



[Editor's note: PacNet 37 provided a positive assessment of the recent Indo-U.S. agreement. This response provides a decidedly different perspective.]

Is the U.S.-India nuclear cooperation agreement good or bad for proliferation? by Michael Krepon

The nuclear cooperation agreement announced between President George Bush and Indian Prime Minister Manmohan Singh at the White House on July 18 marks a major shift in decades-long U.S. policies to stop and reverse proliferation. If implemented, it would result in new rules of global nuclear commerce that the Bush administration has previously opposed. Because this deal was generated from the top down, its particulars have not been spelled out. These details can mark the difference between an agreement that makes us all safer or more vulnerable to nuclear dangers. With this much at stake, searching congressional hearings and oversight are needed. In these hearings, it's essential to ask tough questions, and not to be satisfied with facile answers.

One question worth asking is whether the Bush administration believes that relaxing the rules of nuclear commerce is essential to improve India-U.S. relations. There is bipartisan support to improve ties, which began in a serious way at the end of Bill Clinton's presidency, and has picked up considerable speed during the Bush administration. President Bush has greatly increased military cooperation with New Delhi, including the offer of advanced combat aircraft and their co-production in India. The U.S. has long been ready to increase trade and investment in India. The Bush administration has also relaxed restrictions on space cooperation, and is working more closely than ever with New Delhi on regional security problems.

In other words, significantly improved ties are being forged without having to relax existing rules to prevent proliferation. So why has the administration proposed to weaken these rules? Does it honestly believe that foreign nuclear suppliers will agree only to make an exception for India, and not for other nations? At a time when Washington is pushing hard to toughen requirements for nuclear commerce to states that have pledged not to acquire nuclear weapons or appear to be seeking them, does it make sense to relax requirements on states that have nuclear weapons?

If the administration is not so naïve as to believe that India alone will benefit from relaxed rules of nuclear commerce, why has it proposed this deal? Is it because senior Bush administration officials believe that New Delhi will serve as a strong ally against Islamic extremism or as a counterweight to Beijing? Is this the "big idea" that drives the deal?

After 300 years of colonial rule, India will not follow the beat of a distant drummer, nor accept a junior partnership to Washington. Improved ties will therefore be based on

common interests, as well as a respect for differences that result when national interests diverge. Washington can therefore expect New Delhi to keep improving ties with Beijing, while striving to avoid choosing sides in the event of a crisis over Taiwan. Likewise, New Delhi's approach to Islamic extremism will sometimes coincide and other times differ with Washington. India's concerns begin with Pakistan, where Washington's policies have often frustrated India. India's Parliament passed resolutions against both Gulf wars, and has rejected the Bush administration's entreaties to provide ground forces in this front of the "global war against terrorism."

If a de facto strategic alliance is not the big idea driving this nuclear deal, what is? Perhaps it is to change the old nuclear order or to create a new one. Changing the old rules could make sense, since they were devised during the Cold War, and were not built to accommodate India, Pakistan, and Israel. But the possession of nuclear weapons by these three nations is not why the old order is so troubled. Instead, the Nuclear Non-Proliferation Treaty (NPT) regime is under stress because North Korea and Iran have nuclear ambitions that have been aided by Pakistan's lax export controls; by new concerns of nuclear terrorism that the NPT regime was not designed to address; by opportunistic, state-supported nuclear commerce; and by blocking strategies against regime strengthening measures adopted by an unlikely group of states, including Egypt, France, Iran, Pakistan, India, and, most regrettably, the U.S.

If relaxing the rules of nuclear commerce to help India contributes to a new nuclear future that raises barriers against proliferation, these changes are worth supporting. If, instead, the new rules are likely to result in more proliferation, the deal is contrary to U.S. national security interests. Therefore the central question before the Congress is whether this deal is good or bad for proliferation. To answer this question, we need to know more about its particulars, since some may be good and others bad. We also need to know from the Bush administration whether it is seeking to create a new nuclear order and, if so, what it looks like.

Radicals dismember old institutions without serious regard for what will replace them. Conservatives don't tear down useful institutions unless and until something better will take their place. So what does the Bush administration have in mind? It has suggested some valuable measures against proliferation, many of which have not yet gained traction. It has also opposed measures that most nations believe are fundamentally important to build barriers against proliferation, such as ratifying a treaty ending nuclear testing, making intrusive monitoring integral to treaty constraints, and negotiating a verifiable end to fissile material production for nuclear weapons. When relaxed rules for nuclear commerce

are added to this mix, what kind of a nuclear future can we expect?

As a responsible steward of its nuclear capabilities, the administration proposes to reward India with the same benefits and advantages of the five nuclear weapon states recognized by the NPT, all of which enjoy permanent membership in the U.N. Security Council. If India is to enjoy these benefits, has the Bush administration received assurances that New Delhi is also willing to accept comparable obligations and constraints as the P-5 members?

All five of the nuclear weapon states recognized by the NPT have signed the treaty banning all nuclear weapon tests, thereby accepting the obligation under international law not to defeat the objectives and purposes of this agreement pending its entry into force. India has accepted no such legal obligation. Public statements by Indian leaders that they have no current plans to test again are a poor substitute for signing this treaty. At a minimum, has the Bush administration received assurances from New Delhi that it will not be the first to resume nuclear testing?

Most analysts believe that all of the P-5 are not now producing new stocks of fissile material for weapons, although Beijing has yet to confirm this publicly. India appears to be increasing its stocks. By this measure, India is moving in the wrong direction. Does the administration now plan to take a proactive and constructive approach to putting in place a moratorium on fissile material production while negotiating a verifiable cutoff agreement?

A third essential measurement of merit for states that possess nuclear weapons is whether their inventories are growing or contracting. Four of the P-5 states are clearly moving to reduce their nuclear weapons. China is most probably increasing its nuclear arsenal at a modest rate. India's nuclear arsenal, like Pakistan's, is also growing. How might the proposed deal with New Delhi affect growing nuclear arsenals in southern Asia?

The answers to these questions can help us determine whether to expect more or less proliferation as a result of the nuclear cooperation agreement announced in July. Taken separately, do the multilateral initiatives proposed by the Bush administration that are now stymied, as well as the unilateral initiatives it has already taken, add up to a safer nuclear future? Is the deal with India a well-considered response to disturbing trends, or likely to accentuate the hollowing out of existing norms against proliferation?

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