

His Holiness the Dalai Lama's Vision for a Future Free Tibet

The following is the official translation of The Guidelines For Future Tibet's Polity And Basic Features of Its Constitution, which the Dalai Lama issued on 26 February 1992.

Introduction

Although it is difficult to predict the future, all human beings who wish to achieve happiness and avoid suffering must plan for future. As a result of the Chinese occupation, Tibetans in Tibet are deprived of their basic human rights; this tragic situation cannot be permitted to continue for long.

Tibet has a recorded history of over 2,000 years, and according to archaeological findings, a civilization dating back to over 4,000 years. In terms of geographical features of the country, as well as in terms of race, culture, language, dress and customs, Tibet is a distinct nation.

Under Tibet's Kings and the Dalai Lamas, we had a political system that was firmly rooted in our spiritual values. As a result, peace and happiness prevailed in Tibet.

However, by the middle of this century, Chinese occupation forces marched into Tibet through its eastern border regions of Kham and Amdo. Soon after, the Chinese intensified their military repression in Tibet, driving our political situation to a crisis point. In the face of this, I had no alternative, but to comply to my people's request to assume full responsibility as the head of state of Tibet, although I was then only 16.

In the hope of winning peace and happiness for my people, I tried for years to establish an amicable relationship with the powerful and authoritarian Chinese officials. Also, I set out to reform the unsavory aspects of our social system. With the view to introducing democracy, I constituted a committee consisting some 50 members. On the recommendation of the committee, some social welfare reforms were implemented, but my efforts towards introducing further reforms failed as the Chinese had by then converted Tibet into their colony.

As soon as the Chinese army had gained full control of Tibet, they shed their initial semblance of discipline and politeness to become ever more demanding and repressive. Brutal forces were used to suppress the Tibetan resistance, first in Kham and Amdo, and finally in the whole of Tibet by March 1959.

As a result, I was compelled to seek refuge in India in order to continue our struggle for the cause of Tibet. Among my initiatives in exile were to see to it that the Tibetan refugees, who were arriving in India in thousands, were given proper education and rehabilitation facilities. I also set out to continue my earlier plans to democratise Tibetan society.

People's Deputies (the Tibetan legislative body), was introduced in India. Since then we have had eleven such Assemblies. In 1961, I promulgated a constitution for future, free Tibet, based on the

principles of modern democracy. In general, this Constitution received overwhelming support from the Tibetans. The Tibetans, however, strongly opposed one provision, which stipulated that if circumstances demanded, the power of the Dalai Lama could be taken away according to the Constitution. Therefore, this provision had to be revised.

In 1963, an even more comprehensive draft constitution was announced. In an attempt to democratise the exile Tibetan Administration, the Assembly of Tibetan People's Deputies was entrusted with the authority to abolish the traditional bipolar system of appointing monk and lay officials to each position. The Assembly also annulled all the hereditary titles and prerogatives granted to small groups of people under the old system. In its place, new guidelines were introduced by which government officials would be appointed in a democratic fashion.

The 1963 draft constitution also authorised a Council of Regents to assume the powers of the Dalai Lama under specific circumstances if that was seen to be in the highest interest of the nation. In deference to the wishes of the people, as I stated earlier, and circumstances prevailing at that time, the constitution gave the ultimate authority of the government to the Dalai Lama. Naturally, I was not satisfied with this clause. I felt that this constitution fell far short of my aim for a genuine democracy.

Therefore, in my speech of the March 10 Anniversary in 1969, I declared that when the Tibetans regained their right to rule themselves, the people must decide for themselves as to what kind of system of government they wanted. I also stated that it was not certain whether the system of government with the Dalai Lama as the supreme head would continue or not.

About three decades have passed since the draft constitution of 1963 was promulgated. During those years, the world has changed dramatically and people throughout the world have begun to value democratic rights more than ever before. They have realised that democracy is the foundation for the free expression of human thoughts and potentials. Therefore, Tibet also must change when it becomes free.

With regard to the question of Tibet, although it is an international issue, the Chinese leadership has failed to respond positively to my overtures of 1987 and 1988. This is unfortunate, because I undertook these two initiatives as sincere and timely efforts to find a peaceful solution to the issue of Tibet.

The issue of Tibet is not merely a question of the survival of a people with their own distinct history and culture, it also has direct bearing on the fate of this world and Asian peace, and particularly upon the relationship between the world's two most populous nations: India and China. At stake is also the serious question of human rights, as enshrined in the United Nations Universal Declaration of Human Rights, and the world body's efforts to put an end to the era of colonialism and expansionism. Even the Chinese people themselves are opposed to the present Chinese system of governance and are demanding changes.

Chinese dissidents in exile have come to realise and accept the reality that Tibet and China are two completely separate entities. They have also come to recognise the fact that the Tibetans have the right to independence and self-determination. They find no justification in their leadership's claim that Tibet is a part of China.

Globally speaking, the values of democracy, freedom and justice are being appreciated and accepted more widely, especially in Eastern European countries where the totalitarian system, labelled centralised democracy, is giving way to a true and free democracy. The peoples of these nations are now gaining freedom and independence from oppressive regimes.

Similarly, the Tibetan Administration and population in exile, and more especially the Tibetans in Tibet, are striving hard for our freedom. For over 40 years, our brethren in Tibet have lived under an oppressive and tyrannical regime, completely deprived of basic human rights. Naturally, 99 percent of them - be they young, old, cadres, officials - are deeply resentful of the Chinese occupation of Tibet.

Despite the tremendous risks involved, many young people in Tibet have chosen to sacrifice their personal interests to demonstrate against Chinese rule in Tibet. Today there is much better understanding of the Tibetan issue in the world and this has heightened international interest in, and support for, our cause. In the light of this, the Chinese leadership will have no alternative but to abandon its rigid policy and come to the negotiating table to find a peaceful solution to the question of Tibet. It will not be long before the Chinese rulers find themselves compelled to leave Tibet.

When this joyful occasion comes, the time when the Tibetans in Tibet and those in exile are reunited in a free Tibet, the present totalitarian system, dubbed centralised democracy, will have to give way to true democracy under which the people of all the three provinces of Tibet, namely U-Tsang, Kham and Amdo, can enjoy the freedom of thought, expression, and movement. My hope is that Tibet will then be a zone of peace, with environmental protection as its official policy. I also hope that Tibetan democracy will derive its inspiration from the Buddhist principles of compassion, justice and equality.

I believe that in future, Tibet should have a multi-party system of parliament, and that it should have three organs of government - legislature, executive and judiciary - with a clear separation of powers between them, each independent of the other and vested with equal powers and authority. As I have often said, Tibet belongs to Tibetans, and especially to those who are in Tibet.

Therefore, Tibetans in Tibet shall bear the main responsibility in future Tibet's democratic government. Moreover, Tibetan officials presently serving the government of Chinese-occupied Tibet should bear even greater responsibility as they have more experience in running the affairs of the state. It is important that such Tibetan officials eschew all feelings of uncertainty and doubt. Instead, they should strengthen their determination to improve the quality of the future administration of Tibet, and re-dedicate themselves to the cause of Tibetan freedom.

Of course, some Tibetans, egged on by their Chinese masters, have said and done detrimental things. They have done this either due to ignorance or out of fear. Therefore, I see that no purpose will be served by seeking retribution for their past deeds. What is vitally important is to strive unitedly for a happy future.

Personally, I have made up my mind that I will not play any role in the future government of Tibet, let alone seek the Dalai Lama's traditional political position in the government. There are important reasons why I have made this decision. There is no doubt that Tibetans, both in and outside Tibet, have great hope in, and reverence for, me. From my side too, I am determined to do whatever I can

for the well-being of my people. The fact that I am in a position to do this is due to my karma and prayers over past lives. However, in future I will not hold any official position in the government. I will most likely remain a public figure who may be called on to offer advice or resolve some particularly significant and difficult problems which could not be overcome by the existing government or political mechanisms. I think I will be in a better position to serve the people as an individual outside the government.

Moreover, if Tibet is to survive as an equal member of the modern international community, it should reflect the collective potential of all its citizens, and not rely on one individual. In other words, people must be actively involved in charting their own political and social destiny.

It is, therefore, in the interests of the Tibetan people, both long- and short-term, that I have come to this decision, and not because I am losing interest in my responsibilities. There is no need to worry on this count.

Once Tibet regains its freedom and the Chinese forces are withdrawn, there will be a transitional period before the adoption of a new constitution. During this period the existing Administration in Tibet, with all its Tibetan functionaries, will be retained to look after such affairs of State, such as health, economy, education, culture, and transport and communications. This means the Tibetan officials presently working under the Chinese should be ready to assume full responsibilities.

The interim government will be headed by a president, who will assume all the political powers presently held by me. The present Tibetan Government-in-Exile will be considered dissolved ipso facto. Although no one will be entitled to special privileges by virtue of his/her position in the Tibetan Administration in exile, I hope the officials of the exile Administration will willingly accept whatever responsibilities are entrusted to them in view of their qualifications, experience and abilities.

The principal responsibility of the transitional government will be to form a Constituent Assembly with representatives from all parts of Tibet. The Constituent Assembly, in turn, will prepare Tibet's new constitution on the basis of various drafts prepared in exile. This new constitution will be adopted only with the assent of the interim President. Then, in accordance with the constitution, the interim President will appoint an Election Commission, which will conduct the election of the new government.

Provisional order during the transitional period

The time between the withdrawal of repressive Chinese forces from Tibet and the formation of a new Tibetan government, elected in accordance with the democratic constitution, shall be referred to as the "transitional period".

1. Since we must have an interim President to head the government during the transitional period, the following procedures will be followed to appoint him or her. a) I shall constitute a small committee of leaders from Cholka-Sum, or the three provinces of Tibet. This committee, in consultation with the officials of various departments throughout Tibet, will summon an emergency meeting of all the deputies representing administrative divisions no smaller than a district. The meeting, in turn,

will elect not more than seven candidates, from whom I shall appoint one as the President. b) In the event of this meeting failing to elect the candidates, I shall directly appoint the interim President.

2. The interim President, whether appointed directly or from the elected candidates, will take the oath of office in my presence.

3. Upon taking the oath of office, the interim President will be vested with all the powers and responsibilities of government hitherto entrusted to me.

4. The interim President will form a Constituent Assembly. Within one year of its formation, the Constituent Assembly will finalise the new Constitution of Tibet, after studying the draft proposals.

5. The interim President will appoint the Chairperson and other members of the Election Commission. In accordance with the newly-adopted constitution, the Election Commission will conduct the election of members of the Tibetan legislative bodies, their chairpersons, as well as the President and the Prime Minister.

6. The entire process - from the date of adoption of the Constitution to the election of legislative members and the President and the formation of the government - should not exceed two years.

7. The Constituent Assembly of Tibet shall comprise of not less than 250 representatives elected from cities, towns, regions, districts, etc.

8. The first task of the Constituent Assembly will be to establish the rules on the basis of which it will conduct its proceedings.

9. The Constituent Assembly will be deemed to have ceased to exist as soon as the new parliament is sworn in.

10. Likewise, the interim President, and the Election Commission appointed by him will relinquish their positions as soon as the new Assembly is sworn in. From then on, the business of a representative form of government will begin in accordance with the Constitution.

The preparation of comprehensive draft constitutions for several alternative models of democracy is underway at the moment. However, the Constituent Assembly, comprising of representatives from all regions of Tibet, will have a final say in deciding which form of constitution should be adopted. What I have done here is to give a preliminary picture of what to expect in future Tibet's democratic set-up.

Principal Features of the Constitution

Salient Features:

The Constitution of Tibet will be the supreme law and source of all political powers in Tibet.

Nature of Polity:

The Tibetan polity should be founded on spiritual values and must uphold the interests of Tibet, its neighbouring countries and the world at large. Based on the principles of Ahimsa, and aimed at making Tibet a zone of peace, it should uphold the ideals of freedom, social welfare, democracy, cooperation and environmental protection.

Fundamental Principles of the Government:

The Tibetan Government will observe and adhere to the United Nations Universal Declaration of Human Rights, and promote the moral and material welfare of its citizens.

Renunciation of Violence and Military Force:

Tibet will be a zone of peace, based on the principles of nonviolence, compassion and protection of the natural environment. Tibet will remain nonaligned in the international communities and will not resort to war for any reason.

Fundamental Rights:

All Tibetan citizens will be equal before the law. They are entitled to equal rights without discrimination on grounds of sex, race, language, religion, social origin, etc.

Other Fundamental Rights:

All Tibetan citizens will have the right to life, liberty and property; and freedom of speech and expression, freedom to form associations, to publish and disseminate news and views. They will have the right to be gainfully employed, whether in the government or in any institution or department under its authority.

Right to Vote and Hold Public Office:

All citizens of Tibet, men or women, will have the right to hold public office and vote in accordance with the law.

Ownership of Land:

For the benefit of the people and their habitat, the lands within the territory of Tibet shall be distributed appropriately according to the nature of the land. The distribution of lands will be for the purpose of residence, farming, buildings, factories, business and other livelihood purposes. Lands not privately owned will remain with the state.

The Economic System:

Avoiding the two extremes of capitalism and socialism, Tibet will formulate a special economic system to suit its own needs. The taxation system of Tibet will be based on income criteria.

Education and Culture:

Since education is key to the development of good human beings and to ensuring social progress, special attention will be paid to formulate a sound educational policy. All assistance will be given to schools, universities, institutes for science, technology and other professional trainings.

Public Health:

A public health care system will be established in order to provide adequate health care facilities to the people.

Legislative Power:

The legislative power of the Tibetan Government will be vested in the two chambers, namely the House of Regions and the House of People. Bills passed by them must receive Presidents assent before becoming law. The House of People will be the highest law-making body. It will consist of representatives directly elected by citizens from all constituencies, which will be demarcated in accordance with population distribution. The House of Regions will consist of members elected by the assemblies at regional level. A limited number of members (the number to be specified in the Constitution) in this House will be nominated by the President.

Executive Power:

- a) If the parliamentary system of government is adopted, there shall be a President and a Vice President elected by members of the two national-level Houses and regional assemblies.
- b) The executive power of the government, under the parliamentary system, will rest with the Prime Minister and the Council of Ministers formed by the Prime Minister. The Prime Minister must be from a party or any other group constituting majority of members present in the House of People. Failing this, all the members of the House of People will elect the Prime Minister.

Judicial Power:

For the purpose of interpreting and upholding the Constitution, as well as for ensuring impartial adjudication of cases involving the State or individuals, there will be a judicial organ which is independent of the other two organs, legislative and executive, of the government. There will be a Supreme Court, which is the highest judicial and appellate court of justice.

Regions:

The Tibetan National Assembly will decide the demarcation of Tibet's regions after taking into account the regional economic, geographical, demographic, and transport and communications features. In each region, there should be an assembly consisting of members elected by the people of the particular region. This assembly will be the regional legislative organ.

Also, every region will have a Governor appointed by the President, and a Cabinet headed by a chief Regional Minister, who in turn, is elected by the regional assembly. All the judicial power in the region will be vested in a regional High Court.

In view of the local needs, the regional assemblies can pass laws and regulations affecting their respective regions. Except for some very important matters, the regional assemblies will have the full authority to make decisions governing their respective areas of jurisdiction.

This is an example of one model of parliamentary system. There are various other models of parliamentary or non-parliamentary democracies. A draft constitution based on each of these models is being prepared in consultation with legal experts so that the future Constituent Assembly can choose the one that is seen to be most suitable to Tibet. It is not for me to make this decision.

Conclusion

Known as the Roof of the World, Tibet is in the heartland of Asia between India and China. The people of Tibet are by nature honest, gentle and kind.

Future Tibet will be a peace-loving nation, adhering to the principle of Ahimsa. It will have a democratic system of government committed to preserving a clean, healthy and beautiful environment. Tibet will be a completely demilitarised nation.

Although technological advancement has brought material prosperity to much of today's world, it has also resulted in the loss of respect for human beings. Human beings have also lost much of their freedom, so much so that they have become the slaves of machines. While a privileged few live in an island of plenty, the vast majority have to go without even the most basic necessities of life.

In order to prevent this kind of economic disparity, a more preferable economic course needs to be charted for future, free Tibet. Although we will go for a free economy, our economic policy will be aimed at serving the interest of the nation and general masses. We will make efforts to ensure that all the citizens are able to get the basic necessities of life.

In our international policy, Tibet will not align itself with the policy and ideology of any other nation. It will remain neutral in the true sense of the word. Tibet will maintain harmonious relations with its neighbours, based on equality and mutual benefit. It will renounce hostility and promote friendly relations with all nations.

I hope all sincere and right-thinking Tibetans will strive with a sense of pride and joy to attain the goals I have stated in the foregoing lines.

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