

# MAPS AND BORDERS

**Only political leaders can resolve the boundary dispute between India and China, not officials.** BY A. G. NOORANI

**“You will see for yourselves later that the McMahon Line with India will be maintained and the border conflict with India will end.”**

– Mao Zedong to Nikita Khrushchev in Beijing, October 2, 1959.

*“Boundary-marking is the task of a surveyor; boundary-making is the task of a statesman.”*

– Dr. B.R. Ambedkar

THERE is no territorial dispute which has been, and still is, more susceptible to a solution than India’s boundary dispute with China. Each side has its non-negotiable vital interest securely under its control. India has the McMahon Line; China has Aksai Chin. Only a political approach, climaxed by a decision at the highest level, can settle the matter. In a couple of months it will be half a century since the issues were joined.

China has felt consistently that India lacks the political will required for a compromise. Ma Jiali of the China Institute of Contemporary International Relations is a veteran India watcher of high repute. He told Pallavi Aiyar of *The Hindu* (September 17) that “within the Chinese establishment there is doubt about the will and ability of Indian authorities to negotiate a border deal and then successfully sell it to the public”. Precisely this view was expressed in September 2001 by Wang Yi, Vice-Minister for Foreign Affairs, to an Indian correspondent. China was not sure “if the Indian political establishment had arrived at a democratic consensus that would be required to sustain the difficult negotiations... I am not sure if the conditions concerning ‘mutual understanding and mutual accommodation’ are agreed to by Indian friends.” Clearly, he thought we were not ready to make concessions to secure a compromise. And even if we were, the leaders lacked the guts and the clout to put it through. This very complaint was made by Zhou Enlai to Jawaharlal Nehru on April 20, 1963. It is not flattering to recall a complaint voiced consistently for 45 years.

Ma Jiali’s remark is significant: “If it cannot be settled by this generation of leaders then the whole relationship is negatively influenced.” This implies that a solution is possible, if not in sight; but India is hesitant.

In the entire discourse, a fundamental has been overlooked. What is the territorial boundary to which India is entitled legally and morally? A Note on the “Historical Background of the Himalayan Frontier of India”, prepared by the Historical Division of the Ministry of External Affairs, appended to White Paper II published in November 1959, claimed that India’s northern frontier “has lain approximately where it now runs for nearly three thousand years”. The claim was repeated in February 1961 in the Indian Officials’ Report. “The title of India is an ancient and immemorial one” which “for centuries has been accepted”.

This is factually wrong and legally untenable. The doctrine *Uti possidetis, Ita possideatis* (as you possess, so you may possess), endorsed by the International Court of Justice, applies to the boundaries of two states formerly under the same colonial rule. But India accepted that its boundary was what it was when it became independent on August 15, 1947. The Indian Independence Act, 1947, was vetted by Nehru and other leaders before it was enacted. Section 7(b) said that “the territories of India shall be the territories under the sovereignty of His Majesty which immediately before the appointed day [15 August] was included in British India”, except the territories that were to form part of Pakistan.

Expert Committee IX, comprising representatives of India and Pakistan, considered the impact of Partition on “foreign relations”. It drew up a list of 627 treaties and agreements which India had signed. Item No. 143 referred to “the Indo-Tibetan Boundary Agreement of 1914” laying down the McMahon Line. Item Nos. 149–158 concerned the Indo-Afghan frontier, the Durand Line. On August 6, representatives of India and Pakistan arrived at an agreement on “the devolution of international rights and obligations” upon the two countries. It was given legal sanction by the Indian Independence (International Arrangement) Order made by the Governor-General on August 14 under Section 9 of the Indian Independence Act, 1947. It says that “rights and obliga-



MANOJ DEKA

**A BIRD'S EYE** view of Tawang city in Arunachal Pradesh bordering Tibet. Tawang was ceded to India in 1914 in negotiations that resulted in the McMahon Line. In recent months, China has reaffirmed its claim on Tawang, which has a substantial settled population and is represented in the Arunachal Pradesh Assembly.

tions under international agreements having an exclusive application to an area comprised” in either country devolved upon it. Our title to territory is based on that law and the realities of 1947. To which Indian state in history can the Union of India claim to be a successor state in international law?

Four official maps showed the boundary from the India-China-Afghanistan trijunction to the India-China-Nepal trijunction as “undefined”. One was annexed to Mountbatten’s Report to the King on his Viceroyalty, in September 1948. The other three were annexed to the two *White Papers on Indian States* published in July 1948 and February 1950. In contrast, all four depicted the McMahon Line as the boundary in the east. China did not protest when, on February 12, 1951, Major R. (Bob) Khating evicted the Tibetan administrators from Tawang. Thus, while India had a clearly defined

boundary in the east, as clearly the boundary in the western and middle sectors was undefined on Independence in 1947 as well as on January 26, 1950, when the Constitution of India came into force. This was also the position when India and China concluded the Panchsheel Agreement on Trade with Tibet on April 29, 1954.

#### NEHRU’S LINE

On July 1, 1954, however, Nehru wrote a fateful Note to the External Affairs Ministry’s Secretary-General and the Foreign Secretary: “All our old maps dealing with this frontier should be carefully examined and, where necessary, withdrawn. New maps should be printed showing our northern and north-eastern frontier without any reference to any ‘line’. These new maps should also not state there is any undemarcated territory... this frontier should be considered a firm and defi-

nite one which is not open to discussion with anybody” (*Selected Works of Jawaharlal Nehru*; volume 26, page 482). India was, thus, set on a collision course with China.

This was futile. A map altered unilaterally, with awareness of an incipient dispute, is worthless as evidence. It only represents a new claim. Maps are not documents of title, anyway.

Nehru’s demarche to Zhou Enlai on December 14, 1958, centred on the McMahon Line and on China’s maps. He did not mention the Aksai Chin or China’s road through it. It was Zhou who raised that in his reply of January 23, 1959, while promising “to take a more or less realistic attitude towards the McMahon Line”. Nehru’s rejoinder of March 22, 1959, cited a treaty of 1842 on Ladakh and claimed “the area now claimed by China has always been depicted as part of India on official maps”. This foreclosed compromise.



**KASHMIR AS IT** was shown on the official map, as on August 15, 1947. The yellow colour wash is not extended to the entire State. (Below) Kashmir as it was shown on the map in 1950, with the colour wash. The maps were published under the authority of India's Surveyor-General, Brigadier G.F. Heaney.



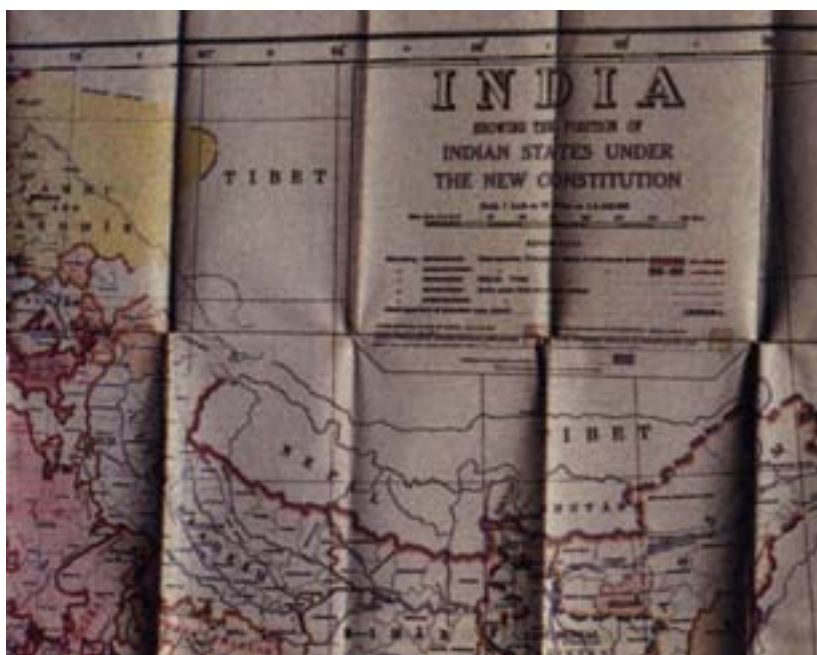
It was also factually untrue. The agreement of 1842 was not a boundary treaty but a treaty of non-aggression concluded after Zorawar Singh's disastrous march into Tibet. If the boundary was, indeed, fixed, the British would not have appointed two Boundary Commissions in 1846 and 1847 jointly to define the Ladakh boundary with China. They made a formal proposal on March 14, 1899, proposing a line "for the sake of avoiding any dispute or uncertainty in the future". Known as the Macartney-MacDonald Line, it left the Aksai Chin to China. Within the government, for nearly three quarters of a century after 1847, British officials debated on which boundary to adopt. On one point they were unanimous – it must be based on an agreement with China.

Nehru could not have replied after two months without consulting the Historical Division or being unmindful of his own revision of the maps in 1954. This was before the clashes in Longju on August 25, 1959, and elsewhere which queered the pitch.

Ironically, contrary to his unwise stand in March 1959, on as many as six occasions after the Longju clash, Nehru acknowledged that the Aksai Chin was very much a territory in dispute – on August 28 and 31 and on September 4 (twice), 10 and 17, 1959 ("challenged not today but for a hundred years").

In his rejoinder to Nehru's letter of March 22, banging the door on a compromise, Zhou wrote on September 8 to assert China's claim on the Aksai Chin as also to question the McMahon Line. On September 26, Nehru wrote back to say that "such large areas" were not open to discussion and Chinese forces must withdraw to the line India claimed as its "traditional frontier". When Zhou met Nehru in New Delhi in April 1960, he was prepared to yield on the McMahon Line if Nehru conceded the Aksai Chin. Nehru refused. Already by then China had recognised the Line, insofar as it extended to Burma, in the boundary agreement with Burma on January 28, 1960.

At the first meeting of the summit on April 20, Zhou told Nehru: "The



**THE MAP SHOWING** India's northern frontier as in 1950 when the Constitution came into force.

one common feature in the boundary between China and Burma and India is the presence of the McMahon Line. We stated that we do not recognise the McMahon Line but that we were willing to take a realistic view with Burma and India."

At his press conference on April 25, Zhou defined the boundary in the west as "the line which runs from the Karakoram Pass south eastward roughly along the watershed of the Karakoram Mountains to the Kongka Pass". He also said: "China has no boundary dispute with Sikkim and Bhutan."

Zhou formulated these six points at the press conference: "I. There exist disputes with regard to the boundary between the two sides. II. There exists between the two countries a line of actual control upto which each side exercises administrative jurisdiction. III. In determining the boundary between the two countries, certain geographical principles, such as watersheds, river valleys and mountain passes, should be equally applicable to all sectors of the boundary. IV. A settlement of the boundary question between the two countries should take

into account the national feelings of the two peoples towards the Himalayas and the Karakoram Mountains. V. Pending a settlement of the boundary question between the two countries through discussions, both sides should keep to the line of actual control and should not put forward territorial claims as pre-conditions, but individual adjustments may be made. VI. In order to ensure tranquility on the border so as to facilitate the discussions, both sides should continue to refrain from patrolling along all sectors of the boundary."

These were, in fact, an elaboration of five points he had put forth to Nehru on April 22 in private after two days of sterile debate on rights and wrongs. The six points were in fact an elaboration of four *because a crucial point was omitted. It is being published here for the first time: "(iv) Since we are going to have friendly negotiations, neither side should put forward claims to an area which is no longer under its administrative control. For example, we made no claim in the eastern sector to areas south of the McMahon Line, but India made such claims in the*

western sector. It is difficult to accept such claims and the best thing is that both sides do not make such territorial claims. *Of course, there are individual places which need to be re-adjusted individually; but that is not a territorial claim.*" This has remained China's position, basically, albeit with variations in nuances and emphases.

He repeated them in crisp formulations in a meeting with Nehru the next day as forming "a common ground". They were: "(i) our boundaries are not delimited and, therefore, there is a dispute about these; (ii) however, this [*sic*. there?] is a line of actual control both in the eastern sector as well as the western sector and also in the middle sector; (iii) geographical features should be taken into account in settling the border. One of the principles would be watershed and there would be also other features, like valleys and mountain passes, etc. These principles should be applicable to all sectors, eastern, western and middle; (iv) each side should keep to this line and *make no territorial claims. This does not discount individual adjustments along the border later*; (v) national sentiments should be respected. For both countries a lot of sentiment is tied around the Himalayas and the Karakoram" (emphasis added, throughout).

Nehru's approach was radically different. "We should take each sector of the border and convince the other side of what it believes to be right" – an impossible exercise. It is truly amazing that Nehru should have considered this at all as a realistic option in international politics. It is unreal even in domestic politics. On the fourth point, renunciation of territorial claims by both, Nehru responded on April 24: "Our accepting things as they are would mean that basically there is no dispute and the question ends there; that we are unable to do."

A fine opportunity was lost. Nehru knew *very well* that: (1) India's maps showed an undefined boundary in the west, so much so that in one of them the yellow colour wash did not extend to a huge part of Kashmir in the east

(these were maps made by India's Surveyor-General); (2) he had himself altered them unilaterally in 1954; (3) conceded in August-September 1959 that the Aksai Chin *was* disputed territory; (4) the Army chief, General K.S. Thimayya, had said in January 1959 that the Aksai Chin was of no strategic importance; (5) in 1958 the MEA had, in Thimayya's presence, opined that "the exact boundary of this area had not yet been demarcated" (in the context, it meant defined); and (6) that Dr. K. Zachariah, Director of the External Affairs Ministry's Historical Division, before S. Gopal took over, had endorsed that view. Gopal disagreed.

#### FUNDAMENTAL DIFFERENCES

Nehru and Zhou differed fundamentally on the manner in which a boundary dispute must be tackled. This difference has governed the diplomacy of India and China for long. Nehru's resentment, which he did not conceal, was based on two grievances – China never objected to India's maps and it extended its sway in Ladakh *after* the dispute became public in August 1959. On the first, the point lost some force because the issue centred on Ladakh on which he himself had altered the maps unilaterally in 1954 without any protest from China, which simply ignored it. Moreover, China was now willing to accept the McMahon Line. The second point was valid. China retaliated to his flat refusal to negotiate in March 1959 by occupying the Changchenmo valley to the south-east of the Aksai Chin in October 1959. Alistair Lamb notes that "by 1864 the whole Changchenmo valley seems to have come under the *effective* control of the Kashmir Durbar... by the end of British rule in India the Changchenmo valley was as clearly a part of the Indian Empire as some of the border tracts on the Seistan-Baluchistan boundary.... north of the Changchenmo valley, the situation alters. Here in what has come to be known as Aksai Chin...." (*The China-India Border: The Origins of the Disputed Boundaries*; Chatham House, Oxford University Press; 1964; page 76; emphasis in the original) The

British drew lines in their internal debate.

Nehru's advisers must have told him that every Viceroy preferred the Karakoram boundary to the Kuen Lun boundary which Nehru claimed. Nehru himself might have seen the few and telling documents which recorded their views. Indeed, he ought to have seen them. How could India secure China's withdrawal from areas other than the Aksai Chin except by its own consent in an accord based on a compromise? What George F. Kennan called the legalistic-moralistic approach is destructive and, not seldom, hypocritical. All the law and morality do not reside on one side exclusively. Nehru could well have conceded the Aksai Chin and asked for China's withdrawal from the Changchenmo valley. Zhou himself hinted at "individual adjustments". In 1962 Nehru tried to oust the Chinese in Ladakh by the Forward Policy, a reckless folly. India lost 2,500 to 3,000 square miles (6,000 to 8,200 sq km) in the war. The Colombo Powers' document ("The Principles Underlying the Proposals of the Six"), which they gave to China in January 1963, recorded China's military advance after October 1962 as well as India's loss of "43 military posts to the east of the line [of control in Ladakh] between 1959 and 1962". It is time the myth of a "romantic" or "idealistic" Nehru is discarded. He was inherently a unilateralist and disclaimed compromise. Hubris ruled him.

After the war in October 1962, talks were resumed only in 1981 at the level of officials. It is pointless to trace their course in these 27 years. For quite some time, India proposed "provisional" measures and "principles" to apply for securing a solution. China also talked of "principles"; but in its lexicon they meant the outlines of a deal. India's approach only fortified China's impression that it was not ready to strike a deal.

On December 27, 1959, before the summit, Zhou proposed to Nehru that they "reach first some agreements of principles as a guidance to concrete discussions and settlement of the

boundary question". In Zhou's presence, Mao had assured Khrushchev, in Beijing on October 2, 1959, that "you will see for yourselves later that the McMahon Line with India will be maintained and the border conflict with India will end". China was sincere about concluding a deal in April 1960.

Nehru replied to Zhou with superb irrelevance. "How can we reach an agreement on principles when there is such complete disagreement about the facts?" He missed the whole point. Zhou sought to put "the facts" of both a recent and distant history behind and conclude a deal. "The principles" were the outlines of a deal, not abstractions. The six points he propounded in Delhi suggested a deal.

When we next heard of a deal

based on the *status quo*, it was after it had been altered for the worse in the war of 1962. Deng Xiaoping suggested to Krishan Kumar of *Vikrant*, on June 21, 1980, a "package way" based on the altered Line of Actual Control (LOAC): "Then this question can be solved with [*sic.*] one sentence. For instance, in the eastern sector, we can recognise the existing *status quo* - I mean the so-called McMahon Line. This was left over from history. But in the western sector, the Indian government should also recognise the existing *status quo*." Later offers were variations on this theme - if India suggests change in any sector, it must accept one elsewhere, in "mutual accommodation".

In 1988, Vice-Premier Wu Xue-

qian explained: "When Comrade Deng Xiaoping mentioned a package settlement, he meant principles" of such a compromise. If they are agreed, "then the specific concessions will be dealt with by the delegations".

Four agreements have been concluded on the boundary question, to wit, on the "Maintenance of Peace and Tranquility along the Line of Actual Control in the India-China Border Areas", on September 7, 1993; on confidence-building measures (CBMs) in the military field along the LOAC, on November 29, 1996; a "Declaration on Principles for Relations and Comprehensive Co-operation" on June 23, 2003; and an agreement on the "Political Parameters and Guiding Principles for the Settlement of the India-China Boundary Question" on April 11, 2005.

Progress? Replacing the Joint Working Group, the Declaration of 2003 appointed Special Representatives "to explore from the political perspectives of overall bilateral relationship the framework of a boundary settlement". Yet it was not political envoys but civil servants who were nominated. Dai Bingguo, Executive Vice-Minister, was the most senior official in the Chinese Foreign Office and Brajesh Mishra, a retired diplomat who had served in China, was National Security Adviser. The 2005 agreement married China's ardour for "a political settlement" with India's passion for abstract principles. Articles 3-7 set them out: "a package settlement ... covering all sectors" of the boundary; respect for "each other's strategic and reasonable interests"; reckon with history; "national sentiments, practical difficulties and reasonable concerns and sensitivities of both sides and the actual state of border areas". This united the factors each has been bandying about to no tangible advantage. Next, the basis of accord must be "natural geographical features" but ones "mutually agreed" by both. All this was mother's love and apple pie.

Article VII *seemed* to depart from it by stipulating that the "boundary set-



**CHINA'S VICE-FOREIGN MINISTER** Dai Bingguo and India's National Security Adviser M.K. Narayanan are the Special Representatives of the two countries at the talks on the border dispute. Here, the two before a meeting in New Delhi in January 2007. Their latest round of talks, on September 18-19, 2008, in Beijing, remained inconclusive.

tlement... shall safeguard due interest of their settled populations in the border areas". China has since made it clear this does not imply abandonment of its stand on Tawang, dampening the relation in New Delhi. Why do we get China's signals so hopelessly wrong? It is because we are self-obsessed. The Bharatiya Janata Party (BJP) government set out to notch up a diplomatic "achievement", which its predecessors could not achieve, by pressing China to

### Zhou Enlai's six points at the press conference of April 25, 1960

1. There exist disputes with regard to the boundary between the two sides.

2. There exists between the two countries a line of actual control upto which each side exercises administrative jurisdiction.

3. In determining the boundary between the two countries, certain geographical principles, such as watersheds, river valleys and mountain passes, should be equally applicable to all sectors of the boundary.

4. A settlement of the boundary question between the two countries should take into account the national feelings of the two peoples towards the Himalayas and the Karakoram Mountains.

5. Pending a settlement of the boundary question between the two countries through discussions, both sides should keep to the line of actual control and should not put forward territorial claims as pre-conditions, but individual adjustments may be made.

6. In order to ensure tranquility on the border so as to facilitate the discussions, both sides should continue to refrain from patrolling along all sectors of the boundary.



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**PRIME MINISTERS JAWAHARLAL** Nehru and Zhou Enlai on April 20, 1960, at the first meeting of their summit in New Delhi.

agree to define the LOAC. President K.R. Narayanan was advised to raise the matter during his visit to China in mid-2000. Totally ignored were China's known reservations.

A.B. Vajpayee said in Shanghai on June 27, 2003: "The kind of talks that I have had on the boundary issue during this visit have, perhaps, never taken place before." On March 29, 2002, External Affairs Minister Jaswant Singh claimed that the result of his efforts on drawing the LOAC was "something India has not been able to achieve in the last fifty years". He expected the LOAC process to end in 2002. It got stuck in June 2002 and has not moved further since. For good reasons.

China has never been keen on "preliminaries" before negotiations proper. At the Sixth Joint Working Group meeting in July 1993, Vice-Foreign Minister Tang Jiaxuan suggested that the LOAC be the one "which is well-known to both sides". This meaning was clear – we know where you are and *vice versa*. But, if it is to be defined, it must be the line "drawn on November 7, 1959", as Vice-Minister of Foreign Affairs Liu Shuquing said on June 15, 1987.

This consistent Chinese position is based on Zhou Enlai's letter to Nehru on November 7, 1959. It defined the LOAC as "the so-called McMahon

Line in the east and the line up to which each side exercises actual control in the west."

Differences on the LOAC have been identified. Maps for the 545-km long middle sector were exchanged on November 14, 2000. Each side "clarified" its own line, but the two maps were not reconciled even for this small area. At the Experts' Group meeting in June 2002, China refused to accept India's "sample map" of the western sector as it included Pakistan-occupied Kashmir and the 5,180 sq km which, India says, Pakistan gave to China.

China has another serious reservation: the LOAC must not become a boundary proper. In 2002, Rong Ying, Deputy Director for South Asian Studies, China Institute of International Studies in Beijing, warned: "No attempt should be made to impose the illegal McMahon Line by taking advantage of the process of verification of the LOAC."

Even if accord is reached on the LOAC for all the three sectors – western, middle and eastern – the boundary dispute will remain, frozen by the LOAC. The Army chief, General S. Padmanabhan, said on January 14, 2001, that perceptions on the LOAC were "poles apart". But the dispute itself was not intractable.

A Xinhua news agency report of June 24, 1980, on Indira Gandhi's meeting in Belgrade with Prime Minister Hua Guofeng said: "China has never asked for the return of all the territory illegally incorporated into India by the old colonialists. Instead, China suggested that both countries should make concessions, China in the east sector and India in the west sector, on the basis of the actually controlled border line so as to evolve the Sino-Indian boundary question in a package plan, thus fully demonstrating the spirit of mutual understanding and concession."

Only the political leaders can accomplish that, not officials. On the eve of a meeting of officials, the leader of the Chinese team, Gong Dafei, pointedly said on October 20, 1983: "Personally, I feel that it is important to hold talks on the boundary question at the ministerial level." He added: "The important thing is to reach an agreement on questions of principle... specific questions would have to be left to experts" – precisely what Zhou said 24 years earlier. In 1987, China's Ambassador to India, Tu Guowei, said that the package settlement must be effected "at one go". It must cover "all three sectors" (Yang Long; July 27, 1987). "The border issue has to be solved politically," the expert Jing Hui wrote (*Guoji Wenti Yanjiu*; January 13, 1988). Why do we ignore those statements and the sensible course they suggest? Instead for 27 years we went for the officials' talks, the Working Groups and now the charade of the "Special Representatives". To China this smacks of escapism in a matter that demands a political approach by the *very* leadership. It strikes a deal. The officials settle the detail.

That is how China concluded all its border agreements. They simply laid down procedures for carrying out deals *made earlier politically* – with Myanmar on January 28, 1960; Nepal, on March 21, 1960; Pakistan on March 2, 1963; Mongolia on March 26, 1963; Afghanistan on November 22, 1963; the Soviet Union on May 16, 1991; Kazakhstan, on April 26, 1994; Russia on

### Zhou's proposals in a meeting with Nehru during the 1960 summit

1. Our boundaries are not delimited and, therefore, there is a dispute about these.

2. However, this [*sic.*] is a line of actual control both in the eastern sector as well as the western sector and also in the middle sector.

3. Geographical features should be taken into account in settling the border. One of the principles would be watershed and there would be also other features, like valleys and mountain passes, etc. These principles should be applicable to all sectors, eastern, western and middle.

4. Each side should keep to this line and make no territorial claims. This does not discount individual adjustments along the border later.

5. National sentiments should be respected. For both countries a lot of sentiment is tied around the Himalayas and the Karakoram.

June 28, 1994; Bhutan, on December 8, 1998; Vietnam on December 25, 2000; and Russia, finally, on October 15, 2004 and June 2, 2005. On July 21, 2008, China and Russia settled the last disputed points, namely, two islands at the confluence of the Amur and Ussuri rivers (Pallavi Aiyar, *The Hindu*, July 22, 2008).

There were in all eight rounds of talks at the officials' level (1981-1987). Following Rajiv Gandhi's visit to China in 1988, Joint Working Groups held 14 meetings (1988-2003). The 13th round of the Special Representatives' talks, between National Security Adviser M.K. Narayanan and State Councillor and Vice-Foreign Minister Dai Bingguo, concluded on September 19, 2008, predictably, in yet another failure. Why persist with the "Special Re-

presentatives" charade? Last August Narayanan expressed his dismay at China hardening its position on Tawang. It is "an area with a substantial settled population, not a small number. It flies in the face of guiding principles and political parameters" agreed in 2005.

Reportedly, when the Special Representatives met during Prime Minister Manmohan Singh's visit to China last January, drafts were exchanged on "a framework agreement" involving concessions on both sides. India raised a score of objections to China's draft, which covered Tawang.

No Indian government can possibly cede Tawang to China. It is represented in the Arunachal Pradesh Assembly. As far back as in October 1986, Ghanshyam Pardesi reported, after a visit to Tawang, that "the children do not understand the Tibetan language but speak chaste Hindi".

China's stand on Tawang can be a deal breaker. But nothing in the diplomatic record shows that China wants to wreck a settlement. To the contrary, it is pursuing it, in its own diplomatic style. Tawang was ceded to India by Tibet during the Simla Conference by an agreement recorded in an exchange of notes, dated March 24-25, 1914, between India Foreign Secretary Henry McMahon and the Tibetan representative, Lonchen Shatra.

The line they settled, since known as the McMahon Line, was drawn up on a map on the scale of 8 miles to the inch with a thick nib dipped in red ink. Now, nearly a century later, satellite cartography can help, besides joint surveys, once there is accord on the basic alignment of the Line. Individual areas can be discussed. The Line which India claims admittedly departs from the Line on that map. China rejects the Line but is prepared to treat it as the LOAC without the extra areas north of it which India claims belong to it on a true "interpretation" of the Line. Nehru said on September 12, 1959: "In some parts, in the Subansiti or somewhere there, it was not considered a good line *and it was varied by us.*" This was done, he explained later, to "give

effect to the treaty map in the area, based on definitive topography” – the watershed principle. This is legitimate if done by consent; unilateral redrawn is not.

These are highly disputed areas. The Line ends at Latitude 27°44’ 30” north on the map annexed to the notes exchanged between India and Tibet on March 24, 1914. It does not run on the watershed, the highest ridge, in some places. The Thag La ridge is three to four miles north of the map Line. As the exercise for drawing up an agreed LOAC began recently, differences were identified. In the east they were the Chen ju, Namka Chu area, including the Thag La ridge, Sumdorong Chu, Tulung La, Longju and Asaphi La.

*We need to form a calm, informed appraisal of China’s motives in insisting on the cession of Tawang in very recent months.* It is not altogether new. During a visit to Beijing in April, 1986, a high Chinese source asked this writer why India was not prepared to give up Tawang. But there was none of the stridency and insistence that Indian negotiators have witnessed of late. If an intent to thwart conciliation is ruled out, we must probe *why* China speaks as it does.

A precedent provides a clue. In January 1959 Zhou was prepared to accept the McMahon Line. When Nehru refused to yield on the Aksai Chin in March, Zhou rejected the Line in September. But, as part of a settlement he accepted it, once again, in April 1960. When Nehru turned down that formula, China reverted to a firm rejection of the McMahon Line. China’s stand on Tawang reflects a certain impatience and frustration. *It does not care much for the dialogue mechanism adopted in 2003, but will not say so explicitly. That is not China’s style.* It will go along until you discover you are on a *cul de sac*.

China will compromise at a political level when it perceives that we are ready and able to compromise. Until then, do not expect much. Ma Jiali’s remarks also provide hints. This is China’s way of indicating that the Special

Representatives can go only thus far and no further.

In a very informative article in *Beijing Review* of April 28, 2005, Ding Ying recalled, significantly, that when on February 14, 1979, Vajpayee, then External Affairs Minister in the Janata Party government, met Deng Xiaoping, “Deng put forward a proposal of ‘package solution’ including China making concessions on the eastern sector, while India would make concessions on the western sector”. He thus “continued to implement the policy of mutual understanding put forward by late Premier Zhou Enlai during the latter’s visit to India in 1960”. The article was reprinted in India in the Chinese Embassy’s journal *News from China* in May 2005.

## There exists a firm basis for an accord on the middle sector and the boundary in Sikkim.

Fu Xiaoqing of the Institute of Contemporary International Relations predicted that “the first formal document on boundary settlement between China and India will pave the way for developing Sino-Indian relations on political dialogues” and economic cooperation.

That document can be drawn in two stages. *There does exist a firm basis for an accord on the middle sector and the India-China boundary in Sikkim*, which China has recognised as part of India. A convention was signed in Calcutta on March 17, 1890, between the Viceroy and a representative of China “to clearly define and permanently settle” the Sikkim-Tibet boundary. Article 1 defined it in clear terms. On the middle sector maps have been

exchanged and await reconciliation. Zhou Enlai said on April 22, 1960, that “a comparison of our maps shows that in this sector, the boundary line is basically the same. There are only 9 places where there are individual disputes but these can be settled *separately* in the boundary talks.” Also, both sides agreed on how the line of actual control ran. “This is a common ground.”

India and China must, therefore, proceed to define the boundary in the middle sector and the Sikkim sector, leaving the two China-Nepal-India trijunctions and the end point of the India-China boundary in the Sikkim sector undefined, to be resolved when the full package is settled. This was done in the Boundary Agreement between India and Burma, signed on March 10, 1967. Article 1 said “the exact location of which northern extremity will remain provisional pending its final determination”. The India-China-Myanmar trijunction can be determined finally only when India and China agree on the boundary in the eastern sector.

To use Ambassador Tu Guomei’s expression, the western and eastern sectors must be settled together “at one go” as a package deal, in which what is lost on the swings is made up on the roundabouts.

Only the very top political leadership can accomplish that. They must consult each other in private and move the negotiations cautiously towards a settlement which they can sell to their respective peoples. Meanwhile, a domestic consensus must be forged and self-righteous rhetoric abandoned.

We are nowhere near a breakthrough. Little is it realised that *we have arrived in the vicinity of a path which can lead to a breakthrough.* It is impossible to exaggerate the dividends which a settlement of the boundary dispute will yield. It is equally impossible to exaggerate the impact of a limited accord, on the middle and Sikkim sectors, on the prospects of a complete settlement and indeed on the relations between the two countries. That accord is possible. It would be sheer folly to waste any more time. □