

CONCEPTUALISING NUCLEAR DIPLOMACY IN 2ND NUCLEAR AGE

*Nasir Hafeez and Professor Dr. Pervaiz Iqbal Cheema**

Abstract

Nuclear diplomacy has been at the centre stage of international relations ever since the inception of nuclear weapons. Despite so much of international activity and engagement in the field of nuclear diplomacy, little if it has been added to academic perspective, especially on its conceptual framework. Recent work of Gregoire Mallard is a profound framework that attempts to explain the concept of nuclear diplomacy and the process through which it contributed in universalisation of NPR. His trinity of transparency, ambiguity, and opacity is found to be a useful framework to study nuclear diplomacy. This frame work not only covers the conception of nuclear diplomacy in the first nuclear age but also is relevant in the second nuclear age. In this paper an attempt has been made to look into the concept of nuclear diplomacy, its practice and contribution in developing international non-proliferation regime. It will look into Indian exceptionalism which according to some opinion is a threat to NPR while others view it as a positive discrimination. In light of this discussion, the paper will also shed some light on challenges to Pakistan and suggest a possible course of action.

Keywords: Nuclear, Diplomacy, Non-Proliferation Regime (NPR), Pakistan.

Introduction

At the core of the concept of diplomacy is the idea of communication, interaction, contact and negotiation among states and non-state actors¹. The main subject of diplomacy has been war and peace ever since its inception; it still remains relevant but the levels and fields of interactions have increased manifolds. Many related functions like economy, technology, scientific developments, education, art, law and much more have come within the realm of diplomacy².

Diplomats and representatives who represent policy have limited role in its formulation but a major role in its execution. Therefore people engaged in diplomacy should be able to bridge differences, such as: cultural, geopolitical and ideological alongwith the conflicting state interests³.

Nuclear Diplomacy

Nuclear diplomacy is the expression of nuclear policy, how a nation views the acquisition of nuclear technology both for military and peaceful purposes, and its role

¹Nasir Hafeez is a PhD Scholar at the Department of International Relations and Professor. Dr. Pervaiz Iqbal Cheema is Dean at Faculty of Contemporary Studies, National Defence University, Islamabad.

in national security and national development.⁴ Study of nuclear diplomacy invariably includes policy research wherein it is necessary to first understand policy itself.⁵ Those who conduct nuclear diplomacy do not challenge this basic logic. They rather build their arguments on the basis of this predetermined logic. Nuclear policy of a nation, therefore, must clearly layout this logic of why nuclear technology and then instil confidence in its representatives about the truth of this logic.

Everyone has attributed and contributed differently about nuclear weapons but with very limited information about the weapon itself, as the exact information about the nuclear weapons remains shrouded in cloak of secrecy and confidentiality. Despite this dearth of relevant details the extensive exercise in expression of knowledge is fascinating and is likely to continue for some time. This art of describing and ascribing is nothing but nuclear diplomacy, which is the topic of this paper.

There is a lot of nuclear diplomacy in practice and many scholars have focused on various policy positions declared by different countries. There has been a commendable on-going effort to record nuclear diplomacy but little has been written on its theoretical conception. How nuclear diplomacy is conducted and how it produces agreements despite disagreements. How private and public sphere is managed? How contradictory positions are harmonized to arrive at consensus? This paper will make an attempt to look into the evolution of nuclear diplomacy and its transformation in second nuclear age. In light of this framework a brief overview of recent Indian exceptionalism and the challenges to Pakistan's nuclear capability will be discussed in this paper.

Nuclear Diplomacy in Practice

Nuclear diplomacy started at the time when the first atomic bomb was being developed in United States of America. President Truman hinted to Russian leader Stalin at the Potsdam conference in 1945 about the big bomb that America had developed without describing it. Stalin showed no interest or distress⁶ as Soviet spies had already penetrated in US highly guarded Manhattan project and were passing secret information back home. Failing to conduct successful test would have resulted in greater embarrassment and a loss of face⁷. Consequently and quite ironically, in order to display the destructive potentials of atom bomb it was dropped on Hiroshima and Nagasaki. Since then nuclear weapons have been developed, deployed but not used and the main focus of nuclear strategy in the subsequent years has been diplomatic in nature including the coercive diplomacy, using threat of use of nuclear weapons.

Theory of nuclear deterrence plays central role in formulation of nuclear strategy. The main focus, therefore, is on the threat which essentially is a function of human communication. Thus deterrence will remain effective and stable as long as the communication of the threat is effective. Therefore, the nuclear strategy based on deterrence requires effective diplomacy to remain credible. They have diplomatic utility to add unacceptable and devastating consequence of an undesirable action which forces the opponent to respect diplomacy. Countries develop nuclear weapons because they want to avoid nuclear black mail of powerful countries as the best answer to nuclear

weapons is a nuclear weapon as it creates deterrence and mutual destruction, which stops war among the rivals.

In the nuclear age, military strategy has transformed to a great extent. Transparency and communication have been replaced surprise and deception, and nuclear deterrence is assumed a central position in national security policy of all nuclear powers in the increased reliance on nuclear diplomacy. It would not be wrong to say that nuclear diplomacy is the essence of nuclear deterrence. If nuclear diplomacy fails, the nuclear deterrence fails and if the deterrence fails, then there will be a total destruction. One cannot afford the nuclear diplomacy to fail now as there is no option of going to war with nuclear weapons.

Nuclear Discourse

Human race has been in search of destructive power to dominate others but suddenly found itself in control of excessive power that could destroy it. The question of war and peace, that has been the object of international diplomacy since long, is transformed beyond comprehension. Nuclear weapons are though, considered necessary but at the same time not useable. The technology was unleashed without conceptualizing its potential implications on international affairs. The challenge of nuclear age was not only enormous but inescapable⁸.

If we look at the nuclear discourse we find two prominent schools of thoughts which explained and understood nuclear weapons in their own peculiar way. Nuclear optimists thought that nuclear weapons are good for the international peace and stability and “*more may be better*”⁹. While the other group; nuclear pessimists believed that nuclear weapons in the hands of more nations will lead to their use and dangerous for world peace “*more may be worse*”¹⁰. There has been a continuous debate between the two, supported by national and International agencies, in public and private sectors.

With the changing trends in international strategic environment the number of scholars subscribing to each of these two schools of thought kept changing. The numbers of nuclear optimists have always been less and are continuously decreasing and their arguments are gradually fading away due to the policy preferences of institutions and organisations working on nuclear issues. On the other hand the nuclear pessimists are increasing in number since they support the cause of arms control, disarmament and non-proliferation which is currently the main stream of the nuclear debate. The nuclear pessimist got further boost with the declaration of nuclear zero policy by Obama administration in 2009.

Both positions are tenable and cannot be ignored by any state which possesses or is trying to acquire nuclear weapons. This presumed role of nuclear weapon though contested, yet forms the basis of many nuclear engagements within the governments and outside.

Nuclear Non Proliferation

The utility of nuclear weapons was seen in its deterrent value to avert the chances of large scale wars. This justified the developments of new weapon designs with increased range and accuracy. Large stocks of nuclear weapons guaranteed peace but at the same time sparked a nuclear arms race which is highly destabilizing and threatening to international peace and security. US proposed an international framework in the form of Baruch Plan¹¹, which was rejected by Soviet Union. In response Soviets presented their own Gromyko plan¹² which was not acceptable for Americans. Moreover, the conflicting dynamics of cold war have further been aggravated the situation. Even the sincere efforts from one side were seen suspiciously by the other.

While total elimination is desired, but practically still not possible¹³. Those who possessed nuclear weapons justified their possession while asked others to refrain from acquiring them. National security concerns the powerful provided them justifications to continue to have nuclear weapon while the dangers of spread of nuclear weapons and their related cost effect motivated others not to have them. UNGA accepted the decision of major powers and created eighteen nations committee on disarmament in Dec 1961. This extensive diplomatic engagement finally succeeded to develop the text of nuclear non-proliferation treaty that established the foundations of international framework to control nuclear technology.

Due to this reason, we see nuclear non-proliferation treaty endorsing the UNSC permanent members' (P5) legitimacy of having nuclear weapons as Nuclear Weapon States (NWS). The treaty text has been debated though at a wider forum of eighteen nations yet the final decision is yet to be made by the leaders of two powerful blocks i.e. US and USSR. Irrespective of the inherent discrimination of NPT it is still the most useful framework to regulate and control the spread of nuclear weapons.

Cold war is over but its nuclear structure continues to exist, without any modification. The changed international security environment demands a review of these structures but so far there is no positive movement. Any slight change, if not well considerate may break the already fragile nuclear order that has to some extent preserved international peace.

2nd Nuclear Age

Paul Braken in his article in Foreign affairs in 2000 noted that the Western military dominance is gradually being challenged by the rise of Asian military powers, i.e. a major shift in the world's balance of power¹⁴. However, now in the second nuclear age Bracken describes "a three-tiered structure" or "MSG framework (for major powers, secondary powers, and groups)." The original five nuclear powers (the United States, Russia, China, the United Kingdom, and France) are still armed with nuclear weapons. However, over the years, India, Pakistan, North Korea, South Africa, and Israel joined the ranks of nuclear weapons states.

The new nuclear states in south Asia (i.e. India and Pakistan) that joined the nuclear club of the privileged powerful P5 are economically and technologically less independent. The new nuclear powers are softer in their outlook and seek to cooperate in increasingly interdependent world.

In the first stage, when these countries were developing their nuclear weapon programmes covertly, there was a requirement of continuous import of technology and knowledge from other advanced countries. During this period there was pressure from international arms control and disarmament forums to enter into agreements and treaties. Here the diplomacy had to provide justifications for nuclear developments and inability to join international obligations. This phase was very crucial for developing nuclear capability and needed a cover story; both India and Pakistan had already passed through this stage.

In the second phase, now these countries have overtly conducted nuclear tests to display nuclear capability but still without antagonizing the existing international power structure. This is very important to preserve the nascent capability against any decapitating strike and also keep getting international support for further developments and advancements.

The nuclear diplomacy of engaging with the new nuclear nations has different challenges both for the old and new entrants. The international nuclear non-proliferation structures were developed during the first nuclear age, may not be able to absorb new nations but need to engage with them. This needs a clearer understanding of the nuclear diplomacy by all the participants, knowing the process that has so far been successful with all its contradictions.

Conceptual Framework

A comprehensive framework is difficult to develop in social science and more problematic in the field of nuclear diplomacy which is highly secretive. An effort has been made by Gregoire Mallard who has published his research in a book form "*Fallout, Nuclear diplomacy in the age of global fracture*"¹⁵. So far, this is the most profound research work on nuclear diplomacy. Mallard looked into the discussion that went on between the West and the Soviets and resulted into legal obligations that created Non-proliferation Treaty (NPT) in 1968. He claims that the range of obligations found in the global non-proliferation regime should not all be seen as coherent and fixed throughout time, as the multiplicity of legal instruments that define the true interpretation of non-proliferation obligations often leads to tension and contradictions between interpretations. This idea goes against the view developed by most analysts who presented the NPT as constituting a tightly integrated regime, which placed many pre-existing treaties on nuclear trade in a coherent framework.¹⁶ He concludes that NPT legal obligations are coherent with other treaty rules only in some cases but not in general.

Mallard's study exposes the compromise of IAEA-Euratom Safeguards Agreement signed in 1972 which though created enough coherence within the global

nuclear regime, but as the matter of fact, created a fracture between Europe and rest of the world. Mallard argues that the ways in which international law is interpreted in practice is much more complex as generally understood. Sometimes the interpretation of legal instruments can be clear as their meaning is explicitly understood by everyone, such interpretation reflects transparency. In a similar way the interpretation can be ambiguous. Mallard brings an another important perspective of treaty obligations and their interpretations when he mentions discrepancies between how legal obligations are interpreted in public and in private. Here lies the most complex framework of all international treaties which are always secret and managed through agreements outside the treaty text.

Indian Exceptionalism

There can be four categories of countries that have actively contributed in the field of nuclear diplomacy. First the countries which already possess nuclear weapons and are the de-jure nuclear weapon states. Second that have acquired nuclear weapons like Israel, India and Pakistan but so far have not been accepted as legitimate nuclear weapon states. There are some countries that have not yet conducted any tests but are interested to acquire nuclear weapons. Last, the nuclear havenots, those who believe that nuclear weapons are a curse to humanity and must not be acquired even if requisite technological capability exist, and they are of the European countries. India was in the second category that had tested nuclear weapon but so far not been recognized as de jure weapons state.

This however changed with the passage of time. India deliberately planned to conduct nuclear tests and was prepared for the criticism and sanctions by the guardians of existing nuclear order. India took the nuclear non-proliferation regime a head on with full confidence. Its political leadership and diplomats engaged with important stake holders of the Non Proliferation Regime (NPR) and within next ten years, same India that had challenged the NPR and non-testing taboo of the CTBT was accepted as responsible nuclear weapon state, offered unique nuclear deal, granted NSG¹⁷ wavier and privileged international nuclear trade outside NPT framework.

Proponents of Indo US nuclear deal called it a net gain for the non-proliferation regime while opponents described it as a 'non-proliferation disaster'¹⁸. *'For the first time in my experience of international diplomatic negotiations, a consensus decision was followed by complete silence in the room. No clapping, nothing.'*¹⁹ *'NPT RIP (rest in peace)'*²⁰. Despite such a response India became a unique case in the entire world, allowed to retain its nuclear weapons program and also permitted to acquire peaceful nuclear technology in contrast to the existing NPT grand bargain where all countries except the five NWS gave up nuclear weapons program in exchange for access to the peaceful nuclear technology. This paradigm shift in NPR was unprecedented and was initially criticized but gradually accepted as pragmatic policy option to bring India with in NPR, though with some exceptions.

India continued its policy of nuclear ambivalence throughout its nuclear history. On one hand, it criticised existing non-proliferation regime and on the other

hand, it was developing necessary technology to develop nuclear weapons. Indian diplomatic engagement after May 1998, challenged the existing hegemonic nuclear discourse, dominated by the West particularly USA. It not only responded effectively to the international criticism, but also exposing the discriminatory nature of the NPR calling it as “Nuclear apartheid” which gradually moulded it to seek all the favours that India is enjoying today. Indian nuclear capability was not fully recognized as de-jure NWS under NPT, however, sufficiently legitimised to engage in international nuclear trade and develop its nuclear program.

In conceptual framework, Millard’s trinity of nuclear diplomacy in the shape of transparency, ambiguity and opacity played a prominent role in normalising Indian nuclear weapons capability outside NPT frame work. Millard argues that India advocated disarmament efforts to be made before or in conjunction with non-proliferation efforts rather than postponed to a later date.... if exceptions were tolerated, particularly in the West (or in Israel), the non-proliferation plans would be worse than the maintenance of anarchy, as they would reinstitute in the nuclear age that is also the colonial division of the world²¹. This was a powerful Indian nuclear non-proliferation argument that was followed in all its engagement with international community. US understood the challenge and initiated dialogue with India to find a way of absorbing India within the nuclear non-proliferation regime, not by having India become a party to the main treaty of that regime (i.e., the NPT), but by having India adhere to all the other rules derived from the NPT²².

Indian nuclear diplomacy succeeded in getting a special status outside NPT frame work. The new bargain that resulted after signing a nuclear deal with US led to the signing of an India specific IAEA Safe-guards Agreement. Indian foreign secretary stated in late 2005, “Although India is not a member of the NPT, our behaviour is such that we [now] are.”²³ By taking these actions, the United States and other nuclear exporters forced India to abandon its postcolonial rhetoric of ambivalence, which challenged the conceptual categories on which the NPT and its subsequent rules were based. In a sense, India’s nuclear status became an acknowledged exception in the global non-proliferation regime. In the same spirit IAEA agreed to apply some measure of “positive discrimination”²⁴ with regard to India. There is now a very thin line between the present status and the desired status which will allow Indian nuclear capability to be finally recognized as a legitimate nuclear weapon state.

Challenges for Pakistan

Pakistan is facing many challenges in engaging the international nuclear non-proliferation regime. These have been aggravated with the rise of non-state actors and threat of nuclear terrorism. Many concerns have been raised from time to time, these have been aggravated by host of factors. Additionally Pakistan has been the target of sustained international propaganda supported by both regional and international players for variety of reasons. In the process of responding to different accusations, Pakistan has committed to certain terms which are highly sensitive and misunderstood, especially related to the use of nuclear weapons. Pakistan’s single handed blocking of

FMCT has contributed to its already negative image in the world. Moreover the policy of first use and the introduction of tactical nuclear weapons are all complicating the situation. The recent introduction of full spectrum deterrence is confusing the declaratory policy of minimum deterrence. Resultantly the notion of irresponsible behaviour is being attached to Pakistan without any concrete evidence. Many nuclear experts continue to project dangerous scenarios and present arguments which further complicate already confused perception.

There is no denying that the Pakistani position on all nuclear issues and the recent developments are well thought out and are in the greater national interest. There is also a realization that all the institutions working in formulating nuclear response are working diligently. Yet it is felt that there is some requirement of course correction, internal coordination, greater deliberation and careful articulation of its nuclear policy. Great care is required to formulate national response on nuclear issues to be presented locally and internationally.

Conclusion

Nuclear diplomacy is an interesting field of study especially for those countries that have acquired or are acquiring nuclear weapons capability. The conceptual framework provided by Mallard in the shape of trinity of transparency, ambiguity and opacity to look into nuclear diplomacy is an interesting foundation. This framework explains the universalisation of non-proliferation regime and the process that goes on in public and in private domain. Indian exceptional status is a recent example of such nation where sustained international nuclear diplomacy could be understood within the parameters of this trinity of nuclear diplomacy. Pakistan, currently struggling to get its nuclear weapons capability normalized, can look into this conceptual framework to formulate its engagement strategy. This also needs a re-evaluation of its nuclear diplomacy in light of focused research in this field. Scholars and researchers should be encouraged to work in this important field to increase national awareness and improve Pakistan's nuclear image all over the world. This is vital to overcome current isolation and win greater international integration and cooperation.

NOTES

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