



Year-1 | Issue-2 | Continuous issue-2 | August-September 2012

### **The Tibetan Government-in-Exile and its Sovereignty**

The Tibetan sovereignty issue refers to two political debates. The first is whether the various territories within the People's Republic of China that are claimed as political Tibet should separate and become a new sovereign state. Many of the points in the debate rest on a second debate, about whether Tibet was independent or subordinate to China in certain parts of its recent history.

#### **View of the Chinese Governments:**

The government of the China contends that it has had control over Tibet since the Yuan Dynasty (1271–1368). The government of the Republic of China, which ruled mainland China from 1912 until 1949 and now controls Taiwan, had a cabinet-level Mongolian and Tibetan Affairs Commission in charge of the administration of Tibet and Mongolia regions from 1912. The commission retained its cabinet level status after 1949, but no longer executes that function. On 10 May 1943, Chiang Kai-shek (President of the Republic of China and Director-General of the Kuomintang until his death in 1975) asserted that "Tibet is part of Chinese territory... No foreign nation is allowed to interfere in our domestic affairs". He again declared in 1946 that the Tibetans were Chinese. The Republic of China still claims sovereignty over Tibet and Mongolia in its constitution.

In the late 19th century, China adopted the Western model of nation-state diplomacy. As the government of Tibet, China concluded several treaties (1876,1886,1890,1893) with British India touching on the status, boundaries and access to Tibet. Chinese government sources consider this a sign of sovereignty rather than suzerainty. However, by the 20th century British India found the treaties to be ineffective due to China's weakened control over the Tibetan local government. The British invaded Tibet in 1904 and forced the signing of a separate treaty, directly with the Tibetan government in Lhasa. In 1906, an Anglo-Chinese Convention was signed at Peking between Great Britain and China. It incorporated the 1904 Lhasa Convention (with modification), A treaty between Britain and Russia (1907) followed. Article II of this treaty stated that "In conformity with the admitted principle of the suzerainty of China over Tibet, Great Britain and Russia engage not to enter into negotiations with Tibet except through the intermediary of the Chinese Government." China sent troops into Tibet in 1908. The result of the policy of both Great Britain and Russia has been the virtual annexation of Tibet by China. China controlled Tibet up to 1912. Thereafter, Tibet entered the period described commonly as de facto independence, though it was not recognized by any country as enjoying de jure independence.

#### **Legal arguments based on historical status :**

The position of the People's Republic of China, which has ruled mainland China since 1949, as well as the official position of the Republic of China, which ruled mainland China before 1949 and currently controls Taiwan, is that Tibet has been an indivisible part of China de jure since the Yuan Dynasty of Mongol-ruled China in the 13th century, comparable to other states such as the Kingdom of Dali and the Tangut Empire that were also incorporated into the Middle Kingdom at the time. The People's Republic of China contends that according to the Succession of states theory in international law all subsequent Chinese governments (Ming Dynasty, Qing Dynasty, Republic Of China and People's Republic of China) have succeeded the Yuan Dynasty in exercising de jure sovereignty and de facto power over Tibet.

#### **Unique ethnicity:**

According to the current government, successive Chinese governments have recognized Tibet as having its own unique culture and language; however, they believe that this situation does not necessarily argue in favor of its independence, because China has over 56 unique ethnic groups and is one of many multi-national states in the world.

### **View of the Tibetan Government-in-Exile:**

In 1959, the 14th Dalai Lama fled Tibet and established a government in exile at Dharamsala in northern India. This group claims sovereignty over various ethnically or historically Tibetan areas now governed by China. Aside from the Tibet Autonomous Region, an area that was administered directly by the Dalai Lama's government until 1951, the group also claims Amdo (Qinghai) and eastern Kham (western Sichuan). About 45 percent of ethnic Tibetans under Chinese rule live in the Tibet Autonomous Region, according to the 2000 census. Prior to 1949, much of Amdo and eastern Kham were governed by local rulers and even warlords.

A proclamation issued by 13th Dalai Lama in 1913 states, "During the time of Genghis Khan and Altan Khan of the Mongols, the Ming dynasty of the Chinese, and the Qing Dynasty of the Manchus, Tibet and China cooperated on the basis of benefactor and priest relationship." The relationship did not imply "subordination of one to the other." He condemned the Chinese authorities for attempting to colonize Tibetan territory in 1910–12. "We are a small, religious, and independent nation," the proclamation states.

### **The view of the current Dalai Lama is as follows:**

During the 5th Dalai Lama's time [1617–1682], I think it was quite evident that we were a separate sovereign nation with no problems. The 6th Dalai Lama [1683–1706] was spiritually pre-eminent, but politically, he was weak and uninterested. He could not follow the 5th Dalai Lama's path. This was a great failure. So, then the Chinese influence increased. During this time, the Tibetans showed quite a deal of respect to the Chinese. But even during these times, the Tibetans never regarded Tibet as a part of China. All the documents were very clear that China, Mongolia and Tibet were all separate countries. Because the Chinese emperor was powerful and influential, the small nations accepted the Chinese power or influence. You cannot use the previous invasion as evidence that Tibet belongs to China. In the Tibetan mind, regardless of who was in power, whether it was the Manchus, the Mongols or the Chinese, the east of Tibet was simply referred to as China. In the Tibetan mind, India and China were treated the same; two separate countries.

The International Commission of Jurists concluded that from 1913 to 1950 Tibet demonstrated the conditions of statehood as generally accepted under international law. In the opinion of the commission, the government of Tibet conducted its own domestic and foreign affairs free from any outside authority, and countries with which Tibet had foreign relations are shown by official documents to have treated Tibet in practice as an independent State.

The United Nations General Assembly passed resolutions urging respect for the rights of Tibetans in 1959, 1961 and 1965. The 1961 resolution asserts that "principle of self-determination of peoples and nations" applies to the Tibetan people. The Tibetan Government in Exile views current People's Republic of China rule in Tibet as colonial and illegitimate, motivated solely by the natural resources and strategic value of Tibet, and in gross violation of both Tibet's historical status as an independent country and the right of Tibetan people to self-determination. It also points to People's Republic of China's autocratic policies, divide-and-rule policies, and what it contends are assimilations policies, and regard those as an example of ongoing imperialism aimed at destroying Tibet's distinct ethnic makeup, culture, and identity, thereby cementing it as an indivisible part of China. That said, the Dalai Lama has recently stated that he wishes only for Tibetan autonomy, and not separation from China, under certain democratic conditions, like freedom of speech and expression and genuine self-rule.

### **Tibetan independence movement :**

The Tibetan independence movement is a movement for the independence of the lands where Tibetan people live and the political separation of those lands from the People's Republic of China. It is principally led by the Tibetan Diaspora in countries like India and the United States, and by celebrities and Tibetan Buddhists in the United States and Europe. The movement is not supported by the 14th Dalai Lama, who although having advocated it from 1961 to the late 1970s, proposed a sort of high-level autonomy in a speech in Strasbourg in 1988, and has since restricted his proposals to the Tibet Autonomous Region within China.

To legitimize claims to independence, campaigners assert that Tibet has been historically independent, although there is no clear answer to question because of differing ideas of "Tibet" and "independence". Also, campaigners argue that Tibetans are currently mistreated and denied certain human rights, although the government disputes this and cites progress in human rights. Various

organizations with overlapping campaigns for independence and human rights have sought to pressure various governments to support Tibetan independence or to take punitive action against China for opposing it, although the effectiveness of these campaigns have been questionable.

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