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BASIC

Foregrounding India's Nuclear Responsibilities

Nuclear weapons possession and disarmament
in South Asia

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Cover Image

The *Narayanastra* was a divine weapon (*Astra*) that belonged to the Hindu God Vishnu. Upon firing this *Astra*, it projected millions of missiles simultaneously. The only defence against the *Narayanastra* was to show total submission before the missiles reached their targets. If successful, this would cause the *Narayanastra* to stop and spare the target. The *Narayanastra* could be used only once in a war, and if one tries to use it twice, then it would devour the user's own army.

Ashwathama, a Kuru warrior in the epic Mahabharata is shown unleashing this weapon on the Pandava forces. However, Lord Krishna, who is also an avatar of Vishnu, instructs the Pandava's and their warriors to drop their weapons, lie down on the ground and submit completely to the power of the *Narayanastra*.

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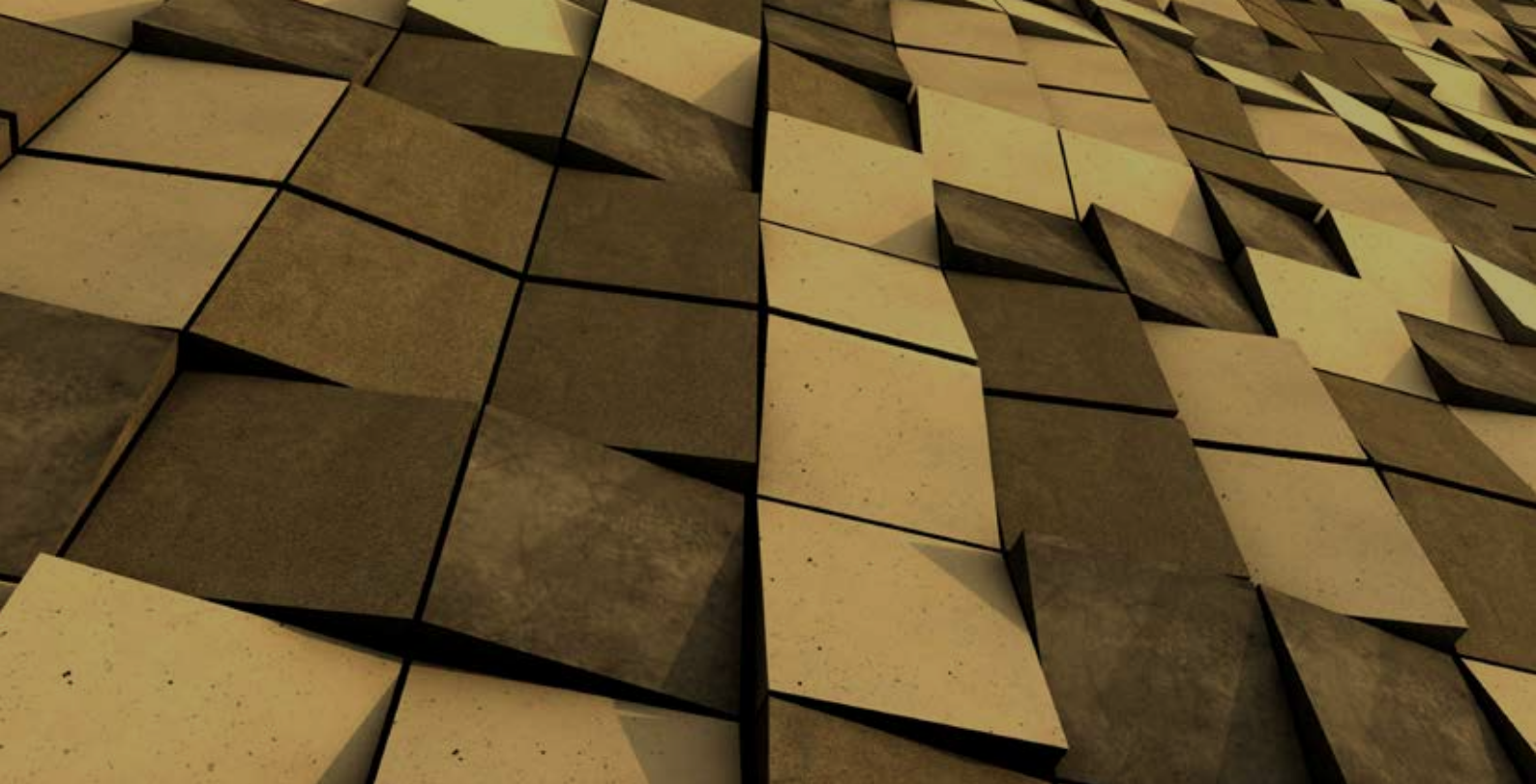
Executive Summary

The BASIC Programme on Nuclear Responsibilities

The BASIC Programme on Nuclear Responsibilities shapes the approach to international nuclear weapon policy to draw out the “nuclear responsibilities” of states around nuclear weapons during the process of global disarmament. Each nuclear weapons possessor state has described itself as a “responsible” nuclear-armed state, but there exists no common understanding of what this entails. This presents an opportunity for a new, inclusive and engaging discussion of nuclear deterrence, restraint, and disarmament that is centred around the nuclear responsibilities frame. Using South Asia as a case study, this project will foreground the presence of existing conceptions of responsibility around nuclear possession in South Asia, and facilitate dialogue between India and Pakistan to assist these states in identifying and developing shared norms. In doing so, it intends to strengthen stability, lower the likelihood of use of nuclear weapons and create the conditions for effective trust and confidence measures (TCBMs) and reductions in a managed step-by-step process.

What this report does

This report analyses India’s understanding of nuclear weapons possession from the perspective of responsibility. It identifies India’s approach to framing nuclear doctrine, and assesses the risks inherent in abandoning a No First Use (NFU) policy and offers possible policy areas for further exploration. The wider international milieu should consider the risks posed by the Indo-Pak confrontation because both countries are locked into a highly destabilising relationship that could unintentionally spiral into a nuclear exchange. They should consider ways to stabilise the deteriorating relationship and build a future relationship built more on cooperation than hostility.



South Asia's nuclear dangers

Ask a group of people to identify the most volatile region of the world where hostilities are most likely to escalate to a nuclear-armed conflict, and an overwhelming number would cite North Korea. Given North Korea's many missile tests that have been conducted within a short duration of Kim Jong-un's ascension to party leadership, it is only natural to assume that hostilities could escalate rapidly and without warning. However, North Korea has not convincingly demonstrated nuclear-armed status. This is to say, the regime has yet to successfully convince the international community that it can miniaturise a nuclear warhead and successfully mate it with a delivery system.¹

Often overlooked by many deterrence experts, South Asia is also a dangerous region because the Indo-Pak hostilities possesses the potential to escalate rapidly to a full-scale nuclear exchange. In so doing, both India and Pakistan run the serious risk of breaking the longstanding post-1945 "nuclear taboo." To begin with, the strategic nuclear relationship between the two nuclear armed adversaries is unstable and subject to potential rupture under crisis pressure. Strategic studies literature asserts that strategic stability is maintained through the ability to deliver a secure second-strike capability, which is sufficiently large enough to impose unacceptable costs upon a would-be aggressor.² From the outset, both India and Pakistan's counterforce capabilities and planning appear to sustain the requirements for stable nuclear deterrence. However, contrary to the strategic stability precepts, the advent of nuclear capabilities between the two South Asian rivals has not led to a stable nuclear peace. If as Devin Hagerty asserts, "nuclear states do not fight wars with each other," then India and Pakistan's adversarial relationship is a paradox that turns this assumption on its head.³

Since declaring themselves nuclear-armed, India and Pakistan have fought at a conventional level.⁴ The Kargil War in 1999 therefore challenges assumptions held by the political science community that "the absence of war between nuclear powers ... [has] been granted the status of an empirical law."⁵

Most scholars attribute ongoing violence in the region to a phenomenon known as the "stability-instability paradox."⁶ This can best be described as the "fear of nuclear escalation."⁷ According to the paradox, strategic stability, meaning a low likelihood that conventional war will escalate to the nuclear level, reduces the danger of launching a conventional war. But in lowering the potential costs of conventional conflict, strategic stability also makes the outbreak of such violence

more likely.⁸ Hence, Lowell Dittmer states that “fear of escalation to the nuclear level ... facilitates the resort to violence.”⁹ This is a particularly risky theory to hold true because the slippery slope that leads to the possibility of nuclear first use could start much earlier if conventional military actions unexpectedly escalates into nuclear thresholds. In such a situation, and if cornered, “Pakistan might calculate that the outcome of the war might be less bad for it with a nuclear exchange than without one.”¹⁰

Whilst the case of India and Pakistan is susceptible to the same risks as the US-Soviet nuclear confrontation, such as arms-racing and the NATO-Warsaw Pact “stability-instability paradox,” it nevertheless lacks some of the stabilising features of mature command and control, early warning and secure second-strike capabilities.¹¹ India, however, has made slow but steady improvements to its nuclear command and control and has the “majority of the tangible components, including hardened communication links, main and alternate command posts, and a two-man control system over the weapons.”¹² Thus, Richard White concludes, “there is increasing evidence that the nuclear command and control is better organized than many analysts have assessed.”¹³

Moreover, India maintains civilian oversight and planning. The military are restrained from command and control by the civilian-led executive. India would “induct nuclear weapons into the armed forces only if necessary and there is no time frame in which this process will be completed.”¹⁴ To help explain why a time frame has not been provided, former Indian Vice Admiral Verghese Koithara points out, “both doves and hawks skirt operationalisation issues in India.”¹⁵ This is as a result of two competing political objectives within the policy planning community: “Doves fear that greater operationalisation will lead to force expansion and risk enhancement, while hawks worry that discussions about operational matters will weaken the image of India’s current capability.”¹⁶

In 2003, the Government of India provided specifics about the civilian leadership including who is responsible for making nuclear decisions through the National Command Authority (NCA). The Cabinet Committee on Security (CCS) states: “the Political Council is chaired by the Prime Minister and is the sole body which can authorize the use of nuclear weapons.”¹⁷ The Executive Council provides advice to the Political Council and is “chaired by the National Security Advisor. It provides inputs for decision-making by the NCA and executes the directives given by the Political Council.”¹⁸ However, this structure has not been met with universal praise because, as Primit Chaudhuri observes:

Nuclear decision making is restricted to a handful of scientists and bureaucrats, sometimes referred to as India’s nuclear enclave, who function with little oversight and even less transparency. Strikingly, the military is not part of this circle, even though the military is in charge of the deployment of the nuclear arsenal.¹⁹

Grounded in this context, Koithara also makes a strong case in arguing that in a real nuclear crisis, “people will be working in unaccustomed frames of mind.”²⁰ This is to say, “decision makers will need to rapidly absorb enormous amounts of information on unfamiliar matters, and also make immediate decisions carrying momentous consequences.”²¹ However, White argues that India has made some progress in tightening its command and control structures. As such, he deduces:

Despite Chaudhuri’s – and other’s – concerns about the lack of military involvement, efforts were made to ensure that there is a clear chain of command to the Strategic Forces Command (SFC). With the SFC commander-in-chief sitting on the Executive Committee, he achieves parity with the other service chiefs and can have direct input on the planning process. He can also speak directly to the readiness and capabilities of the forces under his command.²²

Pakistan, by contrast, maintains a command and control structure that lowers the threshold for nuclear first-use. Thus, Scott Sagan argues that Pakistan confronts the deterrence / management trade-off with what he terms the “vulnerability / invulnerability paradox.”²³ Sagan contends that “nuclear weapons dispersed under crisis to increase survivability become vulnerable to terrorist predators, thereby risking the loss of military control over nuclear weapons by the National Command Authority (NCA) – at the very same time that tensions are high and both sides fear the other might initiate war.”²⁴

In order to credibly threaten the first use of nuclear weapons in response to a conventional attack, Vipin Narang argues that “the Pakistan Army would adopt largely delegative command and control procedures that place nuclear weapons in the hands of theater commanders with few physical impediments to their release.”²⁵ This is to say, “these procedures – combined with limited civilian oversight – (make) it easier for Pakistan to deploy and use nuclear weapons quickly in a crisis.”²⁶ However, Narang also concedes, “it is important to recognise that Pakistan’s largely delegative command and control structure is tinged with much uncertainty in the open-source literature, but probably includes three key features that enable rapid assembly, movement, and delivery even under a potentially chaotic crisis situation.”²⁷

To compound this precarious position even further, whereas India has a declaratory NFU policy in strategic doctrine, Pakistan has made no such pledge. In this environment, limited conventional conflict is unlikely to provoke an immediate nuclear confrontation. However, in the event that a limited conventional confrontation spirals into a full-scale conventional conflict, escalation to the nuclear level becomes a serious possibility.²⁸

Pakistan’s reluctance to adhere to a NFU policy and its opacity with regards to its intentions means that India cannot interpret the situation clearly, which might lead to excessive risk taking. This is exacerbated by Pakistan’s threat to use nuclear weapons if India responds to cross-border incursions by military action on its soil.²⁹ However, escalation to the nuclear level could also result as a consequence of an Indian miscalculation. India appears to be gradually digressing from a position of what it calls credible minimum deterrence (CMD) and massive retaliation (MR) towards a complex triad (i.e. land, sea and air) deterrence posture that also includes ballistic missile defence (BMD).

India’s investment in strategic damage-limiting capabilities represents a significant source of instability for South Asia for three reasons. First, it could give India a false sense of security that emboldens the state to pursue conventional military adventurism against Pakistan. Secondly, if it is true that nuclear weapons limit conventional war, as attested by the stability-instability paradox theory, then BMD decreases strategic stability because it will lower the threshold for nuclear first use. If confronted by what Pakistan interprets as a “use it or lose it” situation, India’s active defences might therefore tempt Pakistan to go for a massive pre-emptive nuclear first strike. Thirdly, synonymous with the offense / defence dynamics of the Cold War, India’s pursuit of BMD is interpreted by Pakistan as a direct challenge to their security and will likely trigger a consequent arms race in the region.³⁰



India's refusal to sign the Non-Proliferation Treaty

From its creation as an independent nation state, India has continued to maintain a high international profile on nuclear issues. As the country's first Prime Minister, Jawaharlal Nehru was an active proponent of arms control and spearheaded the 1954 proposal at the UN for a universal nuclear test ban, a forerunner of the 1963 Partial Test Ban Treaty that banned atmospheric nuclear tests.³¹

In keeping with Nehru's commitment to multilateral disarmament, his daughter Prime Minister Indira Gandhi participated in the 1983 Six-Nation Initiative for a universal test ban. Similarly, and with equal commitment to global nuclear disarmament, Nehru's grandson Rajiv Gandhi also presented the UN with an Action Plan for the elimination of nuclear weapons by 2010, the first step of which was to be a universal test ban.³²

Notwithstanding India's demonstrated commitment to arms control, India ultimately refused to sign the Non-Proliferation Treaty (NPT) because the principle of non-discrimination mattered greatly to Nehru's vision of post-colonial India.³³ In this context, if the NPT was designed to freeze the nuclear status-quo and prevent the nuclear 'have-nots' from developing a strategic capability, then India interpreted this as a form of 'nuclear apartheid' that legitimised – to India's enormous disadvantage – a two-tier system in the international order. Whilst committed to the pursuit of nuclear disarmament, Nehru also believed that India could not entertain any formal arrangements that could set it apart from the advantages available to the established nuclear powers. Thus, in identifying India's misgivings towards the NPT, the British Chief Science Advisor, Sir Solly Zuckerman wrote in a secret 1971 report: "This refusal [of the NPT] appears to be

motivated much more by a sense of injured pride and a belief that the 'haves' wish to maintain their advantage at the expense of the 'have-nots,' rather than by a determination to acquire nuclear weapons."³⁴ Zuckerman elaborates this belief in stating:

India ... [has] kept aloof, basically because they view the Treaty as one which has its aim, the prevention of other countries 'going nuclear,' that is to say, as a treaty which inhibits 'horizontal proliferation,' but which does not impose any obligation on those countries that have already developed nuclear weapons to desist from the elaboration and growth of their own armouries in a process that has become vertical proliferation.³⁵

Whilst Zuckerman identifies the salient reason why the Gandhi government ultimately chose to reject signing the NPT, his belief also underscores the deeper issue of identity with which Nehru had placed his nationalist vision for a newly emerged post-colonial India. Grounded within this context, Nehru believed nuclear weapons to be not only immoral, calling them "those horrible things,"³⁶ but wholly detrimental to India's self-determination because they risked drawing India into the burdens of strategic posturing and associated arms-racing. This belief reflected the fact that the exorbitant cost of maintaining a nuclear weapons infrastructure would divert scarce funds away from the Indian people. Therefore, Nehru's rejection of nuclear weapons as a national security imperative also "reflected his rejection of gigantism in all things military."³⁷

For the Nehruvians, "nuclear weapons represented the fundamental corruption of Western modernity, which India should not merely reject itself but also teach all humanity to spurn."³⁸ Grounded within this belief, Nehru believed that India's position in the world depended on her reputation for morality in public affairs. This is not to say or imply that Nehru was unconcerned with the looming threat posed by Chinese encroachments on Indian soil and other external security considerations. Rather, Nehru believed deeply that India could not maintain her influence as a global standard bearer of morality and responsible behaviour within the international community whilst also acquiring nuclear weapons. However, Nehru's nuclear policy also saw civil nuclear technology as a vital impetus for India's economic growth. From Nehru's point of view, harnessing nuclear power as a driver for industrial growth represented an essential component of India's overall ability to leapfrog into the next generation and compete within the international milieu.³⁹ This kept open a future path towards a nuclear weapon capability, which India would come to stretch more than most when claiming its explosive nuclear test in 1974 was for a peaceful nuclear purposes.

Nehru's speeches frequently referred to India's peaceful intentions in her atomic energy programme and many contained assurances. For example, at the inauguration of the Canadian-India Reactor on the 16 January 1961, Nehru stated: "Fortunately, everyone believes that we stand for peace and if we have developed atomic energy and research facilities it is for the interest of peace and not for any nefarious or destructive designs."⁴⁰ Thereafter, speaking at the inauguration of the "Atoms for Health" exhibition in New Delhi on the 9 February 1961, he promised, "India will use atomic power only for peaceful purposes. The utilisation of atomic energy for peaceful purposes is the modern version of converting a sword into a ploughshare. Just like the sword becoming too dangerous for use, atomic energy will have disastrous results if used for warfare."⁴¹

In stark contrast to Nehru's earlier vision of a nuclear weapon-free India, India's continued refusal of formal membership of the NPT stems from a deeply held self-help view amongst Indian policy planners that membership would not only preclude their sovereign rights to defend against the threat posed by the threat of Pakistan's "Islamic Bomb," but also, defend their status as a growing power on the international scene. This premise assimilates religious beliefs with a realpolitik worldview and is closer to a Hobbesian state of anarchy than Kant's perpetual peace. Thus, according to Dittmer, "India's ambivalence about nuclear weaponry, the notion that no one should have them but that if some had them all should, and that by acquiring them India could somehow do away with the 'club,' seems to have resulted in ... a discourse of strategic ambiguity about nuclear weapons policy, perhaps even to the tardy articulation of a nuclear doctrine."⁴²

In this revised context, which is at odds with the Nehru vision, the Hindu controlled Bharatiya Janta Party (BJP) built its international policy from the 1980s by diluting both Gandhi and Nehru's call for moral consideration and in so doing,

conflated Hinduism with nationalism to form the basis for pursuing nuclear-armed status.⁴³ In Stephen Cohen's analysis, one of the main reasons why the BJP and many secular Indians supported a nuclear weapons programme was to "destroy the image of India as a 'Gandhian' or non-violent country. More practically, the BJP sought to undo Nehru's legacy."⁴⁴ Similarly, Raja Mohan praises the BJP's 1998 decision to proceed with nuclear testing and argues:

India's refusal to sign the treaty had little to do with the in-built discrimination in the NPT, an argument that Indians would go hoarse in presenting the world and themselves ... If India had conducted a nuclear test before the treaty was drafted, it would have automatically become a nuclear weapon power like China. Having failed to test in time, India had no option but to stay out if it wanted to preserve its nuclear option With the nuclear tests of May 1998, Delhi ended the self-created confusion about its nuclear status.⁴⁵

However, the drivers for the BJP to pursue the bomb were in fact far more complex and reflected a combination of internal and external security considerations that remains a contentious issue for political science scholars. Similarly, it cannot be discounted that the Congress Party, among others, also hold nuclear weapons to be important. However, for Congress Party leaders at least, "nuclear weapons have at best been perceived as a regrettable necessity, a terrible weapon fit only for defence in extremis and constituting only one element of national security."⁴⁶

Whilst it is not the intended purpose of this paper to provide a detailed analysis of the BJP's security motivations at the time of the tests in 1998, it includes an overview of the salient theories to underline the fact that no one reason can fully encapsulate India's path-dependent motivation to pursue nuclear-armed status. Rather, India's slow creep into strategic autonomy represented a graduated and measured response to international non-proliferation efforts.

There are a number of factors contributing to the timing of India's proliferation. The first relates to the increase in international pressure against nuclear proliferation in the aftermath of the Cold War and a closing window of opportunity for India in terms of testing and going nuclear.⁴⁷ The second relates to India's position in the world; the end of the Cold War and the demise of the Soviet Union as an ally left India feeling isolated and vulnerable.⁴⁸ The third explanation relates to increased military cooperation between China and Pakistan, which directly impinged upon India's security.⁴⁹

Because India possesses only a small nuclear arsenal, the level of secrecy required to maintain strategic ambiguity means that decoding India's nuclear status is challenging, and speculation is often based upon limited statements made by current and former Indian officials. According to Ashley Tellis, "although a variety of official statements relating to these issues have appeared, they are by no means complete and do not address those details that are of most interest to analysts of nuclear deterrence ... thus making it all the more difficult to describe the nation's nuclear worldview in any comprehensive way."⁵⁰



Nuclear weapons and India's strategic autonomy

In 1999, India released its draft nuclear doctrine and in 2003 the CCS released the official final version.⁵¹ The salient points in the CCS approval enshrined the six key pillars of India's strategic nuclear doctrine. These were:

1. A continued commitment to the goal of a nuclear weapon free world through global, verifiable, and non-discriminatory nuclear disarmament;
2. No First Use Policy;
3. Credible Minimum Deterrence;
4. Massive Retaliation;
5. Non-use of nuclear weapons against Non-Nuclear Weapon States, or Negative Security Assurances (NSAs); and
6. Option of retaliating with nuclear weapons in case of major attack by biological or chemical weapon.⁵²

Today, India has both a pro- and anti-nuclear weapons lobby. At present, the moderate pro-nuclear lobby is pursuing a strategy of CMD, while the extreme wing of the lobby advocates developing a credible full-scale deterrent that hilt upon a nuclear triad.⁵³ A common theme that binds the two pro-nuclear camps is the pursuit of strategic autonomy independent of international positive security assurances, vis-à-vis extended third-party deterrence guarantees to India. This is not so much concerned with the dangers of accepting extended deterrence guarantees, rather than the expected

ramifications of pursuing nuclear rollback, better defined as reverse-proliferation, as it signifies the undoing or reversal of previously acquired capabilities and activities since the formation of the NPT. According to this belief, a consequence of pursuing nuclear rollback is the risk of signalling an open invitation for the international community to 'meddle' in the strategic affairs of India, especially with regards to the Indo-Pak-China hostilities.⁵⁴

On the other hand, India does not consider the spread of nuclear weapons to have a global stabilising effect.⁵⁵ Similarly, and according to K. Subrahmanyam, "the main purpose of a third world arsenal is deterrence against blackmail."⁵⁶ Elaborating on this notion, Tellis also argues:

the belief that nuclear weapons are most useful as antidotes to blackmail is deeply embedded in the Indian psyche. This obsession with neutralizing blackmail, threats and compellence is ultimately rooted in India's long historical memory of constant invasion and repeated subjugation by foreign powers, and New Delhi's strategic weakness for most of its independent life has only reinforced it.⁵⁷

Justification for the possession of nuclear weapons on these grounds is highly problematic for a number of reasons. Proponents of nuclear weapons as effective instruments to thwart threats of compellence concede, "the promise of a nuclear shield works only if the aggressor is first able to change the status quo using its conventional forces."⁵⁸ However, India already possesses conventional superiority vis-a-vis Pakistan, ergo the efficacy of nuclear weapons as a remedy to this particular set of challenges is a weak premise. Similarly, Todd Sechser and Matthew Fuhrmann have made a strong case against the utility of nuclear compellence and deduce that it is almost entirely ineffective.⁵⁹ They have also concluded that nuclear weapons are not very useful even as shields to fortify conventional victories by revisionist powers.⁶⁰ The crux of the issue lies with the problem that India has been unable to find a lasting solution for sub-conventional attacks behind its nuclear shield.⁶¹ Thus, an Indian nuclear posture based largely on a desire to avoid suffering nuclear compellence is wholly misguided and wasteful.

Despite the obvious radical departure from Nehru's original intention to reject nuclear weapons, the pro-nuclear lobby still embraces the original conception of India as playing a leadership role by demonstrating responsible behaviour compared to would-be near-peer competitors. However, with this argument there exists an important caveat. As noted by Rajesh Rajagopalan, "the notion that nuclear weapons are political tools is primarily about how India views [its own] usability of nuclear weapons. It does not extend to India's views about how other states, particularly Pakistan, might see nuclear weapons."⁶² General V.P. Malik, India's Chief of Army Staff in 1999, indicated that a key lesson from the Kargil War was that the military leadership in Pakistan "tends to take chances and risks" when it comes to the possible use of nuclear weapons.⁶³ Similarly, Rajagopalan also concedes, "Indian officials do not think that nuclear weapons have stabilized the region; rather, they believe that nuclear weapons in Pakistani hands increase the nuclear risk in the region because Pakistan is seen as irresponsible."⁶⁴ This is a clear invitation to Indian officials to engage in developing the ideas around responsible behaviour further.

Nuclear weapons as symbols of prestige

There is a widely-held belief within the realist perspective of international politics that "prestige is as an everyday currency of international relations, one that lowers the cost of getting things done by obviating the use of force. Prestige, in other words, provides a reputation for strength."⁶⁵ However, this is not to say that nuclear weapons engender national prestige by themselves.⁶⁶ Rajesh Basrur and Jaganath Sankaran believe that the relationship between nuclear weapons and prestige is a complex phenomena and that "much depends on the prevailing norms among states at any given point in time."⁶⁷ If India does indeed seek prestige from nuclear weapons possession, then this is problematic because the non-proliferation norm regards possession of the bomb as unacceptable, but does not properly apply to the states that possessed nuclear weapons in 1968 when the NPT was opened for signature.⁶⁸ Conversely, the realist norm treats the possession of instruments of power as central to the international system, but is undercut by the prevalence over 70 years of a norm of non-use.⁶⁹

On the other hand, Indian policy framers do not appear to interpret possession of nuclear weapons as *sine qua non* of prestige. Rather, it is apparent that India's motivation to acquire prestige is tethered to an assumption that India possesses "exceptional-ness ... based on three elements tailored specifically to India's profile: (1) India is an emerging power; (2) India is a fellow democracy; and (3) India is a responsible nuclear actor."⁷⁰ This perception of India's "exceptional-ness" resonates with the worldviews of other actors, in particular Western democracies, and thus demarcates India from Pakistan and North Korea.⁷¹ This can be seen in India's ability to bypass many of the rules and conventions of civil-nuclear commerce, when India's exemption by the Nuclear Suppliers Group (NSG) was granted in 2008.⁷² On this basis, William Walker argues that:

the US has therefore shifted from holding up India as an example of a state that must be made to conform with non-proliferation norms and rules and should be punished for its transgression, to holding it up as an exemplary democratic state that justified a special exemption from those very norms and rules.⁷³

However, given this noticeable shift in attitude, Benjamin Kienzle forewarns the international community against a further weakening of the the nuclear non-proliferation regime. Kienzle argues that:

if the existing regime members begin to accept India as a *de facto* nuclear weapon state in the regime, they will undermine the regime's basic trade-off, as it would reward a state with the rights and privileges of a nuclear weapon state, even though it did not respect the fundamental non-proliferation norm.⁷⁴

Given the extraordinary concession made by the international community that now permit India to access civilian nuclear technology, despite not being a member of the NPT, it is important that India demonstrate a willingness to align closer to international non-proliferation norms and disarmament considerations. India can achieve this by providing a leadership role in the process of reductions to global zero. In addition, as the reigning global norm is against the acquisition of nuclear weapons, India's international prestige will also be strengthened by halting the shift to a complete nuclear triad. By keeping its nuclear posture within the confines of a limited, albeit credible minimum deterrent, this will signal India's wider commitment to reduce their reliance on nuclear weapons as a national security tool.

"Indian civil society strongly associates the possession of nuclear weapons as a symbol of international prestige, rather than only a national security tool."

Preventing nuclear deification

Nuclear weapons are sometimes seen as a reluctant undertaking in the absence of better alternatives according to Indian scholars.⁷⁵ Tellis has observed, "most security managers in New Delhi would in fact argue that their decision to acquire nuclear weapons – and to move beyond simply maintaining the nuclear option – is itself a constrained choice in that they would prefer not to have any nuclear weapons to begin with if the global environment and their regional situation so permitted."⁷⁶ Whilst Indian policy framers may express some reservations in political discourse, this observation also underscores a deeper paradox confronting India; Indian civil society strongly associates the possession of nuclear weapons as a symbol of international prestige, rather than only a national security tool. National pride erupted into widespread celebrations in 1998 when the Vajpayee government conducted a series of nuclear tests, (i.e. a low-yield, thermonuclear and a fission device) at Pokhran. In describing events after the tests, filmmaker Mandakini Gahlot recalls:

It was a blindingly hot summer day in May 1998, and I can still clearly recall the euphoria that gripped the nation. In Mumbai, the city where I grew up, crowds flooded the streets, dancing, singing and cheering as if celebrating a national festival. A few days later, a regional political party even organised a 'mock nuclear test,' complete with a spoof nuclear device fitted to cardboard missiles. Candy floss and snacks were sold on the sidelines, and entire families came out to watch the spectacle, ordinary citizens who just couldn't get enough of basking in the glory of having become the world's newest nuclear nation.⁷⁷

Ankit Rana has identified that in India and Pakistan, civil society's understanding of the role of nuclear weapons, and their adverse effects upon the natural environment and global stability, is severely hampered by a lack of education and exclusion from policy debate and formation. As such, he deduces:

This deification of nuclear weapons legitimises their existence by intimately linking them with national pride. In such an environment, any opposition to the proliferation or development of nuclear weapons is deemed unpatriotic and against national interests. This narrow-minded rhetoric further weakens citizen participation in debates regarding nuclear weapons. Ultimately, this prevents the democratization of the debate and concentrates power further in the upper echelons of the state.⁷⁸

This is to say, the role of Indian civil society in the nuclear debate is greatly underdeveloped. This "does a disservice, because in the public mind it strips nuclear weapons of the catastrophic danger that lie latent in them."⁷⁹ As Rana argues, "if citizens realised the consequences of a potential nuclear exchange between India and Pakistan, they might participate more vocally in a movement against nuclear weapons. There is a need to revitalise citizen participation in building a movement against nuclear weapons that counters each country's security-oriented outlook."⁸⁰ However, the lack of engagement between policy framers and civil society makes it difficult to shift domestic attitudes and incentivise elected representatives to align policy with wider international non-proliferation norms and global disarmament considerations. To overcome this obstacle, as Rana correctly identifies, "it is essential to create citizen platforms with broad-based participation to discuss issues of nuclear disarmament because the public generally lacks awareness of the goals of global nuclear disarmament."⁸¹ This is one example of how civil society and elected representatives can enter a significant partnership in not only developing political transparency, but also creating a favorable discourse that signals India's exceptional status and global prestige.

India's conception of No First Use as a nuclear responsibility

On the other hand, the pro-nuclear lobby is strongly attached to an image of India's (self-proclaimed) exceptionalism as a responsible nuclear-armed state. On this basis, refusal to sign the NPT is construed by this lobby as irrelevant because India is seen as maintaining an, "exemplary non-proliferation record of four decades and more."⁸² In concert with this belief, and whilst addressing the US Congress in 2005, Indian BJP Foreign Minister Jaswant Singh stated:

I would reiterate that India's track record in nuclear non-proliferation is impeccable. We have adhered scrupulously to every rule and cannon in this area. We have done so even though we have witnessed unchecked nuclear proliferation in our own neighbourhood, which has directly affected our security interests. We have never been, and never will be, a source of proliferation of sensitive technologies.⁸³

Singh's belief has not been met with universal agreement. Ambassador Zamir Akram has challenged India on this belief and argued, "India started nuclear proliferation in 1974 with its first nuclear test, which they argue was only made possible by India cheating on its agreement for peaceful uses of nuclear fuel which was clandestinely diverted towards weapons usable grade."⁸⁴

In essence, the issues raised above are part of a larger issue that confronts India today. Much of the Indian debate about nuclear weapons between the 1960s and 1990s "focussed around whether India should go nuclear, not what India should do with nuclear weapons."⁸⁵ Beginning in the 1980s, a few Indian strategists began to question what nuclear weapons might be useful for. The writings of this era reflected the belief that the Cold War arms race between the United States and the Soviet Union resulted in excessive spending and that the pursuit of strategic parity, or equivalence, between the two superpowers led to bloated nuclear arsenals. Rather, Indian nuclear strategists argued that nuclear deterrence could be achieved at far cheaper cost, with a relatively small arsenal.⁸⁶ Drawing similar conclusions, K. Subrahmanyam stated, "India has the benefit of the wisdom drawn from the highly risky and totally non-viable policies of nuclear deployment followed by the United States and the USSR. It has, therefore, no intention of repeating those blunders."⁸⁷

Grounded within the two competing wings of the pro-nuclear lobby, India's formal declaratory policy on nuclear strategy centres on restraint. Both public officials and national pronouncements have been careful to emphasise the non-coercive and non-aggressive dimensions of India's approach to nuclear policy. Thus, in 1998 former BJP Prime Minister Atal Bihari Vajpayee declared a unilateral NFU and a policy of non-use against non-nuclear weapons states.⁸⁸ This policy was formalised by the 2003 "Indian Statement on Operationalisation" of Nuclear Doctrine in 2003.⁸⁹ Similarly, in 2014 Prime Minister Narendra Modi swiftly and explicitly ruled out any doctrinal changes to the NFU policy when he stated, "No First Use was a great initiative of Atal Bihari Vajpayee – there is no compromise on that. We are very clear. [NFU] is a reflection of our cultural inheritance."⁹⁰ Thereafter, in 2014, India and China called for negotiations on a NFU convention among the global nuclear powers. The motivation behind this beleaguered initiative was the creation of a policy that could become the centrepiece of a global nuclear restraint regime designed to "cement the boundary between nuclear and conventional weapons and further entrench the norm against the use of nuclear weapons."⁹¹

Yet, despite Modi's policy affirmation of the NFU pledge, the internal politicking within the Indian policy community led to a storm in the doctrinal teacup and suggests that a universal consensus in support of NFU is unlikely. In its current form, Indian debate surrounding NFU is situated within the "requirement for maintaining the credibility of deterrence and a generalised desire to achieve nuclear assertiveness as a response to perceived adverse shifts in India's security and nuclear environment, rather than some specific deterrent benefits of potential first-use."⁹²



Whilst India's NFU policy is unlikely to change within the immediate future, this could change depending on the vicissitudes of domestic politics and the international security environment. Thus, India's understanding of NFU is to some extent "shaped by perceptions, however skewed, of how major powers view the NFU pledge."⁹³ This view can be seen in the statement of India's National Security Advisor, Ajit Doval who recently urged India to, "review her own strategic nuclear doctrine [by] revising the no first use pledge" as a direct response to China's own alleged dilution of NFU.⁹⁴ Some analysts have deduced that China's NFU harbours a caveat that it is not applicable to its own territory.⁹⁵ By extending its perception of "own territory" to South Tibet or Arunachal Pradesh, they argue that first use on its part cannot be ruled out.⁹⁶

Similarly, South Asian nuclear expert Vipin Narang recently remarked that India is poised to abandon its NFU nuclear policy and would be prepared to launch a pre-emptive first strike against Pakistan if it feared that Islamabad was likely to use nuclear weapons first.⁹⁷ Speaking at the 2017 Carnegie International Nuclear Policy Conference, Narang claimed, "in short, we may be witnessing what I call a decoupling of Indian nuclear strategy between China and Pakistan; ... there is increasing evidence that India will not allow Pakistan to go first."⁹⁸ In extrapolating India's potential opening gambit to achieve escalation dominance via counterforce targeting, Narang predicted, "India's opening salvo may not be conventional strikes trying to pick off just Nasr batteries in the theatre, but a full comprehensive (nuclear) strike" that attempts to completely disarm Pakistan of its nuclear weapons so that India does not have to engage in iterative tit-for-tat exchanges and expose its own cities to destruction.⁹⁹

Narang has also stated that his view is shaped by an assessment that "surfaces not from the fringe extreme voices or retired Indian Army officers frustrated by the lack of resolve they believe their government has shown in multiple provocations, but from no less than a former commander of India's Strategic Forces, Lt Gen BS Nagal."¹⁰⁰ This suggests a similar dynamic to the experiences, described by Daniel Ellsberg, as an analyst with unique access to US military nuclear war planning in the 1960s. According to Ellsberg, the US Navy and Air Force leaderships took extreme measures to protect their freedom to determine nuclear posture independent of civilian leaderships, and even the President himself.¹⁰¹

India's NFU position was again brought to recent attention when former Indian National Security Advisor, Shivshankar Menon stated, "there is a potential gray area as to when India would use nuclear weapons first against another NWS."¹⁰² Menon believes, "circumstances are conceivable in which India might find it useful to strike first, for instance, against [a] NWS that had declared it would certainly use its weapons, and if India were certain that an adversary's launch was imminent."¹⁰³ Menon's belief implies that India might shift from its declared NFU policy and embrace the possibility of pre-emption in strategic doctrine. According to Narang:

India would hardly risk giving Pakistan the chance to carry out a massive nuclear strike after the Indian response to Pakistan using tactical nuclear weapons. In other words, Pakistani tactical nuclear weapon use would effectively free India to undertake a comprehensive first strike against Pakistan.¹⁰⁴

It is important to note that despite Narang's point of view, Menon does concede that "a first-strike doctrine is surely destabilizing."¹⁰⁵ However, Menon also leaves the reader with little choice but to draw from inferences when he states, "India's present public nuclear doctrine is silent on this scenario."¹⁰⁶ These two admissions offered by Menon obscure the context and create confusion. It is unclear if Menon is asking rhetorical questions or hinting at a policy of pre-emption. This confusion underscores an inherent problem with India's NFU policy and its relationship to pre-emption. India should therefore clarify its declaratory NFU position to avoid unnecessary confusion and further ambiguity.

In nuclear theory, pre-emption, which is best described as a controlling strategy, to the extent that it seeks to remove or reduce the enemy's capacity to control, "takes place at some point between the moment when an enemy decides to attack – or more precisely, is perceived to be about to attack – and the attack is anticipatory self-defence."¹⁰⁷ According to Bernard Brodie, "preemption has been somewhat unkindly referred to as the philosophy of "I won't strike first unless you do," though the phrase should no doubt be edited to read, "unless you attempt to."¹⁰⁸ In other words, pre-emption refers to "beating an opponent to the draw."¹⁰⁹ Accordingly, the rational aggressor will direct his strike towards the adversary's most compelling capabilities. If, however, the adversary's targeted capability escapes largely unscathed, then reprisal is likely to be executed almost immediately. Similarly, Walzer claims that pre-emptive military action is warranted only "when there is a manifest intent to injure, a degree of active preparation, which makes that intent a positive danger and a general situation in which waiting or doing anything other than fighting greatly magnifies the risk."¹¹⁰ Thereafter, Walzer concludes: "the line between legitimate and illegitimate first strikes is not going to be drawn at the point of imminent attack, but at the point of sufficient threat and that a state must commit to the use of force only when inaction could result in serious harm."¹¹¹ Pre-emption is a particularly risky and destabilising strategy for India to employ because it poses a number of problems, as identified by Shashank Joshi.

Danger of counterforce targeting

First, if India shifts from countervalue (city) to counterforce (nuclear capabilities) targeting, then Pakistan will likely respond with a massive nuclear build-up to avoid the possibility of becoming completely disarmed by an Indian pre-emptive strike. Consequently, Pakistan's drive to increase its number of nuclear delivery systems will likely prompt India to expand its current list of counterforce targets to match Pakistan's numerical increase. This, in turn, will also require India to increase its number of warheads beyond current minimum levels to target Pakistan's build-up of nuclear forces. The risks posed by Joshi's action-reaction sequence demonstrates that India would have little choice but to abandon CMD because they would have exceeded the requirements of a limited deterrent posture.¹¹² Rather, India would have to accept the task of managing a significant increase in its nuclear force projection capabilities, which is what they initially wished to avoid.¹¹³

Risk of strategic escalation

Secondly, if Pakistan suspects that India will pre-empt, then Pakistan will likely attempt to beat India to the draw and "to escalate straight to the use of the longer-range weapons."¹¹⁴ This could be beneficial to India, "since it deprives Pakistan



of the opportunity to wage a limited nuclear war, and therefore renders its whole strategy less proportional and less credible."¹¹⁵ However, given the close proximity between India and Pakistan, the flight time for aircraft and missiles is very short. This poses a significant problem because as Joshi identifies, "the reciprocal fear of nuclear first use could pull each side in the direction of placing nuclear forces on hair-trigger alert."¹¹⁶

Similarly, Narang believes that Pakistan is already contemplating a hair-trigger alert posture. Narang states:

there is growing evidence that Pakistan may move closer to a ready deterrent to enhance ... credibility. This is particularly true of 'encapsulated' or 'canisterized' systems such as the Nasr which are kept in sealed tubes, where the warhead would likely have to be premated, or mated to the missile immediately before it is deployed.¹¹⁷

Narang is not alone, Brig. Gen. (Ret.) Khan also concedes that as a crisis unfolds, and if deemed necessary, "[A] theater commander would probably [be able to] take matters into his own hands ... should a trade-off be required, battle effectiveness of the nuclear force will trump centralized control."¹¹⁸ This is a highly destabilising position that lowers strategic stability because it elevates the risk for Pakistani accidental or unauthorised nuclear use.

Danger to Indian cities

Thirdly, should India decide to supplant NFU with pre-emption, then India "turns what is the risk of losing Indian cities into a guarantee of losing Indian cities."¹¹⁹ Again, Joshi makes a strong case in arguing: "India can of course target some Pakistani weapons, while stopping others through missile defence, thereby limiting the potential damage to India. But some will survive. And if India takes the fatalistic approach of assuming that a nuclear exchange must be absolute, then Pakistan is left with no incentive to hold back either."¹²⁰

India's anti-NFU advocates believe that general deterrence with Pakistan can fail and there is a need to be ready for immediate deterrence. As noted by deterrence scholar Patrick Morgan, immediate deterrence exists if, "in a relationship between two hostile states the officials in at least one of them are seriously considering attacking the other or attacking some area of the world the other deems important."¹²¹ This is the most important, yet in some ways the least recognised,



Jawaharlal Nehru

prerequisite for deterrence; in pure deterrence terms, one cannot deter someone who is giving no thought to an attack.¹²²

Thus, within the calculus of deterrence, advocates in favour of India's CMD believe, "while first strike equals aggression, no first use equals deterrence. And deterrence requires the minimum number of weapons to make the threat of retaliation credible – in other words, credible minimum deterrence."¹²³ However, this reasoning has not been met with universal support. Modi's affirmation of NFU is opposed by anti-NFU thinkers as strategically debilitating because they argue:

- it prioritises survivability of second strike capabilities, and therefore necessitates a larger arsenal than is consistent with minimalism increasing the risk of arms-racing;
- it is disbelieved by Pakistan;
- and being disbelieved, encourages Pakistan to conduct sub-conventional and proxy warfare under India's nuclear threshold.¹²⁴

According to this logic, the consequence of adhering to NFU is to invite diminishing Pakistani assessments of Indian resolve and reveal gaps in India's nuclear thresholds, which an adversary could exploit.¹²⁵

"Nehru believed deeply that India could not maintain her influence as a global standard bearer of morality and responsible behaviour within the international community whilst also acquiring nuclear weapons."

The nuclear responsibility to strengthen NFU

These arguments levied against NFU in declaratory policy are misleading for a number of reasons. First, and as outlined earlier, an Indian first use option would also likely result in an increase in the development of nuclear warheads to counter Pakistan's reciprocal nuclear build-up, ergo the makings of an action-reaction arms race in South Asia. This drive to develop new nuclear power projection capabilities would inevitably force Indian policy planners to abandon CMD.

Secondly, an option for nuclear first use also prioritises a secure second strike capability for credibility because India cannot claim to be able to successfully locate and destroy each and every Pakistani nuclear missile. Furthermore, notwithstanding the lack of technological sophistication in Pakistan's early warning capabilities, Pakistan still has a small window to retaliate with massive nuclear force. However, it is important to note that because India and Pakistan are neighboring countries, either side's missile forces can target in only four or five minutes, allowing very little time to assess an attack warning and make a decision to launch a retaliatory strike. On this basis, the distinction between "tactical" and "strategic" nuclear weapons loses meaning because any "use of a nuclear weapon, regardless of its range and origin of basing, is likely to have strategic consequences."¹²⁶

Third, NFU is a more stabilising feature of command and control because it allows India to de-mate nuclear warheads from delivery systems, thus averting the need for systems such as Permissive Action Links, which are necessary to maintain control over nuclear weapons if they are stored ready to fire.¹²⁷ As Rahul Roy-Chaudhury points out, "Over the years, India has followed a strict policy of keeping its nuclear warheads and nuclear-capable aircraft and missiles separate from one another to prevent accidents, inadvertent launches, and miscalculations."¹²⁸

The belief that NFU is disbelieved by Pakistan is a clear indication that India's NFU policy needs to be reinforced with other credible and consistent attempts at signaling over time. India can achieve this by a number of methods such as inclusive discussion of command and control structures with members of the political and academic communities. It is also important that true red lines on both sides are recognised and respected.¹²⁹ India can also pursue active diplomatic engagement geared towards bilateral or multilateral arms control and NFU treaty formation.

In addition, India should prioritise unambiguous signaling. This can be achieved by significantly reducing the number of missile flight tests currently planned because "missile flight tests are dangerous when conducted primarily to send political messages and therefore could have particularly serious consequences during an unfolding military crisis."¹³⁰

The 1982 Falklands War demonstrated that the possession of nuclear weapons does not deter conventional attacks. Britain's policy of "studied ambiguity" – neither confirming or denying the circumstances that warrant nuclear use – did not dissuade Argentina from pursuing military action under Britain's nuclear shield.¹³¹ Similarly, India's policy of NFU will not dissuade an adversary from pursuing bold adventurism. However, this is not to say that NFU diminishes Indian resolve and is merely symbolic. Rather, NFU is a more stabilising feature of a deterrent posture because it credibly increases the threshold for nuclear first use. Retaliation need not be immediate since Pakistan is aware that a response is possible at any time, whether early or late, and also has no certainty of 100 percent success in a first strike.¹³² This argument makes clear the critical need for more serious development and signaling of NFU as the bedrock policy of India's defence doctrine.

"The actual functioning of India's NFU in strategic doctrine exposes policy contradictions that damage India's self-image as a responsible nuclear-armed state."



Indian Agni-II medium-range ballistic missile (MRBM)

India's assured retaliation policy

India's NFU pledge is consistent with its posture of assured retaliation. As Rajesh Rajagopalan explains, "leaders appear content to wait until an attack has already landed on Indian soil before considering retaliation. In other words, there are no declaratory or operational indicators to suggest that India might adopt either a launch-on-warning (LOW) or a launch-under-attack (LUA) posture for its nuclear force."¹³³

Command and control is particularly problematic for India and Pakistan; demands for managing a hair-trigger posture without inadvertent nuclear use would be extremely challenging because of the increased risks of accidents and misperceptions. If India were to adopt a LOW or LUA and Pakistan also followed suit, this would lead to further instability in South Asia. On this issue of command and control, Narang elaborates:

1. India and Pakistan lack advanced and robust early-warning and command and control architectures;
2. they border each other, which drastically reduces warning and flight times;
3. they rely on dual-use delivery vehicles, which makes discriminating between nuclear and conventional missions in real time almost impossible.¹³⁴

Discriminating between a conventional and nuclear missile is highly problematic. In 2002, the United States under the George W. Bush administration radically outlined a new strategic posture that amalgamated nuclear and conventional forces into the first leg of what would become the new US nuclear triad. To the "old triad" of ICBMs, nuclear-armed

bombers and ballistic missile submarines, the “new triad” proposed several new capabilities: a multi layered ballistic missile defense system and an array of “non-nuclear strike forces” (including powerful conventionally-armed cruise missiles and bombs).¹³⁵ However, because the new offensive leg of the revised triad contained both conventional and nuclear capabilities, an adversary was rendered incapable of discriminating between the two and so might pre-empt using a nuclear payload. This demonstrates that dual-use delivery vehicles distort effective signaling and lowers the threshold for crisis stability.¹³⁶

India’s CMD engenders a Nuclear Posture that infuses four key characteristics that comprise its overall nuclear strategy:

1. the goal of assured retaliation to deter nuclear use and coercion;
2. capabilities that consist of survivable second-strike forces;
3. assertive civilian control and de-alerted forces; and
4. an unambiguous capability with ambiguous deployment.¹³⁷

The assured retaliation posture seeks to directly dissuade nuclear attack and coercion. Both China and India have adopted assured retaliation postures, which they sometimes refer to as CMD, “each relying on a small but secure and survivable nuclear force arrayed for an assured retaliatory strike against their primary opponents strategic and / or soft counterforce target.”¹³⁸ A salient precept of minimum deterrence is therefore what Jeffrey Lewis describes as “an enemy who can be deterred, will be deterred by the prospect of a counterattack, even if it consists of only a few nuclear weapons. Beyond that minimum threshold, nuclear weapons provide little additional deterrent benefit.”¹³⁹

However, India’s drive to develop a nuclear triad shows that the concept of minimum deterrence is not consistent.¹⁴⁰ Thus, India’s public concept of CMD and its relationship to MR is actually opaque and underscores the flexibility within which India’s nuclear elites have framed the strategy for a co-called minimum deterrent posture.¹⁴¹ Similarly, the former Indian civil servant and nuclear strategist P.R. Chari observed, “the concept of credible minimum deterrence has been imbued with almost mystical qualities in India.”¹⁴²

India’s nuclear strategy has infused elements of ambiguity since its formalisation in 2003. Some of the conditions by which India will retaliate with massive nuclear force contradict the premise of NFU. On this basis, it is unclear if the government considered the problems of what Scott Sagan identified as the ‘commitment trap.’¹⁴³ Rajagopalan again provides useful guidance on this issue when he states, “Minimum deterrence is politically attractive because it suggests limited goals and a responsible attitude towards nuclear weapons ... [However], assured retaliation is a better characterization of India’s nuclear strategy than ‘credible minimum deterrence.’”¹⁴⁴

This fits a larger pattern of intrinsic anomalies within India’s nuclear doctrine. India’s NFU pledge, the cornerstone of its diplomatic framing in relation to its nuclear posture, is conditional upon the other elements identified by the strategy and contradictory to an unconditional NFU. And yet, a conditional NFU is no NFU at all. These contradictions are particularly revealing as they are at odds with concerted attempts made by Indian policy-framers to strengthen the perception of India as a responsible nuclear possessor state.

According to the 1999 draft doctrine, India’s only nuclear use would be to engage in ‘punitive’ retaliation for nuclear first strikes on India that cause ‘unacceptable’ damage.¹⁴⁵ However, on this point India has yet to specify the conditions that constitute ‘unacceptable’ damage in their strategic thinking. This contains far-reaching strategic implications that are identified shortly. The draft doctrine also contained a caveat that withdraw negative security assurances for non-nuclear states allied to a nuclear power, “India will not resort to the use or threat of use of nuclear weapons against states which do not possess nuclear weapons, or are not aligned with nuclear weapons powers.”¹⁴⁶

This draft policy appears to “copy doctrine of both the US and other nuclear-armed allies during the 1980s, rather than the result of direct threats of attack by non-nuclear states on India.”¹⁴⁷ During the Cold War the so-called Warsaw Pact exemption permitted US and NATO targeting of Soviet forces and their non-nuclear allies including their cities in the

event of a major war in Europe. This was the case despite their membership of the NPT as non-nuclear weapon states.¹⁴⁸ The 2003 Indian doctrine dispensed with this caveat (as had the United States and its allies) and in so doing, the government claimed that it made the official Indian nuclear policy in this regard stricter than the pledges given by the NPT Nuclear Weapon States. Jaswant Singh argued that India had taken:

a conceptual leap by publicly limiting its intentions through the voluntary declaration of 'no first use,' also 'non-use against non-nuclear states'. This, in fact, is far more than any of the N5 have ever promised either to their potential opponents, to friends, or to the global community.¹⁴⁹

This was patently untrue when applied to China, which always had an unconditional NFU and an explicit unconditional NSA to all states without nuclear weapons. According to Sagan, Jaswant Singh's statement yields an interesting observation, "while the 'non-use against non-nuclear weapon states' pledge is similar to the U.S. negative security assurances, it also appears to be designed to advertise India's image as an 'exceptional and responsible nuclear power' to itself and to the United States and other foreign powers."¹⁵⁰ Sagan is, of course, correct in his interpretation of what Singh is attempting to convey. However, the actual functioning of India's NFU in strategic doctrine exposes policy contradictions that damage India's self-image as a responsible nuclear-armed state.

Whilst the 1999 draft doctrine promised "restraint within the new framework of a state with nuclear weapons that only seeks to deter a nuclear attack rather than exercise nuclear hegemony,"¹⁵¹ a close reading of the 2003 policy reveals that 'punitive' is supplanted with 'massive' retaliation.¹⁵² At first glance this deviation may appear as little more than semantics. However, if read alongside the second significant variation outlined below, a theme begins to emerge that challenges Indian proclamations of establishing 'minimum' nuclear efficacy and 'limited' goals in strategic doctrine.

The 2003 policy dilutes NFU and the pledge not to attack NNWS by applying what Rajagopalan labels "qualifiers."¹⁵³ It states, "India will consider the use of nuclear weapons in response to a 'major attack' on India or on Indian forces anywhere with chemical or biological weapons (CBWs)."¹⁵⁴ This does not define what a major attack might be, and does not specify whether this applies to states that do not possess nuclear weapons. Is it contingent upon the scale of attack, the number of casualties or the types of delivery systems used (i.e., armed personnel, missile delivery systems, a transportation vehicle or a combination of all three)?

In April 2013, Shyam Saran, convener of the National Security Advisory Board stated, "the label on a nuclear weapon used for attacking India, strategic or tactical, is irrelevant from the Indian perspective."¹⁵⁵ If nuclear weapons use is always strategic, can this also be the case for other so-called WMD? The qualifier not only undermines NFU, it could lead to what Sagan describes as a "commitment trap," forcing decision-makers to believe they need to use nuclear weapons to maintain credibility and avoid diluting deterrence.¹⁵⁶ President Obama's tortuous decision not to respond with military strikes following reports that Syrian President Bashar al-Assad used sarin nerve agent to kill over 1,400 Syrian civilians in August 2013 is illustrative of the pressures that accompany drawing red lines.¹⁵⁷

Whilst India's NFU policy is intended to provide some reassurance to the international community, the conditions convey a sense of half-hearted adherence which undermines its value and political drive to create a stronger set of international norms governing nuclear possession. Similarly, both Ganguly and Hagerty maintain that today, "India's 'no-first-use' pledge is mainly a rhetorical device aimed at making its peacetime nuclear stance appear unthreatening to its potential adversaries."¹⁵⁸

Whilst on face value India's declaratory NFU (and overall non-proliferation) stance certainly yields diplomatic dividends, as evidenced by the 2005 US-India nuclear deal, Pakistan cares more about what India can do with its nuclear weapons under its posture than what it claims on top lines in diplomatic speeches. From Pakistan's perspective, India's admittance to the NSG has less to do with its opaque NFU policy and more to do with the realities of realpolitik. Thus, Ambassador Zamir Akram argues, "the Nuclear Suppliers Group waiver for India steamrolled by the US was not due to its so called impeccable nonproliferation record, because it was still under US sanctions when given the waiver, but because the US wants to use India to counter China."¹⁵⁹



The Peace Palace in the Hague, the Netherlands, housing the International Court of Justice.

Nuclear weapons and India's 1997 ICJ memorial

Grounded within India's incorporation of CMD, assured retaliation is seen as an intent to punish an adversary using MR. Within traditional nuclear doctrine, MR can be defined as a strategy which conveys to an adversary a clear intent to overwhelm using full strategic nuclear capabilities if certain stated conditions are breached. Therefore, a necessary precondition to achieve effective deterrence using MR is the understanding that "a potential aggressor be left in no doubt that he would be certain to suffer damage outweighing any possible gains from aggression," and that such a response would be uncontained.¹⁶⁰

MR is perhaps the most contentious issue confronting India's nuclear strategy because it outwardly suggests that "escalation to the strategic nuclear level is virtually inevitable."¹⁶¹ To quote another analyst familiar with wargaming, "All the options ... [lead] to the same dead end of escalation, strategic retaliation and catastrophe."¹⁶² It also, by definition, threatens retaliation in a disproportionate manner that would suggest a doctrine that breaks international law. In 1997, India submitted to the International Court of Justice (ICJ) a memorial that argued vehemently against "any use of nuclear weapons ... to promote national policy objectives," and concluded that nuclear use would be unlawful.¹⁶³ The memorial also forcefully stated that nuclear retaliation even against nuclear first use is an illegal undertaking.¹⁶⁴ The memorial stated:

[t]he question ... is whether the use of nuclear weapons would be lawful as a measure of reprisal or retaliation if the same is used by an adversary in the first instance. Reprisal or retaliation under international law are also governed by certain specific principles. First, reprisals to be valid and admissible could only be taken in response to a prior delict or wrongful act by a state. Second, such reprisals must remain within reasonable bounds of proportionality to the effect created by the original wrongful act ... when a state commits such a wrongful act or depicts, the use of force by way of reprisal would have to be proportionate and as such if the wrongful act did not involve the use of a nuclear weapon, the reprisal could also not involve the use of a nuclear weapon.¹⁶⁵

K. Sundaram and MV Ramana have identified that the 1997 Memorial submitted by India to the ICJ has profound and far-reaching consequences, not least because it is at odds with the the official 2003 nuclear doctrine of India.¹⁶⁶ This is because the 2003 nuclear doctrine also threatens MR “for attacks with chemical or biological weapons, that is, not nuclear weapons.”¹⁶⁷ The Memorial goes on to an even stronger worded statement:

even where a wrongful act involved the use of a nuclear weapon, the reprisal action cannot involve use of a nuclear weapon without violating certain fundamental principles of humanitarian law. In this sense, prohibition of the use of a nuclear weapon in an armed conflict is an absolute one, compliance with which is not dependent on corresponding compliance by others but is requisite in all circumstances ... In view of the above, the use of nuclear weapons even by way of reprisal or retaliation appears to be unlawful.¹⁶⁸

The 1997 memorial submitted by India to the ICJ is revealing insofar that it contrasts significantly with India’s stated NFU policy. On this basis, Sundaram and Ramana conclude: “while one arm of the indian government was adopting No First Use of nuclear weapons as a central element in its policy, another arm was making submissions to the ICJ arguing that implementing the second use of nuclear weapons, namely after a nuclear attack, would consider a violation of fundamental principles of humanitarian law.”¹⁶⁹

Deterrence and massive retaliation

In light of the 1997 Memorial submitted to the ICJ, Tellis puts forward the argument that India’s decision to acquire nuclear weapons is regarded by Indian policy framers as a “maximin strategy — that is, as the best of the worst choices facing India.”¹⁷⁰ However, this does not explain why the 2003 nuclear doctrine advocates MR over a proportionate or flexible retaliation strategy. As pioneers of the strategy, US MR was initially conceived by John Foster Dulles as a “Policy of Boldness” designed to repel Soviet aggression and retaliate with a “punishing force where it hurts” most. With such a retaliatory threat in place, Dulles concluded the Soviets would “dare not risk aggressive military action.”¹⁷¹

What differentiates MR from proportionate or flexible retaliation is that the former definitively suggests that the threat of punishment is orientated towards a countervailing strategy, that targets the large population and industrial centres of major offending parties. In his seminal study on nuclear posture, Brodie explains that the United States had introduced MR because “Eisenhower was convinced that the United States simply could not afford both large conventional forces and large nuclear forces, and this naturally had to mean that the option would be for nuclear forces.”¹⁷²

India has also introduced MR as a means of avoiding an expensive expansion of military arsenals to match the capabilities of near-peer competitors. Yet, its policy of MR is arguably more compatible with India’s understanding of nuclear weapons as providing political, rather than military utility, and signalling for deterrence rather than war-fighting capability.¹⁷³ In extrapolating this point of view, and according to Subrahmanyam, “a nuclear weapon, like a million-pound note, is of apparently no use – you can’t stop small wars – but it gets you credit and that gives you power to intimidate.”¹⁷⁴

India’s ability to deter using the threat of MR remains somewhat opaque and underdeveloped – in part because India has yet to provide authoritative exposition of the terms “unacceptable damage to an attacker” and “assured destruction.” This differs significantly with attempts made during the Cold War by the United States. For example, in his written statement to Congress, 18 February 1965, US Secretary of Defense Robert McNamara stated:

what kinds and amounts of destruction we would be able to inflict in order to provide this capability cannot be answered precisely. But, it seems reasonable to assume that destruction of, say, one quarter to one third of its population and about two-thirds of its industrial capacity ... would certainly represent intolerable punishment to any industrialized nation and thus should serve as an effective deterrent.¹⁷⁵

Indian statements threatening final retaliation do not specify those threats (for example, to destroy cities). As identified by Menon, “the doctrine speaks of punitive retaliation. The scope and scale of retaliation are in the hands of the Indian leadership.”¹⁷⁶ On this basis, “India has reserved the right to choose how much, where, and when to retaliate. This is an

awesome responsibility for any political leader, but it is the price of leadership and cannot be abdicated to a mechanical or mathematical formula or a set of strategic precepts."¹⁷⁷

This understanding, vis-a-vis interpreting nuclear weapons as a political tool to deter that does not require specificity, also underscores India's reluctance to pursue a strategy of limited nuclear options, such as escalate to de-escalate as a strategy of controlled war termination. Consequently, India skips other choices along the steps of the escalatory ladder and threatens countervailing targets in response to both CBWs and nuclear (including tactical) attack.

Yet, more trenchant concerns governing the use of MR relate to proportionality, credibility and the fear that Pakistani limited use of tactical nuclear weapons will be met with India's full strategic nuclear retaliation. In addition to this, Narang argues that India's declaratory MR strategy might compel a potential adversary to pre-empt a massive attack with a decapitating (command and control) counter-force strike as part of a damage limitation strategy.¹⁷⁸ Similarly, and particularly in the case of Pakistan, India's assured retaliation posture may not deter limited – perhaps even intense – conventional conflicts because of the stability-instability paradox. Sceptics also argue that India's use of MR to counter Pakistan's first-use of a tactical nuclear weapons is disproportionate and not credible.¹⁷⁹

In response, however, if India reconsiders MR this would open a Pandora's box necessitating the incorporation of tactical nuclear weapons into a war-fighting doctrine. Consequently, the pursuit of limited nuclear options for the purposes of credibility could inadvertently trigger an arms race with Pakistan and also force Indian policy-framers to abandon CMD. This is because the ability to project graduated nuclear retaliation would necessitate a rapid build-up of the arsenal with associated defence spending the likes of which India has avoided.

Similarly, adopting a proportional 'like-for-like' response recasts nuclear weapons as instruments of warfighting and might suggest that a nuclear exchange can be limited or contained. As identified earlier, Indian policy-framers appear to be united in the belief that the threat of nuclear first use creates instability because the requirements for controlling nuclear escalation are too demanding, implying that a limited nuclear war cannot remain limited, and therefore making the threat of first-use nonsensical. Commensurate to this belief, and as identified by Menon, Indian policy-framers initially believed, "calibrated or proportional responses ... might tempt adversaries to test the space available below the threshold for full nuclear retaliation, as indeed occurred in the Kargil conflict in 1999."¹⁸⁰

Developing nuclear responsibilities in a Hindu context

India's security policies largely derive from realist interpretations of power dynamics, but through a Hindu frame. This is to say, both Hinduism and proportionality co-exist in tandem within Indian culture. Kaushik Roy points out that commentators, academics and policy-makers have on occasion also alluded to sacred Hindu mythological beliefs to justify choices of strategy and military tactics.¹⁸¹ From a doctrinal perspective, the compatibility of nuclear weapons and Hindu religious teachings may appear tenuous. The point of contention arises between two seemingly contradictory positions that are contained within the Hindu theological syllabus:

- respecting the principles of proportionality, restraint and fair fighting (*Dharmayuddha*) which makes it difficult to justify the use of nuclear weapons and particularly MR; and
- the use of *Astras* (mythological WMDs) and *Brahmastras* (mass destruction weapons in the Mahabharata) that were used by a few *Kshatriyas* (upper class warriors) in Hindu texts.¹⁸²

This means that it is difficult to reconcile the extent to which nuclear weapons and Hinduism could be truly compatible. Nevertheless, Maître attempts to do so by arguing:

some sources of authorities seem to validate them since what could be considered as weapons of mass destruction were used in mythological texts, and since some Kings have put forward the rightness of adapting

to circumstances, using contestable expedients in last resort or applying less than orthodox strategies, provided it be the only way to fight an injustice or as long as it has already been used by the adversary.¹⁸³

This explanation is clearly not enough to justify India's use of MR because it does not satisfy *Dharmayuddha*, namely "proportionality" and "restraint." However, competing interpretations of *Dharmayuddha* are found in Indian literature that outwardly convey an elastic interpretation of the theological precept. An extreme interpretation in support of the compatibility of nuclear weapons and Hinduism is found in the assertions of Bharat Karnad and Raja C. Mohan.¹⁸⁴ Karnad argues that true Hinduism is aggressive, realist, and based upon the principle that "brahmastras are weapons for winning a war and not merely symbolic 'dangerous toys' for gaining political prestige and deterring potential enemies."¹⁸⁵ This is to also say, Mahatma Gandhi's *Ahimsa* philosophy (non-violence) is not, according to Karnad, integral to Hinduism.¹⁸⁶ Karnad writes:

the Hinduism of the vedas – the ancient Sanskrit texts that are the wellsprings of the Indic religion and culture, far from inculcating passivity, is suffused with the spirit of adventure and daring, of flamboyance and vigour, and of uninhibited use of force to overcome any resistance or obstacles ... These texts also conceptualize a Hindu Machtpolitik that is at once intolerant of any opposition, driven to realize the goal of supremacy for the nation and state by means fair and foul, and is breathtaking in its amorality.¹⁸⁷

Whilst this specific interpretation of the Hindu theological syllabus is not prevalent in India, some believe quite strongly that parallels from the sacred Hindu texts can be extracted and strategically applied to nuclear diplomacy and deterrence theory.¹⁸⁸ However, on the whole, Indian policy framers do not overtly use these ancient texts to justify their nuclear policy choices. Rather, policy framers do not care much "for the intricacies of religious doctrines. They pick and choose from the shelf the ideas/concepts available to them."¹⁸⁹ Moreover, most Indian policymakers believe that policy choices are determined by their understanding of the mistakes made between the superpowers during the Cold War.

Conclusion

Despite not being a signatory to the NPT, India is keen to impress upon the international community its belief that it possesses exceptional status as a responsible nuclear armed state. Whilst NFU is correctly and publicly identified by India as a responsible policy that enhances strategic stability, this paper has also ascertained that India places ambiguous caveats that call into question their commitment to this policy. India has not clearly defined what a full set of responsible nuclear behaviours would entail and how judgments made on this level would ultimately strengthen state security. Yet, clear and principled articulations of nuclear responsibilities hold great promise. India also has an interest in improving their knowledge of how Pakistan understands responsibilities around the possession and use of nuclear weapons. This would help build trust and confidence during peacetime, by giving Pakistani behaviour more context and predictability, or crucially make proper sense of seemingly irrational or unexpected behaviours during a crisis. Over time, creating or uncovering shared understandings of responsibility has the potential to open up common ground for the negotiation of reductions or total elimination of nuclear weapons in South Asia. As identified by Walker, “it follows that possession of nuclear weapons by no state has intrinsic legitimacy.”¹⁹⁰ Indian policy framers appear to share this belief, since the 2003 nuclear doctrine clearly states that India will pursue “the goal of a nuclear weapon free world.”¹⁹¹ However, India’s commitment to disarm is only as good as the will to defeat procrastination, incentivise civil-society, and actively pursue non-discriminatory arms control agreements.

Endnotes

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