

N-Deal won't bring power to poor
By S.P. Shukla
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The 123 Agreement on the India-US nuclear deal forged by Prime Minister Manmohan Singh and his select team of negotiators over the last two years and "signed, sealed and frozen" as late as August 2007, seems to have been consigned to the cold storage, at least for some time to come.

Not too long ago the PM had loftily pronounced on the "non-negotiability" of the Agreement, notwithstanding the patent opposition to it by the majority in Parliament. And when he was confronted with the likely consequences of his intransigence — the Left withdrawing its life-support to the UPA government — the PM had said with supreme nonchalance, "So be it."

When the Left asked for withholding the operationalisation of the Agreement for six months, the US ambassador in New Delhi promptly intervened and broadcast a general warning: "Time is of the essence." And the government followed suit, emphasising the paramount need to accomplish the next steps of concluding the Safeguards Agreement with the IAEA and obtaining approval of the NSG latest by early December 2007, so that the US Congress could anoint it with its legislative approval before it gets drawn into the turmoil of the next presidential election in that country. The hubris then was suddenly replaced by the rather late realisation of "coalition dharma" and the philosophical non-attachment: "Even if the nuclear deal does not go through, it is not the end of life." Since then several statements have been made which are neither conclusive nor add to the clarity on this issue. But all this should not lull us into believing that the deal is dead. Far from it.

The wider strategic context that informs the deal remains unchanged. So does the direction of policy initiatives already taken by the Indian

government.

And the core lobbies that supported and pushed the deal remain undiminished in their strength and activity.

The spokesmen of the government and the Congress party, the "embedded" journalists and experts, the mainstream media, all had spared no effort to paint a future scenario of plentiful, clean energy for our economy which is rearing to grow at a double digit rate of GDP growth. To this, the aam aadmi touch was brazenly grafted, pointing out that the Agreement would bring electricity to jhuggis and jhopris. It appeared as if the Agreement was all about quickly securing our energy needs in a non-polluting way. So pray, who but only the blind, doctrinaire mindsets living in the dead past could oppose the deal?

If you asked these cheerleaders whether the relative costs and benefits have been rigorously worked out to establish the desirability of the nuclear option; whether the projected demand for energy was based on a systematic national energy survey; whether there are cast-iron guarantees for uninterrupted supply of nuclear fuel, they had no convincing answers to furnish. Just as they did not have any answer to questions like whether energy security could not be best ensured by developing and relying mainly on indigenous resources of all types and avoiding growing dependence on imported nuclear fuel; whether the United States had the technology for the fast breeder thorium route which was and continues to be the fulcrum of our nuclear energy policy since the days of Nehru and Bhaba; and finally, what the quid pro quo was, implicit and explicit, in the deal and how it affected the future of our polity.

So they either questioned your motives ("Chinese agents") or like the PM, asked you to "trust us, we are honourable men doing an honourable deal."

But public policies cannot always be made that way in a functioning democracy.

The two-million strong NRI community in the US is a strong advocate and lobbyist of the deal. There is a bigger supporting lobby of a six-crore strong elite living in India. The vested interests and dreams of this elite are such that they have hardly anything in common with the vast majority of Indians — the urban and rural poor, the peasantry, the craftsmen, the landless labourers, the unemployed and the so-called self-employed, and working people in general. This elite minority sees identity of interests with the affluent world. Its dream is to become part of that world as soon as possible. For these people any alliance with the rich world, and the leading country of that world, is their natural destiny. It is this minority which fabricated and cherished the image of "India Shining." It is this same minority which is now lost in the dream of "India, an emerging power." In one word, they are an indigenous lobby of six-crore RNIs, Resident Non-Indians. They went all out to support the deal which they rightly understood as the consummation of the ongoing process of aligning Indian polity and economy with the US.

With the deal now seemingly in the cold storage, the specific issues raised by the critics on the energy front are likely to move away from the limelight, if not forgotten, which is what the supporting lobbies would like to happen. There should, therefore, be no let-up in the criticism. A full-fledged public campaign supported by expert analysis and arguments must be launched to expose the bankruptcy of the government in this vital area of policy planning, and to wrest answers to the basic questions raised.

Even more important is the need to sustain and strengthen the mass campaign to highlight the wider context of the policy shift surrounding the deal and its implications for the future of our polity. In other words, the question of the quid pro quo of the deal is far more important, and needs to be the pith and substance of the mass campaign.

The government and the supporting lobbies of the deal have systematically tried to ignore, suppress or trivialise its organic relationship with the Hyde Act, the specific legislation which has enabled the US administration to enter into the deal with India. Moreover, the Defence Framework Agreement entered into with the US on the eve of the commencement of the negotiations on the deal has a vital, causal relationship with the deal. The supporters of the deal would do their best to mystify it in the name of evolving strategic relationship with the superpower or delink it altogether from the deal and keep it away from public scrutiny. The implications of both these developments are too far-reaching and fundamental to be ignored or treated simply as the preserve of select groups of diplomats, strategic experts and defence analysts.

Taking the Hyde Act first, it is puerile to argue, as some government spokesmen have done, that it is a US Act and does not bind us in any way. This line of argument tends to obfuscate the basic fact that the deal would not have been possible but for the exempting legislation in the shape of the Hyde Act. And as one eminent legal expert has pointed out the "...Hyde Act is a controlling statute to exempt the 123 Agreement from other US laws. If the conditions of the Hyde Act are not met, the exemption granted to the 123 Agreement may collapse."

What are these conditions? Without going into details of the provisions of the Act and the nuances of their respective legal nature, it will suffice to say that they constitute a formidable package of prescriptions and prohibitions which amount to requiring Indian foreign policy to clearly make a break from its independent and non-aligned moorings and character and assume a definitely aligned and supportive stance toward the foreign policy

of the US in general, and the US' key foreign policy initiatives related to non-proliferation in particular. Even more specifically, the package repeatedly refers to regional non-proliferation objectives of the US policy of securing India's participation in "dissuading, isolating, and, if necessary, sanctioning" Iran.

The question is not so much whether and which of these conditions are of a legally binding nature. No sophisticated debate about the American jurisprudence will alter the realpolitik. The American Congress has put down unambiguously what it is looking for and that is there in black and white in the statute. To extinguish any lingering doubt and hope to the contrary, the US secretary of state has been blunt and categorical, both in regard to India's non-alignment and Iran. And for those who would still cherish the fond hope of "independence" of foreign policy under the circumstances, there could be no better eye-opener than the government's abject surrender to the pressure publicly and crudely exercised by the US in regard to the vote in the IAEA on Iran, even while the deal was still on the anvil.

Coming to the Defence Framework Agreement, it is a matter of common knowledge that over the two years since the Agreement was entered into, the process of interlocking our military forces with those of the US has been vigorously pursued. Joint exercises of the two armed forces have been accelerated. In fact, such joint exercises have recently been extended to a "quadrilateral" operation with Australia and Japan in tow. The process of interlocking is sought to be further strengthened through other steps such as Access and Cross Service Agreement and Maritime Cooperation Pact. Through such measures, US military forces will have the privilege of regular access to our facilities for refuelling and getting spare parts and other equipment, besides securing havens for rest and recreation on Indian soil. If the process continues like this, India will be virtually a part of

the
Nato set-up, inevitably identifying itself with the Nato powers in
regard to
its strategic vision, threat perception and enemy identification. The
bonanza that the American defence industry will receive as a result of
the
burgeoning procurement of military hardware by India furnishes strong
underpinnings for the process. And Indian industry too will be fishing
for
the crumbs.

Will all this be of any welfare for the Indian masses? What will this
militarisation imply for them? Such questions do not figure in this
discourse about the "emerging power."

The nuclear deal has served to focus people's attention on these issues
of
vital importance. The deal signifies the wider and deeper process of a
thorough reorientation of Indian public policy, a process which has
been
going on for the last decade and a half. And this has been advanced
with
attractive colours and attire. The propaganda about the deal bringing
light
into the lives of the poor was perhaps not just a product of slipshod
analytical work or the result of the politician's search for cheap
slogans.
It could well be a deliberate manoeuvre to provide a populist sheen and
drive the debate away from the underlying ugly and anti-people process.

To be continued

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