

CHANGE IN INDIA-US DIPLOMATIC PRACTICES - AN INTERIM REPORT

Steven A. Hoffmann



**Institute for Defence Studies and Analyses
New Delhi**

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CONTENTS

ACKNOWLEDGEMENTS	5
INTRODUCTION	7
A VIEW FROM THE NEGOTIATION	
BEHAVIOUR LITERATURE	9
“DISTRIBUTIVE” INDIAN AND AMERICAN PRACTICES....	15
“INTEGRATIVE” INDIAN AND AMERICAN PRACTICES	24
CONCLUSION AND PRESCRIPTION	38
ADDENDUM	40

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Steven A. Hoffmann

INTRODUCTION

During the last dozen years or so, the Indian and American governments have instituted broad policy changes aimed at turning their bilateral relationship into some form of strategic partnership, but not an alliance. The purpose of this paper is to delve into the altered set of diplomatic practices that have accompanied this major policy change.

The term “diplomatic practices” here refers to ways to discuss (and sometimes avoid discussing) matters of substance. As such, they are separate from substance. It is for analytical purposes that a distinction shall be made here between diplomatic practices and diplomatic substance, even if that distinction may be hard for a foreign policy practitioner or close observer to perceive in some circumstances.

Examples of older diplomatic practices, deployed in the bilateral relationship, would be: failure by US interlocutors to treat India with appropriate respect; and moral lecturing of US interlocutors by the Indian side. To provide an example of newer practices associated with the deliberate development of the India-US strategic partnership, it would be: the two sides conducting what might be called “business-like” discussions that connote mutual respect.

The reader should notice that the paper will cover diplomatic practices in use when India-US relations were poor, and others utilized now that they are good. But it shall do so without claiming that new practices have simply replaced older problematical ones. Considerable change has occurred in US-India diplomatic behaviour over the last twelve years, but older practices still make their presence felt.

Yet, improvement has occurred, as noted by an Indian diplomat who has much experience in intergovernmental interaction with the US. He has called diplomatic style (i.e., a set of key practices) a “force multiplier,” one that counts as the basic interests of India and the United States, and the basic parameters of the relationship, become more convergent than they were earlier. When these two sides have an engagement process taking place, he said, they certainly do deal with the matter of “how do we talk to each other?” A bilateral US-India learning process concerning that matter, and involving individual practices, has been under way, a process that has not ended.

The first objective of this paper is to describe and explain change in diplomatic practices, but a second objective is to explore one specific

form of explanation, more than others, so as to look at this subject within a certain perspective. That perspective comes not from usual sources like culture or diplomatic history, but from the academic literature on negotiating behaviour. Ideas from that relevant body of theory and research too rarely become part of the study of India-US relations.

This paper makes up an interim report which comes from an on-going long-term, larger-scale project on Indo-US diplomatic practices and style. The project has been pursued intermittently, via interviews and other appropriate methods, in New Delhi, Washington and elsewhere between 1997 and 2010.¹ Most of the material presented here will eventually be included in a larger manuscript, in which more information, complexity, nuance, and finality, will be found.

1. Those persons, some of whose activities are encompassed in this paper, by the term “practices,” include: politicians, and political appointees. Included too are officials (bureaucrats) in India’s Ministries of External Affairs and Defence, as well as the US State and Defence Departments and their associated embassies in New Delhi and Washington. Military officers, both serving and retired who act as government representatives or quasi-representatives should be counted, too. Deserving inclusion as well are other strategic thinkers who took part in the ground-breaking “Track One and a Half” sessions (involving both strategists – some with close government ties - and officials), jointly held by India’s Institute for Defence Studies and Analyses (IDSA) and Washington’s Institute for National Strategic Studies (INSS – part of the National Defence University) in the 1990s. Please consult the Addendum to this paper for more specifics.

For lack of information on practices found in Track II (unofficial but organized and staged) dialogues held in recent years, the behaviour of their participants is not covered here. Nor are those of business people acting in private capacity. This is not to say, however, that someone like a business executive could not find this paper useful.

A VIEW FROM THE NEGOTIATION BEHAVIOUR LITERATURE

One researcher of negotiation behaviour has usefully suggested that various negotiation-strategies can, for analytical purposes, be ranged “along a theoretical continuum.” On one end lies the pure version of what (drawing from some terminology in the literature) can reasonably be called the *distributive negotiation strategy* (or *situation* or *other relevant label*). Located on the other end is what can be called the pure *integrative negotiation strategy* (*process*, etc.). Pure distributive negotiation behaviour entails a “set of actions that promote the attainment of one party’s goals at the expense of those of the other parties.”² For one party to gain more of what is being valued, or even defensively hold on to a proper share, other parties must decide to accept less of it. In this type of negotiation, someone wins and someone else loses. Demands, resistance, threats, sanctions, and concealing of information, are some of the tactics associated with this particular diplomatic strategy.

The pure *integrative negotiation approach* “involves actions designed to expand the pie and promote the mutual attainment of negotiating goals. A pure value creator would propose that the two parties negotiate toward an agreement designed to make both...better off.”³ Rarely, if ever, are these ideal type approaches encountered in real diplomatic life, but various mixtures can be seen. With that point in mind, one can argue here that: US-India bilateral practices have shifted from a mixture located somewhere near the *distributive-strategy* end of the diplomatic continuum, to a mixture that lies closer to the *integrative* end.

A well-known book by the Clinton administration’s Deputy Secretary of State, Strobe Talbott, indicates that some sort of largely (but not purely) *distributive* approach was one element in America’s India-directed

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2. John Odell, ‘Creating Data on International Negotiation Strategies, Alternatives, and Outcomes,’ *International Negotiation*, 7, 2002, pp. 40-43, and 49-50. For related, but somewhat different discussions of negotiation strategies or behaviours, see Brigid Starkey, Mark Boyer, Jonathan Wilkenfeld, *Negotiating in a Complex World*, Rowman and Littlefield, New York, second edition, 2005, pp. 1-2, 47-48, 127-130, and Arne Niemann, ‘Beyond Problem Solving and Bargaining: Genuine Debate in EU External Trade Negotiations,’ *International Negotiation*, 11, 2006, pp. 467-470.
 3. Odell, *Ibid.*, p. 42. Odell relates much of his thinking to R.E. Walton, and R.B. McKersie, *A Behavioral Theory of Labor Negotiations: An Analysis of a Social Interaction System*, McGraw-Hill, New York, 1965, and D.A Lax and J.K. Sebenius, *The Manager as Negotiator*, Free Press, New York, 1986.

diplomacy just after the May 1998 Indian nuclear tests. The memoir makes clear that the American dealings with India during this time mainly focused on one key subject – the issues associated with India as a, now openly declared, nuclear weapons power. The United States favoured the so-called NPT (Nuclear Non-proliferation Treaty). That multilateral international agreement acted to prevent the fulfilment of a 1963 prediction by President John F. Kennedy. Kennedy had foreseen that a decade hence “more than twenty states” might be “armed with atomic and hydrogen bombs.” Even as late as 1998, the NPT and the world-wide regime it supported, had proven important in keeping states out of the nuclear weapons camp, and they included all sorts of states, among them states arising out of the breakup of the Soviet Union.⁴

The NPT-approved international structure contained only five nuclear “have” states whose nuclear arsenals were considered legitimate. But, the 1998 Indian tests, and the Indian insistence on its right to have staged them, produced an American sense that the NPT world could be undermined by what Talbott once described publicly as a “chain reaction” that might produce a “a nuclear Brazil, a nuclear Nigeria, a nuclear South Korea, a nuclear Taiwan,” etc.⁵ A nuclear non-proliferation regime, seen as something like a fixed structure and a fixed status quo, with a fixed number of countries located within its confines, now faced danger.

The Indian statesman, Jaswant Singh, who was to represent India in talks with Talbott starting in June 1998, also seemingly detected something of a limited-amount dimension to American thinking about India and non-proliferation. But he ascribed it to different US motivations. What the US wanted left intact and fundamentally irreducible was America’s primacy in the world order, and its aspiration for inviolable security. The five-member “club” of legitimately recognized nuclear weapons countries (under the NPT) should (in the US view) hold onto its basic nuclear monopoly position indefinitely, given what Jaswant thought was the fact that the ‘club’ had accepted “American primacy” in the world.⁶

On the Indian side, what was to stay broadly fixed or constant from Jaswant’s point of view was the situation of “unambiguous deterrence”

4. Strobe Talbott, *Engaging India: Diplomacy, Democracy, and the Bomb*, Brookings Institution Press, Washington, D.C., 2004, pp. 25-26.

5. Strobe Talbott, ‘From Estrangement to Engagement: US-India Relations Since May 1998,’ Center for the Advanced Study of India, Occasional Paper No. 23, 2005. Hereafter called “CASI Speech.”

6. Jaswant Singh, *A Call to Honour, In Service of an Emerging India*, Rupa & Co., New Delhi, 2006, pp. 275-276.

afforded to India by its now open possession of a nuclear arsenal. India was “the only country in the world sandwiched between two nuclear weapons powers...[which] acted in concert” in India’s region. If the so-called “P-5” countries “continued to employ nuclear weapons as an international currency of force and power” India was not going to “voluntarily devalue its own national” security. Why and how “could India’s bomb alone be dangerous”? If “overt, unambiguous deterrence worked in the West, by what reasoning would it not work in India, and its neighbourhood?”⁷

Leaving Jaswant Singh’s account aside for the moment, it can also be argued that, additionally, the US wanted to reduce the amount of what is often called “strategic autonomy” available to India. An anonymous reviewer of an earlier draft of this paper has usefully pointed out that “India...was worried about limits on its own program” desired by the United States. Part of the point’s fuller meaning surely was that to have such limits in place would reduce the Indian ability to increase its future nuclear armaments capability when thought necessary to do so for security purposes. Maintaining its strategic autonomy was something of a fixed-amount matter for India at this time.

Since June 1998, India and the US have subsequently moved some distance toward the *integrative-negotiation* end of the negotiation strategy continuum. They have done so partly by expanding the range of topics under discussion and widening the overall scope of their interaction. These steps represents change in policy on each side and therefore do not just constitute an alteration in diplomatic style. In 2009 a high-level Indian official spoke privately of the Obama administration’s present approach as showing a willingness to maintain the basic orientation of the relationship and look for new areas of convergence. In early 2010 the Indian Foreign Secretary told a public audience that this was a partnership:

based both on principle and pragmatism that has become increasingly more durable and multi-faceted. There is a strong desire to work with each other on a number of issues of mutual concern and interest. During our prime minister’s visit to Washington in November 2009, President Obama and Prime Minister Singh agreed to provide added meaning and thrust to our relationship.

She also referred to an “expanded multi-faceted relationship,” and said that the Obama-Singh discussions on certain topics “were

7. Ibid., pp. 115, 113.

all reflective of the trust, transparency, and openness that increasingly marks our dialogue with each other.”⁸

Even in the sensitive realm of nuclear non-proliferation, win-win situations have been created by such measures as distancing the subject of nuclear weapons acquisition from the matter of civil nuclear energy cooperation. For India, the greater pie now includes a far greater ability to import nuclear material and technology for non-military use. For the US, the greater pie should entail new opportunities for the sale and transfer of nuclear material and technology to India, alongside other foreign (e.g., European) suppliers.

In order to deal with India in an integrative rather than exclusionary fashion, the Bush administration was willing to undertake certain initiatives that the Clinton team was either reluctant or unwilling to embark upon – i.e., changing US non-proliferation policy and law, and modifying the international non-proliferation regime itself. India made certain changes in policy and in negotiating strategy too, so as to act in a more integrative way when dealing with the US. New Delhi altered policy vis-à-vis its domestic atomic power industry by agreeing to de-link the civil portion of that industry from the nuclear weapons part, and by agreeing to the prospect of international inspection of its civil nuclear facilities.

With the development of a more “integrative” general negotiating structure between India and the US, one should find India and the US employing certain specific diplomatic practices mentioned in the academic negotiating behaviour literature. “Desired solutions” are likely to be stated in “specific terms” rather than as “sermons about abstract principles.” The negotiator would operate less “like an institutional role-player with a fixed brief to read, and more like an individual assigned to take the initiative in solving a problem that affects both sides.”⁹

“Problem-solving” can be treated as a strategy of negotiation in and of itself, but the problem-solving approach seems to be very closely aligned to the larger integrative negotiation approach. Certain how-

8. Nirupama Rao, “India Harbours no Aggressive Designs on Pakistan,” excerpts from January 12, 2010 keynote address given at the India Initiative of The Centre for a New American Security and the Aspen Institute of India, Rediff.com, (Accessed January 27, 2010). For a sample historical description of the workings of integrative US-India diplomacy, see C. Raja Mohan, *Impossible Allies*, India Research Press, New Delhi, 2006, pp. 21-72.

9. Odell, no. 2, p. 42.

to-do-it writings about negotiation look at negotiation from a problem-solving perspective.¹⁰

One well-known example is a primer on negotiating behaviour, called *Getting to Yes*. It points out that any negotiation exercise “takes place at two levels.” If the first deals with substance, the second level “concerns how you will negotiate the substantive question.” This second level thereby makes up “a game about a game – a ‘meta-game’”, one that generally “escapes notice because it seems to occur without conscious decision.”¹¹

A major theme found in *Getting to Yes* is the interest the negotiator has not only in reaching a substantive agreement, but also “in his relationship with the other side... Most negotiations,” it points out, “take place in the context of an ongoing relationship where it is important to carry on each negotiation in a way that will help rather than hinder future relations and future negotiations.” In many instances, the “ongoing relationship is far more important than the outcome of any particular negotiation.”¹²

This book also advocates what it calls “principled negotiation.” The principles involved are not those like India’s famous “strategic autonomy” principle, but instead serve as abstract guidelines for conducting negotiation wisely. Two such principles are likely to stand out to any observer cognizant of the course taken by India-

10. For example see I. William Zartman and Maureen R. Berman, *The Practical Negotiator*, Yale University Press, New Haven and London, 1982.

11. Roger Fisher, William Ury, Bruce Patton, *Getting to Yes, Negotiating Agreement without Giving In*, Penguin Books, New York, second edition, 1991, pp. 9-10. The work on “principled negotiations” of two of the authors of this volume has been called highly significant for the “enhanced influence” of the “integrative bargaining...paradigm,” particularly regarding the “analysis of international negotiations” since 1980 or so. For other influential work see Zartman and Berman, *The Practical Negotiator* *ibid*. These points and quotations are taken from P. Terrence Hopmann, ‘Two Paradigms of Negotiation: Bargaining and Problem-Solving,’ *Annals of the American Academy of Political and Social Science*, Vol. 542, November 1995, p. 27.

For a description of how *Getting to Yes* fits into an American cultural tradition of “how to negotiate” literature, see Cohen, *Negotiating Across Cultures*, p. 38. It is important to note, that this literature, certain pieces of which this paper is also using, disagrees to a considerable extent with the American-style negotiating practices to be described below. For this reason, among others, the literature should be viewed as having independent standing and not thought to be beholden to US Government agendas. Whether it has utility beyond the American cultural context is a matter for research, rather than premature conclusions that might reflect cultural determinism.

12. Roger Fisher et. al., *Ibid.*, pp. 19-20.

US relations in recent years. They are: “*Separate the People from the Problem*”, and “*Focus on Interests, Not Positions*.”¹³

The first of these principles covers matters like the diplomatic practice of establishing positive working relations between interlocutors. A related point holds that a positive negotiating situation exists when diplomats working together come to see themselves as jointly addressing a common and shared task or problem.

Concerning the principle of focusing on interests rather than formally stated “positions,” the authors of *Getting to Yes* apparently define “positions” as the openly stated demands and proposals that the sides in a bargaining situation communicate to each other. But “interests” are the sometimes unexpressed and basic motivations of each side that lie behind positions and actions.

Interests arguably can be satisfied by more than just the method or methods specified in a position, allowing for greater flexibility in negotiation, and for finding solutions that can serve the interests of the two or more negotiating parties. In many cases “a close examination of the underlying interests will reveal the existence of many more interests that are shared or compatible than ones that are opposed.”¹⁴

Whether or not India-US diplomatic activity now and in the immediate past reflects some sort of agreement with the entirety of this line of reasoning, phrases like *convergence of interests* have certainly featured significantly in the recent rhetoric surrounding the relationship.

But, framing diplomacy in terms of compatibility of interests seems somewhat incongruent with engaging in practices said to be in vogue in earlier phases of the Indo-US relationship. These included: hectoring and lecturing, American pressuring or arm-twisting, Indians recalling grievances from the past and adopting a moralizing tone.

These earlier practices, which might be called “distributive,” rather than “integrative,” shall now receive further examination, followed by an in-depth discussion later, of the “integrative,” ones.

13. Ibid., pp. 14-15.

14. Ibid., p. 42.

“DISTRIBUTIVE” INDIAN AND AMERICAN PRACTICES¹⁵

Published sources and interview information create the impression that the following diplomatic practices once added to the problems of the India-US bilateral relationship in general, and can still do so. They have been off-putting to at least some of the interlocutors from the other side, and some can even bring conversations to an abrupt end. Such practices could also help to sustain an adversarial diplomatic atmosphere.

American

American diplomatic role players could be: demanding, pressuring, condescending, and insensitive. They could fail to treat India as an equal of the US and deserving of appropriate respect. Yet they could perceive themselves as pragmatic, concrete, and non-theoretical.

For the sake of clarity, it should be said that these characterizations, put forward mainly by Indian critics of the American diplomacy, were not necessarily accepted as creating an accurate picture by most of the various American sources either researched or interviewed for this project. While some could understand that this is how the Indian side can look upon US diplomatic style, the impression most gave was that US diplomacy, at least as practiced by them, was considered generally reasonable.

Indian

Indian interlocutors, for their part, could be: prickly, sensitive, and concerned with equality, willing to give lectures on Indian history and on

15. This description of American practices and the one on Indian practices that follows is mine, but derived from private and public sources. The public sources are: Stephen P. Cohen, “The India that Can’t Say Yes,” in *India: Emerging Power*, Brookings Institution Press, Washington DC, Paperback 2002, pp. 66-91; Stephen P. Cohen’s comments in Mahesh Vijapurkar “Paradigm Shift in Indo-US Ties: Cohen,” *The Hindu*, October 8, 2002; Nigel Quinney, “Special Report No. 94, US Negotiating Behaviour,” Summary, United States Institute of Peace, October 2002, www.usip.org/pubs/specialreports/sr94.html; Jairam Ramesh, “Yankee Go Home But Take Me With You”, Paper presented at Roundtable on Indo-American Relations, Council on Foreign Relations and Asia Society, November 1, 1999, www.asiasociety.org/publications/yankeegohome_content.html; J.N. Dixit, *My South Block Years, Memoirs of a Foreign Secretary*, UBS Publishers Distributors, New Delhi, 1996, pp. 173-202; and Raymond Cohen, *Negotiating Across Cultures*, United States Institute of Peace Press, Washington, revised edition, 1997, pp. 17, 37-38, 47-49, 57-58, 93-97.

past US wrongs, being too reliant on intellectualisations, and wanting negotiations to start from Indian “first principles.”

Here, for clarity’s sake, let it be said that an Indian practitioner of diplomacy might well defend these practices as appropriate for India and its diplomats in particular situations during the Cold War era and after.

Illustration and Explanation

To illustrate the American and Indian practices just described, and elaborate on them a bit further, one may start with a 2002 US think-tank document. In that year the United States Institute of Peace (USIP) reported its findings from an international conclave on American negotiating behaviour, that “most foreign practitioners regard the United States as a hegemonic power that is less concerned to negotiate than it is to persuade, sermonize, or browbeat negotiating counterparts into acceding to American positions.” It added that the distinctive approach of American negotiators was “pragmatic...forceful, explicit, legalistic, urgent, and results-oriented” even though these traits “inevitably vary according to personalities and circumstances.” It also conceded that “American diplomats tend to see themselves as tough but fair bargainers.”¹⁶

A US official’s comment seemed somewhat compatible with that view, when he argued that the United States pursues its national interests like anyone else, but added that “[we try] to get as much as we can.” The American side, he said, goes into a diplomatic discussion asking for twice as much as it wants, but never gets it.

The former statesman, Jaswant Singh, in his memoir, remarked, during one of his conversations with Strobe Talbott, that the American diplomatic style was a “checklist” style: “You start in the morning, say, with your five or seven or however many points jotted on your memo pad...And unless all of them have been scored out at the end of the day, there is no progress.” This meant that the Americans “start with the specifics and unless the entire checklist is agreed upon, nothing else is.”¹⁷

Jaswant’s own preferred diplomatic approach (which he also thought might be characteristically Indian) was “to move from the general to the specific.” “If there is accord, agreement on the foundational basis, a general acceptance of the principles of it, then all else must, driven by its

16. Quinney, “Special Report No. 94, US Negotiating Behaviour”.

17. Jaswant Singh, no. 6, pp. 298-299.

own inherent logic, follow. Settlement of the specifics will then be reached.”¹⁸

For their part, some American practitioners interviewed for this study spoke of Indian negotiators starting from general or “first” principles. Equality and non-discrimination were two such principles mentioned by one American source. Another said that the Indian side would derive a policy from such principles, and that a proposal would have to fit neatly into a policy so derived. To him, American interlocutors were pragmatic, meaning that if “X” doesn’t work “we” should try “Y.” But the Indian principled position could get in the way.

A comment about American diplomatic practices, offered by an Indian official, was that the Americans had their own general principles, to which they adhered, but implicitly. A well-qualified Indian informant, in 2009, mentioned what he seemed to consider (from a perspective critical of the US) several other American first principles in diplomacy. Among them were: the US is a force for good in the world, and US mistakes are unintentional. A US official (during the Clinton era) referred to what surely remains a long-term inherent principle shaping American diplomacy - the US has a larger set of security concerns than just its concerns with India. One might add that, depending on how this and other related principles are presented and discussed, they could sound condescending to Indian listeners.

Jaswant Singh apparently knew of Indian diplomatic practices that could function as impediments to Indian diplomacy. “In diplomatic discourse and conduct,” he later wrote, “India has tended to carry many chips on its shoulder, almost always moralistic, needlessly arrogant, argumentative, mistaking such attitude as being an assertion of national pride.”¹⁹ Due to history, humiliation, and “the weight of so many centuries of servitude,” India possesses “such an acute sense of hearing that quite often it hears insults where none exist or are even implied.”²⁰

He added that India is not the only country reflecting, within its diplomacy, “the psychological scars of imperial servitude,” and a “very deep-rooted sense of history” along with a sense of “cultural and civilisational longevity.” But the sense that “pride and the public face” should “become an essential diplomatic quotient,” could be problematic

18. Ibid., p. 299.

19. Ibid., pp. 276-277.

20. Ibid., p. 276.

in terms of impeding rational negotiations. So could the notion that “outer trappings are often as important, if not more, than the inner core of mutual understandings and agreements.”²¹

Some comments made by an Indian source and an American source during interviews for this project can provide more insight on this topic. One came from an experienced Indian strategist, roughly one decade ago. He had worked the Track I and a half (semi official) diplomatic levels of US-India interaction. A proposition he accepted was that India-US dialogue could take the form of “two arrogances” meeting with each other. There was an American arrogance of power, while on the Indian side an intellectual arrogance could be evident. A US official spoke of American Calvinist arrogance versus Indian Brahminical arrogance.

A former US official, speaking in 2000 on the basis of his experience years earlier, claimed (possibly in a fashion critical of the US) that American interlocutors could see themselves as trying to “lead people in the right direction” and “teach a world that won’t listen.” To judge from his additional comments, Americans could feel slighted because American positions were supposedly right, and they could wonder how the other side could fail to see the reasonableness of an American approach.²²

Comments from a former MEA official, made about his own side in 2000, were quite frank. He characterized some Indian practices as being “cheeky.” By cheeky he meant being challenging with the Americans. He criticized such activity as a diversion from serious purpose, and as

21. Ibid., pp. 278-279. The other non-Western countries Jaswant is discussing include China and Egypt.

22. This last observation receives some echo in a controversial (in India) report by Juli A. Macdonald, “The Indo-US Military Relationship: Expectations and Perceptions”, sponsored by the Director, Net Assessment, Office of the Secretary of Defence, October 2002, published by Booz Allen Hamilton, with permission from OSD/NA. It was based on interviews with American and Indian military officers and civilian offices. On p. 80, it quoted a US officer as saying that the “Indians can be accused of having many cockeyed views.” But he adds that “they always have a substantive knowledge of the historical interactions, which makes it difficult to counter their arguments. They always raise the history of events during meetings.” That report, on p. 77 also points out that some of its American interview sources also referred to Indian “intellectual arrogance”. According to one-

The Indian elites are quintessential intellectuals. They thrive on fine-tuned arguments and logic. But US military officers and businessmen are not interested in intellectual arguments—they are interested in practical issues. Consequently, they find India’s intellectual arrogance off-putting and counter-productive.

A later study was done, reportedly involving Macdonald, which also entailed elite interviews in India and the US. Since it is apparently not yet in the public domain, I have decided not to use portions of a version to which I have had informal access.

reflecting a preference for manner over substance. Here, he claimed, was a way of not explaining yourself, for covering yourself in secrecy, and inhibiting dialogue not just with the US and other parties, but internally as well. The diplomatic atmospherics, he concluded, would count for so much because the substantive exchanges didn't amount to a real dialogue.

The context in which such practices prevailed, he indicated, was partly created by the US being the world power. American governmental views were a matter of substance for anyone. "That irks us." Contributing to the context, too, was the wide range of American interests. The Americans were like a "father confessor"; every awkward area came up. Sensitive items would figure in dialogue with the Americans – he mentioned Kashmir, the WTO, and Indian minorities. At times the Indian position on such a matter might remain unsettled internally. Part of the context, too, was the sense that "people [Americans] are against us, they are pushing us down."

A US diplomat referred to Indian interlocutors trying to put the Americans on the defensive. The American could get a diatribe on everything the US had done wrong. A different US official, operating at a lower governmental level, spoke of Indian interlocutors being capable of subjecting an American listener to a lecture on Indian history.

Jaswant Singh's book reports him telling Talbott in their first dialogue session that they could go:

back over the years and carry out a detailed analysis and a damage audit of the past fifty years [of US-India relations], the years that the rats ate away, those wasted years, and only thereafter, once we had have satisfied ourselves about that "audit," only then come to "dialoguing" about present-day events.²³

But Jaswant made clear that this was not an approach he wanted to take.

A former Indian diplomat has claimed that, on this score a distinction must be made between foreign policy professionals and politicians. It is from an Indian politician that an American interlocutor is more likely to get a lecture on Indian history than from a professional diplomat. Indian foreign officers are generalists, and they learn what good diplomatic practices are. Yet, one might add here that Jaswant was then a politician and not a professional.

Two other Indian diplomatic sources have argued that change in diplomatic practices occurs over time depending on what an Indian

23. Jaswant Singh, no. 6, p. 295.

politician (acting in a diplomatic role) or a professional Indian diplomat deems appropriate, and the policy “brief” that the diplomat has received. Behind a high-level diplomat might be a prime minister who decides on the diplomatic substance to be presented. But the politician sticks to substance and does not dictate stylistic practices to the professional. Diplomatic practices also follow the basic strategic understanding each interacting side has in a particular situation. A crucial cause of variations in diplomatic practice will be the individual diplomat’s personality. Moreover, as one of these retired diplomats indicated, diplomacy must sometimes be appropriately and justifiably confrontational.

Another comment by an experienced retired Indian diplomat argued that India was, in the past, exhibiting a “post-colonial” syndrome in its diplomatic behaviour, something that can still resurface in some places. The Cold War and the past Indian policy of non-alignment shaped the practice of Indian diplomacy too.

Mistrust of the US must figure in any explanation of Indian problematic practices. A list of Indian criticisms of US Government policies, in place for some time, was cited by a US defence department document as helping to foster such mistrust. Among them: traditional American support for Pakistani positions, and the US having “repeatedly turned a blind eye” to China’s technology transfer relationship with Pakistan. Such transfer “contributed to the development of Pakistan’s nuclear capabilities and its arsenal of ballistic and cruise missiles.” In the document, an American commentator pointed out that

The US military needs to pay attention to Indian “historical touchstones” and references that shape Indian perceptions of events and emerge repeatedly in any interactions with the Indians. We [the US military] must understand the history of the relationship better so that we do not become hostage to the Indian interpretation of events.²⁴

American pressuring could figure as a problematic practice in US-India dealings. The extended high-level dialogue that took place between 1998 and 2000 contained some element of what Jaswant Singh called “pressure,” despite the new diplomatic approaches that were also being tried at that time. The word appears in the Jaswant memoir particularly when the American diplomatic team introduced what it called five “benchmarks” for India. Success in achieving those benchmarks could

24. Juli A. MacDonald, no. 22, p. 80.

supposedly have led to some sort of relief from American imposed sanctions on India. In his memoir Jaswant perceived “an unstated but implicit hint that these benchmarks were a list of ‘dos and don’ts’ for India to abide by as conditions for improving relations with the United States.” They were also to be “the measure of” India’s “fidelity to non-proliferation.” Jaswant considered this diplomatic ploy unacceptable, and made that reaction clear to the US delegation. One particular benchmark, as he (Jaswant) apparently understood it, would have constituted “the very antithesis” of the (principle and condition called) “strategic autonomy” ...which India had reached out, through the 11 and 13 May [nuclear] tests, to acquire.”²⁵

The version of that episode found in the Talbott book reported that the Indians were not only being told that demonstrable progress on meeting the benchmark requirements would result in a lifting of post-test sanctions. It would also lead to President Clinton’s previously scheduled state visit to India. The Indians still reacted negatively. “They bridled at the very notion that their country had to do anything at anyone’s behest.” They also objected to the very term “benchmark,” claiming that it implied an American role as “stern schoolmasters who would be grading their performance.”²⁶ Yet the American side felt that the benchmarks were “realistic and reasonable.” India’s nuclear capability would not need to be abandoned; and the benchmarks themselves supposedly corresponded (“as closely as possible”) to India’s own openly declared intentions, needs and policies.²⁷

The Talbott team also specified some deadlines. His book mentions September 1998 as a proposed date for India to pledge to sign the CTBT. But, in India the CTBT was a highly public and sensitive matter, with the treaty itself having been demonized. Another American deadline put forward at this time was for India to actually sign the treaty one year later. From the policy standpoint, what the American side was really seeking was “to persuade the Indians to adopt, quickly and with some specific assurances, a strategic restraint regime.” Talbott showed that, at least for a while, he wanted that some “time-frame” be set for producing substantial results from the dialogue. Jaswant managed to turn these time-bound ideas away, and did so without antagonizing Talbott.²⁸

25. Jaswant Singh, no. 6, pp. 304-306.

26. Talbott, no. 4, pp. 96-98.

27. *Ibid.*, p. 96-100.

28. Jaswant Singh, no. 6, pp. 304-316 (contains “timeframe” term).

All told, the set of practices (or style) listed here, and the explanations offered for them, do match some points that are available in the negotiation behaviour literature. While there is no absolutely fixed pie of values and resources to divide, the practices and explanations do imply winning and losing. They also indicate that the other side is not a partner but instead is the outsider, to say the least. Moreover the alienation from the competitor seems to be intense enough, that dialogue, while not blocked can readily become inhibited and limited. Building a relationship is usually not an important objective of this form of diplomatic effort.

Two versions of the distributive or win-lose diplomatic approach seem to have existed. The Indian version could be called rather defensive and resistant, premised on keeping clear of being drawn into American agendas, warding off American efforts to dominate, and reacting appropriately if India was not being treated as an equal or was perceiving violation of another of its principles. This form of diplomacy, for India, need not be labelled irrational. Given inputs such as Indian history and culture, India's economic and military positions vis-à-vis world and regional powers, its historically-based dedication to the strategic autonomy principle, and its long-time policy-disagreements with the US, India's earlier diplomatic practices are quite understandable. But, these practices can also be explained, to a substantial degree, as purposeful steps used to defend India and its government against value-claiming efforts by the US.

Some literature on the distributive negotiation approach contains lists of characteristic behaviours associated with that approach, and important items on one of those lists match the Indian and American diplomatic behaviours just described.

The American diplomatic game could be described by a term that an academic scholar of negotiation can use along with "distributive." That term is "competitive."²⁹ The point is to win competitively as much as you can, i.e., maximization of one's own returns even if the other side perceives significant loss to itself. This approach is hard on relationships, involving (as it can) coercion and pressure, as well as treating the opponent as a separate or other being.

If the interaction between the two sides is purely competitive, the professed needs and the interests of the opponent may be

29. For a use of the "competitive" term, see John S. Murray, "Understanding Competing Theories of Negotiation", in Ira G. Asherman and S.V. Asherman, *The Negotiation Sourcebook*, HRD Press Inc, Amherst, Mass., second edition, 2001, pp. 5-13.

considered illegitimate or unimportant. India-US dealings were never “pure” in any sense, and US officials never sought to claim that professed Indian interests were illegitimate. But they did something that sounded like trivialization of Indian strategic reasoning and condescension pertaining to such reasoning. This they did by not accepting the Indian rationale for the May 1998 nuclear tests as truly covering Indian motives, and arguing that India was now less secure. They thereby indicated that American officials understood India’s best interests and how to serve them better than India’s leaders did.³⁰

30. The points about the Indian defensive and resistant approach in the paragraph before this one are based indirectly on conclusions drawn from comments made by one former high-level Indian official, during a 2009 IDSA seminar that reviewed an earlier draft of this paper. They owe much, as well, and directly, to a long series of conversations with an Indian strategic analyst, who was formerly with the IDSA. On academic notions of defensive and offensive value-claiming see Odell, *Creating Data*, pp. 49-50. A view of India as having followed a defensive value distributing strategy at one time, by being a naysayer, can be found in Amrita Narlikar, ‘Peculiar Chauvinism or Strategic Calculation? Explaining the Negotiating Strategy of a Rising India’, *International Affairs*, 82, 1, 2006, pp. 59-76. On US officials disagreeing with India’s public rationale for the 1998 nuclear tests - this information comes from interviews with two State Department officials in Washington, October 2000, as well as Prem Shankar Jha, “From Euphoria to Distrust” *Hindustan Times*, August 6, 2000, and Talbott, *Engaging India*, pp. 53-54, 68, 73. On de-legitimization and not granting importance of the other side’s interests, Roger Fisher et al, no. 11, p. 51

“INTEGRATIVE” INDIAN AND AMERICAN PRACTICES

Most of the following practices to be described as, supportive of, or even part of, “integrative” diplomacy are neither distinctively Indian nor distinctively American, having been utilized by both sides especially from 1998 onward. They can usefully be grouped under the following headings: conducting business-like discussions; establishing positive working relationships between interlocutors; undertaking early consultation on issues and avoiding surprises; broadening the range of discussions; maintaining forward momentum in the relationship; and institutionalizing the developing architecture of US-India diplomatic interaction.

Illustration and Explanation

Business-like Discussions: What might be called “business-like” discussions, are those where specific issues are indeed addressed, where both sides speak openly and frankly about interests and concerns, while highly theoretical elements are no longer the primary basis of communication, and practices like Americans being overbearing, and Indians speaking in vitriolic terms, are kept to a minimum if not avoided altogether.

Indian and the American diplomats had sought to improve the bilateral relationship before India had staged its nuclear tests in May 1998. But, a well placed US State Department official, interviewed in late 2000, made clear that, at least during most of the post-test years and months, the Clinton administration had consciously used certain practices within the overall diplomatic relationship. The Clinton team was very attentive to getting not just the substance but also the “diplomatic body language,” right. These people intended to talk to India with greater respect and openness and try to have the two sides go beyond simply discussing their differences.³¹

Simultaneously, one element in the strategy adopted by Jaswant Singh, as he sought to change a relationship with the US which was then “so adversarial,”³² was to negotiate about the practices to be used in talks. This intention can be seen in Jaswant Singh’s proposal that the exchange of views he began with his American counterpart (Strobe Talbott)

31. Interview with Karl Inderfurth, Assistant Secretary of State for South Asia, Washington, D.C., December 19, 2000.

32. Jaswant Singh, no. 6, p. 274.

should not be called negotiation at all. That term, or so he argued, connoted “retreat from ‘basic and immutable national positions’.” Instead, the two sides should call what they were doing a “dialogue.”³³ That dialogue was to continue, via a series of meetings, until 2000.

Concerning constructive practices used in the dialogue, Talbott later said that he and Singh got beyond “exchanging set pieces.” The American team tried to hear the other side, and incorporate their ideas into what it thought and said. His book makes clear that the dialogue was generally non-confrontational and even friendly. Jaswant Singh, for his part, indicated to Talbott he wanted better handling of the issues between the two sides than had prevailed before. Like soldiers sharing a military tent, he pointed out, each party would need to accommodate the other’s “‘habits, methods, [and] even idiosyncrasies.’”³⁴ In effect, he was calling for setting a *common task* for the two sides to pursue together, theoretical though it might be. He ultimately characterized the entire dialogue endeavour as the “way to the village.” From Talbott’s viewpoint the “village” metaphor, and the common task associated with it, came to mean “talking about” how India and the US could both find “a way out of the dead end they had reached.” For both men, a common implicit goal was therefore an improved relationship between their two countries.

Jaswant’s game-shaping activity during the initial Jaswant-Strobe meeting also included offering something narrowly specific, drawn from his government’s position. He said that India’s government would adhere, in a de facto sense, to the spirit of the Comprehensive Test Ban Treaty (CTBT), an anti-testing measure strongly favoured by the Clinton administration. India might, he added, formalize its position in a de jure way, and even accept the “letter of the treaty,” in return for removal of US sanctions. This last action certainly was noticed on the US side, and apparently matched the American diplomatic preference for concreteness and non-intellectualization.

33. Strobe Talbott, no. 4, p. 87. Jaswant may also have wanted to use the word *dialogue*, instead of *negotiations*, in recognition of political sensitivities in India about seeming to negotiate with the United States. Talbott suggested that domestic politics was the major reason for the “dialogue” ploy during his Asia Society lecture in October 2004, or so my notes from that lecture indicate. See Talbott, *Engaging India*, pp. 86-87. But, important to any explanation is that, just prior to the start of the talks, according to Jaswant, he (Jaswant) was determined that India not be hustled into some agreement, via the US using its own agenda and that of the P-5 and G-8 powers. Jaswant Singh, no. 6, pp. 289-295.

34. Jaswant Singh, no. 6, p. 296. On Talbott’s understanding of the “village” phrase, and more on how both sides came to use the term, see Talbott, *Engaging India*, pp. 87-88.

But, ultimately the results of the dialogue did not include that outcome.³⁵

The Strobe-Jaswant dialogue was clearly transitional, in some ways, in terms of diplomatic practices employed. One value-claiming defensive Indian practice, which still saw some use, was now modified into something non-confrontational. That element in Jaswant Singh's diplomatic strategy was to take a lofty intellectualized approach to discussion. He hoped that the dialogue would produce an "intellectual understanding" and "an acceptance of India's rationale" for the nuclear tests. But Jaswant further wanted a "harmonization of positions between the United States and India, as they evolved through a harmonization of respective views." This complex task would entail "some mutual acceptance, an accommodation of some components of the other's position," in those "areas as were not of overriding national interest."³⁶ Eventually the two sides could also presumably both gain something important by achieving more than just an intellectual understanding - a "restoration of confidence...even if it is only in part."³⁷

The American approach contained newer practices, but these were accompanied by older ones. As part of the dialogue the US team refused to concede that India was "right or wise" to have performed its nuclear tests. In fact, according to Talbott, "we reminded them continually that we thought" the testing "had been unnecessary, dangerous, and irresponsible." Here the American side was forcefully objecting, with at least an implied sense of being a world power upholding the world order, to how India had decided to pursue its national interests. Yet, during the dialogue period, Talbott said (in public) that on the nuclear issue India would determine what was in its own best long-term interests, not the US. The theme that "Only India can determine its own interests...[and that India] will choose only what it believes its interests clearly demand and what its people democratically embrace" got featured in President Clinton's very effective speech to the Indian parliament in 2000.³⁸

35. Strobe Talbott, *Ibid.*, p. 86. On Indian Government's public position, see "Paper laid on the table of the House on Evolution of India's Nuclear Policy", www.indianembassy.org/pic/nuclear_policy.htm, May 27, 1998. The "exchanging set pieces" phrase is from my notes taken at a Strobe Talbott lecture, Asia Society, New York, October 20, 2004.

36. Jaswant Singh, no. 6, p. 274.

37. *Ibid.*, pp. 274, 295.

38. Talbott, no. 4, p. 97 (quotation). See also US Department of State, Deputy Secretary Talbott, Address at India International Centre, New Delhi, India, January 30, 1999, <http://www.mtholyoke.edu/acad/intrel/talbind.htm>, and Embassy of India,

An American official, commenting during the Bush years about earlier US condescension toward the Indian side, argued that “we” would no longer patronize “them.” In the past, or so he recalled, each of the two sides thought it was being patronized, and that constituted an obstacle to moving beyond rhetoric to substance.

That same source also reported Indian and US interlocutors then meeting so often, and not lecturing but discussing a particular issue in a friendly way, so that the Indian side did not think it was being pressured. He had found that, for his Indian colleagues, it mattered that they felt they had done things independently.

Something of the same approach was espoused by the Bush administration’s first ambassador in New Delhi, Robert Blackwill. He went on the public record claiming that the US would not be a “nagging nanny.” The ambassador told an audience in Mumbai in 2001 that

America will not be a nagging nanny. I know of nobody who likes one of those. Not among families. Not among nations. Thus, the Bush Administration does not intend to lecture India on its national interests. This is because my government does not presume to know India’s national interests better than the democratically elected representatives of this country. India’s choices must remain India’s choices.³⁹

To judge from private interviews, business-like discussions had already become regular features of diplomatic interaction at higher and some middle levels by the mid-point of the 2000-2009 years. But at the lower Indian and American bureaucratic levels, and in some situations, the interlocutor could encounter old attitudes in certain individuals, and that can happen even today.

Comments from a strategically placed Indian source, as of 2009, claimed that instead of using rhetoric, the Indian side will sit down with the Americans and explain its point of view on developments. The Americans are willing to listen. They are eager to learn India’s perspective and, in this fashion, they are helped to acquire a more rounded perspective of their own. Even when the two sides still disagree on some matters, they accept the difference of opinion. Formerly the relationship was one of complaint, rhetoric, and the two sides talking past each other. This source spoke of the great merit in being open and direct about each

“Remarks By the US President Clinton To The Joint Session of Indian Parliament”, March 22, 2000, www.Indianembassy.org.

39. Global Security Organisation, “Ambassador Blackwill on Shared US-India National Interests”, www.globalsecurity.org/wmd/library.

side's expectations. While India-US exchanges had once been oblique and tangential, now both lay their proverbial cards on the table.

According to a high-level Indian source, the US interlocutor might reveal US expectations concerning India. But he could not remember examples of the US acting in a non-business-like way by giving deadlines or seeming impatient in the last few years. He added that diplomatic professionals will try to extract from each other as much as they can, but that is not pressure or arm-twisting. Nor had he heard American officials saying that we know your (India's) national interests better than you do. Had he heard it, he would have refuted that suggestion categorically, and claimed that each country best knows how to gauge its own interests.

But, since India is not an ally, US representatives needed to keep their expectations much more discreet in public. As soon as things are seen as demands, in a public setting, there are problems. It is much better if those expectations get worked out privately, and if authoritative Indians get to publicly package these matters as they want.

The shift to business-like discussions has been related to the injection of detailed policy matters into India-US dialogue, as can be seen in an Indian official's comment that: when there is little substance to discuss, that is where you will "hold the flag." The more substance there is, the less atmospherics. You may quarrel more, but the quality changes because it is now a down-to earth, very serious discussion.

Establishing Positive Working Relations: Interlocutors managing to work together well - that has been a feature of at least some US-India diplomatic dealings over the past dozen or so years. This is not to say that the practice was entirely missing earlier. But from June 1998 onwards, particular persons have improved atmospherics, and the governments have eventually posted substantive achievements. The Jaswant-Strobe personal relationship remains a prime example.

Another particularly significant relationship, according to testimony from a knowledgeable Indian informant, was the one between President Bush and Prime Minister Manmohan Singh. Moreover, the working ties between at least one Indian official and, on the American team, R. Nicholas Burns in the State Department were also helpful. The latter relationship reportedly constituted another one of those cases in which a phone call could get some (presumably minor) matters straightened out.

A well-placed observer of the workings of the US embassy in Delhi during the early Bush period, pointed out that good relations between personalities does help get the two sides away from bureaucratic restraints. Ambassador Robert Blackwill, he recalled, had developed such good ties with certain officials within the Indian government of that time, Jaswant Singh and Brajesh Mishra, that the parties involved could go into what sounded like conversations that just continued from the previous meeting. So, formalities found in most diplomatic conversations were not an issue, nor were ritualized activities. In a relationship of mutual trust the interlocutors could skip the formalities and “cut to the chase.”

A willingness to relax diplomatic protocol should plainly be counted as part of a positive working-ties picture. During the period of their dialogue, Jaswant Singh continued to work with Strobe Talbott, even though their respective organizational ranks changed during the time that their dialogue was underway. An Indian Foreign Minister thereby kept dealing with a US Deputy Secretary of State.

Similarly, in Washington, at one point during the crucial negotiating period of July 2005, Secretary of State Condoleezza Rice technically “broke the protocol and called on a visiting foreign minister [Natwar Singh] in his hotel.” A knowledgeable Indian journalist’s perspective was that Rice’s step signalled something important. The “Bush administration was getting ready for whatever” it would take to accommodate India. According to an interviewed Indian official in a position to know, Natwar Singh was “thrilled” by Rice’s step. The substance of that long Rice-Natwar talk turned out to be important for the 2005 nuclear energy agreement.⁴⁰

Early Consultation and No Surprises: Consulting at an early stage, to see if a problem can be prevented or an issue jointly shaped, or something surmounted in advance, is important, or so an Indian diplomat argued when interviewed some years ago. He called it “preventive diplomacy.”

Yet surprises could still happen, as more than one interview source for this paper has made clear. The no-surprise rule was sometimes honoured in the breach. Some interviewed people gave the impression that the two governmental establishments were not finely oiled machines, and that situations could be complex. The no-surprise rule could also fail for lack of attention.

40. C Raja Mohan, *Impossible Allies*, India Research Press, New Delhi, 2006, p. 146.

One striking point made by an Indian official was that other nationalities complain about the US, on the matter of surprises. The “Turks” and “Brits,” for example were the closest of American allies, but they still got surprises or lack of sensitivity from the US.

Broadening the Scope of Discussions: According to several interview sources who were already in place late in the Clinton phase of Indo-US relations, was the notion of widening the scope of joint consultation, so as to cover matters well beyond Indo-US and South Asia topics. An American official’s opinion from that time was that India sees itself as a “player” in international affairs. The Indian side wanted to be consulted by the Americans, like the French and British were being consulted. A complementary American view from a 2006 interview held that the practice of engaging India across a wide range of subjects came partly from the fact that India was directly involved in many issues, on its own, and that its’ government had views on still others. Moreover, the ideas coming from the Indians were often compelling, and the Indians appreciated being consulted.

Another 2006 source, Indian this time, pointed out that the broad range of consultation allowed a concession from one side in a particular subject-area to be balanced by a reciprocal concession elsewhere. That view implied that the drive to broaden and thicken the overall US-India relationship, ongoing for approximately a decade, makes not only stylistic sense, but strategic sense too. A rationale publicly used by two close American observers (and former Clinton administration officials) for improving commercial Indo-US ties can conceivably apply to other ties too. “Such ties have the added advantage of providing needed ballast in the overall relationship when political differences arise, as they surely will.”⁴¹ Another way of conceptualizing this benefit is to say that a broad ongoing framework of interaction provides for survivability of the larger relationship, despite disagreements and even crises, and thereby helps to endow it with some stability.

Additionally, an India-US bilateral relationship, having an ongoing substance of many topics under discussion, joint ventures underway, information sharing opportunities in use, etc., does not always need to have a *next big thing* to keep the relationship healthy and sustain momentum. Nor are the two sides required to produce some dramatic breakthrough at each state visit by their respective

41. Bruce Riedel, Karl E. Inderfurth, “India and the United States: A Rare, Stable Partnership”, *The Baltimore Sun*, November 18, 2007.

heads-of-government for such exercises in summitry to remain worthwhile. Yet, widening and reinforcing the ongoing substance of the relationship arguably enhances the potential for other steps (perhaps even major ones) to be taken at later times.⁴²

Maintaining Momentum: The concept of “momentum” is part of the language of India-US relations, used by both government officials and strategic observers. “Momentum” refers to *forward movement and improvement in the India-US relationship over time*. Momentum can entail going from one level to a higher one or lower one. It can involve a big idea like the Indo-US civil nuclear agreement, along with smaller ones. It can be linked to seeing the relationship as having eras, stages, or phases. It can be viewed as something deliberately fostered or left to develop naturally and autonomously. Momentum can slow down. The Bush era’s spectacular level of India-US momentum seems not to have been sustained during the first year of the Obama administration in Washington.

Various kinds of activities, both governmental and non-governmental, figure in sustaining “momentum” in the Indo-US relationship. Among them are: engaging in dialogues, holding meetings with regularity and frequency, working toward agreements and then implementing them, and participating in cooperative ventures like military exercises.

The “momentum” concept is as much Indian in ownership as it is American. A private comment by a well-placed Indian official defined momentum as a natural progression, and as getting the two sides to engage in order to move forward. He also said that to keep momentum going on the 2005-2008 nuclear deal, intervention was needed at the level of the US President and Indian Prime Minister. He argued that India-US ties receive an extra bit of momentum from the role of “personalities” like President George Bush, but unless the push is institutionalised it doesn’t last.

Another Indian official who spoke about momentum, recalled that Congress party people, before the Congress-led a coalition came to power in 2004, had been rather critical of the earlier BJP government’s tilt toward the US. But then the Congress Government went on to strengthen the relationship, take it further, and was as

42. Key points in this paragraph are taken from Shanthie Mariet D’Souza, ‘India-US Relations: The Need to Move Beyond Symbolism’, IDSA Strategic Comments, www.idsa.in/idsacomments/India-USRelations_smdsouza_03129?q=print/3675, December 3, 2009,

eager as was the US to remain in pursuit of mutual interest. Taking the Indian bureaucracy along was not easy, he said, and coalition government itself produced restraining forces. A diplomatic history volume reports that “senior officials” at one time said privately that “their predecessors in the BJP-led NDA coalition had [mistakenly] convinced themselves that the UPA government led by Manmohan Singh would be incapable of sustaining the momentum in Indo-US relations.”

An outgoing Indian Ambassador to Washington commented publicly in 2009 that the US-India relationship “still has to reach a certain critical mass where it can acquire a momentum completely on its own.” The stage has not yet been reached “where you can put this relationship on an auto-pilot. We need to care, we need to nurture it.”⁴³

Any serious observer of the US-India relationship must add a related note of caution to a discussion about sustaining India-US momentum. Mention of the term can give rise to at least a suspicion in some Indian political thought that the country shall become captive to an American agenda.

Institutionalisation of the Relationship: At the time of the state visit of President Bill Clinton to New Delhi in March 2000, the Indian and American teams issued a document that called for institutionalization. Its official title was: “US-India Relations: A Vision for the 21st Century.” A key passage reads:

43. On the subject of momentum, see Walter K. Andersen, “The US Engagement with India: Reviving the Momentum,” unpublished paper, Andersen is Associate Director, South Asian Studies program, SAIS, Johns Hopkins University, 2009, pp. 1-22; Pratap Bhanu Mehta, “Going in Two Directions in South Asia,” *Current History*, May 2008, pp. 207-212; Hillary Rodham Clinton, Secretary of State, “Remarks at US-India Business Council’s 34th Anniversary ‘Synergies Summit,’” Washington, D.C., US Chamber of Commerce, June 17, 2009, www.state.gov/Secretary/rm/2009a/06/125033.htm. “Auto-pilot” phrase is from Ambassador to US, Ronen Sen, “Indo-US tie yet to reach auto-pilot mode,” *Indian Express*, <http://www.indianexpress.com/news>, March 5, 2009. See A.B. Vajpayee, “Prime Minister’s Speech at the Asia Society,” New York, September 22, 2003, final paragraph, http://www.indianembassy.org/pic/pm/vajpayee/pm_sept_22_03.htm; Lalit K. Jha, ‘Partnership with US vital to achieve developmental goals: India’, *Business Standard*, January 10, 2010, www.business-standard.com/india/news/partnershipus-vital-to-achieve-developmental-goalsindia; Anand Giridharadas, “India Has a Soft Spot for Bush,” *New York Times*, January 10, 2009, See also PTI, “Indo-US relationship has developed ‘exponentially’: Indian envoy to US,” *Times of India*, <http://www.nytimes.com/2009/01/11/weekinreview/11giridharadas.html>, June 30, 2009.. The quoted reference to the UPA Government and momentum is found in C. Raja Mohan, *Impossible Allies*, India Research Press, New Delhi, 2006, pp. 43-44. Raja Mohan’s source was the late National Security Adviser, J.N. Dixit.

Henceforth, the President of the United States and the Prime Minister of India should meet regularly to institutionalize our dialogue. We have also agreed on and separately outlined an architecture of additional high-level consultations, and of joint working groups, across the broad spectrum of areas in which we are determined to institutionalize our enhanced cooperation.⁴⁴

That “architecture” now functions and has already passed one test of institutionalization, which is that it still operates while personnel running it, and otherwise involved in it, perform their functions, and then get replaced over time.

An American diplomat acting as a source for this study reported that 26 formal India-US working groups then existed (in the spring of 2009), as well as six semi-formal ones. This institutionalized situation was one key reason why, in his view, the two countries were able to function better together today than they did earlier. Early consultation on issues, he thought, was thereby fostered, and a broader set of personal contacts is being built up. Even though the 26 groups were functioning, he said, the semi-formal ones were not working too well, and overall, the process of building the institutionalized process of communicating “back and forth” was still experiencing growing pains.

Overall, the practices discussed in this section conform to those that the academic literature on negotiations considers not only integrative and problem-solving, but also relationship building or enhancing. Taking first the matter of establishing positive working relations, *Getting to Yes* points out that knowing “the other side personally really does help,” and that positive working relationships do count.⁴⁵

Approved by *Getting to Yes* is the sense that a positive negotiating situation exists when diplomats come to see themselves as jointly addressing a common and shared task or problem.⁴⁶ As indicated earlier, something like this perception was sought by Jaswant Singh and Strobe Talbott during their famous dialogue, given what each said about finding a path to a “village.” What might be added usefully

44. US President Clinton and India’s Prime Minister Vajpayee, “US-India relations: A vision for the 21st Century”, US-India Friendship net, <http://www.usindiafriendship.net/archives/usindiavision/delhideclaration.htm>, March 21, 2000.

45. Roger Fisher et. al., no. 11, p. 37.

46. Ibid., pp. 37-38.

now is something else Strobe Talbott said on the subject. He made mention, in his book, of perceiving some difference between himself and his counterpart about the nature of the village, during the dialogue. But he later referred elsewhere to the two sides in the dialogue acting together in “trying to find common ground” and, on “some key issues,” even finding “some common ground”, or so he thought. Where they did not find it, they were also “working out some ways to manage the issues on which we differed.”⁴⁷

Worth mentioning as well, is another negotiation case (the civil nuclear energy agreement) in which the idea of working on a common problem figured, at least at some moment. Attesting to that point was an interviewed Indian diplomat and an American counterpart - as well as an Indian journalist.

Linked to having positive working relationships is: experiencing less difficulty when perceiving the other party’s legitimate interests, or so *Getting to Yes* indicates.⁴⁸ That did happen as a result of the Talbott-Singh dialogue, and so did something else *Getting to Yes* advocates: achieving an “ongoing relationship,” which eventually involved not just these two men, but successors and governments too. Here indeed was a result “far more important than the outcome of any particular negotiation.”⁴⁹

Some Indian and American officials indicated, during conversations held in the course of researching this project, their agreement with a further point made in *Getting to Yes*. The tome argues that it “is much easier to attribute diabolical intentions to an unknown abstraction called the ‘other side’ than to someone you know personally.” With such an interlocutor or such interlocutors “you have less difficulty understanding where they are coming from,” and a “foundation of trust to build upon,” along with “smooth, familiar, communication routines.”⁵⁰ In the US-India relationship, hopefully such communication routines were fostered, as well, by particular individuals and by the institutionalization process just described.

47. CASI speech, 2005, p. 3; and my notes from a speech he gave at the Asia Society Speech, in New York, October 2004, where there is a reference to the two sides in the dialogue acting as a “joint team”. Talbott, *Engaging India*, pp. 87-88.

48. Roger Fisher et. al., no. 11, pp. 37-38.

49. Ibid., 19-20.

50. Ibid., p. 37.

Worthy of mention, however, is that one Indian source for this project has objected strongly to American interlocutors and their Indian counterparts achieving such professional closeness that they could work together in informal ways to resolve some (presumably small) problems. Of course, if someone playing the role of diplomat holds a strongly negative image of the other side, and feels strongly that proper diplomacy should often be about confrontation, then for that person the practice of establishing positive bilateral working Indo-US relationships is likely to be something objectionable.

Nevertheless, changes in diplomatic practices have surely come about in the India-US case over the long term, at the higher levels of diplomatic authority and in the realm of the most important India-US dealings. As a number of Indian practitioners of Indo-US diplomacy, and observers of it, have pointed out, ultimately one must explain this change not as a matter of diplomatic style, but instead as an outcome of substantive policy reorientation on both sides. New strategic thinking in both New Delhi and Washington allegedly lies at the root of stylistic change too.

Yet, credit for stylistic change should be given to some people that an Indian journalist calls “a few good men” (he may have had in mind a few good women as well) in the Indian political and diplomatic establishment. These are people who have favored alteration in diplomatic style more than others. Generational change taking place within both the Indian and American political and professional diplomatic officialdoms must surely be included in the explanatory picture as well.

Some further compatibility between Indian and US practices, described above, and the academic literature on negotiation, can be seen via recourse to the pages of *Getting to Yes*. To judge from the practices listed above under the *engaging in business-like discussions* rubric, the two sides are acting in keeping with the book’s suggestion that the interlocutor’s job is to treat the interests of the other side as being legitimate and important, while demanding that one’s own be treated in the same way.⁵¹

If (as the US and Indian sides claim) they are operating on the premise of recognizing US-India interest-convergences, it is likely that policy-makers in Washington and Delhi generally do perceive each other’s interests as being both legitimate and important. For the future, of course, the US would do well to remember that part of what India sought from the US, just after the 1998 nuclear tests,

51. Ibid., 50-51.

was recognized importance and legitimacy for *subjectively* self-defined interests, rather than Indian motives and best interests as understood by the US.

While *Getting to Yes* advocates having negotiators focus on interests rather than positions, the student and practitioner of diplomacy should both bear in mind that the line of separation between position and interest is not always clear. Helping to cloud the distinction is the degree to which basic interests, i.e., motivations, can be communicated through, and pursued via the positions that governments adopt. Positions also reflect things that have mattered in relations between parties like the US and India, including different worldviews, cognitions (including different understandings of a problem), cultures, and values or principles. As an academic specialist on negotiation once observed, in many cases “attending *solely* to interests may not only fail to solve a conflict but exacerbate it, if parties come to feel that their views are not being taken seriously.”⁵² That constitutes another problem which US-India interlocutors would do well to avoid.

The *Getting to Yes* principle called “Invent Options for Mutual Gain” is a key to the integrative negotiation approach. An Indian diplomat interviewed for this project seemed to recognize and favor this rule when he said that the new (Obama) administration shows a willingness to maintain the basic orientation of the US-India relationship, and look for new areas of interest-convergence. The progression of agreements that the two governments reached during the time of the Bush administration gives the general impression that the two sides were seeking to “invent options for mutual gain” on a regular basis.

A source on the problem-solving approach to negotiation, other than *Getting to Yes*, argues that the approach can involve an interaction process within which “mechanisms of communication and problem-solving are readily available so that conflicts can be resolved before escalating and becoming mutually destructive.”⁵³ That

52. See Conflict Research Consortium Article Summary, website of the Conflict Resolution Information Source, University of Colorado, <http://www.crinfo.org/index.jsp>, which takes some of these points, and the quotation, from Chris Provis, “Interests vs. Positions: A Critique of the Distinction”, *Negotiation Journal*, 12:4, October 1996, p. 319. The italics are mine. Please note: *Getting to Yes* does not absolutely require attending *only* to interests.

53. Herbert C. Kelman, ‘Negotiation as Interactive Problem Solving’, *International Negotiation*: 1, 1996, p. 104. In Kelman’s descriptive and prescriptive version of problem-solving negotiation an unofficial third party is involved.

description, drawn from academic research using staged pre-negotiation “workshops” (but making points the author wants applied to negotiations as well) could easily be the aim of a number of Indo-US practices mentioned earlier, if that aim does not exist already. Among those practices are: early consultation on issues - preventive diplomacy, shaping issues jointly, and consulting regularly over a wide range of subjects.

That same source implicitly supports the notion of keeping interaction in negotiations “business-like” by mentioning the value of having a “no fault” principle involved in problem-solving diplomatic interaction. In the research workshops it reports upon, “[No] attempt is made to establish who is right and who is wrong in terms of legal or historical criteria...The presumption is that such a process will not yield ideas for a mutually satisfactory resolution of the conflict.”⁵⁴ But allowance for perceptions of justice or fairness, both procedural and substantive, is viewed as important to the negotiating process too.

Clearly the India-US integrative practices act as enablers or “force multipliers” (to repeat an Indian official’s phrase mentioned at the start of this paper) in a problem-solving approach to negotiation and diplomacy. Extensive and intensive use of the value-claiming or distributive practices would have the opposite effect.

54. *Ibid.*, p. 106.

CONCLUSION AND PRESCRIPTION

More diplomatic practices than have been covered in the foregoing pages are undoubtedly used by India and by the United States, separately or jointly, when dealing with each other. Additionally, some new practices may be evolving or have already evolved, and others may soon be dropped in the future. Nor have value-claiming practices that can seem off-putting been entirely abandoned; they can still appear when diplomats interact. But the impression gained from interviewing for this project is that they are more likely to appear outside the most important channels and below the higher authority levels of US-India diplomatic interaction.

An impression gained from researching into the negotiations behaviour literature, is that the kind of change outlined in these pages need not be characterized as unique to the India-US relationship. That research indicates that such change is likely when governments seek to adopt less of a distributive paradigm and more of an integrative problem-solving paradigm when dealing with each other.

A point to be emphasized in closing is that the Indian and American Governments would do well to take extensive notice of the academic negotiations literature, if they have not done so already, a literature that can be prescriptive and not just descriptive. To support that argument via example, special mention can be made of one relevant essay by the social psychological and political researcher, Herbert Kelman, already used for this paper, and some points it makes about the so-called problem-solving approach's suitability to the task of building a long-term bilateral relationship.

As opposed to competitive value-based and power-based bargaining, or so the article indicates, problem-solving negotiation can take "the relationship between the parties" to be the central focus of concern by the parties involved. Such negotiation can partly be directed at "transforming the relationship between them," but without assuming that all differences and even conflicts between them shall be removed, or prevented from being addressed in the future.⁵⁵ The negotiation process should address the underlying causes of conflict between them "which generally include unfulfilled needs

55. *Ibid.*, pp. 100-101

for security, identity, justice, autonomy, and recognition.” It should also recognize that even “at best, agreements are likely to contain a distributive component.” Yet an agreement should also rest on a process and solution that people can perceive as just and fair, and in which “their side’s concerns were seriously considered.” Nor should one side come to perceive that the other party took “advantage” of a bargaining position’s weakness “to impose an unacceptable agreement.” If a matter of conflict is taken as a “joint problem that needs to be solved” then exercising influence on the thinking of another party “requires more than the use” of one party’s “power advantage to squeeze out of the other as many concessions as possible.” Required instead is “working toward an agreement that meets the other’s needs, elicits the other’s commitment, and opens the way to a new relationship.” Important in this context, too, is the ability of the two interlocutors to provide “mutual reassurance” to each other.⁵⁶

India and the United States have surely adopted this approach, at least in part, and should continue to do so. The matter of “how do we talk to each other” should continue to be taken seriously by both the governments and their emissaries. Moreover, they ought not to look reflexively upon change in the realm of diplomatic practices (in the direction of problem-solving) as a sign of either country being lured into compliance with the other’s substantive agenda, or agendas, or worldview.

56. *Ibid.*, pp. 100-101, 106-107, 112-1

ADDENDUM

The conditions under which most of this project's consultations and interviews were held in intermittent phases, between 1997 and 2009, required that most names be kept private. Therefore confidentiality will be standard practice here. But roles and organizational affiliations can receive mention.

The list that follows is limited to the people whose comments were the most useful for this particular paper. Three persons, each of whom held two different positions involved in India-US relations during the course of their professional careers, are each included twice.

Government of India -

- Five former Foreign Secretaries, MEA
- Three former heads of the Americas Division, MEA
- Two former Ambassadors to the US
- Three Deputy Chiefs of Mission, Indian Embassy, Washington D.C.
- Three officials, Indian Embassy, Washington, D.C.
- One naval attaché - Indian Embassy, Washington, D.C.
- One Major-General, Indian Army (retired), Track I and a half experience
- One Indian Embassy spokesperson to press and media-Washington, D.C.
- IDSAs - One Director (now retired), (Track I and a half experience)

Government of the United States -

- One Under Secretary of State
- One Assistant Secretary of State for South Asia
- One Deputy Assistant Secretary of State for South Asia
- One former Deputy Assistant Secretary of State for South Asia
- One Deputy Chief of Mission and two former Deputy Chiefs of Mission, US Embassy - New Delhi
- One former Ambassador to India

Three officials, US Embassy - New Delhi

- One official in INR Bureau, State Department
- One official in the Office of the US Trade Representative, Washington D.C.
- Two non-proliferation officials - one on the NSC Staff, and the other in the State Department.
- Five officials in the South Asia Bureau (later South and Central Asia Bureau) - US State Department
- One official - Anti-terrorism bureau, State Department
- One former official - State Department
- One official, India desk, Defence Department

One American strategic analyst who participated in Track I and a half session conducted between delegations sponsored by the US National Defense University and the IDSA.

During the last dozen years or so, the Indian and American governments have instituted broad policy changes aimed at turning their bilateral relationship into some form of strategic partnership, but not an alliance. The purpose of this paper is to delve into the altered set of diplomatic practices that have accompanied this major policy change.

The first objective of this paper is to describe and explain change in diplomatic practices, but a second objective is to explore one specific form of explanation, more than others, so as to look at this subject within a certain perspective. That perspective comes not from usual sources like culture or diplomatic history, but from the academic literature on negotiating behaviour.

This paper makes up an interim report which comes from an on-going long-term, larger-scale project on Indo-US diplomatic practices and style. The project has been pursued intermittently, via interviews and other appropriate methods, in New Delhi, Washington and elsewhere between 1997 and 2010.

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