The Dalai Lama has kept his options open. With regard to the second, China has said that the Dalai Lama may return as spiritual head of the lamaist faith, but not in a position of secular leadership. While the Dalai Lama does not seem to object to this, many of his followers do. For example, when he offered in May 1989 to step down as political leader of the Tibetan parliament-in-exile in order to broaden the democratic process by creating a position of prime minister, the idea was quickly rejected by the delegates.²¹

19. "Commentary Urges Tibetans to Reveal Separatists," Lhasa Radio, March 2, 1989, in *FBIS-CHI*, March 21, 1989, p. 58.

20. "Tibetan Leader Bainqen Interviewed," *Hsin Wan Pao* (Hong Kong) September 29, 1988, in *FBIS-CHI*, September 29, 1988, p. 25.

21. "Tibet Parliament-in-Exile Wants Dalai To Remain," *Hong Kong Standard* (Hong Kong) May 11, 1989, in *FBIS-CHI*, May 12, 1989, p. 31.

In June 1988, during an address to the European Parliament at Strasbourg, the Dalai Lama outlined the framework for a Hong-Kong style settlement of the Tibetan question. The key points were

- (a) Beijing would be responsible for Tibet's foreign policy
- (b) Tibet would be governed by its own constitution or basic law
- (c) the Tibetan government would comprise a popularly elected chief executive, a bicameral legislature, and an independent legal system
- (d) Tibet would become a demilitarized zone, but with China's right to maintain military installations in Tibet for defense purposes only, until neutrality was established.²²

Most outside observers found the agenda a constructive one, noting that this was the first time that the exiled leader had formally asked for anything short of total independence.²³ The Chinese side credited the proposal with being "a change in tone," but rejected it as tantamount to independence or semi-independence for Tibet. Both, it continued, were unacceptable. The Dalai Lama was also accused of trying to internationalize the issue of Tibet. He was invited to come to Beijing for negotiations.²⁴ The Dalai Lama agreed to negotiate, but indicated that he would prefer Geneva. The Chinese countered that this site represented another attempt to internationalize the issue. They offered Hong Kong, or any PRC embassy or consulate, as an alternative site to Beijing. The Chinese side also refused to accept as a member of the negotiating team a Dutch lawyer specializing in international affairs who had worked with the exile government for many years. The Dalai Lama's group suggested Washington, New York, London, Zurich, New Delhi, Tokyo, or Katmandu as alternatives to Geneva. It also stressed that the lawyer would attend as an adviser to, rather than a member of, the negotiating team.

The exile group warned of further violence if the PRC did not accept its proposal,²⁵ and the PRC intensified efforts to track down pro-nationalist leaders and put them in jail. A large police and military contingent was moved into Tibet in September and paraded through the streets of Lhasa to warn the population of what might happen if there were a repetition of the previous year's National Day demonstrations. Tibetans reported that they had been threatened with

22. *South China Morning Post* June 16, 1988, p. 1.

23. "Only Independence Not Negotiable with Dalai Lama," AFP, June 23, 1988, in *FBIS-CHI*, June 23, 1988, p. 51.

24. *Ibid.*

25. "Exiled Tibet Leader Warns of Violence," AFP, June 23, 1988, in *FBIS-CHI*, June 23, 1988, p. 14.

being shot if they participated, and with loss of their jobs if they were seen in the vicinity of the Jorkhang. Chinese soldiers were sent to monasteries on inspection tours.²⁶ A small demonstration took place nonetheless, followed by a much larger one in December.

As 1989 began, China was reportedly “mulling over” the latest proposal from the Tibetan exile government, explaining that the two sides were trying to resolve their differences through consultation rather than rush into talks. Its propaganda stressed that freedom of religion did not mean allowing lamas to return Tibet to the days of barbarism and ignorance from which the communist government sees itself as having extricated the region. Meanwhile, the Beijing government declared that it would continue to make amends for the excesses of previous radical depredations against the practice of religion. To this end, it contributed a substantial sum of money for the building of a stupa to house the remains of five deceased Panchen Lamas. Prior to the Cultural Revolution, each reincarnation had had his own stupa; these were apparently desecrated by Red Guards. Not surprisingly, the current reincarnation headed the dedication festivities. What did surprise the high level dignitaries gathered for the ceremonies was his statement that, although there had been development in Tibet since its liberation, this development had cost more dearly than its achievements.²⁷ Four days later, on January 28, 1989, he was reported dead of a heart attack.²⁸

The Panchen Lama was relatively young, 51, and there had been no previous reports of heart problems. Hence, the death was totally unexpected. Since the lama was survived by both his parents, heredity seemed an unlikely factor. Already-suspicious minds reached the conclusion that the Chinese had murdered the Panchen Lama in retaliation for his outspokenness.²⁹ It is impossible to verify the substance of these charges with the information at our disposal, and the truth may never be known. What is certain is that the Panchen Lama's death deepened the atmosphere of distrust between the two sides, and deprived the Chinese government of an important conduit to the exiled Dalai Lama. Little has been heard of the negotiations since the

26. “Police Presence Discourages Tibet Demonstrations,” AFP, October 3, 1988, in *FBIS-CHI*, October 4, 1988, p. 55.

27. “Bainqen Lama on Tibetan Economic Development,” *Zhongguo Xinwen She* (Beijing), January 24, 1989, in *FBIS-CHI*, January 25, 1989, p. 56.

28. “Rescue Effort Details Given,” *Xinhua* (Beijing) January 30, 1989, in *FBIS-CHI*, January 30, 1989, p. 20.

29. Daniel Southerland, “Tibet May Weaken Backers in Beijing,” *Washington Post*, March 10, 1989, pp. A 35; A 38.

Panchen Lama's demise, and despite all the precautions taken by the Chinese side to avoid demonstrations in March, they represented a significant escalation over their predecessors.

Another factor contributing to the difficulty of reaching a negotiated settlement of the Tibet question is the rise of a new generation of militant young Tibetans, both within the region itself and in the various exile communities. They revere the Dalai Lama as both a temporal and a spiritual leader, but appear to find no inconsistency between these professions of unswerving devotion and rejection of the Dalai Lama's message of non-violence. These young people have threatened a campaign of terrorism against the Chinese,³⁰ and may be beyond the control of their god-king. The emergence of this group is an interesting gloss on the beliefs of many western analysts that, with the passage of time, as a new generation of Tibetans who could no longer remember what life without the Chinese Communist presence was like, Tibet would settle into a reasonably comfortable, sinicized accommodation. The PRC government also seemed tacitly to subscribe to this theory, being content to "wait out" the Dalai Lama and his group as long as necessary. On the other hand, given the present lack of support for Tibet's independence among sovereign states (as distinguished from individuals and groups within those states) it is difficult to imagine that Tibet can attain complete independence from China. In essence, the issue is stalemated.

Unless the negotiation process can be restarted soon, a likely scenario is the emergence of a Northern Ireland type situation, in which religious festivals or the anniversaries of previous uprisings become occasions for outpourings of discontent. Each new outpouring of discontent is apt to provide more martyrs, the avenging of whose collective honor will provide the excuse for future uprisings. Given the rising tide of popular discontent with its leadership in China in general, this presents the government with some difficult choices: particularly given the present detached attitude of the military forces, it is hard to imagine quashing all demonstrations at once.

Although the negotiating process may have become more rather than less difficult with the passage of time, the interests of both sides would seem to call for renewed efforts. China has a legitimate security argument to make for retaining some presence in Tibet. However, with relations between the PRC and India much improved, the issue no longer seems so pressing. In any case, the PRC's security needs

30. Jackie Sam, "Tibetan Radicals Put a High Price on Independence," *Hong Kong Standard* April 8, 1988, pp. 1, 12.

must be weighed against the right of Tibetans to make their own decisions in a region in which they represent the overwhelming majority of the population. Another very difficult problem for China is the demonstration effect: granting independence, or even true autonomy, to Tibet might well prompt similar demands from the PRC's numerous other minority groups. If, however, the alternative is dealing with a continual financial running sore and human rights embarrassment, the advantages of according Tibet a Hong Kong-type of internal self-government, such as envisioned in the Dalai Lama's proposal, might well outweigh the disadvantages. It remains to be seen whether the Dalai Lama can induce his own, more militant, supporters to accept such a plan.

APPENDIX 1

“Agreement between the Chinese Central People’s Government and the Tibetan Government on the Administration of Tibet,” Peking, May 23, 1951; English translation in “Agreement on Peaceful Liberation of Tibet,” Peking, May 27, 1951, NCNA, *Daily News Release* [English], no. 708: 112 (May 28, 1951).

1. The Tibetan people shall unite and drive out imperialist aggressive forces from Tibet so that the Tibetan people shall return to the big family of the motherland—the People’s Republic of China.

2. The local government of Tibet shall actively assist the People’s Liberation Army to enter Tibet and consolidate the national defenses.

3. In accordance with the policy toward nationalities laid down in the Common Programme of the Chinese People’s Political Consultative Conference, the Tibetan people have the right of exercising national regional autonomy under the unified leadership of the Central People’s Government.

4. The central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions, and powers of the Dalai Lama. Officials of various ranks shall hold office as usual.

5. The established status, functions, and powers of the Panchen Ngoerh tehni shall be maintained.

6. By the established status, functions, and powers of the Dalai Lama and the Panchen Ngoerh tehni are meant the status, functions, and powers of the Thirteenth Dalai Lama and the Ninth Panchen Ngoerh tehni when they were in friendly and amicable relations with each other.

7. The policy of freedom of religious belief laid down in the Common Programme of the Chinese People’s Political Consultative Conference shall be carried out.

The religious beliefs, customs and habits of the Tibetan people shall be respected, and lama monasteries shall be protected. The central authorities will not effect a change in the income of the monasteries.

8. Tibetan troops shall be reorganized step by step into the People’s Liberation Army and become a part of the national defense forces of the People’s Republic of China.

9. The spoken and written language and school education etc. of

the Tibetan nationality shall be developed step by step in accordance with the actual conditions in Tibet.

10. Tibetan agriculture, livestock raising, industry, and commerce shall be developed step by step, and the people's livelihood shall be improved step by step in accordance with the actual conditions in Tibet.

11. In matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities. The local government of Tibet should carry out reforms of its own accord, and, when the people raise demands for reform, they shall be settled by means of consultation with the leading personnel of Tibet.

12. Insofar as former pro-imperialist and pro-Kuomintang officials resolutely sever relations with imperialism and the Kuomintang and do not engage in sabotage or resistance, they may continue to hold office irrespective of their past.

13. The People's Liberation Army entering Tibet shall abide by all the above-mentioned policies and shall also be fair in all buying and selling and shall not arbitrarily take a needle or thread from the people.

14. The Central People's Government shall have the centralized handling of all external affairs of the area of Tibet, and there will be peaceful coexistence with neighboring countries and the establishment and development of fair commercial and trading relations with them on the basis of equality, mutual benefit, and mutual respect for territory and sovereignty.

15. In order to ensure the implementation of this agreement, the Central People's Government shall set up a military and administrative committee and a military area headquarters in Tibet, and apart from the personnel sent there by the Central People's Government, shall absorb as many local Tibetan personnel as possible to take part in the work.

Local Tibetan personnel taking part in the military and administrative committee may include patriotic elements from the local government of Tibet, various districts and various principal monasteries; the name list shall be set forth after consultation between the representatives designated by the Central People's Government and various quarters concerned and shall be submitted to the Central People's Government for appointment.

16. Funds needed by the military and administrative committee, the military area headquarters, and the People's Liberation Army entering Tibet shall be provided by the Central People's Government. The local government of Tibet should assist the People's Liberation

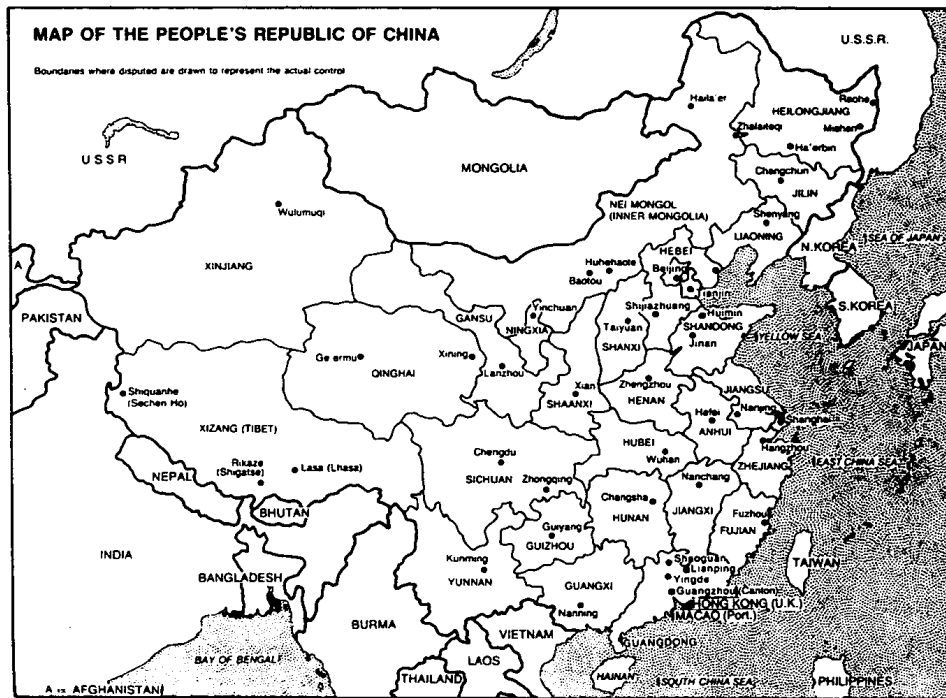
Army in the purchase and transport of food, fodder and other daily necessities.

17. This agreement shall come into force immediately after the signatures and seals are affixed to it.

Signed and sealed by delegates of the Central People's Government with full powers . . . [and] delegates with full powers of the local government of Tibet

APPENDIX 2

Tibet in Post-1951 period (People's Republic of China)



Source: China: *Torture and Ill-Treatment of Prisoners*, London, United Kingdom: Amnesty International Publications, 1987, (no page).

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