SINO INDIAN BORDER DISPUTE: AN ANALYSIS OF THE TERRITORIAL DISPUTE IN THE HIMALAYAS

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I. Introduction

China and India have been growing out of a relation based on animosity and lack of confidence, into a relation of mutual understanding and benefit. The changing modalities, relationship structure, regional and international perspectives have forced both China and India to rethink their positions, and make attempts of normalising relations between the two. The paper tries to identify the history behind the conflict, the post conflict situation and the present relation between the two Asian giants.

With the fast growing Asian economy, the largest two nations in the continent, China and India, has been witness to a chequered history, marred by mutual suspicion, rivalry and mis-trust. At the geo-political level, China and India have much in common. Both are ancient civilisations that carry the scars of past imperial conquests. Both are rapidly modernising and regaining their status as global trading and economic powerhouses. And they are the two most populated nations—collectively home to over one-third of the world's population.[2]

China and India have a long history of trade and cultural exchange dating back to at least the early part of the first millennium A.D., when contact along the emerging Silk Road led to an exchange of items and ideas between South Asia and China. India introduced Buddhism to China, while China exported silk, porcelain, bamboo products, and other commodities to India. The exchange of pilgrims, explorers, and traders accelerated during China's Tang dynasty (618–907 A.D.) and continued until the onset of the Mughal Empire in India in the sixteenth century, when India redirected its focus toward the Middle East.[3]

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[2] Katherine Richards, "China-India: An analysis of the Himalayan territorial dispute", Indo-Pacific Strategic Papers, The Centre for Defence and Strategic Studies, 2015, p. 3

[3] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 151

Yet despite these commonalities, China and India have been unable to resolve their shared boundary. The simmering tension, which continues to exist along the Himalayas, has been described as both 'puzzling'[4] and 'a paradox'.[5]

II. History of the Dispute

Since 1949, it has also had border disputes with every one of its 20 neighbours.[6] Yet China has also resolved its border disputes with many of them, including Myanmar (1960), Nepal (1961), North Korea (1962), Mongolia (1962), Pakistan (1963) and Laos (1991).[7] It has even managed to reach territorial settlements with former enemies, notably Vietnam (1999) and Russia (1991-94).[8] In some cases, these disputes were settled according to international norms through 'peaceful and concessionary diplomatic approaches based on mutual understanding'.[9] In others, such as with Russia and Vietnam, resolution only occurred following armed conflict. Moreover, in reaching its settlements, China has usually received less than 50 per cent of the land in dispute.[10]

Neville Maxwell notes that: "[T]he border dispute between India and China stands exactly where it did when it first emerged half a century ago. There have been no negotiations, just numerous rounds of 'fruitless talks'. Each side maintains claims of large tracts of the other's territory."[11]

The origins of the Himalayan border dispute stem from a combination of difficult terrain, historical maps and survey technology which is based more or tradition than on modern technology, the absence of a functioning Tibetan state and the craft of British Imperial map-making writ

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4 Shreya Das, "The Sino- Indian Border Dispute: what role for the European Union?", European Institute for Asian Studies (EIAS) Briefing Paper, EIAS: Brussels, February 2014, p. 3.

5 John Garver, "The Unresolved Sino-Indian Border Dispute: an interpretation", China Report, Vol. 47, No. 2, 2011, p. 99.

6 Andrew J. Nathan and Andrew Scobell, *China's Search for Identity*, (Columbia University Press: New York, 2012), p. 4.

7 Nie Hongyi, "Explaining Chinese Solutions to Territorial Disputes with Neighbour States", Chinese Journal of International Politics, Vol. 2, 2009, p. 487

8 Nie Hongyi, "Explaining Chinese Solutions to Territorial Disputes with Neighbour States", Chinese Journal of International Politics, Vol. 2, 2009, p. 487

9 Nie Hongyi, "Explaining Chinese Solutions to Territorial Disputes with Neighbour States", Chinese Journal of International Politics, Vol. 2, 2009, p. 487

10 M. Taylor Fravel, "Regime Insecurity and International Cooperation: explaining China's compromises in territorial disputes", International Security, Vol. 30, No. 2, Fall 2005, p. 46.

11 Neville Maxwell, "Why the Sino-Indian Border Dispute is Still Unresolved after 50 years: a recapitulation", China Report, Vol. 7, No. 2, 2011, pp. 71-82.

large. In 1914, at the Anglo-Tibetan Simla Conference, the British colonial authorities drew the McMahon Line (named after the chief negotiator Sir Henry McMahon), which established the boundary between British India and Tibet.[12] Although Chinese representatives were present at Simla, they refused to sign or recognise the accords 'on the basis that Tibet was under Chinese jurisdiction and therefore did not have the power to conclude treaties'.[13]

After independence in 1947, India made the McMahon Line its official border with Tibet. However, following the 1950 Chinese invasion of Tibet, India and China came to share a border that had never been 'delimited by treaty, let alone between the post-colonial regimes of the Republic of India and the People's Republic of China'.[14] Consequently, China viewed the McMahon Line as an illegal, colonial and customary borderline, while India considered the Line to be its international boundary.[15]

The relationship between India and China soured in the early 1950s under the respective leaderships of Prime Minister Nehru and Chairman Mao. On signing the '1954 India-China Agreement on Trade and Intercourse between Tibet Region of China and India', Nehru and his associates 'thought that the boundary was no longer an issue and that the Chinese accepted the historical status quo'; effectively, Nehru imagined a 'trade-off between Tibet and the border'.[16] However, from a Chinese perspective, there was no trade-off, real or imagined, and the Chinese position has steadfastly remained that India's recognition of China's sovereignty over Tibet, and China's acceptance of the former colonial McMahon Line, were not connected issues.[17] The five Principles of Peaceful Coexistence (Panchsheel) and the Bandung Conference were highlights of Sino-Indian cooperation. However, the cooperation was not to last. By late 1950s, serious differences between the two states had begun to surface, particularly over the un-

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[12] Vincent Wei-cheng Wang, "Chindia" or Rivalry? Rising China, Rising India and Contending Perspectives on India-China Relations", Asian Perspectives, Vol. 35, 2011, p. 448

[13] Sherya Das, 'The Sino-Indian Border Dispute: what role for the European Union?', European Institute for Asian Studies (EIAS) Briefing Paper, EIAS: Brussels, February 2014, p. 5

[14] Tsering Topygal, "Charting the Tibet Issue in the Sino-Indian Border Dispute", China Report, Vol. 47, No. 2, 2011, p. 120

[15] Vincent Wei-cheng Wang, "Chindia" or Rivalry? Rising China, Rising India and Contending Perspectives on India-China Relations", Asian Perspectives, Vol. 35, 2011, p. 449

[16] Tsering Topygal, "Charting the Tibet Issue in the Sino-Indian Border Dispute", China Report, Vol. 47, No. 2, 2011, p. 122

[17] Tsering Topygal, "Charting the Tibet Issue in the Sino-Indian Border Dispute", China Report, Vol. 47, No. 2, 2011, p. 122

demarcated border. The unresolved border issue would lead to war by 1962.[18]

Zhou En Lai refused categorically to accept the McMahon line as the final line of the border demarcation between India and PRC. To counter the Indian claim that Beijing had, in the past, never contested the legality of McMahan line, China argued that local Tibetan authorities `had no legality with the McMahon line, China argued that local Tibetan authorities had no legal rights to conclude any border treaty with the British. Moreover, China regarded the disputed Aksai China area as part of the Chinese province of Sinkiang and not Tibet. To the contrary, India contested that ―Chinese maps had never shown Sinkiang to extend south of the Kuentun range, which separated it from Tibet.[19]

While border talks began in 1954, the territorial dispute simmered throughout the 1950s due to provocations by both sides: China's annexation of Tibet in 1950; India's alleged support for the Khampa rebels in Tibet after 1956 and provision of sanctuary to the Dalai Lama and his Tibetan government-in-exile in Dharamsala after 1959; India's discovery of a completed Chinese road running through the Aksai Chin region in 1958; and India's extension of its defense perimeter and "forward policy" of placing military outposts in disputed areas in 1959. Skirmishes throughout 1962 erupted into full-scale war on October 20, 1962.[20]

Armed conflict erupted between the two nations in 1962. During the month-long war, Chinese forces advanced deep into Indian territory in Ladakh and Arunachal Pradesh, before withdrawing back to their previous positions along the so-called Line of Actual Control.[21] The sense of betrayal and humiliation remains bitterly embedded in the memories of India's policymakers today, especially among the older generation. With the 1962

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[18] A Athwak, China—India relations Contemporary Dynamics, (New Delhi: Routledge) (2008), p. 20

[19] Sheikh Mohd Arif, "A History of Sino-Indian Relations: From Conflict to Cooperation", International Journal of Political Science and Development, Vol. 1(4), pp. 129-137, December 2013, p. 131

[20] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 152

[21] 'Agreement on the Maintenance of Peace along the Line of Actual Control in the India China Border', signed by R.L Bhatia, Minister of State for External Affairs, Republic of India and Tang Jiaxuan, Vice Foreign Minister, People's Republic of China, dated 7 September 1993, http://www.stimson.org/research-pages/agreement-on-the-maintenance-of-peace-along-the-lineof-actual-control-in-the-india-china-border/

war, Jawaharlal Nehru's pan-Asian dream and notions of third-world solidarity were shattered.[22]

III. Sino Indian Relations – Post 1962

India's crushing defeat at the hands of the Chinese shattered Nehru's image at home and abroad.[23] Between 1962 and 1969, Sino-Indian relations remained in a deep freeze. Emboldened by its easy victory over India, China initiated a vitriolic and vituperative propaganda against India, which deepened India's suspicion of China even further. India's mistrust about China was further confirmed when China befriended Pakistan and started to extend military and political support to it. China on the contrary essentially saw Indo-Soviet friendship as an anti-China ploy. In the wake of humiliating defeat, when India accorded high priority to its armed forces, China accused India of ―militarism.[24]

Today, China alleges that the McMahon Line effectively sees India occupying some 90,000 square kilometres of its territory in the Indian state of Arunachal Pradesh. On the other hand, China is still occupying 38,000 square kilometres of land in Aksai Chin in the North Eastern corner of Jammu and Kashmir'[25] and a further '5180 square kilometres of land in Kashmir ceded to it by Pakistan in 1963'.[26]

China's nuclear test in 1964 further strained relations and became one of the catalysts for India to conduct its own nuclear test in 1974. India's incorporation of Sikkim into the Indian Union in 1975 drew condemnation from Beijing, which regarded the territory as an independent state. Changes in Cold War strategic conditions, particularly the death of Mao Zhe Dong in China and the rise of an Indian government that sought to distance itself from the Soviet Union, led to a relative thaw in relations: the two countries exchanged ambassadors in 1976, India's foreign minister, Atal Bihari Vajpayee, visited China in 1979, and eight rounds of official talks on the

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[22] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 153

[23] WV Eekelen, Indian Foreign Policies and Border Dispute with China, (The Hagu: Martinus Nihoff, 1967), p. 160

[24] Sheikh Mohd Arif, "A History of Sino-Indian Relations: From Conflict to Cooperation", International Journal of Political Science and Development, Vol. 1(4), pp. 129-137, December 2013, p. 132

[25] Tsering Topygal, "Charting the Tibet Issue in the Sino-Indian Border Dispute", China Report, Vol. 47, No. 2, 2011, p. 120

[26] Tsering Topygal, "Charting the Tibet Issue in the Sino-Indian Border Dispute", China Report, Vol. 47, No. 2, 2011, p. 120

boundary issue took place between 1981 and 1987. Nonetheless, interaction remained tense as a result of accusations by both countries of military encroachment along the disputed border, which led to skirmishes in 1986 and 1987. Prime Minister Rajiv Gandhi's visit to Beijing in 1988, however, served as a turning point in the bilateral relationship, as the two countries sought to stabilize their strategic relations with the end of the Cold War approaching. The subsequent loss of India's Soviet ally, coupled with India's economic liberalization beginning in 1991, further fuelled the nascent Chinese Indian rapprochement.[27]

With a steady growth and change of governance in India in the late 1990s, there was a brief setback in relations between India and China. The Indian government focused on China's growing economic and military power, continued assistance to Pakistan, and encroachment into Burma to promote a more openly competitive relationship with Beijing. India's nuclear test in 1998 was justified not only as a response to Pakistan, but also to a prospective "China threat," which startled China.[28]

China's intervention in the India-Pakistan Kargil border conflict in 1999 served as another turning point in China-India relations, however, as Beijing sought to adopt an even-handed approach to ending the hostilities. China's unwillingness to support Pakistan's actions in Kargil, coupled with pressure from Washington, led to Pakistan's decision to withdraw its forces from the area. In 2003, China and India signed a joint Declaration on Principles for Relations and Comprehensive Cooperation, which laid down guiding principles and goals for bilateral relations, including economic ties and a pledge that neither country would use or threaten to use force against the other. In January 2005, China and India took part in their first bilateral strategic dialogue, which was followed by the April 11 signing of the India-China Strategic and Cooperative Partnership for Peace and Prosperity. The two countries declared 2006 to be a "Friendship Year," marked by numerous political, economic, military, scientific, educational, and cultural exchanges.[29] The present dialogue that has ensued with the Indian and

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[27] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 153

[28] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 153

[29] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), p. 154

Chinese government, hinges on bilateral investment and enhancement of trade. The Chinese though have went ahead with strengthening its sphere of influence by adapting policies like the "One Belt One Road" and re-drawing the world strategic and political equation by re-building the old silk and maritime routes.

IV. Territorial Disputes Today

The border conflict is rooted in the disputed status of the McMohan Line, which defines the border between India and Tibet according to the 1914 Simla Convention between British India and Tibet. India uses this agreement as the basis for its territorial claim; China challenges the validity of the colonial-era boundary agreement involving Tibet, which it considers a local government without treaty-making authority. China's construction of a military post and helicopter pad in the area in 1986, and India's grant of statehood in February 1987 to Arunachal Pradesh (formerly the North-East Frontier Agency), of which China claims 11 of the 15 districts, caused both sides to deploy additional troops to the area, raising fears of a new border war. Since the 1990s, both sides have agreed to keep working on the border issue but not to let the disagreement interfere with building constructive and stable relations. Rumours persist of a territorial swap that would involve India giving up its claim to Aksai Chin in exchange for China renouncing its claim over Arunachal Pradesh. China recognized India's suzerainty over Sikkim as a quid pro quo for India's reiteration of Tibet as part of China. It should be noted that although the Indian government has recognized Tibet as part of China, at a popular level there remains significant sympathy for the Tibetan cause within India, fuelled by the presence of more than 100,000 Tibetan refugees in India. New Delhi's continued willingness to provide sanctuary to the Dalai Lama's government-in-exile in Dharamsala, which is only 200 miles from the Chinese border, is a continued source of friction in China-India relations.[30]

In recent years, there have been increasing media reports from both sides of incursion along the border. Both countries have been beefing up their military presence along the border. On the one hand, China has deployed 13 Border Defense Regiments totaling around 300,000 troops. Furthermore, six divisions of China's Reaction Forces are stationed at the south-western Chinese city of Chengdu, with 24-hour operational readiness and support by airlift capability to transport the troops to the border area

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[30] Derek J. Mitchell and Chietigj Bajpaee, "China and India", in *The China Balance Sheet in 2007 and Beyond* (Center for Strategic and International Studies and the Peterson Institute for International Economics: Washington D.C., May 2007), pp. 157-158

within 48 hours.[31] India on the other hand has also upgraded its military presence near the eastern border. A five-year expansion plan to induct 90,000 more troops and deploy four more divisions in the eastern sector is underway. There are 120,000 Indian troops stationed in the eastern sector, supported by two Sukhoi-30 MKI squadrons from Tezpur in Assam.[32]More Sukhoi-30 MKI squadrons are in the process of being inducted into the air force structure in the eastern sector. In May 2013, India decided to press ahead with the creation of a mountain strike corps along the China border. Indian Ministry of Finance has approved the proposal, signalling that India will not hold back on its military expansion effort.[33]

V. Assessment

Where spheres of influence overlap there is competition, as in the cases of Nepal and Myanmar. Standard realist accounts argue China is unwilling to permit the emergence of India as a power beyond South Asia. In the past China has built alliances and partnerships with countries in the Indian periphery, most notably Pakistan, but also Myanmar, Nepal, Sri Lanka, Bangladesh and, more recently, Afghanistan.[34] Combined with the Chinese presence in the Indian Ocean region, this has created some concern among Indian policymakers of strategic encirclement[35] Still, India has been cautious and, in all but naval strategy, circumspect about countering China's moves. New Delhi continues to follow a one-China policy favouring Beijing, despite growing military exchanges with Taiwan.[36] India's Look East policy which has now been transformed into Act East policy, a serious attempt to correct the conceptual drift in India's approach to Asia beyond China, has resulted in substantially growing economic relations with Singapore, Vietnam and Indonesia.[37] Perhaps the biggest challenge to Sino-Indian rapprochement, and a source of impetus, is the rapidly improving

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[31] Hongzhou Zhang and Mingjiang Li, "Sino-Indian Border Disputes", *ISPI*, Analysis No. 181, June 2013, pp. 7-8

[32] Namrata Goswami, "Ending Sino-Indian border dispute essential to continued prosperity", Global Times, January 16, 2012

[33] "Incursion effect: Strike corps on China border gets nod", Indian Express, May 26, 2013

[34] Thomas Adams and Arnav Manchanda, 'The Dragon in the Hindu Kush: China's Interests in Afghanistan', Globe and Mail, April 20, 2009

[35] Steven Hoffmann, 'Perception and China Policy', in Francine R. Frankel and Harry Harding (eds), The India–China Relationship (New York: Columbia University Press, 2004), p. 48

[36] Amardeep Athwal, China–India Relations: Contemporary Dynamics (Abingdon: Routledge, 2008), p. 64

[37] David M. Malone and Rohan Mukherjee, "India and China: Conflict and Cooperation", Survival, Vol. 52, No. 1, 2010, p. 145

US–Indian relationship. While a much-improved relationship with Washington has helped India counter the traditional pro-Pakistan tilt in US foreign policy, it has also made Sino-Indian rapprochement a greater priority for Beijing.[38]

There has been a significant shift of China's foreign policy regarding its neighbours. In less than a decade, China's relations with its neighbours have undergone deep changes, where Chinese commentators no longer emphasise the need to maintain a favourable regional environment, a core policy of the Deng Xiaoping era after 1989, when China feared encirclement by the West. Instead, Chinese policies on Asia range from projecting assertiveness on maritime issues, to challenging the post-war order in the Pacific, to spinning a web of win-win economic ties built from trade strength, which could make China the nucleus of regional integration. Beijing believes that it can afford to conduct the disputes and the courtship side by side, since economic interest provides a uniting factor that discourages neighbours from ganging up on China.[39]

India and China find themselves on the cusp of history. China's rise, reinforced by a very difficult decade for the United States, is obvious to all. Beijing has played its cards prudently while carving out a larger role for itself in the management of the global economy. Its military investments and might continue to grow, but appear aimed mainly at overall deterrence and the containment of Taiwan. Its designs in the Indian Ocean, while fuelling Indian anxieties, do not yet seem central to Beijing's wider objectives. The two rising Asian powers are helping shape a new distribution of global power, as demonstrated not just by their growing prominence within the machinery of multilateral economic and security diplomacy (both, for example, are members of the G20) but by the ardour with which they are courted by other international actors. A new world order seems to be emerging in which China, the United States, a declining or at least static Russia, and India, with Brazil not far behind, all speak internationally with authority on many issues, while EU members struggle to find a common voice.[40]

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[38] C. Raja Mohan, Crossing the Rubicon: The Shaping of India's New Foreign Policy (New Delhi: Viking, 2003), p. 163

[39] François Godement, "China's Neighbourhood Policy", Asia Center and European Council on Foreign Relations, February 2014, p.1

[40] David M. Malone and Rohan Mukherjee, "India and China: Conflict and Cooperation", Survival, Vol. 52, No. 1, 2010, p. 154