CONCLUSION
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India became the first major test case of the instrument of sanctions relating to attaining the objectives of non-proliferation aspects of American foreign policy. Indeed India’s Pokhran-I nuclear test was the major factor in shaping the US non-proliferation policy approaches, including the most important sanctions approach. If India’s Pokhran-I nuclear test prompted a major shift in the course of evolution of non-proliferation policy approaches and provoked establishment of formal non-proliferation sanction regime, Pokhran-II nuclear tests tested the relevance and efficacy of that formal non-proliferation sanction regime. However, a rudimentary non-proliferation sanction was pursued soon after the Pokhran-I PNE, thus becoming the first major test case for that non-formal or non-statutory sanction.

While the impact of the US non-proliferation sanctions on India’s decision making is studied, this study has basically tried to show how the non-proliferation sanction has worked in the US attempt to achieve its non-proliferation objectives in India in Pokhran-I and Pokhran-II nuclear episodes, which occurred during different technological, political and economic environments. While the Pokhran-I episode was primarily marked by India’s technological dependency and cold war politics, the Pokhran-II episode was marked by technological self-reliance, post cold war context and economic stability.

Pokhran-I and Revelation of American Unilateralism and Pre-emptive Tendencies

The experiment of US non-proliferation sanctions in the episode of Pokhran-I nuclear test of India revealed emergence of the trend of unilateralism in American foreign policy approach. Following the Pokhran-I nuclear test, though there were no legal grounds for imposing sanctions and upholding non-proliferation demands, the US upheld rudimentary sanctions by suspending the fuel supply to TAPS and sought non-
proliferation demands on India. In the Indo-US Agreement for civil nuclear cooperation of 1963 and in the Indo-US heavy water Accord of 1956, there existed no provisions either for imposing any sort of sanctions or for upholding non-proliferation demands that were later exercised on India following the Pokhran-I test. Also, there existed no other statutes for imposing sanctions for non-proliferation purposes. Despite the absence of legal grounds for imposing sanctions, the US voted against loans to India at the International Development Association and suspended fuel supply to TAPS amounting to imposition of non-statutory sanctions. These illegal or non-statutory exercises of unilateralism were soon to become formalised actions. In the late seventies, the US Congress passed many sanctions laws that facilitated for imposing sanctions on any country violating nuclear norms of the US, even if the US did not have any agreement for nuclear cooperation with that country.

The Pokhran-I episode also exposed emergence of American tendency for pre-emptive actions in promoting its foreign policy objectives. Following the Pokhran-I nuclear test, many times the US applied threat of fuel cut off / threat of sanctions amounting to pre-emptive action to deter additional nuclear tests and to achieve other non-proliferation demands on India. The Carter Administration had threatened India that under its new nuclear export policy it would not be able to continue nuclear cooperation in the future with a non-weapons state that detonates a nuclear explosive device, even if the device was constructed entirely with indigenously produced materials and technology. It basically meant that the United States would cut off fuel supply, in spite of its legal obligations under a binding international agreement, if India carried out another nuclear test. This kind of threat of sanctions successfully deterred India from conducting additional tests and to achieve other non-proliferation demands from 1974 to 1977. Conclusively, American actions were essentially a pre-emptive posture of American foreign policy. Equally revealing was American unilateralism once again in the case of India. Thus, pre-emptive and unilateral posture appears to be strategies of American
sanctions primarily to obtain non-proliferation objectives. This not only exposed the pre-emptive tendency of America, but also exposed the trend of American unilateralism once again in the case of India.

Following the Pokhran-I nuclear test, the fuel suspension-card was used by the US to exert pressure on India to achieve non-proliferation objectives. Every time when the US suspended or delayed the fuel to TAPS, the US expected India to adhere certain action in tune with its non-proliferation objectives in order to continue the fuel supply to India.

**Written Peaceful Assurance**

In 1974, the US held four shipments of fuel hostage, putting up demands that India confirmed or ratified two US understandings prior to the date of the next scheduled portion of the shipments. The two understandings were: (i) that the use in or for any nuclear explosive device of any US supplied nuclear material or equipment is precluded; and (ii) that the IAEA is responsible for verifying that the safeguarded material is not used in or for any nuclear explosive device.

Though initially India rejected the US demand, saying the two understandings were not flowing from the 1963 agreement for nuclear cooperation, later when the US explained in the second letter that what it asked was "simply written assurance", not a legally binding agreement, India agreed that the US special nuclear material will be "devoted exclusively to the needs of" the Tarapur Atomic Power Station. But in the second letter, the US did not demand the other demand of India confirming that IAEA would be responsible for carrying out verification.

During the issue on written peaceful assurance, the exchange of communications, essentially letters, between Sethna, the Chairman of Atomic Energy Commission of India, and Dixo Lee Ray, the Chairman of US Atomic Energy Commission, exhibited that India was put under a sanctions-like pressure despite India was acting well within the purview of bilateral agreements. Though the suspension of fuel was amounting to a
rudimentary sanction, India felt pressure that of full-fledged statutory sanctions, because TAPS was in a vulnerable position on the account of India's dependence on the US fuel.

Thus, India was prepared to accept the US non-proliferation demands for exigencies in order to avoid further delay in receiving fuel from the US, as it would have caused further damage to the already-reduced power production by the TAPS.

Sanctions within the purview of any bilateral agreement would generally be more effective by virtue of its legality. Despite the delaying this supply of fuel was illegal, the US was able to exert pressure on India and it achieved its objective of making India to accept that the US supplied fuel will not be used for explosive purposes, even though it was peaceful nuclear explosion, which India had been claiming that it was well under the purview of the agreement. The US objective was achieved because India was in a vulnerable position at that time; it could not go for an alternate fuel supplier as per the agreement and a suspension would force shutdown of the TAPS. Probably had India been a cold war ally, the US would have not put up such a demand, especially when India had already conducted a nuclear test. India's stand in the cold war certainly hardened the US attitude in nuclear issue.

Desai's Assurance

And, out of the two more applications filed in November 1975, the second application was cleared by the NRC, after a long delay of nineteen months in June 1977, only after the Indian Prime Minister Moraji Desai had voiced his opposition to nuclear weapons and pronounced that India will not use nuclear energy for military purposes. Function of the 'threat of sanction' was at display in the process of licence approval of the second application in 1975. Sometimes a threat of sanction itself, rather than actual imposition of sanction, effectively achieves desired results or objectives. India, for reasons of expediency and need, avoided assuming any hard posture primarily to ensure any further delay of fuel supply to TAPS. Thus, India had to adopt a soft posture in the interest of TAPS agreeing to the US non-proliferation principles, at least in principle.
Additional Safeguards and Technological Restraint

In 1975, the US also demanded assurance from India that it would not proliferate nuclear technology and was exploring a possibility to place safeguards on additional nuclear facilities in India and to reach an agreement with India that all spent nuclear fuel generated at the TAPS facility be returned to the United States. India had informally indicated that it would not export nuclear explosive technology to any other countries. Nevertheless, India firmly rejected additional safeguard provisions on the entire Indian nuclear facilities and returning of all the spent fuel to the US. Informal assurance on export of explosive nuclear technology, however, was achieved by the US again through a threat of fuel suspension.

It is significant to observe that in spite of legal obligation under binding agreement to supply nuclear fuel, the Carter Administration had threatened to cut-off fuel supply to India, should India pursue additional nuclear tests. Consequently, the Carter Administration by its pre-emptive action could deter any additional test pursued by the Indira Gandhi government.

Nevertheless, it may be observed that India accepted main non-proliferation demands of US only in the context of TAP nuclear facility. Other nuclear facilities of India presumably were free from the demand conceded in the context of TAPS. It may be reiterated that in the context of TAPS only India assured not to use US-origin special nuclear material even for peaceful-explosive purposes; not to use nuclear energy for weapons purpose; not to export nuclear technology to other countries; and also India abandoned additional nuclear tests. However, the Pokhran-I sanctions could only delay the nuclear development programme of India, not deny altogether.

However, the US could achieve its demands only to an extent where India did not feel its sovereignty was at question. It was evident when India firmly rejected the US demand of adhering to additional safeguards also on India's other nuclear installations that were not at all under the purview of the Indo-US agreement. Even when the IAEA
safeguards for TAPS were penned in the 1963 Indo-US Agreement, India accepted with great reluctance, as it was an intrusion into India's sovereignty, primarily to ensure the operation of TAPS only.

**Full Scope Safeguards and Rewriting of Agreement**

In 1978, under the Nuclear Non-Proliferation Act (NNPA), the US demanded that India accept "full scope safeguards" and "perpetual safeguards" on all the nuclear facilities, including the nuclear facilities that were not under the purview of Indo-US agreement.

The Indian nuclear fuel export licence XSNM-1060 was approved by the NRC in July 1978, only after the issue was taken to the level of Congressional voting. However, the rest of the two fuel licence applications XSNM-1222 filed in the November 1977 remained pending on the issue of "full scope safeguards" and "perpetual safeguards". Following India's intensified pressure on the United States to honour its contractual fuel supply commitments and India's interpretation that failure in fulfilling the contractual obligation would push India to consider the pact "breached", the US approved the licence in March 1979. Possibly, another reason could be the fall of the Shah's regime in Iran which could have influenced the US policy-makers to view India as a possible important ally for foreign policy consideration in South-West Asia in geo-political terms.

There were two more applications filed in 1978 and 1979 for the supply of fuel to TAPS, but these requests were rejected. These supplies were tied to the issue of "full scope safeguards" and "rewriting" Indo-US bilateral agreement, as enshrined in the NNPA. In the first significant test of NNPA, the Congressional battle exhibited two paradoxical foreign policy objectives -- the need to maintain and strengthen US influences in the volatile South and Southwest Asia region of the world Vs the need to tighten the reins on nuclear proliferation -- colliding head on. A bitter showdown between the Congress and Administration was witnessed, as the Congress was more focused on the fuel licensing issue out of concern for implementation of the NNPA provisions, while
the Administration was examining the issue from the perspectives of broader foreign policy concern in the Asian region.

However, in the end, the Iran-Iraq war and the Senate’s reluctance during a time of crisis to cause the President a major foreign policy hurdles facilitated the Administration to prevail and approve the first shipment of the two. The South and Southwest Asian political situations -- the Soviet intervention in Afghanistan, the tattered political fabric of Iran, the Iran-Iraq war and some instability in the Pakistani government after the confirmation of death sentence of former premier Bhutto by the Supreme Court -- warranted the US to ensure that “the largest democracy in the world, India, was not alienated", as alienation might have encouraged the Soviet Union to take advantage of the situation to gain more visible support of India, damaging the US efforts to contain the Soviet expansionism.

Carter Administration’s flexibility was replaced by hardening of Reagan Administration on the cold-war policies. The Reagan Administration’s declaring the Soviet Union as “evil empire” and the Indian stand on Soviet intervention in Afghanistan did not satisfy Regan Administration’s policy makers to review nuclear fuel supply to India favourably. Moreover, Following the US-Pakistan strategic collaboration, the American attitude to the sale of nuclear fuel to India had hardened. In its search for a new US base in the Indian Ocean, the Regan Administration perceived that the Pakistan could be a suitable base for the US. Consequently, as the Reagan Administration appealed, the Foreign Relations Committee exempted Pakistan from the operation of Symington amendment. Despite the existence of overwhelming facts that Pakistan was pursuing nuclear weapons programme, the Administration’s recommendation to waive the Symington amendment -- which prohibited the US from assisting nations that pursued nuclear enrichment technology and refused to give assurance that they would not develop nuclear weapons -- exhibited that the Administration was sacrificing the non-proliferation concern for political expediency. While the US was making serious efforts to contain the
nuclear proliferation, the selective proliferation of US by exempting Symington amendment and assisting Pakistan weakened the credibility of its proliferation concern and sanctions policy.

Rather than pursuing a rigid, unilateral effort to block proliferation everywhere, the Reagan Administration decided to discriminate between countries that posed threats to the interests of the United States and those that did not, thus exempting Pakistan from Symington amendment. Whereas, the concept “non-proliferation” per se was a discriminatory word, the US attempted discrimination within discrimination through selective proliferation interestingly to achieve the same non-proliferation objectives. Denial of the nuclear fuel supply to India, while, simultaneously ignoring evidences of Pakistan’s nuclear weapon programme by exempting Pakistan from Symington amendment, amounted to a “selective non-proliferation”, conversely “selective proliferation”, by the United States.

According to the retroactive 1978-NNPA provisions, the US should have imposed sanctions on India for not accepting full scope safeguards and for its detonation of nuclear device in 1974. But, the US did not invoke formal sanctions provisions because of the paradoxical objectives of the US. The objective of full scope safeguards clashed with political interest of maintaining good relationship with India in the later part of Reagan Administration in terms of geopolitics and emerging Indian market. Moreover, the Reagan Administration would have by then realised that India would in any case not adhere to NNPA, thereby it would be expedient to opt for geo-strategic and market interests rather than complicating Indo-US relations by hoisting NNPA and selective non-proliferation objectives.

India steadfastly refused to accept the “full scope safeguards”, “perpetual safeguards” and “rewriting” of the Indo-US agreement on the basis of NNPA provisions, till the end of the Tarapur issue. The pressure exerted by the fuel delay in the Carter Administration and fuel denial in Reagan Administration did not achieve these US
objectives, as India continuously maintained that the demands did not flow from the Indo-US bilateral agreement and since those demands were intrusion of India’s sovereignty. Combined with this reason, paradoxical objectives -- non-proliferation Vs containing Soviet expansionism -- in the Carter Administration partially helped India to prevail. The Reagan Administration, while could not concede on the US supply of nuclear fuel to TAPS, facilitated third party supply of fuel, especially of France.

As far as major non-proliferation demands of the US were concerned, India complied with, in the case of providing the written assurance for not using the American origin nuclear material for explosive devices, but steadfastly refused to comply with in the case of accepting “full scope safeguards”, “perpetual safeguards” and “rewriting” of Indo-US Agreement, though the milieu in both the cases was same. In both the cases, India was under constant pressure as it was in dire need of fuel for TAPS and the demands were not flowing from the Indo-US Agreement. India accepted the peaceful use of nuclear material, because India perceived it had nothing to loose by giving a written assurance that was not legally binding on it and because in the initial stage India wanted to avoid confrontation with the US. But in the second case, India refused US demands because it primarily undermined Indian sovereignty and so India sustained its determination not to succumb, despite the longer duration of pressure of the US, for almost eight years from 1974 to 1982. Along with sovereignty aspect, India, for reasons of safeguarding the operation of TAP facility, did not want to commit the entire existing nuclear facility other than TAPS and also any future nuclear facility as hostage to US non-proliferation demands. Interestingly, it brings out a point that one of the maxims of the sanctions theory that longer duration of pressure on target country will yield more certainly positive results, has become questionable in the case of Pokhran-I sanctions. Even short duration of sanction’s pressure can achieve desired results in the target country, if some other factors like “sole-dependency-factor” are at display. Shorter duration of fuel delay, from 19 June to 17 September 1974, and consequent starvation of
TAPS pressurized successfully India to accept US demands on peaceful assurance, primarily because India was in dire need of fuel for already-starved TAPS. So, the conclusion pertaining to effectiveness and utility of sanctions vis-à-vis duration of the sanctions is "it depends".

In the case of US demand for India's concession to not to export nuclear explosive technology to other countries, India agreed informally, not with written agreement, to adhere to the demand. India agreed so, as this unwritten assurance did not impose any tough decision-making, especially when India already had the principle of not exporting them to other countries.

**The Case of Pokhran-II Nuclear Tests**

Unlike the case of Pokhran-I sanction, in the Pokhran-II sanctions, the US was armed with Congressional Acts and resolutions as to its non-proliferation demands on India. Therefore, the sanctions that were imposed were under a clear legal provision, which was absent in the Pokhran-I case.

**Comprehensive Test Ban Treaty**

Soon after the Pokhran-II nuclear weapon tests, the first and primary non-proliferation goal which US pursued was to seek India to sign and ratify CTBT without delay or conditions. Before the Indo-US strategic dialogue started, India made its premise clear on the issue of signing CTBT that India adhered to "voluntary moratorium" on nuclear testing that the CTBT primarily stands for. Under the tremendous pressure India expressed its willingness to adhere to some parts of the CTBT, but in an atmosphere where India's sovereignty was free from coercion. It is to be noted that India conveyed firmly that in case of its adherence to the CTBT, India "reserved the right to review this decision". Simultaneously, India made a major concession by suggesting that India could consider acceding to CTBT, provided there could be equally committed *quid pro quo* by P 5 and G-8 Countries by lifting the economic sanctions and also lifting the ban on transfer of dual use technologies. However, following the fierce opposition from the
Indian opposition parties, the Indian government returned to the principle that India's national security depended either on global disarmament or in the exercise of the principle of equal and legitimate security for all and totally refused to sign the treaty. Ultimately, the Indian sovereignty and national security interests prevailed paramount and India refused to sign the treaty. Thus, the episode has affirmed that where the countries national security and sovereignty mattered sanctions can not obtain the desired objectives of country that imposed sanctions.

**Fissile Material Cut-off Treaty**

The second American non-proliferation objective that was targeted on India had been to obtain Indian commitment to “halt production of fissile material and participate constructively in FMCT (Fissile Material Cut-off Treaty) negotiations”. Significantly, India could not oblige US on this matter too. Indeed, India overcame its initial hesitancy and positively suggested to participate in good faith in the negotiations for the early conclusion of the FMCT, provided that treaty would be universal, non-discriminatory and verifiable treaty too. In this context, India agreed to facilitate the establishment of an adhoc committee in the Conference on Disarmament in Geneva to begin long stalled negotiations on this issue. Though India had been proactive in this regard, immediate additional factors that made India to agree to participate in negotiations in the Conference on Disarmament in Geneva on a Fissile Material Cut-off Treaty was the sanctions pressure.

However, when India was asked by the US for a unilateral ceasing of production of fissile material, it declared that it would not support an immediate moratorium on fissile material production even if legitimate nuclear powers, convincingly stating that it needed to assess the direction of negotiations on FMCT before seriously considering multilateral -- and not unilateral -- initiatives in this area. Additionally, India strongly upheld that in an atmosphere of unequal security scenario, it needed a minimum nuclear deterrence, which required a limited quantity of fissile material and it was not for arms
race. India vehemently refused to cease the production of fissile material on security reasons. Therefore, Indian refusal and sustaining affirm that sanction would not bite countries like India when it wraps the national flag on security reasons.

**Strategic Restraint**

It is significant to observe that sanction did not facilitate strategic restraint. All that America desired was India agreeing to observe restraint on development and deployment of missiles and aircraft capable of carrying weapons of mass destruction. The US sanctions’ pressure did not deliver this objective of America containing the nuclear weapon development and deployment.

Before the Indo-US dialogue started, India voluntarily announced committing to “no first use” and not to threat to use of nuclear weapons or commit aggression with nuclear weapons. Nevertheless, India consistently upheld the need for “credible minimum deterrence” and would not engage in arms race. Moreover, India had also clarified before the start of nuclear dialogue that deployment was “contingency-dependent”, and not a complete restraint, as far as for India which had declared a “no-first-use” policy. India had also clarified that even though it was for “no-first-use” and observing restraint, it will unequivocally be opposed to any suggestions that demands, through “intrusive or sovereignty violative measures”, restraint on missile development programme or R&D in order to maintain the “credible minimum deterrence”, which is a dynamic concept that changes according to change in the security scenario in the region. India’s position was that matters related to deployment and defence postures were “sovereign functions, not subjects for negotiations”. The issue of strategic restraint and India’s reiteration on “sovereignty” of its decision making, including demonstration and test-firing Agni-II missiles, also affirmed that sanctions cannot be effective in disputes especially that affect the target country’s security.
Export Control

It may not be conclusively stated that sanctions facilitated America obtaining the fourth objective of India agreeing to “maintain existing restraints, against sharing nuclear and missile technology or equipment with others”. All available sources affirm that India have not had the tendency to proliferate or transfer nuclear weapon technology. It had always favoured assisting of the countries in civilian nuclear programme. Besides, India had good record in observing complete restraints on export of nuclear and missile technology for military purpose, though India was neither a party nor a member to the NPT. Therefore, India agreeing to export control was not a major concession. Nevertheless, for America, it was a major record point to show the world in having achieved a non-proliferation objective out of sanctions’ pressures.

Reducing Bilateral Tension: Indo-Pakistan dialogue

This had been the fifth objective of the US in persuading India. This also meant Pakistan too “Agree upon a framework to reduce bilateral tensions including on Kashmir”. Even though, this is purely bilateral issue, the third party US urged India and Pakistan to do so, because this bilateral issue held the key to achieve the rest of the US goals in American perception. But the US did not demand acceptance of third party mediation, exhibiting realism on practicality of demands in South Asia.

India and Pakistan started rather renewed bilateral negotiations on their own, for their own reasons but not for satisfying US. No concrete progress was witnessed except the undaunted spirit to continue the bilateral talks even after adverse developments like missile tests and emergence of Kargil conflict. The talks witnessed no fruitful results, as none of the India’s confidence building measures (CBMs) was accepted by Pakistan, and nor Pakistan’s CBMs by India for national security reasons.

Therefore, India’s acceptance of dialogue with Pakistan was of mutual interest and American intervention only hastened the commencing of the talks. India specifically said, after the Foreign Secretary level talks in October 1998, that “there was no question
of India acting under international pressure and there was no place for any third party involvement in India-Pakistan ties". The only success that can be credited to the US pressure in this regard was that India and Pakistan started the bilateral talks relatively shortly after their nuclear tests. Otherwise, they might have started a bilateral talks much late after the competitive nuclear tests, leaving the bilateral political climate for a boiling temperature, especially in the view of Kargil war in early 1999. This probably would have led to irreparable damages between the two archrivals.

The sixth and final objective of the US had been to secure India's consent to "accept IAEA (International Atomic Energy Agency) safeguards on all nuclear facilities." But through out the talks, from June 1998 to till the end of the series of talks, available reports indicated that the US did not pursue this objective vehemently. Even if this matter would have found a place in the talks, given the past experience, the probability was that India would have definitely not accepted the IAEA safeguards on its nuclear facilities, as the demand directly impinged upon its sovereignty and security.

So, not only the sanctions failed to deter India's nuclear tests, but also failed to achieve any of its non-proliferation objectives after the Pokhran-II nuclear tests. India's decision to go ahead with nuclear tests and its decision-making vis-à-vis US demands in Pokhran-II case underlined that cost did not matter but the national security of a sovereign nation. Indeed, there was political gain for the party that made decision for a nuclear explosion -- 1974 Congress party under Indira Gandhi leadership; 1998 under the leadership of Atal Behari Vajpayee. However, some gains that US had obtained on the non-proliferation objectives could not be attributed to the sanctions only, but was seen due to other reasons too. Thus, the non-proliferation sanctions clearly failed in the case of Pokhran-II. Without meeting its objectives, the US had to lift the sanctions on India owing to compelling paradoxical objectives. In a nutshell, factors of India's national security, sovereignty, economic strength and technological self-reliance nullified the effectiveness of US non-proliferation sanctions in India in the case of Pokhran-II. At the
same time, paradoxical objectives of the US - non-proliferation objectives Vs commercial interests and political interest - combined with the lack of support of effective multilateral sanctions depleted the pressure of non-proliferation sanctions in the case of Pokhran-II and first-time non-proliferation sanctions against nuclear explosion under Arms Control Act became a futile experiment. Though, the milieu was different in both the cases of Pokhran-I and Pokhran-II, the result was by and large same that US failed in achieving its major non-proliferation goals in India.

Comparative Analysis

While in the case of Pokhran-I, India’s dependency on the US for fuel pressurized India to accede to certain demands like “peaceful use” of nuclear material and refraining from further nuclear test, in the Pokhran-II there was not such dependency and India refused to accede to the non-proliferation demands of US, thereby failing the sanctions. In the case of Pokhran-I, technological dependency in producing nuclear fuel placed India in a straight jacket, making it to accept some of these non-proliferation concessions. When a sanction is supported by statute, by virtue of the legality of the sanctions, it should have more power to pressurize the target to achieve the sanctioner’s demands. However, the sanctions experiment in India disproves this principle and brings out that it was the “sole-dependency-factor” of the target state that matters in achieving goals in the target state. Though the Pokhran-I sanctions were not supported by statutory sanctions provisions, India’s vulnerability due to the dependency forced India to accede to the demands. Ironically, in the case of Pokhran-II, though the sanctions were supported by statutory sanctions provisions, they could not pressurise India to accede to the demands, as India was not solely dependent on the US on any interest that was more important than India’s national security and sovereignty. India was to certain extent dependent on the US for financial assistance, economy and trade, but not solely dependent on the US as India could avail alternative trade opportunities with other countries.
And, the Pokhran-II episode has exhibited that despite the end of cold war politics, the trend of selective proliferation of the US continued when the US lifted more sanctions on Pakistan than it lifted on India in 1998. Even though the US cited effecting equal impact on the economies of both India and Pakistan as a reason for unequal waving of sanctions, the real intention was to bail out Pakistan's already ailing economy in order to prevent it from hitting a rock bottom leading the country to a state of anarchy or autocratic country, the one that was perceived to be against the interest of the US in the South West and West Asia. The US believed, a democracy in Pakistan could be better influenced than an autocratic government to serve its interests including tackling terrorism, fundamentalism, promoting democracy, promoting human rights etc. in South West Asia and West Asia. Pakistan was the only moderate Islamic country in the region and the US did not want to loose that leverage by its own activity of causing an all-round economic collapse and pushing into an autocratic state or failed state. This was the main reasons behind the politics of discriminatory use of non-proliferation sanctions policy.

Thus, when the US indulges in discriminatory use of its non-proliferation sanctions policy, it weakens the credibility of its non-proliferation commitments, consequently weakening the cause of nuclear disarmament. In the politics of discriminatory use of sanctions policy, the US placed permanent technological sanctions on India, but it turned blind eye most of the time in the case of China and Pakistan while there was overwhelming evidence against them on their nuclear proliferation activities in the 1980s and 1990s. If the US had been strict in imposing non-proliferation sanctions against China and Pakistan, it could have prevented Pakistan from acquiring nuclear weapons capability and from conducting nuclear tests in 1998.

This episode has also once again brought out, as in the case of Pokhran-I, the perennial problem of the US foreign policy, which is described by Richard N. Haass as the "greatest paradoxes of American foreign policy". The US interest in the post cold war world vis-à-vis Pakistan was South West and West Asia centric geo-strategic (in the
context of US "war on terrorism") as against the Soviet-centric geo-strategic (containing communism) in the cold war period. When the US lifted more sanctions on Pakistan than it lifted on India, the fact that the non-proliferation objectives were pitted against this geo-strategic interest became obvious, bringing out the paradox of US foreign policy. In the process of politics of the US sanctions policy for promoting paradoxical objectives - non-proliferation objectives Vs geo-strategic interests - the effectiveness of non-proliferation sanctions gets weakened.

Since the blunt instrument of sanctions has often failed to achieve ambitious foreign policy goals of US, "smart sanctions" or "designer sanctions", which target primarily the policy makers and particular entities rather than the target country as a whole, suggested for an effective achievement of ambitious foreign policy goals. However, even smart sanctions will most unlikely to succeed in achieving ambitious non-proliferation goals in countries like India since it considers national security as paramount and it derives strength from sovereignty and it is ready to sacrifice anything for safeguarding its national security and sovereignty.

**Future of the Sanctions**

The deterrence of sanctions failed to prevent India’s nuclear tests in 1998 and also the imposition of the sanctions under the Arms Export Control Act (AECA) after the tests could not achieve the US non-proliferation objectives in India. As the US witnessed a failure in its first ever experiment of nuclear non-proliferation sanction under the AECA in India, the efficacy and relevance of non-proliferation sanctions regime for the future has become questionable. However, failure of the non-proliferation sanctions in India may not discourage the US from employing the non-proliferation sanctions on other countries trying to cross the threshold in the future, as the US considers sanctions could continue to be an additional non-proliferation measure to tight export control measures, incentives, IAEA inspection etc. It is evident from the fact that after the lifting of sanctions against India and Pakistan, the Bush Administration has reportedly imposed
sanctions 22 times in the year 2002 and 32 times in the year 2003 sanctions for non-proliferation purposes.

Though the factors of sovereignty and national security of a nation would play a dominant role in influencing a country's will to cross nuclear threshold, a sweeping economic sanctions could wield a considerable deterrence effect in preventing a country like Libya with only oil based economy, but not countries with industrial based economy and trained technical population, from going for overt nuclear power. The US has succeeded in convincing Libya to abandon its military nuclear programme, because Libya did not have any compelling security reasons to hold on to its defense nuclear programme. Nevertheless, in the case of countries of small economy, but with compelling security reasons like North Korea, the sanctions may again prove to be ineffective, as was witnessed in the case of Pakistan.

Thus, sanction can not be solution in all the cases and it can not also be a permanent solution for the threat of nuclear proliferation and consequent nuclear threat. Also the National Missile Defense (NMD) can not deter the web of nuclear threat, rather this counter proliferation would encourage arms race spiraling the nuclear threat. History reveals the primary reason for countries going for nuclear weapons is the security threat emanating from other nuclear powers. First nuclear threat originated in the US and consequent chain reactions caused USSR, UK and France to acquire nuclear weapons through counter proliferation to deter the web of nuclear threats. And when the spiraling nuclear threat between the US and USSR led to vertical proliferation between them, China perceived nuclear threat and acquired nuclear weapons and later on Israel, India and Pakistan followed suit on the chain of nuclear threat. Security threat being the root-cause of the nuclear proliferation, universal disarmament only could alleviate the security concerns of all the nations and be permanent panacea for the problem of nuclear proliferation in all the regions of the world.