

The India-U.S. Nuclear Accord: Critics Neglect the Big Picture

By T.V. Paul*

The Commentary by Wade Huntley makes a number of assertions on the recent decision by the Nuclear Suppliers Group (NSG) to exempt India from some of the strict rules the group has imposed on states that are not signatories of the Nuclear Non-Proliferation Treaty (NPT) so as to facilitate the full implementation of the US-India nuclear accord. Huntley, like other critics, sees this exemption and the accord largely in legalistic and moralistic terms. He also repeats the assumptions that arms control is somehow devoid of politics, that all states are equal in the eyes of international treaties, and that global disarmament can be achieved if India is kept as an outsider and as an example for others wishing to acquire nuclear weapons. The first assumption is far from the truth, as among the all arms control regimes, the non-proliferation regime is one of the most unequal and continues to reflect the power dynamics in international politics. Smaller powers are willing to abide by the inequities of the regime with the hope of arresting horizontal proliferation and control of nuclear material transfers.

India missed the boat to become an acknowledged nuclear power, as the 1970 NPT designated all nuclear weapon states as of January 1, 1967 as legitimate nuclear powers and the others as non-nuclear states. The NPT was extended in 1995, making the distinction between nuclear haves and have-nots permanent. The unspoken assumption of NPT drafters was that no new great power would arise and that the nuclear states would fulfill their commitment to disarm as per their obligations under Article VI of the Treaty. Even after 30 years, the treaty is proving to be incapable of adjusting to the new power realities of world politics and has failed to influence the nuclear weapons policies of the nuclear powers, who all value their continued nuclear possession for deterrence and power politics reasons.

Given this ground reality, what then is the second best option (first being nuclear disarmament by all) in dealing with new nuclear powers such as India? Arguably, to incorporate the most significant candidate for great power status and place some controls on its nuclear weapons program, rather than completely keeping it out of the arms control regime and allow it to engage in whatever it could do in the nuclear arena. Analysts like Huntley believe that somehow the continued NSG sanctions on India will cause it to amend its ways, abandon its nuclear weapons and compel it to join along with smaller states as a subaltern in the international system. This shows the profound lack of understanding of the Indian national psyche and the role that nuclear issues play in the domestic politics of India. No Indian government in the foreseeable future is likely to give up nuclear weapons or nuclear energy programs (in the face of international sanctions) because that would mean India abandoning its major power ambitions and eternally remaining as a second-ranking state. It is also contended that India's recognition would reduce the chances of Article VI being implemented by

established nuclear powers. The logic of this connection between India's partial integration into the regime and Article VI is far-fetched.

NSG approval of India-specific exemptions is unlikely to have any major impact on the regime. It is unlikely to lead to additional states acquiring nuclear weapons, as regional powers acquire or give up nuclear weapons largely because of situational factors: due to regional and domestic political reasons, and, in recent years, due to their fear of U.S. intervention. India's accommodation with the regime may have little impact even though some countries like Iran might use it to justify their positions. But Iran is not India in population, global power potential, or its approaches toward international and regional order. Iran is a full-fledged signatory to NPT; India is not. Iran is an intensely ideological and in many ways a revisionist state and its nuclear possession might dramatically upset the regional order in the Middle East. India is also different because its nuclear acquisition occurred over a period of 30 years and it pursued it very reluctantly. It chose the path after struggling with the unequal nuclear order that was thrust upon it by the great powers, who could not allay India's security concerns arising out of China's nuclear acquisition or, later, China-Pakistan nuclear collaboration.

The opponents of the US-India accord rarely ask why India, after initially pursuing nuclear disarmament and a highly idealistic foreign policy, became disenchanted and opposed the NPT. I believe India did so due to the realities of international power politics. The moment India realized that the nuclear great powers were going to grant themselves special privileges and relegate India to a second-class status in perpetuity without offering any meaningful security guarantees, Delhi had no choice but to oppose the Treaty — unless, of course, it gave up its own ambitions to become a leading actor in international politics. Moreover, one of the privileged nuclear states, China, posed a mortal security challenge to India, through its territorial dispute and its alignment with India's enduring rival, Pakistan.

India's story reflects a classic problem that a latecomer confronts, especially since the international system does not have a proper mechanism to integrate a rising power. The lack of integration of such a power can cause turbulence and violent reactions. The bloody wars of the 20th century bear testimony to this argument. What the US is doing is essentially to integrate India when it can. This appears to be a mature and responsible policy from the Bush administration which otherwise pursued quite a few foreign policy blunders during its eight years in office. Although this endeavor is not quite along the same proportions, in power transition terms, it is somewhat akin to Nixon's opening to China. The Nixon policy helped to moderate China's revisionist tendencies and integrate it into the international economic and political order. Imagine, without that opening provided by the United States, where China would be today.

Critics of the deal ignore the fact that treaties and regimes are not an end in themselves; they are supposed to serve larger goals. And if the treaties fail to do so they need adjustments. Their norms and principles are not like gospel dictums, but humanly created instruments, crafted especially by powerful actors, often to suit their purposes. Although the NPT serves the interests of a large number of non-great powers, it is sometimes better to amend it to make power transitions possible, rather than uncritically clinging to it. There are material and normative gains to be made in relaxing the NPT. In this instance, if India has little prospect of obtaining civilian nuclear power, it is likely to resort to high-carbon-emitting thermal power stations fueled by coal for its growing energy needs. Here we have a classic problem -- one public good, non-proliferation, being privileged over another public good, reducing carbon emissions. Further, once the \$100 billion worth of reactors that India plans to order are all in place it will offer a major boon to the global nuclear industry. Indian companies in collaboration with Western partners can produce nuclear reactors cheaply. India is already showing how it can reduce prices in the software and pharmaceutical industries through a similar collaborative process.

Another criticism is that US companies may be disadvantaged, as India will buy French and Russian reactors. This assumes that even if the terms and conditions offered by the US companies are bad for India, it should not seek better value because it owes loyalty to America. Statements coming from India suggest that they have no problems in pursuing a free market model and giving every supplier a chance as long as they offer the best terms and conditions. Critics also ignore the side benefits of such a deal for Western countries, as the economic benefits of this deal may go well beyond nuclear reactors and include scientific and technical collaboration and improved trade and commercial relations, something that Canada could benefit from as well. The nuclear issue is indeed one of the most lingering irritants in Canada-India relations and a rapprochement in this area would have many positive repercussions for the economic and political relations between the two countries.

One other concern is that Pakistan will engage in an arms race with India and will try to acquire nuclear reactors and materials from China illegally. Irrespective of what India does, Pakistan has already done serious harm to the global non-proliferation regime through the activities of the A.Q. Khan network, which was sanctioned by high-level Pakistani political and military officials. There is no equivalence between Pakistan and India in this regard, as India's record of nuclear transfer is perhaps better than most of the five nuclear powers. India's nuclear doctrine is based on no-first-use, and it has kept the components of nuclear weapons separate, ensuring that the weapons are not fired haphazardly. Unfortunately, Pakistan has a first-use doctrine, and has assigned nuclear weapons a number of roles beyond deterrence. Since its nuclear acquisition, Pakistan has also intensified its asymmetric war in Kashmir, hoping to upset the territorial status quo under the cover of nuclear protection. If Pakistan abandons both territorial and ideological revisionism, there may be a time when it, along

with Israel, would get some form of integration into the nuclear order. But the benchmarks should be higher given Pakistan's track record in nuclear proliferation and its problems with its weak state structure.

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