India’s Nuclear Limbo and the Fatalism of the Nuclear Non-Proliferation Regime, 1974–1983

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Abstract: India’s relationship with the nuclear non-proliferation regime deteriorated sharply after its 1974 underground nuclear test which, according to India, was a peaceful nuclear explosion, but which was not accepted as such by the regime. That it did not follow up with immediate weaponisation challenged the core logic of the non-proliferation regime which operates on a Murphy’s Law of ‘nuclear fatalism’, i.e. if a country has the know-how to produce nuclear weapons, it will certainly produce them. This article argues that at least until the beginning of its integrated guided missile development programme in 1983, India’s nuclear inaction posed a normative challenge to this logic.

Introduction

The trajectory of India’s nuclear history is long and complex. It began in 1948 with the Atomic Energy Act and the subsequent creation of the Atomic Energy Commission. India, along with France, remains one of the few countries that launched its nuclear programme for explicitly peaceful purposes, at a time when no country had produced commercially viable electricity from atomic energy. Until then, the only use of atomic energy that the world knew about was the bombs dropped on Hiroshima and Nagasaki. In other words, Nehru’s decision to steer clear of the bomb was unique for his time, comparable perhaps to his policy of non-alignment to steer clear of Cold War blocs. With Eisenhower’s ‘Atoms for Peace’ speech at the UN General Assembly on 8 December 1953 and the establishment of the International Atomic Energy Agency (IAEA) in 1957, the ‘peaceful atom’ entered into international discourse.

Benoît Pelopidas argues that US proliferation experts’ skewed reading of history has led to an over-emphasis on proliferation history as opposed to histories of nuclear reversal, disarming and roll-back. The US-led nuclear non-proliferation regime seems to operate on the basis of a sort of Murphy’s Law of ‘nuclear fatalism’: if a country can build nuclear weapons, then it most certainly will. The US-led nuclear non-proliferation regime therefore clearly demarcates the ‘other’ as the states that did not form part of the exclusive five-member nuclear club by 1968, according to the

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regime mobilised an expansive institutional apparatus revolving around control and surveillance, or ‘safeguards’ and ‘verification’ as the IAEA terminology would have it. The outcome of this was an environment of deep suspicion with regard to the actions of the ‘other’ and castigation (by the United States and the IAEA) if the suspicions were, even partly, proven right.

Along with this nuclear fatalism, the regime was permeated by what Hugh Gusterson terms ‘nuclear Orientalism’, i.e. nuclear weapons are deemed to be more dangerous in the hands of non-Western states since they are automatically characterised as authoritarian and therefore incapable of responsible behaviour. The restraint exercised by the superpowers and their rationality that constituted the backbone of deterrence would not be replicated by these countries and a nuclear war would be triggered, thus eventually leading to a nuclear apocalypse that would end the world. Gusterson’s thesis is a highly interesting and attractive one and is not without merit, since ‘irrational’, ‘irresponsible’ and ‘maniacal’ are the adjectives used by policymakers to criticise a non-nuclear weapon state each time it crosses or is suspected of crossing the nuclear Rubicon. The main lacuna in his argument is perhaps also the lacuna in Edward Said’s Orientalism, i.e. how does the Orient or the non-West exercise agency under these constraints—because it does. The Indian nuclear trajectory is a valid case in point.

As mentioned earlier, India embarked on a peaceful atomic energy programme before the concept of the ‘peaceful atom’ gained currency. Soon after Eisenhower’s proposal for ‘Atoms for Peace’ in 1953, when the First UN Conference on Peaceful Uses of Atomic Energy was held in Geneva in August 1955, the chairman of the Indian Atomic Energy Commission, Homi J. Bhabha, presided over the conference. Throughout the 1950s, India received technical assistance from the UK, France, the US and Canada. Canadian assistance to India began in 1954 under the Colombo Assistance Plan, which was originally conceived as an arrangement to provide aid to the developing countries of the British Commonwealth. That year, Canada supplied India with a vertical tank-type research reactor to be based at Trombay near Mumbai, which came to be known as the CIRUS. It is believed that India used plutonium produced as a by-product from this reactor for the underground test in May 1974 codenamed the ‘Smiling Buddha’.

While India was highly criticised by the international community for what it claimed was a ‘peaceful nuclear explosion’ (PNE), which the latter refused to accept, PNEs were an important component of the discussions that took place at the IAEA throughout the 1960s and are also enshrined in Article V of the NPT, signed in 1968. In 1974, both the superpowers had conducted what they termed PNEs. The first completely underground test was conducted by the United States in 1957 and by the Soviet Union in 1961. In other words, it may well be argued that despite the technological sanctions imposed on India after May 1974, PNEs as a category had acquired both relevance and prevalence in the international discourse on atomic energy. Unlike other postcolonial countries from the developing world, India had been proactive in the international platforms related to atomic energy, including the negotiations in 1956 leading to the IAEA statute and those between 1965 and 1968 leading to the NPT.

The purpose of this article is to examine the normative opposition exercised by India vis-à-vis the nuclear non-proliferation regime since May 1974 by not immediately embarking on a weapons programme, and thereby disproving the conventional wisdom of the Murphy’s Law of ‘nuclear fatalism’, which continues to be an important
emanated from the United States soon after the test and India’s rebuttal. The second part, divided into four sub-sections, further investigates the matter by analysing the possible temptations for weaponisation. The third part examines India’s involvement in international forums during this period, especially with regard to proposals calling for the ‘new international economic order’ and the promotion of disarmament. Finally, the article concludes with observations on the implications of the Indian nuclear inaction until it developed its integrated guided missile development programme (IGMDP) in 1983, on the edifice of the nuclear non-proliferation regime. While the decision to embark on a weapons programme was taken around 1988–1989, when the IGMDP was making good progress, the focus of this article is on the period until the beginning of this missile programme.

Inside the Smiling Buddha

On 18 May 1974 at 10 a.m., the Indian foreign secretary Kewal Singh called the American chargé d’affaires David T. Schneider to inform him that India had conducted a peaceful nuclear explosion two hours earlier. Singh explained that the PNE was necessary ‘to keep India abreast of the technology . . . for such purposes as mining and earth moving’ and that India remained ‘absolutely committed against the use of nuclear energy for military purposes’. He also added that the United States embassy was being informed ahead of all other diplomatic missions. Schneider’s response was flat. He said that the news would be received with ‘considerable shock’ in Washington, for the United States ‘did not believe it possible to distinguish between explosions for peaceful and military purposes’.10 This argument and counter-argument was reiterated each time India and the United States discussed the successful testing of the Indian implosion device in May 1974 in the Rajasthan desert in Pokhran.

The alleged use of plutonium from the Canadian-supplied CIRUS research reactor implicated the United States as well, since it was supplying heavy water for the reactor under a contract signed in March 1960. After the test, the then US deputy secretary of state Kenneth Rush in his telegram to the US mission at the IAEA in Vienna said that the United States considers this ‘a contravention of the terms under which it was made available’.11

The United States had long anticipated an Indian underground test. The National Intelligence Estimate of 1964 by the CIA released by the National Security Archives in November 2012 reveals their existing apprehensions about a fast-advancing nuclear programme.12 The basis for this was that by 1964 the plutonium separation plant at Trombay had become operative, and capable of extracting plutonium from the spent fuel of the Canadian-supplied CIRUS reactor. In November 1970, the United States presented the Indian Atomic Energy Commission with an aide-mémoire dissuading India from conducting a PNE using American-supplied technology and materials. It also explicitly stated that ‘[t]he United States would not consider the use of plutonium produced in CIRUS for peaceful nuclear explosives intended for any purpose to be research into the use of atomic energy for peaceful purposes’.13 In other words, the United States maintained the paradoxical position that ‘peaceful nuclear explosives are not peaceful’ if the country in question was India.14 It is true that India on 18 May 1974 became the first non-nuclear weapon state in the world to conduct a PNE—which had hitherto been the preserve of the two superpowers.15
was given in a paper submitted by Raja Ramanna and R. Chidambaram at the meeting of the IAEA Technical Committee in Vienna in January 1975. The paper provided the IAEA with the technical details of the 12 kiloton implosion experiment and underlined two important points: (1) the test was necessary for studying the potential industrial and engineering uses of PNEs that were ‘recognised’ by the IAEA; and (2) extensive radiation monitoring and the analyses of air samples after the test showed that ‘no radioactivity had been released to the atmosphere during the experiment’. The latter claim was in response to Pakistan’s allegations that it was exposed to radiation following the Indian test.

The debate that ensued soon after revolved around the difficulty of distinguishing military nuclear explosions from peaceful ones, thereby reflecting the problem faced by the non-proliferation regime in grappling with an event unprecedented in its history. India’s PNE therefore remained an act that the regime could not illegalise except by retroactive instruments of international law. This was because, firstly, the Partial Test Ban Treaty of 1963, to which India was an original signatory, allowed underground nuclear testing. Secondly, India could not be charged with violation of the NPT since it had never signed it. Thirdly, Article V of the NPT stated that ‘potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis’.

A NATO secret assessment report on India’s PNE originating from the UK Foreign and Commonwealth Office estimated that in the wake of such a successful test India would be able to make a nuclear weapon within six to 12 months, since ‘the technology for making and testing an underground device is at least as complex as that required for developing a simple fission weapon’. India with its own uranium and fuel fabrication and plutonium separation facilities has ‘at least the industrial capacity to produce their own device’, it projected. While the report was certain that with its inadequate delivery system, India would not pose a strategic deterrent to China, it suggested a rather interesting alternative: ‘[T]he Indians may consider installing nuclear devices at strategic points near their border with China . . . In this case little further development of the device exploded would be needed’. The events in India following 18 May 1974, however, did not validate any of the above conjectures.

The Nuclear Suppliers Group (NSG), formed in 1974, emerged from the previously existing London Club to control nuclear-related exports. The purpose of the NSG was to prevent non-signatories to the NPT from receiving nuclear technology and information. The Threshold Test Ban Treaty signed in July 1974 by the United States and the Soviet Union called for the negotiation of what became known as the Peaceful Nuclear Explosions Treaty (PNET) of 1976 (although it did not enter into force until 1990). The PNET allowed the superpowers to carry out PNEs of yield not exceeding 150 kilotons in territories under their own jurisdiction and under the jurisdiction of other states provided they were requested to do so and were in compliance with the yield limitations and the provisions of the NPT. The treaty also instituted a comprehensive system of regulations and verification procedures. The following objectives were attained by this: (a) peaceful nuclear explosions were established as the exclusive preserve of the superpowers; (b) the authority of the NPT was further strengthened for determining PNEs; and (c) it established the legal apparatus that stated that ‘there is no essential distinction between the technology of a nuclear explosive device which would be used as a weapon and the technology of a nuclear explosive device used for...
could declare the event of 18 May 1974 illegal.

Meanwhile, at the IAEA, the discourse surrounding the PNEs at the ad hoc advisory group meetings shifted from the scientific and the technical to the administrative and the legal.24

The strongest defence for India, however, was provided by what followed its underground test. George Perkovich and Raj Chengappa characterise the decision to begin a weapons programme in 1988–198925 as a response to the nuclear weapons programme of Pakistan which was fast progressing with Chinese help. This was the period when India’s IGMDP, launched in 1983, was also advancing well, especially with the successful test of the nuclear-capable Agni missile in May 1989.26 That between 1974 and 1988–1989 India made no move to embark on a nuclear weapons programme thus disproves the ‘nuclear fatalism’ of the nuclear non-proliferation regime.

The anticipated ‘nuclear fatalism’

The US secretary of state, Henry Kissinger, offered a rather interesting classification of PNEs in his conversation with Indian foreign secretary Kewal Singh and Ambassador T.N. Kaul in August 1974.27 Kissinger argued that intellectually28 a PNE ‘had a different meaning and significance for a developing country than it has for an advanced country’ because ‘we [the United States] can establish criteria with which we can control the nature of a peaceful nuclear explosion with precision’. For a developing country in ‘the early stages of nuclear explosion technology, it is not possible to differentiate with this kind of precision’. Kissinger never articulated the details of this ‘intellectual distinction’, as he called it, which went against the logic of the ‘indistinguishability’ of military and peaceful explosions which the United States otherwise emphasised. Such a distinction drawn by the US secretary of state tends to prove that claims of discrimination against developing countries in the nuclear domain, made by India and others, were not entirely unfounded.

The fact that the United States obstinately refused to distinguish between nuclear explosions for peaceful purposes and those for military ends, despite PNEs being a recognised category in IAEA proceedings, is curious especially since the most important proponent of PNEs in the United States was Edward Teller, the ‘father of the hydrogen bomb’. As early as 1961 and even before his 1968 book The Constructive Uses of Nuclear Explosives,29 Teller praised the Plowshare programme and called for more nuclear testing. He argued that ‘real security’ and ‘real peace’ depended on the development of nuclear explosives ‘both for defence and for constructive peacetime purposes’.30 Peter Goodchild argues that, anxious for negotiations for test ban treaties, Teller supported PNEs and used the economic arguments to ensure the continuation of nuclear testing.31 Prior to May 1974—since only the nuclear weapon states conducted PNEs—these experiments provided them with an ‘excellent way of justifying the pursuit of underground testing with military implications’.32 This was especially true in the wake of the Partial Test Ban Treaty of 1963, which banned all nuclear tests except those conducted underground.

In other words, peaceful nuclear explosions were surrounded by ambiguity of intent from the very outset. The ‘intellectual distinction’ made by Kissinger was probably that only nuclear weapon states could ‘rightfully’ conduct peaceful nuclear explosions because these states had already crossed the nuclear threshold and hence they did not raise new fears of proliferation. When a non-nuclear weapon state conducted a PNE,
non-proliferation regime, because of the dubious roots that PNEs have had for the keepers themselves. The adverse reaction of the regime to India’s PNE can perhaps be explained as ‘Freudian projection’. Projection is a psychological defence mechanism by which a subject attributes to someone other than herself a trait, affect, impulse or attitude that is actually hers but is too painful and disturbing and therefore unacceptable to herself as her own. This lies at the core of the regime’s faith in ‘nuclear fatalism’, by which it projects its own ambiguities regarding peaceful uses of nuclear energy on to the ‘other’, namely the non-nuclear weapon states.

The following four sub-sections will investigate the potential inducements for a state to weaponise, and apply them to India’s case.

**Nuclear prestige**

The convergence of the Second World War with the discovery of nuclear fission in 1939 and the end of the war with the bombing of Hiroshima and Nagasaki in 1945 ensured that the nuclear question remained at the forefront of international politics for decades to come. Nuclear weapons, which thus began to be equated with the instruments of the victorious, came to symbolise the highest scientific expertise of the 20th century and the ultimate symbol of humankind’s mastery over nature. The nuclear question thus came to be intrinsically associated with national prestige in the post-Second World War order. When national prestige is associated with a certain element, whether weapons or architecture, states have not hesitated to mobilise huge resources for the purpose. Besides, nuclear weapons are believed to be the great leveller against conventional weaponry and therefore a vital aspect of national security.

Although the economic cost of the Indian PNE was relatively low ($10–20 million, as estimated by the US state department), a full-fledged weaponisation programme would cost several times more. National prestige through nuclear weapons could have justified such expenditure. India, however, maintained throughout that it lacked the economic resources to embark on a weapons programme. Years before the underground nuclear test, in February 1969, Prime Minister Indira Gandhi in reply to a question in the Upper House of parliament had stated that the core of India’s security lay in industrial and economic development and that India ought not to panic about one of its next door neighbours (meaning China) being a nuclear power. She asserted: ‘Let us not undermine the growth of our economy by diverting resources towards that end (i.e., the nuclear bomb)’.

In fact, the Indian justification for its PNE, as already mentioned, was economic: the potential industrial and engineering benefits of PNEs could lead to economic benefits and so should be pursued, and therefore the nuclear non-proliferation regime must make PNE technology available to developing countries. In other words, mastery over nuclear technology was associated with the national development programme by the Indian political elite, which made a weapons programme unjustifiable.

**Domestic tumult**

A tumultuous political scene often provides a rationale for the invocation of national security concerns by the political elites for ‘rallying around the flag’. As nuclear weapons are related to national security, nuclear weapons programmes can potentially be used as bait to control political opposition in the face of domestic political crises.
lish herself in the party and her position was far from secure until her landslide victory in the general elections of 1971. Although won on the populist slogan of garibi hatao (eradicate poverty), the economic cost of the 1971 war with Pakistan and the oil price shock of 1973 created economic difficulties for her government throughout the 1970s. Furthermore, when in June 1975 the Allahabad High Court invalidated her 1971 electoral victory, citing election malpractices, Mrs Gandhi imposed a National Emergency on the country and suspended regular political activities. The 21-month period, which lasted until March 1977, witnessed for the first time in the history of Indian democracy an authoritarian government in New Delhi, with freedom of expression being suppressed, political opponents arrested and the constitution amended.

The Congress Party lost power for the first time in the post-Emergency general elections of 1977, and a Janata Party government led by Indira Gandhi’s long-time opponent, Morarji Desai, came into office. Desai was himself a strong opponent of the nuclear bomb and so against further tests. As soon as he came to power, he ordered a complete review of the operations and structure of the department of atomic energy and moved Raja Ramanna from the leadership of the Bhabha Atomic Research Centre (BARC) to the Ministry of Defence in New Delhi. Desai’s government, however, was short-lived and Indira Gandhi returned to power in 1980. When scientists of the Indian Atomic Energy Commission (AEC) tried to urge Mrs Gandhi to move towards the bomb, she replied, ‘I am basically against weapons of mass destruction’.

It is possible to argue that the domestic political scene was too unstable for a strong decision authorising a weapons programme. Yet it is in times of such instability that the tactic of ‘rallying around the flag’ operates best for fanning nationalist sentiments to distract attention from immediate pressing problems. I therefore argue that the Indian nuclear programme during this period was equated with national development and not with national security. As a result of this, the security potential of the nuclear programme was not espoused, despite India having the capacity to do so.

**Unstable regional security environment**

Shortly after the India–Pakistan War of 1965, Zulfikar Ali Bhutto, who was then a senior member of Ayub Khan’s government, declared that nuclear weapons were now an imperative for Pakistan. He said: ‘If India builds the bomb, we will eat grass or leaves, even go hungry, but we will get one of our own. We have no alternative’. Bhutto was probably reacting to the Indian plutonium reprocessing plant (Dhruva) that was inaugurated in January 1965. In addition, an American arms embargo in the wake of the war of 1965 was undermining Pakistan’s conventional military capability. The Sino-US rapprochement brought the United States closer to Pakistan. Pakistani President Yahya Khan facilitated Henry Kissinger’s secret visit to China in October 1970, much to the alarm of New Delhi. While the war with Pakistan in 1971 ended decisively in India’s favour and the Simla Agreement signed in 1972 called for normalisation of relations between the two countries, the bilateral ties were nowhere near improvement. In January 1972, Bhutto (who by then had become the prime minister of Pakistan) assembled eminent scientists in Multan and ‘announced his desire and decision to make Pakistan a nuclear weapons state’.

China’s first nuclear test in Lap Nor in October 1964 transformed an already antagonistic neighbour into a nuclear adversary. In 1969, the testing of the Chinese hydrogen bomb led to a renewed debate in the Indian parliament over the ‘manufacture of an
the Government’s policies in respect of defence and security of the country are kept constantly under review, their commitment to utilise nuclear energy exclusively for peaceful purposes remains unaltered’. 42

The role of the United States in the Indo-Pakistan relationship after May 1974 was probably best articulated in the White House memorandum of conversation between Henry Kissinger and Zulfikar Ali Bhutto in Islamabad during the former’s visit to the subcontinent in October 1974. Bhutto asked Kissinger: ‘But don’t you come from New Delhi thinking that India is really expansionist?’ Kissinger replied: ‘After seeing India, I am thinking about supplying nuclear weapons, not only conventional arms, to Pakistan and even Bangladesh! There seems to be a difference between what they say and what they mean’. 43 The United States, however, refused to support Pakistan’s call for a South Asian Nuclear-Free Zone made at the United Nations in December that year.

In 1976, Pakistan and France signed an agreement for a reprocessing plant, much to the vexation of the United States. President Gerald Ford wrote a letter to Bhutto in March 1976 expressing his concerns regarding ‘the lack of a persuasive economic justification for obtaining sensitive nuclear facilities’ in Pakistan’s case. He urged Pakistan to drop its plan to acquire reprocessing and heavy water facilities until its nuclear programme is ‘sufficiently developed to establish a clear need’. 44 While Pakistan refused to reconsider, the United States managed to convince France to terminate its aid to Pakistan in August 1978. However, during this period Pakistan managed to begin and sustain what is believed to be its nuclear weapons programme, codenamed Project 706, led by Munir Ahmed Khan and later joined by A.Q. Khan. Pakistan was receiving clandestine help from the Chinese throughout the 1980s enabling it to advance further in its weapons programme. 45

The regional security environment was therefore highly antagonistic for India, thus opening up a possible argument in favour of the development of nuclear weapons. This however, did not happen.

**Strained relations with the United States**

India’s relationship with the United States was at an all-time low during this period. Not only did the Sino-US rapprochement make New Delhi anxious about an emerging US–China–Pakistan axis, it also introduced the anxieties of the Cold War into the subcontinent. These insecurities led to the Treaty of Peace, Friendship and Co-operation with the Soviet Union in August 1971. During the war with Pakistan in December 1971, President Nixon sent the US Seventh Fleet into the Bay of Bengal to thwart India’s attempt to ‘liberate’ East Pakistan. The fleet included the nuclear-powered USS Enterprise, which was also the largest and most modern aircraft carrier of the United States at the time. 46 Apart from claiming that India’s PNE was ‘a bomb no matter how India described it’, 47 the Ford administration continued to supply arms to Pakistan as the preceding Nixon administration had done, much to the distress of New Delhi. The United States, however, found India’s critique of arms sales to Pakistan ‘obsessive’ and refused to pay it any attention. 48

Although efforts were made to improve the bilateral relationship, they did not succeed in breaking the ice. The US–India Joint Commission was established in October 1974 to facilitate high-level exchanges in the fields of economics and commerce, science and technology and education and culture. While India welcomed the creation of
from the United States under PL480. Mutual distrust dominated their ties and many in Washington shared the notion that Mrs Gandhi had an ‘almost pathological need to criticise the United States’. Kissinger agreed with Bhutto during their meeting in Islamabad in October 1974 that India had a ‘hegemonial tendency in the sub-continent’ and that the ‘Monroe Doctrine idea may not be so far off’.

In April 1975 Kissinger sent a telegram to US Ambassador Saxbe in New Delhi strongly reacting against the anti-US criticism emanating from higher echelons of the Congress Party. He was reacting against Congress Party President Barooah’s allegations that US arms supplies to Pakistan were destabilising the continent. He urged Saxbe to remind the Indian government of the restraint the United States had exercised in its public reaction to the nuclear test of May 1974, despite the pressure from Congress and most of its allies. He also rebutted Barooah’s claims, saying that Islamabad had sought no new arms from Washington while American intelligence had information that New Delhi and Moscow were in the midst of concluding a major arms deal. The telegram ended with the warning that ‘continued lack of restraint in public statements will inevitably trigger new downward spiral in Indo-US relations’ and such public expression of criticisms ‘is incompatible with the kind of new mature relationship we thought our two governments had agreed we would pursue’.

Another thorn in the relationship involved the Tarapur Atomic Power Station, which comprised two boiling water reactors (BWR), which presently have maximum net outputs of 160 MWe, built as a turnkey project by General Electric and Bechtel, as a result of an agreement signed between India and the United States in 1963. After India’s underground nuclear explosion in 1974, the United States began to call for full-scope IAEA safeguards for any nuclear cooperation with India, which India opposed. India criticised the United States for going against the original terms of the agreement and thereby obstructing India’s plan for generating nuclear power, vital for its national development. In 1978, the Nuclear Non-Proliferation Act was passed in the United States making it mandatory for states receiving US nuclear technology to accept full-scope IAEA safeguards and submit to IAEA inspections for continued technological cooperation. Since India continued to object on grounds of national sovereignty, the United States, compelled by its domestic legislation, decided to terminate the supply of fuel for Tarapur in 1979. However, a solution was found in 1982, before Prime Minister Indira Gandhi’s meeting with President Ronald Reagan. It was decided that under a new tripartite agreement, France would replace the United States as the fuel supplier for Tarapur from 1983.

The distrust and the strain in the relations could have been used as a justification for going nuclear, especially since international criticism of its nuclear test did not abate, suspicion regarding its intentions prevailed in the international community and technological sanctions created difficulties for its civil nuclear programme. Thus, the damage to India’s international relations was already done. After several rounds of talks, Canada ended its nuclear cooperation with India because the plutonium produced from the Canadian-supplied CIRUS reactor had allegedly been used for the PNE.

The portrayal of the nuclear programme as being necessary for national economic development and India’s science and technology-driven catching up had resonance throughout the domestic political spectrum. Its thorny relationship with the United States and the non-proliferation regime was therefore articulated as a vindication of India’s anti-colonial stance against a regime led by superpowers and their allies, bent
It is noteworthy that after the Emergency, when Morarji Desai, known for vehemently opposing nuclear weapons, came to power in 1977, India did not attempt to sign the NPT. India, however, did not opt for an open defiance of the regime either. Instead it kept providing assurances to the United States and the world that its intention vis-à-vis atomic energy was peaceful.

A ‘third (nuclear) way’?
May 1974 was significant in the history of the global order not just for India’s first nuclear test. It was also when the countries of the ‘Global South’ united to adopt UN General Assembly (UNGA) Resolution 3201 on the ‘Declaration on the Establishment of a New International Economic Order’ (NIEO). This resolution was accompanied by UNGA Resolution 3202 on the ‘Programme of Action on the Establishment of a New International Economic Order’. The NIEO was to be based on the principles of ‘sovereign equality, inter-dependence, common interest and co-operation amongst all States’ with the goal to ‘correct inequalities’ and ‘eliminate the widening gap between the developed and the developing countries’. Seven months later, on 12 December 1974, at the 29th session of the UN General Assembly, the Charter of Economic Rights and Duties was adopted by a vote of 115 to 6, with 10 abstentions. India played a significant role in this endeavour as a member of the Group of 77 (G-77) and a non-aligned country.

The call for a NIEO was a response to the inflation, recession and economic crisis in the global economy that prompted the developing countries to come together to seek a larger voice in the international financial order. India’s role was instrumental in this. When the Organisation of the Petroleum Exporting Countries (OPEC), during the Yom Kippur War in October 1973, reduced oil production and placed an embargo on the shipment of crude oil to countries that supported Israel in the war (specifically the United States and the Netherlands), oil prices rose around the world, leading to the oil price shock of 1973–1974. This ‘cartel action’ by OPEC showed for the first time that developing countries could wield ‘commodity power’ vis-à-vis the developed countries, and was thus celebrated by countries of the Global South, then known as the ‘Third World’. The NIEO was therefore the continuation of what OPEC had started, namely opposition to a world order led by the United States and its allies.

What tied the NIEO to the debate on PNEs was the dimension of ‘transfer of technology’, which was listed under Article 13 of the Charter of Economic Rights and Duties of 1975. Under Article V of the NPT, nuclear weapon states were expected to make available to non-nuclear weapon states potential economic benefits of the peaceful applications of nuclear explosions through international or bilateral agreements on a non-discriminatory basis. Following India’s test of 1974, efforts were made to gradually write off Article V from the NPT, until the Comprehensive Test Ban Treaty when it automatically became a dead letter. At the NPT Review Conference of 1975, held in Geneva, the parties to the treaty observed that PNE technology ‘is still at the stage of development and study’ and that it entails a series of ‘interrelated international legal and other aspects’ that ‘still need to be investigated’. The conference conferred the responsibility to pursue study and discussion on PNE technology to the IAEA and also stated that access to PNE technology must ‘not lead to any proliferation of nuclear explosives’. This view was reiterated at the Review Conference of 1980.
However, the developments at these conferences with regard to Article V were in many ways consequences of the successful testing of the implosion device by India in May 1974.

During this period, Indira Gandhi continued to call for nuclear disarmament at international platforms. In 1984, she proposed the Five Continent Initiative for a world free of nuclear weapons, along with presidents Raul Alfonsin of Argentina, Miguel de la Madrid of Mexico and Julius Nyerere of Tanzania, Prime Minister Andreas Papandreou of Greece and former Prime Minister Olof Palme of Sweden. Nuclear disarmament was enshrined as an integral part of general and complete disarmament. Interestingly, she established connections between disarmament and development in such a way that not only encompassed the call for NIEO with the argument for PNE, but also made India’s arguments in favour of both very convincing. She stated in 1976 that ‘development is linked with disarmament’ and that it was a ‘tragic paradox that nations spent 75 times more on armaments than on developmental assistance to weaker nations’. This third way, as espoused by India, that encompassed the economic aspect of the non-aligned movement and called for universal nuclear disarmament and the developmental benefits of peaceful nuclear explosions, further strengthened the normative challenge posed by India to the nuclear non-proliferation regime.

Conclusion

India’s nuclear test of May 1974, although not in violation of the international legal framework existing at the time, was a defiance of the United States, which in its aide-mémoire of November 1970 had categorically warned against an Indian nuclear explosion, whatever its justification. The United States did not seem worried that the ‘near nuclears’ of the time, namely Israel, South Africa and Japan, would follow India’s lead, although it believed that India had indeed set a poor example. American concerns were essentially regarding two aspects: ascertaining the impact of the test on the NPT, especially with the NPT Review Conference scheduled for 1975, and the reaction of Pakistan. As the preceding sections have demonstrated, the period was marked not merely by a conflicting Indo-US relationship, but also by an unstable regional security environment.

Yet despite provocations and anticipations, India steered clear of embarking on a nuclear weapons programme during this period, despite its demonstrated ability to master the technology of nuclear explosions. It is notable that on 18 May 1974, peaceful nuclear explosions, for the first time in their history, ceased to be the exclusive preserve of the superpowers. It was the only time that a non-nuclear weapon state had used its own technological know-how for a PNE instead of seeking a ‘nuclear explosions service’ from a nuclear weapon state under Article V of the NPT. This Indian nuclear limbo that challenged the conventional wisdom of ‘nuclear fatalism’ and the linearity of the ‘proliferation paradigm’, poses a normative challenge to the very assumptions of the nuclear non-proliferation regime.

Some might argue that the withdrawal of foreign assistance and Indira Gandhi’s dismay at the negative reaction of the international community to the PNE may have contributed to the nuclear limbo. While the withdrawal of foreign assistance from India’s atomic energy programme no doubt affected the power programme, it cannot explain India’s decision to restrain itself to one nuclear test only, instead of conducting
weapon states had done earlier. The CIRUS did not run out of heavy water immediately after 18 May 1974, and the reprocessing plant in Trombay also continued to operate. On the other hand, the worldwide condemnation and the subsequent withdrawal of foreign assistance enabled India to further the indigenisation of its nuclear programme and thereby reinforce its stand of techno-political nationalism vis-à-vis the nuclear non-proliferation regime.

However, it is possible to argue that India’s nuclear weapons programme continued without publicity after Indira Gandhi’s return to power in 1980, and thereafter through the tenures of her successors, and that 1998 could not have happened unless the preparations had been long underway. Between the peaceful nuclear explosion in May 1974 and the five nuclear tests in May 1998, India’s nuclear security was based on ‘keeping the option open’, a ‘recessed deterrence’ or as some would say a ‘bomb in the basement’. However, the fact that India did not consider an operational nuclear capability as vital to its national security is a more significant dimension of its normative challenge to the ‘nuclear fatalism’ of the regime. Its choice of capacity over capability, or the prioritisation of a theoretical possession of nuclear weapons over an operative nuclear strike force, further reinforced its opposition to the core precepts of the regime.

Furthermore, by tying its nuclear diplomacy to the economic component of the non-aligned movement and calls for a fairer global order, India gave the issue a more expansive focus. During this period, India’s nuclear programme was integral to its understanding of national development instead of its national security needs. When India eventually embarked on a nuclear weapons programme in 1988–1989, it justified itself by citing the perceived security threat from China and Pakistan, especially in the light of the former aiding the nuclear weapons programme of the latter. Yet Pakistan began a weapons programme soon after India’s PNE and the regional security environment after 1974 remained far from peaceful. That India did not commence a nuclear weapons programme at the time can only be explained by India’s perception of its nuclear programme as part of its economic imperative of national development instead of its national security concerns.

Between 1974 and 1988–1989, India’s nuclear diplomacy thus posed a normative challenge to the Murphy’s Law of ‘nuclear fatalism’ of the non-proliferation regime. It helped India to justify itself as a restrained power and to drive home an image of the ‘righteous wronged’ vis-à-vis the regime that remained critical of it. That this act of ‘dissidence’ came from a recognised democracy and not from a pariah state only strengthened India’s case. The regime could neither overlook it nor discard it as an aberration.

Notes
1. It was not until 1951 that the Experimental Breeder Reactor-I in Idaho produced the world’s first usable amount of nuclear-generated electricity by lighting four electric bulbs. ‘Argonne National Laboratory: History’, Argonne National Laboratory, at http://www.anl.gov/history (Accessed 27 November 2012).
2. France, like India, also began its atomic energy programme for explicitly peaceful purposes, notwithstanding the eventual ‘weapons turn’ in the nuclear trajectory for both countries.
3. As a matter of interest, the IAEA’s emblem was initially that of a lithium atom until it was realised that lithium is a metal used in the hydrogen bomb. Therefore, in December 1958 the emblem was changed to a ‘harmless’ beryllium atom. Paul Szasz, The Law and Practices of the International Atomic Energy Agency, IAEA, Vienna, 1970, pp. 1001–1003.
5. French physicist Bertrand Goldschmidt—the French governor on the IAEA’s board of governors from 1958 to 1980 and who also headed the International Relations division of the French Commissariat à l’énergie atomique—wrote: ‘If the Indian explosion had taken place, like the Chinese one, before the entry into force of the NPT, it would certainly have created less commotion. For the first time, such an operation had proved counterproductive for a country—at least in the short term . . . ’. See Bertrand Goldschmidt. The Atomic Complex: A Worldwide Political History of Nuclear Energy, American Nuclear Society, La Grange Park, IL, 1982, p. 404.


7. The Nuclear Non-Proliferation Treaty created a temporal criterion that bestowed the status of ‘nuclear weapon state’ (NWS) on those countries that had tested nuclear weapons before 1968. This included only five states, namely the United States, the Soviet Union, the United Kingdom, France and the People’s Republic of China. Those that did not fit into this category were the ‘non-nuclear weapon states’ (NNWS).


10. Secret Telegram 6591 from the Embassy in India to the Department of State and the Embassy in the United Kingdom, 18 May 1974, 0600Z, US National Archives, RG 59, Central Foreign Policy Files.


14. Since the element used in the Indian explosive device was plutonium, professors of political science in the United States studying proliferation risks began to take a special interest in the subject. They focused on the quantity of plutonium that was being produced in nuclear reactors around the world. This plutonium was of a highly irradiated variety which, although not useful in making weapons, was capable of causing a large explosion. See Bertrand Goldschmidt, no. 5, p. 404.

15. The United States began its civil underground nuclear explosions programme, called ‘Plowshare’ and headed by Edward Teller, in 1957, after the Rainier test was successfully conducted in September of that year. It was believed by both the superpowers that underground nuclear explosions could be used for peaceful purposes such as the creation of underground storage capacity for liquid hydrocarbons, extinguishing fires in oil and gas wells, in situ cracking of heavy hydrocarbons in bituminous shales or sandstones, and so on. See Bertrand Goldschmidt, no. 5, pp. 177–178.

16. Raja Ramanna and R. Chidambaram were part of the small group of scientists from the Bhabha Atomic Research Centre (BARC), which was responsible for the PNE of 1974. In the months following the PNE, Ramanna, who was then the director of BARC, called for greater powers for the BARC leadership, thus engaging in a bitter power struggle with Homi Sethna, the then chairman of the Indian Atomic Energy Commission. See P.N. Haksar Papers, IIIrd instalment, Subject File, Sl. No. 315, Nehru Museum and Memorial Library, New Delhi.


21. Ibid.

22. The website of the NSG states that ‘the NSG was created following the explosion in 1974 of a nuclear device by a non-nuclear-weapon State, which demonstrated that nuclear technology transferred for peaceful purposes could be misused’. Without naming names, it expounds its existential rationale well. See ‘History of the NSG’, at http://www.nuclearsuppliersgroup.org/Leng/01-history.htm (Accessed 18 September 2012).


26. The Agni was hailed by then Indian Prime Minister Rajiv Gandhi as a ‘technology demonstrator’ and as a symbol of India’s efforts at surmounting its technological backwardness. Although Indian scientists at the Defence Research and Development Organization argued that the Agni had a range of 2,500 km and therefore could hit a target in China, foreign intelligence estimates from Russia showed that it could fly only 800 km and could not threaten China. See George Perkovich, no. 25, p. 301.

27. Memorandum of Conversation, Washington, 2 August 1974, Department of State, US National Archives, RG 59, Central Foreign Policy Files, P820097-0933.

28. Author’s emphasis.


32. Bertrand Goldschmidt, no. 5, p. 175.

33. It is named after Sigmund Freud who propounded the concept and his youngest daughter Anna Freud who further refined it. For a detailed analysis of projection, see Sigmund Freud, ‘Psychoanalytic Notes upon an Autobiographical Account of a Case of Paranoia (Dementia Paranoids)’, in Sigmund Freud, Collected Papers Volume III, Hogarth Press and Institute of Psycho-Analysis, London, 1925.

34. Projection of A’s own feelings and/or attitudes onto B helps A to justify having those feelings and/or attitudes. For example, ‘I hate him’ is projected onto ‘he hates me (and this justifies my hating him)’. Stanley Blumberg and Brendan A. Maher, ‘Trait Attribution as a Study of Freudian Projection’, The Journal of Social Psychology, 65, 1965, p. 311.

35. Rajya Sabha starred question no. 82, 20 February 1969, File U-IV/125/3/69, MEA Files, National Archives of India, New Delhi.


38. India’s first prime minister, Jawaharlal Nehru, underlined the developmental aspect of the atomic energy programme in a speech he delivered in New Delhi in January 1947, seven months prior to Independence. He said: ‘[A]tomic energy is going to play a vast and dominating part, I suppose, in the future shape of things . . . it will make power mobile, and this mobility of power can make industry develop anywhere. We will not be tied up by the accidents of geography. Atomic energy will help cottage industry’. See Jawaharlal Nehru, ‘The Necessity of Atomic Research’, Extracts from a speech after laying the foundation stone of the National Physical


42. Rajya Sabha starred question no. 82, 20 February 1969, File U-IV/125/3/69, MEA Files, National Archives of India, New Delhi.


44. Letter from President Ford to Pakistani Prime Minister Bhutto, Washington, 19 March 1976, Ford Library, National Security Adviser Files, NSC Staff Files for Middle East and South Asian Affairs: Convenience Files, Box 20, Pakistan (2).


47. Memorandum from the President’s Deputy Assistant for National Security Affairs (Scowcroft) to President Ford, Washington, 28 October 1974, Ford Library, National Security Adviser, Trip Briefing Books and Cables for Henry Kissinger, Box 2, October 20–November 9, HAK Messages for President.

48. Ibid.

49. Ibid.

50. Ibid.


52. According to some experts in the Indian strategic community, the US reaction was not at all restrained but severe, and the use of the word ‘restraint’ in Kissinger’s telegram demonstrated his pro-Pakistan bias in the wake of the latter’s help as a conduit to China, facilitating the Sino-US rapprochement.

53. Secret Telegram 97347 from the Department of State to the Embassy in India, 26 April 1975, 0213Z, US National Archives, RG 59, Central Foreign Policy Files.

54. The 1963 Indo-US agreement contained bilateral safeguard provisions that bestowed ‘consent rights’ on the United States over the reprocessing of spent fuel from the Tarapur reactors. Under the agreement, the United States also committed itself to supplying the plant with low-enriched uranium fuel for a period of 30 years. The Tarapur Atomic Power Station began commercial operations in 1969, and a tripartite agreement was signed in January 1971 between the IAEA, India and the United States, placing the Tarapur facilities under IAEA safeguards until 24 October 1993, when the Indo-US agreement would terminate. In the wake of India’s underground nuclear explosion of May 1974, the United States began to call for full-scope IAEA safeguards which would encompass all Indian nuclear material meant for peaceful purposes, in advance of any future nuclear cooperation. India argued that the Tarapur reactors were not unsafeguarded. The United States, on the other hand, demanded that India observe its obligations under the bilateral agreement, i.e. to not go to a third party and to not use indigenous fuel. The Tarapur issue thus became a serious bone of contention between India and the United States. See also ‘Selected Indian Facilities: Tarapur’, Monterey Institute of International Studies, at http://cns.miis.edu/archive/country_india/nucfacil/tarapur.htm (Accessed 3 July 2012).

construction when Canada ended its bilateral cooperation with India. The reactors of RAPP were modelled on the Douglas Point-type CANDU reactor. In the 1980s, when RAPP-I faced problems with a heavy water leak, necessitating new techniques and tools, Canada maintained its total refusal to provide any assistance. India eventually completed the construction of RAPP-II indigenously in 1981.


63. Ibid.

64. Benoît Pelopidas, no. 4.