

China-India Territorial Disputes: Emergence, Post Independence Scenario and Conflicting Approaches

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ABSTRACT

This paper highlights the role played by the colonial legacy in the emergence of territorial disputes between China and India. The roots of the disputed border between China and India go deep into British Raj and Czarist Russian expansionist policies in the name of Great game in this region because Indian subcontinent was a strategic necessity of British Raj for the defensive purpose of its interests in the Indian Ocean and its swathes. On the contrary, Russia having emerging clout was ideally to be found to defy British supremacy in the region. As a result, British and Russia were affianced in a tug of war. Therefore, in the post independence period, borders of the two Asian giants have never been officially delimited under a mutually accepted treaty. For the last seven decades borders of the two countries remained unsettled and proved as an elusive monster affecting their relations. This paper explains the post independence scenario of both states as far as their territorial disputes are concerned and shed light on their conflicting approaches.

Keywords: Colonial Legacy, Territorial Disputes, Great Britain, Russia, China and India.

Introduction

It is an irrefutable fact that most of the nation states have experienced colonial rule in 18th and 19th centuries in one way or another. By keeping in view this fact, colonial masters had an opportunity to shape the economic, political, and social development of its colonies on one hand and to settle or leave uncertain boundaries of colonies on the other. Contextually, it may be argued that the actions taken by the colonial powers had systematic and indomitable negative and positive impacts on the colonies in the post independence era, especially with respect to the stability of their borders with their neighbouring countries¹. Normally, the boundaries of dependencies were set by keeping in view own political, economic and defence gains of the colonial power rather than considering the religious, ideological, ethnic, sectarian or tribal features of the inhabitants of its colonies. Further, it had no apologetic exposition, while altering the frontiers of its dominions, nonetheless, they were clearly defined by artificial or natural means; e.g. mountainous ranges, rivers, lakes, watershed and crest principles etc. Moreover, it should be noted that another scare usually leaves by the colonial master is the incomplete or inaccurate demarcation of borders between its colonies at the time of decolonization process as like in the case of China-India. Subsequently, the boundary fixed by master is not considered

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adequate by the newly emerged states because the colonizer may not have had an interest in expending great time and effort to establish clear and well marked borders with neighbouring colonies² or partial colonies. Resultantly, they alter the borders and put forth their territorial claims in the postcolonial period with their neighbours which results in a full fledged conflicts or wars as shown in figure 1.2. Similarly, it is the case of China and India territorial disputes in which both Beijing and New Delhi claim for their territory since their emergence as modern nation and independent states respectively and duly emphasised on their own stance for the last seven decades.



Figure 1.2

Disputed Regions between China and India

i- Eastern Sector (Arunachal Pardesh)

The Eastern Sector generally known as the North East Frontier Agency³ (NEFA) was designated by British which is approximately 1,100 kilometres in length and widens from China-Myanmar border in the east to the Bhutan. In this sector, the total disputed area is 82,900 square km, most of which is under Indian control. Chinese authorities consider the above mentioned area as the extension of Tibet's three districts Loyul, lower Zayul and Monyul. On the contrary, India considers it as a part of its own territory. This area has an important significance in terms of geographic reserve base and livelihood. It claims McMahon Line (550 mile/890 km) as a border between China and India in the said sector while China calls the pre-1914 outer line as a border in this sector. McMahon line has not been recognized by any of the Chinese governments attributing it as a symbol of imperialist aggression by the British.

ii-Middle sector

The Middle sector encompasses from Indian state of Uttar Pardesh to Indian state of Punjab and consists of 450 kilometres long and starts from the Spiti region in the west of the globe to the tri junctions of the China, India and Nepal borders in the east and the total disputed area in this sector is less than 2000 square km⁴. The Chinese claims in the Middle sector envisages to some border passes and certain other places all of which can be located in the southern direction.

iii-Western sector (Aksai Chin)

Moreover, the Western sector known as Aksai Chin which is located at 15500 to 18000 feet altitude is a disputed area. China regards it as a part of Xinjiang and India as a porch of Laddakh. This is a desert area having strategic importance while it is not suitable for inhabited purpose. According to CNN report the said area is about 20 percent of the whole of Kashmir⁵. It is 1,610 kilometres long from the Karakoram Range to the Changchenmo valley in the South. The total area in this sector is 38,850 square km, according to an estimate round about one third of the boundary divides Xinjiang (Autonomous Region of China) from Kashmir and two third divides Laddakh from Tibet (Autonomous Region of China). Evidently, most of area is under the control of China⁶. Some political scientists are of the view that the said area is so remote that Indians intelligence people didn't came to know regarding the construction of China's National all weather high way until it was revealed by the Chinese newspaper in 1957.

Colonial Legacy and Sino Indian Territorial Disputes in Retrospect

The geographical shape of the British Indian Empire, as it emerged during the nineteenth century, was largely dictated by the British reaction to the different challenges. Contextually, those challenges were checked by creating neutralized buffers around British India, which would neither offer a military threat nor permit the passage of hostile European arms and influences⁷. The Russian longing for a colonial empire and a warm water port did not diminish any and so the game continued. In order to arrest the Russian thrust towards the plains of the Indian subcontinent, the British created a forward defensive line in the region. This called for making Afghanistan and Tibet into buffer states and for fixing suitable and convenient borders with these states at various times, and several such lines were proposed⁸. By keeping in view the aforementioned argument, in 1893 the British Raj delineated a boundary line, Durand line, between British India and Afghanistan. The basic motto of this line was the creation of a buffer state between Russia and the western border of British India which proved as a successful experiment.

It is true that British Crown was totally alarmed with the finances of imperial defence. In order to keep the defence expenses under its tight clutches, making buffer zone was mainly a reasonable way of protecting British Empire along the 2500 mile Himalayan frontier at the lowest budget⁹. Since Indian long northern border were for the most part conterminous with Tibet, the Britishers were of the view Tibet was an ideal buffer that would never pose an acute peril to the security of India. In this backdrop, the British declared Tibet as a buffer state in order to put Russian aggression at arm's length which afterwards proved into the quarrel of China and India. It is very clear that the British imperial policy

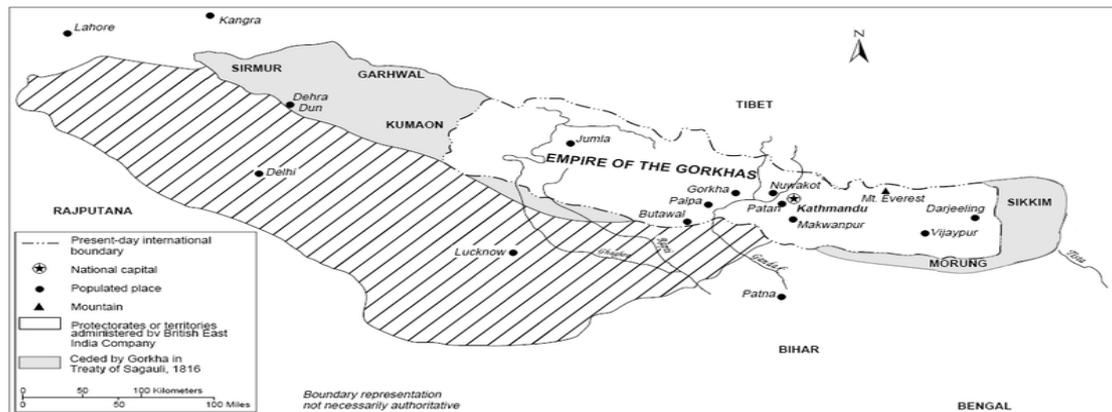
made it apparent that definition of Indian territorial boundaries was by no means shorten in by the Indian Ocean to the South, but it extended far beyond¹⁰.

By the late 1940s, when Indian nationalism induced the British to leave their Indian empire, and when Communist victory unchained China from the Shackles of war and foreign intervention, no mutually acceptable India-China border had evolved. Demarcation of a border on the ground had occurred at only a few places. Two un-demarcated frontier regions would later constitute most sensitive areas of conflict between India and China; one is Aksai Chin facing Laddakh (Indian Controlled Kashmir), Tibet and Xinjiang. The Aksai Chin is part of the larger region that both India and China call the western Sector. Another area which is a matter of dispute is situated at eastern frontier, close to Burma. Assam's Himalayan region was called by the Indian government as NEFA. During 1986, it joined other Indian states and became an independent state namely Arunachal Pardesh¹¹.

i- British Imperialism and the Historical Development in Eastern Sector

As far as the Frontier policy of British Raj in the Eastern sector is concerned, it was slight different than the Western Sector and was termed as a forgotten frontier. Historically, Gurkhas ousted Newars the rulers of Nepal in 1769 and led the foundation of Gurkhas Kingdom. This brought the contact of British India and Nepal to the lower ebb as British had amicable relations with the Newars. Moreover, it was resulted in the closure of traditional trade routes passes by Nepal between India and Tibet which were being used by the East India Company. The sole reason behind this episode was the military alliance between the Britishers and Newars as the later was helped by the erstwhile during Newars and Gurkhas struggle for gaining power. Resultantly, the British East India Company was mulling different options which could provide corridor for trading with Tibet by passing the Gurkhas Kingdom of Nepal¹².

At a later stage the Treaty of Sagauli was signed on 8th March 1816 between the British and Gurkhas in the wake of Anglo Nepalese War of 1814-16. Scholars are of the view that the reason of this war was the incursions of Gurkhas into the British dominion. The above mentioned treaty provided control of territory to the Britishers situated in the west flank of Nepal i.e. in Garhwal and Kumaon (As shown in the map 1.4.1-A).



Map No.1A Empire of Gurkhas Bordering with British India and Tibet

Map Courtesy: http://en.wikipedia.org/wiki/File:Sugauli_Treaty2.PNG

It gave leverage to the British for having common border between British India and Tibet for uninterrupted trade for the first time. At that critical juncture, Sikkim was vulnerable to Gurkhas attack. In order to prevent Nepalese invasion of Sikkim, Britishers concluded a treaty of Titalia with Sikkim in 1817. Sikkim's potential as a transit route from Bengal to Lhasa and its utility to keep pressure on Nepal's Eastern flank persuaded British to provide assistance to the Sikkemese, whereby in lieu of British protection the Sikkemese agreed to place their foreign relations under British control. Treaty of Tiatlia was propped with a new treaty in 1861 for increasing British dominance in the area. As a result the Colonial power was using Sikkim as a platform to carry out the Tibetan policies¹³.

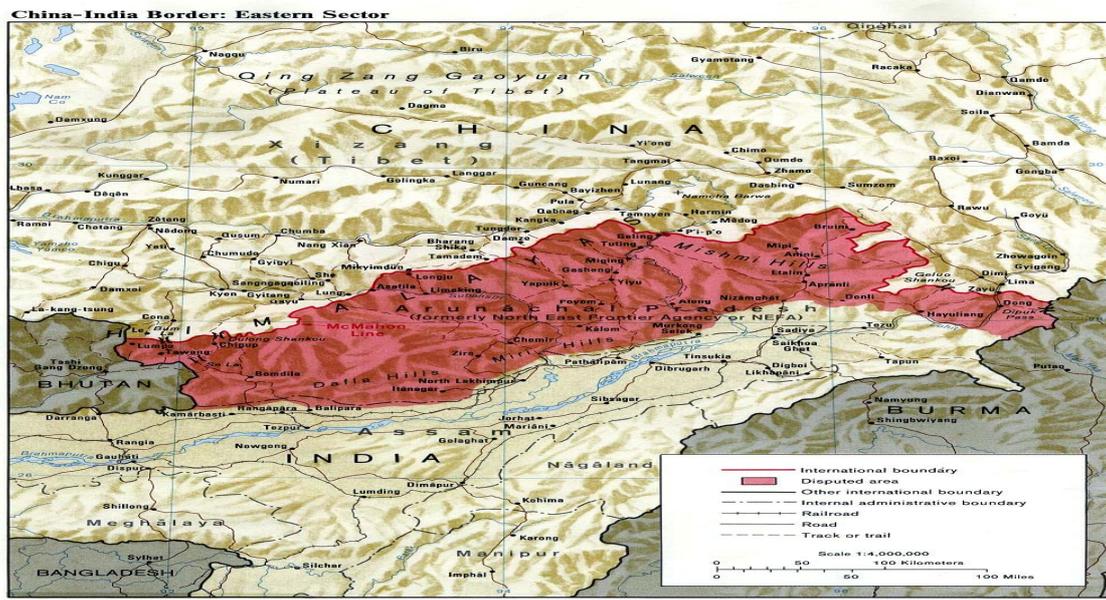
Further, British sphere of influence was expanded to the east due to the annexation of Manipur and Assam in 1814 and 1817 respectively by King Boawpaya of Burma. This act of Burmese invited the wrath of the British which further resulted in the outbreak of Anglo Burmese war of 1824 which lasted till 1826. Consequently, as usual British stood victorious and peace treaty between Burma and Britain was signed according to which British succeeded in securing the entire lower and some upper area of Assam; which is now in AruncachalPardesh. Resultantly, the boundaries of Assam were extended thick and fast and constitutes the north east. It is pertinent to analyze here the Situation of China. At that time China was in waning throughout 19th century due to the first and second opium war, Boxer Protocol and such kind of other episodes. Resultantly, the grip of China was declining in Tibet at the same time which was alarming for the British and it was no more in the mood to leave Tibet as a piece of cake for the Russians. In this context Lord Curzon, British Viceroy of India (1899-1905) raised this issue in his letter to Lord Hamilton referring that crossing the Himalaya and occupying it would be foolishness.

However, it is equally important that the region should be turned into a buffer zone between British Empire and Russian Empire¹⁴. On the other hand, situation in China was deteriorating day by day and as a result in 1902 the Tibetans were flouted the 1893 trade agreement between their Chinese suzerain and British. When the Chinese proved unable to control Tibetan incursions into Sikkim, it led to the beginning of a re-evaluation of Tibet's status vis-à-vis China. The British concluded that China could not be relied upon to protect Tibet from Russian intrusions¹⁵. Owing to this fact, Lord Curzon put stress on taking pre-emptive measures due to the dwindling Chinese power which was no more a sustainable basis for British Tibetan policy and Tibet may become a theatre of Russian intrusions in British India. So, the British under the umbrella of Curzon's forward policy and Young Husband 1904 expedition became directly involved into the affairs of Tibet¹⁶.

In the mid of 1910s, the Chinese influence in Tibet was increasing and the aggression by Japan in 1914 compelled British to delimit the borders of British India with Tibet. On contrary, China's military muscles and activity in frontier regions increased suddenly, though for a short period of time, during last years of the Manchu Dynasty. Subsequently, Eastern and central Tibet was dominated by China between 1905 and 1911, and it had further strong existence along the Assam Himalayas' Tibetan side. That resulted in the British concerns regarding its legitimacy in Nepal, Bhutan and the long and un-demarcated British Indian and Tibetan border. Albeit, when Qing Dynasty was consolidating its existence in central and eastern Tibet and posed a great danger to the British's dominion Assam, it was collapsed in 1912 due to the sprang up of Chinese revolution which toppled down the Qing Dynasty power structure in Lhasa. Consequently, a power vacuum occurred which was infused by the return of Dalai Lama to Lhasa as he fled to India in 1910 due to Qing Dynasty mounting power in Tibet.

By keeping in view the above facts and analysis, British wanted to draw a line between Assam and what was regarded as Chinese controlled Tibet. The Government of India proposed that this be not just an administrative line but real political and strategic boundary. To fulfil its objectives British conveyed a conference at Simla; that conference was attended by Tibetans willingly but the Chinese under constraint¹⁷. The northern frontiers by the side of the Himalayan watershed were delimited by the tripartite Simla conference during 1914 and the limit came to be known as McMahon Line. In this conference, the British Indian delegation was led by Sir Henry McMahon, the foreign Secretary of British India Chen Ivan was representing China while Leon Shatra represented Tibet. The main objectives of tripartite conference were as follows. Firstly, the division of Tibet into two different zones. Secondly,

demarcation of border between British India and Tibet. Thirdly, granting more autonomy to Tibet by the British Raj. The purpose of the British government in this conference was to extend and formalize the de facto independence which Tibet had begun to enjoy in 1912 as a result of overthrowing Qing Dynasty, and of the consequent turmoil in China; Tibet would thus be maintained as a buffer state between India and China. Thus, British hoped to achieve it by making the Chinese to accept a zonal division of Tibet into Inner and Outer regions¹⁸. Resultantly, without consent from the central government of China, on 27th April, 1914 Chen Ivan under the threat and pressure of McMahon, started the drafting of a convention by keeping in view the clear understanding that initiation and signing are two different things. Eventually, the representatives of Tibet and British India signed the Simla Convention, the Chinese representative did not sign the treaty but McMahon line came into existence. In the aftershocks of the Simla Conference, the Chinese forcefully renounced the Convention and the map with it, making themselves unavailable when the time demanded them to agree or sign formal documents. It is because; the Chinese did not endorse the Simla Convention as they did not see eye to eye with the demarcation line separating Inner from Outer Tibet. In inner Tibet power was divided between the authorities of China and Lhasa and in outer Tibet China had no control¹⁹ as China would have suzerain power rather than sovereignty on Tibet.



Map No.1B The Eastern Sector

Map Courtesy :http://www.lib.utexas.edu/maps/middle_east_and_asia/china_india_e_border_88.jpg

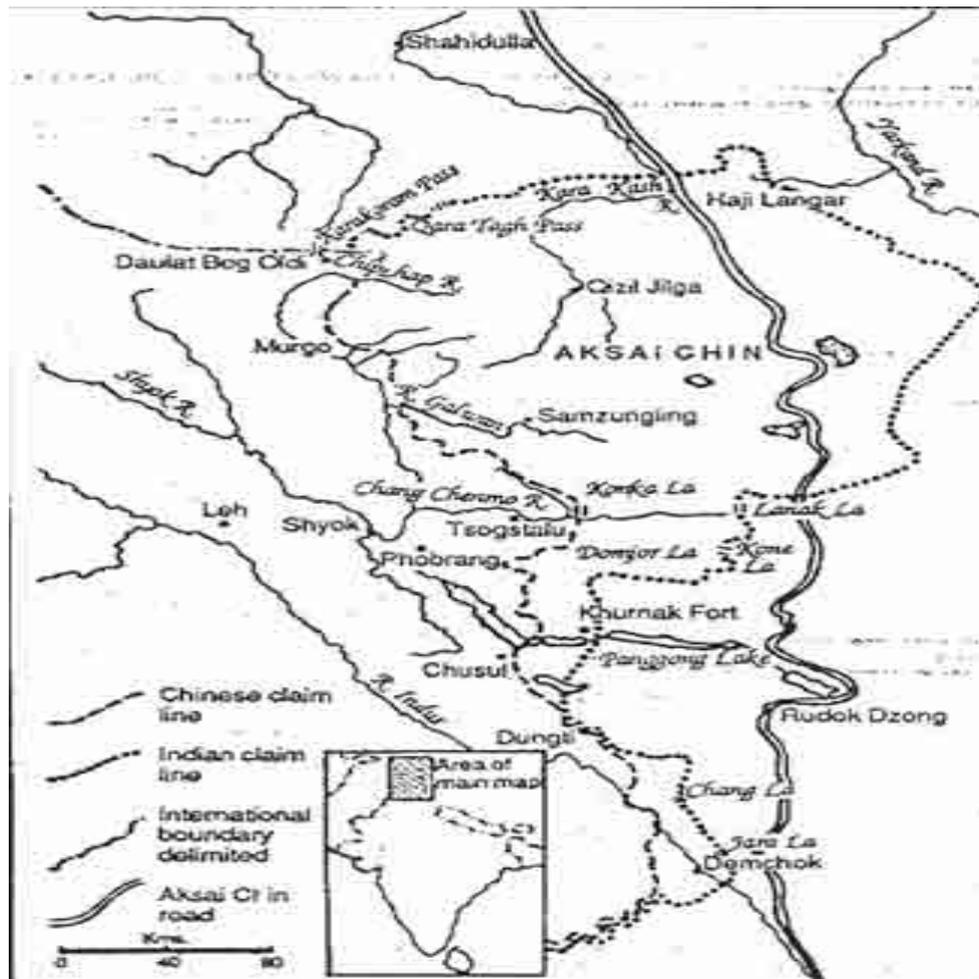
McMahon's accomplishment seemed significant at the time, but its meaning proved to be vague. As stated China's central government rejected the results of Simla conference. British wanted to increase Tibet's autonomy with the help of

McMahon line which led China for the refusal of the line. China has repeatedly asserted that Tibet had no entitlement to undertake independent treaty without central government consultation²⁰. Lately, due to the changing circumstances the McMahon line was considered as Britishers as forgotten line in coming two decades for the following reasons; The beginning of First World War, the changing stance of British on McMahon line as per circumstances and the officialdom in London, Delhi and Assam were not on the same page as far as this line was concerned. At the later stage Olaf Caroe, the Deputy Foreign Secretary of India ordered White hall for publication of 1914 Simla convention in 1936. As a result for the first time in 1937, the survey of India showed McMahon line as a official border between Tibet and British India which is never accepted by China²¹.

ii. British Indistinctness and the Historical Development in Western Sector

There was no permanent policy of British regarding Aksai Chin/Western sector. Factually, Aksai Chin is high altitude desert which is a porch of the Tibetan plateau. It was being used by the people of Laddakh for summer grazing. Moreover, it was junction of ancient trade routes. Nonetheless, the Aksai Chin has no natural value but the Aksai Chin could be strategically important as a buffer zone, depending on development in the Great Game of big power influence and balance in Central Asia. The British, as a major part of their policy, always wanted to have buffers lying between the populated parts of northern India, on the one side, and Russia and China, on the other. The regions that were to serve as buffers, as well as primary power to be thus contained, varied British perceptions of threat.

Three different lines were drawn by the Britishers time to time for determining the boundary of Laddakh with Xinjiang and Tibet due to the need of the hour. According to some political scientists there were round about twelve attempts by the Britishers in determining the border of Kashmir with China, which varied time to time due to the prevailing geopolitical objectives of British security doctrine in perceiving the Russians expansionism designs. (See in Map.1.3.2).



Map No.ii. The Western Sector

Map Courtesy: <http://www.rediff.com/news/2003/jun/21 map2.jpg>

Johnson line was the first amid these three lines which was delineated in 1865. It is the most advanced line in the northern of British India which stretched up to the fort of Shahidulla. It made Johnson for opting KuenLun Mountains (Sanju Pass) the upper reaches of Yarkand River, its tributaries and Karakash River as a dividing factor between British India and China rather than Karakoram Mountain Ranges. This brought the whole barren and cold Aksai Chin into the folds of Kashmir. The Shahidulla fort was constructed by Ranbir Singh, son of Gulab Singh, in 1864, as he had expansionist intentions to the north of Laddakh into Chinese Turkestan when Yakub Beg revolted in the face of Dungan Revolt against the Chinese dominance in Xinjiang. By 1870s the Shahidulla fort had been abandoned, and it was never to be occupied by Kashmir²². As a result, the Chinese were able to establish their writ again. Owing to this fact, the Johnson line was never put forth for the Chinese acknowledgement.

The Jonson line was first published in the 1868 Survey of India and invited a number of controversies. As like for the journey to Khotan, which lay well

beyond the forbidding KuenLun range, and to return to Leh in the time he did, he would have had to be covering over 30 kilometres a day. Even if that hectic rapidity was possible, it is doubtful any serious survey effort would have accompanied it. As John Lall said, the fact remains that the map prepared on his return showed the entire plateau area between the Karakoram and KuenLun in the Maharaja's province of Laddakh²³. He benefited the ruler of Kashmir with some 18000 square kilometres barren land during his survey. By greatly enlarging the size of the maharaja's domain by incorporating Aksai Chin, Johnson caught the maharaja's eye. Johnson was admonished by the British government as a result he resigned from the British Indian Survey and was bestowed as Governor of Laddakh by the Maharaja of Kashmir as the reward for his loyalty.

Alarmingly, the Johnson survey is regarded as valuable and important in the official report of the Great Trigonometrical Survey of India (1865-66) because it gave an account of unknown regions. In the 19th century British were willing to ascertain boundaries in the Western sector due to the escalating power of Russians in Central Asia. Viceroy Lord Lansdowne noted on 28th September 1889: The country in the middle of the Karakoram and KuenLun ranges, is of very little value, very unreachable and it is not sought after by Russia. The British should encourage the Chinese to have it, if they exhibited any leaning to do so. This is comparatively better than leaving a no-man's area between our borders and that of China. Besides, stronger China at this time means British can induce her to hold her own over the whole Kashgar-Yarkand region, the more helpful would China be to us as an hindrance to Russian advance along this line²⁴.

Another turning point came in the delimitation of British India and Chinese boundary, when Major General John Ardagh, Director of Military Intelligence at the war office in London stressed for keeping the boundary in extreme north up to the crest of KuenLun Range and Yarkand River. The Chinese recaptured Shahidulla area. Following the occupation, it is informative to note the view of the Secretary of State for India in Whitehall: We are inclined to consider that the sagacity calls to leave them in possession as it is obviously to our benefit that the territory between the Karakoram and KuenLun mountains be held by a friendly power like China²⁵.

In 1893, due to the changing circumstances Hung Ta Chen a senior officer of China at Kashgar proposed a boundary to the British consul general at Kashgar namely George Macartney. The British officer George forwarded the proposed boundary to the high ups. There were numerous reasons because of which the British officials supported it. Among them, this boundary was based on

Karakoram Mountains which was a natural boundary and securing British India strategically by delimiting the British borders up to the Indus water shed and at the same time leaving Tarim Basin in Chinese control. Further, it was offering a Chinese obstacle to the forward policy of Russia in the region. Contextually, in March 1899 a boundary was drawn by the British which is known as Macartney-MacDonald Line²⁶. The main feature of this line was that it included all the Aksai Chin in Xinjiang. This line was accepted by British by sending a note to Beijing in 1899. It would not be wrong to say that at this time the colonial power also wanted to do bargaining. China was asked to give up its suzerain shadowy rights on Hunza valley in return of Aksai Chin. Factually, British were frightful of weak strategic position of Hunza which was under the domain of China. Hunza posed a threat to Indian security as it was vulnerable to the Russian invasion from Kashgaria. It meant that invasion of Hunza by the Russians would be like the invasion of Laddakh and Kashmir. Astonishingly, the Chinese government did not show any enthusiasm or acknowledgement to the British proposal of McDonald Line.

In the late 1890s, the Russian expansionist designs were rejuvenating again in Central Asia and Britishers were keen to adopt forward line again. In this context, John Ardagh proposed a boundary line with some minute changes in Johnson line of 1865 which is known as Johnson-Ardagh Line of 1897. Later on, Lord Curzon (Viceroy of British India) discarded McDonald line in the support of Johnson-Ardagh line. In this backdrop, once again the mutual acceptance of boundary line in the Western sector between British India and China proved futile. As stated by the 1929 edition of Aitchison records declared that the eastern as well as the northern boundary of Kashmir is still undefined. Astonishingly, in 1941 it was discovered by the Britishers in Aksai Chin that the Russian officers were conducting survey in the area for their ally Sheng Shih Tsai. As a result the Britishers again brought change in the northern frontier and expanded to the KuenLun Range; Johnson/Ardagh Line. Neither no post was established in Aksai Chin nor was any expedition sent to hoist the flag. The British power for all practical purpose ended to the Karakoram²⁷. Moreover, on the north-west also, from Hunza southwards along the frontier of, Tangir, Darel, Yasin and Chilas to Kaghan, no boundary has been officially laid down²⁸.

Sino- India Territorial Disputes in the Post Independence Period and Conflicting Approaches

Territory is regarded as the *raison d'être* of a state that's why the two Asian giants look at each other with the goggles of suspicion and distrust²⁹. Beijing claims the Indian-controlled Arunachal Pradesh while New Delhi alleges the Chinese-controlled Aksai Chin as the disputed territories. The beginning of dispute between China and India gradually started but was unfolded with vivid

swiftness. Historically, territorial dispute between China and India arose in 1950, when China asserted its claim on Tibet. The collapse of cordial relations between the two neighbours was interconnected to the incidents in Tibet as it was the chief source of misapprehension and unsettled borders. Furthermore, Tibet has political relations with China while cultural and religious with India. On 23rd May 1951, a 17 point Agreement was came into force between the Governments of China and the Government of Dalai Lama³⁰ according to which the Chinese sovereignty was established on Tibet which brushed aside all the doubts of the international status of Tibet. On 29th April 1954, China and India signed a Trade and Intercourse Agreement between Tibet Region of China and India which is also known as *Panchsheel* Agreement³¹. In this backdrop, India and Nepal recognized this standing in 1954 and 1956 respectively. This paved a way for the withdrawal of India troops from Tibet, however New Delhi and Beijing failed in the demarcation of identified borders between India and the Tibet region of China. In the mid of 1956 there were some minor border incidents between the two countries but did not capture world attention. It is pertinent to mention here that China started the construction of all weather high way in the disputed area of Aksai Chin in order to connect Xinjiang and Tibet through a metallic road. According to some experts this episode increased the differences between the premiers of the two countries more notably than before³². By keeping in view this fact the relationship of the two countries transformed from 'Chindia' and amity into conflict and enmity.

In July 1958, Indian leaders openly denounced the Chinese occupation of Khurnak Fort situated in Laddakh, in the Western Sector³³. On the other hand, Chinese officials blamed New Delhi of changing the status quo in Wu-je area. Witnessing the situation Jawaharlal Nehru premier of India wrote a letter to Zhou En Lai and raised the question of unsettled border³⁴. In response of Nehru's letter, on 23rd January, 1959 Zhou En Lai wrote that India-China border had never been delimited. Moreover, there is no border treaty between the two countries³⁵. Regrettably, the China India relations in March 1959 further deteriorated in the episode of uprising in Tibet against the Chinese central government fuelled further by the political asylum of Dalai Lama in India. More importantly, the exacerbation of Sino Indian relations over Tibetan uprising, the unresolved border issue moved into focus, both in the eastern and western sectors.

On 12th March 1959 Mr. Nehru repeated that the crest of the Himalayan range should be regarded as the dividing line between the two states based on traditional customs and treaties as well³⁶. At this critical juncture some border clashes took place between the armies of the two countries. Further, the Chinese government issued a point by point negation of New Delhi claims in 1959, in the eastern region and emphasized that Indian claims are solely based on the

historical belligerence of British towards China. Since then Beijing authorities accused India of its offensive attitude³⁷. Immediately, the Indian government responded in reply and accentuated its previous stance. More importantly, discarding any opportunity for wide-ranging negotiations with China about the prospect of large region, which were considered by India as an integral part of its territory and stand of the two states emerged clearer than before.

Later, on 21st October 1959, at the Kongka Pass one of the most serious border skirmishes met the fate of the two armies. This made New Delhi to put forward an official memo to Beijing for reviewing the basis for claiming the disputed terrain³⁸. Instantly, the authorities in Beijing emphasized for the meeting of the premiers of China and India for the discussion of frequent border clashes³⁹. This suggestion was welcomed by the authorities in New Delhi as well⁴⁰. At this stage Prime Minister Zhou En Lai wrote a letter to Prime Minister Nehru and expressed his keenness for concluding a preliminary provisional agreement on the ground suggested by Nehru. However, it was also made clear by him that the borders of the countries had never been delimited⁴¹. The Department of External Affairs of China gave a detailed note on 26th November to the Indian Embassy in which China's position on territory was categorically presented⁴². In that note China reconsidered its stand on territory and proposed the modus operandi for the establishment of the boundary. It was the first time when the middle sector of territory was highlighted by the Chinese authorities.

In April 1960, Prime Minister Zhou En Lai paid a visit to India for evading high level border conflicts and in the search of common grounds for the resolution of territorial disputes. But all hopes proved a failure, when the leaders of the countries were not able to develop a mutual consensus. The situation in the summer of 1961 was in result a disagreement.⁴³ In the winter of the same year the clashes took place and the two neighbours blamed one another more openly. Likewise, Chinese were accused by the Indians for claiming their territory at Diphu Pass, the westernmost point of the delimitation line agreed in the Sino Burmese Treaty.

In 1961, the Chinese government suggested for negotiations to conclude a new treaty on trade between the two countries by replacing that of 1954. This suggestion was not approved proved short when New Delhi refused to do so. Additionally, both governments blamed each other for aggression and no new treaty was signed and the existing 1954 Agreement expired on 3rd June 1962. Furthermore, in 1961 New Delhi decided to implement a forward policy in both Eastern and Western sectors by establishing military patrolling posts and resuming border control in the disputed territory⁴⁴. On the other hand Beijing was witnessing the entire situation carefully but at first only relied on lodging protest

notes. In summer of 1962 the two countries exchanged artillery fire across the border. Owing to this the situation went out of control and as a result on 20th October 1962 war broke out between China and India. The 1962 war lasted for one month during which the PLA captured the disputed areas and on 20th November unilaterally declared cease fire. After couple of days, the PLA withdrew 20 km behind the line of Actual Control (LAC) which existed between the two countries on 7th November 1959. On 8th December 1962, the Chinese Premier Zhou En Lai sent a note which consisting of a three point ceasefire formula which was accepted by Indian authorities⁴⁵. Meanwhile, the non aligned countries such as Indonesia, Egypt, Cambodia, Burma, Ghana and Sri Lanka met in Colombo and came up with proposal for the withdrawal of Chinese troops in Eastern and Western sector which was refused by the Chinese authorities.

Lately, the Chinese government showed some flexibility on the territorial disputes. In 1981 Chinese foreign minister Huang Hua visited India and offered a package deal to the Indian authorities. According to this the Chinese agreed to settle the border along the LAC and bring some slight changes in the Eastern as well as in the Western sectors. Disappointingly, this deal was not taken seriously by India who insisted, that they will not negotiate until and unless the Chinese army vacates every inch of their territory pledged in a parliamentary resolution. Owing to the Indian response China adopted the policy of wait and see. In February 1987, the tension between the two countries escalated again when India granted statehood to North Eastern Frontier Agency, an illegally occupied Chinese territory south of the McMahon line⁴⁶, which resulted in the establishment of new Chinese military posts along the border⁴⁷. It is pertinent to mention here that Huang's visit resulted into Sino-Indian border talks. Eight rounds of talks had taken place from 1981 to 1987. The Beijing mantra in the eighth round talks was revolving around two strategies. Firstly, package deal means give and take in other words territorial swap. Secondly, by placing territorial disputes in the back burner and making other area of common interests as the main concern. Notwithstanding, there was no concrete outcome of the aforementioned talks, even though these talks proved fruitful in the de-escalating tension between the two neighbours from enmity to détente. Furthermore, the eight round talks also paved a way in bringing flexibility in Indian approach towards the settlement of the border question.

Importantly, in 1988 the visit of Rajiv Gandhi to China was also a turning point in the relations of the two states. It was the first visit of any Prime Minister of India to China in 34 years after the visit of Nehru in 1954. In the inaugural speech of Gandhi, he pledged for a non alignment policy and articulated his desire of improving his country relations with the neighbouring countries. He decided to set aside India's precondition regarding the border settlement to

advance the broadening of relations in other fields. It is praiseworthy, that China and India refurbished their foreign policies according to the changing world power structure by keeping in view this fact. The five principles of peaceful coexistence again became the driving force of the two states' foreign policy. The two sides agreed for the formation of two Joint Working Groups (JWGs) in order to negotiate on the boundary problem⁴⁸. Nevertheless, they were unable to settle their differences officially, but due to the signing of troop's reduction and confidence building agreements the tension on the borders came to noticeably lower ebb.

Later it was followed by the visit of Chinese Premier Li Peng to India in December 1991 after a gap of 31 years. The two sides pledged for the resolution of the unsettled border through consultation and amicable means. It is worth mentioning that in 1990s China and India paid attention to clarify the Line of Actual Control through meetings of expanded JWGs and reached slowly to the point of exchanging maps on the least controversial middle sector and moving on to the more controversial western sector while maintaining peace and tranquillity along side. On November 28th 1996, the Chinese President Jiang Zemin visited India; it was the first visit to India by a head of state from China. At that historical visit, Beijing and New Delhi signed an Agreement on Confidence Building Measures in the Military Field regarding China-India disputed borders. The veteran politician and the then Indian Prime Minister AtalBihari Vajpayee made a landmark visit to China on June 23rd 2003. The two sides pledged for the resolution of territorial disputes via peaceful means. Further, Indian side recognized that the Tibet Autonomous Region is part of the territory of the People's Republic of China and repeated that it does not permit Tibetans to engage in anti-China political activities in India. During Wen Jiabao, Chinese Prime Minister, visit to India on 9th April 2005, both India and China inked an agreement on the political settlement of the boundary issue through negotiations.

In early 2013 the LAC again became a focal point for the world when on 15th April 2013, PLA of China established a camp in Raki Nula which is 30 km south in the Daulat Beg Oldi near the line of Actual Control in the western sector. Nonetheless, the patrolling of Chinese and Indian armies in the disputed area of western sector is common but both avoid establishing permanent bases and fortification in the region. In response Indian forces also established their camps 300 meters away from LAC. To settle the problem negotiations were lasted between China and India for almost three weeks. On 5th May both sides withdrew the forces as a part of resolution. Both signed an agreement in October 2013 on the Border Defence Cooperation Agreement (BDCA), which was a major confidence building measure between them.

i. Chinese Approach

China categorically denies the arguments of India and finds its territorial claims on the grounds of effective control, history and geographical features. It denies the existence of any legitimate border accord or pact between China and India. As far as the Simla Conference is concerned Chinese are of the view that Chen Ivan a representative of China was pressurized and threatened by Henry McMahon for drafting the convention on 27th April 1914 but with the clear understanding that to initiate and to sign a treaty are two different actions and that his initials would not bind his government, whose views he would immediately seek⁴⁹. On the next day Chinese government instructed him to declare it invalid as he was pressurized and threatened. Further, the Beijing authorities also stressed that China was not a signatory of so called Simla Convention of 1914 and does not ratify the McMahon line as put forth by India as a border line between China and India. The Chinese Prime Minister Mr. Zhou En Lai expressed his serious concerns over the McMahon Line and called it an outcome of British imperialist policy against Tibet and China. Moreover, he also revealed that McMahon Line has never been accepted by any Chinese Central Government and is therefore stand decidedly illegal⁵⁰.

In Western sector, the 1842 treaty is declared ineffective by China because it was not the part of this treaty. Further, this treaty was not solving the border question rather spells out generally that each side should bear by its boundaries and had no description with regard to the exact location of the border and even that British did not consider that the boundary had been established by the 1842 treaty⁵¹. Besides, China declared its claim to the disputed area on grounds of geography and history. Chinese are of the view that the Kirgiz and Uyghur populace had traditionally used the Aksai Chin for pasturage and salt-mining and there are numerous areas termed in the Uyghur dialect as like Aksai Chin which is a part of Heitan region of Xinjiang meaning the barren region of the white stones in Uygur dialect⁵². This area is the only travel route amid Xinjiang and western Tibet, for the reason that to its northeast lies the great Gobi desserts of Xinjiang by which direct passage with Tibet is sensibly impracticable.

In the Middle sector, China alleges that with the exception of Tsungsha and Sang areas southwest of TsaparangDzong in Tibet, which were occupied by the British Raj thirty to forty years ago, the remaining areas in the Middle sector were intruded or occupied by the Indian authorities after signing the *Panchsheel* Agreement of 1954. In this backdrop, it would not be wrong to say that these areas had been controlled by the Chinese in the pre Indian period.

ii. Indian Approach

India defends its territorial claim on the following grounds; international treaties, geography, effective control and history. They are of the view that most of the Indian territories were delimited by treaties such as Simla conference of 1914 in the eastern sector. Further, the 1954 Sino Indian Treaty settled the border question in the middle sector and the 1684 treaty of Laddakh and Tibet and 1842 peace treaty between Tibet and Kashmir⁵³. Moreover, British and Tibet inked the Simla Convention of 1914 according to which the Eastern Sector was delimited by the so called McMahon Line, which enlarges alongside of the Himalayan crest from Bhutan in the west of the Brahmaputra River in the east. It indicates that Indian government believes that Tibet had the right to sign a treaty with India. Furthermore, the Indian government believes that the 1954 agreement specified the Middle Sector consisting of six border passes as a way for pilgrims and merchants of both China and India. In this context, the Indian are emphasizing, China has already agreed to the Indian point of view of having no boundary delimitation question in the middle sector⁵⁴.

In Western Sector India emphasized on the Peace Treaty of 1842 which was signed between the Tibet and the Raja of Kashmir who invaded Western Tibet after annexing Laddakh⁵⁵. India regards this treaty as a valid according to them the representatives of Dalai Lama and the Emperor of China had signed it. More importantly, Mr. Nehru believed that the old recognized frontiers endowed in the truce were well identified and are matched to that of India⁵⁶. Additionally, India also founds its grounds on the 1684 Laddakh-Tibet Treaty⁵⁷ which confirms the Laddakh-Tibet border and does not require any comprehensive survey.

Conclusion

The Sino-Indian boundary question has historical roots which go deep into the British colonial imperialist frontier policy of 19th century. Territory having history of disagreement or changing possession during colonial era faces the challenges in the post independence period. Because in the post colonial period states hunt for the past losses and desire to fix the national borders prior to the colonial rule. It is vouchsafe to say that the probability of territorial conflicts amid neighbours which had been colonized is comparatively high. Similarly, territorial disputes between China and India are the sole outcome of British imperialist policy which was aimed to keep an eye on the activities of Russia in this region and to strengthen the borders of its Indian empire. The border between China and India was altered many times as per the need of the hour owing to the fact that India was a colony of British and China was the victim of internal fissures and external dominance which could not retaliate or safeguard its borders. Consequently, both China and India are stuck in quagmire of territorial disputes and have been facing security issues for the last seven decades.

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