Institutional Roots of India's Security Policy



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Edited by

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Institutions and the Future of Indian National Security

Milan Vaishnay

Introduction

It is hard to conceive of a global or transnational issue being debated today by world leaders and key international organizations for which India is not considered an important—even vital—player. From terrorism and nuclear proliferation to climate change and pandemics, India has emerged as an essential protagonist on the global stage.

In 2023, India surpassed China as the world's most populous country. This demographic weight, when coupled with the country's economic dynamism following economic liberalization in 1991 and the subsequent emergence of a muscular nationalism, has encouraged a greater ambition in world affairs.¹

India has long been considered a balancing power and a key global 'swing state'.² But its current leadership envisions a world in which India behaves as a 'leading' power.³ For decades, Indian foreign policy towards Asia was guided by the 'Look East' policy—an effort to diversify the country's economic and strategic linkages with the nations of South East Asia. Today, India espouses an 'Act East' policy—a rhetorical shift clarifying its goal to develop trade and security ties with countries in the region.⁴ Of late, India has also embraced the Quadrilateral Security Dialogue, or Quad, where fellow democracies Australia, India, Japan, and the United States coordinate policy to maintain a 'free and open Indo-Pacific'. India was initially reluctant to engage with the Quad out of fear that its participation in the grouping, broadly perceived to be 'anti-China',

could exacerbate tensions with its north-eastern neighbour. Recent Chinese aggression along the disputed China–India border, as well as China's expansionist activities in the Indian Ocean region, have jettisoned such concerns.⁵

India's renewed enthusiasm for global engagement is, no doubt, also a function of the dangerous neighbourhood in which it finds itself. In addition to tensions with China, India's decades-long rivalry with Pakistan continues unabated. The persistence of cross-border terrorism—emanating from safe havens located in Pakistan-controlled territory—led to the most serious escalation in bilateral tensions in years when a suicide bomber killed 40 Indian paramilitary soldiers in Indianadministered Kashmir in early 2019. India retaliated with a bombing raid on sovereign Pakistani territory before both sides de-escalated, but future terror attacks on Indian soil are a virtual certainty. Regional tensions are further heightened by the dominance of the Taliban in Afghanistan and the chaotic exit of US and coalition forces from the country in August 2021. Intelligence assessments suggest that several terrorist groups, including ISIS and al-Qaeda, have found some degree of safe harbour in Taliban-controlled Afghanistan. New Delhi fears that Pakistan-based militants and global jihadists, having achieved their desired outcome in Afghanistan, will turn their gaze eastward towards India.

Of course, questions of India's security policy cannot be reduced to worries abroad. At home, matters of internal security remain a pressing concern. Over the last few decades, India has faced three significant insurgencies—in Jammu and Kashmir, the north-east, and in the so-called 'red corridor', also referred to as the Naxalite belt. Both government and independent data suggest that anti-state violence is now well below its peak; in all three locations, conflict-related fatalities have declined precipitously.⁶

However, while the flames of insurgency may have been tamped down, their embers continue to smoulder. In Jammu and Kashmir, heightened security following the central government's nullification of the state's constitutional semi-autonomy in August 2019 has facilitated a prolonged lockdown, severely constricting daily life and ordinary economic activity. Despite this government intervention, insurgents continue to target civilians. These attacks, part of a vicious cycle of government clampdowns and violent terrorist reprisals, could be harbingers of further conflict

in the state.⁷ Similarly, the insurgencies in the north-east and across eastern India are down but not necessarily out. An April 2021 Naxalite attack that claimed the lives of 22 elite paramilitary soldiers in the state of Chhattisgarh is a deadly reminder of the significant insurgency threat, even as its numbers have dwindled and geographic spread has narrowed.⁸ Left-wing extremism may no longer pose an existential threat to the Indian state, but it retains the capacity to inflict deadly violence and undermine governance in areas where guerrillas find safe haven.⁹ At the time of writing, internal conflict has wracked the northeastern state of Manipur, reviving once-buried fears of civil war in India's remote frontier.

The shape of internal violence, too, is morphing. As the scholar Paul Staniland argues, riots and insurgent attacks have decreased in frequency just as bouts of localized mob and vigilante violence have ticked upwards. ¹⁰ These emerging violent manifestations are, in contrast to the tools wielded by insurgents, often conducted by the state or its affiliates as opposed to entities trying to overthrow it. Thus, not only is India concerned with anti-state violence, but it can also be complicit in violence against groups or individuals perceived to be out of step with the ruling dispensation.

Against this backdrop of domestic and external pressures, the capacity shortcomings of India's security and foreign-policy institutions appear stark. Many agencies are plagued by endemic personnel vacancies, which sap their ability to fulfill their mandates and hamper efforts to retain and recruit talent. This is not to say, however, that the size of the Indian security sector has declined or even plateaued. India's paramilitary forces, for instance, have mushroomed in size over the past few decades. Central Armed Police Force units have doubled in size—a fact rarely raised in contemporary discussions on India's internal security. Yet even these burgeoning organizations suffer from a shortfall of adequately skilled, trained, and equipped personnel.

Even if each and every vacancy were filled, however, it is unlikely that this alone would resolve the capacity constraints needed to address India's mounting security challenges. Many of India's security institutions were developed in response to external shocks, such as India's disastrous 1962 war with China. Six decades later, questions linger as to whether the institutional mandates of yesteryear have the dexterity to adapt to the Indian state's current security objectives.

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Furthermore, as new institutions have been established, few legacy ones have been decommissioned. Uncertainty about mandates, institutional division of labour, and policy coordination have often resulted in rivalries between organizations working in the same domain. The rise of paramilitary forces, for instance, has bred not only rivalries among different units but also tensions with the armed services.

The goal of this volume is to unpack and interrogate capacity gaps in India's security institutions. In recent times, there have been innumerable examinations of India's foreign and security policies, exploring issues from foreign-policy doctrine to nuclear posture and civil-military relations. Nearly all of them have lamented the severe capacity constraints India's institutions face on a day-to-day basis. For instance, a recent report issued by leading public-policy intellectuals decries the fact that India's police forces—whose primary task of guaranteeing public order is a core function of sovereign states—are organizationally top heavy and notoriously resistant to structural reforms that could improve their ability to meet citizens' needs. Another review of India's national security architecture bemoans the 'pervasive shortage of manpower trained in national security matters', especially in new, cutting-edge domains such as cyber security, counterterrorism, and geospatial intelligence. ¹³

Despite such lamentations, there is very little scholarly work on the administrative and operational capacity of India's security institutions. ¹⁴ This lacuna persists in spite of the fact that myriad inadequacies related to both procedure and personnel continue to hamper the Indian state's ability to perform one of its most essential functions: protecting Indians from security threats at home and abroad. This volume aims to remedy that gap.

Origins of the Volume

The origins of this book can be traced back to *Public Institutions in India: Performance and Design*, a seminal 2005 collection edited by scholars Devesh Kapur and Pratap Bhanu Mehta. ¹⁵ That volume was one of the first studies to grapple with the design, performance, and adaptability of India's principal governing institutions. Rather than focusing on the set of policy or doctrinal choices these institutions make as a matter

of course, Kapur and Mehta convened a group of scholar-practitioners to evaluate how well public institutions—such as the Supreme Court, the Reserve Bank of India, and the civil services—function as organizational entities. Instead of taking these institutions' capacity to execute policies as a given, this work shed light on the ways in which internal capacity (or lack thereof) stymied policy execution.

A decade later, Kapur and Mehta—joined by the editor of this volume—sought to re-examine the capacity dimension of India's core federal institutions in light of the dramatic political, economic, and social changes India experienced during the 2000s and early 2010s. During the intervening period, economic growth boomed (and then busted), the political party system was upended, and social churn—from urbanization to demographic change—gathered pace. This assessment, *Rethinking Public Institutions in India*, was published in 2017. It largely confirmed the findings of the earlier volume while focusing attention on previously unanalysed institutions.¹⁶

While the approach of these twin volumes was novel, it was also decidedly quiet on matters of security. With the exception of one chapter on the police in the original 2005 volume and a chapter on accountability agencies (such as the Central Bureau of Investigation, or CBI) in the newer volume, questions of security were excluded. This was a concerted choice made by the editors to keep their examination focused and relatively narrow in scope.

With the passage of time, this gap in our understanding of India's security architecture has become ever more pronounced. After all, India's security matrix is no less deserving of the attention of serious scholarship than its civilian counterparts. This volume, therefore, is an attempt to address this shortcoming at a time when India's security agencies are being asked to take on more responsibilities than ever before.

While many of India's security institutions have gained public trust and forged a reputation for operational excellence, nearly all face governance challenges that—if left unaddressed—could undermine their long-term effectiveness. These challenges vary, but even a cursory glance at news headlines lays bare their centrality to guaranteeing India's ability to safeguard its territory at home and secure its objectives abroad.

If, as the saying goes, personnel is policy, then India's security institutions leave much to be desired. According to government data, the Indian

Army lacks nearly 7,500 officer-rank personnel out of 50,000 sanctioned positions. In percentage terms, a similar shortfall bedevils the Indian Navy; a smaller, but still substantial, share of Indian Air Force (IAF) officer positions sit vacant. Roughly one-fifth of police positions across the country lie empty, with especially severe gaps in large, populous states such as Uttar Pradesh and West Bengal, which also face numerous security challenges. 18

The paucity of basic capacity in infrastructure, too, plagues the ability of troops to protect India's high-altitude border with China as the two countries tussle along the Line of Actual Control (LAC). For long, substandard roads, the absence of mobile connectivity, and the dearth of supporting civic amenities have hamstrung Indian government efforts to deploy and sustain forces in the region.¹⁹ These infrastructure challenges extend to high-value assets as well. As India contemplates the prospects of waging a two-front war against both China and Pakistan, defence analysts question whether the IAF's shrinking fleet has the capacity to do so. As Sushant Singh writes, the IAF currently possesses 30 squadrons of fighter jets at a time when top officials in the services state that the force requires a bare minimum of 42 squadrons to sustain a two-front conflict.²⁰

One could easily chalk up shortfalls in human and physical capital to resource shortages. After all, India remains an extremely poor country and a recent slowdown in economic growth, compounded by the COVID-19 pandemic, has strained the country's fiscal coffers. There is much truth to this argument, but non-material factors play a contributing role as well. For instance, in most states, civilian police continue to suffer from pervasive political interference as elected authorities in state capitals prioritize political point-scoring over law enforcement and community policing. This creates a recruitment challenge as potential officers interested in serving the public realize that, in order to survive in the force, they must take orders from elected representatives rather than respond to the needs of local residents. The absence of any semblance of work–life balance and limited prospects for upward advancement for most rank-and-file officers only compound matters. ²²

On the defence front, incessant red tape and bureaucratic procedure have long hampered military procurement. The License Raj era may have been ushered out with market-friendly reforms in the early 1990s, but defence contracting in India retains the hallmarks of India's labyrinthine bureaucracy. As one assessment notes, amendments to India's contracting procedures are notified more quickly than the Ministry of Defence can execute arms contracts.²³ India's Army Chief of Staff is on record lamenting that the rules and regulations governing defence acquisition have more in common with the Industrial Age than today's era of big data and rapid technological advancement.²⁴

India's intelligence agencies continue to be a black box, even to many in the upper echelons of government. The paucity of officers with specialized expertise (from language to technology to finance) has been a constant source of anxiety for the country's intelligence chiefs. But little is known about the true nature of the agencies' capacity challenges due to the lack of scrutiny they face from both the public and Parliament. While clandestine operations must be, by definition, kept secret, some have argued that opacity has allowed the intelligence community to function without any modicum of oversight and accountability—thwarting the national interest.²⁵ Such concerns reached a crescendo with the explosive allegations levelled by the Canadian government that Indian intelligence agents assassinated a Canadian Sikh separatist leader on Canadian soil in the summer of 2023.

Coverage of the Book

The ultimate aim of this volume is to introduce the institutions responsible for maintaining and upholding India's internal and external security policy. There is no obvious or commonly accepted set of institutions that merit inclusion in a volume like this. Therefore, we concede that a degree of subjectivity exists in deciding which institutions to cover and which to exclude from our analyses. However, the selection of institutions in these pages is premised on a framework in which we classify security institutions under four headings.

The first category is the armed forces, represented here by the three major service branches: the Indian Army, Navy, and Air Force. The second category covers the intelligence apparatus, represented here by India's two leading intelligence agencies—the Research and Analysis Wing (R&AW) and the Intelligence Bureau (IB). The third category

comprises institutions responsible for internal and border security. These include the Central Paramilitary Forces (such as the Central Reserve Police Force, or CRPF); counter-insurgency forces like the Assam Rifles and Rashtriya Rifles; and border-guarding forces including the Indo-Tibetan Border Police (ITBP), the Sashastra Seema Bal (SSB), and the Border Security Force (BSF). The fourth and final category can be considered a subset of police and investigative agencies focused on internal security. It includes the civilian police, the National Investigation Agency (NIA), and the Central Bureau of Investigation (CBI).

The aim of each chapter is to explain to the reader the role of a given institution in the maintenance of India's security. Each analysis focuses on four common issues: (1) raison d'état, or the institution's core objectives and the environment in which it operates; (2) organizational structure; (3) personnel issues; and (4) performance and reform.

Each chapter begins with a clear statement of the agency's core objectives in addition to the history and context necessary to explain how and why it was established. Since the volume is focused on the organizational foundation of institutions, each chapter describes the agency's internal structure. All of the agencies under study here have been given certain powers that are exercised through the organization's internal procedures and protocols. Our aim is to provide a detailed understanding of how the organization works in the day-to-day exercise of its powers.

All institutions are ultimately comprised of individuals, so chapters devote significant attention to how institutions recruit and manage talent—exploring both the method of entry as well as what happens to individuals once they have been selected into service. Where relevant, chapters also discuss the state of internal and external accountability mechanisms (for instance, to the public, Parliament, or an executive ministry). Finally, each chapter discusses the key vectors for institutional reform. In many instances, there are emerging policy, legal, or institutional issues that are hotly debated and which are central to ongoing reform efforts.

Key Themes

Any book of this breadth and depth will contain numerous cross-cutting themes, complicating efforts to extract a targeted list of key takeaways. Be

that as it may, this section attempts to shed light on five particularly important themes from these chapters. While these in no way do justice to the granularity of the analyses in this collection, they do suggest several areas deserving of sustained policy attention.

Personnel Shortcomings

The Indian state is regularly pilloried for being too large and too invasive. While this is certainly true in procedural terms, it misrepresents the personnel realities of most state organs, which are plagued by endemic vacancies. The security domain is no exception to this rule.

As Anirudh Deshpande points out in his chapter on the Border Security Force (Chapter 8), effective personnel management has been a constant challenge for the BSF. The force's increased responsibilities—coupled with difficult working conditions and a constantly evolving operational environment—have led to serious attrition in its ranks. Many BSF personnel have chosen to resign their commissions or have opted for early retirement, further increasing burdens on recruitment. Unfortunately, the force has not consistently attained its recruiting targets, leading to a double-digit vacancy rate that has adversely impacted its operational effectiveness.

India's premier investigative agencies—the CBI and NIA—have not fared much better in this regard. As N.R. Wasan notes in Chapter 11, a paucity of trained personnel has severely limited the CBI's performance. To address these vacancies, which are most acute at senior levels but present across the organizational chart, the agency has taken to recruiting officers from the Central Armed Police Forces. While this may be an obvious short-term fix, it has led to deeper problems as these officers are neither trained nor equipped to handle the country's most complex investigations. The situation facing the NIA is scarcely different, harming both agencies' reputation for integrity and competence.

Perhaps no institution in India has earned a reputation for being starved of human and financial resources more than the police. Vacancies in state police forces, briefly described earlier and further analysed by Vineet Kapoor and Akshay Mangla in Chapter 10, confirm the general impression that the police resemble a moth-eaten institution. Vacancies

are rife up and down the hierarchy, and state-based quotas for historically disadvantaged communities are regularly unmet. Difficult working conditions, irregular working hours and days off, and shortages in personnel ranging from forensic specialists to patrol cops exacerbate the police's well-documented travails with corruption, abuse, and political meddling.

As far as India's security institutions are concerned, human resource difficulties do not stop with recruitment alone. They also pertain to weaknesses in training, professional development, internal mobility, and job satisfaction. For instance, in Chapter 5, Praveen Swami argues that the lack of competent instructors compounded by consistent resource shortages has prevented the IB's new training facility in New Delhi from turning out enough recruits to cover organic attrition. In extreme instances, dissatisfaction and poor morale can be fatal. Deshpande notes that, between 2015 and 2018, more than 120 BSF jawans committed suicide while on the job. Career stagnation, rising stress levels, and declining motivation have been cited as contributing factors to a growing number of mental-health challenges in the ranks.

Institutional Rivalries

Another common theme across the institutions under study is the development of institutional rivalries. As the complexity of India's security challenges have grown, so too have the number and mandates of India's security institutions. As one might expect, this has led to institutional rivalries that have undermined the effectiveness of the state's security apparatus.

For instance, many military experts have raised questions about the viability of large, expensive aircraft carriers in modern warfare. However, Atul Bhardwaj's examination of the Indian Navy in Chapter 2 highlights the fact that the navy is leery to revisit the centrality of carriers given its inter-service rivalry with the IAF. As the author argues, a carrier-less navy would end the service's monopoly on marine aviation, potentially shifting greater budgetary resources to the IAF. In a world of scarce resources and debates about the trade-offs between 'guns and butter', such competition quickly becomes zero-sum.

Ayesha Ray's chapter on the Indian Army (Chapter 1) also notes that inter-service rivalries have damaged even the best-laid plans for 'jointness' and collaboration across services. Rahul Bhatia and Shibani Mehta's examination of the IAF in Chapter 3 echoes this sentiment, noting that inter-service rivalry—along with tensions between senior officials and the lack of joint institutional structures—has resulted in the IAF and the Indian Army working at cross-purposes, not least during the tense days of the 1999 Kargil War with Pakistan. Civilian leaders at the Ministry of Defence, Ray notes, are also implicated in this disjointedness insofar as they are wary of yielding powers to the uniformed services.

Inter-service rivalries are not limited to the armed forces; on the contrary, they are widespread in the internal security domain. In Chapter 9, Raghuveer Nidumolu and Srinath Raghavan detail the tensions that have arisen between the counter-insurgency-oriented Rashtriya Rifles and other security and border forces. The authors recall that during the Kargil War, the BSF refused to serve under the Rashtriya Rifles because doing so would make it subordinate to a peer security/paramilitary organization—even though the Rashtriya Rifles are a modified infantry formation of the Indian Army, rather than an organ of the Ministry of Home Affairs (MHA). When policymakers raised the prospect of creating a force dedicated to countering militancy in Jammu and Kashmir, the MHA questioned whether such a force was required, given the endemic nature of the conflict in that border state.

Irrespective of the domain in question, it is rarely clear where one agency's remit begins and another's ends. Thus, agencies with overlapping mandates are incentivized to protect their perceived turf from their government peers. In the case of the intelligence and investigative agencies, Praveen Swami writes in Chapter 5 that the amorphous domestic security role of the IB has meant that it too often competes, rather than collaborates, with the NIA on high-profile counterterrorism cases. These divisions not only poison the working relationship between these agencies, but they also filter down to the police forces they partner with on the ground.

Critical Junctures

It is remarkable how many of India's leading security institutions were either borne of, or greatly upended by, India's humiliating defeat at the hands of the Chinese in the Sino-Indian War of 1962. The war served as

a critical juncture, motivating India's political leadership to prioritize investments in the security establishment. However, the response to exogenous forces was hurried and lacked strategic planning. As a result, many of the decisions made six decades ago have created path-dependent realities that do not align with current policy objectives.

In Chapter 8, Deshpande notes how the establishment of the BSF was a direct consequence of inadequate border policing laid bare by the Sino-Indian War and subsequent border crises between 1962 and 1965. When the Pakistanis began making incursions into Indian territory in early 1965, both state police and CRPF soldiers failed to repel their advances. The government eventually deployed the army, which managed to stabilize the situation, but policymakers quickly realized the need for a dedicated border security force.

Similarly, in Chapter 7, Jabin Jacob explains that both the ITBP and the SSB trace their roots to the same period: the ITBP was set up days after the 1962 conflict commenced, while the SSB was founded the following year. While they were initially created as paramilitary units to protect the border with China, both agencies have experienced a degree of mission creep over time. As Jacob notes, the ITBP was conceptualized as a hybrid organization combining guerilla warfare capabilities with reconnaissance and intelligence collection. However, necessity has forced it to support civilian administrations in conflict-prone areas, expanding its narrow writ of border protection to include domestic conflict management. By the late 1970s, it had morphed into a traditional border protection outfit. The SSB's mandate, meanwhile, has also evolved. In 2001, the SSB transitioned its focus to India's mountainous borders with Bhutan and Nepal.

The 1962 and 1965 conflicts also inspired the government to stand up the R&AW as India's principal external intelligence agency, argue Shreyas Shende Rudra Chaudhuri in Chapter 4. While the IB was a veteran organization with deep colonial roots, the war with China exposed many of its capacity gaps—as Swami notes in Chapter 5—leading officials to press for new investments in its analytical and intelligence-gathering capacity.

Questions about Legal Status

The legal and constitutional bases of many Indian security institutions remain open questions—which is especially surprising given their

longevity. Uncertainty about an institution's legal foundation not only raises questions about the legality of their actions, but also makes accountability and norm-setting more challenging.

The CBI provides a stunning example of this. As Wasan explains in Chapter 11, the British colonial government created the Special Police Establishment in 1941 as a centralized anti-corruption body. In 1946, this organization mutated into the Delhi Special Police Establishment (DSPE) and was given statutory status. Given the expansion of corruption and subsequent increase in anti-corruption investigations in the 1950s and 1960s, the government established the CBI via executive order in 1963, subsuming the erstwhile DSPE as one of its subordinate components. However, the CBI itself was never given formal legal authorization, despite repeated urgings from Parliament. This narrative became an outright farce when the Gauhati High Court ruled the original 1963 resolution setting up the CBI unconstitutional. According to the court, the CBI was not part of the DSPE under the DSPE Act—a ruling the central government challenged. The Supreme Court stayed the high court judgment, allowing the CBI to continue its operations, but the matter is still pending—leaving the body's legal basis in a semi-permanent state of purgatory.

The R&AW, Shende and Chaudhuri remind us, also has no explicit constitutional authorization. In fact, the protagonists responsible for establishing the agency worked assiduously to ensure that the body remain free from oversight and external scrutiny. As a result, virtually nothing is known about the operations of the R&AW, even among those in Parliament and the judiciary. In the authors' words, there is simply no 'institutional bridge' between the agency and the general public. Like its external counterpart, the IB too functions in the shadows. The agency, writes Swami, also has no clear legal authorization—a deficiency he believes is largely responsible for its uncontrolled use by the political executive.

Absence of Oversight

As the previous discussion makes clear, the absence of legal authorization inhibits accountability and transparency in the security sector. But the lack of external oversight is a more common malady. Staniland notes in his discussion of India's central paramilitary forces (Chapter 6) that

these forces come under the MHA, a notoriously difficult central ministry to penetrate. As the author notes, many of the ministry's operating domains are kept under wraps and successive central governments and ministry functionaries have endeavored to keep it that way. This strategy gives the government in power wide latitude in planning and conducting counter-insurgency operations, border management, and the repression (and/or cooptation) of local actors. Although the MHA's budget has grown significantly in recent years, it still pales in comparison to the defence budget. Staniland posits that this disparity has allowed the MHA to operate with far less scrutiny.

Wasan is even more pointed in his discussion of oversight over the CBI (Chapter 11). He writes that, as far as the CBI is concerned, '[e]xternal accountability via the power of superintendence—whether exercised by the CVC [Central Vigilance Commission] or by the central government—remains nothing more than an academic exercise of periodical review'. While the judiciary can, and sometimes does, hold the CBI accountable for abusing its authorities, the judiciary's own capacity shortfalls—delays, backlogs, and personnel shortages—seriously limit its ability to rein in the agency.

Not all attempts to exercise oversight have failed, however. Shende and Chaudhuri (Chapter 4) note that the establishment of the National Security Advisor (NSA) position during Prime Minister's Atal Behari Vajpayee government in late 1998 brought a modicum of political oversight to the otherwise direct, two-way line the R&AW maintained with the Prime Minister's Office. The head of the R&AW was now required to report to the Prime Minister through the NSA, whose hand was further bolstered by the establishment of the National Security Council Secretariat (NSCS). Suffice it to say, however, that the external intelligence agency has limited checks on its authority beyond the Prime Minister's Office.

Roadmap

What follows is a series of 11 institutional 'analytic narratives' on India's most central security institutions. Contributors have relied on

quantitative data, qualitative research (including interviews and archival work), and their own expertise to provide an accurate picture of the institutional foundations of India's security policy.

The remainder of the book proceeds in four parts. Part I examines the three branches of the armed services—namely, the Indian Army, Navy, and Air Force. Part II delves into the principal intelligence agencies, the R&AW and the IB. Part III looks at the domain of internal and border security, with chapters on the central paramilitary, counter-insurgency, and border security forces. Part IV explores the Indian police and key investigative agencies.

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Notes

- 1. Alyssa Ayres, *Our Time Has Come: How India is Making Its Place in the World* (New York: Oxford University Press, 2018).
- 2. Richard Fontaine and Daniel M. Kliman, "International Order and Global Swing States," *The Washington Quarterly* 36, no. 1 (January 2013): 93–109.
- 3. Ashley J. Tellis, "India as a Leading Power," Carnegie Endowment for International Peace Paper, April 4, 2016, https://carnegieendowment.org/files/CP_268_Tellis_India_final1.pdf.
- 4. Chietigi Bajpaee, "Dephasing India's Look East/Act East Policy," *Contemporary Southeast Asia* 39, no. 2 (August 2017): 348–72.
- Tanvi Madan, "India is Not Sitting on the Geopolitical Fence," War on the Rocks (blog), October 27, 2021, https://warontherocks.com/2021/10/india-is-not-sitt ing-on-the-geopolitical-fence/.
- Paul Staniland, "Political Violence in South Asia: The Triumph of the State?,"
 Carnegie Endowment for International Peace, September 3, 2020, https://carnegieendowment.org/2020/09/03/political-violence-in-south-asia-triumph-of-state-pub-82641.

- 7. Rahul Pandita, "Kashmir's New Insurgency," *OPEN* (October 22, 2021), https://openthemagazine.com/feature/kashmirs-new-insurgency/.
- 8. Yashovardhan Azad, "Maoism Remains India's Biggest Internal Security Threat," *Hindustan Times*, April 6, 2021, https://www.hindustantimes.com/opinion/maoism-remains-india-s-biggest-internal-security-threat-101617719120339.html.
- 9. Niranjan Sahoo, "Half a Century of India's Maoist Insurgency: An Appraisal of State Response," Observer Research Foundation Occasional Paper 198, June 2019, https://www.orfonline.org/research/half-a-century-of-indias-maoist-ins urgency-an-appraisal-of-state-response-51933/#_ednref108.
- 10. Staniland, "Political Violence in South Asia."
- 11. For instance, Kapur notes that, between 2006 and 2014, the personnel increase in the Ministry of Home Affairs (largely on account of CAPFs) was more than six times the net personnel increase across the entirety of the central government. See Devesh Kapur, "The Worrying Rise of Militarisation in India's Central Armed Police Forces," *ThePrint*, November 29, 2017, https://theprint.in/opinion/worry ing-rise-militarisation-indias-central-armed-police-forces/19132/.
- 12. Yamini Aiyar et al., *India's Path to Power: Strategy in a World Adrift* (New Delhi: Centre for Policy Research, 2021).
- 13. P.S. Raghavan, "The Evolution of India's National Security Architecture," *Journal of Defence Studies* 13, no. 3 (July–September 2019): 33–52.
- 14. A notable exception is Amit Ahuja and Devesh Kapur, eds., *Internal Security in India: Violence, Order, and the State* (New York: Oxford University Press, 2023).
- 15. Devesh Kapur and Pratap Bhanu Mehta, eds., *Public Institutions in India: Performance and Design* (New Delhi: Oxford University Press, 2005).
- 16. Devesh Kapur, Pratap Bhanu Mehta, and Milan Vaishnav, eds., *Rethinking Public Institutions in India* (New Delhi: Oxford University Press, 2017).
- 17. "78,291 Jobs Available in the Indian Armed Forces; 9,427 Officer Ranks Vacant," *Business Today*, July 1, 2019, https://www.businesstoday.in/jobs/story/78291-jobs-available-indian-armed-forces-9427-officer-ranks-vacant-212 457-2019-07-01.
- 18. Bureau of Police Research and Development, Ministry of Home Affairs, Government of India, *Data on Police Organisations* (New Delhi: Government of India, 2021).
- 19 Vikram Sharma, "Poor Infrastructure, Not the Enemy, Hampered Indian Army's Movement on LAC," *New Indian Express*, September 10, 2017, https://www.newindianexpress.com/thesundaystandard/2017/sep/10/poor-infrastructure-not-the-enemy-hampered-indian-armys-movement-on-lac-1654736.html.
- 20. Sushant Singh, "Can India Transcend its Two-Front Challenge?," *War on the Rocks* (blog), September 14, 2020, https://warontherocks.com/2020/09/can-india-transcend-its-two-front-challenge/.
- 21. Beatrice Jauregui, *Provisional Authority: Police, Order, and Security in India* (Chicago: University of Chicago Press, 2016).

- 22. Common Cause and Centre for the Study of Developing Societies, *Status of Policing in India Report, Volume 1, 2020–2021* (New Delhi: Common Cause and Lokniti-CSDS, 2021).
- 23. Angad Singh, "Indian Defence Procurement: Righting the Ship," Observer Research Foundation Issue Brief 43, February 2021, https://www.orfonline.org/wp-content/uploads/2021/02/ORF IssueBrief 443 DefenceProcurement.pdf.
- 24. "Army Chief on Transformation Imperatives for Indian Army in Coming Decades," *Bharat Shakti*, August 3, 2021, https://bharatshakti.in/army-chief-ontransformation-imperatives-for-indian-army-in-coming-decades/.
- 25. "Spooky Change: Intelligence Agencies Need Parliamentary Oversight. Let That Be the Post-Pegasus Consensus," *Times of India*, July 25, 2021, https://timesofindia.indiatimes.com/blogs/toi-editorials/spooky-change-intelligence-agencies-need-parliamentary-oversight-let-that-be-the-post-pegasus-consensus/.

