



THE TIMES OF INDIA

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## Afghan quagmire

*India can't put boots on the ground, must protect its interests diplomatically*

### TOI Editorials

In the backdrop of impending US withdrawal from Afghanistan, US President Donald Trump has criticised Afghanistan's neighbours for not doing enough. He suggested that India should be doing more to combat extremism in that country. However, if that means exercising hard power on Afghan soil and filling the vacuum that a potential US withdrawal would cause, there is every reason for New Delhi to exercise caution.

India already has a lot on its plate with the situation in Kashmir possibly heating up in the days ahead. Pakistan might try to push in more terrorists to undermine India's Article 370 decision. Plus, Pakistan has a geographic advantage vis-a-vis Afghanistan and has always blocked India's access to that landlocked nation. Add to this Islamabad's leverage with Taliban who are currently engaged in talks with the US for a peace deal. The situation in Afghanistan today is a hornet's nest, likely to turn even more complicated if the US withdraws. If Indian troops get involved here, our country would be sucked into a vicious proxy war with huge costs.

Thus, the Afghan situation doesn't favour an Indian security intervention. However, India does have legitimate development interests in Afghanistan. And New Delhi must work hard diplomatically to protect these. One option is to work closely with Iran which has considerable influence in Afghanistan. Ideally, India and Pakistan should arrive at a modus vivendi on Afghanistan. After all, Taliban's revival can boost Pashtun nationalism as well as radical Islamism inside Pakistan, creating a headache for Islamabad. Afghan stability won't be achieved by playing zero-sum games. But with Islamabad talking up the prospects of a war against India to make its case on Kashmir, such cooperation looks extremely unlikely at present.

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## नईदुनिया

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## प्लास्टिक कचरे से मुक्ति

संपादकीय

शायद ही कभी ऐसा हुआ हो जब प्रधानमंत्री ने मन की बात कार्यक्रम में स्वच्छ भारत अभियान की चर्चा न की हो। इस बार भी उन्होंने इस अभियान को लेकर अपने मन की बात की, लेकिन इस दौरान उन्होंने आगामी 2 अक्टूबर से प्लास्टिक के खिलाफ अभियान शुरू करने का संदेश देकर एक ओर जहां पर्यावरण प्रेमियों के मन की मुराद पूरी की वहीं दूसरी ओर आम जनता का ध्यान एक गंभीर होती समस्या की ओर भी आकर्षित किया।

ऐसा करना वक्त की जरूरत थी। चूंकि प्रधानमंत्री एक बार प्रयोग होने वाले प्लास्टिक के खिलाफ अभियान छेड़ने की जरूरत 15 अगस्त को लाल किले की प्राचीर से भी जता चुके हैं

इसलिए यह साफ है कि वह इस अभियान को जन आंदोलन का रूप देना चाहते हैं। किसी भी आंदोलन की सफलता जन भागीदारी पर निर्भर करती है। स्वच्छ भारत को नए आयाम देने वाला प्लास्टिक कचरे से मुक्ति का अभियान तभी सफल होगा जब आम लोग उसमें हर संभव तरीके से सहयोग देने के लिए आगे आएंगे। हर किसी को इससे परिचित होने की जरूरत है कि रोजमर्रा के जीवन में प्लास्टिक का आवश्यकता से अधिक इस्तेमाल पर्यावरण के लिए एक गंभीर समस्या बन गया है।

प्लास्टिक का कचरा इसलिए पर्यावरण के लिए एक बड़ा संकट बन गया है, क्योंकि उसका क्षरण सैकड़ों वर्षों में होता है। यह संकट इतना गंभीर रूप लेता जा रहा है कि एक बार प्रयोग होने वाले प्लास्टिक का इस्तेमाल पूरी तरह बंद करने की नौबत आ सकती है। ऐसी कोई नौबत आए, इसके पहले ही हमें सचेत हो जाना चाहिए और इस क्रम में यह भी देखना चाहिए कि एक से अधिक बार इस्तेमाल होने वाली प्लास्टिक की ऐसी कौन सी वस्तुएं हैं जिनके प्रयोग से बचा जा सकता है, जैसे कि टूथब्रश।

निःसंदेह प्लास्टिक कचरे से पीछा तभी छूटेगा जब दैनिक उपयोग में आने वाली प्लास्टिक की वस्तुओं के विकल्प उपलब्ध कराए जाएंगे। यह अच्छी बात है कि कई सरकारी संस्थान एक बार प्रयोग में आने वाली प्लास्टिक की वस्तुओं का इस्तेमाल बंद करने जा रहे हैं।

रेलवे एक बार प्रयुक्त होने वाली प्लास्टिक की चीजों का इस्तेमाल बंद करने जा रहा है तो लोकसभा सचिवालय ने संसद में प्लास्टिक की पानी की बोतलों के साथ प्लास्टिक की कुछ अन्य वस्तुओं के उपयोग पर प्रतिबंध लगा दिया है। इस तरह के जो भी कदम उठाए जा रहे हैं उनका दायरा तेजी से फैलना चाहिए।

इसी के साथ इस पर भी गौर किया जाना चाहिए कि प्लास्टिक के ऐसे कौन से उत्पाद हैं जिनके निर्माण पर यथाशीघ्र पाबंदी लगाई जा सकती है? बेहतर होगा कि प्लास्टिक की थैलियां बनाने पर रोक लगाई जाए।

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# बिज़नेस स्टैंडर्ड

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## कॉर्पोरेट क्षेत्र में बेहतर संचालन मानक स्थापित करे सरकार

कनिका दत्ता



प्रधानमंत्री ने पिछले दिनों लाल किले के प्राचीर से कहा कि देश के परिसंपत्ति निर्माताओं को संदेह की दृष्टि से नहीं देखा जाना चाहिए क्योंकि जब वे परिसंपत्ति बनाएंगे तभी उसका वितरण किया जा सकेगा। सामान्य परिस्थितियों में इस बयान को अनापत्तिजनक माना जाता लेकिन मौजूदा परिदृश्य में इसके लिए चुना गया समय अनुकूल नहीं है। हमारा मानना है कि संपत्ति निर्माताओं से प्रधानमंत्री का तात्पर्य भारतीय उद्यमियों से था। पांच दिन बाद वित्त मंत्री ने इस शब्द को ऐसे ही परिभाषित किया। क्या वाकई यह संभव है कि इन परिसंपत्ति निर्माताओं को संदेह की दृष्टि से न देखा जाए?

नीरव मोदी से लेकर आईएलएंडएफएस और अवांता समूह तक कारोबारी धोखाधड़ी जैसे तमाम मामले बीते दो साल से लगभग हर महीने सुर्खियों में रहे हैं। अगर हम बीते 15 वर्ष को ध्यान में रखें तो रामलिंग राजू की स्वीकारोक्ति से हुई शुरुआत के बाद आशंका की वजह दोगुनी हो गई है। प्रधानमंत्री भले ही ऐसा कह रहे हों लेकिन उनके कार्यकाल में प्रवर्तन एजेंसियां परिसंपत्ति निर्माण को लेकर खासा संदेह करती नजर आ रही हैं। जब कॉर्पोरेट जगत से मोदी के कट्टार समर्थक मोहनदास पई जैसे लोग सार्वजनिक रूप से कर आतंकवाद की शिकायत करने लगे तो समझना चाहिए कि हालात वाकई गंभीर है। कैफे कॉफी डे के संस्थापक वी जी सिद्घार्थ की मृत्यु और कथित रूप से उनके पत्र में कर अधिकारियों द्वारा परेशान किए जाने की शिकायत की बात सामने आने के बाद पई ने ऐसा कहा था। तात्कालिक संदर्भ से इतर प्रधानमंत्री का वक्तव्य एक अहम प्रस्थान बिंदु को परिलक्षित करता है। अतीत का कोई प्रधानमंत्री अमीरों के उद्देश्य को यूं सार्वजनिक रूप से उद्घाटित करने की हिम्मत नहीं करता। इसकी जड़ें ऐतिहासिक हैं। एक समय में वालचंद से लेकर टाटा और बिरला जैसे कारोबारियों ने खूब संपत्ति बनाई। इसमें दो विश्व युद्धों से मिले अवसर भी शामिल थे। हालांकि यह भी सही है कि इन उद्यमियों ने स्वतंत्रता संघर्ष को भी धन मुहैया कराया। यह स्पष्ट था कि उनके परिसंपत्ति निर्माण ने गरीब मुल्क में संपत्ति वितरण की कोई राह नहीं बनाई। उस दौर के दुनिया के तमाम अन्य बुद्धिजीवियों की तरह देश के प्रथम प्रधानमंत्री जवाहरलाल नेहरू भी सोवियत आर्थिक मॉडल से बहुत प्रभावित थे। स्टालिन के सुधारों का जायजा लेने के बाद तो उन्हें इस बात का और यकीन हो गया था कि राज्य के नेतृत्व वाली अर्थव्यवस्था ही देश को उबार सकती है।

पीसी महालनोबिस और योजना आयोग के चलते देश के आर्थिक मॉडल में चीन के उस सरकारी पूंजीवाद की कोई छाया नहीं नजर आई जो दो दशक बाद उभरी और जिसके चलते चीन भारत से आगे निकल गया। महालनोबिस के मॉडल में बहुत अधिक नियंत्रण की व्यवस्था थी जिसके चलते कारोबारी लालफीताशाही में उलझे रहते और इसके कारण आर्थिक गतिविधियों या परिसंपत्ति वितरण का कोई प्रभाव नजर नहीं आता। उदारीकरण के पहले देश की धीमी आर्थिक वृद्धि दर ने देश को गरीब बनाए रखा। इंदिरा गांधी ने देश की गरीबी में राजनीतिक अवसर पहचाना और संरक्षणवाद, राष्ट्रीयकरण और लाइसेंस-परमिट राज के जरिये खुद को मजबूत किया। गरीबी हटाओ के चुनावी नारे के पीछे एक बात छिप गई कि मोटे तौर पर परिसंपत्ति निर्माण भ्रष्टा राजनेताओं और अफसरशाहों के स्तर पर हो रहा था। गरीबी को ऐसे शायद ही कभी भुनाया गया था। परिसंपत्ति निर्माण करने वालों को लेकर संदेह की जड़ें इसी आर्थिक मॉडल में निहित हैं। इन वजहों ने कुछ कारोबारी समूहों को प्रतिस्पर्धियों पर बढ़त हासिल करने के लिए राजनीतिक रिश्ते कायम करने के लिए प्रोत्साहित किया या कहे मजबूर किया। ऐसा करके उन्होंने विदेशी और घरेलू प्रतिस्पर्धा से निजात पाई। वाहन उद्योग को इसके लिए जाना जाता है। कारोबार और राजनीति के इस गठजोड़ ने एक दुष्चक्र को जन्म दिया। ढांचागत गतिरोधों के कारण कारोबारी वृद्धि धीमी बनी रही। करों के कारण उद्यम चलाना व्यवहार्य नहीं रह गया। उच्च कर दरों के कारण कर वंचना भी बढ़ने लगी। जिनके पास निर्यात लाइसेंस था, उन्होंने भारी मात्रा में धन को विदेशी टैक्स हैवन में ठिकाने लगा दिया।

ऐसे में एक ऐसा राजनेता सामने आया जिसने इन परिसंपत्ति निर्माताओं को संदेह की दृष्टि से देखा। राजीव गांधी की सरकार में वित्त मंत्री रहे विश्वनाथ प्रताप सिंह की काली सूची ने कारोबारी समुदाय को बुरी तरह भयभीत कर दिया। यह सही है कि आर्थिक सुधारों ने देश के उद्यमी जगत को किफायती और उत्पादक बनाया। उसने इसे विस्तार का अवसर दिया और कुछ हद तक पुनर्वितरण की स्थिति तैयार की। कमजोर शुल्क दर और लाइसेंस व्यवस्था खत्म करने से कुछ हद तक आर्थिक विस्तार का अवसर दिया और लोगों को अपेक्षाकृत समृद्ध बनाया। पहली बार परिसंपत्ति निर्माण वैध था और उसकी सराहना की जा रही थी। यह महत्वाकांक्षा में तब्दील हो रहा था लेकिन राजनीतिक वर्ग अभी भी इस संदेश से दूरी बना रहा था। संप्रग सरकार गरीब समर्थक बनी रही जबकि इस बीच लाखों की तादाद में लोग गरीबी के भंवर से बाहर निकले।

आज दिक्कत यह है कि कारोबारी जगत के पुराने प्रमुख परिसंपत्ति निर्माता अभी भी लाइसेंस राज से जूझ रहे हैं। चार दशक के दंडात्मक कराधान और सीमित प्रतिस्पर्धा ने इन बातों को देश के कारोबारी प्रशासन मानक के डीएनए में शामिल कर दिया। कर वंचना, परिवार आधारित कारोबारी ढांचा, बोर्ड की अवमानना और सरकारी बैंकिंग का गलत इस्तेमाल करना आदि आज भी वैसे ही हैं जैसे कि सन 1991 के पहले थे। अब निजी क्षेत्र आर्थिक वृद्धि का वाहक है। मोदी ने स्वतंत्रता दिवस के दिन जो बात कही वह सच की समझ को दर्शाता है। उन्हें ऐसा माहौल देने की कोशिश करनी चाहिए जिसमें कॉर्पोरेट क्षेत्र अच्छी तरह विकसित हो और वैध तरीके से प्रतिस्पर्धा करे। सरकार को बेहतर संचालन मानक स्थापित करने चाहिए। फिलहाल ऐसा नहीं नजर आ रहा है।

## When privacy was made supreme

*Two years after historic SC judgment, its promise has not been fully realised.*

**Apar Gupta, [Lawyer and the executive director of the Internet Freedom Foundation]**

The month of August marks a momentous event in the story of our nationhood as we celebrate our independence from colonial rule. The very basis was a constitutional choice, which civil rights lawyer K G Kannabiran put it as the “termination of imposed suzerainty”. Two years ago, this sentiment seemed to be achieved with the historic decision of the Supreme Court in the Puttaswamy Privacy case, in which nine judges unanimously affirmed the fundamental right to privacy. This newspaper reported the apex court’s decision on the front page with the electric headline — Privacy Supreme.

Though two years is not a fair measure of time in the life of a constitutional judgment, it does provide perspective on early beginnings that may set its future course. Constitutional law builds on precedent, which was an inherent recognition within the privacy judgment. Each of the six concurring opinions comprising it emphasised that the privacy doctrine would develop on a case-by-case basis. Within its large jurisprudential expanse, concepts of personal autonomy, dignity and liberty provided fertility to future adjudication. Almost immediately, constitutional lawyers seized on it, clutching copies of the judgment as they entered courtrooms. Its centrality was felt in *Navtej Singh Johar v. Union of India*, which watered down the unconscionable criminalisation of consensual homosexual activity. This built in part upon the autonomy doctrine of personal choice from the privacy doctrine. Similar victories were felt in cases of *Joseph Shine v. Union of India* which decriminalised adultery and *Shafin Jahan v. Ashokan K M* that restrained the courts from dictating the choice of an adult woman to choose her partner. Many other cases made extensive reference to the judgment.

There were considerable setbacks too. Disappointment was felt most acutely within the Puttaswamy Aadhaar case. The privacy reference arose in the midst of arguments on the constitutionality of Aadhaar, but in many ways the Supreme Court failed in application of the privacy doctrine to it. It was captured most eloquently in the searing dissent of Justice D Y Chandrachud, who repeatedly cautioned against the centralisation of personal data as a tool for surveillance and authoritarianism. This may seem incongruous with the larger development of privacy to India, but to many practising lawyers such a setback did not elicit shock.

Two specific, structural explanations in the nature of constitutional adjudication may explain this incongruity, which forms part of the hidden curriculum of the Supreme Court. The first is the composition of the court, which changes from case to case and hence, carries a margin of discretion. Judges often disagree amongst themselves, which becomes more varied with the flexibility provided by constitutional doctrine. The second is of a more troubling nature and concerns the investment by the political executive in the continuation of a programme or policy irrespective of its impact on fundamental rights. Here the independence of the judiciary, not only in form but in substance, becomes vital. For it to resist the

soothing sirens of reward or gentle whispers of consequence, the institutional strength of the adjudicatory body becomes central. Let us honestly recognise that phantoms today confront the Supreme Court in instances where constitutional adjudication pits citizens against the government. This has an impact on the development of the privacy doctrine in varied discretionary choices, from the procedure for listing to the choice of hearings that subsequently flow into more obvious markers of reasoning and reliefs contained within court judgments.

The answers to this conundrum are found to an extent in the privacy judgment. In the opinions of Justices Chandrachud, Rohinton Nariman and Sanjay Kaul, who expressly overruled the abhorrent decision of ADM Jabalpur by which the Supreme Court had once affirmed the suspension of fundamental rights during the Emergency. They recognised the dissent of Justice H R Khanna in the ADM Jabalpur that natural rights such as privacy are not recognised but protected by the Constitution, hence are ever-persisting, everlasting.

But Justice Khanna's dissent was not merely an act in finely crafted judicial reasoning, but an act of principled courage at the time of Emergency and at grave personal cost. His lifelong labour towards being the Chief Justice of India was disturbed when he was superseded by the political executive. Timing matters and in more ways than one: Justice delayed is justice denied. Today, the privacy doctrine may only offer cold comfort as the autonomy, dignity and liberty of many Indians is violated in deep and pervasive ways. The Supreme Court has occasion to correct many of these moral and constitutional wrongs. For the privacy judgment to fulfil its true promise, it needs to go beyond spirited dissents to firm, binding judgments that keeps the political executive within clear, limited constitutional boundaries.

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*Date:24-08-19*

## **A different kind of nationalism**

*In his I-Day address, Prime Minister Modi sought to connect patriotism with day-to-day conduct.*

**Vinay Sahasrabudhe, [National vice president, BJP]**

Almost a week from now, Ganesh Utsav will be celebrated in many parts of the country. With the resurgence of a more integrative national spirit on top on his agenda, Bal Gangadhar Tilak had converted Ganesh Chaturthi, a traditional family festival for worshipping the deity of knowledge, into a social festival. He established the practice of its collective celebrations, and with the same approach, he also established Shivaji Maharaj's birth anniversary every year as a public festival.

Years later, Mahatma Gandhi realised that although a sufficiently awakened national spirit was giving impetus to the freedom struggle, to join civil disobedience and court arrest every now and then was not easy for the commoners. This prompted him to invent some set of actions in the form of activities pertaining to everyday personal conduct. Spinning yarn on an easy-to-operate charkha or wearing clothes made of khadi, thus, eventually became acts of patriotism, and thereby, symbols of joining the freedom struggle. Veer Savarkar, too, appealed to countrymen to stop using clothes made abroad and campaigned for swadeshi, or country-manufactured clothes. Almost during the same period, K B

Hedgewar, yet another creative thinker, evolved the practice of joining RSS shakhas for, largely speaking, evening games. Thereby, he cultivated the new apparatus called “shakha”. Over the years, the shakha became an instrument for generating social consciousness, assimilation and national spirit.

Like every other lofty ideal, patriotism too is easy to preach and difficult to practise. Visionary leaders like Gandhi, Hedgewar, Savarkar, and leaders like Lal Bahadur Shastri too, tried to simplify patriotism and bring it closer to one’s day-to-day conduct. Shastri, in 1965, appealed to the countrymen to forego a meal to save food, and many took a vow and started observing a fast on Mondays all through their lives. For them, it remained a mark of serving the cause of the nation.

What Prime Minister Narendra Modi has made a fervent appeal for, through his Independence Day address last August 15, is precisely in keeping with the traditions established by the likes of Gandhi. But unlike Gandhi, both Shastri and PM Modi made their appeals while in office. Naturally then, their appeals also reflected an attempt to link governance issues to the personal conduct of the countrymen. Just about three years back, Modi asked the people to buy at least one khadi apparel annually, and it worked wonders. According to the KVIC, in 2015, Khadi saw a phenomenal 60 per cent increase in its sales. Similarly, his appeal to fellow citizens — who had the ability to afford — to forego subsidies on cooking gas or sleeper-class train tickets for the sake of the underprivileged classes, also received a highly encouraging response.

Two years back, addressing a youth gathering to mark the birth centenary of Nanaji Deshmukh, Modi posed a piercing question to the youth. He asked, “How can we chant Bharat Mata ki Jai and in the next moment unhesitatingly dirty the very land of Bharat Mata by either spitting or littering at public places?” Similarly, a set of appeals that he made during his recent Independence Day address, could be seen as the articulation of a brand of patriotism that is in practise. In the past, on several occasions, he has reiterated his appeal to every citizen to work towards water conservation, and in the same spirit this time, he appealed to the countrymen, saying “from October 2, let us pledge to make the country free of single-use plastic... On Diwali let us gift people cloth bags instead of plastics... That will be an advertisement for your company as well”. Notably, he also urged start-ups to come up with ideas to recycle plastic in the country. Sharing his concern about the excessive use of chemical fertilisers, he has also appealed to farmers to pledge to reduce the use of fertilisers by at least 10-15 per cent.

PM Modi’s appeal to the countrymen to visit at least 15 tourist destinations within the country by 2022, along with family members, is also remarkable in this context. However, what is more noteworthy is his attempt to change the mindset. Equally remarkable is his attempt to link social reforms to patriotism. Without mincing words, in his Independence Day address Modi said, “Population explosion in the country will create various problems for the coming generations. Those who follow the policy of small family also contribute to the development of the nation, it is also a form of patriotism.” Never before in the past has any prime minister come forward with such clarity on a subject considered so sensitive.

The message is loud and clear. Nationalism can certainly not be a bad word as some would want us to believe. However, it is also not about mere emotions and slogans. It has an actionable aspect to it, and the prime minister has been consistently emphasising the same, while denying any room for mere lip service.

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## An end to arms control consensus

*An end to the New START in 2021 will leave the arsenals of the two major nuclear powers unencumbered by any pact*

**Rakesh Sood, [Former diplomat and currently a Distinguished Fellow at the Observer Research Foundation]**



The countdown on the U.S.-Russia Intermediate Range Nuclear Forces (INF) Treaty began last October when President Donald Trump announced that U.S. was considering a withdrawal. On August 2, the U.S. formally quit the pact. Concluded in 1987, the agreement had obliged the two countries to eliminate all ground-based missiles of ranges between 500 and 5,500 km, an objective achieved by 1991.

At risk is the New START (Strategic Arms Reduction Treaty) signed in 2010 and due to lapse in February 2021. It has a provision for a five-year extension but Mr. Trump has already labelled it “a bad deal negotiated by the [Barack] Obama administration.”

In May, Director of the Defence Intelligence Agency Lt. Gen. Robert Ashley declared that “Russia probably is not adhering to the nuclear testing moratorium in a manner consistent with the ‘zero-yield’ standard” imposed by the Comprehensive Test Ban Treaty (CTBT). The CTBT has not entered into force but the U.S. is a signatory and Russia has signed and ratified it. Many have interpreted Lt. Gen. Ashley’s statement as preparing the ground for a resumption of nuclear explosives testing. Taken together, these ominous pointers indicate the beginning of a new nuclear arms race.

The decade of the 1980s saw heightened Cold War tensions. Soviet military intervention in Afghanistan in 1979 provided the U.S. an opportunity to fund a (barely) covert jihad with the help of Pakistan. President Ronald Reagan called the USSR “an evil empire” and launched his space war initiative. Soviet deployments in Europe of SS-20 missiles were matched by the U.S. with Pershing II and cruise missiles.

### Cold War talks

In 1985, the two countries entered into arms control negotiations on three tracks. The first dealt with strategic weapons with ranges of over 5,500 km, leading to the START agreement in 1991 that limited both sides to 1,600 strategic delivery vehicles and 6,000 warheads. A second track dealt with intermediate-range missiles, of particular concern to the Europeans, and this led to the INF Treaty in

1987. A third track, Nuclear and Space Talks, was intended to address Soviet concerns regarding the U.S.'s Strategic Defence Initiative (SDI) but this did not yield any concrete outcome.

The INF Treaty was hailed as a great disarmament pact even though no nuclear warheads were dismantled and similar range air-launched and sea-launched missiles were not constrained. Further, since it was a bilateral agreement, the treaty did not restrict other countries, but this hardly mattered as it was an age of bipolarity and the U.S.-USSR nuclear equation was the only one that counted. By 1991, the INF had been implemented. The USSR destroyed a total of 1,846 missiles and the U.S. did the same with 846 Pershing and cruise missiles. Associated production facilities were also closed down. In keeping with Reagan's dictum of 'trust but verify', the INF Treaty was the first pact to include intensive verification measures, including on-site inspections.

With the end of the Cold War and the break-up of the USSR in end-1991, the arms race was over. Former Soviet allies were now joining the North Atlantic Treaty Organization (NATO) and negotiating to become European Union (EU) members. The U.S. was investing in missile defence and conventional global precision strike capabilities to expand its technological lead. Importantly, some of these were blurring the nuclear-conventional divide.

### **U.S. withdrawal from ABM**

In 2001, when the U.S. announced its unilateral withdrawal from the 1972 Anti Ballistic Missile Treaty (ABM Treaty), a keystone of bilateral nuclear arms control was removed.

The INF Treaty had been under threat for some time. The U.S. had started voicing concerns about the Novator 9M729 missile tests nearly a decade ago. As Russia began production, formal allegations of violation of the INF Treaty were raised by the Obama administration in 2014. Russia denied the allegations and blamed the U.S. for deploying missile defence interceptors in Poland and Romania, using dual-purpose launchers that could be quickly reconfigured to launch Tomahawk missiles.

Basically, Russia believes that nuclear stability began getting upset since the U.S.'s unilateral withdrawal from the ABM Treaty. As the U.S. used its technological lead to gain advantage, Russia became more dependent on its offensive nuclear arsenal and began its modernisation and diversification.

The U.S.'s 2017 National Security Strategy and the Nuclear Posture Review (NPR) the following year reflected harsher-than-before assessment of its security environment and sought a more expansive role for nuclear weapons, in a break from the policies that had been followed since the end of the Cold War. Russia was seen as a 'disruptive power' pushing for a re-ordering of security and economic structures in Europe and West Asia in its favour. China was identified for the first time as a strategic competitor that was seeking regional hegemony in the Indo-Pacific region in the near-term and "displacement of the U.S. to achieve global pre-eminence in the future".

With the geopolitical shift to the Indo-Pacific, the U.S. believes that the INF Treaty was putting it at a disadvantage compared to China which is rapidly modernising and currently has 95% of its ballistic and cruise missile inventory in the INF range. Against this political backdrop, the demise of the agreement was a foregone conclusion.

The 2011 New START was a successor to the START framework of 1991 and limited both sides to 700 strategic launchers and 1,550 operational warheads. It lapses in February 2021 unless extended for a

five-year period. Mr. Trump has indicated that a decision on the agreement will be taken in January 2021, after the 2020 election. Given his dislike for it, if he is re-elected, it is clear that the New START will also meet the fate of the INF Treaty. This means that, for the first time since 1972, when the Strategic Arms Limitation Act (SALT) I concluded, strategic arsenals from the U.S. and Russia will not be constrained by any arms control agreement.

### Testing of low-yield weapons

The 2018 NPR envisaged development of new nuclear weapons, including low-yield weapons. The Nevada test site, which has been silent since 1992, is being readied to resume testing with a six-month notice. The U.S. Senate had rejected the CTBT in 1999 but as a signatory the U.S. has observed it. In addition to pointing the finger at Russian violations, Lt. Gen. Ashley declared that “China is possibly preparing to operate its test site year-round in a development that speaks directly to China’s goals for its nuclear force”. He suggested that China cannot achieve such progress “without activities inconsistent with the CTBT”. Since the CTBT requires ratification by U.S., China, Iran, Israel and Egypt and adherence by India, Pakistan and North Korea, it is unlikely to ever enter into force. Resumption of testing by the U.S. would effectively ensure its demise.

A new nuclear arms race could just be the beginning. Unlike the bipolar equation of the Cold War, this time it will be complicated because of multiple countries being involved. Technological changes are bringing cyber and space domains into contention. All this raises the risks of escalation and could even strain the most important achievement of nuclear arms control — the taboo against the use of nuclear weapons that has stood since 1945.

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