

India's Response to CBW attack

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A cardinal principle of India's nuclear doctrine is No First Use (NFU). In case the CBW attack is by a non-nuclear weapon state, there would appear to be a contradiction. 'However', it can be inferred that nuclear weapons could be used against a non-nuclear weapon state in the circumstance of a 'major' CBW attack by it. This feature of India's nuclear doctrine has been registered in the Army doctrine released in 2004. Use of CBW by states is the least likely threat. In India's case both potential adversaries are nuclear states.

A cardinal principle of India's nuclear doctrine is No First Use (NFU). It is articulated in a press release of January 4, 2003 on the review of operationalisation of India's nuclear doctrine by the Cabinet Committee on Security. NFU finds prominent mention in the doctrine featuring immediately after Minimum Credible Deterrent as the second point thus: "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." However, further down the press release as the sixth point in the doctrine, is India's intent of nuclear retaliation even against attacks with chemical and biological weapons (CBW). This is phrased as under:

"However, 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 addition, this intent also impacts the point immediately preceding it in the doctrine, namely: "Non-use of nuclear weapons against non-nuclear weapon states." The implications of India's declaration of resorting to nuclear retaliation against a 'major attack' with chemical and biological weapons on NFU and non-use against non-nuclear weapon states require deliberation.

First an understanding of India's doctrine in this respect needs to be attempted. This is necessitated by the extremely succinct manner the doctrine has been phrased, unlike its predecessor the Draft Nuclear Doctrine. India's nuclear posture can be said to be one of 'assured retaliation'. Nuclear retaliation would also be a response 'option' in case of a 'major' CBW attack. In effect, CBW attacks not amounting to a 'major' level would not draw a nuclear response. Even in case of a major CBW attack, India would not reflexively resort to nuclear retaliation, but doing so has explicitly been ruled in as a response 'option'.

In case the CBW attack is by a non-nuclear weapon state, there would appear to be a contradiction. On the one hand India has stated that it would not resort to nuclear weapons against a non-nuclear weapon state; while on the other hand it says it would do so should it face a major CBW attack from such a state. Since the point on nuclear retaliation against CBW attacks follows the one on no nuclear use against a non-nuclear weapon state and begins with 'However', it can be inferred that nuclear weapons could be used against a non-nuclear weapon state in the circumstance of a 'major' CBW attack by it.

Having clarified the postulates of the doctrine, a look at the background is in order. The response to CBW attacks featured prominently in the run up to Iraq War I when President George Bush Sr. attempted to deter CBW use by Iraq through promising nuclear retaliation in case it did so. Iraq's earlier use of chemical weapons in the Iran-Iraq conflict had led to apprehension in the coalition of its likely use in the forthcoming conflict over its occupation of Kuwait. In the event, Iraq did not use chemical weapons. This cannot however be attributed to successful operation of deterrence since it would first require to be proved that Saddam had intended to do so but was deterred by the timely threat by Bush. The likelihood of Iraq's resort to chemical weapons can be said to have been extremely minimal, if at all, and this was very likely not of the order as to merit a nuclear threat. That a nuclear threat was nevertheless resorted to by the superpower indicates the Information War dimension of the conflict in which Iraq was to first be built into a 'threat' of appropriate dimension as to call for the kind of build up and retribution witnessed in the Gulf in Iraq War I.

The US has since gone on to incorporate this aspect in its nuclear posture. It's National Security Strategy released on September 17, 2002 has it that, "the United States will continue to make clear that it reserves the right to respond with overwhelming force—including through resort to all of our options—to the use of weapons of mass destruction (WMD) against the United States, our forces abroad, and friends and allies." The influence of this formulation can be discerned in the Indian doctrine that came out only a few months later. The elements in the US formulation are present in the Indian version less the aspect of extended deterrence covering 'allies' that is understandably omitted.

This feature of India's nuclear doctrine has been registered in the Army doctrine released in 2004. The relevant portion states: "India reserves the right to retaliate with nuclear weapons in case of a strike against her by adversaries with nuclear, chemical or biological weapons." The Army doctrine in not mentioning 'major attack' conveys the wrong impression that India would retaliate with nuclear weapons to a CBW

strike. This not being the case would require reconciliation within the doctrine branch of the Army headquarters in the next edition of its doctrine.

The Army doctrine in discussing the threat underplays it: "International conventions... have banned the use of biological and chemical weapons. However, their use by adversaries and non-state actors cannot be ruled out." It avers that our forces must be prepared for operations in a biological and chemical weapons environment and towards this end, "both, active and passive defensive measures are being instituted to cater to this requirement." It can be inferred that the threat exists. Why this should be so with respect to 'adversaries' – both China and Pakistan have ratified the CWC - is not certain; but that being potential adversaries they cannot be trusted to fulfill their obligations is the presumable reason. Whatever the reason, the Army has rightly instituted active and passive measures; this despite being under the impression that India's response would be nuclear. Perhaps such measures include intelligence and targeting as 'active' measures and camouflage, dispersion and monitoring as 'passive' measures, among other military actions. This is explicable and does not divert overly from conventional war-fighting tasks. But given the seeming low level of perceived threat as evidenced by the Army doctrine, is the case for Indian intent to resort to nuclear weapons to deter such threats justified? Let's look at the threat perception. Use of CBW by states is the least likely threat. There are several reasons for this. The experience of the First World War dampens state resort to CBW. This would lay them open to retaliation in kind. The logistics of the exercise are considerable and defence measures against retaliation that would ensue are equally daunting. CBW are two edged. The attacking state would fall afoul of international opinion. It would render its soldiers exposed to like use by the adversary and this would not be helpful to morale. India's potential adversaries have the requisite conventional capability to reckon with India and therefore would not require resorting to CBW.

A state most likely to use CBW is one that would like to redress nuclear asymmetry in some

fashion – chemical weapons being known as ‘the poor man’s atom bomb’. In India’s case both potential adversaries are nuclear states. The other neighbours are also chemical weapons convention CWC signatories. There is no conflict scenario with such states in which either CBW figures in their calculations or a nuclear deterrent threat in India’s. Therefore there is little sense in the inclusion of the clause in question in the nuclear doctrine.

The non-state CBW threat mentioned in the Army doctrine is not impossible to envisage, given the levels of evil and desperation of terrorists. However, in an in-conflict scenario, attributing such an act to state sponsorship would not be possible to sustain. Worse is that knowing Indian intent, terrorists could launch such an attack in the hope that it provokes India to contemplate a nuclear response; thereby playing into their hands. In any case, such an attack can never be of the level of a ‘major attack’ and the Indian Army has declared it is capable of meeting the threat. In a peace time scenario, the threat of nuclear retaliation is a non-starter. Lastly, the inclusion of the phrase ‘Indian forces anywhere’ in the clause in question requires considering. In a conflict situation, even if on enemy territory, they are in any case covered by the deterrent threat. The conflict areas this phrase is possibly intended to cover are on peacekeeping duty or as part of possible future coalition operations outside of UN auspices. The apparent suggestion is that the utility of nuclear weapons is expanding beyond the consensus on politically acceptable dimensions of national security. On this score, this phrase compels a revisit. There is therefore no plausible scenario for Indian recourse to the nuclear option in response to a CBW threat. This begs the question of why it has been referred to in the doctrine in first place. The logic given in defence of the clause on release of the doctrine was that India having recently acceded to CWC and disarmed itself of CBW required to have a robust deterrent against their use against it. Having seen the counter argument against its inclusion, the recommendation here is that this clause could be deleted at the next review of the nuclear doctrine.

More importantly, the clause has a diluting effect on NFU and the guarantee extended by India

to non-nuclear weapon states. This impacts the credibility of the doctrine. Since the bedrock of nuclear doctrine is its credibility, any aspect that detracts from the same requires review. The release of the doctrine witnessed credible adverse comment on this aspect. The same odium of a qualified NFU that is attributed to China in some writings would also attach to Indian NFU. For instance, it is believed that China has qualified its NFU in stating that it is not applicable to its territory, interpreted in Indian circles to include Indian territory claimed by China. This is said to dilute China’s NFU. A like impact obtains on Indian pledge of NFU by the qualification, proved above as unnecessary in any case. Our pledge to non-nuclear states is to enhance our status as a responsible nuclear power. This qualification of the pledge impacts the stature being sought.

Therefore, to conclude, it is recommended that the doctrinal clause be reviewed – a surprising inclusion to begin with. Not being a doctrinal pillar of the order of ‘minimum credible deterrence’, ‘NFU’ and ‘assured retaliation’, there is no harm in India taking on board the problems pointed out since 2004 in refreshing its nuclear doctrine.