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India's security and disarmament policies in the United Nations

Dayanidhi, Perumala, Ph.D.

City University of New York, 1991

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**India's Security and Disarmament
Policies in the United Nations**

By

PERUMALA DAYANIDHI

**A dissertation submitted to the Graduate Faculty
in Political Science in partial fulfillment of
the requirements for the degree of Doctor of Philosophy,
the City University of New York,**

1991

This manuscript has been read and accepted for the Graduate Faculty in Political Science in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

January 21, 1991
Date

Abraham Bargman
Professor Abraham Bargman
Chair of Examining Committee

1/29/91
Date

Stanley Renshon
Professor Stanley Renshon
A. Executive Officer

Professor Benjamin Rivlin
Professor Wentworth Ofuatey-Kodjoe
Professor Jacqueline Braveboy-Wagner
Supervisory Committee

ABSTRACT

**India's Security and Disarmament
Policies in the United Nations**

by

Perumala Dayanidhi

Adviser: Professor Abraham Bargman

This dissertation examines India's security and disarmament policies as reflected especially in the context of United Nations multilateral diplomacy. I have selected this topic because the UN represents one of the principal forums through which India has sought to promote its political objectives. Its geostrategic situation, as well as the aspiration to be a major power, have been served by the kind of multilateral diplomacy usually discerned by realistic observers. The basic Indian objective is to manage regional developments in which the superpowers have a hand, because it sees itself as a hegemonic power with responsibilities for regional security. Hence, it has steadfastly opposed a role for the external powers in South Asian security management that might be carved out of arms control measures.

In attempting to understand India's security problems and its perceptions of them, this study examines a number of variables. It probes the main sources of perceived dangers and Indian leaders' notions regarding the security environment within and beyond their region, focusing on the role of Pakistan, China, the U.S. and the Soviet Union. It will also identify their nuclear policies and strategies, the problems they pose and the dependency relationships they imply.

Finally, the study identifies some of the arms control agreements and proposals that India has endorsed, as well as those that it has opposed, advancing security reasons in each instance. In this context, it seeks to focus on the current tendencies and their probable impact on India's future national security policy, as well as Indian arms control policies that might advance or retard progress toward global disarmament.

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CHAPTER I

INTRODUCTION

The following considerations prompted this study : First, there is a need for an empirical investigation of the issues related to India's arms control policy beyond the question of non-proliferation of nuclear weapons. This work broadens the perspective with respect to arms control issues that have a direct bearing on India's security policy by analyzing positions on (1) nuclear disarmament ; (2) a nuclear-weapons-free-zone in South Asia¹ ; and (3) conventional armaments, in addition to (4) the Treaty on the Non-Proliferation of Nuclear Weapons.

Second, the relationship of India's security to extra-regional politics can stand reformulation. By establishing linkages between on the one hand, India's perceived security problems and its arms limitation policy, and on the other, the security and arms control objectives of the great powers in South Asia, we can enhance our understanding of the regional and extra-regional dimension of what is usually dismissed as symbolic or declaratory politics at the United Nations.

Third, as nuclear weapons have long been the dominant issue in the international security debate and as India accords attention to the question of its status as a threshold state, it is useful to focus on the nuclear

link between regional and global tendencies with respect to nuclear arms control.

Fourth, India's arms control policy can usefully be brought up-to-date descriptively in view of such significant developments as the first (1978), second (1982) and third (1988), U.N. Special Sessions on Disarmament as well as the Review Conferences of the signatories to the Non-Proliferation Treaty. A particularly important deadline looms in 1995 when a majority of the parties to the treaty will decide whether it should continue indefinitely or be extended for a fixed period.

The following questions also influenced the writing of this study :

1. Which of the arms control issues are most closely associated with crucial Indian interests and therefore not subject to bargaining?
2. Based upon this study of India, what can be said in general about the relation of actual security concerns to positions taken by non-aligned countries?
3. To what extent do India's statements, for instance, in the U.N., reflect its actions in the region and actual policies?
4. Did the outcome, such as the adoption of resolutions, consensus decisions and treaties reflect India's ability to influence and safeguard its interests?
5. Was India a leader in initiating and negotiating resolutions? Did it do so on its own behalf or on behalf of the non-aligned countries, or both?

6. Was there a doctrinal basis for disarmament positions ?

In this context, the present study focuses on the general security policy of India, as reflected in the statements by its representatives at the U.N. These are more numerous and detailed as compared to those delivered either in the Lok Sabha (Lower House of Parliament) or the Rajya Sabha (Upper House of Parliament). In these pronouncements, one can discern India's quest for regional domination as its manifest destiny and its aspiration for equality with the major military and economic powers of the world. India sees itself as a hegemonic power and seeks to attain unquestioned supremacy in South Asian security affairs through the exclusion of external powers. Such postures borne out of the elite perception that India is a great power in its own right are resisted by the nuclear states in pursuit of their own objectives of domination and dependency relationships, resulting in a clash of fundamental interests. Thus, the study attempts to offer some tentative insights into the regional dimension of security as viewed from New Delhi, while the global aspect is best looked at from the vantage point of the diplomatic processes of the U.N.

I

Global approach simply means the inclusion of all countries in a treaty, convention or agreement on security or disarmament with identical obligations and responsibilities. It is global in the sense of looking at all aspects of a problem. For instance, in the case of nuclear weapons, this means all three dimensions of the problem : vertical proliferation which is the expansion in the size and capabilities of existing arsenals ; horizontal

proliferation which is the acquisition by nations of new arsenals ; and latent proliferation which is the acquisition of a capability to construct an arsenal, while stopping short of doing so.

At the beginning of the nuclear era, it was axiomatic that a global approach was considered to be both necessary and inevitable. The Baruch Plan of 1946 and the alternative plan put forward by the Soviet Union called for such an approach. That idea lingered on and found expression in the Partial Test Ban Treaty of 1963 and the Outer Space Treaty of 1967 but the Non-Proliferation Treaty of 1970 was a departure because non-nuclear states alone have to submit their nuclear facilities for inspection by the International Atomic Energy Agency to ensure that nuclear technology was not diverted for weapons purpose.

To many non-aligned countries, nuclear issues are of world-wide relevance because of the global reach of nuclear weapons. Hence, a great majority of them have acceded to that Treaty. Since the mid-1980's, in the context of superpower rapprochement and the consequent acceptance of the merits of armament limitations, a compelling case can be made for a stronger, that is, a global framework for security and disarmament. For instance, the protracted efforts on a comprehensive ban on chemical weapons have sought to include all countries. The motivating factor is to preclude any state or group of states from gaining military advantage by remaining outside of a future convention that may be concluded as a result of the on-going negotiations.

It is generally recognized that security concerns often originate from within a region. Many states, in fact, perceive threats to security as either emanating from or related to conditions in their own regions. At the same time, however, the extra-regional dimension to regional security is also recognised. As the study by the U.N. on regional aspects of disarmament has shown, intra and extra-regional considerations comprise the integral elements of regional security ². Consequently, disarmament efforts in one region cannot be divorced from disarmament efforts in other regions as well as global efforts particularly as regards the over-all global arms race involving the nuclear-weapon states. By the same token, efforts towards the ultimate objective of general and complete disarmament cannot simply be compartmentalised, with each region deciding what can or cannot be achieved, since such an approach could distort global disarmament efforts and may result in imbalance in the security for states within a region as well as in relation to extra-regional powers ³.

The regional approach can thus be viewed as an important constituent of the gradual or step-by-step approach towards armament limitations and reductions. It derives from the view that in certain cases disarmament efforts might be advanced more effectively within a narrower context rather than applying global concepts to widely differing regional situations.

A flexible approach to the concept of a "region" must be adopted. It is not possible to define in advance and in general what might constitute a

suitable "region", as this will depend both on the initiative of the states concerned, and in many cases, on the type of measures envisaged. A flexible approach is also preferable with regard to the area of application of a regional disarmament measure. In some cases, for example, it may be desirable or even necessary to aim from the outset for a wide coverage, such as an entire continent or subcontinent. The most important criterion for defining a region for disarmament measures will normally be that of its coherence in terms of the military conditions and of the security perceptions and concerns of the states in question. But this too may assume a different meaning depending on the measures contemplated and on the political and security situation in the region.

Moreover, security perceptions can change with developments in technology and in political relations, again pointing to the need for flexibility in defining the "region". For example, conditions are likely to be different in cases where the regional states are already heavily armed and confront each other, or feel threatened by each other. In other cases, where the level of armaments is lower, where there are no clear-cut and persistent political and military divisions within the region, and where, on the contrary, the primary concern of the regional countries may be to preserve the region from involvement by outside powers, strictly geographical and security considerations will not always suffice to determine what might be a suitable "region". In many cases, regional disarmament might be facilitated by taking into account such additional factors as the prior existence of regional intergovernmental organisations reflecting a certain homogeneity of outlook

and a certain political coherence which can in many cases provide an effective setting for discussing and agreeing upon regional disarmament measures. Based on the foregoing, this study has included India, Pakistan, Bangladesh, Sri Lanka, Nepal and Afghanistan as tentatively constituting the subregion of South Asia.

Even assuming that the regional approach is acceptable, in principle, the establishment and functioning of regional security organisations (NATO, Warsaw Pact, Rio Treaty, CENTO and SEATO) or arrangements (the Contadora process, Gulf Cooperation Council and ASEAN) must also meet certain additional requirements.

First, there must be a shared perception of threats and a sense that the level of threat is beyond the capacity of a single state acting alone. The perceived danger may not be a looming military challenge but a long-term strategic, political or even an economic one. Whatever the nature of the danger, such arrangements assume that it threatens losses greater than the gains to be had from pursuing intra-regional conflicts at the risk of weakening the region as a whole.

Second, the states must evince a general desire for peaceful relations among themselves and for greater regional autonomy. They must have a common perception of shared national interests and a degree of consensus on the basic analyses of the region's problems.

Third, the existence of some form of affinity among the participating states that give them a sense of solidarity and common purpose. This may be based on historical experiences, ethnic or linguistic affinity, economic inter-dependence or some such factors.

Fourth, no matter how conducive are conditions within a region, the effective functioning of regional security arrangements also requires a favourable constellation of external power relationships. The overt hostility of a dominant power can undermine all attempts at collective action to restore or maintain peace as experiences in Central America and South Africa in the 1980's have shown.

Fifth, the reduction of external involvement in a region should be a major priority for regional organisations. It can be seen as a condition for their independent functioning.

In Europe, many questions relating to a post-war settlement were outstanding, the political situation was particularly tense, military alliances were confronting each other, and an arms race of unprecedented magnitude was developing. In such a context, security was sought by a dual approach of not only limiting conventional armaments and armed forces but also by establishing nuclear-weapon-free-zones in different parts of that continent. Subsequently, the regional approach has become central to the Vienna negotiations on mutual reduction of forces and the Conference on Security and Cooperation in Europe. In other regions as well, the prospect that local

arms races might intensify or that they may become involved in the global arms race led to initiatives for regional disarmament. In particular, the prevention of the proliferation of nuclear weapons became an overriding concern. As apprehension increased that some regional powers might acquire nuclear weapons or admit the stationing of such weapons on their territories, efforts to establish nuclear-weapon-free-zones spread, in the 1960's and 1970's to Africa, Latin America, the Middle East and South Asia. In each case, these efforts were promoted by specific regional developments and shaped by specific conditions in each region.

In South Asia, fundamental differences of interests, perceptions and objectives have characterised the relations among regional states. In particular, the defense policies of India and Pakistan do not have a regional perspective but rather an extra-regional orientation. Consequently, they look to other states for assistance and support. Because of the enormous disparities between India and other states in the subcontinent in size, military power and economic strength, and coupled with its domineering attitude, the essential ingredients of mutual trust and confidence for a durable structure of regional security has been lacking. These in turn have eluded an agreement for a strategic consensus and generated pressures for higher levels of armaments. The South Asian Association for Regional Cooperation created during the early 1980's has a limited agenda. It cannot, at this stage of its evolution, provide a forum to reach a common position on nuclear armaments, moderate the arms race and attain mutual restraint in their armament programs.

The official Indian position accords priority to the nuclear issue and calls for a global rather than a regional solution. India's opposition to regional approaches is based, first, that in the age of intercontinental ballistic missiles, the defense of any nation or region cannot be isolated from over-all global security. This is so as threats to global security can as easily emanate from sources separated by vast oceans as from neighbors. Second, for the major powers, the entire world is a strategic arena for rivalry and competition. Third, a regional disarmament measure, by definition, is difficult to negotiate because each potential adversary will be conscious of the political and military relationships within and outside the agreement.⁴ Fourth, "the problem (of international security) can only be resolved in a total manner keeping in view the whole of the globe and not the regions into which presumably, as a matter of political convenience or strategy, some countries seek to compartmentalise the world".⁵

Hence, India opposes efforts to sidetrack the principle of universality and fragment the process of multilateral disarmament into artificially-created partial approaches, solutions and measures, which cannot lead to the professed goal of general and complete disarmament. Rather, the preferred approaches are (a) "universally acceptable disarmament agreements, comprehensive both in technical and spatial terms, encompassing all parts of the globe so as to preclude the accumulation of arsenals of sophisticated weapons in some regions to the disadvantage of others create confidence among states and thereby ensure global security" ⁶ ; and (b) an "over-all perspective that lays down clear-cut

objectives, priorities and time-frame ... and embodying the principle of mutual obligations and responsibilities".⁷ If all the elements of an over-all plan-a global strategy-are not observed, warned India's representative, Ms. Savithri Kunadi, "the entire system of international security will be greatly distorted, ultimately resulting in international anarchy".⁸

India's determined opposition is also rooted in specific geostrategic considerations. For the security planners in New Delhi, regional security dilemmas are compounded by perceived external threats. Because of favourable geographic terrain, Pakistan can initially mount a successful attack on the Indian state of Punjab and the disputed province of Kashmir. It is this potential vulnerability that has made New Delhi sensitive to Pakistani acquisition of sophisticated armaments. Such vulnerability is also evident in Tibet in the context of Chinese superiority in conventional armaments and possession of nuclear weapons. With regard to superpowers, the key concern is their involvement in regional security matters which is anathema to New Delhi. Thus, strategic factors have a special relevance in Indian policy-making. It makes a distinction between two different situations : (a) regions composed of states which do not feel threatened by each other but which on the contrary have cooperative relations or peaceful links to each other ; (b) regions containing states that feel threatened by each other, confront each other, and belong to military alliances / agreements sponsored by external powers.

For these reasons, the sub-region of South Asia has been rejected as "unsuitable and inappropriate" and not "a well-defined geographic and political unit" ⁹ for armament limitations. Rather, by defining the area of operation as encompassing the whole of Asia and the Pacific, which constitutes for all practical purposes half of the world, India has in effect rendered the regional approach inoperable, obsolete and impractical.

The task of defining and identifying a region is essentially motivated by political considerations. Politically, India does not want to recognise South Asia as a region although it can readily be identified as such due to distinct physical and geographic characteristics. Hence, it has a plausible argument that before a regional approach can be envisioned, it is first necessary to agree on a political region or entity especially on nuclear issues. In this context, one can question the example of the Ural mountains in Europe as the "great divide" comparable to the Himalayas which separates the Subcontinent from the rest of Asia. The Helsinki Accords are applicable to the U.S. and Canada although it was to have primarily a European connotation. Thus, it is not simply geography but also a political determination and politically identifiable group of states. In this sense, India's arguments are based on grounds which do not conform to the conceptual model of a regional approach to disarmament and security.

From India's viewpoint, each region should be more or less equivalent militarily to all other regions. This would ensure the "nonperpetuation of nonnuclear regional ghettos". The global disarmament

process would reduce the already existing regional imbalances rather than accentuate them. Moreover, given that the superpowers have established their presence in virtually all regions through the geographic dispersion of nuclear weapons further underscores the unavoidability of their participation on an equal footing in any disarmament accord. For instance, the establishment of nuclear-weapon-free-zones must necessarily include the big powers with obligations and responsibilities to be assumed by them as a precondition, involving also the type of weapons that can be maintained by them. Then the region can stand on its own because the external powers would have been removed and the proper context created for the regional approach to security and disarmament.

India's policy to safeguard its national security from perceived threats is through a global approach to arms limitations. Its geostrategic situation as well as the aspiration to be a subject rather than an object of the decisions of nuclear powers have resulted in an approach that is essentially global rather than regional. The Indian government has therefore opposed the Non-Proliferation Treaty which is global, but discriminatory and unequal because it has established two classes of states-nuclear and non-nuclear-as well as the establishment of regionalised nuclear-weapon-free-zones. Instead, priority is given to nuclear disarmament to ensure greater equality among nations and global security.

In sum, the criteria for a regional approach to security are :

- The initiative should come from states within the region concerned, whether from a single state or a group of states or preferably through an intergovernmental regional organization.
- All states of the region should have the right to determine the modalities of their approach and to participate in the elaboration of the measures contemplated.
- Participation in the implementation of such measures must be open to all states of the region.
- Depending on the nature of the measures agreed upon, participation in them may be open to or even required from states outside the region, particularly if they have forces stationed in the region or otherwise assume responsibility for military security of some regional countries.
- The agreed regional status should be respected by all external powers, including unconditional security guarantees in the form of an international convention.
- Agreed regional measures should be so designed that they do not diminish the security of any state within the region.

- The military realities in other regions should be taken into account to avoid placing a particular region or sub-region in a real or perceived disadvantage.

II

In the early 1970's, British analyst Leonard Beaton, had pointed out that "virtually the entire American literature on arms control and most of the best contemporary work on strategy dismiss the rest of the world as peripheral" ¹⁰. That assessment is still valid today ; the emphasis in most Western studies is on seeking global and regional security through a superpower managed regime. Such an approach ignores regional dynamics and what is more, regional powers are dealt with as if they are adjuncts of the superpowers. This needs to be corrected since regional perspectives, views and interests are no less important. Hence, in order to substantiate both these tendencies, the following relevant literature is cited :

Henry Kissinger views changes in the international system as being dependent upon the number of participants and changes in the nature of power ¹¹. In the event states (e.g. India) demonstrate an upward mobility in the international hierarchy, to that extent they can participate in international decision-making. Because of the globalization of international political processes, he foresees an end to the supremacy of the superpowers, but the significance of their decline for the Third World is not assessed. Likewise, the tensions between military bipolarity and political multipolarity is acknowledged, leaving some questions unanswered concerning the relations between nuclear and non-nuclear nations. Kissinger asserts that "a new

international order is inconceivable without a significant American contribution.” While it is true that U.S. involvement in global affairs is such that it can usually exert great, if not decisive influence, yet it is important to make a distinction with regard to areas in which it has been and can be effective and those in which its influence is increasingly marginal.

Michael Brecher, noted Canadian analyst, moves away from an exclusive preoccupation with superpower centered analysis and focuses attention on the relationship between the dominant and subordinate systems¹². He defines the boundary and link between them by (1) the units of power in the subordinate system as relatively inferior to units in the dominant system and (2) changes in the dominant system as having greater effect on the subordinate system than the reverse. Both of these premises are questionable because as the superpower rivalry becomes diffused and as the Soviet - U.S. nuclear balance becomes decoupled from local or regional rivalries, strategic power has limited use in local conflicts. The experiences of the U.S. in Vietnam and the Soviet Union in Afghanistan substantiate this contention. Such a situation provides opportunities for ambitious regional powers.

George Liska lists three policies that the superpowers pursue towards regional states : 1. Great powers can treat individual middle powers as regional rivals and be led to help still lesser powers to contain them under the pretense of restraining, unilaterally or cooperatively, all Third World conflicts. 2. They can regard them as regional allies in contests with other great powers and proceed to reinforce them competitively. 3. They can

proceed either unilaterally or jointly to devolve regional responsibilities to constructively disposed middle powers ¹³.

These three policies can be characterised as satellitism, containment and accommodation. Satellitism was attempted by the Soviet Union and spheres of influence by the U.S. but proved difficult to execute successfully at an acceptable political cost. India is too big to be anybody's satellite and it follows too independent a policy to lend itself to manipulation by external powers. The rejection of pressures to give up the nuclear option is symbolic not only of its resistance to satellitism and spheres of influence, but also the determination to make it more difficult in the future. Containment of an ambitious regional power is a constant temptation for the global powers and such policies have met at best with only a partial success. William Bundy has aptly written : "The regions of the world have asserted a life of their own ; their resistance to outside dominance and influence is much greater; most are in the true sense, non-aligned; and the number of nations entitled to rank as major powers is much larger with some of those aspiring to dominant roles within their regions" ¹⁴.

Hence, the relevance perhaps of Gordon Levin's concept of "exceptionalism" as applied to the U.S., which is associated with Woodrow Wilson's policies and idealism ¹⁵. Because of its moral values and the fact that the U.S. has been historically free from the stigma of colonialism, it was felt to be the natural agent of transition from chaos and conflict to an age of peace and prosperity. It envisioned a radical departure from the

“unenlightened” past of wars and revolutions, balance of power policies and military strength which were regarded as European phenomena. The American foreign policy objective was a stable world order based on liberal internationalism. The “exceptionalism” derived from American liberal values such as capitalist development; rejection of militarism and imperialism; belief in an international system of equitable political and economic order; socio-political institutions and values characterised by liberty and constitutional government; renunciation of power politics; great power cooperation; open world trade - all within the framework of the rule of law and a league of nations. These objectives were to be achieved and preserved through the moral and material strength of international institutions capable of collectively handling all future conflicts and threats to a viable world order. The “exceptional” mission of the U.S. was perceived by Wilson to be unselfish and moral. The U.S. could thus participate in world politics as a catalyst for a new, more just world order.

We can draw a comparison between Levin’s concept of “exceptionalism” as a basis for American leadership in the international system and India’s legacy of the ideals of Mahatma Gandhi. Non-violence on a mass scale covering the whole of life, individual and social, moral and material, was held as essential to the emergence of a non-violent state and society. He saw contradictions when an individual was asked to play a dual role: in his own society and nation, he is enjoined to act as a good neighbor and regulate his conduct on the basis of trust, cooperation and non-violence. At the same time, man is forced to consider other nations as actual or

potential enemies. Hence, his conduct is marked by distrust, violence and war. Gandhi's solution for this state of affairs is to improve the moral quality of political life "which under the complexity of modern conditions encompass the whole of our existence". The same code of morality should be observed in all spheres of human activity. In his attempt to realise a better ordering of human society, Gandhi devised a new moral strategy: the method of regulating along non-violent lines, group life in its political, economic, national and international aspects. Finally, his ideal democracy - a stateless and classless society - was to consist of a number of self-contained and self-regulated villages, which will be bound together in a voluntary federation of equals.

In the moral dimension, India has had more than a marginal role in world politics. Virtually from the beginning, it has had a moral function of global scope, which in the fifties was legitimated by the exceptional respect paid its leader, Prime Minister Jawaharlal Nehru, especially his pronouncements on nuclear disarmament. Nehru first invoked international morality to condemn atmospheric tests of the new hydrogen bombs, a pronouncement that launched the effort to ban testing of nuclear weapons. His moral leadership was evident in the Bandung Conference of Asian and African States held in 1955, which called for complete nuclear disarmament. India prior to 1971 seemed to operate from a premise of moral exceptionalism, not unlike the moralism of the U.S. prior to the Second World War.

Inis Claude has recently written sympathetically about how great powers often define their national interests in terms of international responsibility ¹⁶. Moreover, such a responsibility in turn is associated with fundamental changes of the milieu and institutions. Claude postulates that great powers sometimes express their external responsibility in terms of milieus, while protecting or promoting their national interests. The fundamental axiom is that powerful states have to assume global leadership to ensure peace and security.

More recently, the idea has taken root that the great powers who are in a minority have a particular responsibility to the majority to provide not only security, but also to promote economic development of the less fortunate states. As nuclear superpowers, both the U.S. and the Soviet Union share a special responsibility in seeking to reduce the danger of nuclear war ; to provide information that would facilitate the operation of deterrence ; to negotiate in good faith ; and to keep the lines of communications open. Assistance to facilitate economic progress is viewed as a contribution in the creation of a viable world order which is in their own interests. In a broad sense, they define responsibility in terms of shaping the milieu or managing the international system.

Employing Claude's concept, middle powers can claim responsibility to manage regional affairs. India is a medium-sized power in terms of its material capabilities and is differentiated from a great power in terms of its systemic interests. It is worth noting that this category is of recent

derivation. It did not exist before 1919 and the record since then has been ambiguous. We can look upon India as a "power in the middle" to use Ashok Kapur's phrase - a power that has maneuvered itself or placed itself in such a political or strategic position that even though the superpowers may not want to interact with it, they have no choice but to do so. It can be seen as an object of their competition. It is also a source of influence in international relations and a challenge to bipolar activity in world politics. The aim is to fragment superpower control over key issue areas, particularly in strategic affairs ¹⁷.

The middle powers have rejected "political paternalism" ¹⁸, "unbalanced and inequitable arms control regimes" ¹⁹ and the bilateralisation of negotiations on nuclear issues. The preferred approach is to broaden the international security debate and permit greater consideration of the interests of the many rather than a few ; to rethink security problems and proposed solutions ; and to call for a new international system that "responds to the ethical, political and legal values of the community of states" ²⁰ and that "transcends the consideration of power" ²¹. They have rejected partial and unequal arms limitation measures pursued by the big powers that do not take into account the interests of the world community at large or the particular security interests of the medium and small countries. Finally, they call for an "acceptable balance of obligations and responsibilities between nuclear and non-nuclear states".

Such a stance reveals a quest to alter the existing power structure and to gain upward mobility in the international hierarchy for the emerging

regional states. There is also a widely held perception that the power and influence of leading Third World states are bound to grow and that “no country, even the superpowers, is immune to the effects of the policies of third states in the security debate” ²². Further, leading developing nations have learnt to work together, their opinion is beginning to be felt and it will increasingly weigh in the years to come. It is, therefore, futile to ignore the complex world scene where bipolarity has been replaced by multiple power centers.

Although a great power directorate has been a significant feature of the international system since the 1815 Congress of Vienna, New Delhi has disputed its right to formulate rules for the nature and composition of the system. In this sense, India can be regarded as a renegade state. In essence, New Delhi has claimed the right to regional responsibility in security and armaments which often clashed with the U.S. perception of its global responsibilities. As this study will attempt to show, citing India’s independent policy, that even under the best of circumstances, the exercise of power and influence by the great powers over a multi-state system is an onerous and difficult task. Even allies are sometimes difficult to control. It is debatable whether the regional middle powers who are determined to pursue policies as dictated by their national interests can be controlled. India has projected its regional responsibility onto the world stage by means of milieu goals such as nuclear disarmament.

Traditional approaches to the study of non-Western world have tended either to search for resemblances to European-centered state system or to emphasize the distinct nature of politics of those regions. The rise of area studies was testimony not only to the political importance of the Third World, but also the realisation that politics of other areas can be better understood if they were studied in their own settings. Zalmay Khalizad, writing in 1984, still contended that area studies have not yet been well integrated into the security perspectives of those studying world affairs²³. Until recently, the sub-continent has been ignored in security studies except in the context of proliferation concerns and conflict situations. "Yet it is a region in which two adjacent nuclear powers contend and in which the dominant regional power has the undoubted potential to be probably a great (and certainly a nuclear) power . . . The security of Southern Asia remains of preeminent importance even if its study has been neglected by strategists"²⁴.

In his pioneering article²⁵ on the significance of successful arms control for the security of the Third World, Hedley Bull has contended that agreements between the U.S. and the Soviet Union are often against the interests of third parties. It reflects, for instance, their preference for a world order in which they continue to enjoy a privileged position; policies promoting their national security at the expense of the security of other states; and strategies denying third parties arms which they regard as necessary for their own security. Strategies pursued by the superpowers, he argued, are intended to formalise their claim to a special position in the hierarchy of military power and therefore exclude measures such as nuclear

disarmament, which carry the risk of a radical change in the distribution of power between them and other states. Non-proliferation policies, according to this view, are advanced to entrench their power position, to expand their spheres of influence and to frustrate aspirant great powers which seek to stake out new spheres of influence in their own regions. The horizontal spread of nuclear weapons is opposed on the ground that such a development would endanger international security, while in reality the objective is the retention of preponderant military power, in the hands of nuclear-weapon states.

Hedley Bull has thus sought to explain why Third World states are in revolt against the current arms control regime. This is a case in which a Western theorist, writing in 1976, tried unsuccessfully to bring India's thinking into the mainstream of arms control thought. To the extent that Bull relies not on ideology, but an objective assessment of tendencies, he provides a realistic perspective on Third World responses that can be applied and amplified in this study of India's security policies.

Johan Galtung, a perceptive observer of the Third World has argued that today's policies are ritualistic repetitions of yesterday's policies, at higher levels of insecurity. But there is no iron law condemning nations to live under conditions of ever-increasing world insecurity. Advocating alternative approaches to security, he advances four inter-related themes : conflict resolution, balance of power, disarmament and alternative security policies. The last approach, the one "most believed in here but certainly not to the

exclusion of the other three", is in turn, seen by the author as four goals or parallel paths : "transarmament" (shift to non-provocative, non-offensive forms of defense ; non-alignment (gradual decoupling from the major powers) ; national self-reliance (generating strength through one's own resources) ; and new forms of cooperation between East and West. The basic idea is symbiosis -- that countries are mutually useful to each other. In his words, "the security of a country is a function not only of its usefulness to its own citizens ... but also of its usefulness to the outside. This can only come about through interaction. Much of this usefulness will have to be economic, but it can also be political, humanitarian, ecological and cultural" ²⁶.

K. Subrahmanyam, an author of several books on Indian national security problems, regards nuclear asymmetry as both unjust and untenable. As long as the international system remains helpless against the threat or use of nuclear weapons, the asymmetry between conventional and nuclear armaments cannot be remedied by improving the former in quality and quantity. For a country like India, which is surrounded by nuclear states, nuclear abstinence is neither realistic nor in conformity with its own capabilities. Further, states outside of the alliance systems cannot be regarded as mere extensions of the security needs of great powers and that third areas should seek their own solutions. The politics of these areas have become increasingly autonomous, the power of the local actors increasingly considerable and the potential for regional solutions to regional problems is increasingly demonstrable with regard to specific cases. Hence, politics in specific regions can only be understood in terms of the perspectives and

priorities of the states themselves. This entails an understanding of the sources of regional conflicts and a sensitivity to the particular norms that characterize diplomatic relations in various regions ²⁷.

The relationship between India's position on global disarmament and regional security issues is covered in considerable detail. It also provides evidence of India's broader goal in becoming one of the poles in a multipolar world. Another aspect seldom noted is the manner in which India's diplomats have utilized the non-aligned movement to promote their policies in the U.N. Whether India's role as a recognized de facto leader of non-nuclear, non-aligned, developing nations makes a difference in relations with superpowers may also be elucidated. So too, albeit indirectly explored is the function of the UN in resolving tensions created by superpower leadership and India's necessitous resistance to their unequal arms control measures. Essentially, these aspects within the two basic areas of description and analysis are brought together in an over-all framework of looking at the UN efforts in the field of disarmament from the perspective of Third World involvement in its deliberations. The study thus attempts to provide an up-to-date portrayal of the disarmament-security debate from the North-South perspective.

III

Prior to 1971, India was in the forefront of the principled or idealistic approach to disarmament issues. Then the war with Pakistan over the creation of Bangladesh led to the threat of Chinese intervention and dispatch of the U.S. Sixth Fleet into the Bay of Bengal - both actions in support of Pakistan. Concurrently, there was U.S. - Chinese rapprochement for

geostrategic reasons. While these factors led to a stage of strategic thinking by India's security planners, who began to contemplate the acquisition of nuclear weapons, they also compelled India to sign the Treaty of Peace, Friendship and Cooperation with the Soviet Union. As a result, Michael Sullivan has noted, India's former emphasis upon the value of international cooperation in achieving arms control has since 1971 shifted to a more overtly nationalistic posture in its approach to disarmament issues ²⁸. Both the approaches were consistent with India's desire to change the global pattern of power.

It was widely held that although regional security concerns were influential, idealistic considerations were more evident in Indian security policy during the 1950's and 1960's ²⁹. For instance, the preamble of the 1954 agreement between India and China contained idealistic features of international relations : mutual respect for each other's territorial integrity and sovereignty; mutual non-aggression; non-interference in internal affairs; equality; mutual benefit and peaceful co-existence. But India's defeat by China during the border clashes of 1962 led to the abandonment of the idealistic approach to security, which was subsequently recast in realistic terms of military power.

Chapter II examines India's security problems and reviews its position on nuclear weapons in the context of the retention of a weapons option. It also analyzes India's position on nuclear issues in general and, in particular, on questions related to a comprehensive ban on nuclear testing,

the arms race in outer space as well as the newer issues of the relationship between disarmament and development and the naval arms race. This chapter will also explain the extent to which India's position has been a reaction to the different positions advanced by China, the U.S. and the Soviet Union. A significant element is the adamant positions taken by them, which have failed to come to grips with the ramifications of the nuclear revolution, namely, the opening of a route to equality in various regions. India has an uncompromising posture with respect to nuclear disarmament and equality. Hence, the focus is on India's position in the international nuclear debate to determine how it advances its goals and values within UN disarmament organs.

Chapter III deals with the Non-Proliferation Treaty and its impact on India's concern for security and status. The origins of the treaty, its functioning, what aspects of the treaty are working and which are not will receive close scrutiny. The three review conferences will be taken as the yardstick to examine India's justification for its position and whether it has contributed to the efficacy of the non-proliferation regime or to its erosion. Among the questions posed are : If it joins the treaty, to what extent will it enhance or diminish its security? What is India's rationale for refusing to become a signatory, given the possibility of Pakistan's "Islamic" bomb and two nuclear powers as neighbors ?

Chapter IV focuses on the concept of a nuclear-weapons-free-zone, its applicability and relevance to South Asia and India's position. This will be

done by analyzing the origins and potential impact on strategic competition as well as on the regional states. What are the advantages and disadvantages of such a zone for the subcontinent ? Of what use is a nuclear-weapons-free-zone, given the fact that India has retained a nuclear option ? It also discusses the ramifications of such a zone in the context of the 1971 UN Declaration of the Indian Ocean as a Zone of Peace and analyzes the extent to which the strategic presence of the superpowers and India's position in the zone coalesce or diverge for the end result of its implementation. The scenario, as it is being played out in the Indian Ocean is examined in the context of the implications of "internationalizing" this region's security.

While the previous chapters are concerned with nuclear and related issues, chapter V considers India's policy towards conventional armaments. Given its geopolitical needs, what is India's strategy for defense against conventional attack from perceived adversaries ? What is the role of military aid and arms trade in the region ? How does India mitigate the situation through the UN ?

The concluding chapter focuses on India's options and policies in a radically changing international environment.

India's arms control and security policies since the 1970's have been determined in the main by the strategic environment in South Asia. In consequence, it has adopted a strategy which retains a nuclear option and makes any change conditional upon improbable changes in the attitudes of

the great powers towards nuclear disarmament in general and South Asia in particular. As an active participant in the UN deliberations and as a leading Third World state, India has had to reflect the strategic concerns in relation to specific proposals for arms limitation and disarmament. The Non-Proliferation Treaty has been particularly troublesome. India continues to perceive efforts to gain its adherence suspiciously and as detrimental to its goals of national security, regional influence and international status.

Indian policies on security and selected arms control issues focus on the importance of regional pressures and extra-regional forces that helped shape these in each instance. In this context, India must necessarily reflect its regional security preoccupations. Paradoxically, however, as the thesis of this study holds, these preoccupations have led to policies which emphasize global rather than regional solutions. From this perspective, the study will explore the crucial links between specific arms control measures - both those in effect and those under consideration - and Indian security.

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Chapter II

India's Security Objectives

This chapter describes the fundamental elements of India's security concerns and objectives in South Asia. Like all other states with the potential to rely on military power for their security, India's quest for security is reflected in the tensions that characterise relations with its neighbors. Arms control policies, particularly with respect to nuclear weapons, naturally emanate from India's ambitions as a regional power and from the objective constellation of potential enemies on its borders.

India's Perceived Status in the International Hierarchy

In terms of size, India is the seventh largest country in the world with 1.3 million square miles and is about two-thirds the area of Europe excluding the Soviet Union. In demographic terms, its population of more than 800 millions is larger than the two Superpowers combined, larger than all of the Americas put together and roughly equivalent to that of all the permanent members of the UN Security Council minus China.

India has the world's tenth largest industrial base, and its third largest supply of skilled and technical manpower which is next only to the U.S. and the Soviet Union, has supported the military effort. Its science and technology infra-structure is immense. Although it is difficult to make comparisons, India may be ahead of China in scientific capacity despite the

much larger size of the latter's economy. Britain, China, France, Germany and Japan have lesser number of technically skilled people than India ¹.

India is also one of the most advanced countries in its political development and institutions. Public participation in politics is widespread and vigorous ². Unique among the Third World countries, the vast increases in military capabilities have been overseen throughout the past four decades by civilian regimes which have been sensitive to the role and requirements of the military but which has not allowed the latter any role in political decision-making ³.

India's elitist educational tradition has produced the most highly trained and experienced diplomatic negotiators among developing nations. In the UN especially they are highly sought after for formulating Third World positions on a wide array of issues and for chairmanship of committees, in recognition of their impartiality and parliamentary abilities. They deal skillfully with the highly complex technical and legal issues of modern diplomacy from the law of the sea to nuclear armaments.

In order to facilitate scientific and technological change, a separate Department of Science and Technology and a policy-making National Committee on Science and Technology was established in 1971. A Science and Technology Plan has been integrated with the five-year economic and defense plans with the avowed objective of accelerating "science and technology and their application to the development and security of the

nation" ⁴. The areas of special focus include energy, mining, metallurgy, heavy and design engineering, chemicals, atomic energy, outer space, electronics, agriculture, housing, health and education.

The nation's appalling poverty and lack of development is often misleading as to the underlying resource base. The Gangetic plain, already supporting high population densities, is a highly productive agricultural resource that is responsive to modern high-yield agricultural technology. Only a small portion of its potential has been exploited. India's hydro-electric and coal resources, although expensive to develop, are massive. Oil exploration has been accelerated and off-shore potentials suggest eventual self-sufficiency at much higher than present levels of consumption. India's thorium reserves are large and it has launched an intensified effort to develop a thorium-breeder reactor technology. Although geological exploration has been delayed, known reserves of iron-ore, which represent 10% of the world's total, and those of a wide range of other minerals suggest that India has the potential for an independent resource base. This is in sharp contrast with Western Europe ⁵.

India's natural resources represent potential for growth. Even now, it ranks thirteenth in industrial output and its current gross national product of over \$100 billion makes the world's ninth largest economy. Except for China, India has the most diversified industrial sector of the Third World. By the year 2000, India will be seventh in over-all gross national product and

eighth in industrial production, assuming the continuation of high growth rates in the presently industrialised states continue at current levels ⁶.

At the time of independence in August 1947, Indian armed forces totalled about 300,000 soldiers, an air force of two fighter planes and one transport squadrons and a navy comprising four sloops, two frigates and some harbor defense craft. Military officer corps consisted of non-commissioned officers, captains and majors. The capacity to manufacture armaments was non-existent.

However, within a span of three decades after independence, India has acquired the world's fourth largest standing army (1.2 million soldiers), fifth largest air force and eighth largest navy (expected to be the fifth within a decade). Through its nuclear and space programs, it has demonstrated an ability to acquire strategic nuclear weapons and delivery systems. The military-industrial-research complex and their productive capacity is equally impressive : about thirty major ordinance and defense establishments employing approximately 300,000 workers who can produce such diverse items as small arms, field and anti-aircraft and naval missiles, armoured tanks, personnel carriers, subsonic and supersonic planes, helicopters, antisubmarine frigates, fast patrol boats and missile boats. The quantity and quality of production has increased significantly during the past decade utilising primarily Indian research and development capabilities. As Thomas Graham has noted, future plans are ambitious and involve designing and manufacturing some of the most sophisticated defense equipment in Asia: a

new generation of missiles, sonar buoys and gas turbine engines for Indian-designed military aircraft as well as a main battle tank, a missile firing destroyer, a jet fighter and remotely-piloted vehicles⁷.

The goal of the Ministry of Defense is to eliminate dependence on external powers for military technology and imported equipment so that the country can be self-reliant, reduce foreign exchange costs and "create research and development capability sufficiently broad and dynamic to produce a current generation of military equipment and serve as a catalyst to an advanced technology industrial sector"⁸.

Thus, in the last decade India has produced an increasing percentage of its defense equipment by utilising one of the Third World's largest military production complexes, comprising the second largest organisation in the Indian industrial economy. It manufactures 10 to 15 per cent of India's industrial output and produces over \$100 million worth industrial output. Military goods worth 25% of the entire defense budget are produced by this complex. In this context, it is also estimated that 1.5 million workers are indirectly engaged in defense-related work and their production worth may well exceed \$30 billion⁹.

However, due to lack of sufficient technology, the Ministry of Defense will have to import the text generation of tanks, ships and aircraft, including fighters, trainers and tankers. Consequently, most of the advanced military equipment needed for defense during the next decade and beyond

will not be produced indigenously. This has set in motion a heated debated within the bureaucracies represented by the Ministries of Defense and Defense Production as to a technology acquisition strategy : that is, whether to move away from an emphasis on indigenous design, continue licensing agreements or launch new designs through research and development suited to specific Indian conditions. In any event, the objective is to attain over-all independence in armament procurement policy and to strengthen New Delhi's position in negotiations on an equal footing with foreign countries in attempts to gain military technology.

Apart from nuclear and space programs, and distinct from the general scientific and technological efforts, the Defense Research and Development Organization established in 1971 focuses on conventional weapons, their design and production ¹⁰. It manages 34 major establishments and laboratories with over 7000 workers engaged in duplication, modification, standardisation and import substitution of defense items. It has emphasised missile technology, aeronautics, radar technology, under-water naval weaponry, infra-red devices, inertial navigation systems and armoured vehicles ¹¹.

The purpose of this account is to demonstrate that India is not just one of the many developing nations. The only category in which it belongs among these states is the per capita income which is estimated at less than \$300. In all others, it occupies a unique place which cannot be compared to other developing nations. Hence, the elitist perception of a future role for

India stems from an appreciation and recognition of the country's attainments and potential to qualify for great power status.

Given its land area, strategic location, large population, continental-sized economy, basic resource-base, industrial infra-structure, million-strong army, considerable air force and navy, large independent armament industry, nuclear capability and near self-reliance in weapons acquisition, it is difficult for the intelligentsia to accept that nations with far less attributes continue to hold a monopoly of power in the international system. It can be debated whether India's accomplishments and future potential is a source of its self-perception ; or whether its historic development, spiritual and intellectual traditions molded this perception; or whether all of these taken together have created among the elite a self-image of importance and great power status among the comity of nations.

THE OBJECTIVE SITUATION

Pakistan , China and the Superpowers

British defense policy was predicated upon the strategic unity of the Subcontinent. Such a posture was reinforced by the creation of buffer zones in Afghanistan and Tibet and maintenance of primacy of the high seas. For these reasons, the British Prime Minister, Clement Attlee, instructed the Viceroy in India, Lord Mountbatten in 1947 that the "transfer of power was to be in accordance with Indian defense requirements and . . . the importance of avoiding a break in the continuity of the Indian army . . . and the need for

continued collaboration in the security of the Indian Ocean was to be pointed out”¹².

However, the partition plan gave Pakistan a decidedly strategic advantage in that its creation rendered the Gangetic valley vulnerable by opening the gates of the northwest. In the West, Pakistan commanded the best land access routes to Kashmir, which is accessible to India only through rugged mountain terrain. At the same time, the then East Pakistan provided an ideal location to disrupt India’s northeast supply corridor to Assam, Nagaland and the Northeast Frontier Agency as well as a base for strikes against Calcutta from Dacca whose airfields were only 150 miles away.

The Indian strategic dilemma from early on was that South Asia no longer a simple, strategic unit as it was during the erstwhile colonial era and thus constituted a wholly new set of defense problems. One of Pakistan’s very first acts was to let loose a tribal invasion of Kashmir during December 1947 - January 1948. In the years that followed, India’s security situation was inexplicably complicated by the Eisenhower Administration’s decision to extend military aid to Pakistan in 1953 which opened the door to great power penetration into the region.

India’s defense policy from 1947 to 1964 was largely determined by Prime Minister Jawarharlal Nehru, who was the main architect of the nation’s foreign policy. The basic dictum which he enunciated was “the normal idea is that security is protected by armies. That is only partly true ; it is equally true

that security is protected by policies. A deliberate policy of friendship with other countries goes farther in gaining security than almost anything"¹³. Thus, the role of the military was consciously relegated into the background which is contrary to the "realist" school of thought. At the same time, faith in the efficacy of moral force was applied to what were essentially political and military problems. Such a stance reflected not only the idealistic vision of the new nation but also the foreign policy assumption that India's security and economic development were intimately tied to the wider goals of peace and international cooperation ¹⁴.

Initially, India was content with a "slight edge" in military capabilities sufficient to deter Pakistan. China was considered a brother Asian state which was also exploited in the past by colonial powers. The 1954 Sino-Indian Agreement on Tibet whose preamble included the declaration on panch sheel - the five principles of coexistence - was thought to have ensured Indian security as it enjoined both sides not to use force to settle disputes between them¹⁵. Threats to security by the superpowers were nonexistent at that time. However, the signing of a mutual security agreement between the U.S. and Pakistan in 1954 and the subsequent quantity of arms that flowed to it reduced India's margin of superiority over Pakistan in armaments and aircraft although it was retained in infantry. Further, the armaments provided to Pakistan for joining the Southeast Asian Treaty Organisation (SEATO) and the Central Treaty Organisation (CENTO), although ostensibly set up to counter communist threat to the non-communist world, was considered by India as primarily meant to be used against it.

Consequently, India perceived Pakistan as posing a wide range of security problems, especially the vulnerability to a quick Pakistani success in a limited war through the use of armoured vehicles backed by tactical airpower which could cut Kashmir off from the rest of India. For this kind of assault, tactical superiority is of decisive importance. Indians understand this and consequently are sensitive about Pakistani acquisition of high-performance air and ground force weapons.

Indian forces, although numerically large, are deployed not only along its four hundred mile-long border with Pakistan but also the one-thousand mile-long mountainous terrain along the border that it shares with China. India's naval defense requirements are also by far the greater when one considers that its coast-line is five times that of Pakistan. In a comparative sense, Pakistan's army is half as that of India and they both maintain two armored divisions. With the delivery of 40 U.S. - made F-16 fighter planes (which can reach all major Indian cities) to Pakistan since the 1980's, the ratio of military aircraft is 3:1. (India has 32 mirage III, 40 F-16's, 70 Mirage U and 10 Mirage II). These do not include para military and other reserve forces which are numerically larger in Pakistan¹⁶.

Pakistan's relations with the U.S. and China have long posed particular problems for India. For instance, the Soviet invasion of Afghanistan was a direct threat to the sub-continent with profound implications for India because of the renewed large-scale U.S. military aid to Pakistan. It reinforced apprehension concerning not only the nature of such aid but also lack of

restrictions on their use, which together undermined India's heretofore undisputed supremacy in South Asia.

For instance, Selig Harrison and Paul Kriesberg, two seasoned observers of the South Asian security scene, have noted that the Airborne Warning and Control Systems (AWACS) with an electronic reach extending to hundreds of miles into Indian territory went far beyond equipment necessary for defensive warfare in the mountainous Afghan border terrain¹⁷. For their part, Indian strategists argue that these systems could serve both offensive and defensive purposes, enabling the Pakistani Air Force to launch a first-strike with more precise targeting as well as more effective command and control than India now possesses. (Washington could also use other electronic monitoring devices situated in northern Pakistan for surveillance of India, passing on military information to Islamabad).

In the nuclear sphere, the U.S. perception of Pakistan as a crucial ally in the region has served to weaken the resolve to prevent a Pakistani acquisition of nuclear capability¹⁸. The Symington and Solarz Amendments concerning Presidential certification that Pakistan is not engaged in the development of nuclear weapons as a condition for aid has been relaxed or circumvented. Even with the Afghanistan issue resolved, leaders in India maintain that Washington will continue to seek a long-term relationship with Islamabad as an American surrogate in the region¹⁹. Many Indian foreign service officials and scholars alike believe that it was U.S. - Pakistan ties that resulted in the 1965 and 1971 wars and the resumption of large-scale military

assistance in the wake of Afghanistan, may yet lead to future conflicts. Such aid is also seen as an intrusion into India's security sphere and encourages Pakistan to resist India-centered security arrangements. While the Soviet invasion of Afghanistan was not considered by India to pose a threat to South Asian security²⁰, it has bolstered U.S. - Pakistan strategic relationship, thus complicating India's security situation. Hence, the essential problem between Washington and New Delhi remains U.S. aid to Pakistan.

Chinese military assistance to Pakistan is said to further compound the security situation in South Asia. Such support has been the by-product of Sino-Indian tension over the border issue as well as close Indo-Soviet cooperation. One of its manifestations was the construction of the Karkoram highway in the disputed Kashmir province which linked China and Pakistan with security implications for India. There were also consistent reports of assistance in the nuclear field including weapons design²¹. Due to geopolitical factors and convergence in other areas, the China-Pakistan connection may be more enduring and substantive than U.S. - Pakistan relationships.

Finally, Pakistan's growing influence and military connections with the Moslem nations of the Middle East, give credence to the view that these have been further enhanced as compared to the 1960's and 1970's when those countries already were overt allies of Pakistan in its wars with India. Consequently, New Delhi is faced with a radically different situation vis-a-vis Pakistan which has eroded the security gains India has achieved during the previous decade and a half. Despite India's stature in the UN and elsewhere,

Pakistan has been able to further isolate India by expanding and deepening its military and strategic relationships with the U.S., China and the Islamic world. In effect, New Delhi perceives Islamabad as a more potent adversary today than in the past.

The hopes raised during the Indian Prime Minister's visit to Pakistan to attend a conference of regional leaders from the seven-member South Asian Association for Regional Cooperation held in January 1989 fell short of expectations. [The last official visit by an Indian Prime Minister was in 1960 when Nehru visited Islamabad for talks with President Ayub Khan]. They merely agreed on cultural links and avoidance of double taxation on the operations of their respective airlines. And the most serious outstanding disagreement - the future of a divided Kashmir - was not discussed in any detail. Pakistani leaders reaffirmed their long-held reservations about expanding trade and economic cooperation in the region reflecting fears that India would dominate regional markets if trade barriers came down, expressed apprehension about India's peacekeeping role in Sri Lanka and referred to the Indian military action in the Maldives during 1988 without consultation among neighboring nations. There was no breakthrough from the meeting but it laid the basis for improved relations" which has been characterised by unrelenting hostility punctuated by outbursts of armed conflicts in 1947, 1965 and 1971.

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As regards China, border clashes in 1962 resulted in the rout of an ill-equipped Indian army. It shattered Nehru's vision of a peaceful, non-

violent world based on good neighborliness. The trauma of defeat also had a long-lasting and profound impact on Indian defense planning and preparedness, which underwent a radical transformation from one of idealism to participation in the game of power politics. Henceforth, New Delhi adopted a more conventional approach to security and began a rearmament program through indigenous production of weapons and the diversification of its sources of military assistance.

Indian officials and scholars alike have viewed China as implacably hostile. (Such an assessment is not dissimilar to the one held by Washington prior to their rapprochement in 1971). The unpredictable grab of Tibet, border attacks, military assistance to cessionist groups in the northeast parts of India, threats of intervention during the second and third Indo-Pakistani wars, fighting in Nathu La Pass on the Sikkim-Tibet border during 1967, the confrontation between tens of thousands of Chinese and Indian troops in the disputed border areas in 1987 and the probability of yet another conflict have all contributed to reinforce Indian misgivings of China's motives.

Three additional factors further heighten the concerns of Indian security planners.

First, as China and Pakistan became India's principal adversaries, they could act either separately or in collusion in a two-pronged attack, one of which would be diversionary, while the other strategic.

Second, the Non-proliferation Treaty is perceived as permanently freezing the status quo of allowing China to retain and further develop nuclear weapon, while denying the same right to India's national defense. From New Delhi's perspective, the central security reality is that India's principal international adversary is a nuclear weapon state, while India itself is not. This imbalance looms larger to a nuclear have-not than to nuclear powers who are more assured of their power positions. Hence, the dominant perception of China as a strategic threat and as opposed to the rise of independent power centers on its periphery has continued to persist.

Third, in the field of conventional armaments also, India is perilously insecure despite a drastic overhaul of the defense establishment. The Indian army has to face not only vastly superior Chinese conventional forces across a border of more than 1000 miles but also a wide range of nuclear armaments with delivery capabilities. Although China had opted for a restrictive interpretation of nuclear weapons and offered a no-first use pledge, such an approach is no more reassuring to New Delhi than similar assurances by Moscow to Bonn and Washington, prior to superpower rapprochement.

While India can not independently meet either a Chinese conventional attack or nuclear threat / blackmail, India's security is also vulnerable to the vicissitudes of Sino-American and Sino-Soviet relations. While rapprochement among the former led to New Delhi's increased isolation and greater dependency on Moscow, the improvement of relations

between the latter, may render India's security at a disadvantage. Consequently, India can be said to be helpless in the face of autonomous calculations in Moscow and Washington.

The lessening of tension between the superpowers may however positively impact on the strategic equation in South Asia. The Soviet withdrawal from Afghanistan, moves to end hostilities with China, reported efforts to contribute to the peaceful settlement of conflicts elsewhere in Southeast Asia, Southwest Africa and the Middle East have created conditions conducive for amicable relations between China and India. Moreover, the meeting in 1988 between Prime Ministers Rajiv Gandhi and Li Peng - the first such meeting between the leaders of these countries since [Rajiv Gandhi's grand-father Nehru went to China in] 1954 - has signaled the initiation of a process to stabilise the situation in that part of the world. As of this writing, it is difficult to foresee developments in the future, but an era of reconciliation may be at hand.

While steps may be taken in trade, cultural and other matters, the tension between the two neighbors will continue unless and until tangible steps are taken with regard to the border issue, which remains unresolved. Both having laid out territorial claims, makes it difficult for either to make concessions. The Chinese want "mutual understanding and accommodation" implying that both should stop claiming territory occupied by the other and adjust minor differences. India rejects this and insists on "mutual benefit,

mutual interest and mutual acceptability", which imply no surrender of Indian territory²³. The border talks, therefore, remain deadlocked.

The visit, however, is significant for broader reasons. First, it is an important step in gradually easing tensions in Asia. Second, an improvement, even if it is only partial in Sino-Indian relations will be a factor in evolving power relationships in South Asia, particularly in prospects for Indo-Pakistani negotiations in lessening subcontinental tensions. Third, in the context of India-Pakistan, China - Soviet Union and Japan - Soviet Summits and other meetings, it represented a significant broadening and diversification of regional and global power relationships²⁴.

Superpower relations with India since the 1950's have been determined primarily without regard for Indian security and development needs. While the U.S. viewed South Asia as a region to build an anti-communist coalition through Pakistan, the Soviet Union saw India as a state open to its influence and as a proxy in its conflict with China. Thus, both the superpowers used South Asian geography to their advantage in supporting a global posture directed against the other.

While not directly threatening India, they have sought to impose arms limitation measures, especially in the form of non-proliferation of nuclear weapons and the establishment of a nuclear-weapons-free-zone in South Asia, both of which are viewed in New Delhi as affecting vital aspects of defense. In exhorting India to forego the acquisition of these weapons as a

pillar of its security - a policy which they themselves pursue- both the U.S. and the U.S.S.R. have emphasised the theme that "what is good for us is not rational for you". Such attempts to dictate armament levels and "permissible systems", while not "disarming" themselves is seen by Indian officials as intended to thwart India's aspirations for great power status, entrench dependency relationships, foreclose future advances in military options and diminish autonomous policy-making capability²⁵. The image of a certain congruence of interests in security-related issues is also held by the elite who see the need to avoid entanglement with either superpower and to build the country's strength on the basis of self-reliance²⁶. An extreme version of this view, held mostly by journalists, was their disposition to undermine India's leadership of the Third World and thereby weaken its international influence. Neither wants to see India or any other non-nuclear Asian state become truly autonomous as the U.S. and the U.S.S.R. have a common stake in controlling Asia's strategic role under their tutelage²⁷.

Based on the foregoing perceived security dilemmas faced by India from Pakistan, China, the U.S. and the Soviet Union, the question of the invasion and occupation of Afghanistan by the Soviet Union put India in a difficult situation in the UN. With its principal adversaries leading the global condemnation of the U.S.S.R., India projected a policy of neutrality on this question by resorting to abstention in UN resolutions which were overwhelming supported by the other members. In this regard, India's position was that the Soviet move was of a limited and defensive character and it indirectly attributed the move to "the maneuvers and activities of

external powers"²⁴, (meaning the U.S.) in the internal affairs of Afghanistan. It further identified U.S. meddling through the acquisition of a permanent position in Diego Garcia in the Indian Ocean and bases in Socotra, Aden and Berbara on the Horn of Africa as a provocation for Soviet action. And, Washington's contention that Soviet action coupled with the fall of the Shah of Iran justified its enhanced naval presence in the area was indirectly rejected by India ²⁵.

Its posture should also be seen in the context of a \$3 billion military aid agreement with Moscow that was signed just prior to the Afghan invasion, which confirmed to Indian officials that they needed the Soviets more than Moscow needed New Delhi. Indeed, the Soviet Union has long been regarded as a reliable supplier of sophisticated weapons on highly concessional terms and as having served important national interests without compromising Indian independence. Therefore, it could not antagonise its treaty partner and partial ally. As Zalmay Khalizad and others have noted, as long as the Sino-Indian dispute and Indo-Pakistan-American differences remain, New Delhi will have no viable alternative to the type of assistance and security support that the U.S.S.R. has been willing to provide ²⁶. Hence, Indian diplomats at the UN rationalised their position by a resort not to actual national and strategic considerations of India but rather to a line of argumentation that in varying degrees reflected Soviet contentions as justification for its policies in Afghanistan.

By the mid-1980's, however, it became apparent to the Soviets themselves that their adventure in Afghanistan was counter-productive and that they had to begin a process of extricating their forces without a definitive military victory. This may have offered an opportunity for Indian representatives at the UN to temper their rhetoric without necessarily suffering the consequences of a Soviet retaliation in the form of suspension or termination of aid. This may have been the case if India had early on opposed the invasion, when the U.S.S.R. was convinced that its operation would be of limited duration and victory easily achieved.

Consequently, since 1984 there has been a perceptible shift in India's position, perhaps also due to a need to show greater sensitivity and understanding of the international community's position on the Afghan conflict. Unlike previous thinly-veiled pro-Soviet postures, it now began to utilise the language contained in UN and non-aligned decisions on this question such as the restoration of the sovereignty, independence and non-aligned status of Afghanistan". Yet, its abstention in the General Assembly voting remained unchanged.

India may have been influenced by the interventions of powerful Islamic nations which maintained solidarity with the Afghan resistance or by official entreaties by the Organisation of Islamic Conference itself. Moreover, given its standing as Chairman of the Movement of Non-aligned Countries during 1983-86, India found itself in an awkward situation when the Movement repeatedly and overwhelmingly called for the withdrawal of

Soviet forces from Afghanistan. It is also possible that considerable diplomatic pressure was brought to bear by West European and other developed nations which maintained good relations with the Indian government. Finally, it may have been a recognition of the reality that the Afghan situation has assumed more than a local and regional dimension.

In any event, it was self-evident that India was not well-suited to play the role of an apologist for a Soviet policy which was so blatantly violative of international law and the UN Charter, especially with regard to a Third World non-aligned country. Hence, for its own credibility at a highly public forum such as the UN, India may have decided to modify its pronouncements in the direction of what was essentially an international consensus.

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In reviewing the over-all security situation that has prevailed in South Asia during the past four decades, a number of variables are pertinent: conflict and rivalry between states which thwarted India's regional aspirations; deep involvement of outside states in regional animosities which is anathema to New Delhi; the imposition of East-West rivalry and competition which negatively affected Indian security interests; and the over-all militarisation of the continent of Asia which created a pervasive sense of insecurity and mutual threat perceptions among the states involved.

Indian leaders see themselves as part of an inter-locking Asian state system comprising India, China, the Soviet Union, Vietnam, Pakistan and

Indonesia which have to respond to situations of uncertainty and insecurity over which they have only marginal influence. The U.S. is not considered to be central in this regard except in its ability to exacerbate India's security problems vis-a-vis Pakistan. They believe themselves to be facing an unpredictable China ; they expect a situation of continued confrontation and even another war with Pakistan ; and in that context, collusion between these two adversaries. Newer issues in the strategic environment that include the Middle East and the Indian Ocean have further aggravated the security situation.

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India's security problems and objectives have influenced both defense and foreign policies. The core issue of defense policy has been whether to cross the threshold that separates a nuclear option from a nuclear power. In foreign policy, the core issue has been how to remain a leader of the movement of non-aligned states while tilting towards the U.S.S.R. to maintain a balance of power in the region. In both defense and foreign policies, lay many traps for its diplomats at the UN as they actively participate in deliberations and negotiations on disarmament issues considered to be critical by New Delhi.

1. Nuclear Policy

The nuclear issue came to the forefront in Indian defense planning in the aftermath of the Chinese atomic test in 1964. It is well-known that Prime Minister Nehru opposed nuclear weapons and declared flatly in 1961 that India will never develop them. He repeated that pledge a year later in

the wake of India's defeat by PRC in 1962". It is, therefore, unlikely that in 1963, the year in which construction of the first plutonium plant was begun, the country's political leaders were thinking of nuclear weapons. For, in spite of the border dispute the year before with China, the Nehru government signed the Partial Test Ban Treaty in 1963. At the same time, Nehru throughout his term as Prime Minister from 1947 to 1964, approved plans and budgets for India's nuclear establishment that contributed significantly at a later stage to the development of a sophisticated nuclear infra-structure.

In the aftermath of China's first nuclear test, Lal Bahadur Shastri, who was Prime Minister briefly from April 1964 to January 1966, appeared to reverse his predecessor's stance. While publicly opposing nuclear weapons, he contended that there is no permanency in such declarations and went even further to assert the right to apply nuclear science and technology for peaceful purposes (which because of their technological similarities are indistinguishable from nuclear weapons except in the way in which they are used). This constituted the first authoritative declaration which in effect opened the door to a weapons option³³.

Upon assuming power in 1966, Indira Gandhi initially refrained from spelling out India's stance despite pressures to do so by her own political party in the context of testing of nuclear weapons and nuclear-armed missiles by China. This can perhaps be attributed to India's long-standing opposition to nuclear weapons and the on-going negotiations on a non-proliferation

treaty, which placed the issue of proliferation in the forefront of international disarmament debate.

By 1971, however, her policy became explicit through an announcement in the Parliament that India will conduct peaceful nuclear explosions³⁴. It is not clear whether that decision can be attributed to the tumult brought on by the third Indo-Pakistani war in 1971 over the establishment of Bangladesh, the threat of intervention by China and the dispatch of U.S. Sixth Fleet into the Bay of Bengal in support of Pakistan, the implementation of Prime Minister Shastri's decision on peaceful nuclear explosions, domestic political compulsions or a desire to demonstrate the country's growing technological prowess to impress the world.

On 18 May 1974, India detonated a nuclear device, which was characterised as a peaceful nuclear explosion to study cratering and cracking effects of rocks. Since that time India has not detonated a second device although there was intense speculation in the West during 1979 - 82.

In 1980, Indira Gandhi seemed to further confirm her predecessor's decision to retain the option on the basis of the need to keep "in touch...with the latest technology . . . we remain committed to the use of atomic energy for peaceful purposes but will not hesitate from carrying out explosions...or whatever is necessary in the national interest"³⁵. Concurrently, the reprocessing of plutonium from spent fuel was justified by officials on the basis of the country's long-term energy plans.

In 1984, Rajiv Gandhi reaffirmed his predecessors' policy of not acquiring nuclear weapons and even more significant was the announcement that India has discontinued its peaceful nuclear explosion program since 1974. He went on to say that "nuclear arming will be the last option we would like and we don't want to build a bomb. . ." ³⁶. This was consistent with his highly visible participation during 1986-1989 in the series of five-continent, six-nation initiatives involving the Presidents of Argentina and Mexico and the Prime Ministers of Greece, Sweden and Tanzania for the purpose of appealing to the leaders of the U.S. and Soviet Union to go beyond old doctrines and to break new ground in nuclear arms limitation and nuclear disarmament. In this regard, they offered their services to monitor a moratorium on nuclear testing and a concrete program of verification ³⁷.

The strategy to maintain the option is viewed by a highly regarded analyst, Ashok Kapur, as implying first, that India will not manufacture nuclear weapons but would constantly threaten to do so in the light of Chinese, American and Soviet behavior and military activities in the nuclear field ; second, a willingness to go nuclear if China's nuclear threat becomes real ; third, a decision to stay abreast of modern technology for peaceful purposes at present ³⁸. For K. Subramanyam, India's hawkish strategist, the retention of the option is a warning that the distribution of military power discriminates against India and that it is determined to acquire its share of power ³⁹.

In these perspectives, Indians regard nuclear policy essentially in security and economic terms, that is, in the context of increasing both the military and peaceful applications of various technologies without committing themselves to the substitution of one for the other. Thus, according to Raju Thomas, "within the uncertainties of the future international environment, their real decision was not to relinquish a demonstrable military capability. If the future is peaceful, then nuclear . . . expenditures could be reallocated and labelled as civilian. Meanwhile, the perceived benefits (the removal of doubts about the will to demonstrate a weapons option) of these expenditures are likely to be great" ⁴⁶.

Beyond the semantics of peaceful uses, however, lie a key point in India's nuclear behavior. India's option was implicit in its peaceful nuclear programs and in its opposition to international safeguards. Such postures should not be construed as a sign to produce the bomb but rather as asserting the right to do so. Arguments against safeguards had obvious security motives, which were developed by diplomats rather than military generals. The security motives related primarily to the question of opposing the growth and imposition of rules, norms and nuclear law agreed to between the superpowers. In other words, it questioned their right to decide exclusively without taking into account the security interests of other nations. Second, to keep the option free of restrictive and irrevocable safeguards, as it is impossible to predict future developments concerning possible military activities of its adversaries.

By wielding the option, India "avoided the vulnerability that existed in a unilateral renunciation of nuclear weapons on the one hand, and on the other, the increased security dangers that would arise from embarking on a nuclear arms race with China. Thus, this policy can be said to have contributed to an improved security climate in the South Asian subcontinent as it avoided the extremes of action and inaction" ⁴¹. It can also be viewed as a deliberately vague, middle-of-the-road position between pro and anti-bomb proponents at home, pushing the decision off to an unspecified date, perhaps until warheads and delivery systems would be available.

In the UN multilateral context, delegates can point to the dangers and inconsistencies in India's ambiguous nuclear postures but they must be prepared to accept the same in the policies of nuclear weapon states. Hence, there is merit in deliberately preserving an aura of ambiguity by the unmistakable possession of an option but without actual acquisition and deployment, which allowed its diplomats to advocate arms reductions and non-proliferation without facing charges of blatant hypocrisy.

India's security concerns have traditionally been treated with disdain, if not outright derision, by many writers. Consequently, these experts are long on analysis and proposals regarding nuclear issues in the subcontinent, while woefully short with regard to broader Indian considerations on the strategic designs of the major powers toward that region as a whole. An example is the Report of the Carnegie Task Force on Non-Proliferation and South Asian Security, prepared in 1988 by a group of 18

leading American specialists", which for all practical purposes ignored the perceived threats to Indian security. It failed to address the critical question of what nuclear weapon states can do in strategic terms to allay such concerns in nuclear-prone regions. Rather, the Report advances simplistic, unrealistic and oft-repeated proposals such as the prevention of the diffusion of sensitive technology ; embargoing such technology ; reaffirmation of existing non-proliferation policies and norms; and calls on both China and the U.S. to be "cognizant" of India's security apprehensions and avoiding actions (without specifying what these are) that would further exacerbate the situation.

For sometime now, hawkish Indian strategists have called for the acquisition of nuclear weapons to meet the nation's multiple threats to security. They have long considered nuclear armaments as weapons of the West against other states and the feeling still exists that their use against Japan was tinged by racism. Such weapons are deemed to have great value and as having conferred big power status. And they are regarded not only as strategic but also political instruments of terror and coercion to intimidate or destroy the weak. Of even greater importance, they serve as the primary means through which to change the international order which is considered to be unjust and inequitable. Further, the acquisition of nuclear weapons by the have-nots is not considered to pose a greater threat to security than the status quo. Their use is considered to be wholly conceivable given the espousal of strategic doctrines and the refusal by the Western states to renounce their use. Hence, prudence and realism dictate that non-nuclear states too possess them as a legitimate response to any threatening moves by

adversaries and as an adequate defense against the behavior and policies of nuclear powers.

Some of the more specific arguments advanced in favor of the bomb can be summarised as follows:

- As an emerging global power, prestige policies require nuclear weapons
- Provide the only adequate guarantee of security to meet the threats posed by China and Pakistan, either individually or jointly
- Ensure Indian interests against a U.S. - China - Pakistan axis
- Ensure the continued dominance over the subcontinent and admittance to the corridors of global power
- Useful in dealing with the superpowers who would no longer ignore vital Indian interests
- Provide a strong bargaining position to resist superpower demands and to pressure them into genuine disarmament measures
- Quicken the pace of normalising relations with China
- Uncertainty concerning Soviet security support beyond 1991 would be removed when the Indo - Soviet Treaty on Peace and Cooperation expires
- Pakistani nuclear weapons program, implacable U.S. hostility to India's regional ambitions and renewed conflict with China ⁴³.

In contrast, the minority voice in India, mostly Western-educated elite, some senior military officers and opposition parties, as well as literature in the West caution against the acquisition of nuclear weapons. Such a program would involve the diversion of resources from conventional armaments essential for security and regional status. The idealistic faction in this group urges a vigorous pursuit of the strategies for nuclear disarmament to overcome the nuclear peril. In opposing a nuclear weapons program as

inimical to the interests of the nation, these writers have advanced the following arguments:

- Financial considerations do constitute a formidable barrier although not insurmountable
- No realistic plan can achieve an effective counter-force capability against China for the next decade and beyond
- It is wiser to live with the remote Chinese nuclear threat than to risk a combined Chinese-Pakistani nuclear threat
- It would start a nuclear arms race in the region and expose India to diplomatic, economic and even military actions by China and conceivably other states
- Security cannot be assured under a situation of regional brinkmanship
- A Pakistani acquisition of nuclear armaments in response to India's could negate the latter's superiority in conventional arms
- There are few plausible uses of nuclear weapons
- There is a great deal to lose in abandoning the present threshold status of nuclear ambiguity which will alienate crucial outside support in terms of arms supply, diplomatic support and economic aid ⁴⁴.

A middle ground has been proposed by yet another school of thought which would accord a status separate from nuclear and non-nuclear nations to be called "nuclear-capable states" ⁴⁵. The rationale for this particular status is made apparent when analysts avoid using the term "threshold" as a means to distance this new status from any relationship with the current nuclear regime as represented by the non-proliferation treaty. In effect, the goal for these "nuclear-capable states" is to be recognised by nuclear-weapon states as possessing an inherent right to participate in the nuclear club on a status greater than the majority of non-nuclear nations,

albeit lesser than full-pledged nuclear powers. Hence, it is up-to the five internationally acknowledged, self-proclaimed nuclear weapon states to recognise and elevate India and other threshold states to this new status. Since these countries already have the capabilities and perhaps may have already produced rudimentary nuclear weapons, ignoring that reality would seem more dangerous than acknowledging the fact through their inclusion to some greater or lesser degree in the international hierarchy.

These differing approaches point to differences among analysts, some of whom take the highly unorthodox position that nuclear weapons could actually lead to stability, much as the nuclear threat is said to have diminished the chances of a superpower conflict, while others endorse the view that such weapons would render the subcontinent a more dangerous region and inevitably lead to the escalation of nuclear armaments. It is pertinent to note that in no country in the world has the nuclear issue been debated so intensely and for so long as in India. In fact, no such public debate or very little of it ever took place in nuclear weapon states. In the threshold countries, especially Pakistan with its generally believed nuclear ambitions, hardly any debate has taken place, as to whether or not their government should opt for nuclear weapons. The fact that animated, though not at all times coherent debates and discussions have taken place, has had a salutary impact on India's policy-makers who have become aware of the wide-ranging ramifications of acquiring nuclear armaments which led to the adoption of a cautious and restrained approach.

Western assessment of the acquisition of nuclear weapons in South Asia examines the capabilities and motives of India and Pakistan and generally portray alarmist scenarios. There is nothing new in this; such dire predictions have been voiced since the early 1960's with the contention that there will be 15 to 20 nuclear weapon states even by the end of that decade⁴⁶. These projections continued unabated through the 1970's and 1980's although the number of nuclear weapon states has remained at the original five. To cite a recent example, the Carnegie survey mentioned earlier describes an undeclared nuclear arms race in South Asia as gaining momentum-the first-ever between two regional powers - and raises the possibility of nuclear war, even though neither had produced nuclear weapons much less deployed them. It nonetheless warns that pressures to do so are likely to mount in each because of fears that the other is secretly taking steps in this direction.

Attempts to prevent the acquisition of nuclear weapons in the subcontinent have by and large centered on punitive actions, denials and sanctions. These have proven ineffective because India is largely self-sufficient in nuclear technology and the embargoes have been half-hearted and piece-meal in application and more often than not observed in the breach by their proponents. The U.S.S.R. is said to have taken an uncompromising position as most potential proliferators are situated close to its borders. Yet, Moscow in 1988, supplied to India a nuclear-powered submarine, ostensibly for training purposes and an unprecedented \$3 billion nuclear cooperation agreement is in the pipeline. [Under certain circumstances such as Pakistan's Islamic bomb, Moscow may support an Indian weapons program by a selective

weakening of controls in the supply of heavy water to India's nuclear power plants}. China has provided Pakistan with nuclear weapon designs and technical assistance to operate its reprocessing facilities at the Kahuta power plant⁴⁷. The U.S. has proven unable or unwilling to prevent a Pakistani acquisition of nuclear weapons as it served as a conduit to channel military assistance to the Afghan resistance in the context of the highly valued foreign policy objective of forcing Soviet withdrawal from Afghanistan. All of these show that despite protestations to the contrary, concerns for the spread of nuclear weapons have been subordinated to the immediate strategic and national security objectives which compel the attention of all policy-makers.

While the future course of India's decision-making remains uncertain, it would, however, be untenable for any government to refrain from manufacturing nuclear weapons in the face of a Pakistani bomb which would offset New Delhi's superiority in conventional armaments, and thus the need for an effective deterrence. Ten days before her assassination on 31 October 1984, Indira Gandhi considered the situation as "a qualitatively new situation in our security environment" which must add "a new dimension to India's defense planning"⁴⁸. Subsequently, Rajiv Gandhi declared that "it would be a point of no return in the subcontinent if someone has nuclear weapons . . . while India opposed nuclear weapons, national security cannot be compromised"⁴⁹. He pointedly warned of a reconsideration of the nation's nuclear policy and of its capability to quickly fabricate nuclear weapons once a decision is made⁵⁰.

Accommodation between them would be difficult given India's outright rejection of various Pakistani proposals such as simultaneous accession to the non-proliferation treaty, bilateral acceptance of the safeguards system administered by the International Atomic Energy Agency, establishment of a nuclear-weapons-free-zone in South Asia, a joint renunciation of nuclear weapons, conclusion of a bilateral treaty to ban nuclear testing and mutual inspection of each other's nuclear installations. India has spurned all of these proposals so as not to render the two traditional rivals equal in the nuclear field, while obligating it to renounce the sovereign right to possess nuclear weapons.

Despite pressures and continuing support from an influential segment of officials, respected defense analysts and members of Parliament with close ties to the government, nuclear arming will be avoided for the foreseeable future as it would be incompatible with India's leading role at the UN on nuclear issues and inconsistent with the declarations of non-aligned countries on nuclear disarmament. What is more, India's policy itself has been to consciously sustain its ambiguous posture by carefully straddling the fence in a determined effort not to deviate from its threshold status. Such a posture would be to India's advantage since China may not consider a limited nuclearisation as posing a threat to it and also enable New Delhi to maintain its status as a leading member of the non-aligned movement.

It is doubtful whether Moscow and Washington have the leverage to exercise pressures on New Delhi to give up the right to go nuclear which is

regarded by most Indians as their sovereign prerogative and fundamental to their security. Consequently, no government will jeopardise the future security of the nation merely to placate self-serving superpower concerns for the spread of nuclear weapons to additional countries. In any event, their ability to influence Indian decision-making is limited as it is largely self-sufficient in nuclear hardware and technology.

In South Asia, the credibility and effectiveness of any strategy to stem the spread of nuclear weapons can probably be sustained even at this late stage by initiatives that would preclude nuclear deployments in the vicinity of the subcontinent. Concurrently, as proposed by Maj. Gen. Jasjit Singh, former Director, Institute for Defense Studies and Analyses, New Delhi, nuclear weapons should be barred in Asia and the Indian Ocean up to a distance equal to the reach of intermediate-range nuclear missiles from the countries of South Asia. In a complimentary obligation, all states in the region would forego their nuclear options and refrain from crossing the nuclear threshold under "credible and enduring arrangements" ⁵¹.

India offers a classic example of the diplomatic utilities of nuclear capabilities, how influence is derived from nuclear assets and exercised in bilateral and multilateral relationships to improve national standing and perceived security, access to desired resources and development potential. It also illustrates some of the diverse implications for a developing country in acquiring nuclear capability, for its relationship with the less developed

neighbors and the effects on a wide range of political, security and economic issues.

2. Non-Aligned Policy

The second approach to security by the Indian government is the posture of non-alignment.

After the end of the Second World War, West European states perceived threats from the Soviet Union, the nature of which necessitated more specific protection than that afforded by the UN Charter. It contained a provision stipulating the right of its members, individually or collectively, to defend themselves against possible armed attack. These countries turned to the U.S. to underwrite their pledge of mutual security and NATO came into existence in 1949. It has since become the framework for the defense of the West.

The accession of West Germany to NATO in 1955 led to the establishment of the Warsaw Pact. The ostensible aim of the Pact was to organise a defensive reaction to the enlargement of NATO. However, other considerations such as the Soviet decision to retain control over the military forces of the Eastern European nations may have also played a part in its formation.

These military alliances were not confined only to Europe. From the outset, their confrontation assumed global proportions reflecting far-

flung interests, spheres of influence and domination. Consequently, other military alliances, notably SEATO and CENTO, came into existence. Already by then, India foresaw that the imposition of Western-based alliances on Asian states would be short-lived and at variance with the fundamental national security interests of the latter countries. At a later stage, on the Soviet side, a series of bilateral treaties of friendship and cooperation were forged with a number of countries. The cumulative effect of these developments was international tension and the creation of antagonistic blocs along ideological lines and strategic divisions that were politically untenable and nationalistically undesirable for the newly-emergent nations. For these reasons, their leaders came together to seek out new avenues to cope with this new configuration.

At this stage, India, Indonesia, Egypt, and Ceylon convened in 1955 the Asian-African Conference of 31 countries in Bandung to tackle a broad array of questions concerning international security and mutual cooperation among nations. At that Conference, Prime Minister Nehru declared: "We are determined in this new chapter of Asia and Africa to make good. . . primarily not to be dominated in any way by any other country or continent. Secondly, to rise in the economic domain, in the social domain . . . To put an end to the age-old shackles that have tied us. . ." ⁵². What Nehru and other leaders of Asia and Africa announced was aimed at giving a new direction in world affairs, a direction based on "integrity of purpose and ideals". Denouncing a parochial approach, they rejected the tendencies of exclusiveness or rivalry with other groups of nations and cultures. They sanctioned no divisive stance

and observed that there were differences of ideology, social systems and political alignment even among themselves, but did not allow them to weaken their resolve for action towards ending colonialism, eliminating racial discrimination, encouraging the peaceful settlement of disputes, halting the arms race and promoting the economic development of nations through cooperative endeavors.

By having inspired the concept of non-aligned movement, which found institutional shape six years later in 1961 at Belgrade, the Asian-African Conference helped to bring about a fundamental revision of the dangerous simplicities of the cold war. The objective which it formulated of freeing international relations from the domination of great power competition, remains one of continuing relevance and validity ⁵³.

In direct response, India along with Indonesia, Egypt, Yugoslavia and 21 other nations formally established the non-aligned movement. New Delhi seized upon this opportunity to break the bipolar pattern of international competition and from the outset blocked out for itself the role of a leader. For India, it was natural to seek like-minded and natural allies. The concept of non-alignment was originally conceived as a means through which to maximise the unencumbered exercise of sovereign rights by placing India's security and other interests above those of the ideological and military confrontation between East and West. Security was to be enhanced by not involving the country in bloc politics, thus removing India from bipolar strategic competition.

What were India's reasons for founding the movement of non-aligned countries?

First, a position of non-alignment, Nehru once said, meant "an independent nation functioning according to its own lights diplomatically; diplomatic alignment on the other hand, meant, being regimented to do something which you do not like and thereby give up a certain measure of your own independent judgement and thinking" ⁵⁴.

Second, India felt that the non-aligned countries have a unique mission to mitigate ideological tensions likely to foment global war because of their own cultural traditions and historical experiences. This is especially pronounced among some Asian states, which believe the tendency toward conflicts to be endemic to Western diplomatic history. Nehru once said :

You have seen in the activities of European nations, in the last thousand years ... a continent addicted to wars, more so than Asia - not that Asia has been very peaceful. But when I think of Asian history and European history, I am amazed as to the capacity for warfare that Europe has shown ⁵⁵.

Third, Hinduism has unquestionably affected the Indian attitude towards ideological contests. Hinduism is highly personalised without priesthood, creed or standard orthodoxy and does not believe in proselytizing. Inherent in Hinduism is an inclination towards compromise and toleration of widely divergent conceptions of truth to an extent that would shock many rigidly orthodox Jewish, Christian and Communist groups in other

countries. India's dominant faith affirms the existence of many, often divergent paths to ultimate truth with the maxim that "God is but one but the sages describe Him differently". Hinduism, therefore, insists upon no conformity among its adherents and is highly indulgent of differing theological systems.

Fourth, it is often difficult to distinguish between the "protection" offered by great powers and a condition of neo-colonialism and dependency. If this is a concomitant of alignment, it was rejected as totally inimical to the newly-won independence.

Fifth, India considered it highly essential for non-aligned nations to remain clear of great power conflicts in which they may well become the first victims. Hence, restricting the geographic scope of great power conflicts by expanding the zone of non-alignment was justified both from the narrow view of national security and from the wider view of international security as a whole.

Sixth, fundamentally the influences that supported non-alignment were those related to the strategic-military factors and some persuasive arguments can be made on these grounds ⁵⁶. Far from losing sight of its security interests, India accepted the concept of non-alignment precisely because available alternatives indicated that this course most nearly would safeguard its security. Lacking great military power at that time, India felt vulnerable to the major contestants in the Cold War and to the threats of

nuclear and total war. Non-alignment was the chosen path not because of a failure to realise the precarious strategic situation but for precisely the opposite reason, which offered the only alternative in the context of confrontation between the two blocs.

Nehru's ideology and philosophical outlook shaped not only the broad parameters of India's global postures but also the idealistic features of its foreign policy in the context of national security. Under Nehru, India professed a desire to maintain a minimum military establishment and claimed that good relations with neighboring states and those contiguous to it would assure Indian security. However, even during his lifetime, the efficacy of his approach as well as the relevance of non-alignment as a security doctrine was put to severe test. Two events of far-reaching importance can be cited to illustrate the undermining of the security component of the concept and to show the variations in the Indian version of non-alignment.

First, in 1962, Nehru, although humiliated at military defeat by China, refused to disavow non-alignment. Indian officials reasoned that alignment with the West would neither have prevented attack nor after the military onslaught, would India's membership in a Western-sponsored military alliance contribute to the liquidation of the Chinese threat - a conflict believed to last indefinitely.

In a classic work on non-alignment during the mid-1960's, Cecil Crabb, an American author, commenting on the 1962 event has written that

“if India’s adherence to the principle remained unaltered, the principle itself was modified significantly”⁵⁷. Although non-alignment was no longer possible with regard to China, India remained non-aligned with regard to Britain and the U.S. although military assistance was received from them. It continued to be non-aligned in the sense that it did not seek overt military intervention on Indian soil, entered no military alliance with the West and diplomatically in the UN showed no inclination to follow Western policy dictates. India’s policy-makers belatedly realised the need to rely on the strengthening and supplementing the nation’s military prowess “from whatever sources and under whatever circumstances. To seek such aid in defense of national interests cannot be regarded as a derogation of non-alignment”⁵⁸.

The second event that further tested Indian adherence to non-alignment was in 1971 during the war over the establishment of Bangladesh. New Delhi’s intervention during the rebellion by the majority in East Pakistan for independence had a security rationale : Dismemberment of Pakistan would effectively eliminate the threat posed from its eastern wing. India seized the opportunity to exploit the situation and to remove this aspect of threat to security by militarily supporting the insurrection. At the height of the conflict, India, anticipating a joint U.S. - China intervention in support of Pakistan, signed the Treaty of Peace, Friendship and Cooperation with the Soviet Union, which included clauses of quasi-military alignment. The emergence of this “special relationship” produced a divergence between declaratory and substantive policy of non-alignment.

The rationale for non-alignment was the consensus reached at its first Belgrade Summit Meeting held in 1961. It barred members from joining military pacts and alliances initiated by Moscow or Washington or from offering bases and other facilities to such alliances "conceived in the context of great power rivalries". In effect, it barred these countries from having any significant military relationships with the superpowers. Non-alignment was also an essential pre-requisite for national security and international status for some of its leading adherents.

Yet there is no generally agreed definition of the degree and extent of military relations between a superpower and a non-aligned country which can be regarded as incompatible with that concept. Although the Indo-Soviet Treaty could not be labelled a formal alliance, it reflected in fact a degree of involvement in great power rivalry. Some Indian observers sought a distinction between protecting national interests by seeking great power assistance during critical times and the basic requirement of non-alignment to keep clear of bloc politics. Reflecting a widely held Indian scholarly view, Professor K.P. Misra has pointed out :

If there are arrangements with a view to protecting a country's vital interests and they are not readily directed against another superpower, as was the case with treaties with Egypt and India, there should not be much of a problem. In fact, such treaties are defensive in nature. But if the given base facilities aggravate superpower rivalry, then the concerned non-aligned countries have to understand that this runs counter to the basic philosophy of non-alignment; it indeed impairs its essentially non - bloc character. . . Without violating the basic criteria

agreed upon in Belgrade in 1961 - disassociation from military arrangements conceived in the context of great power rivalry - a non-aligned country must be left free to fashion the contents of its relations with the great powers, keeping in view its needs and requirements⁵⁹.

Such observations are rationalizations to reflect Soviet support of India's positions. For the difference between purely "defensive" military arrangements and others which aggravate superpower rivalry may be theoretically sustainable, but difficult in practice as such arrangements often had an impact on the global strategic interests of the two rival blocs. But the Indian example can not be emulated by other non-aligned nations because of its size, geostrategic location, military and economic strength ; even if they do, with the exception of Indonesia, it would be insignificant. What the Indo-Soviet Treaty signaled was that the character of non-alignment has begun to change. It constituted a transition from the era of refraining from military alliances to a pattern of relationships that served the exclusive interests of concerned states.

Hence, Indian defense policy has been characterised by flexibility, which is reflected in its non-aligned posture. As a foreign policy philosophy, it served not only the quest to alter the world order but also a channel to enhance and maximise security⁶⁰. These fundamental premises were observed irrespective of the leader or party in power and whether or not non-alignment has been conceived as a distinct security doctrine⁶¹.

India's political elite consciously used the principles of non-alignment and self-reliance in foreign policy to check internal political divisions. Abstinence from formal military alignments reduced the dangers that external rivalries would embed themselves in the subcontinent. However, non-alignment was not successful in achieving the desired regional security objectives. The goal of insulating the region from superpower rivalries by removing opportunities for them to take sides not only in South Asia but also in Asia was not achieved. Therefore, Rodney Jones has concluded that India's hopes for being the sole guarantor of security fell afoul of Pakistani-Chinese interests, thus allowing for direct and indirect major power intrusion into the subcontinent⁶².

India's present and future adherence to non-alignment is based on a clear appreciation of strategic realities. India's greatest vulnerabilities are its northern provinces which abut China and are geographically remote and logistically inaccessible. In order to maintain a credible deterrence against Chinese designs on these provinces, India not only has to maintain a disproportionately large military deployment in the area, but also has to rely on a tacit security arrangement with the U.S.S.R. At the same time, there is recognition that if a military conflict arises, it must not be allowed to escalate into widened military conflagration as this would render the country a nuclear battleground. Consequently, overt military arrangement with the Soviets - especially if it were followed by an extensive Soviet military presence such as bases - would have run this grave risk while offering few compensatory strategic advantages. Also by remaining non-aligned, India

received needed military and economic assistance from both the West and East. Such aid coupled with a continuing build up of its own defense establishment and the further development of its threshold potential offers a viable avenue to ensure the security of the nation.

Non-alignment as a security doctrine is inherently limited and of a negative passive characteristic. Essentially, it would prevent involvement in military blocs and alignments with the great powers, thus precluding direct participation in strategic rivalry. At the same time, refraining from such alignments does not by itself affect the already existing security issues confronting a state.

As a political concept, it is more efficacious for Third World countries than for established European nations such as Austria, Finland, Sweden and Switzerland, which rely on neutrality. As a Third World invention, it allows the erstwhile colonial territories to engage in limited relations with extra-regional powers, while pursuing a foreign policy that is essentially based on self-interest. To the extent that a nation's foreign policy exists to promote and protect the multifarious national interests of a sovereign state, then doing so in the context of an over-all conceptual and philosophical framework relevant to the immediate exigencies in the international environment, serves more than a useful purpose but an essential one. Hence, non-alignment as a broadly conceived framework within which a state's foreign policy can be effectively conducted must be flexible and responsive to diversified and changing situations.

Non-alignment, according to an Indian study ⁶³, has suffered from an ad hoc approach to its security dilemmas due to the inability to anticipate and / or comprehend the changing strategic situation. Such an approach has led to the erosion of its vitality and credibility, which calls for a redefinition of the concept. During its initial phases, the perceived threats to the Third World came from East-West conflict, while those from the North was indirect. However, these have since become direct and immediate. The North-South orientation of the security situation, in this view, calls for systematic cooperation between non-aligned (i.e. south-south) countries in security matters. It may acquire many forms : A combination of oil strength and nuclear power in the Third World ; bilateral and multilateral security understandings and defense arrangements in the form of treaties and agreements, transfer and production of arms, training facilities and ad hoc or organised military assistance.

Yet the study has failed to acknowledge that the weakest parameter of non-alignment has been security ⁶⁴. Lacking military and economic power, the challenges and difficulties confronting non-aligned countries are too complex and intractable in order to be resolved by themselves. Thus, the need is self-evident to build dependable structures for defense and security by working towards a consensus on more clearly defined elements through which a non-aligned country can maintain military relations with the big powers and to establish viable mechanisms for conflict resolution among themselves ⁶⁵.

The crucial lesson which Indian policy makers learned since the 1960's, and in turn provided an abject lesson to less influential non-aligned nations (with its 101 members, which now encompass more sovereign states than has any other single grouping in the history of man), is that any successful foreign policy requires the means and determination to preserve national interests. Non-alignment, in its widely varying interpretations, backed by adequate national power could be a valid principle of statecraft. However, non-alignment accompanied by military weakness and the illusion that the doctrine itself would defend such interests was a certain route to the diminution of independence, to dependency relationships and to submission to the dictates of larger powers.

In India's policy, the concept of security is as important as the concept of non-alignment. The non-aligned movement has been adroitly used by Indian diplomats as a political forum to cloak and justify their policies. Specifically, the movement's proclaimed principles of equality and a just world order are used as a moral credo in its refusal to sign the non-proliferation treaty and to reject a nuclear-weapons-free-zone in South Asia. This had the effect of inhibiting members of the movement from criticising Indian nuclear policies. Further, the Declaration adopted by the VII Non-aligned Summit Meeting held in New Delhi during March 1983, essentially reflected India's own predilections from the non-aligned perspective and its own preoccupation with the nuclear issue :

“...the renewed escalation of the nuclear arms race, both quantitative and qualitative dimensions, as well as the reliance on

doctrines of deterrence, has highlighted the risk of the outbreak of nuclear war and led to greater insecurity and instability in international relations. Nuclear weapons are more than weapons of war. The Heads of State or Government therefore find it unacceptable that the security of all states and the survival of mankind should be held hostage to the security interests of a handful of nuclear weapon states. Measures for the prevention of nuclear war and of nuclear disarmament must take into account the security interests of nuclear and non-nuclear states alike and ensure that the survival of mankind is not endangered. They rejected all theories and concepts pertaining to the possession of nuclear weapons and their use under any circumstances" ⁶⁶.

Richard Jackson has rightly noted that India upon assuming the chairmanship of the movement, has accorded priority to nuclear disarmament and relegated regional conflict issues into the background which provoked strong objections especially from the Arabs and Africans ⁶⁷. Such an emphasis was fully consistent with the Indian government's policy of seeking to portray itself as the leader in disarmament endeavors. It was also intended to maintain a self-professed superiority over the major powers in a moralistic and ethical sense.

As indicative of India's influence, the Foreign Ministers' of non-aligned countries meeting in the aftermath of the failed U.N. Third Special Session on Disarmament in 1988, adopted unanimously and without qualifications and to the exclusion of other proposals, Rajiv Gandhi's "Action Plan for Ushering in a Nuclear-Free and Non-Violent World Order"⁶⁸. It covered two aspects : one for disarmament and the other for a comprehensive global security system. This would include a three-stage proposal "to sustain a

world free of nuclear weapons" by the year 2010 and institutional steps to ensure the effective implementation of the UN Charter relating to the non-use of force, peaceful settlement of disputes and the right of every state to pursue its own path of development. It asked the Special Session to "endorse the principle of an integrated multilateral verification system within the United Nations . . . which would be an integral part of a strengthened multilateral framework to ensure peace and security".

The question of the role and relevance of the non-aligned movement has been raised in the context of improved East - West relations. In other words, it is claimed that with the erosion of bloc divisions, the *raison d'être* of non-alignment has diminished, if not disappeared. To many non-aligned spokesmen, this kind of questioning only shows the basic misperception in some quarters of the fundamental place and purposes of the movement. These are not, and never have been, solely conceived in the negative sense, i.e., of not wishing to join any of the contending ideological power blocs and their attendant military alliances. On the contrary, the much more fundamental aims and purposes of the movement, as first propounded at Belgrade in 1961, have always been positive and active, i.e., preserving its members' sovereign right to determine their own views and positions vis-a-vis world problems and developments on the basis of how best they could contribute to the establishment of viable peace, true independence and social justice. And during the course of its existence, it has developed a set of principles, initiatives, policies and programs towards the solution of problems. Thus, far from seeing a diminution of the place and role of non-alignment,

the present detente constitutes an affirmation of the validity of non-aligned world-view and approaches and the movement will continue to play a role in the realisation of a global order as envisaged by its leaders.

3. Initiatives in UN Disarmament Deliberations

It is possible for India's representatives at the UN to support resolutions and declarations of great symbolic and moral pronouncements and simultaneously flout their letter and spirit in defense of their nation's interests. The superimposition of the UN Charter on a system of power politics makes such seemingly hypocritical acts natural. It is also possible to promote the global principle of peace while the nation's interest is in the necessary use of force. India has been in that position (e.g. Goa).

Indian leaders' opposition to nuclear weapons are embedded in Gandhian principles as well as common sense. General disarmament, however, is a policy derived from its power-political interests as well as Gandhian principles. What follows are some case studies of how Indian representatives at the UN deal with issues relating to nuclear disarmament selectively while advancing specific positions reflecting specific policies at home. Whereas countries could permit themselves the luxury of treating the UN as separate from the world of natural policy, India could not or at least did not. Instead, it employed UN deliberations to express, justify and promote vital interests.

India has taken a position and even a leadership role in propagating a whole set of proposals and initiatives at the UN in the field of armament limitation. These are many and varied. However, one can identify certain proposals on nuclear armaments in India's pronouncements that have been advocated with greater consistency and accorded priority by its delegates merely because of their bearing on India's security.

For the elite in India, who are conscious of the country's status and security predicament, the preeminence of nuclear powers reflects a sense of resentment against great power dominance of the international scene. In the context of these fundamental official and scholarly perceptions, its diplomats at the UN have initiated various proposals designed to promote the implementation of a comprehensive program of disarmament which accords priority to the nuclear issues.

a. Convention on the Prohibition of Non-use of Nuclear Weapons

The convening of the first UN Special Session on Disarmament in 1978 offered India a unique opportunity to launch a series of initiatives. It also marked the beginning of a new phase in the continuing search for ways to eliminate what was widely perceived to be a growing danger of nuclear war. At that session, India submitted a draft resolution on the prohibition of the use of nuclear weapons. Although the resolution was not pressed to a vote since all decisions were to be taken by consensus, it was later submitted to the General Assembly's regular session that year with the support of 34 states, mostly non-aligned.

In introducing the draft resolution, India's representative saw no reason "why mankind should not be given credible and binding assurances against the use of nuclear weapons" and called for proposals "on arrangements for the conclusion of a convention or other arrangements so that the subject could be further studied in the light of those proposals" ". This issue has been doggedly pursued since that time, with the avowed purpose of seeking an international convention on the non-use of nuclear weapons and prevention of nuclear war", which is intended to devalue the military use and political role of these weapons.

Concurrently, India and Mexico initiated a move for the appointment of a panel of "eminent persons to advise on measures and procedures relating to the question of the prevention of nuclear war". Other Indian initiatives included the text of a draft convention on the prohibition of the use of nuclear weapons and a draft resolution for "urgent measures" to prevent the outbreak of nuclear war, cessation of nuclear weapons testing as well as a freeze on the development and production of nuclear weapons. Despite overwhelming support for these proposals, India complained during the Second Special Session on Disarmament held in 1982 that "not one single, concrete measure, however modest, has been taken to avert the danger of nuclear war" ".

Notwithstanding the total opposition of the U.S., U.K. and France to these initiatives, Indian diplomats called for priority consideration of their

proposals by the Conference on Disarmament on the ground that "steps toward the prevention of nuclear war must be achieved even before the equally important task of nuclear disarmament which require a separate set of measures of an immediate and practical nature to cope with and contain the menace of nuclear weapons pending their complete elimination" ⁷².

Ambassador Mukhund Dubey reasoned that the task of the prevention of nuclear war requires even greater urgency given the emphasis on doctrines of fighting a "limited" nuclear war and other strategic concepts premised on the use of nuclear weapons. He also noted the disturbing technological innovations of recent years such as the compression of time in the delivery of missiles to their targets and the resultant launch-on-warning policies. These developments reveal the growing vulnerability of command, control and communications (3 C's) to attack, thus further increasing the risk of accidental nuclear war arising out of technical malfunction, human error or political misjudgement ⁷³.

For these reasons, past U.S. - Soviet bilateral efforts for the prevention of nuclear war were discounted as "inadequate and inconsequential"⁷⁴. These include a direct communication link in time of emergency (1963) ; the "hot line" agreement providing for instant consultations and measures to reduce the risk of outbreak of nuclear war (1971) ; and the agreement on the prevention of nuclear war which committed the parties to make the removal of the danger of nuclear war an objective of their policy (1973) ⁷⁵.

Unilateral pledges by the Soviet Union and China of no-first use of nuclear weapons were also deemed insufficient in themselves to create the necessary confidence or ensure that a nuclear war can be prevented⁷⁶. This problem, it was contended, goes beyond the individual concerns of nations and theories of deterrence and military strategy. Because such a war could not remain limited and once a nuclear exchange began, there would be no way to contain it within predetermined national or regional boundaries. In addition to the human costs, the ecology of the world would be severely affected and the infra-structure of civilisation would be shattered. The prevention of nuclear war is, therefore, not only a moral imperative but also a question of survival.

This problem has been considered in scholarly literature as part of the general preoccupation relating to crisis management. It continues to be topical and focuses our attention specifically to the reliance on technology and the responsibility of nuclear weapon states in taking adequate measures at both national and international levels to prevent the outbreak of nuclear war. Many of these analyse the command and control of nuclear forces in times of war and peace and describe potential war-time reactions of the American and Soviet control structures. In doing so, existing management procedures of the institutionalised conflict systems erected in the nuclear age and the most vulnerable and dangerous aspects of the nuclear command organisations are surveyed and examined.

Many of these” come close to India’s position that there is no fool-proof protection against nuclear war which can be triggered by technical malfunction or political miscalculation. Such risks can only be reduced but not totally eliminated. In the nuclear age, the need for techniques to control force has not gone unrecognised. The search for techniques, however, has had little success. “Until a time arrives when all nuclear weapons are banned from the face of the earth”, Paul Bracken has remarked, “the prudent path to security and survival lies through understanding as how to manage and govern these forces”.

Still, it is pertinent to ask why India wants a convention against the use of nuclear weapons. If there is such a convention, the possession of these weapons would be difficult to sustain. And even if a non-use pledge is given, it can be withdrawn under certain circumstances. In reality, it cannot be implemented and would change nothing. On the other hand, other Indian proposals for a cut-off of fissionable materials as well as a freeze on the further production of nuclear armaments will certainly require a mechanism to ensure compliance with any treaty, including penalties and sanctions for non-compliance. Therefore, the demand for a non-use convention is perhaps meant to embarrass the nuclear powers knowing full well that such proposals can be considered to have died even at their inception, since by definition it is impossible to verify intention which presuppose a degree of mutual trust.

b. Comprehensive Nuclear Test Ban

When the Partial Test Ban Treaty came into force in 1963, banning nuclear explosions in the atmosphere, outer space and underwater, the only type of testing nuclear weapons was underground. Hence, it has generally been assumed in UN discussions that any future agreement to ban underground tests would be incorporated into a comprehensive agreement banning all tests, which gave rise to the expression "comprehensive test ban". As of 1987, 110 states including India, the U.S. and the U.S.S.R. are parties; China, France and Pakistan are not.

India's interest in a comprehensive test ban treaty goes back to 1954 when after the hydrogen bomb had been tested by the Soviet Union, Prime Minister Nehru appealed for a "standstill agreement" with regard to nuclear explosions⁷⁴. In citing the "disastrous and horrible consequences from the new weapons of unprecedented power", he told the Indian Parliament :

*"I have publicly stated as our view that these experiments, which ... expose the nature of the horror and tragedy ... should cease ... I repeat that to be our considered position and it is our hope this view and the great concern it reflects and which is world-wide, will evoke adequate and timely response".*⁷⁵

At the UN that year, India's diplomats called for an agreement to ban nuclear tests to be considered on its own merits as an independent measure or as one item on more comprehensive forms of disarmament. In 1955, the General Assembly, on an Indian initiative, established the Scientific

Committee on Atomic Radiation to study and report on short and long term effects of radiation upon man and his environment⁴⁹. This Committee continues its work to this day and submits annual reports to the Assembly. Discussions in the Special Political Committee have recently focused on the Chernobyl nuclear accident in the Soviet Union during 1986. The need for international cooperation was emphasised as the radiation effect threatened to spread across several European countries. A minor nuclear accident in Brazil during October 1987 called for extensive international assistance.

In the years that followed the partial test ban treaty, underground testing greatly facilitated the development, refinement and accumulation of armaments. Consequently, a widely-held view in the UN was that a general and complete ban alone would close an important avenue of nuclear competition. It would also weaken the arguments for horizontal proliferation, ensure the future credibility of the non-proliferation regime and fulfill the pledges undertaken in Article VI of the non-proliferation treaty for the cessation of the nuclear arms race and nuclear disarmament. The counter arguments rest mainly on the need to ensure the reliability of existing stockpiles and the further development of significantly more new types of warheads and bombs, which would create in their wake further dangerous instabilities. These factors led to the creation of a group of UN experts on a comprehensive test ban, which concluded that for "an overwhelming majority of states, no other question in the field of disarmament has been the subject of such international concern, discussion, study and negotiations as that of stopping nuclear weapon tests" ⁵⁰.

India's concern for atmospheric pollution was a factor in its support for the partial test ban treaty. As it failed to lead to a comprehensive test ban already contemplated in its Article I, India warned that the 1963 Treaty could neither be regarded as "an end in itself" nor treated as a "convenient measure while the real issues were left untouched". India advanced the essential prerequisites for such a ban, with the following arguments in the U.N. :

- (a) "A comprehensive test ban should logically be oriented towards nuclear weapon states. It is they who should provide clear proof of their evidence to accept limitations on their nuclear armaments and to assume obligations to undertake measures of nuclear disarmament. In that sense we view a comprehensive test ban in a series of measures that should soon follow it".⁹²
- (b) "The first principle should be that nuclear energy will not be used to manufacture nuclear weapons. This should be the first principle rather than the principle of not converting civil nuclear facilities to the production of nuclear weapons".⁹³

Thus, the problem of a comprehensive test ban comprises essentially the question of participation by all nuclear powers and the right to conduct peaceful nuclear explosions by all states with unimpeded civilian applications of nuclear energy. The former implies the cessation of all nuclear testing by all states in all environments for all time, as opposed to the partial test ban treaty which is deficient in two critical respects : the number of participants and the prohibition of tests only in the atmosphere and underwater. The latter includes a wide range of possible applications

including earth-moving and excavation, mineral extraction and natural gas, extraction of geothermal energy and the creation of underground storage areas, digging canals and tunnels and otherwise explore the uses of earth.

Testing is only one element in the interaction over nuclear policy between New Delhi and nuclear powers. To stop testing is important as it constitutes a viable and unequivocal act of nuclear restraint. It will also cripple nuclear programs. In this light, a cessation of testing by China is likely to influence Indian government policies. But China has flatly rejected a comprehensive test ban as it wants to reduce the huge technological gap in weaponry that exist between it and the superpowers. Beijing will agree "only when the superpowers prohibit the manufacture of nuclear weapons and eliminate them from their arsenals" ⁴⁴.

For similar reasons, France has also turned down such a ban. In casting the only negative vote in the UN General Assembly in 1982, the U.S. announced that such a treaty is "a long term objective" on the ground that "a test ban would not help reduce the threat of nuclear weapons or to maintain the stability of nuclear balance" - a position intended to add to the knowledge and improvement of weapons in areas of significance to its military posture of the future. As long as Washington maintains its insistence on testing as the only means to assure the effectiveness and reliability of its deterrent forces, a comprehensive ban will be unrealisable. For to the extent the U.S. may be prepared to recognise its desirability to limit research and development of new weapons systems, it is not prepared to sacrifice what it considers to be

essential elements of assuring its deterrent capabilities for these objectives. India's main interest is to compel China to forego the continued testing of its nuclear armaments and its accession is therefore considered to be of great importance. It is self-evident that without a consensus among nuclear powers, a comprehensive ban will remain a distant goal.

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The question of peaceful nuclear explosions was catapulted into an arms control issue by the explosion of a nuclear device by India in 1974. It was the first and only threshold country so far to conduct an underground test. It was announced as a program for peaceful uses. As Ashok Kapur has pointed out, Indian nuclear policy has long recognised a distinction between utilising nuclear energy for civil and military purposes⁶⁵. The Indian Atomic Energy Commission sees a great potential to speed up the country's development plans. And according to N. Seshagiri, an Indian atomic scientist, the cost effectiveness of peaceful nuclear explosions may be greater for developing countries than for developed states⁶⁶.

The threshold states in general regard nuclear weapons as possessing "special attributes and certain additional features" not common to peaceful nuclear explosions. Intent and purpose rather than technology is emphasised as the distinguishing factor between weapons and peaceful instruments. In this view, to be considered a nuclear weapon, a nuclear explosive must be intended for use in a war. To permit confusion between these two fields would be tantamount to granting monopoly of nuclear

technology to a few countries and condemn the developing countries to remain in a state of scientific and economic dependency.

In contrast to the Indian view, nuclear scientists generally agree that a country could develop a significant weapons capability under the guise of detonating nuclear explosions for a specific non-military domestic project⁸⁷. For the technological characteristics involved in both are indistinguishable. Moreover, no verification procedures can definitely ascertain that such detonations are not being used for a military purposes which makes it an easy cover for weapon tests. Hence, under a comprehensive ban which does not preclude nuclear explosions, the temptation to use the latter for weapons will be real and the effectiveness of a test ban could not be guaranteed⁸⁸.

India, however, has insisted that the problem of nuclear explosions should be resolved outside the context of a test ban which must be concluded prior to a solution to the question of detonating nuclear devices⁸⁹. Likewise, it has remained adamant in its refusal to view these actions in the arms control perspective and has cast the question exclusively in the realm of economic imperatives⁹⁰.

The principal purpose of the Indian government was perhaps to retain the option of conducting tests while at the same time dispel doubts about any weapons program. It would be tenuous to assume that the original rationale for the 1974 detonation of a nuclear device was to create a bargaining chip for subsequent test ban negotiations⁹¹. At the same time,

however, it can be argued that subsequently the single nuclear explosion facilitated and perhaps strengthened India's position for removing nuclear explosions from an iron-clad test ban.

A more plausible reason is that New Delhi does not want a test ban along the lines of the non-proliferation treaty. Specifically, the nuclear powers, just as they did in that treaty, may agree among themselves to allow loopholes which will facilitate the retention of their presumed right to conduct tests of a certain nature and under certain pretexts. It is, therefore, not unlikely that India viewed the nuclear explosion argument at a later stage as a bargaining chip to undermine any such possibility among those powers. Hence, unless a future test ban is truly comprehensive and applicable to any and all tests and to all nuclear weapon states, it will retain the nuclear explosions option. India's caution is further justified by the fact that Pakistan has refused even to sign the partial test ban treaty. Consequently, it would be consistent for India to devise means by which it would not have to assume unilateral obligations vis-a-vis Pakistan much less China, the U.S. and the Soviet Union.

While the non-nuclear nations endorse a comprehensive ban, India's response has been to highlight the relatively obscure issue of nuclear explosions which is not relevant to the overwhelming majority of UN members. They generally agree that a ban on testing should allow for nuclear explosions provided the nuclear powers retain the exclusive right to carry out such activities. Indian diplomats, however, considered it "invidious for a

greater part of the world to become dependent on a few countries for the application of nuclear explosive technology” and insisted on the right of each state to acquire the relevant technology and the freedom to apply it ⁹².

India’s position is also contrary to the general belief in the UN that nuclear explosions should be resolved in the context of a test ban. But, its government cannot compromise on this question as it impinges directly on the nuclear option. Once the right to explode nuclear devices is renounced, then any test conducted in the future will ipso facto be for weapons purpose. Consequently, the retention of such a right provides a convenient pretext to conduct any weapons test. India’s opposition to the nuclear explosions component of a test ban is similar to its opposition to the non-proliferation treaty, to the extent that nuclear powers have arrogated to themselves the right to conduct nuclear explosions. The denial of the existence of arms control implications in these activities is either intended to complicate the issue of a test ban and protract its resolution or to use it as a bargaining chip to pressure those states to conclude such a ban on the basis of equality.

It is doubtful whether a comprehensive ban on nuclear testing could be signed before a solution is found to the problem of verifying explosions claimed to be peaceful. The choice appears to be between a test ban without nuclear explosions and its attendant loopholes or a test ban. Perhaps a viable alternative initially would be prohibiting nuclear explosions in a test ban. If its potential utility on economic grounds is later

demonstrated, the treaty might then be amended to allow such explosions under the supervision of the International Atomic Energy Agency ⁹³.

In the UN, pressures to conclude a test ban during the past several years has been strong both in the General Assembly and the Conference on Disarmament. These emanate from a group of states that is broadly representative of non-nuclear nations in all regions of the world, including the developed and developing countries as well as non-aligned and aligned states. Thus, members as diverse in their foreign policy orientation as Australia, New Zealand, Mexico, the Soviet bloc, Canada, Sweden and Egypt have placed a major emphasis on a test ban. These countries do have differences of approach and emphasis on certain aspects. But they all agree that the Assembly should speak out with a strong and united voice to express the conviction that testing is an unacceptable activity and that its ban is of the highest priority.

"If this agreement were part of a far-reaching arms control regime as both the U.S. and the U.S.S.R. envisage it", remarks Paul Doty, "this would signal a remarkable and historic change in the perceived role of nuclear weapons" ⁹⁴. Doty also calls for "some incentives and compromises . . . to gain the adherence of all nuclear countries. And a different set of incentives will be needed to attract all or nearly all of the non-nuclear countries". Yet the announcement made towards the end of 1987⁹⁵ that bilateral negotiations will finally be resumed and that too on a "stage-by-stage" basis and the refusal by the depositary states of the partial test ban treaty to fulfill their

obligation in accordance with Article II of that treaty, to convene a conference of all signatories as called for by the General Assembly in 1986 to convert it into a comprehensive test ban treaty, promises to prolong an agreement indefinitely.

c. Arms Race in Outer Space

UN discussions concerning non-military aspects of outer space are conducted in the Committee on the Peaceful Uses of Outer Space, a subsidiary body of the General Assembly. These have nonetheless contributed to the Partial Test Ban Treaty's prohibition of the testing of nuclear weapons in outer space ; the Outer Space Treaty of 1967 prohibiting states "to place in orbit around the earth any objects carrying nuclear weapons . . . or station such weapons" (Article IV) ; and the 1979 Agreement Governing the Activities of States on the Moon and other Celestial Bodies, providing detailed norms for their exclusively peaceful uses.

In response to rapid developments in space technology and the concurrent need for further measures to preclude the possibility of an arms race in outer space, UN consideration focused mainly on whether priority should be given to a general agreement to prevent such a possibility or to an agreement prohibiting anti-satellite system as a first step towards that objective. This is considered to be imperative in view of the looming specter of the militarisation of outer space, which may well start an irreversible chain of action and reaction, accelerating the competition and escalation of the arms race in both offensive and defensive weapons. The situation is further

complicated by questions raised concerning the viability of the Outer Space Treaty and the 1972 Anti-Ballistic Missile Treaty, if and when space-based weapons are deployed. Such an expansion of the arms race would introduce a further destabilising element into the strategic environment and exacerbate the nuclear arms race on earth through the introduction of weapons systems into outer space capable of striking both environments.

What are India's interests and objectives in space science and technology ?

The country's space programs have been sharply up-graded since the crisis over Bangladesh in 1971. The stated objective was to achieve a satellite launch facility for communications and educational purposes ⁹⁶. According to UNESCO, India is the first country in the world to organise and participate in a large-scale program of televised instruction by satellite transmission.

After two decades of planning and development, its space program has become an integral part of its communications, weather forecasting and resource management systems. A few major developing countries such as Brazil and China have also developed space technology, principally for military purposes. But Western scientists say that no other country outside of the U.S., Europe and the Soviet Union has achieved India's broad and deep ability to use space to meet the country's civilian needs, such as providing information for weather forecasting; offering assistance in

predicting monsoons and other severe weather; and revolutionising commercial television programs and advertising through simultaneous transmission to greater parts of the country. Thus, India offers a case study of how a developing country can exploit advanced technology to meet basic developmental needs.

During this decade, India will build all of its satellites and launch them into orbit. But there is apprehension that as India develops its own launching vehicles, it will also acquire the technological wherewithal to construct inter-continental ballistic missiles capable of delivering nuclear weapons. Its nuclear and space programs carry implications for the so-called strategic balance and non-proliferation efforts. These have led to external attempts to limit India's progress in these fields. To cite a recent example, the U.S. has refused to provide a super computer for weather forecasting until an agreement could be reached on safeguards to prevent its use for military purposes.

Many analysts see little difference between defense-oriented and development-oriented space program. In general, such linkages point to the inter-dependence of economic development and defense programs. M.G.K. Menon, science advisor to former Prime Minister Rajiv Gandhi and currently Minister of State for Science and Technology and other Indian scientists acknowledge that the capacity to fire satellites into space could easily and quickly be adapted to launch nuclear weapons. But Indian officials adamantly deny any such purpose. "We are not going into space for defense

or for prestige or to keep up with the Joneses", Menon said, and asserted that "we have the only space program in the world that is entirely civilian - oriented"⁹⁷.

Yet the Indian experience has shown that the growth of a high technology capability is within the realm of possibility of a developing country and need not necessarily conflict with the goal of eradicating poverty. A sophisticated technological basis exists to compliment both the space and nuclear programs which are comprehensive and could support weapons and civilian programs simultaneously. Any demonstration of an overt military capability will, as in the case of the retention of the nuclear option, depend upon the future strategic environment. However, as Raju Thomas has observed, "its on-going space programs serve notice that moves toward the potential strategic weapon systems competency are underway and that techniques once learned cannot be unlearned. These messages are recognised by regional as much as by extra-regional actors"⁹⁸.

Neighboring countries and others regard the firing of its first medium-range surface-to-surface missile during May of 1989 as a sign that India intends to assert its military dominance in the region and eventually move into the ranks of the world's military powers. India's Defense Minister, Krishna Chandra Pant, called this technological achievement "a milestone in the progress of Indian science and technology in general and defense research and development in particular". Defense experts say the missile's pay load is

more than enough to carry a nuclear warhead, although there is no indication that India intends to use it for that purpose.

While the militarisation of outer space has not yet posed a threat to Indian national security, anti-satellite weapons has implications for civilian satellites. India's Minister of State for External Affairs, K.R. Narayanan, has drawn attention to these and other critical aspects in the Conference on Disarmament:

"... research is being conducted for the development of space weapons based on lasers and particle beams. There are also reports of the development of weapons for destroying satellites in orbit. These developments are a source of grave concern to us and other non-aligned countries which have no defense against them and which use satellites in space for a variety of peaceful purposes related to our well-being and development. Anti-satellite weapons and space - based weapons would have the capability to destroy not only the satellites in orbit but also objects on land, sea and in the air and they would become a new source of threat to all nations. The development of such weapons by one nation would be bound to provoke another that feels threatened by them to take counter-measures and these would then be followed by an extension of the arms race to outer space. The nuclear peril and the risk of war that we are now facing would be considerably enhanced by anti-satellite and space-based weapons" ⁹⁹.

In the Indian view, therefore, "it is an illusion to think that ballistic missile defense systems would offer a way out of the dilemma of nuclear deterrence ; or that security could be achieved through technical solutions"¹⁰⁰, such as the introduction of new military systems into outer

space. Only negotiated political solutions to prevent an arms race in space and a ban on anti-satellite weapons would constitute realistic options. "...unless urgent measures are taken to prevent the extension of an arms race in outer space, there is little doubt that the last frontier of human endeavor would soon turn into a new battleground for the powerful nations of the earth" ¹⁰¹. "The issue is urgent not only because of the need to preserve outer space as a common heritage of mankind but also to ensure the immense possibilities that we see in the development of space technology for economic and social development" ¹⁰².

In contrast, the U.S. maintains that its Strategic Defense Initiative is a program to explore technologies that might be useful in providing a defense against nuclear ballistic missile attack. It also contends that (a) the 1972 treaty in no way limits research activities ; (b) it is a research program which would remain consistent with all the provisions of that treaty ; and (c) no decision has been taken to carry research into development, testing or deployment of anti-ballistic missile systems or components. The U.S. would proceed beyond research only if three conditions are met, namely, (1) the defense system must not be vulnerable to attack ; (2) it must be cost-effective, in other words, cheaper to build than any offensive systems that would be designed to offset it ; and (3) it must contribute to stability. In sum, "the aim is to enhance the deterrence of war, not to increase the prospects for conflict" ¹⁰³.

The Soviet view generally parallels those expressed by India and other non-aligned countries especially in the assertion of negative long-term ramifications of a political, military and economic nature. Major military-strategic consequences would include : (a) the emergence of offensive space weapons would accelerate the arms race in all directions, including strategic weapons ; (b) the grave undermining of strategic stability ; and (c) the shattering of the existing system of treaties restraining the arms race on earth and preventing it in space. Moscow has rejected the contention that the Strategic Defense Initiative would enhance international security and render nuclear weapons obsolete and useless. It does not accept U.S. assurances of not proceeding beyond research and development and leave the question of actual deployment of space weapons to be negotiated with the Soviet Union¹⁰⁴.

The question of the prevention of an arms race in outer space has become more than ever a major concern both within and outside the U.N. The establishment of a working group by the Conference on Disarmament was initially opposed by the Western countries because its mandate emphasized practical negotiations and the reaching of agreements. Subsequently, these states agreed to participate in 1985 when the Group's mandate was restricted merely to "identify issues through substantive examination" ¹⁰⁵. It is clear that the positions of East and West do not converge and non-nuclear states have little leverage to compel either superpower to heed their will. There is little prospect of progress as rapid technological innovations are likely to outstrip the slow pace of negotiations

and as long as both Washington and Moscow in varying degrees engage in the pursuit of their military objectives in outer space.

The general view of non-aligned countries is that the extension of the arms race into outer space would neither ensure nor enhance security. At the same time, the concentration of space technology in the hands of a few highly advanced industrialised countries has created an inequitable system which could only be rectified by establishing an international agency to conduct space reconnaissance, surveillance and other activities from which every country could obtain information relevant to its needs. It could also function as an impartial mechanism to verify compliance with international agreements in a manner that would overcome the credibility gap inherent in existing national technical means of verification as well as monitor and provide advance information on crisis situations. In this view, only through such a comprehensive and universally accepted framework, the dangerous ramifications of the militarisation of outer space can be avoided.

India first broached this proposal in 1984 under the agenda item "Prevention of an Arms Race in Outer Space" in the First Committee of the General Assembly. Subsequently, it sought to engender greater support among non-aligned nations and in the Conference on Disarmament. It also sought and secured the endorsement of the six-nation, five-continent (Argentina, Sweden, Mexico, Tanzania and Greece) initiative on verification, over and above what the proposed agency is intended to do.

d. Naval Arms Race

Three quarters of the world's surface is oceans. Most countries have coastlines and therefore direct access to the sea. Many countries derive part of their living from the sea, either by fishing or by the passage of goods. Many states depend on the flow of commerce across the seas for their existence or for their economic health. For a large majority of people, however, unless their business is related to the sea or unless the flow of sea-borne trade is interrupted, there is no reason to give the sea a second thought.

It is only when problems arise that impinge upon peace and security on the oceans, the attention of the world public is focused. Apart from legal and economic considerations of oceanic exploitation, it is the expansion of the naval forces by a handful of states to virtually all regions of the world in pursuit of national interests that has generated serious concerns. According to a UN study on the naval arms race conducted during 1985, what is not generally known is the fact that over 40% of the world's strategic nuclear missiles are sea-borne, and that there are possibly over 7000 strategic nuclear missiles distributed among the navies of the five nuclear powers, by far the largest number being on board the ballistic missile submarines of the two major powers. There are also tactical nuclear weapons and now arriving in operational service are sea-launched cruise missiles, with nuclear or conventional warheads, that will make the situation even more complex and achievement of verifiable measures of arm limitation and disarmament more difficult ¹⁰⁶.

These developments are thought to have added a new dimension to regional and international security, which can have a detrimental impact on international maritime commerce and sea communications as well as the economic exploitation of maritime resources.

Against this backdrop, the General Assembly in 1983 adopted a Swedish resolution "to carry out a comprehensive study on all aspects of the naval arms race with a view to analyzing their possible ramifications and, more importantly, facilitating the identification of areas for disarmament and confidence-building measures".

In a rare instance of convergence of views in the UN on issues of armament limitation, both the U.S. and Indian diplomats opposed the Swedish initiative. Washington's opposition was based on concerns that such an exercise may lead to subsequent efforts to regulate and limit naval activities and programs, and thereby undermine its position as the dominant sea-power. Clearly, such opposition can be viewed as being detrimental to the reliance on its navy as the principal instrument through which to project its power and to protect its strategic and other interests world-wide.

On India's behalf, Ms. Savithri Kunadi, advanced some interesting reasons for its opposition :

We find no rationale for the attempt to devote special attention to the naval arms race as a separate channel of a concerted disarmament effort. These attempts are superfluous and may lead to further confusion in the already complicated task of nuclear

disarmament. Our approach in disarmament should be to identify weapons systems that could be eliminated in a systematic manner. The categories of these weapons systems are fairly clearly understood and are spelled out, for instance, in paragraph 45 of the Final Document of SSOD I. (The First Special Session on Disarmament held in 1978 identified the following priorities: nuclear weapons; other weapons of mass destruction; conventional armaments; and reduction of armed forces and personnel). The proponents of a special initiative on the naval arms race have never clearly indicated as to where the subject of their recently elaborated concern fits into the framework of para 45. We fear that the drive to introduce the amorphous concept of naval arms race and naval systems may create another illusion of activity in the field of disarmament without actually tackling long-standing issues" ¹⁰⁷.

This reason could very well be based on the genuine concern that treating naval arms as a separate and distinct issue would divert attention away from nuclear armaments and nuclear disarmament. An equally plausible reason is its long-stated opposition to any multilateral efforts to impose an international regime on the Indian Ocean which would constitute a potential restraint on the on-going naval build-up.

While the U.S. and the U.S.S.R. are generally considered to be sea and land powers respectively (although the Soviet Union is also a formidable sea-power), India can be considered to fall under both categories. While on land, it essentially confronts the traditional adversaries of China and Pakistan (and in the age of inter-continental and intermediate-range ballistic missiles, the Himalayan mountains are only a limited barrier),

the Indian Ocean has never constituted an effective natural barrier to invasion. New Delhi therefore has a vital interest to defend the southern border.

The U.S. justified its presence in the Indian Ocean on the grounds of proximity of Soviet ground forces in the region. This has not assuaged New Delhi's concern, due to the triangular military relationships between Beijing, Islamabad and Washington. Such apprehensions are specifically reflected in the possibility of the use of American logistic resources to quickly intervene in any future Indo-Pakistani conflict and thereby alter its outcome in Islamabad's favor. Hence, while not directly threatening Indian security, U.S. naval forces diminish India's ability to project its power, restrict its freedom of action in relations with neighboring states, and ultimately negating what New Delhi perceives to be its rightful place and dominant role in the region and surrounding areas.

The Diego Garcia base is more geographically proximate to India than to any other country and symbolises an affront to Indian regional ambitions. As Selig Harrison has observed "if the U.S. has a detached posture in the Indo-Pakistani rivalry, Diego Garcia would not impinge directly on Indian security. It can then be considered as integral in the U.S. global military communications and to the redeployment of U.S. forces in the Persian Gulf region". On their part, Indian analysts contend that the U.S. has never taken India's power potential seriously enough to take a detached posture.

For the short - term, the Indian navy even now possesses "significant capabilities for protracted naval operations in the Arabian Sea and northern Indian Ocean"¹⁰⁸ and has so far shied away from a visible power projection capability such as a naval infantry force as these may create apprehension. Naval activities are so far limited to visits by warships to Kenya, Madagascar, the Seychelles and Tanzania. These nonetheless constitute an important military asset in the Indian defense planners' over-all strategy of integrating and reinforcing land and sea-power. They also visualise a naval capability as having many military uses and peaceful applications as well as having a primary function in time of war. Navy is not for projecting its power outside the region and is to be confined only to regional activities. Hence, the intention is not to set up bases around the world.

In the long term, without a formidable naval capability, India's vital security interests would remain exposed. The possibility of a nuclear-armed Indian navy cannot be discounted, according to a Carnegie Report on the Indo-American Task Force on the Indian Ocean: India, the U.S. and the Indian Ocean ¹⁰⁹. It suggested that Indian scientists will master inter-continental ballistic missile technology in another 5 to 10 years (they already have the knowledge for an intermediate-range ballistic missiles with a 3300-mile range), including war-head miniturisation, heat-shields for the nose cones and gas velocity for thrust. Also, India already has the indigenous knowledge and skill necessary for inertial guidance systems and solid fuel propulsion as well as anti-ship cruise missiles and other non-ballistic missiles. Over-all, decision-

makers in New Delhi have to deal with both the traditional and strategic aspects of naval armaments.

India has so far rejected proposals intended to limit nuclear deployment in the Indian Ocean as these were made conditional on giving up the nuclear option, while the superpowers remained free to develop their arsenals and bases. Within the next 10 - 15 years, according to Harrison, the Indian navy will extend its reach over most of the Indian Ocean. Hostile nuclear-armed Indian naval forces could complicate American military activities relating to the Persian Gulf and to the global strategic deterrence. To make it less dangerous and costly, the Indo-American Task Force noted above has recommended (a) "the U.S., the U.S.S.R. and other countries concerned . . . explore the possibilities of arrangements ensuring the unimpeded oil tanker traffic through the Strait of Hormuz and other choke points" ; and (b) concurrently, Washington and Moscow should offer to discuss a ban on the establishment of nuclear bases by regional and global powers in all or parts of the Indian Ocean, including Diego Garcia. India, Pakistan, China, France, the U.S. and the Soviet Union should participate in such efforts ¹¹⁰.

India will continue to develop its navy as it perceives it to be one of its vital defense interests, and will do so irrespective of the drain on its economy. Its future status as the fourth or fifth largest navy is here to stay. Therefore, Indian diplomats will oppose any UN attempts to regulate naval

activities, or for that matter to establish any kind of disarmament negotiations leading to a naval regime in the Indian Ocean.

A related issue is the Convention on the Law of the Sea which introduced a series of major and inter-connected new elements that represent an expression of the determination of states to find formulas for collective agreement designed to bring about the peaceful uses of the seas and other resources. Although some of these aspects have yet to receive acceptance by all states, the effective implementation of the Convention will have a far-reaching impact on the future conduct of maritime affairs. However, that cannot be ensured unless the question of the naval arms race is addressed.

The study by the group of UN experts on the naval arms race cited earlier, has drawn several significant conclusions. Two basic objectives for action are identified.

First, achievement by negotiation of effective measures to achieve security and stability at significantly lower levels of conventional naval arms and armed forces. Such measures must be considered in the over-all context of halting and reversing the arms race in general.

The second objective is of a different nature. Year after year the world becomes more interdependent. Concurrently, the demands of an ever-increasing world population exert a greater pressure on the world's resources. The growing complexities of offshore activities will call for much improved

national and international management arrangements if marine resources are to be exploited in a rational and orderly manner to the benefit of all states. New resources, developments, activities and responsibilities - all will demand more coordinated maritime policies, administrative machinery and policing capabilities. Within a framework of improved international security, there is much that can be done by naval ships and aircraft, especially with the assistance of experienced maritime states, without interfering in the peaceful uses of the sea. Such an approach will acknowledge the reality that security in the maritime environment, like security on land, is just not military in nature but includes such other facets as food security, resource security, job security and ocean management security. The convening of an international maritime conference to deal comprehensively with these multiple issues was recommended by the UN experts.

e. **The Relationship between Disarmament and Development**

There has been a broad recognition since the founding of the UN that disarmament and development constitute two vital issues facing mankind ¹¹¹. Since the 1950's and especially the First Special Session on Disarmament in 1978, the General-Assembly has considered the two in one form or another including the complex interactions between them. Expressions of concern over the quantum increase of military expenditures and calls for diverting resources released through disarmament for socio-economic progress have all contributed to a growing UN involvement. The subject has been accorded sustained attention by many delegations, after the economic case for disarmament was strengthened by the argument that

resources, however defined, are far from infinite and that their global military consumption is a factor in future national and international economic prospects.

A major UN study on the relationship between disarmament and development concluded in 1983 gave forceful expression to the view that the arms race and development were in a competitive relationship and that states could either continue the arms race or move towards more stable, balanced socio-economic growth within a sustainable international political and economic order. They could not do both ¹¹².

Subsequently, a Preparatory Committee established by the General Assembly to prepare for an international conference on the relationship between disarmament and development, elected as its chairman, India's Ambassador Muckhund Dubey, who was an expert in both these fields. The conference itself was convened in September 1987 and presided over by India's Minister of State for External Affairs, Natwar Singh. As envisaged in the joint proposal by India, France and Norway, the three main purposes of the conference were : 1. to undertake a review of the relationship between disarmament and development ; 2. to conduct an examination of the impact of continuing military expenditures on the international economic and social situation ; and 3. to consider ways and means of giving expression to the idea of channeling a significant portion of the resources for military purposes to socio-economic development, particularly for the developing countries.

Delegates participating in the debates both in the Preparatory Committee and in the Conference itself, have high-lighted the following chilling statistics:

- **More than 70 million people are working, directly or indirectly, in military service during 1986 - twenty five million of them in regular armed forces**
- **More than 3 million scientists and engineers are engaged in military research and development, and at least 5 million workers were producing weapons and specialised military equipment**
- **\$2 million is poured into the arms race every minute while at the same time one fifth of the world's population live in abject poverty, about one half lack access to clean water and one person in ten go hungry or malnourished**
- **Less than one percent of the yearly spending on the world's arsenals would buy enough agricultural equipment to make countries now insufficient in food, self-reliant**
- **The annual cost of weapons is sufficient to repay the entire external debt of developing nations and is equal to the combined national output of all countries of Africa and Latin America**
- **For every one percent increase in military spending, 18% is whittled away from funds for agriculture, which typically supports the economies of developing countries**
- **Military expenditures in developed and developing countries represent an average of 25% of their government spending**

- In the latter group, these costs were triple the public expenditures for health service and one-third more than the sum spent on education, while in the former, they equaled education and health ¹¹³.

In a sense, therefore, developing countries are the most affected economically by military expenditures although their share of such spending is comparatively minor ¹¹⁴. For over four decades, the two major military alliances accounted for 80% of global military spending, more than 90% of world-wide military production, roughly 95% of international exports of military hardware and nearly all the global expenditures on military research and development. By contrast in 1986, between 14 to 16 percent of global expenditures and not more than 8% of world production was spread among the 130 developing countries, their total number having increased three-fold since 1945. What is equally significant is that individually not more than 12 to 16 out of more than 130 developing nations possess any sizable armament production capacities, although the production and sale of armaments by the countries that do have the capacity have steadily increased.

However, the procurement of military hardware almost exclusively from the industrialised world has continued to increase both in volume and sophistication. As Essam Galal states : "This factor, more than any other, has inextricably linked the military competition among the developing countries with the dynamics of the arms race of the industrialised world" ¹¹⁵.

Perhaps the most important feature of the UN debate was the role of security in the disarmament-development equation, which led to differing interpretations. Defining what constitutes legitimate security needs and what is over-armament to the disadvantage of development was one of the main points that divided the delegates.

For India, security should not be used as a smokescreen to impede disarmament and development. In the contemporary world, security has acquired multi-faceted non-military dimension, which is now vastly larger than in the past. These are directly affected by the competition for military advantage between one nation and another and groups of nations. Further, the notion that military security is best assured through over-armament has little correspondence to realities. Seen in this perspective, international security requires a balance between military and non-military elements and between national and international interests¹¹⁶.

For the Western European nations, the key issue is security and undiminished security is an essential prerequisite for development. They pointed to the complexity of the relationship between expenditures on armaments and the problem of development at the national and global levels: Weapons are accumulated to enhance a sense of security and to insist that disarmament alone will reduce military threats is naive. And "seeking to associate disarmament too intimately with development, one may end up by setting security against development" ¹¹⁷.

For the Soviet bloc, disarmament agreements between the two major military alliances would facilitate the release of resources which could be transferred to an international fund for assistance to the developing nations.

Notwithstanding these differences in approaches, the Indian delegation claimed a certain level of common understanding by selectively invoking the provisions in the Final Document adopted by the International Conference on the Relationship between Disarmament and Development ¹¹⁸. It was maintained that it is a complex multidimensional relationship where interactions between the two can only be properly perceived if placed in the larger context of their mutual impact on security to which both are intimately linked. This relationship involves more than a presumed potential for the transfer of disarmament-related resources into global socio-economic development¹¹⁹. Further, disarmament may not by itself benefit development and that any savings made by reducing military expenditures would not automatically or easily be transferred into development resources or development assistance. Conversely, however, unrestrained high military expenditures on the present scale impact negatively on development, directly or indirectly.

In this, it was recognised that (1) disarmament and development are separate and distinct processes and (2) disarmament could carry with it a significant contribution to development. Consequently, the lack of meaningful disarmament was acknowledged to have an impact on

development by utilising scarce resources that otherwise could have been more readily used for the latter. Hence, while disarmament and development are parallel and distinct processes there is a strong case to approach these twin goals in an integrated manner and to relate them, conceptually and operationally, to the requirements of international security. Thus, the existence and validity of a triangular interaction between disarmament, development and security was established ¹²⁰. This position has long been advocated and supported by India. In fact, it can claim, a special responsibility with regard to disarmament-development concept as it was one of the originators and prime movers with regard to the study conducted by the UN in this regard.

The U.S was the only country that boycotted the UN-sponsored International Conference on the Relationship between Disarmament and Development, although the idea was first proposed by an ally - France ¹²¹. Washington has insisted that these are separate issues and that poor countries have no automatic claim to the cash benefits that will flow from defense cutbacks resulting from arms limitation accords. Although critical of the U.S. stand, some allies were themselves unwilling to commit any financial contributions to the Third World on savings from defense spending as a result of disarmament agreements.

By adopting a consensus document providing for a broad framework for future action, the Conference underscored the negative and far-reaching ramifications of current military expenditures especially by the

major military alliances for the world economy and the international system as a whole. It further highlighted the pervasive non-military threats to security and established a compelling economic case against the arms race ¹²². It also underlined the need to redirect resources released through disarmament measures towards the socio-economic improvement of developing nations ¹²³. But the developed states did not agree to the main demand of the developing countries to provide for an international financial mechanism to facilitate the reallocation of resources from disarmament to development. Nonetheless, on the basis of the Action Program that was adopted, this and other follow-up measures are expected to be pursued within the UN system and its specialised agencies.

Although the Conference can be regarded as a quasi-political and academic exercise to test new ideas and approaches as well as the exploration of complex, inter-related concepts, the disarmament-development equation falls squarely into the priority themes of developing nations. Indeed, the two over-riding goals of the non-aligned movement has been these two objectives. The ability to link them, as the Conference attempted to do, created the perception that not only they are two principal macro issues before the international community but that they interact in such ways as to be addressed in an integrated manner. Essentially, what the Conference allowed was for one forum to take up both aspects. In terms of gaining exposure and fueling a sense of urgency to resolve them, the issues were presented as mutually representing the greatest impact on international security. Hence, in the context of the Third World's favorite themes of

interdependence and multilateralism, the Conference proved to be a further justification and spur to collective responsibilities, equal rights and duties among states and ultimately the concept of mutual benefits.

It has been proposed and perhaps sustained that the winner in the disarmament-development equation is the former rather than the latter. For the logical conclusion is that disarmament would not only prevent wars but also provide for resources released for development. All of these fall squarely on what India has been saying all along, that is you have to have disarmament before any other objectives can be achieved. It further sustained another favorite Indian theme : the principal responsibility is with the major powers while the principal benefits will be shared by all.

f. Negative Security Assurances

The modalities in the search for security against the use or threat of use of nuclear weapons have been a long-standing pre-occupation of non-nuclear nations. It was the primary objective for the convening in 1968 of the Conference of Non-Nuclear States in Geneva and one of the most contentious issues in the non-proliferation treaty negotiations conducted during 1965 - 1968. Two types of assurances were envisaged : Under "negative" assurances, nuclear powers would commit themselves not to use nuclear weapons against non-nuclear nations. This is in contrast to "positive" assurances, whereby nuclear weapon states would commit themselves under specific circumstances, to come to the defense of non-nuclear nations, as envisaged in Security Council resolution 255 of 1968.

The proposals advanced by the Soviet Union and Pakistan in 1978, although similar in scope and substance, differed in one essential aspect : While the former sought a legally binding international convention, the latter emphasised international “arrangements” through a common approach while not ruling out such a convention. These initiatives received wide endorsement in the General Assembly each year ¹²⁴. The third approach by the U.S. recognised the differences in the nature of the security requirements of nuclear powers and non-nuclear states which rendered it difficult to reach a common formula. It proposed instead that the individual declarations by the former be formalised.

Consistent with its long-held position, India sought security in the disarmament context by contending that (1) the attitudes and security doctrines of nuclear powers thwarted negotiations on any new disarmament measures. Consequently, even if security guarantees are extended in some form, “the non-nuclear states would not be any more secure unless nuclear weapons states made a simultaneous commitment to give up doctrines of nuclear deterrence”¹²⁵. (2) Issues of disarmament must be taken on their merits, that is, nuclear weapon systems and arsenals must be abolished not because they were possessed by one or the other military alliances, but because of the threat that flowed from the very presence of these weapons¹²⁶. (3) The very consideration of this question “has been obscured by the factual content of crucial nuclear issues which are cast in terms of over-simplified East-West politics”. (4) Such assurances in the form of mere unilateral pledges rather than treaty commitments were disparaged by observations such as that

"no problem in the field of arms control has yet been resolved by declarations, however solemnly given or festively proclaimed. United Nations documents for the last 35 years are a vertical graveyard of international declarations adopted mostly with the full support of all members states" and that "security has never been assured on the basis of hortatory declarations" ¹²⁷. Michael Mandelbaum has expressed these notions bluntly : "Declarations like that get put aside in the first moments of conflict. Nobody would obey them and nobody would believe others would obey them" ¹²⁸.

The Indian government's deep distrust of security assurances is also grounded in the heavily qualified and conditional nature of such approaches. The most glaring is the one offered by the U.S. : ". . . will not use nuclear weapons against signatories to the non-proliferation treaty or any comparable internationally - binding commitment not to acquire nuclear explosive devices . . . except in the case of an attack on its territories, armed forces or its allies by a nuclear-weapon state or a state allied to a nuclear-weapon state in carrying out or sustaining an attack" ¹²⁹. Such declarations leave ample room for subjective interpretations and tantamount to virtually no guarantee at all as far as New Delhi is concerned.

On the other hand, in 1982 during the Second UN Special Session on Disarmament, the Soviet Union modified its earlier position and joined China in pledging not to be the first to use nuclear weapons ¹³⁰. Such commitments in the words of an European analyst "offer a different and in many ways a more satisfactory solution to the quest for negative security

assurances . . . Moreover, no-first use commitments are likely to have military implications of a stabilising nature, which non-use obligations would not” ¹³¹.

In varying degrees, many non-aligned countries share the misgivings on security assurances expressed by India. They are particularly apprehensive that such arrangements may presuppose obligations or concessions by them which would provide nuclear-weapon states a certain control over their policies. In a crisis, nuclear powers may take advantage of the situation and blackmail non-nuclear states by threatening to withdraw the assurances. Further, if these contained far-reaching qualifications, they might be worthless, especially if they are made contingent upon the “good behavior” of these states. For these nations, security guarantees without any loopholes against the use or threat of use of nuclear weapons is a right and the existence of opposing alliance systems must not be allowed to become an obstacle to the extension of such assurances ¹³².

In the Conference on Disarmament, the positions of states differed fundamentally on the scope, substance, form and nature of envisaged guarantees. As already indicated, while the non-aligned countries and the Soviet bloc insist on a legally binding convention, Western nations offer a General Assembly or Security Council resolution which they regard as “credible and reliable and amounted to firm declarations of policy”. Still such a convention would place constraints on the political role of nuclear weapons, provide a measure of global security, and more importantly, remove an incentive for non-nuclear states to acquire a nuclear capability to ensure their

security while protecting them from the use of nuclear weapons. Yet disappointment on the part of UN delegations can be noted due to continued deadlock as this question is basically linked to the strategic doctrines of nuclear powers.

g. Other Disarmament Issues

As a principal advocate of the foregoing items in the UN disarmament agenda, India was simultaneously a major opponent to the inclusion of proposals on the following non-nuclear or regionally focused issues:

- A Belgian initiative for a comprehensive study of all aspects of regional disarmament, including basic conditions and definition of measures which may lend themselves to a regional approach was opposed as being incompatible with a global approach ¹³³.
- A Western suggestion for a study on confidence-building measures on a regional basis "taking into account the specific conditions and requirements of each region"¹³⁴ was dismissed as intended to distract efforts from the "more meaningful and urgent disarmament measures" ¹³⁵.
- A Danish proposal for a general approach, structure and scope of study on conventional armaments¹³⁶ was recast to emphasise its link to nuclear disarmament and stressing the major responsibility of the superpowers and their alliances ¹³⁷.

As regards proposals to which India extended conditional support are the following :

- The French initiative to establish an international seismic monitoring agency to verify the implementation of disarmament agreements (1976) ¹³⁸

- The main organs of the UN to "initiate and accelerate work on developing and strengthening of institutions for maintaining international peace and security" (1977) ¹³⁹.
- The UN to give early consideration to the conditions for halting the arms race, especially nuclear arms race and developing "modalities for effective application of the system of international security provided for in the Charter" (1981) ¹⁴⁰
- The prevention of an arms race in the sea-bed, ocean floor and subsoil thereof (1977) ¹⁴¹
- An initiative by Sri Lanka on behalf of the non-aligned countries on a comprehensive program of disarmament, constituting a package of inter-related measures leading to general and complete disarmament. It envisaged a phased programme of a comprehensive test ban, cessation of the qualitative improvement of nuclear weapons and production of the means of delivery as well as progressive and balanced reduction of existing stockpiles. During the initial stages, however, it envisaged the immediate cessation of nuclear arms race and removal of threat of nuclear war. (1979) ¹⁴²

Indian diplomats at the UN adopted a low profile on the following issues :

- The on-going negotiations for a chemical weapons convention (in which Indonesia and Sweden play leading roles)
- New weapons of mass destruction, including radiological and neutron weapons "which is in line with our total opposition to all nuclear weapons and other weapons of mass destruction. . .The nuclear neutron weapons in this respect is the manifestation of a particularly dangerous consequence of the arms race" ¹⁴³.
- Non-stationing of nuclear weapons on the territories of states where there are no such weapons at present
- Soviet initiative for the convening of a world disarmament conference

- Reduction of military budgets “merely distracts attention from the central political issue - the lack of political will on the part of the major powers to reduce and limit their armament stockpiles”
- Proposals intended to promote the cause of disarmament (the International Week to Promote the Objectives of Disarmament (1978) ; World Disarmament Campaign (1982) ; Disarmament Week ; and Disarmament Decade (1977) ¹⁴⁴

Through an astute combination of assertive participation on the major nuclear issues and outright derision, calculated indifference or benign neglect on non-nuclear questions, India opposed attempts to “change the direction, shift the focus and distort the priorities from nuclear weapons to conventional armaments, from global approaches to regional approaches, from measures of real armament and arms limitations to confidence-building measures and verification problems, from military alliances to non-aligned countries and from the huge stockpiles of the great powers to the legitimate means of self-defense of small countries”. India, has therefore, concluded that “the cause of disarmament can never be served if such misguided efforts are permitted or tolerated” ¹⁴⁵.

Reflecting these firmly held positions and approaches, India’s Prime Minister Rajiv Gandhi, submitted a well thought out and comprehensive “Action Plan for Ushering in a Nuclear-Free and Non-Violent World Order” during the Third UN Special Session on Disarmament held in June 1988. It was divided into two stages. Over a period of 22 years, it presented a program for the elimination of nuclear weapons. While nuclear disarmament formed the central element of the Plan at each stage, other measures were also included

to implement it in a comprehensive manner. There were four fundamental features of the Plan. First, a binding commitment by all nations for the elimination of nuclear weapons in stages by the year 2010. Second, participation of all nuclear powers in the process of nuclear disarmament. Third, building-up of required confidence in each stage to ensure tangible progress. Fourth, changes in security doctrines and institutional mechanisms to sustain a world free of nuclear weapons.

Each stage called for simultaneous negotiations on a series of measures which bore an integral relationship. The first stage called for an agreement on a 50% cut in superpower strategic arsenals. That was coupled with the cessation of production of nuclear weapons and weapons-grade fissionable material by all states. The first-stage also called for a moratorium on nuclear weapons testing, to be followed by commencement of negotiations on a comprehensive test ban treaty. Collateral measures include the conclusion of a convention prohibiting the use or threat of use of nuclear weapons pending nuclear disarmament as well as measures by non-nuclear states not to cross the nuclear threshold and the initiation of multilateral negotiations for a new treaty to replace the discriminatory non-proliferation treaty.

The Action Plan also called for negotiations on treaties banning chemical weapons and radiological weapons to be completed during the first stage. A moratorium on testing and deployment of space-based systems would provide an appropriate framework on banning their testing,

development and deployment. Furthermore, the first stage also envisaged the need for assessment and subsequent negotiations to curtail military applications of new technologies that might have negative implications for international security.

In subsequent stages, negotiations for the establishment of a comprehensive global security system should be undertaken to sustain a world without nuclear weapons. Finally, in view of the unprecedented militarisation during the past four decades, a new structure of international relations should be created. The sources for this lay in the explicit recognition of the inter-dependence of nations and the inter-relatedness of issues. In sum, India has advocated a new integrated approach, as distinct from the proven inadequacies of past piece-meal disarmament efforts, covering a wide range of weapons, while according priority to nuclear disarmament.

How effective would be Gandhi's plan? Based on his proposals, India can plausibly claim that since the piece-meal approach of the past have failed, only a comprehensive plan covering many critical aspects of weaponry can halt and reverse both the nuclear and conventional arms race. The record of past negotiations clearly shows that the primary purpose was not so much arms reduction or disarmament as rather the controlled expansion and regulation of certain aspects of the arms race. As a result, even while negotiations on these accords were in progress, the technological potentials, some of which still on the drawing board, were already being directed towards the development of ever more sophisticated weapons-systems, thus

negating whatever progress was achieved at the negotiating table. This is India's rationale to call for a global framework of negotiations for a comprehensive program of disarmament. As it literally denotes, it consists of an all-encompassing and mutually supportive set of measures in all crucial areas. The negotiating process itself could proceed in time-bound phases, while ensuring at each phase the development of appropriate methods and procedures so as not to diminish the sovereign rights of states or their legitimate national security interests.

Conclusion

Since its independence, India has experienced an evolution in its thinking on national and international security, while at the same time certain fundamental characteristics in this regard have endured virtually unchanged.

These are :

- Sensitive to discrimination in the international arena
- Leading supporter of a global approach to security
- Champion and advocate of Asian and African rights
- Defender and innovator of non-alignment as a concept and a forum for its positions
- A quest for autonomy, self-reliance and regional domination

These constants which are ever-evolving in their interpretation and application of India's security policy are linked to historical and geopolitical factors that have traditionally characterised its security concerns. On the one hand, New Delhi's view of multilateral forums as providing avenues for reordering international relations have undergone significant transformation and indeed in certain instances a rude awakening of the ultimate realities and

constraints that determined the course of multilateral diplomacy. It was the spokesman for the Third World on the New International Economic Order and Indira Gandhi along with Guyana and Tanzania were authorised to represent its interests at the Cancun meeting in 1983 convened at the initiative of some countries belonging both to the North and South. But the very Third World states that sought India's leadership do not always endorse its stand on issues regarded as critical by New Delhi, as is evident by their continued support for the non-proliferation regime and regional nuclear-weapon-free-zones which are opposed by the Indian government.

In this regard, while tracing India's position on major issues of security, we can see certain bench-marks to indicate some shifts in India's policy approaches at the UN. Essentially, a constant in India's security interests has been self-reliance and the avoidance of military relationships with the major powers. This overriding concern with its own freedom of action and avoidance of dependency relationships is the principal source of New Delhi's enunciation of non-alignment. Nonetheless, the real or perceived threats emanating from its adversaries compelled India to seek counter-balances to the China-Pakistan-U.S. axis.

Consequently, following the India-Pakistan and India-China conflicts, New Delhi sought to play its Moscow card. But even in this case, India sought not to establish formal military ties but rather to forge a relationship with the Soviet Union that gave pause to its adversaries. This can be viewed as an unwanted but a necessary step because, while on the one

hand, it served India's immediate national security concerns but on the other, it allowed for great power involvement in the subcontinent which has always been an anathema to India's position on its manifest destiny to dominate the region.

Although India by its actions demonstrate a keen understanding of the inhospitable realities attendant upon that part of the world, it has recognised the present situation as unacceptable in the context of its objectives and therefore doggedly pursues policies to extricate itself and to assert its primacy in subcontinental affairs. Hence, through its military policies, armament industries, nuclear posture, economic programs as well as in the field of multilateral diplomacy, India is seeking to alter the status quo in the balance of forces in South Asia with the ultimate goal of achieving unquestioned supremacy irrespective of the policies of other states in the region or extra-regional powers.

In this, New Delhi is determined to be the subject and not the object of not only issues exclusive to the sub-region but also in international issues affecting the world as a whole. To achieve this, successive Indian governments have expended huge amounts on armaments. Likewise, in the nuclear field, they have sought to develop peaceful and military capabilities. In the economic realm, industrial and agricultural development has been approached from the viewpoint of self-sufficiency. This assertiveness is brought to the fore in its approach to multilateral diplomacy at the UN and other forums. It is never satisfied to be a mere member but always sought or

was accorded a leadership position on several vital issues - be it political, economic or social.

India has been a vocal opponent of balance of power, deterrence and alignments as it perceives them to be doctrines and principles which essentially divide the world between the haves and have-nots and shunt the latter to the side-lines as objects rather than subjects. This is a particular anathema in the context of its aspiration to be a major actor in the international arena commensurate with the big powers.

As to the nuclear option, India is not likely to abandon it because of the prevailing strategic situation in the subcontinent. On the contrary, it may go beyond its threshold status and become a full-pledged and declared nuclear weapon state if circumstances warrant. In any event, there is little, if any, prospect that India will categorically foreswear the acquisition of nuclear weapons.

As regards non-alignment, India used it as a political forum and an alternative platform through which to enunciate its policies and to marshal support for them. As such India can be expected to continue in this vein so long as it is perceived to be advantageous. However, with the further diminution of the status and influence of the superpowers and the emergence of a multipolar international environment, non-alignment may lose its rationale as an alternative to bloc politics of East and West. In such an event, India's claim as a major actor in the international arena will have to be

projected either through regional influence, greater involvement in the Commonwealth or form an association of countries which are dependent on, or receive aid from, India. At the same time, there is no evidence to sustain the assumption that India will withdraw from active participation in multilateral institutions. Instead, it can be foreseen that in the event that traditional fora such as the non-aligned and Group of 77 begin to wane in status, split or disintegrate under the weight of pervasive change and realignment in the world, then the UN will become even more important in India's attempts to make its power and influence felt on the global scene.

It is unlikely that India will change its position on a comprehensive ban on nuclear testing and delink that issue from its demand for the right to peaceful nuclear explosions. Its position on arms race in outer space has taken an increasing importance and transcends mere political rhetoric with further developments of its space programs as dramatically exemplified by the recent successful testing of an intermediate-range missile. Further developments in this field could portend a future capability in anti-satellite weapons and other military applications of space technology in outer space.

As to naval armaments, India is presently in the midst of a major build-up program, which when completed by the 2000 will have considerably enhanced naval capabilities. New Delhi views its ability for coastal defense a priority requirement that is non-negotiable or open to trade-offs. But even with the completion of the present naval programs, New Delhi contends that it would constitute a modest force to defend its extensive coastline and could

hardly be regarded as designed for offensive purposes. Therefore, even if the U.S. is willing to reduce its naval commitments in the Indian Ocean and Diego Garcia, it is not likely that India would respond in kind.

When it comes to India's engagement of the two major blocs in various multilateral fora such as the UN General Assembly's First Committee, the Disarmament Commission and the Conference on Disarmament, it has spared no effort to discredit their strategic doctrines of balance of power, deterrence and the like as fundamentally directed against the Third World as they were against each other. This constant and most prominent feature in India's characterisation of the consequences of East-West competition was derived hardly from the detached philosophic perspective. Rather, it is grounded in 40 years and before of outside interference in subcontinental affairs. Hence, in India's view, there has been an artificial balance between the states in the subregion, which without such interference would inherently shift the balance to India's advantage. On the other hand, the complexities of the geostrategic situation are reflected in India's dependence on outside support vis-a-vis its powerful neighbor to the north. Therefore, India's rhetoric at the UN and elsewhere with regard to its approaches to security, including its support for global rather than regional approaches, or for that matter collective security concepts as enunciated in the UN Charter, should be viewed as part and parcel of its involvement in political polemics for the purpose of justifying its own policy and discrediting those of its opponents.

To the extent that the renewed process of detente and rapprochement between East and West proves substantive and enduring, it will also be reflected in a diminution of their emphasis on balance of power and deterrence doctrines. In such an event, India's high profile derision of these doctrines and the great powers will lose credibility and have to be replaced by other political concepts to sustain the assertion of its equality with nuclear powers.

In the aftermath of idealistic reliance on universalist principles during the first decade and a half of independence under Nehru's rule, when India sought to rely on friendship and peaceful coexistence as elements of its security, it has opted for more traditional approaches including establishing quasi-alliances, pursuit of narrow national interests in the context of broader international concerns, resort to military build-up through extensive purchases and sizable investment in indigenous production capabilities as well as developing the necessary scientific expertise and other infra-structure for a credible weapons capability.

As a result, India today effectively employs elements of virtually all doctrines and policies that it publicly takes pride in denouncing. It does rely on aspects of deterrence. It does resort to bilateral and mutual de facto or de jure alliance with the major powers. It does seek to establish a broad-based ideological forum as a means to distinguish between friend and foe in the minds of its international constituency. Thus, India's security policy can be regarded as fully integrated into an international security scheme. At the

same time, India is hardly satisfied with its role and place as it seeks to maximise its own national security and increase its power and influence as an actor in its region and beyond. Therefore, hemmed in as it is by geography and historical circumstances, India will continue the path which generally will seek to ameliorate and rectify the inorganic and artificial contrivances imposed from outside and to assure what it perceives to be its rightful place in regional and global events.

If there is a new round of Cold War resulting in further efforts toward polarising the strategic situation in the subcontinent with a consequent negative trend and increased tension throughout the region, then India can be expected to shift resources in its considerable economic infra-structure towards defense and to galvanise its already existing considerable military prowess. However, if present trends continue vis-a-vis East-West rapprochement, Soviet preoccupation with domestic reforms, U.S. concerns with its economic standing in the world and the further emergence of a multipolar world, Indian security by virtue of these trends will be greatly enhanced.

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111. The Preamble of the Charter of the UN declares the intention "to employ international machinery for the promotion of the economic and social advancement of all peoples". Article 26 refers to the "establishment and maintenance of international peace and security with the least possible diversion of the world's human and economic resources". Article 55 calls for "higher standards of living, full employment and conditions of economic and social progress and development" with a view to the "creation of conditions of stability and well-being".
112. Document A/36/356, 1981.
113. Reena Shah, "Nations gather to discuss bread and butter implications of the arms race", a brochure distributed under UN auspices during the International Conference on the Relationship between Disarmament and Development held in 1987.
114. Ibid.
115. The Dynamics of the Arms Race : A Third World View, in Disarmament and Development : A Global Perspective, Predeep Ghosh, ed., (Westport, C.T. : Greenwood Press, 1984).
116. India's statements in the International Conference on the Relationship between Disarmament and Development, UN Press Releases : DC/DEV/1 and 8, 1987.
117. Document on Working Paper by the EEC A/Conf. 130/PC/51, 16 April 1987.
118. UN Press Releases DC/DEV/1 and 8, 1987.

119. Ibid.
120. Ibid.
121. France proposed the Conference in 1983 and Paris was offered as the venue but withdrawn in 1986 ; see document A/Conf. 130/PC.1, 2 April 1986.
122. Document A/Conf. 130/22, 12 September 1987.
123. Ibid.
124. For details on the evolution of these approaches, see Disarmament Yearbook 1980 New York : United Nations) Ch. IX.
125. Disarmament Yearbook 1986 (New York : United Nations) p. 178.
126. Ibid.
127. Document A/C.1/36/PV.37, pp. 21-22, 20 November 1981.
128. Quoted by India's Ambassador, A.P. Venkateswaran in document A/C.1/35/PV.11, p. 52, 23 October 1980.
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131. Nuclear Disengagement in Europe, eds., Sverre Lodgaard and Marek Thee (London : Taylor and Francis, 1983) chap. VI.
132. Disarmament Yearbook 1986 (New York : United Nations).
133. Document A/AC.1/33/L.35, 22 November 1978 and United Nations General Assembly resolution 33/91 E.
134. Document A/C.L/33/L.21 and Rev. 2, 15 November 1978.

135. Document DC/PV-44, May 1983.
 136. Document A/CN.10/25, 15 May 1981.
 137. Document A/CN.10/27, 20 May 1981.
 138. Document A/AC.206/15, 1985, p. 38.
 139. Ibid. p. 45.
 140. Ibid. p. 46.
 141. Ibid. 6.
 142. Ibid. 17.
 143. Document A/C.1/38/PV.39, p. 25, 23 November 1983.
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CHAPTER III

The Treaty on the Non-Proliferation of Nuclear Weapons : A Reassessment

Introduction

This chapter deals with Indian attitudes toward the Treaty on the Non-Proliferation of Nuclear Weapons as articulated in the UN since the 1960's. It presents a historical summary of the negotiations held during 1965-68 between three groups of states - nuclear-weapon states, non-nuclear nations and threshold countries. In reviewing the literature, it became increasingly clear that authors in the field have, by and large, confined their writings to the horizontal component of the treaty at the expense of the other two key issues - nuclear disarmament and peaceful uses of nuclear energy - together encompassing the triad of central issues that the non-proliferation treaty represents. This has resulted in a somewhat narrow interpretation of the treaty's performance over the years and has led to certain misperceptions of the role and positions taken by non-nuclear and threshold nations vis-a-vis those of nuclear powers. This process is, therefore, dealt with in detail for two reasons. First, because literature on non-proliferation has pushed into the background or even ignored the importance of the fundamental bargain between nuclear and non-nuclear states that in fact facilitated the signing of the treaty. Second, this has led to a diminution of the disarmament-related provisions to the extent that they never

constituted part of the bargain whereby non-nuclear states renounced the right to acquire nuclear weapons in exchange for nuclear disarmament.

This will be followed by a discussion of the non-proliferation treaty provisions and their implications for India. Next will be an assessment of the treaty's functioning on the basis of the three Review Conferences held in 1975, 1980 and 1985. In these contexts, the continuity/discontinuity in the nuclear policy pursued by India will be identified. As far as it could be determined, few analysts have tested the validity of India's non-proliferation policy against the outcome of these review exercises.

The section following the Review Conferences will discuss the relations of the threshold countries to the non-proliferation treaty. Specific to India, it will attempt to illuminate various aspects of Indian policy and relate them to critical issues including its threshold status ; implications for security ; how relations with the superpowers and with hostile neighbors would be affected by joining or staying outside the non-proliferation treaty; whether its sensitivities to discrimination by nuclear powers would be increased or diminished by becoming a full party to the treaty or in the civil nuclear field alone ; and can it best facilitate superpower disarmament by exerting pressure from inside or outside the non-proliferation treaty.

This approach has been used because most of the writings are on motivations and capabilities for acquiring nuclear weapons and consequent strategies for incentives and disincentives. Others have assessed the impact of

India's nuclear behavior on Pakistan, China and the superpowers and vice versa in the context of the evolving political, military and diplomatic relationships. However, not specifically in the context of actual functioning of the non-proliferation treaty.

Based on the foregoing, some tentative conclusions are offered from the viewpoint of the two groups of states - nuclear powers and their allies and non-nuclear nations - with regard to the factors that have a bearing on the viability of the non-proliferation regime.

Historical Evolution : 1945 - 60

The U.S., U.K. and Canada which had cooperated during World War II in the development of the atomic bomb explicitly recognised the nuclear menace soon after its termination. They did so in an Agreed Declaration on 15 November 1945 which stated that the discovery of atomic energy has placed at the disposal of mankind unprecedented destructive capabilities "in the employment of which no single nation can in fact have a monopoly". It called for the establishment of an international atomic energy commission to make recommendations to the UN to ensure the peaceful uses of atomic energy and for the elimination of atomic weapons from national arsenals.

The very first resolution adopted by the UN on 24 January 1946 on the establishment of a commission to deal with the problems posed by the discovery of atomic energy was in fact based on these proposals. Against this

backdrop, the David Lilienthal Report on the International Control of Atomic Energy of early 1946 concluded that international control offers the only alternative for security against atomic warfare and will in addition facilitate patterns of cooperation which might form a useful precedent for wider applications². Thus, like both the Agreed Declaration and the UN resolution, this report also contemplated an international agency to conduct all operations in the nuclear field.

The Baruch plan of 1946 contained a framework for an international atomic development authority, charged with overseeing "all phases of the development and use of atomic energy, starting with raw materials"³. It would also control all potentially dangerous atomic activities and send officials into states to conduct comprehensive inspections for violations. The ultimate stated aim was the elimination of atomic weapons from national arsenals⁴. While the U.S. by that plan offered to give up a strategically important advantage but retain nonetheless a virtual monopoly of atomic know-how, the Soviets regarded it as an attempt to ensure that they would never possess atomic capability. Since the authority envisaged was to be a UN organ where the Western powers had at that time enjoyed a clear majority in all facets of its activities, Moscow saw little difference in this and outright U.S. control. Moreover, the Soviet Union had already detonated its atomic bomb in 1949, and as such there was no longer any need to fear U.S. monopoly in this field. These, among other factors, led to the eventual failure of the plan.

In 1953, President Eisenhower unveiled his “atoms for peace” proposal. It was generally received favorably as it addressed the specific concerns and needs of the East bloc and developing countries that was lacking in the Baruch Plan. It called for assistance in agriculture, medicine and other peaceful activities, as well as world-wide efforts to “provide abundant electrical energy in the power-starved areas of the world. Thus, the contributing powers would be dedicating some of their strength to serve the needs rather than the fears of mankind”⁵.

Based on the “atoms for peace” proposal and subsequent negotiations, the International Atomic Energy Agency (IAEA) was established in 1957. Its Statute authorises the dispatch, at the request of governments, missions advising on energy planning, siting of reactors and on various forms of technical assistance. It also operates the safeguards system under which an international inspectorate verifies that no diversions of fissionable materials occur in nuclear activities.

At this point in the evolution of international activities, India’s position was clear, which in principle has not appreciably changed to this day. It can best be summed up in Prime Minister Nehru’s statement to the Parliament on 10 May 1954 wherein he asked which of the nations are going to control atomic energy internationally : “Either you make the body of control as big as the UN with all the countries represented, or it will be a relatively small body with the great powers sitting in it and lording it over We are prepared in this, as in any other matter, even to limit, in common with

other countries, our independence of action for the common good of the world. We are prepared to do that, provided we are assured that it is for the common good of the world and not exercised in a partial way, and not dominated over by certain countries, however good their motives "4.

Even after becoming a member of the IAEA, India continued to attack various aspects of its mandate, its functioning and specifically the unequal treatment between nuclear and non-nuclear states, whereby the former were exempt from the safeguards system. Indian reservations were reflected in the various Canadian - Indian agreements during 1956 - 1968. New Delhi accepted inspection of first-generation use of Canadian-supplied nuclear materials but rejected inspection of all nuclear equipment and of all nuclear projects. Further, inspection was allowed only on Canadian-supplied materials and not the indigenously produced equipment and facilities, including India's plutonium separation plant. Attempts by Ottawa to tighten inspection were rebuffed by New Delhi whose primary interest was the control of military applications of nuclear energy rather than its peaceful uses'. Ambassador Trivedi in his statement to the Eighteen-Nation Disarmament Committee spelled out the premise on which any inspection scheme should be based :

"Institution of international control on peaceful reactors and power stations is like an attempt to maintain law and order in a society by placing all its law-abiding citizens in custody while leaving its lawbreaking elements free to roam the streets Reactors engaged in peaceful purposes and atomic power stations of the developing countries do not in themselves pose any threat to the security of the

international society Any proposal therefore which contemplates international controls on only the peaceful activities of reactors and power plants while leaving free vast weapons production facilities of nuclear powers - their gaseous diffusion plants - does not attempt to tackle the real problem ".

While efforts during the 1940's and 50's focused on fostering international cooperation on nuclear issues, it was not until 1960's when the question of non-proliferation was taken up in its own right as an issue of importance and treated separately from other aspects of the nuclear equation.

The two resolutions adopted by the General Assembly in 1961 and 1962⁹ already reflected the basic differences between nuclear and non-nuclear nations that would characterise all subsequent efforts in this field. The former reflected the basic goal of nuclear powers, which is an international agreement to prevent the acquisition of nuclear weapons by non-nuclear states. The latter maintained that any such exercise must be based on reciprocity, universal adherence and nuclear disarmament, which was fully consistent with India's earlier stance of opposition to the inadequacies and discriminatory provisions of the IAEA. This was hardly surprising since India played a central role in drafting the resolutions sponsored by non-nuclear nations.

Hence, while these states were concerned about proliferation, they were also aware of the dangers inherent in the retention of nuclear arsenals

by a few states while the vast majority have renounced nuclear weapons. It was in this aspect that India was a relentless leader and as we shall see that even after a majority of states have significantly moderated their positions, it continued to maintain its policy of linking vertical and horizontal proliferation.

Thus, India on 4 May 1965 introduced in the Eighteen-Nation Disarmament Committee, a five-point program of non-proliferation and security whose salient features were :

- An undertaking by nuclear powers not to transfer nuclear weapons technology to others ;
- An undertaking not to use nuclear weapons against countries that do not possess them ;
- An undertaking through the UN to safeguard the security of states which may be threatened by nations having a weapons capability or about to have such capabilities ;
- Tangible progress towards disarmament including a comprehensive test ban treaty, a complete cessation of the production of nuclear weapons and the means of delivery as well as substantial reduction in the existing stocks ;
- An undertaking by non-nuclear states not to acquire or manufacture nuclear weapons ¹⁹.

As to the sincerity of India's commitments to these terms, it could be pointed out that from 1965 - 67, it sustained intense diplomatic efforts to win

concurrence of other states, particularly of nuclear powers for its proposal. This in itself indicates the seriousness with which India sought to incorporate this proposal with any non-proliferation treaty. The fact that it was not adopted and as a result India rejected the non-proliferation treaty is further confirmation of its commitment to the terms of its five-point program. Hence, its significance is that India was prepared to forego the acquisition of nuclear weapons without a priori relinquishing by nuclear powers of their arsenals. In India's view, this was a major concession but one which not only failed to gain approval by nuclear powers but also was rejected even as a basis for negotiations. Clearly, even at that time it was apparent that there were fundamental differences on substance and procedures between these states and India. The former approached the issue within the narrow confines of a practical arrangement to prevent proliferation. For India, however, the underlying principles of any such arrangement were of equal if not greater importance.

In accordance with this program, India envisaged a two-stage procedure to negotiate a treaty on non-proliferation. The first stage was of a partial nature and called for obligations of nuclear powers not to pass on weapons or technology to others. They would also cease further production of nuclear weapons and delivery vehicles and begin a program of reduction of the existing arsenals. Concurrently, they should agree to incorporate the other measures outlined above. This would constitute the first stage of the treaty or a partial non-proliferation treaty. It would be followed by a second stage of the treaty or the comprehensive treaty which would provide for an

undertaking by non-nuclear countries not to acquire or manufacture nuclear weapons". The Indian strategy at this juncture was the initiation of nuclear disarmament measures prior to non-proliferation by non-nuclear nations.

While this program was for New Delhi the very raison d'être of international activities in this field and therefore non-negotiable, it did remain flexible over the question of modalities and mechanisms for its implementation. Thus, India was open on the time-frame for negotiations on the non-proliferation treaty and did not insist on prior measures of arms limitation by nuclear powers. Instead, they could be simultaneous as long as the two stages constituted " a single or integrated process of obligations and actions"¹². India further amended its position and agreed for certain measures including a cut-off in the production of nuclear weapons and delivery vehicles to be incorporated in the non-proliferation treaty after the treaty has come into existence. And it also proposed that the non-proliferation treaty specifically incorporate only a cut-off in the production of nuclear weapons while a comprehensive test ban and a freeze on nuclear delivery vehicles were to be included as collateral measures "in an integrated and coexistent pattern"¹³.

Of the foregoing elements, the Indian representative identified progress towards disarmament as the most critical. It is vertical proliferation that causes horizontal proliferation and induces non-nuclear nations to exercise their nuclear option because the very possession of nuclear weapons poses a serious threat to the security of these nations. This argument, related

to the China factor, also rested on the contention that horizontal prohibition by itself even if accompanied by security guarantees would not suffice to ensure the security of non-nuclear states, as Moscow and Washington have argued. Therefore, in order to restrain horizontal proliferation it would equally be necessary to reverse vertical proliferation. In emphasising this aspect, Ambassador Trivedi stated : *"So far as the non-aligned nations are concerned, security is not synonymous with protection, no matter how powerful the protector or how sincere. Real security lies in the elimination of the threat rather than in offering protection after the threat has been translated into aggression"*¹⁴. In effect, India has argued that a non-proliferation treaty should constrain the proliferation of all nuclear weapons, including vertical proliferation. Hence, the essence of India's position was that these two aspects of proliferation are inherently linked in the context of international security.

The significance of this argument is that India was not prepared to countenance the proliferation of nuclear weapons. Essentially, it hoped that the priority concern of nuclear powers over this issue could extract from them certain concessions in stemming vertical proliferation as demanded by non-nuclear states. The fact that nuclear weapon states were not ready to make their bilateral disarmament negotiations contingent upon the demands of non-nuclear nations cannot render such an approach as being unrealistic.

1965 - 1968

The substantive negotiations began in earnest during November 1965 when the General Assembly adopted resolution 2028 dealing specifically with the question of non-proliferation¹⁵. It was drafted and presented by India on behalf of the Group of 8 non-aligned countries in the Eighteen-Nation Disarmament Committee (Brazil, Burma, Egypt, Ethiopia, Mexico, Nigeria and Sweden). It was adopted with the concurrence of the U.S. and the Soviet Union and only five abstentions. It spelled out the five principles upon which negotiations for a treaty on non-proliferation should be based. These are :

- “(a) the treaty should be devoid of any loopholes which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form;
- (b) the treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers ;
- (c) the treaty should be a step toward the achievement of general and complete disarmament, and more particularly, nuclear disarmament ;
- (d) there should be acceptable and workable provisions to ensure the effectiveness of the treaty ;
- (e) nothing in the treaty should adversely affect the right of any group of states to conclude regional treaties in order to ensure the total absence of nuclear weapons in their territories.”

Thus, this key resolution provided the conceptual basis for the prevention of not only horizontal but also vertical proliferation. Throughout

1966 and until mid-1967, the non-aligned countries proposed a number of specific measures including a Joint Memorandum which put primary emphasis on the necessity to implement the 1965 resolution.

However, the concern that their proposals would be pushed aside by the superpowers increased when on 24 August 1967, the U.S. and the Soviet Union submitted two separate but identical drafts for a non-proliferation treaty¹⁶. This raised suspicion among non-aligned that the two powers were in collusion with a view to undermine their initiative and to impose their own proposal. The salient features of the drafts were :

- Each nuclear power undertakes not to transfer nuclear weapons to any non-nuclear state;
- On their part, these states undertake not to receive such transfers and not to manufacture such weapons.
- They also undertake to accept IAEA safeguards which should be implemented in such a manner as not to hamper economic or technological development of the parties or international cooperation in peaceful nuclear activities, including the international exchange of nuclear equipment and materials.

Thus, the U.S. - Soviet drafts sought to diffuse or make more ambiguous the provisions of resolution 2028 by (a) recasting the question of horizontal and vertical proliferation by stressing exclusively the former at the expense of the latter ; (b) to treat the question of balance of obligations in a non-specific and non-direct manner and thereby rejecting control over their nuclear activities ; (c) on the matter of general and complete disarmament, it

contained no specific reference to nuclear powers but rather commitments by both nuclear and non-nuclear nations alike ; and (d) as to the question of mechanism to enforce the effectiveness of the treaty, it placed exclusive burden on the latter, while ignoring any responsibilities of their own.

Notwithstanding these fundamental revisions and significant modifications, non-aligned countries as a whole welcomed the superpower initiative as a positive development since they avoided any meaningful dialogue from 1965 to mid-1967. Essentially, this capitulation was a precursor of subsequent developments whereby the U.S. - Soviet collaboration was to continue at the expense of the non-aligned position. Hence, when they came out with their drafts, non-aligned countries accepted them as an indication that the superpowers were now prepared to engage in serious negotiations to narrow the differences between resolution 2028 and the draft treaties. The Soviet-American initiative was particularly attractive to these nations whose primary interest was not only non-proliferation but also peaceful uses of nuclear energy.

Nonetheless, already by that time, some non-aligned and neutral nations voiced their misgivings about the drafts. For instance, Sweden's representative, Alva Myrdal, wrote that these drafts contravened non-aligned desires for a "package deal" which would control vertical as well as horizontal proliferation or at least explicitly bind the signatories to accomplish other treaties to curb the arms race".

Owing to substantive differences between resolution 2028 and the drafts, India concluded that the superpowers were seeking to pose the question of non-proliferation in terms that would be disproportionately advantageous to them, particularly with regard to the questions of vertical proliferation, nuclear disarmament, obligations and responsibilities. Thus, ultimately they would shift the burden of responsibility to the non-nuclear rather than nuclear states. The Indian Government recognised the intent and purpose of the draft treaties. Once these were introduced and the other non-aligned countries were initially receptive, India could no longer fully associate with them in the negotiations as it was incompatible with its firm position enunciated in resolution 2028. Neither could it sustain the unity of these countries whose interests and concerns were different from India's which has an interest to retain a weapons option and its status as a threshold nation.

In a comparative sense, India's diplomatic skills as well as its ability to articulate effectively the concerns of non-aligned countries has always placed India in a leadership position. In the area of actual formulation of non-aligned position and policy, India has traditionally been a major actor, even though at times its proposals were later modified or changed to suit the more general attitude of the members at that time. One could make an analogy between the U.S. and India in the sense the U.S. is highly respected and at the same time envied and resisted even by its allies. So too, India carries much prestige among non-aligned even though certain specific policies may be at variance with non-aligned membership in general.

While India has been the articulator and interpreter of non-alignment towards international developments in various fields, its attempts to cloak its disarmament proposals, specifically the non-proliferation treaty in the mantle of non-alignment, has proven to be unsuccessful with the members themselves. General speaking, non-aligned nations, knuckled under to the combined U.S. - Soviet pressures, when India would not because essentially they perceived that supporting New Delhi's contentions and reservations may be counter-productive in the context of their national interests. To put it bluntly, they were not prepared as India was "to go to the mats" into a confrontation with the superpowers over this issue.

India recognised that the nuclear powers held all the aces and irrespective of any treaty language, the exclusive control and monopoly over all aspects of the treaty would indisputably reside with them and squarely within their purview. The non-nuclear nations could not be the regulators but rather the regulated.

India was not alone in this assessment as other non-aligned nations especially the threshold countries, found the U.S. - Soviet drafts will fully inadequate with regard to peaceful uses of nuclear energy and nuclear disarmament. Their principal concern was that while nuclear states gave assurances in these two areas, the non-nuclear nations in reality ceded sovereign control over their nuclear programs. This was particularly so as to the issue of submitting their nuclear installations to international inspection while the nuclear programs of the major powers were under no such

obligations. However, irrespective of the questions and concerns raised by India and others from the very outset, the vast majority of non-aligned countries ignored their forebodings and accepted prima facie the superpower drafts as the only basis for negotiations. In fact, the negotiations leading to the non-proliferation treaty demonstrate, as is shown below, that irrespective of whether or not non-nuclear states attached importance to non-proliferation, they treated the demand of nuclear powers for non-proliferation as a bargaining chip through which to gain concessions in the areas of peaceful uses of nuclear energy and nuclear disarmament.

It was clear from the very outset of negotiations that the primary and indeed the sole objective of superpowers was to limit the treaty to the prevention of horizontal proliferation. For non-aligned countries, however, non-proliferation should not become an end in itself but part of a wider program of disarmament and sought a commitment to pursue negotiations for nuclear disarmament. In this regard, the Soviet Union and the U.S. specifically committed their governments to a wide range of nuclear disarmament negotiations. Thus, the U.S. pledged "to prompt and vigorous negotiations to halt the arms race and to reduce existing stockpiles"¹⁸. On its part, the U.S.S.R., indicated an interest in strategic arms limitation talks¹⁹. Given the obligations they were to undertake in a non-proliferation treaty, the non-nuclear states sought security guarantees from nuclear powers not to use or threaten to use nuclear weapons. As the prospect for an agreement on non-proliferation drew closer and began to take shape, non-nuclear nations also sought firm commitments to the transfer of nuclear technology for

peaceful purposes. The U.S. in response pledged to "share our knowledge and experience, acquired at great cost, concerning all aspects of peaceful uses of nuclear energy, with the parties to the treaty,"²⁸ including peaceful nuclear explosions. And as nuclear powers seemingly offered concessions to non-aligned nations, India became further isolated.

For India and other threshold states, the most crucial aspect was to achieve equal rights and obligations whereby an effective quid pro quo would exist between nuclear and non-nuclear states in the areas of horizontal and vertical proliferation. They found the draft treaties so wanting in key areas of disarmament, security and peaceful uses of nuclear energy that they launched a determined and strong opposition to a non-proliferation treaty.

More generally, the nuclear dimension was perceived as the ultimate manifestation of power and influence over international security. For highly nationalistic Third World countries such as India to concede forever control over this critical aspect to the existing nuclear states alone impinged upon their perceived aspirations in the international system. It would be interesting to entertain the possibility as to the actions of threshold states in the event these states had agreed to their proposals. It would, however, be futile since any agreement in principle would have to be worked out in detailed treaty language and neither the threshold states nor nuclear powers had ever offered such a treaty for consideration.

At the time, the Eighteen-Nation Disarmament Committee undertook substantive negotiations, the two draft treaties although essentially identical in their contents were treated as separate and formed the basis for such negotiations. Both the U.S. and the Soviet Union maintained that their drafts were equitable documents which took into account the interests and concerns of all states. In this, they continually underscored that based on prior consideration of these issues by relevant UN bodies, their drafts were sensitive to the positions already enunciated by non-nuclear states. Hence, it was asserted that in addition to the universal concern over horizontal proliferation, the drafts also made reference to some other aspects, including issues related to disarmament. Further, a non-proliferation treaty by its existence would facilitate agreement on further arms limitation measures and the very viability of such a regime will be dependent upon measures of nuclear arms limitation and disarmament.

They also sought to assuage concerns over nuclear threats against non-nuclear nations by portraying a non-proliferation treaty as inherently enhancing international security even though no specific provisions in the draft referred to this aspect. Specifically, on the latter point the argument was that while proliferation was bad for all states, it is particularly so for non-nuclear countries in the context of the exercise of a nuclear option by neighboring states. Finally, they sought to tackle the question of equal rights and obligations by acknowledging that there is an element of discrimination in a non-proliferation treaty but this is inevitable owing to the very nature of

the problem and not the treaty itself since the obligations incumbent upon the two classes of states are inevitably different²¹.

The differences on disarmament among the non-aligned countries came to the fore early on in the negotiations. Some among them were ready to accept a more declaratory and less obligatory text while others continued to insist for specific obligations. And it was on this aspect that India differed with other non-aligned nations and continued to call for a cut-off of production of nuclear weapons and the inclusion of all states in the prohibition of the manufacture of nuclear weapons.

Throughout the negotiations during 1965-68, India strongly criticized the superpower draft treaties for excluding disarmament measures. In its view, such measures constituted not only an essential prerequisite to provide security for non-nuclear states but their omission was also discriminatory. To sustain this position, India relied on resolution 2028 which stipulated that "the treaty should embody an acceptable balance of mutual obligations and responsibilities of the nuclear and non-nuclear states". Moreover, this was the only provision in that resolution which explicitly stated that this principle must be embodied in a non-proliferation treaty. India, therefore, argued that in order to meet this requirement of balanced obligations and to avoid being discriminatory, a non-proliferation treaty must incorporate two provisions in the operative part of the treaty itself and not in some "pious preambular platitude". These are the prohibition of nuclear

weapons production by all states and a legal obligation by nuclear powers to undertake subsequent reductions in their stockpiles and delivery vehicles.

This divergence within the ranks of the non-aligned forced India into a more isolated position. For it was not prepared to give in on this aspect as it continued to insist for specific obligations within a time-frame for implementation of nuclear disarmament as well as sanctions to force compliance. In fact, India argued that omission of such binding legal obligations would constitute acquiescing to vertical proliferation. As an illustration of India's firm position is Ambassador Hussein's statement which said in part :

"... the delegation of India has never suggested that a non-proliferation treaty should in itself become a vehicle or a measure of full-fledged nuclear disarmament. But we do feel that so long as the augmentation and sophistication of nuclear weapons by the existing nuclear weapon powers continue unchecked, the interests of the security of the world will not be achieved. Measures which do not involve an element of self-restraint on the part of all states-nuclear-weapon states and non-nuclear-weapon states - cannot form the basis for meaningful international agreements to promote disarmament . .

What is required is something in the nature of nuclear moratorium . . .

India, as is well-known has pleaded for various collateral disarmament measures for two decades and has always regarded the non-proliferation treaty as one of the measures. But we still need to be convinced that the draft treaty before us does amount to a collateral disarmament measure. In order to become generally acceptable, the treaty must have a provision for some degree of compulsiveness and a reasonable time-limit, indicating a sense of urgency on the part of the nuclear-weapon states to move towards nuclear disarmament, thus

*paving the way for general and complete disarmament. Otherwise, this non-proliferation treaty - and it does not matter by whom or by how many it is signed - will not be effective and will not last and our labours will have been in vain ”.*²¹

Despite the lack of a common position among non-aligned countries, they nonetheless continued to insist for the inclusion of disarmament provisions in the operative sections of the treaty. In effect, these states were prepared to accept a compromise formulation which would exclude any specific measures similar to the ones called for by India and which would merely carry symbolic affirmation of intentions on disarmament by nuclear powers. As a result, these states agreed for an operative provision calling for “good faith” negotiations without any time-frame or enforcement mechanism. Following the acceptance of this formulation by the majority in the Eighteen-Nation Disarmament Committee, the threshold countries - India, Brazil and Argentina - made clear that they will not become a party to a non-proliferation treaty.

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The second confrontational issue during the negotiations was the question of negative and positive security guarantees by nuclear to non-nuclear nations. Under a negative assurance, the former would commit themselves not to use nuclear weapons against the latter. This is in contrast to a positive assurance whereby nuclear powers commit themselves to come to the defense of non-nuclear states under specified circumstances. This was an important issue to non - aligned states because without such guarantees they would remain under the threat or actual use of nuclear weapons against their

national territory. Indeed, having agreed to non-binding disarmament provisions in a non-proliferation treaty, the non-nuclear states sought at least to achieve formal obligations from nuclear powers to ensure their security from nuclear attack. India suggested a positive guarantee, but one which carried with it an already existing mechanism for its implementation. For under the Indian plan, the UN Charter and the Organisation itself would be the guarantor of universal security for nuclear and non-nuclear states alike. It also envisaged that any threat or use of nuclear weapons would immediately invoke the exercise of the collective security provisions of the Charter, either by the Security Council, and in the event of its inaction, by the General Assembly itself ”.

The nuclear powers refused to consider any proposal for security guarantees that would be integral to a non-proliferation treaty. The stand of both East and West was unequivocal. Both the blocs proposed to shift this question away from the on-going negotiations and positing it with the UN Security Council. The non-aligned countries although dissatisfied with this maneuver, and a fait accompli, acquiesced to the superpower rejection of security guarantees as an essential component of a treaty.

While the vast majority of non-nuclear states found the resultant Security Council resolution 225 on security guarantees as wholly inadequate and non-implementable, it was India which again adopted a more forthright and uncompromising position. To quote Indian Ambassador Parthasarathi :

“ I should like to emphasise that any security assurances that might be offered by nuclear-weapon states could not and should not be regarded

as quid pro quo for the signature of a non-proliferation treaty. A non-proliferation regime should be judged on its own merit . . . The threat of nuclear weapons to non-nuclear states arises directly from the possession of such weapons by certain states. That threat has existed in the past and will continue to remain even after a non-proliferation treaty is concluded until such time as the nuclear menace has been eliminated altogether. The assurances of security to non-nuclear weapon states is an obligation on the nuclear-weapon states, and not something which they could and should offer in return for signature by non-nuclear-weapons states of a non-proliferation treaty".¹⁴

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The third issue at dispute between nuclear and non-nuclear states during the non-proliferation treaty negotiations concerned the promotion of peaceful uses of nuclear energy. The central question was to ensure that a widening use of nuclear energy does not pose risks to peace and security as the technology involved for military and non-military purposes are similar in many respects.

The realisation that fossil fuel resources are limited and will increasingly become more expensive has heightened interest in peaceful uses of nuclear energy as an alternative source of energy. Concomitantly, international cooperation in peaceful uses of nuclear energy has been increasing during the 1960's both in terms of the number of states involved and the scope of cooperation, which was tending to be beyond the supply of reactors and to include increasingly the transfer of facilities for the manufacture of nuclear fuels and for the production of nuclear materials needed to make such fuels. In many instances the materials, equipment and

facilities supplied are subject to IAEA safeguards to ensure that they are not used to manufacture nuclear weapons.

Thus, a new dimension was added to the proliferation question, and its consequences were viewed from two perspectives. On the one side, attention has focused on the weapons-proliferation risks posed by the diffusion of technology, in particular, with respect to the reprocessing of irradiated nuclear fuel and the enrichment of uranium in the isotope 235, the two processes which generate plutonium and highly enriched uranium - and which may be used to bring about a nuclear explosion.

It is the other side of the question concerning peaceful uses of nuclear energy that has been of particular concern to the developing countries. As India has argued, the use of atomic energy for peaceful purposes is far more important for developing countries, whose power resources are limited, than for advanced industrialised nations. An additional source of power such as atomic energy may not mean very much for the latter, since it is not so indispensable to them and it would not make much difference if they were to restrain and restrict its use. On the other hand, efforts to restrict peaceful uses of nuclear energy by developing states would adversely affect their development efforts.

For these paramount reasons, the question of peaceful uses of nuclear energy was accorded more detailed and careful attention than any other aspect in the non-proliferation treaty negotiations. For non-nuclear

nations, the acquisition of technology, materials and training for their peaceful programs represented in a very direct way the most tangible benefit offered by a non-proliferation treaty. In exchange for circumscribing their sovereign rights with regard to the acquisition of nuclear weapons, these states as a quid pro quo were to receive the necessary assistance from the advanced nuclear states to develop effective and economically beneficial nuclear applications.

If there was one single issue that was non-negotiable from the standpoint of non-nuclear countries, it was and still is peaceful uses of nuclear energy. On their part, the nuclear powers recognised that the achievement of an acceptable treaty hinges on this issue. As a result, they agreed to explicit provisions assuring developing countries extensive and meaningful transfers in this field, including in the areas of peaceful nuclear explosions.

At the same time, however, nuclear states insisted and extracted from non-nuclear nations an agreement on safeguards with the IAEA to ensure that their nuclear programs are devoted exclusively for peaceful purposes. This provision was a source of discord since safeguards were sought to be applied only to non-nuclear countries while exempting nuclear powers. Hence, the question of discrimination as well as equal rights and treatment once again assumed confrontational proportions between these two groups of states.

Similar to the two previous issues, India was in the forefront to argue that peaceful uses of nuclear energy should be fostered and that the fear of the misuse of technology must not be used to bar developing countries' access to a technology they need for their economic development. This point of view reflected concerns that efforts to combat the danger of proliferation may be used to preserve and promote a technological monopoly in the hands of nuclear supplier states and relegate the developing countries to a position of continued scientific and technological dependency and inferiority.

India (and Brazil) differed from non-aligned countries in rejecting provisions intended to deprive non-nuclear nations of the right to detonate peaceful nuclear explosions. For to do so, they argued, would leave those countries technologically dependent upon the advanced industrialized states. Further, any such provision would constitute an additional element of discrimination by depriving non-nuclear countries of their freedom to exploit scientific, technological and economic applications of nuclear energy.

There were also serious misgivings by major non-aligned countries for the IAEA to take on more onerous verification responsibilities. These concerns stemmed from the fact that IAEA's fundamental mandate was to promote peaceful uses of nuclear energy and to link its functions to a non-proliferation treaty would act as a constraint in this regard. The non-aligned nations recognised that such links would undermine this basic objective and focus of this unique Agency. However, the specific commitment to facilitate

exchange of technological information and assistance was to more than compensate for the intrusions inherent in verification procedures as they would remove any doubts about the intentions of the nuclear programs of non-nuclear countries.

Mohamed Shaker (the Egyptian national who was later to preside over the Third Review Conference of non-proliferation treaty in 1985) has in his comprehensive study of the treaty noted that compromises on peaceful uses “emerged and evolved under certain conditions that leave no doubt that (they are) compensatory (articles) to the sole benefit of non-nuclear states for having renounced the acquisition of nuclear weapons”²⁵. By the time the non-proliferation treaty was opened for signature, a common viewpoint has emerged that the compromise provisions arrived at would facilitate accelerated assistance to their peaceful nuclear programs.

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This historical review of the negotiations described the different perspectives of nuclear and non-nuclear states in their approaches to questions relating to arms limitation, security and peaceful uses of nuclear energy. Each nation or groups of nations had their own priorities. For the East and West, horizontal proliferation was the single most important objective overshadowing all others. No doubt many non-aligned countries shared this goal but that was in addition to their declared interest in the related areas of effective disarmament, meaningful security guarantees and accelerated exchange of peaceful uses of nuclear energy. For the threshold states, the rationale of a non-proliferation treaty dealing with these key issues

was whether they conform to the principles of equality of states, as well as equal obligations and responsibilities of all states. Of paramount importance to them was the retention of sovereign rights on a par with nuclear powers.

For India, quite apart from these principles, the rejection of a non-proliferation treaty was also influenced by a host of other factors. The war with China in 1962 and the continuing threat perceptions from that country after it became a nuclear-weapons state in 1964 ; New Delhi's aversion to great power military presence in the vicinity of South Asia; and the failure to get security guarantees were all contributing factors for its decision to formulate a weapons option. These developments tend to show that India was not necessarily interested in a spoiler's role but genuinely concerned that any treaty serve its security interests rather than undermine them - hardly an utopian or unrealistic position for any sovereign state. All subsequent positions and arguments can be related directly to these developments. Once this happened, then all of its foreign policy objectives were subordinated to defend that option. In sum, given its security concerns and geopolitical considerations, India could not abandon the option and sign a non-proliferation treaty that gave China a free hand in its nuclear programs, not to mention Britain, France, the U.S. and the U.S.S.R., while denying it to India.

Its diplomats sought to convince non-aligned colleagues that everything in the treaty is suspect due to lack of implementation mechanism except on horizontal proliferation and non-enforceable assurances. Consequently, a non-proliferation treaty could not be responsive to their vital

needs and interests. In effect, New Delhi's message was : "If you don't have equal rights with other states, your own rights will be trampled". Hence, towards the closing stage of the negotiations, its representatives urged greater caution and introspection in view of the treaty's wide-ranging ramifications rather than rushing with the completion of that process in undue haste. India's efforts remained unsuccessful not because the threats to its security was not recognised, but other non-aligned countries did not entertain threat perceptions in their regions.

In view of the many controversial aspects of the proposed treaty and the continuing strong suspicions attendant on it, the UN General Assembly was only asked to commend rather than endorse it. It is noteworthy that following the introduction of the two drafts by Moscow and Washington during August 1967, and after allowing only minor changes and modifications, a treaty of this magnitude was negotiated with an unprecedented speed, within a span of 8 months and the negotiations were completed by March of 1968. In this the superpowers used scare tactics contending that if such a treaty did not come into force before the end of that decade, there is a real possibility of the emergence of a number of new nuclear powers.

Thus, on 12 June 1968, the Assembly adopted resolution 2373 (XXII) by a vote of 95 to 4 with 21 abstentions commending the treaty. India, Argentina and Brazil found the treaty so wanting in critical areas they declared their rejection. While other non-nuclear countries were dissatisfied

in varying degrees with regard to the form and substance of the treaty, they nonetheless considered it as the best possible agreement that could be reached at that time. The treaty entered into force on 5 March 1970 with its ratification by 40 non-nuclear nations in addition to the U.S., the U.K. and the Soviet Union as depositary governments. France while refusing to accede to the treaty stated that it will behave as if it is a signatory. Only China which joined the UN in 1973 explicitly spurned it on the ground that it needed nuclear weapons for self-defense and for breaking the nuclear monopoly of the superpowers. There are today 131 states which are parties to the non-proliferation treaty.

Pledges and Privileges of the Non-Proliferation Treaty

We will now examine the provisions of the non-proliferation treaty. As is customary in international treaties, the preamble states the general aims and intentions of the parties, while operative paragraphs specify their rights and duties.

In the case of the non-proliferation treaty, the first two preambular paragraphs address the issue of prevention of nuclear war. The first expresses the concern of the parties with the consequences of nuclear war and recognizes the "need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples". The second goes on to identify proliferation as a development which would "seriously enhance the danger of nuclear war". The third preambular paragraph goes on to state the "conformity" of the treaty with the resolutions of the General Assembly

calling for the "conclusion of an agreement on the prevention of the wider dissemination of nuclear weapons".

The next four preambular paragraphs address the question of peaceful nuclear activities and the role of the IAEA in such activities which set the stage for operative Articles dealing with the safeguards system. The formulation of the fourth, fifth, sixth and seventh preambular paragraphs is such as to imply that the principles they uphold are universal and thus apply to all parties. However, when taken in the context of the operative provisions on safeguards (Article III), it establishes that controls and safeguards apply only to non-nuclear while leaving nuclear states free to pursue activities of any kind without restrictions, controls and monitoring, be it for peaceful or military purposes. The seventh paragraph in particular recognises that "all parties are entitled to participate in the fullest possible exchange of scientific information, and to contribute alone or in cooperation with other states, to the further development of the applications of atomic energy for peaceful purposes". That recognition, however, although repeated verbatim in Article IV, has no corresponding machinery to assure its implementation.

Preambular paragraphs 8, 9, 10 and 11 are related to the fundamental issues of the cessation of arms race, nuclear disarmament, prohibition of test explosions of nuclear weapons and general and complete disarmament under effective international control. All four paragraphs express the "determination", or the "desire" or the "intentions" of the Parties to achieve these objectives. Also, in the case of these four paragraphs, not a

single concrete obligation for nuclear powers is derived from the preamble into the operative Articles, except for the vague reference in Article VI. It should also be noted that the tenth preambular paragraph recalls the “determination of the parties to the 1963 Partial Test Ban Treaty to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end”.

The operative part of the non-proliferation treaty should be examined not only in the light of its own provisions but also in relation to the aims and intentions of the treaty as stated in the preamble. The main rights and duties of the parties are contained therein.

Article I spells out the obligations of nuclear powers not to transfer nuclear explosive devices to any other state, and not to assist non-nuclear states to manufacture such devices.

Article II which is the obverse or the mirror image of Article I, contains a corresponding obligation which enjoins those nations to renounce the right to acquire or manufacture nuclear weapons, under the system of verification provided in the next Article.

Article III obligates these states to accept international safeguards administered by the IAEA. The purpose of these safeguards is to verify fulfillment of obligations to ensure that energy from peaceful purposes are not diverted for weapons purposes or explosive devices. It was also intended

to be a confidence-building measure to lessen suspicions of a step-by- step slide towards the acquisition of a weapons capability. This Article also seeks to contain proliferation by requiring safeguards on nuclear exports to non-nuclear countries.

There are two types of safeguards adopted by the IAEA. Full-scope safeguards apply to all national facilities whereas safeguards apply to specific ones. The former automatically lapses if a state ceases to be a party to the non-proliferation treaty whereas the latter ones do not. Thus, it was mandatory for a country which has signed the non-proliferation treaty to accept full-scope safeguards, although one which had not could still voluntarily accept the standard safeguards. Any party to the Treaty of Tlatelolco had to accept full-scope safeguards but the EURATOM signatories are covered by their own safeguards system.

This network of safeguards is also to be a critical component for peaceful uses of nuclear energy sought to be promoted by Article IV, which has assured "the fullest possible exchange of equipment, materials and scientific and technical information for the peaceful uses of nuclear energy". The more developed parties to the treaty also undertook to help the less developed. Thus, nations which forswear nuclear weapons and accept safeguards will simultaneously be assured of access to the benefits of the peaceful atom.

Hence, the objectives of Article IV were the most far-reaching for non-nuclear countries. It clearly upholds the "inalienable right" of all parties to develop, research, produce and use nuclear energy for peaceful purposes "without discrimination". However, it is so conceived as to leave its tangible meaning subject to divergent interpretation. This has played well into the hands of nuclear powers who have the absolute power to determine which meaning or criteria to apply. The prevailing interpretation has been the distinction between peaceful and military uses of nuclear technology which are so indistinguishable that virtually any application can be considered to be potentially military.

This interpretation of purpose carries profound implications for non-nuclear nations' access to technological transfers. At the same time, this Article has no bearing on nuclear powers' application of nuclear technology that they deem in accord with their interests. In other words, their use of nuclear power is in no way constrained by the non-proliferation treaty.

Article V establishes the principle of sharing the benefits from peaceful nuclear explosions without taking up the question of mechanism or procedure and merely assigns it to later negotiations.

Likewise, Article VI is also essentially a provision that establishes a principle, namely, the desirability of disarmament. However, here again while technically an operative Article, in reality it is merely a declaratory one devoid of any enforcement mechanism. To provide assurances of "good faith" can

hardly be considered a sufficient mechanism for assuring progress on disarmament. Indeed, the lack of machinery to implement the provisions of Articles IV, V and VI is brought to the fore when compared to Articles II and III which directly identify obligations, responsibilities, methods of implementation, verification and sanction.

Article VII was included at the behest of the Latin American countries which had established a nuclear-weapons-free-zone in 1967. While it carries symbolic relevance on the desirability of such zones, the non-proliferation treaty has no direct bearing on the responsibilities of nuclear powers. Hence, it would have been appropriate to have included the substance of this Article in the preamble.

Article VIII, perhaps more than any other, confers the distinction between nuclear and non-nuclear states whereby the former has veto power over any amendments to the non-proliferation treaty. In fact, even if all the 131 signatories were to approve an amendment to the treaty, one negative vote by a nuclear power would be enough to prevent its adoption.

Article IX reflects perhaps the most arbitrary aspect of the treaty. On the one hand, it establishes a nuclear power as any state which exploded a nuclear device prior to 1 January 1967. On the other, it forecloses the possibility of new nuclear states to become signatories simply because the chronology of their nuclear weapons program was not in accord with that

contained in the treaty. It thus entertains the notion that Pandora's box once opened can still be closed.

Finally, Article X established the conditions under which parties may withdraw from the treaty and also provides the mechanism aimed at extending its duration after 25 years from its entry into force which is 1995. As for the withdrawal clause, it reads as follows : "Each state party shall, in exercising its national sovereignty, has the right to withdraw from the treaty if it decides that extraordinary events, related to the subject of the treaty, have jeopardized the supreme interests of its country".

Although the non-proliferation treaty constitutes the center-piece of the non-proliferation regime, it has in fact, become part of a network of treaties, accords and safeguards on nuclear energy which provides the treaty's broader framework. These include the Partial Test Ban Treaty of 1963, the Treaty of Tlatelolco of 1967, the safeguards system, the great many supplier-user agreements on the export of technology and supplies, the accord reached on the establishment of the London Suppliers' Group and the findings of the International Nuclear Fuel Cycle Evaluation conducted during 1977-1980.

The NPT Review Conferences of 1975, 1980 and 1985

Even after the treaty was opened for signature in March 1968, India maintained its fierce anti-NPT stance. In this, it continued to portray its opposition as an expression of the collective interests of all non-nuclear

nations. Essentially, New Delhi insisted that the non-proliferation treaty represented a wholesale retreat from resolution 2028 of 1965 (see pages 134-35), as it was based on a "narrow and illogical approach" which would render it into an "unworkable document." In a lengthy speech to the General Assembly's First Committee on 14 May 1928,²⁶ Indian Ambassador Hussein pointed out what his government believed to be the basic flaws of the treaty :

1. *It did not ensure the non-proliferation of nuclear weapons but only stopped the dissemination of these weapons to non-nuclear states without imposing any curbs on the continued manufacture, stockpiling and sophistication of weapons by nuclear powers.*
2. *It did not do away with the special status of superiority associated with the power and prestige of the possession of nuclear weapons.*
3. *It did not provide for a balance of obligations which was imposed on non-nuclear nations while the nuclear powers refused to accept any.*
4. *It did not constitute a step-by-step approach to nuclear disarmament.*
5. *The long period of a quarter of a century for the longevity of the treaty from 1970-1995 would endorse and legitimise the present state of affairs and legalise unrestricted vertical proliferation.*
6. *Article VI did not create any judicial obligation for the cessation of the nuclear arms race at an early date.*
7. *The treaty imparted a false sense of security to the world.*
8. *It is discriminatory as regards the question of peaceful nuclear explosions.*

9. *It is discriminatory in regard to the safeguards and controls which are imposed on non-nuclear countries, while there were none on nuclear powers.*
10. *The security assurances offered through Security Council resolution 255 of 1968 did not provide protection for non-nuclear nations in case of attacks by nuclear powers in view of the built-in veto provisions.*

In this section, therefore, we will review the operation of the treaty as a methodological tool to gauge the efficacy of the implementation of its basic objectives, whether it has met the expectations of the signatories and the extent to which it has been superseded or augmented by other mechanisms. This will entail testing the operation of the treaty in the context of the three Review Conferences that have been held to-date (the next such conference is scheduled for 1990), against India's ten-point objections noted above and the validity of its contentions both in regard to its own security and other interests as well as those of non-nuclear states in general.

This approach has an added advantage since India did not participate in the review process even though as a non-party, it could have done so as an observer. As a result, its representatives were not in a position to direct or significantly influence the proceedings or positions of those countries at the Review Conferences. The ultimate outcome of these Conferences should, therefore, reflect a more accurate assessment of whether India's rejection of the treaty can be sustained vis-a-vis the interests of non-

nuclear nations or are they based solely on real or perceived threats to security.

Despite the plethora of literature, no author or study has related the non-proliferation treaty review process to India's opposition as enumerated on 14 May 1968. It would also be relevant to analyze the role of security in relation to the treaty and how this may constitute a relevant consideration in the Indian view of the treaty. Specifically, few have analyzed its implications to India's national security even though quite obviously this would be a primary consideration for any government. In India's case, moreover, its complex geostrategic setting represents a fundamental departure in this regard.

The idea of conferences to review the performance of the treaty, just like arms limitation, security and peaceful uses of nuclear energy also proved to be controversial during negotiations. In its final form, Article VIII was a compromise between nuclear powers, which wished to avoid the possibility that their future actions might be a potential cause for an abrogation of the treaty and non-nuclear countries, which wished to avoid a permanent renunciation of a weapons option without significant superpower concessions. India preferred mandatory review conferences every 5 years to determine specifically whether or not nuclear powers were moving quickly towards disarmament²⁷. Neither suggestions for mandatory, successive review conferences nor the determination of findings by a majority vote was acceptable to Moscow and Washington.

The First NPT Review Conference of 1975

It was viewed by the signatories as intended to strengthen the non-proliferation treaty, whose efficacy was brought into question by India's explosion of a nuclear device in 1974. It was also expected to persuade some of the reluctant threshold countries - the Federal Republic of Germany, Italy and Japan* - that had signed the treaty to complete their ratification.

However, from the very outset, the participants differed on the objectives of the Review Conference. In fact, the Preparatory Committee meetings which were held during the preceding year could not even reach an agreement on the objectives of the review exercise much less draft a final declaration.

The Conference was convened in an atmosphere of discord and rancour which discouraged wider participation. Indeed, despite strenuous efforts by the depositary states to ensure the widest possible participation by the non-proliferation treaty parties, only 58 of the 96 signatories chose to do so.

*Even for these states it took 7 years (1968-1975) to accede to the non-proliferation treaty and that too after intense national debate. In the case of Japan, despite the aversion of nuclear weapons due to Hiroshima and Nagasaki, there was an additional factor of an unequal treaty similar to those of the 19th century under which European nations subjugated Asian countries. See "Japan, 8 Years Late, Ratifies Treaty to Halt Nuclear Spread", New York Times, 25 May 1976.

On the one hand, the superpowers and their allies contended that (1) the original purpose of the Conference was to strengthen the treaty by encouraging wider adherence and by measures toward more effective safeguards system to prevent the diversion of nuclear materials and technology for military purposes ; and (2) the treaty had met its primary purpose, both as an instrument to prevent the spread of nuclear weapons and as an appropriate framework for international cooperation in peaceful uses of nuclear energy. They summarily rejected the three basic demands of non-nuclear states : a comprehensive test ban, an end to the increase of strategic arsenals and assurances of non-use of nuclear weapons. Likewise, they fended off complaints about restrictions on international nuclear trade and inadequacies of technical assistance in the field of nuclear energy. Instead, their attention was concentrated on technical issues of limiting proliferation such as safeguards, export policies for nuclear products and technology, physical security for nuclear products, technology, materials and facilities, and the establishment of multinational or regional nuclear fuel cycle centers.²⁶

The Group of 77 showed little interest in the technical aspects of non-proliferation. Instead, their main concerns were political issues and disarmament. In this context, their demand was to make "a thorough, critical examination of the Treaty's operation to determine whether all of its provisions were being implemented and to adopt measures to remedy the inadequacies that might emerge from such an examination". They argued that (1) they lived up to their commitments but nuclear powers have not, citing in particular that over the preceding 5 years the pace of the nuclear

arms race, far from diminishing as envisaged in Article VI, had actually accelerated ; and (2) both the prevention of horizontal and vertical proliferation are inter-related processes which should be pursued simultaneously in order to redress the original imbalances of the treaty. They also pointed out that non-parties to the treaty (by implication the threshold states) had benefited considerably more from the transfer of technology and equipment than parties to the non-proliferation treaty⁹. These states, therefore, sought assistance in the use of nuclear energy and opposed new restraints on international nuclear commerce.

These divergences led to deep cleavage between nuclear and non-nuclear states and in turn to the advancement of positions intended to promote their respective interests. These can be summarised as follows :

Nuclear-weapon states

- The NPT was important to strengthen prospects for international peace and lessening the risk of nuclear war
- They have faithfully adhered to their non-proliferation commitments contained in Articles I and II of the treaty
- The purpose of the Conference was to convey the importance of non-proliferation for the security of all states individually and for global security
- International cooperation in peaceful uses of nuclear energy should be promoted

- **Safeguards and physical security for nuclear materials and facilities should be further improved**
- **Considerable progress has been made in arms control and disarmament in the 5 years since the coming into force of the non-proliferation treaty.**

Non-nuclear states

- **Stronger safeguards for peaceful nuclear activities and stricter controls over nuclear exports were neither desirable nor necessary.**
- **All underground nuclear weapon tests should be suspended for 10 years.**
- **The Vladivostok ceiling of 2300 delivery vehicles and 1320 MIRV missiles should be reduced by 50% and at a later stage further reductions of 10% from the lowered ceilings of 1150 and 660 respectively.**

As noted by SIPRI, these proposals by non-nuclear nations were "... completely unacceptable to the nuclear-weapon states. They refused to discuss any time-table for nuclear arms control measures . . . They contended that the Review Conference was not competent to deal with a matter which was their exclusive concern. The Soviet Union qualified these attempts as inadmissible interference with U.S. - Soviet relations and the U.S. stressed that it was up to SALT (Strategic Arms Limitation Talks) negotiators to determine the pace of progress in nuclear arms limitation".²⁴

These contentious issues were included in one form or another in the Final Declaration, which was preferred rather than a series of resolutions.

The superpowers refused to agree with the provisions contained therein, rejected the proposals of the Group of 77 and resisted discussion of new ideas or counter-proposals. The rules of procedure required decision-making by consensus or by 2/3 majority vote ; since nuclear powers and their allies could secure only 20 votes and the Group of 77 about 30, neither of them could impose their decisions on the other.

The Final Declaration consisted of a reaffirmation of Conference support for the treaty as well as 24 explicit recommendations dealing mostly with PUNE and 25 implicit recommendations dealing with a programmatic list of proposals relating to disarmament provisions - all intended to implement the treaty's commitments. Hence, nuclear powers viewed the Final Declaration as too strong, while non-nuclear nations as not strong enough, and therefore made interpretive statements on various aspects. Thus, Mexico's Ambassador Garcia Robles, speaking for the Group of 77 underscored the temporizing nature of the Declaration when he noted that non-nuclear countries "refrained from preventing a consensus as a tribute to Conference President Inga Thorson's efforts", and on condition that the texts of his interpretive statements as well as the texts of draft resolutions submitted by members of his Group would be reproduced in full as part of the Final Declaration.³¹

The superpowers reserved their positions with regard to various parts of the Declaration but took an optimistic view of the results achieved by the First Review Conference. As seen by them, it helped to catalyze important

adherences to the treaty, including virtually every non-proliferation treaty party having any nuclear activities, and agreed for special consideration to the needs of parties in nuclear export decisions.

However, many knowledgeable observers suggested that the Conference was little more than a cosmetic exercise staged by the treaty's sponsors²². The Canadian expert, William Epstein, asserted that nuclear powers "developed no new strategy and agreed only on a minimalist or stone-walling approach . . . to make as few concessions as possible to the anticipated demands of the non-nuclear powers. . . . They called for further ratifications and accessions, but put forward no new ideas that might provide any incentive for reluctant countries to join"²³. He went on to add : "It was possible that the superpowers did not seem to understand that they could not impose their will on the non-nuclear powers and that they need them to make it work. Nor did the nuclear powers seem to recognise that they have the chief responsibility as well as the major interest in preventing the erosion of the non-proliferation treaty"²⁴.

The Second NPT Review Conference of 1980

The establishment of the Nuclear Suppliers Group* was the most important development in the period between the First and Second Review Conferences. In separate letters to the IAEA, its members announced in 1977 their common policy for nuclear exports, and stated identical principles and guidelines which they would follow when considering such exports, based on a so-called "trigger list" of nuclear and other materials, equipment and

facilities³⁵. The purported reasonings were their "special responsibility" to assure these for civilian uses and to provide new possibilities for enhanced international cooperation in peaceful uses of nuclear energy. In effect, the establishment of this group led to a second division of states into supplier and recipient states, the first one being nuclear and non-nuclear states. India denounced it as a "club of exporters of nuclear material and equipment to bring to heel those who refuse to follow the discriminatory policies dictated by a few and sanctioned by none"³⁶. It would have been politically impossible to have imposed that list on the IAEA whose Board of Directors include threshold states. Consequently, the question of peaceful uses of nuclear energy assumed greater importance at the Second Review Conference.

Also in 1977, at the behest of the U.S., the International Nuclear Fuel Cycle Evaluation was set up; its main finding was that nuclear energy is expected to increase its role in meeting the world's energy needs ³⁷. It challenged some aspects of U.S. policy : New reactor designs such as breeders that utilise bomb grade plutonium as fuel do not pose any greater risk of nuclear weapons spread than existing power plants in the U.S. and other countries. Further, it is not appropriate to make generalisations about the "comparative proliferation risk of different fuel cycles". Washington's position was that certain power processes, particularly reprocessing spent fuel and operating breeder reactors, pose special risks of weapons spread ³⁸.

*The members are Belgium, Canada, Czechoslovakia, France, German Democratic Republic, Federal Republic of Germany, Italy, Japan, Holland, Poland, Sweden, Switzerland, the U.K., the U.S. and the U.S.S.R.

In 1978, President Carter signed the U.S. Non-Proliferation Act making every export of nuclear items dependent upon its non-proliferation merit and sought to renegotiate all existing agreements with the U.S. for nuclear cooperation or face cancellation of contracts already in effect. The real heart of the new law, according to Frederick Williams, is its restrictive and unilateral export control provisions. It called for fullscope safeguards as a precondition for U.S. exports and in reality was directed only against India, Israel, Argentina, Brazil and South Africa, which are proliferation risks. Specifically, the Indian nuclear test of 1974 heightened anxieties of a proliferation chain reaction. In these contexts, the Act represented an attempt to modify the fundamental rules governing access to peaceful uses of nuclear energy as well as the introduction of a new non-proliferation regime.

The Act directly impinged upon nuclear collaboration arrangements between New Delhi and Washington concerning the 30-year agreement (1963-1993) to supply enriched uranium for the Tarapur atomic power station near Bombay. Significantly, the Act stipulated that 18 months after its coming into force, such supplies will be terminated unless India agrees for full-scope safeguards, that is, all its nuclear facilities, including those indigenously established and under autonomous control, should henceforth be placed under international inspection. (Of the seven such facilities, six are indigenous). This was interpreted by New Delhi as an attempt to unilaterally modify the existing agreement by imposing fresh constraints to

satisfy domestic legislative requirements, thus eroding the image of the U.S. as a reliable supplier.

Washington's insistence to enforce the Act resulted in New Delhi's threat to confiscate the plutonium, which is an essential ingredient to make nuclear weapons, from the U.S. - aided nuclear reactor. In the midst of this deadlock, when the Government of France was asked to fulfill the U.S. commitment, it initially agreed but later reneged insisting on full-scope safeguards. The issue was finally resolved when India issued an ultimatum either to observe or terminate the agreement which resulted in assured French compliance.

In 1978 as well, the convening of the First UN Special Session on Disarmament provided a forum for developing nations to vent their grievances. The Final Document adopted by consensus by that session reiterated the long-standing concern over proliferation but tied it to the right of all nations to use nuclear energy. It also supported the interpretation of the non-proliferation treaty by non-nuclear states as to their right to use nuclear power. They also went to great lengths to defend IAEA safeguards as sufficient to limit proliferation risks³⁹.

The disarmament aspect was also focused during that session to vent their demands and exhortations and numerous delegations noted the failure to fulfill the obligations contained in Article VI for the cessation of the nuclear arms race and nuclear disarmament.

The First Review Conference urged the establishment of regional nuclear fuel cycle centers. However, such a multinational solution to assured supplies in the nuclear field was established only in Western Europe in 1977 in the form of a users' association. Attempts to establish such centers in other regions were rejected by the Nuclear Suppliers Group. Consequently, non-aligned countries met in Belgrade in 1978 and established the Non-aligned Coordinating Committee to stimulate cooperation and collaboration in the nuclear field. It was out of frustration that these nations moved to establish it as a means to promote assistance among themselves through a program which emphasized self-reliance. In this, India remained on the sidelines owing to the fact that Pakistan was one of the prime movers to bring this informal organisation into existence. Although New Delhi did not participate in its founding, it nonetheless assured its cooperation.

During early 1980, Argentina hosted a meeting of the Coordinating Committee whose purpose was to plan a strategy for the Second Review Conference and to aggressively challenge the superpowers. Its participants included four notable non-parties to the non-proliferation treaty: Argentina, Brazil, India and Pakistan. These threshold states saw an opportunity to influence non-nuclear nations signatories to the non-proliferation treaty because of their dissatisfaction with the implementation of the peaceful uses of nuclear energy provisions of the treaty, which had polarised the already existing confrontation between them and nuclear powers and exploited the situation to win over non-nuclear countries to their position. Their participation signaled a determination to take on a more

prominent part in peaceful uses of nuclear energy and reclaim their role. Hence, they hoped to deepen the wedge between nuclear and non-nuclear states.

Only 75 of the 114 parties to the treaty met in Geneva from 11 August to 7 September 1980 for the Second Non-Proliferation Treaty Review Conference. Since the First Review Conference in 1975, eighteen more states have become parties to the treaty. As in 1975, two distinct categories of states participated ; nuclear powers and their allies and the Group of 77 consisting of non-nuclear nations.

There was one overriding issue : The relationship between nuclear proliferation through the dissemination of nuclear know-how versus the developmental needs of developing countries through peaceful uses of nuclear energy. Yet another problem concerned the amendment of IAEA regulations to include not only foreign-assisted but also the extraordinary proposal to cover the indigenous facilities of even the non-signatories.

In general, the Group of 77 argued that :

- All contracts should be honored, with no threats to arbitrarily terminate supplies in order to negotiate and impose more stringent safeguards or supply conditions.
- No unilateral conditions on nuclear exports should be imposed, particularly those which go beyond the safeguards required by the IAEA.

- **Preferential treatment should be accorded to the countries either party to the non-proliferation treaty or subject to safeguards equivalent to those required under Article III.**
- **Negotiations should continue for regional fuel cycle centers, an international fuel bank, an effective regime for plutonium storage and spent fuel management, a special fund for nuclear assistance and long-term internationalisation of enrichment and reprocessing facilities.**

Western and Socialist states claimed to have fulfilled their obligations by almost doubling technical assistance to nuclear importing countries during 1975-80 as compared to 1970-75. Bilateral assistance was also increased, and plans for a Committee on Assurances of Supply were continuing. An agreement among them to improve the predictability of nuclear supply but subordinated to non-proliferation goals was reiterated ⁴⁰.

But the Group of 77 maintained throughout the Conference that supplier states have failed to live up to their obligations under Article IV of the non-proliferation treaty. Developing countries thus complained of obstructions against their development of peaceful uses of nuclear energy. Some among them protested that the restrictive measures adopted by the supplier states served economic interests rather than non-proliferation goals. The representative of Indonesia reflected the viewpoint of many non-aligned countries when he pointed out : "The promotional activities of the IAEA have in comparative terms dwindled. Conversely, the outlay of resources on safeguards activities has expanded in a manner that has not been entirely

balanced or objectively conceived . . . For the IAEA to become an efficacious instrument for building a broader framework for international cooperation in peaceful uses of nuclear energy, it is necessary to extend technical assistance for manpower, construction and operation of nuclear power projects . . . support for regional cooperation agreements as well as projects based on regionally agreed priorities and using inputs from regional countries”.

The Group of 77 were also unified in their denunciation of the lack of progress on disarmament obligations under Article VI. They complained that the Second Strategic Arms Limitation Talks, though signed, remained unratified and the arms race was accelerating, both qualitatively and quantitatively ; negotiations on a comprehensive ban on nuclear testing had remained stalled; underground nuclear testing continued ; and most ominously, the strategic capabilities of both the U.S. and the Soviet Union raised fears that a nuclear war was more possible than ever before.

In the final stages of the Conference, the following major issues were addressed :

- Whether to stress the linkage between vertical and horizontal proliferation so as to put primary responsibility on nuclear powers. (The Group of 77 and Sweden said yes ; Western and Socialist states said no).
- Whether Article VI should be regarded as partially fulfilled or as a dead letter. (Western and Socialist states “welcomed progress” ; Sweden and the Group of 77 denied any real progress).

- Whether a final document should include statistical data about weapons, tests, nuclear warheads and military spending. (The Group of 77 wanted such data; other states questioned the credibility of such data).
- Whether to call for a nuclear test moratorium pending completion of a comprehensive test ban. (Widely supported but opposed by the U.S., U.K. and Soviet Union).
- Whether to fix a time-table for the completion of a ban on nuclear testing. (The Group of 77 fixed it as the end of 1981 which was opposed by nuclear powers).
- Whether to call for an Ad Hoc Working Group on a test ban in the Committee on Disarmament. (Sweden and the Group of 77 supported ; the U.S. and U.K. opposed).
- Whether to criticize nuclear states for strategic doctrines such as limited nuclear war. (Group of 77 supported ; the U.S. opposed).
- Whether to request negotiations on uniform and codified negative security assurances (guarantees that a country will not attack another) through the Committee on Disarmament. (Widely supported, but opposed by nuclear powers).

No consensus for a substantive final report was possible because the Group of 77 decided that it would rather have the Conference end in failure than to agree to a phony consensus that would paper over fundamental differences ⁴¹. It wanted a stated time-table to reduce nuclear arms ; the U.S. and the Soviet Union would not agree to this. At the last minute, the U.S. proposed the creation of a working group within the

Committee on Disarmament to study the multilateral implications of a nuclear test ban. This was regarded as an academic exercise and failed to attract enough votes from the Group of 77 and to change their decision to scuttle a final document unless their views were fully represented.

The only formal final report of the Conference was a minor document that simply stated logistical facts and said that the Conference has agreed to meet again in five years. However, in the last days of the Conference, a representative group called "Friends of the President" of the Conference produced a draft document with only three paragraphs not agreed upon. It was circulated on the final day of the Conference. It was relevant only to Articles III and IV while the informal working papers reviewing the various Articles of the treaty registered a multitude of disagreements in many other areas especially arms limitation. In 1980, with a choice between business-as-usual and obstructionism, non-nuclear nations decided to block the adoption of a final document in order to register their protest and frustration. The delegation of Sri Lanka, representing the Group of 77 observed : "If we have no final document today, it is because the non-nuclear weapon states - at least the Group of 77 - wished to draw attention to the reality that Article VI remains closer to non-fulfillment years after the non-proliferation treaty and five years after the First Review Conference" ⁴².

William Epstein and others have remarked that the Group of 77 through its refusal to agree to a final document had hoped to shock the superpowers into examining their policies. "It was clear that growing

frustration with the detrimental impact in part resulting from the withholding of critical nuclear technology coupled with the perception of an increasing danger of the nuclear arms race, combined to push the Group of 77 into confrontation that resulted in the total collapse of the Second Review Conference" ⁴³. Their apparent resistance even to some modest concessions throughout the Conference, led to more strident demands.

The Third Non-Proliferation Treaty Review Conference

As during the review exercises of 1975 and 1980, the depositary states and their allies continue to share a certain community of interests. They maintained that the balance of obligations and responsibilities have been met and agreed on the necessity of the treaty's continuation. But the Group of 77 contended that the obligations undertaken to pursue negotiations in "good faith" for a cessation of the nuclear arms race and nuclear disarmament and to ensure nondiscriminatory access to peaceful uses of nuclear energy have remained unfulfilled.

The depositary states have advanced the proposition in 1985 that the resumption of the Geneva negotiations on intermediate-range nuclear weapons is in itself evidence of "good faith" but that prompt results cannot be expected when issues of national security are involved. Much the same arguments were advanced in 1975 and 1980. Whereas in 1979, the Second Strategic Arms Treaty had been negotiated and was waiting ratification, in 1985 that draft treaty was set aside, the new strategic negotiations have barely commenced and the level of weapons of mass destruction much higher.

Also deployment and/or modernisation have proceeded apace, making prospects of mutually balanced reductions even more difficult. Nor were the exchanges at the resumed Geneva negotiations overly encouraging. A freeze on intermediate-range weapons at current levels was rejected and a new element in the negotiations, the Strategic Defense Initiative of the U.S. led to recrimination. The U.S. has counter-charged that the Soviets themselves had been engaged in much the same exercise over an extended period. Altogether there was less tangible evidence of "good faith" in 1985 than there was in 1980 and far less than in 1975, when there was a ratified First Strategic Arms Treaty and an Anti-Ballistic Missile Treaty to show ⁴⁴.

Perhaps the most telling evidence of the lack of good faith is the deadlock over a comprehensive test ban treaty. Nearly a quarter of a century has elapsed since the three parties to the Partial Test Ban Treaty of 1963 stated in its preamble that they were "seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end" but such a ban seemed even more remote. 15 years have passed since that resolve was recalled in the preamble to the non-proliferation treaty, and neither its reaffirmation nor the protracted debates at the three Review Conferences have made any impact on the trilateral negotiating parties to a test ban. What is even more poignant is such a ban would not by itself constitute a substantive disarmament measure but only a demonstrative prelude to disarmament ⁴⁵. For the non-proliferation treaty, the test ban has special significance, because the depositary states' commitment to abandon vertical proliferation was made as a quid pro quo for

a commitment by non-nuclear countries to forego horizontal proliferation. The Group of 77 has, therefore, urged a firm commitment instead of further foot-dragging over a ban. (In this connection, Australia and New Zealand supported the Group of 77 in varying degrees. French nuclear tests in the Pacific have put these two countries in the forefront of those in the Western Group favoring an early ban).

Although the Final Declaration of the 1975 Conference did state that both Articles I and II had been faithfully observed, there was decided resistance in 1980 and 1985 to such a conclusion. This can be attributed to the stationing of nuclear weapons by the superpowers on the territories of their non-nuclear allies who are signatories to the non-proliferation treaty. In that context, attempts to simplify or expedite the consideration of Article I by dealing with Articles I and II as a package was resisted by the Group of 77 on the ground that the obligations of nuclear and non-nuclear states have to be reviewed separately.

While there was no dispute over compliance by the latter with Article II, the Group of 77, particularly its African and Arab members contested the claims of compliance with Article I by nuclear powers and their allies. The Group argued that both Israel and South Africa derived their nuclear capability from two of the depositary states and their allies through at least an indirect transfer of nuclear technology and equipment.

The depositary states derived solace from what they saw as the progressive universality of the treaty. There were 90 signatories in 1975, 114 in 1980 and 131 in 1985. But the number of participants in these review exercises carries certain implications that cannot be overlooked : only 58 in 1970, 75 in 1980 and 86 in 1985. While claims of universality of the treaty have been enhanced by the increasing number of adherents, the substance or contents of its universality would have acquired greater significance if it had attracted the adherence of at least some of the threshold states.

Given the dismal failure of the Second Review Conference, the Third Review Conference was a partial success because it at least was able to adopt a Final Declaration. Its utility in relation to the Final Document of the First Review Conference clearly reflected the discord and reluctance of the U.S. and the Soviet Union to express a genuine commitment to the spirit and letter of the non-proliferation treaty. Hence, certain aspects of the outcome of the Third Review Conference has given rise to misgivings. One can cite in this connection the deliberately weak formulations on the nuclear status of Israel and South Africa as well as the misplaced stress on the fulfillment of obligations by non-nuclear nations ⁴⁶. The Third Review Conference, like the Second, might have also ended in deadlock and failure, but the Group of 77 chose not to sabotage in view of the International Conference on Peaceful Uses of Nuclear Energy to be held in 1987 and the prospects offered by the resumption of U.S. - Soviet bilateral negotiations in the latter part of 1985.

Based on the outcome of these three Review Conferences, it can be stated that in spite of clearly defined provisions, it has been apparent during the past 20 years of the treaty's existence that the interpretation of obligations differs from nuclear and non-nuclear states. The former is primarily interested in the strict implementation of horizontal proliferation and in the improvement of a system of control over all the activities of the latter in peaceful uses of nuclear energy. This is explained by the need to prevent horizontal proliferation. However, other provisions relating to the transfer of technology and the continuation of negotiations on nuclear disarmament, these states interpret restrictively, and in fact, failed to fulfill. In 1975, Conference President Inga Thorson expressed a widely held view by non-nuclear countries : "The superpowers proved themselves unable to show the world not only their genuine will but also their capacity for disarmament". This view surfaced again in 1980 and 1985.

The failure to get adequate technical know-how through the IAEA as called for by the non-proliferation treaty was further aggravated by the establishment of the Nuclear Suppliers Group which was not sanctioned by the treaty. Instead of introducing amendments to the non-proliferation treaty to justify their existence, nuclear powers and their allies set up these extra mechanisms. Henceforth the implementation of Articles III and IV rested effectively with the suppliers and / or bilateral agreements. The meetings of non-aligned countries Coordinating Committee on Peaceful Uses of Nuclear Energy have complained that energy rich and energy poor countries are treated the same way by the Suppliers Group. Even those who have the ability

to pay have been denied assistance, the reason being the potential for abuse even if these are safeguarded.

Any amendments to the non-proliferation treaty to establish the Suppliers' Group would certainly have provoked demands by non-nuclear nations for binding assurances on peaceful uses of nuclear energy and disarmament which they could not get in 1968. The treaty as it evolved since 1970 has in effect controlled peaceful rather than military uses of nuclear energy by "stringent export controls on the basis of arbitrary criteria fixed by the advanced countries in secret conclaves and imposed through bilateral and multilateral coercive measures . . ."47

These developments augmented and reinforced the treaty in ways not originally intended. They also played into the hands of India and other threshold states and strengthened their hands vis-a-vis nuclear powers. And they skillfully exploited the situation of chaos and fundamental disagreements between nuclear and non-nuclear states signatories to the non-proliferation treaty. Thus, nearly every non-aligned country has been unequivocal in its criticism of many aspects of the treaty. The representative of Indonesia, for example, noted during the Second Review Conference that "in several ways it has resulted in a monopoly of nuclear weapons and on control over decision-making about the peaceful uses of nuclear energy". He added that "the unequal emphasis on the goal of horizontal proliferation has given rise to a perverted and unilateral interpretation : all rights and

privileges have been reserved exclusively for the nuclear powers, while the non-nuclear states have become the sole bearers of obligations"⁴⁸.

In India's estimation during the General Assembly's First Committee in 1985, "the Review Conferences revealed the fatuity of the promises Developments during the 15 years had accentuated the inequalities inherent in the treaty The discriminatory nature of the treaty has become self-evident and its short-comings have not been objectively or adequately highlighted at the Conference" ⁴⁹. Thus, in varying degrees the outcome of the three Review Conferences have substantiated Indian objections noted in pages 187-88. These have failed to have any impact on the unrestricted qualitative improvement of nuclear arsenals and whose possession not only confirmed the power and prestige of nuclear powers but also the lop-sided obligations between them and non-nuclear states. Even though no direct security threats have been posed to a great majority of non-aligned nations, the potential for such threats was not diminished by the non-proliferation treaty. And the outcome of these Review Conferences have proven the discriminatory nature of the non-proliferation treaty with regard both to peaceful uses of nuclear energy and to the applicability of safeguards and controls. On the whole, the non-proliferation treaty has proven to be declaratory rather than functional and as such served only the interests of nuclear powers at the expense of the interests of non-nuclear countries. Therefore, India's basic contentions in their essential thrust can be sustained.

To sum up, the fundamental problems that existed during the non-proliferation treaty negotiations grew in magnitude and importance from one Review Conference to the other. The non-nuclear countries remained dissatisfied with a checklist of grievances. Thus, from the very first Review Conference, the battle lines were drawn. It clearly revealed the delicate nature of the basic bargain. In subsequent years, many of these nations showed deep concern about the costs of that bargain because of their no-win position in the main areas of dissent and contention. The recognition by them that the non-proliferation treaty remains the best means for preventing proliferation reinforced the intransigence of the weapon states. Possible threats to withdraw from the treaty were discounted because of the widespread belief that such actions would not necessarily serve the interests of non-nuclear countries. In their view, the treaty at least codified the obligations of nuclear powers to disarm and to provide peaceful uses of nuclear energy. In short, the former had little leverage to move the latter towards arms limitation and the availability of nuclear energy.

India and the Threshold States

The threshold states including India are not parties to the non-proliferation treaty and remained essentially on the sidelines during the review process which nonetheless carried wide policy implications for these states. Therefore, in this section, we will assess the impact of the Review Conferences on decision - making by threshold countries in general and India specifically as to their policies towards the non-proliferation treaty. Specific focus will be directed toward Indian policy on the non-proliferation treaty

and the extent to which New Delhi continued to devote its efforts to oppose the treaty. In this, attention will be focused on India's posture towards disarmament, security and peaceful uses of nuclear energy, in the context of justifying its anti-non-proliferation treaty posture as well as its relations with the superpowers, neighbors and the equally important areas of its national self-image, regional status and global prestige.

The threshold or near-nuclear states are generally considered to be Argentina, Brazil, India, Israel and Pakistan. They have refused to accept safeguards on all of their nuclear facilities. And in varying degrees, they have maintained a posture of ambiguity regarding their nuclear intentions. One element that encompasses the nuclear policies of these countries is an aversion to second-class or pariah status in the international hierarchy where there is no mobility - upward or downward ⁵⁰. With the exception of Argentina and Brazil, others can justify their nuclear status on the basis of direct threats to national security interests. This also represents a tenable justification for retaining a weapons option. Another common element is their advanced nuclear programs that can be sustained to a large extent through indigenous capability that were started early on, in some instances, at the advent of the nuclear age. While some can argue to the contrary, they also have the necessary economic wherewithal to meet the considerable costs associated with major nuclear programs.

In the case of India, it was untenable for its government to subject itself to a subordinate status on nuclear issues because of its advanced stage

of nuclear technology. In fact, Onkar Marwah and others trace India's initiation of a nuclear program even prior to its independence, when Homi Bhabha, the pioneer of the nation's nuclear activities and later to become President of the General Conference of the IAEA, secured private funding from the Tata Institute for Fundamental Research (Bombay) and commenced work in the new field of high energy physics in 1944. This means that nuclear research began in India one year before the world's first nuclear explosion at Alamogordo in New Mexico, one year before Hiroshima and Nagasaki and three years before the country's independence ⁵¹.

At Bhabha's insistence, the government-funded Atomic Energy Commission was set up in 1948 within 8 months after independence, and in 1954, its functional arm, the Department of Atomic Energy was established. Marwah contends that these were not ornamental adjuncts of a newly - independent state. For even by the early 1950's, the technological goals for the country's nuclear programs, the stages by which they were to be pursued and time schedules within which they are to be achieved were laid down ⁵². Accordingly, by 1956, Bhabha and his team of scientists had carried out the first sustained chain reaction of an atomic pile in Asia. This one megawatt nuclear research reactor was constructed indigenously with the purchase of enriched uranium and fuel shipments from the U.K. Indian engineers and scientists designed, built and commissioned the first research reactor in Asia in 1956, built India's own fuel element fabrication plant in 1959 and its plutonium separation plant in 1964.

Therefore, there was nothing to prevent India from exploding a nuclear device prior to 1 January 1967, the date separating the era of nuclear from non-nuclear states under the non-proliferation treaty. In fact, by 1958, Bhabha made the first public claim to construct nuclear explosive devices. This was two years before the French nuclear explosion and six years before the Chinese. Apart from the American and Canadian technical assistance for the nuclear facilities at Tarapur (Bombay) and Kota (state of Rajasthan), a number of research reactors were constructed without outside help. It is also significant that the country had acquired the ability to construct and/or manufacture complete commercial power stations - the first outside of the U.S., Canada, Japan, the Soviet Union and some European states⁵³.

Since independence, India has been regarded by Third World countries as one of their leaders in the international arena. In this, India's knowledge and capabilities in many fields of endeavors were regarded as the most advanced among all the newly-independent countries. New Delhi has thus been looked upon as a natural leader of the interests of the Third World, especially in the context of the emerging realignment from East-West context to a North-South one. In terms of its status and prestige, India's scientific and technical expertise in the nuclear field as well was viewed as the attributes of a state that could successfully compete on the world stage with the advanced industrialised countries. India has sought to utilise this global image that it has nurtured early on since independence as it has served to assure that its national interests within the matrix of multilateral global institutions would be articulated and promoted. Indeed, it served as a leading member of a

plethora of organisations in a multitude of activities. The climax was the unanimous choosing of Indira Gandhi as Chairman of the Non-Aligned Movement, despite differences on certain issues between her government and those of others in the Movement.

As in other fields, Indian research and writings in the nuclear and related areas have long been one of the basic reference points for articulation by Third World countries in their postures - be it in the context of the UN or other forums. Thus, as a nation it is regarded as a credible representative of the South vis-a-vis North, as for example, the ill-fated global negotiations on economic issues, where the Third World was prominently represented by Indira Gandhi in Cancun, Mexico in 1983. In the context of the foregoing, it is hardly likely that India would overtly admit to a second-class status vis-a-vis the industrialised countries in a field laden with such symbolic importance as the non-proliferation treaty.

From the very beginning of the non-proliferation treaty exercise, every effort was made to pressure India into becoming a party. There were two primary considerations in this regard. First, to prevent India from acquiring nuclear arsenals, and second, by gaining India's concurrence, other Third World countries would be more amenable to joining the treaty, given India's leadership among them. This intense pressure failed to nudge New Delhi into acceding to the treaty due to diverse approaches to the question of arms limitation and security between India and the superpowers. In consequence, it sharpened the diplomatic and political conflicts between

New Delhi on the one hand and with both Moscow and Washington on the other.

As regards disarmament, the Review Conferences confirmed India's long-held assessment that the treaty has become an impediment despite specific provisions in this regard. As New Delhi maintains, it is due to uneven obligations and lopsided responsibilities inherent in the treaty which did not impose any modalities to compel the implementation of the disarmament provisions. Without such a mechanism, non-aligned countries could do little more than raise rhetorical condemnations during the review processes which may have given some solace but of little practical effect. Thus, in the context of the treaty, while horizontal proliferation is accepted as the concern of all states parties to the treaty, vertical proliferation remains the exclusive purview of weapon states and has never been treated as a valid issue for genuine negotiations.

It is a curious anomaly that non-nuclear states who are allies of the superpowers can one and at the same time claim to such status while allowing for the stationing of nuclear weapons on their territories, place their countries under the nuclear umbrella, provide national resources to sustain strategic doctrines of their respective alliances, train their military forces in the use of nuclear weapons and where their governments at least theoretically direct parties to any decision on the use of these weapons by their alliances. Indeed, as K. Subrahmanyam had observed, to claim non-nuclear status and then to qualify it with such provisions renders the very concept irrelevant and into a

nullity⁵⁴. Clearly therefore what we are dealing with is a very narrow context of unilateral and indigenous control of nuclear weaponry. India in many of its statements took issue with these ambiguities as they rightly connote great power arbitrariness on this question. In other words, the very definition of proliferation / non-proliferation has become the arbitrary instrument in the service of whatever military/strategic postures was in the interests of great power security alone.

This situation arose owing to the interpretation of Articles I and II of the non-proliferation treaty whereby the terms not to transfer nuclear explosive devices to any other state and not to assist non-nuclear countries to acquire such devices and the corresponding obligation which enjoins them to renounce the right to manufacture nuclear weapons. The superpowers interpret the two Articles to mean that in their alliance structures, it is permissible to station, or in other words, to disseminate these weapons to alliance members as long as the use and control of these weapons remain in the hands of their patrons and not the recipient states.

When comparing the provisions of Articles I and II of the non-proliferation treaty with Article I of the Treaty of Tlatelolco, the loophole in the former which allows for such an interpretation is clear. For the Treaty of Tlatelolco not only prohibits the manufacture of nuclear weapons but also the installation or deployment of such weapons irrespective of under whose control they may be. Quite obviously, had such language been used in the non-proliferation treaty, then there would be no possible justification for the

U.S. or the Soviet Union to station their nuclear arsenals outside of their national territories or in the territories of any non-proliferation treaty signatories. Hence, there is a clear distinction at least in the minds of the superpowers between the question of proliferation and dissemination of nuclear weapons, with the former prohibited by the non-proliferation treaty, while the latter allowed. This interpretation has been challenged by India and other non-nuclear countries.

Quite clearly, in the context of the violation of obligations undertaken in the non-proliferation treaty and also geographic proliferation of nuclear weapons both on land and in the seas, for India to become a party would pose threats to its national security. One of the basic reasons for threshold status is to create uncertainties among the adversaries as to the potential risks they would entail by aggressing against India. It is somewhat analogous to other regions on the extent to which a nuclear option is used as a counter-measure against a potential aggressor contiguous to its territory.

The presence of nuclear weapons in Europe, for example, has been justified by NATO on the ground of overwhelming conventional armaments superiority of the Warsaw Pact. Similarly, China's overwhelming conventional capabilities is sought to be neutralized by India's retention of the option. Indeed, the very threat of a conventional war escalating into a nuclear exchange remained consistent with NATO's strategy of posing unacceptable risks for aggression. India, therefore, quite logically rejects any efforts to remove this basic strategy from its defense capabilities, just as NATO members

did in their many statements delivered at the UN, especially during the Second Special Session on Disarmament held in 1982 ⁵⁵.

At the same time, as an exercise in obfuscation, India had contended that political statements of intent as translating the option into a reality should be taken at face value irrespective of capabilities ⁵⁶. In defending its threshold status, it has gone so far to argue that stated intentions and not capabilities should be the yardstick to judge the potential for the manufacture of nuclear weapons. It is hard to give credence or accept such an argument. For intentions may change but capabilities do not. Further, it contradicts its own argument against nuclear powers who proclaim their intent for nuclear disarmament but New Delhi refuses to accept such intentions without actual measures.

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In the area of security, Indian delegates at the UN caution fellow representatives from the Third World against "attaching too much significance or meaning to security guarantees, all of which discriminate with regard to one category of non-nuclear states, namely, the non-aligned nations" ⁵⁷. Moreover, security assurances have focused attention on the content, form, language and other unimportant issues which have created an illusion of security ⁵⁸. In the light of this argument, the real answer to the search for the security of all states lies in nuclear disarmament.

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In the field of peaceful uses of nuclear energy, India has sought to undermine the non-proliferation treaty by focusing attention on the

differences over the non-implementation of relevant provisions. In this it has encouraged other Third World and non-aligned states with advanced nuclear know-how to establish their own programs of assistance and cooperation to promote peaceful nuclear activities. Because of persistent denials of access to nuclear materials and technology by the Nuclear Suppliers Group, non-aligned nations turned to the Second-Tier Suppliers composed of threshold states. What a great majority of states have been seeking, by and large, are simple reactors to generate electricity and basic technology for medicine, agriculture and food rather than advanced nuclear technologies, i.e., enrichment and reprocessing plants, breeder reactors, plutonium and highly enriched uranium - all of which have military applications.

The emergence of Argentina, Brazil, South Africa, Israel, India, Pakistan and China as suppliers has begun to complicate the already sensitive discussions among the Nuclear Suppliers Group and could upset their cartel-type approach on nuclear export policy. According to Randy Rydell of the U.S. Department of Energy's Lawrence Livermore Laboratories, these new suppliers share certain common traits :

- (a) an overriding interest in technological self-sufficiency, whether it makes economic sense or not ;
- (b) a compulsive drive for political prestige and influence as a major reason for acquisition of technology ;
- (c) a rejection of discrimination seen in the non-proliferation treaty, leading to laisez-faire trade principles ⁵⁹.

Rydell also notes that Second-Tier Suppliers do support the standard IAEA safeguards system and do not favor unregulated nuclear transfer or relaxing safeguards requirements to stimulate sales. However, they do not require the full-scope safeguards of the U.S. policy as a condition of supply. On this point Ram Subramanyam speculates that they may outbid the Nuclear Suppliers Group by underpricing nuclear exports in some cases ⁶⁰. They are motivated more by commercial considerations than by any desire to disrupt the Nuclear Suppliers Group, by earning foreign exchange and by trusting the recipients' to decide on the uses of the materials. The formation and functioning of the Second-Tier Suppliers may eventually result in a large number of defections from the non-proliferation treaty.

As far as the IAEA is concerned, full-scope safeguards are invariably insisted upon as a condition of nuclear cooperation with nuclear powers. The Agency's technical assistance budget has not been increased in real terms for several years. As far back as 1978, at the General Conference of the IAEA, India had opposed the growth of safeguards cost and in 1979 condemned the imbalance between the promotional and regulatory aspects of the IAEA's programs ⁶¹.

Given the way in which the IAEA has operated, it is plausible to argue that the initiation and implementation of many of India's nuclear activities would have been held in violation of the non-proliferation treaty and / or the regulations of the IAEA. Indian decisions on these matters would have been taken by outside authorities. Had India been a party to the non-

proliferation treaty, it is also plausible to conjecture that consent would have been denied on the basis of an assertion that the present reactors are more than adequate and any further construction would serve merely to produce more weapons-grade plutonium. If this is correct, India's decision-making on its own nuclear programs would have been usurped and controlled by decision-makers elsewhere.

The general dissatisfaction with the non-proliferation treaty's performance on the issues of technological transfers and controls have already been established in the section on the Review Conferences. It would nonetheless be pertinent to quote from the Indian representative's statement as it demonstrates the way in which India has sought consistently to mobilise non-nuclear nations on this issue :

"The thesis that there should be a privileged class and a non-privileged class in respect of science and technology is unacceptable and a negation of the entire development of modern society. As to safeguards in general, India's position is that they should be functional, objective, universal and non-discriminatory. If safeguards were to be applied mainly in the developing countries because they were obliged to import equipment and technicians from affluent industrial countries, it would be an invidious regime. Similarly, if safeguards do not apply to the nuclear powers but only to the weak and underprivileged, they would constitute an instrument for the perpetuation of the status quo. It is only after the prohibition of the use of nuclear energy for weapons has come into existence that the international community can appropriately and effectively consider the question of regulating the peaceful uses of nuclear energy" ⁶².

Conclusion

The spread of nuclear weapons is generally acknowledged to be undesirable. In this, nuclear and non-nuclear states are in agreement. The problem arises in the context of the inclusion of provisions in the non-proliferation treaty on issues beyond the domain of proliferation/non-proliferation, namely, peaceful uses of nuclear energy and disarmament. These two latter issues were agreed to by nuclear powers as enticements to non-aligned countries and other non-nuclear nations to sign the treaty. And it is these issues that have been the major and virtually the only points of contention during the Review Conferences. Hence, it can be sustained that the treaty has operated efficiently with regard to only one triad of issues comprising the non-proliferation treaty. The non-nuclear countries continue to adhere to the non-proliferation treaty not only because they see the desirability of stemming the spread of nuclear weapons but also because the concessions made to them represent a legal obligation which legitimises their continuing efforts to insist upon peaceful uses of nuclear energy and nuclear disarmament.

Essentially, it is recognised that they can exert more pressure from within the context of the non-proliferation treaty than outside it especially since there are few realistic options open to them vis-a-vis the superpowers. Therefore, if the non-proliferation treaty is viewed strictly in the context of non-proliferation, which weapon states have sought to portray it, then indeed it can be regarded as a singular success in multilateral diplomacy. However, if the non-proliferation treaty is viewed as a whole, the deficiencies

of implementation become self-evident, especially in the context of concerns that cut across ideological, North-South, nuclear and non-nuclear. The problem with the treaty is that its implementation is regulated and enforced by nuclear powers and even outside it, i.e., the Nuclear Suppliers Group. What becomes apparent is that the treaty has become essentially a symbol rather than a viable living dynamic international instrument. For it represents an international agreement which is being selectively observed and enforced by mechanisms outside the treaty itself.

In the view of every member of the two alliances and many analysts from industrialised democracies, the non-proliferation treaty has codified the interest of a vast majority of states, indicating an abiding commitment to its validity and continuity. As the single most important piece of international legislation to have come out of disarmament negotiations, it has given legitimacy to the non-proliferation regime. For the great majority of states, it is the only instrument to stem proliferation. For this reason, it has attracted more adherents than any other comparable treaty in history. It provides for the most thorough-going and comprehensive system of verification found in any existing arms limitation treaty. It has successfully buttressed political constraints on the bomb spread. Finally, in this view, it has helped to contain the growth of regional suspicions that can fuel a slide towards a nuclear arms race. For these reasons, the non-proliferation treaty has made a major contribution to nuclear arms control.

Notwithstanding these contentions, it is clear that from the drafting of the treaty to the present, the non-nuclear nations have to contend with weapon states' contention that the non-proliferation treaty does not obligate them to any specific measures or time-limits on disarmament. The strategic policies have not been subject to multilateral negotiations either at the Non-Proliferation Treaty Review Conferences or elsewhere. Consequently, strategic discrimination has become more pronounced.

The experience of the past two decades since the treaty was offered for accession has shown that the dangers of horizontal proliferation has been greatly exaggerated while the implications of vertical proliferation were generally underrated. Indeed, outside the six threshold states, no non-nuclear state show any potential or desire to change their status to that of threshold. And the threshold countries themselves have not overtly demonstrated their nuclear capabilities. Nor have they directly admitted to such capabilities. On the contrary, since the non-proliferation treaty came into existence, there has been a dramatic increase in the number of warheads, delivery capabilities have become more technologically sophisticated and research and development continually promise even more advanced nuclear weapon systems.

It can also be plausibly argued that the prevention of horizontal proliferation is due to a complex set of circumstances that supersede the non-proliferation treaty. These are the lack of economic, financial and other infra-structures among the non-nuclear countries. The lack of compelling

national security interests also militate against going nuclear. In fact, many states would view the possession of nuclear weapons as creating rather than solving problems. Hence, a great number of states have, directly or indirectly, renounced the acquisition of these weapons. With time, the technical and economic obstacles to nuclear weapons acquisition will decrease. This is because, as Hedley Bull has reminded us, technology can never remain the permanent monopoly of those who first invented them. Indeed, the constraints imposed upon the recipient states in the form of controls, inspections and safeguards can only delay but not deny the acquisition of nuclear weapons. It will, therefore, require a political decision to abstain from these weapons.

In the years following the adoption of the non-proliferation treaty, India's diplomats essentially reiterated the arguments advanced during the 1965 - 68 negotiations. As Leonard Spector has pointed out, one of the salient aspects of Indian nuclear policy is one of tenacity and consistency since 1945. It has not deviated or budged despite formidable pressures that have been brought by the major powers⁶³. In fact, India's basic policy towards the non-proliferation treaty has also remained fundamentally unaltered. This is particularly true with regard to (a) its primary interest in controlling military rather than peaceful uses of nuclear energy ; (b) skepticism about safeguards if not applied to all states ; (c) linking horizontal and vertical proliferation ; (d) mechanism to enforce treaty obligations applicable to all states : and (e) adamant attitude on nuclear disarmament. Its constant emphasis on superpower imperialism, discrimination in international nuclear law-making

and superpowers stressing controls over potential proliferators rather than existing vertical ones have exerted a profound influence on other non-aligned countries.

For India, the objective is independence in the nuclear field before it translates its option into a reality. That option will probably be retained until nuclear disarmament reaches an advanced stage. Its burgeoning nuclear industry has facilitated the assertion of independence in the context of withstanding pressures from the superpowers to accede to the non-proliferation treaty. Although technical assistance has been drastically cut since its detonation of a nuclear device in 1974, India's nuclear programs have not been fundamentally affected by the restrictive policies of the Nuclear Suppliers Group ; even more important, the transfer of technology has continued.

However, it has not succeeded in dealing an irreparable blow to the non-proliferation regime. The weakness of India's argument is its inability to present an alternative although its position has proven to be correct due to the non-implementation of its core provisions. Nonetheless, its strong opposition has inspired non-nuclear nations to constantly attack weapon states for their non-fulfillment of the treaty's provisions. It also focused attention on the need to take into account the interests of non-bloc countries in arms limitation.

India's threshold status, with few exceptions is not of concern to a great majority of nations ; it is of intense concern to its regional adversaries and to nuclear powers because their exclusivity and dominance will be eroded. Further, there is no question that threshold states will continue to pose a major problem to the universality of the non-proliferation treaty and it is indisputable that India will continue to be in the forefront in formulating policies for these states. Such developments will call for a reassessment of whether threshold states will have a role to play in disarmament beyond the question of proliferation and , if indeed they do, what that role will be.

In essence, the threshold countries regard the non-proliferation treaty as of dubious value and as far as they are concerned unacceptable. It offers no incentive for them to become a party. Hence, generally speaking, their position is essentially a call for a fundamental revaluation of the very concept of proliferation in all of its ramifications. As the UN Secretary General observed in his message to the Third Review conference, there can not be restraint in one direction (horizontal proliferation) and uncontrolled expansion (vertical proliferation) on the other. In all likelihood, the ambiguity surrounding the capabilities of these countries will continue unless considerations of national security renders the manufacture of nuclear weapons a compelling necessity.

In dealing with the question of non-proliferation, therefore, the cooperation of a number of key nations is indispensable. Unilateralism must be changed to allow for greater flexibility in accommodating the vital

interests and widely differing circumstances of other nations. The issue confronting arms limitation, M.A. Hussein has written, is not one of stopping or slowing proliferation but of finding effective and equitable economic, strategic and security arrangements that apply equally to all states in an interdependent world ⁶⁴. In this context, Hedly Bull has called our attention for the need to re-think the problem of proliferation. Basically, it is a political problem and can not be prevented indefinitely by the imposition of technological restraints and restrictions.

In this context, it is difficult to foresee a scenario for India's accession to the non-proliferation treaty. In fact, without a greater understanding by nuclear powers of the growing dissatisfaction and disillusionment with the treaty by the non-nuclear signatories, it is plausible to question its viability to endure beyond 1995, when a decision is to be taken concerning its termination or extension. In any case, there will continue to be efforts on the part of non-nuclear and threshold powers to challenge the legitimacy of the treaty on the basis of genuine disarmament measures, credible security assurances and meaningful assistance for peaceful nuclear activities. Unless these areas of discord and contention are reconciled, the treaty may well collapse under the weight of its own contradictions. However unrealistic it may be from the standpoint of contemporary political realities of power relationships, a global consensus will have to emerge for the proliferation quandary to be dealt with on a rational and long-term basis.

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Chapter IV

The Politics of a Nuclear-Weapons-Free-Zone in South Asia

Introduction

This chapter examines India's policy towards the establishment of a nuclear-weapons-free-zone in South Asia (NWFZSA) for the purpose of exploring the security concerns and policies of its government. First, there will be a brief review of the historical evolution of nuclear-weapon-free-zones (NWFZs) concept to determine which characteristics - negative and positive - have endured the test of time and therefore to be considered as inherent elements. It will be followed by a discussion of India's policy in the UN on NWFZSA. Based on these, a set of criteria for identifying the feasibility of NWFZs will be proposed and tested against the situation in South Asia. Such an approach will shed light on the feasibility or non-feasibility of such a zone in the subcontinent. This presentation will go beyond analyzing Indian perspectives on this question and will include a consideration of the inter-related factors that facilitate the creation of NWFZs as well as those that militate against them in other regions.

We will also address the Indian stance towards NWFZSA in the context of the 1971 UN General Assembly's Declaration of the Indian Ocean as a Zone of Peace. In assessing the efforts to implement the Declaration, stress will be placed on the inter-play of regional and extra-regional forces, especially the role of the strategic interests of the superpowers in the context

of Indian security interests and the implications of "internationalising" this region's security.

To the extent that South Asia represents a microcosm of international society-inter-state rivalries, mutual mistrust, diverse governmental structures, religious revivalism, political uncertainties and heightened perceptions of security interests - it is a classic case for a study of the theoretical implications and practical usefulness of a NWFZSA.

Historical Evolution of the Concept

The idea of NWFZs antedates by many years the non-proliferation treaty. Article VII of that treaty explicitly recognised the right of any group of states to conclude regional treaties to assure the total absence of nuclear weapons on the territories of zonal states. From the outset, the establishment of such zones was conceived in the context of non-proliferation efforts. At the same time, the zone would contribute to regional stability and security and diminish the prospect of the use of nuclear armaments against the zonal states. In specific areas, interest has been prompted by particular regional developments such as the possibility of the introduction of these weapons in some regions or the apprehension caused by the nuclear programs of some regional powers¹.

The notion of NWFZs surfaced early on in post-World War II environment and included general characteristics that have not been revised much to this day. The purposes are to prevent nuclear attack against zonal

states from outside ; to avert potential nuclear threats within the region and thereby reduce the danger of war, in particular nuclear war ; to ensure security in the region ; and to strengthen confidence and improve relations among zonal states. The advent of the non-proliferation treaty and heightened awareness of disarmament negotiations as well as interest in peaceful uses of nuclear energy resulted in greater momentum. Thus, there was a general recognition of the need to contribute to disarmament, especially nuclear disarmament, to prevent the proliferation of nuclear weapons and to promote cooperation in the utilisation of nuclear energy.

The earliest proposal related to Europe. Suggested by the Soviet Union in 1956, it was the first time that the new idea was placed on the agenda of the Five-Nation Subcommittee of the UN Disarmament Commission. It would have created a zone of limitation and inspection of armaments in Central Europe, and in particular, a ban on the stationing of atomic military formations and the location of atomic or hydrogen weapons of any kind. From that time onwards, every proposal for NWFZs in Europe has been either inspired or supported by the Soviet Union.

Among them were the Polish proposal in 1957 (the Rapacki Plan, an improved version of the 1956 Soviet proposal and revised in 1958 and 1964 as the Gomulka Plan) ; the Romanian initiative for the Balkans in 1957 to which the Russians added the Adriatic Sea ; the Soviet project for a NWFZ in the Mediterranean in 1963 ; and the Finnish suggestion (the Kekkonen Plan) in 1963 and subsequently from 1971 to 1973 for a Nordic NWFZ. The East

European apprehension of West Germany acquiring an independent nuclear capability or gaining control of U.S. nuclear weapons as well as the proximity of other NATO nuclear forces were apparently the motivating factors behind some of these proposals.

In the highly charged atmosphere of the cold war, few analysts discounted the potential for large-scale conflicts or for hegemony over all of Europe. The Soviets had overwhelming conventional superiority while the West had to rely on the nuclear option to ensure West European security. As a consequence, members of NATO were skeptical towards the establishment of a NWFZ in any part of Europe. The West, therefore, stressed three conditions for NWFZs : consent of all states in the region ; conventional military parity between opposing blocs and effective verification ².

In those early days two different but parallel, approaches to military denuclearisation - the global or open-ended and the regional or zonal-were pursued in the UN³. One was initiated by Ireland in 1959. It concerned an area-by-area approach to prevent the further proliferation of nuclear weapons and related specifically to Central Europe. The non-nuclear nations in a given area would undertake first, not to manufacture or acquire nuclear weapons, and secondly, to subject themselves to UN inspection to ensure adherence to agreements. Sweden in 1961 offered a general approach not related to any specific area for a non-nuclear club. Neither approach led to any concrete results.

China, during the latter part of 1950's and early 1960's advanced a NWFZ for Asia and the Pacific. The motivating factor was the same as that of East European states : to keep U.S. nuclear weapons away from the region ⁴.

The Declaration of the Denuclearisation of Africa in 1964 by the Organisation of African Unity constituted an important development. For, unlike previous initiatives, it was the first taken by non-nuclear countries in a non-nuclear region. In the UN debates which took place subsequently, delegates from Africa enunciated principles of a far-reaching nature. These include the axiom that the denuclearisation of Africa was primarily the concern of the states of that region and dictated solely by their interests. The role of the UN was explicitly recognised in the context of any international agreement that may be reached. Proposals for NWFZs in other regions were endorsed as a first-step towards non-proliferation. Some basic elements for a NWFZ in Africa such as the area of application, transport of nuclear weapons and obligations to be assumed by both the African and outside powers were identified. The African states, however, did not determine the procedures and legal form to define the characteristics of such a zone ⁵.

Thus, a review of the period from the 1950's through 1960's shows that NWFZ proposals addressed different circumstances and realities. Some have been concerned with the withdrawal of nuclear weapons (Central Europe, the Balkans and the Mediterranean), while others with non-dissemination and non-proliferation (the Irish and the Swedish). None of them, however, went beyond the initial proposal stage with the exception of

Africa which resulted in the adoption of resolutions by the UN*. The characteristic feature of all the initiatives was that none had resulted in the establishment of NWFZs. Resistance stemmed from the potential threat to the military balance established by nuclear powers in those regions. Unrealised proposals were at times a response to particular circumstances such as the prospect of an introduction of nuclear weapons in some regions. It can, therefore, be said that 1974 was a watershed in achieving "a wide recognition of the desirability of establishing nuclear-weapon-free zones and a growing argument that such zones and regional approaches to disarmament can be regarded as interim steps towards general and complete disarmament"*.

The question of NWFZs became dormant in the UN from the latter part of the 1960's to the early 1970's. It was not until India's explosion of a nuclear device in May 1974, that a new momentum was generated in the UN debate over the desirability and feasibility of NWFZs. The catalytic impulse injected renewed interest in NWFZs not only in the subcontinent but also globally because there were more than casual signs that India was not alone on the threshold. Thus, proposals were made for the Middle East with regard to Israel's nuclear capability and the South Pacific with regard to the French nuclear tests'. The reason for the earlier dormancy may have been the negotiations on the non-proliferation treaty, which over-shadowed the

* It may be pointed out in this context that a number of demilitarised zones have been in existence in certain parts of the world; by implication such zones would also be nuclear-weapon-free. And proposals for zones of peace and co-operation seek the absence of nuclear weapons and therefore would be nuclear-free. The Antarctic Treaty would be an example of a demilitarised zone, while those concerning the Indian Ocean, the Mediterranean and the South Atlantic are examples of zones of peace.

consideration of NWFZs. That treaty was viewed by many members of the UN as a panacea for the nuclear menace. Its inequities and insufficiency also contributed to the reinvigoration of NWFZs. Many members began to view the concept seriously as a means of halting the spread of nuclear weapons and thus shore up the treaty. For it did not, in and of itself, call for the total absence of these weapons from the territory of signatory states and did not provide for effective security assurances against the use of nuclear weapons.

Some of the treaties already in effect reflect the efficacy of NWFZs. The forerunner of denuclearisation treaties of the 1960's was the Antarctic Treaty of 1961. It represents the only post-war international agreement so far for the complete demilitarisation of a sizable geographic region. It contained by implication provisions to ensure that nuclear weapons will not be introduced into the area. The introduction and testing of such weapons as well as the prohibition of nuclear explosions would fall within the scope of Articles 1 and 5. The Outer Space Treaty of 1967 contains an undertaking by the parties not to place in orbit around the earth, objects carrying nuclear weapons or weapons of mass destruction or install such weapons on celestial bodies. Likewise, the Sea-Bed Treaty of 1972 commits the parties not to emplace or implant on the sea-bed, nuclear weapons or other weapons of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons. One characteristic feature of these treaties which explain the ease in promulgating NWFZs is that they concern uninhabited areas where no state exercises

sovereignty, or as in the case of the Antarctica, where claims to sovereignty have been held in abeyance.

However, an important milestone in the regional or zonal approach was the agreement reached in 1967. After 4 years of protracted negotiations, the Latin American countries concluded the Treaty for the Prohibition of Nuclear Weapons (Treaty of Tlatelolco)*. It was motivated by the Cuban missile crisis in 1962 and reflected an effort to stay out of great power rivalries and to mitigate the possibility of any Latin American country joining the threshold club especially Argentina and Brazil, which were already cool at that time to any non-proliferation regime. It is the first and, so far, the only treaty establishing a NWFZ in a densely populated area of nearly 200 million inhabitants and covering more than 8 million square miles. It is also the first agreement on arms limitation and collateral disarmament measure to establish a system of international control and a permanent supervisory organ-OPANAL - Agency for the Prohibition of Nuclear Weapons.

The only NWFZ treaties since 1945 are Tlatelolco, Antarctica, Outer Space and Sea-Bed which by their scope and purposes cannot be used as models because of their unique circumstances and characteristics. What has been possible to achieve is a formal understanding of NWFZs.

* While the treaty was conceived principally in the regional context, it was also designed to have a global context. On the one hand, the treaty was designated to strengthen peace and security in the region, to avert the possibility of a nuclear arms race and to protect the parties against possible nuclear attacks. At the same time, it was conceived as a significant contribution towards non-proliferation and as an important factor for general and complete disarmament.

Definitions

In the past, various definitions of NWFZs have been advanced by analysts. For instance, Platias and Rydell define a NWFZ as a spatial area covering land, sea, air and extra-terrestrial bodies wherein nuclear weapons may neither be developed nor stored⁸. Others emphasise legal formalities and place issues relevant to NWFZs within the framework of an international regime. For example, a Latin American expert, Felix Calderon, regards a NWFZ as a balanced mechanism involving the renunciation of a nuclear option and the acceptance of a system of verification and controls by non-nuclear countries and the assumption of obligations by nuclear powers in a binding legal instrument⁹.

On his part, R.B. Byers, makes an important analytic distinction between denuclearisation and NWFZs. He rightly contends that one can not denuclearise a non-nuclear area and that the term denuclearisation has been misused and confused with NWFZs, zones of peace, nuclear disarmament and nuclear disengagement, thereby lacking analytic rigor and substance. He therefore calls for a clear distinction between denuclearisation and NWFZs and conceptualises the former as both a process and a product¹⁰. As a process, it implies the negotiation and adoption of means for the elimination of nuclear weapons in designated areas. Byers also makes a useful distinction between geographic denuclearisation which is either regional or global ; systemic denuclearisation which would entail the elimination of certain categories of these weapons (such as sea-launched nuclear missiles) ; and functional denuclearisation which would imply the elimination of nuclear

assets for certain types of naval missions (for example, no nuclear weapons for general purpose naval missions, including sea control or sea denial). Systemic and functional denuclearisation are not mutually exclusive when, for instance, only one nuclear system and / or platform is used for a single mission; then the two forms of denuclearisation would overlap ”.

For a multiplicity of factors, it was not until 1975 that a highly specific, internationally acceptable definition, embracing political, security and legal dimensions was adopted by the UN General Assembly in resolution 3472 B. The relevant paragraphs read as follows :

- “I. Definition of the concept of a nuclear-weapons-free-zone
 - 1. A “nuclear-weapons-free-zone” shall, as a general rule, be deemed to be any zone, recognised as such by the General Assembly of the United Nations, which any group of states, in the exercise of their sovereignty, has established by virtue of a treaty or convention whereby : (a) the statute of total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined ; (b) an international system of verification and control is established to guarantee compliance with the obligations deriving from that statute.
- II. Definition of the principal obligations of the nuclear-weapon-states towards nuclear-weapon-free zones and towards the states included therein
 - 2. In every case of a nuclear-weapon-free-zone that has been recognised as such by the General Assembly, all nuclear-weapon-states shall undertake or reaffirm, in a solemn international instrument having full legally binding force,

such as a treaty, a convention or a protocol, the following obligations :

- (a) to respect in all its parts the statute of total absence of nuclear weapons defined in the treaty or convention which serve as the constituent instrument of the zone ;
- (b) to refrain from contributing in any way to performance in the territory forming part of the zone which involve a violation of the aforesaid treaty or convention ;
- (c) to refrain from using or threatening to use nuclear weapons against the states included in the zone ¹².

Another authoritative general definition, adopted by consensus was included in the Final Document of the First UN Special Session on Disarmament held in 1978 :

- "60. The establishment of nuclear-weapon-free-zones on the basis of arrangements freely arrived at among the states of the region concerned constitutes an important disarmament measure.
- 61. The process of establishing such zones in different parts of the globe should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account. The states participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements establishing the zones, thus ensuring they are genuinely free of nuclear weapons.
- 62. With respect to such zones, the nuclear-weapon states in turn are called upon to give undertakings, the modalities of which are to be negotiated with the competent authority of the zone "

Thus, both of these definitions taken together have explicitly defined the nature of obligations and responsibilities of both nuclear and non-nuclear states. Further, as the world's most representative institution, the Assembly has asserted the right to accord recognition only to those zones mutually agreed upon by the states themselves. What is more, it is they who determine their essential characteristics, delimitation and verification procedures. Once such a zone is established and recognised by the Assembly, nuclear powers are duty bound to affirm their obligations to respect the status of the zone and to ensure the security of the zonal states.

Although the vast majority of member states supported the 1975 and 1978 resolutions, certain key states, particularly nuclear powers, have either abstained or voted against. With the exception of China, other nuclear powers rejected the Assembly's assertions and questioned its authority to impose on states obligations in advance of negotiations for zonal arrangements which might affect their interests. The U.S. in particular has interpreted the term "modalities" as including both the substantive provisions and procedures to be included in the undertaking in question. Such a stance should be seen in the context of U.S. reservations to the 1975 resolution imposing specific obligations with respect to any zone recognised by the General Assembly. The opposition to the resolutions by these states also reflected a commonality of interests among them as it would entail the assumption of obligations which would be incompatible with their strategic interests. And their adoption by non-nuclear nations represented a

determination to safeguard the interests of the Third World by bringing the moral weight and collective legitimacy offered by the General Assembly.

India's Position on NWFZSA in the United Nations

Pakistan has been the main proponent of a NWFZSA. Support for its inclusion in the 1974 agenda of the General Assembly was also the direct result of the members' attributing particular importance to nuclear arms limitation. Following a debate, India sought to blunt Pakistan's initiative by sponsoring its own resolution. It recognised that conditions and procedures for the creation of NWFZs differed from region to region and that an essential prerequisite is the initiative of the states concerned "taking into account its (the area's) special features and geographical extent". The Pakistani proposal was therefore deemed inappropriate for UN consideration at that time. By the Pakistani draft, the Assembly would endorse in principle the concept of a NWFZSA and invited the regional states and other interested non-nuclear countries to initiate consultations under the auspices of the Secretary General¹⁴.

Thus, the two drafts differed fundamentally in their orientation and approaches to the question. While India's draft was aimed at the inclusion of China in the proposed zone and at ending all UN consideration of the issue, Pakistan's main purpose was the inclusion of India and UN involvement to promote the acceptance of the idea. Yet the Assembly endorsed both the drafts. The significance of the action in this instance, as in others, is that the members viewed the two proposals as essentially politically

motivated in their bilateral competition, refused to reject either of them and sought not to become enmeshed in siding with one or another in their rivalry.

In 1975 as well, the Assembly adopted the Indian and Pakistani resolutions without a vote. From that year onwards, India did not initiate any resolutions. Since 1976, fourteen resolutions have been adopted, all sponsored by Pakistan. All are similar in content. Bhutan, India and Mauritius alone have voted against them with the exception of resolution 32/83 in 1977, when India abstained expressing strong reservations with regard to the very concept of NWFZs¹⁵.

In justifying and defending its position, India has maintained that any initiative for NWFZs must, a priori, be negotiated by the regional states themselves and then brought to the UN for consideration and endorsement. Further, a NWFZ or for that matter any other arrangements for arms limitation must be based initially and exclusively on regional negotiations without any outside interference - be it unilateral or multilateral. Hence, Pakistan's initiative based as it was on non-prior consultation much less negotiations immaturely sought to internationalise what should initially have been a regional process and decision-making. The UN resolutions and the report of its experts on the question of establishing NWFZs have recognised the essential prerequisite of intra-regional concurrence prior to involvement and / or approbation by an international organisation. Consequently, the UN was never meant to be or did it purport to be a forum for NWFZs but rather its principal purpose is to provide international endorsement. Therefore, the

Indian perception of Pakistan's initiative was one of arbitrarily and unilaterally "pre-judging the concept, its features and delienation prior to negotiations" ¹⁶.

It is plausible to contend that irrespective of any Pakistani intention to seek Indian support in the bilateral context, its initiative could not but engender suspicion. South Asia is encircled by three major nuclear powers : the U.S.S.R. to the northeast, China to the north and the U.S. and the U.S.S.R. to the south in the Indian Ocean. India's proclamation of neutrality would be naive because of strategic competition, its size, border disputes with China and Pakistan, security arrangement with the Soviet Union and its own regional ambitions.

On the basis of these immutable factors India has contended that its security within NWFZSA can only be assured if the whole of Asia and the Pacific were to be included and thereby sought to torpedo NWFZSA. Even in the event such a vast area were to be included in a NWFZ, the reality of nuclear weapons technology would not effectively protect and remove this area because of "the efficacy and extensive range of modern delivery systems whose reach covers the whole of earth"¹⁷. India has therefore expressed its rejection of regionalised denuclearisation as a means of achieving the ultimate objective of global nuclear disarmament.

While there has been a sizable number of abstentions in the UN voting on NWFZSA, its representatives have nonetheless been isolated and found themselves to be on the defensive.

India's intractability is fully demonstrated by its posture not only vis-a-vis regional negotiations in this regard but also in the context of its prestige in the UN and leadership of the non-aligned movement. Despite assuming the chairmanship of non-aligned countries in 1983, its diplomats sought to prevent or at least dilute any non-aligned reference to NWFZs. It was only after demands by the majority that India acquiesced to a reference in the final communique of the Non-aligned Summit Meeting held in New Delhi that year.

India's traditional role of champion of Third World rights and its own claims to parity and equal treatment with nuclear powers is also fully consistent with its contention that the whole globe should be denuclearised and failing which no region or subregion should be singled out for a NWFZ. For to discriminate on this fundamental principle of inter-state relations impinges on vital aspects of national security and survival. New Delhi has thus sought to ascribe these rights to all non-nuclear countries as essential to their national security and to expose the contradictions inherent in NWFZs especially by portraying security offered by nuclear powers to be delusionary as long as the presumed right to use nuclear weapons is retained to ensure their interests¹⁹.

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As regards external powers, their voting remained consistent with their bilateral relations with the regional states and their strategic imperatives. Consequently, China and the U.S. backed Pakistan while the U.S.S.R. abstained in deference to India. The U.K. and France after voting for the resolutions in 1974, 1975 and 1976, abstained thereafter on the ground that such zones cannot be imposed in the face of opposition by the states concerned. It is also a recognition of India's legitimate security concerns, its strategic situation in the event of Sino-Soviet rapprochement and thus, India's need for its own nuclear deterrent force.

As far as Pakistan is concerned, its government viewed India's detonation of a nuclear device and the fears that it raised in the international community as an opportunity to use the multilateral mechanism to pressure New Delhi into certain public commitments not to develop nuclear weapons and to renounce the option. Through these tactics, Islamabad has sought to circumscribe India's freedom of action in nuclear matters in which it did not succeed.

Pakistan also saw an opportunity to take the diplomatic high-ground. Instead of sponsoring a resolution on a NWFZSA, it had other alternatives such as seeking a resolution condemning the nuclear explosion or to send an impartial group to inspect Indian nuclear installations. Rather than verbally attacking India for the detonation of a nuclear device, it exploited international concern over the incident and linked it to NWFZ which in its own right commanded broad international support. On the surface, it appeared

that Pakistan had accomplished a diplomatic coup. For so many states supported its initiative and on that basis kept the issue alive at consecutive sessions. Had it been couched in condemnatory terms, the proposal would have lost its momentum ; by indirectly linking that event to NWFZ, it facilitated the marshalling of support from a broad spectrum of member countries of the U.N.

Many of the differing approaches and considerable disagreements between nuclear and non-nuclear states concerning the practical meaning and implications of the NWFZ concept were fully reflected in the UN study during 1975 by a group of governmental experts on this question. It confirmed that what might have appeared at first sight to be a clearly defined concept, in fact contains several controversial and irreconcilable elements. Thus, members of the group reached consensus only on some minor aspects such as that any initiative should come from the states concerned and participation must be voluntary. The participation of all militarily significant states was deemed a sine qua non for its effectiveness. Further, these arrangements should promote the economic, scientific and technological developments and that they should be of unlimited duration. The rest of their report is simply a compilation of conflicting views on substantive issues most essential to the concept.

In fact, on the core aspects the experts failed to reach a consensus indicating the formidable difficulties in conceptualising such zones much less establishing them. These include a definition of nuclear weapons, the

distinction between these weapons and nuclear explosive devices, as well as the relationship between NWFZs and international law. Nor could the experts agree on the question of adjacent safety areas, especially the question of emplacement of such weapons geographically close to the zone which might be assigned to targets within the zone. Other questions of contention were the transit of nuclear weapons through the zone with reference to the air space and territorial waters of the states concerned, the freedom of navigation through straits used for international navigation and the right of innocent passage through territorial sea. Yet another issue was the question of security assurances by nuclear powers not to use or threaten to use nuclear weapons against zonal members. On all of these, fundamental and profound differences prevailed among the experts¹⁹.

In 1982, the General Assembly decided over India's objections to review, supplement and update the study in the light of experiences gained since 1975²⁰. Even after 2 years of protracted discussions, the group of experts again failed to reach consensus on the substantive issues identified above and thus was unable to transmit a report to the Secretary General²¹.

India as a member of the 1975 study group played a major role in the inclusion of some key elements such as obligations and responsibilities to be assumed by nuclear powers and the axiom that "circumstances in different regions vary so widely, it would be appropriate to adopt a more pragmatic and flexible approach in each case"²². While there were no indications specifically on which aspects the experts in the 1982 aborted study could not

agree and no statement was made or other documents issued in this regard, it is safe to assume that the Indian expert played no small role in preventing its successful conclusion given the traditional opposition to NWFZs in general as reflected in its negative voting patterns.

Assessing the Potential for the Establishment of a NWFZSA

Irrespective of India's long-standing opposition to NWFZs in general, it is debatable whether the specific characteristics of South Asia conform to the necessary preconditions for the establishment of such a zone. Based on an analysis of previous efforts to establish NWFZs, those under consideration, the UN established definitions as well as the statements made by prominent UN members, we can identify a set of criteria for testing the potential feasibility to establish such zones. These are :

- (a) A high degree of political and economic interaction among states in the region
- (b) Stable and harmonious relations of the regional states with extra-regional powers
- (c) Minimal and legitimate security interests and concerns of the regional states
- (d) Absence of security arrangements with external powers
- (e) The existence of an organisation or infra-structure to promote regional cooperation
- (f) Low-level of naval competition in adjacent oceans and seas
- (g) Absence of colonies or dependent territories of extra-regional states

A high degree of political and economic interaction among the states in the region

This criterion is based on the notion that political and economic relationships between regional states are important determinants of the status of their over-all relationships and an indicator of regional interdependence. It is consistent to maintain that a high degree of interaction in the political and economic realms reflect common perceptions and interests in the regional context. Therefore, when political and economic relationships progressively evolve over a period of time on a continuing and sustainable basis, it could lead to a common recognition of mutual security interests in establishing NWFZs. Indeed, cohesive and strong relationships in these areas present important building blocs for the creation of regional trust and confidence for establishing a NWFZ.

The relations between India and Pakistan during the past four decades have been characterised for the most part by tension, mistrust and hostilities. Since independence their policy objectives have been diametrically opposed to each other. Fundamental differences have long characterised their positions on a wide range of international issues (armaments, Afghanistan, Kampuchea, etc). For each, the diplomatic initiatives and activities, notably on military aid issues, are invariably perceived to be directed against the other.

Over and above these, the conflict over Kashmir has put them on a collision course from which they have departed only intermittently, and has

always surfaced as a manifestation of the hostility between them. It symbolises profound anxieties over security, territory and national identity in both India and Pakistan. Three wars have been fought - two over Kashmir and one over the establishment of Bangladesh, which resulted in the loss of half of Pakistan's territory and a major source of economic support.

From the Indian perspective, Pakistan still aspires to reverse history and fulfill its ambition to annex all of the contiguous Muslim majority areas in the subcontinent especially the Indian-held Kashmir. Conversely, these concerns are reflected in Pakistani fears of Indian hegemony and domination. Most Pakistanis do believe that Indians have never accepted the rationale for partition and will seek an opportune movement to undo it ²³. Furthermore, India is a founding member of non-aligned movement which Pakistan left in the 1950's only to rejoin in 1980. Pakistan is an Islamic state, while India with the second or third largest Muslim population in the world is secular. Internal political upheavals and communal riots have generated additional sources of tension. At various times, each has accused the other of supporting dissident elements. Pakistan has long regarded itself as an Islamic power looking more to the Gulf and less to South Asia. The Organisation of Islamic Conference in which Pakistan plays a leading role is treated with disdain by India. Islamabad views itself in terms of Pan-Islamism while New Delhi views itself in the context of Third World and non-aligned movement.

Hence, their foreign policies do not have an organic regional perspective but rather an extra-regional orientation. This in itself underscores

the incompatibility of NWFZ concept which is essentially region-based. In addition, there are so many other irreconcilable problems that both India and Pakistan look to other powers for assistance and support. Pakistan has never reconciled itself to its inferior status and to the disparities with India in geography, demography, economy and military power aspects. In each of these areas, Pakistan is dwarfed by India. Therefore, good neighborly relations would have to be based on a policy of mutual respect and working for common interests rather than the quest for absolute equality among them.

Normalisation could not be envisaged by third party mediation in their disputes which is rejected by India ; by mutual accommodation which is unacceptable to Pakistan ; and by the avoidance of mutually damaging actions which both have rejected. These factors were primarily responsible for the high level of tension and consequent pressures for higher armament levels.

The deadlock to normalisation during the past 5 to 6 years can be attributed broadly to four reasons : First, New Delhi disapproves of Pakistan's alleged support for the Sikh separatist movement responsible for terrorism in the strategically important states of Punjab and Kashmir. Second, there is Pakistan's periodic reiteration of self-determination for the people of Kashmir. Third, Pakistani expressions of concern about the plight of Indian Muslims, which is considered to be interference in internal affairs. Fourth, their differences over Afghanistan ; New Delhi has frequently suggested that

Pakistan has exploited the presence of Soviet troops in Afghanistan to justify a military build up which threatens India.

The interaction among other states in the region are contingent upon or highly influenced by the state of Indo-Pakistan relations. Hence, it constitutes the primary determinant of the degree of regional harmony or animosity.

The amicable relations that existed between India and Bangladesh during 1971-1975 was shattered after Sheih Mujibur Rahman was overthrown by a military coup. Thereafter, Bangladesh followed a foreign policy akin to Pakistan's, thereby confirming India's distrust and antipathy of Muslims generally. India's overwhelming military presence is resented by the Bangladesh rulers. Differences also center on India's attempts to expel people of Bangladesh origin from the State of Assam (for which a physical barrier was built along their border). One of the most important irritants is the question of sharing the waters of the Ganges river through the Farakka Barrage. From time to time, this issue comes to the forefront as a result of India's decision to divert the Ganges waters down the Hooghly river to minimise silting from the port of Calcutta. As a result, the diverted water does not flow through the Bangladesh delta and encroaches on the sea water in coastal agricultural areas. The agricultural productivity of Bangladesh is traditionally affected by the monsoon rains ; it is rendered worse by the dependence on India's decisions for the use of Ganges waters. No regime in Bangladesh can envision

improving relations with India in the absence of an equitable settlement on this issue.

For a long time, the leaders of India and Sri Lanka had personal rapport based on similar political convictions. It existed between Nehru and Solomon Bandaranaike ; Indira Gandhi and Srimavo Bandaranaike and Jayawardane ; and Rajiv Gandhi and Jayawardane. This does not imply an identity of views on all issues but by comparison to India's relations with Pakistan and Bangladesh, frictions are limited.

However, the problem posed by the Tamil minority has been a recurring one. The Tamils who are the descendants of the darker skinned Dravidians make up 18% of Sri Lanka's 18 millions people, have their own Dravidian language of Tamil and most are Hindus. The Sinhalese are a group of Indo-Aryan extraction, constitute the island's majority and are Buddhists. They speak the language of Sinhalese and have long dominated the nation's politics. The bilateral agreements of 1964 and 1974, which allowed for specific numbers to be repatriated to India have not been fully implemented.

Since 1983, the Tamil problem has become highly volatile as Colombo moved to establish Sinhalese as the official language. The Tamils have maintained that successive Sri Lankan Governments have promoted Sinhalese domination over Tamilians ; that they have been politically disenfranchised ; that the parity between languages has been abolished ; and

that their cultural identity has been placed in jeopardy. For example, large number of Sinhalese have been settled in the predominantly Tamil areas of the island in order to assert Central (Federal) government control. And discrimination against the entry of Tamils into universities and civil services was institutionalised to emasculate economic opportunities²⁴.

The Sri Lankan government has countered that the Tamils want to expel the Sinhalese from their areas with a view to creating a mono-ethnic region and establish a separate and independent state. The violence so far has taken a heavy toll including more than 12000 dead.

In 1985, India sought a solution on the basis of the preservation of the island's unity and the granting of some measure of autonomy for the Tamils through an appropriate political framework. Under a tenuous accord reached in July 1987 that brought an Indian peacekeeping force to the northern part of the island, the Tamils are to lay down their arms in return for a referendum for an autonomous province that would combine the largely Tamil north and ethnically balanced - Hindu, Muslim and Sinhalese - east. However, communal violence has entered the equation and affected that accord in its essential aspects.

Until now, restoring communal harmony has proven to be elusive and the island remains polarised. Among the principal sources of rancour at one stage between New Delhi and Colombo have been the bases and logistic support by the State of Tamil Nadu in South India to the insurgents. Sri Lanka

has maintained that India has been reluctant to close these avenues of supplies due to Colombo's reliance on the military aid provided by Israel and Pakistan.

A fundamental prerequisite for the establishment of NWFZs should be sustained political, economic, social and cultural interaction between the states of a region. Without such a context, it would be difficult to see how an appropriate environment of mutual trust and interests could be sustained and built upon. Such a framework does more. It also creates a dynamic vested interest in preserving mutual cooperation and the avoidance of mistrust and suspicion. It is self-evident that these essential prerequisites for a NWFZSA is conspicuously absent in the subcontinent.

Stable and Harmonious Relations of the Regional States with Extra-regional Powers

The competition of the great powers for influence in the new nations has been one of the striking phenomena of international politics since the end of the Second World War. South Asia has been no exception in view of its geostrategic importance. While the external powers can not be held responsible for the origins of the conflict in South Asia, their entry into the turbulence of regional politics exacerbated those conflicts. Thus, regional animosities became inexorably drawn into the vortex of great power competition.

Although India was among the first to accord diplomatic recognition to the People's Republic of China, relations between them from the very beginning were characterised by ideological differences reinforced later by border disputes and claims to the leadership of Asia. The Chinese take-over of Tibet in 1950 occurred despite New Delhi's commitment to accede sovereignty. India's mediatory role during the Korean war was derided. The revolt in Tibet in 1959 was attributed to "Indian machinisations". The boundary dispute on the Himalayan frontier erupted into a war in 1962 whose "wide implications for the security and stability of the subcontinent . . . continue to influence the policies of South Asian states"²⁵.

Henceforth, China and Pakistan came to share a common adversary in India. The ultimatum to India during the second Indo-Pakistan war of 1965 was accompanied by accusations of Indian expansionist tendencies. Concurrently, checking Chinese power and influence became a common goal for India and the Soviet Union. The coming into existence of the U.S. - Chinese rapprochement due to geostrategic reasons and the U.S. - China - Pakistan nexus further exacerbated the already tense situation.

The differences over the border issue between Beijing and New Delhi persist. The Chinese support for the Pakistani position on Kashmir continues. New Delhi shares Washington's suspicions of Chinese assistance to Pakistan's nuclear know-how. The Indo-Soviet Treaty of 1971 with its anti-Chinese overtones is valid until 1991. And, there is the contest for

preeminence in Asia between India and China. "So the goings will be difficult for the two giants whose basic rivalry sets distinct limits to any normalisation. Never in history do they seem to have been successful in understanding and appreciating each other's driving motives and value systems" ²⁶.

This is not to imply that better relations may not materialise. The intensity of the conflict with China has receded as it has ceased aiding the cessationist movements in the northeast and the border situation has become more stable as both have expressed a willingness to negotiate. Yet, Indian policies continue to be premised on China's past postures of scorn and hostility ; image as the sponsor of wars of national liberation ; status as a nuclear power with a massive conventional army ; and its aims, tactics and objectives. This explains why Indo-Chinese relations remain in an embroiled state.

The course of China - Pakistan and China - Bangladesh relations will also have an impact on the future stability of the subcontinent. Policies of collusive relationships between them intended to deny India a primary role in South Asia are unlikely to be viewed with equanimity in New Delhi.

The Indian image of the Soviet Union is that of a committed friend which has a large stake in its security. Their "basic" friendship had resulted in extensive military assistance unavailable to India from other sources under comparable terms. The Indian armed forces have been expanded and improved due in large measure to Soviet aid that Indians feel capable of

containing any conventional threats from China or Pakistan. The Soviet Union is also regarded by the elite as a status quo power opposed to the revision of existing international boundaries.

As regards Indo - American relations, with the exception of the Kennedy and the Carter eras, these have never been close and cordial. Ironically, the world's largest democracy had much closer political and military ties with the world's most powerful totalitarian state than with the world's most powerful democracy (which is the mirror image of the U.S. - Chinese relationships). On the non-governmental level, however, Western influence, especially American, far exceeds Soviet influence.

The dispute over the supply of fuel and spare parts for the American-aided Tarapur nuclear reactor has been largely resolved. The U.S. military assistance to Pakistan and the ambiguous Indian stand on Afghanistan remained major inter-linked issues of disagreement. The resolution of the former along with Washington's recognition of India's primacy in the subcontinent are essential prerequisites to a viable Indo - U.S. relationship. The visits by Indian Prime Ministers since 1983 and a series of agreements on trade and technology transfer promise a more productive relationship between the two countries²⁷. Still, in the context of the dynamics of intra and extra-regional relationships, the two great democracies will always be separated and hence the scope of Indo - U.S. cooperation in the larger sense of the term is bound to be limited.

South Asia has long been a target for strategic competition which has been compounded by intra-regional rivalries. This has placed a premium on forging relationships that necessarily are at variance with the interests of one or the other great powers. Therefore, at no time since World War II has either India or Pakistan maintained amicable relationships with all the great powers nor have they sought to. Given the fact that the dynamics of the political and strategic situation in the subcontinent have not appreciably altered, the prospect for disengagement by India and Pakistan from the great powers towards a concept of regional security in the context of a NWFZ is not in the offing.

Minimal and Legitimate Security Interests and Concerns of the Regional States

The premise on which the establishment of any NWFZ must be based is that the security of states in the zone will be ensured by participation. The security requirements of a state should be determined by the state itself and comprise all relevant factors - military, political, economic and others. It is for the governments of states that are potential members of the zone to decide on their own security requirements and to determine their immediate and long term national interests. The security considerations and perceptions of these members may vary. Nonetheless, a NWFZ will necessarily have to assure the security of the participating states and thereby promote their legitimate security interests.

Generally, regional conflicts in South Asia have affected the security of the individual states. These include resistance to regional dominance, border disputes, interference in domestic affairs and dependence on outside powers.

The overwhelming Pakistani perception and indeed the preoccupation of its elite is apprehension about India's future moves and motives. It is a strategic target of opportunity for states which are larger and more powerful. The U.S., its chief protector, is 13000 miles away. It has no sizable indigenous production of sophisticated weapons. In addition, it has inherited disputed borders with both Afghanistan and India. Its only port - Karachi - can be attacked or blockaded. "Pakistani elites are realistic enough to know that no outside power will ever offer them the kind of commitment that would guarantee absolute security in an insecure world"²⁸. This is Pakistan's security dilemma.

While it can be anticipated that a direct Soviet or Indian attack on Pakistan or even their support for Baluchi, Pathan and other tribes in their secessionist attempts would engender a U.S. response, New Delhi or Moscow need not seriously take its deterrent effects. For the U.S. does not have logistical capabilities to transport troops into the region nor does it have troops stationed in the area. Further, Pakistan's public image and reentry into the non-aligned movement cannot tolerate the presence of a major U.S. military presence on its soil which might give the appearance of being an ally or subservient to the interests of a great power.

Therefore, the continuous acrimony with its infinitely larger neighbor - India - and without strong viable security arrangements with China and given the already referred lacuna in assured U.S. response, Pakistan's security dilemma required a rapprochement with India*.

India's strategic situation perhaps more precarious than Pakistan's, comprises perceived threats from Pakistan itself, China and the naval presence of the superpowers in the Indian Ocean. While India will retain its treaty with the Soviet Union for arms, security support and military technology, there is also a strategic conflict of interest between them. New Delhi has therefore adopted a policy of lesser dependence on Moscow and diversifying its sources of military assistance. The change in its procurement policies such as the purchase of military jet engines from the U.S. as well as the nuances in its diplomatic and trade relations with other Western nations should be seen in this perspective.

During the past 9 years, increased U.S. aid which averaged \$600 million per year has augmented Pakistan's defense forces. The acquisition of these armaments is viewed in Islamabad as a major adjunct to its security rather than a destabilising factor in the region. The dilemma for U.S. policy-makers, however, is to assure that it is a reliable security partner, while

* As will be discussed below in the section on regional cooperation, a potential development in this regard is the establishment of the South Asian Association for Regional Cooperation.

persuading New Delhi that aid to Pakistan does not threaten Indian security. In a sense, these are incompatible objectives²⁹.

Long-term prospects for a viable U.S. - Pakistan security relationships are endangered by conflicting perspective. For instance, Pakistan regards India as the main source of threat to its security. But, many Western analysts believe that India will not launch an attack on Pakistan and argue that New Delhi's interests are not likely to be served by another war with Pakistan³⁰.

Of concern to nuclear powers is the nuclear ambitions of India and Pakistan which will complicate their security relationships. While many believe that Pakistan is continuing to acquire a weapons capability, U.S. aid policy which would penalise Pakistan only if it actually detonates a nuclear device, does not appear to be preventing such a development. India, on the other hand, sees its nuclear capability as having some deterrent potential with regard to China and has therefore opposed NWFZSA.

The minimal and legitimate security interests of the South Asian states could be enhanced considerably by a renunciation of the nuclear option and a redirection of their nuclear programs exclusively for peaceful purposes under safeguards of the International Atomic Energy Agency. As these possibilities are remote, so are the prospects for a NWFZ which necessarily impinge on the subcontinent's security environment.

Absence of Security Arrangements with External Powers

A central aspect of any NWFZ, indeed the very raison d'être, is to remove a specific region from strategic competition and from threats of use of nuclear weapons. Any security arrangement with a nuclear power by a zonal state would necessarily contradict this fundamental purpose of a NWFZ since that state would ostensibly come under the nuclear deterrent umbrella. Since a key element in any NWFZ agreement is binding assurances by nuclear states not to threaten or use nuclear weapons against states in the region, any such security understandings would have to be revoked. Otherwise, these would have to be arranged in such a way as to minimise the impact on, or ensure relevance to, a NWFZ treaty.

In the context of South Asia, a distinction should be made between formal security guarantees and informal security arrangements. NATO and the Warsaw Pact represent the former while the 1959 U.S. - Pakistan cooperation agreement (which is still valid) and the 1971 Indo - Soviet Treaty represent the latter. This distinction is critical : While members of NATO and the Warsaw Pact are legally obligated to come to the defense of a treaty signatory in the event of an attack, no such commitment is made in the case of either the Indo-Soviet Treaty or the U.S. - Pakistan agreement. The wording of the former is susceptible to varying interpretations particularly with regard to the provision "to start immediate consultation if either was attacked with a view to eliminating this threat and taking appropriate measures to ensure peace and security for their countries". By the terms of the latter, the U.S. has committed itself to the "preservation of the

independence and integrity of Pakistan" and agreed to take "appropriate action, including the use of armed force to lend credibility to that commitment". But pledges such as these are interpreted according to the interests of the patrons and not necessarily the clients. Neither are they binding as these are not legal commitments of the type envisaged in formal military alliances.

Although Pakistan invoked its agreement with the U.S. during the 1965 war, Washington failed to respond as it determined, based on a finding by UN observers that Pakistan was not a victim of aggression and in fact initiated the hostilities by sending several thousand armed tribesmen and its own irregular troops (reserves, etc) across the Kashmir border. But during the 1971 war, the U.S. dispatched the Sixth Fleet into the Bay of Bengal to ensure Pakistan's security after India overran its eastern wing (Bangladesh). India invoked the treaty with the Soviet Union when China threatened to intervene during that war.

The continuing validity of the 1959 agreement and the 1971 treaty would pose serious impediments to the establishment of a NWFZSA. This is all the more pertinent since existing security arrangements of the two regional states are with the two principal antagonists in the strategic equation, which necessarily renders the region a focal point for intense competition. It is, therefore, hardly plausible to envisage the U.S., the U.S.S.R. and China signing and abiding by any NWFZSA protocol obligating them to remove their

strategic competition in the region and not threaten to use or use nuclear weapons.

The Existence of an Organisation or Infra-Structure to Promote Regional Cooperation

There has evolved a general consensus among the small and medium powers in the UN on the need to establish and strengthen the role of regional organisations in resolving their particular security concerns and contributing to viable and cohesive structures for economic and social development". In this context, regional groupings are essential prerequisites through which negotiations for a NWFZ could be conducted. Thus, the existence of intergovernmental organisations reflecting a certain homogeneity of outlook and a certain political coherence has provided an effective and natural setting to facilitate the process of NWSZs.

Following the end of Second World War and the progressive demise of colonialism, the international community has gradually witnessed the emergence of regionalism and a plethora of institutions came to be established. The newly emancipated states recognised their paramount importance as a basis to promote shared interests and common aspirations and thereby give content and meaning to their political independence. Thus, during the course of the past four decades, a host of regional organisations came into existence, including the OAS, OAU, Arab League and ASEAN.

The former colonial powers themselves by virtue of the loss of their colonies and confronted by the emergence of Soviet - U.S. primacy, provided ample impetus for establishing regional cohesion and cooperation. This mutuality of relationships provided a rationale for organisational basis to promote common interests in the international arena. The focus of these organisations during the formative stages, were without doubt, essentially directed towards the promotion of common political, economic, social and cultural relations. But when the nuclear threat loomed on the horizon, they also provided the natural setting upon which to initiate policies in response to these critical dilemmas. This regional approach to global issues is reflected in the UN, where regional groupings have become institutionalised as a form of consultation and consensus-building.

The phenomenon of NWFZs is a logical outcome of regionalism itself rather than the reverse. As these organisations developed viable institutional framework and grew in cohesion and confidence, they also began to focus attention and develop specific policies to respond independently to the nuclear issues. In varying degrees and varying levels of success, each has proposed removing their regions from the nuclear arms equation of which NWFZs remains a major approach. It follows from the foregoing that while it is conceivable for a NWFZ to be negotiated among the regional states without an organisational framework, the overwhelming empirical evidence confirms that this possibility is remote. Indeed, as we shall see, whether we look at Africa, Southeast Asia, the Middle East, South Pacific

or the Latin region where NWFZ initiatives were undertaken, in each case regional organisations predated such initiatives.

In the case of South Asia, long-standing enmity between India and Pakistan prevented any efforts to establish a regional organisation. In fact, it was not until December 1985 that the South Asian Association for Regional Cooperation (SAARC) formally came into existence. In a region comprising one-fifth of the world's population and given its geopolitical and economic significance, the founding of the Association is a resounding reaffirmation of the trend towards regional approaches to safeguard and promote regional interests.

What were the factors that facilitated its founding ? What concessions were made ? What are its limitations and prospects ?

It came into existence primarily due to the persistence of Bangladesh. Although officially proposed in 1980 and formally agreed upon in 1981, it was not until 1983 that negotiations between the governments concerned began. The reasons for the Bangladesh initiative can be attributed to a tacit recognition of the importance of regionalism and an acknowledgement of greater economic benefits that would accrue to Bangladesh. India and Pakistan could no longer stonewall, for to do so would have gone against the trend towards regional cooperative efforts. Further, it offered an unprecedented opportunity for the two traditional adversaries to overcome suspicion, remove mutual threat perceptions and thereby decrease

the level of military dependence on external powers. The Association also came into existence in part as a reaction to the Soviet presence in Afghanistan and to respond to the threat posed to the subcontinent as a whole.

Although Pakistan insisted on the inclusion of bilateral issues, the Charter of the SAARC adopted the practice of the (British) Commonwealth of Nations by precluding such issues because of the possibility that it may break up the Association. While it is premature to forecast its future evolution, no one can fail to note the divergent perspectives of India and Pakistan and wonder whether they will rise above their endemic bilateral conflicts in order to deal with the wider questions of collective concern to all of its members.

Given the history of hostilities between the two major protagonists in the sub-region, officials and analysts alike have long been skeptical that such an association can come into existence. Hence, the fact that it was established and within a brief time-frame agreed on a number of joint projects and mutual assistance in industry, agriculture, rural development, health and population is of major significance. Hypothetically, it should be more usefully geared to the problems cited by the Bangladesh analyst, Emajuddin Ahmed. The ratio of population in South Asia to resources available is grossly disproportionate. The size of the economy is miniscule compared to the massive population. The region as a whole is chronically resource-poor. As such these monumental problems call for a strategy of "developmental regionalism" through economies of scale, specialisation and increased efficiency as well as an enlarged market and equitable use of

regional resources. Ahmed contends that only such an approach has the potential to lead to the formulation of a regional security doctrine for South Asia²².

While it is too early to reach any definitive conclusions, it is unlikely that in the foreseeable future India and Pakistan through this Association will achieve common positions on nuclear armaments, moderate their arms races and attain mutual restraint in their armament programs. Only if the Association is able to demonstrate its viability and act as a bridge among its members, can there be any prospect for initiating a process of NWFZSA. This is so because India's adamant position on NWFZs will have to be modified or softened. Alternately, India may see the advantages of regionalism as a result of realignment of forces in relation to the external powers and modify its ambitions to major power status in the global equation by recognising the efficacy of regional consolidation through a NWFZSA. While the prospects for the fulfillment of the criteria (a) to (d) set forth in page 223 are virtually nonexistent, one can foresee with guarded optimism, the partial fulfillment of the criterion set forth in this section.

Low-level of Naval Competition in Adjacent Waters and Seas

The presence and proximity of large foreign naval formations equipped with nuclear weapons and perpetually based in the region's oceans pose an unacceptable challenge to the very concept of NWFZs. For a fundamental raison d'être of NWFZs is non-possession of nuclear weapons by zonal states ; non- stationing of nuclear weapons by any state within the

geographical area ; and non-use or threat of use of such weapons throughout the zone or against targets within the zone”.

The dilemma in the case of the Indian Ocean into which South Asia abuts is that it is one of the highly militarised areas of the world. There is an acute naval competition between the superpowers. Its proximity to the Gulf and U.S. relations with Pakistan make it important to the U.S. The strategic situation in the region as a whole and the long-standing hostilities between India and Pakistan led to different positions on the question of foreign naval presence in the Indian Ocean.

The question of the establishment of an Indian Ocean Peace Zone has been a recurring theme at the UN especially among non - aligned countries throughout the 1970 and 1980's. Efforts to implement such a concept were prompted in large measure by the prospect of increasing great power involvement and military presence in the Indian Ocean. Indeed, there has been a renewed expansion of the forces and facilities of extra-regional powers. Apprehension about the growing military, including naval capabilities of some of the littoral states also added to the fears that short of early preventive measures, the region of the Indian Ocean could become a zone of confrontation with implications for the security of the countries in the region.

As a direct result of the initiative by the Third Summit Conference of Non-Aligned Countries held in 1970, Sri Lanka sponsored the General

Assembly's Declaration of the Indian Ocean as a Zone of Peace in 1971 contained in resolution 2832²⁴. India endorsed the resolution which declared the Indian Ocean "within limits to be determined, together with the air space above and ocean floor subjacent thereto . . . for all time . . . a zone of peace". It called on the great powers to halt the "further escalation and expansion of their military presence in the Indian Ocean" and to eliminate from the region "all bases, military installations and logistical supply facilities, the disposition of nuclear weapons and weapons of mass destruction and any manifestation of great power military presence . . . conceived in the context of (their) rivalry". Finally, the resolution also called upon the littoral and hinterland states of the Indian Ocean, the permanent members of the Security Council and other major maritime users of the Indian Ocean to enter into consultations for establishing a system of universal collective security without military alliances and strengthening security through regional and other cooperation.

While the concept of the zone of peace cannot be given a generally accepted definition in terms of one or more specific measures, four elements can, however, be identified, which together serve to characterise the concept. One central element, may be the defining one, is the idea of isolating the zone from the interference of extra-zonal states, from the impact of their wider confrontations and of keeping the zone aloof from the global arms race. Second, is that of maintaining regional peace, security and stability by resolving intra-regional disputes in a context of political cooperation and mutual military restraint. This implies avoiding arms competition among the

regional states while maintaining an acceptable force relationships between them. Third, is that of promoting intra-regional cooperation in political, economic, social and other fields. Fourth, "in proposals put forward upto now, the concept of zones of peace implied nuclear-weapon-free status, or as a minimum, non-nuclear weapons status for the countries of the zone"³⁵.

The General Assembly's Declaration has implications for NWFZSA. By comparing India's position on the Declaration to its position on NWFZs and the ensuing different interpretations, one can illuminate India's policy towards nuclear weapons and zonal arrangements involving regional security. It also sheds light on India's promotion of its objectives through nuclear disarmament.

It takes a positive view of the concept of Indian Ocean Peace Zone. Its support for the Declaration was premised on the following security grounds : to avoid being outflanked by the U.S.S.R. to the northwest, China to the north, the U.S. and the U.S.S.R. to the south. Its geostrategic situation has evolved to be encircled by these nuclear powers. There is not a single country of its size and importance that finds itself in such a situation. So, its policy is directed towards eliminating the Soviets from two sides and the U.S. from one. U.S. support to Pakistan notwithstanding, India as a general proposition does not want a U.S. military presence on its borders. Even if it is on friendly terms, U.S. presence in the Indian Ocean accentuates strategic competition over the region with the concomitant eventuality of intervention in regional conflicts.

Furthermore, the presence of superpowers diminishes India's status and freedom of action as the preeminent power in the region. It has therefore argued that a ban on nuclear weapons in the Indian Ocean region should apply only to outside powers, especially the U.S. with its strategic submarines. During the meeting of the littoral and hinterland states in 1979, India rejected a NWFZ as a component of peace zone by contending explicitly that "the idea of nuclear-weapon-free zone is distinct from NPT (the non-proliferation treaty) and zones of peace", and implicitly that regional states can have nuclear weapons as long as they are land-based and not introduced into the Indian Ocean. This is premised on the ground that the Indian Ocean belongs to the countries and peoples of the region". Hence, India will assume only those obligations that are also acceded to by all other states.

At the core of India's position on the Declaration is the determination to be equal to nuclear powers. Given its history, size and geographic location, it has always regarded itself as a defender of the developing countries and an aspirant to equal status with those states. Also, as a founding member of non-aligned movement, India's prestige and stature is dependent upon its ability to project such an image on major international issues, particularly those affecting the Third World. In this context as well, India has given mere unilateral assurances such as non-acquisition of nuclear weapons rather than a treaty commitment. Such a stance is similar to the policy of nuclear powers who extend mere unilateral and conditional assurances of security while refusing to undertake legal commitments. This over-all objective of achieving de facto recognition of India as a member of

the group of great powers should be viewed as its primary goal which influences the government's policies and positions in the U.N. Therefore, for India to entertain a NWFZ arrangement, nuclear disarmament would have to be in its advanced stage. In its opinion, the idea of a zone of peace which is not a regional disarmament measure, was all too often deliberately equated with a NWFZ as a device to forestall horizontal proliferation objective²⁰. Thus, the extent to which the major powers share a common interest in establishing a NWFZSA corresponds to their mutual interest in preventing the proliferation of nuclear weapons to non-nuclear nations.

The modalities concerning the implementation of the Declaration through the UN Ad Hoc Committee on the Indian Ocean since 1973 has become a touch stone for regional and international alignments in South Asia. While India considers it imperative to terminate the naval presence and contention for hegemony by the superpowers in order to enhance its own power profile in the area, it is precisely for the same reason, Pakistan has called for regional "balance" before the U.S. withdraws. This is due to the importance attached to its security vis-a-vis India whose navy can easily overcome and destroy Pakistan's only port of Karachi. In the context of Soviet invasion and occupation of Afghanistan - an hinterland state in the Indian Ocean - the U.S. has called for a revision of the mandate contained in the 1971 Declaration to deemphasise the denuclearisation aspects and to accord priority to the "changed political and security climate" in the Indian Ocean region²¹. As regards China, it wants both the superpowers to move out of the Indian Ocean. Because it has much smaller navy and cannot compete

effectively with them. But unlike the U.S.S.R., it is contiguous to the area. And like Pakistan, it is also amenable to a U.S. presence for security considerations.

These conflicting interests in the Indian Ocean as an impediment to denuclearisation and demilitarisation is fully reflected in the stalemate since 1981 on the holding of an international conference to implement the objectives of the 1971 Declaration. "A zone of peace", observed the representative of Australia as the Coordinator of the Western Group in the Ad Hoc Committee on the Indian Ocean, "is the product or the end result of a situation of peace and stability in the region. It cannot, and should not, be seen as the means of solving difficult regional problems, but as a means of maintaining a situation of peace and stability. A situation where all regional and extra-regional nations have shown that they are prepared to stand by their basic commitments under the United Nations Charter and not pay lip-service to them"⁴⁰. Based on this reasoning, the West has stonewalled its convening until "some fundamental changes and improvements take place in the political and security climate in the region" meaning the withdrawal of Soviet troops from Afghanistan. What is more, if and when the conference is held, it will be a one-time event.

The Soviet bloc has sought to divert attention away from Afghanistan by claiming that "a propitious time already exists" to begin the process of denuclearisation of the region".

Taking issue with the Western nations, non-aligned countries generally contend that "the formidable and contentious issues as well as the deteriorating situation (in Afghanistan) hardly constitute valid grounds for postponement. Rather, they form the core reason for convening the conference which could lead to a constructive dialogue . . ."42. The Conference itself will be held in 3 stages : The first stage devoted to the agenda, rules of procedure, identification of issues (right of navigation/overfly for peaceful purposes, promotion of security through regional or other modalities, halting great power naval activities, non-use and non-proliferation of nuclear weapons, promotion of arms limitation measures, etc.) as well as objectives and principles pertaining to the realisation of zonal peace. The West has insisted on an agreement on these issues prior to the conference.

The second stage will focus on negotiating the text of a legal instrument that the conference will adopt. During the third and last stage, the conference will formally sign an international agreement. The experience of the five-stages preceding the adoption of the UN Law of the Sea Convention is often cited as a useful precedent. The conflicting positions of these two groups of states in a microcosm was reflected in the Ad Hoc Committee on the Indian Ocean which since its establishment in 1973 has failed to harmonise diverse viewpoints.

As noted in chapter II, the naval arms race in its nuclear dimension in the oceans has been largely neglected in multilateral disarmament

negotiations. According to a UN study on naval armaments, over 40% of the world's strategic nuclear missiles are sea-borne and that over 7000 strategic nuclear warheads distributed among the navies of nuclear powers, by far the large majority being on board the ballistic missile sub-marines of the two major powers⁹¹. The great number of tactical nuclear weapons has largely been overlooked. One reason is the policy pursued by the U.S. of neither confirming nor denying the presence of these weapons on board any particular ship at any particular time. This has created concerns in many countries when warships of nuclear powers make use of their presumed right, in accordance with international law, to innocent passage through those countries' territorial waters.

The report also focuses attention on the technological developments of the means of naval warfare which has been no less rapid than that concerning warfare on land. The revolution in the nuclear, electronic, automatic battlefield and weapons-effect aspects all apply to naval forces. And now arriving in operational service are sea-launched cruise missiles, with nuclear or conventional warheads that will render the situation even more complex and verifiable measures of naval arms limitation more difficult.

The Indian Ocean which has become an arena for superpower naval competition has proven to be a major hurdle for a NWFZSA. The possibilities are bleak for their withdrawal ; for quantitative, technological and geographic restraints ; and for confidence-building measures at sea. The

legitimate claims of coastal states to sea-board security are not likely to be fulfilled. Consequently, there are no prospects for denuclearisation much less demilitarisation and correspondingly no prospect for NWFZSA. There are few alternatives and none of which is likely to be realised in the foreseeable future. Either the superpowers will have to agree for the peace zone concept as enunciated in the UN General Assembly's Declaration or India will have to go beyond its insistence that a NWFZ be limited to the Indian Ocean and accept NWFZSA to the land territory of South Asia, while leaving the Indian Ocean to great power control and competition.

Absence of Colonies or Dependent Territories of Extra Regional States

Colonies of extra-regional states or non-self governing territories by themselves do not constitute a serious impediment to NWFZs. It is only in the event that a colonial territory within the zone that is in the possession of a nuclear power is used to house or base nuclear weapons. As a matter of principle and practicality, any arrangement should include assurances by these states that they will not threaten, use or emplace such weapons within the zone. This would necessarily include any territory under its administration within the zone as well. Therefore, while special guarantees may be desirable in this regard, the general protocol signed by nuclear powers should already preclude any potential possibility of locating nuclear weapons in colonial territories within a zone.

In the context of South Asia, where the Indian Ocean should be considered part of any zonal NWFZSA arrangement, the question of Diego

Garcia island would pose a potentially serious obstacle to the implementation of not only the peace zone concept discussed in the above criterion, but also NWFZ implicit therein. This island is under effective U.S. control having been ceded by the U.K. even though it has been claimed by Mauritius. While small in land area, it is of major strategic importance, the only land territory in the region, that serves as a principal base for Washington's strategic interests and other activities in that area of the world. Given its naval strategy and its commitment to safeguard Western interests in the region, it is difficult to envisage that the U.S. would remove its base and return Diego Garcia to the sovereignty of Mauritius.

In sum, the following essential conditions are not met for a NWFZSA at the present time:

- A convergence of security interests as an essential prerequisite for NWFZ has not emerged on the basis of sustained political, economic, social and cultural relations among the South Asian states**
- Subcontinental military disengagement by the great powers and a consensus on regional security**
- Neither India nor Pakistan have shown any signs of giving up their nuclear options ; in fact they seem determined to augment their nuclear capabilities which can profoundly affect the prospects for NWFZSA**
- In the context of security relationships and/or commitments, it is hardly plausible to envision the strategic disengagement of the**

U.S., Soviet Union and China from the subcontinent and abide by a NWFZ protocol

- **Partly enhancing the prospects for a NWFZ is the emergence of the South Asian Association for Regional Cooperation. Even in this respect, it is premature to be unduly optimistic that this organisational framework will provide the necessary momentum to moderate India-Pakistan nuclear competition.**
- **The on-going superpower naval competition in the Indian Ocean has shown no signs of abatement. The situation is further compounded by India's naval armament program.**
- **In the same context, the U.S. base in the island of Diego Garcia and its naval strategy in the Indian Ocean militate against a NWFZ.**

On the basis of the foregoing analysis, we can argue that India and every other country must necessarily be guided by these criteria in assessing the feasibility, acceptability and desirability of NWFZs. Even if Pakistan or any other country seeks the establishment of NWFZSA, it does not meet the criteria. These are universal in application as they impact to a lesser or greater degree on the efficacy, durability and even the credibility of such zones. Until these are fulfilled, their establishment will be confronted by formidable impediments and obstacles.

Empirical Record on the Establishment of NWFZs

It is beyond the scope of this study to apply the criteria set forth earlier to other regions. Nonetheless, it would be useful for comparative purposes to at least briefly make a cursory analysis in order to focus attention

on those factors that are conducive to the establishment of NWFZs and those that operate against them.

The Treaty of Tlatelolco came into existence in large part because the major states in the region have rarely resorted to hostilities with each other and because much of the region is not a major theater of great power competition⁴⁴. It is symbolically important as it is the only existing treaty in a densely populated area. However, as a security regime, it is flawed⁴⁵. Argentina has not ratified the treaty ; Brazil and Chile have proclaimed that they will not be bound until all other states accede ; and Cuba will not sign until the U.S. withdraws from its Guantanamo base.

Treaty provisions have also given rise to a number of divergent interpretations between the zonal and extra-zonal states. The area covered in reality is not completely free from nuclear armaments as it is silent on the question of transit of such weapons. In acceding to Protocol I of the treaty, France and the U.S. registered the reservation that it is the prerogative of the territorial states, in the exercise of their sovereignty, to grant or to deny permission for transit. On its part, the Soviet Union has maintained that authorising such transits would be contrary to its objectives. And China has considered the passage of any means of transportation carrying nuclear weapons through Latin American territory, territorial sea or air space as prohibited under the treaty.

The issue of formal assurances not to use these weapons against parties to the treaty also continues to be subject to different interpretations despite specific stipulations in Article 27. The U.K. and U.S. have reserved the right to reconsider their obligations with regard to a state in the zone in the event of any act of aggression or armed attack by that state, carried out with the support or assistance of a nuclear power. The U.S.S.R. made a similar reservation with respect to a party committing an act of aggression with the support of or together with, a nuclear state. These three together have held as impermissible to conduct peaceful nuclear explosions although permitted in Article 28.

The Treaty of Tlatelolco often touted as a model for NWFZs is thus replete with serious deficiencies. It is for this reason that certain Latin American experts in this field, including Felix Calderon have called for revisions to address fully the gaps and ambiguities concerning transit, the delimitation of the zone of application and peaceful nuclear explosions⁴⁶.

Likewise, George Questor has underscored the fragility of the regime. He contends that British actions during the 1982 war over the status of the Falkland (Malvinas) Islands including the use of nuclear-powered submarines and the possible transit of nuclear weapons into the region as constituting "dangerous nuclear precedents". He also addressed the implications of the war for Argentine nuclear decisions, including the prospects for nuclear proliferation in the region⁴⁷. As this war had indicated, national and strategic interests take precedence over treaty commitments,

particularly when such treaties are ambiguous on critical issues and devoid of any effective mechanism to prevent or deal with actual or potential violations.

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The region of Europe presents a number of characteristics different from other regions relevant to NWFZ. In spite of various important steps taken to promote security and cooperation, the region is still characterised by the greatest peace-time concentration of troops and armaments, both conventional and nuclear, in the history of man. Nuclear weapons of four nuclear powers are stationed in Europe. New types of weapons have been deployed in significantly growing numbers since 1975. Another aspect which precludes NWFZ is that individual European non-nuclear countries have assumed different commitments and policies as regards the conditions and circumstances under which they would permit the stationing of nuclear weapons on their territories.

Ostensibly, the publicly stated rationale for nuclear weapons in Europe (and this includes North America) was to deter aggression by the overwhelming conventional superiority of the Warsaw Pact. The Soviet Union has rationalised its possession of nuclear weapons to deter aggression or blackmail by NATO. It is this nuclear stand-off that has often been claimed to have maintained peace in Europe longer than any period in recent history.

However, this overwhelming concentration of overkill in Europe was not as it were the disease but the symptom of underlying ideological, political, economic and social differences between the two blocs and

engendered suspicion and hostility. This in turn allowed for unrelenting build-up in the region which has been the status quo since the end of the Second World War.

Therefore, by any estimation, a NWFZ cannot be envisioned without a radical improvement in political relations and the general security climate in the region. Indeed, the intractability of the European situation is fully underscored by the fact that the 1975 Helsinki Accords on European Security and Cooperation and the subsequent series of conferences held within its framework have produced little, if any, substantive lessening of tension and the building of confidence between the two blocs. The exceptions are the agreement reached in 1986 between the two alliances to give each other advance warning of all significant military exercises and allow foreign inspection of each side's forces to establish that neither is preparing for a surprise attack*. Although hailed as the first major arms control accord since the signing of the Second Strategic Arms Agreement of 1979, its value and impact other than as a modest confidence-building measure is open to question.

The appeal for a NWFZ primarily to non-nuclear nations in Europe has prompted from time to time interesting and innovative initiatives such as the idea of the Palme Commission recommending a denuclearised corridor sans arm in Central Europe. It envisaged the withdrawal of battlefield and tactical nuclear weapons 300 kilometers from the common borders of the former two German states. Unlike earlier proposals, the area of applications

would be unrelated to the national borders of the states involved and no security assurances would apply⁴⁹. The rationale for the proposal is that it would reduce the risk of such weapons becoming immediately involved in any conflict or accident. Even though this proposal does not envisage a NWFZ in the strict sense, it deserves to be mentioned here as an effort to limit deployment of certain types of nuclear weapons. The Palme initiative also shows how various states attempt to adapt the NWFZ concept to very specific and / or limited applications as are relevant and practical.

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NWFZs have been discussed in the Nordic region during the past three decades and important national studies carried out by the Nordic states. But the different attitudes of their governments have made it impossible to proceed to negotiations and implementation of the proposals⁵⁰. The basic contention hinges on the fact that Norway and Denmark as NATO members are committed to allowing nuclear weapons to be stationed on their territories during wartime, while Sweden and Finland have banned them under all circumstances.

The Soviets have offered to respect any NWFZ agreed to between the Nordic countries and to offer specific security guarantees. In fact, Moscow has gone so far as to entertain the notion of denuclearising its territory adjacent to the zone and not tied to the attitudes of other nuclear powers. The U.K., U.S. and France have given security assurances of a general character which can be presumed to apply to this region, although they refrained from expressing specific negative or positive views in public on the various

proposals. However, interestingly enough, the Prime Minister of France, reflecting the views of NATO opposed a separate NWFZ for the Nordic region on the basis of "the impossibility of separating the security of Europe from the global equilibrium whether in Northern Europe or in the continent as a whole" ⁵¹.

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Proposals for NWFZ have been advanced from time to time which illuminate the contradictions in identifying the areas amenable for zonal consideration. For example, the problems inherent in establishing a NWFZ in the Mediterranean underscores the incompatibility of certain regions solely on geographic grounds. For the Mediterranean to become denuclearised, it would be essential to adopt not a regional approach but an extra-regional one as it borders three different regions, namely, Europe, North Africa and the Middle East. France and Italy have maintained that the security situation in the Mediterranean is inseparable from European security as a whole. Therefore, disarmament measures envisaged for the Mediterranean cannot be undertaken in isolation from disarmament measures for all of Europe. The Greek proposal for a Balkan NWFZ was rejected by Turkey, which shared a heavily-fortified border with the Soviet Union. Both the U.S. and Turkey see it as undermining NATO strategy but welcomed by two members of the Warsaw Pact-Bulgaria and Romania-due to concern about U.S. missiles. Therefore, the establishment of a NWFZ in the Mediterranean is highly problematic due to divergent political, economic, social and cultural realities⁵².

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On the initiative of Egypt and Iran, the UN in 1974, adopted a resolution for a NWFZ in the Middle East that was supported by all the regional states except Israel which abstained. In the context of Middle East diplomacy in the multilateral fora such as the UN, both sides to the Arab-Israeli conflict sought to use the proposal to achieve certain political ends.

The Arab states had hoped to expose Israel's nuclear programs and to gain international censure of it. While Israel has maintained that it would pursue the NWFZ proposal if it led to actual negotiations between the regional states leading to such a zone thereby achieving a de facto recognition of Israel by the Arab states. Following its abstention in the UN voting from 1974 to 1981, Israel voted affirmatively in 1982 when Prime Minister Menachem Begin agreed to sign a treaty for a NWFZ with the Arabs⁹¹. It is obvious that a NWFZ in the Middle East must first await a settlement of the underlying conflict and the establishment of concord and harmony among the regional states. In this context, the NWFZ proposal cannot but become embroiled in the many contentious issues that have resulted in such turmoil and strife in that volatile region for the past four decades.

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In the continent of Africa, the issue of NWFZ was moribund from 1964 to 1974, when it was revived at the UN as a means to mobilise international opinion against South Africa's nuclear potential. Since then, the General Assembly has annually adopted resolutions calling for the non-introduction of nuclear weapons in the area and for the member states to refrain from extending any assistance to South Africa in this field. This points

to the reality that even if one militarily significant state out of more than fifty in the region decides to retain the option and refuses to adhere, it can emasculate a NWFZ arrangement.

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Indonesia in 1982 proposed a NWFZ for Southeast Asia²⁴, which was subsequently endorsed in principle by members of the Association of Southeast Asian Nations. Indonesia's interest in the zone is part and parcel of the efforts to achieve its ultimate goal of unequivocal international recognition of the archipelagic concept of national sovereignty over the waters contiguous to its territory. Principally, on Indonesian insistence this concept was incorporated into the Law of the Sea Convention with certain fundamental qualifications.

At the same time, conscious of the special importance of waterways for maintaining international maritime traffic, Indonesia has guaranteed innocent passage of foreign vessels through its territorial waters as long as its sovereignty and security is ensured. Necessarily this removes bodies of water such as the Malacca Straits from the principle of the freedom of the high seas and places them under the jurisdiction of the Indonesian archipelagic state.

The Indonesian proposal has encountered formidable opposition from the U.S. with regard to its traditional insistence on the right of transit through the Malacca Straits for warships which may or may not carry nuclear weapons or nuclear-powered submarines. On this aspect of NWFZ, namely,

sovereignty over the Straits, the positions of Indonesia and Malaysia have remained firm. There are other issues which will have to be resolved such as the U.S. military bases in the Philippines and security arrangement with Thailand. It would appear that the feasibility of a NWFZ in Southeast Asia will ultimately hinge on whether it will promote or hinder the unity and cooperation among ASEAN which is today and will be for the foreseeable future, an overriding consideration.

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The South Pacific Forum as well had collectively opted in 1985 for the regional approach⁵⁵. Just as French nuclear tests in the early 1960's in the Sahara played a major role in the adoption of the Declaration on the Denuclearisation of the African continent by the Organization of African Unity, French testing in the Muarro Atoll, represented a rallying point for members of the Forum to establish the South Pacific Nuclear-Free-Zone. In fact, the provisions of the zone are unambiguous on the prohibition of nuclear testing due to atmospheric contamination in the region ; while on the other hand, transit or port calls by nuclear-equipped warships are not prohibited and left to the individual states themselves. This is a significant variation from what is traditionally regarded as a NWFZ which envisages the total absence of nuclear weapons whereas the nomenclature of the South Pacific zone itself reflects this modification whereby the zone will be known officially as a nuclear-free-zone rather than a NWFZ. Given the major departures from accepted definitions of NWFZs as well as South Pacific's very specific preoccupation with several aspects of the components of NWFZs, it can hardly be interpreted as a NWFZ per se.

There are no indications that France against whom the zone is basically directed will respect the treaty and commit itself not to conduct nuclear testing in the region. On the contrary, it has proclaimed its intention to continue its strategic operations in the South Pacific. The U.S.S.R. on the other hand, may opt for a position similar to the one it adopted with regard to the Treaty of Tlatelolco.

The U.S. which first opposed the proposal but was expected to support it in view of the grant of presumed right of freedom of the high seas, including transit of nuclear weapons and the affirmation of existing framework of security arrangements. As noted by F.A. Mediansky, "there is no prohibition on the existing nuclear weapons and weapons-related involvement of the nuclear states and so the current program of port calls and other arrangements that support the military postures of the nuclear powers in the region is left untouched"¹⁴. Thus, no change in existing defense postures or curtailment of naval activities are envisaged. Despite these very significant concessions, the U.S. has refused to accede to the treaty's protocols and thereby indicating the extent to which the strategic interests of a nuclear power may be projected affecting in turn the very concept of the already diluted NWFZ¹⁵.

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There are three other treaties relating to Antarctica, Sea-Bed and Outer Space, which include implicitly or explicitly denuclearisation provisions.

The Antarctic Treaty is an exclusive club composed of nuclear powers and some of their allies - Brazil and India joined in 1983 and 1985 respectively - and which makes its own rules. While there is rancour about the Outer Space and Sea-Bed Treaties among these states, there is confluence of interests among them as to the denuclearised status of Antarctica. Existing vested interests such as the prospects for mineral resources will be severely eroded and most likely cease if they sought to introduce nuclear weapons into the area. (At the present, there is concern among non-signatories about the exploitation of its resources as a result of the establishment in 1988 of a regime for mineral resources).

Further, it is under the joint control of treaty signatories and forbids claims to sovereignty over Antarctica or any part thereof. It could therefore be argued and sustained that if there is an indication of the introduction of nuclear weapons such as there are today in outer space, the credibility of the Antarctic system would be called into question as are the provisions of the Outer Space Treaty. Hence, the advantages enjoyed by nuclear powers deriving from that system mitigates against any treaty member from seeking to undermine its effectiveness by attempting to violate its demilitarised status or by unilaterally introducing nuclear weapons into the area.

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The Outer Space Treaty prohibits the deployment of nuclear weapons or any weapons in orbit or celestial bodies. This seemingly straight forward and unambiguous provision is wrought with serious deficiencies.

First, there is no international agreement on a definition and delimitation of outer space. Second, it is silent on the question of the transient use of outer space of weapons tipped with nuclear warheads²⁴. Therefore, despite the treaty, outer space is militarised by nuclear weapons and transient use of these weapons has gone forward. Further, outer space has long had a military application as it is an essential component of strategic warfare or plans thereof as exemplified by the existence of military satellites, communications and surveillance as a medium for the delivery of inter-continental ballistic missiles. Hence, in the context of the treaty, transient use of these missiles and the stationing of military satellites may be allowed. But what it prohibits and what the international community is currently seized with is the stationing of weapons, be they nuclear or conventional, in outer space.

The Outer Space Treaty is very broad in scope covering many different aspects of activities and multilateral cooperative endeavors. It is inadequate in the context of establishing a NWFZ and a separate regime will have to be established if outer space is to become demilitarised and denuclearised. This would necessarily include all outer space activities of a military nature such as military communications and military satellites, transient use of outer space and other aspects.

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The Sea-Bed Treaty of 1972 prohibits the emplacement of nuclear weapons and weapons of mass destruction on the sea-bed, the ocean floor and the subsoil thereof. It does not, however, restrict in any way the deployment of nuclear missiles in submarines. While it has prevented the emplacement of nuclear weapons on the sea-bed, it has not led to "further

measures in the field of disarmament for the prevention of an arms race" as called for in Article V of the treaty. During the two previous Review Conferences held in 1977 and 1983, non-nuclear countries raised concerns that the sea-bed may become a target in any possible conflict. They therefore called for the full implementation of that Article to remove the sea-bed area from any military activities. These efforts to-date have failed owing to the opposition of the major naval powers.

Another area of discord is the discrepancy between the Sea-Bed Treaty and the Law of the Sea Convention. Given the scientific and technological developments that have taken place since 1972, it would be necessary to reconcile the Treaty with the Convention by recognising that the interrelatedness between military and non-military activities would have to be dealt with comprehensively⁵⁹.

The extent to which the treaty denuclearises all sea-beds and ocean floors, it carries positive implications for the Indian Ocean peace zone Declaration. In this context, the resistance to progress under Article V should be viewed as part and parcel of the refusal of nuclear powers to implement the Declaration.

In sum, the difficulties that have been encountered in promoting a NWFZSA while specific to the region, it is important to bear in mind that there have always been profound impediments in establishing NWFZs in other regions. While the subcontinent has not been able to overcome specific

dichotomies and implacable issues relevant to a NWFZ, those areas which have achieved a modicum of success in establishing NWFZs were not devoid of problems of their own, which as we have seen, has so far prevented its formal establishment or severely restricted its operational and geographic scope.

Conclusion

The experience of the past three decades since the first proposals were made and the deadlock in the efforts to establish a NWFZSA confirm numerous obstacles to moving NWFZs from the conceptual model to its practical implementation. Nonetheless, the interest evinced at the UN has not lessened and has in fact engendered heightened interest as is evident in the initiatives taken by the Association of South-East Asian Nations and the South Pacific Forum. Hence, on the one hand, the projection of political and strategic interests - whether intra or extra-regional in origin - is not conducive at this time for the establishment of NWFZs. On the other, their normative appeal to the small and medium-sized states of the Third World has not waned and further efforts in the UN and outside it can be expected with mixed results. For these states, NWFZs provide an opportunity to build political and diplomatic cohesiveness and a rallying point to demonstrate a desire for a nuclear-free world. It is also a significant confidence-building measure, more important politically than militarily while providing them with the illusion of security.

Ultimately, until there is a credible movement by nuclear powers, no progress in the establishment of NWFZs can seriously be envisaged. This is

especially pertinent to the prospects for a NWFZSA, given India's policy of approaching arms limitation issues on a global scale and its insistence that a regionalised NWFZ can only be envisioned at an advanced stage of nuclear disarmament.

The concept of NWFZs as well as proposals for their establishment in various parts of the world have received widespread support from a majority of UN members. That support is clearly evinced in the General Assembly, its First Committee, the Disarmament Commission and the negotiating forum - the Conference on Disarmament. Notwithstanding formidable obstacles for their implementation, the general belief is that these zones are regarded as effective means of preventing horizontal proliferation of nuclear weapons and enhancing the security of the countries concerned. It is also significant that the establishment of NWFZs is one domain in which the regional approach to disarmament has found general acceptance among UN members, as a means of facilitating the subsequent adoption of similar measures on a global scale or measures in their own right intended to diminish the impact of the global arms race on the region in question. Their feasibility, however, would be entirely dependent upon the policies of nuclear powers. The UN can only facilitate them.

Despite general endorsement of the concept, it is unlikely that a new NWFZ, will emerge in the foreseeable future. Debates and explanations of votes taken together make clear that these zones can only be effective if all the countries in the region especially the militarily significant ones were to

agree to the concept. That requirement taken together with the refusal of certain countries for strategic and other reasons may well continue in the coming years to be the major stumbling blocs hindering the creation of NWFZs.

It is also important to note that the UN has endorsed the concept in principle without necessarily approving them for each and every region. Such an endorsement has a symbolic value intended to encourage the countries concerned. The decision to establish such a zone is the sovereign prerogative of the states themselves. In this sense, UN resolutions called for a NWFZSA but did not seek to impose one. The resolutions left those decisions to be taken by the states involved.

As regards Pakistan, its nuclear diplomacy has been highly successful in garnering international support for its NWFZSA initiative of 1974 but did not have any impact on India's posture. Subsequently, however, its commitment has been questioned on the basis of what is now widely believed to be its nuclear weapons capability. Its initiative has also highlighted the importance of support from key states in the region. While it had the backing of Bangladesh, Nepal and Sri Lanka and the endorsement of a large majority in the UN, the failure to get Indian support has proved fatal. In the UN, therefore, the retention in its agenda the issue concerning the establishment of NWFZSA has become an annual and pointless ritual.

As far as nuclear powers are concerned, the Pakistani proposal has served the interests of the U.S. and the Soviet Union on the issue of non-proliferation because it would effectively prohibit the procurement or development of nuclear weapons by the regional states while not imposing any obligations on them. It also served Chinese interests in that it sought to focus attention on India's nuclear programs in an attempt to stifle it and thereby rendering India militarily weak vis-a-vis China. Although traditional U.S. policy has been one of low priority for NWFZs, its position on NWFZSA is one of unequivocal support, while the Soviet Union has accorded qualified endorsement.

India's policy towards NWFZs has been guided by its security interests and are consistent with its basic positions on nuclear issues in general. It also reflected the global approach to its security concerns. These approaches are grounded in New Delhi's strategic predicament, the nation's geographic and demographic size as well as its leadership role on the world stage.

Based on the foregoing, India regards a NWFZSA as negatively impacting on all of these factors as it would regionalise nuclear disarmament, thereby undermining India's insistence on a comprehensive global approach to arms limitations especially nuclear armaments. It would also call into question the arguments advanced in its rejection of the NPT. Indeed, a state which has already rejected the NPT with its less onerous obligations can hardly be expected to acquiesce to even more stringent control that would ensue

under a NWFZSA. Moreover, the NWFZ approach is diametric contradiction of its long-held position in the UN that disarmament must necessarily begin with nuclear powers and not with the states which are far less militarily significant.

India is surrounded by three nuclear states contiguous to its territory. Its size and military power have created considerable mistrust within the region and is a constant impediment to promoting confidence and cooperation. South Asia is a theater of major efforts to intensify great power influence. This in turn lends itself to exploitation by the great powers.

In this over-all context, India's NWFZ policy is fully consistent with the grounds for its rejection of the non-proliferation treaty, namely, that non-nuclear nations are obligated not to acquire nuclear weapons with the mechanism of the International Atomic Energy Agency safeguards, whereas nuclear powers having undertaken obligations for nuclear disarmament do not have a corresponding mechanism to assure and enforce compliance. Likewise, any NWFZ will entail the verification of compliance by the regional states and the Agency without corresponding means to assure that these states will abide by their commitments not to attack the zonal states with nuclear weapons.

Ultimately, various political and security problems must be addressed if NWFZs are to be realistically contemplated as a viable option for any region. Specifically, the settlement of intra-regional differences, homogeneous regional security interests and regional strategic consensus are

essential prerequisites. These should be buttressed by substantive measures in the realm of security by nuclear powers such as a commitment of non-use of nuclear weapons, deployment limitations and denuclearising adjacent seas, land and air space to eliminate the region from strategic speculation. These and other approaches including a more systematic examination of subregional, regional and global measures may provide avenues for global denuclearisation.

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CHAPTER V

The Dynamics of the Conventional Arms Race

The preceding chapters have dealt with nuclear and related issues. As to the armament question in general, clearly the subcontinent is a unique example of where the strategic environment transcends the competition between the super-powers in the nuclear arms area and takes on wholly local characteristics. The major countries in the region are adversaries with on-going armament programs of their own. With the additional factor of the Chinese nuclear arsenal, the preoccupation with the local aspect of national security should be self-evident.

Despite the nuclear arms equation, it is the existing capabilities in the conventional area that are critical to defend national borders and interests. Therefore, in order to present a balanced analysis, this chapter will look into India's views on conventional armaments in the context of international disarmament policies as expressed in the UN. Writing in this area is to a large extent limited to the European context'. Some argued for a greatly strengthened conventional weapons capability to match the Soviets and thereby promoted the concept of conventional deterrence as opposed to nuclear deterrence. Others called for continued reliance on first-use of nuclear weapons because the economy of Western nations could not afford a massive buildup of conventional armaments. Third World writers criticised this posture as being immoral since the consequences of a nuclear exchange cannot be confined only to Europe. In terms of the Third World, this question

has been relegated to an assessment of the international trade in armaments or what is now euphemistically called international arms transfers. The relative lack of interest on this issue since the advent of the nuclear age is reflected in the field of multilateral diplomacy where scant attention has been paid to agreements to regulate or reduce conventional armaments.

The reduction of conventional armaments and armed forces has been addressed only sporadically by interested delegations in the UN since its inception. In the intervening period, global military expenditures have increased dramatically. In 1987, it was one trillion dollars of which, it is generally believed, non-nuclear spending accounted for 80 per cent². Concurrently, in the more than 150 conflicts that have taken place since 1945, it is significant that conventional armaments were used resulting in the deaths of more than 20 million, many of whom were civilians, which has become a characteristic feature of modern warfare. It is also worthy of note that in all these hostilities, the developing countries have been the stage and indeed the victims.

Notwithstanding these trends toward both increasing military budgets and international violence, little attention has been given to the conventional weapons facet of the arms race. Beyond doubt, the underlying reason has been the wide recognition that, though destructive it might be, conventional war does not threaten the survival of mankind as does the outbreak of nuclear war with its attendant devastating consequences. It was, therefore, natural that the parallel questions of nuclear disarmament and the

prohibition of the use of weapons of mass destruction have dominated international disarmament efforts. Even so, there has been a strong and growing recognition that without diverting priority efforts from nuclear issues, greater attention than before must be given to the limitation of conventional armaments.

Those who endorsed sustained action have generally pointed to the escalating accumulation and transfer of these weapons ; the high frequency of their use; their destructive and destabilising effects, especially at the regional level; and the negative consequences of their excessive accumulation on the economies of states, especially the developing and non-arms producing countries, as reasons why conventional arms restraint should be pursued more vigorously.

Several other pertinent factors have also been attributed to a heightened interest in controlling the conventional arms race :

- (a) The continuing qualitative improvement of such weapons encouraged primarily by competition for markets not only raised the destructive capability of the weapons but also blurred the distinction between conventional and nuclear armaments.
- (b) The unrestrained spread of conventional arms race has resulted in the introduction of ever greater quantities of such weapons to ever larger number of countries, thus spurring the emergence of regional arms races and military rivalries in the Third World.
- (c) An increasing number of countries have begun developing indigenous armament industries, thus promoting the build-up and

spread of conventional armaments, decreasing opportunities for effective restraint and contributing to the continuing diversion of limited resources from more constructive socio-economic development uses.

- (d) While weapons may not by themselves cause wars, the ready availability can increase the risk of armed conflicts and decrease incentives for serious efforts at peaceful resolution of disputes.
- (e) Unless the conventional arms race is curbed, the use of force and increasingly sophisticated conventional weapons could lead to nuclear conflict when nuclear powers are involved, either in a participating or supporting role.³

Consequently, the Final Document adopted by the First UN Special Session on Disarmament held in 1978, called for "limitations and reductions of armed forces and of conventional weapons on a bilateral, regional and multilateral basis to be undertaken together with negotiations on nuclear disarmament"⁴. This in fact represented a compromise between differing views on possible approaches to conventional arms restraint.

The only bilateral effort in recent years in this regard was the Conventional Arms Transfer Talks between the U.S. and the U.S.S.R. during 1977 - 78, which produced no results and have not been resumed since that time⁵.

At the regional level, the Declaration of Ayachucho of 1974 signed by Argentina, Bolivia, Chile, Colombia, Ecuador, Panama, Peru and Venezuela

enjoined them "to establish conditions permitting effective limitations of armaments and ending the acquisition of armaments for offensive purposes"⁶.

At the global level, the solitary success in conventional arms restraint so far was the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects and its three annexed Protocols⁷. These together provide for the protection of civilian objects from injury or attacks by incendiary weapons, land-mines and booby traps and prohibits entirely the use of fragments that cannot readily be detected in the human body by x-rays. As the first international arms limitation agreement at a UN Conference, the Convention represents a modest step to prohibit or restrict the use of certain categories of weapons. But it is not a measure of actual arms limitation or disarmament.

In sum, the results of efforts to curb conventional armaments, both inside and outside the UN, have been meager.

The submission to the UN General Assembly in 1984 of the study by a group of governmental experts on conventional arms race and disarmament represented the first efforts at a comprehensive consideration of the subject. It has dealt with the nature, causes and effects of the conventional arms race as well as the principles, approaches and measures for conventional arms limitation⁸. The following year an item entitled "Conventional Disarmament"

was included in the Assembly's agenda for the first time since the inception of the Organization.

Indian policy statements in the UN on conventional armaments, though less numerous have nonetheless been forthcoming and self-serving as those concerning nuclear weapons. The basic contention is that the conventional arms race, like its nuclear counterpart, is also being run by nuclear powers. "The rapid accumulation and further qualitative development of conventional armaments are being pursued by states which already possess the largest military arsenals', ... and the same discriminatory approach that characterized the policy of nuclear states such as the non-proliferation treaty in the nuclear arena can also be seen in attempts to establish an inequitable regime in the conventional field". Further, "the attempt now being made to restrict the freedom of small powers in the field of defense should not be a repetition of the unequal obligations of the non-proliferation regime under which the nuclear-weapon states continue to augment their arsenals, while the non-nuclear states undertake never to think of possessing them We need to be sure that the imbalance created by the possession of nuclear weapons by a few powers is not going to be further accentuated by creating monopolies in the field of conventional weapons which would lead to the control of the small nations by the nuclear powers and retain powers in the hands of a few"¹¹. Consequently, India "would support only those disarmament proposals that were in line with the universally accepted approaches and concepts in our nuclear age which are global, non-discriminatory and universal in application"¹². It is only when "the

framework of efforts to reverse the conventional arms race is defined in terms that ensure security it will be possible to reach a consensus among states"¹¹.

Although the need for the limitation and reduction of conventional armaments has been recognized in the UN deliberations, fundamental differences have persisted on how that goal can be pursued. There exists a school of thought which argues that the use of conventional weapons has wrought havoc to the fabric of international society and therefore all members have a solemn duty to address the overwhelming questions posed by this problem. Most developing countries oppose this position as conventional armaments do not warrant the same importance as nuclear disarmament. Yet another school, mostly in the Western world, has advanced the view that nuclear weapons have not been used since 1945, and have in fact acted as weapons of deterrence preventing the outbreak of hostilities among the great powers. Hence, as put derogatively by an Indian diplomat, "controls must be imposed on the war-like propensities and war-fighting capabilities of the third world countries to prevent the recurrence of wars".

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Some of the solutions offered center around the so-called regional approach, priority and relative emphasis on conventional and nuclear armaments as well as control of international transfer of conventional armaments. These are briefly examined below.

The regional approach brought up frequently in the UN debates assumes that it might be easier to reach agreements among states of the same geographical area than to find broad solutions with world-wide relevance. A UN study on regional aspects of disarmament took the view that "the cessation of the conventional arms race is a domain in which the inclusion of a regional aspect is particularly important" and that "conventional disarmament is a field in which the number of possible measures and the scope for regional initiatives is virtually unlimited"¹⁴. In this regard, the situation in Europe has long been regarded as particularly relevant as the region with the largest peace-time concentration of armaments and armed forces. This was self-evident when the Vienna Talks on Mutual Reduction of Forces and Armaments between NATO and Warsaw Pact was initiated as early as 1973.

In the field of conventional weapons, the principle of mutual force reductions is a fundamental premise when the opposing sides and threat perceptions as well as the identification of forces and armaments are well-defined and which are primarily devoted to situations of confrontations. The core of this approach to peace and security "is a carefully designed balance of military forces which implies that mutual and verifiable arms limitations and reductions are most readily applicable in a context involving two states or groups of states"¹⁵.

It is hardly a surprise that this framework has been applied to the European theater where the issues are well-defined. For example, real or

perceived threats there were strictly between two groups of states or alliances; where the strategic and tactical forces deployed were readily identifiable ; and where the sources of antagonisms were equally well-established. Therefore, negotiations have been designed to achieve a stable situation on the basis of approximate equality and parity in the military forces that each is allowed to retain, especially in the context of initial steps in the areas of confidence - building and reduction of force levels.

Hence, the question of conventional disarmament in Europe which is now taking on greater urgency because of the impending reductions in strategic weapons under the Strategic Arms Reduction Talks (START), have challenged the heretofore Western reliance on its nuclear arsenals to deter any possible conventional attack from the East. These clear delineations that exist in Europe are conspicuously absent in any other region of the world. Indeed, in virtually all other cases, there exists more than one source of perceived insecurity and hostility among the regional states which also include the added dimension of extra-regional influence and involvement.

One need only look at Southeast Asia which to a lesser or greater extent characterize the dilemmas confronting other regions. The complexities in that region revolve around multiple geopolitical factors which created confusion rather than a focus for common positions among the regional states. There was the spectacle of Indonesia and Vietnam poised against China ; Thailand against Vietnam ; and the ambivalent position of the Philippines with regard to the U.S. bases on its soil. How does one negotiate

troop and armament reductions in such a complex situation ? What do we mean by balance of forces and approximate equality and parity ? One can also cite the example of South Africa which was ranged against the rest of Africa. It was inconceivable that the Pretoria regime could survive without being by far the heavily - armed. At the same time, other African states cannot for long acquiesce in what they regard as that regime's hegemonistic designs, if not on the whole of that continent but certainly in its subregion.

In expressing strong reservations with the regional concept, India has held that any attempt to emphasise the regional over the global approach as "flawed" on the ground of the existence "of special characteristics and security situation in various regions"¹⁶. It was maintained that the arms race must be addressed on a global scale "in order to ensure right direction and correct priorities with regard to disarmament questions as a whole"¹⁷. And because of its size and refusal to align itself with any military bloc, it cannot accept the regional concept in the absence of mutual trust and confidence among the regional states. Furthermore, as the conventional arms race is global in character affecting all regions, this factor must be taken into account in adopting approaches to the problem of conventional disarmament. Finally, such approaches must be pursued "within the global perspective of progress towards general and complete disarmament"¹⁸.

In Asia, it would be simply impossible to devise a set of force levels which could represent a military balance acceptable to India, Pakistan, Japan, Indonesia, Vietnam and China. First, India's vastly inferior conventional forces

vis-a-vis a nuclear-armed China precludes any rational calculations of equivalent force levels. Second, India is vastly superior to Pakistan in both nuclear and conventional capabilities. Third, no clear-cut alliance systems and aggregation of forces between two opposing blocs are present in the region. Fourth, to translate equality, parity or balance into numerical ratios of forces and armaments, a variety of factors relating to the composition of the forces and the characteristics of armaments possessed by these states have to be taken into account. Thus, in any negotiations on limiting or reducing specific categories of weapons or forces, the military significance of such categories cannot be viewed outside the context of these factors, especially the over-all military capabilities of these three states. Fifth, these factors are difficult to assess in an objective manner which could lead to further complications.

Attempts to apportion some sense of balance in the subcontinent is a formidable task given the disproportionate size of the countries involved. China dwarfs India which on its part dwarfs Pakistan - whether it be on land areas, size of population, economic potential (all of which has a bearing on defense calculations) or the actual size of standing military forces. Moreover, when one takes into account the role played by the major powers, which is a category by itself, the complexities attendant upon the question of cessation of conventional arms race is truly bewildering. Hence, it is perhaps for these reasons that little scholarly work has been done in this field which may also be attributed to the realization that the strictly regional approach is not feasible owing to a multiplicity of factors that can easily be subsumed within such a framework.

Consequently, we are left with the possibilities of trying to develop an intra-regional framework or a global approach. The only rationale for opting for a regional concept would be if it were revised to include extra-regional threats, similar to the way in which nuclear-weapon-free zones have sought to deal with this problem. Even in this respect, if we are to objectively assess the efficacy of such zones that may be established, the reality is that the assurances provided in the protocols by nuclear powers are in effect declaratory in nature, unverifiable, heavily-conditioned and unenforceable.

For these reasons, the European model of a stable situation on the basis of approximate equality and parity, while feasible in the context of East-West relations is hardly applicable for South Asia. Nonetheless, the European model of confidence-building measures as exemplified by the Helsinki Act of 1975 and suitably amended might be valid for the subcontinent.

Confidence-building was also the subject of a study by the UN in 1982 on the initiative of the Federal Republic of Germany¹⁹. It showed a wide range of measures - political, military, economic, social, cultural, legal and others - that could be undertaken to build confidence among states. Of particular importance are measures relating to military aspects of security such as prior notification of military maneuvers, exchange of information and communications, measures to facilitate verification, inspection of nuclear facilities and restraint in procuring military hardware²⁰. Other modalities which could be of significance in the India-China context are the establishment of demilitarized zones, disengagement of forces in tension-

prone areas, withdrawal of weapons and forces considered to be particularly threatening and mutually agreed reductions on land, sea and air deployments.

As regards the question of priorities - whether nuclear disarmament should precede conventional disarmament or vice versa - India has been steadfast in its view and maintained that the former should remain, as agreed during the First UN Special Session on Disarmament of 1978, the highest priority "in multilateral disarmament agenda which must not be subverted". For the threat posed to the very existence of humanity could not be equated to the death and destruction resulting from the use of conventional weapons. Neither is it admissible to disturb the established priorities by trying to equate nuclear with conventional disarmament, nor should progress in the former be predicated upon progress in the latter²¹. Further, conventional disarmament without reduction and ultimate elimination of nuclear arsenals would perpetuate existing asymmetries and would leave non-nuclear states at a disadvantage. Finally, "if the priorities in the field of disarmament are distorted or even set aside, or attention is diverted from the disarmament of the mightily armed great powers to disarming the unarmed or towards developing unequal and discriminatory approaches, measures or treaties", India warned, "an irreversible setback to the cause of real and genuine disarmament can take place"²².

Such contentions call attention to the problems attendant upon the great disparities in the military capabilities of nuclear and non-nuclear

nations, giving rise to differing security concerns which should be taken into account in any disarmament process.

If nuclear disarmament is often claimed by the West to be a complex set of problems, then the question of conventional disarmament must be viewed as infinitely more so. In fact, the former is far less complex and easier to achieve than the latter because fewer players and land, sea and air launched strategic missiles are involved. The implications of conventional disarmament do not lend themselves to simple formulas such as zero option that has to be an effective basis for the intermediate-range nuclear force treaty. Further, it pervades a wide-range of inter-related factors directly impinging on security : number of adversaries, number of men under arms, types of weapons, perceived or existing balances, logistics, indigenous production, external assistance and so on. In sum, as stated in the UN study on this question "the ubiquity of conventional weapons and armed forces, their technical characteristics and functional diversity and the central role of armed forces in the security perceptions of countries in a region makes the question of conventional disarmament highly complex"²².

While the need for nuclear weapons for security is widely questioned, conventional armaments have come to be accepted as necessary for self-defense and no state would relinquish them. For if there is an area no state would abdicate its sovereign rights, it is national defense. Indeed, even in the highly military structures of NATO, each member state retains a high

degree of freedom of action to protect and promote national interests, including the military.

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The question of arms transfers in the context of conventional arms race is important, but it is not at the center of the problem, according to the UN study on conventional armaments. It is but one aspect of the wider phenomenon of activities and arrangements which serve military-related purposes. These include aid within the framework of alliances or for military cooperation such as gifts, offsets, deployments, co-production, technical cooperation, training of military personnel, construction of military facilities, availability of military advisors as well as transfer of military information and technology²⁴. Such activities have considerable implications for conventional disarmament and have been debated at length during the three UN Special Sessions on Disarmament held in 1978, 1982 and 1988.

For the arms producers, it promotes domestic economic interests and gains political influence in the recipient countries. The recipients oppose restraints by the suppliers on the ground to provide legitimate security needs although such relationships would increase their political, military and economic dependence on the donors. These factors combined with an increase in the number of suppliers have reduced the propensity to restrain trade in armaments. Hence, the subject is complex and arouses many concerns especially among states without indigenous arms production facilities and / or with a legitimate need to import arms for self-defense. Even so, it has been

argued that major suppliers should engage in consultations and explore possible bases to restrain the transfer of arms.

The Stockholm International Peace Research Institute has identified four inter-related reasons for armament procurement in the subcontinent : 1. availability of finances ; 2. superpower interests in the region ; 3. Indian determination to achieve a major power status ; and 4. action-reaction pattern of arms procurement emanating from continuing India-Pakistan conflict situation²⁵. Although India is among the 20 poorest nations in the world, its procurement and production of armaments are often cast in the context of development imperatives and the spin-offs for civilian economy rather than a waste of economic potential. Thus, Indian analysts have countered this type of criticism by contending that compared to the industrialized world, India is relatively unarmed and that the economic burden is below Third World average when military outlays are considered as a share of gross national product.

Indian diplomats at the UN have sought to portray both nuclear and conventional arms race as being pursued by the same states "which already possess the largest military arsenals and which develop, produce, stockpile and sell by far the greatest proportion of these armaments"²⁶. It is also a truism that in general developing nations do not possess the capabilities to produce armaments and are thus dependent upon the purchase of weapons to acquire the means for self-defense and to preserve their independence. Moreover, the proportion of arms purchased by these states

pales in significance in comparison to the arms acquired and deployed by members of military blocs. In this view, therefore, it stands to reason that global negotiations on the reduction of conventional arms should focus on major producers and users rather than on issues that are secondary to the primary causes of the arms race.

For the Indian government, conventional arms per se do not pose a greater threat to the survival of mankind than nuclear weapons or that conventional armaments in the hands of Third World nations in some way threaten peace and security than the nuclear and conventional weapons possessed by the great powers and their allies. Any control of trade in arms is also seen as being primarily directed against the newly-independent and developing countries. "Such transfers would be in accord with the policies suited to the global interests of the supplier states. This is control of the many by a few. Again some are thought to be more responsible than others". Hence, the question of international trade in arms must necessarily be considered in the context of alliances and not exclusively in the context that affect non-aligned and developing states.

Finally, in India's view this question calls for a consideration of the underlying causes that lead to the acquisition of armaments which has gone far beyond local or regional dimension and for its control to be effective would require the recognition of the principle of security of all states.

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On the whole, the UN debate on conventional arms can be described as each group of states - nuclear and non-nuclear alike - seeking to deflect attention from themselves and their armament policies by pointing a finger at each other as the principal cause of international insecurity and root source of regional instability. While non-nuclear nations focus attention on nuclear weapons to reduce the disparities in power that exists between them and nuclear powers, the latter resist moves to control these armaments in order to maintain their military preeminence.

On one side, the nuclear powers assert that nuclear weapons have not been the cause of numerous wars that have taken place since 1945 and that tensions and hostilities are rooted in over-armament in the conventional field by Third World countries. In seeking to accord priority to the conventional over nuclear arms, the industrialized states have emphasized the pressing need to halt and reverse the conventional arms race to prevent future wars. On the other, non-nuclear states have sought successfully to focus UN debates on nuclear issues, which has by and large absolved them of having to address and respond in order to justify their own armament programs.

Depending upon which side of the debate one takes, plausible rationalizations can be found to uphold self-serving postures. For example, conventional armament expenditures do exceed those incurred for nuclear armaments and especially by those who can afford the least : developing countries. All too often regional animosities are exasperated and become

armed conflicts due to the preponderance of those weapons and the omnipresence of military establishment in the governments of many of those nations. At the same time, conventional armament production is overwhelmingly in the hands of nuclear powers, which ironically seek to divert attention at the UN to conventional disarmament.

Hence, non-nuclear states have responded that as in the nuclear field, the major responsibility in conventional armament limitations rests with the same states and their allies. The developing countries view the question of nuclear disarmament as apart from general and complete disarmament because it impinges upon and in effect symbolizes the dominance of the few over the many and as a fundamental impediment to the reordering of relations between states towards a more equitable international political system.

Other factors are also relevant to the complexity, such as :

- The link between conventional arms race and armed conflicts
- The qualitative improvement of conventional weapons
- The role of some developing countries both as recipients and sometimes, as suppliers of weapons
- Intra-regional competition and rivalry in the military field
- Matters of political and strategic importance to the major military and supplier countries.

All of these illustrate some of the interweaving factors that complicate the prospects for conventional disarmament. Under such circumstances, it must inevitably be difficult for UN delegates to address the

many sensitive problems involved. Indeed, there has yet been no consensus that these problems would be resolved either on a global or regional basis. As Edward Luck has aptly remarked that although "regional initiatives sound promising on paper, there has been a long history of failures in many areas and no region looks especially promising for such steps at the present time"¹⁸.

In Europe, the many years of dialogue in the context of Mutual and Balanced Force Reductions have not yielded any militarily significant results. The Final Act of the Conference on Security and Cooperation in Europe of 1986, not itself a disarmament document, merely laid down provisions for security in the broadest sense. Disarmament is not on the agenda of the Conference on Confidence and Security-building Measures and Disarmament in Europe. At the regional level, outside of Europe, the peace-zone proposal for the Indian Ocean has languished, even though nearly two decades have passed since it gained recognition as an important security measure.

In Latin America, efforts to limit conventional forces have failed due to the emergence of several armed conflicts. African and Middle Eastern issues are regularly addressed in the UN only to get bogged down in fierce criticism of South Africa and Israel. That leaves Northeast and Southeast Asia, both of which are not only split by political and ideological differences but also exhibit a noticeable lack of interest in arms control measures. Such a record points to an undeniable truism that in strategically important regions and those lacking a consensus on security, the regional approach is not a viable option.

As long as states have to rely primarily on their armed forces - either alone or with those of their allies - as the ultimate means for defending their interests and protecting their security, conventional disarmament is bound to be considered very cautiously by nearly every state as fraught with uncertainties and dangers. In the absence of tangible progress in reducing nuclear weapons, there is also hesitation to move far in the direction of limiting conventional armaments.

In writings in this field, it has been argued that it is virtually impossible to conceive of conventional disarmament in the context of competition for spheres of influence and domination. What is more, the developing nations are also concerned not to be placed in a position where the major powers would seek jointly to dictate to them not only the terms of conventional armaments they will possess but also the conditions for conventional disarmament. Rather, what these states have consistently maintained is freedom of action in defense matters, and in fact, all other areas of international concern to be treated as partners with at least a modicum of voice in the negotiating and decision-making processes. They are unlikely to allow the major powers to stay out of the loop of conventional disarmament, as they so adroitly did in the context of the non-proliferation treaty. In short, they suspect a motive other than conventional disarmament : the insincere and duplicitous attitude of the big powers as being interested only in limiting horizontal but not vertical increase of these armaments. For the developing countries, resolving these issues is akin to preconditions before serious negotiations can be initiated.

The key problem, therefore, is how to design a workable and reliable disarmament program and its individual steps in such a way that all states concerned will regard each step as being on balance, beneficial from the viewpoint of their security. It should be based on an integrated approach - not a collection of isolated measures. Numerical reductions in specified categories of weapons in all regions of the world where there are major concentration of forces and armaments would be an essential prerequisite. Likewise, reductions in personnel could be achieved through agreed ceilings in over-all personnel figures or by the disbanding of a number of military units. Restrictions on military deployments are only partial and preliminary measures but they can contribute significantly to confidence - building".

In considering any range of other possible initiatives, the focus must necessarily be on how these serve not only security but also arms reduction objectives. And these are the measures that would appeal to the less powerful, but more numerous, non-aligned countries. One distinct possibility would be the establishment of regional consultative forums on security and arms transfer issues and / or regional conferences between arms suppliers and recipients that would focus on enhancing security and not mere arms limitations. Such initiatives should, however, come from the local states. Yet another possibility would be a conference of supplier states, including the new suppliers such as India, Israel and Brazil to consider general arms transfer problems such as regulation and again not just limitation.

Although the implications of a nuclear war due to technical malfunction or political misjudgement for the survival of humanity have caused the General Assembly to consistently accord most of its attention to nuclear issues, there is a hesitant but widening recognition that issues of conventional armaments should also be adequately addressed. In spite of the routine adoption of three largely non-controversial aspects of the question since 1985 on conventional disarmament in general, conventional disarmament on a regional scale as well as confidence-building measures and conventional disarmament, no specific achievement could be recorded. To quote Edward Luck again : "there is no single major initiative on the horizon that would be militarily desirable, politically feasible and that could serve as a catalyst for a sudden reinvigoration of multilateral conventional arms control efforts. and there is little prospect of dramatic breakthroughs in the foreseeable future"³⁰.

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Chapter VI

Conclusion

Indian Security and Future Disarmament Issues

"The best the scholar can do, then, is to trace the different tendencies that, as potentialities are inherent in a certain international situation. He can point out the different conditions that make it more likely for one tendency to prevail than for another and, finally, assess the probabilities for the different conditions and tendencies to prevail in actuality." Hans Morgenthau.¹

This study has looked at India's approaches to security and disarmament in the context of its regional problems and global aspirations. India's natural preoccupation with regional security in a nuclear environment fostered a preference for global approaches to disarmament rather than regional arms limitation on the principle of equality. To insist on a global approach was logical, but it probably was also tactical. India was thus left with plenty of room to define national interests as great powers do, in terms of predominant force in the region. Insistence on disarmament as the preferred and indeed, the only form of arms control, helped India to resist pressures to acquiesce to the non-proliferation regime. That would have undermined India's ambitions in the region and in the world at large.

We concentrated on India's participation in U.N. deliberations and negotiations because the preliminary evidence suggested that India was a leader in that arena. Of its regional status as a leading power, there can be no

doubt. But leadership with respect to issues of supreme interest to the superpowers is another matter. It appears from the study that since U.N. policy-making with respect to arms control and disarmament takes place primarily in the General Assembly, where the non-aligned nations have a majority of votes, and takes the form primarily of recommendations and declarations of principles, leadership is not directly correlated with military power. But to the extent that the superpowers need the endorsement of the non-aligned, e.g., with respect to non-proliferation and a ban on chemical weapons, leadership of the non-aligned translates into a form of equality with great powers - a status India apparently seeks.

In the post-colonial era following World War II, there has been a fundamental transformation of the international political landscape whereby the newly - independent states challenged the established order and asserted their demand for a share in the distribution of power. A principal arena for this has been the institutions that established the essential rules of the game, namely, the UN. Hence, the institution which was the creation of the post-World War II powers became the forum through which to challenge the very same powers. At the same time, however, it must be borne in mind that the Charter and specifically the machinery for managing international security is fundamentally controlled by the big powers. The issues in international security and disarmament as presented in this study reflect the struggle between the forces represented by nuclear-weapon states to promote their interests and those of the vast majority of countries to achieve their respective national interests and ambitions.

This is the context in which the preceding chapters focused attention on India's preoccupation with employing the UN process to promote (1) its security in the South Asian environment and (2) political equality with the great powers. In pursuit of these policies, India was in varying degrees opposed by Pakistan, China and the superpowers, reflecting a clash of interests which in many respects were irreconcilable. Thus, India gave priority to an international convention prohibiting the use of nuclear weapons and to comprehensive nuclear disarmament which were resolutely opposed by the U.S. Likewise, the Pakistani initiative for the establishment of a nuclear-weapons-free-zone in South Asia has been opposed by India but supported by the U.S. and China, with the attitude of the Soviet Union being ambivalent. For different reasons, both India and Pakistan have rejected the NPT, which was inspired by Moscow and Washington. The UN is the only forum for considering general principles and global disarmament measures reflecting the interests of powers such as India.

The two basic aspects of India's nuclear policy are (1) the policy not to establish a military nuclear program but also not to forego the option ; and (2) the major determinant of any change in that policy would be a Pakistani weapons program or Chinese and superpower behavior in this field. These can be broken into three elements : First, at present Pakistan's nuclear policy far outweighs those of nuclear states in India's calculations. Second, India has fundamental differences in virtually all areas involving nuclear weapons with the superpowers. Third, it is also at odds with a significant portion of Third World countries as it is adamant on maintaining its opposition to

international control over the peaceful uses of nuclear activities of only the developing nations. India has chosen to advance these three elements through a strategy of doctrinal confrontation with nuclear powers and as the defender of the rights and interests of non-nuclear states. As Inis Claude has argued, the UN has become the agency for collective legitimisation of interests, policies and principles. We would add particularly for the non-aligned states.

In its quest for greater credibility as a significant actor in the international scene, India attempts to legitimize nuclear disarmament as distinguished from arms control at high levels of weapons, and signals interest in a fundamental alteration of the international order as a necessary and unavoidable measure to achieve political equality. Thus, India's threshold status is employed not only to manage South Asian relations; but also to give tangible weight to its diplomatic efforts at the UN and with the non-aligned movement to shape international politics and nuclear strategy. Similarly, its long-term objective of seeking to achieve self-reliance in the economic sphere, national security and nuclear proficiency also facilitated its efforts to deal effectively with China and the superpowers in its bilateral relations with these nations.

India's inherent distrust of nuclear - weapon states collectively and its particular resentment directed towards the major Western powers is reflected in its unyielding positions on a wide range of security and disarmament issues. Perhaps the most prominent example is India's policy

towards the non-proliferation treaty. New Delhi rejects this treaty as it will not be a party to any international instrument in the fields of horizontal or vertical arms limitation unless it can pass the litmus test of applying equal rights and obligations to all parties to any such treaties. That treaty legalized what already exists : the retention of the hierarchy. It sought to freeze the situation as it existed and retain the status quo. It therefore reflects the struggle for power, not some transcendental principle.

The dissatisfaction of non-nuclear nations is likely to continue to grow since there is no prospect that the Nuclear Suppliers Group will live up to the spirit and letter of the commitment to transfer technology for peaceful uses of nuclear energy. This aspect is likely to be a more prominent consideration for non-nuclear states than any progress that nuclear powers can point to with regard to Article VI of the treaty, concerning the reduction and elimination of their arsenals. Further, the importance of peaceful uses of nuclear energy for the development of modern societies will continue to grow and the clamor of non-nuclear nations for access to these technologies will grow commensurately.

Indeed, the issue of peaceful uses of nuclear energy became a major point of contention at the Fourth Review Conference held in 1990. As to whether this issue will lead to the demise of the treaty is difficult to say. The reality is that until the Third World nations develop their own independent and self-reliant nuclear assistance programs, for which India could be a prominent supplier, nuclear powers will continue to have a

powerful advantage in coercing states not to withdraw from the treaty. It is somewhat less probable but still possible that the Nuclear Suppliers Group will employ not only the stick but a variety of carrots, including certain agreements to provide nuclear technology to certain non-nuclear nations during the critical period between the Fourth Review Conference of 1990 and when the treaty will be up for reratification in 1995. U.N. deliberations in this context are likely to be more than symbolic.

As to threshold states, especially those with a well-established nuclear infra-structure, it would be difficult to envision their abandonment of significant investment in material and human resources in favor of the non-proliferation treaty, without a radical change in the policies and postures of nuclear powers and elimination of the nuclear threat to their national security. As to countries such as Argentina and Brazil, the nuclear threat to them is not great since they are located in a strategically less important region. For countries such as Pakistan and Israel, their advanced nuclear programs are perceived to have a direct impact on their national security.

In the context of the Indian subcontinent, the complexities surrounding the nuclear equation are unique in that the region is highly strategic and nuclearised with two nuclear-weapon states on India's borders and the other off its shores. Therefore, the specific fundamental interests of India in promoting its indigenous nuclear capabilities transcend the standard incentives that could be used as inducements by the nuclear powers to refrain

from proliferation. Besides nuclear capability is the price of political equality with great powers.

India has taken a very definitive and uncompromising position on the proliferation / nonproliferation equation. Therefore, even if that treaty is given a new life in 1995, it would remain highly unlikely that any of the threshold states will ratify it. Nevertheless, it can be expected that pressures will continue to mount on India to conform to the non-proliferation regime. And that the radical changes in the Soviet bloc may induce India to reassess or revalidate some of its policies towards the other great powers.

While the non-proliferation treaty had some value for the non-threshold nations, the utility of nuclear-weapon-free-zones to these states is questionable. For those already in existence have not changed anything as they are filled with caveats and reservations. It is difficult to attribute to them anything more than a symbolic value. Indeed, whether one looks at the Treaty of Tlatelolco, the South Pacific Nuclear-Free-Zone or the proposals for such zones in Southeast Asia and the Nordic states, one can readily see they are impractical and unpoliceable. This is so especially with regard to any security assurances by nuclear powers, whose interpretation of their obligations in these zones would allow for a host of activities, including the presumed right of transit.

It is therefore difficult to conceive of a nuclear-weapon-free-zone scheme to strengthen the security of India while at the same time being

compatible with the interests of other states involved. The establishment of such zones in regions where acute conflicts exist, though particularly difficult, would be most desirable. Under these circumstances local arms control talks for an effective zone by itself may reduce tensions and lead to other arms limitation measures. Even so, it is doubtful if the underlying reasons for the persistence of conflicts in the Middle East and South Asia could be resolved through the creation of regional arms control regimes. The regional approach would of course be inconsistent with India's global objective of political equality.

A number of specific arms limitation proposals examined in the context of the UN lead to some discouraging conclusions in every case. Because of the high level of mutual suspicion and the complex asymmetries between China, India and Pakistan, none appear willing to forego that increment of security each feels it might lose by mutual agreement. Each believes that if it were to satisfy its weaker neighbor, it would lose by comparison with its stronger opponent.

Border settlements are unlikely during the next 5 - 10 year period. Future Indian governments will continue to be wary about Chinese intentions and will see no valid grounds for letting their guard down. Yet it is not implausible that both China and India may decide that their long-term interests would be served by mutual accommodation especially through a clear definition of their military relationships (such as force levels on their borders, limitations on the garrisons stationed in Tibet, etc) as well as their

respective roles in the Asian continent. Such a development may well lead to significant changes in Indian diplomacy and priorities. India would become less dependent on the U.S.S.R. as its apprehension of China lessens. It may result in a reduction in military expenditures which could be diverted for development purposes. In fact, India in 1989 announced a reduction of its military budget of about \$100 million from the previous year's allocation of about \$8.7 billion. This move came at a time of improved relations with both China and Pakistan.

But there is little evidence that armaments between the two traditional South Asian rivals will be brought under control by the superpowers, working separately, jointly or through the UN. Despite the coming into existence in 1983 of the South Asian Association for Regional Cooperation, there are hardly any indications that arms limitation agreements would be signed between them in the foreseeable future. New Delhi is unlikely to accommodate Pakistani apprehensions at the expense of weakening its position vis-a-vis China. One way to reduce mutual anxieties might be to resuscitate the frequently proposed and rejected "no-war pact" between them. It should be noted, however, there is the greater probability that only another war between them would settle their territorial claims and respective status in regional affairs.

As far as the superpowers are concerned, a dramatic reduction of stockpiles and a drastic reorientation of their nuclear postures might instill a sense of security in the international community. The security assurances

which they offer in the form of a UN General Assembly or Security Council resolution rather than a treaty or convention lacks credibility. There is growing evidence, for instance, in the on-going negotiations on a convention to ban the military use of chemical weapons, of collusion between the superpowers in major arms control issues to the detriment of the interests of a great majority of states. The nuclear revolution in its military, political, economic and technological dimensions, which made them the principal beneficiaries, cannot forever remain the permanent monopoly of those who first invented the fusion energy. A number of nations have the capability and/or the will to thwart and undermine their pre-eminent role in the international hierarchy. In the event these states demonstrate an upward mobility in the accumulation of military power, to that extent they will have to participate in international decision-making, as Henry Kissinger has maintained.²

U.S. interests in South Asia might be protected if Washington recognized India as the region's security manager and guarantor. New Delhi's role in this regard has become increasingly self-evident. Its peacekeeping role during 1987-90 in Sri Lanka to quell the Tamil insurrection and the dispatch of a naval force to put down the rebellion against the Government of the Maldives during 1988 are cases in point. The latter act was commended by the U.S. Department of State, which is a tacit acknowledgement of India's right to play at least a limited role in the maintenance of regional stability.

India, is after all, a major power and has a fundamental interest in keeping external powers from intruding into its security sphere. Initially, the pace and manner of American disengagement from its more forward positions on the Asian continent could well make a difference to India's approach to armament limitation. In Asia, the ramifications of strategic relationships are highly debatable and uncertain. It can be presumed that Pakistani acquisition of nuclear weapons would be welcomed by many Islamic nations. Such a development might in turn provoke a "strategic understanding" between Israel and India which may also opt to ensure the security of a number of non-Islamic nations in Asia and Africa. Hence, New Delhi's contribution to a nuclear umbrella for a number of Third World countries is not improbable. Western interests are deeply involved. U.S. nuclear umbrella need not be perpetuated indefinitely. India's independent role in security may be even more important than, for example, that of France in Europe. Such a development could be legitimized by the same kind of "exceptionalism" that characterized American rationalizations of its responsibilities as a great power.²

This raises the critical question of whether future Indian governments will envision the need for nuclear weapons to ensure their nation's security. This must necessarily depend upon military, political and economic realities and compulsions as well as its deterrent capabilities against a nuclear Pakistan, China and the superpowers. It is doubtful whether India can ever gain parity with China by acquiring nuclear arms and its capabilities are miniscule compared to the superpowers.

In the event India decides to launch a nuclear weapons program, it will have to address issues raised throughout this study including national security, regional dominance, international prestige and global role. Since the speeches of its diplomats are almost always couched in ethical tones, they will also have to address questions of morality and Gandhian heritage of non-violence which are relevant to a world threatened by nuclear disaster due to technical malfunction, if not political misjudgement. Equally important, is whether India as an incipient nuclear state, can ensure the safety of its cities, frontiers and industrial centers against pre-emptive strikes. And on the broader level, whether it can assure the security of other nations by extending its nuclear umbrella. In the context of the foregoing, it is probable that India may not join the nuclear club in the foreseeable future. Strategic experts agree that once nuclear weapons are acquired, full nuclearisation would be inevitable over a period of time. Hence, India is likely to pursue the goal of nuclear disarmament until all nuclear weapons are withdrawn to the territories of those who possess them. This objective cannot be achieved by moving beyond the present threshold or nuclear-capable state.

One of the main contentions of this study is that India has been able to rely on the UN to promote its security interests through disarmament deliberations. To be sure, India has at times, ridiculed the organisation when it meddled with regional affairs such as the dispute over Kashmir and the endorsement given to the concept of a nuclear-weapons-free-zone in South Asia. In this sense, New Delhi has acted exactly like the "big boys". So long as

it is advantageous for its leadership of the non-aligned, it will continue to exploit the disarmament issues at the UN for that purpose.

India's role in the UN is not that of an acknowledged leader of the Third World. Rather, it is by assuming prominent positions on bodies and committees that India has acquired its influential voice at the UN. As long as it occupies these posts, it would be unwise to relinquish them simply because the Indian government has begun to explore regional bilateral diplomacy. One need not supersede or preclude the other.

The UN has always been for India an indispensable vehicle through which to project its leadership potential. Indeed, there are few instances where its representatives have allowed any major global issues to escape their attention. Likewise, their approach has always been one of seeking to undermine and discredit the policies of the major powers and to assiduously foster coalitions against those policies. It has not always been pursued in a reactionary way but more in the context of bringing issues before the world body that the great powers have sought to keep outside it as their own domain. This is particularly true of the entire range of nuclear armament issues, which those powers have for years stone-walled.

This is not to say that India and the U.S.S.R. do not find commonality of interests. However, to the extent that this relationship with the Soviet Union exists, India has sought to portray itself as equidistant from East-West rivalries. It has done so in the context of its assertions, not

necessarily actions, that it is the proponent and defender of the interests of non-aligned and other Third World states. At the UN and other forums, this has taken the form of placing on a par the promotion of collaborative efforts on the one hand between the major powers and on the other between them and developing countries. In fact, its representatives have gone so far as to introduce the notion that enhanced collaboration between the major powers without a meaningful voice for the developing nations will be detrimental to the latter especially in the field of disarmament.

In this context, on all arms limitation issues, India is likely to continue to stress equity and balance between nuclear and non-nuclear states. Whether such a stance in the future will also result in the adoption of uncompromising positions and an active leadership role in international disarmament debates is, in the new circumstances, at least an open one. India's security environment remains of such a tenuous nature that it can hardly enter into commitments to disarmament measures which would limit its nuclear programs. This concern has been fully reflected in its insistence on global solutions. Clearly, any restrictions on its nuclear programs agreed to with Pakistan would still leave intact the Chinese threat ; an agreement in this regard would require the direct involvement of the U.S.S.R. and consequently the U.S. Hence, India's rationale for the global approach to disarmament is likely to be sustained in the future, the new international situation notwithstanding.

It would, moreover, probably be unacceptable to India for the superpowers to assume a role of some sort of guarantors of an India-Pakistan accord, given India's assertion of its natural right to be the first among equals in the subcontinent and its aspiration for political equality with the major powers. Such a role for guarantors would imply knuckling under to new forms of what it would deem neo-colonialist domination. Therefore, to the extent that the U.S. and the U.S.S.R. will continue to treat nuclear armaments in a discriminatory fashion and regard non-proliferation as essentially a joint crusade by members of the nuclear club against threshold countries, India is likely to remain impervious to any appeals or demands for curtailing either its nuclear or conventional armament programs.

Nonetheless, there may emerge domestic economic and other factors coupled with possible unilateral moves by China, such as troop withdrawal from the common border, confidence-building measures, etc, that may induce India to slow the pace of research, development and procurement. In any event, one should not look for any such unilateral initiatives from New Delhi or for bilateral or regional negotiations on disarmament. Consequently, one can expect more of the same from India. As sweeping reductions by nuclear powers gather momentum through the Strategic Arms Reduction Talks (START) and European negotiations, India can be expected to insist on the inclusion of the non-aligned as equal parties in attempts to place similar limits on the rest of the world. Leading Third World countries are likely to maintain an unyielding position at the UN on equal rights and responsibilities on all international issues with global dimensions.

Yet it is important to bear in mind the warning by Michael Klare about the dangers posed by military rivalries in the Third World caused primarily by the flow of weapons from North to South and in some instances augmented by indigenous production and capabilities to acquire nuclear weapons, chemical munitions and ballistic missile delivery systems. Such unrestrained arms races have the potential to spark armed conflicts, threaten the vital interests of the superpowers and thus provoke a world-wide conflict. These possibilities render negotiations for armament limitations an indispensable tool in their own right. Such endeavors can lead to channels of communications between traditional adversaries to agree on a number of measures, including the elimination or restrictions on certain types of weapons ; reciprocal inspection of nuclear and chemical facilities ; limitations on the acquisition of delivery systems ; and reductions in certain types of particularly threatening conventional weapons. Klare also suggests that confidence-building measures has a particular relevance for the Third World in order to remove persistent mistrust and miscommunications which have for so long frustrated the initiation of formal arms reduction talks. We should add that some form of collective security mechanism similar to the one launched by the United Nations Security Council during the Gulf crisis is also an essential prerequisite to allay their concerns.

This study points toward the adoption of strategies and policies that are broadly acceptable to the vast majority of non-nuclear states with regard to the role of nuclear weapons in security and access to nuclear

technology. Indeed, a fundamental reorientation has become imperative in our thinking on disarmament and security in their multi-faceted aspects : military, political, economic and social. Scientific and technological developments have brought out one indisputable reality - the diffusion of power. As the world increasingly resembles a global village, new powers will not be content with the power hierarchy. As we enter the 1990's, these realities will have to be reflected in new notions of security and global armament limitations. Only then would there be new thinking relevant to the Third World.

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