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U. S. NON-PROLIFERATION POLICY AND THE NUCLEARIZATION OF SOUTH ASIA

Abstract

Being an important part of U. S. foreign policy, much effort is given to promote the goal of nuclear non-proliferation. This is buttressed by three basic approaches : establishment and strengthening of treaty regimes, and dealing with the supply and demand sides of the problem. The non-proliferation policy recieved a jolt when India and Pakistan exploded their nuclear devices in May 1998. Displeasure was initially expressed through the imposition of econmic sanctions on the two countries. The United States has since then relented over the issue of the nuclearization of South Asia. Allthough a laudable goal, U. S. non-proliferation strategy is facing challenges among which are domestic politics and the need to consider broader geopolitical and economic interests.

Introduction

One of the goals of U.S. foreign policy in the post-Cold War era is to promote global nuclear non-proliferation. The magnitude of the destructive capacity of nuclear weapons is so daunting that it is deemed to be imperative to prevent nuclear proliferation, and as such, has been accorded a top priority in U.S. foreign policy. The break-up of the former Soviet Union has led to a greater availability of nuclear scientists and technology in the world at large, which states with nuclear ambition could take advantage of with relative ease. In the words of Samuel R. Berger, the National Security Adviser to President Clinton :

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> Allowing more and more countries, including bitter regional rivals and even terrorist groups, to develop nuclear, chemical and even biological weapons, and allowing the development of more and more destructive weapons would make the world a much more dangerous place. So the United States will continue to work and strengthen global nonproliferation agreements and efforts.[1]

The United States is making efforts at retarding and ultimately checking the spread of nuclear weapons and their missile delivery system. The U.S. non-proliferation policy, however, is driven to a great extent by geo-political and economic considerations, resulting in a lack of uniformity in its approach. This paper seeks to provide a brief outline of U.S. non-proliferation policy, and evaluate how the United States has dealt with the challenge of nuclear proliferation in South Asia.

U. S. Non-proliferation Policy

Ever since the beginning of the nuclear era in 1945, the United States has attached great importance to the goal of creating a world that would be free of the danger posed by nuclear weapons. In 1968 this aspiration was given a legal framework through the signing of the nuclear non-proliferation treaty (NPT). Neither India nor Pakistan, however, adhered to the treaty because of its apparently discriminatory nature.

Although the United States supported nuclear non-proliferation throughout post-1945 period, in the post-Cold War era it is regarding the prospects of nuclear spread as a particularly threatening development for both national and international

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1. Samuel R. Berger, "Strengthening Nonproliferation: Essential to Global Security," *U.S. Foreign Policy Agenda, USIA Electronic Journals,* Volume 4, Number 2, September 1999, p.5

security. Among the means employed by it to retard the spread of nuclear weapons have been: i) providing U.S. nuclear umbrella to allied states that would otherwise feel insecure; ii) giving economic and military assistance to discourage states from going nuclear; iii) encouraging and helping nations develop nuclear energy for peaceful purpose, in ways that would make them reliant on U.S. nuclear know-how.[2] At present it has adopted three basic approaches to prevent the proliferation of nuclear weapons. Firstly, dealing with the problem "through creating, implementing and monitoring" international treaty regimes, of which NPT, Missile Technology Control Regime (MTCR), Comprehensive Test Ban Treaty (CTBT), etc. are a part. Secondly, dealing with the supply side of the problem by making efforts through multilateral arrangements to check the diffusion of technology, equipment and materials that could contribute to nuclear proliferation. Thirdly, dealing with the demand side through the resolution of regional conflicts, which are regarded to be an incentive for nuclear proliferation.[3] Another important component of this strategy is the policy of denial, that is, wielding economic sanctions as a tool that has so far involved considerable controversy.

The nuclear tests conducted by India and Pakistan in 1998 obviously posed a serious challenge to U.S. efforts to check the proliferation of weapons of mass destruction and their missile delivery systems. Despite the fact that punitive measures in the

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2. Robert J. Art, "A Defensible Defense: America's Grand Strategy After the Cold War," *International Security*, Vol.15, No. 4, Spring 1991, p.28

3. James Steinberg, "U.S. Non-Proliferation Strategy: 'No Higher Priority', " *U.S. Foreign Policy Agenda USIA Electronic Journals,* Volume 2, Number 3, August 1997, p.9

form of economic sanctions were taken against India and Pakistan, it is generally believed that the non-proliferation regime has received a blow, to recover from which would indeed be difficult. The apparent "breakdown" of this regime is regarded by skeptics as the point of departure for formulating a new approach that would accommodate nascent nuclear states in the international arena. There is an ongoing debate among American scholars and security specialists concerning the threat posed by nuclear spread. Among those who see little danger in the increase in the number of states possessing nuclear are Kenneth Waltz, John Mearsheimer and Robert W. Tucker, to name a few. They argue that having many nuclear weapon states would actually lead to a more stable world order. Once states acquire such weapons, their leaders would act in a responsible manner. Others, like Ted Galen Carpenter, advocate that instead of seeking to prevent proliferation, the United States should try to "learn how to live with it."[4] The conventional and official line, on the contrary, is that if more states possessed nuclear capability, the world would become positively more insecure. While it is correct to point out that the non-proliferation policy has suffered much due to the tests conducted by the South Asian countries, it would be incorrect to assert that it has been rendered irrevocably out of date and irrelevant to the maintenance of international security.

May 1998 and Its Aftermath

With their nuclear tests in May 1998, both India and Pakistan seemingly made a bid at weaponization, in the process of which almost a quarter century of nuclear ambiguity was brought to an

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4. See, Ted Galen Carpenter, "Closing the Nuclear Umbrella," *Foreign Affairs*, Vol.73, No. 2, March/April 1994, p.13

end. However, the international community has refused to grant them the status of nuclear powers. As far as the Nuclear non-Proliferation Treaty (NPT) is concerned, "a nuclear weapon state is one which has manufactured and exploded a nuclear weapon prior to January 1, 1967."

The euphoria and rhetoric over the nuclear tests conducted by India and Pakistan having subsided, it is now evident that the United States, India and Pakistan have moved toward a ground where they could expect to identify their common interests.

Immediately after the tests had been conducted, economic sanc-tions on the two countries were imposed, as stipulated by U.S. legislation concerning nuclear non-proliferation. As a result of the imposition of economic sanctions by the United States, Pakistan is estimated to have incurred a loss of about $1.5 billion. The Indian government, in its turn, has an interest in keeping the flow of U.S. investments and development loans continue. The United States, though indignant about South Asian nuclear tests of May 1998, has also been cautious about not alienating the two countries concerned, since in so doing, it may lose whatever leverage it has over them. In the words of Karl Inderfurth, U.S. Assistant Secretary of State for South Asia, "We do not believe that nations should be rewarded for behaviour that flies in the face of internationally accepted norms... At the same time, we do not wish to make international pariahs of either India or Pakistan." It now seems to be a matter of time before the three countries concerned would prefer quiet diplomacy and subtle accommodation to secure their economic and security interests. As a resourceful country the United States has an obvious advantage in negotiations over the nuclear issue, and neither India nor Pakistan wishes to be regarded as a nuclear outlaw and subjected to sanctions.

The objectives of the United States in the region are to persuade India and Pakistan to: i) sign and ratify the Comprehensive Test Ban Treaty (CTBT); ii) adhere to the norms of the NPT; iii) resume direct dialogue; iv) stop production of fissile materials and actively participate in the FMCT (Fissile Material Cut-Off Treaty) negotiations; v) accept IAEA (International Atomic Energy Agency) safeguards on their nuclear facilities; vi) agree not to test or install missiles; vii) exercise restraint in sharing nuclear and missile technology to other states; viii) accept a negotiated framework of peace on Kashmir. It is not unlikely that, if the United States carefully wields its carrot and stick policy, and plays its cards right, it may succeed in achieving most, (maybe, all) of its objectives.

The United States is at present trying to persuade China, a major supplier of nuclear materials and know-how to Pakistan to terminate such assistance. Given the priority that the current Chinese leadership attaches to economic development and modernization, there is little likelihood of China providing further such assistance to Pakistan at the cost of its burgeoning friendship with the United States. According to James Steinberg, Deputy Assistant to the U.S. President for National Security Affairs, "We believe China must increasingly come to see that it is in China's own interest not to aid the spread of dangerous weapons or to fuel instability in its own neighborhood." In September 1998, the Chinese Minister of Foreign Affairs, Tang Jiaxuan, reiterated before the 53rd session of the General Assembly of the United Nations, China's commitment to the prevention of nuclear proliferation. He regretted that,

> Last May India conducted nuclear tests against the tide of the times, thus adversely affecting peace and stability in South Asia. Soon afterwards, Pakistan, too, conducted nuclear tests. Their nuclear tests

not only led to an escalation of the tension between the two countries, but also dealt a heavy blow to international nuclear disarmament and the mechanism for the prevention of nuclear proliferation.

During the 1998 visit of U.S. Secretary of State, Madeleine Albright to China, it was pledged that both China and the United States would engage in mutual consultation about the South Asian nuclear issue, and strengthen cooperation in this regard. Elsewhwere she stated that, "Nonproliferation does not just happen. Nations must be quick to detect and share information about illicit activity. They must apply real pressure to countries violating nonproliferation standards or helping others to do so."[5]

Currently, the U.S. official goal is to encourage India and Pakistan to negotiate their differences, and "to freeze and eventually eliminate their nuclear and missile arsenals," and ensuring their adherence to the NPT as non-nuclear states. To merely suggest that if India and Pakistan were allowed to join the NPT as nuclear weapon states, they would abide by its rules and behave responsibly, is insufficient. Whether their adherence to the NPT under the above condition would prevent further proliferation remains moot. As far as nuclear weapons are concerned, less may be better and safer - elegantly articulated theories notwithstanding.

The India Factor

The challenge before the United States is how to help India and Pakistan achieve a stable deterrence without recognizing their nuclear status. Acceptance of the nuclear status of India and

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5. Madeleine K. Albright, "The Testing of American Foreign Policy," *Foreign Affairs*, Vol. 77, No.6, November/December 1998, p.61

Pakistan would be counter-productive, as it may embolden the nuclear lobby in each country, and lead to a nuclear arms race in the region. In that case, chances are that Pakistan would lose the race because of the unbearable expense, and compel it to renounce its nuclear programme. India, for various reasons, would probably be not subjected to similar compulsions. For one thing, it has made a heavy investment in its quest for achieving nuclear status. Besides, as Kathleen Bailey and Satoshi Morimoto argue:

> India's race is not so much with Pakistan as with China and, perhaps, others. India might be willing to halt its efforts to develop and deploy ever more powerful ballistic and cruise missiles if it were convinced that China would make major concessions as a result, and/or that not doing so would result in significant new investment by others in the region in both offensive and defensive missile systems.[6]

There is also the question of pre-emption, and the damage that could be done if deterrence fails. Nuclear deterrence in South Asia, in other words, could turn out to be a "slippery slope."

When it is pointed out that Germany and Japan have been maintaining their security without nuclear weapons, Indians respond by saying that these two countries are protected by U.S. nuclear umbrella, "while India enjoys no such international security guarantees."[7] If that is so, then there is yet scope for the United States to explore possibilities of controlling nuclear proliferation in the region through bringing both India and Pakistan under its extended deterrence system. Even though this

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6. Kathleen Bailey and Satoshi Morimoto, "A Proposal for a South Asian Intermediate Nuclear Forces Treaty," *Comparative Strategy*, Vol. 17, No.2, April-June 1998, p.187

7. Strobe Talbott, "Dealing with the Bomb in South Asia," *Foreign Affairs*, March/April 1999, p.117

Cold War era concept has come under criticism from analysts, it still possesses considerable value, and is capable of significantly enhancing U.S. security in the long run.

A key element of U.S. non-proliferation strategy is persuading India (and also Pakistan), that it is in their interests not to develop nuclear weapons, and changing their perception about the value of such weapons. Through applying diplomatic pressure, the United States is trying to wean the regional adversaries away from the disastrous course that they have embarked on.

For one thing, the tests of May 1998 have not conferred any privilege on India. On the contrary, it has been counter-productive, since it had to face widespread condemnation both globally and regionally, and its goal of acquiring a seat in the U.N. Security Council has evidently been thwarted. Despite Indian defence intellectuals' effort at elaborately articulating India's need for nuclear weapons, they have largely failed to convince the international community. Besides, the Indian rationale that its recent nuclear tests were a response to perceived threats from China is patently unpersuasive. Renouncing its nuclear ambition would obviously be beneficial for India, since it does not enhance either its security, prestige or provide it with the big power status. In the 21st century, status will be determined by economic performance and the quality of life, rather than through the possession of nuclear weapons that are of dubious value to a country 30% of whose population still live in poverty.

The United States, while cognizant of India's security needs,, regards its rationale for not signing the NPT as untenable. Firstly, its argument that it would not sign the NPT because of its discriminatory nature is not persuasive, and is just another way of justifying its drive to acquire nuclear status. According to

Ambassadar Thomas Graham , Jr., the former acting director of the U. S. Arms Control and Disarmament Agency, "The fact that there were five nuclear weapons states before the world took action is a matter of historical circumstance, not special privilege." In this regard, there is undoubtedly a discrimination, but discrimination of a benign nature. Secondly, to insist that it would sign the NPT when the established nuclear powers would disarm themselves, is not realistic. It is not a practical thing to make a linkage between the adherence of an ambitious Third World country to the NPT, and the abolition of the nuclear arsenal of the United States. A valid case can be made as to why the abolition of U.S. nuclear arsenal may encourage nuclear proliferation in the world, especially among countries that depend on U.S. security guarantees.[8] In other words, the South Asian nuclear issue should be dealt with in the regional, *not* global context.

Parenthetically speaking, there is actually no room for legitimizing the nuclearization of South Asia since there is little likelihood of that stabilizing relations between India and Pakistan; it would drain scarce resources away from economic development; and it would lead to a sense of insecurity among the smaller neighbouring countries, which could become victims of any nuclear exchange between the two regional adversaries. Last Fall, Jaswant Singh, the Indian Minister for External Affairs, claimed that India's nulear programme was gradudlly becoming acceptable to the outside world and that it had reserved the right to maintain "minimum deterrent," which would be dynamic, i.e, dependent on circumstances,What exactly was meant by that expression became

8. See, Keith Payne, "The Case Against Nuclear Abolition and for Nuclear Deterrence," *Comparative Strategy,* Vol.17, No.1, January-March 1998.

a matter of conjecture, but that was interepreted by Pakistan to have threatening implications for its security.

The February 1999, testing of medium range ballistic missiles by India (followed inevitably by Pakistan), was conducted in the face of international objection. While it did show that the Indian government could seek to promote its narrow political ends through such demonstration of technological feat, it is not clear though, as to how it would contribute to long-term Indian security. It is to be hoped that future Indian governments would prove themselves to be more sensible by adopting a nuclear policy that would effectively serve Indian economic and security interests. It may be mentined that, there are a substantial number of people in India (as well as in Pakistan), who are opposed to the development of nuclear weapons.

Geopolitical Considerations

As pointed out earlier, U.S. non-proliferation strategy is driven by broader geopolitical and economic interests, which have tended to undermine it. For instance, in the 1970s and 1980s, India was not treated too harshly for its nuclear ambition, for fear of driving it closer to the former Soviet Union. At the time of the Indian "peaceful nuclear explosion" (PNE) in 1974, the US reaction was relatively mild, but subsequently in 1978, U.S. Congress sought to adopt a stricter approach through the passage of the Nuclear Nonproliferation Act (NNPA). One immediate consequence of this was the effort made by the Carter administration to compel India to submit to full-scope safeguards. Not surprisingly, India refused to comply, and accused the United States of "unilaterally and retroactively trying to rewrite the terms of the 1963 agreement."

The nuclear question remained an unresolved issue for the next five years until 1982 when the Reagan administration relented and allowed France to supply low-enriched uranium fuel for the Tarapur light-water reactors. As a *quid pro quo*, New Delhi pledged to accept safeguards on the Tarapur facilities, and the spent fuel emanating from them. By 1988, relations between India and the United States had become friendly enough for the latter to supply India an advanced ring laser gyroscope to assist in the guidance of a new Indian fighter aircraft. Gary Milhollin was not sure in 1989 as to what would "prevent India from using it to guide missiles"[9]. The highly accurate device could easily be adapted "to the demands of missile acceleration."

Despite the fact that India was trying to develop *Agni* in early 1990s, an intermediate range ballistic missile which would be capable of carrying nuclear warheads, the United States apparently did not have any problem with supplying India with Super Computers that were necessary for ballistic missile efficiency. The 1993 Carnegie Endowment Report strongly suggested that the U.S. efforts to control Indian missile development programme through the Missile Technology Control Regime (MTCR) may prove to be counter-productive. Instead, "[I]t should balance its interest in curbing missile proliferation in South Asia against broader regional considerations". The Carnegie Endowment Report on Indo-U.S. relations took that factor into account, and recommended that, "Instead of seeking to induce India to give up its nuclear option, the United States should shift from a focus on

9. Gary Milhollin, "India's Missiles- With a Little Help From Our Friends," *The Bulletin of the Atomic Scientists*, November 1989.

non-proliferation in South Asia to a policy designed to maintain nuclear restraint."[10]

In the wake of Soviet involvement in Afghanistan after December 1979, the United States shifted its policy, when due to Pakistan's strategic position, its nuclear programme was overlooked for the sake of broader political interests. The Symington amendment to U.S. Foreign Assistance act of 1961 (which stipulates that U.S. aid would be cut off if an aid-recipient country is believed to be producing nuclear weapons), was waived so that massive American military and economic assistance could be poured into Pakistan, a frontline state in the fight against Soviet "expansionism". However, after the resolution of the Afghan crisis in 1989, President Bush's failure to certify that Pakistan was not making nuclear weapons, led to the application of the country-specific Pressler Amendment in 1990, which stopped all U.S. assistance to Pakistan, while India was exempted. The reason why the U.S. government appears to be unwilling to apply non-proliferation measures against friendly states, is doing so would practically mean "bashing" them.

Economic Sanctions and Their Limits

Sanctions legislation has played an important role in U.S. non-proliferation policy, though there is a proclivity to underestimate its value. While not totally successful, sanctions have made overt weaponization very expensive, and have been successful enough to make a difference in further pursuit of nuclearization by both India and Pakistan.

10. Selig S. Harrison and Geoffrey Kemp, *India and America After the Cold War,* Report of the Carnegie Endowment for International Peace (Washington, D.C.:1993). p.36

Although the imposition of economic sanctions has hurt Pakistan more than India, the latter too, has not remained totally immune from their effects. It is true that India produces a substantial amount of its military hardware indigenously, but setbacks in its economic growth would most probably adversely affect its military production. It may be mentioned that the flow of direct foreign investments had slowed down considerably after the nuclear tests were conducted in May 1998. Foreign investments, and access to high technology were urgently needed to accelerate the pace of India's economic development and market reforms, which were already in the doldrums.

One reason why the United States has not been too keen about incurring India's disapproval, and therefore, prefers not to hector it on the nuclear issue is that, an excessive (from the Indian point of view) focus on nuclear proliferation may do more harm than good. Firstly, there is the question of trade. With India's vast population and policy of economic liberalization, the United States could carve out a lucrative niche in India. Within a brief span of time U.S. direct foreign investment in India has leaped from US $73 million in 1990 to US $10 billion in 1997, (in comparison to this, total U.S. investments in Pakistan in 1995 amounted to US$ 510 million). Moreover, U.S. investments in India comprise about 42% of total foreign investments there, about 20% of Indian exports go to the United States, and the two countries have a bilateral trade volume to the tune of US$7.5 billion. With a rising middle class (at present 250 million strong), U.S. businessmen could be confident about a vast market for their products. Even when India tested its nuclear devices in May 1998, the United States vacillated about imposing sanctions on India.Robert A. Manning of the Council on Foreign Relations

succinctly described the U.S. position when he said that, "The challenge [was] how to maintain sufficient opprobrium to limit the damage to the non-proliferation regime, yet not ostracize the world's largest democracy..."

U.S. direct investment in South Asia was an important factor in the U.S. Congress's decision to authorize President Bill Clinton to lift most of the economic sanctions imposed on India and Pakistan after May 1998, since these would have adversely affected US interests more than those of the subcontinental countries. American firms can now invest in both India and Pakistan. Likewise, American banks have resumed their lending operations to the private sector. Strobe Talbott, U.S. Deputy Secretary of State, expressed the need to be flexible in applying sanctions, since the latter "have sometimes been more of a sledgehammer than a scalpel." Sanctions may have caused economic and political problems in the region, so it was considered better not to apply them. According to the Task Force Report (with a pro-Indian bias), prepared jointly by the Brookings Institution and the Council on Foreign Relations,[11] U.S. commercial interests are adversely affected by such broad economic sanctions, but then questions have been raised as to whether U.S. non-proliferation policy should be guided only by commercial objectives. In his dissenting opinion to the Task Force Report, Rodney Jones pointed out that :

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11. See, Richard N. Haass and Morton Halperin, *After the Tests: U.S. Policy Toward India and Pakistan,* Report of the Independent Task Force, co-sponsored by the Brookings Institution and the Council on Foreign Relations. September 1998.

> It is important to tally up the successes that have been accomplished over time by foreign reluctance to trigger nonproliferation sanctions, an assessment that has not been attempted in this Task Force. In the event that sanctions laws are misapplied or become ineffectual owing to altered circumstances, the appropriate response is not to throw the baby out with the bathwater but rather to configure the sanctions for greater effectiveness.

It is undeniable that imposition of economic sanctions on India and Pakistan did adversely affect their economies, but the fact remains that while sanctions may have exacerbated regional economic problems, they did not cause them, which were basically of domestic provenance. It is equally undeniable that it was the sanctions-related economic hardship that India and Pakistan had to suffer that compelled them to even consider signing the CTBT, and to engage themselves in a dialogue. According to Amit Gupta, "[India and Pakistan] are also likely to keep the economic consequences in mind when they draw up plans to build nuclear forces."[12] The irony of the situation is that the failure of U.S. Senate in October 1999 to ratify the CTBT has undermined U.S. efforts at stemming prospects for nuclear proliferation. This indicates lack of support in U.S. Congress for the United States to give leadership in the global nuclear non-proliferation movement Significantly enough, there was no public outcry in the United States against the Senate's decision.

Sanctions have their efficacy as well as limitations. According to Samuel P. Huntington, "Sanctions work...only when other countries support them, and that is decreasingly the case."[13] While

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12. Amit Gupta, "South Asian Nuclear Choices: What Type of Force Structure May Emerge?" *Armed Forces Journal*, Vol.136, No.2, September 1998, p.28
13. Samuel P. Huntington, "The Lonely Superpower," *Foreign Affairs*, Vol.78, No. 2, March/April 1999, p.39

they can be useful in punishing recalcitrant states, they are unable to totally deter them from acquiring nuclear capability. Despite U.S. endeavours at dealing with the supply side of the problem, it is becoming increasingly difficult for it to attain complete succcess in preventing resourceful states from supplying nuclear materials and technology to ambitious states willing to pay the price. George W. Rathjens and Marvin M. Miller have expressed skepticism :

> ... about the prospects of preventing or significantly slowing the proliferation of nuclear weapons and of missiles... through policies of technological denial alone. Particularly for the long term, more attention should be focused on what can be done to reduce motivation to acquire such weapons.[14]

Addressing the Incentives for Nuclearization

Demand for weapons, both conventional and nuclear, does not take place in a vacuum. In most cases existence of disputes drive nations to acquire weapons. An important component of U.S. nonproliferation policy is to address the circumstances under which demand for nuclearization in South Asia is created. The Clinton administration has made it clear that it seeks to see a satisfactory resolution of the outstanding disputes between India and Pakistan, particularly that over Kashmir. In this regard there is scope for the United States to play a constructive role to help the archrivals to arrive at a negotiated settlement of their bilateral conflict, and in the process create conditions conducive to cooperation. For this particular reason, Kashmir deserves particular attention.

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14. George W. Rathjens and Marvin M. Miller, "Nuclear Proliferation after the Cold War," *Technology Review*, Vol.94, No.6, August/September 1991, p.26

For half a century, Kashmir has continued to be a festering sore in the bilateral relations between India and Pakistan. The peaceful resolution of the Kashmir issue is apparently linked to any quest for achieving a durable peace settlement in South Asia, and as such is deemed to be crucial for the process of reconciliation between the two regional adversaries.

In the post-Cold War era, among other changes in US policy, is the question of self-determination in Kashmir. Since the late 1940s the United States has been referring to Kashmir as a disputed territory, to be resolved according to the U.N. resolution of 1948-49 which called for a plebiscite -- a position that favoured Pakistan. During a March 1991 hearing at the Subcommittee on Asia and Pacific Affairs, then Deputy Secretary of State Teresita Schaffer, testified that the U.N. resolution about a plebiscite in Kashmir, so long endorsed by the United States, was no longer a viable option. Instead, she urged that the issue should be resolved bilaterally on the basis of the Simla Agreement of 1972 -- a shift in US position that implied that the matter should not be raised by Pakistan in the U.N. In October 1993, in the wake of a strong reaction in India, then US Assistant Secretary of State Robin Raphel was compelled to retract her statement that Kashmir was a disputed territory. In 1994 the then newly appointed US ambassador to India Frank Wisner also reiterated that the Kashmir question should be resolved outside the framework of the 1948-49 U.N. resolution.

On June 3, 1998 Karl Inderfurth, in his statement before the Senate Foreign Relations Subcommittee on Near Eastern and South Asian Affairs, stressed on the need for a dialogue between China and India because of China's "constructive role in Kashmir" lately. The mere mentioning of China in the context of Kashmir

is regarded by India as a "deliberately provocative posture on the part of the U.S." The recent developments in Sino-U.S. relations have also incurred India's displeasure, since it feels it would undermine its regional predominance. Despite the apparent Indian misconstuction of Inderfarth's suggestion and Pakistan's requests for U. S. mediation, the United States has continued to urge countries to resolve the Kashmir issue bilaterally between themselves. This, however, does not foreclose prospects for U. S. mediation in future.

It could be argued that the Kashmir issue was used as a convenient excuse for the nuclear contest between India and Pakistan. Soon after the nuclear tests on May 11, 1998, provocative statements were issued by India that provided grounds compelling enough for Pakistani nuclear response : "...[Pakistan] should roll back its anti-India policy especially with regard to Kashmir...[The tests indicated] India's resolve to deal firmly and strongly with Pakistan's hostile designs and activities in Kashmir." In response Pakistan said that, "Statements emanating from Indian leaders virtually amount to a nuclear blackmail by India to impose a military solution in Kashmir." Despite the appeal of US President Bill Clinton to desist from conducting nuclear tests, Pakistan went ahead and exploded its nuclear device toward the end of May 1998.

During last summer's Kargil conflict in Kashmir, it was apprehended that if pressed to the wall, neither India and Pakistan would have hesitated to consider the use of nuclear weapons. Fortunately for both the countries, as well as for the region, tensions were defused before things came to such a pass. That however, does not guarantee peace, or that further escalation of crisis over Kashmir would not occur in future, when fingers on

both sides may "itch" to pull the nuclear trigger. Given the tenuous relationship between India and Pakistan, dangers of conflicts escalating into the nuclear stage cannot be entirely ruled out.

In the post-Cold War era, the United States could use its influence to make India see the benefits of participating in a five-power (U.S., Russia, China, India and Pakistan) regional dialogue on nuclear proliferation. As a matter of fact, such a proposal was made in 1990, which India refused to accept since it wanted to link China in any negotiation on nuclear proliferation in South Asia. China, on its part, has expressed its willingness to participate, but not to put its nuclear weapons on the negotiating table. The United States has been on record as consistently urging both India and Pakistan to adopt confidence and security building measures (CSBMs). It could actively seek to establish a nuclear-weapons-free zone in South Asia. It could also make efforts at denuclearization of South Asia outside the framework of the NPT, the way it was achieved in Argentina and Brazil in South America.

Although the United States cannot change the dynamics of South Asian politics, it could strive to play a constructive role in regional security relations - at least, until the time when a security arrangement satisfactory for all the regional countries is achieved. As a matter of fact, it was due to American suggestion that the "bus diplomacy" of February 1999 was undertaken. Although the initiative, which paved the way for the summit meeting between the Prime Ministers of India and Pakistan in Lahore, failed to achieve any tangible results, it nonetheless had a symbolic value.

If history is used as a guide, it can be argued that South Asian security would continue to be maintained through the balancing

process, rather than through predominance. Therefore, the involvement of extra-regional powers in South Asia may have a stabilizing effect, contrary to Indian security perception. In future, as a reflection of the new power reality and pragmatism, the United States may prefer to see China play a more influential role in the region. Whether China would have any interest in playing a role in the maintenance of South Asian balance of power is another question.

Conclusion

As far as the issue of nuclear proliferation is concerned, U.S. policy in South Asia has obviously faced a setback. However, it cannot be categorically stated that its non-proliferation policy has been completely rendered meaningless, but only temporarily put on hold, since there are avenues open for the United States to creatively deal with the problem. According to a U.S. State Department statement, "there is ample room for further discussion, for further understanding and refinement of respective positions," in U.S. relations with India and Pakistan. Coercive methods, as has just been discussed, have their obvious limitations. The more appropriate approach would be make the two countries appreciate the fact that it would be in their own self-interest not to go for nuclearization. In other words, it depends on the diplomatic skills of American negotiators whether in the South Asian context the United States could have its cake and eat it too - that is, maintain what Strobe Talbott referred to as "broad-gauge, forward-looking" relations with both India and Pakistan, and at the same time denuclearize the subcontinent.

So far, the Clinton administration has achieved considerable success in preventing India and Pakistan from aggravating the

regional nuclear situation. It has sought to maintain its leverage over the two countries through the lifting of economic sanctions that were imposed in May 1998. It could be argued that it is not beyond the capacity of the United States to make India and Pakistan to substantially modify their nuclear policies. Apparently the United States is giving the impression of meting out similar treatment to both India and Pakistan, but broader considerations may compel it to change course. If India, as a democratic country is perceived to be strategically valuable for balancing China in the long run, the United States may not be opposed to the idea of its emergence as the preponderant regional power *with nuclear weapons.* In fact there are indications that, even at the official level, Unitied States is sympathetic about India's need to be "flexible" about its defence policy. And China's role in the balancing process, while desirable, is yet to be determined. Four decades of friendship with Pakistan is no guarantee that, if necessary China would not reorder its foreign policy priorities.

Objectively speaking, U.S. non-proliferation policy has its intrinsic merit which unfortunately is seriously constrained by a number of factors including domestic partisan politics. The non-proliferation policy has become a victim of political conflict between the Presidency and Congress, relationship between which is becoming increasingly adversarial, as is epitomized by the recent Senate refusal to ratify the CTBT. This lack of consensus in U.S. domestic politics is only posing problems for the successful conduct of its foreign policy. U.S. public opinion, which is regarded to play an important role in foreign policymaking, is apparently apathetic as far as the question of nuclear non-proliferation is concerned. Apart from these factors, American scholars and policymakers themselves are divided over the issue of

non-proliferation, with one group supporting it, and another criticizing it. Finally, the interplay of idealism and pragmatism is diluting the ardour in the advocacy of non-proliferation strategy in policy making circles.

In conclusion, it could be reiterhated that, although a laudable goal, some aspects of U.S. non-proliferation policy seem to have failed to achieve sufficient effectiveness, particularly the regime treaty and the policy of denial. However, if US diplomacy can dampen the incentive for nuclearization through resolution of conflicts, it could hope to attain considerable success, especially in South Asia. It would indeed be difficult, but not impossible to put the nuclear genie back in the bottle. Nuclear proliferation is possible, but not inevitable. And sustained and calibrated pursuit of nuclear non-proliferation on the part of the United States may contribute to the emergence of a less insecure South Asia. The crucial question is whether the United States has strategic interests in curbing the nuclear ambitions of both India and Pakistan, or only of Pakistan. That would indeed make a big difference.