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No First Use in the India-Pakistan Context

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The idea of no first use (NFU) in South Asia is primarily associated with India. Before and after the tests of 1998, Indians have advocated no first use. Pakistanis, by contrast, have been much more skeptical of or hostile to an NFU undertaking. India has nevertheless persisted in propagating the idea of an NFU as a stabilizing measure for South Asia as well as globally for all the nuclear powers.

The paper first of all looks at official and non-official statements on no first use and first use. It then goes on to look at how Indians and Pakistanis assess or might assess each other's stands on NFU/first use. It shows that India continues to support NFU and that Pakistan continues to emphasize first use of nuclear weapons. India's reasoning is based on a mix of diplomatic, economic, strategic, and political considerations. Pakistan's reasoning is based primarily on military-strategic considerations. As things stand, India has officially supported an NFU, regional and global. Pakistan by contrast remains reticent and appears to favour a first use rather than a no first use posture. India will, for the foreseeable future, stick to its NFU commitment even if Pakistan does not make a matching offer.

Indian Views on No First Use/First Use

While India has refused to define minimum deterrence in terms of numbers and types of nuclear weapons, it has underlined its interest in nuclear restraint. New Delhi has stated that it regards nuclear weapons in purely defensive terms. India has stated that it is determined not to commit the follies of the other nuclear powers in accumulating nuclear weapons, and it rejects the notion of nuclear weapons as instruments of blackmail or coercion. In the government's first major statement in Parliament after the 1998 tests, the Prime Minister noted: "India, mindful of its international obligations, shall not use these weapons to commit aggression or to mount threats against any country; these are weapons of self-defence and to ensure in turn that India is also not subjected to nuclear threats or coercion."¹ He added that "India shall not engage in an arms race. India shall not also subscribe [to] or reinvent the doctrines of the Cold War."²

To underline its commitment to a defensive nuclear posture, India announced that it will adopt a no first use (NFU) policy. New Delhi has offered to negotiate an NFU with Pakistan. It has also urged that the other nuclear powers should join it in signing a multilateral NFU convention. Thus, shortly after the tests, the Prime Minister explained in Parliament that “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.”³ On August 4, 1998, the Prime Minister clarified that India would in addition adhere to a no use policy with respect to non-nuclear states: “Having stated that we shall not be the first to use nuclear weapons, there remains no basis for their use against countries which do not have nuclear weapons.”⁴ India’s Draft Nuclear Doctrine, issued by the National Security Council’s National Security Advisory Board (NSAB) in August 1999, states that India will have a “retaliation only” policy of nuclear use and therefore that India will “not be the first to initiate a nuclear strike, but will respond with punitive retaliation should deterrence fail” (Clause 2.3 of the Draft). It also states that India will not use or threaten to use nuclear weapons against non-nuclear states (Clause 2.5).

Despite Pakistan’s, China’s and the international community’s lack of interest in an NFU agreement with India, New Delhi has stuck with its offer. How seriously India takes the NFU commitment is not clear. In the aftermath of the May tests, the affirmation of no first use helped propagate an image of strategic restraint. Whether NFU can have any real *operational* meaning remains controversial at best. Indian thinkers are divided into two groups—nuclear minimalists and maximalists.⁵ They hold quite different views on NFU.

Minimalists, by and large, support a no first use posture. Some are relatively cautious advocates of the NFU, others are more adamant. Those who are cautious acknowledge that no first use is simply an undertaking, with no guarantee that it will be observed at the limit.⁶ Other minimalists are more uncompromising about the NFU because they believe that it is a vital confidence-building measure. For this group, the NFU signals India’s desire to deploy nuclear weapons in a strictly defensive role. K. Subrahmanyam, who strongly advocates a no first use policy, argues that India should have “a totally uncaveated policy, with no reservation whatsoever on no-first use. India should not be the first to use nuclear weapons under any circumstances. The nuclear weapons of India are meant for a punishing retaliation only if India is hit.”⁷

Subrahmanyam argues in addition that NFU is more than a paper commitment: India will be committed to a specific operational and deployment posture as a result of the

no first use policy. Under the NFU, India would place nuclear weapons in a “de-mated” posture. De-mating implies separating the warheads from the delivery vehicles on a more or less permanent basis, with scientists controlling the warheads and the armed forces manning the delivery vehicles. This would reduce the dangers of unauthorised and inadvertent use of nuclear weapons and of rapid escalation in a crisis with the attendant risk of unintentional nuclear war. A de-mated posture of this kind may be verifiable. If so, the NFU may be the basis for a safe, credible, and restrained deterrent.⁸

Maximalists, by contrast, are very skeptical about a no first use policy. In their view, no opponent would credence such a policy, and therefore NFU would not affect an adversary’s nuclear use posture in the ultimate analysis.⁹ Bharat Karnad notes trenchantly that “The nuclear No First Use doctrine...is something of a hoax. It is one of those restrictions which countries are willing to abide by except in war!”¹⁰ Maximalists are also dubious about the operational posture of de-alerting or de-mating that may undergird an NFU undertaking. De-alerting and de-mating, in their view, is not a credible nuclear posture. For one thing, the armed forces will find it difficult to accept a strategic posture in which nuclear weapons are not “ready to go”, fearing that such a posture is exploitable.¹¹ In addition, de-alerting/de-mating is difficult if not impossible to verify and therefore lacks credibility. Finally, India may need to use or threaten to use nuclear weapons first, especially against a superior opponent. It may need, to use the old language of nuclear strategists, to fire a “shot across the bows”, to show that it is serious about protecting itself, even if this means going down with the opponent. Once again, Karnad makes the point clear enough: “Deterrence having failed, a country facing imminent military defeat by conventional military attack, say, and fighting for survival or to prevent dismemberment, is unlikely to have any qualms about using nuclear weapons in a ‘wargasmic’ effort, whatever its earlier undertakings in this regard.”¹² For Karnad, NFU has at best two rather modest functions: first, it may reassure non-nuclear countries; and second, it may even be a reassurance to a “lesser” nuclear state such as Pakistan. But it is “worse than useless against the established weapons countries” because they are “intervention-minded”, have not rejected first strike doctrines, or, like China, extend the NFU only to a non-nuclear state which India ceased to be in 1974.¹³

Despite the split between minimalists and maximalists, India has stuck with NFU. Why, in summary, have the Indian government and most of the Indian strategic community supported the idea of NFU? At least four considerations seem to be behind Indian thinking on the subject. First of all, there is diplomatic advantage for India in an NFU commitment. The NFU offer to Pakistan and the other nuclear powers is a signal of moderation and responsibility in nuclear and international matters. It is consistent with pre-1998 policy and therefore shows continuity in Indian

policy—another sign that India is a conservative and incrementalist power and not a revolutionary and unpredictable one. Pakistan's opposition to NFU was always anticipated, and the contrast to India's position is expected to bolster India's image as a restrained power and to reinforce Pakistan's image as a troubling one.

Secondly, a moderate, restrained nuclear weapons programme, without tactical weapons and complicated command and control (both which are implied by first use doctrines), is an economically rational choice. A minimum deterrent will be an affordable deterrent.

Thirdly, NFU has military-strategic uses. The military advantage of an NFU with Pakistan is rarely articulated publicly, but we can see readily enough that if Pakistan also could be persuaded to agree to NFU, then India's conventional superiority could be used against Pakistan, particularly in a situation of asymmetric warfare such as in Jammu and Kashmir. On the other hand, New Delhi hopes that an Indian commitment to NFU will serve to reassure Pakistan that it does not wish to threaten the existence of its neighbour—that war will not be a war of conquest. Reassuring Pakistan is in India's interest since an edgy, trigger-happy nuclear Pakistan would be a dangerous entity.

Fourth, and this is more speculative, an NFU commitment gives India time to sort out a number of technological, doctrinal, institutional, and political issues. Technologically, it gives India time to figure out if it can produce tactical nuclear weapons which would be vital to any first use posture, particularly in relation to a superior conventional power such as China. Doctrinally, the NFU allows India to debate what the real threats and challenges are and therefore what its nuclear use postures should be. Institutionally, the NFU may enough buy time for rival inter-service claims on nuclear weapons to be dealt with. Politically, no first use is helpful in solidifying domestic support for nuclear weapons and increasing civilian control over nuclear weapons. A no first use policy helps bridge the divide between those who are not enthusiastic advocates of nuclear weapons and those who are more supportive of going nuclear. The former are more likely to support nuclear weapons if India's posture remains a more defensive, no first use one. In addition, a no first use policy may be useful to civilians in retaining as much control over nuclear weapons as possible. If no first use translates into a de-mated posture in which Indian scientists control the nuclear warheads or cores, then such a posture will preserve the very highest degrees of civilian control. Thus, NFU may give India more time to establish command and control.

Pakistani Thinking on No First Use/First Use

Pakistanis have thus far shown little interest in the idea of NFU. Perhaps the closest

Pakistan has officially come to accepting the language of no first use was in the summer of 2002 when India and Pakistan confronted each other in the wake of the Kaluchak massacre in Jammu and Kashmir. In response to Indian threats to retaliate conventionally to the massacre, Pakistan stated that it would respond forcefully in turn, hinting that it was prepared to use nuclear weapons. Shortly thereafter Islamabad publicly clarified, apparently under US pressure, that responding to an Indian attack did not mean nuclear use, presumably first use, against India.

Among non-officials, those who oppose weaponization as well as those who support a minimum deterrent would probably support NFU, the former as an interim confidence-building measure in the transition to nuclear renunciation and the latter in order to keep the arsenal small and to signal moderation and restraint. Most prominently, Pervez Hoodbhoy has suggested that India and Pakistan should, as part of a bilateral nuclear treaty, agree to no first use. Hoodbhoy argues that NFU would actually benefit Pakistan. NFU would be an investment in stability and survival. In case of nuclear war, Pakistan would lose much more than India since New Delhi can inflict much greater nuclear damage (and presumably absorb much greater loss).¹⁴

Pakistani skepticism or opposition to NFU seems to arise from the following concerns. In contrast to India, Pakistan's thinking on a no first use/first use policy is almost completely military-strategic. First of all, as in India and elsewhere in the world, there are those in Pakistan who doubt the efficacy and practicality of an NFU. In extremis, can Pakistan rely on India's leadership to abide by a no first use commitment? Is there any way of verifying that an adversary is committed to no first use?

Secondly, even if NFU were credible, acceptance of it would mean permanent Pakistani strategic inferiority and vulnerability. Given Pakistan's inferiority in conventional forces, the threat of first use is vital to its deterrent against India, while the actual use of nuclear weapons first may be vital to defence if and when deterrence fails.

Thirdly, there is a line of more offensive-minded Pakistani thinking that opposes an NFU. This view is that first use is intrinsic to Pakistan's exploitation of the "stability-instability" situation in South Asia. Protected by nuclear weapons, Pakistan is free to choose sub-conventional conflict with India, as in Kashmir: fearing Pakistani first use, India cannot cross the line of control in Kashmir or the international boundary further south as a way of punishing Pakistan for its interference in Kashmir. These Pakistani strategists regard Pakistan's support of cross-border terrorism in Kashmir since the late 1980s, the Kargil war in 1999, and the crisis of May-June 2002 as validating the correctness of their analysis. In spite of Pakistani provocations, India chose not to

retaliate across the line of control or the international boundary. ¹⁵

Pakistan's interest in first use may in part be supported by a calculation that there are first uses of nuclear weapons against India that would not necessarily invite nuclear retaliation. Stephen P. Cohen suggests that the Pakistani army has conceived of a five-rung escalation ladder. Four of these involve the threat of first use or actual first use:

- Private and public warnings to India not to move its forces threateningly
- A demonstration explosion on Pakistani territory to deter India from a conventional attack
- The use of a "few" nuclear weapons on Pakistani territory against intruding Indian forces
- Nuclear strikes against "critical" Indian military targets, preferably in areas with low population and without much by way of infrastructure. ¹⁶

Of these four, the first two could well avoid Indian retaliation altogether since they would be carried out in Pakistan and would not target Indian assets. The second two, Pakistani planners might calculate, would be more provocative but might still not cause India to unleash a full retaliatory strike.

A more recent assessment of Pakistani nuclear use doctrine suggests that Pakistan's first use conception may have become more expansive. A delegation of Italian scientists that visited Pakistan recently reported that Pakistan had in mind several "thresholds" for nuclear use. If India crossed these thresholds, Islamabad might use nuclear weapons. The thresholds were territorial, military, economic, and political. Thus, Pakistan would be prepared to use nuclear weapons first if

- Indian conquered "a large part" of Pakistani territory
- India destroyed "a large part" of its military forces
- India strangled Pakistan economically
- India destabilized Pakistan politically. ¹⁷

Pakistan has not said much officially about nuclear doctrine. The status of the Cohen and Italian revelations are therefore unclear. They, nevertheless, deserve attention. The idea of an escalation ladder is a logical enough formulation given the premise of Pakistan's conventional inferiority. The more expansive set of circumstances in which Pakistan might resort to nuclear first use, reported by Italian scientists, is a more unorthodox formulation but must be seen in the context of a hardening of Indian views on how to deal with Pakistan after the Kargil war when there was discussion of taking the fight to Pakistan militarily, economically, and politically.

Arguments and Counter-arguments on NFU/First Use

How do the two countries perceive the other's NFU/first use policy? There is not

much to go on here, but we might essay a thought experiment. The Indian argument that NFU is a diplomatic gain could well be turned on its head by Pakistanis. They could argue, albeit *sotto voce*, that for Pakistan the threat of first use has diplomatic utility. The possibility of nuclear war with India helps maintain international interest in the affairs of South Asia and particularly the issue of Kashmir, and this will help Pakistan. Secondly, a first use posture is not incommensurate with economy. Tactical nuclear weapons and associated command and control, even if they are vital for a first use posture, may be less expensive or at least no more expensive than larger and more sophisticated conventional forces which will be necessary to balance India's growing conventional military strength. Thirdly, for Pakistan, NFU is not a credible commitment, particularly in a crisis, and India's insistence on it as a reassurance is worrisome. Indian interest in NFU has nothing to do with reassuring Pakistan; rather, it is designed to create a military-strategic space within which India could threaten to use its superior conventional power against Pakistan.

A thought experiment on Indian responses to Pakistan's first use stance could well go as follows. First of all, while NFU may not be credible at this moment in nuclear history, it could gradually be made more credible. A global convention on NFU would enhance its credibility. It would be difficult for any power to use nuclear weapons first if everyone has forsworn the option of first use. In addition, new monitoring technologies could increase confidence in a no first use posture. A second Indian response to Pakistani arguments would be that India's conventional superiority has been overstated and therefore first use is unnecessary. Indian force deployments along the western border are always limited by India's two-front problem, and the margin of difference vis a vis Pakistan is not very great. Moreover, Pakistani passive defences prevent India from launching a decisive attack. Thirdly, those Pakistanis that think that first use can be used to continue to promote asymmetric warfare in Kashmir should consider that India is now planning for "limited war under nuclear conditions", that is, the use of conventional force punitively under the shadow of nuclear weapons. The limited war view is premised on the notion that India has escalation dominance and that any threat by Pakistan to use nuclear weapons first must take account of India's ability to raise the level of violence at every level including the nuclear. Lastly, Pakistan's escalation ladder and more expansive conception of nuclear use is not terribly credible. India may count a demonstration explosion on Pakistani territory as first use and act accordingly. As for the Pakistani argument that it might use nuclear weapons against economic and political threats from India, this is simply not credible.

India and Pakistan, at odds on so many things, are divided on NFU/first use as well. Are there any prospects of change on either side? Are there circumstances in which India could change its mind? Let us note three:

- If no other nuclear power declares itself in favour of NFU and takes operational steps to make an NFU commitment more credible, India's offer may eventually be retracted.
- Worsening relations with China and the fear of a Chinese conventional attack is another obvious circumstance in which India may move away from NFU. As China grows economically and continues to modernize its conventional forces, the pressure on India to revisit the issue of NFU will undoubtedly increase.
- Should the situation in Jammu and Kashmir at some point dramatically worsen and should Pakistan simultaneously threaten to support the terrorist/militant campaign with a conventional offensive against a hard-to-defend area along the line of control, India could forsake NFU.

What about Pakistan? Could it change its opposition to NFU and turn away from first use conceptions? The following might induce a change in Pakistan's position:

- A global NFU convention would make it hard to sustain Pakistan's first use policy. The weight of international pressure would be considerable.
- Some kind of security guarantees against India would presumably cause it to rethink the necessity of first use as well.
- Conventional arms control with India might also reduce the pressure on Pakistan. Given India's two-front problem, an appropriate balance of military power with Pakistan would, however, be difficult to construct.
- A resolution of the Kashmir problem that satisfied both countries would be a sea change in relations and could well end Pakistan's first use proclivities.

Neither set of possible changes seems terribly likely. The chances are that both sides will therefore stick with their positions on NFU/first use. The present juncture in South Asia is not promising, with the violence in Jammu and Kashmir continuing unabated and the two countries not even on talking terms.

Conclusion

India is interested in a global and regional NFU; Pakistan is not. Neither is likely to change their minds in a hurry. It is important that, notwithstanding the divide between India and Pakistan on this issue, we continue to think about the conditions under which things could change. The matter is of some urgency given that the crisis of May-June 2002 has made India more willing to countenance conventional retaliation against cross-border terrorism and Pakistan more determined to resort to nuclear weapons to protect itself. We have a vicious circle here. The more India thinks that Pakistan is using first use threats to promote asymmetric warfare, the more it will move in the direction of limited war under nuclear conditions to indicate that Pakistan is not immune from retaliation; the more India is seen to move in the direction of limited war under nuclear conditions, the more Pakistan will emphasize first use.

Footnotes

1. The Indian government's paper, "The Evolution of India's Nuclear Policy," is reprinted in Amitabh Mattoo, ed., *India's Nuclear Deterrent: Pokhran II and Beyond* (New Delhi: Har Anand, 1998), Appendix Two, p. 359.
2. "The Evolution of India's Nuclear Policy," p. 359.
3. "The Evolution of India's Nuclear Policy," p. 359.
4. Quoted in "Statement by Ambassador Savitri Kunadi in the Plenary Meeting of the Conference on Disarmament in Geneva, August 6, 1998," downloaded from website <http://www.meadev.gov.in/govt/prst068.htm>, p. 4.
5. These are my terms. See Kanti Bajpai, "India's Nuclear Posture After Pokhran II," *International Studies*, vol. 37, no. 4 (2000), pp. 267-301 for a fuller discussion of the differences between minimalists and maximalists.
6. See Amitabh Mattoo's remarks in "Discussion – II," in *Post-Pokhran II: The National Way Ahead* (New Delhi: India Habitat Centre, 1999), p. 127.
7. K. Subrahmanyam, "Nuclear Tests: What Next?" *IIC Quarterly*, Summer/Monsoon 1998, p. 57.
8. K. Subrahmanyam, "Nuclear India in Global Politics," *Strategic Digest*, vol. 28, no. 12 (December 1998), p. 2017.
9. See Vijai K. Nair's remarks in "Discussion – Session II," in *Post-Pokhran II: The National Way Ahead*, p. 115. See also Major-General Ashok Mehta's intervention on no first use, which also questions the utility of the move. General Mehta argues that the offer of no first use by the government was unduly hasty. He concludes his remarks with the thought that "Those who are involved in this question of offering 'no-first-use' need to examine the various conditions that are involved and I would suggest this being done quickly because it impacts on a host of arms structures." See "Discussion – Session II" in *Post-Pokhran II: The National Way Ahead*, p. 123. In citing General Mehta I do not imply that he is a maximalist.
10. Bharat Karnad, "A Thermonuclear Deterrent," in Mattoo, ed., *India's Nuclear Deterrent*, p. 120.
11. Karnad, "A Thermonuclear Deterrent," p. 113.
12. Karnad, "A Thermonuclear Deterrent," pp. 120-21.
13. Karnad, "A Thermonuclear Deterrent," pp. 120-21.
14. Pervez Hoodbhoy, "Pakistan's Nuclear Future," in Samina Ahmed and David Cortright, eds., *Pakistan and the Bomb* (Notre Dame: Notre Dame University Press, 1998), p. 84.
15. On using nuclear weapons as a shield for sub-conventional conflict, see Zia Mian, "Renouncing the Nuclear Option," in Ahmed and Cortright, eds., *Pakistan and the Bomb*, pp. 62-4 as also Hoodbhoy, "Pakistan's Nuclear

Future,” in Ahmed and Cortright, eds., *Pakistan and the Bomb*, pp. 70-72. Get more recent ref to Kargil and other episodes.

16. Cohen, “Introduction,” *The Pakistan Army*, 1998 Edition (Karachi: Oxford University Press, 1998), pp. 177-79.

17. On the report of the Italian scientists, see Rajesh Mishra, “Deployment Strategy in Pakistan: Is it Leading to Nuclear Stability?” *South Asia Analysis Group*, Paper No. 517, 11 September 2002, downloaded from website [FrontPageWeb\saaag\papers6\paper517.html](http://FrontPageWeb/saag/papers6/paper517.html)