

Outcry from Tibet:
The Inadequacy of the Universal Declaration
of Human Rights

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“Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind...human beings shall enjoy freedom of speech and belief and freedom from fear and want [, which] has been proclaimed as the highest aspiration of the common people” 1

“Some of us Tibetans were singled out and checked right away by armed police who led us at gunpoint into their courtyard” 2

Previously a theocratic nation, Tibet became a part of the People’s Republic of China after the Chinese Liberation Army set foot on Tibetan soil in 1950. Defenseless against the sophisticatedly equipped Chinese army as a religious community, Tibet was brought under the Chinese rule after the occupation mission concluded with the signing of a treaty. This official treaty, the Seventeen-Point Agreement for the Peaceful Liberation of Tibet, promises Tibet “control over its cultural, economic, and domestic political affairs.”3 However, evidence from the past sixty and more years demonstrates proof to the contrary. Most significant are the human rights violations, which the Tibetan people face on a daily basis—even in the present-day. In their latest annual report, the Tibetan Centre for Human Rights and Democracy points to the deteriorated human rights situation in Tibet with “laws enabling the abuses [that] targeted more people more severely.”4 Such a fact leads people to question whether the United Nation’s Universal Declaration of Human Rights (UDHR) can be of any help in mollifying the human rights issue in Tibet. But first, should the universality of the UDHR be applied to the people of Tibet in the first place, discounting its sociocultural context? To answer this question, we have to consider the appropriateness of having some principles or a set of human rights regulations that all cultures and nations can agree upon, a rather Western cosmopolitan view on international ethical issues. In cosmopolitanism, national borders are morally irrelevant because “a truly moral rule or code will be applicable to everyone.”5 However, it raises concerns knowing that most of the debates about international ethics come from Western traditions of moral theory.6 The inclusion of Dr. Peng-Chun Chang of the then Republic of China, who was arguably the only non-Western leader in the UDHR drafting committee, did have its effect (though limited) on balancing the representative diversity of this overarching documentation. This is particularly true when Dr. Chang was known to be proactive in bringing

Chinese values onto the predominantly Western discussion table.

The UDHR was, in fact, the post-war product of the Second World War experience and was mainly intended to respond to the horrific history of the German Holocaust. As one of its prime historical significances, the Holocaust awakens concerns about human rights issues at an international level, giving birth to, for example, the Crimes Against Humanity and War Crimes Act and the Convention on the Prevention and Punishment of the Crime of Genocide. Leaders of the post Second World War era, including non-Western powers, then began signing on to various efforts that ensure world peace. That said, the intolerance of mass atrocities in our highly globalized contemporary society should be clear—but is it so in the case of Tibet?

In this paper, the effectiveness of the internationally drafted UDHR is examined using the case of Tibet to advance the understandings of and to press the awareness of human rights violation in Tibet. In particular, this is also a study of the impact of globalization on Tibetan human rights issues that involves intricate relationships between politics, economics, and societies at an international and national level.

The Tibetan Human Rights Issue at an International Level—the Role of Bystanders

As an interesting parallel to Tibetan human rights issues, the Holocaust is hard to avoid when discussing the topic of international human rights, given that it spawned epochal, international-level documents in this field unseen before the Second World War. The prominent Holocaust scholar Raul Hilberg stressed the ordinariness and bureaucracy of the Jewish genocide, arguing it was put together by “German society, its ministries, armed forces [the private armies], party formations, and industry” and that “no organized element of German society was entirely uninvolved.”7 A further step can be taken in regards to the accountability issue and the possibility of an indirect and shared involvement from the rest of the world, for the first few large-scale killings of the Jews were made internationally known through major news publications. How did communities worldwide respond to the “known” Jewish massacre? The infamous appeasement policy of, the then British Prime Minister, Neville Chamberlain is a good example for demonstrating how the Nazi power was essentially acting with consent from other world powers.

Nevertheless, as history progresses and efforts to create “solutions” for post-war issues continue, have we, as a globalized society, truly manifested the essence of what we came up with collectively after all these decades? Careful scrutiny of the situation in Tibet, unfortunately, provides unpleasant answers.

As a direct outcome of the Chinese incursion, it is estimated that “nearly 1.2 million out of about 6 million [Tibetan people] died through armed conflict and famine; large numbers of Tibetan children were forcibly taken from their families and sent to Chinese orphanages for ‘reeducation.’”8 Even today, more than sixty years since China “liberated” Tibet with armed force, Tibetan people’s demands for basic human rights are incarnated via drastic forms of protest with self-immolation being the most noticeable as it has claimed the lives of over a hundred Tibetans since 2009. Former communications consultant of the United States Holocaust Memorial Museum and experienced journalist and researcher on Tibetan affairs, Maura Moynihan once puzzled:

“There appears to be a collective global amnesia about Communist China’s Crimes against humanity, past and present. Mao Zedong killed at least 60 million people—some studies put the number at 80 million. Mao’s police state routinely tortures and murders its subject peoples for the crime of ‘counterrevolutionary thought’. The students of Tiananmen were punished for seeking democracy, Tibetans for practicing the Buddhist faith. No one would think of walking into a party in New York or New Delhi wearing a Hitler T-shirt, but it is chic to sport an image of Mao Zedong (fig. 1), one of history’s greatest brutes. Why?”9

Inescapably, the extreme self-immolation protests were also the result of global obliviousness toward what has been happening in Tibet. The first and most telling petition was drafted by the 10th Panchen Lama (Tibet’s second highest Lama) in 1962. This document revealed a diverse set of historically significant points, amongst which Professor Robert Barnett from Columbia University argued, “the Chinese policy system had moved to almost blind attack on Tibetans that it suspected of being dissident or being un-loyal.” More recently, since the internal demand for religious and social freedom turned into a large-scale protest in 2008, brought about by hope that the Olympic Games held by China that year could potentially draw the world’s attention to extreme

issues occurring on the Mainland, more Tibetans have risked their lives in street protests. However, those daring individuals were met with imprisonment, beatings, death, or “disappearance” (being filed as missing persons). It is the unresponsive outside world, unfruitful petitions outside and within the Chinese system, and the long-term systematic annihilation of the local culture, religion, politics, and society at the hands of Chinese authorities that transformed the Tibetan struggle into a new radical form.¹⁰ From a panoramic view, the international community fails to be more ethically conscious—but why does it fail? Is it so hard to negotiate with China about applying the most fundamental human rights to its people?

Though complex, the answer is a definite yes. The most intuitive reason is the concern of economics. China has successfully positioned itself as the “factory of the world.” It is nearly impossible to avoid products made in China. The cheap labor, overall lower production costs, as well as the astonishingly large market are appealing factors for profit-driven businesspeople to support the bosses in Beijing. This unique dependency relationship between China and the rest of the world then formed, unintentionally, a group of financially influential apologists for the Chinese Communists. In fact, Chinese exports to major markets around the world, particularly the developed states, suggest China’s influential role in the global economic system, which ultimately entails the high magnitude of its influence to swing the stances of other nations regarding thorny issues. A recent manifestation of China’s strong economic influence can be found in a statement by the incumbent President of Senegal in West Africa, Macky Sall, which he made in response to rising concerns about China’s growing investment harming African democracy. In his words, “[the] cooperation with China is much more direct and faster than the cooperation we have with Western countries...I’m not saying what China is doing is better, but at least it is faster. And we need speed.”¹¹

Additionally, as one of the focal areas, the Chinese government has taken advantage of its booming economy to invest in armaments. China is currently the third-ranked global military power according to the Global Firepower organization, which recognizes China’s “rising power along many fronts including military spending, indigenous development and production.”¹² Therefore, for most parts of the world, China is not only a very profitable business partner to work with but also a powerful threat to not be

regarded lightly. The already intricate political issues, given China’s anomalous position in world politics, has been complicated by contemporary economic and military structures.

One might argue that the Chinese government might benefit from an emphasis on human rights protection and cultural preservation in Tibet. This is a legitimate conjecture, which requires us to look through the lens of China, a shift in this paper from an international level to a national level

The Tibetan Human Rights Issue at a National Level—What does China Fear

So what good does it bring to the Chinese government if they sit down to settle the Tibetan case with His Holiness the Dalai Lama through peaceful reconciliation? One might argue that they will have a better national reputation in the international arena. Unquestionably, this is what the Chinese politburo considers an important diplomatic strategy, particularly within recent years. Perhaps feeling a certain degree of anxiety regarding its neighbors’ increasing powers, Beijing has been extra cautious handling its relationship with other nations. China’s relatively more peaceful and open-minded tactics concerning Cross-Strait relationships with Taiwan in recent years reflects this point. Moreover, a peaceful reconciliation with the Dalai Lama can help China preserve the long-standing Tibetan heritage and rich history, because all that the Dalai Lama has asked for is “[allowing] the Tibetan people a measure of self-governance and non-interference in religion and culture.”¹³ At some level, this will also help China develop the region as it opens arms to embrace international tourists and scholars interested in that part of the Mainland—a soft power of great strength to promote its economy, reputation and diplomatic relationships, drawing true proponents who are, for example, scholastic and non or less exploitative in nature. Then what keeps China from taking the peaceful actions and what is it afraid of?

The Dalai Lama’s extraordinary role as an influential leader and “living symbol of the Buddhist faith” would certainly be a threat to the Chinese cadres as they “fear his moral authority and do not want the international community to examine their record in Tibet, because they have a lot to hide.”¹⁴ Indeed, when the Dalai Lama began acting through writings, he uncovered numerous atrocities underneath China’s “Peaceful Liberation of Tibet” and their

political propaganda; fortunately, his efforts were met by increasing international attention. Back in the nineties, such actions irritated the Politburo, causing them to implement the infamous “Strike Hard Campaign,” which proclaimed Buddhism “a disease to be eradicated.”¹⁵ Aside from the well-respected religious leader, who the Chinese officials once labeled as a counterrevolutionary bandit and an incestuous murderer, China is also reluctant to “divest much of its control over [natural resources] and development in Tibet.”¹⁶ China considers Tibet a “vast, virgin frontier of lumber, water and minerals, including some of the world’s largest uranium deposits (an ideal source of concentrated energy, like nuclear power).”¹⁷ It is made clear that Beijing prioritizes its extractive institution in Tibet to serve the nation’s industrial base rather than focusing on the preservation of Tibetan cultural identity. In addition, there is also an increased voice arguing that the rather rhetorical approach of peaceful reconciliation cannot compete with the emphasis on more pragmatic developments, such as the betterment of local infrastructure.

This very point was raised again in 2012 during an open forum at the University of Minnesota’s Law School between Chinese students and the Prime Minister of the Tibetan Government in Exile, Dr. Lobsang Sangay. When a Chinese student stressed the point that the Chinese government has brought immense improvement to Tibet’s infrastructure and further questioned Dr. Sangay about what he can do for Tibet if it were to be administered by him, Dr. Sangay responded by implying the “development” aspect is, in fact, irrelevant. He used Hong Kong as an example to illustrate the point that it was eventually returned to the Chinese communist regime after transforming from a fishing village to one of the most developed regions under British control.¹⁸ The Chinese government disregarded the development brought by the British government and insisted that Hong Kong be returned because “it was theirs.”¹⁹ However, was the economic development even a concern or desire for the Tibetan people or would they prefer other means to measure their own quality of life? We should also bear in mind the social discriminatory policies that are still in place within Tibet. It is true that living standards in Tibet have improved (after sacrificing so much of the priceless culture and immeasurable rights); however, the improvement benefits mostly the Han Chinese people residing in Tibet rather than local Tibetans. In Lhasa, Tibet’s capital, 70% of businesses are owned or run by Han Chinese people; more than 30%

of the local communist party members are Han Chinese; and according to the Chinese government, 92% of the people in Tibet are local Tibetans.²⁰ In other words, 8% of the Han Chinese population essentially controls the majority of the Tibetan people. This control has produced unequal hourly wages and unfair employment opportunities between the two ethnic groups.

Let us also not forget the unique geographical location of China. Throughout Chinese history, different names have emerged to describe the special location of the Mainland, which demonstrates the rather egocentric attitude of the Chinese authority. The most typical titles are the Central Plain () and later the Celestial Empire (), both of which have their literal and metaphorical meanings of the idea that China is at the center of the world. Geographically speaking, these ideas can still be relevant. The Tibetan Plateau is a part of the Mainland that borders Burma, India, Nepal, Bhutan, and Kashmir, and which "contributes to security tensions in South Asia."²¹ Tibet's geographic location provides gargantuan incentives regarding military and national security issues for Beijing to secure its "central" position in Asia.

At a national level, the Tibetan human rights issue is not of great interest to the Politburo. China fears that the possible influences of the Dalai Lama will attract too much international attention in Tibet, which slows down their economic exploitation work in Tibet. Moreover, they are more concerned about their monopolistic ownership of major resources in Tibet. The impact of globalization, to a large degree, seems to make the situation in Tibet even more detrimental as Beijing continues to profit and advance its national economy under today's global economic system; and with that, boosting their military power to take full advantage of Tibet's distinct geographical location. The fact that Tibet is firmly under the communist party's control also makes it easier for Beijing to carry on, often mysteriously, its systematic annihilation and tactical planning in Tibet even today.

Concluding Remarks

After exploring core obstacles that stand in the way of Tibetan human rights development, our first question—Should the cosmopolitan view of having a set of human rights acts be applicable to Tibet?—is easily answered.

Yes, absolutely; especially when the UDHR stresses the points of non-violence and the elimination of inhumane treatment to any person regardless of "the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty."²² There is no significant conflict between the human rights acts and Tibet's local cultures—particularly after accounting for the large-scale genocidal project the Politburo has undertaken in Tibetan land. Hence, theoretically, it seems more than appropriate to finally start implementing the universal rights document in Tibet. Nevertheless, here is where the most fundamental question chimes in—how can it be done, practically speaking?

We have explored the tangled political and economic facets of China, which seemingly yields little room for the human rights issue to be settled in Tibet. It is thus more important to realize that the Tibetan issue cannot be solved if external forces remain silent. It is imperative to understand that an official document made internationally should also be enforced internationally. As author Moynihan stressed: "This is not just a fight for Tibet. This is a fight...for the human right, and the civil right, and the political right, religious right of the world."²³ Unfortunately, as, arguably, the strongest and most influential power in the world, the United States seems to live up more to its capitalist pursuits than all its idealist chants and campaigns on equality. The United States made its priority clear when the former U.S. Secretary of State, Hillary Clinton, said in her visit to China in 2009, in response to a call for a deeper bilateral partnership, that "[o]ur pressing on those issues (human rights, Taiwan and Tibet) can't interfere with the global economic crisis, the global climate change crisis and the security crises."²⁴ This remark made Amnesty International feel "shocked and extremely disappointed," leading them to think "[By] commenting that human rights will not interfere with other priorities, Secretary Clinton [damaged] future US initiatives to protect those rights in China."²⁵ Further, the Human Rights Watch also said Mrs. Clinton sent the wrong message to China when her remarks "point to a diplomatic strategy that has worked well for the Chinese government—separating human rights issues into a dead-end 'dialogue' of the deaf."²⁶

Interestingly enough, today's antiterrorism and counterterrorism actions are largely concentrated in the Middle East

or the Arabic World when the combination of Hitler, Stalin, and Mao has been classified as, in the words of an Oxford historian, "the most murderous form of terrorism."²⁷ How can the international attention turn away from Mao's dreadful legacies that still live in Tibetan land today?

More should be done by governments, private sectors, and communities worldwide to negotiate with the Chinese government to ensure the rights, and most importantly, the lives of the Tibetan people are being protected. They deserve to be granted basic human rights for their freedom of religion and social welfare and not to be forced to buy into the capitalist idea of "development." It is difficult for Tibetans to appreciate the roads and bridges built under the planning of the Chinese regime while facing the demolition of more than six thousand monasteries, the centers of their spiritual, political, and educational lives. In fact, by 1962 when the 10th Panchen Lama drafted the petition, Professor Barnett estimated that more than 95% of the monasteries were closed and the monks were forced to leave.²⁸ In the words of the former president of the United States, John F. Kennedy, "[p]ublic ceremonies, theatrical commitments, and magic incantation, even of human rights, do not bring justice. Justice must be made by people in their background vocabularies, each time for the first time."²⁹ The UDHR should at least ensure China can no longer continue its series of atrocities in Tibet with acquiescence from the rest of the world. Otherwise, how oblivious and hypocritical are we as "global citizens" living in this international community that we allow yet another large-scale genocide to proceed while at the same time condemning the Third Reich so harshly that we build museums, publish countless books, and globally acknowledge the ludicrous wrongdoing of the Holocaust?

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