Conclusion Process and Analysis of the "17-Point Agreement" between China and Tibet

SUH Sangmun, Chungang University

Journal of Northeast Asian History
Volume 6, Number 2 (December 2009), 163-217

Conclusion Process and Analysis of the "17-Point Agreement" between China and Tibet

The 17-Point Agreement signed by China and Tibet in 1951 contained many elements considered to be unlawful. Indeed, agreement was only reached as a result of military intimidation and coercion on the part of China. Furthermore, the agreement was never officially ratified by the Dalai Lama, the head of Tibetan Government. The Dalai Lama merely delayed the ratification or tacitly consented to the Agreement during a brief "honeymoon period" he experienced with the Chinese authorities after its conclusion.

The Agreement ended up providing further grounds for China to consolidate its sovereignty over Tibet legitimately. It also provided the foundation for China to exercise direct control of Tibet's politics, diplomacy, and armed forces as well as the basis for seizing the Tibetan Army. On the other hand, the Tibetan Government had only been promised autonomy with regard to politics and national affairs, and was deprived of its rights of diplomacy and self-defense.

The 17-Point Agreement made it impossible for Tibet to exist as an independent country. It also provided the grounds for the Tibetan Government in Exile to demand that the Chinese Government recognize the autonomy of Tibet, ensure the position of the Dalai Lama, and preserve, not destroy, the spoken and written language, religion, and customs of Tibet so as to maintain the identity of the Tibetan people (for) as long as the Tibetan Government continued maintain a relationship with China in any form.

Keywords: People's Republic of China, Tibet, Dalai Lama, Government of Tibet in Exile, Seventeen-Point Agreement, The Agreement between the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet

Conclusion Process and Analysis of the "17-Point Agreement" between China and Tibet

SUH Sangmun, Chungang University

I. Introduction

On May 23, 1951, in Qinzhengdian, Zhongnanhai, Beijing, China, representatives of the Government of the People's Republic[1] of China and the Government of Tibet signed the Agreement on Measures for the Peaceful Liberation of Tibet, which defined the relationship between China and Tibet.[2] The Agreement is often abbreviated as the Seventeen-Point Agreement ("17-Point Agreement").

With the signing of the Agreement, China reaffirmed that Tibet was an inseparable part of its territory, and used it as historic grounds to

[1] The Government of the People's Republic of China will be abbreviated as China hereafter, while the Republic of China (which was established in 1911) will be referred to as it is. However, it should be noted that the term "China" is used for two different meanings here: "China" as the Government of the People's Republic of China and "China" as a historic country which existed before the Government of the People's Republic of China, as opposed to Tibet and other countries.

[2] The official title of the Agreement is the "Agreement Between the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet" in English, and "中央人民政府和西藏地方政府關於和平解放西藏辦法的協" in Chinese.

justify its exercise of sovereignty over Tibet. Since then, China has maintained that the invasion and occupation of mainland Tibet by the People's Liberation Army of China ("Army of China") was a "peaceful liberation"[3] based on the Agreement.

However, the Dalai Lama of the Government of Tibet in Exile refutes the Agreement, asserting that Tibet was an independent nation at the time of the invasion. The Government of Tibet in Exile claims that it was coerced by China to sign the Agreement and, above all, that it was not signed by the Dalai Lama, who had the ultimate authority to approve any treaty as head of the Tibetan Government. As such, it maintains that the Agreement is invalid as it did not meet the formal requirements for recognition as a legitimate treaty.

Two such conflicting voices have dominated the debate, and provided the grounds for determining whether China's rule and exercise of sovereignty over Tibet are legitimate. Accordingly, academic circles have conducted a massive review of the 17-Point Agreement, reflecting the sharp divide. However, the review and discussion have mainly been concentrated on the diverse theories and arguments surrounding the legitimacy of the negotiations and the Agreement, and the justification of Tibet's occupation by the Army of China.[4]

This paper will review the issues again from the following perspectives: What were the historic backgrounds to and circumstances of China and Tibet when they signed the 17-Point Agreement? How was

---

[3] Tibet consists of five regions: U-Tsang [衛藏] in the center, Kham [康=西康] in the southeast, Amdo [安多] in the northeast, Ngari [阿里] in the hilly, meagerly-populated western region, and Zyang Thang in the southern desert region of the Kunlun Mountains in the northwest. The capital, Lhasa, and the second largest city, Shigatse [日喀則], are located in U-Tsang, and Amdo is now Southern Qinghai Sheng. In this paper, "mainland Tibet" refers to U-Tsang.

[4] Kim, Han-gyu (2000) is a useful domestic source for acquiring a brief understanding of the achievements of research on the 17-Point Agreement. The publication provides an overview of the diverse theories proposed by scholars around the world from the late 6th century—when China and Tibet started to build a relationship—to the 20th century, and the arguments between the two sides. See p. 306 to 324 of the publication.

the Agreement negotiated and concluded, and what in the nature of its contents gave rise to such conflicting claims by the two parties? What are the grounds that the Chinese Government and the Tibetan Government in Exile make to support their assertions? In this paper's attempt to answer these questions, particular emphasis will be placed on clarifying the political implications for both parties by analyzing the provisions of the Agreement.

II. Conflict between Two Causes: "Independence" vs. "Liberalization" as Asserted by Tibet and Newly-Established China Respectively

How, then, did the Tibetan Government and the newly established Chinese Government perceive each other Any action taken by one country against another—whether it is favorable, i.e. enough to build a friendly relationship as neighboring countries, or negative, i.e. enough to go to war or launch an invasion—is often based on its perception of the other, and such national awareness or ethos is the decisive factor in forming a mutual relationship. In other words, how one country perceives another has a significant psychological impact on the nature of their diplomatic relationship and the possibility of war, invasion, or annexation.

Before a new nation was established in mainland China in October 1949, Tibetans considered themselves as belonging to a community completely separate from China in terms of ethnicity, language, religion, culture, and customs. Such an identity has been consistent throughout the history of Tibet, but (unfortunately for them) the Tibetans lacked national power and a standing army strong enough to assert that identity. Up until the modern era, Tibetans followed a pattern of closely monitoring the political environment in China and responding to changes accordingly.

With the Chinese Revolution in 1911, the political powers of each province against the Qing Dynasty declared independence, and, with the

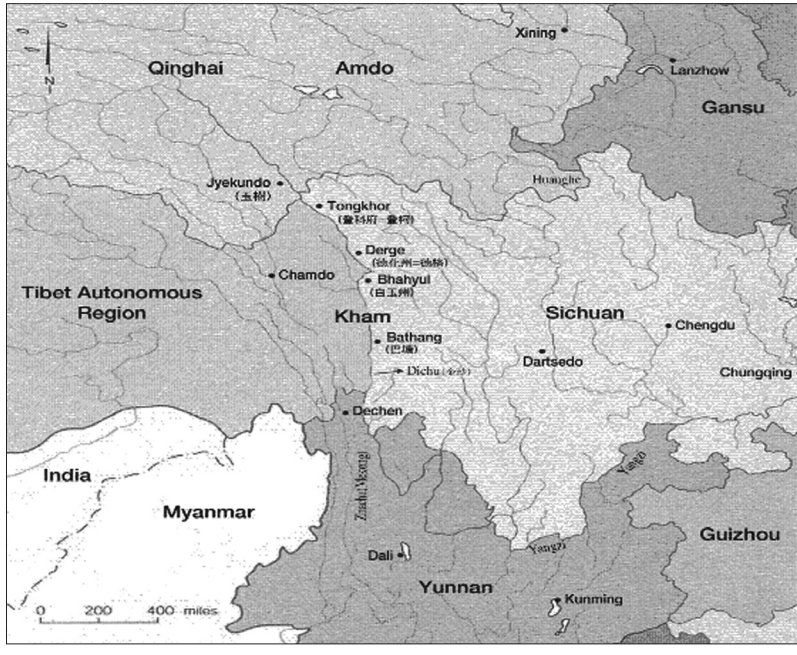
collapse of the Qing Dynasty, the Tibetan Government declared its independence twice, in 1912 and again in 1913. Thupten Gyatso (1875-1933), the 13th Dalia Lama, after a short period of exile in India, returned to Lhasa, Tibet, expelled the Chinese army and officials, and declared the independence of Tibet. The declaration was approved by government representatives of Tibet, the UK and the Republic of China in the convention held in Simla, a city in northern India, in July 1914. However, as the Government of the Republic of China refused the final ratification, it ended up as an incomplete action excluding China which had claimed its suzerainty. The convention was held peacefully, and the resulting Simla Accord provided that Tibet would be divided into inner and outer regions and that China would have suzerainty over Tibet. But with the veto of the Republic of China, only the Governments of the UK and Tibet ratified it ultimately (Yang, 2003, pp.47-49). The Government of the Republic of China not only vetoed the Simla Convention, but also obtained the right to military control over the entire region of Kham [康=西康], which had been a part of Tibet.

As Kham fell under the control of the Republic of China, inner Tibet, where the Tibetan Government was located, became vulnerable to potential military threats. The 13th Dalai Lama, concerned with the threatened existence of Tibet, launched a counteroffensive to restore the lost territory by sending troops to the territory occupied by the Army of China. Concluding the standoff that went on from 1917 to 1918, the Army of Tibet succeeded in driving the Chinese Army to the east of the Dichu River [金沙江]. Thanks to this victory, the Tibetan Government was able to reach an armistice with China in mid-1918, and redefined the borderline between Tibet and China along the Dichu River. But the ceasefire was nothing more than a temporary halt to China's encroachment on Tibet's border, because it meant that Tibet had handed over a part of its territory east of the river which belonged to the Great Tibet ruled by the Dalai Lama.

With this arrangement, major villages east of the Dichu River such

as Batang [巴塘], Bhahyul [白玉州], Derge [德化州=德格], and Tongkhor [登科府=登柯] were placed under the rule of the Government of the Republic of China. Furthermore, as the mission in Lhasa of the Mongolian and Tibetan Affairs Commission set up by the Republic of China was to remain in Lhasa, Tibet came to be subject to the lasting influence of China.[5]

<Map 1> Dizhu River and the Gities Nearby



1. The names of regions belonging to Great Tibet are transliterated in Tibetan pronunciation while those of Chinese regions are in Chinese pronunciation.
2. The former of Chinese names in the parenthesis is how it had been called from the Qing Dynasty to the Nationalist Government, and the latter is their present names.

[5] As for the Sino-Tibetan relationship from 1911 to 1949, see (Wang, Lixiong, 1998, pp. 89-101).

In the 1940s a tense confrontation between the Nationalists and the Communists over the hegemony of mainland China ensued. The Tibetan Government made another attempt to secure its independence. On July 8, 1942, the Kashag, which was a cabinet as Tsong-du and an advisory body to the Dalai Lama, expelled the Chinese officials of the Mongolian and Tibetan Affairs Commission and declared that it would set up a Bureau of Foreign Affairs under the Tibetan Government. Its purpose was to proclaim its determination as an independent country through a new bureau equivalent to the Chinese mission (Huang Yuseng et al., 1995, p. 322; Xie Jian, 1999, p. 98). In contrast to the official purpose, the real intention was to prevent the Army of China from entering Tibet. At that time, the head of the mission in Tibet (whose Chinese name was Kong Qingzong [孔慶宗]) sent by the Mongolian and Tibetan Affairs Commission reported the situation to the Chinese Government. According to the report, Tibetans regarded the Government of the Republic of China as foreign and themselves as "an independent country". Expectedly, the Bureau of Foreign Affairs was abolished by a directive of the Executive Yuan of the Republic of China in early August 1942 (Fu Juhui, 1993, pp. 1-2).

Behind the Tibetan perception of China as their equal or the desire for independence was the awareness that Tibet and China are two different countries. This awareness was clearly demonstrated when a Tibetan representative, who was invited to the Nationalist Convention held in Beijing in May 1948 by the Government of the Republic of China, refused to vote in the presidential election, claiming that he was there to observe as a guest and not to cast a vote as the Tibetan representative of the Republic of China. The incident is a clear revelation of the perception and feeling Tibetans have harbored towards China for a long time. It is in keeping with this incident that some asserted that the Tibetans were very remote from the Chinese in terms of their consciousness (Ya Hanzhang, 1986, p. 441). Such awareness reveals a dramatic contrast with that of the Chinese towards the Tibetans.

China's attitude towards Tibet was—in a word—that it needed to "liberate" the Tibetans, who had been suffering from the dual burden of oppression by foreign imperialists and a feudal system under which they were governed by a "Church-State." The messianic mission of "liberation" was focused on separating church and state in Tibet by military administration and on turning Tibetan society into a socialist one in much the same manner that the Chinese Communist had managed those regions liberated from the 'despotic' Nationalists by way of military administration. The governance and occupation of Tibet was a legacy inherited from the Nationalist policies in some sense, in that they were pursued not only by the Communist Party, but also by the Nationalist Party of Jiang Jieshi.

By 1949, the Communist Party's series of victories over Jiang Jieshi's Nationalist Party signaled the rise of a new supreme ruler, all the while causing extreme anxiety in Lhasa. With the increasing possibility that the atheistic communists would soon rule over all of China, the Tibetan Government's uneasiness grew to a point where it even conducted a religious ritual to prevent the Communist Party from having the luck of assuming power (Goldstein & Sherap & Siebenschuh, 2009, p. 208).

With regard to the movement in Tibet, the leadership of the Chinese Communist Party continued its eradication of the Nationalist Army through the final stage of the civil war and launched its campaign to "liberate" Tibet right before the great unification of China. On August 6, 1949, Mao Zedong ordered Peng Dehuai [彭德懷], the military leader in charge of the northwest, to protect the Panchen Lama and the Tibetans in Gansu [甘肅] and Qinghai [青海] and to prepare to "liberate" Tibet from the Dalai Lama by force[6] (Yu Ren, 1997, *Dangshi wenhui* (Vol. 2), p. 8.). It was because the Tibetan Government declared independence amid the

[6] The reason why Mao ordered the protection of the Panchen Lama will be detailed in Section VI.

chaotic civil war, as it had done during the Revolution of 1911, that China believed that the US and India were orchestrating Tibetan independence behind the scenes (Yang Kaihuang. Ed., 2003, p. 156).

The Communist Party officially claimed that China had held sovereignty over Tibet throughout its history and that it's intention was to save Tibet from imperialist invasion. In reality, it meant that the Tibetans were "an inseparable part of the Chinese people" and that they would "not accept separation by any foreign force." The Communist Party also emphasized that such was the unchanging, firm policy of the Chinese People, the Communist Party of China, and the People's Liberation Army of China (Xinhuashe shelun, 2005. Jue burongxu waiguo qinluezhe tunbing Zhongguo de lingtu Xizang, 1949, September 3, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Eds, p. 2). The Communist Party's claim, however, was not accepted internationally, as it had been made during the civil war when Jiang Jieshi's Nationalist Party was recognized as the only legitimate government of China. Accordingly, two months later, on October 1st, Mao Zedong declared the establishment of the People's Republic of China on the Tiananmen Tower in Beijing, and made it official that the Republic would liberate Tibet, which was a territory of China.

The Kashag issued a statement on the declaration, strongly refuting the Republic's claim to Tibet as its territory. The statement compared the relationship of Tibet and China to that of a monk and a follower. It also maintained that Tibet did not need to be liberated from any imperialist force as it was not under the control of any foreign country (Tsepon W. D. Shakabpa, 1967, p. 299).

Undeterred, China began to exert force to fundamentally obstruct the administrative and diplomatic rights the Lhasa Government had been exercising as an independent nation. By so doing, it wanted to reassure public opinion both at home and abroad that it was a domestic issue and that Tibet was not a location of international conflict at a time when the UN was deliberating an appeal submitted by the Tibetan Government.

China argued that the Lhasa Government exercised independent administrative and foreign affairs rights when it sent trade delegates to western countries, including the US and the UK, by way of Hong Kong with passports issued by the Tibetan Government. China also condemned Tibet for the continuing pleas for help it sent out to the US, the UK, India, and Nepal, as well as the Dalai Lama, who filed a petition to the UN on January 17, 1950 asking it to seek solutions to the Tibet issue. In response to those actions, China issued a statement in the name of the Ministry of Foreign Affairs, saying that Tibet was a part of Chinese territory, and asserting that the Lhasa Government did not have the right to send a "diplomatic delegation" to foreign countries at its will, let alone to declare "independence" (*Renmin ribao*, 1950, January 21).

China had a number of other reasons for occupying Tibet than simply recovering its historic "sovereignty" over Tibet, "liberating" it, or revolutionizing it into a socialist country: in fact, it was because Tibet was a region crucial to its national interests. Those reasons can be summarized as follows:

First, China's goal was to build a Greater China. One of the traditional Chinese values is that more and bigger is better for a family as well as a country. The pursuit of "Great Unity" has been a driving force in the long history of China, and this belief continues to manifest itself as a form of "Great Power Chauvinism" in the country's modern history. Tibet is an essential element to completing China's ambition to build a greater power, as Tibet originally occupied a vast territory equaling nearly one fifth of China as a whole. Second, controlling Tibet has long been and remains necessary to prevent any weakening of the centripetal force that holds China's many minority ethnic groups together. If Tibet were left to go independent, it could trigger the independence of the Uygur in the Xinjiang Uygur Autonomous Region in the north and the Mongolians in the Inner Mongolia Autonomous Region. Third, China sought to secure Tibet's diverse natural resources. Tibet has about 70 different minerals and abundant natural resources including uranium,

bauxite, copper, lithium, gold ore, radium, iron ore, petroleum, coal, zinc ore, manganese coal, chrome, diamond, and magnesium. In addition, it holds water resources amounting to 200 million kw, which is approximately 30% of the total volume of water reserves in China. The region also ranks 5th in China in terms of forestry, with an area of 1.4 billion m^3. Fourth, China does not want to lose Tibet, a strategic point, for national security and military purposes[7] (Suh Sang-mun, 2009 Summer, pp. 102-104).

To elaborate on the four reasons above, China was under the following circumstances. In terms of its national strategy, Tibet provides an important buffer in southwest China. Just by looking at the present administrative geography, one can see that Tibet faces Xinjiang and Qinghai to the north, and Sichuan, Yunnan, and Guizhou to the east.[8] To the southwest, it borders India, Bhutan, Nepal, Sikkim, and Myanmar, and Kashmir and Tajikistan to the west. Its national boundaries and borderlines in all directions stretch for 3,900km. Due to the geological conditions, Tibet is not just a stronghold for national defense but is also regarded as a significant strategic point which the former Soviet Union would have to pass through to advance towards Southwest Asia (Shen Weilie & Lu Junyuan Eds., 2001, p. 447). Back in 1942, Halford J. MackKinder, a prominent 20th century British geographer, had already identified Tibet as one of the three strategic points for conquering the world. He classified the world into three strategic points such as America, Africa-Europe and Eurasia, and asserted that conquering the world can be accomplished by conquering Central Asia, Southwest Asia, Uygur, and the highlands of Tibet (Halford J. MackKinder, 1942, pp. 100-101).

---

[7] As for water resources and total forestry, the numbers are based on the most recent available data because accurate statistics relevant to the period under discussion were not available.

[8] The border differs from what the Tibetan Government in Exile led by the Dalai Lama asserts. According to the Dalai Lama, Tibet originally included almost all of Qinghai, and parts of Xin Jiang, Sichuan, Guizhou, and Yunnan. The territory claimed by the Dalai Lama will be mentioned in the later part of this paper.

In 1949 and 1950, concerned that China might be besieged by the imperialist powers of the UK and the US following its decision to aid North Korea (led by Kim Il-sung) and join the Korean War, Mao Zedong regarded Tibet as a critical strategic point to protect southwestern China. China could not just sit and watch Tibet, a buffer between China and India, become close to India or even independent, at a time when there was still a possibility that India could be influenced by the UK, despite its having recently won its independence from the UK, and thus used to beleaguer China. That was why Mao emphasized to Deng Xiaoping, Liu Bocheng, and He Long, whom he directed to occupy Tibet, that China needed Tibet, despite its small population, because of its importance in maintaining China's "international prominence," a national strategy (Mao Zedong, 1987, Guanyu you xinanju chouhua jinjun ji jingying Xizang wenti de dianbao, 1950, January 2, In *Zhonggong zhongyang wenxian yanjiushi*. Ed. (Vol. 1), p. 208).

III. Ways to Achieve Tibetan Independence

So, how would China "liberate" Tibet? In essence, it would do so by occupying the Tibetan territory by military force and by compelling the Tibetan Government to issue documented approval of China's sovereignty over the territory, its conditions for "liberation," and its governance. The military offensive against inner Tibet was intended to put pressure on the Kashag, which had repeatedly ignored China's warnings and refused to negotiate. To force the Tibetan Government to the negotiation table, China decided to exercise its military strength and began preparing to occupy Tibet in 1950. Mao had Deng Xiao Ping, who was then in charge of the southwestern region, including Yunan, Guizhou, Sichuan, and Xikang Sheng, to complete all the military preparations from January until mid-April according to a detailed plan under which the Chinese Army would first advance to the border between Xi Kang and Tibet and then penetrate further into Tibet in mid-

April after equipping the military with vehicles and other armaments (Mao Zedong, 1987, Guanyu you xinanju chouhua jinjun ji jingying Xizang wenti de dianbao, 1950, January 2, In *Zhonggong zhongyang wenxian yanjiushi* Ed. (Vol. 1), pp. 208-209.). However, the Korean War broke out during that time frame, delaying the execution of the plan.

On August 23 of the same year, Mao Zedong realized that commanding the Army of China to seize Chamdo [昌都] within the scheduled time frame would make it easier to occupy Lhasa in mainland Tibet the following year, as well as effectively pressurize the Kashag into finally agreeing to send delegates to Beijing for negotiation (Mao Zedong, 1987, Guanyu jinnian zhanling Changdu wenti gei xinanju de dianbao. 1950, Aug 23, In *Zhonggong zhongyang wenxian yanjiushi* Ed. (Vol. 1), p. 475). He drove the Communist Army to occupy Chamdo to the west of the Zhachu River (Mekong River) across the Dichu River in the month of October. As a part of mainland Tibet, Chamdo served both as a gateway to the core of mainland Tibet and as a strategic military point to Lhasa.

The Tibetan Government declared Tibetan independence and, acting under the auspices of the UK and India, sent four goodwill missions to the US, the UK, India, and Nepal to announce Tibetan independence and request support for Tibet together with the UN (Shi Zhexiong, 1986, In Wei E. Eds., pp. 65-66).

However, the four countries all refused to officially pledge their support to the Tibetan cause because they were either concerned about the relationship with China or did not have sufficient resources. The official response of the UK was that it deeply sympathized with the Tibetans but was unfortunately unable to extend help, citing the independence it had recently granted to India and Tibet's great geographical remoteness from the UK. The US actually refused the Tibetan delegate's visit by issuing a similar response. Refusing to offer any military aid, India advised the Tibetan Government to negotiate with Beijing in a peaceful manner as it had done for the Simla Accord in

1914, rather than confronting China with force. Nepal was not capable of supporting any country (Lin Zhaozhen, 1999, pp. 56-60). With its plea for help wholly rejected, the Tibetan Government found itself isolated and helpless.

While asking for support from the four countries mentioned above, the Tibetan Government began conscripting soldiers, and stationed 8,000 of them (5,000 of whom comprised two thirds of Tibet's standing army, the other 3,000 being trained militia) in Chamdo and along the Dichu River.

From the summer of 1950, China continued to negotiate with Tibet while preparing for the attack on Chamdo under the orders of Mao Zedong. In September, China urged the Tibetan delegates to India, through the Chinese Ambassador (Chinese name: Yuan Zhongxian [袁仲賢]), to accept its 'liberation' peacefully because Tibet was a part of China and the responsibility of national defense of Tibet hence lay with China. In other words, China was commanding Tibet to abandon its defiant stance and acknowledge its 'liberation' and occupation by the Army of China as legitimate. However, Tibet refused to acknowledge the Chinese command and rejected the proposal (Tsepon W. D. Shakabpa, 1967, p. 301).

In response, Mao Zedong issued a highly covert order on October 7, 1950, immediately before dispatching troops to fight in the Korean War, and the Army of China launched its offensive against Tibet from four different directions with four units. Their strategy was to dispatch three units to hit Chamdo, the capital of Kham, while sending one unit sent to the 3rd line of fire starting from Xinjiang targeting Ngari in order to prevent the Tibetan Army from advancing eastward.[9]

It was a battle between David and Goliath from the outset, but the

[9] For details on the roads the Chinese military units took and the strategy for the attack on Tibet, see (Jiefang Xizangshi, 2008, In *Bianweihui*. pp. 114-130).

Tibetan troops positioned in Chamdo and west of the Dichu River fought desperately against the advance of the Chinese Army. However, Tibet couldn't possibly match China in terms of military forces or armaments. Inevitably, Chamdo fell in just two weeks, on October 19th. About 5,000 troops, or more than half of the total Tibetan military forces, were killed by the Chinese Army and the others were either taken prisoner or surrendered. Among the captured were roughly thirty high-ranking Tibetan officials and officers including Chief Delegate Kaloon Ngabou Ngawang Jingme [阿沛阿旺晉美] from the Vietnamese Government. The Army of China, having defeated the major forces of Tibet, secured the strategic foothold to advance into Lhasa as soon as they received further supplies and the weather permitted.

China notified the Tibetan Government of the purpose of its military actions, and also made its position clear to the international community, so as to bar potential interference by the US and other powers. In other words, its claim was that "Tibet is an inseparable part of Chinese territory and as such an entirely internal Chinese issue" and that the mission of China to advance into Tibet was to "liberate the Tibetan people and secure the national border" (Mei & Gedesitan, 1994, p. 750.).

With the threat of China advancing into Lhasa at any moment, the Regent Tatak Rimpoche [達紮活佛] of the Tibetan Kashag immediately informed the UN of the "invasion" by China of the Tibetan territory, on November 7, 1950. At the same time, as he was forced by the public to resign from the Regent that he had served for ten years, he allowed the then 15 year old Tenzin Gyatso (1935-), who was recognized as the reincarnation of the 13th Dalai Lama Thubten Gyatso and trained to lead as Buddha, to ascend to power earlier than planned. On November 17, 1950, the Dalai Lama was enthroned at the age of 15 to reign over both state and religion following a traditional Tibetan ritual. Continuing the tradition that started with Ngawang Lobsang Gyatso (1617-1682), the Dalai Lama appointed Lobsang Tashi and Lunkhangwa as the "monk" Prime Minister and the "lay" Prime Minister.

Right after his ascension, and concerned that the Chinese' consolidation of their forces in the East might block the road to exile in India, the Dalai Lama told his two Ministers to administer national affairs on his behalf in Lhasha, whereupon he fled to Dromo [亞東] on the border of Tibet and Sikkim along with members of the Kashag on December 19th. Arriving in Dromo, a relatively lowland area of the Himalayan Mountains some 322km away from Lhasa, on January 2, 1951, the Dalai Lama found residence in a local government office and then a small temple [東噶寺], carrying the seal of the state of Tibet. He fled to Dromo because of its proximity to India, which naturally enabled him to flee to India while keeping a close eye on the negotiations that would ensue once the Chinese Army advanced into inner Tibet after failure to reach an accord. At Dromo, only a few kilometers separated Tibet, and the Dalai Lama, from India (Wang Lixiong, 1998, p. 149).

Upon his arrival in Dromo, the Dalai Lama pleaded with the governments of India, the UK, and the US to support the independence of Tibet, all to no avail. All the countries remained indifferent or turned their backs. Tibet's next action was to plead to the world at the UN General Assembly to stop the Chinese invasion: El Salvador proposed to the UN Standing Committee to select the Tibet issue for its agenda on November 15, 1950, but this never got any further than a proposal after meeting stiff opposition from the UK (Ochiai Kiyotaka, 1994, p. 89). The UN concluded that Tibet was "a Chinese issue," a decision heavily influenced by the UK, whose primary concern was maintaining its interest in its colony, Hong Kong.

Immediately after occupying Amdo in Qinghai Sheng, where there was a small Tibetan population, China sent there Thubten Jigme Norbu, the eldest brother of the Dalai Lama, two weeks before the coronation, as another ploy to pressure the Dalai Lama into "peacefully" accepting the "liberation" of Tibet by China. Thubten Jigme Norbu had been indoctrinated by the Communist Party while being held prisoner in Kumbum Monastery in Amdo, and was forced to try and persuade the

Dalai Lama (Tenzin Gyasto, 2003, pp. 98-99).

Another tactic employed by China was that of trying to appease Tibetan delegates with the aim of buying their support and maximizing its advantage during the negotiation process. Ngabou Ngawang Jingme in particular was selected as a subject of intense indoctrination into Communism. As well as him, other high-ranking Tibetans were exposed to a ruthless indoctrination campaign conducted by the Communist Party that included imprisonment, compassion, gifts, and education on the Communism of the Soviet Union and China and diverse policies on ethnic minorities, equality, and freedom of religion (Goldstein & Sherap & Siebenschuh, 2009, pp. 239~241). Such efforts paid off to some extent, as certain delegates including Ngabou Ngawang Jingme turned their backs on Tibet and began supporting China.

IV. Negotiation Process between China and Tibet, and Major Issues

China sent a letter to the Dalai Lama suggesting that he send delegates to Beijing for negotiations to avert warfare and resolve the confrontation in a peaceful manner. The letter also included an ultimatum under which the Chinese Army would seize his residence immediately (Tenzin Gyatso, 2003, p. 109). The proposal is known to have been put together by Ngabou Ngawang Jingme, who accepted the demands made by China. Ngabou Ngawang Jingme was rumored to have deserted Tibet and joined the Chinese after surrendering to their tactics while being held prisoner for six months in Chamdo, following its occupation by China (Goldstein & Sherap & Siebenschuh, 2009, p. 248).

Upon receiving the letter, the Dalai Lama decided to accept the proposal. On January 17, 1951, he sent a letter to the Chinese Ambassador to India [袁仲賢], in which he asserted that he had ascended to power with the strong support of the Tibetan public and that he was the chief decision maker of Tibetan Government policy. He also

expressed his willingness to enter into dialogue with China by sending delegates to Beijing (Dan, Zeng & Zhang, Xiangming, 1996, p. 71). According to the Dalai Lama's memoirs, his acceptance of the Chinese proposal was largely based on his desperate need to prevent the massive human casualties that would inevitably follow the Chinese advance into Tibet (Tenzin Gyatso, 2003, p. 109).

In addition, from a practical point of view, Tibet had not secured any diplomatic or military support from the powerful nations, and it simply didn't have sufficient military force to hold back a huge offensive by China. Negotiation with China was the inevitable and only option for Tibet to prevent the Chinese from invading its inner territory, given its isolated and helpless circumstances.

The Dalai Lama established five main principles to be maintained during the negotiations. First, he strove to make it clear to that there were no capitalist-imperialist forces operating in Tibet, a point which China understood and with which it agreed. Although Tibet had some diplomatic dealings with the UK, the relationship was little more than the result of the ties it had established with the UK in 1910 when the 13th Dalai Lama went into exile in India to avoid the invasion by the Qing Dynasty. Its relationship with the US was strictly limited to trade. Second, China should return the territories it had previously confiscated from Tibet in addition to Amdo and Chamdo, recently 'liberated' by the Chinese Army. Third, China would exercise military power within Tibet only when asked to do so at the explicit request of the Tibetan government when faced with the threat of foreign invasion. Fourth, Tibet would request the withdrawal of the Chinese Army residing in Kham and Amdo in the north of Tibet. Fifth, Tibet would demand the Chinese Government not to tolerate any rebellion on the part of the Panchen Lama against the Tibetan Government in the future (Dan Zeng & Zhang Xiangming, 1996, p. 71).

The second principle aimed to put an end to the Chinese invasion by making it clear that China's reason for its occupation of Tibet, namely

to expel imperialists, was misconceived. The fifth principle was intended to correct the alarming rise of secular power and political empowerment of the Panchen Lama, whose power had traditionally been limited to a religious one, and his followers that had taken place since the 9th Panchen Lama of Chokyi Nyima (1833-1937), and to ensure that the Dalai Lama was the only legitimate authority of the Tibetan Government. It was also intended to thwart any effort by China to divide Tibet by pitting the Panchen Lama against the Dalai Lama.

However, the "five principles" of the Dalai Lama as reported to Mao Zedong were somewhat different. For example, they asserted that the Chinese Government "may send a delegate to directly confirm whether there are imperialist forces of the UK or the US in Tibet"; that the Chinese Government "shall not dispatch its troops to Tibet in the future" and that Tibet "has never conspired with foreign forces in the past, nor will it seek such action in the future"; that "if Tibet was invaded," Tibet "would ask the Chinese Government for help based on the unique relationship between the Hans and the Tibetans, and China would provide assistance upon receiving such a request"; that "the Chinese forces in Kham and Ngari shall retreat to the inner territory of China"; and that Tibet also requested the Chinese Government "not to spread unfounded rumors" and "not to damage the amicable relationship" between China and Tibet (Liu Shaoqi & Zhou Enlai, 2005, Guanyu Xizang wenti jinqi chuli qingkuang gei MaoZedongde dianbao, 1951, March 27, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Eds., p. 41). Given all that, it became plain that the priorities of the Tibetan Government were to stop the Chinese invasion and to have Chinese troops withdrawn from its territory.

The Dalai Lama selected five delegates of the Kaloon Ngabou Ngawang Jingme, the General Khemey Sonam Wangdi [凱墨索安旺堆], and the religious representatives Thypten Tenthar [土丹旦達], Thumpte Lekunuun [土登列門], and Sampsey Tenzin Thundup [桑頗登增頓珠]. The delegation was led by Ngabou Ngawang Jingme who volunteered and

had been held prisoner by the Chinese Army in the battle for Chamdo.

In May 1951, the Tibetan Government's delegation arrived in Beijing in two groups via two different routes. The Chinese Government extended great hospitality to the delegates wherever they stayed. When they arrived in Chongqing, Deng Xiaoping, then First Secretary of the Southwest Bureau, and Liu Bocheng, the Second Secretary greeted the delegates at the airport. On April 22nd, the delegates arrived in Beijing after a month-long journey and were greeted by the Premier Zhou Enlai [周恩來], the General Zhu De [朱德], and 300 representatives of China's ethnic minorities at Beijing Station. The Tibetan delegates stayed at the historic Beijing Hotel.

The negotiations started at the Communications Department [交際廳] of the Beijing Military Control Commission [北京市軍事管理委員會], and ended on May 22nd after seven rounds of talks held on May 2nd, 7th, 16th, 19th, 20th, and 21st over a period of three weeks.[10] Li Weihan [李維漢], the Vice Premier and Director of the Department of Reunification Policy and Chairman of the Commission of Nationalities Affairs, led the Chinese delegation, which included Zhang Jingwu [張經武], the Chief of the General Office of the Central Military Commission and the Secretary of the Chinese Communist and Tibet Committee; Zhang Guohua [張國華], the General of the 18th Division of the Chinese Army in charge of Tibet's occupation; and Sun Zhiyuan [孫志遠], the Secretary of the Southwest Military Affairs Bureau [西南軍政委員會].

The heated debate that ensued between the two parties from the beginning focused on four issues: the official names of each party, the Chinese occupation of the Tibetan territory, the ranking or status of the Dalai Lama and the Panchen Lama, and the Chinese government's plans

[10] For more details on the negotiation process and the contents of each round, refer to (Jiefang Xizangshi, 2008, In *Bianweihui*, pp. 155-160).

to establish military and administrative committees in Tibet to monitor the implementation of the 17-Point Agreement.

During the negotiations, the Tibetan delegation addressed Tibet as "the Tibetan Government" and China as "the Chinese Government", while the Chinese delegation referred to them as "the Central Government" and "the local government." Tibet intended that the two parties should be represented as equals, and Tibet as an independent political entity, while China intended to show that Tibet was no more than sub-unit belonging to the Great China. The difference in terminology, however, was just the tip of an iceberg.

The more controversial issues were the Chinese occupation of the Tibetan territory and the treatment of the Dalai Lama and the Panchen Lama (Wang Gui & Xiraonima & Tang Jiawei, 2003, p. 435). With regard to the occupation, the Chinese delegation maintained that they should be allowed to stay to expel imperialists and secure the national borders. The Tibetan delegation, on the other hand, refuted the demand, stating that they didn't require the presence of Chinese forces as there were no threatening foreign forces in Tibet. The Tibetan delegation insisted on settling the issue with its promise to ask for help should China's military protection become necessary to counter any foreign imperialist invasion, but there was no room for negotiation as far as China was concerned since it had already made plans to make its military presence in Tibet permanent. Despite steady and strong opposition, China's threat to take military action against Tibet if the negotiations failed once again forced Tibet to surrender to China's demand (Goldstein & Sherap & Siebenschuh, 2009, pp. 248-249). The parties reached an agreement to insert a clause in its confidential supplementary provisions to limit China's military involvement to as little as possible.

China's treatment of the Panchen Lama and the Dalai Lama was another important issue that was directly linked to the legitimacy of hegemony in Tibet that could shape the structure of China's control over Tibet in the coming days. The title "Dalai Lama" was created by

combining "dalai," a Mongolian word meaning "ocean," and "lama," a Tibetan word meaning "high priest." Therefore, Dalai Lama means a "high priest with vast wisdom and knowledge, or a spiritual leader like an ocean." In Tibetan society and Lama Buddhism, the Dalai Lama is a living Buddha, believed to be the incarnation of the Avalokitesvara, who is given secular power as the spiritual leader of the Tibetans.[11]

The title "Panchen Lama," is a combination of "pandito," meaning "scholar" and "chen," meaning "great" in Sanskrit. In Tibetan Buddhism, while the Dalai Lama is the incarnation of Avalokitesvara, the Panchen Lama is acknowledged as the incarnation of Amitabha. The two Lamas are considered to have a teacher-disciple relationship and exist at the same time, succeeding the traditions of the two lines by reincarnation. The 5th Dalai Lama, Ngawang Lobsang Gyatso (1617-1682), a member of the Geluk, one of the four main families of the Tibetan Buddhism, regarded the fourth Panchen Lama, Lobsang Choekyi Gyaltsen (1570-1662), who played a crucial role in his own ascension as his guardian, granted him the status of Panchen Lama for the first time and three other incarnations before him as well.

For that reason, from the 1600s, the Dalai Lama and the Panchen Lama have maintained the tradition whereby one acknowledges the other's reincarnation when one enters Nirvana. The mutual acknowledgement of legitimate incarnation allowed the Dalai Lama and the Panchen Lama to be recognized as such. However, with the 6th Dalai Lama of Tsangyang Gyatso (16831706), the ultimate authority for verifying the legitimacy and acknowledging the incarnation of the Dalai Lama was transferred from the Panchen Lama to the chief of the central dynasty or the central government (Duojie Caidan, 1988, p. 9).

---

[11] The system of living Buddha, created by the unity of church and state in Tibetan society, was established by the 5th Dalai Lama, Ngawang Lobsang Gyatso (1617~1682), in the 17th century. Ngawang Lobsang Gyatso was the first Dalai Lama to exercise secular power, unlike previous Dalai Lamas who served strictly as religious leaders (Suh Sangmun, 2009, Summer, p. 79).

When the Panchen Lama of Choekyi Gyaltsen (1938-1989) was verified and acknowledged as the incarnation of the 9th Panchen Lama, however, Lhasa didn't agree with it. There are some historical precedents to this. While the 13th Dalai Lama of Thubten Gyatso was in exile in India to avoid the invasion by the Qing Dynasty in 1910, the followers of the 9th Panchen Lama attempted to exercise the authority held by the Tibetan Government, including taxation, during the Dalai Lama's absence. Confronted by the Dalai Lama and the Tibetan Government for this treacherous action, the 9th Panchen Lama fled to China in 1924, and later sided with China in its claim to Tibet as its territory, at the same time maintaining a close relationship with the Nationalist Government in Qinghai Sheng. Returning to Tibet in 1937 upon the approval of the government, he died in Jyekundo [玉樹] on the border between Tibet and Qinghai.

Upon the death of the 9th Panchen Lama, his officials and followers—aside from the Tibetan Government—tried hard to find their own incarnation of the Panchen Lama and finally proclaimed that they had found the one in the Tibetan village of China.

However, the Tibetan Government in Lhasa did not acknowledge the child as the legitimate incarnation, and suggested to the followers of the 9th Panchen Lama that they send the child to Lhasa to be compared with several candidates for verification. The renegade followers rejected the proposal, and announced on their own that the child they had found was the 10th Panchen Lama, avoiding the competition with candidates selected by Lhasa. This was in marked contrast to the process to which the 14th Dalai Lama was subjected: he passed a strict test to be confirmed as the incarnation of the 13th Dalai Lama and was sent to Lhasa at the age of four to undergo traditional training. The child, supported by the Panchen Lama's followers, was not acknowledged by Lhasa, but the Nationalist Government recognized his legitimacy just before it was expelled to Taiwan.

With the imminent defeat of the Nationalist Government, however,

the 10th Panchen Lama, who was only 12 years old, decided to cooperate with the new ruler of China, the Communist Party, while staying in Qinghai Sheng. On China's National Day of October 1, 1949, he expressed to Mao Zedong and Zhu De his wish to have Tibet liberated soon (Mao Zedong & Zhu, De,2005, Gei BanChan Eerdeni de dianbao, 1949, November 23, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Ed., p. 4). In response, Mao Zedong and Zhu De issued a telegram stating that the Chinese Government would fulfill the Tibetans' wish to be liberated from imperialism and the "reactionary rule of the Nationalists" and urging the Tibetans to cooperate with the efforts of China (Mao Zedong & Zhu De, 2005, Gei Ban Chan Eerdeni de dianbao, 1949, November 23, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Ed., p. 4). By the time the negotiations for the 17-Point Agreement started, the Panchen Lama had been already recognized as the legitimate incarnation of the 9th Panchen Lama by the Chinese Government and become a full-fledged member of the Communist Party. With kind consideration from China, he was invited to the signing ceremony of the 17-Point Agreement, which he welcomed as "the defeat of the imperialists and the victory of the national policy of the Government of the People's Republic" (Ochiai Kiyotaka, 1994, p. 125). From the perspective of the Dalai Lama and the Tibetans, he was a national traitor and a puppet of China.

The Communist Party leadership was well aware of the fact that there was a history of conflict between the Dalai Lama and the Panchen Lama, and both sides were incensed against each other. At the negotiations, the Chinese delegation forced their Tibetan counterpart to recognize the 12 year-old boy as the 10th Panchen Lama as this was the official position of the Chinese leadership, against which the Tibetan delegation vehemently resisted. However, the delegation didn't have the authority to acknowledge the Panchen Lama. Finally, the issue was resolved after Ngabou Ngawang Jingme sent a telegram to the Dalai Lama, who had the sole authority of acknowledging the boy, in Dromo.

The Dalai Lama wrote back with his acknowledgement of the boy as the 10th Panchen Lama (Goldstein & Sherap & Siebenschuh, 2009, pp. 250-252).

The most critical issue of the negotiations concerned the features and functions of the Military Control Committee that China intended to set up in the Tibetan territory. The negotiations almost fell apart before the parties had barely reached an agreement. As the issue of the Committee was never brought up by the Chinese delegates at the beginning (of the negotiations), the Tibetan delegates believed that China had no intention of ruling over the Tibetan territory. They assumed that the old way of government led by the Dalai Lama would continue to exist in Tibet, and were relieved when China didn't demand any discussion of the establishment of the Committee as an official item of the agenda. It wasn't until the negotiations reached their final stage and all other issues had been agreed upon by the two parties that China dropped the bombshell of its intention to establish the Military Control Committee in Tibet. The Tibetan delegates strongly resisted the idea and expressed their suspicions about China's intentions.

It took much explanation and persuasion by China to reassure the Tibetan delegation and clear up the misunderstanding, but the Chinese delegation succeeded in persuading the Tibetan delegates as regards the following points. First, establishing the Committee was a standard policy of China and not unique to Tibet, as evidenced by the four other Committees previously established in four regions occupied by ethnic minorities. Second, the Committee was a temporary administrative entity which would function on behalf of the central government until a permanent organization could be established with more representative power, and was not an organization that would override the Tibetan Government. Third, the Dalai Lama would be the representative of the Committee and take charge of its operation (Goldstein & Sherap & Siebenschuh, 2009, pp. 254-256). This third point was the most solid ground on which the Tibetan delegates gave their agreement.

Upon the conclusion of the negotiations, the two parties entered into the Agreement between the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet, otherwise known as the 17-Point Agreement, on May 21st. Two days later, on May 23rd, under the supervision of Chairman Zhu De and Vice-Chairman Li Jishen [李濟琛] of the Central Government and Vice-Premier Chen Yun [陳雲], the two parties hosted the signing ceremony of the 17-Point Agreement. Participants, which was attended by senior officials of the Communist Party such as Dong Biwu [董必武], Huang Yanpei [黃炎培], Guo Moruo [郭沫若], Chen Shutong [陳叔通], and Nie Rongzhen [聶榮臻], along with the Tibetan delegates and the Panchen Lama from Tibet (Zhonggong Xizang zizhiqu weiyuanhui dangshi yanjiushi Ed., 2005, p. 40).

V. Did the Dalai Lama Approve the Agreement?

The 17-Point Agreement was signed, but the possibility that the Dalai Lama—who had the ultimate authority to ratify it—would flee Tibet to seek exile without ratifying it concerned China greatly. The Tibetan delegation was also anxious that he might flee to India. So China added a clause to the confidential supplementary provisions whereby it would allow the Dalai Lama to travel abroad in principle (Goldstein & Sherap & Siebenschuh, 2009, p. 260).

The Dalai Lama, upon learning about the conclusion of the agreement, notified the Chinese Government through the Tibetan delegation staying in Beijing that he could not accept it, and did not give his seal to the delegation. In response, Ngabou Ngawang Jingme requested the Tibetan Government to send a new delegation to replace him if it was not satisfied with the agreement and did not want him to lead the negotiations. He also informed that Zhang Jingwu, who had been appointed as the Chinese Representative in Tibet, that he was on his way to Dromo via India. What he was doing in effect was issuing an

ultimatum to pressure the Dalai Lama into accepting the agreement as concluded.

At the same time, within the Tibetan Government in Lhasa, there were two conflicting voices as to which course of action the Dalai Lama should take. However, the two sides were united in their belief that Tibet should never enter into a war with China (Wang Lixiong, 1998, p. 155). One side, led by Thubten Jigme Norbu, the eldest brother of the Dalai Lama, was firmly opposed to Tibet's negotiation with China and demanded the Dalai Lama's exile to India. He wrote from Calcutta to ask the Dalai Lama to seek asylum in India based on the fact that the US had expressed its intention of helping Tibet. The other side consisted of moderates who maintained that Tibet should cooperate with China and accept the 17-Point Agreement. Lunkhangwa and Lobsang Tashi, appointed as Prime Ministers by the Dalai Lama, the head priests of the major monasteries which supported them (Ganden, Depong, and Sera), and Ling Rimpoche were such moderates. Lunkhangwa and Lobsang Tashi informed the head priests of Ganden, Depong, and Sera when they visited the monasteries that the Tibetan public was eagerly expecting the return of the Dalai Lama, and also asked for his return to Lhasa as soon as possible (Tenzin Gyatso, 2003, pp. 114-115). They believed that the return of the Dalai Lama to Lhasa should precede any attempts at solving the Sino-Tibet conflict.

Amid these conflicting voices, the Dalai Lama seriously contemplated the possible consequences of his decision either to flee or to return to Lhasa. His eldest brother told him that the US was willing to help Tibet, but the extent of the help the US would grant when faced with the issue of its relationship with China was questionable. If he were to go into exile and sign agreements with the US or other powers, there was a high possibility that it would lead to a war with China. And, if it came down to a military showdown, he doubted how much help having an ally as powerful as the US would actually be, it being so far from the likely battlefront in a war against China, which had an obvious and absolute

advantage over Tibet in terms of military power and proximity. Military confrontation might continue for years before any agreement could be reached, and it was not clear whether the US would continue to support Tibet once its casualties began to mount. In the worst case scenario, Tibet would have no choice but to fight China on its own. After thorough consideration, the Dalai Lama decided to return to Lhasa to avoid war and settle the situation peacefully, concluding that the time would come for Tibet to stand on its own even after he sought exile (Tenzin Gyatso, 2003, pp. 115-116).

The foremost objective of China throughout this period was to prevent the Dalai Lama from seeking exile so that the agreement signed with the Tibetan delegation could take effect. Pressing the Dalai Lama to ratify it was the next step. As such, China continued trying to persuade the Dalai Lama to return to Lhasa as soon as possible. On the other hand, China applied appropriate military and political measures to achieve its own purposes of exercising sovereignty over Tibet and excluding any interference by "imperialist powers" such as the US and UK as well as India, fully utilizing the "one-sided legitimacy" of the 17-Point Agreement.

First, from the military perspective, on May 25, 1951, Mao Zedong occupied the Tibetan territory under the name of the Chairman of the People's Revolutionary Military Committee, and ordered the Chinese Army to advance and implement the 17-Point Agreement. At the same time, from the political perspective, he sent Zhang Jingwu to Tibet as the official in charge of exercising the sovereignty of the Chinese "Central Government" over the Tibetan "Local Government" in the course of implementing the Agreement.

Zhang Jingwu, who was given the mission by Mao Zedong of persuading the Dalai Lama to return to Lhasa, left Beijing in June and arrived at Dromo on July 14th along with other officials, and had a series meetings with the Dalai Lama that lasted for one week. Zhang Jingwu delivered a letter written by Mao Zedong, a copy of the 17-Point

Agreement, and two more documents outlining the Tibetan Army and the possible result of the Dalai Lama's exile. In his letter, Mao Zedong described the signing of the agreement as a settled matter, and declared that its signing brought the Tibetan Government and the public back to the "great motherland and great family." He also added that he had dispatched Zhang Jingwu to "liberate" Tibet by freeing Tibet from the "yoke and oppression of imperialism and foreign countries" and urged the Dalai Lama and the Tibetan Government to cooperate with China (Mao Zedong, 1988, Gei Dalai Lama de xin, 1951, May 24, In *Zhonggong zhongyang wenxian yanjiushi* Ed., (Vol.2), p. 329).

Zhang Jingwu left for Lhasa on July 21st, recommending the Dalai Lama to do the same. Unbeknownst to him, the Dalai Lama had already chosen return over exile. The second part of Zhang's mission to persuade the Dalai Lama to ratify the 17-Point Agreement hit a snag as the Dalai Lama evaded making any explicit statement, stating that he could not make any official statement before meeting with Ngabou Ngawang Jingme, the delegate leader, in person and reviewing the original agreement himself.

Zhang Jingwu, however, made a great impression on the Dalai Lama, who came to relate to Zhang as a fellow human being despite his communist background, and began to trust Zhang as someone with whom he could strike up a dialogue in order to resolve the situation. Finally, the Dalai Lama left Dromo in early August and arrived in Lhasa on August 17th, putting an end to his nine-month-long absence.

The Dalai Lama's return to Lhasa has been confirmed, but nothing is known about his ratification of the Agreement upon his return. His autobiography does not clarify how things unfolded either. But, given the circumstances at that time, it is eminently plausible to consider that the Agreement was never ratified by the Dalai Lama himself.

The Tibetan delegates led by Ngabou Ngawang Jingme returned to Lhasa via Chamdo fresh on the heels of the Dalai Lama's return. As the Tibetan Government rejected the 17-Point Agreement he led, Ngabou

Ngawang Jingme held the Conference of Secular and Religious Officials [僧俗官員會議] to discuss the approval of the Agreement. At the Conference held on September 28, 1951, Ngabou Ngawang Jingme reported the entire process and details of the 17-Point Agreement, and an official resolution—to be reported to the Dalai Lama—was prepared, in which it was stated that "the 17-Point Agreement was a great achievement of the Dalai Lama and greatly beneficial to the Buddhism, politics, economics, and all other aspects of Tibet, and shall be executed as it is" (Wang Gui & Xiraonima & Tang Jiawei, 2003, pp. 441-442). Despite receiving the resolution, the Dalai Lama still refused to ratify the agreement as he was extremely dissatisfied with the "impound of Tibet's diplomatic right" and the clear "interference of China in the domestic affairs of Tibet" as manifested in the 17-Point Agreement.

In the end, it is believed that the Dalai Lama did not formally ratify but merely tolerated the agreement, as he claims in his autobiography, which only acknowledges his meeting with Zhang Jingwu following his return to Lhasa, having no specific conflict for the first two months of his return, and that had a "honeymoon period" with Chinese.

VI. Political Implications of the 17-Point Agreement

The 17-Point Agreement consists of a Preamble and 17-Articles. The Preamble provides an overview of the 17-Point Agreement, its background and purposes, and the legitimacy of the agreement. In summary, in accordance with the Common Programme passed by the Chinese People's Political Consultative Conference, the Central People's Government declared that "all nationalities within the boundaries of China are equal, and that they shall establish unity and mutual aid and oppose imperialism and their own public enemies, so that the People's Republic of China may become one big family. Autonomy is to be exercised in regions where certain groupings of ethnic minorities are concentrated, and all ethnic minority groups shall have the right to

maintain their native languages and practice their ethnic customs, cultures, and religious beliefs." It also defines the purpose of the Agreement as that of assisting all ethnic minorities to flourish with regard to their traditions, economy, culture, and education, which is a result of the "friendly" negotiations between "fully empowered representatives" of the "Central People's Government" and the "Local Government of Tibet" (Zhongyang renmin zhengfu he Xizang difang zhengfu guanyu heping jiefang Xizang banfa de xieyi, May 23, 1951, 2005, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Ed., pp. 42-43).

The main details of the articles of the 17-Point Agreement may be summarized as follows:

1. The Tibetan people shall be united in its efforts to drive out aggressive imperialist forces from Tibet and return to "the big family of the motherland"—the People's Republic of China (Article 1); 2. The Local Government of Tibet shall actively assist the People's Liberation Army with its efforts to enter Tibet and consolidate the national defense (Article 2); 3. In accordance with the policy towards ethnic minority groups as laid down in the Common Programme of the Chinese People's Political Consultative Conference, the Tibetan people have the right to exercise their autonomy under the unified leadership of the Central People's Government (Article 3); 4. The Central authorities shall not alter the existing political system in Tibet, including the established status, functions and powers of the Dalai Lama. Officials of various ranks shall hold office as before (Article 4); 5. The status, functions and powers of the 13th Dalai Lama and of the 9th Panchen Lama shall be maintained as they were in friendly and amicable relations with each other (Articles 5 and 6); 6. The Central authorities shall enforce the policy of freedom of religious belief as prescribed in the Common Programme while respecting the religious beliefs and customs of the Tibetan people. It shall protect the monasteries of Lama Buddhism but shall not interfere with its management, including its finances. (Article

7); 7. The Tibetan troops shall be gradually assimilated into the "People's Liberation Army" and become a part of the national defense forces of China (Article 8); 8. The spoken and written language and school education of the Tibetan people shall be gradually developed in accordance with the situation in Tibet. (Article 9); 9. The agriculture, livestock, and manufacturing and commerce industries of Tibet shall be developed gradually in line with the development of Tibet. (Article 10); 10. Reform efforts in Tibet shall be initiated by the Local Government completely free from the interference of the Central authorities. The public's demand for reform shall be executed after consultation with the Tibetan authorities. (Article 11); 11. Former pro-imperialist and pro-Kuomintang officials shall be allowed to maintain their offices if they sever their former ties and never intend to sabotage or resist. (Article 12); 12. The People's Liberation Army in Tibet shall abide by the above-mentioned policies, shall conduct fair trade, and shall not plunder the people's wealth by so much as even a needle. (Article 13); 13. The Central People's Government shall represent Tibet and handle all external affairs concerning the region. (Article 14); 14. In order to ensure the enforcement of this agreement, the Central People's Government shall set up a military committee and an administrative committee and a military regional headquarters in Tibet, and represent as many Tibetan officials as possible in the new administration. Tibetan officials joining the military and administrative committees must include Tibetan loyalists and patriots representing various districts, various principal monasteries, and the Local Government of Tibet. The list of candidates shall be submitted to the Central People's Government by the Tibetan representatives appointed by the Central People's Government, which will then approve and make the official appointments. (Article 15); 15. Funds needed by the military and administrative committees, the military regional headquarters, and the People's Liberation Army in Tibet shall be provided by the Central People's Government. The Local Government of Tibet should assist the "People's Liberation Army" with its purchases and

the transportation of food, fodder, and other daily necessities. (Article 16); 16. This agreement shall enter into force immediately after the signatures and seals have been affixed to it (Article 17). (Caituanfaren liyangan jiaoliu yuanjing jijinhui, www.Fature-China.org.tw; Zhongyang renmin zhengfu he Xizang difang zhengfu guanyu heping jiefang Xizang banfa de xieyi, May 23, 1951, 2005, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizhiqu weiyuanhui* Ed., pp. 43-45)

The articles of the agreement can be classified according to their nature, as they correspond either to demands made by China or demands made by Tibet. Articles 1, 2, 5, 6, 8, 14, 15, 16, and 17 embodied China's demands, while Tibet's were embodied in Articles 3, 4, 7, 9, 12, and 13. The remaining Articles 10 and 11 corresponded to mutual demands or compromises. The implications of each article can be interpreted as below. However, let's first look at the outcome for China.

First, China succeeded in obtaining sovereignty over Tibet, which was its priority. By stating in the Preamble that Tibet "shall return to the big family of the People's Republic of China," the Agreement affirmed China's long-standing claim to Tibet as its historical territory and enabled China to refute any allegation that China had only recently claimed sovereignty over Tibet.

Second, China succeeded in securing the strong military presence in Tibet that it had demanded throughout the negotiations. Having a permanent military presence in Lhasa allowed China to obstruct any possible interference by foreign powers such as the UK, the US, and India, all the while strengthening its sovereignty over Tibet. (Yang Kaihuang, 1985, *Gongdang wenti yanjiu* (Vol. 11(6)), p. 52). As Article 16 clearly states, China could establish military and administrative committees and a military regional headquarters as a single body to rule over Tibet, laying the foundations required to justify its rule. Declaring that the Central Government would support the maintenance of its presence in Tibet was also a strong external display of China's "effective control" over Tibet. As is generally known, "effective control" is the key

factor under international law in determining whether one country has dominion or sovereignty over another's territory. It means that, as regards the occupation or rule of one country over a certain territory, the country concerned or a third-party country does not raise any objections and recognizes the sovereignty in the event that the ruling country sufficiently exercises or displays effective control in a peaceful, actual, and continuous manner (Malcolm N. Shaw, 1991, pp. 291-294). At the same time, by requesting the Tibetan Government to supply food and other necessities, China also found a solution to the challenges posed by adverse weather and poor road conditions or transportation in securing and transporting supplies.

Third, although not explicitly stated, China deprived the Tibetan Government of its right to exercise control over its diplomatic affairs and national defense by taking over Tibet's diplomatic and military rights. In other words, with the conclusion of the Agreement, China forced the Tibetan Government to cooperate with its efforts to consolidate the national defense of Tibet to justify its military occupation of Tibet, and compelled the integration of the Tibetan troops into the Chinese Army, which became an effective means of restraining rebel movements or the emergence of a local militia (Articles 2 and 14).

Fourth, China documented and secured the Panchen Lama's "unique status and functions" as conferred (Article 4), successfully securing the legal foundation to restore the functions of the Panchen Lama, just as the Qing Dynasty or the Nationalist Government had done before. By restoring the authority of the Panchen Lama, who supported China's "liberation" of Tibet, China earned the continuing loyalty of the Panchen Lama, who could be used as an effective restraint against the Dalai Lama. This was the news that the Panchan Lama—who was staying in Qinghai Sheng Quint, having been banned from Tibet, and waiting for the Communist Party's order to return to Lhasa—was waiting for. On April 29, 1951, the first day of negotiations for the 17-Point Agreement, China had the Panchen Lama attend an important political

meeting, displaying its intention to put him in a position that would pit him against the Dalai Lama in the future (Gilles Van Grasdorff, 2005, p. 225). After that, in establishing the Preparatory Committee for the Tibet Autonomous Region in 1956, China appointed the Panchen Lama as Vice-Chairman with the intention of using him and his religious status, which rivaled that of the Dalai Lama, as a tool to assist China's rule over Tibet.

Finally, China established a measure to ensure that a majority of the seats in the ruling committees were to be occupied by Han Chinese, while requiring that Tibetan representatives be approved and appointed by the Central Government,

The gains and losses for the Tibetan Government were as follows.

First, by negotiating with China, which recognized Tibet merely as one of local governments in China, the Tibetan Government was promised autonomy by China in exchange for its acceptance into the People's Republic of China. The "Local Government of Tibet," however, could not expect complete autonomy in the running of Tibet as it handed over the rights to diplomacy and defense to China, and its autonomy was limited to political and domestic affairs only.

Second, the Tibetan Government secured the status and authority of the Dalai Lama as well as maintaining its existing political systems. In addition, it gained multiple advantages by making it clear in writing that its officials of different ranks could maintain their positions as before. They also secured the Central Government's protection of the Lama Monasteries and an agreement not to interfere with the fiscal management of the monasteries (Articles 4 and 6). The legitimacy of the Dalai Lama was acknowledged and the future of the Tibetan ruling system centered on the Dalai Lama secured, because the vested interests of the officials and priests who supported the Dalai Lama were recognized through the protection of their assets from the monasteries.

Third, Tibet obtained China's agreement to respect and support the unique verbal and written language, religion, and customs of the Tibetan

people as well as to support an organized education system in Tibet, all of which were necessary to maintain the national identity (Articles 7 and 9). Although these were of course essential conditions for Tibet to be able to maintain its national identity, culture, and customs, China also saw how doing so could facilitate more effective administration of ethnic Tibetans.

China allowed Tibet to maintain its language, religion, and customs in order to strengthen the centripetal force holding Tibet as well as other ethnic minorities together by promoting ethnic diversity and unity. In other words, ethnic equality and unity was the "general principle and general policy" of the Chinese Government when dealing with internal ethnic conflicts. The idea clearly manifested itself as the official ethnic diversity policy of the New China even before the establishment of the People's Republic of China (Zhongguo renmin zhengzhi xieshang huiyi gongtong gangling, September 29, 1949, 1999, In *Zhengxie di yijie quanti huiyi mishuchu* Eds., p. 338). The founding philosophy of China guarantees the same status, rights, and obligations to all of its ethnic minorities and acknowledges them as part of the Chinese people regardless of the size of their population, their level of social or economic development, or their customs or religions. The Chinese leadership clearly understood the fact that without national unity, its borderlines could not be consolidated. Without secure borders, China as a whole would be exposed to various threats. For a country representing diverse ethnicities, ethnicity is a critical political issue that is directly related to national unification, social stability, borderline consolidation, and overall development (Wang Hongman, 2000, p. 29, p. 33).

Zhou Enlai emphasized that China would politically protect the religion of Tibet, because it was the Chinese Government's policy to uphold freedom of religious belief for all the ethnic minorities within its territory and to never interfere with it (Zhou Enlai, Guanyu minzu wenti, 1950, April 27, p. 17). Accordingly, the Chinese Government was fully aware that such a policy was an important factor that would have an

impact on all of the ethnic minority groups within its territory in addition to Tibet (Wang Hongman, 2000, p. 10). This particular policy, however, later triggered conflicts with hardcore Chinese Marxists who adamantly condemned religion as "the opium of the people."

Fourth, the Tibetan Government forced China to commit to the development of its agriculture, livestock, and manufacturing and commerce industries (Article 10). The Tibetan Government was in desperate need to improve the Tibetan people's standard of living at a time when the economy of Tibet was clearly falling far behind some of the other provinces in China. The deal was equally attractive to the Chinese Government, as it needed to boost its own economy, which had stagnated following the extended civil war, and promote further growth. The Tibetan Government had not only run a deficit continuously since 1952 but had also fallen far behind compared with two nearby major autonomous regions, namely the Inner Mongolia Autonomous Region and the Xinjian Autonomous Region.[12]

The economic growth of Tibet was something the Dalai Lama wished for too. It was during his trip to Beijing in 1954, three years after his return to Lhasa, at the invitation of Mao Zedong, that he first taken a real look at the ground Tibet had to catch up. He saw a desperate need for the reform and development of a struggling Tibet. The Dalai Lama went on to admit to Mao that "Tibet is backward and needs reform. Without reform, Tibet has no hope for progress." Asked by Mao Zedong of his impressions during his trips to several cities in China, the Dalai Lama answered that "Tibet requires reform in order to develop, and I made a firm resolution to that end." (Goldstein & Sherap & Siebenschuh, 2009, p. 319, pp. 321-322, p. 325).

[12] For example, as of 1952 the year when statistics for the three regions first became available, Inner Mongolia and Xinjiang had surpluses of 30 million Yuan and 14 million Yuan respectively, while Tibet had a deficit of 7 million Yuan. The comparison is based on (Guojia minweijingjisi & Guojia tongjiju zonghesi Ed., 1991, p. 362, p. 332, p. 392).

Fifth, the Tibetan Government protected its people from being taken advantage of by the Chinese Army by ensuring that the Chinese Army in Tibet had to abide by the Agreement by conducting fair trade with locals and prohibiting the confiscation of people's wealth (Article 13).

Sixth, the Tibetan Government agreed that there would be no pressure on the part of the central authorities to push through reforms in Tibet. The Local Government of Tibet was to carry out any reforms of its own accord, and when the people raised demands for reform, they would have to be settled through consultation with the relevant Tibetan officials. Should the Chinese Government intend to initiate reforms, it would be required by the Agreement to seek the opinions of senior Tibetan leaders before undertaking them (Article 11), which placed a temporary restraint on China's determination to assert socialistic reforms in Tibet. In fact, China left the conventional political system of Tibet untouched, and put on hold the socialist reforms it had originally planned for Tibet, to remain just as the official policy of the Communist Party. It may have seemed a great compromise from China's point of view, but the pledge of the Chinese leadership appointed to Tibet to indefinitely delay the Central Government's socialistic reforms appeared somewhat hollow when China enforced socialistic reform on Tibet in 1952, resulting in the exile of the Dalai Lama down the road.

China viewed, and propagated the idea that, Tibetan society was a medieval feudal society characterized by serfdom and a large population of slaves. Tibet was claimed to be a pre-modern feudal society wherein a small number of religious leaders or aristocrats monopolized its wealth and abused both serfs and slaves, on the basis of such documents as serfdom contracts. According to China, the aristocracy of Tibet throughout its history had consisted of high-ranking priests, officials, noblemen or their representatives, reaching almost 400 in number. Before 1959, there were 197 aristocrats from the Kashag, of whom 25 were high aristocrats, 26 were middle aristocrats, and 146 were low aristocrats, and there were nearly 4,000 senior lamas who held substantial economic

power (Jin Hui et al., 1994, p. 56). In addition, Tibetans were classified into nine distinct classes based on the strict provisions of Tibetan law. At the top of the nine classes was the Dalai Lama, followed by religious teachers and high-ranking government officials in the second rank, and middle-ranking officials and priests in the third rank. The rest of the Tibetan people fell into the six other classes, the ninth class being the bottom rung of the Tibetan social ladder.[13]

The terms such as "serf," "serfdom," "slave" or "slave system" bandied about by China, however, are widely regarded as having been fabricated by China to justify its armed occupation of Tibet, as launched in 1949. Western scholars quote a female Tibetan doctor who claimed that "there was no trouble in making a living" and that "Tibet was a rather self-sufficient and loose society" where there were no beggars (Paul Ingram, 2008, p. 7).

Setting aside the two extreme positions, the clear facts are that Tibetan society had unity of church and state, where Buddhist teachings were politically acknowledged and established as the state religion, and that Tibet's economic development was exceedingly stagnant. None of this was disputed by the two sides of China and Tibet. From the perspectives of civilization in terms of ideology, it is true that China's communistic ideology of pursuing social equality and fighting for a better afterlife runs contrary to the social system considered ideal by the Tibetan people, which is based upon the notion of Karma and religious ideologies that use the promise of a better afterlife to suppress any personal desire to overcome present sufferings.

---

[13] Commoners were placed in the sixth rank, unmarried people without homes and laborers of the government in the seventh rank. Blacksmiths paying residence tax were in the eighth rank (reminiscent of Tibet's nomadic roots), while women, nomads, beggars, butchers, and blacksmiths not paying residence tax were placed in the lowest (ninth) rank (Jin Hui et al., 1994, pp. 52-56).

VII. Issues concerning the 17-Point Agreement

Is the 17-Point Agreement legitimate in the eyes of international law? The answer to that question is not affirmative, based on the following problems which arose during the negotiation and signing of the Agreement: the delegates present at the negotiations were not free to express their opinions and were subject to some degree of pressure in signing the agreement; the Dalai Lama did not ratify it; and it was signed by proxy using an unauthorized (and forged) national seal. Let me suggest a more detailed discussoin regarding these three points.

First, any agreement that is entered into with at least one party suffering from fear of retaliation and personal safety is considered an act of coercion and thus invalid according to the widely accepted international law, a condition which is also the case for domestic laws. The presence of the Chinese Army was a clear threat to the besieged Tibetan people. The Dalai Lama, who sought exile in India and set up the Tibetan Government in Exile in Dharamshala, later asserted that he could not acknowledge the conclusion of this "17-Point Agreement." The Agreement was signed, in part, by threat and coercion on the part of China, which wielded great military power. Most incredulously, China was alleged to have used an unauthorized national seal of the Tibetan Government, which it apparently forged (Tenzin Gyatso, 2003, p. 114). On June 20, 1959, at a press conference held in Mussoorie, India, the Dalai Lama issued a statement accusing China of greatly intimidating the Tibetan delegates responsible for negotiating in Beijing by continuously threatening them with military action if they did not accept the Agreement, while restricting their movements and prohibiting them from making any revisions. Ngabou Ngawang Jingme, for one, had endured imprisonment in China for a long time since his capture at the Battle of Chamdo. In addition, he explained that he "had no choice but to give my tacit consent and abide by the provisions to save my people and my country from the risk of complete failure," while maintaining his

assertion that he never voluntarily accepted the Agreement (Xizang liuwang zhengfu, 2001, In *Xizang liuwang zhengfu waijiao ji xinwenbu* Ed., p. 64; Sen Chanakya, 1960, pp. 154-158).

The allegation concerning the Agreement's illegitimacy has however been refuted by a group of Tibetan scholars who support the Chinese cause. They cite the memoirs of Ngabou Ngawang Jingme, the head of the Tibetan delegation, as well as those of Topten Tenta, the No. 2 representative, which describe the negotiations as having been free of threats and coercion and conducted in a friendly atmosphere, thereby allowing both parties to freely face each other and assert their demands as equals (Wang Gui & Xiraonima & Tang Jiawei, 2003, pp. 432-433). China continued to maintain its innocence and refuted the Dalai Lama's claim that it had issued a threatening ultimatum. The fact that the negotiations lasted for nearly a month from their commencement on April 29 adds credibility to China's claim that the negotiations involved productive and mutual cooperation on the part of both delegationsb (Wang Gui & Xiraonima & Tang Jiawei, 2003, p. 433). The "memoirs" cited by China, however, lack credibility and objectivity, given that they were written by Tibetan delegates who were not only subject to bribery and coercion during the course of the negotiations but who also later turned pro-Communist. There is strong evidence that incriminates Ngabou Ngawang Jingme and some Tibetan delegates of having betrayed the best interests of Tibet by supporting the Agreement.

Second, it was clearly revealed during preliminary discussions that the Dalai Lama had not ratified the 17-Point Agreement. In this regard, closer inspection of the Tibetan delegation is warranted. According to Tupten Tenta, each of the Tibetan delegates had been granted a "Certificate of Full Power," on which were affixed their names and positions with the national seal of the Kashag, before leaving for Beijing (Wang Gui & Xiraonima & Tang Jiawei, 2003, pp. 437-438). But the Dalai Lama stated in his autobiography that he never granted Ngabou Ngawang Jingme the said "full power," which represented the "right to

sign documents on his behalf," adding that Ngabou Ngawang Jingme was more than a representative (Tenzin Gyatso, 2003, p. 112; Michael C. van Walt van Praag, 1987, pp. 153-157). In addition, Ngabou Ngawang Jingme himself is on record as having stated that the Chinese delegates had not been given the authority to sign official agreements during the negotiations. It was not until later that he claimed to have received authorization to sign the Agreement as a "Representative of the Delegates with Full Power" endorsed by the Tibetan Government, that he actually signed the Agreement (Zhongyang renmin zhengfu he Xizang difang zhengfu guanyu heping juefang Xizang banfa de xieyi, May 23. 1951, 2005, In *Zhonggong zhongyang wenxian yanjiushi* & *Zhonggong Xizang zizizhiqu weiyuanhui* Ed., p. 45). Even if Ngabou Ngawang Jingme had been a representative with full power, the final decision on ratification of the Agreement would not have been his. In fact, it was the sole authority of the Chief of the Tibetan Government, namely, the Dalai Lama himself. This fact is not refuted by scholars who support the Chinese stance (Wang Gui & Xiraonima & Tang Jiawei, 2003, p. 439).

Furthermore, Ngabou Ngawang Jingme did not follow the proper procedure of first reporting the Agreement to the Tibetan Government for ratification and then requesting the Tibetan government to publicly announce it. That was why the Dalai Lama and his government were not accurately informed of the detailed conditions of the Agreement, and were taken by surprise when they first learnt of the Agreement on the radio broadcast from Beijing on May 26, 1951 (Gilles Van Grasdorff, 2005, p. 260).

Third, the fact that the Agreement was signed by the Tibetan representative only as the proxy of Tibet's Commander in Chief, the Dalai Lama, should be taken into serious consideration when refuting the legality of the Agreements. In general, under international law, any actions taken by representatives who exceed their explicit capacity as granted by the head of state are not considered to be effective (Ochiai, Kiyotaka, 1004, p. 112). Ngabou Ngawang Jingme was allowed to sign

the final agreements as a representative delegate, but he did not have the authority to finally ratify it because the Dalai Lama had not delegated that authority to him. The alleged forgery by China of the seal of Tibet, which was used by Ngabou Ngawang Jingme, should also be looked into closely.

Fourth, the format of the Agreements followed that commonly found in domestic law, while its nature of defining the Sino-Tibet relationship was clearly regarded as a diplomatic one. The Agreement's diplomatic nature is asserted by the fact that it had been signed by "the representative with full power," which would not have mattered if it were an agreement between local governments of the same country. The presence of "representatives with full power" is generally an indication that they are representing the heads of different sovereign states. Article 8 of the Agreement stipulated that China "shall gradually incorporate the Tibetan Army into the Chinese Army," while Article 14 provided that China "shall takeover Tibet's diplomatic affairs." The existence of these articles is interpreted to mean that China did not hold the rights of defense and diplomacy over Tibet and that Tibet remained a sovereign state.

Fifth, "expelling imperialists" and "liberating the Tibetan people from them" were the causes China had proclaimed in its occupation of Tibet, but these were typical of the schemes often employed by communists fighting to gain internal power and crying for national unification and unity by appealing to nationalistic sentiment. Documentary evidence records show that there were just six documented foreigners in Tibet at the time, although they had fled by the time the Chinese Army launched its attack on Tibet (Ochiai Kiyotaka, 1994, P. 119). The Dalai Lama himself assured the Chinese that "no Europeans troops were stationed in Tibet at that time." (Tenzin Gyatso, 2003, p. 112). As mentioned in Section II, the reason why the Khasag of Tibet issued a statement to assert that "Tibet is not a part of China and Tibetans don't need to be liberated from imperialists" was because Tibet was not

under the rule of any foreign power.

Sixth, China's attempt to use the Panchen Lama as a political tool to covertly impair or discredit the traditional political and religious systems of Tibet should also be scrutinized when accusing China of not conducting fair negotiations, as it claimed. Such an attempt, despite the Panchen Lama's obvious lack of authority, was seen by the Dalai Lama as a threat to the sovereignty of Tibet as well as his secular power. It endangered the long-standing political tradition of Tibet whereby the Panchen Lama had been kept away from power (Gilles Van Grasdorff, 2005, p. 255). For China, the Panchen Lama was a "Trojan Horse" who served as a stronghold to reign over Tibet, but for Tibet he was the Tibetan version of Hanjian [漢奸].

Seventh, the 17-Point Agreement included ambiguous provisions that were interpreted by China to its advantage. The geological, territorial, and administrative boundaries of "Tibet" were not defined based on any objective measurements, but left to Chinese interpretation. Specifically, it was not clear which Tibet of the greater Tibet encompassing all dynasties of the past or the Tibetan territory that had been actually administered by the Tibetan Government at the time that the Agreement referred as "Tibet" in Article 4 providing that "the Central authorities will not alter current political system of Tibet" This limit the scope of the Agreement to a rather artificial interpretation in its attempt to define the range of Tibetan territory that would be subject to the Chinese Government's drive for socialistic reform.

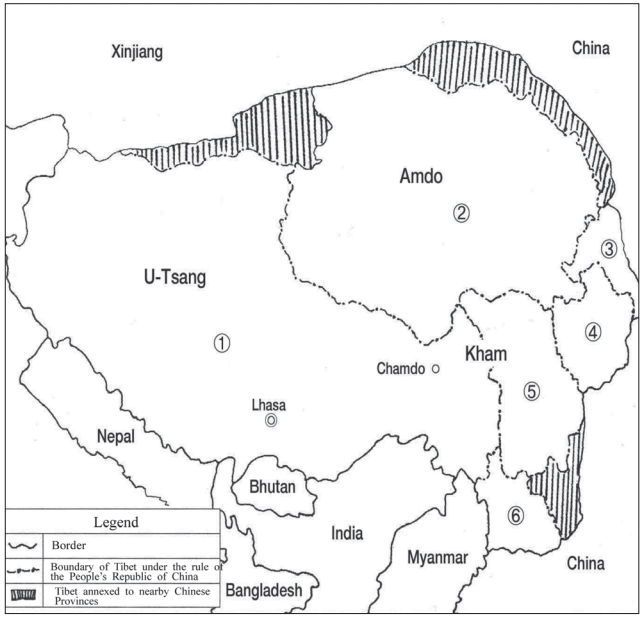
"Tibet" as delineated by the Dalai Lama includes the Xi Zang Autonomous Region of China, which was demarcated and proclaimed by the Chinese Government in 1965, which means a part of Yunnan, Sichuan, Gansu, and Qinghai Sheng, and (was) not limited to the Tibetan region under the current administrative structure of China (Refer to the Map 2 to see the region in details).

In defining "Tibet" as referred to in the 17-Point Agreement, both China and Tibet selfishly pursued their own interests while remaining

blind to one another's needs; China understood "Tibet" as the territory under the Dalai Lama's rule, while the Tibetan Government interpreted it as the "Greater Tibet." With its sovereignty hanging by a thread, the Tibetan Government was in no position to demand the return of all the Tibetan territories occupied by China when it was struggling enough just to maintain what it still had. At the time of the Agreement, Kham and Amdo were under Communist control, and none of the activities conducted by the Communist Party in those areas were restricted by the 17-Point Agreement (Wang Lixiong, 1998, p. 172).

Lastly, while not relevant to the conditions for establishing the legitimacy of the 17-Point Agreement, it should be mentioned that China did not comply with the 17-Point Agreement as a whole, including the provision on granting autonomy to the Tibetans. The statement issued by the Dalai Lama in Tezpur, India, on April 1, 1959 was sharply critical of China. "In complete violation of the Agreement, Tibet has not had the autonomy it was promised since the Communist Army's occupation of Tibet. The domestic issues (of Tibet) were no exception. The Communist Government exercised full power over the affairs of Tibet. In 1956, a preliminary committee was set up for Tibet, with the Dalai Lama as the Chairman, the Panchen Lama as the Vice Chairman, and General Zhang Guohua as the Representative of the Communist Government. However, the committee did not have any practical power, and all decisions on major issues were made strictly by the Communist Government…. The Chinese Government always interfered" (Sen, Chanakya, 1960, p. 144).

<Map 2>



1. The Tibet Autonomous Region as currently referred to by the Chinese Government.
   It was annexed into the Xizang Autonomous Region in 1965 after its occupation by the People's Liberation Army of China. The Chinese refer to this region as Tibet (Xizang).
2. Qinghai
   In 1720, Emperor Kangxi of the Qing Dynasty declared that China would possess the region that had formerly belonged to Tibet. Before 1949, the Nationalist Party Government proclaimed it to be the territory of China; it covers most of Amdo of the former Tibet.
3. Khanalho Tibetan Autonomous Prefecture
   Part of Amdo of the old Tibet, it was reorganized as the Tibetan Autonomous Prefecture from 1958 to 1964 under Gansu Sheng of China.
4. Ngapa Tibetan Autonomous Prefecture
   Part of Amdo of the old Tibet, it was reorganized as the Tibetan Autonomous Prefecture before 1950 under Sichuan Sheng of China.
5. Kanze Tibetan Autonomous Prefecture
   Part of Amdo of the old Tibet, it was occupied by the People's Liberation Army of China before the establishment of the Communist Government. It was reorganized as part of Xikang Sheng from 1950 to 1954, and then as the Tibetan Autonomous Prefecture under Sichuan Sheng from 1954 to 1957 following the collapse of Xikang Sheng.
6. Dechen Tibetan Autonomous Prefecture
   Part of Amdo of the old Tibet, it was occupied by the People's Liberation Army of China before 1949 and reorganized as the Tibetan Autonomous Prefecture under Yun Nan Sheng. Several battles were fought in the area even before the People's Liberation Army of China crossed the Yangzi River in October 1950.

• Source: Ingram Paul, 2008, Tibet, In *The Facts*, Seoul: Alma, pp. 409-410.

VIII. Conclusion

The Tibetan people's aspiration for independence from China was once again defeated by China's pursuit of "liberation" of Tibet, which it recognized as an inseparable part of its territory. The occupation of Tibet by Communist China reduced the special historic Sino-Tibet relationship to one of "historic sovereignty," which eventually became the central force of China's policy against Tibet. In addition to this central force, complex motives such as the need to subdue the ethnic minorities of China, secure natural resources in Tibet, and take advantage of its strategic value further fueled the conflict.

With the specific intention of seizing Tibet, China forced Tibet to submit to unfair negotiations by threatening its delegates with armed attack and military occupation, without ever having the intention of giving Tibet due respect as an equal counterpart. Its superficial proclaimed intention was the "peaceful liberation" of Tibet, but it had an ulterior plan, namely, that of consolidating Chinese sovereignty over Tibet and manipulating the relationship as it deemed appropriate. Retracting its long-standing opposition to working-level discussions on the "peaceful liberation" of Tibet as insisted upon by China, the Tibetan Government led by the Dalai Lama finally agreed to send a delegation to Beijing only because it was forced to do so by China, which had annihilated the majority of Tibet's army at the Battle of Chamdo.

China maintained that its military presence in Tibet was intended to expel imperialists and liberate Tibet, but such a claim had scant merit since it was clear that Tibet was in no immediate danger of falling under any imperialistic power and was yet to establish diplomatic ties with either the UK or the US. By characterizing the Tibetan issue as a completely domestic one, China aimed to forestall any attempt on the part of powerful countries to interfere or intervene, while dousing potential controversies regarding the legitimacy of its occupation or rule of Tibet. International law defines a diplomatic conflict as a conflict

caused by a state that claims sovereignty over an occupied territory—including the land, islands, and maritime border—of another state which is contested by the country concerned or a bi-partisan state. China must have been aware of the fact, so it is hard to deny that China launched its aggression against Tibet with the very intention of exercising sovereignty. To secure its sovereignty over Tibet, China established the preliminary committee for the "Tibet Autonomous Region" modeled after the Mongolian and Tibetan Affairs Commission of Kuomintang in order to expand its power and control over the Tibetan people.

Despite mounting evidence pointing to China's menacing plan, the Tibetan Government was forced to surrender to China's demands as the hands of the Dalai Lama were tied due to concerns of further encroachment by the Chinese Army into mainland Tibet and the country's abject failure to secure international support. In short, Tibet was forced by China to agree to the 17-Point Agreement. As reviewed in Section VII, the 17-Point Agreement itself contained many elements that could render the agreement invalid. Topping the list of such elements was the fact that the Agreement was not only forced upon the Tibetans but furthermore was not ratified by the Dalai Lama who, as the head of the Tibetan Government, had the ultimate authority to ratify treaties.

The debate over the truth of the Dalai Lama's ratification of the "Agreement" continues to rage, but this paper places more weight on the claim of the Dalai Lama and his Tibetan Government. The Dalai Lama, however, cannot be completely free from criticism for his failure to "absolutely," "completely" denounce the Agreement. As discussed in Section V, his reaction to the Agreement appears to have been rather passive after experiencing a sort of "honeymoon period" with the Chinese Government following his return to Lhasa from Dromo, and his actions should be viewed as a meager effort to delay the ratification at best, or tacit consent at worst.

China claims that Tibet allowed the presence of the Chinese Army in its territory with the signing of the Agreement, a claim already proven

to be refutable. Even before its foundation, the Communist Party of China had defined its occupation of Tibet under the auspice of "Tibetan liberation" as a sacred mission of China and the Chinese people. Military preparations and actual occupation of Tibet, in truth, started way before the negotiations for the Agreement began. Launching a military offensive against Tibet was more of a ploy for China to force the Lhasa government to agree to superficial negotiations. With or without the 17-Point Agreement, it is more than likely that China would have launched its military offensive against Tibet eventually.

Notwithstanding the voices claiming that the 17-Point Agreement was invalid, China succeeded in reaching its ultimate objective of securing sovereignty over Tibet based on the Agreement. Consequently, the Agreement ended up providing further grounds for China to consolidate its sovereignty over Tibet legitimately. It also provided the foundation for China to exercise direct control over Tibet's politics, diplomacy, and armed forces, as well as the basis for seizing the Tibetan Army.

One thing the Tibetan Government got out of the Agreement was its autonomy, but that was only achieved at the stiff price of admitting to China's claim that Tibet has been and always will be an "inseparable" territory of China. But the Agreement limited Tibet's hard-fought autonomy to domestic affairs by depriving it of its right to diplomacy and self-defense, a fragile autonomy that could eventually be taken away by China. The failure of the Dalai Lama to maintain his official denouncement of the 17-Point Agreement and his reluctant endorsement —manifested in his disregard of the Chinese occupation—became grounds for China's claim that "China had, in 1951, finally achieved the liberation of Tibet, which had been disrupted for a long time since 1912 when Tibet declared independence amid the chaos following the Revolution of 1911" (Xie Jian, In Lishi Yuekan, October, 1999, p. 103).

The 17-Point Agreement rendered Tibet unable to exist as an independent state. However, with its promise to postpone the socialistic

reform measures to which Tibet was subject, the agreement is widely considered to be the most lenient one among all the proposals the Chinese Government had made to the Dalai Lama up to that point. It also provides grounds for the Tibetan Government in Exile to demand that the Chinese Government recognize the autonomy of Tibet, ensure the position of the Dalai Lama, and preserve, not destroy and customs of Tibet so as to maintain the identity of the Tibetan people for as long as Tibet does not pursue complete independence and intends to maintain the relationship with China of any form. The autonomy of Tibet that the Tibetan Government in Exile in Dharamsala and the Dalai Lama insist is historically based on the "17-Point Agreement."

REFERENCES

Caituanfaren liyangan jiaoliu yuanjing jijinhui [財團法人兩岸交流遠景基金會]. www.Fature-China.org.tw.

Chanakya, Sen. (1960). *Tibet Disappears*. New Delhi: Asia Publishing House.

Dan, Zeng & Zhang, Xiangming [丹增 張向明合]. (1996). *Dangdai Xizang jianshi* [當代西藏簡史]. Beijing: Dangdai Zhongguo chubanshe.

Duojie, Caidan [多杰才旦]. (1988). Huigu yu zhanwang woguo de zangxue yanjiu [回顧與展望我國的藏學研究]. *Zhongguo zangxue* [中國藏學].

Fu, Juhui [傅菊輝]. (1993). Lun Maozedong zai Xizang heping jiefang chuqide celue fangzhen [論毛澤東在西藏和平解放初期的策略方針]. *Xiangtan daxue xuebao* [湘譚大學學報] (Vol. 14).

Gilles, Van Grasdorff. Trans. Baek, Sun-hee [백선희]. (2005). *Dalai Lama Jaseojeon–geu jeongchijeok mystery wa yeongjeok charisma* [달라이 라마 자서전 그 정치적 미스터리와 영적 카리스마]. Seoul: Achimyisl.

Goldstein & Sherap & Siebenschuh. Trans. Lee, Gwang-il [이광일]. (2009). *Tibet ui byeol: pun wang jaseojeon* [티베트의 별: 푼왕 자서전]. Seoul: Silchen munhaksa.

Guojia minweijingjisi & Guojia tongjiju zonghesi (Ed.) [國家民委經濟司, 國家統計局綜合司]. (1991). *Zhongguo minzu tongji 1949-1990* [中國民族統計1949-1990]. Zhengzhou: Zhongguo tongji chubanshe.

Huang, Yu-seng et al. [黃玉生等]. (1995). *Xizang difang yu Zhongyang zhengfu guanxishi* [西藏地方與中央政府關係史]. Lhasa: Xizang renmin chubanshe.

"Jiefang Xizangshi" Bianweihui ("解放西藏史"編委會). (2008). *Jiefang Xizangshi* [解放西藏史]. Beijing: Zhonggong dangshi chubanshe.

Jin, Hui et al., [金暉等主編] (1994). *Zhongguo Xizang shehui lishi ziliao* [中國西藏社會歷史資料]. Beijing Wuzhou chuanbo chubanshe.

Kim, Han-gyu [김한규]. (2000). *Tibet wa jungguk: geu yeoksajeok gwangye e daehan yeongusajeok ihae* [티베트와 중국 : 그 역사적 관계에 대한 연구사적 이해]. Seoul : Sonamu.

Lin, Zhaozhen [林照眞]. (1999). *Lamasharen* [喇嘛殺人]. Taipei: Lianhe wenxue chubanshe.

Liu, Shaoqi & Zhou, Enlai [劉少奇. 周恩來]. (2005). Guanyu Xizang wenti jinqi chuli qingkuang gei Mao Zedong de dianbao [關於西藏問題近期處理情況給毛澤東的電報]. (1951, 27 Mar.). Zhonggong zhongyang wenxian yanjiushi & Zhonggong Xizang zizhiqu weiyuanhui (Ed.) [中共中央 文獻研究室, 中共西藏自治區委員會編]. *Xizang gongzuo wenxian xuanbian* [西藏工作文獻選編]. Beijing: Zhongyang wenxian chubanshe.

MackKinder, Halford J. (1942). *Democratic Ideals and Reality*. New York : Henry Holt Company.

Mao, Zedong [毛澤東]. Guanyu you xinanju chouhua jinjun ji jingying Xizang wenti de dianbao [關於由西南局籌劃進軍及經營西藏問題的電報]. (1950, 2 Jan.). Zhonggong zhongyang *wenxian yanjiushi* (Ed.) [中共中央文獻研究室編]. (1987). *Jianguo yilai Maozedong wengao* [建國以來毛澤東文稿] (Vol. 1). Beijing: Zhongyang wenxian chubanshe.

Mao, Zedong [毛澤東]. Guanyu jinnian zhanling Changdu wenti gei xinanju de dianbao [關於今年占領昌都問題給西南局的電報](1950, 23 Aug.), Zhonggong zhongyang wenxian yanjiushi (Ed.) [中共中央文獻研究室編]. (1987). *Jianguo yilai MaoZedong wengao* [建國以來毛澤東文稿] (Vol. 1) Beijing: Zhongyang wenxian chubanshe.

Mao, Zedong [毛澤東]. Gei Dalai Lama de xin [給達賴喇: 的信]. (May 24. 1951). In Zhonggong zhongyang wenxian yanjiushi (Ed.) [中共中央文獻研究室編]. (1988) *Jianguo yilai Mao Zedong wengao* [建國以來毛澤東文稿] (Vol. 2). Beijing : Zhongyang wenxian chubanshe.

Mao, Zedong & Zhu, De [毛澤東, 朱德]. Gei Banchan Eerdeni de dianbao [給班禪額爾德尼的電報]. (1949, 23 Nov.) In Zhonggong zhongyang wenxian yanjiushi & Zhonggong Xizang zizhiqu weiyuanhui (Ed.) [中共中央文獻研究室, 中共西藏自治區委員會編]. (2005). *Xizang gongzuo wenxian xuanbian* [西藏工作文獻選編]. Beijing: Zhongyang wenxian chubanshe.

Mei · Gedesitan [梅 ·戈德斯坦]. (1994). *Lama wangguo de fumie* [喇嘛王國的覆滅]. Beijing: Shishi chubanshe.

Ochiai, Kiyotaka [落合淳隆著]. (1994). *Chibetto to Chukoku · Indo · Kokuren* [チベットと中國 · インド · 國連]. Tokyo: Geibundo.

Pual Ingram. Trans. Hong, Seong-nyeong [홍성녕]. (2008). [티베트-말하지 못한 진실; Tibet-Malhaji mothan jinsil]. Seoul: Alma.

Praag, Michael C. van Walt van. (1987). *The State of Tibet: History, Rights, and*

Prospects in International Law. Boulder, Colorado: Westview Press.

Renmin ribao (1950, January 21).

Shakabpa, Tsepon W. D. (1967). *Tibet: A Political History.* New York: Yale University Press.

Shaw, Malcom N. (1991). *International Law*. Cambridge: Grotius Publications.

Shen, Weilie & Lu, Junyuan (Eds.) [沈偉烈. 陸俊元主編]. (2001). *Zhongguo guojia anquan dili* [中國國家安全地理]. Beijing: Shishi chubanshe.

Shi, Zhexiong [施哲雄]. Zhonggong qieju Xizang jingguo [中共竊據西藏經過], In Wei, et al. (Eds.) [魏萼等]. (1986). *Xizang xiankuang yanjiu* [西藏現況研究]. Taipei: Zhongyang wenwu gongyingshe.

Suh, Sang-mun [서상문]. (2009, Summer). [세계가 외면한 외로운 투쟁, 티베트 독립운동 50년사: Lonely Struggle, ignored by the world]. [본질과 현상: Essence & Phenome non] (Vol. 16).

Tenzin Gyatso. Trans. Hong, Seong-nyeong [홍성녕]. (2003). [유배된 자유를 넘어서 – 달라이 라마 자서전: Over the exiled freedom]. Seoul: Jeongsin segye sa.

Wang, Gui & Xiraonima & Tang, Jiawei [王貴. 喜饒尼瑪. 唐家衛 著]. (2003). *Xizang lishidiweibian* [西藏歷史地位辨]. Beijing: Minzu chubanshe.

Wang, Hongman [王紅曼]. (2000). *Xinzhongguo minzu zhengce gailun* [新中國民族政策概論]. Beijing: Zhongyang minzu daxue chubanshe.

Wang, Lixiong [王力雄]. (1998). *Tianzang-Xizang de yunming* [天葬–西藏的命運]. Hong Kong : Mingjing chubanshe.

Xie, Jian [謝劍]. (1999, October). Cong gong, zang "Xieyi" kan liangan weilai [從共,藏"協議"看兩岸未來]. *Lishi Yuekan* [歷史月刊].

Xinhuashe shelun [新華社社論]. (1949, 3 September). Jue burongxu waiguo qinluezhe tunbing Zhongguo de lingtu Xizang [決不容許外國侵略者吞幷中國的領土西藏]. Zhonggong zhongyang wenxian yanjiushi & Zhonggong Xizang zizhiqu weiyuanhui (Eds.) [中共中央文獻研究室. 中共西藏自治區委員會編]. (2005). *Xizang gongzuo wenxian xuanbian* [西藏工作文獻選 編]. Beijing: Zhongyang wenxian chubanshe.

Xizang liuwang zhengfu [西藏流亡政府]. Weiermo, Keteli, Pikelin falu shiwusuo de falu jianjie [威爾默, 柯特勒, 皮克林法律事務所的法律見解]. Xizang

liuwang zhengfu waijiao ji xinwenbu (Ed.) [西藏流亡政府外交及新聞部主編]. (2001). In *Xizang de falu diwei-Sanfen zhuming falu xue quanwei de yanjiu baogao* [西藏的法律地位–三分著名法律學權威的研究報告]. Taipei : Dalai Lama Xizang zongjiao jijinhui.

Ya, Hanzhang [牙含章]. (1986). *Dalai lama zhuan* [達賴喇：傳]. Taipei: Wenshu chubanshe.

Yang, Kaihuang [楊開煌]. (2003). Zhonggong yu Dalai lama Xizang wenti "guoji suqiu" zhi duibi yanjiu [中共與達賴喇嘛西藏問題"國際訴求"之對比研究]. Yang, Kaihuang [楊開煌] (Ed.). *Zhaxidele-Zhonggong, Dalai lama yu Taiwan* [札西德勒–中共, 達賴喇：與臺灣]. Taipei: Haixia xueshu chubanshe.

Yang, Kaihuang [楊開煌]. (1985). Xinlun Zhonggong zai Xizang shehui bianqian zhong zhi juese[新論中共在西藏社會變遷中之角色]. In *Gongdang wenti yanjiu* [共黨問題研究] (Vol. 11(6)). Taipei: Fawubu diaochaju.

Yu, Ren [予人]. (1997). Mao Zedong yu heping jiefang Xizang [毛澤東與和平解放西藏]. *Dangshi wenhui* [黨史文匯] (Vol. 2).

Zhonggong Xizang zizhiqu weiyuanhui dangshi yanjiushi (Eds.) [中共西藏自治區委 員會黨史研究室編著]. (2005). In *Zhongguo gongchandang Xizang lishi dashiji 1949-2004* [中國共産黨西藏歷史大事記 1949-2004]. Beijing: Zhonggong dangshi chubanshe.

Zhongguo renmin zhengzhi xieshang huiyi gongtong gangling [中國人民政治協商會議共同綱領]. (1949, 29 September). Zhengxie diyijie quanti huiyi mishuchu (Eds.) [政協第一屆全體會議秘書處編]. (1999). *Zhongguo renmin zhengzhi xieshang huiyi diyijie quanti huiyi jiniankan* [中國人民政治協商會議第一屆全體會議紀念刊]. Beijing: renmin chubanshe.

Zhongyang renmin zhengfu he Xizang difang zhengfu guanyu heping jiefang Xizang banfa de xieyi [中央人民政府和西藏地方政府關於和平解放西藏辦法的協議]. (1951, 23 May). In Zhonggong zhongyang wenxian yanjiushi & Zhonggong Xizang zizhiqu weiyuanhui (Ed.) [中共中央文獻研究室. 中共西藏自治區委員會 編] (2005). *Xizang gongzuo wenxian xuanbian* [西藏工作文獻選 編]. Beijing: Zhongyang wenxian chubanshe.