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Dynamic Transformation of Nuclear Option Open**

by

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Rethinking India's Nuclear Policy: Credible Minimum Nuclear Deterrence as a Dynamic Transformation of Nuclear Option Open

Hiroaki Nakanishi¹

ABSTRACT:

After its 1998 nuclear test, India's nuclear doctrine was described as 'credible minimum nuclear deterrence'. India's nuclear doctrine and policy are often characterized, in the academic discourse, as if the country pursues an assertive military doctrine and policy. Has the Indian National Congress (INC)-led government that has been in place since 2004 altered the nuclear policy formulated by the former Bharatiya Jhanata Party (BJP)-led government? Although the BJP-led government led India towards nuclearization in 1998, in practice, it appears to have maintained a posture of restraint. To clarify India's nuclear policy under the INC-led government that has been in power since 2004, this paper analyzes continuities and discontinuities between the two governments. It argues that the present government has endorsed a nuclear policy that resembles the 1999 Draft on Nuclear Doctrine, reflecting a traditional policy called 'nuclear option open'.

Keywords: India, nuclear policy, deterrence, transformation, INC, BJP

I. INTRODUCTION

[F]or the development, control and use of atomic energy for the welfare of the people of India and for other peaceful purposes...²

Based on this policy, the Bharatiya Jhanata Party (BJP)-led government conducted nuclear tests and then declared India a nuclear power. The aim of this paper is to clarify the continuities and discontinuities in India's nuclear policy since 1998.

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² See, Preamble of the 1962 Atomic Energy Act, available at <http://www.dae.nic.in/?q=node/153>. India has not amended the preamble of the act since its enactment.

Cohen and Dasgupta suggest the unique notion of “arming without aiming” to characterize the rapid militarization in contemporary India. Simultaneously, their concept of “strategic restraint” does not deny the potential for further nuclearization without aiming (Cohen and Dasgupta 2010:1-28, 97-122). Moreover, according to Paul, the possession of nuclear weapons is a tool for India: first to maintain national security against neighboring countries such as Pakistan and China and second to convey the country’s status as a major power (Kapur 2011:13-15). These analyses primarily rely on a perception that the mindset and policy formulated by the previous BJP-led government might be influential. All of these authors believe that these perspectives continue to dominate India’s nuclear policy even today.

Such a perspective is less likely to hold since the Indian National Congress (INC) rose to power in 2004. The INC historically formulated and maintained a somewhat traditional position on nuclear policy, specifically emphasizing non-violence, non-alignment, nuclear disarmament and the peaceful use of nuclear energy for self-reliance in their discourse, while pursuing a strategic nuclear policy that accounted for the international security environment. Generally speaking, a nation develops strategies to reconfigure its political preference and identity in response to varying domestic and international environments as a “strategic social construction” (Finnemore and Sikkink 1998:888). Furthermore, according to Frey, there is an “academic deficiency” in the literature on India’s nuclear policy in that it fails to evaluate “normative values attributed to... India’s nuclear course” (Frey 2006:5). Thus, the following questions are raised: whether the present INC-led government has irreversibly altered policies formulated by the previous BJP-led government, and what types of continuity and change have occurred in India’s nuclear policy since 1998.

The present government uses phrases such as “credible minimum nuclear deterrence”. This was originally proposed in the NSAB (National Security Advisory Board) Draft Report on Indian Nuclear Doctrine in August 1999 (the 1999 Draft on ND). Ultimately, the present government has subscribed to a nuclear policy based on the 1999 Draft. Does this mean that the present INC-led government is continuing the policy formulated by the then BJP-led government? The answer is much more complicated than a simple yes or no. Therefore, this paper focuses on the historical changes in India’s nuclear policy since 1998. To highlight the continuities and discontinuities in India’s nuclear policy between 1998 and the present, the analysis focuses on the following points : first, the differences in the nuclear policies of the BJP and the INC; second, the differences between the 1999 Draft on Nuclear Doctrine and the CCS (Cabinet Committee on Security) of India’s Nuclear Doctrine from January 2003 (the 2003 ND); and finally, the differences between the BJP’s and the INC’s positions on the 2008 Indo-U.S. Peaceful Nuclear Cooperation Agreement, the INC-led government’s response to a proposal to amend India’s nuclear doctrine raised by Jaswant Singh, and changes in the descriptions of strategy policy in the Annual Report of the Ministry of Defence of India from 2005 to present.

II. INDIA’S PRESENT NUCLEAR WEAPONS CAPABILITY

This section briefly reviews India’s present nuclear weapons capability. According to the *SIPRI Yearbook 2011*, India supposedly currently possesses approximately 80-100 nuclear warheads. This estimation is based on the amount of fissile plutonium

material stockpiles and the number of operable weapons delivery systems (SIPRI 2012:332).³ Specifically, India “has significant stores of fissile materials, as much as ten tons”, and the components of the nuclear weapons “are reportedly kept de-mated, with components in the hands of different agencies” (Rajagopalan 2009:103). The main reason for this posture the continuation of a fundamental nuclear policy of not deploying nuclear weapons in peacetime, and this point will be developed later in this paper.

According to the aforementioned yearbook, India’s operational nuclear weapon delivery capability is as follows: Mirage 2000 and Jaguar aircrafts capable of delivering nuclear gravity bombs and Prithvi (range of 150 km, deployed in 1994 with fewer than 50 missiles at present) and Agni-I (range of 700 km, deployed with the 334 Missile Group) land-based ballistic missile systems that have been in place since the BJP government era (SIPRI *ibid.*:333-335).⁴ Additionally, India has Agni-II~V (ranges of 2000 km to 5000 km) land-based ballistic missiles that are non-operational (but Agni-III is “in production and inducted in army service”)⁵; Dhanush (range of 350 km) and K-15 (range of 700 km) as ballistic missiles are in development (SIPRI *ibid.*). There is no doubt that India possesses the nuclear capacity to at least target Pakistan (Rajagopalan 2009:104). It is also well-known that Agni-V missiles can reach Beijing, China, but these weapons are not yet fully operable.⁶ Nevertheless, some influential Indian strategic thinkers are apparently satisfied with the present capability.⁷

III. NUCLEAR POLICY UP TO 1999: CONTINUITY

This section examines the degree of continuity in India’s nuclear policy since the 1999 Draft on Nuclear Doctrine by analyzing following points: first, nuclear policy before 1998; second, India’s intent of adopting a policy of keeping the nuclear

³ According to SIPRI, Pakistan and China supposedly had 90-110 and 200 (or 240) nuclear warheads, respectively, as of January 2012. See, SIPRI, ‘World nuclear forces, 2012’, available at <http://www.sipri.org/yearbook/2012/07>.

⁴ According to SIPRI, Pakistan deployed fewer than 50 launchers of the Haft IV and V (range of 1200km) in 2003 (SIPRI 2012:338-339). While China deployed DF-3A (range of 3100km) for “a regional nuclear deterrent” in 1971, DF-5A (range of 13000km) in 1981 and JL-1 (SLBM; range of 1770 km) in 1986 (Ibid:328-330).

⁵ There is, however, an assessment that India has already deployed Agni-III “very close to the Chinese border”. See, Harsh V. Pant, ‘Beyond India’s second-strike ability’, *The Japan Times*, 14th May 2012, available at <http://www.japantimes.co.jp/text/eo20120514a4.html>.

⁶ Prime Minister Manmohan Singh offered his congratulations for the “successful” test launch of Agni-V on 19 April 2012. See, Prime Minister’s Office; ‘Press Releases: PM congratulates Defence Research and Development Organization (DRDO) scientists and technical personnel on Agni test launch success’, available at <http://pib.nic.in/newsite/erelease.aspx?relid=82362>. However, the DRDO chief, V K Saraswat, said, “the new missile would be test at least twice more..., before it is handed over to armed forces [sic]”. See, ‘India test-fires Agni-V; joins elite missile club’, *Decan Herald*, 19 April 2012, available at <http://www.deccanherald.com/content/243162/india-test-fires-agni-v.html>. Thus there may be a long interval before the Agni-V becomes operational. Therefore, it is fair to argue that India has successfully achieved improved ballistic missile technology but is apparently not in urgent need of its rapid operationalization.

⁷ According to Dr. Jasjit Singh, a measure of deterrence against China can be assured by producing sufficient damage in China by attacking dams in Chinese territory that may cause serious flood damage. He further mentioned that Pakistan’s first use posture is a primary concern for India. A personal interview with Dr. Jasjit Singh, former Director of the Institute for Defence Studies and Analysis (IDSA) and Air Commodore of the Indian Army Service (IAS), retired, at the United Service Institute (USI), New Delhi, India on 7th April 2011.

option open; third, the actual conditions and debates prior to 1998; fourth, the responses of the major political parties to the draft and nuclear energy; and, finally, the drafters' views.

1. Basic Stance of the Indian Government Before 1998

Many scholars have suggested the indefinite extension of the Nuclear Non-Proliferation Treaty (NPT) in May 1995 as a cause of India's rapid nuclearization. The NPT was formulated to prevent further nuclear proliferation beyond the five recognized Nuclear Weapon States, the U.S., the Soviet Union (now Russia), the U.K., France, and China in 1968. India criticized the NPT as a system of 'nuclear apartheid' that segregated the nuclear-haves from the nuclear-have-nots. India has consistently remained outside the NPT regime.⁸

In 1965, one year after China conducted its first nuclear test, India, under Prime Minister Shastri began to "investigat[e] a 'Subterranean Nuclear Explosion Project'" (Subrahmanyam 1991:27). Following the Bangladesh War and the UUS Enterprise Incident in 1971, Prime Minister Indira Gandhi ordered India's nuclear scientists to prepare an explosive nuclear test in October 1972 (Subrahmanyam *ibid.*:30). After conducting a 'peaceful' explosive nuclear test in 1974, one year before the first NPT Review Conference, India maintained the so-called 'nuclear option open' policy until 1998. That policy was generally described as a policy of maintaining the option of manufacturing nuclear weapons for use in the case of a national emergency. Under that policy, India remained on the verge of possessing nuclear weapons. This status implied the continuation of the preparations for an explosive nuclear test to develop the capacity of possessing nuclear weapons. This ambiguous posture was fundamentally linked to the country's professed policy goal of achieving a universal and time-bound nuclear disarmament. India proposed the Rajiv Gandhi Action Plan for nuclear disarmament at the Third Special Session on Disarmament of the United Nations General Assembly, on the 9th of June 1988, underlining the necessity of "replacing" the NPT with a "new treaty" by 1995 to realize a nuclear-weapons-free-world and a "non-violent democratic world" by 2010, and simultaneously calling on "[n]on-nuclear weapon powers to undertake not to cross the threshold into the acquisition of nuclear weapons".⁹ However, shortly thereafter, in May 1989, the Rajiv Gandhi government conducted the first test launch of the Agni missile under an Integrated Guided Missile Programme formulated in 1983 by the DRDO (Subrahmanyam *ibid.*:39, 44). India has suspended test launches of Agni missiles since 1994, although Pakistan acquired operable and sophisticated ballistic missile technologies from China and North Korea, such as M-11 and Ghauri missiles, in that year. It may be that policy-makers faced a serious dilemma of whether India would

⁸ There is, however, the contradictory observation that India once attempted to negotiate a "proposal on examining the feasibility of the full scope safeguards to the Indian nuclear programme" with the U.S. that was "initiated by the PM's secretary, V. Shankar" under the government of Prime Minister Morarji Desai, but it ultimately proved unsuccessful. See, K. Subrahmanyam, 'A Nuclear Interaction', *Indian Express.com*, 7 September 2010, available at <http://www.indianexpress.com/news/a-nuclear-interaction/678128/1>.

⁹ See, 'Annex I Text of Rajiv Gandhi Action Plan, 1988', *Report of the Informal Group on Prime Minister Rajiv Gandhi Action Plan for A Nuclear-Weapons-Free-World and Nonviolent World Order 1988*, New Delhi, 20 August 2011, pp.186-191, available at <http://www.pugwashindia.org/images/uploads/Report.pdf>. Before the action plan was internationally proposed, Indo-Pakistani relations deteriorated due to "a rumor of an Indian pre-emptive strike on Pakistan's nuclear installations and an Indian military exercise along the Pakistani border in 1986-87", codenamed Brasstacks, and consequently, Pakistan's attempts at nuclearization in response to India's nuclear efforts were further accelerated (Chakma 2009:28-30).

maintain a nuclear option open policy while the international community decided to indefinitely extend the NPT (Singh 1999a:20-25).

It is critically important to grasp that after the indefinite extension of the NPT, India's nuclear deterrence posture was implicitly expressed in a letter from the Ambassador of India, dated 20 June 1995, together with Written Statement of Government of India to the International Court of Justice. That letter was submitted under the INC government led by Prime Minister Narashimha Rao, expressing India's official desire to illegitimize the use of nuclear weapons. Its official opinion made the following points: first, the threat and use of nuclear weapons were "illegal"; second, any retaliation should remain within the bounds laid out in international laws, such as Article 51 of the Charter of the United Nations, thus it should not be interpreted as unlimited retaliation; third, the theory of nuclear deterrence inevitably involves a nuclear arms race (Government of India 1995). Finally, India made the following assertion:

A better and safer way to secure ever lasting peace would be to ensure that only are such weapons never used but also not made. The security of all nations would best be safeguarded by a nuclear weapon free world. If peace is the ultimate objective there can be no doubt that disarmament must be given priority and has to take precedence over deterrence (Government of India *ibid.*).

It is clear that the INC government then appealed for international support to maintain its traditional stance of not possessing nuclear weapons. The government claimed that pursuing global nuclear disarmament is a higher priority than developing nuclear weapons, even though the NPT was indefinitely extended. This fundamental component of India's nuclear policy, specifically retaining the nuclear option (while not conducting any nuclear tests in the absence of a national emergency), remained unchanged until the 1998 elections.¹⁰ Although Prime Minister Narashimha Rao's government secretly prepared a nuclear test on December 1995, the option was left open.¹¹ In addition, the United Front government led by Prime Minister Inder Kumar Gujral and supposedly supported by the INC also consistently argued for maintaining a nuclear open option policy, until at least the 1998 elections (Nuclear Threat Initiative). It also faced serious internal political pressure regarding the adoption of the Comprehensive Nuclear Test Ban Treaty (CTBT) in 1996, which "was discriminatory and had no substantive link to disarmament, [and] put[India's] security in jeopardy" (Ghose 2006:23). India decided not to sign the treaty and has since maintained this position. The Annual Report of the MOD 1996-97 also emphasized that "till [the] time as [a nuclear weapons free world] is achieved, India will be constrained to keep her nuclear option [sic]" (MOD 1996-97:3).

¹⁰ The 1998 INC election manifesto includes the following statement:

The [Indian National] Congress [Party] will continue its efforts for total and complete disarmament. Our nuclear policy will continue to be for peaceful, developmental purposes. But we will not be found waiting in case of any threat by hostile forces.

See, Indian National Congress (INC), 1998, *Lok Sabha Election Manifesto 1998*.

¹¹ Later, former Prime Minister N. Rao personally told K. Subrahmanyam, "there was no consensus on the test" and "he bought time till the country was ready and then attempted to go for testing" because he believed that "the Indian weapon effort was not at optimum speed". See, K. Subrahmanyam, 2004, 'Narashimha Rao and the Bomb', *Strategic Analysis*, vol.28, no.4, pp.593-595. According to K. Subrahmanyam, the test prepared under the Rao government was "called off" due to U.S. intervention (Subrahmanyam 1999:51).

2. Nuclear Option Open Policy as an 'Insurance' against the NPT

There are several academic arguments for why India developed its nuclear weapons capacity prior to 1998. It may be that there was a desire to assure the country's security assurance against neighboring countries with nuclear weapons or the potential to have them, namely China and Pakistan. However, an "insurance" policy, as Dr. Jasjit Singh explains, against the Nuclear Weapon States under the NPT that were unwilling to disarm their nuclear weapons would be the correct one (Singh 1999a:25).¹² R.V.R. Chandrasekhara Rao noted at the time that India strategically "opted for a new category which falls between... non-nuclear and nuclear weapons powers" (Rao 1974:213).

After conducting its nuclear test, India was excluded from nuclear technology transfers due to the NPT and bilateral civilian nuclear cooperation agreements and later became isolated in the global nuclear market due to changes in the nuclear non-proliferation regime such as the Nuclear Suppliers Group (NSG) guideline. That is because the question of whether India's intent was to become a *de facto* Nuclear Weapon State was a matter of concern for the major states belonging to the nuclear non-proliferation regime. The Indian government, however, claimed that 'peaceful' nuclear explosions must not be restricted. It also criticized the non-proliferation regime as just an unequal system to nuclear technological development.

3. Circumstances and Debates Before 1998

India's nuclear policy was criticized by the nuclear non-proliferation regime because the country's actual nuclear capacity was so ambiguous. According to the 1993 Official Report of the United States Government, "India can 'assemble a number of nuclear weapons in a relatively short time frame' and has the means to deliver them" (Mattoo 1996:42). According to Amitabh Mattoo, an Indian International Politics scholar, the views of the majority of India's strategic thinkers in 1996 were as follows: first, the "status quo on the sub-continent marginally works to New Delhi's advantage for the simple reason that India has tested a nuclear device (in 1974) and Pakistan has not"; second, "even one new nuclear test by India would give Pakistan an excuse to conducting (sic) a test" (Mattoo *ibid.*:49). In an interview with Mattoo, a member of the Atomic Energy Commission (AEC) made the following points: first, India would acquire "a second-strike capacity against" China "in less than two decades"; second, a "policy of strategic ambiguity does, by its very opaqueness and uncertainty, offer an existential deterrent against" its neighbors (Mattoo *ibid.*:51). These observations clearly demonstrate that there was a strong opinion among Indian elites, at least in the 1990's, that India could ensure its own security without conducting a nuclear test and permanently deploying a nuclear weapon.

In the era of Prime Minister Rajiv Gandhi, policy debates on whether India should establish its own nuclear deterrence increased dramatically. This atmosphere may have been influenced by General Sundarji, who had the idea of establishing a "minimum deterrence" for India. Sundarji was appointed Army Chief after presenting a systematic view on nuclear deterrence in an unpublished monograph titled "Strategy in the Age of Nuclear Deterrence and Its Application to Developing Countries" in 1984 (Cohen 2001:341-342). It seems that he was inspired by Kenneth

¹² Similarly, former Director of the Institute for Defence Studies and Analysis (IDSA) K. Subrahmanyam also interpreted the nuclear option open policy before the 1974 nuclear test as being based on an "insurance" policy against the NPT. See, K. Subrahmanyam, 1974, 'India: Keeping the Option Open' in Robert M. Lawrence and Joel Larus (eds.) *Nuclear Proliferation Phase II*, the University Press of Kansas, pp.112-148.

Waltz's understanding of reasonable and sufficient nuclear deterrence: "[once] the capability of inflicting 'unacceptable damage' on another... is assured, additional strategic weapons are useless. More is not better if less is enough" (Waltz 1981:26-27). He dynamically applied Waltz's nuclear principle to India, noting that a small but sufficient nuclear capability is enough "to cope with Pakistan and China" or "reduc[e] the influence of the superpowers" (Cohen 2001:342). His idea of establishing adequate minimum deterrence for India required accumulating approximately 90-135 nuclear warheads but without pursuing thermonuclear weapons for that purpose (Bajpai 2000:287). One of his most important ideas was that minimum deterrence did not involve the actual deployment of nuclear weapons (Bajpai *ibid.*). Sundarji described India's nuclear doctrine as normally "unweaponized" and "undeployed" and designed to maintain a sort of "existential deterrence" with a substantial focus on second strike capability, that is, as he said, a "weapon option open" (Sundarji 1995:161-162). He also claimed that India's near-weaponized status could be compatible with Pakistan and China becoming NPT signatories (*ibid.*:163). Even in 1996, when he eventually agreed to conduct additional nuclear tests due to the 1996 advisory opinion of the International Court of Justice¹³ and the then-pending CTBT, he did not envisage a need to deploy nuclear weapons, saying that "[the] Prithvi... can in the case of need be modified to carry a nuclear warhead" to be used against Pakistan, and "to have a second strike capacity against China, the Agni must be available in sufficient numbers for deployment at short notice, but need not be deployed until we have received a first strike" (Sundarji 1996:18-19, 21-22). This logic explains his focus on "the state of [India's] preparedness when in a *non-weaponized* and *non-deployed* state" (*ibid.*:17). Therefore, his idea of establishing minimum deterrence was a peculiar nuclear policy for India and obviously differed from Western and other powerful countries' positions on nuclear deterrence.¹⁴

4. The 1998 Lok Sabha Election as the Turning Point in India's Nuclearization

The BJP made the following points in their 1998 election manifesto: reevaluating nuclear policy by exercising the option to possess nuclear weapons by conducting an explosive nuclear test immediately; expediting the development of the Agni series of ballistic missiles; attempt to become a permanent member of the United Nations Security Council (BJP 1998). Conversely, the INC made the following points: making efforts for total and complete disarmament; continue the peaceful use of nuclear energy; continue the nuclear option open policy, which does not require immediately conducting an explosive nuclear test (INC 1998).

As a consequence of the successful formation of the National Democratic Alliance (NDA) government, India immediately conducted nuclear tests for military purposes and issued an official declaration that it was already a nuclear weapons

¹³ The reason that Sundarji changed the position against conducting tests that he had held since 1974 was the 1996 ICJ advisory opinion on the legality of the threat or use of nuclear weapons, saying that "[t]he [ICJ] has recently ruled out that the possession of nuclear weapons is not illegal", and "there is therefore... nothing illegal or immoral about India wanting to keep a credible nuclear capability for use against an aggressor who might make first use of nuclear weapons against it". Thus, he concluded that because some "doubts about the efficacy of [her] deterrent have found in the public debate[,] I would say go ahead and carry out a few more tests... [t]hereafter, we may announce a self-imposed moratorium of further tests [sic]" (Sundarji 1996:17, 21).

¹⁴ For instance, Basrur, an Indian International Politics scholar, claimed that "minimum deterrence maximizes deterrence security and minimizes the risks and costs incurred" because it "is less threatening to an adversary than other strategies" and thus "might diminish the acuteness of the [security] dilemma" (Basrur 2009: 23-24).

power. According to an analysis by Nayar and Paul, the BJP-led government's aim in the 1998 nuclear tests "was to achieve the party's longstanding objective of major-power status for India", while the INC leaders did not subscribe to this ideology (Nayar and Paul 2002:27).¹⁵ Thus, the 1998 Lok Sabha election was the turning point in India's nuclear history.

5. *The 1999 Draft on Nuclear Doctrine*

After that drastic policy change on the part of the BJP-led government in 1998, the government summoned some strategic advisors to form the National Security Advisory Board (NSAB) to draft a quasi-official nuclear doctrine. As these advisors developed the official doctrine, during the 1999 Kargil War, the Pakistani "military was preparing their nuclear tipped missiles" for use against India but ultimately elected not to use these weapons due to U.S. diplomatic pressure at the Blair House Summit on 4 July 1999 (Riedel 2002:11). Soon thereafter, on August 17th, the 1999 Draft was publicized.

The following points are included in the 1999 Draft: India's primary objective is to achieve economic, political, social, scientific and technological development within a peaceful and democratic framework; maintain credible minimum nuclear deterrence by conducting research and development, as insurance against potential risks, in the absence of global nuclear disarmament; the non-first-use of nuclear weapons, specifically only for nuclear retaliation against a nuclear attack by enemy forces; provide negative security assurance, that is, no use of nuclear weapons against Non-Nuclear Weapon States; ensure the capacity to shift from peacetime deployment to fully deployable forces in the shortest possible timeframe; maintain the capability to deploy adequate retaliatory capabilities, that is, the ability to conduct a second strike to inflict unacceptable damage on an aggressor; pursue a nuclear triad: aircraft and land- and sea-based missiles, without mentioning the quality and numerical aspects of nuclear weapons; no participation in any nuclear arms race; pursue global, verifiable and non-discriminatory nuclear disarmament as a national security objective (NSAB 1999).

6. *Responses of Major Political Parties to the 1999 Draft and Nuclear Energy*

This section briefly describes the differences between the two major political parties' responses to the 1999 Draft on Nuclear Doctrine. This description is based on their electoral manifestos for the 1999 election.

In the 1999 Lok Sabha election, the BJP included the following points in its manifesto: the establishment of a credible nuclear deterrent and the reorientation of economic, commercial and energy security policies (BJP 1999). Conversely, the INC made the following points: "[t]he BJP has willfully destroyed the national consensus on nuclear matters [by detonating a nuclear weapon, without adequate preparations or studying the consequences of such an action]. That consensus will now be

¹⁵ However, it should be noted that the BJP originally made the following assertion regarding Pakistan's nuclearization in 1981:

It is our view that in the nuclear arithmetic of death there are no objective criteria for assessing levels and degrees of deterrence. The path of armament can only harm the peoples of both our lands, not benefit them in any fashion. The BJP is committed to the concept of peaceful uses of nuclear energy. At the same time the BJP cannot unilaterally adjure the availability of options to the country.

See, 'Resolution adopted at the National Executive meeting held at Cochin on April 23, 1981' in Bharatiya Janata Party (BJP), *Foreign Policy Resolutions and Statements 1980-1999*, p.9.

meticulously rebuilt”; reiterating a commitment to time-bound universal nuclear disarmament, leading to general and complete disarmament; ensuring that nuclear weapons are not used by India or Pakistan and not allowing a nuclear arms race; generating 10% of the country’s total electricity capacity using nuclear sources by the year 2010 (INC 1999).

It is clear that the INC’s position on the 1999 Draft remained vague, while the BJP actively supported the draft. It is undeniable that the INC’s response was primarily a critique of the BJP’s unilateral decision to conduct a nuclear test and declare India a nuclear weapons power. The INC’s desire to undermine the BJP-led government’s efforts was obscured because the party did not state that India should unilaterally and immediately abandon its nuclear weapons capacity. The INC’s logic might have been that India faced a potential threat from Pakistan, a country that had already conducted a nuclear test in an effort to become a nuclear weapons power and that may never have submitted to the provisions of the NPT.¹⁶

In terms of India’s energy policy, the INC has adopted a position of actively supporting the development of civilian nuclear energy. In its 1999 election manifesto, the INC presented a plan for obtaining 10% of the country’s electrical capacity from nuclear sources by 2010. However, the BJP only mentioned its reorientation of India’s “diplomacy to pursue [the country’s] economic, commercial goals and energy security goals” in its electoral manifesto. It is difficult to determine whether this statement by the BJP means that the party seeks diplomatic negotiations with the U.S. in pursuit of a peaceful nuclear cooperation agreement.

Therefore, the INC’s intention would be interpreted as implying that India should maintain its traditional stance, that is, to pursue the development of peaceful uses of nuclear energy and global nuclear disarmament rather than further nuclearization. However, the BJP’s position would be the opposite.

7. Drafters’ Views of the 1999 Draft

What was the main purpose for drafting the nuclear doctrine in 1999? According to Dr. Jasjit Singh, the head of the team responsible for the 1999 ND draft, his concept of ‘recessed deterrence’ strictly emphasized a ‘no fight’ posture, thus maintaining “a non-weaponized status, but all necessary steps for weaponization and its usability have taken [sic]” (Singh 1999b:320). Specifically, this conceptualization of deterrence requires the following elements: maintaining the separation of nuclear warheads and their deployment systems in peacetime to realize the no-first use strategy; the continued research and development of medium-range ballistic missiles (up to 5000 km) but not of ICBMs; approximately 60-70 warheads with 100 kiloton payloads are sufficient to provide minimal deterrence; not conducting further explosive nuclear tests, as India had already demonstrated the capacity to deploy 100 kiloton nuclear weapons in the 1998 tests.¹⁷ In addition, Tellis’ analysis of recessed deterrence indicates that this strategy does not require any operable nuclear weapons but the possibility of combining all of the parts of a nuclear weapon at least “in months” (Tellis 2001:119).¹⁸

¹⁶ However, Pranab Mukerjee, an INC spokesman at the time, stated that any attempt at developing “credible deterrence” using nuclear weapons was foolish. See, John Cherian, 1999 ‘Playing the nuclear card’, *Frontline*, vol.16, no.18, available at <http://www.frontlineonnet.com/fl1618/16180180.htm>.

¹⁷ See supra, note.7.

¹⁸ However, according to Jasjit Singh’s appraisal, it may be possible to deploy a nuclear weapon within “6 hours” in case of a national emergency. See *ibid*.

Dr. Singh also made the following points: the 1999 Draft on ND is simply a series of guidelines for nuclear policy, as mentioned in the preamble, thus is not intended to strictly determine all aspect of policy such as setting numerical targets, etc.; India should not participate in any nuclear arms race because the cost is enormous and hampers economic development (Singh and Sethi 2004: 224-230, 257-258). In summary, according to Bharat Karnad, a well-known nuclear maximalist and a member of the NSAB in 1999, the credible minimum deterrence mentioned in the 1999 draft is not intended to promote ‘minimal deterrence’ but ‘recessed deterrence’ (Karnad 2008:58). The term ‘recessed deterrence’ might be considered a continuation of the nuclear option open policy that was in place prior to 1998.¹⁹ It might also be argued that the 1999 draft represents another step in the evolution of a nuclear option open policy.

Subsequently, Krishnaswamy Subrahmanyam, the former Chairman of the NSAB, claimed that the real purpose of publicizing the 1999 Draft is “an explanation to the people of India and the world as for a long period of time [that] we had considered nuclear weapons as immoral and illegitimate”, as the five official Nuclear Weapon States had not yet formulated and publicized their nuclear doctrines (Pai and Aruna 2008:11). The views of the drafters show that the 1999 draft very much reflects a traditional position on nuclear weapons by avoiding their actual use (or deployment).

Dr. Jasjit Singh’s proposal of remaining at the ‘recessed deterrence’ stage and simultaneously negotiating India’s accession to the CTBT was based on his firm desire to lift the international economic sanctions against India imposed following the 1998 nuclear tests and obtaining access to nuclear energy technologies and resources on the same terms offered to other nuclear states (Singh 1999:324).

IV. THE 2003 NUCLEAR DOCTRINE: DISCONTINUITY

This section highlights the discontinuity in India’s professed nuclear policy represented by the 2003 ND. It then turns to an analysis of the contents of the 2003 doctrine, an analysis of the doctrine and the responses of the major political parties.

1. Brief Summary

After the failure of the Agra Summit between India and Pakistan in July 2001, the Indian parliament was bombed by Lashkar-e-Taiba on 13 December 2001. Consequently, India and Pakistan experienced a serious military standoff that lasted until October 2002. India’s nuclear doctrine was initially made public in a press-release on 4 January 2003, without any parliamentary debate.²⁰ That statement is a result of a review of the 1999 Draft on ND by the CCS.

The following points are included in the 2003 ND: building and maintaining a credible minimum deterrent; the continuation of a policy of no-first use of nuclear weapons but reserving the option of nuclear retaliation against a major attack against India, or Indian forces anywhere, by biological or chemical weapons; engaging in

¹⁹ Specifically, the Japanese scholars Izuyama and Ogawa describe ‘recessed deterrence’ as “basically a continuance of the policy from 1974”. See Mari Izuyama and Shinichi Ogawa, 2003, ‘The Nuclear Policy of India and Pakistan’, *NIDS Security Reports*, no.4, p. 68, available at http://www.nids.go.jp/english/publication/kiyo/pdf/bulletin_e2002_3.pdf.

²⁰ No parliamentary debate took place regarding the 1999 Draft on ND or the 2003 ND. See Priyanjali Malik, 2010, *India’s Nuclear Debate*, New York: Oxford Press, p.263.

massive retaliation that would inflict unacceptable damage; the continuation of the moratorium on nuclear tests; the continuation of strict controls on the export of nuclear and missile related materials and technologies; participating in negotiations on the Fissile Material Cutoff Treaty (FMCT); committing to global, verifiable and non-discriminatory nuclear disarmament with the goal of a nuclear weapons free world (CCS 2003).

2. Appraisals of the 2003 Nuclear Doctrine

This section concerns two questions: how has the 2003 ND been evaluated thus far, and what is the main reason for the changes in Indian nuclear doctrine that depart from the spirit of the 1999 Draft on ND? The 2003 ND contains some concepts and policies that were not present in the 1999 draft. The new contents in the 2003 ND include: massive nuclear retaliation and retaining a retaliatory nuclear option in the event of major WMD attack on Indian territory, or on Indian Armed Forces anywhere, as an exception to the no-first use policy. Dr. Jasjit Singh severely criticizes the new content due to its failure to conform with the principles outlined in the 1999 draft (Singh and Sethi 2004:228). The 2003 ND might be described as India's most militarily assertive nuclear doctrine and similar to those of Nuclear Weapons States such as the U.S. and Soviet Union (now Russia). Moreover, the 2003 ND contains the following points that were not included in the 1999 draft: continue the moratorium on nuclear tests and participation in the Fissile Material Cutoff Treaty (FMCT) negotiations. It could be assumed that this component of the 2003 ND is primarily a response to the international pressure exerted by the nuclear non-proliferation regime's member states since 1998.

It is noteworthy that after the publication of the 1999 draft doctrine, all of original members of the NSAB were replaced (Cohen 2001:180). In this respect, Scott Sagan, a scholar of International Politics, noted that the changes that appeared in the 2003 ND might have been the result of the opinions of the new members of the NSAB, who were significantly inspired by changes to U.S. nuclear doctrine, that is, the so-called Bush Doctrine, which even allows for a preemptive nuclear strikes against certain rogue states and terrorist groups (Sagan 2009:245-253). Sagan also noted that it is doubtful that the 2003 ND was formulated with the opinions of the new members being reflected in at least following points: a type of adoration or a sense of enviousness regarding the radical change in U.S. nuclear policy; a type of coercion directed at Pakistan, which was suspected of supporting several severe terrorist acts against India at the time (Sagan *ibid.*).²¹ It should be noted that the Annual Report of MOD 2002-03 stated, "[t]here is... the ever present possibility of hostile radical fundamentalist elements gaining access to the weapons of mass destruction in Pakistan" and "[t]he asymmetry in terms of nuclear forces is pronouncedly in favor of China" (MOD 2002-03:2, 5). Thus, changes in the international environment may have prompted the BJP to advance its political preference of making India a major nuclear weapons power. This led to a major change and a discontinuity in India's nuclear policy.

3. Responses of Major Political Parties to the 2003 Nuclear Doctrine

What were the two major political parties' reactions to the 2003 ND? To answer this, we turn to their electoral manifestos from the 2004 election. The BJP only stated that

²¹ According to Chakma, Pakistani nuclear doctrine is to conduct a massive retaliatory strike while adopting a first-use posture to deter a pre-emptive (nuclear) attack by India (Chakma 2009:51-55). Thus, it might be assumed that new members of the NSAB modified the 1999 ND to cope with Pakistan.

space research and peaceful uses of nuclear energy should be promoted to make “self-reliant strides” (BJP 2004). In contrast, the INC stated that India should maintain “a credible nuclear weapons programme” (INC 2004).

It is noteworthy that neither of the political parties mentioned anything about the 2003 ND. Except for the peaceful use of nuclear energy, the BJP hardly mentioned anything on the subject.²² It might be assumed that the party was forced to remain quiet on their plans for further nuclearization due to the opposition to this doctrine in India and abroad, or perhaps they remained silent out of respect for the ceasefire agreement regarding the disputed Kashmir region from November 2003. One should not overlook the INC’s use of the specific phrasing “maintaining a credible nuclear weapons programme”, with the intention of differentiating its position from the more militarily assertive deterrence policy promoted by the BJP led-government in the 2003 ND. The UPA’s (United Progressive Alliance) manifesto, namely “National Common Minimum Programme”, also used the same phrase and simultaneously mentioned the development of “demonstrable and verifiable” confidence-building measures with India’s nuclear neighbors, taking a leadership role in promoting universal nuclear disarmament, “working for a nuclear-weapons-free-world” and pursuing “an independent foreign policy keeping in mind its past traditions” (UPA 2004:21-22). These descriptions were successful in obtaining external support from the Left Front led by the Communist Party of India (Marxist), hereafter (CPI-M), which claimed that India must “revert to [a] nuclear policy of using nuclear energy for civilian and peaceful purposes” (CPI-M 2004).²³ That difference implies that the INC-led government is attempting to follow a nuclear policy that differs from that of the BJP, but how? Let us reassess India’s nuclear policy since 2004, the period when the INC returned to the power.

V. CHANGES IN INDIA’S NUCLEAR POLICY SINCE 2004

It is not an easy task to clarify the features of India’s nuclear policy under the INC-led government that has been in office since 2004. Nevertheless, a common theme can be perceived by considering the following three points: differences in the responses of the INC and the BJP to the Indo-U.S. Peaceful Nuclear Cooperation (the so-called 123) Agreement, the INC-led government’s response to a proposal to amend India’s nuclear doctrine raised by Jaswant Singh on 16 March 2011, and changes in the descriptions of India’s nuclear policy in the annual reports of the MOD between 2005 and 2012.

1. Response of the Major Political Parties to the 123 Agreement

A highly debated agreement, the Indo-U.S. Peaceful Nuclear Cooperation Agreement was concluded in 2008. To comply with an International Atomic Energy Agency (IAEA) safeguard, the agreement requires India to identify its nuclear

²² Similarly, the NDA’s 2004 election manifesto remained silent on this matter. See, National Democratic Alliance (NDA), *An Agenda for Development, Good Governance, Peace, and Harmony: Elections to the 14th Lok Sabha*, 2004.

²³ The CPI-M has proposed that India’s “nuclear weaponization [must] be halted and rolled back” by making the following commitments: the non-deployment and non-induction of nuclear weapons; no further explosive nuclear tests; not converting existing fissile material stocks into nuclear weapons; abjuring the doctrine of nuclear deterrence, including the Indian variant of the ‘minimum credible nuclear deterrent’; returning to the path of active advocacy for global nuclear disarmament. See, ‘CPI(M) Opposed to Signing CTBT now’, 22 December 1999, available at <http://cpim.org/content/cpim-opposed-signing-ctbt-now>.

facilities and reactors used for civilian purposes and to then completely separate them from those used for military purposes. While India is required fulfill this obligation, the U.S. is required to supply nuclear fuel and share modern, peaceful nuclear technologies with India. Through its accession to the agreement, India was, objectively, fully (or partly)²⁴ freed from its former isolation from international cooperation on nuclear energy and technologies.

It is difficult to identify a simple interpretation or the strategic implications of India's accession to the Indo-U.S. agreement, as there were already divergent discourses regarding it in both India and worldwide. In Indian domestic politics at the time, the implications of the 2006 Henry J. Hyde United States-India Peaceful Atomic Energy Cooperation (the so-called Hyde) Act enacted by the U.S. Congress for India's strategic nuclear weapons program were widely debated. The debate is a result of the Hyde Act's explicit obligation that the U.S. president must cease all nuclear cooperation if India were to conduct a nuclear test. Thus, this section only considers the differences in the INC's and the BJP's responses to the agreement.

In the 2009 Lok Sabha election, the BJP made the following points: maintain a credible minimum deterrent by keeping all options open and taking all of the necessary steps to maintain a military nuclear program, and the Indo-U.S. nuclear deal harms India's strategic nuclear program (BJP 2009). In contrast, the INC made the following points: "[the] Civil Nuclear Agreements have been entered into with many countries entirely on our terms; India acquired a new respect and stature internationally" (INC 2009).

These statements reveal a significant difference in the two parties' political positions on nuclear policy. The INC did not provide clear details on how India should pursue its nuclear policy but only emphasized the accession to several peaceful nuclear cooperation agreements, including the Indo-U.S. agreement, as a desirable outcome of the INC-led government's first term between 2004 and 2009. Conversely, the BJP criticized the Indo-U.S. agreement by claiming that it was developed to advance the U.S.'s hidden intent of "contain[ing], roll[ing] back and eventually dismantl[ing]" India's nuclear program; therefore, "the gains of Pokhran-II and subsequent development have been frittered away", and thus the agreement "impinges on India's strategic programmes" (BJP 2009). In addition, the BJP manifesto indicates that it reserves the option to conduct further nuclear tests.²⁵ These responses by the BJP clearly show that they remain committed to the aggressive development of nuclear weapons. Commenting on the BJP's attitude toward the agreement, K. Subrahmanyam stated, "if India misses out on the present opportunity it is not likely to get as good a deal for quite some time to come" and finally asked the BJP, "[w]ill it be the party that established India as a global nuclear

²⁴ According to Piet de Klerk, Former Chairman of the Nuclear Supplier Group (NSG), nuclear cooperation with India would be affected by the recent amendment of the NSG guidelines to restrict transfers of equipment and technology for uranium enrichment and spent fuel reprocessing to countries that are not parties to the NPT because India was only exempted from a full-scale safeguard agreement with the IAEA (International Atomic Energy Agency). See, 'The NSG in a Time of Change: An Interview with NSG Chairman Piet de Klerk', *Arms Control Today*, October 2011, available at http://www.armscontrol.org/act/2011_10/Interview_NSG_Chairman_Piet_de_Klerk. Thus, it is doubtful whether India could obtain a 'full' nuclear cooperation by the nuclear deal with the NSG on 6 September 2008.

²⁵ This can be seen in the 2009 BJP election manifesto:

All options will be kept open and all steps will be taken that are necessary for the technological advancement of India's civil and military nuclear programmes.

See, Bharatiya Janata Party (BJP); *Lok Sabha Election Manifesto*, 2009.

weapon power or will it go down in history as the party which contributed to India's nuclear power programme winding down?" (Subrahmanyam 2008). However, the BJP's stance was firm; it claimed, "if [the] NDA gets a mandate, we will re-negotiate [the nuclear] deal to see that all the adverse provisions in it are either deleted or this treaty is rejected completely" (BJP 2008:52).

Prior to the Lok Sabha election, Prime Minister Manmohan Singh faced a vote of confidence in the Lok Sabha on 23 July 2008. That occurred as a result of the Left Front's withdrawal of external support for the INC-led government. According to the CPI-M, the leading political party in the Left Front, the INC-led government "betrayed [the National] Common Minimum Programme to forge a strategic alliance with the United States to sign the unequal Indo-U.S. nuclear deal, thus undermining [India's] independent foreign policy" (CPI-M 2009:2). However, the prime minister eventually won with a simple majority vote. This was primarily due to proactive support from the Samajwadi Party backed by former President, A.P.J. Abdul Kalam's advice: "the deal is the interest of the nation" (Router). After the NSG waiver was awarded to India on 6 September 2008, Kalam who was a principal member of the Pokhran-II team, stated that India "ha[s] buil[t a] certain type of nuclear weapons. With that confidence, [she] will not do any more nuclear tests" (Press Trust of India).

Acceding to the Indo-U.S. peaceful nuclear cooperation agreement may imply the INC-led government's attitude toward India's nuclear policy. The INC did not decisively desire that India become a nuclear weapons power, at least prior to 1998. It had also attached a high value, at least professedly, to the peaceful use of nuclear energy since the era of Prime Minister Nehru. Thus, the party's only option was to accede to an agreement bound by United States laws such as the Hyde Act, and thereby restrict India's nuclear weapons policy, symbolizing the "trade-off" between India's right to conduct nuclear tests and civilian nuclear cooperation (Nakanishi 2011:126).²⁶

2. *The INC-led Government's Response to a Proposal to Amend the Nuclear Doctrine*

In 6 October 2006, India presented a working paper to the First Committee on Disarmament of the United Nations General Assembly (the 2006 Working Paper), containing a 7-point (or 7-step) proposal for nuclear disarmament. It includes following important points: reduce the salience of nuclear weapons in security doctrines; reduce nuclear danger, including the risk of an accidental nuclear war, by de-alerting nuclear weapons to prevent an unintentional or accidental use of nuclear weapons; negotiate a global agreement on no-first use of nuclear weapons, a universal and legally binding agreement on the non-use of nuclear weapons against the Non-nuclear Weapons States and a nuclear weapons convention leading to the

²⁶ Moreover, India had suffered a severe shortage of nuclear fuel since 1998 nuclear tests. When the 2005 nuclear deal was reached, a Indian official told BBC News the following:

The truth is we were desperate. We have nuclear fuel to last only till the end of 2006. If this agreement had not come through we might have as well closed down our nuclear reactors and by extension our nuclear program.

See, Sanjeev Srivastava, "Indian P.M. Feels Political Heat", *British Broadcasting Corporation*, 26th July 2005, available at www.news.bbc.co.uk/go/pr/fr/-/2/hi/south_asia/4715797.stm. This implies that India had to accede to the 2008 nuclear agreement even if it contained a "trade-off" of the strategic program for fuel and technology access.

global, non-discriminatory and verifiable elimination of nuclear weapons, etc.²⁷ On 20 October 2010, following the Prime Minister's decision, the Informal Group was established by the National Security Advisor of India "to consider how best the ideas contained in the 1988 Rajiv Gandhi Action Plan for a Nuclear-Weapons-Free and Nonviolent World Order could best be carried forward" (Informal Group on RGAP 88 2011:7). These facts indicate that the INC-led government has proactively attempted to reduce the role of nuclear weapons and pursue nuclear disarmament.

In a debate in the Lok Sabha on 15 March 2011, Jaswant Singh, who had served as the Minister of External Affairs, etc. under the former BJP-led government, privately proposed an amendment to India's nuclear doctrine. He made the following statement: "the policy-framework that the NDA devised in 1998 is very greatly in need of revision because the situation that warranted the enunciation of the policy of 'no-first-use' or 'non-use against non-nuclear weapons [states]', 'credible deterrence with minimum force', etc." (Lok Sabha Secretariats 2011(a): 114). He felt a change in policy necessary because "Pakistan is already in possession of about 100-110 nuclear warheads that are deliverable whereas... India has 50 to 60" and Pakistan also "has better delivery system exported by China and North-Korea [sic]" (Lok Sabha Secretariats *ibid.*). These points in his proposal clearly resembled aspects of the 2003 ND and thus were in contrast to the 2006 Working Paper.

On the next day, the Minister of External Affairs, S.M. Krishna, responded to the proposal raised by Jaswant Singh by saying, "there is no change in our [nuclear] policy" and "[India's] commitment to universal non-discriminatory nuclear disarmament remains firm" (Lok Sabha Secretariats 2011(b):98). He further stated as follows:

As far as Pakistan's nuclear arsenal is concerned, without going into the specific numbers [of nuclear warheads], let me assure this House that the Government remains committed to taking effective steps to safeguard India's security and defence interests consistent with our doctrine of credible minimum nuclear deterrent. (Lok Sabha Secretariats *ibid.*)

This answer implies that India under the INC-led government strictly implements a nuclear policy in keeping with the 1999 Draft on ND and the 2006 Working Paper, reflecting the nuclear option open policy that was in place prior to 1998, and does not consider a nuclear arms race with Pakistan necessary to maintain credible minimum nuclear deterrence. Conversely, it can be assumed that the BJP firmly maintains the position of reviving the 2003 ND and rejecting the 2006 Working Paper.

3. Changes to the Descriptions in the MOD Annual Report Since 2005

In this section, the Annual Report published by the Indian MOD is analyzed to determine India's nuclear policy under the INC led-government. The Table below analyzes changes in the description of India's nuclear policy between 2005 and 2012.

²⁷See, 'Annexe III Working Paper 06 Presented to the First Committee on Disarmament, UNGA, 6 October 2006', *supra* note.4, p.202.

Table: Major Points of the MOD Annual Reports between 2005 and 2012²⁸

Year	Major Points
2004-2005	<ul style="list-style-type: none"> - Establishing a mix of land-based, maritime and air capabilities - A minimum credible deterrent - No-first- use (not launch-on-warning) - Moratorium on nuclear testing - Rejecting an arms race or concepts and postures from the Cold-War era
2005-2006	<ul style="list-style-type: none"> - A defensively oriented posture - A minimum credible deterrent - No-first use - Moratorium on nuclear testing - Rejecting an arms race - No territorial ambitions and no exporting ideology
2006-2007	<ul style="list-style-type: none"> - A defensive, restrained and responsible posture - A minimum credible deterrent - No-first use - Avoiding the use of nuclear weapons against Non-nuclear Weapons States - Nuclear retaliation in the event of a major WMD attack - Pursuing a global (or bilateral) no-first use agreement - Continuance of committing to global, non-discriminatory nuclear disarmament - Not supporting the emergence of the new Nuclear Weapons States
2007-2008	Not mentioning about the nuclear doctrines
2008-2009	<ul style="list-style-type: none"> - A credible minimum deterrent - No-first use - Non-use of nuclear weapons against Non-nuclear Weapons States - A voluntary, unilateral moratorium on nuclear testing - Pursuing global disarmament based on the principles of universality, non-discrimination and effective compliance
2009-2010	No mention of nuclear doctrine
2010-2011	No mention of nuclear doctrine * “Although the ratification of the New START... was a positive development, progress towards global nuclear disarmament and the complete elimination of nuclear weapons is uncertain.”
2011-2012	No mention of nuclear doctrine

These descriptions clearly show that the 1999 Draft on Nuclear Doctrine was broadly reflected in these annual reports with the exception that a core posture of the 2003 ND, describing “nuclear retaliation in the event of major WMD attack”, was included in the 2006-07 report. Moreover, the annual reports contain the following descriptions not included in either nuclear doctrine: rejecting an arms race or concepts and postures from the Cold-War era; no territorial ambitions and no exporting ideology; a defensive, restrained and responsible posture; not supporting the emergence of new nuclear weapons states. The most critical point here is that no descriptions of India’s nuclear doctrine have appeared since 2010. It might be premature to reach conclusions on any features of the INC-led government’s nuclear policy by analyzing these descriptions contained in the annual reports alone, but one should not overlook the clear trend that India’s policy of nuclear deterrence has been

²⁸ See, the Ministry of Defence (MOD) of India; *Annual Report, 2004-2005~2011-2012*, available at <http://mod.nic.in/reports/welcome.html>.

toned down in recent years. It is difficult to explain this remarkable change while maintaining the narrative that India pursued “the recognition of... [India as] a *de facto* nuclear weapon state” through the 2005 Indo-U.S. nuclear deal (Mohan 2006:153-154). Thus, the INC-led government’s nuclear policy may be described as a political message on the part of India in the sense that the country does not emphasize its nuclear weapons capacity to the U.S. or the NSG member states.

VI. CONCLUSION

To reiterate our question: How can we interpret India’s nuclear policy since 2004 under the INC-led government? The 2003 ND does not firmly adopt a policy of no-first use or argue that India should retain a minimum nuclear weapons capacity. As this change is not consistent with the 1999 Draft on ND, one could safely claim that this involves a significant shift in policy or a discontinuity with the previous nuclear policy. Furthermore, the 1999 Draft on ND explicitly echoes the nuclear option open policy that was in place prior to 1998 because it contains fundamental aspects of traditional policy, such as no-first use, the non-deployment of nuclear weapons and a credible minimum nuclear weapons capability. Thus, the INC-led government maintained a nuclear policy in keeping with the 1999 Draft on ND as a dynamic transformation of the nuclear option open policy that was in place prior to 1998. In other words, the accession to the Indo-U.S. peaceful nuclear cooperation agreement implies that the INC clearly repudiated at least the 2003 ND, which calls for pursuing radical nuclearization. However, a lasting ambiguous aspect of India’s nuclear policy under the present government should not be overlooked. India’s nuclear policy should not be interpreted as ‘unlimited’ nuclearization, although it is difficult to deny that India has adopted an ‘arming without aiming’ posture. It might be more appropriate to approach India’s ambiguity with a sensitivity to processes of “strategic social construction” (Finnemore and Sikkink 1998:888) that include not only a strategic concern for power-politics but also the construction of self-identity.²⁹

Finally, it is crucial to note that India has shown restraint in its nuclear policy to establish good relations with the major countries in the nuclear non-proliferation regime, such as the U.S., and it recently finally obtained an unrestricted access to peaceful uses of nuclear energy from them. Therefore, India primarily desires to be a major-power with high-level and peaceful nuclear technology.³⁰

²⁹ Perkovich claimed that “[s]ecurity is not just the stuff of military strategy and geopolitics; it is an anthropological construct”. See, George Perkovich, 2001, *India’s Nuclear Bomb (paperback)*, London: University of California Press, p.506.

³⁰ For instance, following the decision of 3rd of December 2010 on the establishment of the IAEA’s fuel bank, the Indian delegate to the Board of Governors made the following statement:

[A]s a country with advanced nuclear technology, India would like to participate as a *supplier state* in such initiative.... the right of any member state to carry out research and development on nuclear fuel cycles for peaceful purposes should not be affected by these arrangements.
[emphasis added by the author]

See, Special Correspondence, ‘In IAEA fuel plan, India sees role as supplier’, *The Hindu*, 5 December 2010, available at <http://www.thehindu.com/news/national/article933966.ece>.

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