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Q7(b)

Critically examine India's persistent refusal to sign the nuclear non-proliferation treaty (NPT) despite being recognized as a de facto nuclear power.

UPSC Civil Services Mains 2024 · PSIR GS 2 · 15 marks · Contemporary Global Concerns

Contemporary Global Concerns: Democracy, human rights, environment, gender justice, terrorism, nuclear proliferation.

Core demand of the question

- State NPT's bargain and why India calls it discriminatory
- Explain persistent refusal despite de facto nuclear status and the NSG waiver
- **Critically examine:** security rationale is strong; costs in diplomacy and disarmament politics remain

Revision summary

The NPT recognises five weapon states and asks others to stay non-nuclear; India rejected this as nuclear apartheid.

China-Pakistan nuclear conditions and empty P5 disarmament made signature look like unilateral abstinence.

There is still no legal path for India to join as a weapon state; the 2008 waiver worked around the treaty.

Persistent refusal is therefore structural, not mood.

Costs remain in export controls and non-proliferation politics; a test moratorium and minimum deterrence are how India manages them.

Introduction

India has stayed outside the **Nuclear Non-Proliferation Treaty** since 1968. It is now a **de facto nuclear-weapon state** with a declared doctrine after 1998, and it has a **civil nuclear waiver** through the Nuclear Suppliers Group politics of 2008. The refusal to **sign the NPT** has nonetheless persisted. A critical examination must show why the treaty still looks like a cage, and what the refusal still costs.

Body

Why India would not sign

- **The NPT froze a hierarchy:** five recognised weapon states, the rest as non-weapon states. India called this **nuclear apartheid**. Article VI disarmament by the P5 was never completed. China, a recognised weapon state and a neighbour with a border dispute, would remain legal; India would become a permanent have-not. **Pakistan's** programme, linked to China, made abstinence look like unilateral disarmament. The **CTBT** fight of the 1990s confirmed Delhi's reading that new legal locks would close India's options without opening the P5's. **Kantian**

disarmament idealism, discussed in 1(d) and 1(e), failed the Himalayan test.

Why refusal persists after de facto status

Signing now as a **non-weapon state** would require giving up a tested arsenal - politically impossible. The treaty has **no honest accession path** for India as a weapon state. That legal fact is the whole persistence. The U.S. civil nuclear deal and NSG waiver were designed to **work around** the NPT, not to put India inside it. Joining as a weapon state would explode the treaty's core bargain and is not on offer. So India remains a stand-out, like Pakistan and Israel in different ways, while practising **unilateral moratorium** on tests and a declared **credible minimum deterrence**.

Critical examination

The security case is **strong**. A China-Pakistan nuclear environment does not reward NPT conversion. The moral case against a hierarchy treaty is **consistent** with India's old UN disarmament speeches. The costs are also real. India still faces **export-control** friction, some technology denial, and the charge of undermining universal non-proliferation just when 1(e)'s order is already unravelling. A purely status-driven refusal, if it ever outran security, would be harder to defend. In fact security and status have been fused since 1998.

- **Criticism should also note:** India wants membership of the **NSG** as a maker of rules it once defied. That is interest, not hypocrisy only - every nuclear state does this - but it should be owned. Persistent refusal is rational. It is not costless. It is not a temporary sulk waiting for a better NPT. The treaty would have to change its categories, or the world would have to disarm, before India's signature as presently demanded made sense.

Flow diagram

NPT hierarchy hierarchy -> Indian refusal

China Pakistan -> Indian refusal

De facto 1998 -> Waiver not accession

Waiver not accession -> Indian refusal

Conclusion

India refuses the NPT because the treaty offers no weapon-state seat and would lock it below China. De facto nuclear status and the NSG waiver did not create a legal door. The refusal is sound as security. It still carries non-proliferation political costs that Delhi manages through doctrine, a test moratorium and selective regime entry.

Facts & figures

NPT 1968

Opened for signature a hierarchy of nuclear haves and have-nots; India never acceded.

Pokhran-II 1998

Declared tests and overt nuclear status without NPT membership.

NSG waiver 2008

Political exception for civil nuclear trade with India, not NPT accession.

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