

CENTRE FOR ADVANCED STRATEGIC STUDIES

The Centre for Advanced Strategic Studies (CASS), Pune was registered on 21st September, 1992 under the Society's Registration Act, 1860, and as a Charitable Public Trust on 28th October, 1992, under the Bombay Charitable Public Trust Act of 1950. The Department of Scientific and Industrial Research, Ministry of Science and Technology, Government of India has accorded recognition to the Centre as a Scientific and Industrial Research Institution. The Centre has also been granted exemption U/S 80G of the Income Tax Act, 1961, which gives fifty percent exemption to the donors.

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Editor's Note

*"Behold the turtle.
He makes progress only when he sticks his neck out"*

- James Bryant Conant

Prime Minister Modi led Government has already completed a year plus in office since the resounding mandate it had received in last year's general elections. The buzz of excitement a year ago continues and the arrival of good Monsoon accompanied by continued low prices of crude oil has brought cheers to the economy. However, the challenges are many and there are miles to go before the expectations can be fulfilled.

In 2020 India will be the youngest nation in the world with a median age at 29. This will mean a great demographic advantage with availability of large work force of almost 500 million. Educating the large numbers of students, skilling them and creating adequate jobs will be a great challenge for the country and the Government in particular.

This CASS quarterly issue carries an article by Dr EAS Sarma who had recently delivered late Prof Kogekar Memorial Lecture at CASS on 'Democracy and Inclusive Growth' outlining the challenges being faced by the Government. As an outside view of Indian polity, Amitha Rajan based in London analyses various Foreign Policy initiatives of the Government in its first year.

It is commonly felt that with the new coalition Government of PDP and BJP there are greater hopes of resolving many vexed issues in the State of Jammu and Kashmir including resettlement of Kashmiri Pandits back to the Srinagar valley. An article by AVM Kapil Kak gives an insight into the current situation and future possibilities in J&K. With emphasis on long pending issues such as restructuring and modernisation Lt Gen Pattabhiraman has written an analytical article about The Indian Army in Transition.

With Nuclear saber rattling in the Russo-Ukrainian Theater as also the Iranian Nuclear deal in its final stages of negotiations, there are articles by experts such as Dr Manpreet Sethi on Nuclear Energy and Maj Gen Raj Mehta on Nuclear Doctrine. Dr Ramesh Thakur of the Australian National University, who is the co-author of 'Nuclear Weapons: The State of Play 2015', a report for the Centre for Nuclear Non-proliferation and Disarmament, has also written an article on the current state of Nuclear Disarmament. In this context, Vice Admiral DSP Varma has carried out a Book Review of this Report for the July issue.

This issue also has an article by Amb Talmiz Ahmad on the current scenario in West Asia, an area of great concern for the much desired stability in this oil producing but presently volatile region.

The Journal continues in its pursuit of bringing out scholarly articles written by experts from diverse fields. As such, Senior Advocate Mathew who handled the law suit of Italian Marines in the Enrica Lexie case has written an article on Maritime Security.

CASS has been fortunate in receiving encouraging response from the writers as well as the readership, enriching its quest for publishing scholarly articles in the Journal.

I thank you once again for the generous support and encouragement being provided to us in bringing out the CASS Quarterly Journal.

Wishing you all Happy Reading,

Jai Hind



(Bhushan Gokhale)
Air Marshal (Retd)
Director, CASS

Date: 20th June 2015

Democracy and Inclusive Development

By Dr EAS Sarma

Former Secretary to Government of India

I thank the Centre for Advanced Strategic Studies (CFASS) for giving me the unique privilege of delivering this year's Prof S V Kogekar Memorial Lecture.

I wish to speak today on "*Democracy and Inclusive Development*", a subject of considerable importance, discussed and debated widely, but without satisfactory answers in sight. To what extent has the existing paradigm of development benefited the disadvantaged sections in the country and to what extent do our elected bodies represent the true aspirations of the people, are questions that continue to cause us concern.

Before I proceed to deal with this subject, I consider it necessary and relevant to recall the liberal values relentlessly pursued by Prof S V Kogekar throughout his long academic career, starting with his graduation from the Fergusson College and the London School of Economics during the 30s, as the Principal of Fergusson College from 1957 to 1964, as a life member of the Deccan Education Society, as the President of the Indian Political Science Association during 1961, and till his demise at the ripe old age of 93 years in 2007.

First, Prof Kogekar had no hesitation in upholding and fighting for the citizen's fundamental right to express his/ her views fearlessly. During the 50s, when Pune University issued a diktat that its teaching staff should not give speeches or write articles against its policy, Prof Kogekar protested vehemently, wrote against the diktat and, for that

reason, had to give up his position on the University's faculty. He felt

(Based on Prof S V Kogekar Memorial Lecture

that the study of politics, like that of other social sciences, "*is not a cloistered pursuit; it thrives on a living contact with reality*".

Tolerance to dissent is essential for any democracy to be alive. It was Voltaire, the famous French writer and philosopher of the 18th century who said, "[*even if*] *I do not agree with what you have to say, ... I'll defend to the death your right to say it.*"

Second, his passion for upholding the sanctity of the democratic values enshrined in the Constitution was reflected again and again in what he spoke, what he wrote, and what he did, throughout his long professional career. His Kale Memorial Lecture in 1976 against the unfortunate declaration of Emergency brought him face to face with the powers that be, leading to near incarceration. His numerous articles in *Freedom First* on the democratic values embedded in our Constitution speak volumes of his deep commitment to the spirit of democracy.

The Constitution of India is the foundation of our democracy. Its internal checks and balances, in terms of an elected legislature, an independent judiciary, a vibrant civil society and an ever vigilant press, have strengthened it over the decades, rather than weaken it. It was in that context that it became all the more significant that Prof Kogekar had stood up to defend the Constitution against the temporary threat posed by the Emergency.

Third, he firmly believed that the makers of the Indian Constitution never intended that political rivalry and opportunism in a democracy should be allowed to hurt the public interest in any manner. It was this strong belief that prompted him at the Cuttack session of the Indian Political Science Association in 1961 to propose a system of a national government to bring the ruling party and the opposition together to work for the common good of the people.

Prof Kogekar's idea has a great relevance today when the major political parties are indulging in petty bickering, insensitive to the day-to-day concerns of the majority of the people, wasting public money and hurting the public interest. As against the egregious "coalition dharma" that pushed the earlier government into a mire of controversies, a more broad-based political instrumentality is urgently called for, to prompt the political parties to sink their differences and do good to the people.

EQUITY & SWARAJ

The makers of our Constitution were those who fought selflessly for the country's freedom from an oppressive colonial rule. While they successfully fought the foreign rulers, they knew that economic, social, cultural and political inequities that plagued the society posed a far greater threat to the survival of the newly created nation. Accordingly, in framing the Constitution, they addressed those inequalities in great detail and provided exemplary safeguards.

Gandhiji's test of good governance is that the rulers should ask themselves the question, "*Do (our) policies help the poorest and the weakest?*" Deliberately or otherwise, the elders who drafted the Constitution seemed to have pondered over this question again and again, as evident from the final version that was approved on November 26, 1949.

The two singularly important concepts that dominate the Indian Constitution are Gandhiji's idea of "*swaraj*" or self-governance and Dr. B.R.Ambedkar's concept of "*inclusivity*" in governance in its multifarious dimensions.

Gandhiji's swaraj is not just self-rule but it is also self-restraint. His campaign against colonial rule was not just to liberate the country from the British but also to liberate it from the colonial structures of governance. If Gandhiji's imprint in the Constitution is manifest in the provisions that relate to self-rule and village-level democracy, Dr.Ambedkar's signature is clearly visible in the safeguards provided for the disadvantaged groups. Together, these provisions laid the foundation for a participative, inclusive democracy.

What the Constitution envisioned was not just "economic development" devoid of the human face; it implied a multi-dimensional progress, encompassing human development, institution building, socio-cultural advancement, through affirmative action and participative decision making.

The sovereignty of the people and the equality of opportunity to all sections of the society in terms of employment, incomes and livelihoods are central to the Constitution. The four pillars of governance are *justice*, "social, economic and political", *liberty* of "thought, expression, belief, faith and worship", *equality* of "status and opportunity" and *fraternity* "assuring the dignity of the individual" in furtherance of the unity of the nation.

While the Fundamental Principles in Part III of the Constitution safeguard the individual's rights, the Fundamental Duties in Part IVA stipulate the individual's responsibilities. The Directive Principles in Part IV, though not strictly enforceable by any court, are "*fundamental in the governance of the country and it shall be the duty of the State to apply [those] principles in making laws*".

Among the Directive Principles, Article 38(2) has far reaching implications as it enjoins upon the State to "*strive to minimise the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.*"

Article 39, inter alia, requires the State to direct its policy such that "the ownership and control of the material resources of the community are so distributed as best to subserve the common good" and that "*the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment*". Article 46 requires the State to safeguard and promote the interests of the disadvantaged sections. There are several other provisions, elaborately laid down, that require the State to ensure the welfare of the workers in agriculture, industry and other kinds of economic activity.

The Directive Principles require the State to promote self-governance at the village level. Article 40 states that "*the State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government*".

A unique feature of our Constitution is the concept of affirmative action it provides in favour of the disadvantaged classes and the special protective provisions for the Scheduled Tribes. These provisions clearly bear the signature of Dr. Ambedkar. To millions of the dalits and the disadvantaged, Dr. Ambedkar has become an icon, as the custodian of their rights.

The strength of India's democracy is the independence and the stature of its judiciary comprising the apex court at the national level, the High Courts in different States and a well organised subordinate judiciary system at the ground level, with their original and appellate jurisdictions spelt out. The judiciary has played a far reaching role in interpreting the Constitution and laying down rules of good governance within the Constitutional framework.

Over the last few decades, laws have been enacted to transfer regulatory functions of the executive to independent, statutory quasi-judicial bodies in sectors such as electricity, telecommunications, petroleum and so on. To some extent, this has minimised the scope for possible conflict of interest in regulation.

Without free and fair elections, there cannot be a Parliamentary democracy. The Constitution provides an elaborate institutional arrangement for this purpose.

It goes to the credit of our polity and the vibrant nature of our civil society, helped by the constructive role played by the judiciary, that the institutions created by the Constitution have not only withstood the test of time but have also grown from strength to strength.

THE CONSTITUTION & ITS DYNAMISM:

The Indian Constitution and the laws and the regulations made in pursuance of it have evolved over the years, either as a result of suo moto initiatives taken by the Parliament, or as a result of judicial interpretation of its provisions, either on PILs filed by the civil society, or otherwise.

Ironically, it was at a time when the Constitution had come under a severe stress in 1976 during the Emergency, that the then government amended its Preamble to incorporate the two terms of far-reaching importance, “socialist” and “secular”!

In 1992, the 73rd and the 74th amendments to the Constitution reinforced self-governance at the grass-root level by empowering Gram Sabhas and Panchayats in 6,00,000 villages and Ward Committees and Municipalities in 5,200 urban agglomerations.

Through an interpretation of the Fundamental Rights, the apex court created the concept of “entitlements”, such as the “right to education”, the “right to employment” and the “right to food security”. This has empowered the disadvantaged sections of the society to demand and secure access to such basic amenities as a matter of right, not charity.

THE ELECTORAL SYSTEM:

It goes to the credit of the Parliament that, in 1988, the minimum age for voting was reduced from 21 years to 18 years, bringing millions of the youth to join the electorate of the country. During the 2014 elections, out of 815 million eligible voters, those between 18-23 years age were

estimated to be 487 million i.e. a proportion of around 60%. In other words, it is the youth, with a different set of values and aspirations, that is going to have a decisive influence on the future of this country.

The apex court has played a crucial role over the years in interpreting the provisions of the Constitution to usher in a series of electoral reforms.

The apex court's judgements on the ambit of Article 19 have not only enhanced the transparency of the electoral processes for the citizen but also widened the citizen's voting choices.

The Right to Information Act, which has been an outcome of these judgements, has empowered the citizen to demand and secure information from all public authorities. This has enhanced the executive's accountability to the public.

Some of apex court's judgements also required the contesting candidates to file sworn affidavits disclosing their financial and criminal antecedents as a precondition to filing nominations. This has made it possible for the electorate to exercise an informed choice while casting their votes.

More recently, the apex court ordered that the candidates' affidavits could be rejected if they contained incomplete information or if they suppressed factual information.

The apex court further held that an elected representative, if convicted to imprisonment of two years or more, would stand automatically disqualified.

Of late, the offer of freebies to voters by political parties has affected the fairness of elections. In that context, the apex court directed the Election Commission to frame guidelines for regulating the promises made in election manifestos.

Earlier, the voter had no option to cast a negative vote against the contesting candidates. The apex court has since come to his/ her rescue by directing the Election Commission to provide a None-Of-The-Above (NOTA) option that could be exercised by the voter.

The Election Commission has also played a proactive role in reforming the electoral system to the extent possible. The Commission has made it mandatory for political parties to get their accounts audited, deposit their funds in recognised banks, not exceed the prescribed limits of expenditure on elections and make a public disclosure of the details of

the donations received by them.

When private companies have started routing their donations through “electoral trusts” to hide their identities, the Election Commission has made it mandatory for the trusts to disclose the sources of their funds.

SIX DECADES OF DEVELOPMENT:

In aggregate terms, the progress achieved by the nation during the last sixty eight years has been phenomenal.

India’s population has more than trebled since Independence. To plan and achieve economic development in the face of a rapidly growing population is not a mean task. Still, during this time span, the average per capita income at constant prices has multiplied by a factor of 5.5. The credit for this should go to the planners who have made it possible.

Starting with a meagre annual production of 51 MMT of food grains at the time of Independence and, dependent heavily on imports, we have been able to step up food grains production by a factor of five and achieve self sufficiency in food. We can also be rightly proud of having one of the largest public distribution systems in the world for delivering food grains at affordable prices to the needy.

As a result of a quantum jump in the public healthcare facilities, the health indicators have improved significantly. For example, Infant Mortality Rate (IMR) has declined by a factor of four and the average level of longevity has doubled.

Similarly, during the last several decades, there has been a steep increase in the number of schools and colleges, leading to a four-fold increase in literacy. In particular, female literacy has increased by a truly impressive factor of seven!

Electricity generation and use are rough indicators of the way the economy has expanded. Over the last several decades since Independence, average per capita electricity consumption has multiplied by a mind boggling factor of 54. Taking the specific examples of industrial production, steel production has multiplied by a factor of 83, cement by a factor of 93 and oil by a factor of 126.

Thus, in aggregate terms, the progress achieved since Independence has been truly impressive.

DEVELOPMENT & ITS DISCONTENTS:

Despite the impressive increase in the average per capita income and the all round economic progress achieved since Independence, large sections of the population remain excluded from the benefits of development. The scourge of extreme poverty continues to plague the economy.

While the experts in the Planning Commission and elsewhere are still quibbling on how to measure poverty, the presence of poverty in India is far too obvious and disconcerting to be missed. While there are millions of households in our villages who have no access to the basic amenities of nutritious food, potable water, shelter, toilets and sanitation, the uglier face of poverty is there to see in the nooks and corners of our cities and towns, in the slums, under the impressive fly-overs, next to construction sites, close to high-rise buildings, on pavements along shining malls and so on. When the Commonwealth Games were held in Delhi in 2010, the government found Delhi's beggars an inconvenient aberration to the city's sheen and splendour. The Delhi administration, like an ostrich hiding its head, shifted thousands of beggars to far off places where they could not be easily seen!

Going by the definition of poverty based on the per capita calorific intake of food, the number of poor in 1973-74 was 321 million. The number did not decline appreciably till 2004-05 and the estimates in 2011-12 showed it to be 269 million! There is a greater concentration of the poor in the erstwhile States of UP, MP and Bihar and in Odisha and Maharashtra, indicating that there are wide regional asymmetries in the occurrence of poverty.

Poverty manifests itself in several ways, in terms of not only access to nutritious food, but also access to healthcare, shelter, clean water and energy and, more importantly, in terms of political and economic capabilities. If such a multi-dimensional view were to be taken, every third person in the country would be deemed to be "poor" and "deprived".

No wonder that poverty persists in our country as the benefits of economic growth have not got equitably distributed among the people. The Gini coefficient which measures income inequalities has remained steady over the last several decades. From the statistics available from the Planning Commission, the rural and the urban Gini coefficients for 1973-74 were 0.281 and 0.302 respectively. In 1993-94, a couple

of years after the launching of economic reforms, the corresponding Gini coefficients were 0.282 and 0.340. In 2009-10, eighteen years after initiation of the reforms, the rural and the urban Gini coefficients were still 0.276 and 0.371. In other words, income inequities continue to dominate our economy. While these Gini coefficients are averages at the national level, there are intra- and inter-State variations.

One would have expected the successive elected governments to undertake far reaching rural development plans to reduce the rural-urban gaps. The rural-to-urban consumption expenditure ratio, which was already low at 0.63 in 1973-74 remained more or less static over the next two decades but worsened to 0.58 by 2004-05. Displaced by the so-called “development” projects and in search of livelihoods, millions of agricultural workers have migrated to cities, to end up in slums, living in sub-human conditions.

Dedicating Bhakra Nangal project to the nation in 1963, Pandit Jawaharlal Nehru said, *“this dam has been built with the unrelenting toil of man for the benefit of mankind and therefore is worthy of worship. May you call it a Temple, a Gurudwara or a Mosque, it inspires our admiration and reverence”*. More than half a century later, many farmers displaced by that project are yet to get the benefit of rehabilitation or alternate livelihoods! There are thousands of such projects and millions of farming households displaced by them, still awaiting rehabilitation, decades after they were uprooted mercilessly.

Against this sordid background, neither the previous UPA government’s move to enact the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (hereafter referred as new LAAct), nor the NDA government’s more recent amendments to it, evoke credibility in the eyes of the farmers that they can secure justice from the government.

The economic growth model, based largely on centralised manufacturing facilities, has ruthlessly displaced millions of people since Independence.

The UN Working Group on Human Rights reported (2012) that, as a result of “development” projects, 60 to 65 million people have got displaced in India since Independence. 40% among them were tribals, another 40% dalits and the remaining, the “other rural poor”. The vast majority of them have not been resettled satisfactorily. Once proud

owners of agricultural land, their status has since degenerated to that of daily wage workers leading sub-human lives. The rate of human displacement has been very high during the last two decades.

One wonders whether the GDP really implies "*Gross Displacement Product*"!

Are measurements of GDP and national income good indicators of human development? Analysing the trends across the countries over the last 40 years, UNDP's 2010 Human Development Report has found that the forces driving improvements in health and education are entirely different from those driving improvements in the national income. UNDP concluded that the correlation between economic growth and Human Development Index (income-corrected) is "*remarkably weak and statistically insignificant*"!

There are 23 million families without a pucca shelter, another 29 million live in kutcha houses and 1.77 million live on pavements, or under fly-overs. 65 million live in slums without basic amenities. 53% of the people have no toilets. Every third person has no access to safe drinking water. On the average, a thousand children are dying daily due water borne diseases.

Many households have no access to clean energy even today. 86% of rural households and more than 20% of urban households depend on firewood and animal waste as fuel for cooking, with the attendant risk of toxic pollution leading to carcinogenic and other diseases. Rural women and children spend the best part of their day collecting fuelwood. This is partly responsible for the low children enrollment in schools.

Between 2001 and 2011, the country added 85,000 MW of new capacity. The number of rural households who had no access to electricity in 2001 was 7.5 crores. In 2011, it was 7.8 crores! Similarly, in 2001, the number of urban households who had no

access to electricity was 0.6 crores. It increased to 0.7 crores in 2011! Adding electricity generation capacity has not significantly impacted the poor.

Though the average per capita electricity consumption at the national level registered a steep increase over the decades, there are rural-urban and regional inequities. For example, compared to the more developed western region, the average per capita electricity consumption levels in the southern, the northern, the eastern and the north-eastern regions

are lower by a factor of 0.9, 0.7, 0.4 and 0.23 respectively. The average per capita electricity consumption in the urban areas is thrice that in the rural areas. More than one lakh villages in the country are yet to be electrified. There are 23 million households below the poverty line who have no access to electricity.

In 1970-71, small and marginal farmers, constituting 70% of the total number of farmers, cultivated 21% of the agricultural area, with an average holding size of

1.7 acres. One would have expected the much publicised agrarian reform programme undertaken by the planners to result in a more equitable distribution of the land among the farmers. By 2010-11, small and marginal farmers constituted 85% of the total number of farmers, cultivating 45% of the agricultural area, with the average size of their holding declining to 1.5 acres. This does not present a sanguine picture for agriculture, which continues to be the sustaining force for the economy.

Despite the unique provisions in the Constitution for safeguarding the interests of the SCs, STs and other backward classes and despite the major strides taken in the fields of public health, education and income generation, the benefits that have accrued to these disadvantaged sections have remained marginal. Compared to the rest of the society, the gap in literacy in the case of the SCs has been around 10%; in the case of the STs, it has been around 15%. The fact that untouchability still exists and atrocities continue to take place should remind us that economic development has not reduced social exclusion in any significant measure.

There is also a widespread and persistent discrimination against girls starting from early childhood, in matters of basic nutrition and health care, in areas of economic and political participation, in promotion of literacy and so on. Sixty years after Independence, the nation is still struggling to enact special laws to counter atrocities against women!

HOW REPRESENTATIVE IS OUR POLITICAL SYSTEM?

Despite the Constitutional safeguards that exist, the electoral system in our country has not fully eliminated the disparities in the society in terms of caste, religion, region, gender and so on. In turn, these disparities continue to distort the representative nature of our electoral system.

What is more distressing is that the disparities and the distortions seem to be getting more and more accentuated.

During the 2014 elections, 815 million voters cast their votes through a million electronic voting machines and delivered a verdict that even the best psephologists could not predict with accuracy. India's electorate is larger than both the US and EU electorates combined. How fair and representative is the electoral process in India? Has it been able to deliver what the Constituent Assembly had envisioned on November 26, 1949?

Money power and mafia muscle seem to influence our elections. Liquor, real estate and mineral mafias fund political parties and their candidates. Distribution of cash, liquor and freebies to the voters is commonplace.

India ranks below 134 countries, out of 187, in terms of UNDP's Human Development Index (HDI). Out of 161 countries, India's rank is as low as 101 in terms of the Social Progress Index (SPI). On the other hand, the country has the ignominious distinction of being the third largest market for liquor in the world. It is ironic that the successive governments should misuse liquor as a vehicle for generating revenues on the one hand, while the same liquor should be used by the political parties to try and benumb the electorate to secure votes. Providentially, even liquor has not fully succeeded in reining the giant of a democracy that is slowly waking up from its deep slumber.

The election laws and regulations require the political parties to make a complete disclosure of the funds they received and the expenses they incurred in each election. Unfortunately, what they declared fell woefully short of the funds they actually received and spent. The way extravagant rallies are held and the way the politicians hop around in luxurious aircrafts provided to them by their corporate cohorts make one feel that our *netas* are more affluent than the bygone royalty.

A recent survey of political parties conducted by a reputed daily showed that the apex decision making bodies of all six national parties in the country are acutely skewed against women, dalits and minorities. No wonder that this inherent asymmetry is reflected in the way elections are contested, in the manner in which the legislative bodies conduct their business and the way the elected governments function.

Going by the disclosures made for the 2014 Lok Sabha elections, the

expenditure incurred by the political parties was Rs.1,308 Crores, which worked out to Rs.2.4 Crores per MP. In reality, the figure would be far higher. The bulk of these funds came from private companies through donations permitted under the Companies Act, though some political parties had no compunction in accepting donations even from foreign companies, in violation of the Foreign Contributions (Regulation) Act. When private companies donate to political parties, they expect quid pro quos, which include the ruling party's acquiescence in the companies infringing the laws, polluting the surroundings and violating the human rights of the local communities.

The funds spent on "corporate social responsibility" or CSR is the fig leaf often used by corporates to cover up the harm inflicted by them on the society. The Companies Act requires them to spend at least two percent of their average profits on CSR. On the other hand, the same Companies Act permits them to spend up to seven and a half percent of their profits towards donations to political parties. One wonders whether there was an invisible hand that inserted these lop-sided provisions in the Companies Act! Though the Constitution required it otherwise, our laws and regulations are biased in favour of the corporates.

The Association for Democratic Reforms (ADR), an NGO that keeps a close watch on elections, has analysed the background of the candidates who contested the 2014 Lok Sabha elections. Its findings are disturbing.

As per the 2011 Census, the average female-to-male ratio in the population is 0.94:1. In view of this, one would have expected the socio-economic progress made during the last six decades to have empowered women so as to reduce the gender disparities. One would have expected this also to increase representation for women in legislative institutions. Going by this logic, the proportion of women in the Lok Sabha ought to have increased to at least 45%, if not more. As against this, only 11.5% of the winning candidates in 2014 elections were women, compared to 11% during 2009. The male dominated legislative bodies have agreed as of now, rather reluctantly, to reserve only 33% of the seats in the legislature for women but the women's reservation Bill has been awaiting Parliament's approval for more than 14 years. The present government at the Centre, with all its good intentions and its adventurism in promulgating ordinances, could have moved this Bill on priority but, in

a society dominated by the male, the concept of “equality of status and of opportunity”, dreamt by the makers of the Constitution, will take a long time to fructify.

While selecting candidates for contesting elections, the political parties have no hesitation in giving tickets to those even with a criminal background, provided they can splurge money and win.

While 30% of the candidates faced criminal charges during 2009 elections, the proportion had gone up to 34% during the 2014 elections. The corresponding figures for “serious” criminal cases were 15% for 2009 and 21% for 2014. Ten winners in 2014 faced murder charges. ***Statistically, for the 2014 election, the winning probability for candidates with criminal cases was 13%, whereas the winning probability for a clean candidate was only 5%!*** This is truly disturbing.

The financial background of our legislators is no less distressing.

If 58% of the elected members for Lok Sabha in 2009 were crorepatis, 82% were crorepatis among those elected for Lok Sabha in 2014. The average assets of a candidate for the 2009 election were Rs.5.39 crores, whereas the corresponding figure for the 2014 elections was Rs.14.7 Crores. Apparently, the legislature is fast becoming a club for the rich, leaving the rest of India behind!

The corresponding figures for the Union Ministers is no better. 38% of them are facing criminal charges and 17% have serious criminal cases against them. 92% of the Cabinet Ministers are crorepatis and their average assets are Rs.18.48 Crores per Minister. Thus, the political executive itself has become a haven for the rich!

Among the States, that have contributed crorepati Members in a significant number to the recently elected Lok Sabha, figure UP (68 out of 80 MPs), Maharashtra (45 out of 48 MPs) and erstwhile Andhra Pradesh (39 out of 42 MPs).

For a country where every third person has no access to potable water, nutritious food, healthcare, sanitation and shelter, one wonders as to what extent can our legislative bodies represent the concerns of the disadvantaged.

Have the legislative bodies in our country been able to conduct their proceedings with dignity and decorum so as to be able to address the major national concerns such as poverty, lack of sanitation, shelter, toilets and inadequate livelihoods? In the recent years, frequent disruptions

amidst mutual fault-finding among political parties have become the order of the day and there is little time available for our legislators to address the issues that concern the poor.

For the citizen, the Constitution has defined the fundamental rights and the fundamental responsibilities in great detail (Article 51A). With regard to the privileges and the responsibilities of the legislators, the makers of the Constitution thought it fit to trust the legislatures to regulate themselves. While the legislators were ever ready to demand and enlarge their privileges frequently, they have not displayed the same eagerness and anxiety in enacting laws to stipulate their responsibilities, as enjoined upon them in Articles 105 and 194.

Article 40 requires the legislature to promote village level self governance. Parts IX and IXA, inserted in 1993 by the 73rd and 74th Amendments, have provided a more significant role for Gram Sabhas and Panchayats in the rural areas and for Ward Committees in municipalities in urban areas. More than two decades have elapsed since then but these grass-root level democratic institutions are yet to get fully empowered. Gram swaraj, as envisioned by Gandhiji has remained an unfulfilled dream.

Instead of progressing towards gram swaraj, we seem to be moving backwards by abridging that concept in the name of “development”.

The Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA) and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA) mandate “prior consent” of Gram Sabhas for projects located in areas notified under the Fifth Schedule to the Constitution. The LA Act of 2013 requires a “Social Impact Assessment (SIA)” for industrial projects that impact the people’s lives and a “prior consent” of Gram Sabhas as well as the project-affected persons, before projects can be set up.

The successive governments, in the name of hastening “development” projects, have tried to amend these three laws to do away with the “prior consent” requirement altogether. In the case of the LA Act, there are moves to do away with the concept of SIA on the ground that it will cause delays in acquisition of land for industry.

The Environment (Protection) Act of 1986, framed in pursuance of the directive principle on conservation of environment in Article 48A, provides mandatory public consultation as a precondition to assessing

the environment impact of a project before it is cleared. For a political executive that is in a tearing hurry to clear industrial projects promoted by its corporate cohorts, such public consultation has become an avoidable irritant that could be reduced to a farce by holding public hearings under police oversight.

During 850-1200 AD, the Chola kings ruled the southern parts of India. Surprisingly, at the local government level during the Chola era, every village was a self-governing unit which not only exercised oversight on village administration but also adjudicated local disputes. In other words, it was a decentralised democracy within a monarchy, whereas, in independent India, where a new breed of dynasties seem to rule, we have highly centralised monarchies within a democratic system!

There is a growing dichotomy between how “development” is perceived by the ruling political executive and how it is viewed by the communities at the receiving end. Once elected, the political executive seems to feel a sense of discomfiture at facing the people, till the next elections. This raises conceptual issues concerning democracy which I propose to discuss later in some detail.

Anticipating the possible exclusion of girijans from the mainstream of governance, the framers of the Constitution thought it fit to insert a unique provision by way of Clause 5 in the Fifth Schedule, which required the government to review and adapt all laws to suit the girijans’ interests before they are extended to the girijan areas notified under that Schedule. Sixty six years have elapsed since the Constitution came into force, but this safeguard is yet to be put in place. Large tracts of lands are being snatched away from the girijans in the name of development to benefit influential mining companies that fund India’s elections.

Dr. Ambedkar’s dream of safeguarding the rights of the disadvantaged is far from getting fulfilled, despite the specific clauses that exist in the Constitution for that purpose. Consequently, the benefits of economic development that the country has achieved since Independence have not fully reached the disadvantaged sections of the society.

DEVELOPMENT: A PEOPLE’S POINT OF VIEW:

When Alexander the Great, in one of his generous gestures, prompted the Greek philosopher, Diogenes, who was sun-bathing in the agora at that time, to ask for a boon, the latter replied, *“I have nothing to ask but*

that you would remove to the other side, that you may not, by intercepting the sunshine, take from me what you cannot give”.

In the northern part of Andhra Pradesh, the government recently announced unilaterally the diversion of 15,000 acres of fertile agricultural land for an international airport. The local villagers, who are proud of agriculture as their main occupation and legacy from their forefathers, resisted the decision in one voice, saying that they valued their agriculture much more than an airport and that they considered that the social costs of an airport far outweighed its benefits. One interesting point they made at that time was that the government had ignored their long pending demand for a modern bus-stand with adequate facilities for the people, rather than an airport that only a few could use!

In another part of the State, a private company offered to buy agricultural land in a village for setting up a sugar factory, for which the company had already approached the government for environment clearance. The villagers felt happy as a sugar factory would bring them wide ranging benefits. Raising sugarcane, for which there was a remunerative support price, would bring all round prosperity for the village. Their underutilized bullock carts could be used to transport the harvested sugarcane to the factory. Both the increased agricultural activity and the factory operations would provide greater employment opportunities for local artisans and unemployed youth, without any special skill upgradation. A begasse-based co-generation power plant in the factory could generate electricity for the factory. The farmers knew that such a power plant would cause minimal pollution. Thus, the villagers exercised their own due diligence and willingly sold their lands to the developer.

What followed thereafter was disturbing. The developer, in connivance with the government, altered the proposal overnight and started taking fresh clearances for setting up a coal-based power plant at the same location. The villagers who were aware of the pollution caused by a nearby coal-based power plant and the limited employment opportunities it offered locally, opposed the company's latest proposal in one voice. Initially, the private company, with the connivance of the local officials, had its way. The police registered false cases against the villagers who refused to relent. Finally, the agitating villagers succeeded in stopping the power project! In this case, it was not as though the local people

opposed industry for the sake of opposing it. They knew what was good for them. They would prefer an agro-based industry like a sugar factory, not a polluting unit like a power plant.

Outside India, we have the unique story of Enrique Panalosa, an elected Mayor of Bogota, the capital city of Colombia, during 1998-2001. Bogota's population at that time was 7 million, twice that of Pune.

Since the majority of the residents of Bogota were poor, Panalosa's priority as an urban planner was for social integration and equality. He created a 300-km bicycle path network, restricted car use and radically improved pedestrian facilities. He built more than a hundred kilometers of pedestrian-only streets and greenways, a 24 km pedestrian and bicycle-only street that goes through the poorest neighborhoods, and the Juan Amarillo Greenway, a pedestrian street that goes from the richest to the poorest neighborhoods of the capital. He created the TransMilenio bus system which has been a model to many cities and it is now considered the best bus system in the world.

He summed up his approach to urban transport by asking, "*Do we dare create a transport system giving priority to the needs of the poor? Or are we really trying to solve the traffic jams of the upper income people? That is really the true issue that exists*".

Is not Enrique Panalosa's model a far cry from the one hundred urban areas that the Central government is going to convert into "smart cities"!

These real life stories illustrate how there can be a totally different perspective on "development", as perceived by the people who are at its receiving end, compared to how the government usually views it. In the first two cases, the local communities were insistent that they be fully involved in any decision that impinged on their lives. In short, they knew what they needed and they questioned the government or any other external agency imposing projects on them without knowing what they wanted. The benefits and the costs of a project, as perceived by the government located far away from the people, can be totally different from the benefits and costs visible to the local community itself. The relative weights assigned by the local community to different kinds of benefits and costs are different from how they are viewed by an external agency.

The Bogota experience shows how an elected representative, conscious

of the need for social integration in a city, invested time and effort on plans to cater to the poor in the slums who constituted a large section of the city's population, rather than frittering away scarce resources on schemes that satisfied the elite minority. There is an important lesson in it for urban planners in India.

Any activity that abridges the freedoms of the local people cannot strictly qualify to be called "development". The local communities value their freedoms and they will resist any move to restrict them. Those activities that widen their freedoms are those that become acceptable.

Amartya Sen, in his book, "Development is Freedom", has rightly described "development" in these words. "*Development can be seen.....as a process of expanding the real freedoms that people enjoy.*"

The core element of "development" is public participation in decision making. The best way to encourage participative decision making is to provide a portfolio of choices to the people, provide them the necessary technical inputs and leave them free to decide on what they perceive as "development". If the local community is apprehensive of social costs such as loss of agricultural land, or deprivation of livelihoods, or pollution of their surroundings, the well established "precautionary" approach requires the government not to brush aside their objections. Respecting these essential requirements will ensure that the so called development activity undertaken by the government becomes truly inclusive.

The paradigm of inclusive development described above has several implicit advantages.

Participative decision making draws out the best in people, especially their inherent innovative capabilities. Measured in terms of capital invested, this innovation capital, once fully tapped, can far exceed the potential of all the domestic and foreign capital we can ever muster from corporate sources. People's participation renders decision making transparent, minimises the scope for corruption, reduces costs and enhances the quality of governance.

CAN "EMINENT DOMAIN" BE BENIGN?

The term "eminent domain", first mentioned by the Dutch jurist Hugo Grotius in 1625, referred to the idea that "the sovereign can do anything, if the act of sovereign involves public interest". It implied the authority of the State, if it so desires, to appropriate private property for

a public purpose. This, in conjunction with an overstretched use of the term, “public purpose” and a lop-sided view of the term, “development”, has played havoc with the lives of millions in India.

The historical background of this is explained below.

The original Land Acquisition Act of 1894 enacted by the colonial rulers, later adopted by independent India in its Constitution, provided a somewhat open-ended definition of the term “public purpose”. It primarily enabled the government to acquire private land on a limited basis, for public hospitals, public schools, railways, roads and other community-oriented projects.

In the Constitution, the individual’s right to property was originally treated as a fundamental right (Article 31).

Later, Nehru’s concept of the “*commanding heights of the public sector*” led to the creation of several PSUs which demanded allocation of large stretches of land, often far in excess of what was needed. In 1979, a Constitutional amendment deleted Article 31 (right to property as a fundamental right) and, instead, introduced Article 300A to empower the government to appropriate the individual’s private property forcibly, merely by paying a “reasonable” compensation. The very fact that the land was meant for the PSU was enough to bring the acquisition within the meaning of a “public purpose”, irrespective of whether the purpose was a commercial one or not. Since all activities of a PSU were deemed to be for “nation building”, they were automatically considered “development” activities. No one really cared to know whether the PSU was engaged in an essential public purpose or a non-essential activity such as running a five-star hotel, or a travel agency, or a shopping mall. Ironically, it was this jugglery of words that the policy makers made use of, unmindful of the trail of human misery that they left behind.

The year 1991 provided a yet another cruel twist to the concept of eminent domain, in conjunction with the distorted meanings assigned to “public purpose” and “development”. While 1991 ostensibly introduced economic liberalisation, in the absence of the three essential requirements of any reform, namely, transparency, competition and public accountability, it was a virulent form of crony capitalism that was unleashed.

“Privatisation” became the mascot of economic liberalisation, overriding the need for transparency and competition. The term “private”

itself had a restricted meaning; it denoted only the large, influential corporate agencies, not small enterprise. The successive governments conveniently ignored the fact that a small agriculturist, with little external support, facing the vagaries of the monsoons, or a traditional fisherman, facing the uncertainties of the high seas, take risks comparable, if not more, to the market risks taken by the corporates, and, contributes significantly to nation building. To accommodate one corporate project offering a few hundred skilled jobs, the government has no compunction in disrupting the livelihoods of thousands of these genuine small private entrepreneurs, calling it “development”. Had the government treated these small farmers, fishermen and artisans on an equal footing compared to their corporate allies, the paradigm of development would have followed a different trajectory. Small agro-processing units, modern fish retail outlets, small dairy farms and poultry units, owned by the local communities and their federations, would have placed the economy on a more enduring foundation. None would have got uprooted from their traditional habitats.

Advanced economies like Denmark have strengthened their cooperative institutions to promote agriculture and dairy industry. More than 10% of Denmark’s exports are high-valued products of agriculture and dairy industry.

The corporate industry is primarily interested in grabbing land, minerals and other natural resources, without having to face any competition or independent regulation. Since it is they that fund the politicians, the latter have readily fallen in line. The terms “eminent domain” and “public purpose” have been conveniently hijacked to imply any and every activity undertaken by a private company, whether it is for a genuine public purpose or for amassing profits. The concept of eminent domain has often come in handy for the government to give license to private companies to breach the law of the land and violate the human rights of the people.

Fueled by corporate money power and extreme coercion, the land acquisition process has since become more and more draconian and regressive, provoking widespread public opposition. In some cases, the agitating farmers even lost their lives, resisting State coercion. Such agitations provided fodder for the opposition parties to criticise the party in power, though they would shift their own posture once they returned

to power. Land acquisition law has thus become a pawn in the hands of the political parties, none of whom had any sensitivity to the plight of the farmer. The anti-farmer policies of successive governments have already created an agrarian crisis and the increasingly draconian nature of the land acquisition law, primarily meant to help private industry, has become the last straw that broke the camel's back.

In 2013, the then UPA government initially tried to accommodate the interests of the corporate houses by amending the land acquisition Act in such a way that one could force the farmers to barter away their human rights in exchange for a higher compensation. As a result of intense civil society pressure, the government relented and reluctantly introduced three clauses, one on transparency in acquisition, another mandating prior-consent by the affected families and a third one on "social impact assessment" of the project as a pre-condition to land acquisition.

When the NDA came to power, the private industry once again took advantage to get the three clauses rescinded so that they could appropriate agricultural land without any hurdle. The result was a hastily put together Ordinance that once again become a bone of contention between NDA and the opposition. Meanwhile, thousands of farmers continued to commit suicides without any tangible response to their plight from either the Centre or the States.

For development to be inclusive, the decision making process needs to be bottom-to-top. In that approach, it is the people who are fully involved in decision making from the beginning to the end. The government at best would provide technical inputs to enable them to make informed choices. By the very nature of it, it is an empowering exercise for the people, every time they take part in deciding on what they need; a true indicator of democracy at its best. It is they that define what constitutes a public purpose. If they need space for a community school and if a small stretch of land is to be chosen for it, it is they who exercise the choice collectively. If there is no convenient government land available, they may negotiate with one of their own members the terms on which he or she would provide private land for the school or hospital, as the case may be. The local democratic institutions, Gram Sabhas in rural areas and Mohalla Sabhas in urban areas, will play a central role in such decision making. To that extent, it is the people's "eminent domain" that matters, not the coercive "eminent domain" of the State. In this

paradigm of democracy, authority springs from the people at the village level, not transmitted downwards from the top. This process replaces “greed” with “need” and eliminates coercive infringement of individual’s right to property.

In democracies, with centralised decision making systems, punctuated by five-yearly elections, with little scope for the people to have a say in governance during the interregnum, the ruling political executive tends to arrogate to itself a false sense of unsolicited wisdom to be doled out to the people.

On the other hand, in a bottom-to-top decision making system, it is the combined wisdom at the grass-roots level that enlightens the decision making process and imparts legitimacy to it.

This is the direction in which we need to move in order to realise a democracy that is not only representative but also vibrant. If development is to be inclusive, we need to progress in this direction.

THE CIVIL SOCIETY’S ROLE:

“As human beings, our greatness lies not so much in being able to remake the world – that is the myth of the atomic age – as in being able to remake ourselves”. These are Gandhiji’s words. If a positive change is to be brought about in the politics of the country, it should start with each one of us, in our own attitude to politics and our own role within the society. Since politics influence our future, we have a stake in it.

We are often over-conscious of our rights as citizens but not so conscious of our responsibilities. *“Rights accrue automatically to him who duly performs his duties. In fact the right to perform one’s duties is the only right that is worth living...It covers all legitimate rights...”* [Gandhiji]

As educated citizens, we seem to be more concerned about our personal comfort than the collective well-being of the society of which we are a part. Several of us belong to an elite minority that lives comfortably at the expense of not only the majority but also at the expense of our own posterity, as we are overexploiting natural resources that partly belong to the future generations.

“The world has enough for everyone’s need, but not enough for everyone’s greed.” These are Gandhiji’s prophetic words, which have assumed great relevance in today’s politics, both national and global.

The ancient Greeks had a word for greed; it was *“pleonexia”*, an

overreaching desire for more than one's share.

Nationally and globally, it has become clear that over-exploitation of scarce natural resources like land, water, minerals, forests, the environment and so on has both intra- and inter-generational implications. Unfettered economic growth without considering resource limitations cannot last long. Uneven distribution of the benefits of growth in the short run creates social conflict. Indiscriminate growth in the long run threatens the survival of the society.

The society is today divided into two groups, a pleonetic minority of an elite, who demand more than their legitimate share in the benefits of development and a majority that is silent, having no voice in governance, largely excluded from development. Ironically, this elitist minority comprises not only influential politicians but also large sections of the educated, who find it convenient to perpetuate the paradigm of exclusive development. Either they are blissfully ignorant of the sacrifices expected from the majority to keep the elitist minority comfortable or they pretend that they are unaware of the same.

In his thought provoking book, "The Price of Inequality", Joseph E. Stiglitz, whose work on adverse economic implications of information asymmetries earned him the Nobel award for economic science in 2001, says, "*Paying attention to everyone else's self-interest – in other words to the common welfare – is in fact a precondition for one's own ultimate wellbeing... it isn't just good for the soul; it's good for business.*"

Pleonexia or greed may look attractive in the short run; but it threatens the survival of democracies in the long run. Sooner the educated elite realises this, the better it will be for their own long-term well-being.

In a way, the more participative and equitable a democracy is, the more inclusive and sustainable can be its development. It will therefore be prudent for any society to deepen its democratic processes and reduce inequities for its own long-term survival.

The civil society can play a decisive role in shaping the country's politics to make it more representative and equitable, so that the process of development may become more inclusive and sustainable.

There are a few tangible initiatives we could take as a part of the civil society.

A political party that shuns inner party democracy cannot be trusted to rule the people in a democratic manner. Similarly, a political party that

is reluctant to be transparent in its functioning and submit itself to the regime of right to information cannot claim legitimacy in a democratic system. The civil society should extend support only to such parties that commit themselves to transparency and inner party democracy.

The high cost of contesting elections has become a barrier to public-spirited citizens taking part in the electoral process. While extending support to those political parties that adopt austerity in electioneering, the civil society should also campaign on replacing company donations with State funding in conjunction with a low ceiling on election expenditure incurred by the candidates. We should send a strong signal to all political parties that extravagance in electioneering will give them a negative rating.

Criminalisation of politics has eroded the credibility of our democracy. The civil society should take an unambiguous stand that it will extend support only to such parties that refuse to give tickets to candidates with a criminal background, or those that directly or indirectly own liquor shops, or those that get support from mafias should

To ensure that the legislatures provide a balanced representation to women, the civil society should campaign for a gender balance in the selection of candidates and make it known to political parties that women candidates would be preferred.

Election manifestos have lost their credibility as the political parties have short memories and the citizens rarely hold the parties accountable, once they get elected. To some extent, manifestos at the State level or the national level are not quite relevant to the people's problems at the micro-level. Rarely do the citizens belonging to each area, or each section, come together, discuss their immediate problems and demand that they be taken up by the elected representatives. A time has come when the citizens themselves list out their local problems, present them to the contesting candidates and hold the winning candidates accountable for making tangible efforts to address those problems. "Praja manifestos" should override political party manifestos. The civil society should insist that the candidates commit themselves to fulfilling the people's aspirations as listed out in such praja manifestos and remain constantly accountable to the electorate, failing which the voters would be encouraged to reject the unwilling candidates by casting NOTA votes.

During the 2014 elections, the residents of a slum in Visakhapatnam

did come up with their own manifesto, demanded that the candidates seeking their votes should not only affix their signatures committing themselves to solving the slum's problems but also agree to report every three months to the slum residents and remain fully accountable. When one candidate refused to fall in line and threatened them, the residents recorded the threats on their mobile telephones, approached the district authorities and succeeded in getting criminal cases filed against the candidates. A praja manifesto is this an eminently workable idea.

In order to strengthen the grass-root democratic institutions, the civil society's efforts should be at empowering the Gram Sabhas and Mohalla Sabhas as the foundation of democracy, so that they may have a crucial role in decision making processes on all development activity.

The Aam Admi Party in power in Delhi had recently held its participatory budgeting exercise in eleven constituencies. With the modern communication technology at our disposal, it should be possible to elicit village level participation in both budgeting and planning at the State and Centre levels. With a technology savvy youth that is going to dominate the electorate more and more in the coming years, a real participative democracy is well within the realm of possibility.

Public consultation should be a precondition to any decision that affects the people. On issues of public importance, the civil society needs to campaign in favour of government holding referendums. The people of Raigad district in Maharashtra had forced the State Government to hold a referendum on Maha Mumbai SEZ in September, 2008 and demonstrated that the majority of the farmers were reluctant to part with their fertile lands to a private company. The referendum provided an impetus to the public agitation against the SEZ which was finally cancelled in 2011.

The civil society can no longer sit back as a silent spectator of the wasteful ways in which the legislative bodies conduct their business. Once elections are held and the elected representatives become a part of the legislative bodies, the electorate has no effective lever to hold them accountable. It is the civil society that can play a crucial role in mobilizing the electorate in such a manner that they can exert sufficient pressure on its representatives to come back to it for consultation on important public policy issues. For legislative bodies to function in an orderly way, they need to enact laws under Articles 105 and 194 to ensure that they

can function in a responsible manner. The civil society can exert pressure on the legislators to act on this.

Finally, for the civil society to remain oblivious or indifferent to the concerns of millions of the disadvantaged sections of the society would not only be unethical but also be highly imprudent from the point of view of the long-term survival of the society. The civil society should therefore be committed to the Constitutional safeguards provided for the disadvantaged sections and lend support only to such political parties that work towards fulfilling them.

The scourge of Indian politics today is the mafias that derive strength from liquor and black money. They thrive on keeping the majority of the people illiterate, diffident and intimidated. The civil society should do everything in the realm of possibility to campaign against these evil forces or extend a helping hand to all those who campaign against these mafias.

CONCLUSION:

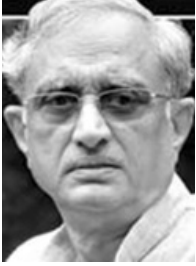
Writing in *Young India* on May 7, 1931, Gandhiji said, *“there is no human institution but has its dangers. The greater the institution, the greater the chances of abuse. Democracy is a great institution and therefore it is liable to be greatly abused. The remedy, therefore, is not avoidance of democracy but reduction of possibility of abuse to a minimum.”*

The only institution that can resist abuse of democracy is the civil society which comprises each one of us sitting here and all those who are outside, who feel that a positive change is necessary, for a more representative democracy and a more inclusive paradigm of development.

Each one of us should ponder over Gandhiji’s advice, *“be the change that you wish to see in the world.”*

I hope we do not let go this opportunity!

EAS SARMA



He was member of the Indian Administrative Service till 2000. He served in various capacities during his tenure that includes:

- Principal of Administrative Staff College of India, Hyderabad, India (2001-04)
- Secretary, Ministry of Finance, Government of India (1999-00)
- Secretary, Ministry of Power, Government of India (1997-98)
- Principal Adviser, Planning Commission, Delhi (1996-97)
- Adviser (Energy), Planning Commission, Delhi (1989-94)

He is the Convener of Forum for Better Visakha (FBV), a civil society forum, set up in 2004. FBV provides a meeting ground for citizens and NGOs to interact on public policy issues and bring civil society pressure on the political executive, the government and the others in the interest of the society and for promoting good governance.

He completed Masters of Public Administration from Harvard University (USA) in 1980 and was awarded Ph. D. from IIT, Delhi in 1986.

He has authored several books on his subjects of interest including energy, ecology and IT.

Jammu & Kashmir at the Crossroads: Challenges and Opportunities

Air Vice marshal Kapil Kak

*Kashmir...By the power of the spirit...yes
By the power of the sword...never
Pandit Kalhana in Rajatarangani (1148)*

BACKDROP

Jammu and Kashmir (J&K) State is at the heart of India's nation-building vision of a secular, decentralised and diverse Union. The Central Government has expended substantial political, economic, diplomatic and military resources in the state since its accession to India. And even today, J&K remains one of the country's key national security preoccupations. That Pakistan is in illegal occupation of one half of the State's territory and China likewise illegally occupies its Aksai Chin area makes it a difficult needle to thread. A quarter century long militancy combined with Pakistan's proxy war makes its handling highly complex.

Kashmir is not a black and white binary. Within the Indian Union it is one of the most intricate states to govern. But the challenge is not insurmountable. Provided the central and state political leadership has the will and a sense of perspective in which extensive inter-related and multifaceted challenges can be addressed with a combination of sensitivity and robustness. This is because J&K has invariably been seen only through the lens of national security and strategic needs. As a

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result peoples' confidence remains shaken, trust building has not moved forward, and it has not been possible to make Kashmir truly an integral part of India in the real sense of emotional and psychological depth.

This paper, with a public policy orientation, aims to evaluate the existential political situation, the convoluted security dimensions, and other manifold challenges that confront the Centre and BJP-PDP coalition. These would include peoples' alienation, especially of the angst-filled youth; radicalisation both on basis of religion and region; the vexed issue of return of the Kashmiri Pandit community which has defied a solution for decades; and, a way forward for addressing the external dimension as also the pivotal and potentially game-changing internal track.

POLITICAL DEVELOPMENTS

In the State Assembly elections of 2014, with a voter turnout of 65 percent—the highest in two decades—people voted resoundingly for change. As in the rest of the country, the cry for people-sensitive governance, basic amenities, justice and, most of all, jobs was loud. But in the specific context of Kashmir, people, in addition, perceive being denied for a quarter century attributes of democracy so pulsating in the rest of India like freedom from violence, harassment and unlawful detention, and protection of the right to free speech, assembly and travel. These gaps cannot be papered over by elections.

Mufti Muhammad Sayeed, the Peoples Democratic Party (PDP) leader, as Chief Minister of the ideologically-antithetical NDA-PDP coalition, is viewed as an enormously people-centric and statesmanlike leader, endowed with vast administrative experience, who could potentially deliver on both these sets of issues. For this he needs generous funding support from the central government. Four months on, that prop-up is not perceived as forthcoming. Influential sections within the PDP are said to be getting increasingly vocal about the futility of continuing with the alliance—a sentiment the opposition is expectedly leveraging to the hilt.¹

Having been inconsequential for long in the fractious politics of Kashmir, the BJP, without even a single seat there, has occupied political mind-space due to being in the Government for the first time ever. In the face of strong opposition it claims to have enrolled 3.2 lakh members

in the valley in recent months. Such a development augurs well for the democratic health of the State as all the ideological impulses of the national political spectrum find traction. (This is somewhat akin to the Congress party's first foray in the valley during mid-1960s) But the flip side is that the vote in the Assembly elections on religious and regional grounds makes it imperative that the coalition scrupulously follow the *mantra* of the commonly-agreed Agenda of Administration (AoA). Else the persisting intra-coalition tensions would fatally incapacitate the government to grapple with the looming dangers of fragmentation, alienation, religious divide, and in meeting peoples' enormous expectations on governance, jobs and development.²

For it was during Mufti's earlier tenure as a Chief Minister (2002-2005)—when the security situation was even more forbidding—that barricades started to get removed, roads were open all night, mobile phones without restrictions were the norm, and, most significantly, the cross Line of Control (LoC) bus and trade began. The credit for commencement of talks with Pakistan, ceasefire, and cross LoC people-trade movement goes largely to the charismatic Atal Bihari Vajpaae. In his musings at Kumarakonam in 2001, he wrote: "In our search for a lasting solution to the Kashmir problem, both in its external and internal dimensions, we shall not traverse solely on the beaten track of the past." His successor, Manmohan Singh, personally committed to resolving the J&K issue, did take forward these initiatives. But the momentum decelerated with the exit of Musharraf from the political scene in 2007, who on the basis of back channel talks had formally proposed in the first instance the so-termed four point formula for resolution of the Kashmir issue.

The recent unjustified cancellation of India-Pakistan engagement over the Hurriyat kerfuffle has been a distinct set-back to the India-Pakistan bilateral. During campaigning for the General Elections, Narendra Modi had said, "Anger is not a policy; we would soon have to talk to Pakistan." The time has come for him to commence engagement with Pakistan to eventually include the J&K issue. This could prove to be the icing on the cake, after his recent successes in Bangladesh, Bhutan, Nepal and Sri Lanka. At some point, the 4-point formulation would merit a re-visit as it offers the only practicable, workable and acceptable political resolution of the J&K issue. It would be useful to recall that

Sheikh Abdullah had mooted a nebulous form of this proposal back in 1951.

Involving devolution of political power to respective sides across the LoC, without diluting sovereignty, the formulation envisages commerce, communications, and relatively free movement of people with adoption of a cooperative approach to joint 'soft' issues like environment, energy resources, forests, tourism et cetera. The construct is envisaged to be managed under the guidance of a joint consultative body of elected representatives of Assemblies across the LoC and representatives of the two Parliaments. Such mechanisms for linking PoK and J&K serve to encroach on the political space of hard-line separatists and their supporters across. That is why post-Musharraf, the Pakistan Army abandoned the formula—which had the support of most separatists other than Ali Shah Geelani of the Hurriyat (G) faction. Even today Pakistan could demur, because it would have to grant substantial autonomy to PoK and Gilgit-Baltistan to match that available to J&K by virtue of its special status under India's Constitution. India thus has a distinct political advantage. Nonetheless, this creatively-crafted instrument could be tweaked, repackaged and re-presented as a Narendra Modi-Nawaz Sharif 21st century solution to a 20th century imbroglio. If Pakistan fails to resonate, for whatever reasons, it would stand exposed internationally for having spurned a creative solution to what it has always termed an 'unfinished business of partition.'

For Pakistan, with its worrisome economic, sectarian and regional fault-lines, Kashmir serves as the glue that binds violent extremist Islamic terrorists, the Army and the so-called establishment. At another level it helps sustain a hostile posture towards India. Yet there is an emerging business elite, academia, civil society, common citizenry that supports peace with India. This constituency if strengthened can over time help transform Pakistan's anti-India DNA. Commencement of engagement with Pakistan thus assumes a new salience which Narendra Modi needs to recognise even if that requires him to break free from Hindutva and RSS allies who cannot countenance peace with Pakistan.

As to the potentially transformational internal dimension, the Centre has been visibly tardy. Michel Krepon, an American South Asia expert once rightly averred that "India's Kashmir policy has been predicated on the passage of time theory and limited to counter insurgency operations."³

Even at present, the Centre seems to favour doing nothing beyond supporting the duly elected state government in the belief that this is a safer option than making risky new initiatives. But a judicious analysis of the current political situation in the valley makes it imperative that there be no more prevarication on a dialogue with the non-violent groups having political grievances. It must re-commence sooner rather than later. PDP requires to be provided the much-needed political space to help the Centre in this move that could eventually serve to embrace the alienated people of Kashmir and truly integrate them with mainstream India politically, socio-economically and psychologically.

Nearly four months after formation of the NDA-PDP Government, not even the most modest post-elections financial expectations have even started to be met. Meaningful relief, rehabilitation and reconstruction for those ravaged by the massive 2014 floods, the most critical need, has yet to see the light of the day. The people of Kashmir are collectively sullen and dispirited on this count, more so after the Centre's announcement on June 16, 2015 of a meagre Rs.1, 667 crore rehabilitation package.⁴ The state's financial distress, including carry-over liabilities of Rs 9,000 crores left by the previous administration, must impel the Centre to be far more empathetic and determinedly support J&K's infrastructural development and economic recovery. This would be in consonance with the principle of 'cooperative federalism' Prime Minister Narendra Modi has been repeatedly propagating over the last one year.

SECURITY DIMENSIONS

Data furnished by India's Ministry of Home Affairs reveals that casualties, on account of militancy in J&K, have shown a sharp downward trend. In 2013, annual casualties of 304 constituted one-seventh of the annual average of 2070 during the period 1990-2011.⁵ Home Minister Rajnath Singh recently announced a 25 percent decline in militancy-related violence over the previous year. It needs to be underscored that the Indian Army's exemplary role in transforming the conflict from the initiation to stabilisation stage, employing discreet force with only light weapons, has been exemplary. The praiseworthy role of the Para-military, central police forces and the J&K police also requires fore-grounding. These could well serve as a template for nations facing internal conflict. Most of all for neighbouring Pakistan, whose first responders for internal

turbulence on its western borders are invariably combat fighter jets of the Pakistani Air Force!

Separatists in the Kashmir valley remain divided as before, with the hardliner Ali Shah Geelani, leader of the Hurriyat (Geelani) faction, actively supported by Pakistan, occupying centre-stage to undermine India. The split in the moderate Hurriyat (M) faction of Mirwaiz Umer Farooq—that recently led to exit of 13 components of the conglomerate—was also orchestrated from across the LoC. The objective is to principally strengthen hardliner groups in areas that have long been cultivated as pro-Pakistan bastions like Sopore in North Kashmir. Interestingly, in 2014, voter percentage in these areas showed a ten-fold rise to about 30 percent from the earlier 2-3 percent.

Militancy is exhibiting a new strain of what some term “invisible terrorism.” Unlike organised groups of the past, the new modules, unconnected with each other, operate in a stand-alone mode under direct control of entities in Pakistan. Along with this “invisible terrorism” is the related phenomenon of well-educated technologically-savvy youth who “believe deeply in an orthodox, puritanical and exclusivist Islam. In that light...not only secular pluralism but even Sufism sometimes appears to them to be a project of the Indian state. Viewing this new militancy through lenses developed in and for the earlier militancy may not be adequate to formulate viable options.”⁶

Pakistan would be under no illusion that it can ever annex J&K through any means—conventional military operations, nuclear weapons, political blackmail or proxy war. Nor would India ever countenance any secessionist trends. People of the state also overwhelmingly resonate to these imperatives. But public posturing pervades. This begs the larger political question whether, on strategic and comprehensive security considerations—including the Army’s own interests—the Kashmir valley should continue to remain heavily militarised. This makes for yet another rationale for up-scaling politico-military management to the next level of conflict termination and resolution through a political resolution. There is no gainsaying that crafting such a comprehensive political strategy demands evolving a creative and meaningful policy approach to both the external and the crucial internal dimensions of the issue.

PEOPLES' ALIENATION

The sense of alienation in the valley has not abated since militancy began in 1989; if anything, it has taken deeper roots. A pro-Pakistan orientation among the disaffected has given way to a distinct pro-independence *azadi* sentiment. Failing to leverage the opportunity at that inflection point, the Centre allowed the situation to drift. The alienation is palpably deepest among youth, who between 15-30 years constitute 50 percent of the population, even as there is doubtless an aspiration-development component in the *azadi* sentiment. As Aristotle once said, "youth is easily deceived, because it is quick to hope." Educated, politically informed and internet-social media savvy the youth appear to have lost faith in democratic politics. Reading of the tea leaves appears to suggest their transition from victimhood to grievance, and possibly from 'stones' (the 2010 agitation of stone-pelting extinguished over 100 youth lives) to possible temptations of return to armed resistance. Such a contingency would have to be pencilled into the politico-security calculus.

It would be useful to recall the fate of Centre's initiatives to ascertain peoples' needs and address the same. Five working groups of experts appointed in 2006 to examine issues relating to political devolution (Saghir Ahmad), CBMs across the state (Hamid Ansari), cross-LoC CBMs (MK Rasgotra), economic development (C Rangarajan) and governance (NC Saxena) submitted their reports. But there appears no progress on bulk of their recommendations. Three interlocutors were likewise appointed in October 2010, in the wake of the stone pelting agitation that year, with a different and comprehensive mandate. Their recommendations also remain unaddressed. These clearly reflect the Centre's general apathy towards the needs of a sensitive border state that has faced militancy and Pakistan's proxy war for 25 years.

The biggest scar of the quarter century long conflict has been on the psyche of the people—women and youth being at the toughest receiving end. Before the onset of militancy, incidents of suicide were virtually zero; in 2011, the suicide rate (number per lakh population) was 10.8% almost at par with the national average of 11.2%.⁷ Post trauma stress disorders have risen even more sharply: in 1989, the valley's only hospital for mental and psychological diseases registered 1,200 cases, the number rose to one lakh in 2011, 60 percent of them women. Increasing numbers

of youth are falling prey to drug and substance abuse as a result of high levels of stress. These are societal challenges the state government, groves of academe, civil society, media, community elders and even the clergy would have to take head-on with commitment and vigour.

The key question is what are the deep-seated causes of alienation? These include Centre's apathy to longstanding political grievances, an insensitive administration, unemployment and multiple other factors. For instance demands for revocation of Article 370 by right wing elements tend to generate ire. It would be instructive to recall that J&K was the only Part B state that *negotiated* (emphasis added) its membership with the Indian Union, leading to its special status, legally sanctified by Article 370 of the Indian Constitution. It is a special identity marker the people of Kashmir deeply cherish. Significantly, Article 370 (1-C) stipulates that Article 1 of the Constitution—that lists the States of the Union—applies to J&K through Article 370. In short if Article 370 is revoked, J&K ceases to be a State of the Union. But who in the prevalent public mood, high on 'homogenising nationalism', has time for these politico-legal compulsions? For Article 370 serves as a useful political football which can be kicked around for electoral or other gains.

As to the Armed Forces Special Powers Act (AFSPA), people see it as one of the anti-democratic draconian statutes in force for decades along with the Disturbed Areas Act and the pernicious Public Safety Act. Yet people realise that if the Army has to perform under tough conditions and circumstances, such powers are necessary for effective anti-terrorism operations. The answer perhaps lies in a discerning and gradual lifting of AFSPA from select areas, in consultation with the Army, along with far stricter adherence to the guidelines, rules of engagement and standard operating procedures. The coalition government must, like the previous one, press hard on this issue.

Encouragingly, it is heartening to note that in terms of optics people have not failed to miss a change: the footprint of the Army has narrowed and they are perceived to be far more sensitive and people-friendly. The Army's prosecution of its personnel involved with 'staged' and murderous encounter killings in Machhil in 2010 has been well received, as has been the Centre's recent announcement of 15,000 jobs in the Army, Para-military and India Reserve Police for valley youth. A comprehensive policy on surrendered militants, said to vary between

18,000 and 65,000, requires to be implemented. Encounter killings remain a sore point among youth. The state government has ordered over 170 inquiries into various encounter killings since 2002; inquiries have also been ordered into 30 encounters in 2014. But none of these have led to any punishments.

Myriad socio-economic causes feed alienation. J&K has 5 lakh unemployed youth, even as its government employee to population ratio is possibly the highest in India. Against the state revenue collection of Rs.8, 000 crores, the state's salary bill is Rs.15, 500 crores! In the power sector, losses are over 2,000 crores. A supply-revenue collection mismatch conflated with transmission-distribution losses of over 50 percent (perhaps highest in India) indirectly lead to long and frequent power-cuts, which in the valley's harsh winters tend to aggravate disgruntlement. The state government would need the will and resolve to eliminate these disjunctions. Involvement of the private sector has not so far yielded any results calling for the need to offer it cross- sectoral inducements.

TRENDS OF RADICALISATION

The trigger for a sharp deepening of the religious and in effect regional (Jammu versus Kashmir) radicalisation was the Amarnath land agitation in 2008. The agitation resulted from the decision to transfer 99 acres of forest land to the Amarnath Shrine Board. Over the years, strong Wahabi-Salafi impulses of political Islam on the rise in West Asia have impelled a degree of radicalisation among youth. This is trending to transform the sentiment beyond *azadi* to the larger cause of global Islam and has a worrisome potential to engender a West Asia style virulent form of Sunni extremism. Its offshoot of willingness to take up arms fanned by social media networking, particularly Facebook—a rage among the valley youth—could pose formidable security challenges. Needless to underscore, this challenge is best met through societal interplay, as also politically.

Mufti Sayeed, who has opted to lead a sustained campaign of “battle for hearts and minds”, needs to pay close attention to perception management. In the battle of ideas, the Centre must provide him all the support and wiggle room instead of the Union Home Minister reading him the hyper-nationalistic riot act each time a goon or a mischievous

boy raises a Pakistani or ISIS flag. Sample this: a point in the right wing journal, *Organiser*- “BJP should ask Mufti if he is an Indian? Or in the Shiv Sena journal, *Samna* - “Mufti is making poisonous demands.” This type of anti-Kashmir negativity, temptingly exacerbated by a few jingoistic national TV channels, has a twin consequential impact: one, it ups the ante for further alienation and disaffection, notably among youth; and two, it acts as an unofficial travel advisory against tourists visiting Kashmir.

J&K’s tolerant society, its elders, and community leaders the foremost stakeholders in the secular cause would, in turn, need to fulfil their part of the bargain. They require to draw from the well-springs of the sub-continent’s soft and embracing Sufi Islam that has defined J&K for centuries and which must not be permitted to be “hardened” by the Wahabi winds from the Arab world. Significantly, over 71 percent of those elected in 2014 are known to be committed to inclusive, secular and pluralistic ethos. People of Jammu who elected all 25 of BJP’s MLAs in the J&K Assembly on the basis of a pronounced right-wing sentiment there have an equal responsibility for a renewed pluralistic narrative. Being in government should facilitate this process. To be sure, continuous mapping of radicalisation trends, and evaluating their true nature would require security planning to be anticipative rather than reactive. With availability of more actionable intelligence in sensitive areas, such an approach helps the state government foresee and mitigate challenges in a timely and more effective manner.

An organic and peoples’ antidote to radicalisation that needs to be underscored is that over a quarter century of militancy, nearly 1, 00,000 youth of the majority community have moved out of the valley and contentedly availed opportunities of professional advancements as also related living spaces in the rest of India. This process needs to be encouraged in myriad ways. But a note of caution is in order. Given the ultra-patriotic, hyper-national narrative of some national television channels, which often exhibit a distinct anti-Kashmiri bias, the role of the civil society and responsible citizenry in the country is paramount. Display of sensitivity and even indulgence towards people of the valley would help meaningful national integration.

REGIONAL DIVIDE

As mentioned earlier, the Amarnath land agitation was the nadir of inter-regional equipoise in J&K. Because at one point, right wing groups in Jammu, in a deplorable counter-reaction to the valley's opposition to the planned land allotment—regardless of how unjustified it was—enforced an economic blockade of the valley. Inter-regional tensions have since remained unabated. The Assembly elections also witnessed polarisation along regional-religious lines, a development that has long-term implications for the integrity of the state. PDP's leap of hope to join the BJP in a coalition has ensured comprehensive representation for Jammu in the government. This would serve to redress the inter-regional tensions somewhat. But considering the level of historical inter-regional mistrust, and varying political aspirations of Kashmir, Jammu and Ladakh, a long haul should be expected. Imagined grievances against discrimination often assume proportions of an agitation, whether it is the establishment of a university, medical establishment, a management centre or a technology institute. Any development, having an inter-regional connotation, could serve as the trigger!

The issue of granting citizenship rights to West Pakistan refugees, living in the Jammu region since partition, is another issue where differential opinions simmer. The Centre is sympathetic to their predicament on humanitarian grounds. But it is the Maharaja's order of 1928—said to have been promulgated at the behest of people of Jammu—that prohibits grant of citizenship to non-State subjects. This executive order was subsequently incorporated in Article 35A of India's Constitution, as also in the Constitution of J&K. Both preclude grant of citizenship and related rights to West Pakistan refugees. Fortuitously, the Centre's assurance on providing jobs in Central Government organisations in the state has served to diffuse the vexatious situation.

Consequences of bigger dangers of fragmentation leading to demands of trifurcation, made in the past by people of Jammu, need to be recognised. Yet, paradoxical as it may appear, regional and sub-regional identity-spaces need to be respected even as these get psychologically and emotionally integrated. Optics and transparency founded on public communications are essential: economic developmental assistance to Kashmir, Jammu and Ladakh should not only be equitable but *must be perceived* to be so given the extant 'cleavages of geography and

demography.’ Perhaps establishment of regional councils for the three provinces, long on the anvil, could provide a greater sense of autonomy.

Initiatives to assuage the fears and apprehensions of the people of Jammu that have persisted over years are necessary. For example, why cannot the longstanding demand for delimitation of electoral constituencies get addressed creatively? The Census of 2011 could form the basis. Muslims of the Jammu’s Chenab valley, Pir Panjal region and Jammu itself also need to receive the attention they have failed to get for decades because of what they perceive as ‘valley dominance.’ In a broader sense the state needs multiple engagements: between Kashmir and Jammu; Kashmir and Ladakh; and, Jammu and Ladakh. Moreover, promotion of a deep inter-regional (in effect, inter-faith dialogue) would not only mitigate belligerence, and bridge the divide between regions, but help build a liberal and sensitive society. The central and state governments could support Track II dialogues on these issues. Because only such an inclusive milieu can serve to gainfully unite the state ideationally across the Pir Panjal and the Greater Himalayas. Moreover, layers upon layers of mutual inter-dependence, in a rising economic trajectory over the long term, would create organic countervailing resilience against disruptive trends.

RETURN OF KASHMIRI PANDITS

The elemental issue from the standpoint of comprehensive peace, security and Kashmir’s societal equipoise is the continued exile of the Kashmiri Pandit community even after 25 years. Their living ‘as refugees in their own country’ is a blot not only on the face of a democratic-secular India’s internal coherence, enshrined in the Constitution, but also on the valley’s majority community, anchored in centuries-long cultural ambience of Sufi Islam, Kashmiri Shaivism, Mahayana Buddhism and Guru Nanak’s Sikhism. Regrettably, successive governments in the State, as also at the Centre, have made no worthwhile efforts to creatively address this issue. To be fair, barring some fringe elements, the majority community in the valley, its civil society, community elders and separatists of all hues support their return.

Encouragingly, the BJP-PDP coalition in the state has initiated the process of identifying in the valley land on which the migrants of all communities would be settled. Of the earmarked land, 50 per

cent would be reserved for the majority community to pre-empt fears in some quarters on right-wing forces being bent upon creation of 'exclusive Pandit townships.' Opponents to the proposal, who insist that KPs return to their old habitats, are either disingenuous or oblivious to the existential reality that 90 percent of migrants have disposed off their homes, invariably in distress sales.

It hardly bears emphasis that the return home of migrants is a legitimate Hobbesian 'political obligation' in its modern form, inextricably linked with Rousseau's 'social contract theory'. It is on these twin conceptual pillars that Pandits remained the pivot of the valley's socio-political, economic and geo-cultural mosaic for seven centuries since the advent of Islam in Kashmir. PDP President Mehbooba Mufti's remarks reflect the feelings of the entire population of the valley: "I have spent my childhood with Kashmiri Pandits; my teachers were also Kashmiri Pandits. I am equally hurt by their absence...when I used to have fights with my parents I used to go to my friends who were Kashmiri Pandits and used to live there for months together."⁸

Possible reconstruction of political space for Kashmiri Pandits by way of a degree of representation in Parliament, the State Assembly, Legislative Council and other avenues would find meaningful traction only if the community as a whole is organic to the valley. And not through preposterous and delusional demands for a 'separate homeland' or exclusive townships made by misguided hardliner members of their community in the rest of India.⁹

Translation of the hurriedly-announced Modi-Mufti political plan into a well-conceived enabling policy would require a creative, imaginative and sensitive approach, founded on a detailed stakeholder analysis. Demographic and socio-economic profiling of the 3, 20,000 migrants (split between Jammu, the National Capital Region and the rest of India) would help identify the catchment groups that could return. The relatively well off professionals, in their 30s or 40s have lost their zest for return but some among them could be tempted by the prospects of a second home in Kashmir. But it is those relatively lower down the socio-economic ladder, notably the 2,00,000 migrants temporarily housed in horrifying camps and shelters around Jammu, for whom return home has colossal salience.

That working and living spaces are organically joined is a no brainer.

But by focussing on the latter at the cost of the former, the BJP-PDP coalition appears to have put the cart before the horse. On this subject, successive Central governments have been singularly tardy. Of the 12,000 jobs promised to migrants by Prime Minister Manmohan Singh, during a speech at Akhnoor in 2008, only about 2,000 are in place, filled by migrants, who live in prefabricated structures built in a dozen locations. Significantly, they happily carry on without security. As do the 2,800 Pandits, who never migrated, and live in 100-odd locations throughout the valley. Prime Minister Narendra Modi needs to live up to his so-projected decisiveness and can-do spirit, by ensuring the long-promised jobs for Pandit migrants are at last in place before the next general elections in 2019.

The emotional journey back of the migrants to their soil and memories, temples and shrines (in many cases looked after by their majority brethren) and honouring of civilisational icons is even more important. The longstanding Temples and Shrines Bill, opposed by vested interests, merits early passage. On its part the Pandit community would also need to embrace change. It would require empathising with the valley's majority community, especially youth, which has borne intense loss, pain and suffering for decades and remains deeply alienated. Interfaith conversations would be intrinsic to incremental reconciliation. The South African success with Truth and Reconciliation Commission is unlikely to resonate in a sensitive multi-religious State.

Political leadership and the opposition, academia, think-tanks, trade and business bodies, women's organisations and overseas associations et cetera would need to rise to the occasion. To paraphrase journalist Marianne Pearl: beyond the news are individuals, beyond politics is a human society, beyond what could be differences is common good. The need to create a common ground in narrowing differences, and promoting and preserving Kashmir's famed composite culture that has come under stress during the two-decade long militancy is indeed a pressing one. Else the window of opportunity for return of Pandit migrants, available now, would perhaps be lost forever.

END NOTES

1. For a thoughtful and incisive exposition of the current political dilemmas in the state, see Sushil Aaron, "Not Working Out As Planned", *Hindustan Times*, June 19, 2015, p 16
2. Also see Kapil Kak, "Post-Elections, What J&K Needs", *The Tribune*, December 26, 2014, p 8
3. Praveen Swami, Partition Plans, *Frontline*, October 9-22, 1999
4. Financial estimates of the rehabilitation and reconstruction package for people affected by the devastating floods vary: the previous State Government estimated it at Rs 44,000 crores; the World Bank evaluated the cost of rebuilding public infrastructure alone at Rs 21,000 crores; while the BJP-PDP coalition projected the minimum requirement of Rs 28,000 crores.
5. For an evolutionary review of multifarious dimensions of terrorism see, Kapil Kak, "Changing Parameters of Cross Border Terrorism", in Ajay Darshan Behera and Mathew Joseph C (ed) *Pakistan in a Changing Strategic Context* (New Delhi: Knowledge World, 2004) pp 239-256
6. David Devadas, "The Writing is on the Wall", *Hindustan Times*, June 10, 2015, p 16
7. 2011 is the latest year for which National Crime Records Bureau data on suicides in the states is available
8. Mehbooba Mufti's address at the *India Today* Enclave, New Delhi, March 14, 2015
9. See also Kapil Kak, "Kashmiri Pandits: Return of the Native", *Rising Kashmir*, May 8, 2015, p 8

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He has, in recent years, authored about 50 book chapters and journal articles on a variety of strategic, national security, defence and air power issues, and edited the books *India and Pakistan: Pathways Ahead* (2007) and *Comprehensive Security for an Emerging India* (2010).

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Turmoil in West Asia: Shaping an Indian Role to Address Regional Security Issues

Talmiz Ahmad

The West Asia-North Africa [WANA] region is now in the throes of unprecedented disorder and turmoil, with widespread civil conflict taking place in three countries in West Asia – Syria, Iraq and Yemen – and in Libya in North Africa. In every one of these conflicts there are a number of external participants, either directly involved in waging war or actively training, arming and providing logistical support to various militia groups mobilised on the basis of adherence to extremist jihadi ideology or tribal or sectarian interests, reflecting a bewildering array of affiliations emerging from recently resurrected faultlines which have been imparted a contemporary resonance.

This ongoing turmoil is the product of what Philip Gordon has described as “a period of tectonic and destructive change”¹ across WANA born out of a widespread questioning of the values and power structures that have defined state order since the Arab world was reshaped politically and cartographically by victorious western powers after the First World War. These debates, largely centred on domestic change, have given rise to two separate but simultaneous region-wide confrontations: first, on sectarian basis between

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1. Philip Gordon, “The Middle East is Falling Apart”, Politico, 4 June, 2015, at: www.polico.com/magazine/story/2015/06 (8 June, 2015)

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the Sunni and the Shia, and, second, the competitions *within* the Sunni – one between those affirming the authoritarian political status quo and those agitating for a reformed and moderate political Islam, represented mainly by the Muslim Brotherhood and its affiliates. Amidst these contentions, we have the challenge from the forces of jihad arrayed against most other ostensibly Islamic state authorities, Sunni and Shia, while viewing the Shia in general as non-Muslim and worthy of annihilation.

IMPACT OF THE ARAB SPRING

The origins of these contentions lie in two recent events, first, the Arab Spring that four years ago swept away four well-established monarchies within a few months and posed the challenge of change before all Arab polities, and, second, the US engagement with Iran on the nuclear issue that ended Iran's political isolation and portended its emergence as a significant player in regional and world affairs.

The Arab Spring that began in Tunisia four years ago brought down the 24-year old regime of President Zine El Abidine Bin Ali within a few weeks, and then its domino effect was felt in Egypt, where several hundred thousand people gathered day after day at Tahrir Square to demand the abdication of President Hosni Mubarak.² In the face of this unabating tide of popular expression, Mubarak's 30-year tyranny also came to an ignominious end. But, these unprecedented events generated extraordinary alarm across the region, mainly among the monarchies of the Gulf Cooperation Council (GCC) which feared the demand for political change within their own polities.

The challenge of reform came very close to home when from February 2011 the people of Bahrain came out to demonstrate at the iconic Pearl Square to demand political reforms that had been promised by the monarch ten years earlier when the emirate had been converted into a kingdom.

2. The Arab Spring continues to be an ongoing narrative. Some useful books explaining its origins and possible future trends are: Tariq Ramadan, *The Arab Awakening*, Allen Lane/Penguin Books, London, 2012; Lin Noueihed and Alex Warren, *The Battle for the Arab Spring*, Yale University Press, New Haven/London, 2012; Mehran Kamrava (Ed), *Beyond the Arab Spring*, Hurst & Co, London, 2014; and Graham E Fuller, *Turkey and the Arab Spring*, Bozorg Press, 2014; for a brief account see: Talmiz Ahmad, *The Islamist Challenge in West Asia*, IDSA/Pentagon Press, New Delhi, 2013, pp. 41-73

These developments constituted a political and strategic challenge to Saudi Arabia.

Saudi Arabia saw the regional strategic scenario deteriorating to its disadvantage ever since the US assault upon Iraq in 2003 effected regime change and opened the doors for the empowerment of the majority Shia community in the country: from the Saudi perspective, this was an opportunity for Iran, the bastion of Shia doctrine and power, to extend its influence into an Arab country with which the Kingdom shared a 1300 km-long border. The Kingdom's sense of strategic disadvantage was exacerbated by the fall of Mubarak who had balanced Saudi Arabia vis-à-vis Iran, and his replacement by a Brotherhood government, the Kingdom's principal doctrinal and political rival within the Sunni fold.

The reverberations of the Arab Spring in neighbouring Bahrain, a member of the GCC, brought home to the Kingdom that any modicum of "reform" in that country would advantage the Shia community, besides of course inspiring aspirations for reform across the GCC, including the Kingdom itself. Thus, at the commencement of the Arab Spring Kingdom faced a double jeopardy: expansion of Iranian influence across West Asia and the emergence of the Brotherhood in power in Tunisia (in the shape of Al Nahda) and Egypt, with every possibility that this Islamist resurgence would engulf other states as well. These developments taken together, Saudi Arabia believed, constituted an existential threat to its order.

SECTARIAN MOBILISATION BY SAUDI ARABIA

The Saudi response to this challenge was both robust and aggressive: it decided to identify Iran as the villain in the scenario, accusing it of "interference" in the domestic affairs of Arab countries as part of its plan to establish its hegemony across West Asia. The basis to mobilise support against these Iranian intentions utilised by Saudi Arabia was sectarian identity by shaping a unified "Sunni" front against the Iranian onslaught. At the same time, in tandem with some of its GCC allies, it gave full political and financial backing to the military dictatorship of General Abdel Fattah al Sisi that finally replaced the Brotherhood government in Cairo in July 2013.

From early 2011, in the competition with Iran, Syria was the first battleground in an avowedly sectarian conflict: the Bashar Assad government, being an Alawaite/Shia ruling regime and a traditional ally of Iran, became

the premier target of a regime-change effort. In the Saudi view, replacement of the Assad regime with a more amenable Sunni authority would bring a major country into the Arab mainstream, cut off Iran's outreach to the Mediterranean, and also snap Iran's lifeline to the Hezbollah in Lebanon, thus restoring Saudi influence in that country. These achievements, in the Saudi view, would compensate the Kingdom in strategic terms for the loss of its ally in Cairo.

Saudi Arabia's first mobilisation in Syria was in fact non-religious in that it backed a rebellion by the "secular" Free Syrian Army (FSA), made up of defectors from the national army. At the same time, the Kingdom's GCC partner, Qatar, was overtly sectarian in its approach in that it supported militia affiliated with the Syrian Muslim Brotherhood, in association with the Islamist government of Recep Tayyip Erdogan in Ankara. In the event, over the next year or so, the FSA showed little success on the ground while the Brotherhood elements appeared to exhibit far greater prowess against the national army. In mid-2013, Saudi Arabia, alarmed that the new regime in Syria could be from the Brotherhood, took over the leadership of the uprising against Assad and sponsored Salafi militia against the Assad regime, which in early 2014 came together to form the "Islamic Front".

However, regime change has not been achieved in spite of four years' of bloodletting in which nearly 250,000 Syrians have been killed, almost all the major cities have been destroyed, and 11 million people have been displaced, many of them now refugees in neighbouring countries. In fact, this destruction of state order has created an opportunity in the region for the ascendancy of a new jihadi force – the Islamic State of Iraq and [Greater] Syria (ISIS), which has emerged as an enemy of Saudi Arabia from within the Sunni fold, even as it has complicated the political situation in Iraq for the regional role players.

The origins of ISIS lie in the US assault upon Iraq in 2003, when a radical, Al Qaeda-affiliated group emerged to lead the resistance against the US occupation.³ It was initially called Al Qaeda in Iraq (AQI), under the firebrand Abu Musab Zarqawi, who had his first experience of jihad in Afghanistan in the 1990s; but, even then he had kept his organisation

3. A recent book on the rise and allure of ISIS is: Abdel Bari Atwan, *Islamic State: The Digital Caliphate*, Saqi books, London, 2015; for a succinct account of the emergence of ISIS see: Talmiz Ahmad, "House of Cards", *Frontline*, Chennai, 6 August, 2014, at: www.frontline.in/cover-story/house-of-cards/article6279623.ece?css=print.

independent from Osama bin Laden, a pattern that continued in Iraq. However, what distinguished his group was its fierce sectarianism, in that it targeted Shia personalities and communities with the same ferocity it directed at American forces. In fact, its attacks on Shia targets led both bin Laden and Ayman Zawahiri to admonish him, warnings that he completely ignored.

After his death in a drone attack in June 2006, his successors took AQI further away from Al Qaeda, first changing its name to Islamic State of Iraq (ISI), and later, as the group entered the Syrian conflict, to the Islamic State of Iraq and [Greater] Syria, ISIS. The ISIS sent a detachment called Jabhat Nusra into Syria in early 2012 and, by the end of the year, Nusra had already established itself as the most effective fighting unit in the country. In early 2013, a split occurred in the ranks of this nascent organisation, in that the leader of the Syrian militia, Abu Mohammed Jolani separated his group, Jabhat Nusra, from the main ISIS, setting the stage for conflict between these two groups even as they battled the national forces of the Assad regime.

As the security situation further deteriorated in both Iraq and Syria, in June 2014, ISIS in a dramatic assault took the city of Mosul, whose 20,000 soldiers fled in disarray. Then, over the next few weeks, ISIS captured a number of other Iraqi cities so that by the end of June it was just outside the gates of Baghdad. On 1 July, 2014, the shadowy leader of ISIS, Abu Bakr al Baghdadi, ascended the pulpit of Mosul mosque and declared that the territories occupied by ISIS in Iraq and Syria now constituted the caliphate of the Islamic State (IS).

A US-led coalition of GCC and other Arab forces commenced an aerial bombardment of IS positions in October 2014, but these attacks have not stemmed the tide of foreign fighters streaming to the IS at the rate of about a thousand a month.⁴ IN 2015, while the IS has lost the towns of Kobane on the Syrian-Turkish border and Tikrit, in Anbar province near Baghdad, it has gained the towns of Ramadi in Anbar and Palmyra (Tadmor) in Syria. IS has also expanded its regional reach in that it claims a presence in over ten countries across West Asia and North Africa, and has gained the

4. Swati Sharma, "One year ago, Islamic State stepped into the global spotlight. Here's what has happened since", *The Washington Post*, 10 June, 2015, at: www.washingtonpost.com/blogs/worldviews/wp/2015/06/09 (19 June, 2015)

affiliation of a number of jihadi groups, including breakaway elements from the Pakistani and Afghan Taliban, Al Shabaab in Somalia and Boko Haram in Nigeria. It is playing a major role in promoting sectarian conflicts in the region.⁵

The last year has witnessed some extraordinary developments in West Asia as alliances among states and militant groups have been made and broken, and new groups have been shaped by competing external powers. But, what has caused the most severe reverberations have been the US overture to Iran and the serious negotiations that have taken place between the P5+1 and Iran on the nuclear issue.

US-IRAN ENGAGEMENT

The thaw in US-Iran ties commenced with the installation of Hasan Rouhani as president in place of the acerbic Ahmadinejad, and the signal that came from Tehran that it was ready for dialogue with the blessings of the Supreme Leader Khamenei. Over the last year and a half, the two parties have reached the various milestones in their negotiations in a slow and even painful progress toward final agreement. After the announcement of the framework agreement in April this year, the two sides has embarked on the endgame, with the final agreement expected in late June or early July.

These discussions with Iran have challenged the existing political alliances that have been in place for a few decades: both Israel and Saudi Arabia, staunch allies of the US, view the emerging US rapprochement with Iran with the greatest alarm, clearly indicating that their primary concern has not been Iran's nuclear weapons capability as much as it is the fear of Iran's high profile role in regional affairs commensurate with its geopolitical assets and energy and economic resources. Till now, Iran had been contained politically, militarily and economically by the presence of US forces in the Gulf and increasingly crippling sanctions imposed by the UN, the US and the European Union (EU). Gary Sick has noted that the reaction to the negotiations from Israel to the GCC "has been close to hysteria" since, it is believed, the relief from sanctions and Iran's skill in obtaining a good agreement from the US "would enhance Iran's influence throughout the region".⁶

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5. Ahmed Rashid, "Why we Need al Qaeda", 15 June, 2015, at: www.nybooks.com/blog/nyrblog/2015/jun/15 (19 June, 2015)
 6. Gary Sick, "Saudi Arabia's Widening War", *Politico*, 4 June, 2015, at: www.politico.com/magazine/story/2015/06 (14 June, 2015)

Thus, from the Saudi perspective, the US engagement with Iran is taking place in the midst of a series of crises generated by the Arab Spring, which continue to endanger Saudi interests: thus, there is the increasing Iranian influence in Iraq where newly empowered Shia militia, backed by Iranian forces, are leading the fight against the IS. In Syria, rebel forces have failed to dislodge Assad, who enjoys very substantial Iranian military and financial support⁷, backed by direct involvement of Hezbollah forces from neighbouring Lebanon, while the nascent Islamic State maintains its hostility to the Kingdom, continues to attract supporters from across the world, particularly the WANA countries, including Saudi Arabia, and recently took credit for the largescale killing of Shias in the Saudi Eastern Province.

THE CHALLENGE OF THE HOUTHIS

As if this were not enough, a new front has opened up across Saudi Arabia's southern border, in Yemen. Here, the Houthis, a militia from north Yemen's Zaydi community (a Shia community that follows only the first five imams, as against Iran that follows twelve imams), which has had deep-seated grievances with the political order headed by former president Ali Abdullah Saleh (who had excluded it from any share in the country's economic resources or political power) took advantage of weak central authority after Saleh was deposed in February 2012, and launched an attack on the capital, Sanaa. Ironically, they were helped in this attack by Saleh himself and the military forces loyal to him. Saleh's successor, Abed Rabbo Mansour Hadi, fled to Aden and then to Riyadh, leaving the Houthis as the dominant military power in the country. Here again, the Saudis saw in the ascendancy of a Shia group the hidden hand of Iran which now was effectively encircling the Kingdom: in the Saudi view, the "Shia Crescent" was now an effective noose around it.

This development led Saudi Arabia to put together an Arab (Sunni) coalition and initiate an air assault upon Houthi targets across Yemen from March 2015. While most observers believe that Saudi fears of substantial Iranian backing for Houthi aspirations were quite exaggerated, given the regional situation Saudi Arabia saw in the rise of the Houthis one more instance of Iranian hegemony.

7. Thanassis Cambanis estimates that Iran may have financial support of \$ 60 billion to the Assad regime, besides "hard-to-measure, but deep, commitment of military and political resources". ("Managing the War in Yemen: Diplomatic Opportunities in the Mayhem", The Century Foundation, 16 June, 2015, at: www.tcf.org/blog/detail/managing-the-war-in-yemen (17 June, 2015))

As Saudi military intervention has escalated in Yemen so has Iranian logistical and humanitarian support for the Houthis, so that Yemen has now effectively become another front in the Saudi-Iran proxy war. Saudi Arabia has maintained that its air attacks are meant to bring the Houthis to the negotiating table so that the legitimate government of Mansour Hadi can be restored in the country. According to reports, the Saudis have carried out 3000 air raids over Yemen in 75 days; over 2500 Yemenis are believed to have killed so far, with considerable destruction of their weaponry and state property.⁸

At the time this paper is being written [20 June, 2015], the various Yemeni teams are in Geneva for talks after some preparatory work has been done in rival conferences in Riyadh and Muscat at which American diplomats and the UN special envoy were present. There is considerable scepticism about the proposed discussions, with concerns that the parties may not even agree on an agenda: given their military successes and the support they have from Saleh and his allies, the Houthis see no advantage in handing over power to Hadi and restoring the status quo ante in which GCC, particularly Saudi influence will be reaffirmed and they will again be marginalised. Instead, the Houthi focus is on Saudi attacks: they are said to be demanding an immediate halt to the air attacks as also \$ 200 billion for the damage caused to their country in return for a cease fire and withdrawal from some parts of the south, while retaining the right to intervene again if necessary.⁹ Even as the delegations are meeting in Geneva, Houthi forces have decided to escalate matters at the Saudi border by capturing the capital of the Al Jawf province at the border, and then launching cross-border attacks both through militia and missiles, suggesting, in the words of an observer, that, even if they do not occupy Saudi territory, they could make the border a “bleeding wound”.¹⁰

The Saudi attitude too remains aggressive: an editorial in the Saudi paper, *Al Watan*, warned the Houthis that Saudi borders are “no-go zones”; if they come close, “they will receive the punishment they deserve” as has been done in the

8. Angus McDowell, “Crunch time coming for Saudi Arabia as options narrow in Yemen”, *Reuters*, 11 June, 2015, at: www.reuters.com/article/2015/06/11 (19 June, 2015)

9. Al Rai al-Youm and www.alaraby.co.uk, translation in *Mideast Mirror*, 12 June, 2015

10. Bruce Riedel, “A bleeding wound on the Saudi border: Why Yemen peace talks are unlikely to make progress”, *Brookings*, 15 June, 2015, at: www.brookings.edu/blogs/markaz/posts/2015/06/15 (17 June, 2015)

past. The editorial went on to say:

[The Houthis] are planning to head to Geneva bearing an Iranian agenda; they will only succeed in making proposals that will be totally rejected. For Iran's games have now been exposed... the proper option for them is to work for Yemen not for Iran. And no matter how hard they [the Iranians] try, they will remain alien to Yemen and its people, a people who will never surrender to Tehran's politicians' dreams of reviving the glories of the Persian Empire.¹¹

It should be noted that the Houthi-Hadi conflict is only one confrontation in Yemen: in the south, we have the longstanding presence of the Al Qaeda in the Arabian Peninsula (AQAP), which has taken advantage of the ongoing battles to expand its own territories in Yemen, having captured the provincial capital Mukalla in Hadhramout province. It is also mobilising Sunni support in the country against the Houthis, amidst reports that Saudi firepower is not being directed at them. The Lebanese paper, *Al Nahar*, has captured the confusing Yemeni scene most eloquently:

Each battle has its peculiar character, reasons, forces, background, and circumstances. In one location, the fighting is between [pro-Houthi] rebel military units and loyalist military [pro-Hadi] defence committees... In certain locations, Al Qaeda is fighting against Zaidi rebels, while Shafei [Sunni] tribes are fighting against extremist salafis or mujahedeen. And regular army units are fighting against other opposing army units. But, what we have mostly are tribes fighting it out with other tribes, sometimes in the name of Arab nationalism, sometimes in the name of Yemeni patriotism, and many times in the name of religion and sectarianism.¹²

UNLIKELY ALLIANCES

The complex regional scenario and the increasing intensity of challenges perceived by Saudi Arabia have led the Kingdom to pursue some unprecedented engagements of its own. Both Israel and Saudi Arabia have been making every effort to discredit the Iran interaction in the US, using rightwing lobbies, particularly from the Republican Party, for the purpose. Thus, the negotiations with Iran, already complicated, have now become a part of the US's deeply divided and even dysfunctional domestic party politics. Both the disgruntled West Asian nations are now highlighting Iran's hegemonic intentions in the

11. *Al Watan*, translation in Mideast Mirror, 12 June, 2015

12. *Al Nahar*, Beirut, translation in Mideast Mirror, 16 June, 2015

region. Thus, Prime Minister Netanyahu, in his address to the US Congress in March 2015 said:

Backed, by Iran, Shia militias are rampaging through Iraq. Backed by Iran, Houthis are seizing Yemen, threatening the strategic straits at the mouth of the Red Sea. ...Iran is busy gobbling up the Middle East.¹³

Two days later, the then Saudi foreign minister, Prince Saud Al Faisal echoed an identical position when he said:

We are of course worried about atomic energy and atomic bombs. But, we are equally concerned about the nature of actions and hegemonistic tendencies that Iran has in the region. These elements are the elements of instability in the region. We see Iran involved in Syria and Lebanon and Yemen and Iraq.... It promotes terrorism and occupies lands.¹⁴

In fact, beyond the similar assessments and concerns articulated by Saudi and Israeli leaders in the face of the US engagement with Iran, observers have noted the very public “track-II” interactions that have been taking place between Saudi and Israeli interlocutors. The most recent one was between the retired Saudi general, Anwar Eshki, and Dore Gold who has just taken over as the director general in the Israeli foreign office, but was earlier head of a thinktank.¹⁵ Tamara Wittes of Brookings has pointed out that such track-II interactions have value only if the understandings arrived at at the discussions ultimately “emerge from the shadows and withstand the force of domestic politics, public opinion and media spotlights”. Since none of this is likely, certainly not on the Saudi side, her explanation is that the publicity surrounding this engagement was meant to convey the two countries’ frustration with American policies in West Asia to anti-Obama lobbies in the US; on the Israeli side, they were also meant to convey to the public opinion at home that, on the question of the Iran negotiations, Israel is not isolated in the region.¹⁶

13. Flynt Leverett and Hillary Mann Leverett, “Saudi Arabia’s Yemen Offensive, Iran’s “proxy” Strategy, and the Middle East’s New “Cold War”, *The World Financial Review*, May-June 2015, at: www.worldfinancialreview.com

14. Ibid

15. Gold has said that this was the fifth meeting between them. [Abdel Bari Atwan, “There is nothing rational about seeking an alliance with Israel against Iran”, www.raialyoum.com, translation in *Mideast Mirror*, 9 June, 2015]

16. Tamara Cofman Wittes, “ How important is Saudi-Israeli track-two diplomacy”, Brookings, 6 June, 2015, at: www.brookings.edu/blogs/markaz/posts/2015/06/06 (10 June,2015)

The other Saudi initiative is equally extraordinary: frustrated by its inability to bring the US into the Syrian conflict militarily and unable to unseat the Assad regime on its own, the Kingdom is now reported to be backing the Al Qaeda-affiliated Jabhat Nusra in its war on the Damascus authority. At the end of March 2015, there were reports that the provincial capital Idlib had fallen to rebel forces, only the second provincial capital to fall in the four-year campaign after Raqqa in 2013. The capture of Idlib was followed by the fall of Jisr al-Sughour, where the uprising against Assad had started in June 2011. It now appears that Saudi Arabia, Qatar and Turkey, acting in concert have sponsored, with funds and weapons, a new rebel force in Syria, the *Jaish al Fatah* (Army of Conquest) which brings together Jabhat Nusra and the Salafi force, *Abrar al Sham*, as also a number of other rebel militia, all of which share hostility to the Assad regime and to the IS. Jabhat Nusra has the added advantage of being mainly made up of Syrian fighters, is seen as more “moderate” as compared to the IS, and is focused on regime change in Syria, without mouthing anti-US or anti-Israel rhetoric. It is thus able to attract young Syrians without offending western allies.¹⁷

Qatar and its associates have been attempting to re-brand Jabhat Nusra as a more moderate entity and encourage it to distance itself from Al Qaeda, hoping that this will encourage the US to enforce a no-fly zone over Syria. However, the effort has not been successful so far: in early June 2015, Jabhat Nusra fighters killed 20 Druze villagers in Idlib province, while not disavowing their links with Al Qaeda.¹⁸ In this context, a Saudi scholar from the royal family, Prince Faisal bin Saud bin Abdulmohsen, has been quoted as saying: “At this point we must really differentiate between fanaticism and outright monstrosity”¹⁹, perhaps suggesting that, in the Syrian scenario, while Jabhat Nusra cadres are “fanatics”, the Assad regime is an “outright monstrosity”, thus justifying the use of jihadi forces against it.

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17. Al Nahar, Beirut, “Nusra Front’s crucial role”, translation in Mideast Mirror, 5 May, 2015
 18. Lina Sinjab, “Syria: How a new rebel unity is making headway against the regime”, BBC News, 3 May, 2015, at: www.lebanonwire.com/1505MLN (10 May, 2015); Jamie Dettmer, “Syria’s rebels on winning streak – in alliance with Al Qaeda”, 5 May, 2015, at: www.lebanonwire.com/1505MLN (6 May, 2015)
 19. Yaroslav Trofimov, “To US allies, Al Qaeda Affiliate In Syria Becomes the Lesser Evil”, 11 June, 2015, at: www.wsj.com/article_email/to-us-allies-al-qaeda-affiliate-in-syria-becomes-the-lesser-evil (15 June, 2015)

In an attempt to burnish Jabhat Nusra's image and project it as a national resistance movement, its leader, Abu Mohammed Jolani was interviewed on Al-Jazeera television: though he reiterated his allegiance to Ayman Zawahiri, he affirmed he would not target the West; he also made conciliatory remarks about the Christian community, though he insisted that Alwaites convert to mainstream [Sunni] Islam before they can be embraced as brothers.²⁰ However, a Lebanese commentator warns against this "pragmatic" accommodation of Jabhat Nusra, recalling that "it is still Al Qaeda under a different name" and has as bloody a record; she concludes by advocating the promotion of genuinely moderate elements in Syria, such as those represented by the Syrian National Coalition (SNC).²¹

The US administration also continues to have misgivings about Jabhat Nusra's lead role in Syria and is reluctant to see it replacing Assad in Damascus.²² However, the emerging view among some sections of US opinion, as conveyed by former US ambassador to Syria Robert Ford, is that SNC have just not been able to deliver in spite of considerable effort to boost its capabilities. Gareth Power has reported on good authority that the US agents on the ground are actively supporting military actions of Jaish al Fatah from an operations room in Turkey.²³ He goes on to say that at the recent Camp David summit with GCC leaders, the latter had made support for Jabhat Nusra in Syria a pre-condition for their supporting the nuclear agreement with Iran. Power concludes that Obama has had to sacrifice his concerns relating to terrorism to obtain Sunni acquiescence for the deal with Iran. But, the British journalist, Patrick Cockburn, warns:

It is not just that Nusra is sectarian, violent and true to its Al Qaeda roots. Its presence at the heart of armed opposition gives the rebels greater military strength, but politically it is a tremendous liability....[Given its visceral hostility to the Alawites] the presence of Nusra prevents any chance of a negotiated settlement, but will not be enough to win an outright victory.²⁴

20. Ibid

21. *Al Nabar*, n.12

22. Gareth Power, "Sunni Alliances Trump Obama Administration Terrorism Concerns in Syria", 9 June, 2015, at: www.truth-out.org/news/item/31266-sunni-alliances-trump-obama-administration-terrorism-concerns-in-syria (15 June, 2015)

23. Ibid

24. Patrick Cockburn, "Syrian Civil War: Jabhat Nusra's massacre of Druze lagers shows they are just as nasty as ISIS", *The Independent*, London, 14 June, 2015, at: www.independent.co.uk/voices/commentators/syrian-civil-war (18 June, 2015)

RECENT DEVELOPMENTS

Saudi anxiety to shore up its “Sunni” coalition in the conflict zones of Syria and Yemen has shown it to be most opportunistic and “pragmatic” in seeking support: it has not only brought in Jabhat Nusra as an acceptable partner in the Syrian conflict, it has also not attacked AQAP positions in Yemen. It has now made another sea-change in its approach by adopting a more reconciliatory posture towards the Muslim Brotherhood, its traditional political rival and a source of considerable anxiety in the early period of the Arab Spring, leading the Kingdom to declare it a terrorist group in March 2014.

The first hint of a change occurred in February 2015 when then Saudi foreign minister, Prince Saud Al Faisal said: “Our problem is not with the Muslim Brotherhood per se but with a small faction of the group, and our concern that they will not pledge allegiance to a higher power”. The remarks were made in the context of efforts by Saudi Arabia to shape a Sunni coalition to take military action against the Houthis in Yemen: at that time, the Kingdom was not just keen to get Qatar back into the GCC fold, it was also anxious to obtain the support of Erdogan in what it saw as a proxy war against Iran. (It also perhaps felt that the Brotherhood in 2015 was a diminished force, and Saudi Arabia did not see it as the challenge it was in 2011.)²⁵ Brian Downing believed that, bringing the Brotherhood into the Kingdom’s patronage network, would increase Saudi appeal in countries like Tunisia, Libya, Syria and Turkey, thus expanding its popular base in the region.²⁶ Since then, as the Yemen situation has ground to a stalemate, Saudi Arabia is looking at the possibility of renewing support for the Brotherhood-affiliated *Islah* party as a rival to the Houthis when the political process in that country is revived.

However, the Kingdom’s compulsions in Syria are primarily responsible for encouraging Saudi Arabia to moderate its stance on the Brotherhood, particularly since the Syrian Brotherhood is close to both Qatar and Turkey, is very hostile to Assad, and is a viable political force in the country. But, as a result of this new approach, Saudi Arabia and Egypt have begun to articulate differences on this and other regional matters. In Syria, Egypt opposes the

25. HA Hellyer, “The New Saudi King, Egypt and the Muslim Brotherhood”, 24 March, 2015, at: www.usnews.com/news/articles/2015/03/24/the-new-saudi-king (18 June, 2015)

26. Brian Downing, “The Saudis Rethink the Muslim Brotherhood”, 16 February, 2015, at: www.counterpunch.org/2015/02/16/the-saudis-rethink-the-muslim-brotherhood (18 June, 2015)

support being extended to jihadi groups in battle and Islamist groups, mainly the Syrian Brotherhood, in the political process, where Cairo prefers non-religious leftwing and liberal entities. Again, the Egyptians refuse to specifically refer to Iran's role in aggravating the Yemen crisis.²⁷

A distinguished Saudi commentator, Khalid al Dakheel, has launched a fierce attack on Egypt for its position on Syria where it has refused to endorse regime change or even to name Iran as interfering in Arab affairs, perhaps in order to reach some "understanding" with Iran in future.²⁸ But, al Dakheel believes there could be no understanding with Iran since it was committed to the domination of the Islamic world. On the question of the Brotherhood participating in the political process of certain specific countries, al Dakheel says it is a domestic matter for the country concerned: if Saudi Arabia has no objection to the (unarmed) Houthis participating in Yemen's politics, how could it deny this same right to the Islah party? The same principle is applicable in Syria where the Syrian Brotherhood, whose role is essential to put together a moderate force that would confront the extremist militia, both Sunni and Shia, operating in the country. (Strangely, al Dakheel fails to reconcile this with the backing being given by the Kingdom to jihadi elements in Syria.)

One fallout of emerging Saudi-Egyptian differences is that Jordan is being sucked into the regional quagmire: concerned about the backing being given by the Sunni coalition to Jabhat Nusra and the other jihadi outfits in Syria and the control of jihadi elements over the Syrian-Jordanian border crossings, the Jordanian ruler, King Abdullah, is rallying his country's tribals into a "Sunni" front. This will oppose the hardline approach of the Saudi-led coalition and is also expected to participate in the latest US-led initiative to confront the IS in the Anbar province,²⁹ which might include ground action, thus setting the stage

27. *Alraialyoum.com*, translation at: Mideast Mirror, 1 June, 2015

28. Khalid al Dakheel, "Real differences", *Al Hayat*, translation in Mideast Mirror, 8 June, 2015

29. This includes the location of 1000 US advisers in Anbar and enhancing the weaponry and training of a national Iraqi army; this strategy is being seen as the revival of the earlier Sahwa initiative that had been very effective against the then ISI in 2008-10: Michael Brenner, "Obama's New Iraq Initiative" 10 June, 2015, at: mbren@pitt.edu (private email accessed 15 June, 2015); for a detailed critique see: Andrew J Bacevich, "Washington in Wonderland – Down the Iraqi Rabbit Hole", 18 June, 2015, at: rights@agencglobal.com

for a “serious and risky sectarian and military venture”.³⁰

The other game-changer in West Asia is the recent election in Turkey, where Erdogan has emerged with just 40 percent of the vote and the AKP compelled to look for coalition partners. This result has caused much joy among non-Islamist groups in the Arab world. The Syrian paper, *Al Thawra* referred to Erdogan as a “butcher” and a “megalomaniac”, and foresees “the defeat of his terrorist mercenaries” in Syria.³¹ The Egyptian *Al Abram* saw the result as a slap in the face for Erdogan and as punishment for his “bad policy choices and imprudent behaviour”; it especially castigated him for backing a group that uses “terrorism and intimidation” to come to power [i.e., the Muslim Brotherhood] and for supporting extremist groups in Syria.³²

Most Arab commentators now wonder about the future of the “Sunni” coalition put together by Saudi Arabia and specifically the resilience of the rebel effort in Syria, now largely led by jihadi forces. Abdul Bari Atwan believes that the so-called Sunni coalition has consistently met with setbacks and is likely to be the main victim of the “democracy storm” in Turkey; according to him, the Islamist project to marry Islam with democratic norms has also received a severe blow primarily because Erdogan “relied on confessional sectarianism” to attract supporters rather than reach out to other shades on the political spectrum, particularly non-Islamist groups.³³

In a sympathetic article in the Qatar-owned *Al Quds Al Arabi*, the editor criticises “Arab tyrants ... [who] remain on their thrones when their countries are collapsing and fragmenting”, and points out that Erdogan’s role in Turkish history was to heal “the wounds of identity, history and geography” which would now be realised by the new parliament.³⁴ The ascendancy of the Kurdish party represents this historic achievement. Other Arab commentators have also spoken approvingly of the opportunity now opened to the Kurds to undo the injustices of the Sykes-Picot arrangements and realise their nationhood.³⁵

30. Abdel Bari Atwan, www.raialyoum.com, translation in *Mideast Mirror*, 16 June, 2015

31. *Al Thawra*, translation in *Mideast Mirror*, 8 June, 2015

32. *Al Abram*, translation in *Mideast Mirror*, 10 June, 2015

33. Abdel Bari Atwan, www.raialyoum.com, translation at *Mideast Mirror*, 11 June, 2015

34. *Al Quds Al Arabi*, translation in *Mideast Mirror*, 10 June, 2015

35. Saleh Qallab, *Al Rai*, Amman, translation in *Mideast Mirror*, 11 June, 2015

THE WEST ASIAN SCENARIO: AN OVERVIEW

Across the WANA region, there is a pervasive sense of distress at the chaos, violence and destruction, and deep pessimism about the future. Francis Matthew, writing in the Dubai-based *Gulf News*, has this to say:

In five years' time ... Iraq and Syria will probably be a collection of small regional entities that may have fought themselves to a standstill, but will hesitate to rejoin the nation states they have come from, while Yemen and Libya may have found a way to weld their factious militias into some loose arrangements where feeble central governments are allowed to hold the ring as long as they do not interfere too much in regional and local affairs.³⁶

With regard to Syria, Joseph Kechichian sees the Assad regime facing multipronged attacks on its territorial integrity, so that it may be "slowly drifting into oblivion and perhaps a long term division".³⁷ The UAE academic, Dr Abdulkhaleq Abdulla, points out that in spite of the efforts of 20 states combatting it, the IS "looks much bigger and stronger and more threatening" as compared to last year.³⁸ He sees it drawing its strength from the sectarian divide in the region, but only blames Syria, Iraq and Iran for it, though he also suggests that the unresolved Palestine issue and US interventionist policies in West Asia have contributed to the allure of extremism.

American commentators are equally foxed by the situation: even the moderates among them, while rejecting the extreme demands for enlarged military action (advocated by General Anthony Zinni, former head of the US Central Command), still criticise Obama for his general lack of initiative in confronting IS, particularly through weaponry and training for militia both in Iraq and Syria.³⁹ In fact, Linda Heard argues that the IS has prospered mainly due to the president's "lily-livered" approach to it, quoting government sources within Pentagon expressing dissatisfaction with the

36. Francis Matthew, "The Many Contours of Arab World in 2020", *Gulf News*, Dubai, 18 June, 2015, p.A1

37. Joseph A Kechichian, "Whither The War for Syria", *Gulf News*, 18 June, 2015, p. A2

38. Abdulkhaleq Abdulla, "The Daesh of 2015 is Bigger and Stronger", *Gulf News*, 9 June, 2015, p.A2

39. Jackson Diehl, "Fault lines in Obama's Iraq-Syria Game Plan", *Gulf News*, 9 June, 2015, p.A1

president.⁴⁰ She concludes that, by the time Obama's successor takes over, an expansionist Islamic Caliphate may be functioning in Iraq and Syria.

Referring to the latest Obama plan of locating advisers in Anbar, Brenner believes that there is still "no coherent strategy" and several aspects of the US role in Iraq remain unresolved.⁴¹ He is particularly concerned that the Obama approach to West Asian problem areas seems to involve robust support for the Saudi-led Sunni alliance to exclude Iranian influence from Iraq and Syria, a dangerous position in his view given that this coalition is working closely with the Al Qaeda-affiliated Jabhat Nusra.

As the above discussion has shown, the region is slipping into even greater levels of conflict, and, neither the regional players nor the pre-eminent external powers seem to have any idea of how to stem this downward slide into the abyss. Given the horrendous implications this conflictual scenario has for regional and global security and well-being, it is important for new players with a deep and abiding interest in the stability of West Asia to take the lead in pursuing interaction between the estranged Islamic leaders. It is proposed that India should lead a BRICS initiative to promote security in the region.

INDIA'S INTERESTS IN WEST ASIA

India has an abiding interest in West Asian security: it obtains 75 percent of its oil from this region; this dependence will go up to 90 percent by 2035. The GCC is also India's largest trade partner, with two-way trade being valued at \$160 billion in 2012-13. India has already built very substantial investment and joint venture engagements with the GCC countries, with every indication that these will expand dramatically in coming years.⁴²

But, India has a unique asset in the region -- the presence of its community. Indians now number about eight million in the GCC, with about three million each in Saudi Arabia and the UAE, well over half a million in Oman, Qatar and Kuwait, and just below half a million in

40. Linda S Heard, "America's Weakness, A Boon For Daesh", *Gulf News*, 9 June, 2015, p.A1

41. Brenner, n.27

42. For details see: Talmiz Ahmad, "New Silk Roads of the 21st Century: GCC-Asia Economic Connectivities and their Political Implications", in Ranjit Gupta et al (Ed), *A New Gulf Security Architecture: Prospects and Challenges for an Asian Role*, Gerlach Press, Berlin, 2014, pp.5-22

Bahrain. In fact, Indians constitute the majority community in at least three GCC countries – the UAE, Qatar and Bahrain; they are also the largest expatriate community in every country of the GCC and are well ahead of the number two community.

The Indian work force in the GCC remits to India about \$ 35 billion annually. Assuming that one expatriate worker supports at least four others at home, it can be safely assumed that about 40 million Indians directly benefit from the Indian presence in the GCC. Again, Indians play a significant role in the economy of the GCC: besides the contribution of labour, technicians and professionals in developing the region's infrastructure, industry and the services sector, Indian business persons, tycoons and small and medium entrepreneurs, are increasingly becoming an important force in the economies of the GCC countries in diverse sectors – infrastructure and real estate development, industry, retail and services (education, health, etc).

This significant Indian presence in the GCC is no accident: for over 5000 years there has been an unbroken connectivity between the cities of western India and the ports of the Gulf and the Arabian Peninsula. This engagement has been commercial, intellectual and spiritual, and has shaped the civilizational ethos of the Indians and the Gulf Arabs. For several centuries, there have been colonies of Indian merchants and their family members in Gulf towns, while Arabs have had a congenial home in the Malabar. These links were in fact strengthened during the period of British domination of India, the Gulf and the Indian Ocean, when Gulf affairs, political, military and commercial, were controlled and funded from India.

India thus enjoys a rare advantage in the Gulf – deep familiarity with the region and its people and a high level of cultural comfort that the two peoples have with each other. While India's political ties with the GCC states have had their fair share of ups and downs due to their different engagements during the Cold War (particularly the ties of the GCC countries with Pakistan, their position against the Soviet Union in Afghanistan, and their participation in global jihad to combat the Soviet occupation in Afghanistan), since the early part of the last decade there has been a steady upswing in bilateral political ties.

This is best exemplified by the visit to India of every GCC head of state or government in 2006–08, and reciprocal visits by Indian leaders, culminating in the visit of Prime Minister Dr Manmohan Singh to Riyadh in February 2010. During this visit, the Indian prime minister and the Saudi monarch signed

the Riyadh Declaration which announced the commencement of a “new era of strategic partnership” on the basis of deeper political, economic, defence and security ties. This relationship emerged from the conviction of GCC leaders that they shared with India the threat from jihadi violence (dramatically illustrated by the Mumbai attacks of November 2008) and that this threat largely emanated from Pakistan.

From the GCC perspective, India represents the narrative of economic and technological achievement in a multicultural democratic order. India has the added advantage that in its foreign policy posture it adopts positions that are non-intrusive, non-prescriptive and non-hegemonic. India is thus well-placed to take the lead in setting up the engagement with the GCC.

The Indian initiative would be most effective if it were to utilise the platform already available to it: BRICS, the grouping that brings together five countries from four continents – Brazil, Russia, India, China and South Africa. The BRICS countries collectively bring considerable value to their grouping: they account for one-fourth of the world’s landmass, 43% of the world’s population (over three billion), 20% of global trade and 53% of global financial capital. They have half of the world’s gold and foreign exchange resources (\$ 4 trillion). Since 2010, more than 40% of global growth has come from BRICS. They also account for 23% of global economic activity. In 2010, China surpassed Japan as the world’s second largest economy. Brazil became the sixth largest in 2011, with India and Russia also in the top ten. Intra-BRICS trade is valued at only \$ 240 billion, but it has been growing at 28% annually. The collective GDP of BRICS is \$16 trillion; they are likely to have 40% of the global GDP by 2050.⁴³ China and India are two great success stories in BRICS: in 2000, China’s GDP was \$ 1.2 trillion; in 2014, it had become \$ 10 trillion. India’s GDP in 2000 was \$ 463 billion; in 2013, it was more than \$ 2 trillion.⁴⁴

The sixth BRICS summit at Fortaleza, Brazil, in July 2014 marked the commencement of the next full cycle of summit-level engagements. It was historic in that the agreement to set up the \$ 100 billion- New Development

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43. Jagannath P Panda, “BRICS and the China-India Construct: A New World Order in Making?”, Institute of Defence Studies and Analyses, New Delhi, September 2013, p. 15; Du Youkong, “BRICS means cooperation”, *China Daily/Asia Weekly*, 30 March-5 April, 2012, p.15; Rajiv Kumar, “BRICS can provide a Fallback position”, *China Daily/Asia Weekly*, 6-12 April, 2012, p.15
44. Evan Feigenbaum, “The New Asian Order”, 2 February, 2015, at: carnegiendowment.org/2015/02/new-asian-order/i137 (19 February, 2015)

Bank and the treaty on the establishment of the \$ 100 billion Currency Reserve arrangement (CRA) were signed.⁴⁵ The setting up of the New Development Bank marks a significant milestone not only for BRICS but for attempts to pursue a reform of the world economic order. It has been seen as representing the eastward shift of economic and financial power and heralds an overdue corrective in present-day arrangements which would include: changes in the governance of existing global economic and financial institutions; a steady shift away from the dollar in favour of the Chinese renminbi and strengthening of local currency debt markets.⁴⁶

Commentators in the BRICS have been deeply conscious of the significance of the grouping and the shift in global power structure it represents. For instance, according to *The Hindu*, the Delhi Declaration was “a clear signal that the [BRICS] states have global weight and mean eventually to use it:” this was a “new milestone”, though the group would need to go much further before it can play an effective role in world affairs.⁴⁷ The Chinese scholar, Du Youkong, pointed out: “From being followers, BRICS countries are evolving into rule makers”, and applauded the various dialogue and cooperation platforms that are being put in place.⁴⁸ The Indian economist, Rajiv Kumar, believed that “BRICS represents an alternative pole in global governance in an increasingly multipolar world”, and emphasised their common interest in promoting development, eliminating poverty, protecting the environment and maintaining a free and liberal trading order.⁴⁹

SHAPING THE BRICS’ DIPLOMATIC INITIATIVE FOR WEST ASIAN SECURITY

Can India now lead BRICS to build on its strengths and achievements and pool its resources to bring security to the Gulf? The basis for this has already been prepared. No international issue has obtained as much attention from BRICS leaders as the situation in West Asia. The Fortaleza

45. Sixth BRICS Summit – Fortaleza Declaration, 15 July, 2014, at: brics6.itamaraty.gov.br/media2/press-release/214=sixth-brics=summit (8 June, 2015)

46. Dr Nasser Saidi, “The BRICS Bank Signals the end of the American Financial Empire and US Dollar Hegemony”, 21 July, 2014, at: www.huffingtonpost.com/dr-nasser-h-saidi/the-brics-bank (28 May, 2015)

47. *The Hindu*, 31 March, 2012

48. Du Youkong, n.43

49. Rajiv Kumar, n. 43

Declaration devoted considerable space to the issues relating to Syria (which had four substantial paragraphs), Iraq, the Palestine issue, Iran, Al Qaeda and extremism, the Middle East as a nuclear weapon-free zone, and piracy. In his brief opening remarks at the Fortaleza summit, Prime Minister Modi devoted at least half his speech to West Asia, saying:

The region stretching from Afghanistan to Africa is experiencing turbulence and conflict. This is causing grave instability that is seeping across borders. This impacts us all. *Remaining mute spectators to countries being torn up in this manner can have grave consequences. ...* The situation in West Asia poses a grave threat to regional and global peace and security. India is particularly concerned because this affects the lives of seven million Indian citizens living in the Gulf region. [Emphasis added]⁵⁰

On 22 May, 2015, the BRICS deputy ministers of foreign affairs, meeting in Moscow, issued a joint communique on the situation in West Asia and North Africa. The communique called for international efforts to address the scourge of extremism and terrorism and criticized unilateral military interventions in the region. The document referred to all the major trouble spots in the region – Syria, Libya, Yemen, Palestine, the US-Iran dialogue – and agreed to hold regular consultations. Given the deep divide in the Gulf, its comment on the region was cautious: “They duly noted the importance of building a system of relations in the Gulf zone that would guarantee equal and reliable security to all States of the sub-region.”⁵¹ Briefing the media on this communique, the Russian deputy minister for foreign affairs, Sergey Ryabkov, said:

I am sure that BRICS has a huge potential for work in all the regions that have problems.... The Middle East region is on fire. Of course, we cannot stay on the sidelines of this process as a cooperation format. ... The next step will be collective engagement of BRICS as a structure in the work on these directions.⁵²

Within a few days of this unprecedented stand-alone comment on

50. “PM Narendra Modi’s Full Statement at BRICS Summit”, 15 July, 2014, at: www.ndtv.com/india-news/pm-narendra-modis-full-statement (14 June, 2015)

51. Press Release, Ministry of Foreign Affairs of the Russian Federation, 22 May, 2015, at: www.mid.ru/brp_4nsf/0/66F46F68D9A4F78E43257E400 (5 June, 2015)

52. “BRICS coordinating Joint Stance on Middle East events: Russian diplomat”, 23 May, 2015, at: www.bernama.com/bernama/v8/wn/newsworld.php?id=1137269 (5 June, 2015)

the West Asian situation, President Putin addressed the BRICS national security advisers. Besides referring to terrorism and financial crime, the only other problem area mentioned by him was West Asia and North Africa, specifically the IS. Recalling the US military attack on Iraq in 2003, he said: “The consequences are clearly grave and everything that happened in the past years on the international arena needs to be adjusted.”⁵³ After the meeting of BRICS national security advisors, the secretary of the Russian Security Council called for increased military and technical cooperation among BRICS countries to combat terrorism, extremism, separatism and cross-border crime, as also what he referred to as “new challenges and threats”.⁵⁴

Perhaps, the strongest call for intervention has been recently made by the Indian Prime Minister, Mr Narendra Modi, when he delivered his address at Tsinghua University during his visit to China in May 2015; in regard to the situation in India’s neighbourhood, the prime minister said:

We must also deal with the changing character of terrorism that has made it less predictable and more diffuse. We source a large part of our energy from the same region that faces instability and an uncertain future. India and China conduct their international commerce on the same sea lanes. The security of the sea lanes is vital for our two economies; and our cooperation is essential to achieve it.⁵⁵

While BRICS members, Russia, China and India, recognize that their own and larger regional and even global interests are in jeopardy due to the ongoing conflicts in West Asia, none of them has been able to flesh out the contours of a BRICS role in security-promotion and the next steps which need to be taken in this regard. India needs to take the lead to shape the BRICS’ diplomatic effort

It should be accepted at the outset that BRICS does not have the capacity to address all, or even most, of the issues that divide the Gulf countries at present: as noted above, these issues are a product of significant developments taking place in the region at the same time, resulting from

53. “Meeting of BRICS national security advisers”, 27 May, 2015, at: foreignaffairs.co.nz/2015/05/27/meeting-with-brics-national-security-advisors (28 May, 2015)

54. “BRICS countries need to boost cooperation in military sphere – senior security official”, TASS, 26 May, 2015.

55. Address by the Prime Minister at the Tsinghua University, Beijing (15 May, 2015), at: www.mea.gov.in (11 June, 2015)

serious debates (and differences) in most Arab countries about the national vision and the principles and institutions to support it. These discussions will consume national attention for several years to come. But, what BRICS cannot ignore is that this turmoil has also given rise to forces of extremism and sectarianism that threaten the region as a whole, and in turn adversely impact the wider international community. Hence, the BRICS diplomatic effort has to focus on providing a platform for interaction, principally for Iran and Saudi Arabia, so that they can build mutual confidence and trust.

THE PROCESS OF ENGAGEMENT WILL HAVE THREE ATTRIBUTES:

it will be diplomatic: it is not envisaged that BRICS will deploy military might to promote security;

it will be inclusive: to shape a truly cooperative security arrangement in the Gulf, BRICS would need to pursue an inclusive structure that would include the P5+1 countries; and,

it would be incremental: given the complexity of issues involved, the variety of interests and their advocates, and the sharp antagonisms different groups at present, the Gulf interlocutors would retain their existing alliances and affiliations, which could be shed or diluted as confidence among the principal parties increases.

The next steps to implement this initiative would include: (a) internal meetings among BRICS officials and ministers to develop a consensual BRICS on the content and approach to shaping the initiative; (b) use of special envoys or national security advisors to engage with counterparts and ministers of the countries concerned; (c) at the appropriate time, the convening by BRICS of a regional security conference, perhaps initially at officials' level; working groups could be set up to address specific topics, with each of them being chaired by a BRICS member.

There can be little doubt that, as new political crises emerge or present problems get aggravated, BRICS will take cognizance of them, develop consensual positions and take action: there will be no room for 'mute spectators' derided by Mr Modi in his remarks. However, it is not envisaged that BRICS will be a military alliance on the lines of NATO; it will be a force for peace and security on the basis of its recognized political and economic standing which will impart to its diplomatic effort the required muscle and influence.

CONCLUSION

Clearly, at the heart of the present contentions and confrontations in West Asia is the loss of Saudi self-confidence in the face of the twin challenges posed by the Arab Spring for domestic reform, and the US engagement with Iran which suggests a larger Iranian role in regional matters, a role that had been severely curtailed by US sanctions and deployment of military resources across the region. The end of this containment, along with the signal that the US will reduce its military involvement in West Asia, have led the Kingdom to demonise Iran and confront it through proxy wars at different theatres in the region. In the process, both sectarianism and extremism are experiencing a revival with extraordinary vigour and contemporary resonance, even as state order in many countries has either been crippled or has even collapsed under the assaults of sectarian or extremist militia. The divide between the two Islamic giants is now so deep that the usually cautious Saudi commentator, Jamal Khashoggi has even suggested that a war between them.⁵⁶ Pointing out that “the Kingdom will not allow an Iranian foothold in Yemen”, Khashoggi has concluded that “a just war is necessary sometimes to achieve peace”.

There seems to be an element of inconsistency and even panic in the various Saudi attempts to cope with this unprecedented situation of threat and abandonment: backing jihadi groups in Syria and Yemen; causing widespread death and destruction by unleashing a few thousand air assaults against a home-grown local militia in Yemen, and making conciliatory gestures to the Brotherhood, while alienating their protégé in Cairo. And, amidst this violence and bloodshed, while the Muslim world is engaged in fratricidal sectarian conflict, the real enemy of stability in West Asia and beyond, the Islamic State continues to increase its power and influence.

The root cause of the Saudi-Iran divide is the near-total absence of mutual trust in an regional environment that is experiencing extraordinary and unprecedented transitions that call into question almost every aspect of the political, economic and cultural order which has characterised West Asia for over half a century. In this fraught atmosphere, it is usual for states under threat of change to seek domestic scapegoats and external demons, and to mobilise state forces to combat them. Such challenges are often imparted

56. Jamal Khashoggi, “Saudi Arabia and Iran heading to war?”, *Al Hayat*, 9 June, 2015, at: www.lebanonwire.com/1506MLN/15050901AH.asp (15 June, 2015)

the character of an “existential threat” and the mobilisation of supporters to combat it is defined in messianic terms of all good being on one side and all evil on the other.

At the commencement of Ramadan, the ruler of Qatar called his country’s ties with Iran “historical and robust”, saw considerable potential for improved political and economic relations, and said that Iran could “play an important role in establishing peace and security in the region”.⁵⁷ On the same lines, the Dubai-based *Khaleej Times* has made a strong plea for Saudi-Iran engagement thus:

A broad-based understanding [between Saudi Arabia and Iran] could lead to a cease-fire and accelerate the delivery of humanitarian aid to the war-stricken people. The two nations need to be on the same page in the interests of peace and security. *The bigger task, however, is to find a lasting political solution, which can happen only if they open such channels of communication.* (Emphasis added)⁵⁸

This paper has proposed an approach to open these suspended channels of communications between two estranged nations of West Asia through an India-led BRICS diplomatic initiative in the confidence that BRICS has the abiding interest, the will and the capacity to fulfil this demanding responsibility.

57. *Khaleej Times*, 20 June, 2015, p. 1

58. “Riyadh and Tehran should clear the air”, *Khaleej Times*, 17 June, 2015, p.14

TALMIZ AHMAD



Talmiz Ahmad joined the Indian Foreign Service in 1974. Early in his career, he was posted in a number of West Asian countries such as Kuwait, Iraq and Yemen and later, between, 1987-90, he was Consul General in Jeddah. He also held positions in the Indian missions in New York, London and Pretoria.

He served as Indian Ambassador to Saudi Arabia twice (2000-03; 2010-11); Oman (2003-04), and the UAE (2007-10). He was Additional Secretary for International Cooperation in the Ministry of Petroleum and Natural Gas in 2004-06, and Director General, Indian Council for World Affairs, New Delhi, India's premier foreign affairs thinktank.

After retirement from Foreign Service, he joined the corporate sector in Dubai for three years as President responsible for business development with an Indo-German joint venture in the energy and infrastructure sector. He is now an independent consultant, based in Dubai, advising Indian and Gulf companies on business development. He is Honorary Advisor to FICCI for the Gulf region.

He has published three books: *Reform in the Arab World: External Influences and Regional Debates* (2005), *Children of Abraham at War: the Clash of Messianic Militarisms* (2010) and *The Islamist Challenge in West Asia: Doctrinal and Political Competitions after the Arab Spring* (2013). He writes and lectures frequently on Political Islam, the politics of West Asia and energy security issues.

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One Year On: Narendra Modi's Foreign Policy – The View from the West

Amitha Rajan

INTRODUCTION

The year 2014 was a decisive one for Indian politics. Narendra Modi became India's fourteenth prime minister after winning the biggest mandate for the country's top post in nearly three decades. The emergence of the Bharatiya Janata Party (BJP) as a strong, united party was a refreshing sight after decades of fractious politics haunted by competing political interests of a range of smaller, provincial parties. Modi's soaring rhetoric during the election campaign generated high expectations from an Indian electorate that was disillusioned by rampant corruption, and rising inflation and unemployment under the 10-year rule of the Congress-led United Progressive Alliance (UPA) government. It is no surprise then that the economy has been the backbone of India's foreign policy under Modi. But the prime minister's confidence in stepping on to the world stage and making India more visible in international relations was unexpected. From inviting the leaders of the South Asian Association for Regional Co-operation (SAARC) countries for his swearing-in ceremony to making bilateral visits to 18 countries by the end of his first year in office in May 2015, Modi has been unafraid to raise his profile internationally. The chief intention of his engagement overseas has been to demonstrate that after a decade of indeterminate foreign policy under the UPA government, India finally has a strong leader at the helm.

While Modi generates sharply divided views at home, this article examines how he is perceived by Western academics and international relations experts. This paper begins by analysing India's foreign policy under Modi. The prime minister

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has adopted a two-pronged approach. The economy is the most important strand of his strategy, given that the promise of a revitalized economy was the basis of his ascension to power. He has spent his first year in office mainly trying to woo investors, so that he has the necessary capital to refurbish India's crumbling infrastructure. He has also tapped into the diaspora community to achieve this goal. The second element of his strategy is multi-alignment, characterised by increased engagement in the Asia-Pacific region. For instance, while he has pursued stronger trade ties with China, he has complemented this by bolstering relationships with other regional players like the US, Japan and Australia. Indo-US ties in particular have received a noticeable boost under Modi. The pursuit of trade deals has not stopped the prime minister from making strategic engagements that are essential for India's security.

Most Western experts agree that Modi has breathed new life into India's foreign policy. But on the economic front, perceptions appear to be unfavourable, with some analysts suggesting that so far Modi has only offered rhetoric and is yet to deliver on promised reforms. In terms of foreign policy, Western experts credit Modi with turning around India's image from a country that has been on the sidelines of international affairs in the Asia-Pacific region to one that is no longer daunted by the prospect of becoming an active stakeholder. The progress in Indo-US relations, in particular, has received a lot of interest. Although most observers agree that a new chapter in this bilateral relationship has begun under Modi and President Barack Obama, they do not believe both countries will become strategic allies and balance against China. Given the pre-eminence of economic growth in Modi's foreign policy calculations, it is unlikely that he will antagonise China, despite the deep-rooted security concerns in New Delhi and the frequent border intrusion by the Chinese army. What emerges then is a picture of true non-alignment: the strategy of engaging with all key players in the Asia-Pacific region allows Modi to enter into partnerships with countries that have competing interests, whether they are China and Japan, the US and Russia, or China and the US. This article thus concludes that while Modi has not radically changed the country's foreign policy, he has let the world know that India is serious about its role in global affairs.

FOREIGN POLICY UNDER MODI

Modi's single greatest election promise last year was the revival of the Indian economy. The basis of this claim was his successful tenure as the chief minister of Gujarat where his business-friendly policies and economic reform led to double-digit growth rates. For instance, Gujarat's economy grew at about 10% on average

from the 2004–2005 to 2011–2012 period, compared with India's average growth of about 8% rate for the same period.¹ Towards the end of the UPA government's term last year, that rate had fallen to a dismal 4.6%, accompanied by a rate of inflation of nearly 8%.² Given these poor growth indicators, it was widely expected that Modi would follow the footsteps of his predecessors in prioritising the economy in India's international relations.

The Modi government has thus far shown that it is open for business with everybody, and has actively sought investments from all major players in Asia, including Russia and the US. Modi is keen to revamp India's dilapidated infrastructure and boost the manufacturing sector – the aim of his signature 'Make in India' campaign – and his trips abroad have therefore been an exercise in convincing investors that India is now an easier place to do business in. Indeed, the domestic environment has improved over the past year. The new government has instituted key reforms such as raising the cap on foreign direct investment in the insurance, railways, and defence sectors and abolishing the Soviet-style Planning Commission and replacing it with an institution that gives individual states a greater say in policymaking. And these efforts have already brought investment gains to India: for instance, over the past year, Japan has pledged long-term trade deals worth USD35 billion, China USD20 billion, and America USD4 billion.

One area where Modi has shown shrewdness is in pursuing the Indian diaspora, an opportunity that previous governments have failed to exploit. According to the World Bank, nearly 14 million Indians lived abroad as of 2013 – the biggest emigrant group in the world – and India is the largest recipient of officially recorded remittances, estimated to be about USD71 billion in 2014.³ Cognisant of its influence and wealth, Modi has actively courted the Indian community abroad,

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- 1 Bhattacharya, AK, 'India's Breakout States?', *Business Standard*, 2 May 2012, available at http://www.business-standard.com/article/opinion/a-k-bhattacharya-india-s-breakout-states-112050200026_1.html, accessed on 25 April 2015.
 - 2 Kaul, Vivek, 'How UPA Turned NDA's Economic Growth into Shambles', *Firstpost.com*, 30 March 2014, available at <http://www.firstpost.com/politics/how-upa-turned-ndas-economic-growth-into-shambles-1457697.html>, accessed on 8 May 2015.
 - 3 World Bank, 'Migration and Remittances: Recent Developments and Outlook Special Topic: Forced Migration', 6 October 2014, available at <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1288990760745/MigrationandDevelopmentBrief23.pdf>, accessed on 20 May 2015.

which has matched his enthusiasm. For instance, his speech at Madison Square Garden in New York last year was notable for the hordes of Indians it attracted to a venue typically reserved for high-profile actors and musicians. His speeches abroad often pander to the nationalist sentiments of the diaspora community, encouraging Indians to invest in the homeland – particularly in the cleaning of the River Ganga, his pet project – and aid the economy by frequently visiting the country. A BJP spokesperson claims that the aim of Modi's 'diaspora diplomacy' is to make every Indian abroad an envoy of the country, comparing this approach to Israel's relationship with American Jews and the influence that the Jewish community wields on US foreign policy.⁴

While Modi has added new vigour to India's economic policy, it is in the domain of security policy that he has truly made a mark. Although Modi's exposure to foreign policy was limited to his tenure as Gujarat's chief minister, where his approach was dictated by provincial concerns, he has stepped on to the world stage confidently as prime minister. His security policy suggests a desire to move beyond the rhetoric that India has adopted in its foreign policy over the past few years. A case in point is India's Look East policy: Modi has rebranded this strategy, which has been in place for more than two decades, to 'Act East' policy. This action-based approach has been particularly visible in India's engagement with its immediate neighbours. Modi has spent time re-engaging with South Asian states – guided by the 'neighbourhood first' principle – that have been ignored over the last few years due to India's overwhelming focus on Pakistan and Afghanistan. Some progress appears to be underway. The government's success in settling the decades-old border dispute with Bangladesh is one noteworthy example.

The government's strategic thinking is also evident in its recognition of the significance of the Indian Ocean region for the country's security – an assertion that was lacking under the previous administration. Earlier this year, Modi made bilateral visits to Sri Lanka, Mauritius and Seychelles – the first by an Indian prime minister in nearly three decades – and which ended with the commissioning of an Indian-made patrol vessel in Mauritius, the first time India has exported such a vessel. India also agreed to lease Assumption Island from Seychelles, which could be used for surveillance purposes, and gifted a Dornier aircraft to boost the

4 Lakshmi, Rama, 'Narendra Modi Urges the Indian Diaspora To Become an Extension of Foreign Policy', *The Guardian*, 2 March 2015, available at <http://www.theguardian.com/world/2015/mar/02/narendra-modi-india-overseas-diaspora-united-states>, accessed on 19 April 2015.

island country's coastal surveillance.⁵ These moves come as China has deepened its influence in the Indian Ocean region over the last few years. Of particular concern to India was the cosy relationship between former Sri Lankan president, Mahindra Rajapaksa, and Beijing. During Rajapaksa's tenure, Sri Lanka saw a Chinese warship and submarine dock in the country and a massive investment from Beijing of nearly USD1.4 billion for the development of Colombo Port City and a controlling stake for Chinese firms in the Hambantota port.⁶ China's Maritime Silk Road initiative – under which Beijing is seeking to bolster relationships with friendly countries in the region through trade incentives – is viewed by New Delhi as a 'string of pearls' strategy of encirclement. The Modi government has sought to tilt the regional balance in its favour by reasserting India's role as a traditional security partner of its neighbours. In particular, Modi has capitalised on Sri Lanka's desire to decrease China's pervasive influence in the country, following the election of President Maitripala Sirisena earlier this year.

Balancing Sino-Indian relations has always been among India's most significant challenges in foreign policy. On the one hand, China is an important trade partner for India; trade deficit with China stood at USD48.43 billion for 2014-15.⁷ On the other, China's consistent and growing support for Pakistan, and its increasing assertiveness in international affairs – for example, in its territorial claims in the South China Sea – is a cause for concern because of India's own border dispute with Beijing and the frequent border incursions by the People's Liberation Army. These factors decrease the prospects for a genuine alliance between both countries. Nevertheless, Modi, like Chinese President Xi Jinping, has favoured a pragmatic strategy: he has chosen economic engagement with Beijing at the bilateral and multilateral levels, while courting partners in the broader Asia-Pacific region, thereby widening the scope of India's 'Look and Act East' policy. Beyond the immediate neighbourhood, Modi has made bilateral visits to Australia, the US,

5 See ANI, 'India, Seychelles Agree To Lease Assumption Island for 'Infrastructure Development'', *DNA India*, 11 March 2015, available at <http://www.dnaindia.com/india/report-india-seychelles-agree-to-lease-assumption-island-for-infrastructure-development-2067859>, accessed on 11 May 2015.

6 Pillalamarri, Akhilesh, 'Sri Lanka to Go Ahead With Chinese Port Project', *The Diplomat*, 7 February 2015, available at <http://thediplomat.com/2015/02/sri-lanka-to-go-ahead-with-chinese-port-project/>, accessed on 5 April 2015.

7 PTI, 'India-China Trade Deficit Swells 34% to \$48 Billion', *The Hindu*, 13 May 2015, available at <http://www.thehindu.com/news/national/indiachina-trade-deficit-swells-34-to-48-billion/article7201545.ece>, accessed on 25 May 2015.

and Japan, and India has entered into security partnerships with all three countries. Thus, while New Delhi and Beijing are undoubtedly economic partners, they are neither friends nor enemies. By comparison, there appears to be a genuine rapprochement in Indo-US relations under Modi and President Barack Obama, and the two leaders are known to share a rapport.

Although there was widespread speculation that Modi's election would mean frosty ties between the US and India – given that the US had refused to grant Modi a visa owing to his alleged involvement in allowing the killing of Muslims in riots in 2002 during his tenure as the chief minister of Gujarat – Modi has shown some initiative in strengthening Indo-US ties. After his successful visit to the US in September 2014, Modi met Obama on the sidelines of the East Asia Summit in Nay Pyi Daw where both leaders came to an agreement on the terms for the World Trade Organization's Trade Facilitation Agreement. The clincher for Indo-US ties came in the form of Barack Obama's visit to India in January this year as the chief guest for the Republic Day celebrations in New Delhi, making him the first American to preside over the ceremony.

A major exception to Modi's web of economic alliances and strategic engagement is Pakistan, where nationalist considerations on both sides no doubt hinder tangible progress in bilateral relations. Modi has not shown any particular willingness to normalise relations with Pakistan or make progress on the issue of Kashmir. Attempts at engaging in talks with Pakistan have been half-hearted: the Modi government called off talks between the foreign secretaries of both countries last year after Pakistan met with separatist leaders from Kashmir. A SAARC summit in 2014 did not produce tangible outcomes, largely due to the reticence of Modi and Prime Minister Nawaz Sharif.

While Modi's confident approach in international relations has helped maintain his popularity domestically, the next section details the perception of some Western experts of Modi's foreign policy.

THE VIEW FROM THE WEST

Modi has surprised both domestic and foreign observers with his enthusiasm to engage with India's immediate neighbours and with the international community, particularly because foreign policy was barely mentioned by the BJP during Modi's campaign for prime minister. While most Western observers concede that Modi has given some purpose to Indian foreign policy, they remain divided over whether his engagement abroad has been more about style than substance. Part of this scepticism comes from the extremely low bar set by the previous government. After

a decade of muted international engagement, India is certainly more visible on the global stage under Modi, but does this imply that the prime minister has made progress in substantive policy issues?

Western views on economic policy, in particular, appear less favourable than is perceived domestically. In an interview,⁸ Gareth Price, Senior Research Fellow in Chatham House's Asia Programme, said that although Modi ran on the platform of economic reform, there is no consensus within the BJP on liberalisation policies, and that attitudes towards reforms were therefore likely to be determined on a case-by-case basis. Indeed, the government has struggled to push through key reforms such as the goods and services tax bill and the land acquisition bill, both of which are critical for Modi's 'Make in India' campaign and for luring foreign investment. Although the BJP has a majority in the Lok Sabha – the lower house of the parliament – the absence of one in Rajya Sabha (the upper house) allows opposition parties to stall policy reforms.

Stratfor, the US geopolitical intelligence firm, observes that the BJP has already lost some momentum from the highpoint of 2014 – demonstrated by the party's poor performance in the Delhi state elections where the Aam Aadmi Party, a newcomer to politics, had a sweeping victory – and will likely continue to face an uphill battle in the upper house beyond 2016.⁹ Growing fissures within the BJP over key political reforms are likely to further hamper progress. To this cauldron of problems, add a tepid fiscal budget announcement and the curious case of the government adjusting the base year to calculate economic growth – which led to a revision in the 2014 growth rate to 6.9% from 4.7% – and a confusing picture of fluid data and halting policy reforms emerges. Even the country's chief economic advisor, Arvind Subramaniam, appeared stumped by the new GDP numbers, which CNN called a 'complete mystery.'¹⁰ Lawrence Saez – a professor in the department of politics and international studies at the School of Oriental and African Studies in London – termed the adjustment of growth rates an 'embarrassment' because "the government has failed to explain the rationale and made it appear as if they

8 Personal interview with the author, 20 February 2015.

9 Stratfor, 'Reflecting on Modi's First Year in Office', 18 May 2015, available at <https://www.stratfor.com/sample/analysis/india-reflecting-modis-first-year-office>, accessed on 28 May 2015.

10 Riley, Charles, 'India's Growth Numbers Are a Total Mystery', CNN, 10 February 2015, available at <http://money.cnn.com/2015/02/09/news/economy/india-gdp-growth-mystery/>, accessed on 15 May 2015.

did something wrong. Playing with numbers could lead to reputation harm.”¹¹ One reason for the revision could be that the new numbers are closer to China’s growth rates, an important symbol for a prime minister seeking to attract foreign investment.

Overall, the general view appears to be that for a prime minister elected primarily on the promise of economic revival, Modi’s first year in office has been lacklustre. A Bloomberg editorial concluded that, “In his first year, Modi has spent too much political capital to no coherent purpose.”¹² To be sure, part of this verdict reflects the unrealistic expectations and the euphoria attached to Modi’s ascension to power. In his first year in office, the prime minister has eschewed bold reforms in favour of ‘creative incrementalism.’¹³ Chatham House’s Price notes that while the government needs to focus on critical reforms such as reforming labour laws and addressing corruption, in addition to boosting foreign investment, Modi’s primary emphasis is likely to be on making the existing system work, like he did in Gujarat.¹⁴ The government has taken small steps to tackle issues such as easing bureaucracy, clearing backlogs of projects, cutting fuel subsidies, and re-auctioning telecom and coal-mining licenses. But restoring the economy to the glory days seen a few years ago will require much more willingness from the government to make tough decisions, pick a fight with political opponents when necessary, and make concessions and build consensus when the stakes are high.

The Western scorecard on Modi’s security policy is more forgiving. Because foreign policy was not expected to be in such sharp focus, Modi’s charm offensive has caught the attention of the international community. Lisa Curtis, Senior Research Fellow at the US think tank Heritage Foundation, believes that Modi’s foreign policy accomplishments are impressive and that he has reasserted India’s role as a regional and global power.¹⁵ Modi’s multi-alignment strategy in foreign policy has helped build bridges and sustain relationships, an essential factor for attracting investment. Chatham House’s Price observes that this strategy is giving

11 Personal interview with the author on 3 March 2015.

12 Bloomberg, ‘Modi Has Underwhelmed India,’ 24 May 2015, available at <http://www.bloombergvew.com/articles/2015-05-24/modi-has-underwhelmed-india>, accessed on 25 May 2015.

13 A term coined by the government-mandated Economic Survey for 2014-2015.

14 Personal interview with the author, 20 February 2015.

15 Curtis, Lisa, ‘First Year: Modi Invigorates Indian Economy and Foreign Policy,’ *The Heritage Foundation*, 29 May 2015, available at <http://www.heritage.org/research/commentary/2015/5/modi-invigorates-indian-economy>, accessed on 1 June 2015.

Modi the best of all worlds: “Because he does not have to take into account the views of regional and left-wing parties, his outreach to India’s neighbours (except Pakistan) is clearly a sensible strategy. He seems to recognise that India’s global standing requires India to play the role of a benevolent regional hegemon.”¹⁶ Modi’s clear electoral mandate has certainly given him the flexibility to stabilise relations with the neighbourhood, particularly with Bangladesh and Sri Lanka, which were previously held hostage by domestic politics. The unprecedented move of inviting SAARC leaders for his swearing-in ceremony thus had high symbolic value. Similarly, a multi-alignment strategy in the Asia-Pacific region allows the government to engage simultaneously with competing partners such as China and Japan.

Another key aspect of Modi’s strategy has been the absence of ideology-driven bombast that some observers had foreseen, given the BJP’s strong right-wing and Hindutva worldview. The prime minister has chosen pragmatism and tangible outcomes – such as treaties and investment – over dogma in international relations. This approach has allayed the fears of South Asian neighbours and, more importantly, the US, paving the way for a reset of Indo-US ties. Obama’s visit to India had the dual effect of boosting Modi’s legitimacy at home and demonstrating that India and the US are on an equal footing. Western experts credit Modi’s savvy in turning around the relationship, which had hit a trough following the arrest of the deputy Indian consul general Devyani Khobragade in late 2013 on charges of visa fraud.

Alyssa Ayres, a former US State Department official under the Obama administration and Senior Fellow at the Council on Foreign Relations, argues that Modi has successfully set a new tempo, tone, and trajectory for the bilateral relations, instead of focussing on the Khobragade affair and the earlier rejection of his US visa: “Within a few months of coming into office he made his headline visit to the US, and four months later broke precedent by hosting President Obama as his guest at Republic Day. The bitterness of recent disputes has vanished. It has been replaced by a sense of optimism and mutual goodwill.”¹⁷ Modi has clearly

16 Personal interview with the author, 20 February 2015.

17 Ayres, Alyssa, ‘Modi, Turnaround Artist: U.S.-India Ties Revived After Slump’, *Council on Foreign Relations*, 26 May 2015, available at http://blogs.cfr.org/asia/2015/05/26/modi-turnaround-artist-u-s-india-ties-revived-after-slump/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+AsiaUnbound%2FAyres+%28Asia+Unbound+»+Alyssa+Ayres%29, accessed on 30 May 2015.

expressed a desire to work more closely with the US. During Obama's visit to India, both countries made progress on the 2008 civil nuclear deal and issued a *Joint Strategic Vision for the Indian Ocean and the Asia Pacific Region*, which affirmed the importance of maritime security and called for freedom of navigation in the South China Sea. This statement is remarkable for a few reasons: first, it is a thinly veiled reference to China's increasingly rigid stance on its territorial claims in the South China Sea. This communiqué is also the first time that India and the US have spoken together on the issue. Second, the statement highlights Modi's desire to restate India's maritime presence and its engagement in the Asia-Pacific region, particularly with countries such as Australia. As Danielle Rajendram of Sydney-based Lowy Institute observes, the goals of the 'Act East' policy are to deepen economic ties with the Asia-Pacific region in order to boost India's own economic growth, to balance externally against Chinese influence in the Indian Ocean, and to expand India's global role.¹⁸ Lastly, as CFR's Ayres observes, the joint statement is the first time the US has acknowledged India's interests in the Asia-Pacific region, which could possibly lead to greater participation by New Delhi in the Asia Pacific Economic Co-Operation initiative. Obama's tilt towards India at the expense of Pakistan and the progress made in breaking the logjam on the civil nuclear deal has led to optimism among some analysts that a new strategic partnership between New Delhi and Washington will develop.

But a contrary view held by some is that Modi's strategy has essentially been a continuation of the previous government's policies, albeit in a more articulate and confident manner. Frederic Grare, Director of the South Asia programme at Carnegie Endowment for International Peace, notes that the main difference between the Manmohan Singh administration and the current one is Modi's ability to communicate effectively, but argues that the most substantial results of Modi's diplomacy owe their success to policies begun by the previous administration.¹⁹ But the Indo-US relations are an exception: Modi has made visible headway. At the same time, he is unlikely to become a strategic ally of Washington. India will work with the US only in cases where it is in its interest to do so. For instance, closer ties with the US have not resulted in the erosion of the friendly relations

18 See Domínguez, Gabriel, 'From 'Look East' to 'Act East' – India Shifts Focus', Deutsche Welle, 19 December 2014, available at <http://www.dw.de/from-look-east-to-act-east-india-shifts-focus/a-18141462>, accessed on 1 March 2015.

19 Grare, Frederic, 'External Drive', *Carnegie Endowment for International Peace*, 23 May 2015, available at <http://carnegieendowment.org/2015/05/23/external-drive/i918>, accessed on 25 May 2015.

between Russia and India, even at a time when the Western world is suspicious of Moscow's intentions following its annexation of Crimea in 2014. Modi hosted Vladimir Putin in New Delhi late last year and the visit yielded long-term contracts worth USD100 billion, including crude oil deals and an agreement for Russian construction of nuclear reactors in India.²⁰

While some in Washington envisage a strategic partnership between the US and India that could help contain China, calculations in New Delhi are different. There is no doubt that the Indian security establishment is cautious about China. Frequent incursions along a massive border on which there is no consensus, China's development of the Gwadar port in Pakistan and its growing influence in the Indian Ocean region, and its ambitions of regional hegemony are viewed with suspicion in India, even though New Delhi is far behind China in military investment, upgrade, and expansion. It will be a while before the upgrading of military capabilities that is currently underway in India bears fruit. In the meantime, engaging with all stakeholders in the Asia-Pacific region and actively participating in multilateral forums appears to be the best strategy for India. Moreover, China is an essential investment component of Modi's economic policy, which is undoubtedly his top priority. Modi will be careful not to upset this relationship. As Robert Blackville, a former US ambassador to India, observes, "Modi is trying to strengthen each of (India's) bilateral relationships to contribute to Indian economic growth, and therefore, he will avoid as much as he can, having US-China differences infect India's relationship with either the US or China."²¹ In other words, the policy of multi-alignment is likely to continue in the near term.

CONCLUSION

Modi's first 12 months in office suggest clear preference for pragmatism and multi-alignment in foreign policy. Although economic concerns will continue to dictate India's conduct on the world stage, under Modi, there is an acknowledgment of the need – an even a desire – for India to be more visible in international affairs. It remains to be seen if a definitive doctrine emerges at the end of Modi's term in 2019. What is encouraging is the certainty that the prime minister has a mandate for five years that will give him the leverage he

20 Sharma, Rajeev, '20 deals in 24 Hours: Russia-India Relations Given \$100 Billion-Worth Boost', RT, 10 December 2014, available at <http://rt.com/op-edge/213835-russia-india-contracts-nuclear/>, accessed on 10 March 2015.

21 Spoken at a CFR event on 4 February 2015, transcript available at <http://www.cfr.org/india/do-us-india-relations/p36084>, accessed on 30 May 2015.

needs to develop a deliberate foreign policy strategy. Initial indications are that India's neighbourhood will at long last dominate thinking on foreign policy. The increasing importance of the Indian Ocean region, particularly for the US and China, and Modi's desire to ensure regional stability – a critical requirement for the success of his economic agenda – mean that India will remain active in the Asia-Pacific region. In essence, this is a continuation of the course India has charted under previous regimes. But the key difference is effective communication from the prime minister and a desire to make good on the rhetoric of the past few years. As Ian Hall – a professor of International Relations at Griffith University in Australia – argues, “Modi's approach is best seen as an attempt to deliver what has long been promised, rather than an attempt to set out a radically new course for India.”²² It may well be that all Modi can offer is delivering on existing plans rather than overhauling New Delhi's doctrine on foreign policy. Nevertheless, even this accomplishment will be enough to make India an active stakeholder in world affairs.

22 Hall, Ian, 'Is a 'Modi Doctrine' Emerging in Indian Foreign Policy?', *Australian Journal of International Affairs*, Vol. 69, No. 3, 2015, pp. 247-252.

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Indian Army in Transition

Lt Gen S Pattabhiraman, PVSM, AVSM, SM, VSM (Retd)

INTRODUCTION

1. Indian Army second in size to that only of China, is no doubt battle-tested and has worn the reliability tag of the nation with justification and pride for all the six decades and more of independent India. Having fought the last war with Pakistan, albeit limited in scope, in successfully evicting the intrusions into own territory in Kargil and continuing to be engaged in defeating the proxy war in J&K and in low intensity counter-insurgency operations in the North East of the country, mainly in Manipur and Assam, the Army today is primarily focused in its expansion and modernization to be prepared to face a threat from a resurgent and militarist China while at the same time engaged in management of the Indo-Tibet border and the line of control with Pakistan, with confidence and required robustness.
2. With conventional threat from Pakistan, ceasing to be the primary concern, and the increasing need to be able to respond to a range of contingencies from provocations and ceasefire violations on the border/line of control with Pakistan and LAC with China to armed intrusions and responding to a sudden escalation in border tensions as a consequence of a deteriorating geo- strategic and adverse security situation in the region, the Army is transforming itself from a threat based force to a capability strong Army. We shall examine this transformation in succeeding paragraphs.

ASSUMPTIONS AND COMMON PARAMETERS

3. The multi-polar world as it evolved at the end of the cold war has now been further churned in the last decade or so with powerful non-state players starting with Al Qaida, Taliban, Al Shabab, Boko Haram and the recent ISIS. The distinction between formalised wars and situations resulting in undeclared wars supported by nation states based on religious/ethnic considerations has further blurred the geo-political and geo-strategic landscape ,making the task of the Army more difficult since its task is no longer restricted to defending the territorial integrity of its land borders but would necessarily involve responding to a slew of contingencies short of war and in close coordination with not only the sister services i.e. Navy , Air Force and Coast guard but all the intelligence and security agencies of the nation such as the NSA,R&AW,IB and Central Police Organisations , principally the BSF and the CRPF.
4. China will remain a huge factor for years to come and the Indian Army directly in contact with more than 4000 km of the as yet unresolved Indo-Tibetan border with Chinese PLA, has to remain ever vigilant and manage the border peacefully and robustly, at the same time be prepared in the event of a war to improve upon a force capability cantered around a dissuasive strategy into a deterrent posture at selected sectors.
5. Pakistan will continue to grapple with its internal sectarian problems and even after the withdrawal of last of US and NATO troops from Afghanistan will not be in a position to pose a major threat to India except for retaining its ability to continue to wage a low cost-high payoff proxy war in J&K.

THREATS

6. Threats to national security are no longer purely from external aggression or from grave provocation along land borders. It is multifarious and can be from land, sea or air or in the other dimensions such as space, Cyber War, information warfare and so on. The modern Army in close coordination with Navy, Air Force, Coast guard and other agencies has to be prepared to deal with any

contingency and accordingly is transforming itself from a threat based Army to that of a capability based one. However while this transformation is on and will get reflected in the force structuring for the future, the basic threats from the two main adversaries need to be considered in correct perspective.

7. **Pakistan.** For far too long and justifiably so Pakistan had been the principal conventional threat along India's Western borders forcing the Indian Army to plan on having an effective conventional deterrent to take adequate care of any misadventure from that country. The comparative peace after the defeat of its Army in 1971 (resulting in the liberation of Bangladesh), was broken by Pakistan yet again resorting to commencing a proxy war in J&K in late 1980s with indoctrinated youth and establishment of numerous training camps for terrorists in POK and in its Punjab province. This war carries on till date and has only slackened somewhat because of the realization in Pakistan that for its own survival as a nation state it first needs to fight terrorists of various Islamic outfits within its own borders particularly in its provinces bordering Iran in Baluchistan and Afghanistan in Khyber-Pakhtoonkhwa (erstwhile NWFP).
8. In its efforts at seeking parity with otherwise a much superior Indian Armed forces and a threat particularly to its heartland in the province of Punjab from the Indian Army, Pakistan has, with help mostly from China concentrated on developing a credible nuclear arsenal of more than 100 bombs including recently developed and reportedly deliverable tactical weapons which can act as a counter force against a threatening advance by the Indian Army in case of a war. This threat to use tactical nuclear weapons in the event of an unfavourable situation on the ground is indeed a factor which the Indian Army has to take serious note of. The other and more worrying factor not for India alone but for the world at large is the real possibility of such nuclear weapons falling in the hands of terrorists or even more worrisome is the infamous Inter Services Intelligence Service (ISIS) of the Pak Army clandestinely assisting non-state actors in getting access to nuclear armoury.

9. Given the continuation of proxy war in J&K by Pak for its low cost and high pay-off value and with Pakistan continuing to fine-tune its nuclear capability, the Indian Army while realistically playing down a conventional Pak threat to the nation's territorial integrity, would however need to come up with a range of options to respond to all manner of threats starting from an adverse cross LC/border incident to some incursion or a major terrorist attack instead of a full scale mobilization for war as was done in executing operation Parakram in 2001-02 as a response to the attack on the Indian Parliament. These responses ranging from a precision strike on a suspected terrorist camp based on real-time surveillance or a heavy fire assault on a post or counter intrusion operations limiting enlargement of a conflict and so on are well within the Indian army's capabilities and we are likely to see this form of robust responses in case Pakistan indulges in any form of provocative misadventure. Strategic experts are of the view that once the US led NATO troops finally leave Afghanistan, Pakistan and its surrogate Taliban will once again be in a position to raise the pitch on India's western borders and ratchet up the proxy war. The capability led force structuring which is an amalgam of weapon and surveillance assets and their employment on a real-time basis on a theatre based concept of net-centric warfare is expected to enhance our responses to any sort of provocation instigated by the Pak army or its proxies.
10. **China.** In the case of China there is no denying that in view of the massive asymmetry on our northern Indo-Tibetan borders and the Aksai Chin-Ladakh areas both with regard to the infrastructure to move and sustain large forces as also the readily available reserves of high altitude trained PLA (Army) and PLA (Air Force) troops on its side of the border, China will remain the principal threat to our territory, should an adverse situation develop. This asymmetry is sought to be reduced both in infrastructure and adequately equipped Force levels both of the Army and Air Force that can respond and deal with an escalating situation. It is in our national interest to engage with China in all spheres, particularly in the economic field but given the nature of our disputed border and China's strategic friendship with Pakistan, the existing ground realities of

an unsettled border and a rapidly militarising China giving rise to an adverse situation on the border cannot be ruled out. The Indian Army has therefore with government's approval planned on a major infrastructure improvement all along the northern borders as also raising its force level by a mountain Corps comprising of four infantry divisions and an armoured brigade before the end of the current plan period(2017).

- 11. A Collusive China-Pak Threat.** The strategic partnership between China and Pakistan has many dimensions. Of these the portion of Pakistan occupied Kashmir(POK),nearly 4500kms in Shaksgam valley that was ceded in 1963 by Pak to China under a bilateral treaty(with a proviso that the ceding is contingent to a final solution of the Indo-Pak dispute over Kashmir) has now 50 years after the agreement. come into renewed focus on account of the China-Pakistan Economic corridor (CPEC) being planned to be developed from Kashgar in Sinkiang province of China to Gwadar the Pakistani port on the Makran coast through this very part of POK with the four-laneing and making the existing fair weather Kashgar-Gilgit road over the Khunjerab pass into an all weather road with a number of tunnels cutting underneath the Himalayan ranges including the Khunjerab pass. This corridor which is intended to open up the Chinese mainland to the Arabian Sea, though ambitious is extremely important to China as it provides an alternate to the longer sea route across Malacca straits and South China Sea for all essential supplies to China from the Arabian Gulf particularly oil. China which is funding this entire multi-billion dollar project to be completed by 2018 is so considerate to Pakistan that it is prepared to overlook Pakistan's involvement in providing sanctuaries and encouragement to the separatists of the East Turkistan party of the Uighurs which is waging war against Han influence in Sinkiang province.
- 12.** This part of POK which is vital to China overlooks, though over extremely difficult terrain Indian Army's dominating presence on the Saltoro ridge in the Siachen area and gateway to Ladakh. It would be obvious therefore for any strategic expert to link the

importance being attached by China to this part of the POK and ipso facto its interest in its 'all weather friend' Pakistan bringing pressure on India to de-militarise the Siachen glacier area. China, notwithstanding its assistance to Pakistan in the nuclear field and being its main supplier of all kinds of armaments to Pakistan armed forces at friendship rates, has so far remained a silent partner of Pakistan in all the previous Indo-Pak wars and territorial conflicts except for some form of posturing on the Indo-Tibet border during the 1971 war. It is unlikely to revise its policy unless there is a grave threat to the territorial integrity of Pakistan itself.

13. While China is unlikely to collude with Pakistan, in case of a serious Indo-China conflict situation, Pakistan under certain circumstances that it may consider favourable to itself could take advantage of a deteriorating situation on the Indo-Chinese border by opening up a new front on India's western border. This factor would therefore impinge on Indian armed forces to plan on at least adequate force levels to be earmarked for such a collusive support from Pakistan. In military parlance, it could be stated as planning for a war on 1&1/2 front.

ARMY'S TRANSFORMATION FROM THREAT BASED TO A CAPABILITY DRIVEN FORCE

14. From the aforesaid narration on threats to India's security, it can be surmised that the predominant threat from Pakistan is on the wane and factors such as low cost proxy war and nuclear blackmail could give rise to a sudden escalation of the no war no peace type of a situation between the two Armies. The threat from China on the other hand needs to be factored in and the requisite force level to have a dissuasive capability against China and at the same time deal with Pakistan with a strong deterrence will have to be planned. To be able to deal with such types of occurrences, capabilities to handle any type of contingency in conditions favourable to us would require to be built up on a theatre (Army command) grid and would include the following aspects to be dovetailed/integrated:-
 - a) Force structuring of the Army to be based on responding to any developing situation on a theatre basis.

- b) Theatre commands to be seamlessly integrated with their counterparts in the Navy and Air Force and to the Army Headquarters as also to the Chief of Defence Staff as and when the latter is sanctioned and operationalised.
- c) Operational freedom of plans and execution to be decentralised at Corps Headquarters which will also have its integral tactical air component.
- d) An infantry/mountain division with required force accretions will remain the basic integrated force of all arms and services capable of sustained military operations over prolonged periods of time.
- e) The Army must train to conduct operations in nuclear Biological and chemical (NBC) warfare conditions as also adopt battle procedures and force protection measures in tactical operations conducted on a large scale.
- f) Modernisation of the Army is a continuous process across all types of equipment and training for the future with special emphasis on enhancing firepower, surveillance means, communication, mobility, force protection and sustenance measures.
- g) Command, Control, Communication, Computer and Intelligence means referred to as C4I, fielded by the Army need to be state of art and constantly upgraded.
- h) Similarly Special Forces of the Army need to be equipped and trained to be at par with the best in the world and would be the lead force in Special Forces Command of the three services as and when formed.
- i) The Army trains to operate jointly with the Air Force in most situations and with the Navy in amphibious and sea-borne contingencies.
- j) The Army increasingly and incrementally is adding force multipliers such as rotary and fixed wing assets, UAV platforms including armed drones with adequate endurance and reach.
- k) Apart from training being imparted at various Army centres, Cadet training Academies and training institutions such as the Army war college, a great deal of fine-tuning at formation levels is done in numerous battle schools and manoeuvre ranges.
- l) The bedrock of the Army's ethos in winning wars is its emphasis on Unit cohesion and spirit. Indian Army is command driven

and leadership qualities at all levels of command are continuously enhanced by training and importance attached to man management.

15. **Force Structure.** The Indian army is organised into an Army Headquarters, six regional commands and one training command. The regional commands are responsible for all aspects of operations, logistics and administration in their geographic areas of responsibility and are responsible to the COAS to translate fully his orders and mission directives. The army numbering more than 1.15 million strong is operationally structured into 14 Corps (including the recently raised mountain corps), 38 Mountain/Infantry /Armoured divisions (Including four infantry divisions being raised in the East) and a number of independent armoured brigades, a few independent AD brigades, a few Engineer brigades, a few artillery division Headquarters, one Parachute Brigade and a number of special forces Units-SF (Para) Battalions. The Army's order of battle(ORBAT) assigns a judicious mix of all arms and services as also logistics support facilities to theatre commands based on a detailed examination of the requirement of each theatre to be able to carry out the entire spectrum of operations from initial assessment of, to response to any provocation across the border to a full scale operation involving launching of and conduct of a full scale battle within accepted and practiced rules of engagement as per standard operating procedures(SOP) with the knowledge of the Army HQ and/the central government and which may not require a full scale mobilization of the Armed forces for a war. The Army HQ, apart from laying down policies on all matters of organisation is responsible to ensure that all Units and formations on the ORBAT are maintained to full operational strength in manpower and authorised equipment at all times, referred to as 'being fit for war'. The Army HQ is also responsible to ensure that the entire Army or the field force apart from being battle ready at all times has reserves of arms and ammunition to last the entire duration of the intended conflict varying from a few weeks to a couple of months called as war wastage reserves(WWR).The Army HQ is also responsible to effect general mobilization of the entire Army including those on

peacetime establishments and the reserves in case of a full scale war as ordered by the central government. The COAS as a part of the Chiefs of Staff Committee (COSC) will render advice to and give effect to the decisions of the COSC on all joint operations.

- 16. Theatre Commands.** The six army commands, Northern, Eastern, Southern, Western, Central and South Western, geographically responsible for operations within their territorial jurisdiction have been accordingly entrusted with dealing with all security issues and to coordinate with the state governments and other agencies of the Government of India (GOI) and central Police Organisations in their area of responsibility. These Command HQs and the Army Corps HQs placed on their ORBAT have each a nucleus of the Indian Air force planning and operational staff designated as Advance HQ with Command HQ and Tactical Air Centre with Corps HQ. This ensures jointness in planning and execution of all aspects of the air-land battle for seamless execution of all missions flown by the Air Force in support of their associated Army Command and Corps. The commands are operationally networked with secure and redundant communications with the Army HQ and also with the joint operations centre of the Integrated Defence Staff (IDS). The command HQ is the nerve centre of conduct of operations and uses the Command, Information Decision Support System (CIDSS), a customized and secure software package for reaching down to individual units. The optical fibre cable (OFC) based network of communications suitably augmented with very small aperture satellite terminals (VSATs) for communication with units operating out of the OFC network, permits units, freedom of action and the 'plug and play' means of communication network ensures real time connectivity which is being upgraded with greater bandwidth and speed with passage of time as part of progressive modernisation of the field army. This networked army across the theatre of operations is no longer platform centric but network centric where real-time situational awareness ensures that instead of physically moving weapons platform over great distances as was being done in the past following authorisations over numerous chains of command, it is possible to move and bring into action a similar weapons platform

at the desired point of action in an earlier time frame from dormant sectors and subsequently readjusting other distant weapon platforms in course of time to restore operational balance.

- 17. Detailed conduct of operations at the level of a Corps.** In the Indian Army as in most Armies detailed plans for independent operations across a theatre are carried out at the Corps HQ level. The Indian Army's ground holding formations such as divisions and brigades assigned with defence of designated areas of responsibility are grouped under a holding or a pivot Corps. In addition the Army has a few purely offensive formations such as armoured divisions which are grouped together under certain Corps HQ designated as strike Corps. Army's doctrines for conduct of defensive and offensive operations are put into practice at the level of a corps with appropriate modifications to suit individual terrain and operational situation. This is particularly applicable in conduct of joint operations with the Air Force where all the planning, allocation and execution of missions is carried out across the entire Corps sector. In view of increasing ranges of tactical long range weapons such as long range artillery and missiles, as also increase in availability of utility and armed helicopters and unarmed aerial vehicles(UAVs) and armed drones as part of Army's assets, the fine-tuning of joint operations including bringing to bear all air defence platforms in the Corps zone on a common grid has assumed a great deal of importance and is a test of effective jointmanship.
- 18. Nuclear, Biological and Chemical Warfare (NBC) Aspects.** The Army's emphasis on training in NBC warfare, adoption of protective measures and conducting operations in NBC environment is need and situational awareness based. As far as training is concerned, nearly all the deployable field forces are trained in adopting protective measures. The state of availability of NBC protective equipment is also good since it is 100% indigenously manufactured. Field formations are periodically exercised in adoption of battle procedures while operating in situations which could be in a NBC contaminated scenario. The Army is confident with its state of preparedness to be able to conduct its planned operations, albeit with

suitable modifications to cater for the NBC threat, should Pakistan actually carry out its threat of employing nuclear weapons.

- 19. Modernisation of the Army.** Modernisation of the existing equipment in the Army's inventory is a continuous process. It involves upgradation, replacement and introduction of new equipment to keep pace with developing trends and improvement in technology. While nearly 70% of the Army's equipment consists of legacy items whose lifespan with periodic upgrades can serve the Army for 30 to 40 years, the remaining 30% can be broken into 15% new items and 15% obsolete awaiting replacements. Unfortunately the Army presently due to delays in modernisation is extending the life of legacy equipment such as tanks, artillery, missiles, AD weaponry and helicopters etc to more than 50 years. This state of affairs is worrisome and is being addressed on priority. The government is seized of the seriousness of the situation and it is hoped that the new push towards 'make in India' with private sector's greater participation in manufacture of warlike stores and increase in Foreign direct investment(FDI) in defence meets with early success.
- 20. Special Forces.** One of the notable features of the Indian Army's recent expansion has been the raising of more Special Force (SF) battalions. These earlier named parachute commando battalions are today the Army's strategic assets. Well organized and trained to execute any type of mission deep in enemy territory and capable of sustaining themselves individually or in small teams for long duration, these specialist Units are employed as theatre force multipliers. A proposal to organise the special forces of all three services, i.e. the Army's SF units, Air Force Garuds and the Navy Marcos into a Special Forces tri service command is likely to be approved by the government. This will further enhance the strategic potential of India's Special Forces.
- 21. Force multipliers.** One of the areas undergoing rapid transformation and enhancements towards adding force multipliers in the field force is the expansion of the Army aviation wing. Today each of the Army

Corps is having its dedicated light utility helicopter (Dhruv) flight and will also have armed flights of such helicopters. Unarmed aerial vehicles (UAV) of varying times of endurance are already an integral part of the surveillance grid on a theatre basis. Trials are underway to incorporate armed drones as a means of effecting precision strikes on selected targets. The induction of the Brahmos missiles into the Army and its incorporation as Brahmos units as a theatre asset has already given the Army a capability for precision strikes at ranges in excess of 200 km.

22. **Jointmanship.** The Army increasingly plays a great deal of emphasis on training in joint operations and wherever feasible carries out exercises with the Air Force primarily and with the Navy as per requirement. As already mentioned earlier, all operations are planned at the Corps level in conjunction with the Air Force. Each Corps HQ has the necessary complement of the Air Force staff that form part of the Corps HQ. Similarly at Command/theatre HQ, a two star Air Force officer at the head of Advance HQ is part of the Command joint planning and operational staff. Joint training is being imparted to selected officers at various levels in the Services starting with the Defence Services Staff College at Wellington. The officers of the three Services are also trained together at the three Higher Command courses of the three services and at the National Defence College. There are also periodically certain special courses run for senior officers of two stars at the premier training institutions of the Army War College, Mhow, College of Air Warfare, Secunderabad and at the Naval College in Goa. Apart from training, the three services have also cross-attached certain officers in each other's selected formations including the operational directorates at Service HQs, for intimate sharing of expertise that assists in synergized operational and logistics planning. The three Services are already manning jointly Space and Cyber cells at HQ, Integrated Defence Staff (IDS). These cells over a period of time are likely to be operationalised into Cyber and Space commands with the government's approval.

- 23. Training.** The Army has continuously upgraded its training methodology to keep pace with current requirements. The junior leaders training Academies started a few years back have qualitatively enhanced the capabilities of JCOs and senior NCOs. The Indian Army's performance in the internationally acclaimed Cambrian patrol competition in the UK, by winning the competition twice in the last few years is testimony to the high quality of junior leaders emerging in the Army. Learning of foreign languages of interest such as Chinese, Pashto and Urdu are being encouraged by giving greater incentives towards employment in posts needing interpreters and translators. Women officers from the Intelligence and Signals corps have been found suitable to work in this field. Orientation training for Units and individuals proceeding on UN missions has been a regular feature and such training is also sought by UN missions bound contingents of friendly foreign countries.
- 24. Military Diplomacy.** For some years now, the Army along with the Navy and Air Force has silently but surely contributed towards the national aim of winning friends in countries that are considered important to enhance our national interest. Towards this end apart from contributing to UN peacekeeping and peacemaking missions, the Army conducts bilateral joint training manoeuvres with a number of countries including China, Russia and USA. The Army has also a number of officers posted in important UN missions on its staff as also in UN HQ in New York on the peacekeeping staff of the Secretary General.
- 25. Army as a Career Option.** Shortage of young officers has been a major problem with the Army, as with the other two services. The Army has been steadily making efforts to enhance the intake of suitable young men and women by increasing the capacity to train cadets at the military Academies. Apart from enhancing the capacities of the two premier Academies at IMA, Dehradun and OTA, Chennai, the Army with the government sanction had recently opened another Academy at OTA, Gaya. The problem of motivating young and promising men persists due to greater attraction to better and higher paid jobs in this age of better employment opportunities

outside. The Army on its part is unwilling to lower the standards at entry, rightfully so. The induction of women officers in greater numbers has failed to mitigate the problem entirely since the conditions of service in active combat, in infantry, armoured corps and field artillery are not yet conducive for women to serve as young officers and the shortages of officers is mostly in such units.

CONCLUSION

26. The above narrative on the Indian army of today and tomorrow captures broadly as to how the army of 1.15 million strives to meet the aspirations of the Indian populace. That the Army has the nation's trust is in no doubt, and the Army on its part has ensured the sanctity of the nation's territorial integrity since independence with due responsibility, dignity and sacrifice. 1971 war with Pakistan, culminating in the liberation of Bangladesh and surrender of over 90000 Pakistani troops remains the crowning glory of the Indian Army along with the Indian Air Force and the Indian Navy. More than four decades after that historic victory, the modernised Indian Army is transforming itself to a capability driven force ready to meet myriad challenges to the nation's security.
27. Apart from its primary duty to thwart external threats, the Army has on numerous occasions responded to calls for disaster management in the case of natural calamities. Army on account of its presence in the length and breadth of the country and its balanced organisation and disciplined approach remains the first responder along with the IAF, in case of any disaster, despite the availability of increasing number of National Disaster Force units and central police organization units.
28. Indian Army is in transition from a force primarily structured to meet external threats to one based on building up capabilities on a theatre based command. This transformation is aimed at meeting a multitude of contingencies jointly with the other services in a region beset with ever changing geopolitical equations. The Army needs to be prepared to deal with a slew of contingencies from an incident on the border to a full scale war at short notice. This transition

however has only strengthened the Army's resolve and commitment to preserving the nation's integrity while placing its trust on the three pillars of "Naam, Namak and Nishan". The Army's regimental centres and the training academies are second to none in this world and the officers and men will die for the "Izzat" of their Units at anytime, anywhere and at every opportunity that presents itself.

LT GEN S PATTABHIRAMAN (RETD)



Alumni of National Defence Academy, Khadakvasla, Lt Gen S Pattabhiraman retired from the Indian Army as Vice Chief of Army Staff on 31st Dec 06 after 40 years of active service. An Engineer and a paratrooper he has seen action in 1971 Indo-Pak war as also in counter insurgency operations in J&K in 1999-2000.

A graduate of Defence Services Staff College, Wellington, the officer has attended Harvard University for the senior executives programme on national and international security. Prior to being appointed as the Vice Chief, the officer was General Officer Commanding-in-Chief of the Western Command of the Army. The officer has also been our Defence attaché at Ankara Turkey in the rank of Col and was privileged to be the Colonel Commandant of the Bombay Sappers from 1Jan2004 till retirement on 31Dec2006. Post retirement, the officer has been a consultant to Defence Research and Development Organisation(DRDO) and later served as Member(Administrative) of the Armed Forces Tribunal(AFT), Chennai Bench.

A wide reader and a part-time writer on subjects pertaining to geopolitics, geo-strategy, military history and military technology, the officer has been an active contributor to and participant in the deliberations of premier strategic think tanks in Chennai such as the Centre for Security Analysis(CSA), Centre for China Studies and Observer Research Foundation(ORF)

Understanding Maritime Security

Senior Advocate VJ Mathew

INTRODUCTION

Of all the great industries that have thrived over the years, shipping is perhaps the one that has most strengthened the backbone of international trade. The fact that most developed nations of the present day and those that find themselves in the midst of high-stake political and commercial dealings happen to be important centers of maritime trade and importance cannot be coincidence. It is owing to these high stakes that the hazards and risks associated with maritime trade are exceedingly high and maritime security has become such a pertinent issue.

Maritime Security is an umbrella term used to cover various separate issues. There is no accepted legal definition for the term and it can be better understood only if the various elements that it is comprised of are deliberated. Maritime Security regimen is concerned with issues ranging from Sovereignty to Security from Crimes at Sea and from Environmental Protection to Security of Seafarers and fishermen. While dealing with all aspects of maritime security is outside the scope of this article, it does seek to highlight some important and pertinent issues in the field.

Firstly, we will look at the International Maritime Organization and its role in improving maritime security. The various IMO conventions and the role they play in keeping our oceans safe will be discussed. The second part of this article deals with the issue of piracy and terrorism at

sea and the hazards and eventualities that arise from the same. There is no better example to demonstrate this than the *Enrica Lexie* case. Finally, the paper confabulates the necessity and development of Container Security and discusses the Container Security Initiative.

PART 1

International maritime organization (imo)

The United Nations convened a conference in 1948 and the assembly successfully adopted a resolution for the formation of the Inter-Governmental Maritime Consultative Organization, or IMCO, which was subsequently re-constituted in 1982 into the International Maritime Organization or IMO. This was an organization with a mandate to develop international regulations for enhanced maritime trade and to improve the scope and prospect of safety at sea.

As a specialized agency of the United Nations, IMO plays the role of a regulator and ensures the safety, security and environmental performance of international shipping. The purposes of the Organization, as per Article 1(a) of the Convention on the International Maritime Organization adopted in Geneva, is "to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships". Its main role, in short, is to create a regulatory framework for the shipping industry, that is fair and effective, universally adopted and universally implemented.

IMO has also developed and adopted international collision regulations and global standards for seafarers, as well as international conventions and codes relating to search and rescue, the facilitation of international maritime traffic, load lines, the carriage of dangerous goods and tonnage measurement.

India has been one of the earliest members of the IMO, having ratified its Convention and joined it as a member-state, in the year 1959. It has till date acceded to and ratified about 36 of the Conventions/Protocols adopted by the IMO and 6 of them are currently under consideration

for this purpose. In January 2014, India was re-elected unopposed to the Council of the IMO, which serves as the Governing Body of the Organization, for two further years. India has had the privilege of being elected to and serving the Council of the IMO, ever since it started functioning, and till date, except for two years for the period 1983-1984.

The imo and maritime security

An integral part of the IMO's mandate is making travel and transport by sea as safe as possible. Facilitating discussions between industry, member states, security forces, and other UN agencies with an interest in dealing with maritime-security issues is a key element of the work of the Organization, as is the development of both mandatory instruments and guidance. IMO works to effect solutions in consultation with representatives of Governments, the diplomatic community, other UN organizations, naval and military personnel, the shipping industry, seafarers and other concerned entities and individuals.

As has been stated by the IMO on their website, the purpose of these maritime security measures is to:

- *“Establish an international framework involving co-operation between Contracting Governments, Government agencies, local administrations and the shipping and port industries to detect/assess security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade.*
- *To establish the respective roles and responsibilities of all parties concerned, at the national and international level, for ensuring maritime security;*
- *To ensure the early and efficient collation and exchange of security-related information;*
- *To provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels; and*
- *To ensure confidence that adequate and proportionate maritime security measures are in place.”*

IMO has also played a big part in promoting maritime security by adopting various conventions. Concern about unlawful acts which threaten the safety of ships and the security of their passengers and crew

grew during the 1980s, with reports of crews being kidnapped, ships being hijacked, deliberately run aground or blown up by explosives. Passengers were threatened and sometimes killed. In November 1985 the problem was considered by IMO's 14th Assembly and a proposal by the United States that measures to prevent such unlawful acts should be developed by IMO was supported. In March 1988 a conference in Rome adopted the *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation*. The main purpose of the Convention is to ensure that appropriate action is taken against persons committing unlawful acts against ships. These include the seizure of ships by force; acts of violence against persons on board ships; and the placing of devices on board a ship which are likely to destroy or damage it.

The adoption of the International Convention for the Safety of Life at Sea (SOLAS) in 1914 was a direct consequence of the sinking of the Titanic and the SOLAS still remains the most important treaty addressing marine safety and ensures that in the event of an incident at sea, passengers and crew have the greatest chance of survival. Over the years, new versions of SOLAS have been adopted each taking into consideration the latest developments and requirements with regard to safety in the field. In the wake of the tragic events of 11 September 2001 in the United States of America, Assembly resolution A.924(22) (November 2001) called for a review of the existing international legal and technical measures to prevent and suppress terrorist acts against ships at sea and in port, and to improve security aboard and ashore. The aim was to reduce risks to passengers, crews and port personnel on board ships and in port areas and to the vessels and their cargoes and to enhance ship and port security and avert shipping from becoming a target of international terrorism.

As a result of the adoption of resolution A.924 (22), a Diplomatic Conference on Maritime Security, held at the London headquarters of the IMO from 9 to 13 December 2002 (the 2002 SOLAS Conference), was attended by 109 Contracting Governments to the 1974 SOLAS Convention, observers from two IMO Member States and observers from the two IMO Associate Members. The 2002 SOLAS Conference adopted a number of amendments to (SOLAS), 1974, as amended, the most far-reaching of which enshrined the new International Ship and Port Facility Security Code (ISPS Code).

The ISPS Code is a comprehensive set of measures to enhance the security of ships and port facilities, developed in response to the perceived threats to ships and port facilities in the wake of the 9/11 attacks in the United States. The mandatory security measures, adopted in December 2002, include a number of amendments to the 1974 SOLAS. The Code contains detailed security-related requirements for Governments, port authorities and shipping companies in a mandatory section (Part A), together with a series of guidelines about how to meet these requirements in a second, non-mandatory section (Part B).

The purpose of the ISPS Code is to provide a standardized, consistent framework for evaluating risk, enabling governments to offset changes in threat levels with changes in vulnerability for ships and port facilities.

IMO regularly sends to coastal States reports of armed robbery stated to have been committed in their territorial waters, requesting information on the result of any investigations they have conducted. Coastal States are requested to respond to these inquiries even when they are unable to conduct an inquiry either because the incident was not reported or was reported too late for an investigation to be conducted. Any such responses should continue to be circulated to them sessions of the Committee

IMO is also currently implementing an anti-piracy project, a long-term project which began in 1998. Phase one consisted of a number of regional seminars and workshops attended by Government representatives from countries in piracy-infested areas of the world; while phase two consisted of a number of evaluation and assessment missions to different regions. IMO's aim has been to foster the development of regional agreements on implementation of counter piracy measures.

Piracy and the steps that can be taken to counter this menace are discussed in detail in Part 2.

The Menace of Piracy and the *Enrica Lexie* Incident

The menace of piracy across coast of Somalia, Gulf of Aden and Horn of Africa is one of the most pertinent of perils that have shaken the attention of nations. It is an issue which, has moved from our storybooks and costume parades into the front pages of our newspapers. The world has not only witnessed loot at a massive scale but most grotesque form of human right violations.

Piracy has remained a scourge of the shipping industry for centuries posing a serious threat to the ship owners, maritime trade and maritime security. However, it was not until 2008, when pirates operating off the coast of Somalia hijacked a ship full of Russian tanks and an oil super tanker, that the issue drew considerable international attention and occupied the limelight. These days, pirate boats panoply with AK 47 rifles and grenades are strong enough to take down a huge vessel. Recently, they have even expanded their reach to Indian Ocean.

IMO has been addressing maritime piracy for some time and a series of measures, developed in co-operation with Member States and the shipping industry, have helped significantly reduce piracy in the hot spots of the world. To assist in anti-piracy measures, the IMO also issues reports on piracy and armed robbery against ships submitted by Member Governments and international organizations. The reports include names and descriptions of ships attacked, position and time of attack, consequences to the crew, ship or cargo and actions taken by the crew and coastal authorities and are circulated globally. The world nations have come together to fight against this diabolic force which finally culminated in incorporating provisions which exclusively dealt with piracy in the UNCLOS (United Nations Convention on the Law of the Sea)

The depth of concern for the problem internationally is amply demonstrated by the levels of co-operation and coordination among naval and other forces from several countries that have assembled in the West Indian Ocean region and the Gulf of Aden to escort ships carrying humanitarian aid to Somalia and to protect vulnerable shipping. By 2008, at least 10-16 naval ships were found conducting anti-piracy missions in pirate invested areas.

**The *Enrica Lexie* Incident and the issue of
Private Security Personnel**

While the naval patrols were a success and did reduce the number of piracy incidents, they weren't completely successful in thwarting piracy. The area to be covered was just too large and each and every vessel could not be assured protection. In this backdrop, various Private Maritime Security Personnel Companies bloomed to cater safety needs of shipping companies. These companies train men with arms who are later recruited onto the ship to counter piracy. Over 140 recently launched PMSCs (Private Maritime Security Companies) employ at least 2700 armed contractors on board commercial ships, with more than a quarter of commercial ships now using armed security on board. By the year 2012, incidents of piracy in High Risk Area have tumbled down by 60%.

Nonetheless, they are often rebuked for their "floating armoury" image. The transportation of arms and ammunition has still remains a hot potato in the global arena. Some firms embark weapons for the entire duration of the ship's passage while others do it only for a certain part of the passage. In one instance, the Nigerian Navy intercepted a Russian security vessel with hundreds of rifles on board. Other problems that could ensue due to lax regulations include illegal transshipment of arms and ammunition under the pretext of anti-piracy operation (The Ohio Guard case) and use of disproportional force against suspected pirates (Issue of Black waters of Sea in Baghdad). Keeping in mind the problems associated with PMSCs, IMO chalked an amicable solution by introducing guidelines for operation of PMSCs. It encompasses criteria that need to be complied by PMSCs, insurance cover, guidelines for transport of weapons. The PMSCs must take all reasonable steps to avoid use of force; and if used, should be in consonance of applicable law

A notable change that occurred with regard to hiring private security personnel was deployment of the navy for private purposes. A Vessel Protection Detachment (VPD) is unit of two or more naval officers who are recruited in ships to serve same purpose. This practice is encouraged in countries like Netherlands, Japan, Switzerland and Italy. VPDs have drawn world attention due to various reasons. One, this naval deployment is less expensive compared to the private companies. Second, it has become easier to transport weapons through ports by virtue of military officials sailing in the ships. Third, most importantly, their acts

are protected by states which will consequently reduce the pressure upon the shipping industry.

However even more complex issues are attached to their deployment. When national militaries patrol the piracy high-risk area in warships, they are patrolling for the common good and able to respond to any vessel under attack. When military personnel embark upon an individual ship as a VPD, they are only able to provide protection to that particular ship and do not contribute to the wider counter-piracy fight. The use of national militaries as guards on board shipping also creates substantial ambiguity about their identity, and raises a raft of political and legal problems. Government policy, international organizations and international law have failed to keep pace with the rapid changes happening in the shipping and maritime security sector with regard to these deployments thus creating a vacuum in the law.

There can be no better example to demonstrate the danger posed by these VPD's than the *Enrica Lexie* case. On February 15th 2012, while the Italian Flagged MV *Enrica Lexie* was sailing with an Italian Military Protection Detachment (a VPD) on board and in transit along the Indian coast, the vessel reported a piracy attack. This happened close to the outer border of the Indian Contiguous Zone and within the Exclusive Economic Zone (EEZ) of India. An Indian fishing boat was drifting closer and closer to the Vessel and was reportedly not responding to the communications being sent out. Fearing a potential Piracy attack, the Marines aboard began to fire at the fishing vessel.

On the same day, criminal investigation commenced in India for the alleged killing of two fishermen on board Indian fishing boat. On request for co-operation from Indian authorities the *Enrica Lexie* entered the Indian Port of Kochi. Two Italian service members were taken into custody, triggering a complex legal controversy between Italy and India which is still being considered by Indian Courts.

As witnessed in this case, cases in which private contractors and vessel protection detachments have shot and killed wrongfully suspected pirates are becoming common. It is clearly evident that there are only weak rules dealing with PMSCs and in particular, VPDs. Issues such as jurisdiction and diplomatic immunity will be issues which come to the forefront in such cases and the IMO will have to address this issue sooner rather than later.

PART 3

Container safety

Containerization is a form of intermodal freight transport that uses intermodal containers, which are standardized, reusable steel boxes, to transport cargo. These containers are made of weathering steel, which is best known under the brand name COR-TEN steel or simply Corten Steel. It refers to a group of steel alloys that was developed in order to avoid the requirement for painting the containers and, except for forming a rust-like appearance, is not damaged, even if exposed to weather for years. The efficiency of the containers come in the fact that they can be loaded, unloaded, stacked and be transported with ease, even over long distances. The 'intermodal' nature of the containers imply that their mode of transport can also be changed from one to another – rail transport flatcars, container ships, semi-trailer trucks - without being opened. The system that handles the containers is completely mechanized to the extent that any requirement for manual intervention in the form of opening the containers, unloading the cargo, reloading it into another container and thereafter to the alternate mode of transport etc., is completely eliminated. Any work at all is done by cranes and special forklift trucks. Increased safety concerns require that all containers be numbered and should the need arise, can be tracked using computer systems. Containerization, developed after World War II, has been key to the promotion of Globalization and has dramatically reduced transport costs, cargo handling and damage and loss, and has substantially improved security, relative ease of handling and enabled faster transport of freight.

In the recent past, threat to national sovereignty and individual safety has escalated. Terrorism and related activities have witnessed dangerous heights. Of the aspects that are crucial to the success of such organized crime, transportation of arms and weaponry is probably the hardest to forecast and detect. And one of the easiest methods to affect the same, until recently, has been by sea. As terrorist organizations have increasingly turned to destroy and absolutely run aground the commercial and economic infrastructure of countries, the vulnerability of international shipping has come under scrutiny. The terrorist attacks on United States on September 11th, 2001 have left an indelible mark

on the defects associated with national security and protection of people. The incident has taught the world many a lesson and of all countries, it is undoubtedly the United States that emerged the strongest and wisest from the incident. It is in the aftermath of the attack that the U.S. Customs Service began developing antiterrorism programs to help secure the United States. Within months of these attacks, U.S. Customs Service had created the Container Security Initiative (CSI).

The CSI was launched to address the threat to border security and global trade posed by the potential use of maritime trade and shipping containers to transport and deliver weapons. Much of the original idea behind the CSI programme stemmed from the work of James Giermanski, an early proponent of Supply Chain Security.

“CSI proposes a security regime to ensure all containers that pose a potential risk for terrorism are identified and inspected at foreign ports before they are placed on vessels destined for the United States.”

In order to pursue this initiative, the CBP has stationed U.S. CBP officers in foreign locations to work in unison with their host Government counterparts and combat unlawful and illegal transport of arms and cargo. At a time when the plan was in action only in the United States, their objective was to target and pre-screen containers and to develop additional investigative leads related to the terrorist threat to cargo destined for the United States.

There are three core elements to CSI, as has been made available by the CBP are;

- *“In its first part, to identify high risk containers. CBP avails automated targeting tools in order to identify containers that pose a potential risk for terrorism. These tools are based on advance information and strategic intelligence.*
- *In the subsequent parts, to pre-screen and evaluate containers before they are shipped. Containers are screened as early in the supply chain as possible, generally at the port of departure.*
- *They use technology to pre-screen high-risk containers to ensure that screening can be done rapidly without slowing down the movement of trade. This technology includes large-scale X-ray and gamma ray machines and radiation detection devices.”*

The system of gamma ray scanning requires some elaboration. As has been mentioned earlier, Cargo Scanning or Non Intrusive Inspection (NII) refers to a non destructive method of identifying and inspecting cargo. In the US, the main purpose of such scanning is to detect Special Nuclear Materials (SNM) with the added advantage of the ability to detect other suspicious cargo. In other countries, there is varying emphasis on manifest verification, tariff collection and contraband detection. Radiography is quite naturally the obvious choice for scanning that varyingly uses a variety of detection modal.

- Gamma-ray Radiography systems that are capable of scanning trucks, usually use cobalt-60 or caesium-137 as a radioactive source and a vertical tower of gamma detectors. The cobalt-60 units can penetrate upto 15-18 centimeters of steel. The system provides a good quality image that can be used to draw a parallel of the manifest with the cargo in order to detect any anomalies. The benefit of this system is that it can even identify high-density regions that are too thick to penetrate and chances highest in likelihood to hide nuclear threats.
- X-ray Radiography is quite similar to Gamma-ray Radiography but instead of using radioactive source, it uses a high-energy bremsstrahlung spectrum. These systems can penetrate up to 30-40 cms of steel that is moving at velocity of up to 13km/hr. They provide higher penetrative extent but are expensive to purchase and operate. They are more suitable to detect SNMs and also deliver around 1000 times higher radiation to potential stowaways

Similarly there are other modes of radiography detection such as Dual-Energy X-ray Radiography, Backscatter X-ray radiography, Neutron Activation Systems etc, each using a different mode of detection and each providing situation specific and particular-case results, as according to requirement.

Its focus primarily being only the U.S., the initial CSI programme had focused only on the top 20 ports catering to approximately two-thirds of the container volume in the United States. However, smaller ports have now been included upon their instigation and the programme is now open to any port that meets a certain volume, equipment, procedural and information-sharing requirements, with the potential to include, in

future, ports based on volume, location and strategic concerns.

CSI has made great leaps since its inception in January 2002. A significant number of customs administrations have committed to joining the CSI and are now operational at various stages of implementation. CSI is now in implementation in North America, Central and Latin America, Europe, the Middle-East, Asia and Africa. Around the world, CSI operational (by the CPB) ports, now pre-screen about 80% of the cargo intended for import into the United States of America.

In the interest of security and fairness, the CSI programme offers its participating countries a reciprocal opportunity to enhance their own incoming shipment security. CSI partners can station their customs agents in major U.S. ports to target the oceangoing, containerized cargo that is due to be exported from the U.S. into their countries. Similarly, CBP shares information on a bilateral basis with its CSI partners. Canada and Japan are currently taking advantage of such reciprocity.

The global reach of the CSI has also been immense. In 2002, the World Customs Organisation unanimously passed a resolution that will enable all 161 member countries to develop simulations of CSI system in their domestic ports. On 22nd April 2004, the U.S. Department of Homeland Security and the European Union signed an agreement that shall seek to further prompt expansion of expansion of CSI throughout the European Community. The G8 has also encouraged, adopted and implemented CSI security measures in their ports to ensure increased maritime safety and furtherance of security.

CONCLUSION

Maritime Security is a goal that all nations have to collectively strive towards. Under the watchful guidance of the IMO, nations will have to continue to strive towards it and commit to working towards making the oceans safe. Maritime Security can only be further improved and made effective if an increased number of nations begin to subscribe to international treaties and conventions and begin implementing them with greater vigor and frequency. There has to be clearer laws which deal with matters such as cross-boundary crimes and territorial sovereignty and laws with regard to maritime disputes between two or more countries

Piracy is a threat that can be combated only by the combined and collective effort of the world at large. Security measures also have to

be tightened with routine border checks in the High Risk Area, along the coast, the contiguous zone border and the EEZ border. There is also the added threat of fishermen wandering into international waters, unknowingly, and disputes arising following such issues. It is in concurrence to attempts aimed at ameliorating such predicaments that the Central Government of India has now launched a project to install tracking systems in fishing vessels. As a part of this, the Department of Fisheries, Kerala, are contemplating the issuance of tracking systems in 4000 fishing vessels so that enforcement agencies can prevent fishermen straying into the waters of other countries. The vessel tracking system includes a GSM device fitted with GPS in fishing vessels, which sends the data to the server using GPRS technology and the associated software for communicating with servers. The data of the vessel will be tracked when the vessel goes out of the prescribed range or when it enters into waters of other country. An alarm would be sounded to the vessel that it is in a danger zone and should return immediately. This signal can be detected by Vessels that are traversing the same waters as well. This is a measure that one could reasonably conclude can substantially decrease the woeful and afflictive implications of boats that steer to close to vessels containing VPDs. The ship will have access to all relevant information about the skiff, the nationality, the purpose, number of people on the skiff etc. The measure is fitting and will to a large extent resolve issues that arise in his regard. Measures such as these have to be promoted and encouraged and co-operation between all parties involved is essential.

Container Security is another area that requires to be worked on. The Container Security Initiative is a well thought of attempt to mitigate the problem but largely pertains only to the U.S. It can, however, become an effective method of dealing with making inward-bound cargo safe if more countries subscribe to the programme or develop their own method of pre-screening cargo.

Bearing in mind the Admiralty Bill of 2005 is still pending, there is urgent heed to be paid to the fact that India is still without a real legislation catering to the issue of Maritime Security. Considering India's rich maritime history, the legislature has to take an aggressive initiative in promoting maritime security and act as a guiding light for other developing nations to follow suit.

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Recently Shipping fraternity has bestowed him with the prestigious "MARITIME ICON OF INDIA" Award.

Three Minutes to Midnight: Is the World Sleepwalking into a Nuclear Disaster?

Ramesh Thakur

The world faces two existential threats: climate change and nuclear Armageddon — and the bomb can kill us all a lot sooner and faster. The nuclear peace has held thus far as much because of good luck as sound stewardship, with an alarmingly large number of near accidents and false alarms. Having learnt to live with nuclear weapons for 70 years, we have become desensitized to the gravity and immediacy of the threat. The tyranny of complacency could yet exact a fearful price. It really is long past time to lift the mushroom cloud-shaped shroud from the international body politic.

Five paradoxes set the context for the global nuclear arms control agenda. First, nuclear weapons are useful for deterrence only if the threat to use them is credible, but they must never be used if deterrence fails, because any use will only worsen the devastation for everyone. Second, they are useful for some (those who have them), but must be stopped from spreading to anyone else. Third, the most substantial progress so far on dismantlement and destruction of nuclear weapons has occurred as a result of bilateral US and Soviet/Russian treaties, agreements and measures, most recently a new Strategic Arms Reduction Treaty (New START). But a nuclear-weapon-free world will have to rest on a legally binding multilateral international instrument such as a universal, non-

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discriminatory nuclear weapons convention (NWC). Fourth, although nuclear weapons play a lesser role in shaping US–Russia relations today than during the Cold War, the prospects of their use by others in some tense, conflict-prone regions have grown. Fifth, the existing treaty-based regimes have collectively anchored international security and can be credited with many major successes and significant accomplishments. But their accumulating anomalies, shortcomings and flaws suggest that some of them may have reached the limits of their success.

THE SCALE, GRAVITY AND URGENCY OF THE CHALLENGE OF NUCLEAR WEAPONS

In April–May 2015, 189 of the UN’s 193 member states who have signed the 1970 Nuclear Nonproliferation Treaty (NPT) met for the treaty’s ninth five-yearly Review Conference (RevCon) in New York; Israel also attended as an observer. The international political environment in which the meeting took place was aptly summed up by the hands of the famous Doomsday Clock being moved from five to three minutes to midnight. A two-minute shift is rare. According to the *Bulletin of Atomic Scientists*, “global nuclear weapons modernizations and outsized nuclear weapons arsenals pose extraordinary and undeniable threats to the continued existence of humanity, and world leaders have failed to act with the speed or on the scale required”.¹

The assessment reinforced the conclusions of a major new report on the gravity, magnitude and immediacy of the threat posed by nuclear weapons.² Hopes were high in 2009–10 that the world was at last seriously headed towards a world free of nuclear weapons, with US President Barack Obama’s inspirational speech in Prague, US–Russia negotiations on New START, the ICNND (International Commission on Nuclear Non-Proliferation and Disarmament) roadmap of an achievable global agenda, the inaugural Nuclear Security Summit (NSS), and a modestly successful RevCon in 2010.

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1. <http://thebulletin.org/clock/2015>.
 2. Gareth Evans, Tanya Ogilvie-White and Ramesh Thakur, *Nuclear Weapons: The State of Play 2015* (Canberra: Centre for Nuclear Non-Proliferation and Disarmament, 2015). Available for free download at: <https://cnnd.crawford.anu.edu.au/publication/cnnd/5328/nuclear-weapons-state-play-2015>.

Much of this sense of optimism began to evaporate after 2010 and by the end of 2014 had given way to outright pessimism. The world remained at a loss on how to keep Iran in the NPT box and to coax or coerce North Korea back into it. The Comprehensive Test Ban Treaty (CTBT) is yet to enter into force and negotiations on a fissile material production cut-off treaty (FMCT) have not even begun. Nuclear weapons numbers decreased overall but increased in Asia. Talks on a nuclear-weapon-free zone in the Middle East stalled, cyber-threats to nuclear weapons systems intensified and outer space remains at risk of nuclearization. The upsurge of geopolitical tensions over the crisis in Ukraine produced flawed conclusions about the folly of giving up nuclear weapons on the one hand, and open reminders about Russia's substantial nuclear arsenal, on the other.

There were rays of light to set against the gloom. One was the modest success of the Washington, Seoul and Hague NSS in generating some consensus about the need to ensure that nuclear weapons and fissile material do not fall into terrorist hands. A potentially more important positive development was the emergence of the humanitarian consequences movement, with successive conferences in Norway, Mexico and Austria mobilizing many governments and civil society. Its essence can be distilled into three propositions:

1. No country individually, nor the international community collectively, has the capacity to cope with the humanitarian impacts of a nuclear war;
2. "It is in the interest of the very survival of humanity that nuclear weapons are never used again, under any circumstances";³
3. "The only way to guarantee that nuclear weapons will never be used again is through their total elimination".⁴

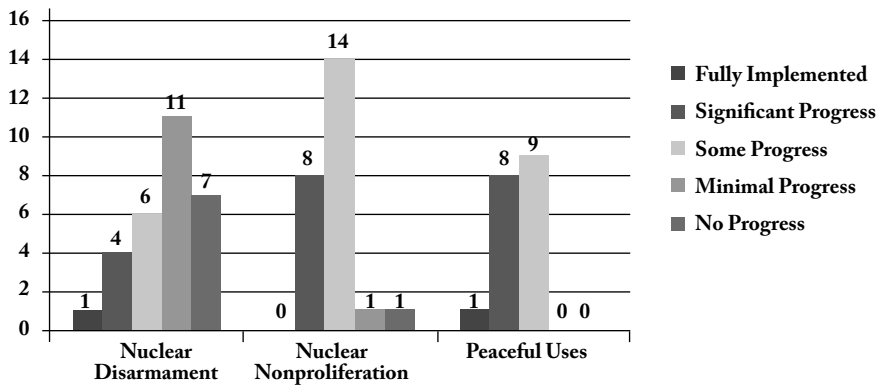
MISSION UNACCOMPLISHED

-
3. Joint Statement on the Humanitarian Consequences of Nuclear Weapons to the 2013 First Committee of the UN General Assembly, delivered by New Zealand on behalf of 125 countries, 21 October 2013: [http://www.un.org/disarmament/special/meetings/firstcommittee/68/pdfs/TD_21-Oct_CL-1_New_Zealand-\(Joint_St\)](http://www.un.org/disarmament/special/meetings/firstcommittee/68/pdfs/TD_21-Oct_CL-1_New_Zealand-(Joint_St)). The matching statement on 20 October 2014 attracted the support of 155 countries.
 4. Ibid.

Disarmament

The nuclear policy “sweet spot” lies at the crossroads of four agenda items: disarmament, nonproliferation, security and safety. As at the end of 2014, there had been some progress overall on the last two items, less on nonproliferation and the least on disarmament in implementing the agreed outcome objectives of the 2010 NPT RevCon. Against the tougher demands of the ICNND recommendations, the picture looks decidedly worse (Figures 1 and 2).

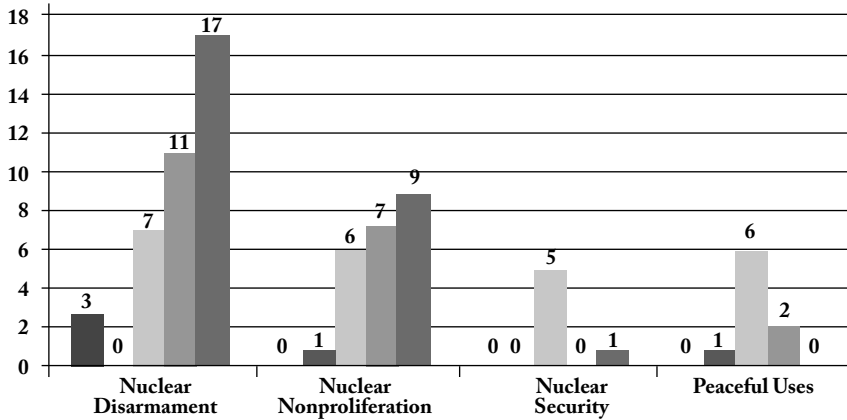
Figure 1: Implementation of 2010 NPT RevCon Action Agenda (N=77)*



* The 2010 RevCon had 64 agenda items. But some of these, for example Action 5, were divided into sub-components, each one of which was graded individually by CNND. In addition, there were resolutions on the Middle East (5 items) and North Korea (one item), for a total of 77 action items.

Source: Compiled from data in Evans, Ogilvie-White and Thakur, *Nuclear Weapons: The State of Play 2015*, pp. 251–61

Figure 2: Implementation of 2009 ICNND Recommendations (N=76)



The nine nuclear-armed states [the five NPT-licit nuclear weapons states (NWS) plus India, Israel, North Korea and Pakistan]⁵ pay at best lip-service to the ultimate elimination of nuclear weapons. On the evidence of the size of their weapons arsenals, fissile material stocks, force modernization plans, stated doctrine and known deployment practices, all nine foresee indefinite retention of nuclear weapons and a continuing role for them in their security policies. More than 128,000 nuclear warheads are estimated to have been built since 1945, with the US and USSR/Russia accounting for 55 and 43 percent of them respectively. The global total climbed steadily after 1945, peaked in the mid-1980s at more than 70,000 warheads, and has fallen since then to a current total of almost 16,400 (including 6,215 retired and awaiting dismantlement) (Tables 1 and 2).

France has met the limited disarmament objective it set itself in 2008, and the UK could complete planned reductions in warhead numbers by the mid-2020s. But elsewhere – in China, India, and Pakistan – nuclear arsenals are growing, and North Korea shows no willingness to reverse its nuclear weapons program. Significant cuts in Russian and

5. The NPT's arbitrary chronological definition of a NWS restricts that status to countries that conducted nuclear tests before 1 January 1967: China, France, Russia, the UK and the US. CNND works around the legal restriction by describing any country that possesses nuclear weapons as a nuclear-armed state.

Table 1: World Nuclear Arsenals, 1945–2015

	1945	1955	1965	1975	1986*	1995	2005	2014**
China	0	0	5	180	224	234	235	250
DPRK	0	0	0	0	0	0	0	7
France	0	0	32	188	355	500	350	300
India	0	0	0	0	0	0	38	100
Israel	0	0	0	20	44	63	80	80
Pakistan	0	0	0	0	0	0	44	110
Russia	0	200	6,144	19,235	40,159	18,179	7,000	4,300
UK	0	10	271	500	350	234	280	225
USA	2	2,422	31,139	27,519	23,317	10,904	8 360	4,785
Total	2	2,632	37,591	47,642	64,449	30,114	16,387	10,157

* Peak year globally

** The above table counts nuclear weapons actually deployed plus those held in reserve. In addition, in the year 2014, Russia had 3,700 nuclear warheads scheduled for dismantlement and the US had 2,515 nuclear weapons waiting to be dismantled. If these retired but still intact nuclear warheads are included, there were 16,372 nuclear weapons actually held in the arsenals of the nine nuclear-armed states.

Sources: Hans M. Kristensen and Robert S. Norris, “Nuclear Notebook”, *Bulletin of Atomic Sciences* 69:5 (July–August 2006), p. 78; S. N. Kile et al., “World Nuclear Forces”, *SIPRI Yearbook 2014: Armaments, Disarmament and International Security* (Oxford: Oxford University Press, 2014), pp. 287–351.

Table 2: Planned Nuclear Warhead Deployments in 2020

	<i>Russia</i>	<i>United States</i>
ICBMs	542	420
SLBMs	640	1090
Bombers	76	40

Source: Joseph Cirincione, *Nuclear Nightmares: Securing the World before It Is Too Late* (New York: Columbia University Press, 2013), 115.

US stockpiles have continued, but no agreement on further cuts is likely while geopolitical tensions over Ukraine and divisions over missile defence and conventional weapons remain. New START permits the two to deploy up to 1,550 strategic nuclear warheads aboard 700 land, air and sea-based launchers.

The planned deployment of strategic warheads in 2020 (Table 2) are far surplus to requirements. Colonel B. Chance Saltzman, chief of Strategic Plan and Policy Division at US Air Force Headquarters and colleagues – who do not believe in nuclear elimination – calculate that the US can meet all its national security and extended deterrence requirements with just 311 nuclear weapons: 192 single-warhead, hard to detect and highly survivable and accurate submarine-launched ballistic missiles (SLBMs) aboard 12 Ohio class submarines, each of which can hold 24 missiles; 100 single-warhead intercontinental ballistic missiles (ICBMs); and 19 air-launched cruise missiles aboard stealth B-2 bombers.⁶ Whether Russia followed suit or not is irrelevant. Even a substantial numerical superiority is of no military-operational consequence, although it could have political-psychological effects.

Nonproliferation: North Korea and Iran

Having pulled out of the NPT in 2003 and conducted nuclear tests in 2006, 2009 and 2013, North Korea is in a category all by itself as the only non-NWS to have defected from the NPT. In May 2015 it claimed to have successfully tested an SLBM. While empirically it now belongs in the disarmament basket, North Korea's defector status imposes the straitjacket of having to deal with it still through the nonproliferation lens. A realistic agenda for addressing the problem might be to insist, not on immediate and unconditional denuclearization, but on four "Noes": no growth in the size of the nuclear arsenal; no more nuclear tests; no nuclear modernization and upgrades; and no export of nuclear/missile material, components or technology. The key to any progress on the agenda lies in Beijing and China's ability and willingness to ratchet up the pressure on the North Korean regime. While preserving

6. James Wood Forsyth, B. Chance Saltzman, and Gary Schaub, "Remembrance of Things Past: The Enduring Value of Nuclear Weapons", *Strategic Studies Quarterly* 1 (Spring 2010): pp. 74–89.

North Korea as a territorial buffer remains a critical security goal, its unpredictable, erratic and provocative behaviour heightens regional instability, strengthens US alliances with Japan and South Korea, and increases the risk of an unwanted conflict that would undermine China's own development goals.

Suspicions have persisted for some time that Iran has been conducting a clandestine weapons acquisition program. The development would have negative consequences for every component of the nuclear arms control agenda, from increasing proliferation pressures in and beyond the region to heightened risks of nuclear terrorism, use of nuclear weapons, and setbacks to efforts to cut global nuclear stockpiles and reduce their role and salience in national security doctrines.

The aim of stopping Iran from developing a nuclear capability became a lost cause in this century. The real policy challenge was how to accept it as nuclear-capable but not accept it as, nor provoke it into becoming, nuclear-armed.⁷ Iran's centrifuges multiplied from 164 in 2003 to 19,000 in 2013 (although only 11,000 were usable) and a stockpile of 8000kg of enriched uranium. In the interim deal of November 2013, Iran agreed to scale back its weapon-sensitive material and activities under International Atomic Energy Agency (IAEA) oversight in return for some sanctions relief. Follow-up efforts by the five permanent members of the UN Security Council and Germany (P5+1) to negotiate a resolution of the stand-off with Iran missed the 2014 deadline but a framework agreement was concluded in Lausanne, Switzerland on 2 April 2015.⁸

Legal, political and financial challenges remain on the road to a comprehensive political agreement by the 30 June deadline. Potential deal-breakers include the conditions and timing for phasing out and reimposing sanctions (while the US fact sheet uses the language of sanctions suspension and snapback, Iran's version talks of sanctions being revoked and annulled). Another important stumbling block is just how to reduce Iran's stockpile of highly enriched uranium (HEU).

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7. See Ramesh Thakur, "To Stop Iran Getting the Bomb, Must We Learn to Live with Its Nuclear Capability?" *Strategic Analysis* 36:2 (March 2012), pp. 328–34.
 8. US Department of State, "Parameters for a Joint Comprehensive Plan of Action Regarding the Islamic Republic of Iran's Nuclear Program", 2 April 2015, <http://www.state.gov/r/pa/prs/ps/2015/04/240170.htm>.

Moreover, containing Iran's nuclear weapons program does not complete the agenda of lifting the shadow of the nuclear weapons threat from the Middle East. The agreement has also been met by Saudi insistence in particular that Riyadh would demand the same level of enrichment capability to match that granted to Tehran.⁹

Nevertheless, the agreed inspections, verification and transparency measures will successfully close off Iran's plutonium pathway and dramatically constrain its HEU pathway to the bomb. It will substantially cut the number of centrifuges left intact (6,104) and in operation (5,060), cull the low enriched uranium stockpile to 300kg and impose significant international inspection requirements (making it harder for Iran to cheat and easier for outsiders to detect cheating), and lengthen the timeline to respond effectively to efforts at cheating from 2-3 to more than 12 months. Even after all elements of the deal expire in 10-15 years and Iran resumes some enrichment activities, its permanent NPT obligation not to acquire nuclear weapons will remain in place. Besides, the deal must be assessed against the lack of realistic alternatives. Iran has come ever closer to weapons capability during the decade of tough sanctions (2003-13). Conversely, military strikes on its nuclear facilities could not guarantee complete success, would at best delay the bomb acquisition by 3-5 years, and would unite all Iranians in the determined pursuit of the bomb with international inspectors thrown out. This helps to explain why 54 percent of Americans support the framework agreement against 37 percent who oppose it.¹⁰ The Lausanne agreement also has the potential to unfreeze the bitter Iran-US enmity that has framed Middle East geopolitics since 1979.

Nuclear Security

A nuclear security incident anywhere could have far-reaching consequences worldwide and is therefore a global concern. Several worrying incidents are known to have taken place in recent years,¹¹

9. David E. Sanger, "Saudi Arabia promises to match Iran in nuclear capability", *New York Times*, 13 May 2015.

10. Patrick O'Connor, "Americans lean toward Iranian nuclear deal over sanctions - WSJ/NBC poll", *Wall Street Journal*, 4 May 2015.

11. See Evans, Ogilive-White and Thakur, *Nuclear Weapons: The State of Play 2015*, Box 3.1, pp. 163-64.

pointing to gaps in the existing national and multilateral machinery: lack of universality, binding standards, transparency and accountability mechanisms, and compulsory IAEA oversight; and insufficient attention to nuclear weapons. Referring to a July 2012 breach of security by anti-nuclear activists in a US military complex in Oak Ridge, Tennessee that houses sensitive nuclear materials, Senators Nunn and Lugar note: “If an unarmed [82-year old] nun is capable of breaking into America’s nuclear Fort Knox, we must entertain the possibility that terrorists could do the same, with much more serious consequences”.¹² (On 8 May 2015 the nun’s conviction for sabotage was overturned by the Sixth US Circuit Court of Appeals.)

Russia’s decision not to attend the 2016 NSS and uncertainties over the future of US–Russia nuclear security cooperation are potentially serious setbacks.¹³ Russia continues to have the world’s largest stockpiles of nuclear weapons, separated plutonium and HEU, stored in the world’s largest number of buildings and bunkers, and a variety of vulnerabilities remain. States have implemented many NSS commitments, additional states have ratified the Convention on the Physical Protection of Nuclear Materials (CPPNM) and its Amendment, more are taking advantage of IAEA tools and services, and countries have cooperated with one another. However, the CPPNM is not yet universal and the requisite number of ratifications of the 2005 amendment is not in sight to bring it into force. Barely half the number of countries have joined the International Convention for the Suppression of Acts of Terrorism (ICSANT) (Table 3).

There is widespread cynicism that the high-level summitry has not addressed the most important part of the nuclear arms control agenda, namely disarmament leading to abolition. Even within their own frame of reference, the measures adopted by the NSS suffer from serious flaws. A credible and effective nuclear security regime requires mandatory, legally binding and globally uniform standards and monitoring-cum-verification systems. Nor do the NSS cover materials in non-civilian use

12. Sam Nunn and Richard Lugar, “The United States and Russia must repair their partnership on nuclear security”, *Washington Post*, 23 January 2015.

13. See Anton Khlopkov, “Russia’s Nuclear Security Policy: Priorities and Potential Areas for Cooperation”, *Policy Analysis Brief* (Muscatine, Iowa: Stanley Foundation, May 2015).

Table 3: Status of CPPNM, CPPNM Amendment, and ICSANT (December 2014)

	Date adopted	Entry into Force	Parties	Signed but not Parties
CPPNM	26/10/1979	08/02/1987	151	1
CPPNM Amendment	08/07/2005	—	82*	N/A
ICSANT	13/04/2005	07/07/2007	99	46

*101 States Parties needed for entry into force of the CPPNM Amendment

Sources: http://www.iaea.org/Publications/Documents/Conventions/cppnm_status.pdf; http://www.iaea.org/Publications/Documents/Conventions/cppnm_amend_status.pdf; http://treaties.un.org/Pages/ViewDetailsIII.aspx?&src=TREATY&mtdsg_no=XVIII~15&chapter=18&Temp=mtdsg3&lang=en.

that comprise 85 percent of all sensitive nuclear materials.

Much of the substantial progress in securing nuclear materials predates and has taken place outside the NSS. The 1993 US–Russia HEU Purchase (megatonnes-to-megawatts) Agreement was successfully completed in November 2013. Under the program, 500 tonnes of weapon-grade HEU – 20,000 bombs equivalent – was downblended, delivered to the US, fabricated into nuclear fuel, and used in nuclear plants. Nuclear fuel accounts for around ten percent of US commercial energy. Remarkably, nearly half of this comes from eliminated Russian nuclear weapons. The Cooperative Threat Reduction (CTR or Nunn–Lugar, 1991–2014) programs have facilitated the elimination of significant quantities of nuclear materials, promoted habits of international cooperation and reinforced nuclear disarmament and nonproliferation norms. When the former Soviet Union fell apart, it had more than 27,000 nuclear weapons and enough separated plutonium and HEU to triple this number. Under the CTR program, more than 7,500 warheads were deactivated in the countries of the former Soviet Union, over 2,500 delivery vehicles were destroyed and an estimated 4,000 tonnes of chemical weapons were eliminated. The number of countries with weapon-useable nuclear materials has halved from the 1992 total of 50.

The Nunn–Lugar program is a good example of how during the Cold War, the US Congress sometimes prodded and supplemented the

administration's efforts to address the nuclear threat. Today by contrast the state of politics in Washington is so dysfunctional that Congress acts as a brake on the executive's nuclear diplomacy, with the Iran negotiations being Exhibit A.

PEACEFUL USES OF NUCLEAR ENERGY

The NPT has been remarkably successful in facilitating global cooperation in the international trade in atoms for peaceful uses. Interest in expanding nuclear power remains strong despite the 2011 Fukushima nuclear meltdown (Table 4). The NPT provides the umbrella under which nuclear expertise, technology, components and materials can be transferred between states with due attention to safety, security and proliferation safeguards concerns. However, not all states with significant nuclear activities have joined the Convention on Nuclear Safety, and there is a lack of international standards, transparency and accountability. Many states with power reactors remain outside the liability regimes.

THE DANGEROUS STATUS QUO

Nuclear weapons were invented to pre-empt Germany, used to defeat Japan, and deployed most extensively against the Soviet Union. The NPT has kept the nuclear nightmare at bay for over four decades but may have reached the limit of its potential. There is a gathering sense around the world that nuclear threats are intensifying and multiplying. There is a matching growing conviction that existing policies have failed to mute

Table 4: World Nuclear Power Generation

Nuclear Power Reactors					
Operating		Under Construction		Planned	
Number	Total Capacity GW(e)	Number	Total Capacity GW(e)	Number	Total Capacity GW(e)
390	337.1	71	68.1	178	198.6

Source: Evans, Ogilvie-White, and Thakur, *Nuclear Weapons: The State of Play 2015*, p. 221, Table 4.1.

the threats. In the meantime, scientific and technological advancements since the NPT was signed in 1968 have greatly expanded the technical toolkit for monitoring and verifying weapons reduction and elimination. The critical policy challenge is how to manage the transition to the post-nuclear order, without undermining the NPT achievements and jeopardizing the security of the existing nuclear order.

The hubris and arrogance of the nuclear-armed states leaves the world exposed to the risk of sleepwalking into a nuclear disaster. Even a limited regional nuclear war, in which India and Pakistan used 50 Hiroshima-size (15kt) bombs each, could lead to a famine that kills up to a billion people.¹⁴ A deliberate, calculated use of nuclear weapons by either government is not likely. But no one can be confident that another Mumbai style terrorist attack on a major Indian city will not take place, with links back to jihadists based in Pakistan; that India will not retaliate militarily; and that this will not escalate to another war which then crosses the nuclear threshold.¹⁵

For nuclear peace to hold, deterrence and fail-safe mechanisms must work every single time. For nuclear Armageddon, deterrence or fail safe mechanisms need to break down only once. This is not a comforting equation. Deterrence stability depends on rational decision-makers being always in office on all sides: a dubious and not very reassuring precondition. It depends equally critically on there being no rogue launch, human error or system malfunction: an impossibly high bar.

The logics of nuclear disarmament and nonproliferation are inseparable. In the Middle East, for example, it simply is not credible that Israel can be permitted to keep its unacknowledged nuclear arsenal indefinitely, while every other state can be stopped from getting the bomb in perpetuity. The number of times that we have come frighteningly close to nuclear holocaust is simply staggering.¹⁶ The most graphic and

14. Ira Helfand, *Nuclear Famine: A Billion People at Risk – Global Impacts of Limited Nuclear War on Agriculture, Food Supplies, and Human Nutrition* (Somerville, MA: International Physicians for the Prevention of Nuclear War, April 2012).

15. For a powerful argument how US military and economic assistance to Pakistan make such an outcome more rather than less likely, see C. Christine Fair, "America's Pakistan Policy Is Sheer Madness", *The National Interest*, 15 May 2015.

16. See Eric Schlosser, *Command and Control* (London: Allen Lane, 2013); and Patricia

best known example is the 1962 Cuban missile crisis. The US strategy was based on the best available intelligence which indicated that there were no nuclear warheads in Cuba. In fact there were 162 warheads already stationed there, and the local Soviet commander had taken them out of storage to deployed positions for use against an American invasion.¹⁷ In March 2015, US veterans revealed how on 28 October 1962, while stationed at a missile launch base in Okinawa, they received a coded order to launch missiles and carried out the required three-level confirmation process. But only one of the four missiles was targeted at Russia, which made the crew suspicious and further clarifications confirmed that the order was a mistake.¹⁸

In November 1983, in response to NATO war games exercise Able Archer, which Moscow mistook to be real, the Soviets came close to launching a full-scale nuclear attack against the West. On 25 January 1995, Norway launched a scientific research rocket in its northern latitude. Because of the speed and trajectory of the powerful rocket, whose stage three mimicked a Trident SLBM, within seconds of launch the Russian early warning radar system near Murmansk tagged it as a possible US nuclear missile attack. Fortunately the rocket did not stray into Russian airspace owing to system malfunction and the alert was soon over.¹⁹ Against this sombre background, it is a matter of grave concern that following the Ukraine crisis, in the one year period March 2014 to 2015, one study documented 67 specific incidents – including 13 “serious” of which 5 were “high risk”.²⁰ As for near-miss

Lewis, Heather Williams, Benoit Pelopidas and Sasan Aghlani, *Too Close for Comfort* (London: Chatham House, 2013).

17. Robert McNamara, “The Conference on Disarmament should focus on steps to move toward a ‘Nuclear Free World’,” *Disarmament Diplomacy*, No. 4 (April 1996).
18. Masakatsu Ota, “U.S. veterans reveal 1962 nuclear close call dodged in Okinawa”, *Kyodo News*, 27 March 2015
19. Tom Loftus (US ambassador to Norway, 1993–98), “The day the Russian early warning system signalled a U.S. nuclear attack”, *The Cap Times*, 28 January 2015, http://host.madison.com/news/opinion/column/ambassador-tom-loftus-the-day-the-russian-early-warning-system/article_9efc05e6-dacf-5587-9913-13f3e9c950ac.html.
20. Thomas Frear, Łukasz Kulesa and Ian Kearns, *Dangerous Brinkmanship: Close Military Encounters Between Russia and the West in 2014* (London: European

in an accident, in January 1961, a 4MT bomb (that is, 260 times more powerful than Hiroshima) was just one ordinary switch away from detonating over North Carolina – whose effects would have covered Washington, Baltimore, Philadelphia and even New York City – when a B-52 bomber on a routine flight went into an uncontrolled spin.²¹

MITIGATING AND ELIMINATING NUCLEAR RISKS

The catalogue of misperceptions, miscalculations, near-misses and accidents helps to conceptualize the nuclear weapons challenge in the language of risks. Originally, many countries acquired the bomb in order to help manage national security risks. Today the risks of accidental use, rogue launch, proliferation and terrorism posed by nuclear weapons far outweigh their modest contributions to security. Viewed through this lens, the nuclear risks agenda has four components.

Risk management. We must ensure that existing weapons stockpiles are not used; that all nuclear weapons and materials are secured against theft and leakage to rogue actors like terrorist groups; and that all nuclear reactors and plants have fail-safe safety measures in place with respect to designs, controls, disposal and accident response systems.

Risk reduction, for example by strengthening the stability-enhancing features of deterrence, such as robust command and control systems and deployment on submarines. The security environment of the 21st century is starkly different from the Cold War period, but the nuclear force posture is still trapped in the old paradigm with 1,800 Russian and US nuclear warheads kept at high readiness to be launched en masse before the apprehended arrival of incoming enemy missiles. Like nuclear terrorism, the launch of nuclear weapons on high alert by mistake, miscalculation or through a malfunction is low probability but high impact. In the tense environment of nuclear decision-making, high alert weapons carry a fourfold risk of unnecessary nuclear war:

Leadership Network Policy Brief, November 2014), with an update in April 2015. There were two near collisions of civilian and Russian surveillance planes; an abduction of Estonian intelligence officer; the large-scale hunt for a foreign submarine in Swedish waters; and Russian fighter-bombers using NATO ships as targets in training.

21. Ed Pilkington, “US nearly detonated atomic bomb over North Carolina – secret document”, *Guardian*, 21 September 2013.

- Accidental launch (technical failure caused by malfunction);
- Authority to launch being usurped by a subordinate official or by terrorists (custody failure leading to rogue launch). Although the least likely, the risk of unauthorized use increases in the middle of a crisis dispersion of nuclear weapons and in the case of countries like Pakistan whose organizational and technical safeguards may be brittle rather than robust;
- Misinterpretation of incoming warning data (information failure leading to miscalculation);
- Premature and ill-judged response to an actual attack (miscalculation caused by decision-making failure in a crisis).

Taking nuclear warheads and systems off high alert can deepen the stability of nuclear deterrence by lengthening the decision-making fuse. While this applies only to Russia and the US, other countries could abandon interest in things like tactical nuclear weapons that have to be deployed on the forward edges of potential battlefields and require some pre-delegation of authority to use to battlefield commanders. Because any use of nuclear weapons could be catastrophic for planet Earth, the decision to do so must be restricted to the highest political and military authorities.

There is merit also in the idea of a global convention on no first use. China and India are the only nuclear-armed states with the stated commitment and matching force posture not to be the first to use nuclear weapons. Yet the intent to be the first to use nuclear weapons runs into an unresolvable paradox. If the adversary is a non-NWS, the use of nuclear weapons would exact too heavy a moral and political price for the threat to be credible. This explains why Argentina invaded the Falkland Islands in 1982 despite the British nuclear deterrent: it was confident that the UK would not escalate to the use of nuclear weapons. If the adversary is nuclear-armed and has credible second strike retaliatory capability, then too a first use posture is not credible as its execution would inflict unacceptable damage on the initiator of nuclear hostilities: a military defeat is always preferable to national annihilation.

The only rational strategy is to threaten but not actually use nuclear

weapons first. But if carrying out the threat would be national suicide, then the threat cannot be credible. And a non-credible threat cannot deter. Thus what is important is not a first use policy, but credible second strike capability. Once that is attained, a no first use policy, backed by appropriate nuclear force posture and deployment patterns, is a critical step back from nuclear brinksmanship while shifting the onus of nuclear escalation on the adversary. The policy also avoids the need for forward deployment, launch on warning postures, and pre-delegation of authority to battlefield commanders, thereby significantly dampening the prospects of accidental and unauthorized use. A no first use policy also counteracts crisis instability by lessening the incentive and temptation to use nuclear weapons pre-emptively.

Risk minimization. There is no national security objectives that Russia and the US could not meet with a total arsenal of under 500 nuclear warheads each, deployed across air, land and sea-borne platforms. If all others froze their arsenals at current levels, this would leave a global stockpile of 2,000 bombs or one-eighth the current total. Bringing the CTBT into force either by completing the required ratifications or changing the entry formula, concluding an FMCT, banning the nuclear weaponization of outer space, respecting one another's sensitivities on missile defence programs and conventional military imbalances etc. would all contribute to minimizing risks of reversals and setbacks.

Risk elimination. Successive international commissions – the Canberra Commission, Tokyo Forum, Blix Commission, Evans–Kawaguchi Commission – have emphatically reaffirmed three core propositions. As long as any state has nuclear weapons, others will want them. As long as they exist, they will be used again some day, if not by design and intent, then through miscalculation, accident, rogue launch or system malfunction. Any such use anywhere could spell catastrophe for the planet. The only guarantee of zero nuclear weapons risk is to move to zero nuclear weapons possession by a carefully managed process.

CONCLUSION

The only guarantee of nuclear nonproliferation is nuclear disarmament. The non-policy on nuclear disarmament recalls St Augustine's possibly

apocryphal lament: “O Lord, make me chaste – but not just yet”. Not one nuclear power has made elimination the central organizing principle of its nuclear policy.²² To would-be proliferators, the lesson is clear: nuclear weapons are indispensable in today’s world and for dealing with tomorrow’s threats.

We simply must make the transition from a world in which the role of nuclear weapons is seen as central to maintaining national and international security, to one where they become progressively marginal and eventually unnecessary. The claim that nuclear weapons could not proliferate if they did not exist is both an empirical and a logical truth. The very fact of their existence in the arsenals of nine countries is sufficient guarantee of their proliferation to others and, some day again, use. Conversely, nuclear disarmament is a necessary condition of nuclear nonproliferation. In the real world, the only choice is between nuclear abolition or cascading proliferation and guaranteed use by design or accident. Proponents of nuclear weapons are “nuclear romantics” who exaggerate the bombs’ significance, downplay their substantial risks, and imbue them with “quasi-magical powers” also known as nuclear deterrence.²³ Critics of the zero option want to keep their bombs but deny them to others. They lack the intellectual honesty and courage to show how nonproliferation can be enforced without disarmament, to acknowledge that the price of keeping nuclear arsenals is uncontrolled proliferation, and to argue why a world of uncontrolled proliferation is better for national and international security than abolition.

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22. Of the nine nuclear-armed countries, the two without any security justification whatsoever for possessing nuclear weapons are France and the UK. See, for example, Joseph Singh, “The United Kingdom’s Nuclear Program after the Election”, *Foreign Affairs Snapshot*, 10 May 2015.
 23. Ward Wilson, “How Nuclear Realists Falsely Frame the Nuclear Weapons Debate”, *Bulletin of the Atomic Scientists*, 7 May 2015.

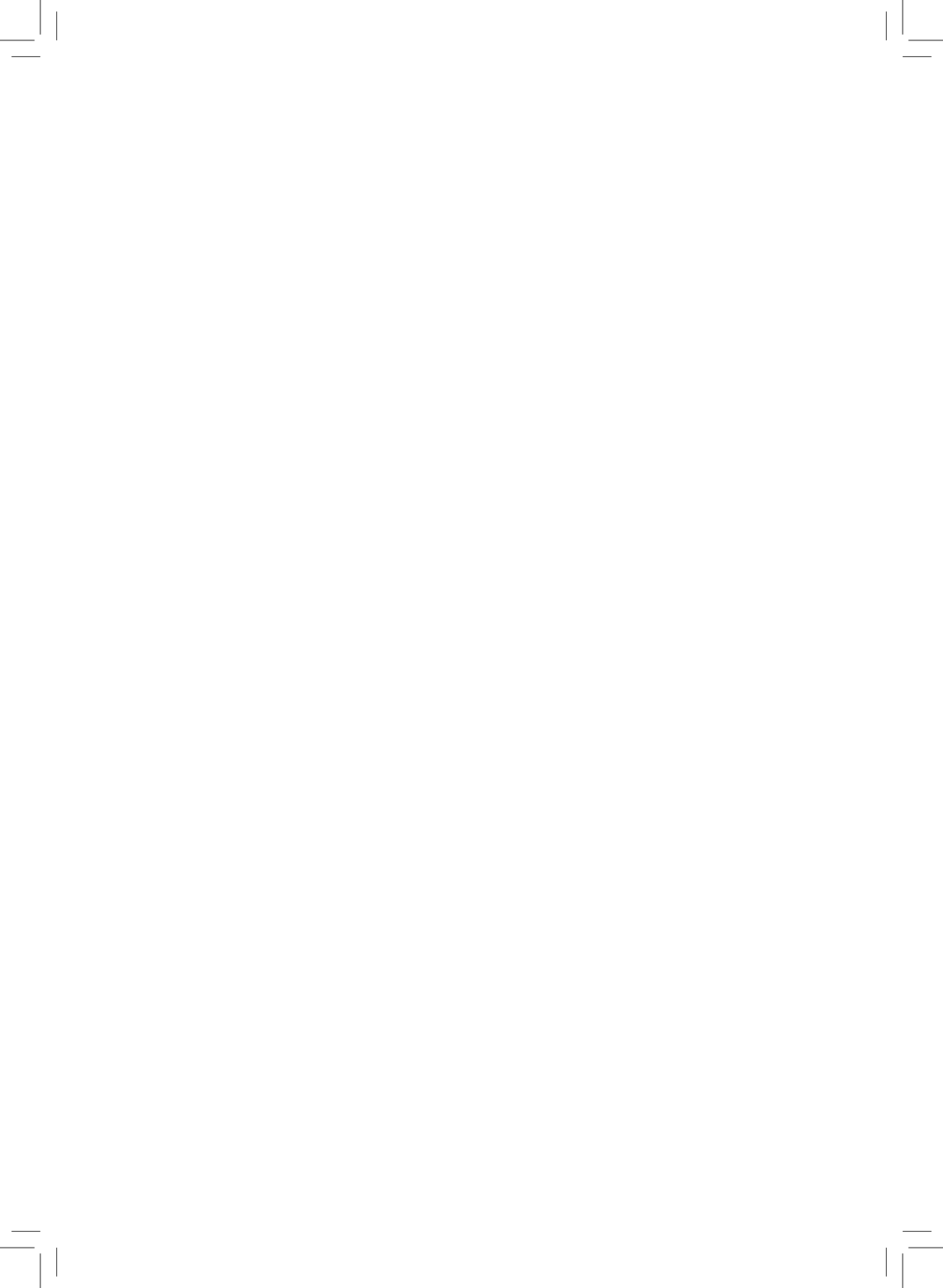
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He was a Commissioner and one of the principal authors of *The Responsibility to Protect* (2001), and Senior Adviser on Reforms and Principal Writer of the United Nations Secretary-General Kofi Annan's second reform report (2002). He was a Professor of Political Science at the University of Waterloo (2007–11), Distinguished Fellow of the Centre for International Governance Innovation (2007–10) and Foundation Director of the Balsillie School of International affairs in Waterloo, Ontario.

The author or editor of 50 books and 400 articles and book chapters, Prof. Thakur also writes regularly for several newspapers around the world and serves on the international advisory boards of institutes in Africa, Asia, Europe and North America, and is the Editor-in-Chief of *Global Governance* (2013-18).



An Objective Analysis of India's Nuclear Doctrine Adequate, Retrograde or in Need of Fine-tuning?

Maj Gen Raj Mehta, AVSM, VSM (Retd)

*Confession by Lt Gen Khalid Kidwai (Retd) Head of Pakistan's Strategic Planning Division (SPD) while justifying the fielding of Tactical Nuclear Weapons (TNW's): "To pour cold water on India's 'Cold Start.' strategy."*¹ *Asked at the US War College, as to what would happen in case of nuclear first use by Pakistan; Kidwai said: "We do not know the effect but we do know it'll be a disaster."*²

Hard-talk by ACM PV Naik when asked about the implications of Pakistan using TNW's versus India: "Tactical or strategic, it's a nuclear weapon.... Our response would be absolutely violent as per our existing policy... I don't think it's a game-changer." *Times of India, 26 July, 2011.*

*Shyam Saran, former Foreign Secretary and Chairman NSAB on nuclear warfighting: "Even if low yield nuclear weapons are used to begin with, escalation, is inevitable" He reinforces his point by quoting war-gaming expert H. Rowen: "All nuclear warfighting) options lead to strategic retaliation and catastrophe."*³ *Business Standard, 8 September 2014: 'The dangers of nuclear revisionism'.*

India's path-breaking August 1999 Nuclear Doctrine in its significantly tweaked 2003⁴ avatar is - post its Parliamentary unveiling- no longer a draft even if the current ambiguity about it if removed, could send a much-needed signal to potentially hostile countries. Such

nuclear signaling is needed to reinforce the credibility of India's stand. For its execution, the doctrine employs a prescient, well thought through formulation; NFU. The NFU construct has been the subject of much informed as well as uninformed comment and criticism, more so after the BJP included the issue fleetingly in its 2014 election manifesto. The party's stated intent was to "Revise and update India's nuclear doctrine to make it relevant to current challenges".⁵ This 'revisionist' desire was presumably driven by reports of Pakistan's sudden interest in TNW's; its past attempts at "nuclear blackmail" and the it's deteriorating internal instability state. Post assumption of Government by a stunning majority, the BJP Government recanted on its intent with a strong reiteration of the CMD-NFU construct.

Today, the issue is no longer in the eye of the storm but even in its current, recessed mode, invites strong opinions and comments domestically as well as internationally by think-tanks, analysts and inimical countries. Maj Gen Raj Mehta, an officer whose work charter while in service at senior levels involved dealing with militarizing India's nuclear doctrine holistically examines the issue. At summation, he suggests ways to fine-tune India's nuclear Ends, Ways and Means and thereby improve its nuclear signaling qualitatively.

CREDIBLE MINIMUM DETERRENCE (CMD) AND NFU IN FINE FETTLE

Shivshankar Menon, now a top-ranked analyst with the US mega think-tank Brookings; ex Foreign Secretary and NSA before he made way in 2014 for combative current NSA Ajit Doval, has the polish, élan and sophistication of a seasoned diplomat and an engaging way with words. His crisp Speaking Notes⁶ for a recent talk on "Strategic Dimensions of India's Foreign Policy: Nuclear, Maritime and Terrorism" support this take. Let's examine his views on nuclear issues; being subject related to this article's key postulates.

He says that early on in its nuclear journey, India had identified nuclear weapons as **political**; definitely not in the warfighting genre and this is reflected in the 1999/2003 nuclear doctrine versions. The Indian premise was that possession of nuclear weapons would inhibit inimical countries from making nuclear threats/ blackmail. India would desist from first use but, if attacked with nuclear weapons, would retaliate massively to cause unacceptable damage. **This unambiguous statement of intent is India's**

CMD doctrine. The NFU qualification, he opines, enhances nuclear deterrence; does not detract from it as is sometimes wrongly presumed by analysts.⁷

Menon refuses to draw a difference between 'tactical' or 'strategic' weapons. He uses the prevailing westerly Pakistan-to-India winds that dominate the sub-continent's climate to suggest that, regardless of throw weight, the consequences of any nuclear strike would have to be primarily borne by India. He implies that such realities discount any advantage Pakistan claims from using TNW's to counter India's superior conventional strength. He also links NFU and therefore the need to survive 'first strike' to the compulsion for India to develop triad delivery systems. Blasé about 'secrecy', he suggests that a level of nuclear ambiguity is par for the course and may be he has a point there. He also dismisses charges that Pakistan repeatedly resorts to "nuclear enabled terrorism"⁸ as frivolous as the intent of nuclear deterrence is nuclear weapon related; isn't a panacea for the complete spectrum of warfighting. For such puerile threats, Menon implies India has other strategies afoot. He concludes by suggesting that if indeed Pakistan opts for nuclear warfighting with TNW's, "command and control over the **only militarily controlled nuclear weapons programme in the world** will be even more tenuous than it is today."⁹

Menon's up-front yet nuanced stance finds admirable reflection in clearer statements made by his successor NSA, Ajit Doval.¹⁰ In a 26 March 2015 interaction at an IAF function, he stated that "India wants to deal with Pakistan in a way which was fair, correct and transparent but without bending to any of its 'pressure tactics' or 'blackmailing'".¹¹ He added that Pakistan should not think that the "nuclear threshold would leave India with no option but to accept the (ongoing) 'covert' war as a reality to which India had no response." Doval added that India does not want Pakistan to think like that. On the contrary, India, he said, has a "very very definite" policy for dealing with Pakistan.¹² Put together, these two statements convey a reassuring message: Change of Government hasn't resulted in change of nuclear stance which, in effect, stands aggressively reinforced. Also, there's clarity, not contradiction in the graduated unfolding of the CMD and NFU.

The confidence and optimism of the two NSAs finds reflection in the words of Lt Gen BS Nagal. He is former C-in-C Strategic Forces Command (SFC). On retirement he became the first **Chief of the**

Strategic Program Staff in the PMO – its rough equivalence being Head SPD as in Pakistan¹³. Nagal is now Director CLAWS, a niche Delhi based Army think-tank. In an article in FORCE magazine in October 2014 titled “Perception and Reality: An in-depth analysis of India’s Credible Minimum Deterrent”¹⁴ Nagal has highlighted the nuanced text of the 2003 (final) nuclear doctrine, pronouncing it adequate. Explaining deterrence, he writes that it comprises political will, robust command and control systems, intelligence and early warning, survivable nuclear assets and well prepared forces and, lastly, “comprehensive planning and training for operations”.¹⁵ All these requirements he suggests are “firmly in place”.¹⁶

Nagal however notes that much still needs doing. He sees military preparedness, the almost non-existent state of civil defence and public awareness or construction of nuclear defence shelters for the public; inadequate education of civil servants/ bureaucrats and repeated knee-jerk disaster management episodes as clear areas of improvement. He also notes serious voids in availability of long range land and sea-based missiles; the need to ensure accountability in time/cost/quality over-runs by agencies producing delivery systems. He suggests that **political leadership must participate in the nuclear signaling process and public discourse on nuclear aspects encouraged.**¹⁷

Ex-Ambassador Jayant Prasad reinforces the credibility of our nuclear deterrence by suggesting that India’s National Command Authority (NCA) has improved both command and control systems as well as second strike capability even if the sea-based leg of the triad is lagging.¹⁸ **He terms “flexible response” a myth; impossible to employ in a security context where the space and time-span between launch and delivery is non-existent.** Constancy of doctrine is a key ingredient of credible deterrence and we have it, he says.¹⁹

Writing for the respected British think-tank, RUSI, Shashank Joshi rationally opines that **“Indian abandonment of the NFU doctrine would heighten Pakistan’s concerns of an Indian first strike against its arsenal.** This would convince Islamabad of the necessity of continuing to expand and diversify its arsenal, as well as engage in risky behavior to keep Indian defense planners guessing. **Another troubling scenario is that China would respond to a change in India’s nuclear doctrine by also loosening restrictions on the circumstances in which it would use nuclear weapons.**”²⁰ The distaff side of this very argument is of course the

need to signal to Pakistan and to China that India means business. Our wise heads can surely figure out the right signaling to convey that intent: by demonstration of both political will as well as stage-managed “leaks” of nuclear capacity.

Two analysts who have placed the NFU issue in true perspective are the intellectually stimulating Rajagopalan who states that “The nuclear doctrine as it stands today is one of **‘assured retaliation’** as opposed to the original **‘credible minimal deterrence’**.”²¹ He thereby implies that the doctrine is quite adequate.

The last word is assuredly that of nuclear analyst Das Debak who writes that our best stance would be of **studied strategic ambiguity**²² rather than the linear tracks some of the analysts critical of NFU have suggested with distressing regularity. Golden words, these, and a “must read” for nay-sayers to mull over.

THE DISTAFF VIEW – MISMATCH BETWEEN THEORY AND REALITY

Rear Admiral Raja Menon retired in 1994 as ACNS (Operations). An author,²³ columnist and nuclear strategist; he headed the group which wrote the Navy's Maritime Strategy.²⁴ He writes in a recent article²⁵; “A mismatch of nuclear doctrines” that whereas India's nuclear doctrine is well articulated, **published world literature points towards “structural and operational weaknesses in the Indian nuclear arsenal”** in the ideational systems that will ensure the promised massive retaliation.

The absence of a CDS to interface between the PM, NCA and SFC as also part ownership of the nuclear weapons warhead, core and ignition device; varied launching arrangements on land, sea and, not the least, the **1998 test where analysts pronounced the thermo-nuclear warhead as a damp squib** but no official statement was forthcoming are galling for him. Worse, he points towards a mismatch between the Indian and Pakistani nuclear doctrines. Whereas India intends to deter nuclear use by Pakistan, that country's nuclear weapons are meant to compensate for conventional arms asymmetry. He thinks India's NCA is ill-equipped to manage the switch from conventional to nuclear warfighting or involve in quality signaling that will precede such a situation. He adds that “after much persuasion, there now exists a skeleton nuclear staff under the NSA, normally headed by a retired (C-in-C) SFC.²⁶ But, while its Pakistani counterpart, the Strategic Plans Division (SPD), is highly active both on

the domestic and international conference circuit, its Indian counterpart seems to be totally tongue tied, non-participatory and holed up at its desk.”²⁷ Menon ends up by suggesting that since “Deterrence is entirely a matter of perception, a mental effect that is created on the adversary that nuclear use will entail assured retaliatory holocaust.”²⁸ He implies that our nuclear signaling must improve. This is a valid observation needing attention.

Columnist and *The Hindu* staffer Amit Baruah in “A ‘longer view’ no longer”²⁹ suggests that the strategic restraint displayed by PM Vajpayee and Manmohan Singh in terms of refusing to get provoked by Pakistani shenanigans and thereby taking a “longer view” of threats confronting India might be missing from the current Government. **The successful surgical strike that the Government approved against hostile camps in Myanmar recently however contradicts Baruah’s hypothesis.** It also points towards a new, aggressive, combative, hard-intelligence driven NSA-led approach towards handling sub-nuclear threats from inimical anti-national groups even if the new approach has some rough edges. The new tactic will take time to mature before analysts should weigh upon its dynamics to play Nostradamus.

Playing the Devil’s Advocate, Col Ajai Shukla in his 28 April 2014 article, “It’s mad to jump straight to MAD”³⁰ fears **a lack of political will** in actualizing our nuclear doctrine. **He suggests, instead, ‘a flexible response’ that would allow decision makers more credible options.** This was, he feels, the key US learning which helped convert “Mutual Assured Destruction” (MAD) to the Cold War’s follow-up ‘flexible response’.³¹ Reacting to NSAB Chief Shyam Saran’s rejection of doctrinal change, he feels that counter-force targeting (tactical strikes) are any day better than counter-value targeting which are population centric. He categorizes Saran’s confession of the triad configuration of second strike assets making doctrinal change ‘difficult’ as akin to the ‘tail wagging the dog’.³² Shukla feels that CMD and NFU do not match; not against China anyway.³³ He opines that the aim of India’s deterrence should be create more space for our conventional superiority to take on Pakistani provocations of the Kargil ilk and a flexible response could do just that with Indian dominance “at each rung of the escalation ladder”³⁴ with massive retaliation an implied threat. Shukla suggests a comprehensive review to “separate ideology from realism”.³⁵

Jaideep Prabhu is another avid 'flexible response' supporter. In his article "India's Nuclear Indecision",³⁶ he writes that **much has changed in technological and political terms since 1998 to render "Delhi's present nuclear deterrence policy of massive retaliation comical and desperately (in need of) a rethink."**³⁷ The core promise of massive retaliation is that the use of even the smallest nuclear device will result in an immediate response of the full fury of India's nuclear arsenal. In most situations, this would be catastrophic overreaction. A more flexible response would involve the development of tactical nuclear weapons." Prabhu unsurprisingly contradicts himself by quoting a warning from Thomas Schelling that "A small (nuclear) conflict may not remain so and there **is always the fear of nuclear escalation.**"³⁸ In the same gloomy vein he adds that "Another way of looking at battlefield nuclear warheads (TNW's) is that the quantum of damage is significantly reduced from city-busters (counter-value strikes) and **gives warring parties a small chance to escape the suicidal nuclear spiral.**" He ends with the suggestion that the "military must get weapons it can use" (sic)³⁹ and all players across the nuclear spectrum should understand their *tactical* usage and educate politicians "as they decide on the country's nuclear doctrine." If readers get the feeling that Jaideep Prabhu blows an uncertain trumpet, they cannot be faulted.

Ex Army officer/diplomat and hardliner G Parthasarathy is an avowed NFU critic who feels the pressing need "to review how we should signal to Pakistan and the world that we have the capability and willingness to inflict escalating and devastating damage on Pakistan's military if it chooses to be stupid enough to resort to the use of tactical nuclear weapons against our forces". He adds scathingly that a country that cannot handle a seasonal "monsoon strike"⁴⁰ will certainly have problems with the envisaged retaliatory counter-strike that NFU decrees, going so far as to term this NFU-mandated capability as "delusional"⁴¹. The surprise of course that it is a career diplomat, trained to be professionally circumspect without being irrelevant who is making this rather over-the-top criticism.

An important paper on India's nuclear doctrine and its perceived deficiencies has been written by Admiral Arun Prakash in 2014 for a Singapore based think-tank; RSIS.⁴² It has stirred up much comment and is summarized in the succeeding paragraphs.

In his examination of India's nuclear deterrent, Admiral Prakash writes that in the South Asia-China continuum, "stable nuclear deterrence assumes crucial importance. Under such circumstances, India's declaration of NFU (implying that its nuclear weaponry was a 'political instrument', not meant for war fighting made eminent sense in May 1998."⁴³ However, he reminds readers that, "while China loses no opportunity for sabre rattling over territorial and other issues, Pakistan's strategy envisages a seamless transition from terrorism to conventional war to nuclear first use."⁴⁴ These are areas where there are serious problems, he opines, dividing his responses into 'skeptics' and 'believers' besides highlighting what hasn't changed. Prakash quotes Vice Admiral Koithara in his 2012 book "Managing India's Nuclear Forces". Koithara castigates India's 'un-informed leadership' for preferring 'political and technological prestige' over deterrence, thereby adversely impacting on the management and 'operationalization,'⁴⁵ of the nuclear forces and handing over the baton as it were, to the DAE and DRDO with the military sequestered from most nuclear decision-making. Koithara also lampoons the BMD program,⁴⁶ and, overall, the technological prowess of the DAE and DRDO.

Among believers, Admiral Prakash quotes Shyam Saran's emphatic defence of the establishment including his statement in public recently that 'the label on a nuclear weapon used for attacking India is irrelevant'⁴⁷. The 'constants' comprise of indifferent politicians; the sequestered military with Gen Balraj Nagal's PMO appointment being an exception even if Prakash feels that the mandate of the Strategic Program Staff he headed in the PMO remains ill defined.

The anticipated 'review-the-nuclear-doctrine' call by Admiral Prakash predictably follows a well trodden path; Let the current doctrine remain untouched; develop TNW's and seek escalation dominance with Pakistan or, alternately, develop TNW's but retain the massive retaliation option. In deciding the right option, he advises that the military be included. If readers get a creeping sense of *déjà vu*, they can be forgiven.

It is noteworthy that among the comments that this well argued paper has invited – some of them extreme – are those of ex NSA Shivshankar Menon who summarily dismisses its take-aways and those by Gen VP Malik, (the Army Chief who steered India's Kargil War) which are far more nuanced. The ex-Chief gives some aspects of the

Admiral's paper his unqualified approval, agreeing with the Admiral's proposals against continued sequestering of the military; agrees that apex political leadership must come of age and not be over-dependent on bureaucratic advice ; agrees that military planning, operationalization, training and war-gaming mustn't be compromised. Refusing to be drawn into the doctrinal debate, he agrees with the Admirals push for greater transparency on the status of the nuclear doctrine and suggests a **yearly "Strategic Posture Review"** as well as vigorous public debate ⁴⁸ on the nuclear doctrine and its non-classified parts.

With both sides of the nuclear doctrine divide exhaustively discussed, it is time to consider how BMD fits in, followed by some aspects of command and control.

THE BMD PROGRAM⁴⁹

The **1999 and 2003 versions of the nuclear doctrine make no mention of BMD although the linkages are obviously there**, especially in a NFU context. Presumably there would be references which are shrouded in secrecy. Published literature suggests that, failing to induct the Russian-built S-300, the Israeli-American Arrow and the US-built Patriot theatre BMD systems during the 1990's, India decided to indigenize its needs commencing 1999. Published information on tests conducted so far reveal a two-tier BMD interceptor missile system currently focused on a Pakistani threat template. The DRDO is working on a Prithvi Defence Vehicle (PDV) system for exo-atmospheric (outer atmosphere) interception and a Active Air Defence (AAD) endo-atmospheric (within atmosphere) interception system for ranges extending from 30-15 kms. The BMD system includes a mix of tracking and other radars with an 800 km range later extendable to larger ranges. The system claims 99.8 percent accuracy on final deployment but operationalization is quite some time away as development trials are currently in progress. The system when operationalized will be deployed to defend key assets such as the national and financial capital of India against hostile missile attacks. This will improve survivability of both the human (command and control) and capital assets and thereby make credible retaliation much more likely. Once the system has matured and has been fielded, its entry into India's nuclear doctrine is certain but preferably kept unstated.

COMMAND AND CONTROL ISSUES

The 1999 doctrine was short on details; focusing instead on the qualitative requirements desirable in “an effective and survivable command and control system”. The 2003 version was more forthcoming and revealed a three tier Nuclear Command Authority (NCA) comprising of a Political Council, Executive Council and a Strategic Forces Command (SFC). The Political Council headed by the PM will authorize the use of nuclear weapons. The Executive Council headed by the NSA comprises of the Service and Intelligence Chiefs, NSAB Convener, Scientific Heads, Cabinet Secretary and key Ministry Secretaries among others. It will provide decision making inputs and execute orders received from the Political Council. The SFC would be responsible for the administration of the nuclear forces and will execute the politically cleared response/retaliation. The latest addition effective 2012 is of course of the Strategic Planning Staff in the PMO. No published details are available about its functioning; just media guesstimates to suggest that it is headed by a senior Armed Forces officer with SFC exposure who, along with a dedicated staff, is part of the PMO. He assists the NSA in the planning related to the operationalization of our nuclear doctrine.⁵⁰

The late Air Cmde Jasjit Singh, VrC, considered by many as a doyen among strategic thinkers who, along with K Subrahmanyam helped draft the nuclear doctrine and its related structure, made a significant contribution to command and control of nuclear forces. He felt that the nuclear doctrine we selected would decide the nuclear strategy which in turn would decide the nature and substance of the command and control system needed to execute the strategy. NFU, he felt, required a single massive retaliatory strike and command and control of nuclear forces involved with such delivery would therefore have to be capable of firstly surviving the enemy’s first strike and then delivering the desired knock-out punch as envisaged. He suggested that a high degree of mobility, frequent relocation, and attendant deception measures both active and passive would have to encompass all triad assets. The aspect of credibility both actual and deliberately demonstrated as part of nuclear signaling was germane to success of NFU, he strongly felt. He also opined that in the Indian scheme of things, TNW’s had no place; to wit his much quoted take was: **My answer is a categorical, absolute “NO” to tactical nuclear weapons.**⁵¹

THE TNW CONUNDRUM

The TNW issue is behind much of the reaction emanating from nuclear knowledge-enabled intelligentsia in India, Pakistan and elsewhere and therefore needs brief mention. Pakistan announced the setting up of its Nuclear Command Authority (NCA) in February 2000 but hasn't yet announced a formal nuclear doctrine. Informed guesswork can however help infer its broad parameters from the statements of their nuclear players' and a plethora of war-related exercises conducted by the Pakistani armed forces.⁵²

Lt Gen Sardar FS Lodi, former Head of Pakistan's Joint Special Forces Command writes that Pakistan's nuclear doctrine - also termed by avid Pakistan-watcher Stephen Cohen as '**Option-enhancing Policy**' (OeP) - promotes deterrence by guaranteeing immediate "massive retaliation" if attacked either conventionally or by nuclear weapons. The doctrine lays down four '**threshold levels**' or '**Red Lines**' before Pakistan decides to go nuclear. It is unabashedly India-centric and seeks to avoid a cataclysmic 1971 Indo-Pak War repeat when Pakistan was surgically tonsured by India. The stage-management of the war is oriented towards upgrading the ante for India as aggressor by running across the gamut of warning-demonstrative nuclear test-use of a TNW on Pakistani soil - exploding a larger -yeild weapon-similar tactics on Indian soil against military/ thinly populated value targets. The thresholds, promulgated in 2001 could be '**Spatial**' (territory specific) if that territory is a Pakistani lifeline; could be '**Military**' if say the PAF is facing annihilation; '**Economic**' if the Indian Navy blockade Karachi/Gwadar Port or '**Political**', if Pakistan feels that the Indian leadership is out to 'Balkanize' Pakistan.⁵³

On April 19, 2011, Pakistan conducted the first test flight of Hatf-IX/Nasr missile. Since then more tests have been carried out in May 2012, February 2103 and November 2013. Peter Lavoy argues that "escalation dominance at all rungs of the military ladder - from low intensity conflict to conventional war and all the way to nuclear war"⁵⁴ remains central to Pakistan's war strategy.

Pakistan is aware that TNW's are only superficially attractive as they have serious lacunae in terms of their limited effect, decentralization of handling and launch authority, surveillance, intelligence, deception and so on. Also, Cold Start intrusions may well be tailored not to cross Pakistan's stated 'Red Lines' which may then lead to decision dilemmas

or decision paralysis or, worse, needless escalation. Not the least of their problems is the live threat to the well being of their nuclear assets by home-grown and imported Jihadi elements in terms of Taliban factions; the macabre possibility of even disaffected soldiers who are in the know colluding; the security fall outs of the impending US departure from the region... Clearly Pakistan has a lot of thinking and ‘unthinking’ on their nuclear plate too.

Well known and respected nuclear analyst AVM Kapil Kak sums it up well when he writes that “responding to the Nasr TNW with a similarly configured tactical nuclear missile to target Pakistani forces that may employ it must be ruled out.⁵⁵ Kak rightly argues that **“The most astute and cool headed response to Pakistan’s TNW’s should involve no departure whatsoever from India’s nuclear doctrine... Any temptations to obliquely bring forth such sterile concepts of proportionality or graduated response to Pakistan’s TNW’s require to be strongly resisted. No one else could have put it better or more succinctly.⁵⁶**

Truly the last word on TNW’s must come from their actual “fielders”. David Smith writes that USA and its allies soon learnt the following lessons from their experience with tactical nuclear weapons and realized the futility of their deployment:

1. They add little to deterrence; invite preemption, are ineffective against tank targets.
2. They complicate command, control and communications.
3. Nuclear release authority for targets is difficult to obtain.
4. They are difficult to secure when deployed and require additional manpower.
5. Nuclear launch units must be withdrawn from the battle to ensure their survivability.
6. TNW’s are expensive to manufacture and maintain.⁵⁷

REALITY CHECK

NFU is a unilateral commitment by a nuclear power not to use nuclear weapons for warfighting unless first attacked by a nuclear weapon-armed adversary. It is considered a refined doctrine; the essential complaints being about India’s capability to make it work against inimical countries, Pakistan leading, given its many voids, some real and some imagined.⁵⁸ Rooted in India’s strategic culture, NFU is a carefully thought through

policy that has taken decades to mature. Ex RM Jaswant Singh has written: **“No other country has debated so carefully and, at times, torturously over the dichotomy between its sovereign security needs and global disarmament instincts, between a moralistic approach and a realistic one, and between a covert nuclear policy and an overt one.”** It is lesser known that during the mid-1980s, defence analysts like Gen K Sundarji and K Subrahmanyam were advocating a minimum deterrent capability for India and had ruled out TNW's being nuclear warfighting weapons which India did not subscribe to. That consistency holds till date.⁵⁹

What one tends to forget is that we haven't always been so astute in our nuclear thinking. Yogesh Joshi, a JNU School of International Studies Ph D scholar has written a dissertation titled “The Imagined Arsenal. India's Nuclear Decision-Making, 1973–76”. Published this month by a Washington based think-tank⁶⁰, Yogesh traces our nuclear thinking from the 1974 Peaceful Nuclear Explosion (PNE)⁶¹ period to draw interesting conclusions:

- In the period between 1973 and 1974, Indian decision-makers did not consider a Chinese invasion of India as a real possibility, nor did they see the notion of Beijing using nuclear weapons against India as credible.
- The Ministry of Defense (MoD) and the Ministry of Finance (MoF)—came to markedly different understandings on the implications of India's PNE. Ironically, the MoF advocated considering the PNE as a nuclear deterrent, while the MoD argued against it, on account of the absence of a weaponisation program.
- No simultaneous development of a nuclear delivery system—either strategic bombers or a ballistic missile program—appears to have accompanied the PNE. **This suggests that the test had very little short to mid-term military applicability.**

The point being made is that Indian strategic thinking has moved on since those naive days of self delusion. The reality is that we have a sound doctrine in place. We have weathered the storm since first airing it; have fine-tuned it to an extent by “adding qualifiers” and now **need to examine the voids we have – and there are some – and correct them in**

all spheres of our implementation endeavours with sense, sensibility and focus. Most importantly, the Armed Forces, considered to be “outside the decision making and planning loops” must now be fully integrated and have a voice in all future nuclear decision making.

Arthur Lykke, the US War College strategist teaches that **Ends** (strategic objectives) explain “what” is to be accomplished. Ends are objectives which, on achievement, serve the desired national interests. For India, a desired End State could be to develop individual and joint Service deterrence sufficiently to prevent any attack on India’s sovereignty/sovereign interests. **Ways** (strategic concepts) explain “how” the ends are to be accomplished by the employment of strategic resources. The concepts must be explicit enough to provide planning guidance to those (the Services individually and joint, DRDO, public, private, military-industrial complexes linked to defence) who must implement and resource it. In the Indian context, employment of Cold Start in a conventional limited war scenario is the way India can achieve deterrence. In a nuclear war scenario, the NFU policy of the Government clearly explains that if attacked, a nuclear response by India is assured. **Means** (resources) explain what specific resources are to be used in applying the concepts to accomplish the objectives. Lykke suggests that tangible means include forces, people, equipment, money, and facilities. Intangible resources include things like “will,” courage, or intellect. Finally, he expounds that **Risk** explains the gap between what is to be achieved and the concepts and resources available to achieve the objective.

India’s nuclear doctrine is more than adequate; yet needs to cut its Gordian Knot of inadequate operationalization. This implies that “the gap between what is to be achieved and the concepts and resources available to achieve the objective” needs to be covered by taking a **Risk**.

Let’s take the risk. India demands we do.

END NOTES

- 1 Karnad Bharat ‘Scaring up Scenarios: An Introduction’; in Pakistan’s Tactical Nuclear Weapons, Conflict Redux ed Gurmeet Kanwal and Monika Chansoria, page 12.

- 2 Ibid.
- 3 Sharan Shyam: 'The dangers of nuclear revisionism', Business Standard, 8 September 2014.
- 4 <http://pib.nic.in/archieve/lreleeng/lyr2003/rjan2003/04012003/r040120033.html>
- 5 <http://www.livemint.com/Politics/xno41g9Q3UYyKzPhv3guXP/BJP-election-manifesto-says-will-revise-Indias-nuclear-doct.html>
- 6 Menon Shivshankar. Strategic Dimensions of Indian Foreign Policy: Nuclear, Maritime, Terrorism. (FSI, MCTP, 1 July 2014). Speaking Notes.
- 7 Ibid.
- 8 Ibid.
- 9 Ibid.
- 10 https://en.wikipedia.org/wiki/Ajit_Doval. An IPS officer, Ajit Doval has had a brilliant, often hands-on career as an Intelligence sleuth. Highly decorated – he was the first Police Officer to be awarded the Kirti Chakra (peace time equivalent of an MVC) way back in 1999. An ex Director IB, he is the 5th NSA and is pretty hands on; his last achievement being the planning of the raid by an Indian Army-IAF SF to hit at Naga terrorists who ambushed the 6 Dogra convoy, resulting in 18 dead. The raid was successful and free of casualties though operational details have not been revealed.
- 11 http://articles.economictimes.indiatimes.com/2015-03-26/news/60516112_1_nsa-ajit-doval-pakistan-nuclear-powers Radicalisation of Pakistan's society matter of concern: NSA Ajit Doval. PTI. .March 26, 2015,
- 12 Ibid.
- 13 Mehta Maj Gen Raj. Quoted from his published article: 'The Way We Were'. The trenchant criticism – pretty unjustified, one might say, is directed at the appointment of Lt Gen BS Nagal in the PMO post retirement as C-in-C, SFC. Recent comments by analysts, Bharat Karnad prominent among them, have expressed angst through signed articles about the induction into the PMO of a retired senior Infantry officer who had headed the Strategic Forces Command (SFC). The carping is about his being a “generalist” whose grasp of nuclear related strategic matters is “not known” to the defence community. The speculation is that he has been set a mandate of creating an Indian

version of the supposedly professional and effective Pakistani nuclear secretariat - the Strategic Plans Division (SPD). The implied criticism is that nuclear secretariats the world over are run by a *specialist cadre* “top-to-bottom”; not an IAS/SFC variety of generalists. SFC officers, it has been suggested, should be commissioned and trained incrementally on nuclear war-fighting. The analyst lobby opines that India can ill afford generalists in the SFC except at cost. In the meanwhile, the PMO’s effort to revamp the nuclear decision making and its associated organisational and management apparatus using the ex SFC officer as the change agent is being watched cynically by these analysts.

Readers will wonder what being from the Infantry has to do with being well-versed with nuclear war-fighting as much as they might wonder whether academics degrees in arts subjects earned abroad; qualify an analyst to become a nuclear war-fighting expert. The sobering reality is that General K Sundarji, the iconic Army Chief who acquired an international reputation for his brilliant grasp of nuclear war-fighting, was also an Infantry officer. That said, the PMO’s efforts to codify nuclear war-fighting command and control norms using a retired SFC officer is a step in the right direction. The SPD example, driven by a military (Army) autocracy is not quite the best model to follow by a vibrant democracy. Instead, careful study and sensible adaptation of the UK/ French/US models may be more productive for the PMO.

So far as specialist cadre for SFC is concerned, it is an interesting idea but one that needs substantial thinking through. For one thing, the concept will affect not just the officers of the three Services, but, equally, all military ranks; the scientific community whether DRDO, BARC, ISRO and other specialist agencies. An HR model that looks at career progression issues within the nascent SFC will also have to be evolved, as issues of repetitive functioning and its security ramifications; life-long functioning within a “professional tunnel” will have to be carefully considered. This, as opposed to the adrenalin driven challenge of liberal, cross-linked development of ones faculties by taking on diverse challenges that keep your creative juices flowing. The presumption that the current generalist SFC staffing pattern is akin to IAS *babugiri* is obtuse as the integrated battlefield in future wars will demand entry level multi-skilling; not tunnel-vision excellence. Presuming that the SFC will prosper only with specialist enablers is being disingenuous and patronizing.

- 14 Nagal Lt Gen BS. Guest Column. 'Perception and Reality: An in-depth analysis of India's Credible Minimum Deterrent'. Pp 8-13, FORCE, Oct 2018.
- 15 Ibid.
- 16 Ibid.
- 17 Ibid.
- 18 Prasad Ambassador Jayant. For a clear nuclear doctrine. OPINION. May 6, 2014. <http://www.thehindu.com/todays-paper/tp-opinion/for-a-clear-nuclear-doctrine/article5980510.ece>
- 19 Ibid.
- 20 Mehta Maj Gen Raj. Culled from a published article: 'SETTING INDIA'S NUCLEAR NFU POLICY RIGHT'. Published in 2014 in Geopolitics; a niche defence oriented magazine.
- 21 Ibid.
- 22 Ibid.
- 23 Menon (Retd) Rear Admiral Raja. Ed., 'Weapons of Mass Destruction: Options for India'. http://www.idsa.in/strategicanalysis/RearAdmiralRajaMenonWeaponsofMassDestruction_avlele_1004.html
- 24 <http://www.ipcs.org/staff-profile/rear-admiral-k-raja-menon-31.html>
- 25 Menon Raja. 'A Mismatch of Nuclear Doctrines.' <http://www.thehindu.com/opinion/op-ed/a-mismatch-of-nuclear-doctrines/article5602609.ece>
- 26 This less-than-generous and uncalled for reference is to the appointment of Lt Gen BS Nagal as the first Chief of the Strategic Program Staff in the PMO – a very rough equivalence would be Head of SPD as for Pakistan . See Notes 9-12 above. Bharat Karnad, another strategist is also guilty of making similar remarks in a separate article listed on his blog site.
- 27 Ibid.
- 28 Ibid.
- 29 Barauh Amit. A 'longer view' no longer. The Hindu. <http://www.thehindu.com/opinion/op-ed/a-longer-view-no-longer/article6009348.ece>
- 30 Shukla Ajai: 'It's mad to jump straight to MAD.' 28/4/2014. http://www.business-standard.com/article/opinion/ajai-shukla-it-s-mad-to-jump-straight-to-mad-114042801119_1.html

- 31 Ibid.
- 32 Ibid.
- 33 Prasad Ambassador Jayant. 'For a clear Nuclear Doctrine.' OPINION. 6 May 2014. With reference to China, Prasad writes: "Chinese President Xi Jinping did not mention China's no first use doctrine in a defence policy speech delivered in December 2012 to the Second Artillery Corps, or when the Chinese Defence White Paper, released in April 2013, did not contain the standard reiteration of this doctrine, thereby creating doubts about a shift in its nuclear policy." The fact that China's nuclear program like much else about the Chinese military is couched in ambiguity is by now an accepted fact and has its own dynamics, most of them positive. That such ambiguity, albeit to a lesser degree also surrounds the Indian program is also more a virtue than a weakness, provided some fine-tuning is done about sections of the program that need not be secrecy-driven because that impacts adversely on our nuclear signaling and operational efficiency; synergy between the diverse actors embedded in the program.
- 34 Ibid.
- 35 Ibid.
- 36 Prabhu Jaideep. 'India's Nuclear Indecision.' <http://jaideepprabhu.org/author/jprabhu/>
- 37 Ibid.
- 38 Ibid.
- 39 Ibid.
- 40 Mehta Maj Gen Raj. Culled from a published article: 'SETTING INDIA'S NUCLEAR NFU POLICY RIGHT' published in 2014 in *Geopolitics*; a niche defence oriented magazine.
- 41 Ibid.
- 42 Prakash Admiral Arun. 'India's Nuclear Deterrent: The More Things Change...' Paper written in 2014 for the S. Rajaratnam School of International Studies (RSIS). This is a professional graduate school of international affairs at the Nanyang Technological University, Singapore. Admiral Arun Prakash retired as India's 20th Naval Chief and Chairman Chiefs of Staff in end 2006. He served as member of India's National Security Advisory Board (NSAB) twice.
- 43 Ibid.

- 44 Ibid.
- 45 Ibid. Koithara's book under reference was well received in the main even if his criticism was a bit overdone.
- 46 Ibid. This is surprising. While the BMD program is costly and its overall timeline uncertain, it has made steady progress in a field where even USA, Russia and Israel who are pioneers have faced serious problems and limited success notwithstanding the publicity their launches have attracted. One might even argue that the BMD program is among the few where the DRDO has actually made notable progress, the other one being the Agni and the AD radar programs.
- 47 Ibid. This remark attributed to Saran is by far his most powerful indictment of TNW's and therefore the 'flexible response' option that some nay-sayers have been advocating.
- 48 Ibid. Discerning readers would have noted that Gen Ved Malik is silent on the key issue of doctrinal changes. It is not fair to second-guess what this silence means. Another issue that begs understanding is that Admiral Arun Prakash focuses on doctrinal changes with Pakistan exclusively in mind. How the issue of an escalating nuclear response will impact on a possible confrontation with China which is far more advanced than India is remains unstated and unexplored.
- 49 Mehta Maj Gen Raj. Culled from a published article: 'SETTING INDIA'S NUCLEAR NFU POLICY RIGHT' published in 2014 in Geopolitics; a niche defence oriented magazine.
- 50 See Notes 13 to 17 ante.
- 51 Singh, VrC Air Commodore Jasjit. Quoted in 'Strategic Review 1998-99'. (New Delhi: IDSA, 1999).
- 52 Bhumitra Chakma. "Pakistan's Post-test Nuclear use doctrine; 'The politics of Nuclear weapons in South Asia'", page 76 India centric and doctrine of Nuclear First Use. See Note 57.
- 53 Mehta Maj Gen Raja. Culled from a published article: SETTING INDIA'S NUCLEAR NFU POLICY RIGHT published in 2014 in Geopolitics; a niche defence oriented magazine.
- 54 Lavoy Peter R. 'Pakistan's Nuclear Posture: Security and Survivability,' Nonproliferation Policy Education Centre, 21 January, 2015, page 3. See Note 57.

- 55 Kak Kapil, 'Rationale and Implications' in Pakistan's Tactical Nuclear Weapons, Conflict Reduxed. Gurmeet Kanwal and Monika Chansoria page 79. See Note 57.
- 56 Ibid.
- 57 Smith David, 'The US experience with tactical nuclear weapons: Lessons for South Asia', Stimson Center, March 04, 2013, http://www.stimson.org/images/uploads/research-pdfs/David_Smith_Tactical_Nuclear_Weapons.pdf
- 58 Secrecy, Civil-Military Relations and India's Nuclear Weapons Program: Correspondence. Anit Mukherjee, George Perkovich and Gaurav Kampani. *International Security*, Vol. 39, No. 3 (Winter 2014/15), pp. 202–214, doi:10.1162/ISEC_c_00192 © 2015 by the President and Fellows of Harvard College and the Massachusetts Institute of Technology. The extended interaction between the three commentators, each with his own take on what makes the Indian nuclear program slow accept that the slow pace of progress is an amalgam of several factors: Excessive secrecy; indifferent civil-military relations, the moralistic stance of political leadership and their lack of hands-on knowledge; their overall indifference to matters military. Their ambivalence on political, moral and strategic issues did not help; nor their fear of US sanctions post the 1998 tests. The convoluted command and control systems and the marginalization of the military, keeping it outside the loop of operationalization also adds to the slow pace. An episode from early 1998 illustrates this point. In a meeting with Prime Minister I.K. Gujral, General Malik reported that the service chiefs jointly conveyed the need for a nuclear doctrine. Abdul Kalam, then scientific adviser to the defense minister, who was present at the meeting, claimed that there was one but that it was not to be shared with the armed forces. Kampani, to whose work the other two have responded however maintains that it is excessive secrecy that has delayed operationalization of India's nuclear deterrent. See Gaurav Kampani, "New Delhi's Long Nuclear Journey: How Secrecy and Institutional Road-blocks Delayed India's Weaponisation,"
- 59 Singh Chandra Mauli. NDC-54 Dissertation 2014. "Employment of TNW's by Pakistan and its implications on India's nuclear policy". The officer is from the Indian Audit and Accounts Service (IA&AS) 1994 batch. Currently Principal Director under the Comptroller and

Auditor General of India (C&AG). The paragraph which precedes this annotation has been modified from the officers dissertation. His well researched paper provides considerable details on the entire gamut of TNW's as Pakistan sees this weapon as its key antidote to contain India's conventional forces superiority in the event of outbreak of hostilities. The underlying presumption also is that India will lack the political will to address a TNW strike with "massive retaliation" and failure to do so will discredit its nuclear doctrine besides invite International censure for what will be signaled by Pakistan as gross over-reaction.

- 60 Joshi Yogesh. *The Imagined Arsenal. India's Nuclear Decision-Making, 1973-76.* THE NUCLEAR PROLIFERATION INTERNATIONAL HISTORY PROJECT. WORKING PAPER SERIES. NPIHP Working Paper #6 June 2015. Christian F. Ostermann, Leopoldo Nuti, and Evan Pikulski, Series Editors. Woodrow Wilson International Center for Scholars. One Woodrow Wilson Plaza. 1300 Pennsylvania Ave, NW, Washington, DC 20004. Yogesh Joshi is a PhD student at the Center for International Politics, Organisation and Disarmament at the School of International Studies, Jawaharlal Nehru University, New Delhi. He is currently writing a history of India's nuclear submarine programme.
- 61 Operation '***Smiling Buddha***', India's first nuclear test of May 1974 announced to the world that India had joined the big league of nuclear-capable nations but it was the shock and awe, besides the strategic surprise generated by the proactive, BJP driven ***Operation Shakti*** of May 1998 that set the cat among the pigeons; forcing the world to sit up and take serious notice of India's nuclearisation intent and capability. While the *Shakti-1* to *Shakti-3* tests conducted simultaneously at 3.43 PM on 11 May 1998 which involved blasting of thermonuclear/plutonium implosion/boosted fission devices have stirred some controversy as to the yields intended and delivered and thereby the need for re-testing before operationalising, the fact remains that on 17 August 1999, a year after the tests, the BJP Government had aggressively released India's draft nuclear policy. The policy was built around the principle of NFU, massive retaliation if attacked, credible minimum deterrence and a command and control system tailored to ensure delivery.

MAJ GEN RS MEHTA, AVSM, VSM (RETD)



was commissioned in 16 Light Cavalry in Jan 1969. He retired in June 2006. He has commanded 50 Armoured Regiment, 18 Armoured Brigade and 1 Sector RR in South Kashmir. Early on during this command, he sustained a serious gun-shot wound in an encounter with Pakistani terrorists. He volunteered to remain in command and was given a rare waiver. He later commanded 19 Infantry Division in North Kashmir.

He has been an Instructor at the NDA and DSSC. Post NDC, he served as DDG MO (D); was later COS in HQ 15 and 9 Corps.

Post retirement, he has edited three multi-volume book editions on Nuclear Non-proliferation, Ballistic Missile Treaties and Terrorism Laws. In Jan 2010, he authored a book; *Lost Victory*, on LTTE Supremo Prabhakaran. A freelance writer, he writes on diverse military and general interest subjects.

He is currently Project Coordinator of the Punjab State War Heroes Memorial and Museum now coming up opposite Khasa Cantt, Amritsar.

A motivational speaker, Raj regularly speaks to the young on Personality Development, Leadership, Maximising Ones Potential, Values and Ethics, Women's Empowerment and Preservation of our Environment and Ecology He occasionally participates in military seminars.

Challenges to India's Nuclear Energy Programme

Dr Manpreet Sethi

It is interesting to see how the nature of challenges facing the Indian nuclear energy programme has changed every few decades. As the programme first took wings soon after independence, the biggest challenges revolved around the development of nuclear science and technology and preparing the manpower to handle the pioneering tasks. Collaboration with more advanced countries like Canada, USA and France brought several benefits and the programme had achieved a certain standing by the early 1970s.

The conduct of the peaceful nuclear explosion in 1974, however, disrupted international cooperation. India was subjected to economic sanctions and technology denials. In these years spanning three decades, the country struggled in isolation to develop all aspects of the nuclear fuel cycle as well as the engineering challenges. Though it managed to successfully master each activity and commission several 220 MWe and two 540 MWe plants, it did so against tough odds suffering from lack of adequate funding and uranium availability. A change of scene finally appeared possible in mid-2000s in the wake of the Indo-US Joint Statement of July 2005 and subsequently, the grant of the NSG waiver in 2008. Consequent to these developments, which were enabled by a rigorous legislative process in both democracies, it was anticipated that the ambitious goals of the Indian nuclear power programme would now have a chance of being met. India signed nearly ten agreements with several countries within three years of its exceptionalisation. But then the nuclear accident at Fukushima happened in 2011. As a consequence of that, the

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nature of challenges that India today faces for realizing rapid expansion of its nuclear programme are yet again different and immensely demanding.

What are the contemporary challenges facing the Indian nuclear power programme? And how are they likely to affect the prospects of the realisation of the ambitious goals that the government has set for itself of producing 63,000 MWe by 2032? The XII five year plan (2012-2017) is looking at building 10 imported light water reactors in several new nuclear parks, construction of ten indigenous pressurized heavy water reactors of 700 MW capacity each, and two new fast breeder reactors at Kalpakkam. Is this going to be possible? Which major issues could stand in the way? The paper examines these questions to offer some ideas on overcoming the current set of issues confronting the national nuclear power programme.

CHALLENGES

India's entry into international nuclear commerce was an unprecedented development. Never before has any country that is not a member of the NPT been allowed to partake in global nuclear trade without accepting full-scope safeguards on its entire nuclear programme. But for many reasons – from politico-strategic to the lure of lucrative Indian markets – the exception has been made for India. Based on a Separation Plan that allows a part of the programme to remain unsafeguarded, India has agreed to place reactors that may use imported uranium in the future as well as those constructed through foreign collaboration to be subjected to IAEA safeguards. This development raised hopes about the possibility of India living up to its targets for nuclear generation as a result of rapid expansion of the programme through induction of larger capacity reactors. Roadblocks, however, have shown up in many areas.

LEGAL CONCERNS

The existing Atomic Energy Act, 1962 does not allow private players into the field of nuclear power generation. Until now, this was not necessary either since nuclear generation has been the exclusive preserve of state owned Nuclear Power Corporation of India Ltd. (NPCIL). But, with the prospect of opening of the sector to private industry – domestic and foreign, it became necessary to amend the Act in order to allow private

companies to set up and operate nuclear reactors.¹ Within India, many private companies such as Jindal Steel and Power Ltd., Tata Power Ltd., Reliance Power Ltd., and NTPC had been expressing a desire to step into the field. NTPC, in fact, which is also the largest Indian power company, had proposed in 2008 a joint venture with imported technology to set up and make operational a 2000 MWe nuclear power plant by 2017.² After the waiver, several multinational companies were also expected to bid for the multi-billion nuclear reactors market in India.

However, in order to enable this, India was required to enact a nuclear liability law to streamline compensation issues in the event of an accident. Since in the past, it was only the government that designed, constructed, owned and operated nuclear power plants, they bore all the liability. But with the entry of private companies, it became necessary to ensure a law that would provide some reasonable limits to their liability. Since the decision of the Indian government was to retain the NPCIL as the operator of the reactors, even if built through foreign collaboration, companies were obviously chary of stepping into the field without complete clarity on legal issues.

In order to address these concerns, India enacted the Civil Liability for Nuclear Damage Act (CLNDA) in Sept 2010, but it turned out to be so strict in some of its provisions that private players, domestic and international, expressed strong reservations. These were particularly acute in case of two clauses of the Act. The first pertains to the Section (no. 17) which enables the NPCIL, the only operator of nuclear reactors in India now and likely to remain so in the foreseeable future, to have the right of recourse against the supplier, subject to certain conditions. Two of these conditions -- when such a right is part of the written contract between supplier and operator; and, when the nuclear accident has happened because of an intent to cause damage -- are reflected in the international legal regime pertaining to nuclear liability too. But, a third condition that

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- 1 Interestingly, the US Atomic Energy Act, 1946 was revised in 1954 to permit private sector involvement in reactor development, though the Congress retained ownership over nuclear fuel. The 1954 Act also established the AEC as the agency to oversee reactor construction and use. This distinguishes the manner in which the nuclear power generation is regulated as compared to conventional electricity production.
 - 2 "India to Broaden Corporate Base for Nuclear Power", *World Nuclear News Overview*, 31 Oct 2008.

stipulates right of recourse when the incident is due to 'supply of equipment or material with patent or latent defects or substandard services' has caused discomfort since it can subject the supplier to open-ended liability claims. A second concern has been expressed over the Section (no. 46) which states that the provisions of the CLNDA 'were in addition to, and not in derogation of, any other law for the time being in force', leading to concerns among the suppliers that they could be subjected to multiple and concurrent liability claims.

In the face of much disquiet, especially from the American industry, and given the lack of political appetite to amend the law, the government found a compromise solution during the visit of President Obama to New Delhi in January 2015 by way of offering further clarifications. The new explanation seeks to address the first concern by relating right of recourse to 'actions and matters such as product liability stipulations/conditions or service contracts' between the operator and the supplier, thereby placing it in the context of contractual terms. It has been clarified that the CLNDA permits but does not require an operator to include this right in the contract or necessarily exercise a right of recourse. Contracts between individual players could arrive at their own risk sharing mechanisms. In order to facilitate this further, the India Nuclear Insurance Pool has been instituted to provide a source of funds through a market based mechanism to compensate third parties for nuclear damage. It would enable suppliers to seek insurance to cover the risk of invocation of recourse against them. This Insurance Pool is formed by GIC Re and 4 other PSUs with a contribution of Rs 750 crores out of a total of Rs 1500 crores.³ The balance will be contributed by the Government on a tapering basis. This mechanism makes the operators and the suppliers as partners in managing risks rather than pitting them against one another as litigating adversaries.

However, it remains to be seen whether the industry would be satisfied with this and reassured enough to take the plunge into the Indian nuclear market.

PUBLIC PERCEPTION OF NUCLEAR ENERGY

A new challenge cropped up for India's nuclear power programme

3 Ministry of External Affairs, Government of India, Frequently Asked Questions and Answers on Civil Liability for Nuclear Damage Act 2010 and related issues, 8 Feb 2015

in the wake of the nuclear crisis at Fukushima in March 2011. On 11 March that year, an earthquake and a tsunami – both of unprecedented magnitudes⁴ – struck the nuclear power station at Fukushima. Failure of the emergency core cooling system led to the dreaded loss of coolant accident causing varying degrees of partial meltdown of three reactors at the same site. Expectedly, this shook public confidence in safety of nuclear power generation.

In India, there was a general tendency to transpose the events at Fukushima onto Indian nuclear plants without understanding the seismological, technological and operational specificities of the case in Japan. Though the Indian Prime Minister called for a safety review at all nuclear sites, the country saw a coalescence of groups that were opposed to nuclear power for different reasons coming together to exploit public concerns generated by Fukushima. So, people protesting land acquisition and rehabilitation in Jaitapur found common cause with protestors at Kudankulam or even Greenpeace to express a negative public sentiment on nuclear power.

Over the years, public acceptance has emerged as a major challenge that needs to be sensitively addressed if nuclear expansion is to see the light of day. Democratic or not, officialdom everywhere can no longer afford to ignore public opinion. Until now, nuclear establishments everywhere, including in India, have ignored the need, or hesitated, to actively undertake public education on nuclear issues. But, Fukushima has raised the necessity of engaging with the populations. The nuclear establishment will have to proactively explain its case for nuclear energy and justify it in comparison to other alternatives, in order to win back public support. At the same time, there should be spread of awareness of the stringent safety regulations enforced and followed in the design, construction and operation of power plants, or of the safety record of India's power plants. Education of simple facts such as that natural radiation in some places exists several times more than in the vicinity of a power plant, or that issues of waste management and disposal of spent nuclear fuel are not such big challenges for India since it follows a closed fuel cycle in which the nuclear fuel after being used once is not immediately in need of disposal as

4 The earthquake has been placed as being of 9.0 magnitude on the Richter scale while the tsunami scaled a gigantic height of 46 feet.

waste is most necessary. Fortunately, the public relations department of the DAE has already stepped up its efforts to better educate the public on the advantages and risk mitigation endeavours of the atomic establishment in order to develop the ground for greater exploitation of nuclear energy.

REGULATORY ENVIRONMENT AND PROCEDURES

One good way of restoring public confidence in nuclear power is to have a transparent and fair regulatory environment. Given the sensitive nature of nuclear technology and materials, these exist in a heavily regulated environment to guard against possible threats, natural and man-made, to their safety and security. For a sustainable and safe expansion of the nuclear power programme, ample attention must therefore be devoted to the correct and quick implementation of necessary regulatory environment and procedures.

A preliminary report prepared by an IAEA fact finding mission to Japan in May 2011 concluded that the accident was “a failure of regulation and design, not of operation”. National Institute of Safety Assessment (NISA) was faulted for mixing up its primary responsibility of safety with that of promoting nuclear energy. Therefore, one obvious lesson from Fukushima, and which has a resonance in all countries operating nuclear power plants, is the need for regulatory independence.

India has taken this seriously and the government has since taken several measures to rectify some of the institutional deficiencies. A Nuclear Safety Regulatory Authority Bill 2011 was introduced in Parliament in 2012. It provides for creation of a Council for Nuclear Safety to be headed by the Prime Minister to oversee and review policies relating to radiation safety. However, owing to political reasons that have not allowed the Parliament to function smoothly, the bill has not yet been passed into an Act. But this is only a matter of time.

CAPABILITIES OF INDIAN MANUFACTURING INDUSTRY

Given the high technology content, and the sensitive and precise nature of materials, equipment and processes involved in nuclear power generation, it is imperative that the Indian manufacturing industry keeps pace with the advancing nuclear science and technology and provides it with the necessary infrastructure and equipment. In fact, this challenge could be turned into an opportunity by the industry for undertaking exports

of reactor components and systems. Given India's cost competitiveness, reasonably high engineering and technological skills supplemented by innovative techniques, the country could emerge as a hub of nuclear components and graduate slowly to more complex and high end products over time. With the opening of international nuclear trade to India, Indian companies have the possibility to enter into joint ventures or technical collaborations with known nuclear players. This could not only support the Indian nuclear expansion but also enable exports. It would also be of great value if the indigenous content of imported power plants is kept high. This would not only enable cost benefits but also provide a fillip to the domestic industry and help provide employment to large numbers.

ADDRESSING CHALLENGES — PURSUING NUCLEAR POWER WITH CONVICTION

The first requisite for attempting a resolution of the challenges that are identified and elaborated above must necessarily be a *national conviction* on the need for nuclear energy. This must be visible in a consensus in the political spectrum. Fortunately for India, the nuclear power programme has enjoyed widespread political support and irrespective of the party in power, the programme has continued with more or less the same goals, and necessary budgetary backing. Sometimes parties have tried to play politics with the issue, especially when the Indo-US nuclear agreement was being negotiated, but the baseline support for the need for a nuclear power programme has never been questioned.

This support that runs across the party lines is a huge reassurance for the continuance of the programme. And this is significant because given the demand-supply gap of electricity in India, it cannot afford to rule out any source that can add to the national grid. It is no secret that electricity has a direct connection with level of national development. Per capita energy consumption is a parameter for calculating the human development index. For the moment, the per capita energy consumption in India is placed at a meagre 800 kWh as compared to 2300 kWh in China and 15,000 kWh in the developed economies. For this situation to substantially change, the absolute amount of energy required by India would have to at least double by 2020, double again over the next ten years, and be close to ten times the figure today by 2050.

Even at the relatively reduced rate of economic growth over the last

few years, the need for consistent, reliable and steady base-load source of electricity has not diminished. At the same time, vulnerabilities that accompany large-scale energy import dependence are clearly evident. There is a continued rationale, therefore, for cultivating a diverse mix of energy sources that pragmatically balance considerations of cost, uninterrupted availability of fuel and their environmental impact. It is important that every potential source of energy is optimally used and the menu of options is as varied as possible so as to minimise risks of disruption arising from shortages, price fluctuations or political manipulations.

At present, the bulk of India's existing power generation capacities exist in the thermal sector and the country imports these fossil fuels in large quantities. India has reasonable coal reserves, which according to British Petroleum estimates, comprise 8 % of the world total. The country is the fourth largest producer of coal and lignite in the world (after the United States, China, and Australia).⁵ However, India's coal reserves are of low quality (of high ash content and low calorific value) and concentrated in some parts of the country. This necessitates haulage of coal over long distances which not only raises cost but also ties down the transportation network. Imports have become increasingly necessary over the last decade. Oil and gas are used at a very small level in the electricity production sector in India. In any case, the country is deficient in domestic reserves of either and both will have to be sourced from outside through elaborate and long distance transportation networks of pipelines and LNG shipments if their use for thermal power production was to increase. For a large country like India, bulk imports of fuel are neither affordable nor strategically prudent. Rather, it has enormous implications not only for the strain it causes the exchequer, but also for making the country vulnerable. In these circumstances, nuclear power can ably supplement the production of thermal power. In fact, the cases of France and Japan that have traditionally been deficient in domestic reserves of fossil fuels amply prove the ability of large scale electricity generation through nuclear fission to ably sustain industrialized economies.

Amongst the renewable energy sources, including wind, solar, and hydro, the last has currently shown maximum potential in the few places

5 Tata Energy Research Institute (TERI), "Indian Energy Sector", March 2003, [http://www.teriin.org/energy/Indian energy sector.htm](http://www.teriin.org/energy/Indian%20energy%20sector.htm).

where it is plentiful. Nearly 22% of the current total electricity generation is from water. However, this appears to have plateaued after having experienced its share of displacement and rehabilitation disputes that have delayed projects and raised costs. Most potential of this sector is now seen in small projects meant to cater for local needs, rather for generation of electricity for larger grids.

On wind energy, India is already the fourth largest producer of this electricity and it contributes 6% to the total installed capacity. However, it has its limitations in terms of energy intensity and all-time and all-weather availability. Meanwhile, research and development in solar electricity continues to improve its commercial viability as a large scale and reliable electricity source, but storage technologies are still less than perfect and yet to mature. It is yet to demonstrate its technological viability for large scale power generation where continuous, reliable power supply is needed. In fact, the reliability and evenness of electricity supply will become even more critical for an increasingly digitised information society. Since challenges in storage technologies for sources of electricity that are not available at all times are yet not completely resolved, wind and solar electricity generation still suffer from limitations. Of course, owing to the sustained research and development in these areas, there has been exponential growth in these sectors. Costs have come down even as capacity factors have increased. Yet, compared to nuclear power, which is an electricity generation source available here and now, wind and solar have the potential that might show itself more attainable in the future. Whilst this happens, nuclear energy provides an important hedge for India's energy strategy given the huge deficit the country faces in domestic fuel sources.

Nuclear energy has the potential to play an important role in this mix. Indeed, there is need for growth and development of *all* energy sources, existing and potential, to power India's socio-economic growth and development. But given the limitations of some of the other fuels that India currently uses, nuclear programme will sustain its importance as long as no major nuclear safety or security issues crop up anywhere in the world.

If the growing Indian economy continues to rely on traditional thermal energy sources, carbon emissions would significantly rise and environmental consequences like greenhouse effect, global warming and climate change would increasingly become a serious cause for concern. China made the

mistake of rapid proliferation of thermal power plants in the 1980s and has since the dawn of the new millennium faced severe environmental and health related problems. According to World Bank estimates, it today loses 6 per cent of its GDP to health and environmental mitigation efforts.⁶ If India is to avoid making the same mistakes, it must adopt a different strategy that pays adequate attention to development of carbon free sources for electricity generation and nuclear energy tops this list. When measured by its carbon footprint, nuclear is believed to be on par with solar, hydro, wind, biomass and geothermal, but it races ahead of the others in terms of its viability as a source of large scale base load power. Also, being a dense source of electricity, the land requirements of nuclear are only a fraction of the other sources. For instance, it has been calculated that “for a 1000 MW power plant, nuclear requires about one square mile of space, compared with 50 square miles for solar, 250 for wind and 2600 for biomass.”⁷

With an experience of half a decade in the field of nuclear technology, India, in the words of Dr Chidambaram, former Chairman, AEC, is “the only developing country that has demonstrated its capability to design, build, operate and maintain nuclear power plants, manufacture all associated equipment and components, and produce the required nuclear fuel and special materials.” India’s indigenous nuclear programme has demonstrated the capability to construct and operate 540 MWe PHWRs. TAPS 3 and 4 are today India’s largest capacity reactors, with all other indigenously built plants being of 220 MWe capacity. In the future though, the NPCIL has plans to standardise on 700 MWe plants that it today has the capability to build. Larger reactors obviously offer economies of scale and having developed a mature expertise and technological and industrial base, India has felt the need to move on to larger capacity generations.

CONCLUSION

India’s nuclear power programme has matured well since independence. The country today has over 300 reactor years of safe nuclear electricity generation. 21 operating reactors and six more under construction indicate a high level of nuclear activity that will only pick up in the coming years

6 “China’s Nuclear Power Programme”, *World Nuclear Association 2013*

7 “US Energy Policy After Japan: If not Nuclear, then What?”, <http://www.knowledge.wharton.upenn.edu>. 30 March 2011 accessed on 21 April 2011.

as more fuel and technology is inducted into the domestic programme. The Indian nuclear power programme has also moved into the second stage of development wherein a Prototype FBR is at an advanced stage of construction.

For sustained progress to usher in a resurgence in civilian nuclear power, realistic action will be necessary on several fronts: a supportive policy environment, including through legislative changes, commensurate industrial investments, help from university and training institutes for manpower requirements and support from the academic and strategic community to monitor trends and identify limitations to forewarn against possible dangers. A comprehensive policy on its expansion must be urgently drafted and implemented if India is not to let unavailability of power stand in the way of its economic growth and development.

India today has the opportunity, capacity, technology and the will to expand its nuclear power programme. The present historical moment has opened new vistas for the country's energy scenario. It is the bounden duty of the nation to use this to advantage in service of human development, economic growth and environmental sustainability. It would be even more useful if the nuclear programme was to be visualised as part of an integrated energy policy that views all source of energy from a holistic perspective. Today, we seem to be in a situation where each ministry bats for its own interests and each effort or programme – thermal, nuclear, or renewable -- appears to be pursued at the cost of another. This perception is required to be urgently replaced with the understanding that there is an overall vision seeking energy security for the nation from all available sources since the electricity demand of the country simply does not allow the luxury of removing any electricity source from the basket.

Finally, it can only be reiterated that the nuclear establishment holds its future in its own hands. The need for a greater interface between the nuclear organization and the common man is unquestionable. Therefore, it is necessary that a well staffed, equipped and energized public awareness division of the Department of Atomic Energy energetically and proactively engages with the local populace. This will be especially necessary in areas chosen to host nuclear sites to explain to the local communities as to why their land has been chosen for setting up the nuclear reactor, how the construction of the plant would help transform their lives and that of their region for the better (which itself calls for innovative employment

opportunities in the plant as well as in other secondary options). The overall attempt should be to make the citizen a stakeholder in the nuclear plant rather than an oustee. Most of all, nuclear power plants should become approachable to the common man by encouraging groups of citizens to visit the plant site and appreciate the technology for themselves. It is only through affirmative action at all levels that the future of India's nuclear power programme can be secured. It would be a shame if the hard won international acceptance of the Indian nuclear power programme is lost due to domestic political shenanigans and public perception mismanagement.

DR MANPREET SETHI



Dr Manpreet Sethi is Senior Fellow at Centre for Air Power Studies, New Delhi. She has written extensively in national and international journals on nuclear power, proliferation and disarmament. She is recipient of the prestigious K Subrahmanyam award conferred for excellence in strategic and security issues. Where she leads the project on nuclear security. She is an expert on the entire range of nuclear issues with over 80 papers in academic journals of repute to her credit. Over the last 17 years she has been researching and writing on subjects related to nuclear energy, strategy, non-proliferation, disarmament, arms control and ballistic missile defence. She has successfully undertaken projects for the DRDO and SFC on BMD and tactical nuclear weapons. She has recently concluded a project on Space Security, exploring India's approach to the International Code of Conduct.

Sethi is author of books *Nuclear Strategy: India's March towards Credible Deterrence* (2009) and *Argentina's Nuclear Policy* (1999); co-author of *India's Sentinel* (2014) and *Nuclear Deterrence and Diplomacy* (2004) and editor of *Towards a Nuclear Weapons Free World* (2009), *Global Nuclear Challenges* (2009) and *Nuclear Power: In the Wake of Fukushima* (2012).

She lectures regularly at leading establishments of Indian Armed Forces, Police and Foreign Services. Member of Prime Minister's Informal Group on Disarmament in 2012, she has been part of country's Track II initiatives. She is Member of the Executive Board of the Indian Pugwash Society and a Consultant with the global Nuclear Abolition Forum.

She is recipient for the year 2014 of the prestigious K Subrahmanyam award, a national honour conferred by the IDSA on a scholar for excellence in strategic and security studies.

BOOK REVIEW OF 'NUCLEAR WEAPONS: THE STATE OF PLAY 2015'
Book authored By Gareth Evans, Tanya Oglivie-White, Ramesh Thakur

Nuclear Weapons: The State of Play 2015

Review By Vice Admiral D S P Varma (Retd)

The requirement of an International consensus on nuclear disarmament and non-proliferation has been a work in progress since the last 45 years when the Non-Proliferation Treaty (NPT) came into force.

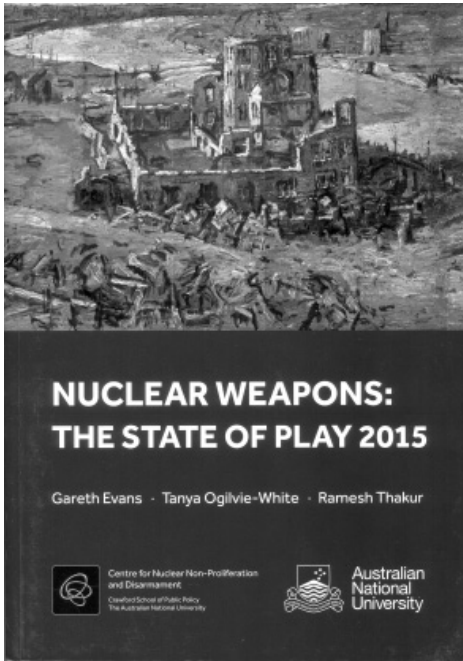
The Non-Proliferation Treaty or NPT, is an international treaty whose objective is to prevent the spread of nuclear weapons and weapons technology, to promote cooperation in the peaceful uses of nuclear energy, and to further the goal of achieving nuclear disarmament and general and complete disarmament.

Opened for signature in 1968, the Treaty entered into force in 1970. A total of 191 states have joined the Treaty, though North Korea, which acceded to the NPT in 1985 but never came into compliance, announced its withdrawal in 2003. Four UN member states; India, Israel, Pakistan and South Sudan, have never joined the NPT. The treaty recognizes five states as nuclear-weapon states: the United States, Russia, the United Kingdom, France, and China (also the five permanent members of the United Nations Security Council). Four other states are known or believed to possess nuclear weapons: India, Pakistan and North Korea have openly tested and declared that they possess nuclear weapons, while Israel has had a policy of opacity regarding its nuclear weapons

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program.

The treaty is reviewed every five years in meetings called Review Conferences of the Parties to the Treaty of Non-Proliferation of Nuclear Weapons. Even though the treaty was originally conceived with a limited duration of 25 years, the signing parties decided, by consensus, to extend the treaty indefinitely and without conditions during the Review Conference in New York City on 11 May 1995.

As a joint initiative, the Australian and Japanese Governments set up an International Commission on Nuclear Non-proliferation

and Disarmament (ICNND) in 2008. Its aim was to reinvigorate international efforts on nuclear non-proliferation and disarmament, in the context of both the 2010 Nuclear Non-Proliferation Treaty Review Conference, and beyond. The Commission was co-chaired by the former Australian Foreign Minister, Gareth Evans, and the former Japanese Foreign Minister Yoriko Kawaguchi.

The ICNND Report 2009, brought out in December 2009, is the work of this independent commission of global experts sponsored by Australia and Japan, that sought to guide global policymakers through the maze of disarmament and non-proliferation issues. The report comprehensively mapped both opportunities and obstacles, and brought out as many as 76 recommendations and classified them into a clearly defined set of short, medium and longer term action agendas in time for the 2010 NPT Review Conference.

A key recommendation of the ICNND Report 2009 was that, to help build and sustain the necessary momentum for change, a regular status “report card” should be published and disseminated among policy

makers and those who influence them.

Another key recommendation was the requirement to set up a “Global Centre” to act as a focal point for work being done in the field of disarmament and nuclear non-proliferation, by various institutions and organisations around the world, to provide research and advocacy support for both Governments and Civil society organs, and to prepare the “report card”

The Centre for Nuclear Non-Proliferation and Disarmament (CNND), part of the Crawford School of Public Policy at the Australian National University (ANU) in Canberra was established in 2011 and the first “report card” as a State of Play Report was published in 2013.

Nuclear Weapons: The State of Play 2015 is the second report. It describes the progress achieved on the commitments and recommendations of the 2010 NPT Review Conference; the 2010, 2012, and 2014 Nuclear Security Summits and the recommendations of the ICNND report 2009.

The State of Play 2015 covers all disarmament and non-proliferation issues most comprehensively. The book is divided into two parts closely inter-related and cross referenced.

PART I. THE STATE OF PLAY: PROGRESS ON THE ISSUES.

This part covers systematic analytical discussions of all the key issues grouped conveniently into four chapters, disarmament, non-proliferation, nuclear security and peaceful uses of nuclear energy. Each of the chapters has an overview where an overall evaluation of each of the issues is summarised and ranked.

PART II. SPECIFIC COMMITMENTS AND RECOMMENDATIONS.

This part tabulates all the relevant NPT, Nuclear Security Summit (NSS) and ICNND commitments and recommendations and cross-references each issue to the discussions in the main text in Part I. The status of each action point/ issue in this part as on December 2014, is ranked on a scale of 5 and colour coded from “ No progress” (red) to “Fully Implemented” (green) with “ Minimal Progress” (orange), “ Some Progress” (yellow), and “Significant Progress” (blue) in between. This makes it convenient to grasp the actual progress at a glance.

The report provides a Synopsis that gives a quick insight to the detailed

text and discussions in Part I. It gives an overview of the evaluations of each of the issues in the text, area by area and is also ranked and colour coded to give a quick visual assessment of the current status of the issues.

The book summarizes that in the run-up to the 2010 NPT Review Conference there was every sign, that there would be a significant forward movement on the whole disarmament and non-proliferation movement. The 2010 NPT Review Conference itself was stated to be a success considering consensus on several issues. However by the end of 2012, much of the optimism had evaporated giving way to pessimism by the end of 2014, presenting a grim outlook for a successful conclusion of the 2015 NPT Review Conference.

Some of the negatives, that have been brought out, and that has led to this pessimism are:

The New START was ratified and implemented but the treaty left stock piles intact.

Disagreements about missile defence and conventional arms imbalances remain unresolved with the crisis in Ukraine stalling further US – Russia negotiations.

Nuclear weapons numbers have reduced overall, but increased in Asia.

North Korea conducted its third Nuclear Test in 2013.

CTBT is yet to come into force and negotiations on FMCT have not commenced.

No movement of talks towards a Nuclear Weapon Free Zone in the Middle East.

Cyber threats to Nuclear weapon systems have intensified.

North Korea remains a challenge and the efforts to negotiate a resolution with Iran have been postponed to mid 2015.

On the positive side, there has been modest success at the NSS in generating a consensus about the need to ensure nuclear weapons and fissile materials do not get into wrong hands. A lot more requires to be done to implement a fully effective international Security System. Russia though has decided not to participate further and has opted out of the next Nuclear Security Summit in 2016.

Another positive development is the humanitarian consequences

movement, with successive conferences in Norway, Mexico and Austria, mobilising Governments and Civil society to focus on the reality that any use of Nuclear Weapons would have a catastrophic human and environmental impact beyond the capacity of any state's emergency systems to address.

OBSERVATIONS/ COMMENTS ON INDIA.

In the text in Part I, *The State of Play: Progress on the Issues*, there are some observations/comments on India's nuclear doctrine and the exception given to India by the NSG which require clarifications to set the record straight.

At para 1.118 in the chapter on Nuclear Doctrine, it is stated that the doctrine fails to address the doubts regarding the asymmetrical requirements of "minimum" vis -a-vis China and Pakistan: "what is credible toward China will likely not be minimum toward Pakistan; and what is minimum toward Pakistan cannot be credible toward China."

Clarification: There is no vagueness that is observed in the Indian Nuclear Doctrine. It clearly commits to a no first use, but India will respond with punitive action if deterrence fails. The retaliation would be massive, designed to inflict unacceptable damage on the adversary.

At para 1.126 in the chapter on No First Use, it is stated that India's no first use commitment of 1999 was "diluted significantly" in 2003 when it was stated that nuclear weapons could be used in response to attacks on India or its soldiers with chemical and biological weapons.

Clarification: This cannot be termed a dilution but is a qualification on the use of these weapons of mass destruction by an adversary. This is in line with the doctrine of other Nuclear weapon states, who do not have even a 'No first use' policy. India and China are the only 2 countries who have a No First Policy and have called for establishing a global convention on a no-first-use policy for nuclear weapons.

At para 1.147 in the chapter on Negative Security Assurances, it is stated that where as Pakistan has given an "unconditional pledge not to use or threaten to use nuclear weapons against states not possessing nuclear weapons," India's position is less clear.

Clarification: India's Nuclear Doctrine states that India "will not resort to use or threat of use of nuclear weapons against states which do not possess nuclear weapons, or are aligned with nuclear weapon

powers". India has articulated a Nuclear Doctrine that is appropriate to the current geo-political environment and the situation that prevails around the region and takes into account the case of "Extended Nuclear Doctrine" incorporated in the doctrines of the Nuclear Weapon States all of who, except China, have not committed to "No first use".

At 2.106 in the chapter on Nuclear Suppliers Group, there is criticism of the decision of the NSG to exempt India. It is argued that in doing so the NSG missed an opportunity "to commit India to a responsible non-proliferation policy." It is further argued that the main substantial problem with the deal was that it removed all non-proliferation barriers to nuclear trade with India for very few significant non-proliferation and disarmament commitments. India's formal recognition by NPT nuclear supplier countries as a fully credentialed nuclear trading partner outside the established framework has damaged the integrity of the NPT and NSG's credibility. This would also open demands from other states for a similar exemption.

Clarification: The NSG decision to exempt India was based on a negotiated series of commitments by India : to separate its civilian from its military nuclear facilities and to place some civilian facilities under IAEA safeguards; to sign and implement an Additional Protocol (AP) with respect to civil nuclear facilities under safeguards; to adhere to NSG guidelines and control lists; to refrain from transferring enrichment and reprocessing technologies to states that do not have them; to maintain unilateral moratorium on nuclear tests; and to work collaboratively with other states on an FMCT.

Pakistan openly demands that it be given a similar deal like India otherwise it would continue to produce large quantities of fissile material and push the nuclear threshold even lower to retain credibility of its nuclear deterrent. Its relentless build up of its nuclear arsenal, its refusal to allow the Conference on Disarmament in Geneva to undertake multilevel negotiations on a Fissile Material cut off treaty (FMCT) and its threat to deploy theatre nuclear weapons to meet a so-called Indian conventional armed thrust across the border are all, as Pakistan claims, as result of the Indo-US Civil Nuclear Agreement, which in its perception has upset the "nuclear balance" in South Asia. What Pakistan is signalling to India and the world is that India should not contemplate conventional punitive retaliation to sub conventional but highly destructive terrorist

strike, like the attack on Mumbai, because it has lowered the threshold of nuclear use to theatre level. This is nothing but “Nuclear blackmail” and deserves equal condemnation by the International community because it is not just a threat to India but to International Peace and Security.

This exception provided to India rests on India’s exceptional record as a responsible state with an unblemished history of non-proliferation in contrast to Pakistan which has a record as a source of serial proliferation and in possession of a nuclear program born out of deceit and deception. There is no moral equivalence in this respect between the two countries.

Nuclear Weapons: State of Play 2015, authored by a team of highly distinguished intellectuals from the Centre for Nuclear Non-Proliferation and Disarmament, comprising of its Director, Ramesh Thakur, Research Director, Tanya Ogilvie-White, and the Chair of its International Advisory Board, Gareth Evans, provides an authentic and comprehensive status report in the run up to the 2015 NPT Review Conference and “an informative and authoritative advocacy tool for governments, organisations and individuals committed to achieving a safer and saner nuclear-weapon-free world.”

Nuclear Weapons: State of Play 2015 has been presented in an ‘easy to understand’ style both for the novice and serious researchers in this field. The issues in the text have been analysed in a logical and systematic manner with references to an exhaustive list of documents, reports and statements on the subject. It is a valuable addition to existing literature on the subject and should find a place in libraries of organisations involved with international and strategic studies.

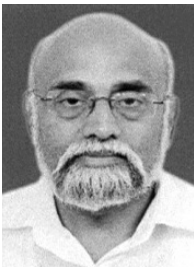
***Nuclear Weapons: The State of Play 2015**. By Gareth Evans, Ogilvie-White, Ramesh Thakur Published by Centre for Nuclear Non-Proliferation and Disarmament, Crawford School of Public Policy, Australian National University.

#Vice Admiral D S P Varma (Retd) is a former Director General ATV Program and former Chief of Materiel, Indian Navy.

- There are anxieties about its continuing build up of nuclear weapons and delivery vehicles but these are conveniently ascribed to the threat perceived from India. More recently, Pakistan’s relentless build up of its nuclear arsenal, its refusal to allow the Conference on Disarmament in Geneva to undertake multilateral negotiations on a Fissile Material

Cut-Off Treaty (FMCT) and its threat to deploy theatre nuclear weapons to meet a so-called Indian conventional armed thrust across the border have all been laid at the door of the Indo-US Civil Nuclear Agreement, which it is claimed has upset the “nuclear balance” in South Asia. The votaries of non-proliferation in the West have criticised the Agreement as having allowed “exceptionalism” in favour of India, which has encouraged a nuclear arms race between India and Pakistan. Pakistan openly demands that it too be given a nuclear deal like India, otherwise it would continue to produce larger quantities of fissile material and push the nuclear threshold even lower in order to retain the credibility of its nuclear deterrent. The exception provided to India rests on India’s universally acknowledged and exceptional record as a responsible nuclear state with an unblemished history in non-proliferation as contrasted with Pakistan’s equally exceptional record as a source of serial proliferation and in possession of a nuclear programme born in deceit and deception. There is no moral equivalence in this respect between the two countries and this point must be driven home every time Pakistan claims parity. We should not allow such an insidious campaign to affect our proposed membership of the NSG and the MTCR.

VICE ADMIRAL D S P VARMA (RETD)



Is a Post Graduate in Radar and Communications from IIT Delhi. He is a former Director General of the ATV Program and a former Chief of Material of the Indian Navy. During his long career spanning 45 years he has been intensively associated with Naval Research, Indian Industry both Public and Private sector and has been instrumental in the design, development and induction of several indigenous systems on board Indian Navy ships and submarines.

He has been decorated by the President of India for distinguished and meritorious service with the ‘Param Vishist Seva Medal’, ‘Ati Vishist Seva Medal’ and ‘Vishist Seva Medal. He has also been awarded the I G Bubnov Gold Medal by JSC “RUBIN”, Central Design Bureau for Marine Engineering, Russian Federation.

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