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India and NPT: Changing Us Perspectives towards India

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Abstract:

This paper is an attempt to understand the changing dimensions of US relationships regarding India and NPT and India's position vis-à-vis the NPT in the context of changing global politics. The United States has made several crucial moves to make place for India. Therefore, the paper argues that India needs to put fresh pressure on the international community to amend the Non-Proliferation Treaty (NPT) and include her as a nuclear weapon state. Only then can India become a signatory to the NPT.

Keywords: *Non-proliferation Treaty (NPT), global politics, India, United States, nuclear weapon state*

1. Introduction

The nature of international politics is rapidly changing today. This has resulted in prompting significant shifts in the national strategies of two nations, namely the United States and India. India's foreign policy is turning from non-alignment towards multi-alignment. The US Policy acknowledges the declining dominance of the United States and recognizes that 'more actors exert power and influence at the global level. The strategy calls for building relations with emerging 'centers of influence', mainly China and India. Of the two, there is a natural tilting towards India, a democratic state to deal with the Chinese threat to US hegemony. This has resulted in a new partnership between the US and India, often referred, as 'estranged democracies' and 'impossible allies' of the Cold War era.

After the nuclear explosion of 1974, India was treated as a 'nuclear pariah'. India refused to sign the Non Proliferation Treaty (NPT) calling it as discriminatory. In 1998 India conducted a series of nuclear tests and declared itself as a nuclear weapon state. The Clinton administration imposed military and economic sanctions on India. However, in an extreme policy turnabout, the Bush administration in 2005 adopted a policy of reconciliation towards India and offered nuclear cooperation. This resulted in the civil nuclear cooperation signed by President Bush and Prime Minister Manmohan Singh in 2008. This has put India and the NPT in the international limelight and has created extensive debates and controversy.

It is against this background that this article traces India's strategic nuclear development and its changing relationship with the United States.

2. Background

As early as 26 June 1946, Jawaharlal Nehru, soon to be India's first Prime Minister, announced:

"As long as the world is constituted as it is, every country will have to devise and use the latest devices for its protection. I have no doubt India will develop her scientific researches and I hope Indian scientists will use the atomic force for constructive purposes. But if India is threatened, she will inevitably try to defend herself by all means at her disposal

Against this realpolitik bent, India's nuclear policy has evolved and grown. There is no doubt that the dropping of nuclear bombs by the US on the two Japanese cities changed the entire gamut of international politics. This new weapon heightened US confidence and started a global race among the big powers to achieve nuclear deterrence and international prestige (Roskin, 2002). The Soviet Union entered the nuclear field in 1949. Britain independently developed and exploded its bomb in 1952 followed by France in 1960. But it was the Chinese entry into the nuclear club in 1964 that raised international attention. It raised a new dimension to the debate on nuclear proliferation of that of a Third World country possessing nuclear power. The Western nuclear hegemony monopoly was broken. Nuclear issue became a matter of grave global concern. After the Chinese tested their bomb and joined the nuclear club, the Big-5 namely, USA, USSR, Great Britain, France and China raised the question of nuclear proliferation and the creation of possible safeguards. This led to the creation of the Non-proliferation Treaty (NPT) by the big powers in 1968. The NPT attempted to place the P-5 countries (USA, former Soviet Union, Britain, France and China) in a monopolistic framework.¹

¹ NPT Today is a treaty between 189 countries, it prohibits manufacture or transfer of Nuclear weapons, but allows peaceful use of nuclear energy under strict monitoring. The five permanent members of the UN Security Council --US, Russia, UK, China and France - are recognized as having nuclear weapons (Nuclear Weapons States), while others cannot develop or acquire them. Countries that already have nuclear weapons, are supposed

This unbalanced nature of the treaty and its universalistic approach to control other states to go nuclear was strongly opposed by several Third World states, particularly India. The main argument was that the NPT arbitrarily divides nations into nuclear haves and have-nots i.e. those who possess nuclear weapons before 1st January 1967 were called nuclear-weapon states (NWS) and those who did not possess non-nuclear weapon states (NNWS). For decades now, India has obstinately resisted the idea of joining the Nuclear NPT, calling the treaty as flawed and discriminatory. India has strongly maintained that the treaty instead of addressing the fundamental issue of universal and comprehensive non-proliferation has further succeeded in legitimizing the accumulation of nuclear stockpiles of the nuclear-haves. Further, the NWS has conducted over 2000 nuclear tests over the past 50 years, and have over 30,000 nuclear weapons in stockpile. Therefore, until they disarm, it is discriminatory to ask India not to conduct tests. Former External Affairs Minister Pranab Mukherjee said in a visit to Tokyo in 2007, "If India did not sign the NPT, it is not because of its commitment for non-proliferation, but because we consider NPT as a flawed treaty and it did not recognize the need for universal, non-discriminatory verification and treatment".

2.1. Threat Scenario in Asia

Thus, India has long stood outside of the nonproliferation regime and has refused to be a signatory to the NPT until the treaty is significantly revamped. India justifications for going nuclear and adopting a policy of deterrence are to counter the growing security challenges from China and Pakistan. The 'Deterrence argument adopted by the US during Cold War was now used in Asia towards nuclear proliferation. After the Chinese tested their bomb in 1964 and joined the nuclear club nuclear proliferation reached the doorstep of Asia, particularly South Asia. With Chinese threat looming large after the 1962 war, India went nuclear in 1974 with the Pokhran Test which she called as a "peaceful nuclear explosion" (PNE), showing it could develop its own nuclear weapons. As a result, the United States imposed sanctions on India for twenty-five years, refusing nuclear cooperation and trying to convince other countries to do the same. Since then India has conducted another series of tests at Pokhran in Rajasthan in 1998.. India faced US sanctions after the 1998 testing.. President Clinton on his visit to both countries in the year 2000 called the Indian subcontinent as "the most dangerous place on earth" (Roskin and Berry, 2002, p 213).

Further, Asia is now home to four declared nuclear powers (China, India, Pakistan and North Korea), one undeclared nuclear weapon state (Israel), and one that is steadily moving in that direction (Iran). South Asia, particularly Pakistan and Afghanistan, have today emerged as a safe havens for global terrorism as confirmed with the killing of Al-Qaida chief Osama bin-laden in the Abbottabad by the US in May, 2011. The second incident of Taliban militants storming Karachi's Mehran Naval Base in 2011, has shocked the international community. It raises serious doubts about the safety of Pakistan's nuclear weapons. US analysts noted that Mehran is only 15 miles away from Masoor Ali Base, where Pakistan is believed to have a large depot of nuclear weapons (TOI, 24 May 2011).

Further, close links between Pakistan and China is another threat to the region. It is a known fact that both countries have a secret nuclear programme involving clandestine transfer of nuclear technology and know how. Pakistan's top nuclear scientist has admitted to Pakistani led clandestine nuclear proliferation from East Asia to Africa. On the contrary, India has not signed the NPT, but has always subjected itself to its provisions, unlike even the NWS and has shown itself as a responsible global stakeholder. India's nuclear weapons program is described by its government as a necessary minimum deterrent in the face of regional threats that include a considerably larger nuclear China. (<http://www.world-nuclear.org/info/inf80.html>). India has on its own

-- pledged belief to a moratorium on nuclear tests.

-- effective legislation and processes in place to ensure there is no transfer of nuclear technologies or material from India.

-- has signed nuclear specific safeguards with the IAEA.

-- has placed itself to a No First Use Doctrine (Raghavan, 2009).

2.2. Changing Us and Indian Perspectives

Against such a background in Asia, the US is now redefining its policies in South Asia and looking for a close ally in India, where it has lost confidence in its old ally, Pakistan. China's rise in the region is also prompting the United States to seek a strategic relationship with India, the world's largest democracy. US differences with China also include the issues of Taiwan, North Korea, nuclear proliferation to name a few. Therefore US policy aims towards the containment of China. and is seeking new allies in this endeavor. In this new security strategy, India has become an integral part. US interests in India was endorsed by US policy, first in 2002 ' National Security Strategy for the US', which states that US national interests requires " strong relations with India".² US analysts see India as a good contrast and "balancer" to China (Chenoy and Chenoy, 2007).

Similarly, India has also started looking up on the USA since the 1990s when it plunged into liberalization strategies to overcome domestic economic crisis. Therefore, changes in India's foreign policy were a reflection of India's aspiration of a great global giant in line with China. India strategists believed that this could be achieved by aligning with the sole superpower, the USA. Thus, both countries have made major shifts in their foreign policies towards each other.

After the 1998 nuclear tests by India, the Clinton administration imposed sanctions as per the Glenn Amendment, thereby restricting bilateral and multilateral economic assistance. But within only seven years, in an extreme policy reversal, the successive Bush administration offered nuclear cooperation to India.

to destroy them once they sign the NPT - as South Africa, for instance ,did. India, Pakistan and Israel are the only countries that have refused to sign the treaty; North Korea withdrew from the treaty in 2003. Iran is a signatory, but has been accused of violating it. India's objection is based on the fact that NPT arbitrarily divides nations into nuclear haves and have-nots. (TOI Crest, 2009)

² Congress Records Service, Washington(CRS) (<http://www.au.af.mil/au/awc/awcgate/crs/r133072>)

In 2005 US President, George Bush and Indian Prime Minister, Manmohan Singh, issued a joint declaration envisaging full nuclear cooperation (Bhatia, 2012). Significantly, the US declared India 'a responsible state with advanced nuclear technology'. Since 2000, the United States has moved to build a "strategic partnership" with India, increasing cooperation in fields including spaceflight, satellite technology, and missile defense. The 2008 nuclear-deal signed between India and US and President Obama's recent visit to India have shown a positive shift in US perceptions towards India's nuclear programme and stand on NPT and its support for permanent seat in the United Nations Security Council. A shift in US policy has resulted in several important agreements between the world's two largest democracies.

In 2005 India and the USA issued a joint statement which has helped to bridge gap between India and the non-proliferation regime. With this framework of cooperation, which led to amendments to US law, and with changes in the Nuclear Suppliers Group (NSG) guidelines, the world has begun to talk about evolving a new regime in which India will be accommodated (Nayan, 2010). This led the signing of the most important agreement the Civil Nuclear Deal between India and the US. The 2008 agreements ended 34 years of trade isolation on nuclear materials and technology. The U.S. Congress gave final approval to an agreement facilitating nuclear cooperation between the United States and India. The deal is seen as a watershed in U.S.-India relations and introduces a new aspect to international nonproliferation efforts. This was first introduced by a joint statement by President Bush and Indian Prime Minister Manmohan Singh on July 18, 2005. The 2008 Civilian Nuclear Agreement between India and USA, also called 'the Indo-US nuclear deal', has accepted India as a country with advanced nuclear technology - a tacit acceptance of its weapon capabilities. It has provided India with a special status of being the only country outside the NPT which has been allowed to commerce in sensitive nuclear technology and material. Article III of the NPT prohibits nuclear trade with non-NPT states. This exception is further strengthened by the IAEA-India Safeguards agreement. The agreement allows India to have both civilian and military nuclear programmes. Under NPT only Nuclear Weapon States - states whose possession of nuclear weapons is accepted under Article I of the NPT- have this privilege. The US initiative with IAEA support and accepted by the Nuclear Suppliers Group, has the practical effect of making India a sixth nuclear weapons state alongside, if not eventually within, the NPT system.

It further provides U.S. assistance to India's civilian nuclear energy program, and expands U.S.-India cooperation in energy and satellite technology. But critics in the United States say the deal fundamentally reverses half a century of U.S. nonproliferation efforts, undermines attempts to prevent states like Iran and North Korea from acquiring nuclear weapons, and potentially contributes to a nuclear arms race in Asia. "It's an unprecedented deal for India," says Charles D. Ferguson, science and technology fellow at the Council on Foreign Relations. "If you look at the three countries outside the NPT- Israel, India, and Pakistan-this stands to be a unique deal." (Bajoria 2010).

It also puts India on the same basis as China in relation to international trade in nuclear technology and materials., opening the way for India's participation in international commerce in nuclear fuel and equipment and requiring India to put most of the country's nuclear power reactors under IAEA safeguards It also allow India to reprocess US-origin and other foreign-sourced nuclear fuel at a new national plant under IAEA safeguards. (<http://www.world-nuclear.org/info/inf80.html>) The IAEA Director General welcomed the agreement as

"an important step towards satisfying India's growing need for energy, including nuclear technology and fuel, as an engine for development." At the same time "It would also bring India closer as an important partner in the non-proliferation regime," he said. "It would also be a step towards the universalization of the of the international safeguards regime" and "timely for ongoing efforts to consolidate the non-proliferation regime, combat nuclear terrorism and strengthen nuclear safety." (<http://www.world-nuclear.org/info/inf80.html>)

Pakistan has indicated a desire for a similar agreement, with China if not the USA, but both the Nuclear Suppliers Group and the USA said that they would not relax trade rules for Pakistan in the light of its track record. India's record of avoiding any export of nuclear material or technology is consistent with Article 1 of the NPT, and stands in sharp contrast to Pakistan's role as a wholesale proliferators contributing to the failure of Iran, Libya and North Korea to abide by their NPT commitments.

The next step in bringing India into the fold was the consensus resolution of the 46-member Nuclear Suppliers Group (NSG) in September 2008 to exempt India from its rule of prohibiting trade with non-members of the NPT in nuclear technology transfer. A bilateral trade agreement then went to US Congress for final approval. Similar agreements will apply with Russia and France. The ultimate objective is to put India on the same footing as China in respect to responsibilities and trade opportunities, though it has had to accept much tighter international controls than other nuclear-armed countries.

2.3. Obama and NPT

However, with the coming of President Obama, there was a radical change in American outlook towards non-proliferation. Obama administration is determined to bring about the universalisation of the NPT, despite the US position in the Indo-US nuclear deal. Starting with the Prague speech in April, 2009, to hosting of the Nuclear Security Summit and signing the new strategic arms reduction treaty (START) in 2010, US diplomacy was fully at work to prove Obama meant business (Kumar, 2011)

Obama, in Prague, said "Nations with nuclear weapons have the responsibility to move towards disarmament and those without have the responsibility to forsake them." Obama, at the UN, September 24, 2009, while chairing a summit of the 15-member UN Security Council which unanimously adopted a resolution calling on countries that had not signed the Nuclear Proliferation Treaty (like India) to join as "non-nuclear weapons states" and to "comply fully with all their obligations pending their accession to the Treaty" (Bagchi, 2009). In response to Obama piloted UNSC resolution, India's permanent representative to the UN, Hardeep Puri wrote strongly-worded letter to the president of the Security Council.

"Nuclear weapons are an integral part of India's national security and will remain so, pending non-discriminatory and global nuclear disarmament. We remain committed to a voluntary, unilateral moratorium on nuclear testing. We do not subscribe to any arms race, including a nuclear arms race. We have always tempered the exercise of our strategic autonomy with a sense of global responsibility. We affirm our policy of no first-use of nuclear weapons."

The recently concluded May 2010 NPT Review Conference, (RevCon) has also renewed the call for the universalisation of the treaty. The NPT RevCon has asked India along with Pakistan and Israel - the three non-signatory states to the NPT- to disarm and join the treaty as Non-Nuclear Weapon States (NNWS). Thus, the call for universalisation throws open exciting questions about India's future engagement with the NPT. It raises the question whether India should join NPT as a NWS or NNWS or remain outside it. Prime Minister Manmohan Singh has reaffirmed India's position in Parliament that there is no question of India joining the NPT as a non-nuclear weapon state and nuclear weapons are an integral part of India's national security and will remain so, pending non-discriminatory and global nuclear disarmament."(TOI, 30, July, 2010.) Thus India has rightly called for reevaluation and reformation of NPT.

2.4. Option Before India: Is Amendment of NPT A Solution?

Thus the best option before India, in the light of the Indo-US Nuclear agreement is that India must strive to join the NPT as a nuclear weapon state. This will definitely raise several debates and questions (refer Nayan,2007; 2010).

The first being, will India's credibility as a crusader against the unequal and discriminatory nature of NPT be raised? It is true that the NPT is discriminatory, but 189 countries have already become signatories. Joining the NPT, does not mean that India will have to change its policy, but can still be a strong crusader of nuclear disarmament along with other signatory countries. As far as India's security argument is concerned, the 1998 has fulfilled those objectives. There is consensus in India that India has to maintain its nuclear arsenal for its security and so cannot join the NPT as a non-nuclear weapon state. The world has become reconciled to India being a nuclear weapon country outside the framework of NPT and there is an overwhelming support for it. This is because India despite being a nuclear weapon state and a non-party to NPT has always been consistent with the key provisions of the NPT that apply to nuclear weapon states. These provisions are contained in Articles I, III and VI. Article I obliges a nuclear weapon state not to transfer nuclear weapons to any other country or assist any country to acquire them and India's record has been impeccable. Article III requires a party to the Treaty to provide nuclear materials and related equipment to any other country only on safeguards; India's exports of such materials have been under safeguards. Article VI commits the parties to pursue negotiations to bring about eventual global nuclear disarmament (Singh, 2000). On the contrary, it is an open secret now, China's clandestine nuclear engagements with Pakistan, North Korea, despite being a signatory to the NPT. However, there is a problem of Pakistan, which will also claim integration with NPT along with India, despite its track record of 'reckless proliferation'.

In this critical point, the USA has certainly given hope to India. The Indo-US nuclear deal has thrown up the criteria for incorporating new members into the old non-proliferation system (Nayan, 2000). The Hyde Act has further used the following criteria to make India an exceptional case.

- the country has demonstrated responsible behavior with respect to non-proliferation of technology related to nuclear weapons and the means to deliver them;
- the country has a functioning and uninterrupted democratic system of government, has a foreign policy that is congruent to that of the United States, and is working with the USA on key foreign policy initiatives related to non-proliferation;
- such cooperation induces the country to promulgate and implement substantially improved protections against the proliferation of nuclear related technology and refrain from actions that would further the development of its nuclear weapons programme;

Therefore, in this light India can go ahead and campaign for joining an amended NPT. Washington has certainly given hope to such a transformation. In an October 2009 speech at the U.S. Institute for Peace, Secretary of State Hillary Clinton spoke of a future in which India will be "a major player at the table" in nonproliferation efforts. "India we see as a full partner in this effort, and we look forward to working with New Delhi as we try to come up with the twenty-first century version of the NPT," she said, seemingly indicating U.S. interest in fostering ways in which to include non-NPT states such as India in the nonproliferation regime. (<http://www.worldnuclear.org/info/inf80.html>)

3. Conclusion

Thus, it is clear that the US has today, seeing the rapidly changing security parameter in Asia, particularly in South Asia is seeking new partnership with India and is also in a mood to make adjustments. The game-changer has been the civilian nuclear technology agreement. It recognizes that for India nuclear weapons are not for prestige, but are a necessary deterrent in the face of the rising threat from Pakistan and China. Nuclear weapons are integral to India's security.

Therefore, the paper suggests that India in a world of growing threat from its neighborhood and nuclear terrorism need to adopt nuclear technology as deterrence to safeguard its territorial integrity and sovereignty. The international community should understand this reality and going by India's past record redefine the provisions of the NPT and admit India as a nuclear weapon country The USA has moved in this direction. India definitely stands to gain from improving ties with the US, as it continues to dominate world politics today, despite arguments by experts of its decline and the rise of China. The US has moved to build a "strategic partnership" with India, which shall benefit both nations and positively help in heralding global peace and security. India's joining the NPT would therefore be a win-win situation. It is a rising power, and there is a growing consensus in the international community to engage with India and make suitable adjustments in the international system to accommodate it.

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