Quaid-i-Azam as a Strategist[*]

Pervaiz Iqbal Cheema[**]

Like most great men of history, Quaid-i-Azam was a singularly gifted individual - an individual who had the capability to pass out of action into the recluse of solitude and inaction and then out of inaction into action with an increasing realization of the responsibility and the importance of contribution he could make to the advancement of his community's welfare. His withdrawal from Indian politics during the years 1930-34, and his subsequent attempts to settle down in England, and then return to Indian political scene is an adequate testimony of such a gift. While in England, he "went through an agonizing reappraisal of his role in Indian politics."[1] Towards the end of 1934, he returned to Indian political arena with renewed vigour and clear objective. He came back to India with firm conviction that Congress' India would be a Hindu India in which the Muslims would be denied their legitimate share. The immediate problem for him was how to devise a strategy which could mould the circumstantial force in such a way that it creates opportunities for the Muslims to realize their ambitions. In this connection, he devised a broad pattern of strategy based on four major tactical stages in order to attain the main objective; namely the establishment of an autonomous Muslim India. At the first stage, the immediate political objective was to reorganize and strengthen the Muslim League to the extent that it became a formidable political force within the Indian political theatre. Once this objective had been attained, he would then move on to the second stage, i.e., to reveal the idea of separate homeland in deliberately contrived vague manner. Having accomplished these two stages, he would then initiate the third stage to strive to attain the status of an undisputed spokesman of the Indian Muslims for the Muslim League. Finally he would try to impress upon the British as well as upon the Congress to accept the principle of parity and accord the equality status to the Muslim League. Once the above mentioned stages had been successfully executed and the objectives attained, the establishment of a separate homeland for Indian Muslims, would become a mere product of a sequence. These four stages do not necessarily follow one after the other but sometimes operate simultaneously.

Realising the intensity of deteriorating social milieu and the political disarray of the Muslim Community, he was impelled to embark upon, initially, the task of reorganizing and revitalizing the Muslim League along with the strengthening of its base. He attempted to re-infuse the spirit of unity among the Muslims and repeatedly urged League workers to organize properly. In March 1936, he addressed Muslim League members and said:

> We must think of the interest of our community. Unless you make the best efforts, organize yourself and play your part.[2]

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[1] Khalid B. Sayeed, 'The Personality of Jinnah and His Political Strategy' in *The Partition of India* edited C. H. Philips and M. D. Wainwright. (London: George Allen and Unwin Ltd., 1970), p. 281.

[2] Hector Bolitho, *Jinnah: Creator of Pakistan* (Lahore: Oxford University Press, 1969), pp. 111-112.

While delivering the presidential address at the Lucknow Session of the All India Muslim League, in October 1937, he again stressed, that "it is essential that the Muslims should organize themselves as one party."[3] Later, in the same speech he declared:

> The one wholesome lesson that I ask the Musalmans to learn, before it is too late, is that the path before the Musalmans is, therefore, plain. They must realize that the time has come when they should concentrate and devote their energies to self-organisation and full development of their power to the exclusion of every other consideration.[4]

Simultaneously Quaid-i-Azam opened up another front with a view to enlarging the Muslim League's base. In pursuit of this objective he devised the tactics of attacking Congress in order to expose Hindu bias of the Congress and its communal orientations. He lashed out innumerable speeches against the Congress emphasizing its attempts to wreck all other organization in India and highlighting the true aims of the Congress. In a statement issued on 13th October 1938 from Karachi, he declared that the Congress High Command was singularly obsessed with the idea of destroying all efforts which could cause solidarity among the Muslims of Indian.[5] While delivering the presidential address at the annual session of the All-India Muslim League, held at Patna, on December 26-29, 1938, he declared:

> It is a misfortune of our country; indeed, it is a tragedy that High Command of the Congress is determined, absolutely determined to crush all other communities and cultures in this country and establish Hindu Raj. They talk of Swaraj, but they mean only Hindu Raj. They talk of Government but they only mean Hindu Government.[6]

He painted Congress as a fascist party whose authoritarian policies were not only causing the communal riots but were deliberately wrecking all hopes of communal peace in India.[7] In order to support this approach, the League prepared and distributed several reports highlighting the injustices experienced by the Muslims at the hands of the Congress in general, and the Congress Provincial Ministries in particular. Admittedly some of the charges made in these reports[8] against the Congress were somewhat exaggerated, but these were in line with the broad pattern of strategy that he had devised.

These speeches and reports served multiple purposes. In the first place, these tactics helped him get rid of the stigma of being too friendly to Congress during the 1920s. Many Muslims were apprehensive of Quaid-i-Azam's leadership and regarded him a secular leader who had a soft corner for the Congress. His earlier political strategy of skilful mediation and compromise,[9] along with his expressed poor opinion of League's leadership had further strengthened this belief. Secondly, these tactics inculcated a genuine fear of Hindu Raj among the Muslims and, in consequence, great number of Muslim masses began to join the League. When the Congress refused to form coalition ministries with the League despite the existence

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[3] Jamil-ud-Din Ahmad, *Speeches and Writings of Mr. Jinnah* Vol. 1, 7th ed. (Lahore: Sh. Mohammad Ashraf, 1968), p. 26.
[4] Ibid., p. 31.
[5] Ibid., pp. 69-70.
[6] Ibid., p.76.
[7] T. W. Wallbank, *A Short History of India and Pakistan* (New York: Mentor Books, 1958), pp. 182-189.
[8] The Sharif Report and the Pirpur Report, Ibid, p. 189.
[9] Sayeed, op.cit., pp. 276-293.

of prior understanding before the elections of 1937. Under Patel's direction, the Congress, after winning unexpected number of seats in provincial legislatures, insisted that Leaguers wanting to join ministries must first join the Congress Party.[10] This was a great tactical blunder that helped Quaid-i-Azam in convincing a large majority of the Muslims that Congress was essentially a Hindu body.[11]

At Lucknow on October 15, 1937, in a speech, he said, "…. The majority community have clearly shown their hand that Hindustan is for the Hindus". He warned his listeners that the "present Congress Party policy", would result in "class bitterness" and "Communal War."[12]

The continuous neglect to appreciate the sensitivities of cultural minorities by the Congress-ruled provinces confirmed already aroused apprehensions of the Muslims. Perhaps, that is why, in response to Quaid-i-Azam's call to observe December 22, 1939, as the Day of Deliverance and Thanksgiving, after the Congress ministries had resigned in November 1939, thousands joined the demonstration including Parsees, Christians and Untouchables.

Although throughout the years from 1935 to 1940, the main preoccupation of Quaid-i-Azam had been to strengthen the League by securing more and more mass support for it, and to gain a recognition of a third political force in India, he was convinced that, perhaps, the best way out for the Muslims of India was to seek some kind of territorial separation. He scrupulously refrained from touching this subject in his speeches and statements at the time. However, on the other hand, he frequently employed phrases like 'Hindu India,' 'Hindu Government etc., which implied that he had already worked out some kind of solution for the Muslims of India and was waiting for the right moment to announce it. Expediency demanded to initiate the second stage of his strategy only after having accomplished the task of making Muslim League a powerful political force to be reckoned with.

Having successfully executed the first stage of his strategy, he then moved closer to revealing his main objective; namely a separate homeland for Indian Muslims. During the early months of 1940, he explained the reasons of inapplicability and impracticability of British form of democracy in India by emphasizing the heterogeneous nature of India, as opposed to homogeneity of the British, in an article published in *Time and Tide*. In the same very article, he urged the Englishmen to take cognisance of two nations in India.[13] Then, in March 1940, the Lahore Resolution was passed by the Muslim League, in which it formally declared the attainment of a separate homeland. Details were left imprecise, but the principle stood clear: the Muslim's largest political organization had dropped all idea of Indian unity and now wanted the sub-continent's partition.[14] In response to Beverley Nichols question that why Pakistan has not been defined in detail, Quaid-i-Azam said:

> All the details were left to the future and the future is often an admirable arbitrator. … it is beyond the power of any man to provide, in advance, a blue print in which every detail is settled.[15]

The vagueness of the Lahore Resolution, with its somewhat blurred and hazy picture of Muslim separate homeland, was a well thought-out tactic. A detailed

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[10] Ian Stephens, *The Pakistan* (London: Oxford University Press, 1968), p. 76.
[11] For details, see Sir Percival Griffith, *The British Impact on India* (London: Macdonald, 1952).
[12] Bolitho, op. cit., p. 115.
[13] Jamil-ud-Din Ahmad, op.cit., pp. 122-131.
[14] Stephens, op.cit., p. 79.
[15] Beverley Nichols, *Verdict on India* (Bombay Thacker & Co., Ltd., 1944), p. 189.

and precise picture of Pakistan would have deprived Quaid-i-Azam from taking a full advantage of the element of uncertainty and narrowed the field and power of manoeuvrability on one hand, and would have enabled the Congress to concentrate on a clearly visible target on the other. These tactics paid tangible dividends. It would have required a huge effort by the League workers to explain the meaning of Pakistan to Muslim masses. The Hindu press and the Congress leaders in their over-enthusiastic efforts to discredit the idea of separate homeland as enunciated in the Lahore Resolution, inadvertently helped explaining to Indian masses what Pakistan really meant and stood for and in so doing, conveyed the meaning to Indian Muslims. Even the phrase 'Pakistan Resolution' was coined by the Indian press.[16]

After having laid the basis for the reorganization of the Muslim League and vaguely presented the idea of an autonomous Indian Muslim State, he started unfolding third and fourth stages of his strategy which were somewhat interdependent and interlinked.

On September 3, 1939, Great Britain joined the War against Hitler, when Poland was subjected to a Nazi attack. On the same day, Indian Viceroy declared India at war with Nazi Germany. For obvious reasons, Viceroy was eager to gain the support of major political parties of India in his war efforts. The attitude of Congress towards India's entry into the war was that of open hostility and accused British Government for having deliberately ignored the wishes of the Indian people and asked for immediate independent status. Like a great tactician, the Quaid waited until the Congress had made its move by refusing to accord its support for the British war effort. Three days later the League expressed its willingness to accord solid Muslim support provided British Indian Government guaranteed "Justice and fair play for Muslims in the Congress provinces" and gave "an assurance that no declaration or constitutional advance for India should be made, nor any Indian constitution framed or adopted without the consent and approval of the All-India Muslim League."[17] In October 1939, Viceroy, while attempting to procure the support of Indian political leaders and rallying the Indian public opinion to the side of Great Britain, made it clear "that the rights of minority groups, such as the Muslims, would be safeguarded in any new constitution."[18]

During the initial war years, Quaid's dealings with British were not only extremely realistic but were also in congruence with a well thought-out strategy. Having procured the guarantees for minority's rights in future constitutional arrangements and having announced a demand for separate homeland in the Lahore Resolution, Quaid-i-Azam maintained a low-key profile of restrained cooperation during these years. Realising the difficult situation the British were confronting at the time with impending danger of German invasion and the Congress non-cooperation, he refrained from pushing too hard to extract a huge bundle of concessions from them, either by complete non-cooperation or by wholehearted cooperation.[19] This was a superb move, the fruits of which were manifested in Viceroy's August offer, when he, while ruling out the possibility of any constitutional changes during the war, declared that "full weight should be given to the views of the minorities" in future constitutional arrangement for India.[20]

Congress role during the early years of war was somewhat short-sighted and miscalculated. Despite British repeated offers of self-government after the war, it

[16] Bolitho, op.cit., p. 129.
[17] H. V. Hodson, *The Great Divide* (London: Hutchinson, 1969), pp. 77-78.
[18] Wallbank, op.cit., p. *193*.
[19] Sayeed, op.cit., p. 286.
[20] *Wallbank*, op. cit., pp. 197-198.

decided to support Gandhi's civil disobedience movement in 1941. The whole movement was classic Congress error which Quaid-i-Azam denounced not because it was causing hindrance to the British war efforts but because he regarded it as a type of political blackmail, designed to coerce British, in order to insure Congress objectives. Sir Sikandar Hayat, the Chief Minister of Punjab, was even more critical and interpreted the movement as stabbing in the back while the British were engaged in their life-and-death struggle against the Germans.[21] While highlighting the sinister Congress aims, Quaid-i-Azam also tried to project the positive attitude of the League with regard to British war efforts. In a statement on British policy on January 2, 1942, he said:

> ... the prosecution of war and war efforts the Muslim League has from the very beginning been ready and willing, without prejudice to the major political issues, to shoulder the burden of the defence of the country, singly or in cooperation with other parties, on the basis that real share and responsibility is given to Muslim India in the authority of Governments at the Centre and the Provinces, within the framework of the present existing constitution.[22]

Unlike the Congress efforts to obstruct the British war efforts, Quaid-i-Azam repeatedly projected League's willingness to cooperate. In an interview to an American press representative at Bombay in July 1942, he declared:

> I stated from the very commencement of India being declared a belligerent that in our own interest and to defend our homes and hearths we should assist England in the prosecution of war, provided Great Britain accepted our hand as a confident friend and as equal partner to face the peril, and provided real share in the authority of the Government at the Centre and Provinces was given to us within the framework of the present constitution.[23]

Fresh Congress blunders were committed in 1942, after the rejection of Cripps Formula. To make things worse, Congressites, believing in the imminent Japanese victory in near future, demanded in Wardha Resolutions of July 1942, that, "British role in India must end immediately, in default of which the Congress would be compelled to use all its non-violent strength in a widespread struggle, to be led by Mr Gandhi."[24] Quaid-i-Azam interpreted this as a tacit declaration of war by the Congress and described them as tactics of blackmail and coercion in order to procure a system of Government which would not only establish a Hindu Raj but would also sacrifice all other interests, particularly Muslim interests in India.[25] However, in response to these resolutions and quit-India movement, serious disturbances followed, "which resulted in widespread sabotage of communication between the Burma fighting zones and Delhi."[26] The British reaction, this time, was far tougher than what Congressites had anticipated. The entire leadership of the Congress with few exceptions, were put behind the bars and were kept there, until as late as the summer of 1945. This provided an excellent opportunity to Quaid-i-Azam and his followers "to rectify the balance between his organization and Congress."[27] In the

[21] Ibid., p. 199.
[22] Jamil-ud-Din Ahmad, op.cit., pp. 347-348.
[23] Jamil-ud-Din Ahmed, op.cit., pp. 405-406.
[24] Hodson, op.cit., pp. 105-106.
[25] Ibid., p. 106. Also see Quaid's statement in Jamil-ud-Din Ahmad, op. cit. pp. 421-422.
[26] Stephens, op.cit., p. 80.
[27] Wallbank, op.cit., p. 213.

following years, the League emerged so powerful an organization that it began to insist on being recognized as the sole representative body of the Muslims of India. Even Mr. Churchill declared that the Congress was not the sole representative party of India and implicitly recognized the existence of 90 million Muslims, who were opposed to the Congress.[28]

Another tactical success was attained by the Quaid in 1944, when Gandhi, with the covert aim of converting him to his idea of a United India and overt purpose of resolving Congress-League controversy, expressed his desire to meet him. Quaid-i-Azam readily agreed to such a meeting. Although the outcome of this meeting could easily be equated with zero as far as the expressed purpose of the meeting was concerned, Quaid-i-Azam, however, scored two tactical points; acknowledgement of equality of status with the holy hero of the Congress, and admission of Pakistan in some form to the Congress-League agenda.[29] He had already anticipated that Ghandi would not accept the type of Pakistan he was promoting and, at best, would, perhaps, concede Raja Gopal Acharia's formula for Congress-League settlement. Secondly, he knew well that Gandhi was not coming to negotiate as a fully authorized representative of the Congress Party[30] but was meeting Quaid in his individual capacity. Why did Quaid-i-Azam agree to this meeting when he knew well that their agreement may not find any support either by congress or by the British? An eminent scholar explained that he, "agreed to meet Gandhi and conduct those negotiations because he thought this would improve the position of the Muslim League and also enhance his prestige."[31] Besides, he had already anticipated that the time for pushing forward the Pakistan scheme in more precise terms was approaching fast, and it was an opportunity to convey to the Congress the determination of the League to secure Pakistan and to impress upon the British the realities of two nation theory and to gain equal status for the League. When the leading opponents of the League were willing to negotiate issues on the basis of equality, then why can't British accord parity treatment to Muslim League. As mentioned in the beginning of this paper that Quaid-i-Azam had a highly developed sense of political timing, he realized that by 1944, the League had grown greatly in its strength and had also been acquiring the reputation of being the sole representative of the Muslim Community in India, the time had come to project that the establishment of Pakistan was the only solution for India's constitutional ills. Since the British had committed themselves repeatedly to devise some kind of constitutional framework once the war was over, in order to accelerate the award of self-government to India, and war was approaching fast towards its end, the time had come to begin working for the partition of India. Meeting with Gandhi provided the opportune moment to dress up properly the idea of Pakistan, deliberately couched in vagueness at the time of the passage of the Lahore Resolution. After Quaid-Gandhi talks fell to pieces, Quaid-i-Azam openly declared:

> There is only one practical, realistic way of resolving Muslim-Hindu differences. This is to divide India into two sovereign parts of Pakistan and Hindustan, by the recognition of the whole of the North West Frontier Province, Baluchistan, Sind, Punjab, Bengal and Assam as sovereign Muslim territories, as they now stand, and for each of us to

[28] Quoted in Jamil-ud-Din Ahmad, op.cit., p. 428.
[29] Hodson, op.cit., p. 113.
[30] Sayeed, op. cit., p. 288.
[31] Ibid.

> trust the other to give equitable treatment to Hindu minorities in Pakistan and Muslim minorities in Hindustan.[32]

The continuous sapping of energies and resources during the six years of Second World War left Britain extremely tired and impoverished which, in turn, gave birth to incredible weariness of Indian problem. In March 1946, the British Government sent a Cabinet Mission to India entrusted with the task of devising a constitutional structure for the eventual award of self-government. During the protected negotiations that took place before the Cabinet Mission Plan was announced, the divergent strategies of both the League and Congress clearly emerged. Congress insisted upon a strong central government whereas the League wanted a weak Centre and strong provinces. Further, Quaid-i-Azam wanted Britain to divide and then quit, whereas, Congress wanted them to depart first and division to take place later.[33] The Cabinet Mission Plan was announced on May 16, 1946.

"Even though the Cabinet Mission had rejected Pakistan, the Muslim League accepted the Plan", because the Plan "offered a great tactical advantage in the form of compulsory grouping of the six Muslim provinces in Section B, and C."[34] It seems that Quaid-i-Azam and the League had fully comprehended the significance of the grouping and began, almost immediately, to emphasize "the right of provinces to secede from the India's Union."[35] There can hardly be any doubt that in essence Pakistan was conceded in this compulsory groupings.

The Cabinet Mission Plan also called for the formation of interim government until a new constitutional framework was worked out. Just before the League announced its acceptance of the Cabinet Mission Plan, Quaid-i-Azam pre-empted the Congress by seeking an assurance from Wavell that the League would be brought into an interim government even if Congress rejected the Plan after League's acceptance.[36] On June 4, Wavell gave assurance and on June 6, the League accepted the Plan.

Quaid-i-Azam's tactics of playing straight in this issue left its mark not only on Viceroy but also upon some members of the Mission. On June 10, Viceroy, in an attempt to influence the Congress leaders to participate in the interim government, initiated negotiations on a basis of parity between the Congress and the League.[37] Later Cripps recommended that Quaid-i-Azam should be asked to form an interim government.[38] Just before a meeting with Gandhi and Patel, Alexander suggested that they should keep Quaid-i-Azam informed, "as he had played straight whereas the behaviour of the congress was unpredictable."[39]

Having battled for three long months in the sweltering heat of India, the Cabinet Mission left India without procuring a comprehensive agreement from either the League or the Congress, leaving Viceroy to shoulder alone. Initially, both the Congress and the League accepted the Cabinet Mission Plan with its proposal for a three-tier system and the Constituent Assembly. But Nehru, as the Congress President stated before the All-India Congress Committee "We are not bound by a

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[32] Quoted in Bolitho, op.cit., p. 151.
[33] Wallbank, op. cit., p. 220.
[34] Khalid B. Sayeed, *The Political System of Pakistan* (Boston: Houghton Mifflin Company, 1967), p. 47.
[35] Hugh Tinker, *Experiment with Freedom: India and Pakistan 1947* (London: Oxford University Press, 1967), pp. 59-60.
[36] Tinker, op. cit., pp. 59-60.
[37] Ibid.
[38] Ibid., p. 61.
[39] Ibid., p. 64.

single thing except that we have decided for the moment to go into the Constituent Assembly."[40] Three days later, elaborating this point, he declared, "what we do there, we are entirely and absolutely free to determine. We have committed ourselves on no single matter to anybody."[41] Following Nehru's complete volte-face, Quaid-i-Azam decided to reverse his acceptance of the Cabinet Mission Plan and announced to resort to Direct Action.

Although the August 16, 1946, was intended for a peaceful demonstration of strength, it resulted into riots. Wavell, anxious to avoid riots deteriorating into a civil war, invited Quaid-i-Azam for further negotiations. Muslim League joined the interim Government only after having secured two tactical victories. First, that the League could also nominate a representative of the scheduled castes in its quota, and secondly, an important portfolio of finance was to be given to the League.[42] Liaqat Ali Khan, who became the finance minister in interim government declared that, "we have come into the Government with intention of working in harmony with our other colleagues -but you cannot clap with one hand."[43] League's control of finance ministry provided them the much needed tool with which the Government could easily be paralysed. One eminent writer justifiably wrote that the League had entered the Government fully determined to wage their struggle for Pakistan from within the Government.[44]

When Quaid-i-Azam announced to abandon, hitherto scrupulously employed constitutional methods and decided to resort to direct action, he was acutely conscious of the fact that remaining outside the Government could eventually prove to be detrimental to the main objective of the League. Although the League joined the interim Government but it did not send its representative to the Constituent Assembly. The Congress, of course, insisted that the League should either accept the Plan in totality or resign from the interim government. Quaid-i-Azam was not to be trapped by such move. The League, under his leadership, retorted that the Congress had never really accepted the Plan in its totality.

Unable to break the deadlock, the British Government at this critical point decided to transfer power to responsible Indian hands and announced that British would withdraw by June 1948. Lord Mountbatten was entrusted with the task of transfer of power, whose solution to the Indian political dilemma was to transfer power to two governments instead of one and announced the partition plan in June 1947, which was accepted by both the League as well as the Congress. Thus Pakistan came into being.

Sir Frederick James described Quaid-i-Azam on his sixty fourth birthday as "a powerful and a first class strategist."[45] His abilities to handle problems of strategic nature were adequately displayed during the years 1935 to 1947. Throughout this period, he worked systematically and in strict congruity with the broad pattern of strategy he had devised in his mind. In 1937, when Allama Iqbal suggested to him that the time for separate Muslim state or states has come, he did not answer his letter.[46] Quaid-i-Azam must have realized that the time suggested by Allama Iqbal was not right and it would be dangerous to make such demands when the League had

[40] Wallbank, op.cit., p. 223.
[41] Ibid., pp. 223-224.
[42] Sayeed, op.cit., pp. 48-49.
[43] Quoted in Bolitho, op.cit., p. 168.
[44] Sayeed, 'The Personality of Jinnah and His Political Strategy', op.cit., p. 291.
[45] Quoted in Bolitho, op. cit., p. 133.
[46] Bolitho, op.cit., pp. 114-115.

not yet acquired sufficient strength and support considered to be a pre-requisite for such demands.

Like a cool, calculating strategist, Quaid-i-Azam, at first, concentrated on transforming a weak and disunited Muslim League into a well organized powerful political party of India. Once the League had acquired sufficient strength, only then he announced the broad principles, in a somewhat deliberately vague manner, on which the establishment of Muslim Indian State was to be based. Having announced the demand for Pakistan, he then tried to gain recognition for the Muslim League as the sole representative of the Indian Muslims. Simultaneously he pressed for parity treatment from both the Congress as well as the British. By the end of war, it had become more or less clear that the only workable solution of Indian political problem was the partition of the sub-continent, though some attempts, even at that late stage, were made to preserve the unity of India.

Most of the historians of Pakistan Movement admit that Pakistan was mainly a work and achievement of the personality of Quaid-i-Azam. This is nothing but a tribute to the master strategy that the Quaid employed in the establishment of Pakistan.■

*Command and Control Infrastructure: Operational Asymmetries and Dichotomies**

Dr. Zafar Iqbal Cheema**

Introduction

Command and control (C^2) of nuclear weapons is a very complex mechanism and a difficult task faced by the national decision-makers. Strategic Command and Control systems (C^2) are developed by states to ensure that nuclear weapons are used only when authorised by the legitimate decision-makers and their unauthorised and accidental use is entirely ruled out. Complete achievement of both these objectives appears mutually exclusive to some degree. Peter Fever points out that the central challenge in developing a "fail-safe" C^2 system is an "always/never dilemma": "Leaders want a high assurance that weapons will always work when directed and a similar assurance that they will never be used in the absence of authorized direction."[1] These appear apparently contradictory objectives. According to Scott Sagan, "Achieving these twin objectives presents leaders with a severe trade-off problem because actions taken to meet one objective often reduce the likelihood of achieving the other goal."[2] To meet these objectives from one end of the spectrum, highly assertive or centralized C^2 systems are designed where central leadership at the top reserves the authority to allow the use of nuclear weapons so that unauthorized or accidental use is ruled out. But centralized control causes unwarranted delays in cases where weapons are readily required to be relied upon, due to, for example, less early warning time or a surprise 'decapitation attack' which might disrupt the C^2 or entirely destroy the system rendering it unusable.[3] From the other end of the spectrum, 'delegative' C^2 systems are developed where weapons are placed under the command of regional military commanders in a ready state of alert with the requisite authority to use them under different contingencies. While the delegative command systems ensure a ready-response capability, they entail the possibility of an unauthorized or an accidental use.

The US nuclear history enables organization theorists to predict, according to Scott Sagan, that officers seek both an independent capability and delegation of authority to use weapons of mass destruction, lobby hard to maximize their autonomy and "oppose any technical and procedural innovations that take operational decision-making power out of their hand."[4] That also leads to competition or rivalry within the armed forces to gain exclusive or more control

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1 Peter D. Fever, "Command and Control in Emerging Nuclear States," *International Security*, No.17, (Winter/1992-93), p. 163.

2 Scott D. Sagan, "The Origins of Military Doctrine and Command and Control systems," in, Peter R. Lavoy, Scott D. Sagan, and James J. Wirtz (eds.), *Planning the Unthinkable: How New Powers Will Use Nuclear, Chemical and Biological weapons* (Ithaca and London: Cornell University Press, 2000), p. 36.

3 Ibid.

4 Ibid, p. 37.

over nuclear weapons. The realists argue that the central determinant for the development of a delegative or assertive C^2 system is the nature of threats as envisioned in the military doctrine of a state. The state leaders would prefer highly assertive C^2 systems if their adversaries are either conventionally armed or lack sufficient number of nuclear weapons and accurate delivery systems, and cannot successfully carry out decapitation attacks against their C^2 infrastructure. However, the realists contend that a state is likely to opt for a delegative system if it perceives decapitation threats to its nuclear arsenal and C^2 infrastructure, and aims to maintain ready response capabilities. Fears of pre-emptive attack or first strike from an adversary would create strong incentives for a delegative C^2 system. Different strategic doctrines would produce different command and control systems. According to strategic culture theory, a state's C^2 system may be strongly influenced by domestic politics and decision-making traditions. Neo-culturalists argue that C^2 system can reflect internal political struggles and a state's political hierarchy. A state leader might have to take into account that pre-delegation to a military commander or another civilian leader would need to identify a successor. According to Sagan, "If control over a state's nuclear weapons arsenal symbolizes the highest political authority in that state, then pre-delegation of weapons release authority would signal who was next in the line of succession."[5]

India and Pakistan have divergent perceptions of their conflict on Kashmir, nuclear deterrence and stability in the region, and command and control over nuclear weapons. Majority of the people in Pakistan and the intelligentsia share the global perception about Kashmir as 'the world's most dangerous nuclear flashpoint', whose continuation in the present form carries dangerous portents for regional stability, and international peace and security. The opinion in India differs with varying degrees of scepticism in various sections of the elite, especially about Pakistan exploiting the nuclear dynamic in its favour to extract strategic benefits in the management and resolution of the Kashmir dispute, and maintaining a strategic equilibrium. However, many Indians also regard the situation potentially dangerous. The conflict over Kashmir has gradually become an alarming manifestation of a complex situation in which issues of politics, war and nuclear stability are inextricably interwoven. The situation carries possibilities of misperception, miscalculation and accidental use of nuclear weapons, spilling over from a conventional conflict like Kargil or the spring 1990 crisis. The history of warfare and vituperation between the two countries makes it absolutely imperative that not only the conflict over Kashmir be resolved, but nuclear stability must be consolidated through a number of confidence-building, restraint regime and risk reduction measures. This may begin from bridging the wide gap over contentious issues and eventually go over to develop a common understanding about the role and utility of nuclear weapons in the maintenance of peace, strategic equilibrium and deterrent stability.

After the May 1998 nuclear tests, both India and Pakistan proclaim to pursue a policy of weaponization, without a clear identification of what is weaponization, but, broadly speaking, it can be interpreted to entail induction of nuclear weapons into the armed forces. Although weaponization is different from deployment, these are overlapping processes. By way of definition, weaponization can be considered as the process of manufacturing, assembling, testing, and integrating warhead devices into weapon system. Deployment can be defined as the process of transferring bombs and/or warheads to military units for storage and rapid mating

[5] Ibid, pp. 42-43.

with delivery systems. The first necessary step in weaponization, therefore, is to design and test a weapon, which both India and Pakistan now claim to be doing. After the tests, some Pakistani scientists claimed that their nuclear devices were already 'weaponized' and ready to be equipped on delivery systems.[6] On the Indian side, Dr. Chidambaram, Chairman of the Indian Atomic Energy Commission, stated that except one Indian device, which was a weapon, other devices exploded at Pokhran, during the nuclear tests in May 1998, had 'weaponizable configurations.'[7] That has been interpreted to suggest that the devices have a design on which weapons could be built. P. R. Chari however suggests that it can be inferred that India is still some distance away from deploying nuclear weapons of the sub-kiloton and thermonuclear category.[8]

According to Chari, India's security deteriorated after the nuclear tests. It provided a rationale for Pakistan's nuclear test — as a result Pakistan achieved strategic parity with India and it was able to erode its inferiority in conventional arms.[9] Chari believes that once the deployment decision is taken, the political leadership would find itself being tossed around by the inter-service rivalry in the military – each service wanting its own nuclear weapon-systems. That would ensure that India's concept of a minimum credible deterrence would come under strain if India goes in for a triad of nuclear forces. Inter-service rivalry would drive the political leadership towards developing more and more nuclear weapons, similar to what happened in the United States during the Cold War.

On August 17, 1999, India pronounced a draft Indian nuclear doctrine, which proclaims the development and maintenance of credible minimum deterrence based upon a strategic triad of nuclear forces (land-based, air-based and sea-based), second strike capability and punitive retaliation with nuclear weapons if deterrence were to fail.[10] There is no official estimate of the credible minimum deterrence. However, individual views of some members of the National Security Advisory Board and others range from 50 to 400 nuclear and thermonuclear weapons.[11] The draft doctrine proclaims:

> The fundamental purpose of Indian nuclear weapons is to deter the use and threat of use of nuclear weapons by any State or entity against India and its forces. India will not be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence fail.[12]

The doctrine outlines that credible deterrence requires: sufficient, survivable and operationally deployable nuclear forces with robust command and control, and efficient intelligence and early warning systems.[13] It is noteworthy that the doctrine outlines:

> India's peacetime posture aims at convincing any potential aggressor that: (a) any threat of use of nuclear weapons against India shall invoke measures to counter the threat: and (b) any attack on India and its armed

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[6] "Ready-to-Fire N-Warheads Used," *The Nation*, May 29, 1998.

[7] P. R. Chari, "India's Slow-Motion Nuclear Deployment," *Proliferation Brief*, Vol. 3, No. 26, Sep. 7, 2000.

[8] Ibid.

[9] Text of P. R. Chari's speech at the Carnegie Endowment, "Nuclear Restraint and Risk Reduction in South Asia," Feb. 16, 2001.

[10] Text of the Draft Report of National Security Advisory Board on Indian Nuclear Doctrine, announced on Aug. 17, 1999, (New Delhi: Government of India, Aug. 17, 1999).

[11] Bharat Karnad, "Going Thermonuclear: Why, With What Forces, At What Cost," *Journal of United Services Institution*, (Jul.-Sep. 1998).

[12] Text of the Draft Report of National Security Advisory Board on Indian Nuclear Doctrine. op.cit.

[13] Ibid.

> forces shall result in punitive retaliation with nuclear weapons to inflict damage unacceptable to the aggressor.[14]

The doctrine does not specify the measures India might undertake against any threat of use of nuclear weapons. If such stipulated measures were pre-emptive in nature, they would enhance the possibility of strategic miscalculation and might generate an unintended conventional or nuclear clash, which ostensibly is its purpose to avoid. Article 2.7 of the draft Indian doctrine lends support to the possibility of pre-emptive measures. It says:

> Highly effective conventional capabilities shall be maintained to raise the threshold of outbreak both of conventional military conflict as well as that of threat or use of nuclear weapons.[15]

Conventional wisdom suggests that India considers nuclear weapons as essentially political weapons meant to enhance strategic status, having no military value, but a close reading of the draft Indian nuclear doctrine indicates that it regards nuclear weapons as instruments of war. It is, in fact, an aggressive war-fighting doctrine. The doctrine is escalatory in nature, generates pre-emptive threats and therefore, would undermine deterrent stability if it were to be adopted in totality by the Indian government. Conventional pre-emptive strikes against adversary's nuclear forces would precipitate a nuclear war. Pakistan considers India's doctrine as offensive, provocative, and threatening to regional security and global stability.[16]

According to Rodney W. Jones, the Indian nuclear doctrine is based upon an expansive war-fighting force structure, without specifying adversaries, or an actual threat, and whose language alluded provocatively to using conventional pre-emptive capabilities offensively against any party that might threaten to use nuclear weapons against India and its armed forces.[17] He opines: "by calling this strategy document a draft, the authors may hope to draw Pakistan reactively into public declarations of its own nuclear policy."[18] The doctrine would not only fuel a nuclear arms race, but enhance strategic instability. Although the draft doctrine has yet to be formally approved by the Indian government, it is generally believed that some Indian government would eventually embrace it mostly overtime.

Subsequent statements emanating from New Delhi generated further uncertainties about nuclear stability in the region. The Indian Defence Minister, George Fernandes, declared on January 5, 2000 at a seminar organized by the Institute for Defence Studies and Analysis (IDSA) on the 'Challenges of Limited War' that Pakistan's possession of nuclear weapons does not rule out the possibility of a limited conventional war.[19] The statement seems to be influenced by the Kargil conflict in summer 1999. The Defence Minister said that Pakistan did hold out a nuclear threat during the Kargil war but it had not absorbed the real meaning of nuclearisation. That it can deter only the use of nuclear weapons but not all and any war. He went on to say that the issue was not that war has been made obsolete by nuclear weapons and that covert war (proxy war) is the only option, but that conventional war remains feasible, though within definite limitations. One of the implications of his statement is that the nuclear deterrent cannot prevent a limited conventional war between India and Pakistan. The former Indian Army Chief,

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[14] Ibid.
[15] Ibid.
[16] "Pakistan says Indian nuclear plan threaten global stability," *The News*, Aug. 26, 1999.
[17] Rodney W. Jones, "Pakistan's Nuclear Posture," *Dawn*, Sep. 14, 1999.
[18] Ibid.
[19] Afzal Mahmud, "India's Aggressive Posture," *Dawn*, Jan. 31, 2000.

General V.P. Malik, reiterated a similar theme in an interview that despite Pakistan's nuclear weapons capability, India could cross over the LOC in hot pursuit operations.[20] Since the attack on the Indian Parliament on December 13, 2001, the outcry in India for such pursuits or a action against Pakistan has been raised to unprecedented level and their relations have slumped to the lowest since 1999 Kargil conflict. The armed forces of both the countries are fully mobilized against each other — sitting eye-ball to eye-ball. It is an extremely dangerous situation from where hostility can flare-up any time and erupt into a full-scale war, which may not confine to a purely conventional level. It is an ominous sign for peace and stability in the South Asian region.

Nuclear Command and Control (C^2) Infrastructure

Command and control issues are specifically addressed by both India and Pakistan but in very different ways. Command and control aspects are specifically stated in the Article 5 of the Indian draft nuclear doctrine. Article 5.1of the doctrine requires:

> Nuclear weapons shall be tightly controlled and released for use at the highest political level. The authority to release nuclear weapons for use resides in the person of the Prime Minister of India, or the designated successor(s).[21]

In actuality, however, the Indian Prime Minister has not designated his successor(s), in public at least, which some quarters would expect, given his fragile state of health. The Indian nuclear doctrine generates ambiguity, some suggest deliberately, by saying that 'authority to release nuclear weapons' for use rests with the Prime Minister, without specifying any contingencies under which nuclear weapons would be released. It does not exclude a peacetime release or in any length of time earlier to a crisis-situation, or who knows that the weapons might have already been released. India has left open for its adversaries to guess the contingencies under which it would release or have already released nuclear weapons for use. Given the geographic proximity between India and Pakistan and extremely short early warning time, which is bound to be shorter than the time to release nuclear weapons, India's adversaries would consider it safer to presume that nuclear weapons have already been released to Indian military.

> Article 5.2 of the Indian nuclear doctrine lays down that:
> An effective and survivable command and control system with requisite flexibility and responsiveness shall be in place. An integrated operational plan, or a series of sequential plans, predicated on strategic objectives and a targeting policy shall form part of that system.[22]

This is axiomatic with actual deployment of nuclear weapons against prefigured targets. It requires that an integrated operational plan shall form part of the C^2 system which would compel the Indian Prime Minister to pre-delegate authority to use nuclear weapons to the military commanders, an impression which is at variance with first part of the command and control system (Article 5.1). Responsiveness ensues from ready-response capabilities, which would be difficult to put into practice unless there is some pre-delegation of authority. Operational military requirements as visualised in this article would compel India, to reduce the

[20] Ibid.
[21] Text of the Draft Report of National Security Advisory Board on Indian Nuclear Doctrine. op.cit.
[22] Ibid. p. 5.

time to respond rapidly, which is difficult without pre-delegation. This imperative would undermine traditional civilian control over nuclear weapons, which is the conventional norm in India.

Article 5.3 lays down that, "For effective employment the unity of command and control of nuclear forces including dual capable delivery systems shall be ensured."[23] The authors of the doctrine indicate the fact that India at the moment lacks a joint or unified command structure in its armed forces and visualises the possibility of an organizational friction between the Indian Army and Indian Air force, on who, for example, would have a final control over nuclear weapons to maintain the unity of command. That creates an operational imperative for an integrated Strategic Nuclear Command, dedicated for the deployment of nuclear weapons, or, a joint command at the top echelon of the Indian Armed forces, like Joint Chiefs of Defence or Military Staff.

Article 5.4 of the Indian doctrine also lays down that survivability of nuclear arsenal and the requirement of C^4I^2 systems shall be assured.[24] (C^4 stands for command, control, communication and computing systems and I^2 stands for intelligence and information). Survivability depends upon the size of the nuclear force including a second-strike capability, dispersal and mobility of the nuclear weapon systems to ensure that the force is redundant enough to escape its destruction or major disruption in case of a pre-emptive or first strike by the adversaries. According to this year's annual report of the IISS (International Institute for Strategic Studies), London, India possesses fissile material for 65 nuclear weapons.[25] The quantity of fissile material is not synonymous with nuclear weapons devices, which may not be at the optimal level of the available material. However, India should have no technical difficulty in manufacturing the requisite number of devices. The problem lies in formatting nuclear weapons with delivery systems, especially with missile-based delivery systems. India may have enough Prithvi missiles for these number of nuclear weapons but not Agni missiles at this moment. On August 25, India's Defence Minister authorized production of 300 short-range, nuclear-capable Prithvi missiles. The decision was taken in response to a reported August 15 test of the Ghauri III by Pakistan, an intermediate-range, nuclear-capable ballistic missile.[26] In a policy speech to the Parliamentary Consultative Committee, Jaswant Singh, as Defence Minister for a brief period, announced that Agni would be inducted into the Indian armed forces by 2002.[27] There are reports that in the pursuit of the policy of nuclear weapons deployment, coordination between the Indian Army, scientists from the Bhabha Atomic Research Centre (BARC), the Defence Research and Development Organisation (DRDO), and the Atomic Energy Commission (AEC) on the nuclear weaponization of the Agni missile is in progress.[28] It is reported that the Government of India has decided to develop ballistic missiles with a longer range than the presently developed versions of Agni.[29]

Survivability is problematic to be ensured if a country offers a no-first use declaration. India's no-first use declaration is unilateral, which its adversaries would

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[23] Ibid.
[24] Ibid.
[25] "Pakistan, India test-bed for N-deterrence: IISS Annual Report," *Dawn*, May 17, 2001.
[26] P. R. Chari, "India's Slow-Motion Nuclear Deployment," *Proliferation Brief*, Vol. 3, No 26, Sep. 7, 2000.
[27] "Agni, Other Missiles to be Inducted by 2002," *Deccan Herald*, June 1, 2001.
[28] Rahul Datta, "Agni to Dominate Agenda," *The Pioneer*, Nov. 7, 2001.
[29] "Govt. Okays Longer-range Agni Missiles," *The Times of India*, June 1, 2001.

not consider advisable to rely upon in their strategic calculations, especially Pakistan, who has not announced a no-first use declaration. China has however made a no-first use declaration like India. By the time India manufactures a large number of nuclear weapons, dispersal of nuclear-capable aircraft and mobility of missile launchers is the option Indian decision makers are likely to undertake. India's vast strategic depth is a great asset, which it can rely upon to enhance survivability of its nuclear arsenal. India, however, is quite a distance away from a real second-strike capability, especially in the naval sector, though hectic efforts are being made to improvise a semblance of that nature by installing a ship-based version of Sagarika missile. A C^4I^2 system is not beyond India's long-term potential, but is far away in the short term. To actually develop one would take enormous commitment of financial, industrial and technological resources over a long period of time.

What appears a little surprising is the Article 5.5 of the draft Indian nuclear doctrine, which requires that the Indian defence forces shall be in a position to execute operations in an NBC environment with minimal degradation.[30] (NBC stands for Nuclear, Biological and Chemical). It is a well known fact that at the time of ratification of the Chemical Weapons Convention (CWC), India declared that it possesses a stockpile of chemical weapons, but India and Pakistan both being signatories of the CWC, preparations for an NBC environment at the operational level on India's part signifies that it does not rule out the use of chemical and biological weapons. Although India is required to dispose off the existing stockpile under the provisions of the CWC within 10 years of its signatures, in the Pakistani perceptions, it creates new uncertainties for stability in the region. In 1992, India and Pakistan signed a bilateral agreement not to use chemical weapons against each other on the understanding that both the countries were non-chemical weapon states. Both countries also signed the global Chemical Weapons Convention (CWC) as non-chemical weapons states but afterwards India declared a stockpile of chemical weapons before ratification in 1997. The Indian possession of chemical weapons and developing plans for an NBC environment would not only exacerbate existing distrust, but would generate new apprehensions.

Article 5.6 of the draft doctrine stipulates, "Space based and other assets shall be created to provide early warning, communications, damage/ detonation assessment."[31] These are routine operational and technological measures from which India appears to be a quite a distance away if these are to be based upon modern technologies.

In an illustrative article, M. V. Ramana points out three specific dangers which the deployment of nuclear weapons by India would pose to the security and stability of the South Asian region. He suggests that the reported "Indian policy to deploy nuclear weapons would open up the possibilities of accidental or unauthorised use of the weapons, and development of more weapons as a result of inter-service rivalry."[32] Ramana opines that so long as the low-intensity conflict in Kashmir continues unabated, it would continue to inject instability in the fragile nuclear relations of India and Pakistan. Deployment of nuclear weapons will inevitably demand delegating authority to military officers on the field for a host of reasons such as poor communications, short distances and geographic contiguity between India and Pakistan, and resultantly, less early warning time. It was reported

[30] Draft Report of the National Security Advisory Board on Indian Nuclear Doctrine, op.cit, p. 5.
[31] Ibid.
[32] M. V. Ramana, "Nuclear Issues," *Frontline*, Vol. 18 No. 25, (Dec. 8-21, 2001).

that the Boeing 737-200 that took the Indian Prime Minister, A.B. Vajpayee, on a three-nation tour abroad in 2001, was not equipped with direct dialling facility. [33]

The chances of unauthorised use of nuclear weapons might gradually increase along with increase in the ranks of the Indian military persons under the fundamentalist influences. According to Ramana:

> The saffronisation of the Indian polity would certainly have affected its armed forces. Investigations into the riots that erupted after the demolition of the Babri Masjid, especially those in Mumbai, revealed such a trend in the police force and in the Provincial Armed Constabulary. The Rashtriya Swayamsevak Sangh (RSS) has never hidden its desire to use nuclear weapons against Pakistan.[34]

Ramana cites at length from Panchjanya, the RSS mouthpiece, which proclaimed at the time of the Kargil war:

> The time has come again for India's Bheema to tear open the breasts of these infidels and purify the soiled tresses of Draupadi with blood. Pakistan will not listen just like that. We have a centuries-old debt to settle with this mindset. It is the same demon that has been throwing a challenge at Durga since the time of Mohammad bin Qasim. Arise Atal Behari! Who knows if fate has destined you to be the author of the final chapter of this long story? For what have we manufactured bombs? For what have we exercised the nuclear option?[35]

Ramana continue to infer that given such exhortations, if a military officer sympathetic to the RSS is authorised to use nuclear weapons, then the possibility of his launching a weapon against Pakistan cannot be ruled out.[36]

The complexities inherent in contingencies like geographic contiguity, short distances and less flight times between India and Pakistan would generate pressures for pre-delegation of authority, failing which might generate impulses for unauthorised launches. Despite the enormous financial and technical resources invested in setting up and operating C^4I^2 systems by the superpowers, there was frequent failings and false alarming. It was despite the fact that warning time between them ranged from 20 to 30 minutes. South Asia lacks financial and technological resources for fail-safe systems and the early warning time is too less to undertake rationally calculated decisions.

The development of inter-service rivalry for the control of nuclear weapons and the consequent increase in requirements for nuclear weapons cannot be discounted. Due to the inter-service rivalry in United States, "the Air Force, Navy, and Army, each assessed their nuclear requirements largely in isolation, without considering the forces of their sister services. This led to duplicative targeting...(and) the problem of overkill."[37] It is believed that a missile tracking radar near Moscow, for example, was the target of no less than 69 nuclear weapons of the United States nuclear forces. [38]

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[33] Bhavna Vij, "Minor embarrassment: Vajpayee cannot dial direct from his aircraft," *The Indian Express*, Nov. 7, 2001.

[34] M.V. Ramana, "Nuclear Issues," op. cit.

[35] Panchjanya's statement dated June 20, 1999, quoted in, Praveen Swami, *The Kargil War* (New Dehli; Left World Books, 1999), p 100.

[36] M.V. Ramana, "Nuclear Issues," op. cit.

[37] Stephen Schwartz, "Introduction," in Stephen Schwartz, (ed.), *Atomic Audit* (Washington D.C.: Brookings Institution Press, 1998), p. 24.

[38] Carla Anne Robbins and Andrew Higgins, "Russia Holds Key to Bush's Dream of a National Missile Defence System," *The Wall Street Journal*, Aug.13, 2001.

There are reports that the Indian military services are involved in an intense competition to seek control over the newly proposed post of the Chief of the Defence Staff (CDS), the office that would have its finger on the nuclear button.[39] According to Ramana, more recent reports suggest that the Indian Army is to raise a special missile regiment to induct Agni. The decision was apparently made in June this year 2001 and was primarily based on three considerations. First, the Army was the largest of the three forces. Second, it had an infrastructure that could be adapted for storing and deploying Agni-II with minimum modifications and cost. Third, it had the maximum experience in handling the Prithvi ballistic missile.[40] In response to this decision, the Indian Air Chief, Marshal A. Y. Tipnis, wrote to Defence Minister that the IAF's views had not been incorporated into the CDS structure.[41] Joining hands with him was former Chief of the Air Staff, O. P. Mehra, who sought an immediate review of the decision allowing the Army to raise a "strategic rocket command."[42] The IAF is apparently not enthusiastic about being absorbed in a new tri-service architecture and the formation of a strategic command where all the three services will be equally represented.[43] A news report quotes an unnamed IAF official as claiming that the "question whether the Agni should also be given to the IAF is being considered."[44] Sometime earlier, Uday Bhaskar, an officer retired from the Indian Navy, who is currently Deputy Director of the IDSA, argued that the nuclear button should be with the Navy since it had "both maritime and aviation roles." Dismissing the IAF's doubts, he argued that these should "not distract us from the inevitability of a CDS."[45] Regardless of who wins this battle, if the Draft Nuclear Doctrine's recommendation for a strategic triad is followed, sooner or later all three services are likely to get nuclear weapons of their own - at least if the current plans for deployment are followed.

According to a study in *India Abroad*, titled 'India's Emerging Nuclear Posture: Between Recessed Deterrent and Ready Arsenal,' by Ashley Tellis, India's objective is to create a 'force-in-being,' which is described as a nuclear deterrent that consists of available but dispersed components.[46] Essentially, it consists of unassembled nuclear warheads, with their components stored separately under strict civilian control, and dedicated delivery systems kept either in storage or in readiness away from their operational areas - all of which can be brought together rapidly to create a usable deterrent force during a supreme emergency. The study suggests that it symbolize a critical shift in India's strategic direction by committing the country to the active development of a nuclear deterrent of some kind, a course that is unlikely to be reversed in the future by any succeeding government.[47] The study states that the force-in-being implies that India's nuclear capabilities will be strategically active, but operationally dormant, giving New Delhi the capability to execute retaliatory actions within a matter of hours to weeks. Such a capability will allow India to gain in security, status, and prestige, while simultaneously exhibiting restraint, it says.[48] However, it underestimates that rapid retaliatory capability would

[39] Atul Aneja, "India has 'Problems' Managing Nuclear Arms," *The Hindu*, Aug. 14, 2001.
[40] M.V. Ramana, "Nuclear Issues," op. cit.
[41] Rahul Bedi, "Indian Army will Control Agni-II," *Jane's Defence Weekly*, Aug. 22, 2001.
[42] "Former Air Chief Seeks Nuclear Command Under IAF," *The Times of India*, September 10, 2001.
[43] Atul Aneja, "India has 'Problems' Managing Nuclear Arms," *The Hindu*, Aug. 14, 2001.
[44] Rajat Pandit, "Army to Induct Agni Missiles," *The Times of India*, Sep. 15, 2001.
[45] "India's Military Branches Squabble for Control of Nuclear Button," *Sify News*, May 15, 2001.
[46] "India Opposes N-Rollback: report by Masood Haider," *Dawn*, Internet Edition, Aug. 4, 2001.
[47] Ibid.
[48] Ibid.

be extremely difficult to assemble in view of the geographic contiguity and negligible early warning time of an incoming pre-emptive of first strike attack.

According to the study, India would acquire a nominal deterrence capability against Pakistan and China, while avoiding both the high costs of a ready arsenal and any weakening of its long tradition of strict civilian control over the military. The study says that Beijing's current nuclear force is both technologically and numerically superior to that of India and extensive Chinese attacks could devastate India's ability to reconstitute its dispersed components, leaving New Delhi with only a ragged retaliatory capability of perhaps little political consequence.[49] It says although Indian policymakers acknowledge that a ready nuclear arsenal is not desirable from the viewpoint of New Delhi's interests, they are strongly committed to continued nuclear weaponization and missile development.

W. P. S. Sidhu maintains that, "Political leaders and nuclear technocrats have been reluctant to include the armed forces in either the decision making about or the development of nuclear weapons."[50] According to him:

> The DRDO is the organization likely to retain possession of nuclear warheads" and "only when key decision makers are convinced that a crisis would lead to a nuclear attack would the order be given to release nuclear warheads. This order would be conveyed from a national command post outside New Delhi through a series of codes sent over several communication channels to assure its authenticity.[51]

However, Sidhu cites V. S. Arunachalam, the former head of the Indian DRDO as saying, "If New Delhi goes up in a mushroom cloud, a certain theatre commander will go to the safe, open his book, and begin reading at page one, paragraph one, and will act step by step on the basis of what he reads."[52] To Sidhu: "This plan simply lacks credibility."

Sidhu calls the Indian C^2 a system of "divided control, in which civilian had absolute control over nuclear arsenal and military was in possession of delivery systems."[53] He maintains that in future however the divided control arrangements could change to one in which the possession and the right to use nuclear weapons is delegated to the military.[54] According to India's post 1998 nuclear tests policy of weaponization, in the wake of which nuclear weapons are to be gradually deployed. It means weapons at some stage have to be handed down to the armed forces if military commanders were to rely upon them.

It must be noted, however, that the Indian nuclear doctrine is in draft form and although there are greater chances that future Indian governments would mostly adhere to it, the provisions of the doctrine are by no means mandatory until the doctrine is officially approved. Secondly, as we have seen in the case of the five NPT recognized nuclear weapons states, especially the United States and the former Soviet Union, or presently Russia, nuclear doctrines are time bound declarations and keep changing according to the strategic objectives and situational requirements. Therefore, further changes cannot be ruled out in the Indian nuclear doctrine.

Pakistan has not pronounced a nuclear doctrine but its policy to maintain a small but credible nuclear force and address asymmetric strategic equilibrium with

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[49] Ibid.
[50] W. P. S. Sidhu, "India's Nuclear Use Doctrine," in, Lavoy, Sagan and Wirtz, op.cit. p. 154.
[51] Sidhu, p. 155.
[52] Rosen, cited in Sidhu, p. 155.
[53] Ibid.
[54] Ibid, p. 157.

India by invoking nuclear weapons suggests the outlines of an emergent nuclear doctrine. Pakistan has often declared that, 'Minimum nuclear deterrent will remain the guiding principle of our nuclear strategy.'[55] "The minimum nuclear deterrence can and will never be compromised," Gen Musharraf reiterated while inaugurating the 26th International Nathiagali Summer College on Physics, in 2001.[56] He further stated, "Pakistan believes in maintaining a minimum credible deterrence and does not want to direct its available resources towards the race of weapons of mass destruction."[57] This declaration is indicative of an evolving nuclear doctrine. Pakistan aims to counterpoise India's conventional military superiority and attempts to prevent a large-scale war with its nuclear weapons capability. It rejects India's no first use declaration, which is believed to undermine its deterrent capability to prevent India from going to war. Its reliance upon the concept of first use without specifying the situations in which it would contemplate using nuclear weapons is intended to maintain flexibility. Pakistan's nuclear strategy seems to prevent an all out war with India in the wake of the continuing low-intensity conflict in Kashmir.

Pakistan did not have a nuclear declaratory, deployment or employment doctrine before May 1998. But in the wake of the 1998 nuclear tests, Pakistan is now formulating such plans. Its decisions to assemble a small nuclear force rapidly, to diversify weapons by utilizing designs that rely on both uranium and plutonium, to develop comprehensive missiles programs, and to take steps to miniaturize nuclear warheads suggest the outlines of a nuclear doctrine. Similarly, as stated earlier, the decisions of Pakistani leaders to address an asymmetric strategic balance with India, to ward off crises that threaten their national security, and to neutralize prospective nuclear blackmail by invoking nuclear weapons and missile capabilities, further suggest the formulation of a nuclear doctrine. Public declarations about the doctrine need to be differentiated from its operational and functional dimensions. The downgrading of Pakistan's conventional military capability has lowered its threshold for invoking the threat of use of nuclear weapons. It feels compelled to threaten the use of nuclear weapons at an early stage if a war looms at the horizon or use them as weapons of last resort, running the risk of loosing them if not used.

In February 2000, Pakistan spelled out its command and control structure, dealing with nuclear weapons. It announced the setting up of a National Command Authority (NCA) to deal with nuclear weapons development, employment and C^4 (command, control, communications and computerisation). Under the NCA is newly set up Strategic Plans Division (SPD), which specifically deals with C^2 of nuclear weapons. Pakistan announced two special Committees to deal with nuclear weapons issues; an Employment Control Committee and a Development Control Committee. The Employment Control Committee is chaired by the Head of Government with Foreign Minister as its Vice-Chairman, and the Ministers for Defence and Interior, the CJCS (Chairman Joint Chiefs of Staff), three Service Chiefs and Director General SPD are its members. The Development Control Committee is also chaired by the Head of Government and has more or less similar membership except Foreign Minister is not its Vice-chairman and it is joined by atomic bureaucracy, i.e., Head of the KRL (Kahuta Research Laboratories), Chairman PAEC (Pakistan Atomic Energy Commission) and Head of the NDC (National Defence Complex).

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[55] "Pakistan to Upgrade Nuclear Deterrent," *Dawn*, Nov. 25, 1999.

[56] Faraz Hashmi, "Nuclear Deterrence Vital to Security: Musharraf rules out Compromise," *Dawn*, Internet Edition, June 26, 2001.

[57] Ibid.

The Pakistani C^2 system, like India, is also silent about pre-delegation of authority in case the Chairman and Vice-Chairman of the Employment Control Committee, i.e., Head of Government and Foreign Minister are both abroad, which is quite possible. They have been many times in the past, when they were together abroad on foreign tours and are likely to be together abroad in the future as well. The Employment Control Committee can conjure alternative scenarios and contingencies under which nuclear weapons can be employed and authority for their actual use is pre-delegated, in case, any of those contingencies practically realise. It would enhance strategic stability, if Pakistan explicitly makes known the contingencies involving its vital security interests, which would warrant the employment or threat of use of nuclear weapons from its point of view and the adversary refrains to committing itself to positions from which it might be difficult or too late to retrieve. It would help avoid a war based upon misperceptions.

According to 2001 Annual Report of the IISS, London, the balance of forces in the subcontinent is opaque, "as expected for nuclear-weapons states early in the development and acquisition cycles," the London-based think tank said.[58] The Report stated that by the end of 1999, non-governmental assessment of fissile material stockpiles in South Asia credited India with the means to make 65 nuclear weapons and Pakistan to make 39.[59] The relative balance of capabilities was clouded by reports in June last year asserting Pakistani advantages in missiles, nuclear weaponization for missiles and command-and-control arrangements, the IISS Report said.[60] "While Pakistani officials assert that they do not intend to compete with India in nuclear weapons, they have certainly invested heavily in doing so", it said. Although India's nuclear infrastructure is far greater, Pakistan's military programmes, especially the nuclear and missile ones, have first call on available resources, IISS Report said.[61] The Report went on to say that the search for stability, reassurance and nuclear risk-reduction between Pakistan and India was stymied by the absence of official talks last year. Nuclear risk-reduction and stability talks between India and China were frozen last year for different reasons, the Report noted.[62]

There are a number of confidence building and restraint measures operative between Indian and Pakistan, which augers well for peace and stability in the region. The subject is beyond the scope of this paper. Those measures are further likely to be improved. In the July 2001 Summit, Vajpayee and Musharraf were expected to discuss, among other key issues, a mechanism to prevent nuclear accident between their forces. *Pioneer* reported that India and Pakistan were likely to discuss the establishment of a 'Nuclear and Ballistic Missile Stabilization Regime' in the summit talks, which have not realized so far.[63] It also reported that the Indian Army was likely to be directly involved in the talks to chart out a nuclear risk- free environment in the subcontinent. "The need for the military's presence in the talks is because the Pakistan Army is also involved." A proposal discussed in the Lahore Summit on Nuclear and Ballistic Missile Risk Reduction Centre was likely to be reiterated. A proposed nuclear risk reduction centre will include measures like not targeting economic installations and population centres. It is worth stating that India and Pakistan have refrained from targeting population centres in the wars of 1948,

[58] **"**Pakistan, India test-bed for N-deterrence: IISS Annual Report," *Dawn*, May 17, 2001.
[59] Ibid.
[60] Ibid.
[61] Ibid.
[62] Ibid.
[63] "N-Alert system to be discussed, Summit from July 14: reports Jawed Naqvi," *Dawn*, June 18, 2001.

1965 and 1971. "A mechanism to inform each other about their nuclear capabilities is part of the proposed agreement. Since no physical verification of the nuclear institutions is possible, the two sides are likely to have hotlines at the political level. The hotline at the military level is already in place," the *Pioneer* said.[64] All these stipulated measure seem to be held in abeyance due to the present spate of confrontation between India and Pakistan in which the armed forces of the two states are fully mobilized against each other. However, the worst times seem to be over and the situation might gradually normalise for the above measures to be undertaken again.

There is a voluminous body of literature favouring and opposing the prospects of deterrent stability between India and Pakistan. The lines of divisions between the proponents of nuclear deterrence and its opponents are drawn along the culturally ingrained orientations and preferences, which often colour the so-called rational analyses and conclusions. Many South Asian experts generally agree that a state of mutual deterrence has been established between India and Pakistan, though the various descriptions of this deterrence differ from each other. India - Pakistan nuclear tests in May 1998, and attendant doctrinal developments would add transparency and may enhance stability, although at a higher level of threshold and provided other essential pre-requisites of nuclear deterrence are fulfilled. These may include early warning systems, C^3I networks, and survivable weapons capabilities, including second strike capabilities. The non-weaponized deterrence regime between India and Pakistan is transformed into a weaponized regime after their nuclear tests and both states' policies of weaponization. However, there would be no guarantee to completely rule out accidental or unauthorized use of nuclear weapons with any degree of definiteness.

India and Pakistan are passing through the formative phase of establishing command and control systems for nuclear arsenals. They may acquire technologies to install PAL (Permissive Action Links) and institute processes to forestall accidental and unauthorized uses of nuclear weapons in the long-term perspective. Neil Joeck believes that the development of command and control mechanisms would enhance stability in a crisis, and improve the ability to avoid nuclear use in the event of war.[65] He suggests that operational considerations, e.g. nuclear doctrine, weapons safety, alternative response options, intelligence and early warnings would help to reinforce deterrence at ground level and ensure that both sides are not with a choice between suicide and surrender.[66]

Nuclear weapons "make the cost of war seem frighteningly high and thus discourage states from starting any wars that might lead to the use of such weapons."[67] As the nuclear capabilities of India and Pakistan mutually hold their cities a hostage, any thought of annihilation of tens of thousands of civilians does amount to 'unacceptable damage.' The excruciating damages of a possible nuclear exchange between India and Pakistan would be unpalatable for both countries, militarily, politically, socially, and economically. And this is what makes their counter-value deterrence stable. According to Devin Haggerty, "if history discloses an unblemished record of political leaders resisting the temptation to decapitate their enemies' nuclear forces, opacity enhances their extreme caution. After all, opaque nuclear forces are even less attractive targets for first strike than transparent

[64] Ibid.
[65] Neil Joeck, *Maintaining Nuclear Stability in South Asian*, Adelphi Paper No. 312, (London: IISS 1997), pp. 12 &36-48.
[66] Ibid. p. 13.
[67] Andre Beaufre, *Deterrence and Strategy* (London: Faber and Faber, 1995), p. 26.

ones, because they are even more shrouded in ambiguity and secrecy."[68] That scenario is however, changing in South Asia after India – Pakistan nuclear tests in May 1998.

Nuclear weapons generally erode conventional disparities. According to an opinion in the influential *Times of India*, may be India could flatten Islamabad 20 times over instead of Pakistan flattening India five times, but overkill is an illusive strategy.[69] Nuclear deterrence, unlike conventional one, is not decisively degraded by quantitative or qualitative disparity. So long as a state's strategic arsenal is sufficient to survive the first strike and can still inflict unacceptable damage, it does not have to match the adversary's arsenal in numbers.[70] Credible deterrence may be achieved with a small nuclear force.[71]

Unlike conventional weapons, nuclear weapons are not militarily usable, but are in fact political and psychological weapons and therefore, meant to deter aggression and war. The general perception in Pakistan is that nuclear tests in 1998 redressed the asymmetries in the strategic equilibrium and restored the power balance. The Indian and Pakistani nuclear deterrents dissuade each other from embarking upon a course of action perceived prejudicial to their vital national security interests. It is a policy as well as a condition to establish a new psychological relationship between the two old antagonists. Both the adversaries would be dissuaded from undertaking a course of action injurious to each other's interests due to the fear of infliction of an unacceptable damage, which would far outweigh the stipulated advantages. Each adversary's dissuasion is, therefore, based upon a rational calculus of costs and benefits. India and Pakistan do not possess formidable weapons capabilities compared to the superpower models, but they are sufficient to cause unacceptable damage in case of counter-value targets in both countries. In fact, with the increase in the number of nuclear weapons, they may be moving towards counter-force strategies.

Nuclear weapons helped to maintain peace and prevented military adventures in the past and there is no reason to believe that they will not do so in the future. Even a powerful state is unlikely to commit aggression if it concluded that the potential gains are not worth the losses it has to risk. It is not necessary to conjure up doomsday scenarios of annihilation that entail an "unmitigated disaster."[72] There is an almost consensus in the Pakistani strategic, scientific and bureaucratic community that a nuclear deterrent capability is the best guarantee, if there can be one, to ensure peace, stability and the absence of an all out war with India.

However, the present state of strategic stability between India and Pakistan is a precarious one, which needs a more constant monitoring and vigil than the former cold-war models. The geographical proximity between India and Pakistan does not permit enough early warning information and time; three to five minutes at present, is inadequate for a rational and calculated response. This might prompt launch on warning responses enhancing the chances of miscalculation. The relatively less sophisticated command and control systems may cause difficulties to

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[68] Devin Haggerty, "Nuclear Deterrence in South Asia: the 1990 Indo-Pakistan Crisis," *International Security*, Vol. 20, No. 3, (Winter/1995-96), pp. 67-68.

[69] The opinion is carried in, "India can no longer beat Pakistan in war," *The Nation*, June 4, 1998.

[70] Mitchell Reiss, *Without The Bomb: Politics of Nuclear Non-Proliferation* (New York: Columbia University Press, 1988), p. 28.

[71] Kenneth Waltz, *The Spread of Nuclear Weapons: More May Be Better* (London: International Institute for Strategic Studies, 1981), pp. 16-17.

[72] Ibid. p. 68.

deal with problems of accidental and unauthorized launch of nuclear weapons. The increase in mistrust and hostility between India and Pakistan since the Kargil crisis and the unresolved Kashmir dispute compounds the problems of nuclear arms and missiles proliferation, and adds to divergent perceptions about strategic stability and regional security in South Asia.

Pakistan has to bear in mind that it does not engage itself in an open ended nuclear arms race with India since the latter's larger economy would enable it to allocate stupendous resources for nuclear military development which the former can least afford. It needs to dispassionately work out the essential requirements of a minimum credible deterrence against India and then onwards watch against unnecessary escalation. An over-kill capability would be superfluous. The announcement of a Pakistani nuclear doctrine, not in rapid response to the draft Indian nuclear doctrine, but based upon its own merits of credible minimum deterrence, would mitigate the chances of misperception and provocation by India

Both India and Pakistan should not ignore the global trends in favour of restraint on their nuclear capabilities. The present nuclear capabilities of India and Pakistan, based upon the demonstration of 1998 nuclear tests, would help to promote stability and prevent the outbreak of war. Limitation of their nuclear capabilities can only come slowly and gradually through strengthening of mutual security. India and Pakistan should agree to contain their nuclear weapons capabilities within safe and manageable limits, mutually agreed upon by both countries. They must be willing to address the horrific consequences of a nuclear war if deterrence were to fail. With the acceptance of each other's nuclear capabilities, they should also initiate a dialogue for a balanced reduction of conventional armed forces, which are much larger than their economies can afford. The existing confidence and security building measures can be reinforced through monitoring of the force deployments. Through confidence and security building negotiations, India and Pakistan can obviate the requirements for hardened silos, nuclear submarines, and even a search for the improvement of second-strike capabilities, which are being considered essential for stable deterrence. Only then a mutually beneficial and long lasting peaceful atmosphere can be created in the subcontinent. The long-term maintenance of a nuclear deterrent relationship by itself is a complex strategic issue that in case of India and Pakistan would even be a much more demanding task. A resolution of Kashmir dispute would eliminate the raison d'être of hostility between India and Pakistan.

One cannot exclusively rule out the likelihood that any one of the recurrent crises between India and Pakistan over Kashmir would not escalate to a nuclear war. What if deterrence were to fail? It looks a chilling prospect. The damage to India and Pakistan out of a nuclear war will result in complete economic, commercial and industrial collapse. The elimination of communication systems, infrastructure and the present political dispensation will retard the prospects of retaining both countries' present political and geographical unity. The scope of human suffering on both sides will be incalculable. The collateral damage will impede for long the revival of civil societies. The possibility of an accidental or unauthorised use of nuclear weapons in the subcontinent cannot be exclusively ruled out in view of the lack of technological sophistication of command, control and communication systems. Geographical proximity and less early warning time is a serious handicap for rationally calculated responses and may compel India and Pakistan to shift focus on rapid reaction capabilities and launch on warning strategies. These factors are potentially destabilising elements in the mechanics of nuclear deterrence. The possibility of war can be averted through a range of arms control, security and

confidence building measures by dissipating the intensity of the conflict, pending the ultimate settlement of the contentious issues like Kashmir dispute. The Kashmir conflict offers a grim reminder to re-examine the existing hypotheses about the dynamics of conflict and its linkage with nuclear stability in the subcontinent.■

WTO: The Challenge Ahead

Dr. Moeed Pirzada *

This paper intends to examine the achievements, failures and future challenges faced by World Trade Organisation (WTO). It discusses the circumstances that gave birth to the need for an international regulatory body overlooking trade activity, and argues that despite some impressive achievements on the way, international community, i.e. the developed nations have not been able to live up to the initial promise. WTO as an organization is increasingly being used to further the interests of few at the expense of the majority. Even in the elite club of nations, United States (US) stands tall as the single most pervasive influence that shapes WTO and not necessarily in a positive direction.[1] This paper has three sections: First section briefly discusses the evolution of international trading system in the form of General Agreement on Tariffs and Trade (GATT) and traces its evolution till the stage of Uruguay Round. Second section examines the successes and failures of the Uruguay Round and the developments since then. Third section, then discusses the challenges faced by the WTO as an organization as it undertakes the broad framework of negotiations agreed at the 4th Ministerial Conference at Doha, Qatar, in November 2001.

This paper does not claim to be scholarly; it is beyond the scope of this attempt to give exhaustive treatment to the many issues that confront WTO. However, to support its principal argument — that WTO is being used to advance the interests of the few at the expense of the majority — it focuses in some detail and depth on two of the thorniest issues; efficacy of the Dispute Settlement System and the Antidumping Laws of the developed economies which were incorporated into the legal framework of WTO as the "Uruguay Round Antidumping Agreement."

From GATT to WTO

Towards the end of Second World War, when new global economic architecture was being defined by the victorious allies at Bretton Woods, by creating the twin structures of International Monetary Fund (IMF) and World Bank (WB), a third lesser known but equally important international organization by the name of International Trade Organization (ITO) was also conceived. Though ITO was an American idea but US administration, after negotiating and signing for ITO at Havana, could not win ratification for it from the Congress. GATT, that had already been concluded, thus emerged not by design but by default as the central focus for coordinating trade activity among nations.[2]

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1 John Odell and Barry Eichengreen, "United States, the ITO, and the WTO: Exit Options, Agent Slack and Presidential Leadership," in Anne O. Krueger, (ed.), *WTO as an International Organization* (Chicago: University of Chicago Press, 1998), p. 181.

2 John. H. Jackson, "Effective Dispute Settlement Procedures," in Anne O. Krueger, Ibid., p. 161.

GATT an Unexpected Success Story

GATT was directly based on a chapter of ITO designed to cut tariff rates.[3] Its implementation did not require new authorization in US law. Though GATT was an essential part of the ITO charter and needed the latter's institutional framework for implementation, it nevertheless was available as an alternative to the ITO as a whole. It is important to contrast that the single package undertaking that at the moment characterizes the accession to WTO and was of great significance to the debate on Chinese entry was absent at that time. So, what turned out to be GATT's institutional weakness four decades later, was in fact its strength in 1948, which facilitated the whole process. 23 countries entered bilateral negotiations, on a product-by-product basis, signed 123 agreements cutting tariffs on more than 50,000 items. Concessions derived by one country on a product were generalized to all other members. These countries constituted half the world trade and their agreements reduced the average tariff by 35 per cent. The "general clauses" of GATT prevented these countries to use any quotas or domestic impediments to reduce the impact of agreed upon tariff cuts. There was no talk of import controls, foreign direct investments, cartels, commodity price stabilization or industrialization. It was a simple world with a clear agenda.

The bilateral negotiations formula practiced under repeated GATT rounds made unexpected progress in promoting trade and cutting tariff barriers across the whole range of industry. The global commodity trade in the first 30 years of GATT grew at an average of 8 per cent, almost double of the global production. It is possible to argue that by mid 70s tariffs were not a problem between industrialized countries.[4] Even in the developing world, tariffs were radically slashed. However, impediments cropped up, both in the developing and developed world in the form of non-tariff barriers. Also, the nature and dynamics of economic activity in the industrialized countries began to change and Foreign Direct Investments (FDI), services and competition policies started to emerge as important issues. GATT was conceived in a world beset by high tariff barriers and suffered from serious institutional weaknesses. It never had a regulatory mechanism that could be applied for enforcing compliance to agreed upon national commitments. Due to these inherent weaknesses, it had little potential for achieving success in newly emerging areas of business activity. The need for further progress to look beyond the static tariff reduction arrangements was often felt. However, in the end, it was the neo-protectionism associated with the oil shocks and international economic imbalances of the 70s that prompted the world towards the famous Uruguay Round that finally led to the creation of WTO.[5]

Uruguay - A US Initiative

Once again Uruguay Round was mainly a US initiative that sought to increase access to foreign markets for US suppliers. On a more fundamental level, it was also an attempt to bring GATT up to date by extending its coverage in agriculture and services and to remedy shortcomings in areas like intellectual property and foreign investments-concerns that were becoming increasingly important for US businesses by that time. The agenda of this round, launched in 1986 in Punta del Estee, bore clear fingerprints of a multifarious coalition of US

[3] Barry Eichengreen, "ITO and WTO," in Anne O. Krueger, Ibid., p. 184.
[4] Anne O. Krueger, "Introduction," in Anne O. Krueger, Ibid., p. 6.
[5] Eichengreen. Barry, op. cit.

industries.[6] This marks the beginning of the era in which US businesses took lead in pushing forward the trade agenda. This powerful coalition of business interests has subsequently played the most important role in shaping the economic relationship between US and China.

Achievements and Failures at Uruguay

Stiglitz argues that the Uruguay Rounds had three main achievements: One, creation of WTO as an international organization to oversee the regulation of trade activity; Second, an empowered Dispute Settlement System; and third, widening the scope by identifying new issues. The list of failures is, however, much longer. The main areas where Uruguay betrayed the hopes of a forward march were:

a. Agriculture; that remained riddled with protectionism;
b. Services; that received a very selective treatment;
c. Intellectual Property; also received an unbalanced treatment;
d. Non Tariff Barriers; especially dumping (Anti-dumping Agreement - ADA) and Countervailing Duties (CVD).

Overall, the agenda reflected the interest and concerns of the developed world and the developing countries were either cajoled or muscled to move along.[7]

In this section we intend to examine Creation of WTO, Dispute Settlement System, and Non Tariff Barriers (NTB), focusing on antidumping laws and countervailing duties (CVD).

WTO

At the end of 1994, there was no international organization that dealt with trade issues between countries. For almost 50 years, the international trading system had functioned without such an organization: under the aegis of the GATT, the rules of game had been developed and respected. But GATT was created by bilateral agreements among trading nations and it neither had any institutional structure nor any international standing of the IMF or the WB.[8] At Uruguay, international trading system won its first concrete structure that was capable, at least in theory, of enforcing the mandate that was entrusted and in that respect it was a giant leap forward.

Dispute Settlement System

Adoption of a system under Dispute Settlement Understanding (DSU), has brought a legal revolution. It represent not only a bold step forward from the workings of GATT, but also promises an enforcement mechanism that has never been available to any international organization. The forward looking approach DSU now provides in terms of laying down detailed procedures to obtain compliance rather than simply declaring a conduct as illegal, is a major step ahead in international law. It should not surprise us if a horizontal desire to emulate these procedures is gaining strength. A brief examination will clarify.

Under DSU, unlike GATT, it is no longer required to build a consensus of all WTO members to move from one step of the process to the next. The establishment of a panel, the adoption of the panel, Appellate Body Reports, and the

[6] Ibid.
[7] Joseph Stiglitz, Lecture on "WTO and International Trading System," Lecture Series on *Globalization and Markets*, at Columbia University (New York: Sep.-Dec. 2001).
[8] Anne O. Krueger, op. cit., p. 1.

authorizations to retaliate occur automatically unless there is a consensus against it.[9] DSU has transformed the GATT's positive-consensus rule into a negative one. As a result, the WTO dispute settlement process is not only compulsory, but also virtually automatic. This novelty should be appreciated. It allows politically sensitive cases to be pursued and it protects weaker WTO members that previously were either unable or insufficiently daring to muster a consensus in support of their complaints.[10] As of February 1997, there were a total of 68 complaints initiated under the new dispute settlement process. That is two or three times the normal rate of applications for dispute settlements, as witnessed in the later years of the GATT. Perhaps, this is a tribute to the new process.[11]

WTO Law — At the Cutting Edge of Globalisation

The elaborate enforcement provisions of the Dispute Settlement system — with the option of counter measures — is a step ahead of the International Court of Justice (ICJ), and other international enforcement mechanisms. It provides the most developed enforcement regimes in the international law. Though ICJ provides for cessation of a wrongful conduct and even reparations, but has no mechanism to enforce this secondary legal obligation upon the state causing the misconduct.[12] Rules applicable to the ICJ do not foresee or address the problem of what to do in case of non-compliance. The award of remedies other than damages by international arbitral tribunals is extremely unusual.[13]

Is Dispute Settlement Working?

Despite proliferation of substantive WTO rules, coupled with an extensive legal framework for Dispute Settlements, remedies prescribed (compensation and retaliatory measures) are not achieving the desired goals of compliance to the initial recommendations. Problems can arise from the very first step of DSU. Mavroidis argues that practice has shown that with two notable exceptions, most panels even do not go beyond the rather innocent stage of recommendations. [14] Suggestions are rarely given. It is probably due to the institutional nature of the panels. Governmentalists who dominate most panels are men of practical considerations and are sensitive to the political sensitivities and realities. Their practical considerations disfavour remedies that can rock the boat. WTO can be rocked rather

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[9] See Dispute Settlement Articles: 6.1, 16.4, 17.14, and 22.6 "Understanding on Rules and Procedures Governing the Settlements of Disputes," in *General Agreement on Tariffs and Trade 1994*, as agreed at the end of Uruguay Round 1986-1994.

[10] Pauwelyn Joost, "Enforcement and Countermeasures in the WTO: Rules are Rules-Toward a More Collective Approach," *American Journal of International Law,* Vol. 94, (Apr. 2000), p. 335.

[11] Jackson J. H., "WTO Dispute Settlement, Appraisal and Prospects," in Anne O. Krueger (ed.), op. cit., p. 161.

[12] Christine D. Gray, "Judicial Remedies in International Law," Series: *Oxford Monographs in International Law*, (U.K: Clarendon Press, 1990); Gray, Lecturer in Law, University of Oxford, and Fellow, St Hilda's College argues in her book that though "ILC Articles. 41-46 provide for secondary legal obligations, reparations in this case, but do not lay down any mechanism for enforcement. Cited by Pauwelyn Joost, op. cit. p. 347., as a contrast with WTO DSU which moves ahead providing an enforcement mechanism.

[13] Pauwelyn Joost, op. cit., p. 338.

[14] *WTO Panel Reports*: United States-Textiles, Complaint by Costa Rica, WT/DS 24/R8, (Nov. 1996) and Guatemala-Antidumping Investigation Regarding Portland Cement from Mexico, WT/DS 60/R 19, (June 1998).

easily. Even a recommendation against a major player (for instance, US or EU), in the political realist's argument, is too much of an intrusion in national sovereignty.[15]

In the 30 cases that have lead to the adoption of dispute settlement reports in the WTO, the enforcement tool of last resort-counter measures has been invoked five times.[16] Joost argues that this relatively frequent recourse to counter measures and compliance procedures suggests that the practical enforcement of WTO rules through dispute settlement may be too arduous. "Time is ripe for a critical review of the WTO dispute settlement system, especially its enforcement mechanism and the remedies it provides."[17] The question to be asked is, will it be taken up in the new round?

The Strong Shall Rule?

Mavroidis argues that the effectiveness of the WTO remedies depends upon the relative persuasive power of the WTO member threatening with counter measures.[18] Joost amply supports Mavroidis, "Would it not be difficult in practice indeed — even counter productive — for say Burkina Faso or Estonia to take counter measures against United States or the European community?"[19] The same will hold true for most developing countries (for instance Pakistan and Bangladesh) dependent upon development aid, technical help and credit facilities from EC and US. Any counter measures by such countries can and will provoke retaliation in non-WTO related fields. In the end, fact remains that members may be equal in the eyes of the WTO law, but not in the practice of WTO reality.[20]

Antidumping — An Administrative and Non-Tariff Barrier

Finger argues that Liberals in Canada in 1904, legislated antidumping laws to specifically protect domestic steel industry from the predatory pricing by US Steel[21] and Wilson administration in 1916, pressured by tide of anti-German feeling, at a time when they did not afford tariff revision, created the Antidumping Law of 1916. It bears remarkable testimony to the US influence in shaping GATT/WTO that a domestic US law was later incorporated into Uruguay Round Antidumping Agreement more or less in the same language. It can be safely argued that the initial law targeted predatory pricing. However, the procedure that evolved over the years, in practice moved in a direction where predatory pricing can no longer be distinguished from innocent price differences that can occur due to reason of cost efficiency across an increasingly diverse global economy.[22] David Palmeter is quoted by Finger,[23] referring specifically to the current US practice, that is covered by GATT, "rather than being a price discriminator a dumper is more likely the

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[15] Petros C. Mavroidis, "Remedies in the WTO Legal System: Between a Rock and a Hard Place," *European Journal of International Law,* Vol. 11, No 4, (2000), pp. 763-813. Cited comments are available under the section, Recommendations and Suggestions: An Analysis, p. 777.

[16] [EC-Bananas] WTO Doc. Series WT/DS27, [EC—Hormones] WTO Doc. WT/DS26 and WT/48 involving Canada [Australia-Salmon] WTO Doc. Series WT/DS/18.

[17] Pauwelyn Joost, op. cit., p. 335.

[18] Petros C..Mavroidis, op. cit., pp. 763-813.

[19] Joost, op. cit., p. 338.

[20] Mavroidis, op. cit.

[21] Michael J. Finger, "The Origins and Evolution of Antidumping Regulation," in *Antidumping: How it Works and Who Gets Hurt* (Michigan: Ann Arbor, 1995), p. 15.

[22] *The GATT 1947*, Art.6 (1). See also the *Uruguay Agreement on Dumping*, Art. 2-5, in General Agreement on Tariffs and Trade 1994. Over a period of four decades, between 1947 to 1994, the definition of what constitutes dumping has not changed at all to reflect growing understanding of international economics.

[23] Ibid.

victim of antidumping process that has become a legal and administrative non-tariff barrier."[24]

Antidumping: Is there an Economic Rationale?

Antidumping has not found much sympathy in the economic literature. Almost all economists are unanimous in condemning dumping as neo-protectionism, which is not only injurious to the exporting country markets, but also to the consumers in the importing country. From an economist's point of view, antidumping can find justification only in three situations; international price discrimination, predatory pricing or intermittent dumping. However, the preponderant economic literature finds the antidumping laws of US or the Uruguay Round ADA not equipped to check these issues.[25]

Two kinds of economic arguments are advanced against domestic price discrimination. One, market out put will decline when monopolist switches from a single price policy to discriminatory price policy,[26] and second that price discrimination imposes social costs on the society.[27] However, there is no consensus among anti-trust scholars on the question of prohibiting domestic price discrimination.[28]

Whom does Dumping Hurt?

However, even if there were any valid and accepted justifications for prohibiting domestic price discrimination, dumping is not attracted by them. Dumping has economic effects altogether different from domestic price discrimination and cannot be treated as an analogous issue. A seller only dumps if it charges a lower price to its export market customers than it charges to its home market customers. Therefore, unlike domestic price discriminators who create both a high price and low price markets in the country where they are operating dumpers can only create a low price market in the country where they are exporting.[29] Importing country in the case of dumping benefits from lower prices that increase the consumer surplus albeit at the expense of producers surplus. However, when the importing country imposes duties to raise the price to the level of prices in monopolist's exporting country, it not only achieves supra-competitive prices for consumers in the exporting country but also creates a net loss to its own economy. The losses to consumers will almost always outweigh any gains to producers who are thereby protected.[30] This is borne out by empirical evidence. It has been estimated that the removal of ADD and CVD orders in 1991 would have created a welfare gain of $1.59 billion in that year.[31]

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[24] Many Pakistani textile exporters to US and the officials at Ministry of Commerce, who dealt with the cases framed against them by US Customs, will testify to that. In most instances a poor Pakistani exporter does not have the resources to fight his case in the complex & expensive legal system of US and is compelled to agree to the charges of under pricing.

[25] Michael. J. Trebilcock and Robert Howse, *Regulation of International Trade* (Routledge: London & New York, 1995), p. 178.

[26] B. J. Dunlop, D. McQueen and M. J. Trebilcock, *Canadian Competition Policy: A legal and Economic Analysis* (Toronto: Canada Law Book, 1987), p. 208.

[27] Richard Posner, "The Social Costs of Monopoly and Regulation," *Journal of Political Economy*, Vol. 83, (1975), p. 807.

[28] Michael. J. Trebilcock, *Common Law of Restraint of Trade* (Toronto: Carswell, 1986), pp. 364- 365.

[29] Michael. J. Trebilcock and Robert Howse, op. cit., p. 178.

[30] Ibid.

[31] Ibid., p. 549.

Antidumping: So it has an Economic Rationale?

We can see that economics' literature advances little if any support to the rationale of anti-dumping for the domestic welfare. Even if we justify some altruistic motives for protecting the abuse taking place in dumpers monopolists market, there will be little rationale for punishing domestic consumers with high monopolistic prices. In the changing context of international trade where global markets need to be protected as a whole, dumping will sound even more out of place. WTO officials are, however, giving a revisionist view of the economic rationale of antidumping. They argue that international price discrimination is due to 'asymmetrical market access and economic distortions' in the monopolist's export market and the antidumping laws are required to redress these balances.[32] However this line of reasoning is not supported by serious economic literature.[33]

What are we Fighting? Price Discrimination or Predatory Pricing?

Economic evidence points out that only and only deliberate predatory pricing offers a rationale for antidumping laws. As pointed out in the very beginning of this paper, it was also the spirit behind the initial legislation in Canada and US. However, economic literature, though alive to the threat of predatory pricing and intermittent dumping, is not convinced that they can occur frequently or regularly to justify an arcane and obscure set of generalised antidumping laws in place. Anti-trust literature supports economics when it argues that predatory pricing is not an effective means of achieving market power.[34] Economic theory suggests that systemic below cost pricing is infeasible and irrational unless some structural conditions are present. So predatory pricing attacks can take place intermittently and episodically but unfortunately the current regimen of antidumping laws available in the Uruguay Agreement are ill designed to fight such attacks of predatory pricing. They end up authorizing duties on goods priced at non-predatory prices. Non economic concerns related to antidumping laws such as issues of distributive justice and communitarian impacts of low priced goods can be more appropriately dealt under safeguard regimes or better still under the domestic trade adjustment assistance programs.[35]

Antidumping laws can be best reformed by creating a supranational or harmonized anti-trust regime, which can penalise predatory pricing without punishing non-predatory price discrimination. The net argument is that we need to distinguish and differentiate between price discrimination that takes place due to natural market adjustments and the deliberate price discrimination that is predatory in nature. EU has already made a serious attempt to incorporate antidumping laws within the broader framework of EU competition law. However, we will not argue for emulation, as EU competition policy not only eradicates predatory price discrimination but also constrain price discrimination of all kinds.[36]

A more modest approach of reforming and harmonizing anti-trust laws under the broader aegis of GATT will be appropriate. The 1998 protocol signed between Australia and New Zealand, is an attractive model. This understanding replaces the antidumping laws between these two countries with harmonized provisions in their competition laws to fight the abuse of dominant position. Warner

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[32] Jorge Miranda, "Should Antidumping Laws be Dumped?," *Law and Policy in International Business,* Vol. 28, (1996), p. 225.
[33] Trebilcock and Howse, op. cit., p. 180
[34] Ibid.
[35] Joseph Stiglitz, op. cit.
[36] *United Brands Vs EC Commission,* ECR. 207. 1 C.M.L.R 429 C. Ct of Justice (1978).

has recently proposed a bilateral anti-trust regime for US-Canada trade.[37] Trebilcock and Howse argue that such a regime can be developed and implemented multilaterally through a GATT cross border predatory code, which would require signatories to harmonize their domestic anti-trust laws in line with the code, in very much the same way that at present the domestic antidumping laws must conform with the GATT antidumping agreement.[38] An alternate approach can be to preserve the antidumping laws on formal level. We can then add harmonizing provisions that will incorporate predation concepts into these regimes. That can include specific tests for predation or abuse of dominant position in the export markets.

Now, since US antidumping laws are up for negotiation in the next WTO round,[39] we can hope to move in this direction. Success in reforming the antidumping regimens may radically curtail one of the major forms of new protectionism. Legitimate concerns about the domestic impacts of surges of low priced imports can be dealt with through a well-conceived and structured multilateral safeguard regime.[40]

Next WTO Round: The Challenge Ahead

Stiglitz argues that to make any meaningful progress the next round must satisfy three conditions:

a. Comprehensiveness; should broach new subjects and revisit old ones where agreements were achieved in less than transparent fashion;
b. Fairness; if negotiations are viewed as unfair change will be resisted;
c. Political success; winners must emerge out of the process to play a pivotal role in implementation.[41]

It is also important to have a balanced agenda for negotiations. An unbalanced agenda will lead to destruction of confidence in the trade liberalization, undermine the reform movement, and will seriously erode the confidence in the developed western world's moral leadership. Uruguay Round left Sub-Saharan Africa worse off and whereas role of developing countries grew in international trade, their share of exports is one third and in exports of services is a bare one fourth of the international transactions. A repeat performance will not add to the process of building confidence in globalisation.

What Happened at Doha?

Three observations are important to our analysis. First, Doha Ministerial Declaration is only an agreement for multilateral negotiations and not an agreement in itself. Second, the declaration establishes a broad based agenda for multilateral negotiations that includes, in addition to agriculture and services, new issues like investments, competition policy, and environment and a limited range of institutional issues mainly focusing on the reform of DSU. Third, the countries have agreed that Doha negotiations will be a single undertaking.[42]

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[37] Presley Warner, "The Canada U.S. Free Trade Agreement: The Case for Replacing Antidumping with Anti-trust," *Law and Policy in International Business*, Vol. 23, (1992), p. 791.
[38] Trebilcock and Howse, op. cit., p. 189.
[39] "Results of WTO Ministerial at Doha," *Wall Street Journal*, (Nov. 15, 2000).
[40] Trebilcock and Howse, op. cit.
[41] Joseph Stiglitz, op. cit.
[42] J. J. Schott, Senior Fellow, Institute for International Economics, provides an excellent discussion in his policy paper, "Reflections on the Doha Ministerial," (Dec. 2001), available at the *US State Dept Electronic Journal, Economic Perspective*, 2002. <http://usinfo.state.gov/journals/ites/0102/ijee/schott.htm>.

Multilateral negotiations that will now follow, (started from January 2002) will in many ways determine the fate of the unaware citizens living in countries like Pakistan, India and Bangladesh, where even at best the middle classes have limited understanding of what is happening. Developing countries in general do not have the capacity or the requisite technical understanding to negotiate these complex and far-reaching agreements. Even the institutions responsible for enforcing the decisions of such multilateral negotiations have, so far, due to severe resource constraint, developed limited ability to understand the implications or to contribute in processes of decision making, at a time when it really matters. The cost of current trade agreements is already being counted in people's lives. Unless the situation is addressed, on a revolutionary basis, countries and societies like Pakistan will further suffer.

The preliminary agenda decided upon in Doha expressly excluded only one subject, 'trade and labour' and to that extent it was a major victory for the developing countries. Declaration also established a two stage process in which negotiations on so called Singapore issues, such as, investments and competition policy will not begin until after the WTO ministerial somewhere in fall 2003. Schott forcefully argues that this is also a kind of concession to developing countries who first wanted to make sure that the initial thrust of discussions remain on the traditional market access issues - on which the developed world has not already fulfilled its commitments reached at Uruguay.[43]

But the overall perspective depends upon who you are listening to. Mainstream US media no doubt paints a very optimistic picture. For instance Wall Street Journal (WSJ) comments, "In a landmark shift Europe and US also agreed to put the rights of poor countries seeking to obtain cheap medicine above the rights of multinational drug companies seeking to protect their patents."[44] Sounds so good? But Bello and Mittal point out that, "The resolution of the Trade Related Intellectual Property Rights (TRIPs) and public health issue is being trumpeted as a victory for developing countries. This is exaggerated. While an attachment to the declaration does recognize that there is nothing in TRIPs that would prevent countries from taking measures to promote public health, there is no commitment to change the wording of the TRIPs agreement. This is a serious flaw since TRIPs as it is currently written can serve as the basis for future legal challenges to countries that override patents in the interest of public health." So while on the surface there has been some positive wording, underneath, the root issues are perhaps still there.[45]

Similarly, the language on the phasing out of agricultural subsidies is watered down owing to the strong objections of the EU. There is no commitment to an early phase-out of textile and garment quotas because of the strong resistance of the US. The demand for a 'development box' to promote food security and development which was being pushed by a number of developing countries was completely ignored. Finally the Doha declaration eliminates the reference in the draft to the International Labour Organization (ILO) being the appropriate forum for addressing labour and trade issues, which leaves the door open for the WTO to assert its jurisdiction in an area where it has no authority or competence.[46]

The agreement to include antidumping laws in the talks was fiercely resisted by the US steel industry, which frequently uses these laws to combat

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[43] Jeffrey J. Schott, op. cit.

[44] "Results of WTO Mnisterial at Doha," *Wall Street Journal,* (Nov. 15, 2001).

[45] Walden Bello and Anuradha Mittal, "*The Meaning of Doha*," (Nov.14, 2001). <http://www.foodfirst.org/progs/global/trade/wto2001/meaningofdoha.html>.

[46] Ibid.

foreign competition. At Doha, US Trade Representative, Robert Zoellick, put ADD on the table but he changed his tone, when he gave his briefing to US Congress on hearings on fast-track authority for President. Since then, Bush administration has won the fast-track authority from Congress. But after the recent slapping of duties on European Steel, it remains open to be seen that how US administration will deliver on the issue of antidumping duties - to live up its commitments at Doha.

Given these contradictions from the very beginning, this ongoing round will test the intelligence, imagination and sincerity of the international community to shape a compromised global response that can involve the teeming billions of the developing world into the process of globalisation as equal partners rather than the helpless victims of an elite club. It may help us to move beyond the haunting memories of Seattle, Genoa, and perhaps we may say, September 11th. Pentagon may not win the war on terrorism but a successful and sincere multilateral negotiation can. Herein lies the challenge. ■

Australia's Policy Towards India: From Indifference to Cordiality

Samina Yasmeen*

South Asia has been an arena of external actors' involvements for centuries. Since the end of British colonisation in 1947, India and Pakistan have provided the central pivot around which external actors have designed and implemented their policies. Depending upon the manner in which these powers have related to India and/or Pakistan, their policies can be broadly categorised as Indo-centric, Pakistan-centric or even-handed in nature. Major external actors including the United States, the former Soviet Union and China have opted for one or the other category during the last five decades. The United States moved from a Pakistan-centric policy of the 1950s to an even-handed approach in the 1960s. The 1980s witnessed a revival of a Pakistan-centric policy only to be overtaken by an Indo-centric policy during the Clinton era. Similarly, the Chinese Government has moved from an Indo-centric policy of the 1950s to a Pakistan-centric policy of the 1960s and then finally moved to a variant of an even-handed policy in the post-Cold War period.

Australia and the World: Differing Approaches

Australia is a relatively recent entrant in the South Asian arena. As a middle power in the Indian Ocean region, it has gradually moved out of its narrow focus on the South-East Asian region to operate in South Asia and the Middle East. The question arises as to what is the nature of this involvement? Has Australia learnt from the lessons of other external actors or is it still at an early stage of developing viable strategies for the subcontinent? This paper attempts to answer these questions with reference to Canberra's policies towards India. It argues that the 1990s have been characterised by an Indo-centric approach in Australia. Determined by a predominance of economic interests, Australia has been prepared to compromise its claim to 'good international citizenship' especially on the issue of nuclear proliferation. The post 11 September days have seen some change in the South Asia policy but Canberra still maintains an Indo-centric policy. Unlike in the case of major powers, this relationship has not caused undue pressure on Australia's relations with Pakistan. But the imbalance needs to be addressed if Australia is to develop a more effective South Asian policy. This, in turn, requires greater interaction between South Asian and Australian civil societies, which could pave the way for developing mutual understanding.

A combination of realism and neo-liberalism has provided the context in which Australia has related to the outside world. With its predominantly Anglo-Saxon population in close proximity to Asia, Australia has always sought allies that could guarantee its survival in what was previously perceived to be a hostile environment. While in the past, Britain had fulfilled the role of a protector, after the end of the Second World War, the United States was chosen as the main ally. The

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ANZUS Treaty signed in 1951, therefore, has been a significant denominator in Australia's foreign policy. As a member of the alliance, Australia has cooperated closely with the United States in political and strategic sphere. While following the United States line on foreign policy, Canberra has also taken initiatives like sending troops in the Vietnam War with a view of earning some credit from its main patron state. The nature of the alliance has not remained unchallenged in the country as the population mix has changed and various governmental and non-governmental groups have explored alternative approaches to foreign policy. The 1980s, for instance, witnessed the addition of the concept of 'self-reliance' to the generally accepted need for a close relationship with Washington. Others even suggested the abrogation of the Treaty or at least adopt an attitude similar to that of the Government of New Zealand. These alternative suggestions notwithstanding, the primacy of Australia's relationship with the United States has remained an enduring feature of Australia's foreign policy.

The concept of national interest has also encapsulated an emphasis on establishing economic links with all possible partners. The ultimate aim of these partnerships has been to ensure that Australia does not lose its identity as a 'lucky country'. This emphasis has not disappeared despite the slow down in the rate of economic growth. Instead, committed to retain its status as a 'developed state', Australia has explored alternative avenues of building economic links with other countries and regions. Such exploration has been at the heart of the country establishing close economic links with countries with diverse social and political systems.[1] Japan and China, for instance, have attracted a lot of attention from Australian governmental and non-governmental business interests. In the 1980s, the salience of economic links was acknowledged by bringing trade and foreign affairs under one government department, the Department of Foreign Affairs and Trade (DFAT). Australia also played a pivotal role in the establishment of the Asia Pacific Economic Cooperation (APEC) with a view to enjoying the benefits of rapid economic growth in South East Asia and the Far East in the 1990s. The emphasis on economic links has continued into the new millennium as well.

The realist perspective has coexisted with the idea of Australia as a 'Middle Power'. As a state, that is neither the strongest nor the weakest in the international system, Australia has sought to carve out a niche for itself in world politics. It has projected itself as a middle power state that is committed to the idea of raising issues and setting agenda that contribute toe the common good of the international community. In other words, its assumption and projection of itself as a middle power relies heavily upon its claims to 'good international citizenship'. The claim found expression in a series of policies adopted by the Labour Government in the 1980s and the 1990s. Under the leadership of the former Foreign Minister, Gareth Evans, Australian government proposed or closely cooperated with others interested in dealing with the emerging agenda of world politics. For example, Australia was at the forefront of securing agreements to control the spread of chemical weapons. The Organization for the Prohibition of Chemical Weapons (OPCW), therefore, owes its existence partly to the efforts by Canberra to raise awareness of the need to find mechanisms for controlling trade in chemicals that could lead to the spread of chemical weapons. Similarly, the Australian Government cooperated at the international level to deal with the emerging

[1] See, for example, J. Cotton & J. Ravenhill (eds.), *Seeking Asian Engagement* (Oxford University Press, in association with Australian Institute of International Affairs, 1997), Chapters 3,5,6&7. R. Robison (ed.), *Pathways to Asia: The Politics of Engagement*, (St. Leonards: Allen & Unwin, 1996), Chapter 8.

environmental concerns. Specifically in 1996, Canberra successfully manoeuvred to wrest from the Conference on Disarmament, the question of concluding a Comprehensive Test Ban Treaty (CTBT) and paved the way for its adoption by the United Nations General Assembly. These claims to 'good international citizenship' have not subsided since 1996 when the Liberal Party rose to power. Despite reversing its policy on the Kyoto Protocol, and taking a less than charitable stance on asylum seekers, the Liberal Government has continued to project itself as a good international citizen.

Australia and India: From Indifference to a Close Relationship

Against the background of a combination of realist and neo-liberalist approach to foreign policy, Australia's policy towards South Asia was marked by a limited understanding of the region for a large part of the post-Second World War era. This was despite the fact that cameleers from the North West Frontier Province (NWFP) of the British India had arrived in Australia in the second half of the 19th century. They had played a prominent role in opening up the interior of the large continent and had left an imprint on the Australian history by building mosques in a number of cities.[2] The limited nature of the relationship also existed despite the romantic images of the sub-continent that prompted a number of young Australians to visit India in search of the 'Wisdom of the East'.

At the governmental level, Australia's membership of the ANZUS and the Commonwealth provided the context in which Canberra related to South Asia in general and India in particular. Under the Colombo Plan, a number of Indian (and Pakistani) students were provided training. The relationship between India and Australia, however, remained limited in nature due to the respective foreign policy orientation of the two states.[3] Despite its claim to non-alignment, New Delhi established a close relationship with Moscow and came to be regarded as a de facto member of the Soviet alliance system. As a member of the ANZUS alliance, Canberra viewed India with suspicion and was reluctant to develop a close relationship. The Indian Government, in return, looked at Australia as an aligned state in a dependent relationship with the United States and, therefore, incapable of making independent foreign policy decisions. Coupled with the suspicion was the reality of two different economic models being adopted by Canberra and New Delhi. While the former favoured a market economy, the latter opted for a closed and state-controlled economy. Their trading partners also differed, thus accounting for limited economic links between the two states. During the 1960s and the 1970s, the trade between them did not exceed an annual limit of A$300 million.[4]

The 1980s witnessed an increase in the level of trade between Australia and India but their diplomatic relations remained hostage to their respective foreign policy agenda.[5] New Delhi initiated a process of dialogue with Washington but continued to support Moscow on a number of significant international issues. India supported the Soviet version of invasion of Afghanistan in December 1979 and also approved of the Vietnamese invasion of Kampuchea. Having initiated a reappraisal

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[2] Mary Lucille Jones, "Muslim Impact on Early Australian Life," in Mary Lucille Jones (ed.), *An Australian Pilgrimage: Muslims in Australia from the Seventeenth Century to the Present* (Melbourne: Victoria Press, 1993), pp. 31-37.

[3] Samina Yasmeen, "India", in Russell Trood and McNamara (eds.), *Asia-Australia Survey-1997-98* (McMillan Press, 1998), pp. 157-165.

[4] Sandy Gordon, *The Search for Substance Australia and India Relations into the 90s and Beyond* (Canberra: Australian National University, 1993), p. 51.

[5] Yasmeen, op.cit., p. 159.

of its foreign policy stance, the Australian government had increasingly come to project and affirm its interests in South East Asia. Hence, it remained suspicious of the Soviet plans in the regions close to Australia and the Indian support for Moscow's moves.

Paradoxically, the Indo-Soviet nexus provided the impetus for improving Australia's relations with India towards the end of the 1980s. In early 1988, India acquired a Charlie class submarine from the former Soviet Union. This acquisition, which later turned out to be fraught with problems, caused apprehension among some analysts and policy makers in Australia about Indian intentions in areas considered significant for its own defence. However, while voicing its concerns, the Australian government embarked upon a process of re-evaluating its relations with New Delhi. The Senate Standing Committee on Foreign Affairs, Defence and Trade initiated an inquiry into relations with India. Early next year, the Australian Prime Minister Robert Hawke visited India. Australian aid to New Delhi was increased from a low level of A$2.8 million in 1988 to A$35 million for the next three years. The two states also agreed to set up a Joint Ministerial Commission (JMC) in 1989, and revived the post of Defence Adviser in the Australian High Commission in New Delhi. It was apparent that Canberra wished to limit any possible negative influence of Indian cooperation with Moscow to Australian security by engaging rather than ignoring India.

The real shift in Australia's relations with India, however, took place after the end of the Cold War and the collapse of the former Soviet Union. The loss of its mentor prompted New Delhi to rethink its foreign policy options, which resulted in it's further opening up to the West. More importantly, the experiences of the Gulf War caused the Indian government to review its economic policies. The return of Indian workers and the loss of remittances combined with the increase in the price of petroleum put pressure on the Indian economy. Fearful of an impending collapse, New Delhi proceeded to liberalise its economy. The process of deregulation and privatisation started in early 1990s and gained momentum as the decade came to a close. It targeted a number of areas including telecommunications, the energy sector, mining and banking. Tariffs were consistently lowered to attract foreign investors. The processes of applying for and receiving approvals by foreign business interests were simplified. The Indian government also engaged in an aggressive policy of 'selling' this change to foreign investors. Given that India's middle class was estimated to be between 100 and 300 million, these policies attracted attention from a number of outside actors.[6] The United States and a number of European states decided to respond favourably to the opening up of the Indian economy.

The promise of economic benefits by exploring possibilities in the Indian market formed the basis on which Australia built its links with India in the 1990s. The Australian government took the lead by sending a number of senior officials and political representatives to India. The Department of Foreign Affairs and Trade published information to encourage business community to take advantage of the opportunities being offered by India. The AUSTRADE opened an office in Mumbai in November 1992 and began to provide on-site information to interested Australian parties.[7] Initially large businesses including the BHP (now BHP-Billeton), and the world's largest mining company, CRA Ltd., Command Petroleum and Telstra made

[6] This commitment to 'selling India's economic policy' was evident in a number of senior officials and ministers who visited other states to provide details about the change is New Delhi's economic outlook. Based on interviews with Indian and Australian analysts, 1994-1997.

[7] Yasmeen, op.cit., pp. 161-162.

use of the information. Gradually, however, even smaller firms got began forays into the Indian market. Meanwhile, different state governments in Australia also moved to establish separate connections with Indian states. Western Australia, for instance, appointed its own representative in India to provide information on business opportunities. Other states, especially Victoria, New South Wales and Queensland also devised strategies to operate in India. The areas of economic interaction expanded to include education, computer technology and management services. Air links improved between the two states with Air India and QANTAS providing flights into selected points.[8]

The economic relations between Australia and India registered a sharp improvement in the 1990s due to the efforts made by Canberra and reciprocated by New Delhi and Indian State Governments. The net result was an increase in the level of trade. The two-way trade between the two countries, for instance, rose from A$866.1 million in 1989-90 to A$1.78 billion by the end of 1996.[9] This excluded Australian diamonds processed in India and then sold through *Antwerp* that would have raised the total value of trade above A$2 billion. India ranked 18th as the destination for Australian exports and was 29th in the list of countries exporting goods and services to Australia. Australian exports were predominantly primary commodities like coal, wool, petroleum products, specialised machinery, non-ferrous metals and ores. The imports from India were more diversified and consisted of textiles, clothing, vegetables and fruit, pearls, gems, engineering goods and chemicals. Australia also provided aid for humanitarian purposes to India. The total amount had risen to A$1,565 million in 1995-96 and was being used for a variety of projects including those focusing on women's health issues. Although the Liberal Government reduced the amount of this aid as part of an overall reduction in its Overseas Development Assistance (ODA) programme, sufficient notice was given to avoid major disruption in the programs.

The rapid improvement in economic relations created space for closer Indo-Australian cooperation in the political and strategic arena. A number of high-level exchanges of visits took place between the two states. In 1994, the then Vice President K.R. Narayanan visited Australia. The next year, Australian Minister for Trade, Senator Bob McMullen, led the largest Australian business delegation to India. In 1996 five senior Australian Cabinet Ministers visited India within a short period of five weeks. This was followed in 1997 by the Australian Foreign Minister, Alexander Downer's visit to India. These were reciprocated by the Indian Ministers for Commerce, Food Processing Industries, Petroleum and Natural Gas, and Railways.[10] To some extent, these visits were designed to explore or enhance economic links. They also supported large-scale cultural/technological fairs that were meant to build cultural bridges between the two states that went beyond knowledge of cricket! The visit by the Indian Vice President, Narayanan, for instance, was linked to his launching a month long festival in Australia, *India Today '94*. Similarly, the Australian Deputy Prime Minister, Tim Fischer, led the delegation to India to participate in the *New Horizons* programme organised to familiarise Indians with the 'new' Australia.

The relationship, however, did not remain confined to boosting economic links through political interaction. Instead, the two states moved to establish

[8] Personal interviews with those involved in these developments, 1994-1997.

[9] Department of Foreign Affairs and Trade, *Composition of Trade*, (Canberra). See various issues.

[10] The information in this paragraph relies heavily upon the paper prepared by Ravi Tomar, *The Strategic Dimensions of India-U.S. Relations* (Canberra: Parliament of Australia, 2002).

understanding in a number of areas. The setting up of Australia-India Council and the India-Australia Council on reciprocal basis strengthened cultural ties. These councils facilitated greater people-to-people contacts. Educational and scientific interaction also increased with Australia offering scholarships to Indian students under a number of schemes. Even Universities cooperated and initiated expos designed to attract students from a number of Indian cities.

The expanding scope of understanding was most obvious in the political and diplomatic arena. Australia supported India's participation in the ASEAN Regional Forum. India and Australia adopted similar positions on the Asia Europe Meeting (ASEM). They also played a major role in the International Forum of the Indian Ocean Region (IFIOR) held in Perth in June 1995. This finally culminated in the formation of the Indian Ocean Rim Association for Regional Cooperation (IORARC) in March 1997. Cooperation in the strategic arena also improved. For example, the Indian Chief of Naval Staff, Admiral Shekhawat, visited Australia in June-July 1996. India and Australia trained two officers at brigadier level on reciprocal basis. At a more junior level, Indian officers were trained in all the staff colleges in Australia, including the Joint Services Staff College (Canberra), the Army Staff College at Queenscliff and the Royal Australian Naval Staff College. In return, Australian officers had the option of being provided training in India. Although the number of Indian officials visiting Australia always was higher than the other way round, this did not undermine the strategic understanding between the two countries. Regular sharing of information took place on unclassified security matters between the Defence Attaches of the two countries.

The qualitative improvement in Australia's relations with India was not without minor irritants. A number of business interests found it difficult to enter into and conclude quick deals. A lack of knowledge of the cultural context in which business deals are signed proved to be an obstacle. The cultural aspect also some times created embarrassing situations for the two parties. During the *New Horizon* programme, for instance, the Australian hosts extended invitations to a number of senior officials who did not confirm their acceptance but turned out for the planned event. Unaware of the cultural nuances, the Australian side had already filled the seats with other invited guests thus denying the senior officials chosen seats. The saga created some consternation among those who were not seated according to their status in the Indian society!

In the political arena differences emerged on the nature of the IORARC. Having hosted the IFIOR and working to set up a regional organisation that could build linkages between countries of the Indian Ocean region, Canberra and New Delhi differed on the process and qualification for membership in the organisation. While Canberra argued for 'inclusivity,' the Indian government insisted on keeping the membership of the IORARC 'exclusive' which was a euphemism for keeping Pakistan out of the organisation. The Australian government ultimately gave into the Indian position but continued to argue for broadening the membership.

The most important difference of opinion, however, related to the issue of nuclear proliferation. Both India and Australia had argued for nuclear non-proliferation and disarmament but they differed on how best to achieve the goal. While Australia supported the conclusion of the Comprehensive Test Ban Treaty (CTBT), India opposed the idea. It claimed that the CTBT was neither 'comprehensive', nor a 'test ban', nor a 'treaty' as it did not prevent declared

nuclear states from modernising their nuclear stockpiles.[11] Faced with Indian opposition to the Entry into Force clause of the proposed treaty, the Australian government took an initiative, which undermined New Delhi's stance. Supported by nuclear powers, the Australian UN Representative, Richard Butler, tabled a resolution which asked the UN General Assembly to adopt the CTBT, and requested the Secretary General to act as depository of the treaty and open it for signature at the UN Headquarters. An overwhelming majority at the UN General Assembly passed the resolution. The process angered some Indian officials who were critical of Australia's 'high handed approach' and of the negative remarks given by Richard Butler about India's stand on the CTBT.[12]

These differences notwithstanding, Canberra and New Delhi managed to keep the relationship on an even keel. The improvement in their relationship continued despite occasional hiccups and differences of opinion.

India's Nuclear Tests: End of a Special Relationship?

The limits of Australia's relationship with India were tested by New Delhi's nuclear tests of May 11 and 13, 1998. The Australian government, like other members of the international community, condemned the nuclear tests. But Canberra's reaction was more vehement than others including the United States were. The Australian Foreign Minister, Alexander Downer 'unreservedly' condemned the nuclear tests and accused New Delhi of having 'the utmost disregard for accepted international norms of behaviour.' While asking India to refrain from further nuclear tests, Canberra also took a series of punitive measures. The Australian High Commissioner to India was recalled as a sign of Canberra's displeasure. At the same time it announced a suspension of Ministerial and senior official visits, as well as a suspension of non-humanitarian aid to India. While vowing to condemn and raise questions about India's 'outrageous' and 'ill-judged actions,' the Australian government also suspended bilateral defence relations with India. The Defence Adviser stationed in New Delhi was immediately recalled, all ship and aircraft visits suspended and the reciprocal training of Indian and Australian defence officials was immediately ceased.[13]

The vehemence of Australian's response drew criticism from the Indian government. Critical of the Australian Prime Minister, John Howard's identification of South Asian states as 'dirt poor' and the immediate suspension of defence and diplomatic links, it accused Canberra of failing to understand India's security concerns. New Delhi also responded in kind to the steps taken by Canberra. It withdrew its own Defence Attaché based in Canberra and suspended all proposals for bilateral military cooperation. Australian naval ships were denied "permission to visit Indian ports or operate in Indian territorial waters."[14]

Australia's response was also criticised by a number of academics and analysts in India. Following the Pakistani nuclear tests of May 28 and 30, 1998, which attracted almost identical Australian response, these analysts accused Canberra of hypocrisy. As a member of the ANZUS, they argued, Australia was already protected by American nuclear umbrella, but was unwilling to acknowledge security needs of other states. Referring to the role played by Australia in getting the

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[11] G. Parthasarthy, "Neither Comprehensive, Nor Test Ban, Nor a Treaty," *Pacific Research*, Nov. 1996, pp. 32-35.
[12] Hamish McDonald, *The Australian Financial Review*, Sep. 9, 1996, p. 12.
[13] Media Release by the Australian Minister for Foreign Affairs, May 14, 1998. Cited in Tomar, op.cit., p. 28.
[14] Tomar, Ibid., p. 29.

CTBT through the UN General Assembly, they also accused Australia of 'nuclear racism'. Canberra was portrayed as having established categories of legitimacy of nuclear status. 'The first tier,' one analyst maintained, "consists of the white states which are acceptable to Australia as nuclear powers. The second tier consists of yellow nuclear powers which Canberra accepts. But it is unwilling to accept the last tier of nuclear states which are brown in colour."[15] Such portrayal of Australia's response, it is interesting to point out, was coupled with criticism of Canberra's response to Pakistan's nuclear tests.

Cognisant of such criticism, the manner in which Canberra had reacted to the nuclear tests in South Asia came under scrutiny in Australia. While acknowledging that Australia's claims to 'good international citizenship' required it to react negatively to the nuclear tests, they questioned the manner in which the reaction was conveyed. Emphasising that the policies based on the notion of 'good international citizenship' could undermine Australia's economic and long-term strategic interests; they pressed for a change in Canberra's policy. Members of the business community who had developed economic links with India after the liberalization of the Indian economy consistently highlighted the need for such moderation vis-à-vis South Asia. They argued that Canberra's response could jeopardise the success or viability of these links. They also pointed out that any further exploration of economic areas in which India and Australia could cooperate would also be undermined by Canberra's negative reaction to the tests, and its inability to understand the context in which India had crossed the nuclear threshold. These arguments were supported and reiterated by members of the academic community who had focused on the Australian-South Asian relations, and played a major role in pushing for Australia's policy of establishing closer economic relations with the Indian Ocean Region.

That the Australian government was not averse to these arguments, and that it actually appreciated the need for maintaining economic relations with South Asia and particularly India was apparent during these early days of Australia's critical attitude towards India and Pakistan. Soon after nuclear tests and Canberra's decision to recall its ambassadors to Pakistan and India, for instance, AUSTRADE organized a series of seminars on investment opportunities in South Asia. Australian representatives based in the High Commissions in New Delhi and Islamabad attended the seminars. More interestingly, in the sessions held in Perth, the Indian desk at which potential and existing investors could get information was attended by none other than the recalled Australian High Commissioner to India!

The interest in not losing the Indian market to other competitors caused Canberra to revert to its policy of using political links to support economic diplomacy. By December 1998, it had decided to lift ban on visits by Ministers and senior officials. This resulted in the visit by the Australian Deputy Prime Minister, Tim Fischer's visit to New Delhi in February 1999.[16] At the ASEAN meeting in Singapore in July 1999, the Australian and Indian foreign ministers also agreed that the Secretary of Department of Foreign Affairs would visit India. The next year, the Australian Foreign Minister, Alexander Downer, and Prime Minister John Howard visited India in March and June 2000 respectively. It was obvious that Canberra had decided to put aside its concerns about nuclear proliferation and demands of 'good international citizenship.' The Australian Foreign Minister, Downer, once again visited India in April 2002, to discuss trade and security matters.

[15] Personal interviews with Indian analysts and academics, Jul. 1998.
[16] Nick Hordern, "No End to Economic Sanctions," *Australian Financial Review*, June 18,1999.

That the policy paid off is evident in the continued strengthening of Australian-Indian economic links with India. Australia's exports to India are now totalling A$2.8 billion, and India has moved up to the position of its15th largest trading partner.[17] The number of Australian companies with a permanent presence in India has nearly reached 100 and includes *AMP* and *ANZ* Bank.[18] The two countries have also signed a Memorandum of Understanding on tourism and cultural heritage during Foreign Minister Downer's visit to India in April 2002.[19] The Australian government is also encouraging Australian companies to outsourcing to India in the field of information technology.[20] India's Satyam Computer Services Limited has established first software development centre in Australia.[21] Although the tensions between India and Pakistan have created the possibility that some of the business for software development might move back to Australia, or even Indonesia,[22] the likelihood of the trend towards greater cooperation between India and Australia in the IT field will not decline.

Having removed the temporary negativity, Australia's relations with India have also expanded to include greater cooperation in the security and defence arena. The impetus for this cooperation comes from the change in American attitude towards India. As Washington has moved towards building a strong relationship with New Delhi, the Australian Government has also followed suit. While careful not to antagonise China, it has moved to improve the quality of its relationship with India. This attitude was apparent during the Indian Foreign Minister, Jaswant Singh's visit to Australia in June 2001. The two countries agreed to initiating a strategic dialogue and its first meeting was held in August 2001. During Foreign Minister Downer's visit in April 2002, the two sides also held detailed discussion on a series of regional and global security issues including 'particular security situations in the broad Asia-Pacific region.' They also began 'working towards holding direct military-to-military talks towards the end of 2002.'[23]

As the security relationship is improving, India and Australia are also opting for similar positions on a number of international issues. The most prominent example is the positive attitude adopted by Canberra and New Delhi vis-à-vis the Bush Administration's decision to proceed with its plans for building a National Missile Defence (NMD). While the Australian government supports the idea of NMD, the Indian government has also adopted a positive attitude towards the idea.[24]

Based on the manner in which Australia has established a close link with India since the early 90s, one could argue that the relationship is likely to improve further. While some irritants may emerge in their relationship, the two sides will continue to iron out those differences for the larger goal of mutual economic and security benefits.

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[17] Ray Marcelo, "Downer Talks Trade and Security in India," *Australian Financial Review*, Apr. 20, 2002, p. 19.
[18] Ibid., p. 19.
[19] "India, Australia Sign MoU on Tourism," *The Hindu*, Apr. 23, 2002.
[20] "Firms urged to consider India for IT work," *Canberra Times*, Dec. 3, 2001.
[21] Neena Bhandari, "India, Australia Seek Greater Cooperation in Defence and IT," *Press Trust of India*, Dec. 27, 2001.
[22] Gary Barker, "Business: Cloud Hangs Over Indian Links," *The Age*, June 6, 2002, p. 5.
[23] Media Release, Apr. 23, 2002, cited by Tomar, op.cit., p. 31.
[24] Anil Nair, *India and the NMD*, Honours Dissertation presented in Department of Political Science, University of Western Australia, Perth, Jul. 2002, Chapter 1.

Australia-India Relations: Implications for Pakistan

The continual improvement in Australia's relationship with India raises a question about its implications for Australia's links with Pakistan. The record indicates that for a large part of the 1990s, the Australian government had pursued a policy of 'de-coupling' its relationship with the two South Asian states. While it opted to build a strong link with India due to the economic benefits, its policy towards Pakistan remained one of benign indifference. One could argue that, to some extent, this indifference was a function of frequent change of governments in Pakistan and the related uncertainty about the successive governments' trade and investment policies. Some difficult experiences encountered by Australian business interests caused concerns about the possibility of profits being remitted out of Pakistan. This, in turn, affected the level of economic interest in Pakistan, which directly affected Canberra's interest in the country as well. Nonetheless, the Australian government did maintain a modest presence in the country, and encouraged trade and educational links with Islamabad.

Since Pakistan's nuclear tests in May 1998, the relationship has changed. Although Canberra imposed similar sanctions on both India and Pakistan in the wake of their tests, Pakistan appears to have suffered more than India. While the relationship with New Delhi was revived within a year, Pakistan continued to experience Australian sanctions until after the 11 September attacks. The defence link was not revived until after Pakistan's participation in the 'War on Terrorism.' More importantly, the revival of Australia's close links with India appears to coexist with an implied reluctance on part of Canberra to give any indication of treating the two states as equals. Unlike in the past, the visits to India are not combined with visits to Pakistan. The Deputy Prime Minister, Tim Fischer, for instance, had not visited Pakistan after visiting India in the post-nuclear test days. The Australian Prime Minister, John Howard, and the Foreign Minister have also followed the same pattern.[25]

The improvement in Australian-Indian relations has also prompted Canberra to side with New Delhi on issues involving the two South Asian states. This has been apparent in the recent round of tensions between India and Pakistan. During his visit to India in April 2002, the Australian Foreign Minister asked that Pakistan to be vigilant in stopping activities of terrorist groups.[26] Also, as the danger of India and Pakistan going to war increased in late May 2002, Downer described the situation as 'very grave' and asked President Musharraf to take 'still further actions to rein in militants in Kashmir and beyond.' In contrast India was urged to 'continue to exercise restraint.' Such an approach implied that the tension had been created by Pakistan's failure to fulfil its commitment to countering terrorism while the Indian restraint had averted a war.[27]

The shift from a policy of benign indifference to conscious distancing has not caused concerns in Islamabad. Primarily relying upon the United States, it has not looked upon Australia as a significant actor that needs to be courted. In other words, while Canberra is moving towards an erroneous policy of 'coupling' its relations with India and Pakistan, Islamabad also contributes to the Australian

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[25] This reluctance on Australian leaders' part to visit was criticised by President Musharraf in Jul. 2000. Commenting on the Australian Prime Minister's visit to India but not Pakistan, President Musharraf warned that Australia's policy tilt towards India could exacerbate tension in South Asia. Christopher Kremmer, "Howard Warned Over Visit," *The West Australian*, Jul. 7, 2000, p. 23.

[26] "India Concerned About Terror Attacks-Australia," *Press Trust of India*, Apr. 23, 2002.

[27] Geoffrey Barker, "Downer Leans on Musharraf to Rein in Militants," *Australian Financial Review*, May 28, 2002, p. 10.

neglect by not engaging Canberra. This, in turn, reflects a lack of real understanding in both Pakistan and Australia about each other. The perceptual gap could be filled by increasing the level of second-track contacts between the two countries. The process would be slow but it could enable Canberra to appreciate that an Indo-centric policy does not necessarily mean ignoring Pakistan. It may also help Pakistan appreciate Australia's value in the former's still nascent Look East policy.

Lessons for Pakistan

The rapid improvement in Australia's relations with India highlight the role of economic diplomacy. They also indicate that once relations improve in one area, the spill over effect can create space for improvement in other areas. The process, however, is only possible through concerted effort on part of both parties to gradually build on the links established. Significantly, the process cannot be left to the governmental sector only. The civil society has to play a role in this context to increase the level of understanding about respective societies.

The evolution of Australian-Indian relationship provides a model for Pakistan to follow. One could argue that the relative difference in the size of Indian and Pakistani economies would always limit the extent to which Pakistan can be seen as an option for Australian business interests. This, in turn, would work against the relationship expanding in other areas as well. While that may be true, Islamabad can still try and 'educate' Australian business about business prospects in Pakistan. The success of this effort, however, depends upon a process of economic liberalization in Pakistan. It also requires guarantees that profits could be remitted without a lot of red tape. Most importantly, however, the Pakistani government needs to give more attention to changing its negative image in the Asia-Pacific region. The process requires giving more weight to diplomacy targeting the region east of India. Pakistani missions in Australia and the region cannot be expected to either gather sufficient information or project Pakistan's point of view with extremely limited resources. Changing the images requires increasing the number of diplomatic staff in Australia who can fulfil their responsibilities more efficiently. Meanwhile, Australia and Pakistan can cooperate in the educational field to build an understanding of the 'other.' While the process has been initiated in the 1990s with an increase in the number of students studying in Australia, the Pakistani government also needs to provide scholarships/facilities for academic exchanges. Finally, given the emphasis in Australia on controlling human trafficking, Pakistan can engage Canberra in a dialogue on how best to deal with the problem. Given that Pakistan has been a main source of illegal migrants, such engagement is possible and can also open up space for more interaction between the two states.

These suggestions would raise the question of Australia's interest and role in building such a relationship with Pakistan. One could easily argue that as a state concerned with developments in the Indian Ocean region, Australian government needs to create opportunities for greater knowledge about Pakistan as well. This is essential due to Pakistan's status as one of the largest Islamic states in the area as well as its participation in the counter-terrorist operations. However, the fact that Canberra has not fully appreciated this need does not mean that modest beginnings are not possible. The Australian government could support a Second Track Strategic Dialogue with Pakistan. The forum will not only enable it to learn about Pakistan's viewpoint but also use it to devise a more effective South Asian strategy. The direct and indirect effects for a state concerned with economic diplomacy can hardly be overstated.■

The Scourge of Small Arms: Challenge to Human Security

Salma Malik *

While not by themselves causing the conflicts in which they are used, the proliferation of small arms and light weapons affects the intensity and duration of violence and encourages militancy rather than a peaceful resolution of unsettled differences. Perhaps most grievously, we see a vicious circle in which insecurity leads to a higher demand for weapons, which itself breed still greater insecurity, and so on.[1]

Introduction

The threat posed by the pilferage and proliferation of Small Arms (SAs) and Light Weapons (LWs) on the political and socio-economic security at the national, regional and global level is enormous and much understated. Somewhat trivialized and relegated as a peripheral item on the international security agenda, in reality the immediacy and destructive capability of these arms ranges from intimidation to actual killing of innocent people. As a matter of speaking, the effect of SAs and LWs is far more devastating than, what is posed by Big Arms and Heavy Weapons (HWs).[2] Globally, the nature of conflict has undergone a lot of change, with 'interstate conflicts' being replaced by 'internal or intra-state conflicts' or civil strife, which in the post Cold War period has made society more inclusive to war and war fighting. In such protracted conflicts, owing to the indiscriminate and multifarious nature to which the light weaponry can be put to use, the impact of SAs on people and society is not only physical but also psychological and societal in nature.[3]

According to one estimate, "each year, 700,000 civilians are killed by SAs fire. SAs lower the barrier for violence and terror because they are inexpensive, simple to use and portable. Their widespread availability multiplies their lethal effectiveness and makes conflict easier. They have in fact truly become weapons of mass destruction and are often in the hands of civilians, rebel forces and make shift militias."[4]

As the primary instruments of violence in internal conflicts; SAs and LWs are responsible for a large number of deaths and displacement of citizens around the world and with every passing year, they consume larger amounts of resources of all affected countries. By one estimate, one third of the states in the world suffer with some sort of internal conflict. During 1995 alone, there were 30 major armed conflicts nearly all in the developing countries, which strongly reinforces the need

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1 Introduction to the *Report of the Panel of Governmental Experts on Small Arms* (UN Security Council Document A/42/298, Aug. 27, 1997).

2 Shahedul Anam Khan, "Preventing Illegal Flows - A Bangladeshi Perspective," in *South Asia at Gunpoint* (Colombo: RCSS, 2000), p. 195.

3 Tara Kartha, *Tools of Terror: Light Weapons and India's Security,* (New Delhi: Knowledge, World 1999), p. 9.

4 Chapter 1, "Small Arms, Big Business: Products and Producers," *Small Arms Survey 2001 Profiling the Problem,* A project of the Graduate Institute of International Studies, Geneva (Oxford: Oxford University Press Inc., 2001), pp. 9-10.

for establishing some norms. While there exist some agreed global norms and standards against weapons of mass destruction, there are no such standards and criteria that can be used in reducing excessive and destabilizing accumulation of such armoury.

It is true that weapons do not kill people, people do. Conflicts occur due to deep-rooted causes that are often never easy to resolve and get progressively worse with the passage of time. It is only through eradicating the root cause of the violence that we can hope to reduce its occurrence. But, the scale of violence and the resultant deaths from it are helped enormously by the widespread availability of the means of killing. Both the intensity and the duration of violence are determined by the availability of SAs and their proliferation in the region of conflict.[5] This violence takes shape of an extremely vicious and vehement cycle, which not only breeds from the frustrations arising out of socio-economic and political inadequacies and injustice, but also in its wake leads to further social anomalies.

This paper will survey some of these issues that surround current attempts to slow or reverse the proliferation of SAs and LWs. It will discuss briefly:

a. What threat LWs pose to the overall Human Security perspective, and the relative importance of this threat?
b. What different policy frameworks for the problem of SAs and LWs have been identified?
c. What are some of the general obstacles that render ineffective international actions in this area?
d. With the focus of our study being on the South Asian case study at large and Pakistan specifically, the paper would review the major sources of SAs and LWs proliferation in the country and its broader socio-political implications. Finally some remedial measures would be discussed, for an effective control of this scourge and issuance of an effective state mechanism providing its citizens with the basic security needs.

What is Human Security?

Before we move further on, to discuss the issue of SAs, let us first dwell on the fundamental question, as to what exactly is meant by the concept of Human Security? To begin with, human security does not supplant national security, rather it brings security to the level of the people, in the process asserting that the security of the state is not an end in itself, but a means of ensuring security for its people. In this context, state security and human security are mutually supportive.[6] The specific phrase, Human Security has been defined in the 1994 UNDP Human Development Report by the late Dr Mahbub-ul-Haq, as "the summation of seven distinct dimensions, economic, food, health, environmental, personal, community and political security." A central strategy for promoting human security calls first and foremost for the building of an effective, democratic state that values its own people and protects minorities. For human security of the people strengthens legitimacy, stability and security of the state. When states are extremely aggressive, internally repressive, or too weak to govern effectively, they threaten the security of

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[5] Brian Wood, "Human Security – Not Small Arms Abuse," paper presented at the conference on *Small Arms and the Humanitarian Community: Developing A Strategy for Action*, Nairobi, Kenya, Nov. 19-20, 2001. http://www.iansa.org/documents/2002/Nairobi_Conference report. htm#_Toc12165151.

[6] H.E. Ferry de Kerckhove, High Commissioner of Canada to Pakistan, in his speech on "Eliminating Small Arms – A Key Component of Canada's Policy on Human Security," at the Institute of Strategic Studies, Islamabad, Nov. 8, 2000.

their people and those beyond.[7] This has a very negative impact on the societal development, deepens and enhances political, religious and sectarian fissures and polarization, which in turn retards opportunities for economic growth and development. Over a period of time people in such states loose confidence in the ability of the law enforcing agencies to protect them, and gradually the society moves towards an anarchic situation, with the common man taking to firearms for their personal protection and security. Usually the trend has been that such a situation does not remain confined to a single state or society alone, but in fact has a domino effect on its neighbouring areas as well.

The Charter of the United Nations embodies the view that security cannot be achieved by a single state in isolation. The very meaning of the phrase, International Security and Peace implies that the security of one state depends on the security of other states. A human security perspective thus builds on the logic that the security of people in one part of the world depends on the security of people elsewhere. In Pakistan's perspective, an example could be the impact of the appalling human security situation in Afghanistan on the everyday life of Pakistani citizens.[8]

Complimentary to human security is Human Development, which is only possible when the state ensures protection of its citizens from crime and political violence. It also extends to them the fundamental human and political rights, and equitable access to justice. The absence of such guarantees of human security constitutes a powerful barrier to human development. Regardless of the socio-economic class structure, if people lack confidence in society's ability to protect them, they will have little incentive to invest in the future. Human security provides an enabling environment for human development. Where violence or threat of violence makes meaningful progress on the developmental agenda impractical, enhancing safety for people is a necessary pre-requisite.

At the same time, promoting human development can also be an essential first step for furthering human security prospects. By addressing inequalities, which are often the root cause of violence and aggression, by strengthening structures of governance and by providing humanitarian assistance, development compliments political, legal and military initiative in enhancing human security.

In today's conflict zones, more than 100 million people are chronically malnourished, while in the mid 1990s, the world had nearly 27 million refugees and displaced persons, an eleven-fold increase since 1970.[9] Development has fallen precipitously, and as the World Bank Report notes, "Conflict can destroy human capital gains and development investment that took decades to accumulate." The crux of the problem is a global availability of LWs out of state control that has fuelled conflict world wide and prevented peace keeping and conflict management from making perceptible dent in any of these areas. Estimates of global availability are difficult, but one source puts the figures a little over 500 million, with at least 4-6 billion Dollars worth of weapons in Afghanistan alone.[10]

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[7] Ibid.

[8] Ibid.

[9] Michael Renner, "Small Arms, Big Impact: The Next Challenge of Disarmament," *World Watch*, Paper 137, Omri Daily Digest , Feb. 21, 1997.

[10] Tara Kartha & Ayesha Agha, "Curbing the Weapons of Civilian Destruction in South Asia," International Centre for Peace Initiative, Mumbai, 1999, p. 5.

The Scourge of Small Arms

The proliferation of SAs and LWs is a major obstacle to any process seeking to establish or consolidate a lasting internal or external peace. In countries affected by violent conflict, wide spread SAs proliferation, possession and usage are key elements in the perpetuation of conflict, political and economic marginalization and insecurity.

SAs and LWs range from clubs, knives and machetes to those weapons just below those covered by the UN Register of Conventional Arms, e.g. mortars below the calibre of 100 mm. The SAs and LWs that are of main concern are those manufactured to military specifications for use as lethal instruments of war.[11]

LWs refers to crew portable land-based armaments. This definition includes SAs such as pistols, rifles, assault rifles and submachine guns; light and medium range machine guns; heavy machine guns (HMG) with a calibre not exceeding 14.5 mm; anti-aircraft and anti-tank missiles, light mortars and grenades.[12]

If we need to examine as to why do SAs and LWs have such a widespread appeal, then few characteristics that come forth are, that:[13]

a. These have an exceptionally low rate of obsolescence.
b. They rarely require spare parts.
c. They do not need an introductory elaborate infrastructure for their production and manufacture.
d. Once the control over these weapons is lost, it becomes very difficult to maintain some kind of control or regulation.
e. They can move from one sub-state actor/group to another with considerable speed.
f. Less expensive than conventional weapons, they can easily be used without extensive training and being light, are fit to be carried on person

Besides, SAs and LWs are weapons of choice in most internal conflicts for a number of reasons: they are widely obtainable, relatively cheap, deadly, easy to use and easy to transport. Unlike major conventional weapons, such as fighter jets and tanks, which are procured almost exclusively by national military forces, SAs span the dividing line between government forces - police and soldiers - and civilian populations. Depending on the gun laws of a particular country,[14] (if such regulations even exist or are enforced) citizens may be permitted to own anything from pistols and hunting guns to military-type assault weapons.

In contrast to the declining trade in major weaponry since the end of the Cold War, global sales of SAs and LWs remain strong. No organization, private or public, provides detailed data on the global trade in these weapons, in part because of the difficulty of tracking so many transactions (and because of the low level of attention that has been paid to the problem). Reliable estimates of the legal trade in

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[11] Brain Wood, op. cit.

[12] Chris Smith, *The Impact of Light Weapons on Security: A Case Study of South Asia*, SIPRI (Stockholm: Oxford University Press, 1995), p. 5.

[13] "Light Weapons, Small Arms & Landmines*," An Identification Manual,* Centre for Defense Studies, King's College, London, Dec. 1997.

[14] "Revised Category I – Firearms, Close Assault Weapons and Combat Shotguns," acquired from http://www.pmdtc.org/Firearm_Categ1.tm. U.S. Dept. of States, Office of Defense Trade Control. http://www.state.gov/images/home.gif

SAs and LWs put the annual figure between $7 billion and $10 billion[15]. A large but unknown quantity of SAs worth perhaps $2 billion to $3 billion a year is traded through black-market channels[16]. Because data are so scarce, comparing these numbers to those for SAs exports during the Cold War is difficult. But studies in Southern Africa and the Indian subcontinent do indicate that during the 1990s the availability of modern assault rifles increased considerably.

Governments transfer vast quantities of SAs either through open, acknowledged military aid programmes or through covert operations. And as the size of their militaries has dwindled, Western and ex-Communist countries have sold off their excess weapons to almost any interested party. Most arms though are sold by private firms on the legal market through ordinary trade channels. Although such sales are supposedly regulated, few countries pay close attention. The US probably has some of the strictest controls, but even so, it sold or transferred 463 million Dollars worth of SAs and ammunition to 124 countries in 1998 (the last year for which such data is available). Of these countries, about 30 were at war or experiencing persistent civil violence in 1998; in at least five, U.S. or U.N. soldiers on peacekeeping duty have been fired on or threatened with U.S.-supplied weapons.[17]

The former U.S. Secretary of State, Madeline K. Albright, in her speech to the U.N. Security Council on U.S. policy shift solely from crime-related illicit firearms trafficking to a concern about weapons shipments — whether legal or otherwise into Zones of Conflict, stated that, "This dirty business fuels conflict, fortifies extremism, and destabilizes entire regions. All of us who sell such weapons or through whose area the traffic flows, bear some responsibility for turning a blind eye to the destruction they cause." [18]

There is available relatively scant data on the quantity or dollar value of SAs sold by other manufacturers. Based on existing weapons inventories of military and police forces around the world, certain major suppliers can be identified — Russia (maker of the AK-47 assault rifle and its derivative, the AK-74), China (maker of an AK-47 look-alike known as the Type 56 rifle), Belgium (FAL assault rifle), Germany (G3 rifle), the US (M16 rifle) and Israel (Uzi submachine gun).[19]

The excessive and destabilizing accumulation and transfer of SAs and LWs is closely related to the increased incidence of internal conflicts and high levels of crime and violence. It is, therefore, a legitimate concern for the international community, groups and individuals operating outside the reach of State and Government forces making extensive use of such weapons in internal conflicts. Insurgent forces, irregular troops, criminal gangs and terrorist groups are using all types of SAs and LWs. The illicit trafficking in such weapons by drug cartels, criminals and traders in contraband goods has also been on the increase. The main problem area that should be dealt with is the source and availability and not merely

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[15] Arms Trade News. http://www.clw.org/atop/atn/atn_final.html# from the site of the Council for a Livable World. http:/www.clw.org.

[16] EU Program for Preventing and Combating illicit Trafficking in Conventional Arms, http://www.iansa.org/documents/regional/reg6.htm

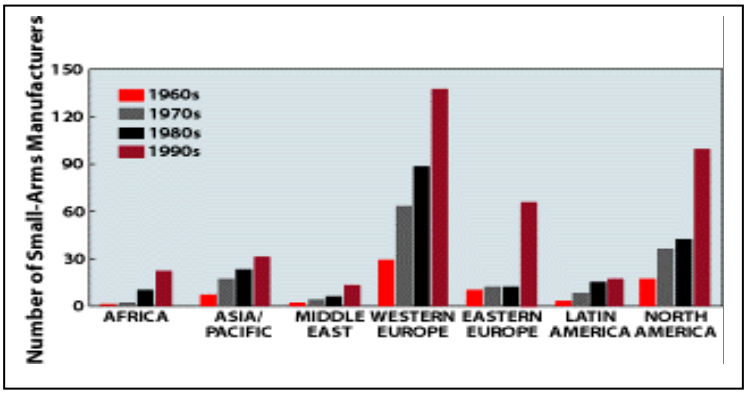
[17] DoD Monitors Defense Spending, acquired from http://www.defenselink.mil.news/Jun2000/b06202000_bt318-oo.html

[18] Lora Lumpe, "The Leader of the Pack," *The Bulletin of the American Scientists*, (Jan/Feb. 1999), p. 27.

[19] Jeffery Boutwell & Michael Klaire, "Waging a New Kind of War: A Scourge of Small Arms," *Scientific American*, June 2000, p. 3.

the accumulation of these weapons that contributes to the exacerbating of conflicts
by increasing the lethality and duration of violence. By encouraging violent, rather

Figure I: Trend of SAs Manufacturing in Various Regions of the World



Graph: Laurie Grace[20]

than a peaceful resolution of difference and by generating a vicious circle of a greater sense of insecurity, provocative conditions are created which lead to an increasing demand for and use of such weapons. [21]

Through the following figure, an effort has been made to highlight the effects and problems posed by SAs proliferation and its impact on human security situation.

Figure II: Different Ways of Framing the SAs and LWs Problem[22]

Statement of Problem	Description of Problem	Way LWs Contribute as a Cause or Catalyst
Humanitarianism and Human Rights	Culture of violence; child soldiers; personal insecurity; vulnerable groups (women, visible minorities, ethnics); excessively injurious weapons	Proliferation of Sas; weak national control systems; vicious cycle of violence

[20] Pete Abel, "Manufacturing Trends: Going to the Source" in Lora Lumpe, (ed.), *Running Guns: The Global Black Market in Small Arms*, International Peace Research Institute, Oslo, (London: Zed, 2000), p. 83.

[21] *Report of the Panel of Governmental Experts on Small Arms*, UN Security Council Document A/42/298. 27, Aug. 1997.

[22] Keith Krause, "The Challenge of Small Arms and Light Weapons," paper presented at the 3rd International Security Forum and 1st Conference of the PFP Consortium of Defense Academies and Security Studies Institutes, (Kongresshaus Zurich, Switzerland, 19-21 Oct. 1998).

Public Health and Criminality	Drugs/terror/arms nexus; increase in petty criminality or "disorganized" crime; "contagion effect"	Weak national export/import control systems; weak law enforcement; state corruption
Economic Development and Good Governance	"Gun as livelihood" problem; extortion; "Mafia;" corruption; weak climate for investment	Weak or eroded governance structures; economic underdevelopment
Communal Conflicts	Flow of LWs increases level of violence and intractability of communal wars	Deep-rooted causes, but easy access to LWs thwarts peaceful solutions to conflicts and facilitates slide to violence
Extra-Regional Conflict Intervention	Grey market transactions (government to government or insurgent) designed to affect course of a conflict	No international transparency
Regional Destabilization	Spill over of conflicts; recycling of surplus weapons	Weak accountability and tracking mechanisms; no post-conflict disarmament measures
International Terrorism	Potential attacks on high profile "soft targets" around the world	Proliferation of sophisticated LWs, e.g.: Stinger anti-aircraft missiles

In Pakistan the issue of SAs is that of proliferation, as well as its production (i.e. by indigenous elements) and added to this is the problem of culture, let alone a legacy of conflicts. But before taking up Pakistan's case study, let us focus on the two main reasons for the increase in the supply of these weapons. According to Chris Smith:

a. **The availability of modern LWs may raise the level of violence.** Implying that if those under attack feel insecure, possession of LWs - such as assault rifles - could allow an individual or a small group to inflict considerable damage upon a numerically larger group, the majority of which either are poorly armed or totally unarmed. However, even if the short-term effect could be self-defence, the long-term consequence might be to limit, if not negate, other ways of addressing conflict resolution by peaceful means and to start an arms race. It is possible to imagine a sub-national arms race with both sides seeking types of weapons, which they believe the other side has already acquired. This has occurred to a greater extent in Pakistan as well.

b. **These weapons can change the balance of power between the state and sub-state groups, such as insurgents and drug traffickers and**

> **other criminal.**[23] Because such weapons can move from one sub-state group to another with considerable speed due to their small size and relatively low cost. If they are available within the region or if a supply line can be established, particularly if funded by outside interests, sub-state groups can rapidly change the balance of power between themselves and the security forces. In some instances, security forces might even find themselves facing weapons that are more sophisticated than those to which they themselves have access.

Examples from within the South Asian Region are that of Afghan Mujahideen, Sikh separatists, Kashmiri freedom fighters etc. Even where these groups are unsuccessful in achieving their political or ideological goals, they extract a heavy price in terms of measures that the state is forced to adopt to counter their activities.

The Pakistani Case Study

The region of South Asia has been unfortunate enough to inherit similar patterns of violent conflict in at least three areas of Kashmir, Indian Northeast and Sri Lanka. Three cases of societal violence due to huge diffusion of weapons, have afflicted Karachi (Pakistan) as well as Indian Punjab, the Frontier regions including Afghanistan and violent political turmoil in Bangladesh and Sri Lanka, together with a rise in organized crime overall. This state is directly related to the fact that there are some 3 million weapons out of the control of state machinery[24] with more coming in, primarily from Afghanistan and the South East Asian and international black markets. Influx of these weapons is beginning to make their presence felt. Where as all countries of South Asia are affected by the scourge of SAs proliferation to different degrees. Pakistan has been the hardest hit, with the largest concentration of weapons. The source of this is known to be the CIA sponsored arms pipeline to Afghan Mujahideen through Pakistan in the 1980s. Besides this, is the traditional Darra in the Frontier region of Pakistan, commonly known as the Open Arms Bazaar. Outside Pakistan, a number of underground arms bazaar have grown - Cox Bazaar (Bangladesh), in areas outside major urban centres such as Mumbai and Delhi and a pipeline coming in via Nepal and Myanmar. In short, the issue of LWs is one that seems common to all states in the region and not limited to India and Pakistan alone.

The South Asian region seems to be progressing along two contradictory paths. On the one hand, it is perceived as a vibrant, multi-religious and multi-ethnic society that has by its very diversity and size, the potential to grow into a formidable economic and cultural pole of power and influence. On the other hand, this potential is being eroded from within and without by an unprecedented spread of LWs that has transformed religious diversity into a maelstrom of violence, communal fraction and pushed ethnic differences into a bloody and unrelenting conflict.[25] Simply put, the availability of SAs and LWs has weaponised societal discontent and empowered a variety of non-state actors of all kinds. Facing them, the police and para-military forces, often let loose a reign of terror under pressure to retrieve the situation. Caught in between these two factions, i.e. one state and the other non-state, are men, women and children who want no part of either but suffer most of the casualties.

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[23] Smith, op. cit., pp. 584-585.

[24] This includes 35,000 in India, 100,000 in Karachi, at least a million along the Frontier and a gun per family in Balochistan and at least 10-12,000 with the Tamil Tigers.

[25] Tara Kartha & Ayesha Agha, op.cit., p. 7.

In a study conducted on the pilferage and trafficking of SAs, Brig. Shahidul Anam Khan regards the end of the Cold War and transformation of the world order as the main cause behind the easy flow, availability and trade of these weapons at illicit level.[26] The reason being that in this transitional phase, Europe, North America and Asia unveiled their huge arms stockpiles, creating a glut in the world arms market of used but quite modern weapons. This gradually put pressure on cash-poor countries — such as the former Soviet Union and Eastern European countries — to sell their surplus. Not all of these transactions, however, were done officially. Arms were also sold illegally, ensuring LWs delivery around the world through the black market, secret government - to - government deals and the sponsorship of sub-state groups.

Sources and Incentives for LWs in Pakistan

The motives for which suppliers and recipients engage in transfers may be mixed. Suppliers may have political agenda or commercial motives or a mix of the two. In particular reference to Pakistan, the predominant form of acquisition of weapons by security forces as well as non-state actors continues to be through:

a. Imports or foreign technology transfers.[27]
b. The availability of LWs in other parts of South Asia partly reflects the onward shipment of weapons originally intended for use in Afghanistan.
c. A major source of weapons purchase, proliferation and production is the centuries old, Darra which was once regarded as a cottage industry but has now become a huge industrial enterprise, free of government's control and taxation policies. The private gun manufacturing units of Darra have a production capacity of not less than a hundred AK 47s per day. Proud of their skill, the gunsmith of Darra Adam Khel and Landi Kotal, as well as those scattered around Peshawar, certain parts of Balochistan and Afghanistan are proficient enough to manufacture any kind of sophisticated fire arms, which are much cheaper in cost.[28]
d. The Soviet invasion of Afghanistan in December 1979, ushered in a new era in the LWs trade in South Asia. Other interested parties also contributed directly and indirectly to Mujahideen, such as China (weaponry) and Saudi Arabia (financing). Pakistan became the conduit for this massive military assistance programme, with the CIA coordinating the supply of weapons and the Pakistani ISI responsible for receipt and distribution. [29]
e. Since the end of the Afghan War, the availability of arms on the commercial market has increased considerably and in some cases prices have fallen. For one thing, many Afghans returning to their country

[26] Shahedul Anam Khan, Preventing Illegal Flows," op. cit, p. 198.
[27] Lora Lumpe, op.cit., pp.27-28. The author has discussed in detail US Foreign Assistance Act and its active material support to allied warring actors during covert operations.
[28] For a detailed study of Darra Gunsmith and the impact of LWs on the Pakistani society, see Ayesha S. Agha, "Arresting Light Weapons Proliferation in South Asia: Is There a Way Ahead," in *Over a Barrel, Light Weapons and Human Rights in the Commonwealth*, Publication of the New Delhi based CHRI, Commonwealth Human Rights Initiative, (Russell Square, London, 2000), p. 96.
[29] Chris Smith, "Light Weapons & Ethnic Conflict in South Asia," in Jeffrey Boutwell, Michael T. Klare, and Laura W. Reed, (eds.), *Lethal Commerce: the Global Trade in Small Arms and Light Weapons* (Cambridge, MA: American Academy of Arts and Sciences, 1995), pp. 62-3.

after months or years in the refugee camps in the NWFP left their weapons behind in Pakistan.

Based on these sources, the various weapons on sale fall into four categories:

a. First, there are weapons that leaked from the U.S.-supported arms pipeline. Following the Geneva Accord, which effectively marked the withdrawal of Soviet occupational forces, U.S. arms supplies actually increased to ensure a Soviet withdrawal. All of these systems, notably the Stingers remained in the region after the Soviet withdrawal.
b. Second, the stocks of Soviet weapons captured by the Mujahideen during the conflict.
c. Third, those manufactured by the small-scale producers within the region. This would include both the Darra private gun manufacturers and the state licensed and regulated public arms producers.
d. And finally, arms bazaars of NWFP are full of miscellaneous weapons that arrive in the region through extremely circuitous routes - from Vietnam or the Middle East. [30]

Chris Smith in his study also taps the Pakistan Ordinance Factory (POF) as a possible source, but the likelihood of any pilferage is very less, given the stringent control measures enforced. In any case, the array of weaponry on sale in the arms bazaars makes the NWFP a unique region in South and South-western Asia, with virtually any type of weapons available for purchase without any state regulation.

Negative Fall-Out of Small Arms Proliferation for Pakistan

One region that was most directly affected by the growing availability of SAs and LWs has been the province of Sindh, and its state capital Karachi. Though the problems in Sindh have been more political than ideological, much division occurs along ethnic lines. Throughout the 1980s, levels of violence in Karachi reached unprecedented and shocking levels prior to Pakistan Army intervention in 1992. Although, Sindh traces a streak of violence, several analysts from Karachi agree that the dramatic increase in the violence and polarization dates from 1985 to 1986, when weapons from the Afghan pipeline began to find their way into commercial channels.

Dr. Ayesha Agha in one of her studies[31], pinpoints several factors that have affected and in turn been adversely hit by the SAs proliferation and these namely being:

a. Ethnic divisions and bad governance.
b. Rise in sectarianism, coupled with mushrooming of religious schools that took sectarian ideology to the grass roots level, enhancing dogmatic orthodoxy.
c. Lack of social and human development, accompanying fragmentation of Pakistan's Muslim society.
d. Systematic judicial corruption.
e. Very adversely affected economic indicators.

[30] Ibid.
[31] Ayesha S. Agha, op.cit., pp. 96-102.

f. Added to these is an additional factor of fragmentation of Afghanistan, rise of Taliban movement, which was followed by an Islamization of arms transfer.
g. Appeasement policies adopted by the political leadership. Awarding various alliance group members with prohibited bore licenses.

The impact of these factors on the overall societal growth and human security aspect of the Pakistani society was extremely negative. The rising sectarian, dogmatic orthodoxy coupled with easy access and unabated usage of firearms besides instilling deep-rooted fears in the masses brought Pakistan close to being labelled as a terrorist state.

Conclusions and Recommendations

Although there is no easy answer to Pakistan's insidious gun culture, encouraging signs are apparent in the sitting regime's keen interest in, if not totally eradicating, at least managing this manic. Evident from the Government's Seven Point De-escalation Plan, to make Pakistan a weapon free society,[32] a ban has already been enforced on carrying weapons and their display, along with a ban on issuance of all kinds of arms licenses. The Government also plans to recover illicit arms, cancel prohibited arms licenses and regulate arms manufacturing in the Darra Bazaar.[33] by providing the Darra gunsmiths opportunities for regular employment at state-run ordnance factories; also to benefit from their skill and expertise.

Yet the solution to this deep-rooted problem is not so simple. In Pakistan the twin manic of widespread corruption and weak leadership has cast a very negative impact on the overall domestic, as well as regional human security situation. The above mentioned 7-point plan, and the Government's actions towards curbing the spread of terrorism and militancy are indeed a much desired first steps towards a safe, secure and stable future, the present Government's efforts so far have not been able to yield any positive dividends. The few examples of providing the Darra gun-manufacturers alternate vocation at the state run factories, has very little monetary incentive for them. Convincing a sizeable population of the country mainly belonging to the frontier or tribal areas, to give up their generations old tradition of displaying guns is not a very easy task. The state regulations may be effective in select urban belts where already a sizeable number of gun-carrying population is licensed, but the main problem area is the unmarked, unlicensed, black-marketed weaponry which remains out of the state control and very much in demand, given the pervasive environment of conflict.

[32] No New Licenses, says Moin: "Ban on Carrying Arms from Next Month." *Dawn,* February 16, 2000.
[33] "22 Darra Gun-makers Provided Jobs at POF Wah," *The News,* Dec. 19, 2000.

Figure III: Some Short and Medium-Term Policy Options[34]

Statement of the Pakistan	Potential (or Attempted) Solutions	Possible International or Multi-lateral Instruments/Forums
Humanitarianism and Human Rights	National firearms control/licensing legislation and enforcement; weapons "buy-backs;" cantonment and storage measures	Certain Conventional Weapons Convention; humanitarian law; codes of conduct; multilateral treaties; global monitoring, transparency and "accountability" measures; grassroots efforts
Public Health and Criminality	SAs crime and injury surveys; firearms marking and tracing; curtailing of black market; tighter export/import control systems; police training	UN Crime Commission; WHO; regional or global regulation of illicit arms traffic (OAS 1997); international cooperation between police forces and between customs services (Interpol); global marking/registration and tracking
Economic Development and Good Governance	Post-conflict demobilization and retraining; good governance programs; work with development community	Cooperation with OECD DAC, major donor states, international financial institutions; UN and multilateral assistance programs; Peace settlement/peacekeeping guidelines
Communal Conflicts	Pre-conflict early warning; gun market monitoring and tracking; post-conflict disarmament measures	Multilateral peace and security operations; enhanced post-conflict disarmament elements; tighter end-use certification
Regional Destabilization	Regional measures to interdict cross-border weapons flow; post-conflict and surplus weapons destruction	Regional border and customs cooperation agreements; regional codes of conduct or transparency measures (ASEAN, EU, OAS); regional security regimes
Extra-Regional Conflict Intervention	Embargoes; supply-side restraint; post-conflict disarmament	Supplier state (and supplier-recipient) restraints regimes (Wassenaar); UN Arms Register; supplier codes of conduct; specific security and arms control measures
International Terrorism	Inventory or tracking of transfer of specific sophisticated light weapons systems; MTCR-like restraint	Regional or global intelligence cooperation; sanctions against states supporting terrorism; international legal anti-terrorist instruments

The above figure provides a list of options ranging from the immediate state to international level that can be adapted to solve the problem of small arms proliferation and pilferage.■

[34] Keith Krause, op. cit.

India's Anti-Ballistic Missile Programme: Impact on Pakistan's Security

Zafar Nawaz Jaspal *

India's commitment to develop and procure anti-ballistic missile (ABM) defence systems — designed to defend the Indian homeland — holds a defensive inclination. Simultaneously, it has a potential to challenge Pakistan's security by upsetting the mutual deterrent relationship between India and Pakistan built on retaliatory capabilities. An effective Indian ABM force deployed against Pakistan's offensive nuclear capable ballistic missiles would not only undermine its nuclear deterrence against India but also dramatically increase the Indian ability to launch a disarming/decapitating first strike against Pakistan's nuclear assets.

The development/procurement and operationalization of ABM systems by India, certainly introduce an element of uncertainty into an already militarised situation between India and Pakistan. In such a situation, the Pakistanis might feel more vulnerable and less secure, psychologically. Worst-case analysis and mirror imaging could oblige Pakistan to devote more resources to its defences for sustaining its nuclear deterrence. The credibility and effectiveness of the Pakistan's nuclear deterrent is based on the manifest capability to inflict unacceptable damage on India, if it attacks.

The issue that India's ABM system would undermine Pakistan's nuclear deterrence is also debatable. The development of foolproof ABM system is extremely costly and complex. The important question is that whether India will be able to develop and deploy an effective ABM system in the near future? Will it provide an effective defensive shield to India against Pakistan's nuclear strikes? What is the appropriate strategy to counter this new emerging challenge to Pakistan's nuclear deterrence? Such questions need serious considerations. In the following discussion, the impact of Indian ABM on Pakistan's deterrence is analysed and appropriate strategies for countering this new emerging challenge to Pakistan's security are discussed. Before envisaging the possible repercussions and discussing the counter measures, it is important that one should be aware of the Indian ABM potential, which is being developed with the assistance of Russian Federation, Israel and the United States (U.S.).

Indian ABM Programme: Other States Contribution

India's ABM capability has evolved after many years of clandestine research and development. Since July 1983, the Indian scientists have been engaged in fusing the foreign and domestic research and components for the development of the Theatre Missile Defence (TMD).[1] India's other preference for augmenting its

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[1] In July1983, under India's Defence Research and Development Organization (DRDO), India launched a $ 1 billion Integrated Guided Missile Development Program (IGMDP). The IGMDP today comprises five core missile systems. They are Prithvi series, Agni series, Akash, Trishul and Nag. In addition to these five core missiles, Surya and Sagarika are also part of IGMDP. For technological and military usage details about these missiles, see Zafar Nawaz Jaspal, "India's Missile Capability: Regional Implications," *Pakistan Horizon*, Vol. 54, No. 1, (January, 2001), pp.33-64.

TMD potential is to buy these missiles from the friendly states. The Russian Federation and Israel have signed agreements with India, under which India has been receiving TMD components and technology from these states. The U.S. has been forging a new strategic partnership with India, in order to contain its future adversaries in Asia. Therefore, instead of opposing India's missile build-up, the U.S. is supporting it.

Ironically, these states condemn Pakistan's indigenous missile programme and oppose alleged transfer of missile-related technology. On September 1, 2001, the Bush administration announced that it would levy sanctions on a Chinese privately owned Metallurgical Equipment Corporation for shipping missile equipments to Pakistan's state-owned National Development Complex, in violation of a pledge Beijing made last November.[2] On April 28, 2002, however, the successful trial of India's BrahMos — supersonic cruise missile developed jointly with the Russian Federation has not been condemned by the U.S.[3] The important contributors to the Indian ABM programme are discussed in the succeeding paragraphs.

United States

The U.S. has increased her level of engagement with India in the recent years. The Bush administration has further intensified its engagement with India, particularly in the military field. On July 18, 2001, General Henry H. Shelton, Chairman of the Joint Chiefs of Staff (U.S.) said in Delhi, "the U.S. hopes to establish a strong military-to-military relationship with India, which is a major power with global influence."[4] In the post September 11, 2001, international setting, the U.S. has sustained its previous arms deals and close military contact policies with India. On November 5, 2001, the U.S. Defence Secretary Donald Rumsfeld met with Indian Defence Minister George Fernandes in New Delhi and agreed to begin discussions on possible arms deals soon.[5] Admiral Dennis Blair, Commander-in-Chief of U.S. Pacific Command, visited India on November 28, 2001, to meet India's top defence officials. The two sides discussed conducting of joint military exercises, increasing military contacts, and reviving the U.S.-Indian Defence Policy Group, the forum through which Washington and New Delhi will hold talks on resuming military ties.[6]

The U.S. new strategic policy communicates that it will assist its allies in developing their defensive capabilities. India has been developing the missile defence systems by fusing the foreign and domestic research and missile components. India can derive many advantages from the U.S. new strategic policy. Therefore, India had endorsed U.S. BMD policy. On May 11, 2001, the then Indian

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[2] These sanctions were imposed because China was selling missile components prohibited by the Missile Technology Control Regime (MTCR). The MTCR is a voluntary regime of 33 states that restricts exports of missiles (and their components) capable of carrying a 500-kg payload to at least 300 km. China is not a member of the MTCR but agreed in 2000, to adhere to its guidelines.

[3] BrahMos — which derives its name from the Brahmaputra and Moscow rivers in India and Russia — has a range of almost 300 km and is designed for use from land, sea and aerial platforms. The BrahMos violated the Missile Technology Control Regime. "More tests for BrahMos Cruise Missile: Fernandes," *Hindustan Times,* May 8, 2002. <http://www.hindustantimes.com/nonfram/090502/dLNAT04.asp>.

[4] "U.S.-India Ties," *Dawn,* Jul. 19, 2001, p. 16. See also "Rocca Hints at Lifting of Sanctions" *The Times of India,* July 24, 2001. <http://www.timesofindia.com/articleshow.asp? art_id=1388952703>

[5] Wade Boese, "U.S., India Discussing Arms Deals, Military Ties," *Arms Control Today.* <http://www.armscontrol.org/act/2001_12/indarmsdec01.asp>

[6] Ibid.

Defence and External Affairs Minister, Jaswant Singh, said after an extended hour-long meeting with visiting U.S. Deputy Secretary of State, Richard Armitage, "We are endeavouring to work-out together a totally new security regime which is for the entire globe."[7] The U.S. Ambassador to India, Robert Blackwill, again confirmed this approach on November 21, 2001. He told reporters that the two countries have been discussing "exercises and education, arms sales and so forth" and that the U.S. anticipates a "robust U.S. - India defence relationship of kind that is unprecedented in our bilateral relations."[8]

The U.S. had invited India to the missile defence exercise and demonstration to be held in the U.S. This invitation was extended to India during the visit of U.S. Under Secretary of Defence for Policy, Douglas Feith, on December 3, 2001.[9] In May 2002, an elite brigade of Indian paratroopers, and the U.S. Pacific Command Special Forces conducted joint war games, code named "Ex Balance Iroquois" in the arid plain of Agra, India. This was the first joint exercise to take place after 39 years. Former Indian Air Vice Marshal commented, "We see much happening now in Indo-U.S. military cooperation besides just exercises. Now we also see equipment-transfer relationships emerging between the two sides."[10]

Russian Federation

Indo-Russian defence cooperation in the post-Soviet era has continued. In January 1993, India and Russia signed a twenty-year Treaty of Friendship and Cooperation replacing the similar 1971 Soviet-Indian Treaty. In October 1997, the Russians agreed to extend bilateral defence cooperation till the year 2010. Initially, the period was from 1994 to 2000. In March 1999, Russian Defence Minister Igor D. Sergeyev and his Indian counter part, George Fernandes, signed a military cooperation agreement to train Indian defence personnel in key Russian military academies.[11] These long-term bilateral defence cooperation programmes included the transfer of anti-missile defence systems. For example, in the first week of June 2001, the Indian and the Russian officials agreed on air defence system for India, which included the purchase of Russian S-300 PMU-1 surface to air missiles,[12] which is a highly mobile surface to air missile system. [13]

On June12, 2001, in a joint venture in missiles development, scientists of India and Russia successfully test-fired PJ-10 medium-range, two-stage (liquid-solid propellant) surface-to-surface cruise missile. The 6.9 meter long missile is capable of carrying multiple warheads and can hit a target at about 280 km within 300 seconds. The missile is specifically designed as an anti-ship weaponry system.[14] In addition, both states are discussing that India would buy three Russian aircraft, which would be fitted with the sophisticated Israeli Phalcon radar system.

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[7] "India Discusses New World Security Regime with U.S.," *The Hindustan Times,* May 11, 2001.

[8] Wade Boese, "U.S., India Discussing Arms Deals, Military Ties," op. cit.

[9] "Indo-U.S. Military Alliance," *Hindu World Wide Web—News and Views,* <http: //hinduworld.tripod.com/views/indous.html>.

[10] "U.S., India to Conduct First Joint War-games in Four Decades," May 5, 2002. <http://sg.news.yahoo.com/020505/1/2ozbz.html >

[11] Baidya Bikash Basu, "Russian Military-Technical Cooperation: Structures and Processes" *Strategic Analysis,* Vol. XXV, No.3, (June, 2001), p. 444.

[12] "Russia, India Agree to Joint Military Projects," *Arms Control Today,* (Jul./Aug. 2001), p. 30.

[13] Gregory Koblentz, "Theater Missile Defense and South Asia: A Volatile Mix," *The Nonproliferation Review,* Vol. 4, No. 3, (Spring/Summer 1997), pp. 52 - 62. See also Vladimir Radyuhin, "Fernandes in Moscow for Talks on Defence Ties," *The Hindu,* June 22, 2000.

[14] "India, Russia Successfully Test Cruise Missiles," *The Times of India,* June 13,2001. See also "India, Russia Test Cruise Missile," *The News,* June 13, 2001, p. 12.

Consequently, it would provide New Delhi an advanced air borne early warning capability.

Israel

Israel, according to the assessment of *Jane's Intelligence Review* (March 2000 edition) is aggressively seeking new customers for sales of weapons and military equipments. These sales are sometimes supported by offers of technology transfers and specialized advice.[15] Israel has no hesitation in the spread of the nuclear, chemical and biological weapons and the transfer of technologies related to the development of ballistic and other missiles. For example, Israel is transferring to India, its Arrow Anti-tactical Ballistic Missile (ATBM) and Phalcon-Airborne Early Warning (AEW) aircraft. India is also developing an AEW platform equipped with phased array radar technology, similar to be used by Phalcon, to cue its ATBM system.[16]

In addition, Indian Navy had finalized the deal regarding purchase of Barak anti-missile defence system with Israel. The Barak missile is designed to operate in high-clutter environment against small fast targets. Its range is 6-8 kms.[17] It can deal with sea skimmers coming in at under a meter in height. India decided to purchase Oren Yarok airborne radar warning and command (AWACS) systems and Advanced Electronic Guidance System and Remote Sensing and Observation Systems from Israel. Indo-Israel co-operation is vital for the success of the India's TMD project.

It was reported in *The Hindustan Times* that a Pentagon official said, "We expect U.S. policies to be more liberal in terms of defence transfers to India, not only with regard to Israeli exports, but also with regard to U.S. sanction legislation. This liberalization, we hope, will open a window of opportunity for us to finalize a number of pending deals," referring to the nearly $1 billion worth of contracts under discussion or in negotiation.[18] It is expected that the pending deals could be finalized in near future because in September, 2001, President George W. Bush waived sanctions enacted after India's May 1998 nuclear tests that had prohibited the U.S. from selling U.S. arms to or maintaining close military contacts with New Delhi. Consequently, the new Indo-U.S. strategic understanding has boosted Indo-Israel defence cooperation.

Indian Capabilities: An Appraisal

India decided to place priority on the development and procurement of TMD. According to the published literature, the Indian scientists have successfully developed a limited capability of TMD, designed to protect Indian forces from the hostile theatre and tactical missiles. Presently, they are conducting its verifying tests. While, it is an open secret that their plan is not only limited to the development of the TMD, they have designs to extend or expand these capabilities, which could provide an effective defensive shield to entire India against the Chinese and the Pakistani theatre and strategic ballistic missiles. In simple words, one can say that Indian ABM scope is, more or less identical to the U.S. National Missile Defence (NMD) system. Many Indian strategic pundits call for an early nation-wide

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[15] William Ashton, "Myanmar and Israel Develop Military Pact," *Intelligence Review*, Vol. 12, No. 3, (Mar. 2000), pp. 35-38.

[16] Gregory Koblentz, op cit. See also Vladimir Radyuhin, op. cit.

[17] "Proven Capabilities in Defence System," *Asia Military Review*, Vol. 8, Issue 1, (Feb./Mar., 2000), p. 46. See also "Navy Sets up Panel for Israel," *The Hindustan Times*, Apr. 13, 2000.

[18] Aziz Haniffa, **"**U.S. May Let Israel Arm India," *The Hindustan Times*, May 11, 2001.

ABM deployment. However, the development of the ABM systems is not going apace, because India lacks technological expertise in this field.

India needs to master in the following components of weapons and sensors for deploying an effective ABM system against Pakistan and China:

a. Battle Management Command and Control Centre. The centre should possess advance technologies, which constitute appropriate C^4I system (command, control, communications, computers and intelligence).[19]
b. A ground-based Ballistic Missile Interceptor Missile.
c. Warhead or exo-atmospheric Kill Vehicle mounted on the interceptor.
d. High Frequency Land Based Early Warning Radar, for example, x-band radar and space based information gathering (satellite) systems. For identifying and detecting hostile missile (short, medium, intermediate-ballistic missiles)[20] from its launch boost phase and its approximate flight course, tracking its path and forwarding its data to the Command Centre.

India's Satellites Potential

The space satellites are an integral component of missile defence systems. These satellites would be used for early warning to detect a ballistic missile from its launch boost phase. In addition to the identification of the location of the missile launch site, they provide information about its approximate flight course. The Indian Space Research Organization (ISRO) with the foreign assistance has been developing defence support programme satellites and their space-based infrared system.[21] The Indian Remote Sensing (IRS) series of satellites are in orbit, which can be used for the TMD.

In December 1995, the IRS-1C was launched. Its panchromatic camera has a resolution of 6 meters, which allows satellites orbiting at the height of approximately 800 km, to see ships, bridges, buildings and other installations. With an infrared and wide angle field camera as back up, IRS-1C can also achieve satellite surveillance capability to prepare detailed terrain maps highlighting important enemy military installations, which are invaluable in war. The cameras can also record and keep imageries on board, and these can be retrieved as and when required. India's indigenous remote sensing capability for military applications got a boost when ISRO launched IRS-1D in September 1997, using an Indian launch vehicle.

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[19] Information collection, communication, analysis and exploitation have always played a key role in military strategy and operations. C^4I systems designed to support a commander's exercise of command and control across the range of military operations and to generate information and knowledge about an adversary and friendly forces. *Realizing The Potential of C^4I Fundamental Challenges* (Washington, D.C: National Academy Press, 1999), pp. 1, 27-28.

[20] Short-Range Ballistic Missile (SRBM) range is 1,000 km. Medium-Range Ballistic Missile (MRBM) range is 1,000 - 3,000 km. Intermediate-Range Ballistic Missile (IRBM) range is 3,000 - 5,500 km. Intercontinental Ballistic Missile (ICBM) ranges over 5,500 km. Submarine-Launched Ballistic Missiles (SLBM) have various ranges. SLBM is generic term given to all varieties of ballistic missiles launched from the submarine, therefore, no ranges are given. *East Asian Strategic Review 2001*, (Japan: The National Institute for Defense Studies, 2001), p. 54.

[21] As far as Indian satellites development programme is concerned, India has successfully made many of the assemblies, control system components, guidance systems, sensors and various other electro-mechanical parts. But still many of their electronic components and materials are imported. A. P. J. Abdul Kalam and Y. S. Rajan, *India 2020- A Vision for the New Millenium* (New Delhi: Viking, 1998), p. 193.

The dual use IRS-1D with a resolution of 5.8 meters has pioneered techniques for using civilian remote sensing satellites for gathering military related intelligence from space, which includes monitoring of nuclear and missile related activities. Experts feel that IRS-1D's panchromatic camera is good enough to photograph a truck on the ground; this would make it possible to pick up armament factories, radar and communication installations, missile test sites and troop concentrations of the target country. Thus IRS-1D is the precursor to future Indian surveillance satellite, providing her with a cutting edge in intelligence-based warfare.

With expertise gained through designing, fabricating, launching and successfully operating remote sensing satellites, Indian space scientists would not find it difficult to build high-resolution reconnaissance satellites for the exclusive use of the armed forces. However, India still lacks right Space-Based Infrared System (SBIRS). The SBIRS-low orbit is considered to be capable of contributing to the accurate operation of an interceptor missile by monitoring the whole flight course from the boost phase of a ballistic missile launch, through the re-entry of warhead into the atmosphere and distinguishing a warhead from a decoy.[22]

Surface to Air Missiles

India has developed and tested a short-range surface to air missile - Trishul and medium range surface to air missile - Akash. India is trying to develop its Akash into Anti-tactical Ballistic Missile system (ATBM) and has claimed that it is comparable in capabilities to the US Patriot system.[23]

a. ***Akash (Sky).*** Akash is a low to medium altitude multi-target surface to air missile. It has a multi-target handling capability. Its range is approximately 27 km. According to DRDO sources, its thrusting range will be increased to 60 km and eventually to 120 km.[24] The missile uses a solid propellant rocket booster motor to accelerate itself to Mach 2, whereupon an advanced ramjet sustained cuts in for the remainder of the powered flight phase.[25] It is reported that Akash is a copy of the Soviet SA-6. An important feature of it is the Rajendra phased array radar, which is also a copy of Russia's S-300V anti-missile system.[26] The Rajendra radar is used for multiple target tracking and engagement. The Rajendra radar can reportedly track up to 64 targets at a range of 50 kilometers.[27] Once enemy aircraft are detected and identified, the radar locks on to each of them and launched up to 4 missiles at a time. No amount of manoeuvring by the enemy aircraft will be able to shake off the missiles homing on to them. The stated goal of the eventual upgrade project is to intercept missiles with ranges up to 2,000 km.[28] In addition, the Navy can use Akash missile and ground based forces too.

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[22] *East Asian Strategic Review 2001,* (Japan: The National Institute for Defense Studies, 2001), pp.54, 55.

[23] Brig. Naeem Ahmad Salik, "Pakistan's Ballistic Missile Development Programme-Security Imperatives, Rationale and Objectives," *Strategic Studies,* Vol. XXI, No. 1, (Spring 2001), p. 28.

[24] *Indian Defence Yearbook 1997-98,* p. *501.* See also Nazir Kamal, Pravin Sawhney, "Missile Control in South Asia and the Role of Cooperative Monitoring Technology," *CMC Occasional Papers* (USA: Sandia National Laboratories, Oct. 1998), p. 36.

[25] Ibid.

[26] Dr. Nazir Kamal, "India's Missile Strategy," *Dawn,* Jan. 10, 1997.

[27] Gregory Koblentz, op. cit.

[28] Ibid. See also *Indian Defense Yearbook 1997-98,* pp. 501-502. Pravin Sawhney, "Anti-missile Role Planned for Akash," *Jane's International Defense Review,* (Jan. 1997).

It would be effective against aircraft and short-range ballistic missiles, because it is capable of intercepting up to medium range missiles in the terminal phase. It would be used to replace the Russian Pehora SAMs, which comprise the bulk of the Indian air force defence missile system.[29] In August 1990, its first flight test was held. Since then, it had been tested more than eight times. It was planned to be given to the Indian Army in 2001.

b. ***Trishul (Trident).*** Trishul is a truck mounted low-level quick-reaction surface to air missile, with a range of 500 m to 9 km. It resembles Soviet SA-8, SAM. It has an on-board computerized control system. It was first test fired in 1985.[30] After 37 to 38 tests, it is currently undergoing user trials with the army and air force. This missile will be used by all three armed services of India. The Army version comprises a twin tail launcher assembly and Flycatcher radar unit mounted on a tracked BMP-1/2IFV chassis. The main target of the Army version is enemy aircraft. The Indian Air Force will use six-round launcher variant mounted on a locally built Czechoslovak Tata (8x8) truck chassis. The Air Force can also use it against enemy aircraft. The Navy, however, will use it as an anti- missile, against skimming missiles, like the Exocet or the Harpoon.[31]

Challenges for Pakistan's Security

Pakistan's geographical narrowness or lack of strategic depth and the Indian commitment to introduce more sophisticated nuclear capable delivery systems, like cruise missile, and ABM systems, pose serious challenges to the credibility of Pakistan's nuclear deterrence. Indian weapon procurement and development policy has the potential to erode strategic equilibrium and shift balance of power in its favour. The calculus of real-politic holds that India behind the safe missile shield might be more likely to adopt adventurous policies against Pakistan. For instance, by neutralizing Pakistan's retaliatory capabilities with the deployment of anti-missile systems, India could launch a conventional war or nuclear pre-emptive strike against Pakistan, without fear of nuclear retaliation from Pakistan. Such apprehensions have not only been expressed by Pakistani strategists,[32] but also by the foreign security analysts. Michael Quinlan wrote, "sudden strike and the use thereafter of systems such as Arrow to ward off surviving retaliatory capability might give India a pre-emptive option."[33]

Chalking out a counter strategy, simply based on the assumptions that India is developing an ABM system, is not an appropriate approach. Especially, when Pakistan lacks economic resources to develop its own ABM system. Pakistan's nuclear deterrence must take into account the following five interrelated issues:

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[29] Qazi, "From Prithvi to Agni," *Frontier Post,* Aug.11, 1997.

[30] Rahul Bedi, "Mixed Fortunes for India's Defense Industrial Revolution," *Jane's International Defense Review*, Vol. 32, (May 1999), pp. 23-30. See also Bernard Black, (edit), *Jane's Weapon Systems,* 19th Edition (1988-89), p. 170. See also "India Test Fires Trishul Missile," *The News,* Apr. 17, 1999. And see also *Indian Defense Yearbook 1997-98*, p. 496.

[31] *Indian Defense Yearbook, 1997-98.* pp. 550-501. See also Rahul Bedi, "Mixed Fortunes for India's Defense Industrial Revolution," op. cit.

[32] Brig. Naeem Ahmad Salik, "Pakistan's Ballistic Missile Development Programme-Security Imperatives, Rationale and Objectives," op. cit., p. 38.

[33] Michael Quinlan, "How Robust is India-Pakistan Deterrence?," *Survival,* Vol. 42, No. 4, (Winter/2000-01), p. 150.

a. The nature of threat posed by the ABM system.
b. The technical feasibility of India's ABM capabilities and its likely effectiveness in addressing Pakistan's offensive ballistic missiles capabilities.
c. Short and medium ballistic missile flight time, i.e. 3 – 11 minutes.
d. The geographical terrain of Pakistan.
e. The nature of nuclear weapons and effects of nuclear explosion.

Theoretically, during the future Indo-Pakistan conflict, India could target and destroy Pakistan's offensive missiles at the four different stages. They are:

a. Pre-launch Stage**,** means attacking the missiles before their launch.
b. Boost-phase Interception, means attacking the missiles while their rocket booster is accelerating them. During the boost phase, booster burns and the missile moves relatively slowly.
c. Exo-atmospheric Interception or in Midcourse, means attacking the missiles or their warheads during midcourse in the upper atmosphere or above it, when the attacking missile is travelling outside the atmosphere.
d. Endo-atmospheric Interception, means attacking the missiles or their warheads during the re-entry phase in the lower denser atmosphere. When the offensive missile is approaching its target within the atmosphere.

India needs advance ABM technology for targeting and destroying hostile ballistic missile at its pre-launch stage, in its boost phase, mid-course/trajectory, and re-entry phase. The available literature concerning the Indian scientific research and development indicates that it is too difficult for India to acquire proficiency in ABM technologies in the near future.[34] At the same time, one cannot underestimate Indian commitment to modernization of their nuclear and missile programme. During 1993 - 2000, military research and development expenditure by the India's Department of Defence Research and Development of the Ministry of Defence has increased by roughly 66 per cent. In addition, the Indian Department of Atomic Energy increased its total budget by 24 per cent in real terms over the period 1998/99-2000/01.[35] This indicates that India is spending a huge amount on its ambitious nuclear and missile programmes. Moreover, it is receiving missile technology assistance covertly/overtly from Israel and Russian Federation. The transfers of missile technology certainly enable India to overcome the shortcomings, which it is facing in the development of ABM system. But these developments do not provide India a foolproof missile shield against the Pakistani nuclear strikes.

The most feasible choice for India is to destroy Pakistan's offensive ballistic missiles at their pre-launch stage or in their boost phase. In fact, there is one inflexible rule about missile defence — the later you detect and intercept an enemy missile, the closer it will be when you destroy it, and the smaller the area you

[34] In 1999, the Indian All-Party Parliamentary Standing Committee on Defence severely criticized the ordinance factory board for operating its 39 units in a 'sub-standard environment' and under-utilizing their capacity. In order to overcome these drawbacks, the Indian Government has opened its monopolistic state-owned defence industry to private participation through licensing, with a direct foreign investment. See Rahul Bedi, "India's Defence Industry Open to Private Investors," *Jane's Defence Weekly*, (May 31, 2001). <www.defence.janes.com/New>.

[35] Elisabeth Skons, Evamaria Loosa-Weinttaub, Wuyi Omitoogun, Pelter Stalenheim and Reinhilde Weidacher, "Military Expenditure and Arms Production," *SIPRI YEARBOOK 2001- Armaments, Disarmament and International Security,* (London: Oxford University Press, 2001), pp. 253-254.

can defend. Conversely, the earlier you detect and act, the farther away it will be when you destroy it and the greater the area you can defend. Therefore, farther is better. It gives you enough time to gain a chance for a second or third shot if you miss. In addition, during the pre-launch stage the missile is at static position and easier to hit, instead when it is in flight. For this strategy, India requires advanced surveillance and efficient intelligence systems for the identification of missile deployments. Secondly, its own missiles should have high degree of accuracy. Both are not available as yet.

India's both Prithvi and Agni missiles have a large circular error of probability (CEP). T S Gopi Rethinaraj argued:

> Prithvi poses serious technical dilemmas. Even though India claims that it would use only conventional warheads with Prithvi, the high circular error probable of the missile is a serious deficiency in carrying out precise attacks. Deploying the short-range Prithvi with nuclear payloads, on the other hand, is fraught with other risks.[36]

Thus, with these missiles, India cannot initiate a disarming first strike in the present situation, though she is trying to overcome these drawbacks.

In boost phase, the offensive missile travels at a relatively slow speed, the target is large as compared to mid-course and re-entry phase. It presents a high infrared profile. It also eliminates the problems of dealing with multiple warheads or sub-munitions.[37] The problem with this option is that the reaction time is very limited. A boost-phase intercept would need to be conducted within the 250 seconds burn-time of an ICBM.[38] Therefore, in case of short and medium range missiles, the reaction time is even less than one minute. Secondly, a boost-phase defence can only work if the interceptor is stationed at a distance of 500km from the target.[39] Thus even if India would station an interceptor on its border with Pakistan, it would be incapable to target Pakistan's medium range missiles — Ghauri and Shaheen, that could be launched sufficiently far away from the eastern border. In addition, India's boost phase interceptors, in principle, would be vulnerable to Pakistan's short-range missile or aerial attack. The alternative to the ABM ground based boost phase intercept is the Air Force's Airborne Laser (ABL) and space based Laser. India's mastering in these sophisticated technologies will take many years.

In case of mid-course, the missile can be intercepted while it travels in the upper atmosphere or vacuum of outer space. In case of ICBM, mid-course is attractive because it is the longest phase. It permits more time for decision to the command and control centre for reaction. Secondly, it permits multiple chances to destroy a warhead.[40] Thirdly, the warhead is destroyed when it is moving through the space; therefore, there is no risk of the nuclear explosion fallout. However, the most serious problem with a mid-course option against Pakistan is that it's short and medium range missiles make smaller trajectory curve. India, however is reportedly receiving Israel's Arrow missile technology for its ABM systems. The Arrow-2 uses

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[36] T. S. Gopi Rethinaraj, "Nuclear Diplomacy Returns to South Asian Security Agenda," *Jane's Intelligence Review*, (May 2002), p. 41.

[37] Intercepting an ICBM in its boost phase — that is, while the rocket motor is still burning — has other advantages over attempting a mid-course intercept. Instead of having to hit a small, relatively cool warhead that is traveling quickly, the target is a large, hot booster that is moving more slowly. See Richard L. Garwin, "Boost-Phase Intercept: A Better Alternative," *Arms Control Today*, (Sep. 2000).

[38] Ibid.

[39] Dr. Ayesha Siddiqa Agha, "Facing Threat of Three-way Nexus," *Dawn*, Sep. 7, 2001, p. 7.

[40] Wade Boese, "Pentagon Seeks Missile Defense Budget Increase, Reorganization," *Arms Control Today*, (Jul./Aug. 2001), p. 21.

a mobile two-stage interceptor missile carrying a blast-fragmentation warhead. Its capabilities are identical to the Patriot PAC-3. Notably, Patriot PAC-3 is designed to defend limited areas from short and medium range ballistic missiles, cruise missiles and aircraft.[41] It seems that it can be an effective weapon against the tactical missiles or it can be used for defending counter force targets. This project, however, is being funded by the US, with usual restrictions.

Technically, intercepting during the re-entry phase or within the atmosphere is easier for the ABM because warhead is highly visible to radar and to optical sensors. Due to very hot 'wake' produced by the Mach-23 RV as it enters the atmosphere, balloons and light chaff are no longer effective against sensors; they will be retarded or destroyed on re-entry. Though there is little time left at this point. Computers can calculate the trajectory of the warheads, making interception possible. A sophisticated attacker, however, can complicate the problem by making the warhead manoeuvrable and the interceptor may not be able to determine its path. In this case the warhead must be destroyed twenty miles above the earth, otherwise there would be fall-out damages.[42]

Destroying nuclear warhead in the re-entry phase is not an appropriate defensive action. The fall-out damages associated with the nuclear explosion are inevitable.[43]

Pakistan's Strategy

India's deployment of missile defences would make imperative for Pakistan's offensive force modernization. So that it could guard itself and penetrate India's defences. The corollary of this anticipated action-reaction relationship is the hypothesis that the limitation of strategic defences establishes the necessity of offensive limitations.[44] But it seems that India will not limit itself with its offensive might. It will deploy missile defences once it overcomes its technological shortcomings in this field. Therefore, Pakistan's nuclear deterrence requires maintenance of an unmistakable, secure retaliatory capability, preferably unchallenged by quantitative or qualitative improvements of Indian missile defence systems.

Being a neighbouring state of Pakistan and due to a short flight time of hostile missiles, India might prefer to adopt a strategy for intercepting Pakistan's offensive missiles at their pre-launch site and boost phase. Therefore, Pakistan has to adopt some countermeasures to ensure the credibility of its offensive missiles. Notably, for pre-emptive strikes, India has to locate where Pakistan's all offensive missiles are based. If it discovers them, it could destroy them through pre-emptive strikes, in the case of hostilities. However, Pakistan's mobile missile launchers, if out of garrison and not otherwise observed, are not vulnerable to such attack. In addition, Pakistan could disperse and store these missiles in hardened silos. Building bomb-proof hardened silos in plain areas is a costly affair. The economical strategy is that Pakistan shelters its missiles in mountain tunnels. These natural shelters could be modified into bomb-proof silos by limited financial investment. In

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[41] Shannon N. Kile, "Nuclear Arms Control and Bllistic Mssile Dfense," *SIPRI Yearbook 2001: Armaments, Disarmament and International Security* (U.K: Oxford University Press, 2001), p. 445

[42] Mackubin Owens, *Bomb Blocking, The American Enterprise* (Washington D.C: Apr./May 2001).

[43] David P. Barash, *Introduction to Peace Studies* (California: Wadsworth Inc., 1991), pp. 108-109.

[44] Keith Payne, "Strategic Defenses and Virtual Nuclear Arsenal," in Michael J. Mazarr, (ed.) *Nuclear Weapons in a Transformed World. The Challenge of Virtual Nuclear Arsenal* (New York: St. Martin's Press, 1997), p. 147.

addition, it could also build dummy missile silos and make dummy missile deployments as well.

Pakistan would initiate work on the technology and techniques, which nullify or defeat the boost phase interceptors. Countermeasures to a boost-phase interceptor system might include redesign of the missiles to become a fast-burn missile. Because the boost-phase interceptors carry a simple sensor to detect visible or near-infrared energy. On account of which, it immediately detect the bright flame of the rocket and home the interceptor on the flame. Moreover, one-stage dummy missiles might be launched to provoke and disguise the launch of the interceptors.

Some analysts believe that in addition to ballistic missiles, Pakistan ought to develop cruise missiles and ABM systems. The indigenous development and manufacture of cruise missiles require expertise in airframes, propulsion systems, flight controls and warheads.[45] Presently, Pakistan's economy may not be able to sustain the burden of additional defence expenditure. Therefore, the best option for Pakistan in the present scenario is that, while it avoids arms race with India, it should concentrate on improving its existing missile capabilities. It should increase the numerical strength of its missile potential. For example, if India is able to intercept Pakistan's twenty missiles, it must have twenty-five missiles in its arsenal.

It is noteworthy that since 1960s missile defence systems have been subject of security debates in the U.S. President Ronald Reagan's administration (1980-88) started the Strategic Defence Initiative or commonly known as Star Wars research and development programme.[46] Despite the U.S. missile defence systems programme's long history, there still exist a lot of technological gaps for a probability of hit of more than 90 per cent success. India would, therefore, take no less than ten years at the minimum to address all the technological issues involved even with the support of the U.S., Russian Federation and Israel. This period should be utilized by Pakistan to establish a politico-military balance with India by improving its economy.

Conclusion

In the prevalent South Asian strategic environment, the relationship between India and Pakistan is no longer solely a zero-sum game with only winner and looser. Both states are aware of this harsh reality that nuclear war between them would be a calamity whatever the result in relative disadvantage. Since the overt nuclearization, they appeared to have realized that the presence of nuclear arsenals in both states and the associated spectre of nuclear devastation has forced them to exclude all-out war option from their strategic doctrines. The fact of nuclear possession is forcing strategic pundits in both states to realize the importance of crisis avoidance and management. Nonetheless, the introduction of new weapon systems, such as missile defence shield, may jeopardize the current strategic stability between India and Pakistan.

India possesses limited capabilities to intercept the theatre and tactical missiles. India's ABM programme is aimed at countering the threat from the Pakistani and the Chinese theatre and strategic ballistic missiles. The present deterrence between India and Pakistan or China and India is built on a nuclear retaliatory capability of each other. India's ABM can potentially endanger Pakistan's deterrence in particular, and China's, in general. To counter the Indian

[45] W. Seth Carus, *Cruise Missile Proliferation in the 1990s* (Washington D.C: Center for Strategic and International Studies, 1992), pp.70-71.

[46] Zafar Nawaz Jaspal, "U.S. BMD: Leading to a New Era of Arms Race?," *Strategic Studies*, Vol. XXI, No. 1, (Spring 2001), p. 44.

ABM, both Pakistan and China will be compelled to increase their stockpiles of tactical and strategic missiles. Pakistan, however, is under pressure in this case because of its financial constraints.

The advantage, however, to Pakistan is that in the near future, India would not be able to achieve a high ballistic missile interception capability. The appropriate technology needed for this system still does not exist in India. Therefore, it will not be capable to deploy even a rudimentary system before a decade. Secondly, it is too difficult for India to hit Pakistani ballistic missiles in their boost phase, without developing a laser capability. Thirdly, even the full NMD system would be defeated by simple countermeasures.

To be precise, the pragmatic approach is that Pakistan shall refrain from following India in the development of ABM, because it is expensive, it is unproven, it will trap Pakistan in costly arms race and above all it is not even required in the most likely conflicts with India.■