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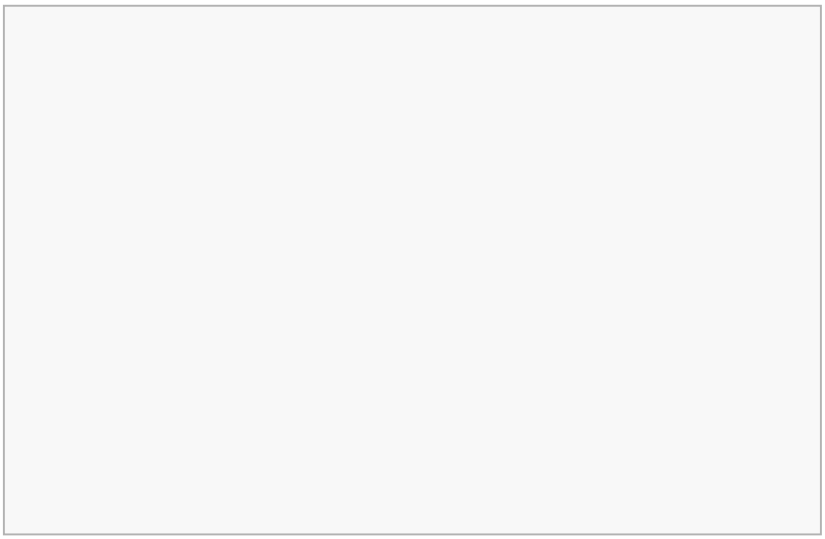
Itty Abraham

East-West Center
Washington



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Contact Information:

Editor, *EWCW Working Papers*
East-West Center Washington
1819 L Street, NW, Suite 200
Washington, D.C. 20036
Tel: (202) 293-3995
Fax: (202) 293-1402
Washington@EastWestCenter.org

Itty Abraham *is director of the South Asia Institute at the University of Texas at Austin. This paper was written when he was a research fellow at the East-West Center Washington.*

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Relations between the world's largest democracy, India, and the oldest, the United States, have never been better. The pre-eminent sign of this improved state of relations is, of course, the recent concord between the governments of both countries that proposes bilateral cooperation on a variety of fronts, from space to agriculture, but especially in relation to civilian nuclear cooperation. Bilateral agreements signed in July 2005 in Washington, D.C., and following President Bush's visit to India in March 2006,[1] were hailed as historic, seemingly marking the end of "estrangement," to borrow Ambassador Dennis Kux's characterization of relations between the two countries.[2] But for all its claims to be "historic," the agreements were not greeted equally, or with equal acclaim, in both capitals.

In official Washington, which, for the most part recognized a new relationship with India as both overdue and of considerable significance, evaluation of the terms of the new relationship was immediately framed in terms of a stark choice: had the United States decided to put aside its long-standing policy seeking to prevent the rise of new nuclear powers—nonproliferation—in favor of meeting a new strategic objective, i.e., building and sustaining better ties with a rising Asian power, India? This apparent choice in turn raised other questions. How does one measure the relative weight of two strategic objectives? What signal would be sent to other possible proliferators? What would India do for the United States? Regardless of the outcome of the ongoing debate, the basic question that will continue to be debated for some time to come, especially as states like Iran and North Korea rattle the nuclear cage—is the trade-off worth it?

In India, the political class was unanimous in seeing the agreement as tacit U.S. recognition of India's status as a de-facto nuclear weapons state, a claim that was repeated by Prime Minister Manmohan Singh in the *Lok Sabha*, the lower house of parliament.[3] Criticism of the agreement in New Delhi took a very different tack. Critics of the agreement—representing both left and right—have largely posed their concerns in terms of the future costs of closer ties with the United States. Was the deal a sellout by diluting Indian sovereignty? What did it augur for retaining an independent foreign policy, a *sine qua non* for postcolonial India's aspirations to be recognized as a great power? Did it curtail India's ability to defend itself by imposing limits on fissile material and nuclear weapons production? In India too, the same question—is it worth it?—was being asked; the implicit trade-off, however, is altogether different.

From even this brief outline, it becomes obvious that the concord means very different things to the two parties involved. This is hardly surprising, given the vast inequalities in material power and international influence between the U.S. and India, and with their very different political histories and elite cultures; how could it be otherwise? Even accepting that both countries had for some time sought, and worked hard at developing, a new and positive framework for bilateral relations, what came as a surprise to most observers was the centrality accorded to the *nuclear dimension* in this new partnership. Foregrounding what many have considered the most contentious aspect of India-U.S. relations is counter-intuitive and points to an intriguing puzzle. Rephrased as two related questions, this puzzle becomes: (a) could India and the United States could have improved the state of bilateral relations without dealing with the nuclear issue; and, (b) would it have been easier to postpone addressing such a contentious matter until such a time when mutual trust was higher? Responding "yes" to both questions defines the arguably prudent and easier course of action; but that is not what happened. That the U.S. and India chose not to take this relatively easier path needs explaining.

Two earlier moments of possible change, the first during the Kennedy Administration and the other during the Clinton Administration, never reached this threshold, raising the obvious question, why now? This study argues that a conjuncture of material, political, and conceptual changes operating at three different levels of analysis was necessary for the radical transformation of bilateral relations that is now underway. At the *conceptual* level, this study argues that the qualitative change now imaginable in India-U.S. relations is best understood as an outcome of treating the nuclear question *as defined by India* as the lynchpin to better relations between the two countries. This is what defines the "historic" nature of this agreement: the reversal of a position held for three decades, when the nuclear issue, *as defined by the United States' non-proliferation policy*, was the greatest obstacle to better relations between India and the U.S. This new conceptual framework was the outcome of the work of a determined coalition of individuals working from the U.S. Embassy in Delhi and in Washington, D.C., with direct political access to the White House. Operating at the political,[4] or more accurately, *bureaucratic* level, this coalition successfully engineered the levers of government to circumvent and block internal dissent and institutional resistance. Neither of these transformations, both working in the context of bilateral ties between India and the U.S., would have been possible, however, without *structural* changes in the international system. These included the rise of China, and by extension, the reassertion of an Asian geopolitics; a U.S. administration that is deeply skeptical of multilateral institutions and willing to privilege strategic considerations over one-size-fits-all universal policies; and finally, India's growing economic clout and increasing likelihood of soon playing an increasingly important role in global economic

affairs. This study argues that none of these factors, by themselves, could have made this transformation happen. Changes at all three levels needed to come together at the same time; hence, this study affirms the high degree of contingency in this development and also implies that it is unlikely to be easily replicated.

The rest of this study is devoted to filling in the details of this argument and explaining how this transformation came about. The study begins with a survey of U.S.-India relations over the last half-century with an eye to understanding how the relationship acquired its current form. While a fundamental disagreement on nuclear issues clearly casts a long shadow on India-U.S. relations from 1974 onward, it does not mean that there has never been cooperation between these two countries, whether in the early years following India's political independence, or following the end of the Cold War. However, this history of limited and cautious cooperation has to be set against what might be called a growing deficit of trust, based on long Indian memories of American support for its enemies and actions taken that were perceived to be against India's national interests.

Since the 1990s, with openings led by the U.S. Defense Department in particular, functional relations between the two countries in areas other than the nuclear dimension have improved considerably, aided to no small extent by India's growing economic clout and importance. It is striking how even India's announcement, following a series of nuclear tests in May 1998, that it should now be considered a nuclear weapons power, would only set back this burgeoning relationship temporarily. Taking place at the same time were important changes in American *representations* of India, as a country and as a civilization. These representational shifts constitute an independent, culturally defined process that has been underway since the late 1990s. This contentious, but also cooperative, history leads up to what we now know was a turning point in the early years of the new century when key players helped define new terms around which the relationship would be defined.

The following section analyzes the moment when the big question—did the improvement of bilateral relations have to take on the nuclear issue—was still very open. From New Delhi's standpoint, the nuclear issue, and restricted access to dual-use high technologies were, for a variety of historical, symbolic, and political reasons, the cornerstone of its problems with the world's most powerful country. By that token, from the Indian point of view, there could be no clearer statement of a U.S. desire to improve relations than an approach that recognized India's nuclear program as legitimate and outside the non-proliferation framework. Recognizing this opportunity, and working to overcome the considerable Indian deficit in trust of U.S. intentions and reliability, key insiders responded by confronting the nuclear issue directly.

Recasting the improving, but far from self-sustaining, state of bilateral relations with India was made possible by accepting the meanings and significance *India* attributed to its nuclear program (its strategic importance, political history, and domestic identification with international status), and thus making this intervention credible to New Delhi. The prudent but conservative approach to improving bilateral relations, an approach that would have argued for sidelining the nuclear issue until a later date, was put aside in favor of a radical reformulation of the relationship which was achieved by marginalizing non-proliferation concerns (and advocates) in favor of a new strategic alignment. Generalized U.S. institutional concerns about sources of international insecurity—proliferation as a negative threat—were pitted against a new strategic conceptual map that made a case that it was in the U.S. national interest to have closer ties with India—a positive valence of national security. But this was a tactical decision seeking also, in the same stroke, to overcome U.S. bureaucratic inertia and

resistance to better relations by casting a new relationship with India in these terms. Bureaucratic insiders would argue that the only way of overriding statutory limits on better relations with India was to recast the relationship in terms of a national interest that would trump the legal.

Finally, the appendix to this study discusses the content of the debates over the nuclear agreement in Washington and New Delhi respectively and concludes by assessing the merits of some of the claims and counter-claims being made by the many sides to these debates.[5]

U.S.-India Relations During the Cold War

The following section offers a historical overview of India-U.S. relations, including brief moments of cooperation. The discussion is structured around two turning points: 1974, when India detonated a "peaceful nuclear explosion," and 1990–91, the end of the Cold War and the ensuing change in global political forces and alignments. The analysis shows that the main vector of *change* in bilateral relations was geopolitical; the main source of *continuity* was U.S. non-proliferation policy. The net effect was to produce an Indian "deficit in trust" vis-à-vis the United States.[6]

The Early Years

Early U.S. support, and civil society admiration, for India's struggle for political independence soon gave way to policies shaped by the exigencies of the Cold War. As a result, India's relations with the United States in the early postcolonial period were largely shaped within a multilateral frame. Starting with the Korean crisis in 1950, and continuing into the Indochina conflict and peace negotiations a few years later, a diplomatically hyperactive India promoted multilateral efforts to help mediate these crises, often alienating U.S. policy makers in the process. From the Indian point of view, its involvement in these regional crises was driven by both self-interest and an effort to democratize international relations.[7] Fearing that the United States would resort to the use of nuclear weapons in both Korea and Indochina if faced with military defeat, India justified its own involvement as necessary to help avert that possibility. But also, as seen from the Indian viewpoint, these crises were in no small part driven by the absence of Asian powers in the inner circles of world politics. Highly sensitive to the racially exclusive politics of the period, and outraged by the efforts of European states to continue colonial rule in Asia and Africa after World War II,[8] India sought to get the United States and other major powers to accept that Asian powers had the right to be involved in matters concerning them directly.[9] Over time, these principles would converge into a policy of non-alignment, a foreign policy stance that was read by Washington policy makers in the 1950s as an immoral policy of neutralism.[10]

From the U.S. standpoint, bilateral relations with India were initially mediated, and hampered, by British efforts to continue to dominate its former colony and geopolitical zone of influence that ended with the denouement represented by Suez in 1956.[11] Through the 1950s, a geopolitical perspective dominated U.S. strategy, leading to a policy of "containment" of Communist influence through treaty arrangements with countries bordering China and U.S.S.R.[12] India would have been a vital link in that chain, as many had hoped and encouraged, but non-alignment and effective diplomacy by Pakistan's military rulers prevented that from coming about.[13]

Even as the two countries appeared always to take opposing positions on major international issues, in fact India and the U.S. worked well together on a number of issues outside the glare of public scrutiny. For instance, in Korea, actions taken by India as chairman of the Korean Armistice Commission largely favored the U.S. and U.N. perspective, India was used as a conduit by the State Department to convey messages to

and from China, and Indian and U.S. covert forces worked together to monitor Chinese military movements in the Tibetan plateau.[14] U.S. advisors helped shape Indian development programs, especially the community development program and urban planning, and was a major donor of aid to India, while the Ford Foundation set up its first overseas office in New Delhi in 1951.

Even as public disagreements and quiet cooperation continued between the two states, if there was one constant in U.S. strategic perceptions of India, it was always to see India in relation to China. Geo-politically, there may have been a hyphen connecting India and Pakistan; ideologically, however, India was the great counterweight to the People's Republic. The stakes were high. The degree of relative success in the respective efforts of these two largest Asian countries, who had adopted such radically different political paths towards not dissimilar ends of economic development and social change, was understood to be of great significance in influencing and shaping the behavior of other newly independent countries in Asia and Africa. Strongly influenced by this line of thinking, the Kennedy Administration made a serious effort to create a new relationship with India. As Robert McMahon notes, during his short Senate career "Kennedy discussed India with more frequency and with more passion than any other nation." Once elected president, Kennedy stacked his South Asia team with advocates of an improved relationship with India, even at the expense of U.S. ally Pakistan. In an uncanny echo of arguments being used today, McMahon goes to say, "India's importance to Kennedy administration strategists derived also from their fixation with China's presumed importance to the Asian equilibrium."[15]

Yet even with a strong supporter of India in the White House, the relationship waxed and waned. India's efforts to maintain an independent foreign policy, its postcolonial sensitivities about national sovereignty, and troubled regional relations were set against a single-minded U.S. focus on the Cold War struggle; the net effect made it very difficult for bilateral relations to achieve a steady state. India's humiliation in a brief war against China in 1962 gave the U.S. a unique opportunity to develop closer ties, built especially around the sale of military equipment and consensus on a common enemy, but it soon passed. India made matters worse by announcing a major purchase of Soviet MiG-21 jets just as Congress was debating the annual foreign aid bill.[16] With the Johnson Administration, things only got worse, and the outbreak of the 1965 war between India and Pakistan re-inscribed, once again, the hyphen connecting India and Pakistan in U.S. policy. Following the joint decision by the U.S. and U.K. to impose an arms embargo against the sub-continent, and the aid squeeze imposed on India during successive years of drought, relations between the two countries soured further.[17]

In 1965, multilateral negotiations towards a non-proliferation treaty (NPT) began at the Conference on Disarmament (CD) in Geneva. India had entered negotiations in the expectation that the NPT would be a step towards general disarmament, a foreign policy objective it had long been in favor of. Although the NPT's Article VI contains a weak promise by states possessing nuclear weapons (NWS) "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control," even at the time of its coming into force, it was understood by the superpowers that this commitment was only a sop to the non-nuclear world, more likely to be honored in the breach.[18] George Perkovich points out that realizing that the final version of the NPT was unlikely to offer India security guarantees, especially against China, "in 1967 and 1968, the question shifted from whether India should actually produce nuclear weapons to whether India should sign a treaty

relinquishing the right to produce nuclear weapons."[19]

Unlike the Partial and Comprehensive Test Ban treaties, which can be seen as globally constraining legal mechanisms seeking to slow down and eventually halt the growth of the total number of nuclear weapons in the world, the final version of the NPT is best understood as a legal instrument that could not overcome the inherent ambivalence of nuclear technologies.[20] While seeking to prevent the spread of nuclear weapons technology beyond those states that had already tested nuclear devices, the NPT effectively froze the nuclear status quo while doing little to reduce the value of nuclear weapons as prime instruments of policy and prestige. India's concerns revolved around two issues, the criterion of exception, and the foreclosing of its nuclear options. At the heart of the treaty is a distinction between states that had detonated nuclear explosives before January 1, 1967, and those that had not. Overall nuclear capability was not the issue of distinction, proof of explosive ability was. This artificial distinction created a system of "global nuclear apartheid," in the strong words of the Indian negotiator, V.C. Trivedi. This difference would matter considerably for India, which as always, was seeking to keep its nuclear options open. The NPT would come into force in 1970, with Pakistan, Israel and Cuba joining India as non-signatories.

The new decade ushered in a new administration. President Nixon made little effort to improve ties with India. In 1971, his national security advisor Henry Kissinger used Pakistan as a secret conduit in his effort to improve ties with Communist China, the most aggressive transformation of U.S. foreign policy since the beginning of the Cold War. At the end of that year, with Indian armies moving to liberate Dhaka from the clutches of West Pakistan, Kissinger flexed American military muscle in an effort to "prevent 'a Soviet stooge, supported by Soviet arms', from overrunning an ally" and encouraged the Chinese to open a new front in the war to "scare those goddamn Indians to death."[21] Finally, in an effort to show the Chinese (not the Pakistanis) the reliability of the U.S. as an ally, the Nixon administration took the decision to send a nuclear-armed Seventh Fleet, led by the USS Enterprise, into the Bay of Bengal during the crisis. Without a clear tactical objective, this dubious gesture only alienated India and did little to help U.S. ally Pakistan. Following this, India-U.S. relations hit a new low. As every U.S. diplomat who has served in or passed through New Delhi can confirm, the "Enterprise" incident has never been forgotten by Indian elites.

1974 and After

In May 1974, India detonated a plutonium device under the Rajasthan desert, becoming the sixth country to test a nuclear explosive. The explosion was termed a "peaceful nuclear explosion" (PNE), not a bomb, echoing India's reservations during the NPT negotiations.[22] The rationale for the Indian decision continues to be debated today. At the time, domestic factors seemed to be the dominant imperative: Prime Minister Indira Gandhi was under severe stress from political opponents, and the timing of the explosion seems to have been aimed at using this event to bolster her flagging political fortunes. Since the decision to test was taken in 1972, it could be argued that this was a decision made from a position of great strength, rather than weakness, following India's decisive victory over Pakistan in 1971. Taking a slightly longer-term view, pressure from domestic lobbies, notably nuclear scientists, was an important factor explaining the decision to test.[23] Speaking years after the 1974 explosion, one of the key architects of the PNE described it as in fact a nuclear weapons test, rather than merely a "demonstration" of capability (the contemporaneous term employed by Indira Gandhi). However, this statement is best seen as a blatant effort to rescript history to make it appear that India had always intended to build nuclear weapons.[24] Future events would show that India had not made the political

decision to develop a nuclear weapons arsenal. Notwithstanding various possible reasons for testing in 1974, its impact on India-U.S. relations would take decades to recover from.

Canada, which had provided India with the CIRUS reactor that was used to produce the plutonium used in the explosive device, and the United States, which had supplied heavy water that may have been used in the reactor,[25] along with the rest of the international community, reacted angrily and vehemently to the 1974 test. This adverse reaction to India's 1974 test was to shape relations between the two countries until the end of the Cold War. Sanctions were imposed on the Indian nuclear program, and discussions began in the U.S. Congress that would eventually lead, under the Carter Administration, to the passing of the Nuclear Non-Proliferation Act of 1978. The Act would define the legal terms for U.S. nuclear relations with the rest of the world, and required ending cooperation with countries that violated nuclear cooperation agreements with the United States, and also with those that detonated nuclear explosives.

However, U.S. commitment to its non-proliferation policies has, by the admission of a leading expert, been variable. Although "the underlying assumption of nonproliferation policy is that the spread of nuclear weapons is a threat to U.S. and international security," in practice both commercial and other strategic interests have led to a mixed record.[26] For India, there was no better proof of that inconsistency than the repeated waivers given to Pakistan during the Afghanistan war. India, by contrast, although like Pakistan a non-signatory to the NPT, would continue to be subject to U.S. nuclear sanctions, setting back the progress of its civilian nuclear program considerably. By contrast, Pakistan would take advantage of its close ties with the U.S. government to achieve a covert nuclear capability. In a pattern that continues today, while the practical performance of the executive branch of the U.S. government has displayed a mixed reaction towards horizontal proliferation—turning a blind eye toward the nuclear activities of allies Israel and Pakistan, while castigating the behavior of similarly behaving non-allies like India and Cuba, the slack in policy implementation has been taken up by the legislative branch. Less constrained by political expediency and more genuinely concerned about the spread of nuclear weapons, Congress is always more able to articulate, and legislate on the basis of, universal principles. Executive branch behavior towards India would, from this point onward, be constrained by statutory pressure from Congress in relation to nuclear matters.

India had been tilting towards the Soviet Union for some time, formalized by the signing of a 20-year "peace and friendship" agreement in 1971. Events taking place later that decade would only strengthen that relationship. In 1979, the Soviet Union invaded Afghanistan, and while India was hardly in favor of a superpower practically on its borders, American reaction to this invasion would ensure that U.S.-India relations remained in cold storage. Pakistan, blessed by its location once again, would become the beneficiary of billions of dollars of U.S. aid, as President Reagan would begin a covert policy of supporting the Afghan freedom fighters or *mujahideen*. Massive U.S. military and economic support for Pakistan could only be seen in negative terms in New Delhi, though some efforts were made to improve regional relations once General Zia's regime had ended.[27] By the end of the 1980s, these two factors, the 1974 test (by its legislative outcome), and the Soviet invasion of Afghanistan (by its geopolitical outcome), ensured that relations between the U.S. and India remained cool.

The End of the Cold War

With the end of the Cold War and the dissolution of the Soviet Union, soon followed by the overwhelming defeat of Iraq in the first Gulf War, new possibilities in U.S.-India

relations opened up. The first step was taken by the U.S. Defense Department, encouraged particularly by the Navy, who sought in India a partner for its geo-strategic mission of keeping open the world's sea-lanes. In December 1990, Assistant Secretary of Defense Henry Rowen visited India "with a large delegation."[28] This was followed by a visit to India by the commanders of U.S. Pacific Command Claude Kickleighter and Charles Larson.[29] On his return, Kickleighter prepared a proposal for expanded U.S.-Indian defense cooperation, including annual exchange of visits, regular seminars and discussions, and joint training and participation in military exercises. The pace of interaction picked up at once with a series of high-level meetings between the leadership of the Indian military and U.S. Pacific Command. In May 1992, the two navies conducted their first-ever joint exercise, and close relations between the two services continue to this day.[30]

The relative ease of interaction on the military front was not matched elsewhere. In a visit to Washington in March 1992, Indian Foreign Secretary J. N. Dixit met with senior defense official Paul Wolfowitz to "make an assessment of how far the U.S. was interested in defense cooperation" and found Wolfowitz "fully supportive of new beginnings" between the two countries.[31] The cordiality of this meeting was in contrast to discussions with his counterparts in the State Department, Office of the Trade Representative, and meetings with members of Congress and the press. Members of Congress, in particular, he noted, "concentrated entirely on issues of non-proliferation and Kashmir." In his memoirs, Dixit makes a point of noting the frequency with this non-proliferation would come up in his meetings, forcing him to reiterate that "India was absolutely firm about not signing the NPT."[32] It should be noted that my interviews with former State Department officials downplayed the importance of the military connection to improved U.S.-India relations. However, I see military-military ties as providing an important point of institutional continuity during the turbulent decade of the 1990s, offering a point of bilateral contact which were independent of the traditional bugbears of the relationship, and thereby providing a common base from which new ties could be forged once the political climate changed.

These two themes, ongoing concerns about proliferation coupled with greater strategic interaction, would continue on parallel tracks through most of the decade. Starting in the early 1990s, however, a new factor would enter bilateral calculations—commerce. The conventional wisdom is that, following a severe balance of payments crisis in 1991, the public symbol of which was an emergency sale of gold reserves in order to meet its debt obligations, Indian economic planners adopted neo-liberal economic policies that have produced a transformation in India's economic performance.[33] India's lack of economic growth in the preceding four decades, by extension, was the product of decades of state planning, autarkic policies and lack of technological innovation. This view is contested, [34] but regardless, since the early 1990s, India has had high rates of economic growth, and, if these trends continue, is in the process of becoming a major global economic force. This development has affected U.S. perceptions at the policy-making and elite levels considerably. Even though India's GNP is still relatively small in absolute terms, this change in perception has been reinforced by the international success of private Indian information technology and software companies, making the city of Bangalore, the hub of many of these companies, a widely recognized metonym for its new economic profile.

If rapid economic growth provided an entirely new and positive backdrop against which India's image was slowly changing for the better, and closer military-to-military ties produced new U.S. supporters for improved relations with India, including the possibility of arms sales to a large and growing market, familiar concerns still plagued U.S.-India

political relations in the 1990s, especially nuclear weapons. At various points during the decade, India and Pakistan came close to armed military conflict, confounding the predictions of deterrence optimists who expected that the presence of nuclear weapons on both sides would promote a more stable relationship.[35] Fearing the outbreak of nuclear war, the U.S. kept close watch on this region, with government and non-governmental agencies and experts becoming a regular presence in the region seeking to promote conflict-prevention strategies and confidence-building measures. In 1992, reflecting this greater visibility, the State Department reorganized its regional division of the world and created, for the first time, a South Asia Bureau (now, Bureau for South and Central Asia) headed by an official with rank of assistant secretary. In December 1995, with satellite images suggesting that India was preparing to test nuclear weapons, U.S. diplomats rushed to Delhi and "warned that a test would backfire against India."[36] Prime Minister P. V. Narashimha Rao backed down and India cancelled the tests.

Although former deputy secretary of state Strobe Talbott reports that President Clinton came into office seeking to improve ties with India, for the first six years, very little actually happened. Talbott writes, "India's refusal to join the Nuclear Non-Proliferation Treaty… made it hard for the Clinton Administration to develop traction with India."[37] From the Indian standpoint, if anything, the U.S. had increased its pressure to join the nuclear nonproliferation regime and close down its nuclear option. Leading up to a Washington visit by Indian Prime Minister Narasimha Rao, the U.S. pressured India to join multi-party talks on putting curbs on their nuclear and ballistic missile programs. To the surprise of few, Indian diplomats dug in their heels and the talks failed. But even as little progress was made on the proliferation front, 1995 also saw visits to India by senior U.S. cabinet officials, the secretaries of Defense, Treasury, and Commerce, and First Lady Hillary Clinton.

With the end of the Cold War, and the new mantra of economic globalization sweeping the world, non-nuclear states had become more forthright in asserting their view that nuclear weapons were increasingly an aberration in international politics. In the prelude leading up to the Comprehensive Test Ban Treaty (CTBT), international public opinion showed how powerful and widely held these views were, when France and China were condemned across the world for conducting a final round of nuclear tests before agreeing to sign the test ban treaty. In 1996, the World Court, responding to a request from the U.N. General Assembly, issued a remarkable advisory opinion (albeit a split decision) that while it could not declare the use or threat of use of nuclear weapons illegal, the "threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law."[38] Ironically, India had submitted a brief to the Court supporting this judgment. As the Canberra Commission on the Elimination of Nuclear Weapons—an independent commission of experts set up by the Australian government—noted, presciently, as it would turn out: "The end of the Cold War has created a new climate for international action to eliminate nuclear weapons, a new opportunity. It must be exploited quickly or it will be lost."[39]

At the multilateral level, both the 25-year review conference of the NPT in 1995, and lengthy negotiations over the CTBT that began in 1994, became settings for the familiar stand off between India and the U.S. on the nuclear issue. Although India was not an official participant in the NPT talks, it watched the development of the negotiations closely. When the review conference surprisingly decided to renew the treaty indefinitely while increasing pressure on the nuclear weapons states to take Article VI (their commitment to work towards arms reduction and

disarmament) far more seriously than in the past, Indian policy makers took careful note.[40] At the CTBT talks, the Indian sense of beleaguered isolation from the international mainstream increased. Although India had been one of the first countries to propose a comprehensive test ban, as early as the 1950s, it ended up vetoing the treaty at the Conference on Disarmament. Holding fast to its position that the treaty should also include a time-bound commitment for nuclear weapons states to begin disarmament talks, India found itself in a distinct minority. The CTBT employed an unusual provision that had the effect of singling out India and a few other states by insisting that all nuclear-capable countries should sign and ratify the treaty for it to come into force. This provision, outlined in Article XIV and pushed by Britain, Russia and China, who may have been seeking to weaken the treaty for their own strategic reasons, sought to tie India to the terms of the treaty even though it remained outside its framework. All this worked to strengthen the hands of domestic nuclear hardliners arguing that India should now declare itself a nuclear weapons state. As even critics Praful Bidwai and Achin Vanaik noted at the time, "what, after all, is the point of India not signing the CTBT but then remaining where it would have been if it had signed?… There is more internal pressure than ever before to carry out tests… [even though] there has been no qualitative shift in Chinese and Pakistani nuclear behavior." [41]

The 1998 Tests

In May 1998, following a number of rapid transfers of political power, the new Indian government led by a Bharatiya Janata Party (BJP) coalition carried out their election manifesto pledge and declared India a nuclear weapons state after conducting five nuclear tests. In spite of intense U.S. pressure and inducements,[42] Pakistan soon followed suit, making South Asia the only region of the world where two declared nuclear weapons states confronted each other. The extent of Indian elite exuberance at this declaration of nuclear might was directly proportionate to international anger at this development, coupled with intense U.S. embarrassment at being so caught by surprise. "We're going to come down on these guys like a ton of bricks," President Clinton reportedly said, even as "the machinery of government cranked out an array of sanctions against India that reflected the requirements of the law and the intensity of the president's feelings."[43] The disapproval of the U.S. was soon joined by the major powers, individually and via U.N. Security Council Resolution 1172. China, which had initially remained silent, added its voice to the fray when a letter from Indian Prime Minister Vajpayee to President Clinton, naming China as India's main threat, was leaked to the press.

Considering the initial flurry of anger, coming a few short years after the world seemed poised on the brink of bringing the period of dominance of nuclear weapons to a close, it is remarkable how quickly international anger died down, and how soon the world came to terms with two new nuclear weapons states.[44] This is not to say there were no anxieties at all; after all, within a year of these tests India and Pakistan had gone to war with each other across the line of control in Kargil, leading also to the fall of the last civilian elected government in Pakistan.[45] But the prevailing feeling appeared to be that this development was now a *fait accompli*, and the world had to accept that these two countries were not going to give up their nuclear weapons. Considerable credit for this turnaround must be give to some adroit Indian diplomacy, led by BJP Foreign Minister Jaswant Singh, who, within months of the tests, was in Washington explaining India's case to the Clinton Administration.

The Jaswant Singh visit would augur a new opening in India-U.S. relations, epitomized by eight rounds of discussions between Jaswant Singh and President Clinton's designee, Strobe Talbott, on the condition of and possibilities for better relations between the two countries. While no

practical breakthrough emerged as a result of these talks, their impact was felt in important symbolic terms for both sides. For India, the talks helped assuage Indian anxieties about their place in the world by signaling that it was a worthy bilateral interlocutor for the sole superpower. For the United States, the talks helped establish, in Washington, the "common sense" of the idea that India was an important country that had for too long been left outside the U.S. orbit, and that its leaders were trustworthy and could be relied upon. The talks helped set a baseline for interaction between the two states, helped clarify some of the differences in the positions held by both states, and created considerable goodwill which would become a resource for the future. That India's gamble to test nuclear weapons had paid off was confirmed when, in spite of his initial angry reaction, President Clinton visited India in 2000, in a visit that was widely touted as being path-breaking.

The decision to declare India a nuclear weapons state, the nuclear tests and their aftermath, have, in Indian elite perspective, emerged as the strategic complement to the transformation of its economic model. It would lead one commentator to say: "Fifty years after independence, India now wanted to become a normal nation—placing considerations of *realpolitik* and national security above its recently dominant focus on liberal internationalism, morality and normative approaches to international politics."[46] To the extent that liberal internationalism, morality and norms are weapons of the weak, and taken together indicate a desire to alter the rule of international power, "normalcy" for India hence implies becoming a status-quo power.

The Transformation of Relations

The first public hint of the Bush Administration's thinking about India was flagged in an essay by presidential advisor Condoleeza Rice in *Foreign Affairs* in January 2000. She wrote, in an article that lays out most of the themes that would soon come to mark the Bush Administration's foreign policy practice, including concerns about declining defense spending, excessive multilateralism, Kyoto, "rogue regimes" like Iraq and Iran, and, especially, U.S. relations with great powers Russia and China:

> China is still a potential threat to stability in the Asia-Pacific region… [It] would like to alter Asia's balance of power in its own favor… China's success in controlling the balance of power depends in large part on America's reaction to the challenge. The United States must deepen its cooperation with Japan and South Korea and maintain its commitment to a robust military presence in the region. It should pay close attention to India's role in the regional balance. There is a strong tendency conceptually to connect India with Pakistan and to think only of Kashmir or the nuclear competition between the two states. But India is an element in China's calculation, and it should be in America's too. India is not a great power yet, but it has the potential to emerge as one… It is important to promote China's internal transition through economic interaction while containing Chinese power and security ambitions. Cooperation should be pursued, but we should never be afraid to confront Beijing when our interests collide.[47]

This forthright statement about China's aggressive grand strategy, and its response that confrontation with this "strategic competitor" should not be considered off limits, stood in marked contrast to the ameliorative Clinton approach, as well to the approach taken by George Bush senior (1988–1992) to China. It outlined a strategy that stressed a geo-political understanding of the Asia-Pacific region, not surprising for a foreign policy team that had won their spurs during the Cold War, and that required "*containing* Chinese power and security ambitions."[48] Seen in that light, states bordering China, including Japan, South Korea, Taiwan, and India, had a special role to play in assisting China's containment. India, in addition, was seen as a country that had the

potential to emerge as a great power. Its nuclear program and its unsettled relationship with Pakistan were being marginalized in favor of its potential within a new American containment plan. This was music to New Delhi's ears.

Secretary of State Powell, in his confirmation hearings, reiterated India's new visibility. After wondering aloud whether it was time to remove sanctions against India, he noted that India was to be a high priority for this administration. In early 2001, when Foreign Minister Jaswant Singh visited Washington to meet his new counterpart and National Security Advisor Rice, President Bush "unexpectedly" dropped in to demonstrate his personal interest in better relations with India. U.S. actions were quickly responded to by India. When the U.S. announced its interest in abrogating the long-standing Anti-Ballistic Missile treaty and developing theater missile defense systems, India was among the first (and few) countries to welcome the move. This quick reaction would lead to further high-level consultations, with Deputy Secretary of State Richard Armitage being sent to Delhi in May 2001 to discuss the new U.S. strategic framework with the Indian government. These fast moving developments were brought to a sudden halt in September 2001, with the attacks on the World Trade Center and Pentagon. Suddenly Pakistan was back on center-stage, and South Asia had become a major front in a new war, this time on global terrorism.

Although India was tactically sidelined in relation to Pakistan once the war on terror began, it had the unintended consequence of elevating the issue of terrorism to prominence at the highest levels of U.S. decision-making. India has long been a victim of terror attacks from radical groups, notably Islamic extremists based in Pakistan. Although this complaint has been a constant theme in Indian remonstrations to the U.S. about the latter's support of Pakistan, after September 2001 these concerns obviously resonated in new and important ways. Soon after the Afghanistan campaign began, terrorist attacks took place in Indian Kashmir in October, and, in a shocking breakdown of security, within the precincts of India's parliament complex in December 2001. India put its armed forces on high alert, and for the next ten months, Indian and Pakistani armies faced each other "eyeball to eyeball" across the international border. The threat of imminent war led to the closure of foreign embassies and the withdrawal of most diplomatic staff. High-level British and U.S. mediators regularly shuttled between Islamabad and New Delhi, hoping to avert a full-scale war, which they feared, could lead to a nuclear exchange. In October 2002, India stood down its forces, and the crisis ended.[49]

There remains a dispute about the imminence of the crisis and the actual likelihood of war, but what was confirmed in U.S. eyes was the possibility of a terrorist attack becoming a trigger for escalation to all-out conflict. India's position as a victim of radical Islamic terror worked to reinforce its position as a natural ally of the U.S., a country faced with the same problems if on a different geographic scale. In a speech given to the Institute for Defense Studies and Analyses in New Delhi in January 2003, U.S. ambassador to New Delhi, Robert Blackwill would identify the common issues facing the two countries as the following: "to promote peace and freedom in Asia, combat international terrorism, and slow the spread of weapons of mass destruction."[50] Remarkably missing is any reference to non-proliferation.

Ambassador Blackwill would become a key player in the transformation of U.S.-India relations. A former Harvard professor and European specialist in the National Security Council, during his two years in Delhi Blackwill was instrumental in the establishing a new understanding of India in U.S. eyes and the implementation of a new framework for India-U.S. relations. He had been sent to Delhi with a firm mandate from President Bush to transform relations with India. Other ambassadors may also have received this charge, but Blackwill was able to do far more

than his predecessors. Working at the policy level between Washington and New Delhi, Blackwill's efforts were also made possible by the practical support offered by his senior advisor, former Rand Corporation and currently Carnegie Endowment senior fellow, and expert in nuclear issues and Asian strategic affairs, Ashley J. Tellis. Tellis and Blackwill, operating with a thorough and nuanced understanding of policy-making and politics in both capitals, became a formidable duo. They began at once to work on the trust deficit in Delhi. As Tellis recalls:

> During 2001-3, when the bilateral relationship was at its most intense, the strategic dialogue possessed an intimacy that was displayed in the willingness of both sides to engage in genuinely freewheeling conversation rather than scripted recitation of talking points. Success during this period was enhanced by… Blackwill's insistence that the U.S. government routinely brief senior officials in New Delhi on major American policy initiatives completely unrelated to bilateral relations… [This had the effect of] underscoring the conviction that the United States mattered to the United States not just within South Asian but on a global scale.[51]

Blackwill would also introduce organizational changes in the U.S. Embassy in Delhi, creating a system that led to close relationships between embassy staff and a variety of Indian government officials, few of whom had had any connections with U.S. officials before. As a result, new stakeholders in a close relationship were forged, reducing the number of possible "blocking coalitions" within the Indian government.[52] These relationships did not lead to complete agreement between the two sides, but disagreements were far more transparent than before, leading to a new sense of confidence and increasing the level of trust in U.S. *bona fides*. Working to change attitudes in Washington was, Tellis recalls, more difficult in many respects. Problems to overcome included legal constraints on closer ties between the two countries as well as negative perceptions widely held among the civil bureaucracy of India as a Soviet client and as an obstructionist member of the non-aligned movement. Apart from being a seasoned bureaucratic infighter, Blackwill had one great asset he was not unwilling to use in his struggle to define the mission of transformation: direct access to the president.

The successes of these efforts led to the first breakthrough in the relationship. In early 2004, the two governments announced the Next Steps in Strategic Partnership (NSSP), a wide-ranging initiative focusing on Indian access to once-restricted high technologies: space, nuclear energy, dual-use high technology trade and missile defense.[53] Its intent, according to the Indian government is to "expand engagement," "enhance cooperation," and is a "step to create the appropriate environment"[54]—a series of cautious steps towards better relations, especially in strategic and defense industries. Most of the NSSP discussions were about removing Indian entities from a sanctions list, and easing the way for Indian purchases of defense-related technologies. Tellis, in an important report published just before the breakthrough agreement of July 2005, argued that while the NSSP was a "political advance, it nonetheless remains a *precarious* breakthrough from the point of radically reforming U.S.-India relations."[55] He saw little sign in the agreement that there were means likely to overcome existing bureaucratic resistance, and called for the President to issue an unambiguous statement, through the means of a National Security Decision Directive, to meet the stated objective of making India a great power. The report went on to propose new high-level dialogues on energy security, strategic cooperation, and economic engagement.

Clearly, people in high places absorbed the arguments of Tellis' report: there is no better indication of that than reading the July 2005 India-U.S. agreement. The announcement is built around his most ambitious recommen-

dations, especially on nuclear energy. As he proposed, the U.S. decided to sideline its non-proliferation concerns in favor of helping India to meet its energy needs, and agreed to create a legal exception for India. For the U.S. this would have the benefit of "[increasing India's] enthusiasm for contributing towards counter-proliferation activities in the Indian Ocean, buttress its potential utility as a hedge against a rising China, encourage it to pursue economic and strategic policies aligned with U.S. interests, and shape its choices in regard to global energy stability and environmental protect-tion." As mentioned earlier, the July 2005 joint statement would be followed by the March 2006 agreement, which would commit the U.S. and India to making radical changes in their relationship, foregrounding the once-most contentious issue, civilian nuclear relations. In a few short years, U.S.-India relations had been turned around, with nuclear energy no longer an issue of dispute, but one of possibility. Non-proliferation concerns had been sidelined, replaced by India as a strategic partner of the United States, producing a new geopolitical map of Asia. In this scheme, putting constraints on India's ability to acquire and project military power was no longer in U.S. interests; hence, that fissile material could be diverted to India's military program was no longer a problem, indeed it was *required* if India was to fulfill this new role.

Making Sense of the Transformation

Why now? Given that there had been a number of moments in the past when India-U.S. relations could have improved, what was different about the present that made possible this turnaround? From the U.S. point of view, and in the absence of other mediating factors, relations with India have been trapped between two opposing forces. Typically, one is usually glossed as regional in scope, the other derives from universal policy concerns. Regionalists, largely but not only from the State Department, favored a democratic, economically vibrant, and militarily strong India over Pakistan as the most obvious choice for U.S. long term interests in the region. Functionalists, drawn from across a range of government agencies, and concerned with global areas of concern like proliferation or terrorism, came to the opposite conclusion. South Asia was an area of grave concern because of this region's outlier status in the global nuclearscape. Hence, these two forces—or rather their advocates—were usually in constant bureaucratic competition with each other, leading Strobe Talbott to describe the outcome as "losers coming back to fight another day—or in compromises that left no one entirely satisfied"—the functionalist-dominated disequilibrium that had prevailed since 1974.[56]

This study argues that transformation has come about due to a conjuncture of independent actions and outcomes at multiple levels—at the *structural*, *bureaucratic*, and *conceptual* levels. As described below, all three contributed in different ways to the current state of U.S.-India relations.

The early 1990s onward were marked by the convergence of two *structural* factors working in favor of better relations. The first was the product of a changing geo-political strategy: due to China's emergence as a long term "strategic rival" to the United States, India's growing military muscle and regional dominance made it more attractive to the U.S. in its search for allies and partners to balance China. India, in this case, took the place of Pakistan as the regional partner in the familiar pattern of U.S.-South Asia relations. By the same token, this brought the Defense Department, a new and powerful bureaucratic actor, into a setting usually dominated by State. Defense Department support for better relations with India had the effect of broadening the debate, and helped offset the influence of functional agencies concerned with Indian non-proliferation, trade barriers, and restrictions on foreign business.

Independent of this shift in strategy, but acting in its support, was the Bush Admin-

istration's indifference to and even hostility to long-established multilateral treaties and agreements. While it would not be correct to call this a structural factor in the transformation of relations, this willingness to not be tied down by past agreements certainly made it easier to consider jettisoning legally constraining strictures emanating from the nuclear non-proliferation treaty and complementary domestic legislation. This factor lies between the structural and the political levels: any action by a superpower is inevitably structural in its effects, yet this tendency also weighs heavily on domestic politics.

The second structural factor, which is still being played out, is entirely new in the history of U.S.-India relations. There is now an independent reason for India to be taken seriously, namely, the rate of India's economic growth for the last fifteen years. Although India's GNP is still relatively small in absolute terms, India's fast pace of growth, taking place in an institutional setting which is less politically risky than China, makes it an important and attractive site for U.S. overseas investment, and increases by many times the stakeholders interested in maintaining closer ties between the two countries. India's economic globalization, in other words, is the new structural factor helping transform relations between the two countries. This condition is what makes possible the further transformation of India-U.S. relations by bringing the power of U.S. business lobbies into the debate on the side of better relations with India. For the first time, the United States has an interest in better ties with India *without the mediation of a global struggle or a local crisis*, as has always been the case in the past. Even without the China factor, the possibility of major economic interests in India transforms the profile of the country for the U.S.

At the *bureaucratic* level lay the combined forces of Ambassador Blackwill, Ashley Tellis, and their allies in the U.S. government, seeking not simply to "improve" U.S. relations with India, but to transform it qualitatively. Their desire for transformation was not merely an objective, but also a calculated means to get beyond the usual bureaucratic hurdles and inertia. After all there have been prior moments—notably the Kennedy years—during which relations with India could have changed, but didn't. Recognizing that there existed numerous bureaucratic spoilers and legal constraints that would kick in once a certain level of improved relations had been achieved, thereby permanently consigning the state of India-U.S. relations to incremental improvement, they understood that a transformed relationship with India would only be possible if it were taken out of the usual groove of everyday foreign policy. India needed to become a matter of the U.S. national interest; nothing less would overcome statutory constraints on better ties with India, and enable the U.S. to meet Indian concerns more completely. While the Bush Administration had rhetorically committed to a warm relationship with India, that commitment needed to be made manifest and "actionable." This required decisions taken at the highest level of the government, at the White House. Blackwill, in particular, had that access, and used it effectively to make the case that a new India-U.S. relationship was of the utmost importance to the United States. In short, the need to overcome the many restraints on better relations required a radical step that set the relationship outside the norm, and established India as an exceptional case. This was a risky step: to transform relations with India would involve nothing less than taking on one of the core planks of U.S. foreign policy since the 1970s: non-proliferation. Yet, if change beyond the incremental was to happen, there was no other way. The decision to go ahead with this charged political step was taken at the highest level, where India's democratic credentials proved to be the most important factor justifying this sea change.[57]

Getting the attention of the White House was necessary to overcome U.S. bureaucratic resistance but not sufficient to change bilateral relations. What needed to be

changed as well was New Delhi's attitude towards Washington, and overcoming its long list of historical and immediate grievances. As we have seen from the discussion, from the Indian point of view, there is good reason for a considerable deficit of trust vis-à-vis the United States. Getting Indian elites to believe that this time would be different would not be easy, unless the U.S. truly made India an offer "it could not refuse." And what better offer could there be than the very issue that had bedeviled bilateral relations since 1974? The high stakes gamble taken by the bureaucratic advocates of transformed U.S.-India relations argued that the greatest problem in bilateral relations needed to become its greatest asset.

India has articulated a very distinct set of demands in its expression of closer ties with the United States. These benefits are highlighted in the so-called "trinity" of issues that characterized the NSSP—civilian nuclear power, dual-use high technology, and space cooperation—later expanded to a "quartet" when missile defense was added.[58] This cluster of issues stands out for its association with high and rare technologies that are likely to have strategic applications. In other words, India defined better relations with the United States in the very issue-area where the likelihood of real progress was least likely. This was due to very natural U.S. concerns that release of these technologies would have the effect of altering the regional balance of power in the short term and reducing the relative preponderance of U.S. power in the long run. As Alan Krondstadt has pointed out, the list of restricted technologies encompasses less than 1% of total U.S.-India trade; yet—from the Indian point of view—this tiny margin was important enough to hold hostage improved U.S.-India relations. In what appeared to be a classic Catch-22 situation, U.S. denial of potentially strategic high technology was always pointed to as giving the lie to its claims of desiring better relations with India.

As I have argued elsewhere, technology has long been associated in elite Indian political culture with the highest levels of modernity and development.[59] For a variety of historical reasons, the condition of Indian development came to be defined in terms of the technological capacity of the country. To very briefly summarize a long argument, this is because the *lack* of modern technology was seen retrospectively by nationalist leaders like Jawaharlal Nehru as the principal reason why it was possible for India to be so easily colonized. Hence, following political independence, Indian technological development had to be as advanced as anywhere in the world for that shameful historical condition never to be repeated.[60] Atomic energy was, at the moment of independence, enshrined as the highest form of modern technology, giving it a privileged place in the pantheon of Indian modernity to this day, despite its many practical failures. Over time, this obsession with technology has crystallized into a desire for Indian membership in certain exclusive high tech "clubs"—especially space and rocketry, and, nuclear energy and advanced military weapons. Hence, U.S. relations with India could be held hostage to 1% of the items being traded between them, not merely because of their material and strategic importance, but because of the symbolic meaning and historical context attached to Indian acquisition of high and rare technologies.

Bureaucratic warriors had to face a different kind of challenge to meet these particular demands from India. American willingness to give in to Indian demands for strategic high technology required that policymakers unanimously agreed that India would never become a strategic competitor to the U.S. Just as no one in the U.S. could imagine Great Britain using its nuclear weapons to attack Washington, so also a fundamental change in perception had to come about which would make the likelihood of Indian strategic conflict with the U.S. beyond the pale, whether materially possible

or not. While this possibility may seem extremely remote at the present time, strategic analysis requires thinking long into the future. Accepting India as a non-enemy was made possible by putting the U.S. in India's shoes, and realizing that China would always be a more proximate and likely competitor to India, long before Indian power reached the capacity seriously to threaten the United States. Given that outcome, Indian and U.S. threat perceptions would naturally coincide, even in the absence of formal treaty alliances, making the decision to support Indian strategic technology desires sensible in relation to a greater and more likely threat.

Ambassador Blackwill indicated this line of argument in comments to a journalist roundtable at the Council for Foreign Relations, when he noted: "However, I believe that if this relationship continues on its current direction of transformation, and if in 10 or 15 years—or sooner, but 10 or 15 years—China begins to act aggressively externally and in a hostile way, these two countries will come together naturally. So they do not have to plan for it; they'll come together naturally… because they are natural allies with a little 'a.'"[61] By this logic, allowing India to become a military power is a *necessary and desirable* outcome of the new state of relations between the two countries, not a consequence of poor negotiating skills or Indian intransigence.

Underlying this transformation is an ongoing "relocation" of India in cultural-representational terms. American perceptions of India were long dominated by journalist Katherine Mayo's 1927 screed Mother India, which painted a sensational and horrific picture of Oriental degeneracy, and concluded that political independence for India was far too dangerous to contemplate. Although Mohandas Gandhi described Mother India as little more than a "Drain Inspector's Report," its immense popularity continued to shape impressions of India around the world, long after the book was published.[62] The contrast with Pearl S. Buck and her sympathetic writings on rural China in the shaping of American attitudes towards that country is striking. Even though the experiences of U.S. servicemen during World War II, and the Indian pilgrimages of civil rights leaders offered other images and memories of the country,[63] the idea of India as a place of great extremes—social inequalities, weather, language, and geography—proved hard to displace. During the 1960s, Lyndon Johnson's obsessions with the failures of Indian agriculture did much to reinforce the dominant Mayo-derived view. Whatever one's views of it, India did not seem like anywhere else, its uniqueness making it difficult for easy comparative reference, both a boon and a drawback.

In 1993, the long disused idea of a "civilization" as the ahistorical marker of the essence of a society's norms and behavior was brought into public prominence by Samuel Huntington in his controversial *Foreign Policy* article on the "clash" of civilizations, developed later into a book length treatment (1996). This influential, if deeply flawed argument, would identify India as representtative of "Hindu civilization," alongside Western, Islamic and Confucian civilizations. Most visible in Strobe Talbott's dialogues with Jaswant Singh after the nuclear tests of 1998 and continuing on during Ambassador Blackwill's tenure in New Delhi, India began to establish its identity in U.S. eyes in new ways—notably as a distinct *civilizational* entity and, hence, as an *Asian* power.

It is noteworthy that Talbott's discussions with Singh would spend so much time interpreting the past. A deep anxiety about history and the past, and, for related reasons, the assertion of modern India as the contemporary legatee of Hindu civilization, has been the hallmark of the intervention in Indian politics represented by Singh's political party, the Bharatiya Janata Party (BJP), since its re-emergence in the late 1980s. Jaswant Singh was an able articulator of those themes, as is expressly indicated in the Talbott memoir and Singh's own writings on international politics and defense.[64] Talbott was by no

means a naïve interlocutor in this regard; he had done his homework and was well able to separate the more virulent and bigoted commentary he heard from what he considered a reasonable recounting of Indian national identity. Nonetheless, he was not averse to taking a civilizational discourse seriously as a way of understanding that identity. Talbott reiterates this, when, in the early pages of his memoir, before he begins the account of his dialogues, he compares India and the United States, both former British colonies: "[Unlike Americans] Indians were of a different race and culture. They were bearers of a great and ancient civilization who had been treated, in Rudyard Kipling's famous phrase, as a burden to be borne by the white man." This statement in particular helps us see the effect of Jaswant Singh's arguments on Talbott who now understands Indian identity as the combination of great antiquity—requiring due respect, and recent domination—requiring due sensitivity.

The "cultural" discourse on India that emerges from the Talbott and Singh dialogues, and that continues today, is dominated by two related themes. Both themes are drawn from a worldview that highlights contemporary India as first, the political inheritor of an ancient Hindu cultural civilization; and second, as a proud post-colonial society, intensely jealous of its national sovereignty and anxious always to ensure that it is never subject to "neo-colonial" slights, whether intentional or not. This theme plays on the U.S.'s own sensitivities about racism and cultural domination; it also requires the U.S. to live up to its standing as the world's first independent postcolonial state.

India as an ancient civilization is a trope particularly attractive to American sensibilities, especially by way of contrast with the U.S. as a very new and recent arrival on the world stage. Notwithstanding today's overwhelming power and prestige, culturally sensitive Americans are fond of reminding themselves of the antiquity of the rest of the world, reinforcing by default the novelty of the U.S. experience. For instance, speaking before his departure, Ambassador Blackwill would wax eloquent to a group of Indian businessmen: "standing in Jaisamler, close your eyes for a moment and see the camel caravan coming through this desert town a thousand years ago, which I now realize by India's civilizational standards is only yesterday." The speech goes on to sketch a map of India in geographic, religious, and cultural terms—"Uttar Pradesh and Uttaranchal—the heat, the dust, and the glacial source of the Ganga… Ladakh's high plateau with Buddhist prayer flags flapping… a harmonium in the Golden Temple… Jain Dilwara temples in Mount Abu … Pulsating Mumbai … Ancient Christianity in Kerala… the blend of Hindu and Islamic architecture in Chennai… the flowers and forests of Sikkim… the Northeast, Kaziranga and the Brahmaputra"[65]—that in the end seeks to produce a unified geo-cultural reading of India. This familiar technique of exposition, drawn upon for instance by Rabindranath Tagore in composing India's national anthem, ends by the apparently contradictory assertion of a unified Indian essence in spite of this rich diversity. In other words, notwithstanding these diverse images, they represent one entity because there is something more fundamental underlying them—that unifying essence is India, not the nation-state, but as a geo-cultural bloc—a civilization. The discursive slide from "in spite of" [diversity] into "because of" [diversity] is the move that makes this form of narration a civilizational discourse. It takes unity at the level of a civilization to condense the incredible diversity described into a common factor, the master trope called "India." The BJP must be given the credit for reiterating, at every turn, India-as-civilization rather than "just" another nation-state. The evidence suggests that this idea has now traveled to become a familiar and powerful theme in official U.S. representations of India.

This way of thinking is reinforced by one section of the Indian diaspora in the United

States, who have long been searching for a way of situating India in the American cultural imaginary in terms reflecting their self-image as upper caste and upper class Hindus. Efforts in this direction have been questioned and contested by others in the diaspora, but the major site of contestation is significant. A concerted effort has been made to alter the description of India in secondary school textbooks, not only to remove negative and culturally false stereotypes of Indian pasts and presents, but also to inscribe officially a particular and narrow perspective of pre-modern and classical Indian society. Their desire is to conflate India with Hindu, and to promote the idea of Indic cultures as above all a Hindu *civilization*, a higher order than just another nation-state, and aspiring to be on the same scale as the (equally specious) notion of a unified "Western" civilization.

The effect of this representational change has been to allow India to become, culturally, an *Asian* power in U.S. eyes. "Asia" in the American imaginary traditionally refers only to Northeast Asia—China, Japan, and Korea, in the first instance, followed at some distance by Vietnam, the Philippines, Singapore, and other ASEAN countries. U.S. cultural, geopolitical and organizational thinking had always treated South Asia as external to the Asia-Pacific region. South Asia had long been, as shown above, a periphery for the United States, lacking the inherent material or strategic considerations to warrant independent attention in the absence of external sources of change. For most of the last fifty years, South Asia fell between this region and the U.S.'s other great geopolitical interest, the Middle East, and without independent reasons for attention, ended up being marginal to both. Nuclear weapons development and India's growing economic might changed that calculus from a material point of view, but these dialogues and new representations complemented those changes by helping change India's perception in U.S. eyes from a cultural point of view.

The net effect of these conceptual shifts is to "relocate" India in important ways. Reiterating India's cultural antiquity helps establish a regional connection with Japan and China in their familiar construction as emblematic Asian civilizations. India becomes Asian because it is now seen to possess the same historical and cultural characteristics of those states. While it might reasonably be proposed that India needed to "rise" to the level of a civilization before it could be seen as worthy of sustained U.S. attention, what is more to the point is the need to situate India in Asia before the logic of geopolitics can take hold. No longer reduced to its poverty, inequalities of sexuality, wealth, opportunity and other familiar tropes of Mother India, contemporary India as the economically vibrant, culturally self-confident, geopolitical and strategic inheritor of an ancient Asian civilization is a very different, and far more worthy, interlocutor for the United States.

Conclusions

The big question for the future is obviously the sustainability of the transformation in India-U.S. relations now underway. The analysis in this study began from the premise that both India and the United States sought improvement in bilateral relations from the end of the Cold War. The primary obstacles in the way of a qualitative increase in better relations were U.S. statutory constraints related to India's nuclear status and Indian distrust of U.S. bona fides based on prior experience and historical conditioning. Hence, although eager to improve bilateral relations, India could do relatively little to influence this desirable outcome. The vector of change had to come from the U.S. side. This study argued that such change has come about due to a conjuncture of forces operating at three levels, the structural, the bureaucratic-political, and the conceptual.

If these arguments are correct, the conditions determining the sustainability of this relationship are linked to these three key

forces. The least likely of these factors to revert to the status quo ante are the major conceptual shifts described above, i.e. India as an Asian civilization, and the new geopolitics of the Asia-Pacific, following the rise of China. Given the length of time it takes to alter these conceptual parameters, neither of these factors is likely to change significantly in the future, even as new governments come to power in Washington and New Delhi. The other structural factor, the rise of India as an economic power, also seems quite likely to continue to reinforce this relationship into the medium term, even if India's much-vaunted software industry softens, especially as the Indian manufacturing sector increasingly reaches global standards and Indian multinational companies continue to expand overseas. As noted above, this factor is significant because it offers the only reason for the U.S. to have a stake in India without the mediation of global or regional crises. On balance, Indian economic growth as a factor facilitating the new relationship between the two countries is, while perhaps not as fixed as the two variables identified above, a strong force in its favor.

The site most prone to change in the near future is the political-bureaucratic level. While the discussion above dealt much more with political maneuvers within the executive branch, the site of struggle has now shifted to the legislative. At the time of this writing, the U.S. Congress is in the last few days of a short session, before returning home to prepare for the November 2006 midterm elections. If the India-U.S. agreement does not pass in this fall session, the Administration will have lost a lot of invested political capital and wasted a great deal of time as they will have to start this process again, from scratch, in 2007. Moreover, there are numerous projections that the Republicans may lose their majority in at least one of the two houses of Congress. If this happens, the Administration may have difficulties getting this legislation through Congress, not only because of political weakness, but also because the Democrats may use this opportunity to punish the Bush White House. Furthermore, any delay will give new energy to civil society advocates of a strong policy against nuclear proliferation.

Even if a new Congress eventually passes legislation affirming the new relationship with India, the Indian government has sent repeated warnings that it will not countenance any change in the terms already agreed upon by Prime Minister Singh and President Bush.[66] The current Republican-majority Congress was not able to resist the temptation to include caveats in the legislation that will have the effect of applying conditions on India it is loath to accept. A divided Congress is even more likely to impose conditions related to proliferation fears as a way of assuaging the lingering doubts of members who have nevertheless accepted the merits of the strategic argument in favor of better India-U.S. ties. This will lead to major disagreements with the White House, and with India. It has been remarked that this agreement with India stands as one of the Bush Administration's few foreign policy successes, hence they are likely to fight extremely hard to ensure that legislation passes without conditions. This will also be the moment when the alleged political strength of the Indian Diaspora in the United States will be put to the test.

A breakdown in the legislative process will be serious, but not fatal to a closer relationship between both countries. Common military and commercial interests, the former driven by executive decisions in both countries, the latter mostly lying outside the control of government, will be little affected. The single greatest beneficiary of this new relationship, the Indian nuclear complex, will be left high and dry. Neither able to produce more electricity for civilian consumers nor able to become a dedicated weapons complex, it is likely to go into a major internal crisis. The greatest negative effect overall will be on Indian elite perceptions of the United States as a trusted partner. The ruling Congress party will take the most heat for this debacle, but it is unlikely to cause a serious breakdown of

political power or affect the next elections. Those among the Indian political elite (both left and right) who were already skeptical of the U.S. will seize upon this failure as further proof of their doubts and will seek to block Indian involvement in and support for unilateral U.S. policies such as the Proliferation Security Initiative or some aspects of the war on terror. As a result, the United States will be forced into a public position of being seen to be wooing India in order to manage these domestic tensions. Going beyond bilateral effects, the dilution of the non-proliferation regime that is the implicit effect of this agreement—regardless of its legal outcome—will produce its own destabilizing dynamic.

In the end, the greatest uncertainty comes from the boldest vector of change in this relationship, the political-bureaucratic forces that sought to sideline proliferation concerns, a major plank of U.S. foreign policy, in favor of a new strategic alignment with India. Their legacy, whether enshrined in law or now, has been the transformation of a relationship that was once mired in suspicion, and that habitually shuttled between indifference and anger, with occasional moments of quiet cooperation. Even if current legislation fails to pass the Congress, relations between the two countries have changed for the foreseeable future. By directly confronting nuclear policies—the most sacred of cows, for different reasons, in both countries—political and bureaucratic forces for change have ensured that there can be no simple return to the status quo ante. The polarization of interest groups, for and against the agreement, the radically altered image of India, and the political and social capital invested in the course of this struggle, make that impossible. At the very least, the condition of bilateral relations between India and the U.S. has gone from unstable estrangement to a stable entente.

Appendix: The Great Nuclear Debate

Before discussing the contours of the debates in Washington and New Delhi, I identify key aspects of the July 2005 agreement and its later clarifications. For convenience, these are outlined in "bullet points" below.[67]

In return for acquiring the same benefits and advantages available to states "with advanced nuclear technology"—a phrase which is read in India as de facto acceptance of India as a nuclear weapons state (NWS)—thereby allowing India to regain full access to the global nuclear industry, India would:

- Identify and separate its civilian and military nuclear facilities and programs;
- Place all civilian facilities under full-scope International Atomic Energy Agency (IAEA) safeguards;
- Sign the intrusive IAEA Additional Protocol to cover all declared civilian facilities;
- "work with" the U.S. to conclude a global Fissile Material Cut-off Treaty (FMCT) and to prevent the proliferation of weapons of mass destruction;
- Pass additional legislation controlling Indian nuclear exports in conformity with Nuclear Suppliers Group (NSG) and Missile Technology Control Regime (MTCR) guidelines;
- Refrain from transferring dual-use technologies like reprocessing and enrichment technology to states that do not currently have them, and support other efforts to limit the spread of these technologies;
- Continue its unilateral moratorium on nuclear testing.

It should be noted that India did not commit to imposing a ban on the production of fissile material, kept its reprocessing and enrichment facilities outside a safeguards regime, and retained the right to determine for itself which facilities were civilian and which were military, now and in the future. India later announced that 14 of the 22 power reactors operating or under construction would be considered civilian and would come under IAEA safeguards; further, the process of application of safeguards would take up to 2014 to complete. Additionally, the Kalpakkam-based ongoing fast breeder program would not come under safeguards, and, the CIRUS reactor in Trombay, India's oldest power reactor and source of plutonium for its 1974 peaceful nuclear explosion (PNE), would be decommissioned in 2010.[68]

In return for these commitments, the U.S. would agree to modify its own laws currently preventing nuclear commerce with India, work to change NSG guidelines blocking India's access to the international nuclear industry, and help the IAEA develop a system whereby India would be guaranteed access to nuclear fuel in the case of any inability of existing suppliers to meet their obligations to India. Further, the U.S. would offer additional fillips, including encouraging Indian participation in various international science and technology projects.

Writing in July 2006, U.S. the initial legislative confirmation of the agreement signed between India and the United States has passed (in committee) in both houses of Congress.[69] On March 16, 2006, the Bush Administration submitted draft legislation to both houses of Congress that "waives the application of certain requirements" of the Atomic Energy Act of 1954 in order for the agreement to move forward.[70] Also in March, it began consulting with the member states of the Nuclear Suppliers Group (NSG), a cartel that exists to restrict the international flow of materials and technologies that may aid illicit nuclear proliferation, to propose a "special exemption"[71] for India to receive nuclear fuel and materials.[72] Currently, India lies outside NSG guidelines as it is not a signatory to the NPT and does not accept full-scope

International Atomic Energy Agency (IAEA) safeguards on all its nuclear facilities. Finally, the U.S. awaits the outcome of the negotiations between the IAEA and India seeking to create a country-specific set of monitoring guidelines and protocols for Indian civilian reactors and nuclear facilities.[73]

Washington, D.C.

The debate in Washington pits proponents of an active and robust non-proliferation policy against those who favor closer and stronger ties with India.[74] Many on the side of the non-proliferation lobby recognize the harsh trade-offs required in the apparent choice before them: better ties with India or more robust non-proliferation. As a result, most preface their critical comments echoing the language used by retired senior congressional committee staff member Leonard Weiss, who helped draft the U.S. Nonproliferation Act (1978), in his testimony to the House International Relations Committee on May 11, 2006: "Mr. Chairman, I am a strong proponent of improving U.S.-India bilateral relations." Weiss would go on to say "whether nuclear energy should be the first choice in helping India meet its energy needs is questionable … But if one is going to have a nuclear agreement, it ought not to be one that carries considerable risks and is virtually devoid of significant nonproliferation benefits."[75] In other words, the policy is right, but the means are wrong.[76] By way of contrast, Richard Falkenrath of the Brookings Institution, a former staff member in the National Security Council and White House would testify at the same session: "One's assessment of the U.S.-India Civilian Nuclear Cooperation Initiative depends in part on one's frame of reference. Do you view the deal narrowly, as a technical nonproliferation (or arms control) agreement, in isolation from all other issues; or do you view it broadly, as an element of the United States' effort to cope with the many strategic challenges we face today and are certain to face in the future?… The correct frame of reference for assessing the Bush-Singh nuclear deal is U.S. national strategy – that is, the extent to which it contributes to, or undermines, the U.S. ability to manage the great strategic challenges of our time."[77]

U.S. Secretary of State Condoleeza Rice, in her testimony to the Senate Foreign Relations Committee on April 5, 2006, would follow this line of argument. She proposed that the agreement with India would make the non-proliferation regime more robust, not less, by requiring India to adopt new legislation and practices that would make it less proliferation-likely, that the agreement had other, positive, externalities, especially meeting India's energy needs in a way that was less environmentally destructive,[78] and that a close strategic and commercial relationship with India was in the U.S.'s best interests. There was no justification for comparing India with potential proliferators North Korea or Iran, she noted, both of which were violators of legally binding agreements they had willingly signed on to, unlike India, which had never signed the NPT. Rice began her comments, however, by noting that existing nonproliferation policies had had "no effect" in preventing India and its neighbor, Pakistan, from acquiring nuclear weapons. Not only this, but the effect of these policies had been to "isolate" India and push it closer to U.S. enemies and commercial rivals. This agreement, she argued, would reverse all those negatives.[79]

Critical reactions to the agreement focused in particular on three related areas, which taken together, it is argued, effectively reduce U.S. nonproliferation policy to a dead letter. Areas of concern included what might be called the "*weapons effect*": the continued potential of India to produce fissile material for weapons; the "*incompleteness effect*": the agreement covered only 65% of India's existing and future planned capacity, and the "*multilateral effect*": inferences that would be drawn from this agreement and the international fallout from the "special exemption" that was being made for India.

The *weapons effect* has to do with the lack of conditions in the agreement imposing any restrictions on Indian production of fissile material.[80] It has been known for some time that India was running out of domestic natural uranium to power its mainstay pressurized natural uranium-heavy water-cooled (PHWR) reactors licensed from a Canadian design. India's stock of uranium was being used both to fuel these reactors as well as supply its military program through the production of plutonium from dedicated "research" reactors Dhruva and Cirus.[81] With domestic supplies of uranium dwindling in spite of efforts to open up new mines, and without access to the international nuclear market due to international sanctions, India's policy makers appeared to be facing a Hobson's choice of having to decide between keeping their civilian reactors running or reducing the buildup of fissile material for its weapons program.[82] Indian efforts to enrich uranium to weapons-grade have not reached the point where it could have become an alternative to the plutonium path; in any case, the same constraint, i.e., lack of natural uranium, would have applied regardless of the technical route to weapons production. This natural limit on Indian production of fissile material for weapons purposes, it was argued, offered U.S. negotiators an obvious point of leverage to pressure India to end the production of fissile material and to join the four NWS that have unilaterally committed to end fissile material production. (China's adherence to this non-treaty agreement is unclear). They did not, or more accurately, were not able to force this condition on India, potentially allowing India to divert its remaining stock of fissile material to strategic ends, knowing that a reliable source of uranium for power production was now guaranteed.

The *incompleteness effect* has to do with the scope of the agreement, and the extent of coverage of India's nuclear program. India currently has 16 power reactors in operation, with an additional 6 reactors under construction or planned.[83] All Indian reactors are owned and operated by the Department of Atomic Energy, a government department that reports directly to the prime minister's office. Of the 16 reactors currently in operation, only four are under IAEA safeguards. These four include two U.S.-built boiling water reactors that run on enriched uranium (Tarapur 1 and 2) and the first two Canadian-licensed PHWR reactors (Rajasthan 1 and 2) that were required to be under full safeguards under the original bilateral agreements between India and its foreign suppliers. Additionally, Russian engineers are currently building two 1000 MW VVER reactors in Kudankulam in south India that will come under international safeguards when completed. In 2003, the IAEA reported that total nuclear power capacity in India is 2,770 MW (electrical). Under the terms of the Indo-U.S. agreement, the Indian government has agreed to add 14 reactors to the safeguarded category, equivalent to 65% of installed capacity. (The power output of currently safeguarded reactors is 19% of total nuclear capacity). In short, two thirds of India's installed capacity of nuclear power will be under safeguards following the agreement, though this process will take until 2014 to be complete. Although no official statement has been made, it is understood that reactors located in sensitive and strategic facilities, namely, the Trombay complex, near Bombay, and the Kalpakkam complex, near Chennai, will be off limits for international inspections. Additionally, India has excluded its Fast Breeder Reactor program and its prototype reactors from any inspection regime. While India has agreed that all future civilian reactors will come under safeguards, it has retained for itself the right to declare which reactors are civilian and which are not.

The limited scope of the coverage of civilian reactors and the exclusion of the fast breeder reactors have drawn the attention of critics of the program, especially the latter. Fast breeder reactors are good plutonium producers, raising the fear that these reactors

could be used to augment India's military weapons program, enhancing the growth of weapons-capable fissile materials and possibly prompting an arms race with Pakistan. This fear was exacerbated in U.S. domestic debates by reference to the 2002 estimates of Indian and Pakistani nuclear arsenals by the Natural Resources Defense Council that suggested that Pakistan had a larger arsenal than India, implying that India had good reason to continue to build up its arsenal.[84] Furthermore, the condition that India would independently decide the classification of future reactors—civilian or military—implies that no effective limits on fissile material production are written into the agreement.[85] India has however agreed to work with the United States towards the conclusion of a fissile material cutoff treaty (FMCT). In most experts' opinion, however, this agreement does not amount to much, given doubts in the U.S. about the efficacy of a FMCT, disagreements on the likelihood of establishing a strong verification regime, and efforts by China and Russia to link the treaty to an agreement not to militarize outer space.[86]

The *multilateral effect* is probably the most heated and controversial aspect of the U.S.-India agreement. Critics of the agreement are deeply concerned with the lessons that potential proliferators might draw from the terms of this agreement. They argue that that India's special treatment is tantamount to a "reward" for openly going nuclear, sending a signal to potential proliferators that as long as they are prepared to weather the initial storm, the United States will eventually come to terms with this new development. As former Senator and co-chairman of the Nuclear Threat Initiative (NTI) Sam Nunn put it in an op-ed in the *Wall Street Journal*, "Other nations—if not today, certainly tomorrow—will want the same deal as India. How will we explain to other friends—like Brazil, Taiwan, Saudi Arabia, Egypt, Japan and South Korea—that India is trusted with nuclear material production but they are not?… The U.S.-India deal will likely make it more difficult to get other nations to join us in threatening nuclear programs in Iran and North Korea."[87] In his testimony to the House International Relations Committee on May 11, 2006, Leonard Weiss argued: "By requiring no concessions by India in the production of nuclear weapons, the proposed nuclear deal devalues the commitments made by the 183 non-nuclear weapons state-parties to the NPT, some of whom are sure to question whether it was necessary for them to forego the acquisition of nuclear weapons in order to receive nuclear technology assistance. It will surely make it more difficult to dissuade some countries from producing their own special nuclear materials that terrorists would like to buy or steal. It will surely make it more difficult to get other countries to sign and/or ratify the Additional Protocol that gives the IAEA the ability to apply more intrusive nuclear safeguards measures. It makes cooperation more difficult in barring nuclear trade with or imposing sanctions on countries that have suspicious behavior or a record of bad nuclear behavior."[88] Gary Milhollin of the Wisconsin Project on Nuclear Arms Control would tell the Senate Foreign Relations Committee: "The great flaw in the administration's proposal is that it considers India an isolated case. This is simply impossible… If the United States decides to drop controls to help one of its friends—in this case India—other supplier countries will do the same for its friends. China will drop controls on its friend Pakistan, and Russia will drop controls on its friend Iran… The lid will fly off and we may never be able to get it back on."[89] Synthesizing the implications of these shortcomings in the agreement, critics argue that the outcome of what I have called the multilateral effect will transform the behavior of third countries so entirely as to undermine U.S. non-proliferation policy, perhaps fatally.

New Delhi

The debate in New Delhi was perhaps even more intense than its counterpart in Washington, if located differently; its essence

was defining the terms under which India and the U.S. would be negotiating, especially seeking to establish the "red lines" that could not be crossed. But also, it took place largely between the first and second agreements signed between India and the United States, namely, between July 2005 and March 2006. (By contrast, the U.S. debate could be said to have only begun in earnest after President Bush's visit to India, when the full import of the agreement became clear to a wider community than the small group of experts who follow closely the contours of bilateral U.S.-India relations). Not surprisingly, the technicalities of the debate in India were also different. Unlike in Washington, where the details of necessary legislative changes became the micro-terrain over which larger battles were fought,[90] the main elements of the elite discussion included the role of India's opaque nuclear program in the context of a very different world order, and, the implications of the deal for national sovereignty and India's place in the world.

Properly speaking, the "nuclear debate" in New Delhi was really two debates. The first was the latest confrontation between opponents and proponents of India's nuclear program *qua* program, this debate is ongoing; the second a debate between those who argued for a robust and independent nuclear posture against others who privileged the new relationship with the United States. For the latter, if better ties with the U.S. required compromise on some of the key elements of India's existing nuclear program, it was a price worth paying. This debate more or less ended following the March 2006 agreement, with those who favored holding fast to a strong strategic nuclear program having won the day, as reflected in the relatively few compromises seen to be made by India.

Critics of India's nuclear program[91] include anti-nuclear activists as well as members of the India's Left political parties. The Communist Party of India (Marxist), the main parliamentary force of the Left, holds an ambivalent position on India's nuclear program—it is for nuclear power and against nuclear weapons. Its principal concerns about the Indo-U.S. deal include both the likely dilution of India's traditions of anti-imperialism and policy of equidistance from great powers. The Left had shown their political clout by forcing the government to back down from an initial pledge to send troops to Iraq, and was strongly critical of India's changing stance vis-à-vis Iran in the IAEA's Executive Council.[92] While India has traditionally had close ties with Iran, and was in the process of negotiating a major energy deal with Teheran, India's delegate to the IAEA supported the U.S.-backed resolution identifying Iran's nuclear program in "non-compliance" with its NPT obligations in September 2005, a vote in which both Russia and China abstained. An independent critic, Praful Bidwai, notes that this agreement signals "a decisive departure from India's traditional advocacy of nuclear disarmament. Instead, India has embraced the one-sided agenda of selective nuclear non-proliferation [favored] by the nuclear weapons-states… By jumping on the non-proliferation bandwagon, India… has moved from being a force for peace to a force for hegemony."[93]

Civil society critics of the Indo-U.S. agreement include scientists and anti-nuclear activists, as well as the National Alliance for People's Movements, the umbrella organization of India's massive and influential social movements. Scientists M.V. Ramana and Zia Mian, among others, offer the most extensive and trenchant critiques of the deal, focusing especially on two factors: a misplaced reliance on nuclear power to solve India's energy problems, and India's continued ability to produce fissile material for nuclear weapons. Ramana, in a series of articles, has shown the many shortcomings in the Indian Department of Atomic Energy's (DAE) claims about their ability to solve the nation's energy problems. Working in a context that is notorious for restricting the public's access to information about nuclear power, he has been able to show that "nuclear

power would be competitive only with unrealistic assumptions; for a wider range of realistic parameters, it is significantly more expensive."[94] Ramana points out that the cost of waste disposal is never included in DAE calculations and notes that major safety issues are an ongoing concern, because of the Department's poor record and inherent risks associated with nuclear reactor operations, including the use of highly toxic and volatile plutonium and sodium in the fast breeder reactor program. In a recent article in *Arms Control Today* Mian and Ramana argue that the agreement makes easier the diversion of scarce fissile material to military ends, as well as the use of power reactors to produce military-usable plutonium.[95] The effect of the deal permits a considerable increase in the Indian nuclear arsenal, leading potentially to a new arms race in the sub-continent. They point out that the deal also does nothing to safeguard the plutonium produced as a by-product of power reactor operations. India's stock of spent fuel may contain as much as 9,000 kilograms of reactor-grade plutonium that can be used to make nuclear explosives. Although unlikely for reasons including cost and reliability, this plutonium has the potential to produce 1,100 weapons, "larger than that of all the nuclear-weapons states except the United States and Russia."[96]

The overlap in critique from Indian civil society critics and U.S. non-proliferation "ayatollahs" allows for easy demonization of these critics as naïve pawns of foreign interests and leads to their relative marginalization in India's mainstream press and electronic media. Unlike in the past, voices critical of the nuclear program are rarely included in today's policy debates. This does not mean they are not influential, or that their critiques are not taken seriously, but rather that they rarely get the attention, space, and credit they deserve in the public sphere. The DAE, in particular, reacts to civil society critiques by ignoring them when they can, or by responding indirectly when they have to, using a flock of pliable journalists to put out their institutional point of view. However, it is worth keeping in mind that civil society critics do not seek to influence international relations as much as they are concerned with the deleterious effects of the nuclear establishment's behavior on the environment and democracy.[97]

The other nuclear debate took place among India's strategic elite.[98] The issues over which the most concern was expressed included (a) separation of civilian and military facilities; (b) moratorium on testing; (c) safeguards and the Additional Protocol; (d) sequencing of actions by India and the U.S.

The last two issues identified above fall under concerns over the loss of national sovereignty. Immediately following the July 2005 agreement, a flurry of contradictory statements from various Indian and U.S. officials were issued over the sequencing of events. Was the U.S. Congress going to discuss the agreement before they knew what India had negotiated with the IAEA? Would India have to separate its civilian and military facilities even before the Congress modified U.S. law allowing the deal to go through? Who would do what first? These and other queries filled the airwaves as the implications of the deal sank into public consciousness and its textual ambiguities became clearer. Similarly, the discussion of the safeguards to be applied to Indian facilities, as well as the scope of the Additional Protocol, took place under the same shadow, implying as it did the question of how India would be treated by the IAEA, as it was not a signatory to the NPT. The repeated expression of fears of this kind reflect a deep-rooted anxiety over actions and outcomes that appear to dilute national sovereignty, reminding us of how much India remains a postcolonial society in relation to international politics.

Arundhati Ghose, former Indian represe-nttative to the U.N. Conference on Disarmament and hailed for her defense of national sovereignty during the CTBT debates, helped assuage some of these fears by reminding her readers that India already had

IAEA safeguards applied to some of its facilities under the terms of the revised INFCIRC-66 regulations.[99] Her own feeling was that this feature of the agreement was not "an insuperable obstacle." More important for strategic planners, however, was the issue of further testing. In the July 2005 agreement with the United States, India, which has not signed the Comprehensive Test Ban Treaty, committed to continue its unilateral moratorium on nuclear testing. Some have argued that including this commitment in a joint bilateral statement comes close to making it a legal commitment. In recent statements, the Indian government has rejected that reading, noting only that India has unilaterally agreed to end testing, implying that it is at liberty to resume doing so at a moment of its choosing. [100]

The separation of facilities was considered to be so expensive, complex, and strategically sensitive that it at once became the main focus of the elite debate. Speaking after the July 2005 agreement between India and the U.S. was announced, former Prime Minister Atal Behari Vajpayee, leader of the Bharatiya Janata Party, raised fears by announcing that the separation plan was tantamount to a cap on the Indian strategic program.[101] It must be remembered that India's nuclear program developed in a political and institutional context where the line between military and civilian facilities was always, some would argue intentionally, fuzzy and ambiguous.[102] Although India had begun nuclear activities in 1948 via a self-declared civilian and peaceful program, in practice, key technical decisions were made keeping possible future military uses in mind, to ensure these options were not foreclosed.[103] As Indian nuclear practitioners mastered the full fuel cycle and the range of nuclear programs and facilities expanded, certain ancillary technologies, such as de-tritiation plants, particular reactors, such as Dhruva, and specific locations, such as Trombay and Kalpakkam, would come to be defined primarily around strategic ends. However, as long as India's nuclear program remained officially "ambiguous," no institutional distinction was ever publicly made between the civilian and the military elements of the Indian nuclear program. In other words, the exigencies of a civilian-identified but ambiguous and open-ended nuclear policy had led, over the years, to a program where strategic military and civilian facilities, personnel, and technologies existed alongside each other. Such spatial ambiguity was a distinct benefit to a nuclear program that, in the absence of clear and strong political direction, had elevated the practice of keeping its options open to an art form. When the July 2005 agreement between the U.S. and India required, for the first time, a clear separation of military and civilian facilities, it led to an uproar.

The first step in separation was the identification of dedicated civilian and military facilities. As noted above, the historical development of India's nuclear program had always left the line between these two objectives intentionally fuzzy. Electric power-producing reactors were the easiest to identify as inherently civilian in purpose, and the existing Tarapur and Rajasthan (RAPS) reactors, as well as the Kudankulam reactors being built by the Russians, were already under international safeguards. However, some reactors were located in strategic complexes and could not easily be opened up to international scrutiny without giving inspectors access also to military facilities. Further, the claim that unique proprietary technologies were being developed in some facilities, notably the prototype Fast Breeder Reactor and the Advanced Heavy Water Reactor, meant that although these are likely to be civilian in purpose, they should also be kept away from international observation for fear of industrial espionage. At the same time, U.S. negotiators were unlikely to be satisfied unless most of India's nuclear facilities were open to inspection.

Finding the correct balance between the requirement of greater openness and the imputed needs of strategic and technological secrecy was not easy. The first separation plan submitted by the Indians to the United States was turned down. Sharon Squassoni of the Congressional Research Service writes: "In December 2005, Foreign [Secretary Shyam] Saran visited the United States and according to press reports, discussed a separation plan with U.S. officials. Confidentially, administration officials noted that the plan was not credible or defensible from a nonproliferation standpoint, and negotiations will continue."[104]

With the Bush visit to Delhi just a month away, disagreements among Indian policy makers spilled into the public arena. Seeking to prevent Indian negotiators from giving in to U.S. pressure to include the Fast Breeder Reactor (FBR) program among the facilities to be opened up to inspection, the head of the Indian Atomic Energy Commission, Anil Kakodkar, gave a controversial interview to the Indian Express. In that interview, he identified the FBR as vital for India's strategic program: "Both from the point of view of maintaining long term energy security and for maintaining the minimum credible deterrent (as defined by the nuclear doctrine) the Fast Breeder programme just cannot be put on the civilian list. This would amount to getting shackled and India certainly cannot compromise one for the other."[105] This interview was recognized at once as an end-run around the government and an effort to influence public opinion by suggesting that India's strategic program would be compromised by the separation plan under negotiation. The Prime Minister's Office reacted with suppressed fury: "This view is just one viewpoint. There are many other viewpoints which will have to be taken into account by any government while arriving at an overall policy decision… the Atomic Energy Commission is just of the departments."[106]

The exceptional nature of the AEC chairman's comments cannot be stressed enough. In Indian political culture, a senior official publicly breaking ranks with the government and turning to the media to express these concerns would normally have led to his immediate dismissal. However, the government's hands were tied. Notwithstanding the Prime Minister's likely anger at this intervention, Kakodkar could not be fired as such an action would be construed as direct evidence that U.S. pressure on the Indian government was real, and that his fears were genuine. In the end, Kakodkar's ploy was successful. Whether or not the FBR was ever on the list for inclusion as a civilian facility, this rare public statement made it appear that the government was caving into U.S. pressure, ensuring a nationalistic response from across the political spectrum. The FBR was now defined as a strategic asset, over which there could be no compromise.[107]

The struggle would continue until President Bush's arrival in India. Undoubtedly these very public events would give strength to Indian negotiators to hold out and not give in to U.S. pressure. As late as the day Bush arrived in Delhi, negotiations were still proceeding. According to Indian news accounts,[108] in the end the desire to come away from India with a completed deal forced U.S. negotiators to settle for less than they had hoped for. While India agreed to a U.S. demand that all future civilian facilities would come under safeguards, they also managed to dilute the extent of that commitment by mandating that deciding what was civilian, and what was not, would be entirely India's choice to make. In response to the U.S. demand that safeguards be applied in perpetuity, Indian negotiators got the U.S. to agree that fuel supplies would also be guaranteed in perpetuity.

The separation plan, as it was finally announced, was structured around two broad parameters.[109] Certain locations identified as strategic—Trombay and Kalpakkam in particular—were to remain entirely off limits to international inspections; and, the measure of the extent of facilities under safeguards—

how much of India's nuclear program would be safeguarded—would be determined by the quantum of electrical power produced. Hence, the Indian government would announce that 65% of India's nuclear energy producing capacity (rather than 65% of India's nuclear reactors) would now come under safeguards. It was also announced that the process would take place in stages and only be completed by 2014.

The reason the debate largely died down in Delhi after the President's visit is because most Indian commentators and experts were agreed that India had gotten the better of the exchange. This view was also expressed in private by U.S. experts in Washington. As one commentator said: "[Indian negotiators] cleaned our clocks." This consensus view forced the opposition parties, including the right wing BJP and the Left parties, to mute their criticism of the government's stance. Attention now turned to Washington and Vienna where negotiations with the Congress, NSG, and IAEA would commence.

Outcomes

Will this deal make India a more responsible nuclear state?

There is no hard evidence that India has ever shared nuclear technology illicitly or irresponsibly with any state.[110] This behavior will not change because of the deal.

Will India continue testing nuclear weapons?

Although there have been reports that scientists would like to conduct further rounds of nuclear tests, it is well recognized in India that a renewed bout of testing would threaten the passage of the agreement in the U.S. Congress. India is unlikely to cross this threshold unless some other country, particularly China or Pakistan, does so first.

Will this deal be good for the environment?

Not for a long time. Nuclear power stations take a long time to get on stream, and even if the most optimistic assessments of their eventual contribution to the national grid are accurate, nuclear power will still be less than 10% of total power generation when all is done. At present, non-conventional (wind, solar, etc.) sources of energy produce more power than nuclear energy. Huge capital investments in new nuclear power stations will crowd out further investment in these safe and clean sources of power. Further, electricity from nuclear power stations can only substitute for coal-fired thermal power. It will have no effect on harmful emissions from petroleum-based vehicles, the numbers of which are increasing at very high rates.

Will India be able to produce more fissile material for building weapons?

There is no question that the deal reduces the constraints on transfers of fissile materials for potential use in weapons development. Whether India will actually do so remains uncertain. One reason to think it will divert more plutonium into the weapons program in the near term is based on past experience. India has always sought to keep its nuclear options as open-ended as possible so that when irreversible decisions need to be made it has the widest array of choices available to it. If India takes seriously its commitment to work with the U.S. towards a fissile material treaty (FMCT), which there is no reason to doubt, it will want to have as much weapons-usable plutonium already stockpiled to make sure it is not handicapped in the future. Even if the chances of a rigorous FMCT becoming international law soon are small, India will not take the chance of being caught unprepared, especially given the long time lag required for facilities to shift from one production objective to another. Hence, they are likely to produce as much weapons-usable plutonium as they can over the next few years to be on the safe side, something they would not have done were it not for the nuclear deal.

What does this mean for the Indian doctrine of minimum credible deterrence?

This term, it is increasingly becoming clear, is a moving target. Although when originally

propounded, it implied that India would restrict its nuclear weapons arsenal to a small number of usable warheads (*minimum*), it now appears that the semantic stress has shifted to *credible*, which is far more difficult to limit in quantitative terms. India's perceived strategic threats include both Pakistan and China. As a result, what is credible deterrence varies depending on which country is referred to. India is unlikely to stop building nuclear weapons until it reaches the numbers currently estimated to be in the hands of the smallest NWS: China, France, and Great Britain. The question of delivery systems is closely related to this issue as well, and India can be expected to seek to continue to increase its capacity on that front as well. In short, even with a declared doctrine of minimum credible deterrence, India's true nuclear posture will remain ambiguous for the future, just as it was before the 1998 tests.

Will greater Indian fissile material production lead to an arms race with Pakistan?

Not necessarily in nuclear weapons, but possibly in conventional arms. Pakistan is of course quite upset about the Indo-U.S. nuclear deal, especially since the U.S. has made it clear that it will not offer Pakistan the same terms or engage it in nuclear commerce. However, Pakistan is not without leverage. As long as the U.S. remains in Afghanistan, it cannot do without Pakistan. Also, the Chinese-Pakistani relationship is also likely to remain close and strong, both for reassurance and to keep the U.S. off balance. Pakistan will continue to pressure the U.S. to aid them in meaningful ways to convince them this new relationship with India is not zero-sum in relation to Pakistan: increased conventional arms sales are the most likely means for the U.S. to assuage Pakistani anxieties. India has been a large purchaser of major weapons systems since the early 1990s, this trend is likely to continue. We can expect the conventional arms buildup in both countries to continue for some time, though this is likely to have happened even without the Indo-U.S. nuclear deal.

How will this deal affect the Indian Department of Atomic Energy?

The reorganization of the DAE required by this agreement will be significant. There are no clear indications on how much the separation of facilities will cost, or how the massive proposed new investments will be financed. Foreign capital can supplement but not replace entirely local funds. Given that uncertainty, rather than seeing the new division as simply one of separation of civilian and military components, it is more appropriate to see it as two separate but overlapping divisions: between the strategic and non-strategic, and between the safe-guarded and unsafeguarded. The greatest sector of transparency will be where the non-strategic intersects with the safeguarded, primarily the new reactors being built with foreign assistance. The least transparent will be the un-safeguarded and strategic sector, which includes both the military components of the nuclear program as well as the sector where proprietary technologies are being developed, notably, the fast breeder reactor complex. Beyond the division of facilities, attention needs to be paid to the main nuclear regulatory body, the Atomic Energy Regulatory Board (AERB), and the electricity-producing wing of the DAE, the Nuclear Power Corporation. These civilian agencies have been largely indistinguishable from the military and strategic components of the nuclear program. It is now possible to trans-form them into responsible and accountable public entities. For that to happen, however, personnel in these divisions need to be segregated from their former colleagues, and independent outside experts without ties to the DAE need to be drawn into the AERB. The 1962 Atomic Energy Act needs to be revised again, and the restrictive conditions applying to the entire nuclear program, including labor legislation, need to be modified accordingly.

It has long been known that the Indian Department of Atomic Energy (DAE) is India's most secretive government agency, no small achievement in a governmental apparatus that still has near-unimpeded recourse to colonial-era laws actively preventing public knowledge of state activities. That veil of secrecy has been used for a half century to prevent the public and their representatives from knowing what took place within the massive nuclear energy complex, from the efficiency of reactors to the costs of building them. Official secrecy was used to cover up technological failures and environmental hazards and to intimidate and harass the few uncowed members of the press seeking to cover the nation's most sacred of holy cows. Now with the separation of civilian and military facilities, and the application of international safeguards to the former, the DAE can no longer hide as easily behind a wall of official denial and deception. Ingrained bureaucratic habits will not change easily, but there is now an opportunity for civil society activists in India to take advantage of these enforced openings and force a greater transparency on the DAE's civilian activities than ever before. Not everything will be visible, of course. The ongoing breeder reactor program and prototype thorium reactors have already become the new black holes of the nuclear complex—absorbing public light, democratic gravity, and plenty of unaccountable resources for decades to come. The DAE's anti-public behavior has been, for half a century, a scandal in a democratic society. Now, ironically the result of its own failures and limitations, it will be forced to come, albeit partially, out of its containment dome and respond as best it can to the demands of public scrutiny. This development must stand as one of the unambiguous highlights of the new U.S.-India nuclear relationship.

Will this deal strengthen the non-proliferation regime?

Regardless of the final outcome of the India-U.S. nuclear deal, the nuclear non-proliferation regime has taken a major body blow. Rather than the question of its survival is the form of its life-support system. Saying this does not mean that the regime will unravel overnight, or that countries will now line up to renounce their obligations to the treaty. It remains the case that the great majority of countries of the world, both rich and poor, do not desire or seek to obtain nuclear weapons, and that condition will remain so regardless of the status of the Treaty.[111] It is the effect of this deal on the remaining minority that is the puzzle. It could be said that the exception being made for India is very much within the tradition of the NPT in the first place—a regime built around an unexceptional date, January 1, 1967—and the door has now been opened for further exceptions to be made. In effect this is true, and one of the open questions is whether other countries will now take on the power to grant exceptions: so far, the United States has arrogated that privilege only to itself. What this means, in effect, is that the treaty has changed from being a (near) universal statement of international public and legal opinion to becoming an instrument of individual state interest. Its normative quality has been taken away and only its punitive and selective character remains. We will never know how many countries the Treaty actually prevented from going nuclear; that number is, most likely, very small. However, what it did provide countries was the relative comfort and security of being a part of the system that applied the same rules to almost everybody. The mutual loss of sovereignty was the security-enhancing element of the Treaty, making it possible for political leaders to explain to domestic audiences, without loss of face or prestige, why no national nuclear ambitions were in order. That ineffable element of the regime is now taken away, and its loss is one of the most important implications of the U.S.-India nuclear deal.

Endnotes

[1] For the 2005 agreement see www.state.gov/p/sa/rls/pr/2005/49763.htm. For the 2006 statement see www.state.gov/p/sca/rls/pr/2006/62418.htm.

[2] Dennis Kux, India and the U.S.: Estranged Democracies, 1941-1991 (Washington, D.C.: National Defense University Press, 1994).

[3] "But more importantly, in the Joint Statement, the United States implicitly acknowledged the existence of our nuclear weapons programme. There was also public recognition that as a responsible state with advanced nuclear technologies, India should acquire the same benefits and advantages as other states which have advanced nuclear technology, such as the United States. The Joint Statement offered the possibility of decades-old restrictions being set aside to create space for India's emergence as a full member of a new nuclear world order." *Suo Motu* statement by the Prime Minister Dr. Manmohan Singh (to the Lok Sabha) on Civil Nuclear Energy Cooperation with the United States. New Delhi, Feb. 27, 2006. http://indianembassy.org/newsite/press_release/2006/Feb/18.asp. Accessed May 26, 2006.

[4] Some would include the influence of an Indian-American diaspora in U.S. domestic politics. While I do not disagree with the political utility of the diaspora in helping support ongoing initiatives and in blocking policies seen as harmful to India, we still lack reliable empirical data on the significance of the diaspora as an independent force. For the most forthright proponent of this view, based on anecdotal evidence, see Walter Andersen, "The Indian-American community comes into its political own," India Abroad, Sept. 1, 2006. For a different reading of the impact of some sections of the diaspora, see "Making Sense" below.

[5] Needless to say, this agreement was widely discussed outside these two capitals as well. Analysis of the global conversation is beyond the scope of this study, however, for the view of the IAEA see Mohammed ElBaradei, "Rethinking Nuclear Standards," Washington Post, June 14, 2006, p. A23. Also see Harsh V. Pant, "The U.S.-India Nuclear Deal: The end game begins," Power and Interest Report, January 27, 2006. www.pinr.com/report.php?ac=view_printable&report_id=428, p. 3. Accessed June 13, 2006. For China's reaction see Mohan Malik, "China Responds to the U.S.-India Nuclear Deal," China Brief, vol. 6, Issue 7 (March 29, 2006). www.jamestown.org/publications_details.php?volume_id=415. Accessed June 13, 2006.

[6] For longer discussions of the history of bilateral relations between the U.S. and India, see Robert J. MacMahon, The Cold War on the Periphery (New York: Columbia University Press, 1994), Dennis Kux, Estranged Democracies, and Shivaji Ganguly, U.S. Policy Toward South Asia. (Boulder, Colo.: Westview, 1990). For a contrarian view, see S. Mahmud Ali, Cold War in the High Himalayas: The USA, China and South Asia in the 1950s. (New York: St. Martins, 1999).

[7] J. Bandyopadhyaya, The Making of India's Foreign Policy: Determinants, Institutions, Processes and Personalities (Bombay: Allied, 1970).

[8] The earliest (and most successful) example of Indian diplomacy in this regard was the 19-country conference on Indonesia, held in Delhi in 1949, which played an important part in putting international pressure on the Dutch to relinquish their former colony.

[9] Michael Brecher, India and World Politics: Krishna Menon's view of the world (London: Oxford University Press, 1968).

[10] H. W. Brands, The Specter of Neutralism: The United States and the Emergence of the Third World, 1947-1960 (New York: Columbia University Press, 1990).

[11] Anita Inder Singh, The Limits of British Influence: South Asia and the Anglo-American Relationship, 1947-1956 (London: Pinter, 1993).

[12] John Lewis Gaddis, What We Now Know: Rethinking the Cold War (New York: Oxford University Press, 1997).

[13] Dennis Kux, The United States and Pakistan 1947-2000: Disenchanted Allies (Karachi: Oxford University Press, 2001).

[14] Charles Heimsath and Surjit Mansingh, A Diplomatic History of Modern India (Bombay: Allied, 1971); Tsering Shakya, The Dragon in the Land of the Snows A history of modern Tibet since 1947 (New York: Columbia University Press 1999).

[15] McMahon, Cold War on the Periphery, ch. 8.

[16] Ian Graham, "The Indo-Soviet MiG deal and its international repercussions," Asian Survey vol. 4 (1964): 823–832.

[17] But even then odd forms of collaboration continued. For a discussion of how weather became a weapon of the Cold War, see Ronald E. Doel and Kristine Harper, "Prometheus Unleashed: Science as a diplomatic weapon in the Lyndon B. Johnson Administration," in Global Power Knowledge: Science and Technology in International Affairs, Osiris, vol. 21 (2006): 66–85.

[18] George Perkovich, India's Nuclear Bomb: The impact on global proliferation, (Berkeley: University of California Press, 1999), p. 125–139.

[19] Perkovich, India's Nuclear Bomb, p. 134.

[20] Itty Abraham, "The Ambivalence of Nuclear Histories," Osiris, vol. 21 (2006): 49–65

[21] Foreign Relations of the United States (FRUS), 1969-1976, vol. XI, 'South Asia Crisis', Doc. 252, p. 705–6.

[22] Both the preamble and Article V of the NPT make reference to the potential value of "peaceful nuclear explosions." India would seek to justify its decision to test a PNE—not a bomb—as falling well within the mainstream consensus of the time.

[23] Abraham, Making of the Indian Atomic Bomb.

[24] "Indian Scientist Rejects 'Peaceful' Nuclear Test Claim," Hong Kong AFP, October 10, 1997, in FBIS Document FTS19971010000316, October 10, 1997. This claim was disputed on technical grounds by a senior colleague: "Indian Scientist Says Ramanna Wrong about 1974 'Bomb'," *Asian Age* (New Delhi), October 12, 1997 in FBIS Document FTS19971013001273, October 12, 1997. www.nti.org/e_research/profiles/India/Nuclear/2296_2892.html. Accessed June 16, 2006.

[25] Paul Leventhal, among others, argues that the executive branch deliberately misled the Congress about the presence of U.S.-supplied heavy water in the CIRUS reactor, implying that India has been a nuclear "cheater" for decades. "CIRUS reactor's role in U.S.-India Nuclear Agreement," www.nci.org/06nci/04/CIRUS%20Reactors%20Role%20in%20a%20US-India%20Nuclear.htm. The crux of the issue, however, is not whether there was U.S. heavy water in the reactor, but whether the 1974 PNE was in fact intended to be a weapons test. This cannot be independently confirmed as the distinction between a peaceful nuclear explosion and a weapons-intended test is technically ambiguous. See also Michael Barletta, "Pernicious Ideas in World Politics: Peaceful Nuclear Explosives," paper presented at the annual meetings of the American Political Science Association, 2001. Available at http://cns.miis.edu/cns/staff/mbarlett/apsa2001.pdf.

[26] Zachary Davis, "Nuclear Nonproliferation Policy Issues in the 104th Congress," *CRS Issue Brief 91023,* November 1, 1996. www.globalsecurity.org/WMD/library/report/crs91-023.htm. Accessed June 16, 2006.

[27] By the late 1980s, both India and Pakistan were well on their way to developing nuclear arsenals, and, recognizing their mutual capability, Prime Ministers Rajiv Gandhi and Benazir Bhutto signed, in December 1988, the first confidence building measure between the two countries agreeing not to attack each other's nuclear facilities.

[28] Dov S. Zakheim, "Developing a U.S.-India Security Relationship," in Future Imperilled: India's Security in the 1990s and beyond, ed. Bharat Karnad (Delhi: Viking 1994), p. 221.

[29] It should be noted that Pakistan falls under U.S. Central Command, which obviates the need for a trade-off—the India-Pakistan hyphen—from the military point of view.

[30] See Stephen J. Blank, "Natural Allies: Regional Security in Asia and Prospects for Indo-American Strategic Cooperation," Strategic Studies Institute monograph, Army War College, Carlisle, PA (Sept. 2005), for more details. The publication is available at www.carlisle.army.mil/ssi.

[31] My South Block Years: Memoirs of a Foreign Secretary (New Delhi: UBS Publishers' Distributors Ltd., 1996), p. 184.

[32] Dixit, My South Block Years, p. 182.

[33] See for instance T. N. Srinivasan and Suresh D. Tendulkar, Reintegrating India with the World Economy, (Washington: Institute of International Economics, 2003).

[34] Atul Kohli has recently argued that the transformation of economic policy precedes the 1991 crisis, and in fact began in 1980, and should properly be characterized as a pro-business policy, rather than as a pro-market policy. See "Politics of Economic Growth in India, 1980-2005," parts 1 and 2, Economic and Political Weekly, April 1 and 8, 2006.

[35] Sumit Ganguly and Devin Hagerty, Fearful Symmetry: India-Pakistan crises in the shadow of nuclear weapons (Delhi: Oxford University Press, 2005).

[36] Strobe Talbott, Engaging India: Diplomacy, Democracy and the Bomb (Delhi/Washington: Viking/Brookings, 2004), p. 37.

[37] Talbott, Engaging India, p. 25.

[38] www.icj-cij.org/icjwww/idecisions/isummaries/iunanaummary960708.htm.

[39] www.dfat.gov.au/cc/cc_report_exec.html.

[40] Interview with former Indian foreign policy official, Washington, D.C., May 3, 2006.

[41]Praful Bidwai and Achin Vanaik. "After the CTBT, India's Intentions," Bulletin of the Atomic Scientists, vol. 53, no. 2 (March–April 1997).

[42] Talbott, Engaging India, ch. 3.

[43] Talbott, Engaging India, pp. 52–3.

[44] Even Japan, which was conceded in India to have the most justified criticism of the tests, soon decided that good relations with India were more important than diplomatic outrage. In August 2000, Prime Minister Yoshiro Mori made the first visit of a Japanese Prime Minister to India in a decade.

[45] For a first hand account of the U.S. role in ending the Kargil conflict and its aftermath, see Bruce Reidel, "American Diplomacy and the 1999 Kargil Summit at Blair House." Policy Paper Series, Center for the

Advanced Study of India, University of Pennsylvania, 2002. www.sas.upenn.edu/casi/publications/Papers/Riedel_2002.pdf.

[46] C. Raja Mohan, Crossing the Rubicon: The shaping of India's new foreign policy (New York: Palgrave/Macmillan, 2004), p. 7.

[47] Campaign 2000: Promoting the National Interest," Foreign Policy Jan–Feb 2000. www.foreignaffairs.org/20000101faessay5/condoleezza-rice/campaign-2000-promoting-the-national-interest.html.

[48] Italics added.

[49] Ganguly and Hagerty, Fearful Symmetry.

[50] "The United States, India and Asian Security," 5th Asian Security Conference, IDSA, January 27, 2003. Available on www.mtholyoke.edu/acad/intrel/bush/blackwill2htm.

[51] "India as a New Global Power: An action agenda for the United States," (Washington, D.C.: Carnegie Endowment for International Peace, 2005), p. 34.

[52] Interview with Ashley Tellis, Washington, D.C., August 3, 2006.

[53] Alan Kronstadt, "India-U.S. Relations," *CRS Issue Brief for Congress*, April 6, 2006.

[54] "India-U.S. Relations: A general overview," Embassy of India (no date) www.indianembassy.org/indusrel/induspol.htm.

[55] Tellis, "India as a New Global Power," p. 13.

[56] The terms "regionalists" and "functionalists" are drawn from Engaging India, 28-9.

[57] Interview with Ashley Tellis, Washington, D.C., August 3, 2006.

[58] Krondstadt, "India-U.S. Relations," p. CRS-6.

[59] The Making of the Indian Atomic Bomb, chs. 1, 7.

[60] This condition is not of course exclusive to India, however, the particular path taken by India in this regard is unique.

[61] Transcript of Journalist Roundtable on India, Council on Foreign Relations, February 23, 2006, p. 4. www.cfr.org/publication/9954/journalist_roundtable_on_india_rush_transcript_federal_news_service_inc.html. Accessed June 21, 2006.

[62] For a brilliant analysis of the "event" of Mother India and its significance, see Mrinalini Sinha, Specters of Mother India: The global restructuring of an empire (Durham: Duke University Press, 2006).

[63] John D'Emilio, Lost Prophet: Bayard Rustin and the quest for peace and justice in America (New York: The Free Press, 2003);
[64] Most recently, A Call to Honour: In service of emergent India (Delhi: Rupa, 2006).

[65] "What India means to me," Address to the Federation of Indian Chambers of Commerce and Industry (FICCI), New Delhi, July 29, 2003. www.the-south-asian.com/August2003/robert_blackwill_1.htm.

[66] Most recently via former chairman of the Indian Atomic Energy Commission, Dr. M.R. Srinivasan. See "An Open Letter to American Senators," The Hindu, September 22, 2006.

[67] See the Joint Statement by President Bush and Prime Minister Manmohan Singh, July 18, 2005, and further clarification by Dr. Manmohan Singh in the Indian Parliament on Feb. 27, 2006, and especially March 6, 2006 "Implementation of the India-United States Joint Statement of July 18, 2005: India's Separation Plan." www.indianembassy.org/newsite/press_release/2006/Mar/sepplan.pdf.

[68] Decommissioning the CIRUS reactor is probably also driven by the hope that the dispute about the 'misuse' of the reactor will die with it. What this dispute boils down to is the lack of clarity over whether U.S.-origin heavy water was present in the reactor when the plutonium used for India's 1974 peaceful nuclear explosion was generated. U.S. heavy water was supplied to India without independent safeguards but with a legal promise not to use it for non-civilian ends.

[69] For an overview of the legal issues involved in changing existing statutes, see the testimony of Leonard Weiss and Fred McGoldrick to the House International Relations Committee, May 11, 2006.

[70] Quotes from the legislative preamble. Text of the draft legislation is available on the website of the Arms Control Association (www.armscontrol.org). Accessed May 26, 2006.

[71] Phrase used by Secretary of State Condoleeza Rice appearing before the Senate Foreign Relations Committee to testify on the U.S.-India Civil Nuclear Cooperation Initiative, April 5, 2006, (n.p.).

[72] For draft text circulated to NSG members, see Arms Control Association website (fn 2).

[73] The lack of full transparency with regard to U.S. discussions with the NSG and IAEA make it difficult to incorporate any lengthy discussion of that aspect in what follows.

[74] An incomplete list of issues addressed in the debate may be found on the following websites Arms Control Association: www.armscontrol.org; Henry A. Stimson Center www.stimson.org/?SN=SA20051212930; Carnegie Endowment for International Peace www.carnegieendowment.org/topic/index.cfm?fa=viewTopic&topic=2000058.

[75] Leonard Weiss, 'Testimony on the U.S.-India Nuclear Deal,' House International Relations Committee, May 11, 2006, p. 1.

[76] There are numerous other examples of this framing; instance, Representative Howard Berman, introducing a bill in the House: "I am unabashedly pro-India … I'm a member of the House India Caucus, and I strongly support efforts to deepen our strategic partnership with the world's largest democracy. However, I have serious concerns about the specific deal Congress is being asked to support." Press Release, May 19, 2006.

[77] Statement before the House International Relations Committee, May 11, 2006, pp. 2–3.

[78]The claim by Secretary of State Rice and others that the deal would lead to the reduction of harmful greenhouse gases is not entirely accurate. Greenhouse gases are produced from both thermal (coal) power stations and gasoline burned in internal combustion engines. While nuclear power may help reduce harmful emissions from coal, it will do nothing to reduce the emissions from cars and trucks, numbers of which are increasing exponentially. Personal communication with Dr. Rodney Jones, March 3, 2006.

[79] Testimony before the Senate Foreign Relations Committee on the U.S.-India Civil Nuclear Cooperation Initiative, April 5, 2006, p. 1.

[80] See Robert Einhorn's testimony to the Senate Foreign Relations Committee, April 26, 2006, pp. 5–6. Two recent reports come to opposite conclusions on the fissile material issue. Ashley Tellis, in a closely argued study Atoms for War? argues that India already has more than enough fissile material stock to increase weapons

production if it should choose to do so. In his view, the nuclear deal with the U.S. is hence not a factor independently increasing India's potential weapons stockpile. See www.carnegieendowment.org/publications/index.cfm?fa=view&id=18443&prog=zgp&proj=zsa. Zia Mian et. al. in "Fissile Materials in South Asia and the Implications of the U.S.-India nuclear deal," reach the opposite conclusion, though they do not reflect on the political likelihood of their estimates. The key temporal variable that neither study fully explores is the threshold implied by a completed Fissile Material Cutoff Treaty, and the urgency that might impose on the Indian military nuclear program. For the draft report see www.fissilematerials.org/southasia.pdf.

[81] Although plutonium is produced in the normal course of electric power generation in civilian reactors as well, the level of impurities (i.e., other plutonium isotopes) in this waste under normal functioning makes it less effective as a source of military fuel.

[82] "The truth is we were desperate. We have nuclear fuel to last only till the end of 2006. If this agreement had not come through, we might as well [have] closed down our nuclear reactors." BBC interview with a DAE official quoted in Zia Mian and M.V.Ramana, "Wrong Ends, Wrong Means: Behind the U.S. Nuclear Deal with India," Arms Control Today, Jan-Feb. 2006. http://armscontrol.org/act/2006_01-02/JANFEB-IndiaFeature.asp. For the best (if non-identical) estimates of India' annual consumption of nuclear fuels, see Mian and Ramana, ibid., and Tellis, Arms for War?

[83] Power reactors: (4 safeguarded) Tarapur 1-2, Rajasthan 1-2; (12 unsafeguarded) Kalpakkam 1-2, Narora 1-2, Kakrapar 1-2, Kaiga 1-2, Rajasthan 3-4, Tarapur 3-4. Tarapur 3 has been commissioned and gone critical but as of this writing (June 2006) has not joined the electrical grid. Under construction: Kudankulam 1-2 (safeguarded), Kaiga 3-4, Rajasthan 5-6 (unsafeguarded).

[84] NRDC estimates "contrary to conventional wisdom" suggest that India has 30-35 warheads and Pakistan as many as 48. www.nrdc.org/nuclear/southasia.asp. Accessed June 8, 2006.

[85] One expert has argued this could "put the United States in the position of violating its Article 1 commitments under the NPT if future nuclear sales contribute to an enhanced rate of weapon production by India through the transfer of indigenous uranium from India's civilian program to its military program." Leonard Weiss, "Testimony," p. 2.

[86] Stephen Rademaker, assistant secretary of state, recently submitted a draft FMCT text to the Conference on Disarmament, which excludes verification measures. See www.us-mission.ch/Press2006/0518DraftFMCT.html. Accessed on June 12, 2006.

[87] "Nuclear Pig in a Poke," Wall Street Journal, May 24, 2006, p. 14.

[88] Weiss, 'Testimony,' p. 2.

[89] Gary Milhollin, Testimony before the Senate Foreign Relations Committee, April 26, 2006, pp. 1–2.

[90] A further reason for this difference has to do with the political systems in each country. The parliamentary system makes the passage of legislation a *fait accompli*, hence, once the agreement was signed, there was little doubt that the whips of an elected government could get the *Lok Sabha* to agree to its terms. However, ease of passage of legislation does not correlate with the prior ability to get the consent and support of India's political class, media, and informed public opinion.

[91] The most comprehensive collection of writings adopting a critical stance toward India's nuclear program may be found at the website hosted by South Asians Against Nukes (SAAN) http://perso.orange.fr/sacw/saan/.

[92] Achin Vanaik, "Active Consent," The Telegraph, October 11, 2005. The most careful analysis of Iran's alleged "non-compliance" may be found in the writings of Siddharth Varadarajan, columnist for The Hindu newspaper. http://svaradarajan.blogspot.com/.

[93] "India: Down the slippery nuclear slope," The News International October 29, 2005.

[94] "Don't Switch Over to Nuclear Power," Economic Times, March 10, 2006.

[95] See also Zia Mian et. al. in "Fissile Materials in South Asia and the Implications of the U.S.-India nuclear deal," www.fissilematerials.org/southasia.pdf.

[96] Mian and Ramana, "Wrong Ends, Wrong Means," p. 6.

[97] See the forthcoming essay by M. V. Ramana, "India's nuclear enclave and the practice of secrecy," in Nuclear Power and Atomic Publics, ed. Itty Abraham (Bloomington: Indiana University Press).

[98]A partial list of institutions where elite debates over India's strategic, military and foreign policy take place include the Institute of Peace and Conflict Studies, Delhi: www.ipcs.org/Nuclear.jsp; Institute for Defense and Strategic Analyses, Delhi: www.idsa.in/wmd.htm and Observer Research Foundation, Delhi: www.observerindia.com/index.htm.

[99] "Prospects for Indo-US cooperation in civilian nuclear energy," IDSA Strategic Comments, Jan. 6, 2006. www.idsa.in/publications/stratcomments/arundhati60106.htm.

[100] "India committed to unilateral moratorium on nuclear testing," India Daily, May 26, 2006. www.indiadaily.com/breaking_news/71862.asp.

[101] Bharat Bhushan, "Singh douses security fears, blames N-haze," The Telegraph July 21, 2005. www.telegraphindia.com/1050721/asp/nation/story_5015910.asp.

[102] Itty Abraham, The Making of the Indian Atomic Bomb: Science, Secrecy and the Postcolonial State (London/New Delhi Zed Books/Orient Longman, 1998).

[103] As Nehru would say during the Constitutional Assembly debate creating the Indian Atomic Energy Commission (1948): "Of course if we are compelled to use [atomic energy] for other purposes, possibly no pious sentiments of any of us will stop the nation from using it in that way." Abraham, The Making of the Indian Atomic Bomb, p. 49.

[104] "U.S. Nuclear Cooperation with India: Issues for Congress," CRS Report for Congress (Washington, D.C.: Congressional Research Service), updated January 12, 2006, p. CRS-14. The report indicates that the Senator Richard Lugar, chairman of the Senate Foreign Relations Committee, would apply three criteria to assess the robustness of the separation plan: (a) compliance with safeguards, (b) non-assistance to India's military program, and (c) transparency.

[105] Pallava Bagla, "US shifting goalpost on n-deal: Atomic Energy chief," Indian Express, Feb. 6, 2006.

[106] "Govt. defense US Nuclear Deal," Economic Times, Feb. 8, 2006.

[107] Former chairman of the Atomic Energy Regulatory Board, and once a strident critic of the Indian nuclear program's safety record, A. Gopalakrishnan has pointed out that for the FBR to remain outside safeguards, other facilities also need to be unsafeguarded in order to be able to supply the reactor with non-safeguarded fuel inputs. For a discussion, see "Civilian and Strategic Nuclear Facilities of India," IDSA Strategic Comments Jan. 5, 2006. www.idsa.in/publications/stratcomments/gopalakrishnan50106.htm.

[108] "I want this deal: Bush told PM" March 4, 2006. http://in.rediff.com/news/2006/mar/04bush9.htm.

[109] *Suo Motu* statement to the *Lok Sabha* by Prime Minister Dr. Manmohan Singh. "Discussions on Civil Nuclear Energy Cooperation with the US: Implementation of India's separation plan." March 7, 2006. http://mea.gov.in/speech/2006/03/07ss01.htm.

[110] Recent accusations, especially those offered by the Institute for Science and International Security (ISIS) in Washington, that India procures items from abroad in violation of non-proliferation guidelines, that it releases confidential information through its tendering process, and that its export controls are weak, may be dismissed for the weakness of the evidence provided. These "revelations" should be seen in the context of the political battles underway in Congress, and understood as efforts seeking to influence the debate against the agreement. www.isis-online.org/publications/southasia/indiacritique.pdf.

[111] Jacques Hymans, The Psychology of Nuclear Proliferation (Cambridge: Cambridge University Press, 2006).

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