

## **Interview with Timothy Brook**

### **The Westphalia Paradigm: Before And After It Arrived in East Asia**

*Inspired by the book “Sacred Mandates”*

#### ***How Governance and Sovereignty Change***

Vancouver, British Columbia, Canada

*Timothy Brook, Ph.D., is a professor at the University of British Columbia, in Vancouver. He is a historian and his field of specialty is China. He first went “to China in 1974 for two years, developing a colloquial level of Chinese. ... As a graduate student I focused on Chinese history of the 16<sup>th</sup> century. But over the course of my career, I became more and more interested not just in China’s own story but in how China was related to the rest of the world. ... this process of knowledge exchange between China and the West. ... and I became more and more interested in trying to understand China in a global context.” This interview was conducted (and later edited) by Nic Paget-Clarke for In Motion Magazine on September 10, 2021. The recording was done on audio/video software with Tim Brook in British Columbia and Nic Paget-Clarke in San Diego, California.*

#### **< Sacred Mandates >**

*The inspiration for this interview is the book “Sacred Mandates” (2018, University of Chicago Press) and the exceptional process used to create it. “We kind of invented the format of the book, which was designed to capture and integrate the voices of our many collaborators. This is not standard procedure. ... What we wanted to do was bring all the voices together as much as we could. ...*

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*“The project that led to “Sacred Mandates” is one that Michael Van Walt Van Praag initiated. Michael is a lawyer, and he and Miek Boltjes are a team that has been involved in negotiating conflict around the world, particularly in Asia. Michael contacted me about fifteen years ago to try and put this research together. (See footnote #1 for biographical information.)*

*The book has three editors, (Timothy Brook, Michael Van Walt Van Praag, and Miek Boltjes) and 16 contributing authors (Lhamsuren Munkh-Erdene, Koichi Matsuda, Hodong Kim, Yuan-Kang Wang, Geoff Wade, Liam Kelley, Dalizhabu, John Ardussi, Mathew Kapstein, Nicola Di Cosmo, Hiroki Oka, Nobuaki Murakami, Pamela Crossley, Shogo Suzuki, Kirk Larsen, and Alex McKay). The book developed out of a series of five roundtable discussions held over five years involving 75 participant scholars. “We tried to get people to talk about how the part of the world that they studied -- whether it was East Asia, or India, or the Himalayan states – how those states managed their relationships with other states.” Moving through various themes they developed a model of relations within and among the Mongol empire, Ming China, the Tibetan Buddhist world, and the Manchu Qing empire from the fourteenth to the twentieth centuries. This interview focuses in particular on comparisons of this model to the interstate governance model developed in Europe out of the Westphalian Peace Treaty of 1648 – and what this means for today’s less powerful people.*

***Part 1: To Dismantle Empires: Not a Completely Successful Experiment***

***Part 2: The Mongols Blew Open the Original World***

***Part 3: How the Meaning of Sovereignty Has Changed***

**Part 1: To Dismantle Empires:**  
**Not a Completely Successful Experiment**

**< The Peace of Westphalia >**

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**In Motion Magazine:** Could you describe the Westphalian paradigm and why it's important to the book?

**Tim Brook:** Westphalia was an important breakthrough for Europe because the document that created the Peace of Westphalia (1648) didn't entirely have the language for what it was doing. It was working in the direction of the idea that every state enjoyed sovereignty and that the sovereignty of every state was equal to the sovereignty of every other state. What it was trying to do was dismantle empires. The Holy Roman Empire was still in place, which much of Europe had experienced as the Spanish empire, the Habsburg Empire, which many parts of Europe had to fight their way out from under through the 16<sup>th</sup> and early 17<sup>th</sup> century. The Thirty Years War is really about overthrowing Spain's attempt to create hegemony in Europe.

What Westphalia did was declare, "Empires are not the model with which we want to go forward. We want to go forward with this idea of national sovereignties." It was an interesting way of trying to move forward from monarchy to more republican forms of government. Monarchies could still be states in the Westphalian model, but there was a sense that sovereignty was no longer vested in the person of a sovereign. Sovereignty was something that states had in an abstract sense. Negotiation among states should be the negotiation among states and not the personal relationships among sovereigns.

**< Judicial autonomy, the resolution of atrocity and conflict, and sovereignty >**

There are a number of interesting elements that are built into the Peace of Westphalia. One of them is the autonomy of the judicial process, that decisions made in courts had to be respected as independent of what state leaders wanted. This is more implied than fully stated, but the idea of the independence of the judiciary is part of what the Peace of Westphalia introduces.

So too, the idea that after a conflict is over, compensation for certain kinds of atrocities is expected. At the same time, though, Westphalia also had built into it the idea of a kind of permanent clearing of the decks

so that whatever resentments one head of state had against another would be put aside so that the world could move forward on a new basis.

There were a number of useful mechanisms that Westphalia introduced, but the most important was this principle that states had sovereignty and that no other state had the right to intervene in that sovereignty.

There really had been nothing like this prior to the Peace of Westphalia. And it came out of thirty years of awful warfare – the Thirty Years War, which had compiled a stunning record of atrocities. Europeans did not want to go through that again.

### **< From the Peace of Westphalia to the United Nations >**

So, the relationship between the Thirty Years War and the Peace of Westphalia is much like the relationship between World War II and the United Nations. At the end of World War II, nobody wanted to go through that again. And so, the United Nations and its many institutions were set up as a way to try and prevent that kind of imperial expansion. In the case of Germany: the commission of atrocities, the failure to take account of and to take responsibility for the commission of atrocities. All of that had to be brought to account.

Of course, it hasn't been. The Peace of Westphalia was not a completely successful experiment. The United Nations has also failed spectacularly, over and over again -- largely through the actions of the five permanent members of the Security Council.

But the instincts of Westphalia were good, and while there has been over the last twenty years a view among some political scientists that we should get past the principles of Westphalia and develop a more communicative or interactive model for how states deal with each other, if you don't start with some guarantee of sovereignty, you are not going to get anywhere with it.

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The weakness of Westphalia is that sovereignty then becomes the shield for atrocities. Most spectacularly, through the 2010s, the United Nations was utterly helpless in resolving problems in Syria because China and Russia, and China particularly, consistently refused to agree to any action on the part of the Security Council because it was seen as infringing on the territorial sovereignty of Syria. Accordingly, despite the atrocities that were committed there and the huge dislocations of population, there was nothing the United Nations could do.

### **< Shackling the international community >**

In a way, Westphalia shackles the international community. Sovereignty as a defense against interference is a good thing -- sovereignty as a tool for preventing humanitarian interference is a disaster. And the world community is stuck. We don't have a mechanism. And while there have been various attempts over the last twenty-five years, through doctrines like the Responsibility to Protect, to limit the claims of sovereignty so that humanitarian actions can be undertaken, we still haven't been able to work out a method for that. It's been complained that states claiming to intervene for humanitarian reasons may in fact be intervening for quite other reasons as well.

So, we are in a really tough spot in 2021. We lack the institutions to engage in a fully democratic program of response to the crises that face us. The United Nations as an organization is still beholden to the five permanent members of the Security Council.

If you think about it, Britain and France don't matter so much anymore. The British and French empires were enormous in the 19<sup>th</sup> century and that's how they secured seats on the Security Council. China, the United States and Russia are now the barriers to any kind of creative response to the problems that are besetting the world. They perceive their sovereign interests as incompatible with any kind of transformative change in the international system.

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Our intervention with *Sacred Mandates* is not to suggest that we need to go back to a kind of Tibetan theocracy or anything like that as a solution to these problems. What we were trying to do in *Sacred Mandates* is say that there are many ways to organize the world and that a sensitivity to the alternatives that have existed historically might help us think our way towards less absolutist models for international cooperation. The current practice of international politics, however, tends to prevail over whatever wise insights we might have come up with.

I teach a first-year course on international conflict, and we had our first class on Thursday. The course is full of 18-year-olds who feel like the world is a mess and that it's now their responsibility to change that. The younger generation is coming up saying "We've got to do something." As for the older generation, I think we've run out of ideas. I don't quite know what the younger generation is going to do, but I remain hopeful that they will come up with something. ... My teaching is designed to encourage them, to give them historical knowledge so they can say, "Oh, that's how we got here. Maybe there are other paths to the future once we know about the multiplicity of paths in the past that have brought us to where we are at the present moment." If our generation can still do anything, it is to try and facilitate the expression of alternatives to the way things are and hope that the younger generation can pick them up and go with them.

The difficulty though is convincing political elites around the world to allow the space for fundamental reconsideration. Whether they are democratic elites or dictatorial elites, political elites are so resistant to abandoning the ground on which they feel safe. They keep playing this game of "It's a fixed pie and my slice has got to be bigger than your slice," which is just a recipe for eating up the pie and leaving nothing for anyone, or any generation, else.

**< Since the time of Chinggis Khan >**

**In Motion Magazine:** How would you describe the paradigm of relations that existed prior to the arrival to East Asia of the Westphalian model?

**Tim Brook:** Prior to the arrival of Westphalia, the Asian world was divided among authorities who were understood to have a sacred mandate. The Chinese had the emperor, who was the Son of Heaven. The Tibetans had the Dalai Lama, who was the reincarnation of the Buddha. The Mongols since the time of Chinggis Khan had a Great Khan, who enjoyed the blessing of Blue Heaven and who depended for his legitimacy on the sacred authority vested in Genghis Khan's family line. These were polities in which leadership understood itself to be empowered and legitimated by Heaven in one way or another.

When leadership was benign, or was concerned with the well-being of its people, Asian polities could function reasonably well to deliver a somewhat equitable social arrangement for its people.

In China, state Confucianism imposed strict hierarchy—seniors over juniors, men over women, and so forth—but it was a hierarchy that was supposed to be reciprocal, in the sense that if the people were starving, if the people were in distress, it was the responsibility of the state to relieve their distress. There was a kind of reciprocity between people and rulership in Confucianism that was supposed to guide the actions of the Chinese state. It didn't always, but there was a model there that sought to achieve the well-being of the people.

... (In) the Tibetan model, the Dalai Lama and the other high Lamas were incarnations of earlier Buddhist leaders who were themselves incarnations of the Buddha or of one of his manifestations. Given that the guiding philosophy of Buddhism was to extend compassion towards all living beings, the obligation of the Dalai Lama was to bring the people who were under his rulership to enlightenment. But enlightenment in a spiritual sense also required the satisfaction of material needs as well. This is one model of rulership, even if it wasn't always carried out.

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In general, Asian models of the state idealized an enlightened ruler who operated a patriarchy under which the well-being of the people was to be guaranteed. (It) didn't happen most of the time, but that at least was the model.

What we tracked in *Sacred Mandates* was the way in which these models converged under the Qing dynasty, under the Manchus, who were at once Chinese emperors, Tibetan hierarchs, and manifestations of the Chinggis descent-line, as well. The Manchus tried to combine all of these ritual models of rulership in themselves to create the largest state in human history, succeeding in ruling in this fashion for over two and a half centuries.

### <The Pope and the Khan >

**Tim Brook:** The book starts with the expansion of the Mongols under Genghis Khan at the start of the 13th century because, with that expansion, the Mongols blew open the original world.

Mongol expansion meant that zones that had been largely operating within their own terms – there was a Chinese zone; there was a zone in South Asia; there was a zone in the Himalayas; there was a zone up in Siberia; there was a zone in the Afghanistan region – the barriers between those zones were knocked down by the Mongol conquest. That meant that different traditions started interacting much more strongly with each other. Wherever they went, the Mongols reorganized the political world. When they went into China in the middle of the 13<sup>th</sup> century, from my point of view, they re-made China so profoundly that they changed what the Chinese tradition is about. The Mongols did this everywhere. As they moved into Persia, they changed Persian traditions. They eventually converted to Islam, and with Islamification, the Mongols who conquered West Asia produced something very different from what was there before the Mongols.



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Mongol expansion was like the explosion of a galaxy. They changed political relationships all over Eurasia, creating the point at which traditions increasingly overlapped. As the Mongols invaded Tibet, invaded China, and moved into Siberia, Afghanistan and Persia., they forced a transformation across the Eurasian continent.

So, the 13th century seemed to be a good point to begin to think about the Asian world as an international system, probably better than waiting until Asia faced the arrival of the Europeans in the 19<sup>th</sup> century. If in trying to understand China you go back only to, say, the 16<sup>th</sup> century, you get a much shallower understanding of how Asia responded to the arrival of the Europeans. We felt that we really needed to go back to the Mongols.

A particular contribution that Michael van Walt made to the project was to see Tibet as an integral component of the Asian political and international system leading into the 20th century. Thanks to his legal work, he wanted to bring Tibet into the story, and I fully concurred. But historically, it was the Mongols who brought the Tibetan religious hierarchy into their world, and then transferred it into the Chinese world. This is why Tibet continues to be an irresolvable problem for the People's Republic.

We needed to go back to the Mongols to include enough of the story so that it wasn't simply China in contest with the West. The history of the past two centuries has grown out of the interaction of a much more complicated system, a much more complex system.

**< States create histories for themselves >**

**In Motion Magazine:** The book never says it explicitly, but I got the sense that at that time China wasn't China. That it was a series of dynasties. (*Editor: Hodong Kim writes in his contribution to the book, "Mongol Perceptions of 'China' and the Yuan Dynasty," about discussions among and between Mongols*)

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*and Chinese, from the 200's BCE to the current era 1300's, about if and how, in parallel time or not, China was made up or not of unified dynasties and how their rule related to Heaven – in fact, uniting them together in time and calling it China.)* So now, with the Westphalia paradigm, people can look backward and say, “that was China during all those different times.” But really the borders – well, there were no borders. For example, as is mentioned in the book, the Tribute outreach of some of the dynasties went all the way to the Strait of Malacca, and, from what I read, to what is now the Philippines.

**Tim Brook:** You've gotten the core message of the book. Part of the problem of Westphalia is that as states assumed autonomous sovereignty, they then created histories for themselves. And those histories invariably sought to project, to create legitimacy through time. So, if there's such a thing as Germany then Germany goes back millennia. If there's such a thing as England, then England goes back millennia.

**In Motion Magazine:** And the United States, from two chartered colonies which weren't contiguous (*editor: Virginia and Massachusetts*).

**Tim Brook:** It's become a standard practice that states write themselves as heroes of their own history. I won't say that this always involves a fabrication of the past, but it invariably means removing the complexity, the conflict, of the past. In 1976, Eugen Weber published a famous study of France in the 19<sup>th</sup> century called *Peasants Into Frenchmen*. The thesis of the book is, in the beginning of the 19<sup>th</sup> century, peasants in France didn't know they were French. The concept just wasn't there. You didn't think of yourself as French. Not until the end of the 19<sup>th</sup> century, you were French.

The same thing in China. In the 16<sup>th</sup> century, it wasn't possible to ask somebody if he was Chinese. The concept wasn't there. You were the subject of a dynasty. And, in fact, in the Ming period, most Chinese, if you asked them who they were, they'd say, “We are the people of the Tang.” Well, the Tang dynasty hadn't been around for centuries. But that's the term they called themselves by. This idea of creating national identities became one of the unfortunate effects of Westphalia in the sense that if states are

sovereign, then everyone becomes a subject of a sovereign state. You are no longer the subject of a sovereign, you're the subject of a state and therefore your identity has to be located in the history of a state.

Three centuries ago, none of this was in place, or even thought of, and it's very difficult for us to project ourselves back to that time and not imagine ourselves as being citizens of a state. That's a historical outcome of Westphalia. This is what the People's Republic of China has been busy doing over the past decade: trying to set up a pure history of China that makes any other notion of China or Chinese identity impossible to imagine. "China has always been China. It's never been anything else. And, if there's a period in which the Mongols ruled, that's because the Mongols were Chinese." This is the kind of logic ... This process constitutes a kind of cultural genocide in which the state works to eradicate all the variants, all the alternatives, all the refusals that are part of the history of every country.

**In Motion Magazine:** And so, every country has an oppressed minority.

**Tim Brook:** All countries around the world that were created through an imperialistic expansion -- this is especially true of all the large countries. They all have peoples who have to be turned into Canadians, or Americans, or Russians. They can't be otherwise, at least according to the standard model of how we see ourselves today. And China is doing the same thing: turning everyone within its borders into Chinese.

**In Motion Magazine:** You have to think in more than one dimension at the same time. It's space and time.

**Tim Brook:** Yes, that's absolutely right.

**< Creating forms of authority that rulers wanted >**

**In Motion Magazine:** As you said, the Mongol Great State expanded as much to the West and to the East. Specifically, within the East it encountered very different systems of governance. How did it happen?

**Tim Brook:** When the Ming dynasty was founded in 1368, the pitch of the first Ming emperor to the people was, “Thank God, I’ve gotten rid of the Mongols. We all hated the Mongols. We never want to see them again.” But China had been perforated by the Mongol presence, which had brought in Tibetan, among other, influences. In reaction, the Ming regime tried to resurrect a kind of pure Chinese state, but it really wasn’t very successful in doing so because the imbrications with the Mongol world were considerable. When the Manchus invaded from the Northeast in 1644, they absorbed China, but they also absorbed the Mongols and their ways of imagining and creating authority. The Manchus had in fact absorbed neighboring Mongol zones before they moved into China, so the mix of Mongol and Chinese elements within the Qing dynasty was rich. And then, through negotiations with the 5th Dalai Lama, they sought to have influence in Tibet as well, and eventually draw Tibetan traditions into the mix.

The Qing dynasty would not have been assembled without the Mongols: the Mongol period started the whole process of creating forms of authority that rulers wanted. This is why, if you were an important Mongol or Manchu leader, you wanted to have a personal relationship with the Dalai Lama or with the Khutuktu Lama, or one of the other senior lamas. He had to become your priest whom you served so that he served your secular interests. This wouldn’t have happened if the Mongols hadn’t gone into Tibet and in a sense brought Tibet out into the rest of East Asia.

Each period thus layers itself upon the one prior to it. In many ways the Qing, at the topmost layer of this history, is the most complex state system that ever existed in Asia because it is heir to all of these different traditions.

### **Part 3: How The Meaning of Sovereignty Has Changed**

#### **< Borders were not fixed >**

**In Motion Magazine:** As part of this process, there are specific words which have different meanings depending on which paradigm you are thinking in at the time. Could we go over a couple of those?

**Tim Brook:** Sure.

**In Motion Magazine:** The first one would be “borders”.

**Tim Brook:** This is a complicated topic. All rulers know where their authority comes to an end. The Mongol model of the Great State was that the Great State was never finally at rest. It knew where its boundaries were. It knew what powers lay beyond its boundaries, but if it had the capacity to extend beyond those boundaries and absorb neighboring states, then it would do so. So borders were not fixed. Borders were the extent of the current authority of the Great Khan. This was the Mongol Great State model.

All subsequent states recognized that. The Qing grew enormously over the course of the 18<sup>th</sup> century. First taking over Tibet, then taking over Xinjiang, taking over the Uyghur region, and all the while moving into the Mongol areas. The Qing was an extraordinary expansive state. It tripled the size of China over the course of the 18<sup>th</sup> century. From the Qing point of view, it's not that the Manchus were failing to respect borders, it was that borders are not finally set, and could be reset as more peoples submit to their Great State.

Toward the end of the 17<sup>th</sup> century, the Manchus did have border negotiations with Russia because Russia was simultaneously expanding eastward as the Qing was expanding westward. Through a series of

negotiations through to the 18<sup>th</sup> century, the Manchus endeavored to fix a boundary that both sides could agree on, because the Qing sensed that they couldn't drive the Russians out. And I think the Russians had the same sense about the Qing. So, there was a kind of balance of power between the Russian and Qing empires in that period. Boundary-making was necessary for both sides. For military purposes you wanted to know where the boundaries were because you had fortifications to build and maintain. You had outposts to keep up in order to monitor your boundaries, and also to funnel the trade that slowly grew between the two sides. You didn't want boundary confusion to prejudice either trade or defense.

**< From sacred mandates to sacred boundaries.>**

But where you weren't up against an equal power, the border was fungible. The border could be changed. The border could be moved outwards. If you hold a sacred mandate, as the Qing felt they did, there's nothing illegal or immoral about expanding your territory, because you had been blessed by Heaven to realize your rule. To extend your authority is simply to further extend Heaven's grace outward from where you were. There's a kind of infinite expandability to the Mongol Great State model and that continued in China under the Manchus.

Now, when Westphalian norms come in, there was a scramble to fix boundaries. In the late 19<sup>th</sup> century, this boundary-making becomes important to all Asian states. They realize they've got to draw boundaries that show exactly what belongs to them so that other people don't take territory away from them. You might think of this transition as going from sacred mandates to sacred boundaries.

In the view of China today, the boundaries that appear on a map of the People's Republic of China are sacred. The regime talks about sacred territory, which gives it reason to justify riding roughshod over Hong Kong and ultimately Taiwan. Both are sacred territory because they are presumed to lie within their sacred boundary. This is the political language of the People's Republic of China: to speak about "sacred

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territory”. Well, no territory is sacred. That’s a kind of hand-me-down from the Great State view and is very persuasive to Chinese people. ...

Most Taiwanese I know, I think almost all Taiwanese I know, do not see themselves as Chinese anymore. There’s a small minority that does, but most Taiwanese don’t feel they are Chinese in a political sense. They may be ethnically and culturally Chinese. But they don’t see themselves as part of China. This change of viewpoint has also happened in Hong Kong. Young Hong Kongese don’t see themselves as Chinese either. But China is acting in such a way as to deprive them of a place to live if they do not unify themselves with China, and so the only option for Chinese in Hong Kong is to leave. Sadly, the majority of educated Chinese in Hong Kong just want to get out – they don’t want to be there – because China is not their state.

Looking from the other direction, Chinese people inside China don’t get it. They don’t understand that there could be Chinese people who understand themselves to be subject to a different sovereignty than the sovereignty of China.

**< For migrants, national identity is fungible >**

**In Motion Magazine:** Although, nearly all peoples have grown up that way. Every country has a good amount of nationalism.

**Tim Brook:** We are all imbued with this way of looking at the world. ... This is the downside of Westphalia, of course, that we are so impregnated with nationalist identity that we can’t think of ourselves outside this box. Of course, many people do, constantly. Anyone who is migrating to Europe, to the Americas, treats national identity as much more fungible. They have to, when political and economic conditions in their home countries make living at home impossible.

**< From sovereigns to states >**

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**In Motion Magazine:** Another word is “sovereignty,” could you talk about the two ways of looking at that word?

**Tim Brook:** Yes. Sovereignty has been transferred from sovereigns to states. It is the state that has sovereignty in the Westphalian system. In the Asian system before the coming of the West, sovereignty was invested in the person of the ruler. The sovereignty of China is invested in the emperor of China. The situation is more ambiguous in the case of Tibet. The Dalai Lamas have enjoyed authority in Tibet, but they were not sovereigns in the sense that a Chinese emperor was. Instead, they embodied the truth of Buddhism on behalf of their people.

One of the effects of Westphalia is that the Dalai Lama has come to be viewed as the sovereign of the Tibetan people, although the current 14th Dalai Lama, doesn't see himself as the ruler of Tibet. In any case, he has retired from political responsibilities. Because Tibet doesn't exist today as a state, Tibetans for the purpose of their own identity see themselves as the disciples of the Dalai Lama, and it is on that basis that they would invest their sovereignty in him. They would see him as the representative of their sovereignty as Tibetans.

**< International law: Who has the right to go there and who doesn't? >**

**In Motion Magazine:** As the book proceeds, more and more of the idea of international law is mentioned. Did people prior to Westphalia have any kind of a concept of international law or did it not exist because there were no nations?

**Tim Brook:** Europeans started to think intensively about international law as soon as Columbus sailed back from America in 1493. They had to figure out: what is the relationship between this new world and the sovereigns who gave Columbus his financial backing? Who has the right to go there, and who doesn't? Were Europeans obliged to submit to indigenous sovereignty, or could they annul it?



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So, discussions about international law pick up in the early 16<sup>th</sup> century. But those discussions were still largely framed around a Christian ethic. The right to exert sovereignty was to some extent conditional upon the sovereign extending, Christianizing, the areas into which he was going, and being given permission to do so by the pope.

Not surprisingly, the British and the Dutch in the early 17<sup>th</sup> century start railing against this, and thinking, “No, we’ve got to organize international law differently. The pope doesn’t tell us what to do.”

And so, Westphalia happens at the point at which there’s a recognition that international law of some sort is needed that doesn’t derive from the pope, that isn’t based entirely in Christianity. There’s a slow transition of thinking that the law of nations is in fact not what is given in the Bible and given by God, that the law of nations is something that has to be worked out among nations through negotiation and multilateral discussion. Westphalia is part of this process of the emergence of international law.

During this period, there were distinctively different international norms in Asia. They were much more hierarchical. For example, China could not see itself as the equal of Vietnam. They had different status positions. The rules that China has to follow, and the rules Vietnam has to follow, are different because they have different positions in the hierarchy.

The 19<sup>th</sup> century causes havoc because it’s no longer clear what the rules are, and this is complicated by the fact that Britain, in particular, is active in Asia in ways that don’t follow Westphalian norms, even though Britain was supposed to be a Westphalian state. Britain did not respect the sovereignty of the states that it colonized. And so an extra argument emerges to say that, “If you are uncivilized, then you have no right to sovereignty. We, as the imperial power, can come in and assert our sovereignty there and make you a colony of us.” That was a bad turn for international law. Ever since the end of the 19<sup>th</sup> century, international law has been struggling to get out from under this imperialist assumption.

**In Motion Magazine:** Was it simply imperialist or was it also white supremacy?

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**Tim Brook:** That was the cultural form that European imperialism took. If you go back to 19<sup>th</sup> century sources, you get Westerners speaking in so many different ways about the world that they find themselves in when they go to Asia or they go to Africa. For many there is a kind of white supremacy, a kind of fallback position, the most conservative position. But you get a lot of more relativistic views being expressed too. People who actually went and lived in Asia often came to appreciate and understand that there were other ways to understand their relationship to the places they entered. ...

**< Sacrality was a means to claiming legitimacy >**

**In Motion Magazine:** What is mentioned by pretty much all of the authors in *Sacred Mandates*, is the concept of legitimization of rule. Governance only gets by if it has a cosmology which goes with it.

**Tim Brook:** Yes.

**In Motion Magazine:** Otherwise, why would anyone say, “OK, you can be in charge.”

**Tim Brook:** Right. Every system has to have sources of legitimacy, or nobody is going to pay it any attention.

**In Motion Magazine:** Could you talk about that and how you saw it change.

**Tim Brook:** We came late to the idea of “sacred mandates.” This is something that occurred to us at the end of the whole project. But we came to recognize that sacrality was a means to claiming legitimacy. The Chinese emperor wasn’t just saying, “I’m the biggest, meanest guy on the block,” but, “Heaven has appointed me to do this stuff.” The appeal to religion was almost essential. For any political form in Asia, you had to have Heaven, or in the case of Tibetans, the Buddha, as the source of your authority. If you were just a warlord, you were just a warlord. You could engage in civil war and seize power through military means, but the only way you were going to be able to rest at the top of a military conquest state was if you were effective in establishing your legitimacy through a religious claim.

This is why Tibet matters so much to the People's Republic of China today. As long as the Dalai Lama is not under the control of the Chinese government, there will be this niggling anxiety about the legitimacy of Chinese control of Tibet. And certainly, in the minds of Tibetans there's an understanding that Beijing has no legitimate authority in Tibet, because the highest representative of Tibetan culture is the Dalai Lama. When he dies, he will be re-born, and this is going to be the great crisis for Tibetans. When the Dalai Lama dies, the Chinese government will announce that it has found his reincarnation. It's curious that a monopoly capitalist state has to parrot a belief in reincarnation, but it has to in order to make this claim. Otherwise it has no legitimacy claim to make in the eyes of Tibetans.

China has already done this with several of the Tibetan religious lineages. The number two in the hierarchy is the Panchen Lama. The Panchen Lama whom the Dalai Lama officially recognized in 1995 was disappeared and replaced by a boy whom China declared to be the Panchen Lama's reincarnation—and who has not been seen since publicly since that time twenty-six years ago. Both young men have disappeared inside the Chinese state, lest either of them emerge as a focus of resistance.

So, the Chinese government is stuck with this problem that it can never be the legitimate sovereign of Tibetan people until such time as Tibetans have forgotten their Buddhist faith. That's going to take generations, but this is what the Chinese Communist Party is working on. This is its project in Tibet: to wean them away from Buddhism and thereby delegitimize all exiled Tibetan leaders. Their hope is that ultimately Tibetans inside China will forget the 14<sup>th</sup> Dalai Lama once he has passed away, replacing him with a reincarnation who will be a puppet of the Chinese regime. That's their strategy with Tibet. It's not going to happen in my lifetime, certainly, which means it's going to be an endless irritant to the central government.

**< The British invasion of Tibet >**

Interview with Timothy Brook – September 10, 2021, Vancouver, Canada

**In Motion Magazine:** One of the contributions to the book (*Editor: “From Mandala to Modernity: The Breakdown of Imperial Orders” by Alex McKay*) talked about the British invasion of Tibet in 1903, which I thought was interesting because the British, who could not have been a more Westphalian country, were perfectly fine with the concept that they were invading another country which had nothing to do with China. They were invading Tibet mainly so that they could keep the Russians out of India. A Westphalian tactic for a Westphalian strategy.

**Tim Brook:** The first response of the Tibetans was, “Oh my God, the British are coming.” The second response, eight years later, was, “Thank God the British are coming. Maybe they could help us get out from under the Qing when it collapsed.” And, of course, that failed and Britain caved to Chinese interests on that issue.

Some of the Mongols were able to get out of the Manchu Great State when the Qing collapsed in 1912, forming a Mongolian republic under Russian, and later Soviet, tutelage and protection. Any of the peoples whom the Manchus absorbed who wanted to get out from under China as the Qing collapsed needed some outside power to come in and say, “We’ve got your back. We will give you the protection you need in order to re-assume your autonomy.” But only the Mongols pulled it off. The Tibetans failed. So too did the Uyghurs, when a Chinese warlord who was in position in 1912 moved quickly to secure his control and then submit himself to the new Republican government in Beijing.

**In Motion Magazine:** Wasn’t there a Uyghur republic during World War II, or so? (*Editor: 1944-1949.*)

**Tim Brook:** Yes. Right, at the end of World War II there were a couple of breakaway attempts. In Inner Mongolia, too, people tried to set up a Mongolian People’s Republic that was independent of China and Mongolia. That lasted about two months before the Chinese moved in and got rid of that.

< To begin to rethink what states are >

Interview with Timothy Brook – September 10, 2021, Vancouver, Canada

**In Motion Magazine:** In your email to me you expressed concern that when people don't realize that relations among people have changed from one paradigm to another, they can misunderstand how to deal with a current situation. And this is true all over the world. Did you want to talk about that?

**Tim Brook:** It would be nice if Chinese people were better able to reflect on the imperial foundations of their own state. It's difficult for Americans to see themselves as imperialist. Canadians are perhaps a little bit more willing to understand that Canada was created out of a series of colonialist and imperialist policies at the expense of indigenous populations. But, the other big states—Brazil, China, Russia—don't want to remember that the boundaries of the lands that they occupy today are the result of military expansion, conquest, and subjugation.

It would be helpful for the world if the large imperial states could recognize, could acknowledge the imperialism of their origins. It might then be a place to begin to rethink what states are and what states are allowed to do. But I don't have a larger program of what I see the outcome of this process being. I just think that a greater acknowledgement of how the large states of the world came to be would be helpful to the smaller states of the world that are struggling to survive in the wake of the ongoing imperialism of the big states.

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**Footnote #1** (*excerpted from the "Sacred Mandates" book and the Kreddha website*

*<https://www.kreddha.org>):*

**Michael van Walt van Praag** is "an international jurist, executive president of Kreddha, and senior fellow at the Institute for Social Sciences, University of California at Davis. He served as UN Senior Legal Advisor to the Foreign Minister of East Timor, Dr. Jose Ramos Horta, during the country's

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transition to independence as part of UNTAET.” (*Editor: UNTAET was the United Nations Transitional Administration in East Timor.*)

**Miek Boltjes** is “director of dialogue facilitation at Kreddha. She is a mediator specialized in intrastate conflicts, a negotiation expert and facilitator of dialogue between hostile parties with extensive experience in peace processes in Asia, Africa and the South Pacific. Besides her facilitation work, Boltjes has addressed and conducted investigations into numerous thematic issues with negotiators and mediators involved in peace processes around the world, such as the scope of security and international relations competencies of autonomous entities, constitutional entrenchment of intrastate peace agreements, prevention and resolution of conflicts involving extractive industry activity impacting indigenous land rights, and the roles of eminent persons in support of peace processes.”