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1. INTRODUCING THE PUZZLE

1.1 Introduction

According to Sir Cyril Radcliffe, the man burdened with partitioning pre-Independence India, one of the biggest problems of partition "was not the disposition of races, the future of isolated communities, or the division of assets, but a decision as to the control of its irrigation system...The rivers which supplied the water were all in the East, which would inevitably come under India, and the lands which they supplied were all in the West, which would be part of Pakistan" (Mosley 1961: 198-9). Radcliffe foresaw that the Indus river basin would haunt the relations between India and Pakistan for years to come. Paradoxically, the basin "has been the one area where India and Pakistan have worked constructively together" (Briscoe 2011: 32). On September 1st 1960, both states signed the Indus Waters Treaty (hereafter IWT), which they had negotiated over the previous 9 years with help from World Bank officials. The treaty effectively split the Basin in two, providing Pakistan with almost exclusive control over the Chenab, Jhelum, and the main Indus river, known collectively as 'the Western Rivers' and providing India with control over the Beas, Ravi and Sutlej, known collectively as the 'Eastern Rivers'. This treaty has been upheld for over 50 years, despite numerous wars and both countries developing nuclear capacity (Alam 2002: 341).

1.2 The puzzle

The "exceptionally cooperative" (Tremblay and Schofield 2005: 243) nature of Indo-Pakistani water relations is especially puzzling if considered from the Indian

perspective, since India is the upstream riparian and the more powerful of the two states, but the IWT allocates the bulk of the basins waters (80.52%) to Pakistan in perpetuity (see fig 1). Indeed, as Chellaney writes:

> "No other water sharing treaty in modern world history matches this level of generosity on the part of the upper-riparian state for the lower-riparian one. In fact, the volume of waters earmarked for Pakistan from India under the Indus Treaty is more than ninety times greater that what the United States is required to release for Mexico under the 1944 US-Mexico Water Treaty" (2011: 77).

Why India would continue to uphold the treaty after signing it can be, and has been, explained fairly well through application of neo-liberal institutionalist theories (see Zawahiri 2009), but *why India chose to initially engage in the Indus Waters Negotiations (hereafter IWN) in September 1951 under terms which implicated that Pakistan's existing uses should be maintained, amounts to an empirical puzzle which cannot be accounted for using existing hydropolitical theory.*

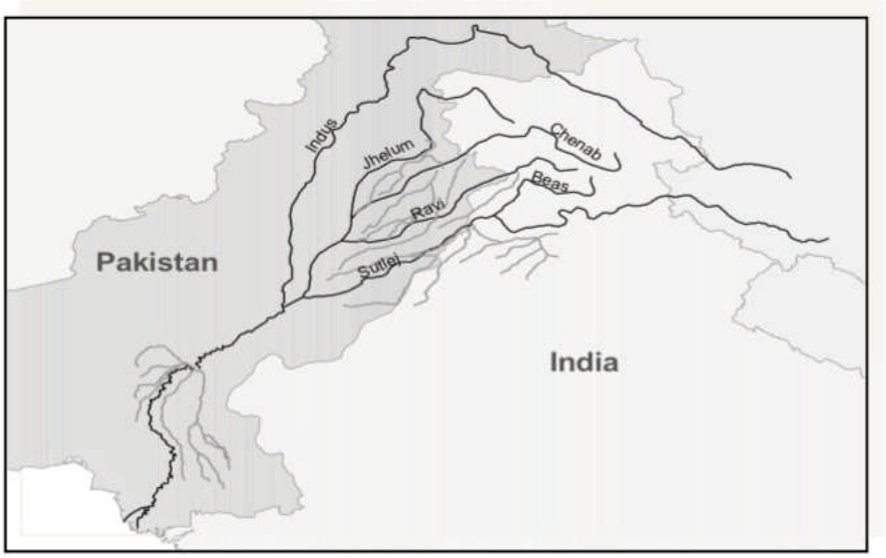

Fig. 1

	Rivers allocated	Total % of Basin water
Pakistan	Western flowing: Indus, Jhelum and Chenab	80.52%
India	Eastern Flowing: Ravi, Beas and Sutlej	19.48%

Source: (Chellaney 2011: 77)

1.3 India's position of power

Prior to engaging in these negotiations, a leading Pakistani negotiator summarized India's position, stating, "India held all the cards" (Michel 1967: 201). This holds true for several reasons. First, a comprehensive legal study commissioned by the government of India revealed that existing international law was "vague", leaving a sovereign nation free to "use the natural resources existing in its own territory unless restricted by international treaty or by international customary law" (Gulhati 1973: 324). The only restriction on an upper riparian in the free use of its waters was the obligation "to take into due consideration also the interests of the lower riparian's" (Gulhati 1973: 324-5). What India did went far beyond this (Chellaney 2011: 78). Second, India's current and potential hydrological infrastructure enabled it to significantly manipulate water flow to Pakistan. (Michel 1967: 201) As Michel writes

"she could [potentially] dry up the three eastern rivers. There were even possibilities of diversions from the Chenab and, if Indian hostility reached a climax, from the Jhelum" (1967: 201). Third, India was militarily superior and could therefore not be coerced into transferring the water to Pakistan.

1.4 Research question

Given this puzzle I pose the following research question:

> *How can we understand India's political will to engage in the Indus Waters Negotiations on September 25, 1951, which eventually led to the signing of the Indus Waters Treaty on September 1, 1960?*

By focusing on political will for initial engagement in the IWN, I hope to *complement* existing empirical writing on the IWT as well as broader theoretical writing on the hydropolitics of trans-boundary water basins. Thus far, empirical literature on the IWT has either taken political will for granted (Tremblay and Schofield 2005), acknowledged its importance but subsequently not attempted to account for it (Alam 1998 & 2002), or argued it was the result of World Bank involvement, which is at best only a partial explanation (see section 2.3). Moreover, the existing theoretical literature on hydropolitics does not provide methodological tools to understand from where upper riparians could derive the political will to engage in cooperation in the first place. Additionally, focusing specifically on initial engagement in the negotiations is interesting in the case of the Indus basin dispute for two reasons. First, this engagement was the most perplexing aspect of the dispute to interested observers at the time (see section 4.6). Second, it was arguably the most crucial moment in the negotiations, since, in the words of India's chief negotiator to the IWT

Niranjan Gulhati, once the negotiations were underway "neither party could afford to bear the onus of terminating its participation in the co-operative work" (1973: 100).

1.5 Research aims

To answer the research question, I draw on constructivist methodological tools and seek to read "history through constructivist eyes" (Reus-Smit 2008: 395). In doing so I hope to achieve two things. First, I hope to show how constructivist methodology can fill a gap left by existing theory of hydropolitics. Second, through application of this methodology I hope to advance our understanding of India's political will to engage in the IWN. I will apply this methodology by focusing on the worldviews of a crucial actor on the Indian side, Prime Minister Jawaharlal Nehru. For reasons I explain below, I focus in particular on three aspects of Nehru's worldviews: (i) Nehru's view that Indo-Pakistani cooperation was in India's long-term interests, as it would decrease the chances of war and enhance India's developmental prospects, (ii) his concern for India's international esteem and concomitant strategy of emphasizing India's restraint and peaceful intentions, and (iii) his personal philosophy of 'scientific humanism' which, I argue, made it easy for him to depoliticize the issue and made it difficult, if not impossible, to consider schemes which would adversely affect the situation of Pakistan's farmers. As will be made clear in the chapters that follow, I am aware of the multiplicity of causal factors shaping India's political will to engage in the IWN. Therefore, I do not claim to explain conclusively why India behaved as it did. Rather, in this dissertation I show how constructivist tools can offer a plausible account for India's engagement in the IWN which *complements* existing empirical work on the IWT and which can inform future theorizing and

analyses in hydropolitics more generally (see especially chapter 2).

1.6 Structure

This dissertation will be structured as follows: In chapter 2, I will position my research amidst existing theoretical literature on hydropolitics and empirical literature on the IWT. In chapter 3, I outline my constructivist framework of analysis, discuss how I will operationalize it and provide the justification for focusing on Nehru. In chapter 4, I discuss the key historical events which set the context for India's engagement in the IWN. In chapter 5, I present the findings from my empirical work and attempt to make plausible how these can help us understand India's decision to engage in the IWN. Finally, in chapter 6 I conclude my argument, discuss its limitations and its relevance to existing and future research.

2. POSITIONING MY RESEARCH

Having introduced the puzzle, I will now explore how it stands in relation to existing theoretical literature on hydropolitics and empirical literature on the IWT. To this end, I first discuss how the relatively recent epistemic shift towards expecting cooperation over water is based on sound empirical grounds, but lacks theoretical substantiation for explaining important elements of cooperation, notably initial engagement. To complement current theoretical literature I argue that we may usefully draw from constructivist approaches. Second, I illustrate the lack of theoretical substantiation in the current literature underpinning water cooperation, specifically as it pertains to India's engagement in the IWN. Third, I show that this theoretical gap is reflected in the empirical literature on the IWT. I do so by showing that the current literature has acknowledged the importance of India's political will but has not attempted to account for it directly. Having made this point, I show that, indirectly, several authors have elucidated some understanding of India's involvement in the IWN by locating India's political will in several aspects World Bank involvement. I argue that this understanding is useful, but cannot by itself provide a plausible account of India's engagement in the IWN, thus warranting the focus of this dissertation. Fourth, I draw previous arguments together and situate my research within the gaps of both the theoretical literature on hydropolitics as well as the empirical literature on the IWT.

2.1 From water war, to water cooperation

The history of hydropolitics can be comprehended as the sequential rise of two

opposing discourses (Julien 2012; Stucki 2005; Trottier 2003, 2004), both situated within the rationalist paradigm of International Relations (hereafter: IR). The first, the 'water wars thesis' is grounded in a neo-realist conception of international affairs, conceiving of water as "a zero-sum security issue, [thus] water carries a constant potential for conflict" (Naff, 1994: 274; Starr 1991). The second, arising as a reaction to the first, is grounded in IR neo-liberalism, and expects cooperation over water to result from a positive-sum game in which cooperation yields mutual benefits. The water wars thesis, which was popularized during the 1990s, was dominant until an extensive empirical study by Derek Wolf (Wolf 1998) found that findings - that although water relations can be conflictual, war over water is a historical oddity and cooperation over water is the norm - affected a paradigm shift almost overnight (Philips et al. 2006: 25; Schmeier 2010: 6). The new epistemic consensus was backed-up by dozens of case studies (see Schmeier 2010: 7), which confirmed its empirical results. However, the theoretical underpinnings for cooperation remain largely unsubstantiated. Especially initial engagement in cooperation by powerful upstream riparians (e.g. India) is under theorized. In the next section (2.2) I illustrate this point by evaluating how useful three of the main theoretical underpinnings for water cooperation are for understanding India's engagement in the IWN. Broadly, I conclude that only one of these three is somewhat useful for understanding the puzzle under consideration. Besides this illustration, the idea that the theory underpinning cooperation is largely unsubstantiated follows from Wolf's own acknowledgements:

> Despite empirical research that repeatedly shows how water-related

> cooperation has vastly exceeded conflict over the last fifty years, prevailing theories fail to explain this phenomenon (2008: 51).

Neo-liberalism conventional explanation of cooperation in terms of the possibility of positive sum material gains (Lamy 2010) does not hold in hydropolitics, where upstream riparians do not stand to gain materially from cooperation over water. Thus, the interests for upstream riparians to engage in cooperation must be located elsewhere. In this dissertation I hope to show that tools for locating these interests can be found within the IR constructivist fold. Drawing on constructivist approaches, with their emphasis on the constitutive and constraining effects of ideas and identities, I hope to contribute to a better understanding of India's decision to engage in the IWN.

2.2 Existing theories of cooperation

The current theory underpinning the empirical prevalence of cooperation over trans-boundary water basins broadly comes in three forms. First, there is the very straightforward idea that states act "water rationally" (Alam 1998/ 2002), that is, "to secure [their] water supply in the long-term, both in quantity and quality" (Alam 2002: 347). This argument, though it has been developed in the context of cooperation over the Indus basin, does not hold for this particular case, since as suggested above, India did not need to cooperate in order to secure long-term water supply.[1] Second, there is the idea that "once cooperative water regimes are established, they turn out

[1] Nowhere in her work does Alam (1998/2002) address why India needed to cooperate in order to secure long-term supply of water.

to be impressively resilient over time, even between otherwise hostile riparians and even as conflict is waged over other issues" (Wolf 1998: 251). This argument reflects neo-liberal institutionalism, which posits that states, in order to overcome collective action problems, set up institutions, which once they are established entrench cooperation (Keohane and Martin 1995: 42). Moreover, it has been successfully applied to Indo-Pakistani cooperation by Zawahiri (2009) and Tremblay and Schofield (2005), who argue that cooperation over the Indus basin has been sustained despite the enduring rivalry due to the IWT's institutional design. While this argument can help us understand why India would sustain cooperation post 1960, it cannot help us understand why India would opt to engage in cooperation in the first place. Third, "riparian states often share common interests and are politically, economically and culturally interdependent" so that maintaining conflict over water may harm states interests in other issue areas (Schmeier 2010: 7, see also Priscoli and Wolf 2009: 22). This argument arguably holds potential and has not yet been applied to Indo-Pakistani water cooperation. However, I argue, in line with the constructivist approach I draw from (see chapter 3), that we might add to this argument that what actors perceive as being in their interest, how they perceive issue linkages and how they rank different interests, is mediated by their ideas and identities.

2.3 Literature on the IWT

The apparent theoretical gap in hydropolitics literature is reflected in the way existing literature on the IWT approaches Indian political will. Thus far this literature has either implicitly acknowledged its importance, by noting that the agreement was premised on "Indian disinterest in fighting" (Tremblay and Schofield 2005: 242), or

explicitly acknowledged its importance, but subsequently not attempted to account for it (Alam 1998: xiv; see also: i; 158; 209; 252-253). That being said, several authors (Biswas 1992; Gulhati 1973; Tremblay and Schofield 2005) offer an indirect and theoretically ungrounded way of accounting for India's political will. They do so by emphasizing that various aspects of World Bank involvement were crucial to both parties concluding the IWT. Thereby they implicate that the Bank's involvement provided India with incentives that can, at least partially, account for India's political will to cooperate. Different authors highlight different aspects of the Bank's involvement as significant to the final outcome. In the remainder of this section, I discuss five of these aspects, all of which arguably have some merit not only for understanding the conclusion of the IWT, but also for helping us understand India's political will to engage in the IWN. First, Biswas emphasizes the personal leadership of the Bank's president, Eugene Black (1992: 209). He writes, "The risk he took by putting his personal reputation at stake is clearly an indication of his foresight as well as concern for the development of the Third World countries." (1992: 209) Second, Tremblay and Schofield, emphasize the Bank's role in turning a political relationship into a functional one (2005: 243-244). They argue that the Bank's efforts, alongside those of Indian and Pakistani leaders, to "operatively depoliticize" the negotiations and eventual agreement, were crucial to the IWT's success (2005: 243-244). Third, Gulhati emphasizes the perceived impartiality of the Bank, writing: "The fact that the World Bank had no political axe to grind was certainly a major consideration with the parties in accepting its good offices" (1973: 331). Fourth, several authors note that both parties prior to the negotiations had approached the Bank for loans to construct hydrological infrastructure in the basin and that these

were rejected on the grounds that they might "exacerbate the existing dispute" (Salman and Uprety 2002: 45). Thus, an additional factor for India's engagement could have been to secure future loans from the World Bank for development in the basin. Though certainly plausible, this argument is not explicitly made by any author. Fifth and finally, certain authors have suggested that the World Bank's financial contribution was the most important factor to the conclusion of the IWT (see Alam 2002: 346). Others dispute this, arguing that the Bank's contribution was rather "one piece of the puzzle, albeit not the most important" (Salman and Uprety 1973: 59). Be this as it may, the Bank's eventual financial contribution of approximately $ 1000 million (in 1960 rates) was almost exclusively intended for 'replacement works' in Pakistan, which would enable it to transfer water from the Western rivers to compensate for its loss of water from the Eastern rivers (Alam 2002: 346). In addition, prior to engagement in the IWN it was already clear that Pakistan would obtain the bulk of any future World Bank financing, since without it there was no realistic way in which it could maintain its existing uses. That India did not stand to gain substantially financially from World Bank involvement is perhaps best illustrated by looking at the eventual settlement. Under the terms of the IWT India received $ 56 million in Bank loans (Alam 1998: 224), however it was also required to pay Pakistan £ 62,06 million towards 'replacement works' in Pakistan (Alam 1998: 314). For all these reasons, World Bank involvement made India's decision to accept engagement in the IWN less puzzling. However, it is my contention that all these explanations, even when combined, do not amount to a plausible set of reasons for India to consider it in its interests to engage in the IWN. World Bank involvement seems to have provided India with some benefits, but it appears that these were not

so substantial that it would voluntarily choose to give up its riparian leverage and cede sovereignty over some of its waters. As I will elaborate on in section 4.6, the fact that there was general agreement amongst interested observers that Nehru would reject the Bank's involvement illustrates that the incentives this provided were not so great that they could by themselves account for India's political will. Hence, we need ways of understanding India's decision which complement the reasoning provided above in order to provide a plausible account of why India embarked on its course of action.

2.4 Filling the gaps

As elaborated in section 2.1, hydropolitical literature has established that cooperation over water is the norm. However, this empirical claim remains largely theoretically unsubstantiated. Section 2.2 subsequently showed how current theory is at good helping us understand why cooperation once established will be sustained, but less good at helping us understand why states are prone to cooperate in the first place. The idea that India's engagement in the IWN was a 'water rational act' was debunked on the grounds that India had no material reasons (real or perceived) to cooperate in order to secure its long-term water supply. If upstream riparians are not drawn to cooperation over water due to the interdependencies inherent in sharing water, then from a rationalist liberal perspective, it is logical to link cooperation over water to interdependencies and common interests outside the domain of water. I maintain that this argument has credence. However, I add that establishing issue linkages requires a constructivist approach as opposed to a rationalist one, since it is not possible to establish 'objectively' which domains an actor may link, or how these

domains are ranked in order of importance. What matters is not whether cooperation over water objectively benefits an upstream riparian in domains other than water, but rather, what matters is their subjective belief that it will. Below, I attempt to unravel, at least partly, the puzzle of Indian engagement in the IWN by seeking to understand what an important Indian actor, Nehru, perceived to be the benefits, outside the domain of water that would accrue from this engagement. Doing so, I hope to a) complement the current theoretical literature on hydropolitics, by showing how constructivist approaches can be drawn on to further substantiate the prevalence of cooperation; and b) complement the existing empirical literature on the IWT, which has thus far either implicitly or explicitly acknowledged the importance of political will, but has not attempted to account for it, beyond doing so indirectly by emphasizing the importance of World Bank involvement.

3. THEORY AND METHOD

Having positioned my research, this chapter outlines my constructivist framework of analysis and how I will apply it to the case of the Indus. Below, I first describe how identities and ideas shape the realm of possible actions provided by material structures. Second, I consider how social identities and ideas are constituted and constitute broader social structures in a process called structuration. Third, I discuss how the ideas discussed in the first two sections will be applied to India's decision to engage in the IWN. Fourth, I discuss how the reflexive nature of constructivism has shaped the kind of question I have asked and the knowledge claim I have sought to make. Fifth, I offer the rationales for my focus on Nehru. Sixth and finally, I provide an overview of the sources, which form the basis of my empirical work.

3.1 Ideas, identities and material structures

To understand India's political will to engage in the IWN I draw heavily on work by Reus-Smit and will be "reading history through constructivist eyes" (2008: 395). Ontologically, constructivism sets itself apart from rationalism, by focusing on ideational as opposed to material structures. That being said, material structures are still important in the constructivist account since they provide for the realm of possible actions available to actors. The reason constructivists focus on "intersubjective ideas, beliefs and values" (Reus-Smit 2008: 406) is because they constitute political agents' social identities and interests, and mediate the way actors make sense of, and give meaning to, material structures. It follows that using a constructivist lens to ascertain a given actors interests and subsequent behavior

amounts to studying their identities and ideas and attempting to understand how these constrain the realm of possible actions they are provided with by material structures.

3.2 Structuration

Prior to studying this process in a given context, we must consider what social identities and ideas the relevant actors have and how they came about them. According to Reus-Smit identities and ideas are constituted by and constitute broader social structures, in a process called "structuration"(2008: 397-8). Thus, to study the formation of interests or political will, one must start by studying structuration which according to Reus-Smit can only be studied "diachronically", meaning: "you have to cut into a social order at a particular time, identify the agents and social structures, and then trace how they condition one another over time" (2008: 397). Having established the most salient interactions of social structures and the ideas and identities of the actors under consideration, one can subsequently consider how they condition the actions available to actors given the prevailing material structures.

3.3 Application of the constructivist lens

Following from the above, I have 'cut into history' a few years prior to independence and have sought to study the structuration of ideas and identity of Nehru. Due to limitations of scope this dissertation does not feature a broad exposition of Nehru's worldviews. Rather, the empirical chapter focuses particularly on aspects of Nehru's

worldviews that arguably shaped how he perceived the actions available to him in the Indus dispute, thereby helping us understand why he engaged India in the IWN.

3.4 Limited knowledge claim

Another important aspect of Reus-Smit's constructivism is its reflexive nature, which limits the kinds of knowledge claims one can make. He argues, "there is no international 'history,' only 'histories'" (2008: 401). This follows, since any given historical phenomenon is comprised by an infinite number of facts, which necessitate historians to foreground certain aspects of a phenomenon whilst leaving out others. History thus construed is "interpretation-dependent", "varying with the classificatory decisions and prioritizing strategies of the historian" (Reus Smit 2008: 404). This being the case, he argues that a historical narrative is at best plausible and cannot be infallible (Reus-Smit 2008: 405). In drawing from this idea the limits of the knowledge claim I seek to make is reflected in my decision to ask 'How can we understand India's decision...' as opposed to 'Why...'. Rather than suggesting that my narrative is the 'correct' one, I suggest it is one of many plausible narratives, which may or may not be able to complement one another. As made clear in section 2.3, I acknowledge the importance of alternative narratives which focus on the role of the World Bank and aim to complement these by looking at Indian perspectives on the prospects of cooperation, specifically focusing on Nehru's perspectives.

3.5 Focusing on Nehru

In International Relations a common problem with understanding behaviours of countries, is that countries are not monolithic. As such their behaviour can be

conceptualized as the product of the interactions between the motivations and behaviours of a plurality of actors at the sub-state level. Usually, it is analytically impossible to take into consideration all actors that may have some relevance towards explaining certain state behaviour. Therefore, it is common to limit one's focus to a few key actors. The onus is then on the analyst to clarify why a particular focus is justified.

In this dissertation I have chosen to focus on Nehru to account for India's political will to engage in the IWN. Hereby, I have consciously disregarded the roles of other actors which may have influenced India's politicall will, including prominent Indian leaders, influential members of the East Punjab government and engineers of high standing. There were three rationales behind this choice. First, were restrictions inherent to a MSc. dissertation, in terms of word limit and time available for research. Second, and related to the first rationale, was the lack of available primary sources to study other actors, within the constraints of time and space. Third, and more substantively, there is good reason to believe that Nehru was by far the most important actor in influencing India's decision to engage in the IWN. This last point will be expanded on in the remainder of this section.

In Indian historiography there is debate over how much India's foreign policy was influenced by Nehru. Some authors claim that "India had no foreign-policy, but Nehru did" (Bandyopahyaya 1972: 183) and others emphasize the "Non-Nehru contributions" to Indian foreign policy (Keenlyside 1981: 63). But leaving aside this debate, there is ample evidence to suggest that Nehru's role in engaging India in the

IWN was very significant. First, all historical narratives recounting the process leading up to the IWT (Michel 1967, Biswas 1992 and Alam 1998) feature Nehru as central character on the Indian side. Second, and more directly, Gulhati reflecting on the IWT notes that "the East Punjab Government [after 1949]...like other State Governments concerned, left the settlement almost exclusively to the Central Government" (Gulhati: 310), and that the "main issues were taken up in correspondence between the Prime Minister of India and the Prime Minister, or Foreign Minister, of Pakistan" (Gulhati 1973: 318). Moreover, from his reflections it becomes evident that Nehru, of all members in the central government, was most favourably disposed towards settling the water issue in a friendly manner with Pakistan. Therefore, it is plausible that his voice was instrumental in India's eventual engagement in the IWN, with the understanding that Pakistan's existing uses would be maintained. Gulhati writes:

> I can well recall some of the early high level meetings at which the Prime Minister's visible sympathy for Pakistan, on the one hand, and his suspicion of the motives of the Punjab Government and its engineers, on the other, led to outbursts of temper. It was the sobering influence of Vallabhbhai Patel and, in one particular meeting, also of C. Rajagopalachari, then Governor General, that ultimately helped to enable us to get along with whatever schemes and proposals we had formulated (Gulhati 1973: 417).

Nehru's ambivalence towards a more hardline approach was also evidenced by his actions. After East Punjab government officials shut off water supplies to Pakistan in

April 1948 Nehru castigated them for "having taken the law into their own hands". Moreover, in the spring of 1953 Nehru:

> ordered his officials to adopt a less rigid attitude on the release of the Indus waters and threatened to punish those who avoided execution of his orders and even concealed information from him. This was far too serious and important a matter for the government of India to behave 'like a petty attorney' and act in a narrow legalistic way (Gopal 1979: 128-9).

In sum, Nehru might not have been solely responsible for India's decision to engage in the IWN, but it seems highly likely that the role he played was a very significant one, thus justifying the focus of this dissertation.

3.6 Sources

To study Nehru's worldviews and how they help us understand Nehru's political will to engage in the IWN, I have relied on a variety of primary and secondary sources. The most important source has been the collection of Nehru's letters to his chief ministers (1985a; 1985b). In these fortnightly letters Nehru provided his chief ministers with a commentary on national and international affairs. Other primary sources included Gulhati's book on the IWT (1973), the memoirs of David Lilienthal (1966), a small part of Nehru's Autobiography (1936) and a selection of Nehru's speeches (1983). Of the secondary sources the most important was Kate Sullivan's PhD thesis (2011), which discusses Nehru's Worldviews at length and from which I borrow the concept of 'scientific humanism'. In addition, I draw from biographies of

Nehru by Sarvepalli Gopal (1984) and Judith Brown (2003) and sections of other books and articles.

4. CONTEXTUALIZING THE PUZZLE

Having introduced the puzzle of Indian cooperation, positioned my research both empirically and theoretically vis-à-vis extant literature and outlined how I will apply a constructivist lens to fill the gaps contained herein, we now move to the second, empirical, half of the dissertation. This chapter provides a brief overview of the key historical events, which led up to India's formal engagement in the negotiation process.[2] It aims to further contextualize the puzzle and provide the reader with essential information to engage fully with the empirical findings presented hereafter.

4.1 Partition and the Standstill Agreement

As noted in the introduction, partition had not dealt with the division of the Indus waters. Indeed, when the British Parliament passed the Indian Independence Act on 18 July 1947, the borders between the two new countries were not yet set, making it "impractical to deal with the allocation of waters" (Salman and Uprety 2003: 42). To fill the 'legal vacuum' created by this situation, the chief engineers of West Punjab (Pakistan) and East Punjab (India) concluded a 'Standstill Agreement' on December 20th 1947. They did so amidst the ongoing Indo-Pakistani war over Kashmir that ended "through the intercession of the United Nations, in a cease-fire that took effect in January 1949" (Encyclopedia Britannica 2013). The agreement provided that the pre-partition allocation in the Indus basin would be maintained until March 31st 1948 (Salman and Uprety 2003: 42).

[2] A more elaborate overview is provided in a major historical work by Michel (1967) and several other works including Alam (1998), Biswas (1992), Gulhati (1973) and Salman and Uprety (2002).

4.2 The dispute begins

Upon expiration of the 'Standstill Agreement' on April 1st 1948, East Punjab "shut off water supplies" to several canals vital to Pakistani agriculture, thereby precipitating the formal dispute between India and Pakistan over the waters in the Indus basin (Michel 1967: 196; Biswas 1992: 203). Significantly, the government of East Punjab took this decision unilaterally, without officially informing the central government. On April 30th Nehru "instructed East Punjab to restore supplies" (Alam 1998: 70) and as noted in section 4.5, castigated the East Punjab officials in matter emblematic of his attitude on the issue (1973: 65).

4.3 The Delhi Agreement

Following the government of East Punjab's act, negotiations ensued rapidly and after lengthy discussions an agreement known as 'the Delhi Agreement' was concluded on May 4th 1948, under the terms of which (1) West Punjab was required to deposit in the Reserve Bank of India a sum specified by the Indian Prime Minister, (2) both parties acknowledged their disagreement over who held the eventual rights to the waters shared between both provinces, (3) the government of East Punjab, without prejudice to its own legal rights granted the government of West Punjab the assurance that it has no intention to suddenly withhold water from West Punjab without giving it time to develop alternative sources, and (4) crucially, the agreement provided for the gradual diminishing of supply of water to Pakistan, albeit in reasonable time (Michel 1967: 203). From the Indian perspective, the situation was now fairly ideal since without any further settlement India could, conform the Delhi

Agreement, gradually diminish the supply of water towards Pakistan and eventually assert full rights over the waters in the Eastern Rivers.

4.4 A dead end

Unsurprisingly, the agreement quelled the dispute only temporarily and it resurfaced on June 16th 1949 when Pakistan informed India that:

> the present modus vivendi is onerous and unsatisfactory to Pakistan, and that another [agreement should be brokered] in order to make an equitable apportionment of the flow of all waters [Eastern and Western rivers] common to Pakistan and India (Biswas 1992: 205).

Moreover, if the negotiations were to end up in dead lock, Pakistan was keen on arbitration from the International Court of Justice (Biswas 1992: 205). Nehru responded antagonistically to this suggestion (Alam 1998: 156). As Biswas puts it, "it was quite clear that by 1950 the two countries had reached almost a dead end so far as any further progress on the sharing of the water of the Indus system was concerned" (1992: 205).

4.5 Lilienthal and the World Bank

What the got the situation moving again was an article David Lilienthal, former head of the Tennessee Valley Authority, wrote for Colliers Magazine. In the article Lilienthal sketched out the contours of what came to be known as the 'Lilienthal Proposal'. The core ideas being that there was enough water in the basin for both

countries, that the basin should be developed cooperatively in the most economically viable way and crucially that "The starting point should be, then, to set to rest Pakistan's fears of deprivation and a return to desert. Her present use of water should be confirmed by India" (Lilienthal 1951: 58). Eugene Black, president of the World Bank and a good friend of Lilienthal, responded enthusiastically to the article and decided to write to the Indian and Pakistani Prime ministers. In letter dated September 6th 1951, he offered them the Banks "good offices" if they "would be inclined to look with favor upon Mr. Lilienthal's proposal" (Alam 1998: 144). The Pakistani Prime Minister, Liaquat Ali Khan, having previously commended the Lilienthal Proposal in public, unsurprisingly accepted on September 25th 1951 (Lilienthal, 1966: 210).

4.6 Nehru's surprising acceptance

On the same day, Nehru "too, unexpectedly, gave...consent to the involvement of the Bank" (Alam 1998: 144). Lilienthal, in his journal, reflected on Nehru's acceptance: "I was dumfounded, really, for I had given up any hope about India" (Lilienthal: 231). Indeed, Alam writes "there was general agreement amongst interested observers, such as the USA, the World Bank, Pakistani representatives and even the Indian representatives, that the Indian Prime Minister, Jawaharlal Nehru, would refuse the Lilienthal proposal" (Alam 1998: 142, see also Lilienthal, 1966: 199 and 223). Indeed, it is the argument of this thesis that given 'that India held all the cards' and did not stand to gain from engaging in formal negotiations in any direct material sense, that this acceptance is puzzling.

4.7 Towards an understanding

The Indian executive director at the World Bank, B. K. Nehru (Jawaharlal's Cousin) "asked the Prime Minister how it was that he had so readily agreed to outside interference in this dispute when he was so adamant about similar interference in Kashmir, his answer was that *this was not a political question*. He did *not want any unnecessary tension with Pakistan* and he had faith in the impartiality of the World Bank" (Nehru BK, 1997: 254, emphasis added). In the next chapter I seek to make plausible why Nehru was able to consider this as "not a political question" and why he did "not want any unnecessary tension with Pakistan". The perceived impartiality of the World Bank and other aspects of the Bank's role in the negotiations were also important (see section 2.3), but they are not focused on in the empirical chapter of this dissertation, because others have already identified them as contributing factors to India's political will.

5. EMPIRICAL FINDINGS: UNDERSTANDING POLITICAL WILL

In this chapter, I show how aspects of Nehru's worldviews can help us understand his political will to engage in the IWN. Following the theory and method outlined in chapter 4, I show how these aspects might have shaped what he perceived as the realm of possible actions provided by the prevailing material structures (e.g. India's capacity to manipulate the water flow to Pakistan). In particular, I focus on three aspects of his worldviews: (1) his view that cooperation over water may spill over into other issue areas thereby decreasing the chances of Indo-Pakistani conflict and improving India's long-term developmental prospects, (2) his concern for India's international esteem and (3) his personal philosophy of 'scientific humanism'. Though discussed discretely, it is my contention that these three aspects are interrelated and cannot be easily distilled from one another as they pertain to Nehru's decision-making. The reasons I have separated them here is then purely to provide analytic and conceptual clarity. The purpose of this exercise is then *not* to evaluate which of these three aspects best explains Nehru's eventual engagement in the negotiations, but rather to make plausible that all three aspects in some form and measure can help us understand Nehru's decision to engage India in the IWN.

5.1 Concern for India's national security and development

5.1.1 The necessity of peace

Perhaps the most straightforward and instrumental rationale underpinning Nehru's political will to engage in the IWN was his belief that reducing tension between India and Pakistan was essential to India's long-term national security and developmental

prospects. Nehru saw economic development as an essential prerequisite to political and economic independence in the modern world (Parekh 1991: 36), and was concerned that this development would be stifled by enmeshment in conflict (Sullivan 2011: 123). As he saw it, peace was essential for development and consequently ”a stable and friendly Pakistan was in India's own interests” (Brown 2003: 266). Nehru expressed this time and again, and a good example can be found in a letter to his Chief Ministers dated 26 November 1952:

> we cannot live for ever in terms of hostility with Pakistan. If we thought of doing so, then we have to give up all ideas of development and progress. Two countries like India and Pakistan are so intimately connected that continued hostility between them is likely to ruin both and invite foreign interference. We may do a great deal of injury to Pakistan and might defeat it in war. But both countries will in effect be ruined if that extreme step had to be taken (1985b: 176).

With the prospect of war continually looming on the horizon, Nehru was deeply concerned over relaxing tension with Pakistan, not because he was not confident that India would not defeat Pakistan in war - he had “little doubt that if there was war between India and Pakistan, Pakistan as a State would perish” - but because he was troubled by the consequences this would have for India, particularly the “great injury” it would do to its “schemes of progress” (1985a: 2-3).

5.1.2 Cooperation over water will facilitate peace

Nehru's concern for war may have contributed to a wish to relax some of Pakistan's worst fears by accepting the "no return to desert" principle, which the Lilienthal proposal had outlined as a starting point for the IWN (Lilienthal 1966: 234, see also 4.5). Indeed, it seems plausible that Nehru's motivation to engage in the IWN was at least partially derived from a notion that success in this domain might spill over to other domains and reduce tensions in wider Indo-Pakistani relations. Publicly, this was certainly a view he espoused, as is evidenced by his triumphant speech at the conclusion of the agreement:

> even greater than [the] material benefits are the psychological, perhaps the emotional benefits, that come from such a treaty, which is a *happy symbol* not only in this domain of the use of the Indus valley waters, but *in the larger co-operation between the two countries* (in Gulhati: 1973: 342, emphasis in original).

In more private settings Nehru also seemed to ascribe to his view. Right at the outset of the dispute on the May 5th 1948, the day after the Delhi agreement was signed, he informed his chief ministers that "[w]e hope and believe that this settlement will lead to an easing of the situation all round vis-à-vis India and Pakistan" (1985a: 118). Moreover, Gulhati, writes of a conversation he had with Nehru not long after the signing of the IWT, in which he recalled him saying "Gulhati, I had hoped that this agreement...would open the way to settlement on other problems, but we are where we were" (Gulhati 1973: 345).

In sum, one aspect of Nehru's motivation can be traced to his view that settling the dispute over the Indus could potentially lead to an improvement of overall Indo-Pakistani ties. According to Nehru, such an improvement was necessary to decrease the chances of future war, which he believed would be extremely detrimental to India's developmental prospects.

5.2 Concern for international esteem

A second instrumental reason Nehru may have considered it favorable to engage in negotiations with Pakistan was his concern for India's international esteem. Under his leadership, India developed a doctrine of active neutrality that became known as non-alignment. Non-alignment was a doctrine couched in morality and framed against the backdrop of the horrors of World War II. Actively projecting a commitment to world peace and positioning India "as a neutral, bridging force in a polarised context of warring factions" (Sullivan 2011: 124) fit Nehru's rationale perfectly; not only because he believed it the only morally sound policy available to India, but also because he considered it to have great instrumental value for two reasons. First, as suggested above (5.1.2.) it was important because Nehru believed it allowed India to steer clear from conflict and develop in peace. Second, he believed it allowed India to project a certain global pre-eminence despite its lack of material power (Sullivan 2011: 124). Within the context of the second reason, this section shows that Nehru was especially keen to portray India as 'a just actor' in its disputes with Pakistan, thereby providing an additional reason for Nehru to have looked favourably towards engagement in the IWN.

5.2.1 Nehru's general concern for international esteem

According to Sullivan, non-alignment was "a grand strategy" it simultaneously served to protect Indian sovereignty and project India's unique and "civilizationally-defined moral pre-eminence" (2011: 124). Nehru's reading of Indian history convinced him that "a special responsibility is cast on India...The responsibility is not necessarily for leadership, but for taking the initiative sometimes and helping others to cooperate" (1983: 255). He understood that India's ability to 'help others cooperate' depended on her international esteem (Sullivan 2011: 126). He sought actively to develop this esteem by championing third world causes in the United Nations (hereafter UN), taking a leading role in Afro-Asian cooperation, denouncing imperialism and global political and economic inequalities and by critiquing the brinkmanship inherent to the Cold War doctrines of military alliances and power politics. Seeking to gain esteem for India as an advocate for justice, cooperation and peace, he was acutely aware that how India managed its own conflicts, both domestic and international, was of utmost importance to the success of its broader foreign policy.

A good example of Nehru's deep concern for international esteem is found in a letter to his chief ministers dated October 15th 1947. In this letter he addresses inter-communal disturbances in the Punjab:

> we have got to deal with this minority [Muslims] in a civilised manner. We must give them security and the rights of citizens in a democratic State...we are now on severe trial in the international forum...We are dependent for so

> many things on international goodwill – increasingly so since partition. And pure self-interest, apart from moral considerations, demands that world opinion should be on our side in this matter of treatment of minorities (1985a: 2-3).

5.2.2 International esteem regarding Kashmir, Pakistan and the Indus

Apart from domestic problems in the form of inter-communal tensions, partition had left India in an on-going conflict with Pakistan over the political status of Kashmir and the Indus waters. Since a lot more is known about Nehru's strategies to obtain international goodwill regarding the Kashmir issue, it is instructive to consider two examples from this case. First, "Nehru attempted to persuade the international community that the entire issue was a result of Pakistani provocation, directing his representatives at the UN to put the case again and again to the General Assembly" (Sullivan 2011: 129). Despite his best efforts, he was not able to obtain a favourable outcome for India and eventually refused UN involvement because it "implicitly framed India as co-aggressor" (Sullivan 2011: 129). A second strategy was to emphasize India's restraint on the issue. Nehru liked to emphasize India's military superiority and its strategic capability to hit vital targets deep inside Pakistan, only to subsequently add that India had no intention of doing so (Sullivan 2011: 127). Extrapolate these strategies to the Indus waters issue and one might expect that Nehru was prepared to go through great pains to ensure that India did not appear as aggressor in this matter. Additionally, one might expect that Nehru would be keen to demonstrate India's restraint despite its obvious riparian and military advantages. This expectation is further strengthened if one considers that the Kashmir issue was

outstanding throughout the period leading up to Nehru's decision to accept the basic tenets of the Lilienthal proposal and thereafter. Thereby providing India a great disincentive to even give the slightest hint that it was leveraging its superior power position lest it be used against it in Kashmir dispute by the great powers in the UNSC or by Pakistan itself. Thus, it seems plausible that Nehru did not, or would not, consider using India's riparian advantage to leverage broader Indo-Pakistani negotiations or pressure Pakistan in any other way.

A final piece evidence supporting the idea that Nehru's decision-making on the Indus waters issue was influenced by his concern for international esteem is found in a statement from Gulhati:

> It was not merely the political conditions within India and within Pakistan and the relations, or the lack of them, between the two countries that influenced the negotiations and the settlement, current international relations also had a good deal to do with them. The Government of U.K. and of the U.S.A., through their diplomatic representatives, all along kept a close watch on the developments relating to the Indus water dispute (1973: 314).

In sum, non-alignment as a grand strategy in international affairs required international esteem. Nehru was acutely aware of this and recognized that the way India managed its relations with Pakistan was crucial to this esteem. In particular, he was keen that India did not appear as the aggressor in the relationship. Within this context, it becomes easier to understand Nehru's decision to engage in the IWN, as it

was a way of signaling India's restraint and fairness towards its neighbor in the eyes of the international community.

5.3 Personal philosophy: Scientific humanism

Apart from instrumental aspects of his rationale, there is a strong case to be made that Nehru's decision to engage in the IWN, can be partly attributed to what Sullivan has called his personal philosophy of 'scientific humanism' (2011: 117). Below, I will sketch the contours of this philosophy and argue that it can be useful to understand Nehru's decision to engage in the IWN and accept the fundamental premises of the Lilienthal proposal that Pakistan will 'not be returned to a desert' and that the issue would, to the extent possible, be dealt with as problem of 'engineering', rather than a political problem.

5.3.1 The contours of Nehru's scientific humanism

Nehru's worldviews were infused with moralism as he had been deeply influenced by Gandhi, who groomed him as his successor. However, as Sullivan notes "Gandhian thought influenced Nehru's worldview substantially, but not entirely" (2011: 119). Unlike Gandhi, he sought India's regeneration in science and technology and wished to insert India into the movement of universal history. That being said, he was convinced that science was an empty vessel, not in and of itself good. In order to bring human progress science needed to be coupled to morality. Indeed he opined in his autobiography that inside science, "some vital element was missing… science had told us nothing about any purpose in life" (1936: 569-70). Sullivan summarizes his philosophy describing scientific humanism "as both a continuation of Gandhian

thought as well as a deep engagement with the rationalism associated with Western modernity" (2011: 120). It embodied his view that India could contribute morality to Western science and rationality.

Before exploring how scientific humanism may have informed his position on the Indus, it is important to note that in stating that Nehru was committed to idealist principles contained herein, I am not asserting that he was always able live up to these principles. However, as a moral ideal, I would argue that it had important role in shaping what he perceived as his realm of possible actions.

5.3.2 Scientific humanism and the IWN

With hindsight, a remarkable aspect of the puzzle under consideration is that India refrained from leveraging the water issue politically in her broader dispute with Pakistan. By accepting the Lilienthal proposal India guaranteed not to diminish flows to Pakistan for the duration of the agreement and subscribed to basic premise of the proposal that the problem ought to be dealt with as a functional engineering problem as opposed to a political one. Thus acceptance effectively meant that India agreed to depoliticize the issue and unilaterally drop the leverage it could have exercised by virtue of its upper riparian status. Reason for this can be found in Nehru's philosophy of scientific humanism. Within the context of this philosophy one can understand why Nehru was sensitive to seeing the Indus waters issue as an engineering matter crucial to the economic development of both countries, rather than a potential political tool to be used for manipulation.

Upon first receiving the Lilienthal proposal, Nehru informed Black that the proposal was in line with India's original position and that although he believed it would be "a little difficult to divorce the development and use of water resources completely from political issues, he agreed that it was an engineering matter and should be dealt with as such, on a functional and not a political plane" (in Gulhati 1973: 96). That Nehru was aware of Pakistani fears and the implications of accepting the agreement is evidenced by a testimony of A.N. Khosla, India's chief engineer on the water issue. Khosla recalled to Lilienthal that when he confronted Nehru with Pakistan's fear of loosing existing uses of water, due to her poor post-partition riparian position, Nehru's had said:

> he had *no intention whatever of taking advantage of the situation*, and that he understood completely that acceptance of [Lilienthal's] proposal was acceptance of the condition [of guaranteeing Pakistan's existing uses] in the article itself, and all of the implications of the 'river as a unit' idea (Lilienthal 1964: 235-6, emphasis added).

On more than one occasion, Nehru reiterated his position that "he was not going to build India's prosperity on the sufferings of the Pakistani cultivator" (Gulhati 1973: 88). Stated at the extreme this position seemed to privilege Pakistani over Indian farmers. Lilienthal writes that Nehru agreed, "after existing farmers uses in Pakistan were cared for, the needs of Indian farmers, now without water, should be given next priority" (1964: 318-9). It is not clear whether Nehru would have adopted the same kind of moralist position had he believed there was not enough water to meet Indian

needs with Pakistan's needs maintained, but nonetheless it is quite a remarkable statement.

Thus, it seems plausible to suggest that Nehru's scientific humanism was the lens through which he saw the Indus waters issue. What is certain is that the language he used to discuss it was infused with this philosophy. Writing to his chief ministers he always keen to refer to the importance of being 'reasonable' on the issue and in a characteristic note in a letter dated July 16th 1954 he wrote that India's position had always been to "approach this problem in a human and reasonable spirit and decide it with the help of the engineers from both countries" (Nehru 1985b: 606).

In sum, Nehru's personal philosophy of scientific humanism made the premise of depoliticization, enshrined in Lilienthal's proposal, easy to accept even though it arguably manifested a great sacrifice on India's part. The fact that Nehru probably did not consider it a sacrifice is because his philosophy constrained him from considering, let alone overtly endorsing, policy that would harm Pakistani farmers for the sake of political expedience.

5.4 Bringing it all together

Above, I have sought to make plausible that given Nehru's concern for national security and development and international esteem, and his philosophy of scientific humanism India's decision to engage in the IWN is less puzzling. In line with my constructivist framework I have shown how Nehru's worldviews might have shaped

his perceived realm of possible actions so that engagement in the IWN seemed a reasonable proposition. Seen from his perspective this may have held true for several reasons. First, in doing so, India would set a crucial first step towards resolving a dispute which fed existential fears in Pakistan, thereby decreasing the chances of future war and improving India's developmental prospects. Second, it allowed India to signal its restraint and fairness in its dispute with Pakistan towards the international community. Third, the premises implicit in accepting engagement in the IWN – maintaining Pakistan's existing uses and approaching the issue as a functional rather than a political problem - fit into Nehru's broader way of viewing the dispute. Moreover, given these reasons it also seems clear that from Nehru's perspective, leveraging India's riparian position was not desirable both for instrumental reasons, as well as for the fact that it conflicted with his personal philosophy. Combined with several aspects of World Bank involvement, discussed in section 2.3, Nehru's motivations to engage India in the IWN become understandable and India's political will seems less puzzling.

6. CONCLUSION, LIMITATIONS AND FUTURE RESEARCH

Amidst an enduring rivalry that has lasted over 60 years, Indo-Pakistani cooperation over the Indus basin waters stands out as truly remarkable. I have argued that the most puzzling aspect of this cooperation was India's initial engagement in the IWN. Through this engagement, India effectively accepted to maintain Pakistan's existing uses of basin waters, thereby relinquishing the enormous political leverage that could be exercised by manipulating the water flows towards Pakistan, and setting the stage for a level of generosity that would eventually be enshrined in the IWT and is unmatched by any other upper riparian in modern world history (Chellaney 2011: 77). Why India chose to do so amounts to a puzzle.

Subsequent to having clearly laid out this puzzle, I have shown how extant literature on hydropolitics lacks conceptual tools to grapple with it. Moreover, I have shown that this theoretical gap is reflected in empirical literature on the IWT, which has acknowledged the importance of India's political will to cooperate but has not attempted to account for it directly. The only existing literature that can illuminate part of India's political will does so indirectly and without reference to theory by focusing on World Bank involvement. In sum, the substantive work of this dissertation has been set up against the backdrop of an empirical puzzle, which could not be accounted for by the current theoretical literature on hydropolitics.

In the remainder of the dissertation, I have shown how the gap in theoretical literature might be partially filled by drawing from Reus-Smit's notion of "reading

history through constructivist" eyes. This constructivist approach allows one to understand how ideas shape what actors perceive as possible actions given the prevailing material structures. Having laid out the workings of this approach I subsequently applied it to the empirical puzzle contained within the research question. Through this application I have illustrated both the limitations and merits of this approach. For substantive reasons and reasons of scope laid out in chapter 3, I have focused my analysis on the effects Nehru's worldviews may have had in shaping his decision to engage India in the IWN. The result of this is a *plausible* narrative of how three of his worldviews - his concerns for national security and development, his sensitivity towards international esteem and his philosophy of scientific humanism - shaped the way he perceived the Indus basin dispute and helps us understand his decision to engage India in the IWN. This narrative can serve to complement existing narratives, which emphasize involvement from the World Bank, as well as future narratives, which may choose to focus on other significant actors within India. It is my contention, that by laying out the conceptual tools to produce this narrative, as well as by producing the narrative itself, this dissertation has succeeded in fulfilling its two original aims. Namely, contributing to a gap in the theoretical literature on hydropolitics and partially solving a significant puzzle in the empirical literature on the IWT.

As indicated in chapter 4, in this dissertation I have set out to make a limited knowledge claim. What I have offered is one plausible way for understanding Nehru's and by extension India's political will to engage in the IWN. I accept that there may be other aspects of Nehru's worldviews that may have informed his

behavior, or that the ones I have chosen could be interpreted in different ways. The test to the claims I make here is whether they are plausible and persuasive, rather than infallible.

If I had more space I would have liked to elaborate on the structuration of Nehru's worldviews and show how his ideas did not exist in a vacuum, but were the product of larger social structures operating in India and the world at large. If I had more time I would have liked to consult documents from the Nehru Memorial library in Delhi and the World Bank's archives in Washington to complement my understanding of Nehru's motivations and behavior. And with even more time I would have liked to explore the roles of other actors like Vallabhbhai Patel, A.N. Khosla, India's chief engineer to the IWN, and East Punjab government officials. Undoubtedly, having done so would have enriched my argument. That being said, I believe my argument stands as it has been presented.

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