

TITLE: SEEKING FOREIGN ASSISTANCE

OVERVIEW: Students read a summary of the recent history of Tibet and debate the merits of non intervention by the four foreign nations during the Chinese occupation of Tibet.

SUBJECT AREA / GRADE LEVEL: Civics and Government, History, 7-12

STATE CONTENT STANDARDS / BENCHMARKS:

-Understand how the United States government relates and interacts with other nations.

-Understand the importance and lasting influence of issues, events, people, and developments in world history.

OBJECTIVES: The student will demonstrate the ability to...

- know and understand the events in recent Tibetan history that led to their current government in exile.

- know the four countries approached for help by Tibet and the response from each.

- explain a position of agree or disagree with the position taken by each of the four countries.

- participate in a debate defending the position taken above.

MATERIALS:

Copies of summary of recent history of Tibet.

PRESENTATION STEPS:

1) Explain to the class that we will investigate the events of the previous century that lead to the current situation of the Tibet-Government-in-Exile.

2) Read independently, in cooperative groups, or as a class the Summary of Recent Tibetan History.

3) Follow reading with discussion questions.

4) Identify the four foreign countries approached for help by Tibet (U.S., U.K., India, Nepal).

5) Discuss in class, or cooperative groups, why did each of the four choose not to provide aide at the time. (Research may be needed to help this part of the discussion.)

6) Have each student choose to agree or disagree with the actions of these four countries. (Option: Assign half of the class to each side of the issue for debate purposes.)

7) Provide time for each side of the issue to prepare a defense of their position.

8) Engage in debate either as a whole class or in smaller groups. Establish rules for debate to be used in your classroom.

ASSESSMENT: End class by asking each student to participate in a role playing situation. Ask each to be a member of U.S. Congress and conduct a vote responding to Tibet's request for help. Role play the vote as if it were 1950 and again for 2001. Is there a difference in the outcome? Why or why not? Students should be prepared to offer an explanation.

ADAPTATIONS: Know the names of the countries that declined to assist Tibet. Know the reasons why one of the countries said no to the request for help. Participate in discussion offering an opinion on the decision not to help.

EXTENSIONS: Conduct an opinion survey of your school asking should the United States demand the freedom of Tibet from the Chinese government.

INVASION AND ILLEGAL ANNEXATION OF TIBET: 1949 - 1951

Introduction

Treaties in international law are binding on the countries signing them, unless they are imposed by force or a country is coerced into signing the agreement by the threat of force. This is reflected in the Vienna Convention on the Law of Treaties, which is regarded as a reflection of customary international law. The People's Republic of China (PRC) feels strongly about this principle, particularly as it applies to treaties and other agreements China was pressured to sign by Western powers at a time when China was weak. The PRC is particularly adamant that such "unequal" treaties and other agreements cannot be valid, no matter who signed them or for what reasons.

After the military invasion of Tibet had started and the small Tibetan army was defeated, the PRC imposed a treaty on the Tibetan Government under the terms of which Tibet was declared to be a part of China, albeit enjoying a large degree of autonomy. In the White Paper, China claims this

treaty was entered into entirely voluntarily by the Tibetan Government, and that the Dalai Lama, his Government and the Tibetan people as a whole welcomed it. The facts show a very different story, leading to the conclusion that the so-called "17 Point Agreement for the Peaceful Liberation of Tibet" was never validly concluded and was rejected by Tibetans. The Dalai Lama stated Tibetan Prime Minister Luchangwa as having told Chinese General Zhang Jin-wu in 1952:

It was absurd to refer to the terms of the Seventeen-Point Agreement. Our people did not accept the agreement and the Chinese themselves had repeatedly broken the terms of it. Their army was still in occupation of eastern Tibet; the area had not been returned to the government of Tibet, as it should have been. [My Land and My People, Dalai Lama, New York, Fourth Edition, 1992, p.95]

Diplomatic activity and military threats

Soon after the Communist victory against the Guomindang and the founding of the PRC on 1 October 1949, Radio Beijing began to announce that "the People's Liberation Army must liberate all Chinese territories, including Tibet, Xinjiang, Hainan and Taiwan." Partly in response to this threat, and in order to resolve long-standing border disputes with China, the Foreign Office of the Tibetan Government, on 2 November 1949, wrote to Mao Zedong proposing negotiations to settle all territorial disputes. Copies of this letter were sent to the Governments of India, Great Britain and the United States. Although these three Governments considered the spread of Communism to be a threat to the stability of South Asia, they advised the Tibetan Government to enter into direct negotiations with Chinese Government as any other course of action might provoke military retaliation.

The Tibetan Government decided to send two senior officials, Tsepon Shakabpa and Tsechag

Thubten Gyampo, to negotiate with representatives of the PRC in a third country, possibly the USSR, Singapore or Hong Kong. These officials were to take up with the Chinese Government the content of the Tibetan Foreign Office's letter to Chairman Mao Zedong and the threatening Chinese radio announcements still being made about an imminent "liberation of Tibet"; they were to secure an assurance that the territorial integrity of Tibet would not be violated and to state that Tibet would not tolerate interference.

When the Tibetan delegates in Delhi applied for visas to Hong Kong, the Chinese told them that their new Ambassador to India was due to arrive in the capital shortly and that negotiations should be opened through him.

In the course of negotiations, the Chinese Ambassador, Yuan Zhong-xian, demanded that the Tibetan delegation accept a Two-point Proposal: i) Tibetan national defence will be handled by China; and ii) Tibet should be recognised as a part of China. They were then to proceed to China in confirmation of the agreement. On being informed of the Chinese demands, the Tibetan Government instructed its delegates to reject the proposal. So negotiations were suspended.

On 7 October 1950, 40,000 Chinese troops under Political Commissar, Wang Qimei, attacked Eastern Tibet's provincial capital of Chamdo, from eight directions. The small Tibetan force, consisting of 8,000 troops and militia, were defeated. After two days, Chamdo was taken and Kalon (Minister) Ngapo Ngawang Jigme, the Regional Governor, was captured. Over 4,000 Tibetan fighters were killed.

The Chinese aggression came as a rude shock to India. In a sharp note to Beijing on 26 October 1950, the Indian Foreign Ministry wrote:

Now that the invasion of Tibet has been ordered by Chinese government, peaceful negotiations can hardly be synchronized with

it and there naturally will
be fear on the part of Tibetans that negotiations will
be under duress. In the
present context of world events, invasion by Chinese
troops of Tibet cannot but
be regarded as deplorable and in the considered
judgement of the Government of
India, not in the interest of China or peace.

A number of countries, including the United States and
Britain, expressed their support for the
Indian position.

The Tibetan National Assembly convened an emergency session
in November 1950 at which it
requested the Dalai Lama, only 16 at that time, to assume
full authority as Head of State. The
Dalai Lama was then requested to leave Lhasa for Dromo, near
the Indian border, so that he
would be out of personal danger. At the same time the Tibetan
Foreign Office issued the
following statement:

Tibet is united as one man behind the Dalai Lama who
has taken over full
powers. ... We have appealed to the world for peaceful
intervention in (the face
of this) clear case of unprovoked aggression.

The Tibetan Government also wrote to the Secretary General of
the United Nations on 7
November 1950, appealing for the world body's intervention.
The letter said, in part:

Tibet recognises that it is in no position to resist
the Chinese advance. It is thus
that it agreed to negotiate on friendly terms with the
Chinese Government.
... Though there is little hope that a nation dedicated
to peace will be able to resist
the brutal effort of men trained to war, we understand
that the United Nations
has decided to stop aggression wherever it takes place.

On 17 November 1950, El Salvador formally asked that the
aggression against Tibet be put on the

General Assembly agenda. However, the issue was not discussed in the UN General Assembly at the suggestion of the Indian delegation who asserted that a peaceful solution which is mutually advantageous to Tibet, India and China could be reached between the parties concerned. A second letter by the Tibetan delegation to the United Nations on 8 December 1950 did not change the situation.

Faced with the military occupation of Eastern and Northern Tibet, the defeat and destruction of its small army, the advance of tens of thousands of more PLA troops into Central Tibet, and the lack of active support from the international community, the Dalai Lama and the Tibetan Government decided to send a delegation to Beijing for negotiations with the new Chinese leadership.

"Seventeen-Point Agreement"

In April 1951, the Tibetan Government sent a five-member delegation to Beijing, led by Kalon Ngapo Ngawang Jigme. The Tibetan Government authorised its delegation to put forward the Tibetan stand and listen to the Chinese position. But, contrary to the claim made in the White Paper that the delegation had "full powers," it was expressly not given the plenipotentiary authority to conclude an agreement. In fact, it was instructed to refer all important matters to the Government.

On 29 April negotiations opened with the presentation of a draft agreement by the leader of the Chinese delegation. The Tibetan delegation rejected the Chinese proposal in toto, after which the Chinese tabled a modified draft that was equally unacceptable to the Tibetan delegation. At this point, the Chinese delegates, Li Weihang and Zhang Jin-wu, made it plain that the terms, as they now stood, were final and amounted to an ultimatum. The Tibetan delegation was addressed in harsh and insulting terms, threatened with physical violence, and members were virtually kept prisoners. No further discussion was permitted, and, contrary

to Chinese claims, the Tibetan delegation was prevented from contacting its Government for instructions. It was given the onerous choice of either signing the "Agreement" on its own authority or accepting responsibility for an immediate military advance on Lhasa.

Under immense Chinese pressure the Tibetan delegation signed the "Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet" on 23 May 1951, without being able to inform the Tibetan Government. The delegation warned the Chinese that they were signing only in their personal capacity and had no authority to bind either the Dalai Lama or the Tibetan Government to the "Agreement".

None of this posed an obstacle to the Chinese Government to proceed with a signing ceremony and to announce to the world that an "agreement" had been concluded for the "peaceful liberation of Tibet". Even the seals affixed to the document were forged by the Chinese Government to give it the necessary semblance of authenticity. The seventeen clauses of the "Agreement", among other things, authorised the entry into Tibet of Chinese forces and empowered the Chinese Government to handle Tibet's external affairs. On the other hand, it guaranteed that China would not alter the existing political system in Tibet and not interfere with the established status, function, and powers of the Dalai Lama or the Panchen Lama. The Tibetan people were to have regional autonomy, and their religious beliefs and customs were to be respected. Internal reforms in Tibet would be effected after consultation with leading Tibetans and without compulsion.

The full text of what came to be known as the "Seventeen-Point Agreement" was broadcast by Radio Beijing on 27 May 1951. This was the first time the Dalai Lama and the Tibetan Government heard of the devastating document. The reaction in Dromo (where the Dalai Lama was staying at that time) and Lhasa was one of shock and

disbelief.

A message was immediately sent to the delegation in Beijing, reprimanding them for signing the

"Agreement" without consulting the Government for instructions. The delegation was asked to send the text of the document they had signed, and wait in Beijing for further instructions. In the

meantime, a telegraphic message was received from the delegation to say that the Chinese

Government representative, General Zhang Jin-wu, was already on his way to Dromo, via India.

It added that some of the delegation members were returning, via India, and the leader of the delegation was returning directly to Lhasa.

The Dalai Lama and the Tibetan Government withheld the public repudiation of the "Agreement".

The Dalai Lama returned to Lhasa on 17 August 1951 in the hope of re-negotiating a more favourable treaty with the Chinese.

On 9 September 1951, around 3,000 Chinese troops marched into Lhasa, soon followed by some

20,000 more, from eastern Tibet and from Eastern Turkestan (Xinjiang) in the north. The PLA

occupied the principal cities of Ruthok and Gartok, and then Gyangtse and Shigatse. With the

occupation of all the major cities of Tibet, including Lhasa, and large concentration of troops throughout eastern and western Tibet, the military control of Tibet was virtually complete. From

this position, China refused to re-open negotiations and the Dalai Lama had effectively lost the

ability to either accept or reject any Tibet-China agreement. However, on the first occasion he had

of expressing himself freely again, which came only on 20 June 1959, after his flight to India, the

Dalai Lama formally repudiated the "Seventeen-Point Agreement", as having been "thrust upon

Tibetan Government and people by the threat of arms".

In assessing the "17-Point Agreement on Measures for the Peaceful Liberation of Tibet" and the

occupation of Tibet two factors are crucial. First, the extent to which China was violating

international law when the PLA marched into Tibet, and second, the effect of the signing of the "Agreement".

The law governing treaties is based on the universally recognised principle that the foundation of conventional obligations is the free and mutual consent of contracting parties and, conversely, that freedom of consent is essential to the validity of an agreement. Treaties brought about by the threat or the use of force lack legal validity, particularly if the coercion is applied to the country and government in question rather than only on the negotiators themselves. With China occupying large portions of Tibet and openly threatening a full military advance to Lhasa unless the treaty was signed, the "agreement" was invalid ab initio, meaning that it could not even be validated by a later act of acquiescence by the Tibetan Government.

Contrary to China's claim in its White Paper, the Dalai Lama and the Tibetan Government did not act voluntarily in signing the "Agreement". In fact, Mao Zedong himself, in the Directive of Central Committee of CPC on the Policies for our Work in Tibet, issued on 6 April 1952, admitted:

(N)ot only the two Silons (i.e., prime ministers) but also the Dalai and most of his clique were reluctant to accept the Agreement and are unwilling to carry it out. ... As yet we do not have a material base for fully implementing the agreement, nor do we have a base for this purpose in terms of support among the masses or in the upper stratum. [Selected Works of Mao Tsetung, Vol. 5, Foreign Language Press, Peking, 1977, p.75]

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