CONCLUSION
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Human rights have emerged as the most important idea of our time. Though the idea is complex and not amenable to precise definition, it may be summed up as life, liberty, equality and anything that is necessary for the dignified existence and development of mankind. The main idea, of human rights which is familiar today is of course the product of Enlightenment of 17th century Europe. It was the basis of flourishing of all civilisations and no culture can deny the life, dignity and worth of human being.

However, it was only after the Second World War when collective soul of mankind was traumatised the idea of human rights become universal and finally entrenched into the UN Charter is encapsulated form. These human values were further elaborated in the Universal Declaration of Human Rights in 1948. This was followed by the two covenants viz., the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights which provided the legal framework of human rights jurisprudence. They had not only spelt out the attributive rights of liberty and equality but also the
solidarity rights of group, which over the years enlarged through various documents.

Today we have substantial corpus of document to protect the rights of human being but there is deep abyss on the one side, the theoretical principles, legal formulae and the solemn proclamations. The reality of a world in which basic human rights are denied and trampled with tremendous intensity and frequency, gives the dreary and disheartening panorama of human rights in the world. Tibet is perhaps the best example of this.

Tibet is situated in the heart of Asia, which is inhabited by the people to following their traditional culture, distinct spiritual heritage, and the way of life. Their history goes to thousand of years back, but its relationship with China remained ambiguous especially after the 13th century upto 1949-50. When China entered into Tibet with a view to overrun the territory in the name of liberating the people. Since then she exercised unprecedented control over Tibet and thereby brings untold suffering to her people.

Just entering into Tibet, it started ruthless drive to dismantle all the previous system depicting them old, feudal, backward, as
remnant of "medieval feudalism" against which there was massive resistance but they were suppressed through massive force. It took ten years to the International Community; to take note of when UN General Assembly expressed the concern for the violation of Tibetans' fundamental rights, and the suppression of their distinctive religious and cultural lives. In the same year, International Commission of Jurists after investigation concluded that the acts of genocide had been committed and Chinese authorities had violated sixteen articles of Universal Declaration of Human Rights.

These policies reached its apogee during the Cultural Revolution when China tried to wipe out every trace of the Tibetan culture and national identity. Concerted efforts were made to eradicate all the manifestations of Tibetan symbols and images.

In the post Mao period, China adopted two pronged strategies to deal with the Tibetan question. Overtly, it encouraged the Dalai Lama to send delegations for his return Internally, it made some ethnic sensitive policy gesture of freeing some socio-economic controls. But both of these strategies did not work as the
Dalai Lama's delegation got tumultuous welcome and internally loosening of control led to the revival of Tibetan civil and cultural life. To see this that Tibetans were not conceded to the Chinese rule, Beijing adopted a new strategy. In 1984 which is combination of state coercion and economic reform. The motive of economic reform was to change its demographic composition. Tibetans both inside and outside found this new threat to their identity. The tension was mounting up and people were alarmed from this, therefore, the Dalai Lama proposed his Five Point Peace Plan to solve the Tibetan problem with the help from western countries. Finally it culminated into a series of riots which were violently repressed and suppressed and there were mass killings and detention of Tibetan people.

1994 Third Work Forum confirmed these strategies and adopted three dimensional integration approaches to solidify its position as soon as possible. These policies were getting hardened after each successive year. In the post cold war Chinese human rights concern has become the domestic issue throughout the western world which has also increased the interest in Tibetan question. There is widespread condemnation invoking the UN principles: China is violating the Tibetans' human rights but their
concern is mainly focussed to those areas which are considered as good for human life in western perception.

In this moralistic conception individual is supreme and the rights are essential ingredient to human dignity. Which have emerged during the 17th century European history, since then human rights are articulated against the power of the state and the government and to contain the power of state. There is legal judicial mechanism and democracy to limit the power of the government. Thus the principles are personal liberty, rule of law, and democracy on which western perception of human rights are based.

US state department is also publishing separate report on Tibet that shows the maltreatment meted out to the Tibetans. In 1997 report it says that China has intensified its control on religious institutions and individuals but non political forms of worship are tolerated. There is widespread discrimination against Tibetans especially in education and employment. Though overall governmental policies are benefitting the people but its faulty approach is disrupting the traditional living pattern.
Western countries are also engaging China in bilateral dialogue from 1991 onward and sending a series of delegations to Tibet. The latest is the EU delegation, who have visited Tibet between 1-10 May 1998. Their visit was limited to the Lhasa area, where they had visited nine monastery's and religious sites, educational and health institutions, Drapchi prison and held discussions with the representatives of fourteen government department. Though the programme was officially guarded but they were satisfied to see the improvement in conditions. In their view there is tight control over the Tibetan religion and culture, which is not because of the hostility to them, but motive is only to control nationalist expression. Another contradiction is between traditional Tibetan society and the needs of modern economic development. The authorities are not seriously motivated to intrude into the Tibetan culture but they have less than sensitive attitude towards the traditional Tibetan life.

His Holiness the Dalai Lama is a firm believer in the Buddhist moral philosophy - ideals of humanity and universal brotherhood. He perceives Human rights in the Buddhist ideological perspective. He sees every individual as a part of larger human family and
wants happiness not sufferings, irrespective of differences in religion, culture, colour, nation and ideology. Removal of anger and hatred can be achieved through love and compassion. He says that unless all sentient beings are saved from sufferings, we cannot cultivate the true spirit of compassion. Compassion along with universal responsibility is key to human survival peace and happiness. These are the main ideas of his concept of human rights.

To him human happiness needs three kinds of freedom viz inner freedom, physical freedom and social freedom. Inner freedom can be achieved only when one is free from anger, attachment, jealousy and hatred. These negative emotions can be overcome through love and compassion. Physical freedom has two ingredients - liberty and equality. Every human being has equal right to pursue his goal of happiness. The Dalai Lama views human rights in broader perspective and says that it is universal in character and cannot be culture-specific. Social freedom can be achieved only when the establishment protects and promotes human rights.
The Dalai Lama sees Tibetan problem in humanistic perspective and lays stress on mutual respect and mutual benefit. Human rights is the right of every individual human being for life, liberty and equality, which is essential for individual development.

The Dalai Lama accepts Chinese sovereignty in exchange for genuine and well-defined autonomous rights. So he seeks genuine autonomy within Chinese framework and talks of freedom not in dependence to preserve culture. At the same time he views that Tibetans are different from Chinese but suppression is taking place so the Tibetans have the right to self-determination. In brief the Dalai Lama's struggle for Tibet within his agenda of universal well being.

China justifies its stand of "suppression" of Tibetans on the ground of maintaining sovereignty and national unity. It argues that the western states as well as media are altering facts and trying to distort the history of Chinese sovereignty over Tibet. And the talk of human rights is nothing but a well calculated strategy of interference in the internal affairs of China. Chinese concept of human rights is based on Confucius ideology and contemporary
Chinese communist theory. In the Confucius approach there is no place of atomised individual. The emphasis is on the person and their relationship with other human being. The ideal social praxis is achieved through the perfect complementary roles. The dignity is attached to the persons fulfilling his responsibility, not to the right seeking individual.

The Marxism emphasises on the laws of societal development, on historical development, and on class struggle, but it does not leave much opportunity for individual endeavor.

Traditional Chinese political culture and contemporary communist ideology leave aside political and civil rights but talks of satisfying the basic needs of the people. Historical development of a nation determines the human rights and is closely related with specific social, political, economic conditions, history, culture and values of the country.

China maintains that right to development is more important than the western approach of civil and political rights because the west talks of individual rights, while China favours collective rights. It is based on the hypothesis that citizens derive their right as the
members of society, not from the concept of inalienable individual rights. China places social order and responsibility above the rights of individuals.

In Chinese conception human rights are essentially a matter within the domestic jurisdiction of a country and it is mandatory for the citizenry to respect the sovereignty of the nation. China considers human rights in particularistic framework, not in the universalistic one.

In the Tibetan context Chinese stand is straight. It says that Tibetan society was under serfdom—a brutal and barbarous social system. There was no political as well as social rights to the common man. Only after armed rebellion in 1959, Tibetans got the right to freedom and right to subsistence and class thereby was abolished. Economic construction of the Tibetan region started with state financial subsidies and capital construction investment.

Under the concept of guaranteed political rights new political system of people's democracy evolved started. The new political institution ensures equalities among all nationalities free from suppression and discrimination.
while is detention. Legal proceedings also fail to meet the international standard. They are often denied of legal presentation and the right to appeal.

Torture constitutes the profound abuse of human rights. Despite being party to the various international conventions which outlaw the practice. The Chinese Government continues to tacitly endorses its use in all the stages of detainment. Women, particularly nuns appear to be subjected to gender specific torture.

Religion reflects the collective identity of Tibetans. Chinese constitution explicitly mentions its commitment to the protection of religious rights of its minorities. But China is trying to eliminate religious belief by indulging in genocide, religious prosecution, and destroying centres of religious learning. Tibetan Buddhism is under flak from the Chinese because they fear that it will lead to Tibetan nationalism. To check religious activities, the Chinese authorities have undertaken institutionalised regulatory measures viz, (i) control over religious institutions (ii) control over management (iii) control over monks and nuns (iv) patriotic re-education campaign (v) ban on construction of monasteries. At the same time, Chinese
Chinese argument is mainly based on economic development of Tibet. China has invested millions of Yuan to wipe out poverty and hunger from the Tibetan region. China has tried to get Tibetans into the economic mainstream and on other aspect it says that Tibet is historically the inalienable part of China and after the peaceful liberation. Tibet is under complete possession of China and she enjoys sovereignty over Tibet.

International community, in recent times, has shown tremendous interest in the promotion and protection of human rights. To check the violation of human rights, the nations of the world are under legal obligation, first by committing themselves to the international law and second by customary law. It is in the fitness of things, to categorise Tibetan’s perceptions of human rights violations under four subheadings viz, physical integrity rights, religious rights, social and economic rights and women’s rights.

Right to physical integrity this is related to protect the life and dignity of human beings. But Tibetans are continuously arrested for the peaceful expression of their views. On the ambiguous charges of endangering the security of states. They are also denied many rights
have undertaken indoctrination programmes to eliminate the Dalai Lama's role in spiritual field. And China puts forward the argument that religion and religious belief don't fit into the communistic scheme of things.

Right to education and right to subsistence form the backbone of economic and social rights. Tibetans are a small minority and for the last so many years, they have given themselves culture specific education to keep their identity intact. But the Chinese have completely changed the structure of education by striking at the root of learning process and educational arrangement. Medium of instruction was changed and education, got urbanised and education as an instrument of cultural continuity went haywire. So the process of sinocisation of Tibet started and it was promoted on the plea that ethnic education fails to meet the requirement of modern social development. Education has been used by the Chinese as an instrument of subjugation through which Tibetans are being assimilated into greater Chinese social traditions at the cost of Tibetan language and identity.
In no case, may a homogenous social group be deprived of its own means of subsistence i.e. adequate standard of living for himself and his family, including food, clothing and housing. Effort must be made to have continuous improvement of living conditions. China claims to have brought about economic transformation in the life of Tibetans but the facts show otherwise. Chinese investment is confined to infrastructural field and enterprise development. Pumping of millions of Yuan into these fields are meant for exploitation of Tibetans' natural resource and Hans have taken control of the Tibetan economy. Poverty alleviation programmes are mainly project oriented and there is hardly any participation of the poor. There is a massive investment into 62 big projects but it is meant for the economic benefit of the Chinese. Chinese lay more emphasis on growth less on development, so small proportion of Tibetans who are part of Chinese economic mainstream are prospering and the majority continue to live in economic straits.

Women are the soft targets of repression and it has several manifestations, from physical torture to repressive birth control measures. The right of all women to control all aspect of their
health, in particular their own fertility, is basic to their empowerment and social existence. China has been indulged in coercion, which is against the international convention of population control. Rather the approach should be reproductive health needs of the people, that is the best way of regulating the fertility. China offers the argument that population is controlled in Tibet because of conversion becoming monks and nuns. But the Chinese programmes to control birth are induced by incentives and punishment. Women, who refuse to follow it are demoted and financial bonuses are stopped. In the Chinese scheme of things abortion and forced sterilisation are the best form of contraception.

The argument is that there is linkage between population growth and economic backwardness of the region — exerting pressure on region's economic and social development. So the population control is necessary. To achieve the target, China compels the women for abortion and sterilisation either through physical force or economic coercion which violates the reproductive right of women.
the crux of the western argument. But there are other views on human rights.

China, the accused power, defends her position of human rights in Tibet by giving details of the past history, economic development and political system.

China also questions the whole western concept of human rights, relativity of rights, group Vs individual priority etc.

In the western dominant paradigm human rights is understood in the absolute philosophical category i.e. both universal and uncompromising by which they say the rights of individual is inalienable and tends to consider individual rights are more important.

The Dalai Lama view represents the Tibetan which is similar to the western concept in some respect. The only minor difference is that in Buddhist framework human rights are universal and individualistic in content but he sees it in totality and it also includes all living sentient beings.
In contrast to the conflicting views on human rights, which this piece is confronted with I turned to empirical evidences so as to judge the kind and degree of human rights violations in Tibet. This inquiry further concludes that unlike other democratic societies China being a communist country do not have much respect for the rule of law and constitutional guarantee. Therefore, formal and political question of correctness is not a matter of legality but are determined by the ideology.