

BIG BROTHER SYNDROME AND NEPAL'S SECURITY DILEMMA

SYED IMRAN SARDAR*

Abstract

The recent controversy between Nepal and India is triggered by the release of a new political map of India that placed the Kalapani region in the Uttarkhand state. New Delhi's burgeoning interest in the Kalapani region is worrisome. Indian forces have been controlling this strategically important area since 1962. According to the Sagauli Treaty of 1816, Nepal claimed that the aforementioned area of around 337 sq km belonged to it. Nepal's parliament, on its part, approved a new map showing Kalapani, Limpiadhura, and Lipulekh as its territory. With the constitutional amendment, this issue has become a permanent foreign policy irritant between the two states. In the backdrop of the changing geopolitical environment of the region, especially after a Sino-Indian clash at Ladakh, it would be naïve to say that New Delhi will occupy Nepal's territory by force. Nevertheless, New Delhi will continue to exercise its influence to safeguard its security interests. Keeping in mind Nepal's asymmetrical interdependence with India, foreign policy options for Kathmandu to reinforce its claims in the recent dispute over the Kalapani region to neutralise New Delhi's 'Big Brotherism' are limited but achievable.

Keywords: *big-brotherism, Kalapani region, asymmetric interdependence, Sagauli Treaty, cartographic maneuvering, Indo-Nepal border, security dilemma*

* Syed Imran Sardar is a Research Analyst at the Institute of Regional Studies, Islamabad.

“The Indian elephant cannot transform itself into a mouse. If South Asia is to get itself out of the crippling binds of conflicts and cleavages, the six will have to accept the bigness of the seventh. And the seventh, that is India, will have to prove to the six that big can indeed be beautiful.”

-Bhabani Sen Gupta¹

Options for small states in dealing with big powers in the international system have always been limited. Thanks to globalisation, however, the risk of military invasions has significantly reduced. The growing interdependence has widened the room to manoeuvre small states' foreign policies.² Since the end of the cold war, the question of what strategy small states should adopt to manage tensions with big powers in the neighbourhood has been widely discussed. Amongst others, two viable policy options have emerged out of this debate: the small states either follow a 'neutral policy' or ally with potential players in the region and abroad to neutralise neighbouring dominant states' overbearing influence. Nepal has tried long and hard to stay neutral while maintaining its autonomy but has largely remained unsuccessful. It has also attempted to ally with others to counter New Delhi's political and economic exploitation but the obligations of the Friendship Treaty of 1950 have always come in the way.

Nepal is a landlocked country, sandwiched between the two Asian giants: China and India. It shares a long border with India covering the Indian states of West Bengal, Bihar, Uttar Pradesh, Uttarakhand, and Himachal Pradesh in the east, west, and the south and the Tibetan autonomous region of China in the north. The country, unfortunately, fell under the Indian sway soon after the partition of the subcontinent in 1947. The Chinese annexation of Tibet in 1950 further intensified Indian machination in the northern frontiers of Nepal, which were aimed at establishing military check-posts in the tri-junction area, the Lipulekh, and the Kalapani. India approached the

Rana rulers of Nepal to counter the emerging security challenge, i.e., Chinese encirclement. The Ranas, who were looking for foreign support to consolidate their power against the democratic forces in the country, accepted India's friendship proposal. To cement their ties, a Treaty of Peace and Friendship along with secret letters was signed between the two states in 1950.

Like Maharaja Hari Singh of Jammu and Kashmir, the then Prime Minister of Nepal, Jang Bahadur Rana's machination with Jawahar Lal Nehru provided New Delhi undue leverage in Nepal's defence and security affairs. In both the aforementioned cases, people's aspirations had been marginalised that resulted in a permanent regional security issue.

In Dhaka's case too, New Delhi entered into cooperation with the Soviet Union for arms supply during the peak of the East Pakistan crisis in 1971. During the liberation war, New Delhi sent arms and ammunition procured from Russia through a Peace and Friendship Treaty to the then East Pakistan. Indian support was primarily aimed at pulling Dhaka into its security orbit. Like Nepal, India also mocked the Friendship Treaty of 1972 with Bangladesh when it supported the secessionist movement, the Shanti Bahini, in Chittagong Hill Tracts. The rebels were mainly Buddhists fighting against the Bangladesh government for autonomy. New Delhi secretly provided shelters, arms, and money to the insurgents in 1976. The target was obvious, the separation of the concerned territory from Bangladesh.³

Thus, India's neighbourhood policy has been interventionist since its inception. Nepal being a small and landlocked state has remained vulnerable to India's strategic manoeuvring. Besides controversial water-sharing agreements, the 1950's Treaty of Peace and Friendship is a classic example to illustrate New Delhi's big brother syndrome. The treaty, though, highly unpopular in Nepal, survives until now.

The present controversy over the control of Kalapani region between Nepal and India is not a new phenomenon in their bilateral relations. The novelty is that Nepal, for the first time, reciprocated Indian cartography of the disputed Kalapani region by issuing its political map. The 337 sq km region is comprised of Limpiadhura, Lipulekh, and Kalapani. Geographically, the region is a tri-junction between India, Nepal, and China. New Delhi has been exercising control over Nepal's high altitude Kalapani region since the 1962 war with China. Nepal has many a time raised the issue of withdrawal of Indian forces with the Indian government. Recently, the issue flared with the release of a new political map by India in November 2019. The map showed Kalapani under the Pithoragarh district in the state of Uttarakhand, India. Nepal strongly protested India's cartographic manoeuvring in its region. Within a short span of six months, New Delhi took another bold step. In May 2020, India's Minister of Defence Rajnath Singh inaugurated the 80 km Kailash-Mansarovar road. This road is said to be the shortest route to reach Kailash-Mansarovar, a Hindu pilgrimage site in the Tibetan plateau. However, this road passes through Nepal's territory, the Lipulekh. This development has triggered a fresh dispute in the tri-junction. Nepal views it as a gradual and planned encroachment.

This is not the first time under Modi government that New Delhi is challenging the sovereignty of a small neighbouring state. In 2015, soon after the promulgation of a new Constitution by Nepal, India imposed an unofficial blockade using the 'Madhesi card'⁴ that resulted in a severe humanitarian crisis in the country with dozens of casualties. In sum, India's foreign policy vis-à-vis small states in the region has been exploitative and lacking mutual respect. This argument is also supported by an Indian professor Ashok Swain in the following words:

It is true that India's foreign policy vis-à-vis Nepal in particular and other South Asian countries, in general, have

been big-brotherly and less consultative and often lack mutual respect. With time and changing geopolitics, the policy was going through a slow change, but the transition has stopped with Narendra Modi being the prime minister. Modi, after coming to power in 2014, has further reinforced India's old neighbourhood policy.⁵

This paper presents a historical analysis of India's foreign policy vis-à-vis Nepal since 1950. Keeping in mind Nepal's asymmetrical interdependence with India, the paper discusses foreign policy options for Kathmandu to strengthen its claims in the recent controversy over Kalapani, Limpiadhura, and Lipulekh and neutralise New Delhi's 'big brotherism'. The main contention and conclusion of this paper are that Indian cartographic manoeuvring is a part and parcel of India's mainstream hegemonic policy to keep the smaller states under its thumb for its security interests. New Delhi's burgeoning interest in the Kalapani, Limpiadhura, and Lipulekh is worrisome as these areas can be utilised as strategic space in wartime. Islamabad, on the other hand, cannot overlook Indian activities in the aforementioned region. Islamabad is equally concerned about Modi's growing influence in the Himalayan region as it can potentially undermine the Kashmir cause.

India-Nepal Relations: A Complex Asymmetrical Interdependence

Nepal came under the Indian radar right after Tibet's annexation by China in 1950. The growing threat perception forced New Delhi to secure its relationship with Kathmandu as early as possible. Events in Nepal were also developing fast. The Rana regime was facing an existential threat by the democratic forces in the country. To secure its position, the then Prime Minister of Nepal, Jang Bahadur Rana joined hands with India. A Treaty of Peace and Friendship was signed between the two states immediately. The Rana

regime, however, could not survive for long. Just three months after signing the treaty, democratic forces took over control and an interim setup was installed in Kathmandu with the help of India.⁶

The treaty of friendship was signed against the backdrop of domestic turmoil. Nepali Congress was planning a military coup in September 1950 with the help of its *Mukti Sena*, the liberation army. This plan was supported by their rival King Tribhuvan. There were widespread protests in the country to abrogate the Rana system and make Tribhuvan the king of Nepal. India persuaded King Tribhuvan to stop *Mukti Sena* and held rounds of discussions with the Ranas simultaneously. Finally, Indian pressure and armed struggle at home forced Ranas to agree to the Indian proposal (popularly known as the 'Delhi Compromise') in which the king's powers were restored and Tribhuvan was declared the king of Nepal. The Ranas and the Congress party formed an interim government to hold elections for a constituent assembly. Indian insistence on democratic installation in Nepal was primarily to contain the communist pressure. Joining hands with the Rana Regime in 1950 and overthrowing it in 1951 reveals how quickly New Delhi penetrated the political matters of Nepal.

There was little realisation of Indian influence in the Nepalese political circles until the secret letter signed with the Peace Treaty was made public. Criticism of Nehru's unilateral assertion to defend Nepal's territory against foreign aggression forced him to disclose the security understanding between India and the Ranas of Nepal.⁷ Article II of the treaty states:

The two governments undertake to inform each other of any serious friction or misunderstanding with any neighbouring state likely to cause any breach in the friendly relation subsisting between the governments.⁸

In pursuance to this article, the two governments further agreed through secret letters:

Neither government shall tolerate any threat to the security of the other by a foreign aggressor. To deal with any such threat, the two governments shall consult with each other and devise effective countermeasures⁹.

And:

Any arms, ammunition or warlike material and equipment necessary for the security of Nepal that the Government of Nepal may import through the territory of India shall be so imported with the assistance and agreement of the Government of India. The Government of India will take steps for the smooth and expeditious transport of such arms and ammunition through India.¹⁰

Article V of the treaty further binds Nepal to take New Delhi into confidence while importing arms, ammunition, and other warlike material for its security needs.

The above clauses demonstrate India's urgency in addressing the immediate and future security threats in the Himalayan region. The importance of the Peace and Friendship Treaty grew with the changing geopolitical scenarios, particularly after the 1962 Sino-India war. Indian obsession with security is quite logical as it shares a long and open border with Nepal, which is comparatively more populated than Nepal's border with Tibet (China). Beijing on its part has no reason to reciprocate security arrangements with Nepal as it enjoys a geographical and military advantage. However, she is more concerned with anti-Chinese activities in Nepal and the Tibetan area. In line with Indian and Chinese concerns, the treaty put Nepal into a security conundrum. Nepal's option to remain neutral amid Sino-Indian differences has been compromised.

The so-called democratic setup established by New Delhi in 1951 collapsed with the royal coup in December 1960. According to Dhurba Kumar, Professor of Political Science at Tribhuvan University,

Nepal, the 'unsophisticated' Indian diplomacy led to the royal coup and closed the door on democracy for three decades. New Delhi fully exploited Nepal's internal political divisions to gain the maximum strategic advantage against China. The timing of regime change in Nepal was crucial as the Sino-Indian ties began to deteriorate and Nepal under the treaty was bound to provide bases including Kalapani to Indian forces to advance their troops. Right after the Sino-Indian war in 1962, India-Nepal ties turned into a 'special relationship'. New Delhi, through this 'special relationship' card, wanted strategic primacy in the neighbouring states to address the shortcomings of the 1962 war.

To further the defence ties, New Delhi signed the Arms Supply Accord with the royal monarchy in 1965. This accord eventually led to 'Indianisation' of the Royal Nepal Army instead of 'modernisation'. The Indian supremacy followed by this accord was tested in 1969 when Nepal requested to withdraw military personnel from the northern border adjoining Tibet. India agreed only when Nepal assured to share all information deemed harmful to each state and also turn a blind eye to Indian presence in the Kalapani area along the north-west tri-junction of the China-Nepal-India border.¹¹ Nepal agreed to Indian demands as the former wanted a concession on the Trade and Transit Treaty that was about to expire in the 1970s. For a landlocked state, the Trade and Transit Treaty (signed in 1960 between India and Nepal) was a livelihood issue that India often exploited. Despite meeting Indian demands, New Delhi refused to extend the treaty on technical grounds, which led to countrywide protests against India. The economic situation was deteriorating rapidly. In mid-1971, the government of Nepal was forced to sign the less favourable trade and transit treaty with India.

India was playing delaying tactics for obvious reasons. Nepal's relations with Beijing were shaping up in the background. Secondly, public opinion about India in Kathmandu was also changing. The

political elite also started criticising mutual security arrangements with India more openly. Kirti Nidhi Bisht, the then Prime Minister of Nepal categorically expressed Kathmandu's inability to act for India's so-called security. He was of the view that the commitments made in the 1950 friendship treaty had fallen in disuse since India had not consulted Nepal for military check-posts both at the time of Sino-India war in 1962 and India-Pakistan war in 1965. Besides, later in 1975, Nepal's move to declare its territory a 'Zone of Peace' fuelled New Delhi's security concerns as the proposal was recognised by 117 countries including China and Pakistan along with the United States.

India's political and military elite was wary of increasing Chinese cooperation with Nepal. In response to this emerging scenario, New Delhi stressed that Nepal could not further its relations with China as it was treaty-bound. India deemed it to be an end of its strategic primacy with Nepal. In 1988, amidst heated relations, Nepal approached China to purchase arms and ammunition, which India responded to with an economic blockade in 1989 by not renewing the trade and transit treaty once again.¹² Almost all the border crossings were closed along with Calcutta Port which was the only reliable opening to the sea. This blockade completely paralysed Nepal's economy as there was no fuel, fruits and vegetables, and other essential goods supply for two weeks.¹³

All South Asian states including Pakistan condemned New Delhi's bullying act that violated the rights of landlocked states guaranteed under international law. An independent newspaper *The Muslim* published from Islamabad criticised Indian hegemonic behaviour towards the small states of the region in the following words:

What is worrying is that India's playing the role of the regional bully suddenly has acquired sinister connotations ever since Sri Lanka and the Maldives experienced a diminution of their sovereignty due to Indian actions. Now it

appears that New Delhi is using a similar strategy although it is an economic weapon this time against Katmandu for achieving the same goals.¹⁴

It was really hard for India to give up its decades-long efforts in tightening the noose around Nepal, particularly at a time when relations between New Delhi and Beijing were deteriorating. The anti-Indian sentiments were growing in Nepali society. After the blockade, Nepal's relations with China further strengthened. India, while sensing Kathmandu's tilt towards China, drafted a proposal in March 1990 to begin a new 'genuine' friendship with Nepal. However, there was no significant change in the proposal as it was merely a replica of the previous friendship treaty of 1950. Although Sino-Nepal ties relieved Kathmandu of its obligations towards New Delhi, economic and political exploitation by India continued in different forms.

The 'blockade' strategy was reinforced in 2015 under the Narendra Modi regime. Kathmandu faced an unofficial five months blockade that led to a severe humanitarian crisis, as Nepal's economy was already ruined by a devastating earthquake. This time, India used the Madhesi card to prevent international criticism. She exploited Madhesi people to protest against discriminatory citizenship measures against the people of the Tarai region, which socially and ethnically are close to India. New Delhi was unhappy with political developments taking place in 2015. First, the new Constitution was adopted that was long demanded by the Communist Party of Nepal (Maoist), much to New Delhi's dismay. Second, KP Sharma Oli, Communist Party leader, was the potential candidate for the Prime Ministership in the upcoming elections, which India did not want.

The Communist Party of Nepal (Maoist) enjoys China's sympathy that worried New Delhi. In sum, frequent interventions by New Delhi into the political, economic, defence, and strategic affairs of Nepal have led the country to a complex asymmetrical interdependence with India. New Delhi's big brother attitude and

inhumane 'blockade card' has largely contributed to anti-India sentiments in the Nepalese society. Since the last blockade in 2015, relations between New Delhi and Kathmandu are at their lowest ebb. The Indian cartographic manoeuvring in November 2019 added fuel to the fire.

Kalapani, Limpiadhura, and Lipulekh Controversy

In November 2019, India updated its political map, placing Kalapani under the Pithoragarh district in the state of Uttarakhand. Nepal promptly reacted and urged New Delhi to clarify its position as the area of Kalapani belonged to Nepal according to the Sagauli Treaty of 1816 signed between the British East India Company and the Gurkha rulers of Nepal. The treaty decided that the Kali River was a boundary line between India and Nepal. Since then the origin of the river has been a bone of contention between the two states. India claims that the river originates through a small stream down from the Lipulekh area of Kalapani while Nepal claims that it flows from the Kuthi Yanki stream in Limpiadhura marked as a border between the two states.

Map 1**Indian modified Map Incorporating
Limpiadhura, Kalapani and Lipulekh**

Source: Nepali Times, Kathmandu

The Kalapani region lies between India's Uttarakhand and Nepal's Sudur Paschim Pradesh and touches Tibet in the north. Limpiadhura, Kalapani, and Lipulekh together make almost 370 sq km area that is considered the largest territorial dispute between New Delhi and the Kathmandu. This area is strategically important for India as it served as a base for Indian forces during the Sino-Indian war in 1962. India fears Chinese incursions through Lipulekh pass, which is located at the top of Kalapani and the tri-junction between China, India, and Nepal. India, since 1962, has been controlling Kalapani,

Lipulekh, and the surrounding area through its Indo-Tibetan police. India is of the view that poorly guarded passes were one of the reasons behind Indian defeat in the Sino-Indian war. Therefore, India put great emphasis on the security of the passes to China and Lipulekh is one of them.

On 8 May 2020, another move that triggered a diplomatic row between the two countries was the inauguration of the 80-kilometre road to Lipulekh, which Nepal objected to as an encroachment on its territory, as at least 17 km of this road passes through its territory. Amidst the illegal Jammu and Kashmir Reorganisation Act of 2019, Nepal took Indian cartographic move and Kailash-Mansarovar road construction issues more seriously. There were widespread protests in the country, one in front of the Indian High Commission in Kathmandu, demanding the withdrawal of Indian forces from Kalapani. The social media also flared up with the trend of #BackOffIndia.¹⁵ Nepali government on its part immediately moved police forces to that area and also registered a protest with the Indian High Commissioner in Kathmandu. Besides, the Nepali government under immense pressure initiated a constitutional amendment.

Recently, Nepal has issued a new map that shows Kalapani, Lipulekh, and Limpiadhura as part of its territory, claiming that the map was based on historical facts and in line with the Sagauli treaty of 1816. On 13 June 2020, the Lower House of Nepal's parliament unanimously passed an amendment to the 2015 Constitution to give legal status to the updated map of Nepal. With the constitutional cover, Nepal's claim has become a permanent foreign policy irritant in New Delhi-Kathmandu relations.

Conclusion and Policy Options for Nepal

India's Big Brotherism is not imperialistic. The hegemonic attitude towards small neighbouring states speaks about New Delhi's obsession with self-security. For India, Nepal is a crucial territory to keep New Delhi away from direct Chinese intervention. The Friendship

Treaty of 1950 with Nepal was essentially designed to address the aforementioned security concerns of India. Nepal, being a small and landlocked country, was an easy target for New Delhi. However, in the backdrop of the changing geopolitical environment, where Beijing has taken a firm stand at the Line of Actual Control between India and China and increasing members of the Belt and Road Initiative from the South Asian region (Bangladesh, Nepal, Sri Lanka, and the Maldives), it is quite far-fetched that New Delhi would occupy Nepal's territory. Nevertheless, New Delhi will continue to exercise its influence primarily because of strategic reasons. Indian Prime Minister Narendra Modi's extremist policies, hawkish statements, inflated military views, and cartographic manoeuvring, however, have far-reaching consequences for regional peace and stability.

As the continuous suppression of Kashmiris' rights by New Delhi has become a permanent security threat to the region, India's attitude if unchanged would drag the smaller neighbouring states (the so-called comfort zones of India) into a 'security quagmire'. In the case of Nepal, the situation is particularly more complex as its border in the north and south is open and fragile with a significant presence of Indian forces since the 1962 Sino-Indian war. Moreover, Indian secret assistance to rebellious elements with money, arms, and shelter to advance its interests in the neighbouring state might invite a proxy war with other competing states.

Nepal is a small but a sovereign state that has an undeniable right to strengthen its ties with other countries in the region for economic opportunities and reduce its dependency on a single state, i.e., India. The fact of the matter is that whenever Kathmandu attempted to expand its relations with other major powers in the region, New Delhi, through its deep intelligence network, always tried to sabotage the diplomatic efforts. India seems to fear that other states might 'gang up' against it to undermine its interests in the region. Thus, India's big brother syndrome is a stumbling block particularly for

Nepal to have its say in determining its future. In line with the thinking, the study further concludes that economic and political exploitations will remain central to New Delhi's foreign policy vis-à-vis Nepal.

Having said that, policy options for Kathmandu are limited but potentially achievable. Kathmandu needs to adopt a cautious but assertive foreign policy approach as the country does not face an unavoidable existential choice between New Delhi and the other states in the region. While Nepal's economy is largely dependent on the Indian supply of essential goods, with the assistance of regional and international regimes, Nepal can escape asymmetrical interdependence with India. The dynamic foreign policy approach will surely enhance Kathmandu's bargaining power.

Can Pakistan's Diplomatic Support Make a Difference?

In the case of Pakistan, Islamabad's foreign policy with small states of the region is very clear. Islamabad condemns all kinds of suppression of rights and offers diplomatic support to raise and resolve their concerns. Islamabad's policy is based on mutual respect for each other's sovereignty and territorial integrity. Islamabad is of the view that small states having the same problems and the same neighbours must understand and appreciate each other's difficulties.¹⁶ With Kathmandu, Pakistan put great emphasis on the friendship between the two countries. In 1975, Islamabad strongly supported Nepal's proposal to declare it a 'zone of peace'. The recent border controversy also connects the dots with Islamabad as the new map released by India also showed Jammu and Kashmir and Ladakh as its Union Territories, which Islamabad has strongly protested. In line with this thinking, Kathmandu's concerns would be welcomed by Pakistan, and its diplomatic support amidst New Delhi's cartographic manoeuvring in Kalapani, Limpiadhura, and Lipulekh areas would help promote Nepal's cause.

Is 'China Card' a Permanent Fix?

To some extent, yes. Nevertheless, it largely depends upon the nature of the problem. Recent cartographic manoeuvring in the tri-junction is by default a serious concern for China. China does not want to pretend to be a counterweight to India because of the asymmetrical security orientation of both towards Kathmandu in which the latter is more anxious. However, China fully understands Nepal's compulsions under the Treaty of Friendship. China's direct intervention in the current controversy on behalf of Nepal is highly optimistic, though, Indian Chief of Army Staff General MM Naravane has indirectly blamed China for Nepal's protests. Yes, Nepal should continue to advocate its claim while taking China into confidence. This would help begin the dialogue between New Delhi and Kathmandu.

Can Trilateral Engagement (China-India-Nepal) help Nepal in Addressing its Concerns?

Amidst security concerns from both India and China, the trilateral engagement between Nepal, India, and China is not feasible.¹⁷ Beijing's security concern is related to Tibet as it has been exploited by New Delhi. New Delhi on its part, sees China's growing influence in Nepal and its assistance in building communication infrastructure there a threat, not only to its commercial interests in the Kathmandu but also to its so-called territorial claims in the adjacent areas such as Jammu and Kashmir, Ladakh, Kalapani, Limpiadhura, and Lipulekh. Moreover, India being a part of the US-led Indo-pacific Strategy, is unhappy with Nepal's decision to join hands with China in signing a Memorandum of Understanding on the Belt and Road Initiative (BRI). In sum, both China and India, more or less, have been approaching Nepal independently. Thus, Nepal should focus on King Birendra's idea of developing Nepal as a gateway between South and Central Asia while maintaining a balance between China and India and improving relationships with other regional and international countries. Nepal needs to fully exploit the new environment as several

actors and factors have been added to its list. Apart from the United States and China, the European Union has its presence in Kathmandu.

Can Increasing Cooperation between the Small States Counter New Delhi's Big Brotherism?

Greater connectivity between the small states of South Asia is indeed a viable option to neutralise the impact of greater powers' policies. South Asian Association for Regional Cooperation (SAARC) needs to be fully utilised in this regard. Small states together can bring a change in New Delhi's attitude. Nepal, on its part, needs to improve its ties with Pakistan, Bhutan, Bangladesh, Sri Lanka, and the Maldives. Besides, revision of the peace treaty with India is the need of the hour as the days of secret treaties are gone. Stress should be on removing the provision of security (in the secret letter signed along with the treaty) as it was primarily an Indian pre-emptive strategy against potential Chinese aggression in 1950. The friendship treaty should be rephrased in line with the aspirations of the people of Nepal.

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