India and the Policy of No First Use of Nuclear Weapons

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ABSTRACT

One of the cornerstones of India’s official nuclear policy is No First Use (NFU) of nuclear weapons, which has a long history in Indian nuclear debates and discussions. The country’s stated doctrine from January 2003 includes a pledge not to use nuclear weapons first but with a significant caveat, that nuclear weapons could be used if Indian forces are attacked with biological or chemical weapons. The NFU policy has often been held up by Indian diplomats, government spokespersons, and various strategists as proof of India’s status as a responsible nuclear power. At the same time, there is also a history of strategists, military leaders, and, more recently, government officials questioning, or calling for the abandonment of, the NFU commitment. Statements by various policy makers and officials suggest that their understanding of how nuclear weapons should be used does not fit the strict interpretation of a NFU policy, and that India might well be the first to initiate a nuclear attack during a military crisis. The development and deployment of nuclear warheads mated to missiles would create the material grounds for first use of nuclear weapons and create risks of accidental or inadvertent nuclear war.

Introduction

A policy of No First Use (NFU) of nuclear weapons has long characterised India’s doctrine and diplomacy. Official declarations of that policy can be dated back to at least 1994, when the government of India delivered a non-paper to Pakistan that included, among other things, an agreement on “no first use of nuclear capability” (Subrahmanyam 1995). The country’s formal nuclear doctrine from January 2003 includes a no first use pledge, albeit with caveats, and this has been emphasised by numerous Indian officials. Its diplomats have often advanced the country’s commitment not to use nuclear weapons first as proof of the country being a “responsible” state and thereby a way to resist any pressures to sign any treaties that would affect its nuclear arsenal. It would seem then that the NFU is a core element of India’s nuclear weapons posture.

On the other hand, the NFU commitment has constantly been challenged and, within domestic debates and policy discussions, various high-level officials have frequently floated the idea that India should revisit its commitment to such a policy. Indeed, at the very time that the government announced that it had adopted a formal doctrine, the National Security Advisory Board, as it was constituted then, had recommended that the country “may consider

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withdrawing from this commitment as the other nuclear weapons state have not accepted this policy” (Rediff 2003). Since then, on various occasions, politicians and nuclear strategists implicitly or explicitly advocated abandoning the NFU, most prominently during the run-up to the 2014 general elections.

Examining actual plans for nuclear weapons deployment and use, as well as the various weapon and delivery systems also suggest that commitment to the NFU does not run deep. Statements by Indian officials on how they think nuclear weapons might be used during a war, for example, do not always fit the clear and unambiguous assertion about not using nuclear weapons first that one might expect to go with a NFU commitment.

This paper argues that India’s NFU policy is neither a stable nor a reliable predictor of how the Indian military and political leadership might actually use nuclear weapons. It begins with a historical account of the evolution of the policy and then offers a brief account of the debates over the policy. It then moves on to surveying the evidence for plans that depart from a strict understanding of a NFU policy and ends with a discussion of how this policy is used to score diplomatic points.

**Evolution of the policy**

Thinking about how the Indian forces were to use nuclear weapons dates back to well before the nuclear tests of 1998 and a policy of No First Use has long figured in Indian discussions and debates on nuclear weapons, as well as regional diplomacy. This prominence is due, in large part, to the fact that two of the most influential voices in promoting the acquisition of nuclear weapons by India – General K. Sundarji, who later went to become the country’s Chief of the Armed Forces, and K. Subrahmanyam, a civil servant who directed the Institute for Defence Studies and Analyses for nearly a decade and a half – were votaries of an NFU policy.

The centrality of General Sundarji to India’s nuclear weapons posture dates back to the early 1980s, during the period when he served as Commandant in the College of Combat (now Army War College) and began a public discussion on nuclear posture suitable for India. Sundarji made the argument that

an adversary possessing nuclear capabilities could threaten the concentration of conventional forces on which India’s (and Pakistan’s) military strategy rested. The countermeasure of dispersing forces with greater reliance on maneuverability would require greater resources than India could deploy in the near future. This implied that India would need nuclear weapons to deter attack on massed armored forces. (Perkovich 1999, 230)

This argument “became the core of India’s revived rationale for a nuclear weapons programme in the early 1980s” (Kampani 2013, 103).

In one of his unpublished papers, “Strategy in the Age of Nuclear Deterrence and Its Application to Developing Countries”, which has been described as “the locus classicus of K. Sundarji’s writings” (Cohen and Dasgupta 2013, 202), the General went through a series of scenarios involving India with or without nuclear weapons and different levels of nuclear build up. He concluded that, in all of the nuclear armed scenarios, there would never be a case for the first use of nuclear weapons. Furthermore, Sundarji argued that if India had “a big nuclear edge over Pakistan” then India could diplomatically ensure stability by adopting “a declared policy of non-first use of nuclear weapons, by a ’No-war’ pact” as well as “a host
of other confidence building measures which India can afford to undertake from a position of strength” (Sundarji 1984, 34). He saw the NFU as proof of India’s responsible status, writing, “For a sober, mature status quo power like India, a unilateral declaration of no first use should be axiomatic” (Sundarji 1996). By the early 1990s, General Sundarji was using the NFU as a way to argue for India (and Pakistan) moving from a position of ambiguity to an overtly nuclear posture because the former would “prevent both from declaring a ‘no first use’ policy” (Sundarji 1991).1

Another prominent proponent of nuclear weapons for India, and India adopting a NFU posture, was K. Subrahmanyam. Starting in the 1980s, through his articles in a leading Indian newspaper, The Times of India, Subrahmanyam repeatedly pressed the importance of India declaring, either in conjunction with Pakistan or unilaterally, that it would not use nuclear weapons first. In 1985, in the context of critiquing a Pakistani proposal for a South Asian nuclear weapon free zone, he highlighted the fact that both China and the Soviet Union had given pledges of no first use and supported related initiatives to suggest that Pakistan and India “negotiate a joint protocol on the model of Geneva protocol of 1925 outlawing the first use of nuclear weapons” and “then invite China and Soviet Union to sign it too”, going so far as to speculate that this “could well be the beginning of a global protocol to outlaw the first use of nuclear weapons” (Subrahmanyam 1985). A few years later he expanded the scope of the agreement to say that it “must cover the use of radioactive waste as radiological weapons in view of reports that large quantities of highly radioactive wastes have been transferred from certain western countries to others, including Pakistan” (Subrahmanyam 1988).

General Sundarji and K. Subrahmanyam were both part of important committees tasked in the 1980s to examine nuclear weapons issues and advise the Prime Minister. The first group followed Prime Minister Rajiv Gandhi’s request for an assessment of the “costs of a nuclear deterrent” in 1985 (Perkovich 1999, 273–274). The second was a study group reportedly set up by Prime Minister V. P. Singh in 1990 to “formulate procedures for effective control of the nation’s nuclear arsenal and other issues related to nuclearisation”; the group presented its report later to the P. V. Narasimha government (Kanwal 2014). The first committee’s report, about which more is known, is believed to have recommended that “India build a minimal deterrent force, guided by a strict doctrine of no-first use and dedicated only to retaliating against a nuclear attack in India” (Perkovich 1999, 274).

1Others offer a slightly different opinion of General Sundarji’s position. Shivshankar Menon, an Indian diplomat who served as National Security Adviser to Prime Minister Manmohan Singh, wrote in his account of the making of Indian foreign policy:

A no-first-use policy was not always the natural or easy choice. I remember then Atomic Energy Commission chairman Raja Ramanna and Chief of Army Staff Krishnaswami Sundarji often talking over a drink in the mid-1980s about a future India with nuclear weapons. For Sundarji, the attraction of an Indian atom bomb was its possible military use to neutralise Chinese conventional superiority. As a physicist, Ramanna was keenly aware of the limitations on use and of the practical effects of the bomb. He therefore saw it as an enabler and equaliser, not necessarily as a military weapon to be used but as a weapon the threat of whose use would enable the achievement of political and military goals. Over time, as India’s conventional military position improved, Sundarji’s considerations became less compelling. By the late 1990s, it was the advocates of no first use, including defence analyst K. Subrahmanyam, who prevailed and whose views were found politically most acceptable by the political leadership, particularly Prime Minister Atal Bihari Vajpayee, a long time advocate of nuclear weapons for India with a larger vision of peace on the Indian subcontinent and in the extended neighbourhood. (Menon 2016b)
Thus, no first use had become a standard part of India’s nuclear thinking even prior to the 1998 nuclear tests.

At the same time, there were forums where India made assertions that were completely contrary to these ideas. A good example was the International Court of Justice (ICJ). In 1996, the ICJ offered a historic Advisory Opinion where it ruled that “the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of international humanitarian law”. Earlier, as the case was being considered, India submitted a Memorial where it argued that nuclear weapons could not be used even if a country were to be attacked with nuclear weapons (Mallavarapu 2003). The Memorial argued:

[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 any 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 depict, 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.

In other words, the official nuclear doctrine of India is at odds with the Memorial because the doctrine contemplates the use of nuclear weapons in retaliation for attacks with chemical and biological weapons, that is, not nuclear weapons.

However, the Memorial goes on to an even stronger 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”. Therefore, 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.

**No first use in India’s nuclear official and unofficial doctrine**

The first communication after the nuclear test on 11 May 1998 by the Indian government was primarily a mere technical announcement of successful test-detonation of nuclear devices. On 27 May 1998, just prior to Pakistan conducting its round of nuclear tests, Prime Minister Vajpayee presented a paper in the Parliament on the evolution of India’s nuclear policy that talked about first use of nuclear weapons in two ways. First, the Prime Minister blamed “the five countries who are also permanent members of the UN Security Council” for not just not giving up their weapons but also announced that because “some of these countries have doctrines that permit the first use of nuclear weapons and are also engaged in programmes for modernisation of their nuclear
arsenals... India was left with little choice” (Vajpayee 1998a). In other words, India acquiring nuclear weapons was partly due to other countries not announcing a NFU policy.\(^2\)

The second way in which the Prime Minister talked about NFU was in relation to India’s own policy:

In 1994, we had proposed that India and Pakistan jointly undertake not to be the first to use their nuclear capability against each other. The Government on this occasion, reiterates its readiness to discuss a “no-first-use” agreement with that country, as also with other countries bilaterally, or in a collective forum. (Vajpayee 1998a)

Some months later, on 15 December 1998, Prime Minister Vajpayee again made a statement in the Indian parliament where he announced:

We have formally announced a policy of No-First-Use and non-use against non-nuclear weapons states. As Hon'ble Members are aware, a policy of no-first-use with a minimum nuclear deterrent, implies deployment of assets in a manner that ensures survivability and capacity of an adequate response. (Vajpayee 1998b)

This formulation emphasises the ability of the country to launch an attack even after it is attacked, but that in no way implies any proof that nuclear weapons would never be launched first.

On 17 August 1999, National Security Advisor Brajesh Mishra released a draft nuclear doctrine (DND). Even though this document does not have official stature, the subsequent development of India’s nuclear arsenal has followed the broad lineaments laid out in the DND. The DND called for India’s nuclear forces to be deployed on a triad of delivery vehicles of “aircraft, mobile land-based missiles and sea-based assets” that are structured for “punitive retaliation” so as to “inflict damage unacceptable to the aggressor” (NSAB 1999). The DND offered the following two objectives for India’s nuclear weapons:

The fundamental purpose of Indian nuclear weapons is to deter the use and threat of use of nuclear weapons by any State or entity against India and its forces. India will not be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence fail.

It also goes on to state that “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 weapon powers.”

Earlier in the document, the DND implicitly talked about an NFU posture by claiming that India’s weapons will only be used in retaliation, although without making it clear what the retaliation is for: “India shall pursue a doctrine of credible minimum nuclear deterrence. In this policy of ‘retaliation only’, the survivability of our arsenal is critical. This is a dynamic concept related to the strategic environment, technological imperatives and the needs of national security. The actual size components, deployment and employment of nuclear forces will be decided in the light of these factors” (NSAB 1999). Thus, the DND gave every indication that the Indian nuclear military does plan for surviving nuclear attacks and using its arsenal in response.

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\(^2\)This statement does not hold up under critical scrutiny. China, the country that India’s nuclear weapons advocates have long pointed to as justification for their advocacy, has held an unambiguous nuclear No-First-Use policy ever since its first nuclear test in 1964 (Zhang 2013).
It was not until 4 January 2003 that an official nuclear doctrine was released (Prime Minister’s Office 2003). The doctrine had the usual emphasis on NFU: “A posture of ‘No First Use’ nuclear weapons will only be used in retaliation against a nuclear attack on Indian territory or on Indian forces anywhere” (Prime Minister’s Office 2003), which spelled out two of the contingencies under which nuclear weapons were to be used: when Indian territory is under a nuclear attack, or Indian forces that may be outside India are under attack. However, the doctrine included one additional and significant, caveat: “in the event of a major attack against India, or Indian forces anywhere, by biological or chemical weapons, India will retain the option of retaliating with nuclear weapons”. In other words, it was not a strict NFU doctrine any more: there could be contingencies under which India will be the first to use nuclear weapons. Ironically, on 17 October 2002, the Indian Ambassador to the United Nations expressed deep concern over the fact that “there are those who reserve the right to use nuclear weapons even against non-nuclear threats or threats from other weapons of mass destruction” (Sood 2002).

Debates over NFU

Opposition to, or doubts about, the NFU commitment started soon after the 1998 nuclear weapons test, as the doctrine governing the use of the nuclear weapons took shape. Strategist Ashley Tellis wrote about “the political divisions within the [National Security Advisory] Board” during the process of negotiating the Draft Nuclear Doctrine and the “animus harbored toward this component [i.e., the NFU commitment] of India’s operational policy by a small group of ‘maximalists’ within the Indian strategic community” (Tellis 2001, 52). Kanti Bajpai, then a professor at the Jawaharlal Nehru University in Delhi, also argued that the DND was “a consensus document, apparently, but this consensus cannot hide the fact that the May 1998 tests at Pokhran set in motion a fairly intense tussle over Indian nuclear policy” involving three positions that Bajpai termed rejectionism, pragmatism, and maximalism; of these, Bajpai observed, the maximalists “remain skeptical about the real military utility of a ‘no first use’ undertaking, whether by India or any other nuclear power” (Bajpai 1999).

One result of pressure from these “maximalists” was that the DND widened the set of countries that might nominally be seen as suitable targets for India’s nuclear weapons. The DND stated that “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 weapon powers”. The significance of the last clause has been emphasised by Ashley Tellis:

With the addition of this qualifying clause, the draft report radically expanded in one fell swoop the number of countries that would be potentially threatened by India’s emerging nuclear arsenal. Under the strict no-first-use assurances provided by India’s prime minister in parliament, only the states with deployed or readily deployed weapons – the United States, Russia, China, the United Kingdom, France, Pakistan, and Israel (and perhaps North Korea) – could in principle find themselves subjected to Indian nuclear threats and, that too, only if they were to attack India first. Under the Board’s new formulation however, even allies of these powers that do not possess nuclear weapons – for example, the 16 non-nuclear allies of the United States in NATO, the 2 non-nuclear allies of the
United States in the ANZUS treaty (the military agreement linking Australia, New Zealand, and the United States) and the 3 non-nuclear allies of the United States in the Five Power Defense Agreement, the (at least) 6 non-nuclear allies and partners of the United States in East Asia, and the 11 non-nuclear partners of Russia in the virtually defunct Commonwealth of Independent States – could now all be subjected to Indian nuclear threats in some extreme circumstances. (Tellis 2001, 52–53)

This vast expansion of potential countries that would be legitimate targets for nuclear attack by India came in for criticism from various commentators, for example the prominent analyst, P. R. Chari, who argued that “the distinction made between non-nuclear states and such countries aligned with nuclear weapon states is incomprehensible” (Chari 2000, 132).

According to Tellis, “this dramatic enlargement of the pool of potential adversaries by the National Security Advisory Board was justified privately on two grounds, one formal and one substantive” (Tellis 2001, 53). Of these two grounds, the second one, namely the “substantive argument,” involved the belief that if a major nuclear power were ever to threaten India’s security and autonomy, its non-nuclear allies ought to be prevented from concluding that they could support such coercive actions against New Delhi with impunity since their own non-nuclear status effectively bestowed on them an immunity to those nuclear threats India might levy in its own defense.

A prominent maximalist has been Bharat Karnad from the Centre for Policy Research in Delhi. A couple of years after the Draft Nuclear Doctrine was released, Karnad published a book that offers two assertions about the NFU. First, the NFU is an unenforceable peacetime declaration as there is no way in which nuclear weapons can be designed only for a second strike. Second, an NFU posture makes sense only if a country has “extreme confidence not only in the survivability of its national nuclear forces sufficient to muster a devastating retaliatory strike, but also in the efficacy of its crisis management system” (Karnad 2002, 442). As a result, Karnad argued, and continues to argue, for abandoning a policy of no first use.

There is another tension within the Draft Nuclear Doctrine. Although it announces an NFU policy, the draft doctrine also envisages an “assured capability to shift from peacetime deployment to fully employable forces in the shortest possible time”. Some analysts, like Chari, have argued that the latter requirement implies that the forces would “need to remain on alert” and that is “inconsistent with a no-first use posture” (Chari 2000, 132).

Debates over the NFU seemed to have influenced the official nuclear doctrine too, which was released to the public by the Prime Minister’s Office on 4 January 2003. A few days later, a news article reported that the third National Security Advisory Board had submitted its report to the National Security Advisor Brajesh Mishra on 20 December 2002, and this report “wanted this policy overturned, pointing out that India is the only nuclear weapon state that has committed itself to a ‘no-first-use’ policy” (Rediff 2003).

Shortly after the release of the official doctrine, Air Commander Jasjit Singh, head of the Institute for Defence Studies and Analysis for a period of time, argued in an article that appeared in The Indian Express on 8 January 2003, we “must objectively assess
what would be the scenarios where India would need to use nuclear weapons first, warranting a first-use strategy and its attendant costs?” going on to postulate that “a significant military setback, if not a decisive military defeat” and “surprise breakthrough by the enemy with conventional forces” are “two possible theoretical contingencies” (Frey 2007, 60). In other words, the NFU “is valid only as long as India has superior and victorious convention forces” (Frey 2007, 60).

Another prominent military leader who criticised the NFU during that period was General V. P. Malik, who had recently finished his term as Chief of Army Staff. Speaking at the convocation function at a management institute, General Malik termed the NFU policy “bad” asking rhetorically “what is the point in making such declarations when the enemy country does not believe in it and will not hesitate to make its use first?” (PTI 2003).

Other senior policy makers have specified limits on who the NFU is supposed to apply to. A good example is the 2010 statement by Shivshankar Menon, then the National Security Adviser, described India’s nuclear doctrine as one entailing “no first use against non-nuclear weapon states” (Menon 2010). This implied that the NFU does not apply to nuclear-armed powers.

Perhaps the most important putative challenge to the NFU policy came just prior to the 2014 elections, when the Bharatiya Janata Party under Narendra Modi promised in its election manifesto to “Study in detail India’s nuclear doctrine, and revise and update it, to make it relevant to challenges of current times” (BJP 2014, 39). This relatively bland pronouncement prompted a media debate. Reuters quoted unnamed “sources involved in drafting the document” to claim that the promise of revision meant that the NFU “would be reconsidered” (Miglani and Chalmers 2014). Another “source who advises the BJP” was quoted as saying “there has been significant debate in recent years about being bound to the policy given the advances of Pakistan’s nuclear capability”; the “advances” referred to the estimated size of the Pakistan’s arsenal and the “claimed progress in miniaturisation of weapons for use on the battlefield”.

There was much opposition to this potential step. Among the most authoritative was an article by Shyam Saran, then the chairman of the National Security Advisory Board, who termed the arguments for revoking the NFU commitment “fallacious”, stating in particular that the “infrastructure required for a first use or flexible response doctrine would be very different from what we have so far invested in, and would require different command and control mechanisms” (Saran 2014).

Shortly thereafter Prime Minister-to-be Narendra Modi stopped this discussion when he claimed that he was committed to an NFU policy and that he was following an earlier tradition: “No first use was a great initiative of Atal Bihari Vajpayee – there is no compromise on that. We are very clear. No first use is a reflection of our cultural inheritance” (Reuters 2014). However, two years later, the NFU policy was under attack again by another member of the Bharatiya Janata Party, Defence Minister Manohar Parrikar.

Speaking in New Delhi at a book launch in November 2016, Parrikar said: “A lot of people say India has a no-first-use nuclear policy, but why should I bind myself? I should say I’m a responsible nuclear power, and I will not use it irresponsibly” (Scroll Staff 2016). He also went on to essentially undermining the official policy by saying “A ‘written strategy’ is a guideline, but the idea of being unpredictable had to be included
in any such strategy”. Parrikar later stated that this was his personal opinion, but the message was received in Pakistan as confirmation of what some of their policy makers believed all along: that the NFU is not verifiable and “amounts to nothing” (Bhatti 2016). The Defence Minister’s statement was followed in India with much opprobrium, but also with some diplomats, retired military officers and media commentators calling for either a re-examination of, or debate over, the NFU policy (Kanwal 2016; Parthasarathy 2016; Sareen 2016; Shukla 2016).

The statement by the Defence Minister should also be seen in the background of the many domestic political changes that led to Narendra Modi becoming Prime Minister. These changes have played a major part in promoting belligerent rhetoric, which in turn has opened up the discussion on India’s nuclear posture. The consensus around the NFU and doctrine of credible minimum deterrence was a product of a compromise between various interests underpinning the Indian military/foreign policy establishment that had been left unsettled by the sudden nuclear tests in 1998. Within that context, a moderate posture also matched the carefully crafted persona of then Prime Minister A. B. Vajpayee that was necessary to put together the large political coalition needed to maintain power. The current BJP government is in a different place politically, and adopted much more controversial stances on a number of issues even during the election campaign. Just adopting these stances, including hinting at the possibility of a more belligerent nuclear posture, in the party’s manifesto, served as a signal to its core supporters. Whether these are actually implemented depends on the political circumstances. This is not to say that the nuclear posture is entirely determined by domestic political considerations, but to indicate that they too play a part.

First use?

Despite the formal NFU policy, there is reason to worry that when push comes to shove, India might well use nuclear weapons first, especially during a military crisis. There is some evidence for the possibility that the top political leadership in the country may not have thought through the full implications of a NFU policy. A revealing comment in this regard was Prime Minister Vajpayee’s response to threats of a Pakistani nuclear attack in February 2000: “If they think we will wait for them to drop a bomb and face destruction, they are mistaken” (Gardner 2000; Pandher 2000). The straightforward interpretation of this assertion is that it is possible that a nuclear weapon might be launched before the adversary’s nuclear weapon actually explodes. Whether this launch would follow evidence of preparations by the other side or the actual launch of a weapon, is not made clear.

Some might dispute this interpretation of Vajpayee’s statement, arguing that it did not specify that nuclear weapons were to be used. However, this would, in our opinion, be mistaken for two reasons. First, claims about nuclear deterrence typically rest on the possibility, not the inevitability, of nuclear weapons use. The very fact that the attacker’s country might face massive destruction due to a nuclear strike is at the core of the rationale offered for acquiring nuclear weapons. Thus, the mere possibility that

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3Other Pakistani military and political leaders have expressed doubts about India's NFU assertions, for example, Khan (2003). See also Zahid and Ehtisham (2017).
Vajpayee might have implied use of nuclear weapons is adequate to count as a threat. Second, and more important, nuclear threats have almost always involved such veiled language. The United States, which must hold the record for the largest number of threats of nuclear weapons use, has used such language on numerous occasions (Norris and Kristensen 2006). This started in November 1950 with one of the first instances of a U.S. threat of nuclear use during the Korean War when President Harry S. Truman told a reporter that the country “will take whatever steps are necessary to meet the military situation, just as we always have”. At this point, the reporter asked whether that included using atomic bombs, Truman responded: “That includes every weapon we have.” Note that Truman never used the word atomic. However, the message was made clear.

The same was true during the Iraq war when Secretary of State James Baker told Iraqi Foreign Minister Tariq Aziz on 9 January 1991 that if there is any use of chemical or biological weapons, “our objective would not be only the liberation of Kuwait, but also the toppling of the present regime”. Baker later explained that he “purposely left the impression that the use of chemical or biological agents by Iraq would invite tactical nuclear retaliation”. In turn, Aziz revealed later on that he interpreted this position that the United States intended to retaliate to any Iraqi use of chemical or biological weapons with nuclear weapons (McCarthy and Tucker 2000, 69).

The possibility of first use during a crisis has been recently advanced by Vipin Narang of the Massachusetts Institute of Technology, when speaking at the Carnegie International Nuclear Policy Conference (Narang 2017). Narang based his argument chiefly on a quote from former National Security Advisor Shivshankar Menon (Menon 2016a), who said, “India’s nuclear doctrine has far greater flexibility than it gets credit for.” Specifically, Narang highlighted two sentences:

There is a potential gray area as to when India would use nuclear weapons first against another NWS. Circumstances are conceivable in which India might find it useful to strike first, for instance, against an NWS that had declared it would certainly use its weapons, and if India were certain that adversary’s launch was imminent.

Narang interpreted these sentences to mean that

this scenario could open the door for India to initiate preemptive nuclear use if, for example, it detected Pakistan moving tactical nuclear weapons batteries into the theater of battle. No matter how imminent their use may actually be, Indian security managers would have no choice but to assume intent to use at that point. (Narang 2017)

Other retired officials have also expressed the idea that India should not be bound by any commitment to a NFU policy, for example, former Commander-in-Chief of the Strategic Forces Command, Lieutenant General BS Nagal. In an article from 2014, Nagal went through a lengthy set of arguments for and against an NFU policy (Nagal and Gen 2014). Although the purported reason for this discussion was “to initiate a debate for greater examination, discussion, deliberation, comments and critique on the subject,” the article left little doubt about what Nagal thinks by going on to discuss the choice that needs to be made after “dealing with the NFU”: namely, to choose between “first use i.e. preemption, launch on warning (LOW), and launch on launch (LOL)” (Nagal and Gen 2014). Sections of the military have had a proclivity for adopting such
LOW or LOL doctrines (Ramana 2003). Another, more graphic, example is from M P Anil Kumar, a former fighter pilot, who argued that the NFU policy

smacks of an extremist version of masochism. It’s tantamount to: You, there, c’mom clobber me, but if you leave me alive I’ll disembowel you! How can a “democratic”
government treat the citizens like cannon fodder? Though I believe no sane country will resort to nukes, Heavens forbid! Pakistan has to go for broke by launching its entire nuclear arsenal to try to ensure its survivability. Wonder what will be left of India to retaliate! Yuck! (Anil Kumar 2007)

There are also efforts to develop the capability for India to use nuclear weapons first. As strategist Bharat Karnad indicated,

certain developments in the nuclear weapons sphere do indeed make possible an Indian first strike. Such as the ongoing process of canisterising Agni missiles, including presumably the 700-km range Agni I meant for the Pakistan and Tibet-Chengdu contingencies. It, in fact, provides the country not only with a capability for launch-on-warning but also for striking pre-emptively should reliable intelligence reveal an adversary’s decision to mount a surprise attack… Nuclear missiles in hermetically sealed canisters are ready-to-fire weapons and signal an instantaneous retaliatory punch to strongly deter nuclear adventurism. Thus, all nuclear weapon states keep a part of their strategic forces in ready state, there being no guarantees that a confrontation or conflict with another nuclear power will keep to a sub-nuclear script. (Karnad 2017)

Canisterising refers to keeping missiles inside a tube so that the missile can be protected from the elements while being transported. This makes for easier handling of the missile (Subramanian 2015). If appropriately designed, the tube can also function as the location for missile launch. Although scientists in the Defence Research and Development Organisation originally tried to model the requirements for firing the missile within the tube itself (Sinha and Chakraborty 2014), in the end, the decision was to first use a gas generator to ejecting the missile out of the canister and then ignite the missile (Special Correspondent 2013; Jha 2016). The purpose of doing so allows the missile to be launched from essentially anywhere without being confined to specially prepared launch sites. The Agni missile that has been canisterised also uses solid fuel, which means that there does not have to be any preparation done before launching it. All of this makes for a quicker launch process.

One important pre-requisite for such quick launching, however, is that the nuclear warheads should be attached (mated) to the missiles. For long, it has been assumed that India’s nuclear warheads were kept separate from the delivery vehicles. If canisterised nuclear-armed missiles are deployed, then the warheads would have to be mated to the missiles. The “demating of warheads and delivery systems” has been considered a step for India to “support its NFU commitment” (Pant 2007, 256). The corollary of this assertion is that the mating of warheads to missiles, and the deployment of such missiles, either in a canisterised configuration or in some other configuration, is a necessary, although not sufficient, step to moving away from the No First Use policy. As such, canisterisation does represent one of the approaches that a decision maker might adopt if there was an interest in the possibility of first use.

Deploying missiles mated to warheads sets the stage for at least two serious dangers. The first and greatest danger is that once nuclear weapons are in a state where they can be used at short notice, then they might be used accidentally, for example because of a false
alarm, or by unauthorised personnel, especially during a crisis, and this danger is particularly relevant to South Asia because of the short missile flight times between Pakistan and India (Rajaraman, Ramana, and Mian 2002; Ramana, Rajaraman, and Mian 2004; Mian, Rajaraman, and Ramana 2003). The second danger is that of serious accidents involving nuclear weapons themselves or their delivery vehicles such as missiles and aircraft (Mian, Ramana, and Rajaraman 2000; Mian, Ramana, and Rajaraman 2001).

This is not to say that deployment has actually occurred. At least, from what is known publicly, that may not have happened. However, as some have indicated, there are ongoing changes in India’s nuclear arsenal, and there is a “history of developing foundational changes to its nuclear weapons program before such changes actually occur,” for example, the use of a programme set-up to produce atomic energy for peaceful purposes to create the material capabilities to produce nuclear weapons; both of these suggest that “India is laying the foundation to move away from ‘no-first-use’ (NFU) as its nuclear weapons employment policy” (Tkacik 2017, 84).

**NFU as a diplomatic tool**

The NFU policy serves another purpose: it allows Indian politicians and diplomats to portray India as a responsible country, especially by contrasting India with Pakistan. Analysts Achin Vanaik and the late Praful Bidwai recognised this instrumental purpose for the NFU when they wrote “The Indian No First Use proposal and pledge is part of its ongoing efforts at constructing itself as a ‘moderate’ and ‘responsible’ power after it has shamelessly behaved in the most immoderate and irresponsible manner by going openly nuclear! The pledge is also a cover to enable India to go ahead and put a nuclear weapons system in place” (Bidwai and Vanaik 1999, 103).

A particular locale for this deployment of the NFU in a diplomatic fashion is the United Nations. At a meeting of the United Nations General Assembly committee on disarmament and international peace in 2014, for example, Ambassador D B Venkatesh Varma put it thus:

> As a responsible nuclear power, India has a policy of credible minimum deterrence based on a no-first-use posture and non-use of nuclear weapons against non-nuclear weapon states… We are prepared to convert these into bilateral or multilateral legally binding arrangements. (IST 2014)

The previous year, at the UN General Assembly High-Level Meeting on Nuclear Disarmament, Salman Khurshid, Minister of External Affairs, had a slightly pithier formulation: “As a responsible nuclear power, we have a credible minimum deterrence policy and a posture of no-first use. We refuse to participate in an arms race, including a nuclear arms race. We are prepared to negotiate a global No-First-Use treaty and our proposal for a Convention banning the use of nuclear weapons remains on the table” (Khurshid 2013). What is notable in these formulations of the NFU is that nowhere do these mention the exceptions made in the official nuclear doctrine for potential use against chemical and biological attacks. Of course, making that caveat would reduce the diplomatic mileage accruing from this stated commitment to the NFU.

The NFU has also provided Indian diplomats with a way to deflect international opprobrium and criticism of India’s actions on the nuclear front, as, for example, when
the Security Council adopted a resolution condemning the nuclear tests by India and Pakistan (Kamath 2009, 200).

Although most apparent after the 1998 nuclear tests, this diplomatic use has a long history, even prior to the nuclear tests. K. Subrahmanyam’s writings, for example, explicitly discuss the advantages of the NFU by embarrassing Pakistan, which has so far not advanced a similar policy, largely due to the imbalances in conventional military strength between itself and India. In a 1995 article, Subrahmanyam writes as follows:

After considerable hesitation, the government of India finally proposed in January 1994 in a non-paper delivered to Pakistan an agreement on ‘no first use of nuclear capability’. Since Pakistan’s government has not reacted to this proposal so far, the time has come for India to act unilaterally on this issue... If Pakistan follows suit it will prevent the opportunistic use of the nuclear issue. If it does not, the diplomatic advantage will be with India and this country can claim that any nuclear threat in this region can originate only from Pakistan. (Subrahmanyam 1995)

China, as well, has figured in NFU diplomacy. In 1988, Indian strategic analysts reportedly suggested the idea that India and China sign an NFU agreement (Parthasarathy 2004). Signing such an agreement would not have had any material effect because China has maintained ever since its first nuclear weapons test that it would never use nuclear weapons first (Zhang 2013). Signing an additional agreement is really unnecessary, should one trust that countries actually implement such commitments. Of course, if one were to not trust such stances – as is the case with many nuclear strategists – there is no military advantage in offering such an agreement in the first place. The only reason could be to gain some diplomatic advantage. In this case, the Chinese interlocutor rebuffed the offer by indicating “that as India claimed it did not possess nuclear weapons there was no meaning in such an agreement” (Parthasarathy 2004). More generally, although the Indian government spokespeople and commentators repeatedly claim that India’s NFU policy should allay fears of its neighbours, there is a mismatch between this claim and their own distrust of China’s NFU declaration and use of China’s nuclear capabilities to advocate for India building its own nuclear weapons.

The diplomatic effort to establish India as a responsible nuclear weapon state also extends to its calls to implement various measures that are inconsistent with Indian policy. Since the 1990s, India has been introducing a resolution at the United Nations General Assembly in favour of establishing a “Convention on the Prohibition of the Use of Nuclear Weapons”. The resolution calls for “Reaffirming that any use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity” and also requesting the “Conference on Disarmament to commence negotiations in order to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances” [see, for example, (United Nations 2009, 631) or any of the other UN yearbooks]. The spirit of both these calls goes completely against the Indian nuclear doctrine that calls for using nuclear weapons in retaliation to various attacks.

One question that might arise is how India would reconcile a shift in its policy with the diplomatic image it has cultivated. Such a question presumes that Indian officials would make an explicit announcement that they were abandoning a NFU policy. That is not necessary; indeed, diplomats might not even be aware of the steps being taken to
allow for first use, should the circumstances arise and the relevant policy makers decide to launch such an attack, either deliberately or inadvertently. Thus, the current thrust of diplomacy can be compatible with the contemplation and plans for nuclear weapons use that are not compatible with a NFU policy.

Conclusion

Indian officials have long claimed that the country’s nuclear weapons are governed by a No First Use policy, and they have often used this policy as proof that India is a responsible nuclear weapon state. However, there are many influential strategists and policy makers who have argued that India should abandon that policy. There is also some evidence that despite the public talk of a NFU policy, the leadership might not be actually contemplating acting in full accordance with such a policy. Finally, ongoing military acquisitions, such as a canisterised missile mated to a nuclear warhead, could provide the necessary material capability for India to launch a first strike. If indeed Indian policy makers are seriously interested in using the NFU as a tool for risk reduction and building stability, they would have to stop such acquisitions and not deploy nuclear weapons, either mated to missiles (land based or sea based) or to aircraft, both as a matter of stated formal policy and practice.

India’s constant emphasis on the NFU is also out of touch with the what is happening with the effort to achieve nuclear disarmament, wherein the focus has been on a total ban on the use and threat of use of nuclear weapons; in contrast, the NFU does not in any way make the possession of nuclear weapons illegal (Vanaik 2015). The effort to ban nuclear weapons has achieved some recent success through the Treaty to Prohibit Nuclear Weapons (or Ban Treaty) being adopted at the United Nations in July 2017 and opened for signature to member states in September 2017. India did not sign the treaty nor did it participate in the negotiations of the treaty.

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