

SELECTIVE NUCLEAR DEVELOPMENT IN THE INTERNATIONAL SYSTEM: THE CASE OF IRAN

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Abstract

The argument is that the existence of mistrust among states and selective nuclear development has made nuclear non-proliferation a problem in the international system. The United States devotes a lot of time on Iran basing on the suspicion that if she is allowed to continue with its nuclear program it will end up producing nuclear weapons leading to instability in the Middle East region. At the same time the Americans are quiet about Israel, India and Pakistan's nuclear capabilities. The argument is that the dilemma for the Americans is how they can dissuade other countries from acquiring nuclear weapons when they are the major culprits themselves. The paper concludes by putting recommendations on how best the NPT should deal with nuclear development and proliferation.

Keywords: Non-Proliferation Treaty (NPT), International Atomic Energy Agency (IAEA), nuclear weapons, selective treatment, nuclear weapon states (NWS), non-nuclear weapon states (NNWS), nuclear proliferation.

1. INTRODUCTION

Iran a signatory to the NPT is being deprived of scientific and technological progress in its quest for civilian nuclear development while the Americans want to allow full civil nuclear cooperation with India, a non-signatory to the Treaty. The Atomic Energy Act and the Nuclear Non Proliferation Act forbid cooperation with countries that do not put their nuclear industry under international safeguards or that have exploded a nuclear device since 1978. India, Israel and Pakistan fail on both counts, yet they have received tremendous assistance in developing nuclear technology from the nuclear weapon states (NWS). Cases like that of Iran's nuclear program have been treated in notably varying ways. While differential treatment of critical cases maybe fully justified it also shows the limitations of the nuclear Non-Proliferation Treaty (NPT) and leaves some hard questions unanswered. This article will analyse the issue of selectivity on nuclear development in the international system. The existence of mistrust among states and selective nuclear development has made nuclear non-proliferation a one sided issue where the powerful in typical Thucididesian fashion, do whatever they can and the weak suffer what they must. The whole issue of nuclear proliferation, whether for civil or military purposes, is anchored on the belief that the stronger should be free to exercise their strength without moral or legal limitations that protect the weaker states in the international arena. A comparative analysis of Iran's nuclear program with that of Israel, India and Pakistan will also be the main focus of this article

2. PURPOSE AND METHOD

The purpose of this paper is to highlight how double standards in the international system have brought about more problems than solutions to nuclear development and proliferation in the international system.

Using the realist approach it can be pointed out that, the USA is totally opposed to Iran's nuclear program mainly out of fear of what a nuclear capable Islamist state will do in the Middle East. Hans Morgenthau, a realist scholar has propounded that national interest comes first before collective interest. The aura in which decisions are made is driven by the political self-serving interests of those who possess more power in the international system. The realist approach provides the leverage to analyze critically the arguments propounded by various political science scholars on great power politics and national interest.

3. CONCEPTUAL FRAMEWORK

3.1 United States of America' foreign policy in relation to Iran's nuclear program

The basis of Iran's nuclear program was started during the Cold War, after the signing of bilateral agreements between the United States and Iran in the late 1950s. With the establishment of Iran's Atomic Agency and the NPT in operation, plans were made between the US and Shah Muhammad Pahlavi to construct up to 23 nuclear power stations across Iran by the year 2000.¹ After the 1979 Iranian Revolution that brought the Ayatollah Khomeini to power, Iran informed the International Atomic Energy Agency (IAEA) of its plans to restart a nuclear programme using local nuclear fuel. In 1983, the IAEA planned to provide assistance to Iran under its Technical Assistance Programme to produce enriched uranium.² However, the IAEA was forced to terminate the programme under United States pressure.

In the 1970s when Henry Kissinger was the US Secretary of State he held that the introduction of nuclear power would both provide the growing needs of Iran's economy and also free remaining oil reserves for export or conversion to petrochemicals. Half a decade later in the twenty-first century, the American government now claims that there is no economic gain for a state that is rich in oil and gas such as Iran to costly build nuclear fuel cycle facilities³. The United States therefore accuses Iran of pursuing a secret weapons program since it has no need for nuclear energy due to its huge oil resources. In the 1970s, Iran under the Shah's government could be trusted to pursue a nuclear program under the NPT's peaceful applications provisions. The government of President Mahmud Ahmadinajad, which is more radical than that of Shah Reza Pahlavi, is no longer trusted to pursue the same peaceful nuclear program as agreed in the 1970s. Iran has insisted that it would use the enriched uranium only to fuel nuclear power stations, something it is permitted to do as a signatory to the nuclear Non-Proliferation Treaty. However, the United States strongly believes Iran's uranium enrichment program is ultimately aimed at producing fissile material for nuclear weapons. It suspects the Islamist Republic of using an emerging civilian nuclear energy program to disguise atomic weapons work. The American government is at the forefront calling for international pressure for harsh measures against Iran since it has refused to suspend its uranium enrichment program.

The IAEA has been investigating Iran since 2003 to the present 2011 (and will do so even after). The United Nations (UN) supervisory body says it is still not in a position to judge the true nature of the country's nuclear program⁴. IAEA inspectors have not discovered any concrete proof that Iran's nuclear program is of a military nature, yet the Americans are pushing for harsh sanctions against it. The former director of the IAEA, Muhammad El Baradai always stressed that negotiation between Iran and the UN Security Council remained the best option to settle the Iranian crisis, but the United States warned the international community that it was seeking harsh action including the use of force against Iran. So far the IAEA has not found any evidence contrary to Iran's peaceful nuclear program. Iran has every right under Article IV of the nuclear Non-Proliferation Treaty to enrich uranium. United States accusations against Iran are somewhat biased, unilateral and misleading since in November 2003 and also in 2011, the IAEA declared that there was no evidence that Iran was attempting to build an atomic bomb. The United States then claimed that the IAEA report was impossible to believe. It can therefore be argued that, the critical issue from the US' perspective is the threat posed to their vital national interests by Islamist groups such as al-Qa'ida and the radical Hizballah, if they gain access to nuclear weapons. Iran's relations with the United States are presently strained due to America's revulsion of the Islamist Republic.

The dispute between America and Iran can be traced back to 1979 when both countries severed diplomatic relations after Iranian students stormed the US embassy in Teheran and held American diplomatic staff hostage for one year and two months to protest against America's refusal to hand over the toppled Shah, Muhammad Reza Pahlavi. The American government could only restore diplomatic relations with Iran if it agrees to end its opposition to the peace process in the Middle East, close financial and other support to organizations involved in terrorist attacks against Israel, and to keep its promise to relinquish development of nuclear weapons⁵.

However, Iran has remained resolute by refusing to recognize the state of Israel. Mahmud Ahmadinajad, the Iranian President, called for it to be “wiped off the map” or to be relocated as far away as Alaska. Iran has never ceased to support Lebanon’s Hizballah and Palestine’s Hamas which it regards as freedom fighters. This led the former American President George W Bush to label Iran a rogue state. The Obama Administration is also more of a carbon copy of the former Republican government in their relations with Iran. The Iranians have refused to give in to American demands of suspending their uranium enrichment program.

From secondary research carried out, it can be noted that the IAEA is actually being used as an instrument to further America’s foreign policy objectives against Iran. The NPT explicitly states that all states have a right to enrich uranium for peaceful purposes and America is manipulating the whole situation to trap Iran. The IAEA is being used by the US as a tool for political purposes in violation of the IAEA statutes. America is the only country that has ever used atomic bombs in wartime in Japan and has increasingly threatened non-nuclear weapon states (NNWS) with its nuclear weapons. Iran like North Korea might also be seeking to expand its arsenal, as a defensive tool against possible American aggression.

The Bush administration developed plans for preventive strikes on Iran’s nuclear facilities and the new American Secretary of State, Hillary Clinton has also not ruled out the possibility of using hard power on Iran if all options are exhausted. John Newhouse argues that deterrence and containment, which used to be the basis of US strategy, have lost relevance instead the United States must identify and destroy the terrorist threat before it reaches the US borders, by using pre-emptive force.⁶ President Bush stated in a speech at West Point (US) in June 2002 that, “We must take the battle to the enemy, disrupt his plans and confront the worst threats before they emerge.”⁷ Pre-emptive defenses in principle can be used to justify the destruction of any state, especially if there is a possibility that that state might in the future be able to challenge the United States. The calls for preventive or pre-emptive strikes on Iran by the United States are mainly based on its fear of the threat of a strong Iran challenging its interests in the Middle East region as well as in the international system.

Fears of Iran’s nuclear enrichment program within the American administration have been necessitated by the following assumptions and beliefs: A key belief or shared image by both the former Bush and the present Obama Administration is that proliferation is too difficult to prevent and that once a nation decides to build the bomb, it cannot be persuaded to stop. With such an assumption the American administration strongly believes that Iran’s nuclear program has hidden intentions including the possible production of nuclear weapons. A second shared image is that Iran is a ‘rogue state’, the last Muslim theocracy, motivated to build nuclear weapons due to hostility to the Western world. Iran’s own behaviour reinforces and consolidates its image as a ‘rogue state’ considering its 1979 Revolution that led to the overthrow of the Shah, the 1979 American hostage taking, its Islamist beliefs and harsh diatribes against the United States labeling it the “Great Satan” and its support for Islamist groups such as Hizballah and Hamas. Growing evidence that Iran is working on ways to deliver warheads using long range missiles and its firing of three new types of land-to-sea and sea-to-sea missiles during military exercises in the Gulf waters and calls by Iran’s President Ahmadinajad for Israel to be “wiped off the map” or to be relocated as far as Alaska have heightened alarm among the American administration. The American state Department believes the principal threat in the twenty-first century is the use of long-range missiles by ‘rogue states’ for purposes of terror, coercion and aggression.

The American Administration sees an Iranian nuclear bomb as a threat to their interests in the Middle East region. Iran is becoming a very important regional power in the Middle East. It is aligned to Syria, the Hizballah group in Lebanon, Hamas political movement in Palestine and Shi’a in Iraq, Yemen and Afghanistan. The strategic relationship between Iran and its allies could work against the US and its ally Israel especially if Iran is to acquire nuclear weapons. This would entail a Balance of Terror between Israel and Iran which would lead to mutual deterrence. Nuclear weapons would make the alliance that would include Iran, Syria; Hizballah in Lebanon, Hamas in Palestine and the Shi’a in Iraq and Afghanistan very strong thus jeopardizing US interests and security as well as those of its ally Israel in the whole Middle East region. Lastly, Iran gives financial assistance and other support to Islamist organizations involved in some attacks against Israel. The American Administration sees Iran as the breeding and training ground of Islamists. The United States believes that if Iran is to have nuclear weapons it could decide secretly to provide the bomb to Islamists to use it against them. The Americans therefore consider that the best thing to do is either to confront Iran or to try by any means possible to block its nuclear ambitions.

3.2 The Western hypocrisy over Israel: Selective treatment

Israel is one of the three states that has not signed or ratified the treaty on nuclear proliferation, the other two being India and Pakistan. It has also refused to place its nuclear facilities under comprehensive IAEA safeguards as required by Article III of the NPT. The general Israeli conviction on why states adhere to the NPT is mainly because they are sheltered within defensive alliances like the North Atlantic Treaty Organization (NATO) or they do not have an identifiable adversary⁸. European countries are seen to be more secure under the NATO joint defense pact. Israel without genuine allies in the Middle East region finds its security under constant threat from countries like Syria, Palestine, Lebanon, Iraq and Iran. Unlike European countries, it alone, would provide for its own defense. It therefore sees nuclear weapons as the ultimate guarantee to its security and the most potent aggressor in the Middle East region, would think twice before attacking it.

For its nuclear reactor design and construction, Israel sought assistance from France. The two governments saw an independent nuclear option as a means by which they would maintain a degree of autonomy in the bipolar environment of the Cold War⁹. Much of the proliferation which has occurred can be traced to actions by parties to the treaty. This has weakened the effectiveness of Article I of the NPT which places the nuclear weapon states under the obligation never to transfer nuclear explosives and information concerning their design to non-nuclear weapon states. To a large extent, therefore, the increasing dangers of nuclear proliferation caused by the expanding nuclear programmes of countries like Israel have been brought about by the NWS themselves. Israel could not have developed its nuclear weapons potential without some materials or equipment from the major Western nuclear suppliers such as France and the USA which are party to the NPT¹⁰. Non parties to the NPT should not benefit from nuclear technology provided for by the NWS. So far as the treaty is concerned, unlimited access to peaceful nuclear technology is only open to NPT members.

Iran is not receiving the benefits provided by Article IV of the NPT because nuclear assistance is being awarded as a political prize to prospective friendly states like Israel which are not NPT members. Israel to date is believed to have between 100 and 200 nuclear weapons. Iran has no known nuclear weapon. The clear evidence of Iran's efforts to enrich uranium has fuelled American concern. However it is generally accepted by the West that Israel has produced nuclear weapons, and is an undeclared nuclear weapons state. Near Acceptance of Israel's nuclear weapon status by the Western countries has damaged the Non-Proliferation Treaty and has hampered a peaceful solution of the conflict with Iran over its nuclear programme. Iranians have questioned the logic behind the United States' pressure over their nuclear program while turning a blind eye on Israel's nuclear weapons. This has been a source of tension and resentment in Israeli-Iranian and American-Iranian relations.

The Western world does not pay much attention to Israel's nuclear proliferation as it is doing to Iran's. The underlying problem is that the Americans have tended to give unqualified support for Israel's policies regardless of whether they breach the NPT or not¹¹. This support is likely to continue irrespective of which government is in power in America, be they Democrats or Republicans. In contrast many believe that Israel's actions are not only a major obstacle to the peace process in the Middle East but they actually stimulate Iran to make nuclear weapons as a deterrent against it (Israel). Since 2002, the United States has argued that Iran does not need nuclear power due to its abundant oil and natural gas reserves. Oil power is deemed to produce more energy than nuclear power. The American government is convinced that the primary purpose of Iran's nuclear program is for the development of nuclear weapons. Israel's weapons are in safe hands as compared to Iran if it is to acquire such weapons. George Bush Junior's Administration argued that having vast oil and gas reserves, Iran does not need nuclear energy¹². The Obama Administration also strongly believes that the Iranians should be stopped by all means possible in their nuclear ambitions. Article IV of the NPT clearly states that it is the right of NNWS to develop research, production and use of nuclear energy for peaceful purposes without any discrimination. The American argument is not necessarily valid in the sense that many countries that are rich in fossil energy resources, including Britain and Russia, rely on nuclear power for a significant portion of their energy needs.

From the preceding discussion it can be noted that the United States' resistance in accepting Iran's nuclear power ambitions lies in Middle East geo-politics. The USA is contended by Israel's possession of nuclear weapons because it is assured that strategically Israel will protect its interests in the region. This region has about two-thirds of the world's proven oil reserves and its oil is still the cheapest to pump and produce¹³. The United States remains too dependent on the region's oil and loss of American lives in the region is the price of its dependence.

The Iraq invasion is one proof of such a price. The main goal of the United States and European Union is to dismantle Iran's nuclear infrastructure as to serve their national strategic interests in the Gulf region. The reluctance by the Western countries to condemn Israel's nuclear program proves that NPT provisions and binding principles no longer form the basis of global non-proliferation efforts but rather that Western countries especially the United States, France, Germany and Britain are increasingly deciding between good and bad proliferation. With regard to the Middle East, the USA rightly worries not only about the potential use of nuclear weapons themselves, but about the potential political leverage bestowed to those who would possess them¹⁴. Nuclear weapons in Iranian hands would mean a greater Iranian hand in the Middle East affairs which would in turn reduce Israeli as well as American influence in the region. Israel has through selective treatment managed to develop its nuclear weapon program while Iran which is a member of the NPT is being denied access to peaceful nuclear technology. This privileging of Israel has been an incentive for Iran to continue with its nuclear enrichment program.

3.3 America's double-standards towards India's nuclear program

India is not a state party to the NPT. It rejected the treaty publicly in May 1968 citing some of the following reasons; the NPT had failed to address the problem of existing proliferation. India was mainly against the NPT's decision to give the NWS a legal right to possess nuclear weapons¹⁵. Similar sentiments have been expressed by authors like Frank Barnaby, Julie Dahlitz, Rebecca Johnson, and many others who question the logic behind the possession of nuclear weapons by a few states. This discrimination is clearly stated in Article I of the treaty which acknowledges the existence of NWS as well as Article IX which actually defines a NWS as one which manufactured and exploded a nuclear weapon or other nuclear weapon device prior to January 1 1967¹⁶. The provisions of the treaty legitimize the possession of nuclear weapons by Russia, China, France, Britain and the United States.

India therefore rejected a treaty that gave special privileges to a few states, allowing them to possess nuclear weapons while disallowing others to do so. It believes that there must be real political commitment by the five established NWS to destroy their nuclear arsenals. Failure to do so means that NNWS which have the capability to make nuclear weapons should be allowed to do so. Instead of eliminating nuclear weapons or curbing nuclear proliferation, the NPT seems to have given India the zeal to develop its nuclear technology. India's renewed perception of the utility of nuclear weapons is as a result of the discriminatory part of Articles I and IX of the treaty which accorded some states the right to possess nuclear weapons for their security, while disallowing others to do so. India also saw the NPT as having failed to provide for an acceptable balance of mutual responsibilities and obligations between the NWS and the NNWS to cease weapon manufacture or proceed with specific measures of disarmament¹⁷.

China openly said it would continue to make nuclear weapons as to match up with other NWS. On the other hand Russia has not ceased nuclear weapon manufacture. The Bush and now Obama Administration's nuclear weapons policy is the most obvious example. The United States has extended the range of nuclear deployment to include pre-emptive military strikes and is continuing to develop new nuclear weapons¹⁸. Though the New Strategic Arms Reduction Treaty signed between the Americans and Russians in 2010 and 2011 respectively seeks to reduce each country's nuclear arsenals some of the weapons to be removed would simply go into storage thus negating the whole essence of nuclear disarmament. The situation becomes complicated when countries like North Korea and Iran are told to abandon their nuclear programs while the United States is busy stockpiling more and more weapons of mass destruction. Of particular concern to India was the failure of the treaty to constrain China's proliferation. Rather it seemed to have accorded China special privilege to manufacture more weapons thus threatening India's very existence.

Girilal Jain notes that as far back as 1967, India emphasized its problem of security against nuclear attack or nuclear blackmail as a result of the continuing threat posed by a nuclearized China in Asia. India had difficulties in accepting a treaty that failed to constrain Chinese nuclear weapon development as well as giving China privileged status as a nuclear weapon power¹⁹. The issue of security has remained important in Indian strategic thinking. It has chosen the path of limited deterrence which entails a small but credible amount of nuclear weapons to deter an enemy²⁰. India has promised to continue embracing nuclear weapons to enhance national security. The established NWS also see their national security based on nuclear weapon possession. This Indian perception of national security is linked to the realist school of thought.

The realists were instrumental in creating a specific understanding of nuclear deterrence and its diplomatic and military requirements. India's nuclear programme reflects her desire to shape the world order through nuclear deterrence.

However despite India's rejection of the treaty, recent developments in the international system have seen the Americans acting against the provisions of the NPT by engaging in talks with India over the lifting of nuclear sanctions. President George W Bush of the USA and Prime Minister Manmohan Singh of India concluded a deal that promised India-American Cooperation in civil nuclear energy despite India's testing of nuclear weapons in 1995²¹. The Obama Administration has also promised India assistance with its civil nuclear program. Under this agreement India which has not signed the NPT would be given access to civilian technology in return for placing its atomic reactors under global safeguards²². This therefore implies that nuclear cooperation should be extended to India which has never signed the NPT and has no intention of doing so now. The United States' attempt to incorporate India into global non-proliferation regime becomes very debatable because India possesses nuclear weapons and can only be allowed to join the NPT as a NNWS. The five nuclear powers recognized by the treaty are China, France, Britain, Russia and the USA. This is laid down in Article IX subsection 3 of the NPT that only those that count as NWS are those which exploded a nuclear device before January 1, 1967²³. The first nuclear explosions were by the United States over Hiroshima and Nagasaki in Japan on August 6 and 9 1945. Russia exploded her first test bomb in 1949, Britain in 1952. In 1960 came France and China in 1964. India exploded a nuclear device in 1974 and in May 1998 it conducted nuclear explosions²⁴. This therefore means that India cannot be part and parcel of the nuclear club, since according to the NPT, the only recognized NWS are those which exploded their nuclear weapons before January 1967.

It is therefore against such a background that the planned agreement between India and the US presents a heavy strain on the global NPT. So far, unlimited access to nuclear technology has only been open to NPT members. NNWS, at the same time, have to open up all their nuclear facilities to IAEA controls. India has not yet opened its nuclear facilities to IAEA inspections, a thing that Iran has done. India is therefore being given the rights that go with NPT membership without assuming the corresponding duties²⁵. Iran, which is a member to the treaty and has on several occasions allowed IAEA inspectors to its nuclear sites, is being denied access to nuclear technology which India, a non-party to the NPT is now enjoying. This privileging of India would be for other countries an incentive not to submit to the rules of the NPT. The irony of it all is that on the one hand the Americans refuse to provide Iran, a member of the NPT with nuclear technology to be used for peaceful purposes but at the same time from national interest motives they cooperate with India which stands outside the treaty.

From the above analysis, the following strategic implications can be the basis for the Indian-American nuclear deal. The Americans now confront the firm opposition of China, not as much as a direct threat to its security, but more as an obstacle to its interests in the Asian region. China's fast growing economy and military might is a direct threat to American interests in the Asian region. China is America's competitor for influence throughout Asia. The Americans want to encourage India's weapons build up precisely to counter China's growing arsenal. They want to use India to contain China's geo-strategic ambitions in the region.

Secondly, Pakistan's possession of nuclear weapons also remains a big problem to American military planners. At present, it is an American ally, but things can always change in the future, especially when an anti-American leader one day gets into office. Pakistan is therefore likely to stand out in the years ahead as the single most dangerous undeclared nuclear state in today's world and India is the country that could if things got out of hand, be in a position to contribute to the stability of the region²⁶. India could be used to arm twist Pakistan in the event that a more radical regime takes over. Thirdly, India could be made to take an active part in restraining Iran from embarking on its nuclear program. In the event that war broke out between the Americans and Iran, India could be of strategic importance especially when launching attacks from bases closer to Iran. Lastly it is also in the interest of states to benefit from their relations with other states. India could be a lucrative market for America's nuclear industry, which wants to get in ahead of Britain, France and Canada.

Despite the above strategic implications, there are also broader implications to this Indian-American nuclear deal. Bending the rules for India makes it harder for them to uphold them elsewhere. The biggest question would be why not also bending the same rules for Iran and North Korea. This intended lifting of nuclear sanctions for India actually provides Iranian hardliners with arguments they would otherwise have lacked previously for maintaining their nuclear course.

The arbitrary distinction between acceptable and unacceptable nuclear programmes invalidates the search for universal and generally binding rules for the prevention of proliferation²⁷. America no longer regards the further proliferation of weapons as a problem but it now makes a distinction between good and bad proliferation. If India is to be admitted as a member of the treaty then this would immediately mean the collapse of the NPT since it goes against the much intended provisions of the treaty. How the international community will deal with the Indian-American nuclear deal will indeed decide the future of nuclear disarmament and non-proliferation as a whole.

3.4 Pakistan's controversial nuclear program: Selective approaches and hypocrisy

Pakistan, like Israel and India is not a signatory to the nuclear NPT and neither are its nuclear facilities under IAEA safeguards. Pakistan's nuclear policy has been overwhelmingly influenced by competition with India. Its refusal to accede to the treaty was a consequence of Indian rejection of the NPT²⁸. It emphasized that for the treaty to gain its adherence, it must be able to prevent all future proliferation. They warned that the treaty must ensure that there was no addition to the five nuclear power club of Britain, China, Russia, France and the United States. Once there was a sixth member there was proliferation²⁹. India's refusal to join the NPT combined with its 1974 nuclear explosion dramatically increased Pakistan's effort to acquire nuclear weapons. Pakistan would not commit itself to the NPT unless India did the same. On May 11 and 13 1998 India undertook five underground nuclear tests. Pakistan followed suit the same year, in spite of international calls for her to renounce nuclear competition³⁰. Since India and Pakistan are now fully fledged NWS both states have reached the post-proliferation stage. This however is totally against Article IX section three of the NPT which only recognizes NWS as those which exploded nuclear weapons before January 1 1967.

Pakistan has received assistance for its nuclear program from both NWS and NNWS which is a gross violation of Articles I, II and III of the treaty. The first supplies towards the development of Pakistan's nuclear capability were from Canada in 1972, Germany in 1977 and 1987 respectively while the 30 high-frequency inverters for controlling centrifuge speeds were from Britain³¹. China also played a major role in the development of Pakistan's nuclear manufacture, especially when Western countries' stringent export controls made it difficult for Pakistan to acquire materials and technology elsewhere³². This therefore brings to the fore the argument that Pakistan could not have developed a nuclear weapon potential without some nuclear equipment from both the NWS and NNWS parties to the NPT. To a large extent, the increasing dangers of nuclear proliferation caused by nuclear programs of non-members to the NPT were brought on by the very NPT members who assisted them, thus violating the very foundations of the nuclear NPT.

The Americans are offering assistance to Pakistan to make its nuclear weapons more secure³³. Such actions undermine Article I of the NPT. The Obama administration bases its argument on the increased instability in Pakistan which might one day lead to its nuclear weapons and stocks of nuclear explosives going in the wrong hands. Pakistan is also the United States ally in war against terrorism. It offered USA military bases to wedge war against Afghanistan in 2001 and it led the Americans to consider it for nuclear assistance, despite it not being a member of the NPT. Iran is not getting such assistance because it poses a threat to American interests in the Middle East. However, it can be argued that Pakistan is more unstable as compared to Iran and it cannot be trusted with nuclear weapons. It therefore implies that the NPT is now being dwarfed by the interests of powerful states. Such actions will in the end erode the efficacy of the treaty in curbing nuclear proliferation in the international system.

4. Conclusions and Recommendations

This article has looked at the problem of selectivity on nuclear development in the international system. The major problem identified has been the failure of the NPT to stop nuclear proliferation to non-members of the treaty such as Israel, India and Pakistan. It is also very disturbing to note that some parties to the treaty such as Iran are not receiving the benefits provided by Article IV of the treaty which include the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination. These benefits are supposed to be promoted by denying non-parties to the treaty the advantages the NPT parties enjoy under the treaty. Participation in the treaty thus becomes unattractive because nuclear assistance is being sold for commercial profit or awarded as a political prize to prospective friendly states not necessarily NPT members. The on-going problems outside the NPT have rendered it neither the sole element nor the complete solution of all nuclear proliferation problems.

Below are recommendations from the study which might help remedy some of the shortcomings of the NPT thus enhancing rather than diminishing its importance as a global non-proliferation regime. The NWS should clearly commit themselves to reversing the nuclear arms race; they could start by halting all nuclear weapon tests and undertake to reduce significantly their strategic and tactical nuclear armaments. In the long run, these commitments may be the most crucial for the survival of the NPT. This is where inequality of the Treaty can be righted. Iran's ambitions maybe become a nuclear power state can only be abandoned if the NWS abide to Article VI of the treaty which requires them to eliminate their nuclear arsenals. As long as the NWS act as if nuclear weapons are politically and militarily useful to have, non-nuclear weapon countries such as Iran may feel that they too must obtain these advantages. Non-proliferation can only be a transitional stage in the disarmament process. It is only a temporary freeze on one small aspect of the nuclear armaments picture. The largest part of nuclear disarmament remains to be undertaken by the NWS.

Participation in the treaty should be made more attractive by the provision of internationally agreed, legally binding security assurances to the non-nuclear weapon parties. Concern has been expressed regarding the use of nuclear weapons by the NWS on NNWS thus undermining their commitment against the use or threat of use of nuclear weapons. Security guarantees would be an added compensation for NPT adherence, giving confidence to NNWS such as Iran which has always been suspicious of the intentions of some NWS such as the United States of America and its undeclared nuclear ally Israel. Pressure should be brought to bear upon non-parties by denial of supplies of nuclear materials and equipment, while outright defiance of the treaty should be met with more stringent measures. One of the shortcomings of the NPT has been the willingness of the NWS to transfer nuclear material and equipment to all NNWS as well as the undeclared NWS regardless of adherence to the treaty. The result of such actions led to France's proliferation to Israel and America's proliferation to India. Non-nuclear weapon states party to the NPT should refuse nuclear supplies from exporters who have remained outside the treaty such as Pakistan and India and Israel.

The obligation not to assist others to manufacture nuclear weapons should apply to all states without exception, and, consequently, all exports of nuclear material and equipment to NNWS should be subject to IAEA safeguards so as to avoid their use for weapon purposes. NWS accept to some degree IAEA inspections of civil nuclear facilities, but forbid access to international inspectors to facilities used for nuclear weapon purposes. There is need for IAEA inspections on the NWS' military nuclear facilities as to make countries such as Iran, North Korea, Pakistan and India more open with their secret nuclear enrichment plants. The application of safeguards to NWS' military facilities could help to equalize the obligations of all NPT parties.

The view that the United States of America should rely on a unilateral pre-emptive policy of counter-proliferation using military force when necessary is not an answer to the problem of proliferation of nuclear weapons. Issues of non-proliferation of nuclear weapons need cooperation and thus selectivity and double standards should be avoided. American unilateralism leads to the erosion and violation of treaties such as the NPT especially when it plans to lift nuclear sanctions on India, a non-party to the NPT. A multilateral approach involving all parties to the NPT is needed in solving the Iranian nuclear program.

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