

Geographies of India-Nepal contestation


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Abstract

The commentary looks at how physiography and cartography can explain the ongoing dispute between India and Nepal. These geographies, when deconstructed through critical cartography and critical hydropolitics present us with a new vantage point. In present conjuncture, the Kali River that marks the boundary between India and Nepal is primarily at the focus of contention. Secondly, we read the maps and the associated rhetoric to unearth the historico-political meanings it wishes to mobilise; and the implications it holds for the relationship between both the countries. The article ends with a few recommendations that would stabilise the border situation between India and Nepal.

Keywords: *India-Nepal, critical cartography, geographies, deconstruction, critical hydropolitics, Treaty of Sagauli, 1950 India-Nepal Treaty*

Geography does not argue. It simply is. (Spykman, 2007)

Power is exerted on cartography  ...[and] with cartography (Harley, 1989)

Introduction

Geography has been at the helm of world affairs since the recorded history. A static and permanent thing in human lifespan, the mountains, rivers, oceans, deserts have determined the fate of geopolitical order at any point in time. But, what if the permanence disappears with a whiff? What if the glaciers that feed a river melts and snowline move up in the wake of global climate change? What if the extreme weather conditions bring in a significant shift in river courses? It becomes difficult for the geopolitical order to maintain the status quo when such changes bring claims and counter-claims of territories and contestation along frontiers. Critical Hydropolitics,

drawing from poststructuralism, regards geopolitical *realities* as constructed (Haines, 2017). It is a discourse that conjures up through enmeshing of context, politics, and sovereignty. For instance, the demarcation of rivers' course, location of river's origin that forms a boundary between the two nations, or identifying the fractals of coastal boundaries for maintaining command over Exclusive Economic Zones (EEZ) are some of the oft-seen hydropolitical manoeuvres adopted by contesting parties. Consequently, two contrasting discourses emanating from two contrasting hydropolitical stances create tension on ground.

Secondly, cartographic products have always had been political. With Robert Kaplan (2012) saying that a 'state's position on the map is the first thing that defines it, more than its governing philosophy even', maps have profound significance in geopolitics. Critical cartography is a set of non-discrete and disjointed optics to look at maps and map stories. Crampton and Krygier's (2005) one-two punch talked of politics and ideology inherent in a cartographic product. In diagonally opposite to its façade as a neutral object, maps have the power to influence minds and geopolitical strategies in ways it is desired. J B Harley's seminal work – *Deconstructing the Map* – is a significant intrusion of poststructuralist thought into geographical knowledge (Harley, 1989). Following Foucault and Derrida, he emphasised un-reading the scientific neutrality of maps and reading them as reality constructing texts. This reality needs to be deconstructed to expose and rupture the link between 'reality and representation'. Thus, strategic reversal is a critical practice that seizes 'precisely those unregarded details which are always, and necessarily, passed over by interpreters of more orthodox persuasion' (Norris, 1987). The ontogenetic engagement, on the other hand, flags the context-specific role maps play. The same cartographic product may ascribe different meanings in different contexts.

On May 19 2020, Nepal approved an updated political map including the disputed areas of Kalapani, Limpyadhura, and Lipu Lekh within its boundary. It was a reaction

to the inauguration of a 50 km long road to Mansarovar through the Kalapani area by the Home Minister of India on May 8, 2020. The road holds immense strategic and sentimental importance for India as it would facilitate trade and reduce the time Hindu pilgrims need to cover to reach the revered Mansarovar. However, of late, the updating exercise has suffered a roadblock, as many in Nepal do not view the move as appropriate¹. This commentary reads between the lines of this contestation (in sync with others), juxtaposing it to historical archives. It endeavours to underline the geographies that define and make it with an objective to give a critical geography optic to the ongoing boundary dispute between India and Nepal. The map rhetoric is circulated to register claims on territories by both states. The non-state actors, on the other hand, make more significant claims of Indian territory through the circulation of imageries, maps and other rhetorical devices. The research objective is to decipher these by employing a critical stance that may hint, as a corollary, to policies attentive to them while both countries chart definite foreign policies. The epistemic deconstruction would enable a balanced policy construction through dialogue while being aware of them.

The commentary starts with how the Kali River that marks the boundary between India and Nepal could be historically read through critical hydropolitics optic. Then, it moves to read the maps and unearth the historico-political meanings attached to them. Lastly, the paper reads the more extensive

¹ We have built our argument on the ground that the conceptualized maps have inherent interests and are seldom different from its real materialization as a cartographic product.

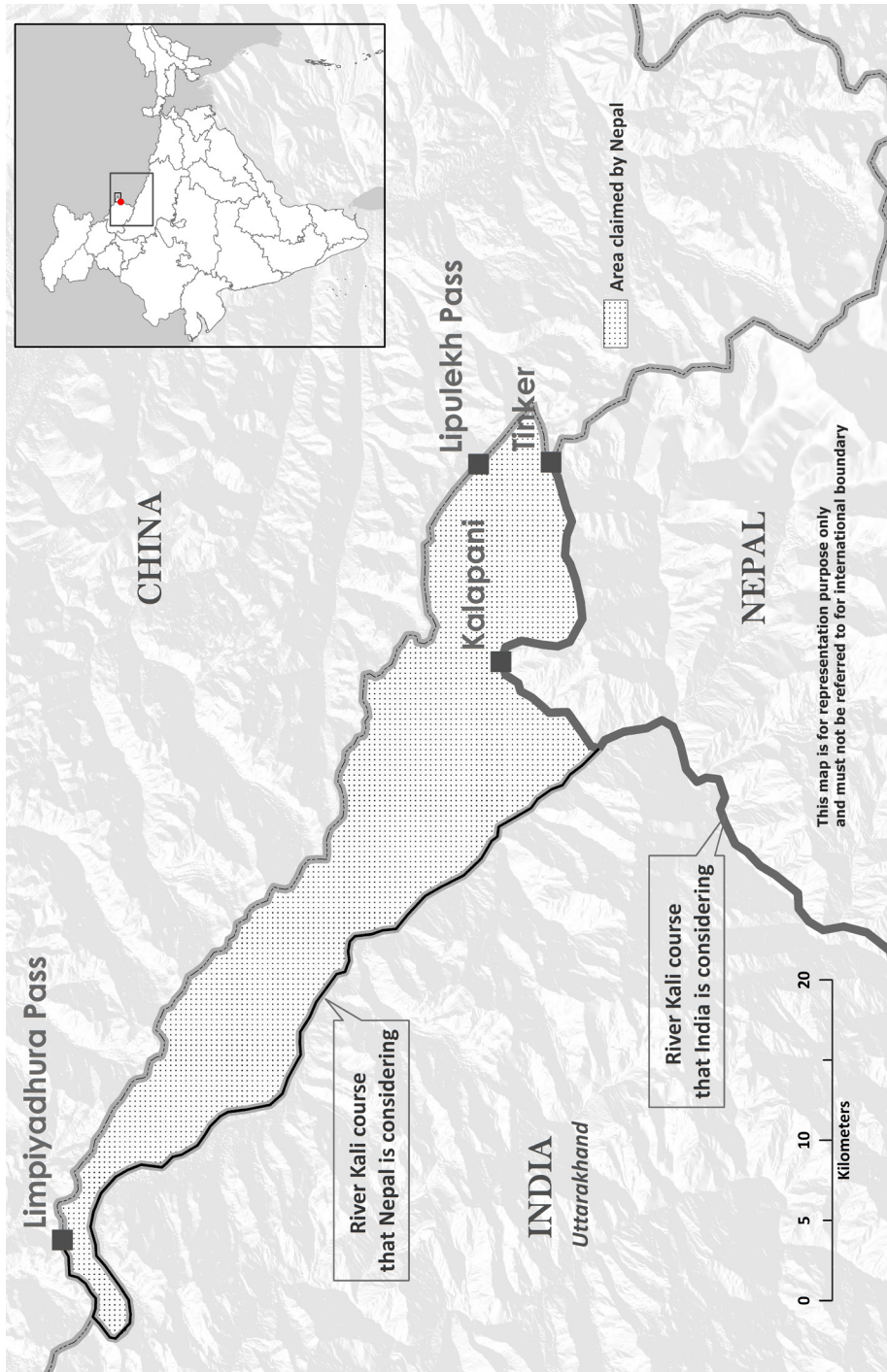



Fig. 1: The area of contention

cartographic rhetoric that circulates in Nepal and the meanings and implications it holds for the relation between the two countries.

The Physiographic divide

River Kali is the physiographic divide between India and Nepal as established by the Treaty of Sagauli in 1815 between British India and Nepal (Nayak, 2010). The treaty keeps the left bank of the river as Nepal and the right bank as India. The river, also known as Mahakali and Sharda, shifts intermittently as it debouches into the Terai region from mountains (Das, 2008). This shifting of the river  creates tension in the absence of any concrete boundary. It is not new in the South Asian context. The Sutlej in Punjab has this habit of occasional shifting and creating river islands whereby a land remains with the other country for some period of the year, oscillating with rain (Haines, 2017). Similarly, in the riverine dispute along the eastern frontier of India, River Mathabhanga shifted its source to the west, leaving 550 miles² of land to East Pakistan (Chatterji, 1999). And, river Ichhamati had switched between an old and a new course, giving rise to *chars* (river channel bars) that had perpetuated claims from both the countries (Chatterji, 1999). In Latin America, the Paraná River was the primary point of contestation between Argentina, Brazil and Paraguay for dam construction (Saguier, 2017); as a matter of fact, 21 Latin American water basins are governed by international treaties (Whiteford & Jimenez, 2005). On the other hand, there are also issues where river erosion (of international rivers)

has not yet affected international relations *yet*, for instance, in case of the Danube River (the border between Serbia and Croatia) and Drina River (the border between Serbia and Bosnia and Herzegovina) (Dragičević *et al.*, 2013). The River Kali exceeds these usual sights of boundary disfiguration. The contestation here lies in the identification of the river's actual source. India claims the river rises from a spring near Kalapani at the trijunction of India-Nepal-China, whereas Nepal claims that the river originates from Limpyadhura – a higher ground to the west of Lipu Lekh pass and north-west of Kalapani (Fig. 1). Most geographers would refute it as one of the physiographic uncertainties that often crops when dealing with rough terrain. However, critical hydrogeopolitics deconstructs to look at the contingencies of the claims.

If we assume that the river source is Limpyadhura, as Nepal says, then the left bank of Kali would encompass a large tract of land including Limpyadhura, Lipu Lekh, and Kalapani as a part of Nepal's Dharchula district (Fig. 1). But, if the source is a lake or a spring near Kalapani, then automatically, any land to the north-west of the river would belong to India as a part of its Pithoragarh district. In both instances, a new reality is made to fulfil the respective geopolitical ambitions.

However, both countries have cartographic and historical references to their claims. Nepal is keen on using maps of 1850 and 1856 that show Limpyadhura as the river source (Gupta, 2000). But, India wants to use maps of 1879 and 1928-29 to show Kalapani

² River shifting (also known as avulsion in conditions of rapid changes in the river course) is a geomorphological process in which number of factors play a role including geology and climate change.

as the source. India emphasises the scientific irrationality of Nepal's claim as the first survey of the upper reaches of Kali was done only in the 1870s (Gupta, 2000), and thus, earlier maps are mere conjectures. In fact, a *Gazetteer of Almora* published in 1911 has the following words to say – 'on the east the Kali from its source in the Lipu Lekh pass to its issue into the plains near Barmdeo, where it assumes the name of Sarada, separates Almora from Nepal' (Walton, 1911). However, the contested claims have restricted the delineation of the boundary between the two nations. The Joint Commission that started its work in 1981 could complete 98 percent of it by 2007, leaving Kalapani issues to be resolved through 'political dialogue' (Das, 2009). Nepal has published the updated map on May 20, 2020 but was not keen on either conducting elections due in November 2021 (ANI, 2021; election is postponed till November 2022) or the decadal census in the disputed territory (Karki, 2021). The recently held census (in 2021) has only estimated the population of the contested territories through indirect means. Instead, Nepal is in continuous dialogue with India and with the hydropolitics known, the relationship between both countries can be made more amicable and trustworthy.

Deconstructing the map



The 9th edition (English) of India's political map was published by Survey of India (India's nodal agency) on November 2, 2019 to accommodate India's newly formed union territories – Jammu and Kashmir and

Ladakh. The map showed Nepal like in all other earlier editions except naming the river Kali³. In fact, in the earlier editions, India had been showing the tributary of Kali as Kali River. The recent move could be taken as both a historical correction and geopolitical manoeuvring. In his seminal essay, Harley referred to Panofsky's formulation of iconology to reflect on how map symbology – location identification, toponymy, specific hue – instigate and stay-put a new form of the geopolitical order. In an earlier study of Pakistan occupied Kashmir (Mishra, 2015), the strategic placing of toponymy and the use of bright colours ostensibly legitimises Pakistan's claim of the region. In the present context, not naming Kali could be a strategy by India not to part with significant security locations. Kalapani and Lipu Lekh were a strategic location where India kept posted military installations during the 1962 war with China, and in the present context, its relevance is double-pronged – for security and trade reasons.

Nepal's inclusion of all the three locations in its latest map, whereby a hitherto symmetrical map has a sharp protrusion in the north-west, could be called counter-mapping or retrofit-mapping (Mishra, 2014). The deconstruction of the map is not that simple, however. As said earlier, not naming the river could be a historical correction, especially when experts have identified Kalapani as the origin of the river (Midha & Mathur, 2014). The correction came quite late. Secondly, both the governments have only demarcated 98 percent of the boundary so far, where

³ This was rectified in the 2020 edition of the map (<https://surveyofindia.gov.in/documents/polmap-eng-11012021.jpg>)

Kalapani and Susta remain to be resolved through dialogue, or we can say that no consensus is reached yet. Thus, in the absence of any consensus, the Indian administration has silenced their maps for not instigating any untoward incidence during the dialogue.

A brief history would be sufficient to clarify. A Joint Technical Level Boundary Commission (JTC) was formed in 1981 to demarcate the countries' boundaries (Das, 2009). It took more than 25 years to delineate the boundary in 2007 but failed to reach a consensus on Kalapani and Susta (Das, 2008). However, this incompetency of JTC led to the formation of the Joint Secretary Level Committee, which is yet to resolve this matter. Since things are underway through regular dialogue, the publication of maps by Nepal is an infringement and annulation of dialogic ethics. Besides, India had posted a military base in Kalapani since 1962, which was never a headache for Nepal between 1961 when it conducted census in that area and 1997 when at the behest of the Maoist and China sponsored NGOs, Nepal started pressing on the issue. In the present context, it took more than six decades to correct the cartographic censorship through counter mapping but that too within a few days after the road was inaugurated by the Home Minister of India. It hints at some internal factors that prompted urgency in Nepal's actions. There

are indications of Nepal's relationship renewal with China, especially under the Maoist rule after 2008 (Bhattacharjee, 2021). While post-war China maintained friendly relations with Nepal for the sake of Tibet (Kant, 1994), the new relationship has built around ideology and Nepal's deteriorating relationship with India.

The cartographic rhetoric

Harley sees the paramountcy of rhetoric in maps. Referring to Jacques Derrida, he calls cartographic rhetoric an 'excesses of propaganda mapping or advertising cartography' (Harley, 1989, p.11). Maps are instruments of sovereignty (Harley, 1989) and have a language of power (Harley, 1988) that never essentialises the appropriate direction of its flow. Thus, mapping is not merely generated on desks through GIS software, but it is also circulated and advertised to generate consensus. Woods and Fels (2008) call it an 'epimap'⁴, essential for a cartographic text⁵ to attain its full vigour. Such avenues can take any form – the internet (for instance, through which the idea of a hypothetical Mughalstan is so widely circulated), books, blogs, etc. In that connection, it can be argued that maps convey something already in space but yet territorialised. But, the ontogenetic⁶ aspect of critical cartography takes these elements as co-constitutive. The map conjures up meaning to produce space, and space authorises a cartographer to make maps. Thus, both maps

⁴ 'The epimap is everything being done or used for publicising the map—be it "letter to the editor," "accompanying article" or the "marketing copy."' (Mishra 2014)

⁵ The cartographic text underlines both the communication, the motive and the subject that inheres in an imagerial representation. We have employed 'text' to mean the poststructuralist turn invested in reading cartographic products as texts to infer meanings and emergences.

⁶ For the ontogenetic nature of maps, we need to conceptualise the 'map as practices' (Kitchin, Perkins and Dodge, 2009) that are fluid and always in moments of being produced. That brings representation under question, as the ontogenetic nature does not create an opportunity to underline a static representation.

and space are open to critical and productive deconstruction. However, the space could be perceived (an absolute and tangible entity) or conceptual (intangible and conjured up). The conceptual space is often pulled out through historical references, everyday emotions, and nationalist attachments.

The Greater Nepal Nationalist Front (GNNF) is an NGO that protests and demands a 'Greater Nepal'. By rebuffing both the 1815 Sagauli treaty and the 1950 *Treaty of Peace and Friendship*, their demand is in excess of the country's Maoist mainstream, which only rejects the 1950 treaty. Whether the treaty has ostensibly jeopardised the autonomy of the landlocked country (Karki & Paudel, 2015) or has given it sovereignty as a nation in the face of the USSR's rejection of its UN membership (Nayak, 2010) is a subject of a different debate. GNNF voices for returning of land that belonged to Nepal before signing of the Sagauli treaty. It consisted of land up to the Sutlej River in the west and the Teesta River in the east. To be precise, the movement wants *its* land stretching from Shimla to Darjeeling extending up to Varanasi in the south, back. In that regard, it is akin to the Mughalstan movement that wishes to create an Islamic state stretching from Pakistan to Bangladesh (Mishra, 2014). Even if this movement is considered hearsay, there is no uncertainty recognising the Greater Nepal movement rhetorically very powerful. A simple google search⁷ will bring innumerable maps of extended Nepal and photographs of processions that demand its immediate formation. Besides, the epimap

also brings power to the movement through building meanings and nostalgic longings. The movement has a dedicated webpage in Nepali language, a Facebook page, and a couple of active blogs. Some of the blogs are brimming with historical timelines that legitimise their claims. The movement is co-opted by other organisations like *Unified Nepal National Front*. To popularise the movement among the masses, a Maoist group published a Nepali book in 2005 - *Nepal: Teesta Dekhi Satlej Samma* (Nepal: From Teesta to the Sutlej) (Nayak, 2010). The book ostensibly has all the references and broader claims made in this context. The map, in this sense, brings space into existence for future territorialisation, however, with reference to a historic space that ostensibly was part of the country.

Another such movement also exists that communicates through maps. An accidental encounter with a webpage brought us to a map that makes a larger claim of the subcontinent⁸. It talks of carving a *United Gorkha-States of India Sub-Continent (UGIS)* by dividing India, Pakistan, Nepal, Sri Lanka, and Bangladesh into five autonomous states. The largest being the Arya Autonomous State.


While referring to this cartographic rhetoric, we do not make an over-ambitious claim that such practices threaten the sovereignty and integrity of the nation(s). Instead, we propose a viewpoint that helps to unearth the margins- the *subliminal geometries*- that have far-reaching consequences in generating consensus and instigating disorder.

⁷ <https://tinyurl.com/yaoc6ho3>

⁸ <https://tedegetho.wordpress.com/2015/08/>

Conclusion and policy recommendations

With Nepal keen on holding foreign secretary level talks on the border dispute, it seems to fill old wine in a new bottle. The failure of the JTC and secretary level committee in giving a concrete picture of contentious border territories may be replicated. However, a more scientific approach to the issue must accompany such talks. It must be cognizant of climate change implications on border shifting. With incremental deglaciation (melting of glaciers) over the last decades, riverine borders, especially those fed by the glaciers, may get displaced from their trajectory.

Similarly, more iation would mean more river discharge that may lead to flooding and erosion of banks, making the identification of borders more difficult. On other occasions, river chars may originate at some places that may see series of claims and counter-claims. The rivers that originate at a lower level in the Himalayas are the first to lose their vigour than those from the higher level. Thus, the tributary of Kali that originates from Limpyadhura (from a higher level) gives the impression of an original Kali river given its mighty characteristics vis-à-vis Kali river (from a lower level). The factual hydromorphological characteristic of the disputed river can be ascertained through previous channel⁹ studies and earth observatory technology for the demarcation of borders. The concretisation of borders through mutual learning of technology and data sharing will

resolve the protracted dispute and check the expansionist ambitions of different groups in both countries. Secondly, the River-Border Complex (Thomas 2017) idea should form the base of all international river negotiations between India and Nepal. Be it Kali river or numerous other rivers, river boundaries must be recognised as ‘interdependent and synergistic’, conjunction of agents, events and policies (Thomas, 2017). To which we must add the dimension of climate change and the question of livelihood and sustenance of those who inhabit the borderland. The recommendation to the policy framers is to be aware of all the lynchpins that aspire to keep borders stable without contestations.

One of the punches of critical cartography is letting loose the hegemonic control over cartographic practices (Crampton & Krygier, 2005). In that league, crowd mapping and platforms like OpenStreetMap are highly appreciated for walking the talk. However, when the question comes of international relations, especially with the neighbouring countries, there must be a preponderance of mutual respect for each other’s territorial boundaries. Untoward popular cartographic rhetoric comes midway in achieving that, which must be mitigated through dialogue and effectively channelising their energies for the good of respective nations.

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⁹ The remnant signature of geomorphic feature.

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