

# POLICY BRIEF

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## **Territorial and Historical Challenges to Ladakh: Evaluating a 1963 Declassified Document for Its Contemporary Relevance**

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The justifications that states offer in support of their actions play a vital role in shaping territorial conflicts existing between them. Asia's territorial claims chart the rise of this kind of historical argument which has come into ascendancy. Though claims based strictly on strategic and economic considerations remain the underbelly, they have become less acceptable to be put forth as the primary argument. Arguments for the restitution of territory frequently are concealed with other underlying motives.<sup>1</sup> To an extent, language itself shapes the formulation and pursuit of territorial objectives. The discourse of territorial conflict justification can influence (1) the extent of territory in dispute, (2) the ways in which armed struggles over territory evolve, (3) the places where inter-state territorial conflict is likely to develop, and (4) the solutions to ongoing territorial wars that are contemplated.<sup>2</sup> Contended territory cannot be understood simply as a collection of objective attributes. It must be seen, instead, as the outgrowth of a dynamic relationship existing between an area and the processes and ideologies that give it meaning.<sup>3</sup>

### *The Historical Legacies of Asia's War-Torn and Colonial Territorial Past*

Asia's territorial issues, long embedded in its colonial and war-torn past, continue to be revisited, being as much a historical investigation as a legal process. Asia's complex and circuitous territorial arguments display contradictory, overlapping narratives

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1 For related details see, Alexander B. Murphy, "Historical Justifications for Territorial Claims," *Annals of the Association of American Geographers*, vol. 80, no. 4, December, 1990, p. 531.

2 Ibid.

3 Ibid.

on which rest the region's fluctuating fortunes. The claims to Asia's present-day contested territories is deeply embedded in history—with the latter being the bitter reality of Asia's future. Nobukatsu Kanehara has fittingly argued on historical experiences, suggesting that giving preference to military affairs over diplomacy will inevitably doom a nation, for what is needed is diplomatic and strategic thinking capable of anticipating the major tides of world history.<sup>4</sup> Many claims grounded in historical, political and geographic arrangements are little more than smoke screens for power politics or territorial greed. In the study of territorial disputes at different scales, whether one is considering sub-state nationalist claims to territory or the competition among states for control of the world's oceans,<sup>5</sup> the nature and form of claim articulation matters.<sup>6</sup>

Besides politicized constructions of history, Asia also deals with harmful historical legacies, revisionist history, and territorial revisionism that are threatening the region's peace and economic renaissance.<sup>7</sup> Yet, territorial issues rooted in history are only intensifying, with natural resources, war memorials, and textbooks becoming tools that are being used to justify efforts to disturb the territorial or maritime status quo.<sup>8</sup> Asian states have two ways, essentially, to deal with their history problems. One way can be called the minimalist or self-restraint approach, involving mutual commitments not to disturb the status quo or rake up historical grievances. The other way

is a more challenging proactive approach, involving constructive action centering on building historic reconciliation through intense negotiations.<sup>9</sup>

### ***South Asia's Territorial Disputes***

The intractability of South Asia's territorial disputes lies in its colonial origins, to the times when Britain imposed newer notions of territory and boundaries on pre-modern South Asian states.<sup>10</sup> Following decolonization of the sub-continent, its territorial and boundary issues became seemingly interminable, staring at a sort of *de facto* permanence of remaining unresolved. The contemporary reality of the Himalayan borderlands in South Asia witness linkages to China's historical thinking and current strategy for this region, both politically and militarily—a reality through which Beijing has managed to galvanize China's long-term strategic map for the entire Himalayan borderlands of South Asia. This paper seeks to analyze the history of the present-day security and territorial crisis in India's Ladakh region by focusing on the historical narrative of the territory, in light of studying an August 1963 declassified US CIA document on the *Sino-Indian Border Dispute* (focusing on Ladakh).

Ladakh is a region administered by India as a Union Territory today. It has been a part of the larger Kashmir region since 1947 and is bordered by the Tibet Autonomous Region to the east, and by Kashmir and Pakistan's illegally-

4 Nobukatsu Kanehara, "History and Diplomacy: Perspective from Japan," *Japan Review*, vol.1, no. 1, Fall 2017, pp. 33-51.

5 For related details see, Lewis M. Alexander, "The delimitation of maritime boundaries," *Political Geography Quarterly*, no. 5, 1986, pp. 9-24; also see, Hungdah Chiu, "Political geography in the Western Pacific after the adoption of the 1982 United Nations Convention on the Law of the Sea," *Political Geography Quarterly*, no. 5, 1986, pp. 25-32; and see, Alexander Melamid, "The division of narrow seas," *Political Geography Quarterly*, no. 5, 1986, pp. 39-42.

6 Murphy, n. 1, p. 545.

7 Brahma Chellaney, "History as a barrier to charting a better future," *Japan Review*, vol.1, no. 1, Fall 2017, pp. 11-21.

8 Ibid.

9 Ibid.

10 Sandip Kumar Mishra, "The Colonial Origins of Territorial Disputes in South Asia," *The Journal of Territorial and Maritime Studies*, vol. 3, no. 1, January 2016, pp. 5-23.

administered Gilgit-Baltistan region to the west. Ladakh also is linked to the southwest corner of Xinjiang across the Karakoram Pass in the far

north. The eastern far end of Ladakh consists of the uninhabited Aksai Chin plains, which have been under Chinese control illegally since 1962.



Map courtesy of *Maps of India*, available at <https://www.mapsofindia.com/maps/ladakh/>

In terms of diplomatic approaches through the past decades, the trajectory of China’s declared position and posturing on the Kashmir issue has evolved through multiple distinct phases. From 1948 onwards, China’s Kashmir policy [which then included Ladakh] has served as a vital and indicative barometer of the former’s diplomacy. In the historical context, the nationalist regime of China was cautious in its approach and positioning on Kashmir before being ousted from power, as well as from the Mainland, by the Communists in 1949.

### ***Phases of Sino-Indian History over Border Issues Focused upon Ladakh***

The history of the Sino-Indian controversy over border problems sharply focused upon Ladakh, the eastern district of the erstwhile

Kashmir State. Prior to the developments attending the Tibetan uprising against their Chinese Communist overlords, Ladakh (a Union Territory of the Republic of India today) had received only infrequent mention in the world press. Certainly very few would have credited a prediction that armed clashes and the threat of full-scale war between India and China would arise over possession of the high alkaline plain known as the Aksai Chin (“white stone” desert) where the frontiers of Tibet, Sinkiang (Xinjiang) and Ladakh come together.<sup>11</sup> This area of northeastern Ladakh is, beyond doubt, among the world’s bleakest stretches.<sup>12</sup> China has long attached considerable importance and interest to Kashmir, since, through the latter, lay the route for proximity to Tibet, in addition to the traditional land routes connecting Xinjiang with Ladakh.

11 Margaret W. Fisher, Leo E. Rose, “Ladakh and the Sino-Indian Border Crisis,” *Asian Survey*, vol. 2, no. 8, October 1962, pp. 27-28.

12 Ibid.

China's dealings with the outside world hinge upon three discernible policy strands that essentially constitute the basis of Beijing's supposed claim to legitimacy—namely, its assertion of the purported 'unequal treaties', nationalism, and sovereignty. History stands witness to Chairman Mao's argument of "keeping the enemy in the dark about where and when [Chinese] forces will attack" as he remained in favor, till the end, of launching a "just war" if it contributed "to the end of ensuring pre-dominance of the Party" and injecting national morale.<sup>13</sup> Over the decades, China has successfully employed its traditional concept and strategy of shi that exploits the strategic configuration of power to its advantage, while maximizing its ability to preserve its own strength. The strategy of shi also advocates engaging the adversary in *qi* (extraordinary) ways and developing a win-win situation to achieve political and strategic objectives.<sup>14</sup>

### ***January 1948–December 1949***

Before China's Communist Party took over Mainland China, the ruling nationalist Kuomintang was in power<sup>15</sup> and originally appointed T.F. Tsiang as the Permanent Representative of China at the United Nations. Adopting a somewhat objective role in March 1948 in his capacity as Chairman of the Security Council, Tsiang entered into negotiations with India and Pakistan and submitted a draft resolution on March 18, 1948, calling upon Pakistan to desist from any further aid to

the tribesmen in Kashmir and try to secure the withdrawal of the intruding tribesmen and Pakistani nationals.<sup>16</sup> In response, the Indian delegate Gopalaswami Ayyangar, while appreciating Tsiang's resolution, which according to Ayyangar, exhibited a happy combination of healthy features, simultaneously expressed profound disappointment and regret at the "twisting out of shape in essential particulars."<sup>17</sup>

### ***1949–Sino-Indian Border War (1962)***

In December 1949, despite a split verdict within the senior leadership of the Indian National Congress, the Communist regime in Beijing was accorded official recognition by India—making it the second non-communist nation to recognize the People's Republic of China following Burma. Notably, C. Rajagopalachari (then Governor-General of India) along with a few others wanted India to adopt a 'wait and watch' policy on the issue.<sup>18</sup> As far back as November 20, 1950, Indian Prime Minister Jawaharlal Nehru declared in India's Parliament that "... the McMahon Line is our boundary" while "... the frontier from Ladakh to Nepal is defined chiefly by long usage and custom"—which was incorrect, as it had never been demarcated. The McMahon Line was defined by an Indo-Tibetan exchange of very brief notes on March 5, 1914, which confirmed the line drawn on an annexed map.<sup>19</sup>

Later, even after China's occupation of Tibet

13 For details see, Monika Chansoria, "Does India Still Have Doubts about China's Territorial Ambitions?" *Japan Forward*, June 22, 2020.

14 Monika Chansoria, "Appeasement does not work with China," *Deccan Herald*, March 22, 2018.

15 Surendra Chopra, "Chinese Diplomacy and Kashmir," *The Indian Journal of Political Science*, vol. 29, no. 3, July-September 1968, p. 244.

16 *Ibid.*, pp. 244-45.

17 UN Security Council, *Official Records*, S/PV 285, April 19, 1948, pp. 3-4.

18 For more details on this subject see, K.M. Panikkar, *In Two Chinas*, (London: George Allen and Unwin, Ltd., 1955) p. 67.

19 For further details see, A.G. Noorani, "Flawed Greatness," *Frontline*, May 3, 2013, available at <https://frontline.thehindu.com/books/flawed-greatness/article4623181.ece>

in 1951, relations between India and China continued as they were until 1959.<sup>20</sup> Despite the multiple olive branches cited above, India could not succeed in securing China's reciprocity vis-à-vis Kashmir, with Beijing adopting a discreet non-committal silence on the issue. Archives, though, do record a note dated March 16, 1956 in which Beijing's Premier Zhou En-lai assured the Indian Ambassador posted at the time to Beijing, R.K. Nehru, that "... [the] people of Kashmir had already expressed their will."<sup>21</sup> Additionally, in a joint communiqué<sup>22</sup> that Zhou En-lai signed in 1957 with the Prime Minister of Ceylon (present day Sri Lanka) S.W.R.D. Bandaranaike, the former expressed the hope that India and Pakistan would be able to settle their differences in regard to Kashmir. To analysts of that era, it appeared that the Chinese government had adopted a policy of deliberate ambiguity to retain maneuverability—an expedient strategy aimed at pulling Pakistan towards its camp at a later date and thereby isolating India in the long term.<sup>23</sup> This perhaps was the earliest phase when China sowed the seeds for its present-day peripheral diplomacy (*zhoubian* 周边) strategy. Beijing appeared farsighted enough to gauge that someday the two Asian giants were bound to get drawn into a conflict.<sup>24</sup> By avoiding making any unequivocal commitment on Kashmir, Chinese diplomacy was characterized in the very early phase by its emphasis on defending its interests regarding sovereignty and resource disputes on its periphery—i.e., the “bottom line principle” (底线原则).

***The Sino-Indian Border Dispute: Key Facets of the US Central Intelligence Agency's Declassified Document (Section II 1959–1961) August 19, 1963***

According to a declassified document of the US Central Intelligence Agency (CIA) approved for release in May 2007, China's leadership was convinced by the autumn of 1959 of the need for negotiations with Nehru to prevent their international prestige—including their position in the world Communist movement—from deteriorating. The CIA report cited above delves into and reports on the period from late 1959 to early 1961, describing the period following the August 1959 clashes, whilst suggesting that Prime Minister Nehru's advisers might have used the skirmishes to push him and the entire government further to the “right”—i.e., towards a ‘militant anti-China policy’ and a willingness to accept some degree of American support in this policy.<sup>25</sup> The practical strategic danger, however, that such a development posed was that the arc of US bases ‘encircling’ China would be extended through India. China seemed to have been trying to physically and mentally coerce the leader of a small Indian police party they had captured during a clash in October 1959 to secure a “confession” that the Indians had sparked the incident. When it became public knowledge that the Indian prisoner had been manipulated by Maoist methods used for forced confessions, popular and official Indian resentment caused a reaction which hurt Beijing more than the charge that Chinese troops had

20 For a detailed discussion on India's attitude towards Formosa, see, Surendra Chopra, “India and the Formosa Impasse” *Indian Journal of Political Science*, vol. 28, 1967, pp. 32-41.

21 As cited in the Ministry of External Affairs, India, *White Paper*, no. VI, 1962, pp. 96-97.

22 For details see, *Keesing's Contemporary Archives*, vol. 11, 1957-58, p. 15464.

23 Surendra Chopra, “Chinese Diplomacy and Kashmir,” *The Indian Journal of Political Science*, vol. 29, no. 3, July-September 1968, p. 247.

24 Ibid.

25 For details and further reference see, *Declassified Document*, U.S. Central Intelligence Agency, *The Sino-Indian Border Dispute*, Section II 1959–1961, (Reference Title ‘POLO XVI’, August 19, 1963) Approved for Release, May 2007, p. i.

fired first. Having learned the lesson, by late fall, Zhou began to press Nehru hard to begin talks with him.<sup>26</sup>

During an exchange of ministerial letters, Nehru raised certain preconditions for talks, stipulating on November 16, 1959 the requirement that the Chinese withdraw from Longju and that both sides withdraw from the disputed area in Ladakh.<sup>27</sup> In the latter area, Indian troops would withdraw south and west to the line which Beijing claimed on its 1956 maps, and Chinese troops would withdraw north and east of the line claimed by India on its maps. In effect, Nehru's stipulation would be tantamount to a Chinese withdrawal from the Aksai Plain and the Sinkiang (Xinjiang)-Tibet Road, and the Chinese said as much. Zhou En-lai's reply of December 17 went right to the point of *realpolitik*, arguing from actual Chinese possession and complaining that Nehru's concession would be only 'theoretical' as India had no personnel there to withdraw, and insisted on the area's importance for "it has been a traffic artery linking up the vast regions of Sinkiang and Tibet".<sup>28</sup> The Indian leaders indicated some sensitivity on Zhou's additional point that New Delhi was "utterly unaware" of Chinese road building in the area until September 1958, "proving" continuous Chinese jurisdiction and informed their embassies to take the line that intrusions cannot give a neighboring country any legal right to an area "merely because such intrusions were not resisted by us or had not come to our notice earlier."<sup>29</sup> In a note written to India's Foreign Secretary Subimal Dutt on November 11, 1958, Nehru wrote:

In regard to the controversy, we are having with the Chinese government about our frontier in Ladakh, there is one point which we should bear in mind. I am told that the frontier as claimed by us is not only marked in our maps but is part of the McMahon Line. If we touch the McMahon Line in one place, then there is no particular reason why it should not be varied elsewhere" (emphasis added).<sup>30</sup>

According to AG Noorani, these words uncovered the unilateralism which marked Nehru's approach. Noting the contradiction between the 1950 declaration and this 1958 sophistry, Noorani contends that if anyone 'told' the Prime Minister of India this utter falsehood, what prevented him from simply sending for the agreed map? What he was 'told' was indeed an utter falsehood given that the McMahon Line did not extend to Ladakh. It was confined to India's Northeast.<sup>31</sup> India was well-aware of the existence of a boundary dispute with China even before the issue was addressed with Zhou's letter of January 21, 1959. Subimal Dutt warned Nehru on January 9, 1959, "The Chinese have not yet raised a dispute with us about Tawang, but I am not sure that they will not do so some time in future". Zhou did so on September 8, 1959, but, conceded it in April 1960. Tawang was ceded to India by Tibet in 1914. Another of Nehru's notes to Dutt on February 6, 1959 read:

I agree that a discussion in Parliament at this stage will not be desirable. But I do not like asking the Speaker to disallow this question. It creates a bad impression on

26 Ibid.

27 Ibid.

28 Ibid.

29 Ibid., p. ii.

30 For details see, *The Subimal Dutt Papers*, Nehru Memorial Museum and Library Archives; also see, Nehru's letter to Premier Zhou En-lai (December 14, 1958) complaining of Chinese maps, which initiated the correspondence in which the dispute was laid bare; and for primary source related reading and reference see, *White Paper*, published on September 7, 1959, cited in Noorani, n. 20.

31 Noorani, n. 20.

Parliament as people get to know about it. I think it should be possible, as you say, to give an answer to the question without embarrassing ourselves or the Chinese. I do not see any harm in mentioning that some negotiations have taken place and will be continued... We might say that there are small pockets or territories on the border in regard to which there has been some controversy and discussions have taken place. In one or two of these disputed pockets, we receive a report that some Chinese soldiers came there just when the winter set in. Owing to climatic conditions, it is not easy to go there till the winter is over.<sup>32</sup>

Turning conciliatory, Zhou in his December 17, 1959 letter stated that Beijing had stopped sending out patrols following the October 21, 1959 clash, and requested a personal meeting with Nehru to establish “principles” for negotiating the dispute. Zhou then hinted that Beijing would be willing to exchange its claim to the area south of the McMahon Line for New Delhi’s claim to the Aksai Plain. Nehru was reluctant to meet personally with Zhou, and persisted in this attitude until January 1960, when, on the ‘advice of his ambassadors and certain cabinet members’, he agreed to drop his pre-conditions.<sup>33</sup>

It was clear that the ramifications of the Sino-Indian dispute extended far beyond the realm of the national interests of the two states most closely concerned. The world power struggle ostensibly took on dimensions that did not fit within the familiar dichotomy of the Cold War. Take, for instance, the position assumed by the Soviet Union in the dispute over Ladakh.<sup>34</sup> During this period, Nikita

Sergeyevich Khrushchev, the First Secretary of the Communist Party of the Soviet Union, made several public statements in which he deplored the border dispute, clearly implying that Chinese military actions were jeopardizing Moscow’s relations with New Delhi. In November, he described the dispute as a “sad and stupid story”—a remark which angered the Chinese leaders. Subsequently, Khrushchev made a charge in Bucharest on June 26, 1960 that the Chinese way of handling the dispute was a “tactical error” and a clear sign of “Chinese nationalism”.<sup>35</sup>

Soviet officials had attempted to create an impression among Indians that Khrushchev had directly intervened with Beijing on New Delhi’s behalf, but, when pressed for explicit proof, scaled down their remarks to suggest that the Russians had merely ‘urged talks’ on Beijing as soon as possible.<sup>36</sup> The *CIA report* cites Subimal Dutt’s interaction with an American official saying that Khrushchev had been no help with the Chinese “at all”, remaining just as neutral in private as in public, hoping that these two “friends” of the Soviet Union would settle their dispute. Although the Chinese leaders clearly viewed Khrushchev’s public remarks as hostile to them, the Soviet position on the Sino-Indian dispute, in fact, remained a peripheral issue for the larger Sino-Soviet dispute.<sup>37</sup>

### ***Sino-Burmese Border Agreement***

To demonstrate an “example” of how a friendly country should settle its border problems with China, in January 1960 the Chinese moved quickly to bring the Burmese to Beijing for a Sino-Burmese border agreement. For several years prior, China had been parrying

<sup>32</sup> Ibid.

<sup>33</sup> *Declassified Document* CIA, n. 26, p. ii.

<sup>34</sup> Fisher et al., n. 12, pp. 36-37.

<sup>35</sup> *Declassified Document* CIA, n. 26, p. 80.

<sup>36</sup> Ibid., p. ii.

<sup>37</sup> Ibid., p. iii.

Burmese requests for a settlement but, once the decision to bring Nehru to negotiations had been made (October-November 1959), the Chinese leadership apparently calculated that a speedy border agreement with Prime Minister Ne Win would make it more difficult for Nehru to reject similar talks.<sup>38</sup> China also used the Sino-Burmese agreement against its critics in the Soviet bloc, with Ne Win speculating on January 30 that China's leadership had been "quite anxious" to settle the border dispute with Burma prior to Khrushchev's stopover in New Delhi, trying thus to undercut Nehru's argument to the Soviet leader on the intransigence of the Chinese on the border issue.<sup>39</sup>

Being constantly pressed by Parliament and the press to refrain from taking a soft line with Beijing, Nehru was compelled to make an agreement "to meet" with Zhou appear as part of a hard anti-China policy. In his February 5, 1960 letter to Zhou, Nehru agreed to a meeting but not to substantive negotiations, arguing that the Chinese claim that the entire border had never been delimited was "incorrect...and on that basis there can be no negotiations". Nevertheless, Nehru invited Zhou to meet with him in New Delhi to explore every avenue for a settlement and defended this formal invitation in Parliament by insisting that no policy change was involved, asserting that he had always said he was prepared "to meet" anybody, anywhere.<sup>40</sup>

It was Nehru's intention to determine what Zhou "really wants", as Foreign Secretary Dutt put it, and probe Beijing's long-term intentions on the border. The firmness of Nehru's letter of invitation was intended partly to scotch reports that he and his advisers were willing to exchange the Aksai Plain for formal Chinese recognition of the McMahon Line – reports fed

by Defense Minister VK Krishna Menon's slip in a speech to the effect that India would not yield "...any part of our *administered territory* along the border"—implying that Nehru would remain silent on areas occupied by the Chinese. In February and early March, there were other indications that Nehru was looking for some way to accept Chinese use of the Sinkiang-Tibet Road while retaining *nominal Indian sovereignty* over the Aksai Plain.<sup>41</sup>

The Chinese leaders apparently read these early signs as tantamount to an invitation to further probe the apparent soft spot relating to the Aksai Plain, and prepared for substantive negotiations rather than meaningless "exploratory" talks. They attempted to make credible their expressed willingness to negotiate a settlement, not only by agreeing to send Zhou to India in the face of two Nehru refusals to go to China, but also by acting quickly to sign a border agreement with Nepal in March, just two months after Zhou's success with the Burmese. The advice Nehru received from all sides in April while contemplating the line to take during the anticipated bargaining Zhou would conduct was to remain adamant. Thus Zhou, who arrived in late April with a business-like delegation in the real hope of gaining agreement in principle that the border was not delimited and was therefore subject to negotiation, was confronted by an Indian prime minister who had already rejected bargaining.<sup>42</sup> Departing from diplomatic precedent, Zhou held separate private man-to-man sessions, in each of which he ran into a stonewall of opposition. Following three days of intense uninterrupted discussions, Zhou failed to make a dent in the Indian position on Ladakh and, in turn, rejected Nehru's suggestion that Chinese troops be withdrawn from "occupied" areas. The most Zhou was able to salvage from

38 Ibid.

39 Ibid.

40 Ibid.

41 Ibid., p. iv.

42 Ibid.



his near-total failure was to give the *impression* that the talks would be continued.<sup>43</sup>

***The Strength of India’s Historical and Legal Case:  
Documentary Evidence and International Law***

In retrospect, the April 1960 Zhou-Nehru talks seem to have been Beijing’s last chance for a negotiated settlement with Nehru, who rejected Zhou’s proposal that they meet again and refused to agree formally either to a “line” of actual control or to stop sending out Indian patrols. Nehru agreed merely to a temporary, informal “understanding” to halt patrolling and to turn the issue over to subordinate officials, who were to meet to examine the historical and legal evidence of each side and draft a joint report, but who were not empowered to recommend a solution.<sup>44</sup> The border experts’ talks in mid- and late 1960 served as an instrument of the Chinese effort to perpetuate an impression of continuing negotiations, but they eventually proved detrimental to Beijing’s historical and legal case. By the end of the third and final session in December 1960, the Indian experts were convinced that the vaunted Chinese case had proved to be, in fact, a feeble one. The Indian case was argued adroitly on many points of fact, i.e., documentary evidence, logic, and international law, demonstrating that New Delhi could produce a respectably defensible legal case.<sup>45</sup> That the Chinese themselves were troubled recognizing that the Indian case was at least as strong as their own is suggested by their failing to publish the experts’ reports, and by their limiting knowledge of the reports’ contents to certain CCP members and

deputies of the National People’s Congress rather than distributing it to the general public and foreigners.<sup>46</sup>

Following the Zhou-Nehru talks, the Chinese leaders apparently followed a two-fold policy of ceasing regular patrol activity along the border while on occasion sending out reconnaissance parties in the immediate vicinity of their border posts. The rationale of a policy of only limited reconnaissance was set forth in a seized November 1960 Tibetan document, which warned PLA personnel to remain cool and not to replace political policy with emotions, otherwise:

We would not look to the larger situation and would not ask for orders or wait for directions from above before opening fire and striking back. In that case, we might gain a greater military victory, but politically we would fall into the trap of the other side and would cause only great injury to the Party and State—the biggest mistake.<sup>47</sup>

The Tibetan document also suggested a Chinese assessment, as of November 1960, that New Delhi did not intend to re-take large areas of Chinese-held border territory because the Indians did not have the military capability to do so.<sup>48</sup> However, the cessation of regular forward patrolling did not mean an end to the cautious and surreptitious construction of certain new posts at specially selected points, particularly in the more inaccessible valleys in Ladakh. In addition to this stealthy forward movement of individual posts, the Chinese border experts gave the Indian experts in 1960 a new map of the Chinese-claimed “line”—a “line” which, in 1960, was at points well to the west of the map-

43 Ibid., p. v.

44 Ibid.

45 Ibid.

46 Ibid., p. vi; As of mid-1963, Beijing has not made generally available the texts of the separate Indian and Chinese experts’ reports.

47 Ibid.

48 Ibid.

alignment of the same area which Zhou had shown Nehru in 1956.<sup>49</sup>

As of January 1961, the Chinese strategy remained to work for a rapprochement with New Delhi, to treat India as still being ‘non-aligned’, and to avoid personal attacks on Nehru. The prospect of a major Sino-Indian war apparently was considered only as an unlikely eventuality, which, if it were to occur, *would completely change the nature of the border struggle*, then regarded as political. According to a January 1961 Chinese Foreign Ministry report, it was Mao himself who provided the general principle of diplomatic forbearance for the period: “In 1960, Chairman Mao again instructed us repeatedly that, in our struggle, some leeway must be provided to the opponent”.<sup>50</sup> This was conceived as a key part of Mao’s dual policy of “unity and struggle” toward India, at times taking a hardline with New Delhi and at other times taking a soft line. The Chinese may have seen this dual policy as flexible but, to New Delhi, Beijing was becoming India’s most important enemy and the policy of “unity and struggle” toward India meant nothing but “struggle”. It may have been, therefore, that the Chinese leaders, including Mao, by early 1961 believed that they had some room for future diplomatic maneuvering with New Delhi, when, in fact, such room no longer existed.<sup>51</sup>

During the three-day debate in Parliament in late November, Nehru said in his reply to the opposition’s call for “action” to make the Chinese vacate Indian territory that the border issue was simply part of a greater problem, i.e., the overall Chinese political and economic as well as military challenge, which is a long-

term matter. Nehru also pointed to a statement made by President Ayub Khan of Pakistan in which he refused to accept any Indian proposals affecting Ladakh’s status.<sup>52</sup> The Chinese later used Pakistan to demonstrate that, although India could not negotiate a border agreement with any of its neighbors, China could, even with a government aligned with the West.

When, on May 10, 1962, New Delhi protested Sino-Pakistan border negotiations, Beijing replied on May 31 that it had a right to negotiate with Pakistan on boundary matters because (1) Beijing never accepted Indian sovereignty over Kashmir, (2) the negotiations with Pakistan do not involve the question of *ownership* of Kashmir, and (3) after the India-Pakistan dispute is settled, both governments will reopen negotiations with China on the question of the Kashmir boundary.<sup>53</sup> Potentially the most explosive aspect of the Sino-Indian crisis was the inclination, shown by both Pakistan and China, to exploit the situation in Kashmir. The overtures made by Pakistan to Communist China and Beijing’s response called attention to the advantages which each might have hoped to reap from a division of Kashmir between them. In any case, given Chinese military posts deep within Ladakh, the Kashmir question became a ‘three-power’ rather than a ‘two-power’ dispute.<sup>54</sup>

In a brief account of the respective cases, mainly favoring India’s, L.C. Green, a lecturer in International Law at University College, London, wrote regarding Ladakh that the watershed, or “height of land,” principle as the basis for a boundary claim favors the Indian case, as the principle is firmly established in international law. Green viewed the Indian case on this

49 Ibid.

50 Ibid.

51 Ibid., p. vii.

52 Jawaharlal Nehru, “India’s Foreign Policy”, *Selected Speeches*, September 1946-April 1961, Government of India, Ministry of Information and Broadcasting, 1961.

53 *Declassified Document* CIA, n. 26, p. 72.

54 Fisher et al., n. 12, pp. 36-37.

point, further strengthened by the fact that the Chinese accept the watershed principle for the middle sector. More importantly, the historical documentation tabled by the Indian team for traditional ownership of Ladakh was not decisively countered by the Chinese team. The Chinese case on Ladakh derives its force from the matter of actual control.<sup>55</sup> As the border experts talks wore on, the Chinese team refused to discuss the Ladakh issue except on the basis that Kashmir does not belong to India, i.e., on the basis that Kashmir is disputed territory between Pakistan and India.<sup>56</sup>

Beginning in 1961, the Chinese strategy was to work for a rapprochement with New Delhi, to consider India as still nonaligned, and to avoid personal attacks on Nehru. To this end, the border was to remain calm and Chinese initiatives were to be diplomatic, directed toward discouraging the Indians from moving across the Chinese-defined “line” of actual control. Following a review of 1960, a Chinese Foreign Ministry report issued in January 1961 outlined Beijing’s prospective policy toward India, centering on the need to mollify New Delhi:

We will strive to have better relations with India and influence India into assuming a passive position on the border problem. This is important.<sup>57</sup>

In January 1961, the Chinese leadership viewed its 1960 policies as reflecting considerable “tactical flexibility”. With the exception of a possible mid-June clash, there were no Sino-Indian border skirmishes, as this was said to be part of Mao’s policy of “unity as well as struggle with India and other national states”. According to the 1961 Foreign Ministry

report, “... the struggle against India shows how we... used the tactic of flexibility”:

India started an anti-China movement, and this we opposed with determination. Then, after opposing it, the Premier went to New Delhi to negotiate with Nehru. The two chiefs of state met. At the border, clashes were avoided. Thus, the relations between the two countries again calmed down temporarily.<sup>58</sup>

In mid-1961, according to the Bhutanese Maharaja’s political agent in India Jigme Dorji, China approached Bhutan with an offer to negotiate a border agreement, to recognize Bhutan’s sovereignty, to extend diplomatic recognition, and to provide technical aid. Roughly during the same period, the Chinese reportedly advanced a proposal for a Confederation of Himalayan States to a few political figures in Sikkim. The report stated that: “The Chinese refusal to discuss the segment of the boundary west of the Karakoram Pass was tantamount to questioning the legality of the accession of the State of Jammu and Kashmir to India...”<sup>59</sup>

It was in this context (and in connection with a discussion of tactics toward newly independent African countries still having diplomatic relations with Taipei) that Mao was cited to provide the general principle of diplomatic forbearance: “In 1960, Chairman Mao again instructed us repeatedly that in our struggles, some leeway must be provided.” The practical conclusion which flowed from this principle was that:

... Our struggle against India should be subordinated to the struggle against U.S. imperialism. Our struggle against India

55 *Declassified Document* CIA, n. 26, pp. 69-70; also see, “Legal Aspects of the Sino-Indian Border Dispute,” *The China Quarterly*, July-September 1960, pp. 42-58.

56 *Ibid.*, p. 72.

57 *Ibid.*, p. 78.

58 *Ibid.*, p. 79.

59 *Ibid.*, p. 72.

should not go beyond this limit.<sup>60</sup>

The order of priorities which the document outlined for Chinese diplomatic officials indicates that restraint toward India was to be a relative matter, a matter of degree. While the US was Beijing's major world enemy, India was second on the list, i.e., the "main target in Southeast Asia," as the CIA document puts it. Given this order of intensity, the Chinese leaders may have missed the point that, although they were "harder" on the US and "softer" on Indonesia relative to India, the Indian leadership saw no such scale of intensity and were provoked by even the smallest degree of Chinese animosity. To New Delhi, China was becoming India's most important adversary and the Maoist policy of "unity and struggle" towards India meant nothing but "struggle".<sup>61</sup>

### **Post-1962**

This period witnessed a breakdown of Sino-India border talks. Beijing responded to Pakistan's proposal for demarcation of the land boundary between China's Xinjiang region and the portion of Kashmir illegally held by Pakistan in February 1962. Later, in May 1962, Rawalpindi and Beijing announced their decision to conduct negotiations for the delimitation and demarcation of said border.<sup>62</sup> The Government of India registered a protest with China stating that the above was an act of "interference with the sovereignty of India over the State of Jammu and Kashmir", and cautioned Beijing that India would not be bound by any such agreement,

even if it were of provisional nature.<sup>63</sup> The protest note further pointed:

It is the India-China boundary which starts from the tri-junction of the boundaries of India, China, and Afghanistan, at approximately longitude 74° 34' E and latitude 37° 3' N and runs eastward up to the tri-junction of the boundaries of India, Burma, and China.<sup>64</sup>

As Fisher and Rose argue in their 1962 *Asian Survey* paper titled "Ladakh and the Sino-Indian Border Crisis", perhaps the Chinese were mainly engaged in pursuing opportunistic policies intended to reap all possible advantages short of war. It was at least equally plausible that they were carefully laying the groundwork for a more sinister long-range plan.<sup>65</sup> Their activities in Ladakh at that point may well have been designed to advance a number of objectives simultaneously. Whatever may yet unfold, however, one conclusion can be drawn with relative certainty. The road which the Chinese "first built" in 1956-57 across Ladakh was important to the maintenance of their control over Tibet. Without such a supply route, the then unacknowledged Khampa revolt in eastern Tibet might have reached dangerous proportions.<sup>66</sup> The topographical considerations faced by Beijing included the criticality of the access to Tibet, which was easiest from the south and west. The easiest southern routes run through Bhutan, Sikkim, Nepal, and India—routes at just some distance from China. The almost forgotten by-pass

60 Ibid., p. 79.

61 Ibid., p. 80.

62 For more on this see, *The Statesman*, New Delhi, May 3, 1962; for a detailed discussion on this subject see, Surendra Chopra, "Sino-Pakistan Boundary Agreement", *Journal of African and Asian Studies*, vol. 1, no. 2, Spring 1968, pp. 220-237.

63 For further details and reference see, Ministry of External Affairs, India, *Sino-Pakistan Agreement*, March 2, 1963, *Some Facts*, p. 9.

64 Ibid., p. 8.

65 Fisher et al., n. 12, pp. 28-29.

66 Ibid.

route through Aksai Chin, long abandoned by traders and other travelers because of the dreaded summer heat and absence of water, was nevertheless a serviceable winter route.<sup>67</sup> The Chinese now quietly set about improving this route, and it soon gained the status of a major road, connecting Yarkand and Khotan with Rudok, Gartok, and finally Taklakot, a trade and agricultural center of long recognized strategic interest, just north of the point where the borders of Tibet, Nepal, and India meet.<sup>68</sup>

Following the border war with India in 1962, China negotiated and obtained a boundary settlement on the Karakoram with Pakistan. This settlement was finalized in March 1963. With it, China obtained for itself a new boundary by securing the Shaksgam Valley, which pushed Chinese territory further south towards Jammu and Kashmir. The remarks of Pakistan's former Chief of Army Staff Mirza Aslam Beg on the impact of the Siachen conflict on Pakistan point towards this complicity when he stated, "India had foiled Pakistan's attempts to have a common border with its ally China... [for which] Pakistan had, in the past, ceded territory in Karakoram to China, in order to realize this objective."<sup>69</sup>

Unlawfully gaining nearly 2,700 square miles of Kashmir's territory from Pakistan, owing to the above agreement with the latter, China became visibly interested and directly involved in the area. The action undertaken by China was alarming, more so since Beijing initially appreciated the Indian position on Kashmir, at

least privately.<sup>70</sup> The Indian government lodged yet another protest stating that, despite previous assurances given by China of not wanting to get involved in the Kashmir issue, the Chinese government had intended to sabotage talks<sup>71</sup> that were on the anvil between India and Pakistan.<sup>72</sup> This notwithstanding, China began unequivocally rejecting India's position in Kashmir following the agreement with Pakistan. In the first-ever public document put out by Beijing, it disclaimed 'Chinese appreciation of India's position' and further questioned, "... can you cite any document to show that we have ever said that Kashmir is a part of India?"<sup>73</sup> Following this, Chinese Premier Zhou En-lai declared during an official visit to Pakistan in 1964 that China had never recognized India's stand on Kashmir.

### ***Has Time Stood Still in Ladakh? Geopolitics, Physical Geography, Economic Geography, and Territorial Overlaps of History***

*Regionalism in China's Geography* during the 1950s concentrated on two main fields of geography, physical and economic, much in contrast with the West, where geography was divided into systematic and regional. Geography was treated as a physical science in Communist China, and physical geography was especially emphasized.<sup>74</sup> Regional economic planning within the framework of the Marxist-Leninist doctrine signified economic geography, the citadel of which was the Division of Economic

67 Ibid.

68 Ibid.

69 Monika Chansoria, "China's Border Intrusion in Ladakh is Strategic, Territorial Revisionism," *Japan Forward*, June 2, 2020.

70 For more details see, V.P. Dutt, *China's Foreign Policy: 1958-62*, (Bombay: Asia Publishing House, 1964) pp. 230-232.

71 Surendra Chopra, "Swaran Singh-Bhutto Talks: A Spotlight on Indo-Pakistan Relations", *Indian Journal of Political Science*, 1967, pp. 111-123.

72 *Sino-Pakistan Agreement*, n. 64. p. 30.

73 Ibid.

74 Chiao-Min Hsieh, "The Status of Geography in Communist China," *Geographical Review*, vol. 49, no. 4, October 1959, p. 550.

Geography at the Department of Economic Planning, People's University (Beijing). Notably, human geography remained amiss from Communist China's geographical curriculum, being viewed as "one of the ideological weapons of imperialism in the modern capitalist world... Human geography is in direct opposition to Marxist economic geography."<sup>75</sup>

In the January 1965 issue of *Foreign Affairs*, Samuel B. Griffith II, while referring to the civil war in Qing China, wrote, "Any lay estimate of current Communist Chinese military capabilities, or future potential, is likely at best to be but partially correct; at worst, flagrantly inaccurate." The national identity created through innumerable historical fictions only furthers national interest and consolidates dictatorial political leadership at home, and it is this national interest which in turn determines a revisionist power's aggressive foreign policy and state action. Written more than 50 years ago, Griffith's assessment on the use of military stealth and orientation holds ground even today.

The prominence of geopolitics in the policy chosen by a state, and the strategy it adopts to obtain those policy objectives, cannot be minimized. The actions of China and Pakistan in the Karakorams, in the past, and presently too, illustrate this precisely. China's 21<sup>st</sup> century vision accentuates military diplomacy as a key pillar to its overall foreign policy strategy along its periphery. Given its current trajectory, the future will likely to see Beijing applying its power and influence effectively over determinants that promote its overall influence along its periphery. This seemingly shall support a long-term strategic foreign policy agenda which pivots around territorial revisionism, thus making

the threat spectrum far more complicated and challenging.<sup>76</sup>

In the seven decades since the period discussed in this paper, it appears that time has stood still when it comes to the Ladakh (then a part of Jammu & Kashmir) region's fate. The underlying rationales behind China's Ladakh policy remained interwoven in the broader context of China's South Asia policy, Sino-Indian relations, and Sino-Pakistan ties. During Pakistan's failed attempt to invade India in 1965, the official mouthpiece of the Central Committee of the Chinese Communist Party, *People's Daily [Ren-min Ri-bao]*, published an article by *Observer* titled "Chinese People Sympathize with Kashmir Struggle for Self-determination" and supported the "... just struggle of the people of Kashmir for their right to self-determination."<sup>77</sup> This *Observer* piece could be interpreted as China's most detailed and unequivocal statement on Kashmir.

In the contemporary context China's ongoing objective of controlling Pakistan-occupied-Kashmir (PoK) both militarily and politico-diplomatically emits multiple signals, both tactically and strategically. By sponsoring and investing in numerous "infrastructure development projects", China has firmly established its presence inside the region. Notwithstanding the debate surrounding the actual number of Chinese PLA troops present in PoK, the fact of the matter remains that China has firmly perched itself in PoK alongside the 772-km long Line-of-Control (LoC) running between India and Pakistan.<sup>78</sup> Chinese analyst Hu Shisheng at the China Institutes of Contemporary International Relations is of the view that Beijing cannot wait

75 Ibid.

76 Monika Chansoria, "China's Border Intrusion in Ladakh is Strategic, Territorial Revisionism," *Japan Forward*, June 2, 2020.

77 *Survey of the China Mainland Press*, American Consulate, Hong Kong, no. 3535, August 1965, pp. 33-34.

78 For details on this subject see, Monika Chansoria, "China makes its presence felt in Pak-occupied-Kashmir," *The Sunday Guardian*, December 11, 2011.

for India and Pakistan to settle their disputes in Kashmir before going ahead with the transit and transport project passing through PoK.<sup>79</sup> Moreover, China's Belt and Road Initiative (BRI) corridor running through PoK places New Delhi's sovereignty and territorial integrity under strain, an approach that suits Beijing's South Asia strategy politico-diplomatically and adds pressure on the Indian Armed Forces in the deterrence equation vis-à-vis a two-front scenario.

On August 5, 2019, India abrogated Article 370 of its Constitution and revoked Jammu & Kashmir's (J&K) 'special status', thereby reorganizing the state into two Union Territories, namely, Jammu & Kashmir and Ladakh. China responded to India's Parliamentary decision by stating:

China's position on the Kashmir issue is clear and consistent... China is always opposed to India's inclusion of Chinese territory in the western sector of the China-India boundary into its administrative jurisdiction. This firm and consistent position remains unchanged. Recently India has continued to undermine China's territorial sovereignty by unilaterally changing its domestic law. Such practice is unacceptable and will not come into force... we urge India... to avoid taking any move that may further complicate the boundary question.<sup>80</sup>

In an article published by Beijing's Chongyang Institute for Financial Studies, analyst Liu Zongyi wrote, "Due to India's

classification of Ladakh as a centrally administered area, the territory of the region, which was occupied by India in the western sector of the Sino-Indian border, will also have an impact on the stability of Sino-Indian relations."<sup>81</sup> Perhaps of greater consequence is Beijing's objective of expanding and buttressing its reach in Ladakh, which would likely complicate the complexities surrounding the entire region. It would not be erroneous to state that China is not going to be a "neutral party" in the region anymore, and has in fact assumed primary prominence.

As this paper's research suggests, Beijing continuously shifted its position on Kashmir (for Ladakh), gradually, yet firmly, to suit its own strategic agenda with each passing decade. China's evolving policy agenda is rooted in its larger regional vision of how it would like to view and design regional equations in South Asia in terms of diplomatic and military posturing. Its power elite are seemingly accruing a focused territorial and strategic agenda for South Asia that is becoming far more interventionist and expansionist.

The recalibrated Chinese presence in eastern Ladakh renders China's collusion with Pakistan an even greater challenge for India. The aim would be to consolidate Pakistan's illegal occupation of Gilgit-Baltistan and the China-Pakistan Economic Corridor (CPEC), which is a defining part of China's BRI.<sup>82</sup> Redefining borders and status quos are part of an inveterate strategic agenda, put into operation tactically in a classic example of operational art. Has

79 Views expressed by Hu Shisheng, cited in, "China can't wait for India, Pak to settle Kashmir issue: Expert," *Hindustan Times*, Hangzhou, September 7, 2016.

80 Cited in, Ministry of Foreign Affairs, People's Republic of China, Remarks by Spokesperson Hua Chunying, August 6, 2019, available at [https://www.fmprc.gov.cn/mfa\\_eng/xwfw\\_665399/s2510\\_665401/2535\\_665405/t1686549.shtml](https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2535_665405/t1686549.shtml)

81 For more details see, "PRC Scholars React to India's Contentious Kashmir Move: An Analysis" available at <https://icsin.org/blogs/2019/08/23/prc-scholars-react-to-indias-contentious-kashmir-move-an-analysis/>

82 For further reading see, Monika Chansoria, "Has China Created a 'Red Version' of its Border with India in Ladakh?" *Japan Forward*, June 15, 2020.

China managed a de facto realignment of the LAC in eastern Ladakh? While this question continues to be contested, what remains a given is Beijing’s handling of geographic realities in Ladakh (South Asia) that indeed serves its longstanding strategic objectives of territorial revisionism across Asia.

The territorial stakeholders facing up to China, be it in the Himalayan borderlands, the East China Sea, or the South China Sea, need to revisit the theoretical roots of their respective regions’ strategic thinking and orientation and delineate theories of statecraft, diplomacy, strategy, and prerequisites of politics and power in the realist paradigm.<sup>83</sup> Unverified claims to territory are at the helm of revisionist powers when they seek to redraw borders and create ‘new status quos’ in order to justify acts of territorial aggression, be it in the South China Sea or, more recently in the Himalayan borderlands with India. Patterns and strategies of the seemingly endless status quo revisionism, and understanding of the same, need to be disseminated in all existing territorial disputes within Asia, ranging from the East China Sea to the South China Sea and the Himalayan borderlands. They jointly send an echoing message that the 21<sup>st</sup> century’s political geography in Asia shall continue to be shaped, and reshaped, by a revisionist state’s selective historical amnesia and cartographic subjectivity.

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83 For details see, Monika Chansoria, “Appeasement does not work with China,” Deccan Herald, March 22, 2018.