



Fostering India-China Relations: Amidst Changing International Order

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Abstract

This paper attempts to study the areas where China and India have attempted to enhance their cooperation despite several conflicts as a result of the changing international setup. The history of the Sino India relationships narrates a story that is quite different from the contemporary complexities between the two countries. The range of this story extends from trade to pilgrimage and education. There was the transfer of not just 'items', but also 'ideologies. The daunting travel routes deterred neither the monks nor the traders and travellers from exchanging learnings and ideas. Thus, it is an inspiring story of contact and openness. The contribution of Chinese travellers like Xuan Zang and Fa Xian is well known for both the civilizations. Scholars like Bodhidharma are responsible for carrying the new religion of Buddhism from its birthplace to the neighbouring land. India's linguistic syntax also reflect the two-way cultural give and take between the two countries.

The prefix 'cina', meaning China, found in many of the Sanskrit and Prakrit words is one proof. The 2020 Indo-China skirmishes have altered the relations between the two countries like never before. In response to the border attacks, India banned 59 Chinese apps or those with Chinese origins under Section 69A of the Information Technology Act, 2000. The Chinese tech giants, on the one hand, raise a very important question about the inconsistency of apps developed in other countries with privacy. Recently the Calcutta High Court held that foreign entities have locus standi to file a writ under Article 226. On the other hand, the users contend that their right to express themselves and use the internet is violated arbitrarily by the ban. Now, these questions come under the ambit of Article 14, which requires the state to treat every person equally. However, Article 14 allows the classification of persons and things if it is reasonable. The dissimilar treatment here refers to banning only Chinese apps and not apps from other countries for privacy concerns. Two international

agreements made under the World Trade Organization (WTO) are General Agreement on Tariffs and Trade (GATT) or General Agreement on Trade in Services (GATS), which are also relevant in the present case.

Key words: India, China, GATT, WTO, Cooperation. mutual interests, Relations, Conflict, engagement

Introduction

China and India are separated by the Himalayas. China and India today share a border with Nepal and Bhutan acting as buffer states. Parts of the disputed Kashmir and Ladakh region claimed by India are claimed and administered by either Pakistan (Azad Kashmir and Gilgit and Baltistan) or by the PRC (Aksai Chin). The Government of Pakistan on its maps shows the Aksai Chin area as mostly within China and labels the boundary "Frontier Undefined" while India holds that Aksai Chin is illegally occupied by the PRC. China and India also dispute most of Arunachal Pradesh.

Etched carnelian beads of Indus valley origin have been excavated from various archaeological sites in China dating from Western Zhou and Spring and Autumn period (early half of 1st millennium BCE) to Han and Jin dynasties, indicating early cultural exchanges. The India-China border dispute dates back to the Shimla Convention in 1914 British India and Tibet gave a go ahead to a de facto eastern border called McMahon Line. While China never gave its approval, India has maintained that it considers the same as the effective border in the area between India and China. It has been a long and eventful journey for both the nations since then. We are still haunted by the memories of Indo-China wars and also the Doklam standoff of 2017 when citizens of the both the countries were prepared for the worse. Similar is the situation now, following the standoff between the two countries in Galwan Valley and nearby areas that has claimed several lives on both sides.

It was for the first time in decades when soldiers deputed along a remote frontline got into a deadly hand-to-hand combat. Remember, the soldiers were reportedly armed only with sticks and rocks, still casualty soared on both sides. What followed was a flurry of diplomatic activities, statements by leaders, visits by Prime Minister [Narendra Modi](#) and Defence Minister [Rajnath Singh](#) to border areas, and days later, meetings between the Defence and Foreign ministers of both the countries. India did up the ante against China on the economic front too as it banned nearly 177 mobile apps, including the likes of TikTok and PUBG.

Now speculations are rife over whether the prevailing standoff between India and China would result in a war. From newsrooms to think tanks, everyone has given their opinions and tried to ascertain the probability of a full-blown war. According to the calculations, there is hardly any possibility of a war. It wouldn't go beyond casual enmity problem and once we get rid of the menace of Covid-19, one might expect a Sino-Indian thaw.

“Since the Doklam standoff got resolved, the two countries appeared to be heading in the right direction but following the recent developments, India is currently not really fond of China. But this is not a permanent scenario,” says Guruji.

The situation is likely to normalize after a period of one year and if all remains well, the banned apps may also be back in operation in 2022.

China and India have also had some contact before the transmission of Buddhism. References to a people called the Chinas, are found in ancient Indian literature. The Indian epic Mahabharata (c. 5th century BCE) contains references to "China", which may have been referring to the Qin state which later became the Qin dynasty. Chanakya (c. 350–283 BCE), the prime minister of the Maurya Empire refers to Chinese silk as "cinamsuka" (Chinese silk dress) and "cinapatta" (Chinese silk bundle) in his Arthashastra. The first records of contact between China and India were written during the 2nd century BCE, especially following the expedition of Zhang Qian to Central Asia (138-114 BCE). Buddhism was transmitted from India to China in the 1st century CE. Trade relations via the Silk Road acted as economic contact between the two regions. In the Records of the Grand Historian, Zhang Qian (d. 113 BCE) and Sima Qian (145–90 BCE) make references to "Shendu", which may have been referring to the Indus Valley (the Sindh province in modern Pakistan), originally known as "Sindhu" in Sanskrit. When Yunnan was annexed by the Han dynasty in the 1st century, Chinese authorities reported an Indian "Shendu" community living there. Chairman Mao Zedong of Chinese Communist Party and Prime Minister In April 1954, India and the PRC signed an eight-year agreement on Tibet that became the Five Principles of Peaceful Coexistence (or Panchsheel). Jawaharlal Nehru of India, during the latter's state visit to China, October 1954.

In October 1954, China and India signed an agreement regarding Tibet, whereby India recognised Tibet as part of China with China accepting the continuance of the previous trade arrangements. Observers noted the agreement heavily favoring China.

Objective:

This paper intends to explore and analyze Sino-Indian relations from the early days of independence, i.e., amicable ties between China and India from 1947 through causes underpinning the current détente, are examined, as well as Indian and Chinese viewpoints on bilateral relations.

Evolution of Bilateral Relationship

China was never a territorial concern for India until 1950 when China occupied Tibet and, for the first time, the two countries actually got the common border. 1949 marked the year when China was established as a separate country. A year later, in 1950, India became the first non-communist country to start Diplomatic relation with China. Since then, the relationship has traversed through many highs and lows and is continuing to do so.

It was in 1954 June that the Chinese Premier Zhou Enlai visited India and the two countries jointly advocated the Five Principles of Peaceful Coexistence (Panchsheel). The bonhomie was, however, short-lived and suffered a backlash in the 1962 Indo-China Border Conflict. After a long period of antagonistic pause, the relations gradually improved and the two countries restored ambassadorial relations in 1976. Further attempts were made to normalise relationships through the exchange of visits of dignitaries like Prime Minister Rajiv Gandhi (1988), President R. Venkataraman (1992) and Chinese President Jiang Zemin visited India (1996).

On the 50th anniversary of the establishment of diplomatic ties between China and India, Indian President K R Narayanan visited China. The two sides signed The Declaration on the Principles and Comprehensive Cooperation in China-India Relations. They agreed to establish the special representatives meeting mechanism on India-China boundary question in 2003 when Indian Prime Minister Vajpayee visited China.

Contemporary Complexities

The last five years have seen an unexpected downturn in the relationship between the two countries in areas including trade, technology, regional diplomacy and the persistent border disputes.

The Worsening Border Disputes

The border between India and China is not clearly demarcated throughout and there is **no mutually agreed Line of Actual Control (LAC)**. The LAC is the demarcation that separates Indian-controlled territory from Chinese-controlled territory. India considers the LAC to be 3,488 km long, while the Chinese consider it to be only around 2,000 km.

The three sectors of the LAC face different types and degree of disputes:

1. In **the Western sector**, the boundary dispute is related to the Johnson Line proposed by the British in the 1860s. The demarcation put Aksai Chin in the then princely state of Jammu and Kashmir. While India recognised the Johnson Line in claiming its sovereignty over Aksai Chin, China rejects it and instead accepts McDonald Line which puts Aksai Chin under its control.
2. The **Middle Sector** of the border lies in states of Himachal Pradesh and Uttarakhand. The Dispute here is of much lesser degree. The demarcation is broadly agreed upon by both the countries and maps have been exchanged.
3. In the **Eastern sector**, the dispute pertains to the McMahon Line in Arunachal Pradesh. The Line was decided in 1914 in a meeting of Representatives of China, India, and Tibet in Shimla. Though the Chinese representatives at the meeting initiated the agreement, they subsequently refused to accept it. The Tawang tract claimed by China was taken over by India in 1951.

The Recent Stand-Off at Galwan Valley

The fresh series of border Dispute occurred in the last eight months around the LAC in Eastern Ladakh region – Pangong Tso, Galwan Valley, Demchok and Daulat Beg Oldie areas.

Taking the situation to its extreme low, what followed was the first deadly clash in the last 45 years that had 20 Indian soldiers killed by the Chinese forces.

Military and diplomatic channels are activated to pacify the situation at the earliest. Even after many rounds of talks, the situation remains tense. Many reports suggest that both the countries have geared up the installation of strategic infrastructure at the border areas.

Factors leading to the present stand-off

- **China’s policy of ‘Two steps forward and one step backward’:** The lessons from the Galwan and Doklam incidents suggest the trend followed by China. The Chinese forces move forward to the Indian side, engage in the dispute that follows, and, then agrees to move back partially. The whole process ends up with Chinese authorities in possession with more land on Indian side than before. This is followed by the insistence to adhere to the ‘new status quo’ of LAC.

- **Infrastructural Assertion:** India has pumped up its border infrastructure development activities, more so in the last few months. The trigger point can be attributed to the Dalut Beg Oldie (DS-DBO road) in the northern tip of the western sector greatly facilitates the lateral movement of Indian forces along with the western sector, reducing travel time by 40%.
- **Internal Policies:** The incident is also seen as a form of Chinese reaction against the reorganisation of Jammu and Kashmir. China views this as an attempt by India to change the LAC unilaterally.
- **Reactionary move in the backdrop of global backlash:** India had supported a Resolution at the World Health Assembly demanding a fair probe into the origin of Coronavirus. Also, India has recently taken over as the chair of the WHO Executive Board. All these added to the Chinese aggravation.
- **The wave Chinese aggressiveness:** Besides the Sino-India border, the Chinese aggravation also extends to many other internal theatres:
 - In order to curb the demands and protests in Hong Kong, Beijing came up with new laws that would install new and restrictive administrative structures
 - Besides, China also restarted its efforts towards the reunification of Taiwan and emphasis on the One China Policy.
 - China has also been engaged aggressively in the Indian Ocean Region resulting in the militarization of the region and efforts to influence the island nations where India enjoys the traditional hegemony.
- **India's steps in Indo-Pacific:** India's participation in **Quadrilateral Security Dialogue (Quad)**, with a strong maritime component, proposals like **Supply Chain Resilient initiative** are seen by China as potential anti-Chinese alliance of democracies aimed at containing it and checking its maritime rise in the Indo-Pacific.

Conclusion

The Indo-China relation is going through a rough patch at the moment, fueled by a border dispute and retaliatory ban on Chinese apps by India. If this continues, the economic stability and amicable relations of the two Asian powerhouses look bleak. Diplomatic talks and compensatory mechanisms by the cooperation of both nations are urgently required for peaceful coexistence with our neighbor. India and China should accept the other's rise as inevitable and learn to live with it, accommodating each other. And India must try to put in place the means to make that the reasonable choice for China. Even though the conflict has waned to some degree as compared to the peak reached a few months ago, the overall bilateral relationship is the equivalent of 'antagonistic cooperation'. It can only be said that the crisis has transformed into a long term challenge.

The undeniable fact, that India and China are neighbours, make them intrinsically dependent both economically and ecologically. At the same time, they are the giant Asian competitors in the political and security theatres particularly in the subcontinent and the Indian Ocean region (IOR). Thus, India needs to draw multiple lines in deciding the appropriate mix of formal and informal negotiations, defensive and offensive strategy; track one and track two diplomacies; and degree of engagements with non-regional powers like the USA, European Union. Another significant prerequisite is to reach a mutually agreed interpretation of the Line of Actual Control. In matters of territorial integrity, India needs to adopt a stern and non-negotiable approach. Diplomatic acumen should be shown by India in building 'indirect pressure' through international organisations like the United Nations, ASEAN, Shanghai Cooperation Organisation; and also through friendly countries like Russia and Iran who also share good relation with China.

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