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# Nuclear Disarmament, Nonproliferation, and the “Credibility Thesis”

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# Nuclear Disarmament, Nonproliferation, and the “Credibility Thesis”

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It has become something of an article of faith in the arms control community that one of the reasons the world has not been able to rein in the proliferation of nuclear weaponry more effectively is that the five states authorized by the Nuclear Nonproliferation Treaty (NPT) to possess nuclear weapons—the NPT “nuclear weapons states,” or NWS—have not shown sufficient “credibility” on the issue of nuclear disarmament. The treaty, this argument goes, is founded upon three pillars: nonproliferation, disarmament, and a commitment to the peaceful uses of nuclear energy. Because the NWS have not taken their disarmament obligations under the NPT seriously enough, it is said, other countries find our entreaties to implement nonproliferation policies shallow and unpersuasive, and, not surprisingly, have not been fully cooperative in addressing proliferation challenges such as those presented by Iran and North Korea. We are told that if only Washington—and here the other four NWS are mentioned remarkably infrequently—would finally show real nuclear disarmament credibility, the international community would be much more willing to work together to enforce the NPT’s nonproliferation rules.

This assumption is repeated frequently enough that it has become an axiom of contemporary arms control debates—one of those unexamined suppositions from which numerous *other* lines of policy argumentation begin, and upon which their intellectual credibility rests. President Barack Obama, in remarks delivered on his behalf by Assistant Secretary of State Rose Gottemoeller to the 2009 NPT Preparatory Committee meeting at the United Nations last spring,<sup>1</sup> clearly predicated his approach to the NPT upon this “credibility thesis.” Demonstrating his apparent belief that the United States has not hitherto taken disarmament seriously enough, he described himself as now having finally committed the United States to “initial” steps towards “a world free of nuclear weapons.” With these steps, the president declared, “we will strengthen the pillars of the NPT and restore confidence in its credibility and effectiveness.” To be sure, Obama did not *neglect* to mention the grave nonproliferation challenges facing the treaty regime today, but the centerpiece of his administration’s approach to nonproliferation—which he stressed in his message to the NPT delegations assembled at the UN—is to emphasize his seriousness about disarmament.

As Obama’s remarks indicate, this disarmament-focused approach is justified, in part, instrumentally: through the argument that only by focusing more upon restoring disarmament credibility will we be able to elicit serious cooperation from other countries in achieving nonproliferation goals. This credibility thesis is worth examining carefully, however, because it might not actually be true.

The thesis rests upon two central assumptions. First, it explicitly assumes that the commitment of the NWS to the ideal of disarmament lacks credibility, and implicitly assumes that the United States is both the most important locus of the problem and the key to its resolution. Second, it assumes that if this disarmament “credibility gap” is

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<sup>1</sup> Rose Gottemoeller, on behalf of President Barack Obama, “Opening Statement at the Third Session of the Preparatory Committee for the 2010 Nuclear Non-proliferation Treaty Review Conference” (United Nations, New York, NY, May 5, 2009), p. 1, <http://www.state.gov/t/vci/rls/122672.htm>.

closed, it will be possible to meet today's proliferation threats much more effectively and with a much wider base of diplomatic support. Both prongs of the argument are questionable, and each will be discussed in the following pages.

### I. *Who Lacks Credibility? And of What Sort?*

It is not wrong to argue that the NPT lacks credibility today. It is remarkable, however, to suggest that the so-called "pillar" of disarmament is where the principal problem lies. Given that there are now scores of thousands *fewer* nuclear weapons in the world than when the NPT was opened for signature, one might infer that the treaty is doing extremely well in other respects if disarmament is the first problem our president finds worth mentioning when discussing how to restore the NPT's "credibility and effectiveness."

Unfortunately, such an inference would be mistaken. Iran is, of course, presently rushing to acquire the capability to produce fissile material usable in nuclear weapons, in violation of multiple legally binding UN Security Council resolutions, while stonewalling the efforts of the International Atomic Energy Agency (IAEA) to investigate evidence of its work on nuclear weaponization.<sup>2</sup> North Korea recently announced its *second* test of nuclear weapons, which it apparently developed while still an NPT state party. Syria also continues to block IAEA investigations into its secret nuclear activity,<sup>3</sup> while as yet unexplained particles of highly enriched uranium have been found even in Egypt. The nuclear nonproliferation regime has not exactly impressed with its rapid and effective resolution of these issues, and in some regards seems intent upon actually *worsening* the nonproliferation challenges facing the international community. After all, a growing number of states party have expressed interest in developing for themselves the fissile material production capabilities necessary to permit them the easy technical "option" of nuclear weapons development—and claim to be doing so with the blessing of the NPT.

The supposition that it is somehow *disarmament* credibility that lies at the center of today's NPT problems seems rather hard to sustain in light of this shatteringly obvious crisis of nonproliferation credibility. It is not clear to me exactly how grave a disarmament credibility problem would have to be in order to displace today's *nonproliferation* crisis as the first order of business for the nonproliferation regime, except that such disarmament difficulties would have to be vastly more grave than they actually are.

Just how non-"credible" *are* the NWS disarmament commitments, and where, precisely, does any problem in this regard really lie? One must begin here with an understanding of just what the NPT does (and does not) require with respect to

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<sup>2</sup> See, for example, IAEA, *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008) in the Islamic Republic of Iran* (GOV/2009/55, August 28, 2009), paragraphs 18–25.

<sup>3</sup> See, for example, IAEA, *Implementation of the NPT Safeguards Agreement in the Syrian Arab Republic* (GOV/2009/36, June 5, 2009).

disarmament. Under Article VI of the treaty, all states party are obliged to do no more than pursue “negotiations in good faith” toward disarmament. With respect to both the clarity of its legal obligation and the specificity of the conduct described, this provision certainly pales in comparison to the nonproliferation rules of Articles I and II that form the core—rather than just one coequal “pillar”—of the NPT. Nevertheless, the arms control community commonly asserts that lawyerly details, such as the text and negotiating history of the treaty with respect to disarmament,<sup>4</sup> do not matter too much; what counts instead is the purported “political” bargain behind the NPT, pursuant to which concrete and specific disarmament progress is the sine qua non of achieving multilateral cooperation against the proliferation of nuclear weapons.

With those who claim there is such a bargain, it is often useful to press for specific evidence, since they usually assert that the bargain was merely “understood,” or *privately* promised by the NWS during the debates that led up to the NPT’s indefinite extension in 1995.<sup>5</sup> Nevertheless, even assuming the existence of such a political bargain for concrete disarmament progress, is there any reason to think that the NWS lack disarmament credibility? And if the NWS do lack this credibility, is there any reliable basis for identifying the United States as the key to a solution?

When the NPT was opened for signature, the United States had just passed its Cold War peak of some 32,500 nuclear weapons. Its geopolitical rival, the Soviet Union, was still building up its arsenal, which would, according to some sources, reach 36,300 by about 1980. For the first twenty years of the NPT’s existence, the United States slowly reduced the size of its nuclear forces, but retained an enormous arsenal on account of its strategic competition with the USSR. After the Cold War ended in 1991, however—and in fact, even beforehand, with the Intermediate-range Nuclear Forces (INF) Treaty of 1987—both the United States and Russia embarked upon dramatic programs of nuclear reductions, partly through negotiated instruments such as the Strategic Arms Reduction Treaty (START), and partly unilaterally. Many thousands of warheads have thus been removed from service and subjected to ongoing dismantlement campaigns, which were actually accelerated in the middle years of this decade; hundreds of tons of fissile materials have been removed from weapons stocks; and hundreds of delivery systems have been eliminated. Pursuant to the Moscow Treaty that President Bush signed in 2002, by 2012, each party will possess only 1,700–2,200 operationally deployed warheads. Thus far have the nuclear superpowers reduced their arsenals without, apparently,

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<sup>4</sup> Readers who are interested in such trivia are encouraged to consult this author’s prior analysis of the subject. See Christopher A. Ford, “Debating Disarmament: Interpreting Article VI of the Treaty on the Non-proliferation of Nuclear Weapons,” *Nonproliferation Review* 14, no. 3 (November 2007): 402.

<sup>5</sup> It is also worth remembering what such a political “bargain” could *not* have said. It could not have said that non-nuclear weapons states are *allowed* to develop nuclear weapons no matter *how* “unserious” the NWS turned out to be about disarmament. The nonproliferation obligations of the NPT are clear and unequivocal, and no post hoc political understanding can change this treaty law. To pretend that some failure to pursue with sufficient vigor the disarmament goals articulated in the treaty provides any excuse for proliferation is to express contempt for the NPT in both text and spirit.

acquiring any disarmament credibility in the eyes of the disarmament community or adherents of the credibility thesis.

It is true that these amazing post–Cold War reductions by the United States and Russia were not made specifically *because* of the NPT’s Article VI, but rather because the leaders of both powers felt that once their relationship had lost its structural hostility, enormous numbers of nuclear weapons were no longer needed, and reductions were in the national security interests of both. For some reason, this is a bone of contention in disarmament circles. On separate occasions, I have had both a senior UN disarmament official and a prominent African government arms control expert argue to me—apparently in complete seriousness—that because they were motivated by strategic interest, U.S. and Russian post–Cold War nuclear weapons reductions “don’t count” as *true* disarmament and do not provide disarmament credibility. Such bizarre arguments, however, can be ignored; friends of disarmament should rejoice, not complain, when nuclear weapons possessors find it to be in their strategic interest to take further disarmament steps.<sup>6</sup>

It is also true that there remains little immediate prospect of a nuclear zero. This is a more serious objection, for even friendly governments in NPT fora commonly make the argument that despite the “impressive” reductions undertaken to date by the United States and Russia, “more is needed.” This argument clearly cannot mean that the NWS must actually get rid of all their nuclear weapons before other states party will cooperate in preventing *others* from acquiring such devices. (Whatever “bargain” was supposedly reached, irrespective of the actual text of the NPT, we can be confident that *these* were not its terms.) All such arguments can mean, in the context of the credibility thesis, is simply that the NWS need to do *more* than they have hitherto done. While one could certainly make a case that more is needed, how intellectually defensible is the position that the disarmament record of the NWS today lacks credibility at a time when the nuclear superpowers have just returned to low arsenal levels unseen since the mid-1950s? And even if the NWS somehow *collectively* still lack sufficient seriousness about abolition, where does the real problem lie?

Inconveniently for proponents of the credibility thesis, the truth seems to be that the United States has, for some time, been arguably the *most* serious about disarmament of the five NPT nuclear weapons states—or at least, perhaps more accurately, the *least* serious of the five about its nuclear weaponry. After all, the United States today is the only NWS that is *not* building new and more modern strategic nuclear delivery systems or new nuclear weapons. The British, French, Russians, and Chinese are all building new ballistic missile submarines, while the Russians and Chinese are also building new land-based mobile missiles. The Russians are working hard on new warhead designs, apparently in part through the use of secret low-yield nuclear testing, in violation of their own proclaimed testing moratorium, and have developed a chillingly nuclear-friendly strategic doctrine that envisions the early and liberal use of nuclear weaponry (including

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<sup>6</sup> The alternative, after all, might be fatal to the cause of disarmament: it would be perverse indeed to insist that in order to achieve “real” disarmament, countries must relinquish nuclear weapons only when doing so would be *against* their national interests. Who would agree to such terms?

so-called “tactical” devices) in a range of warfighting scenarios, by no means limited to situations of nuclear threat or attack. China, for its part, despite decades of disarmament rhetoric, may also be conducting such secret low-yield tests, and is certainly—and uniquely, among the five—*increasing* the overall size of its nuclear arsenal. Even the ostentatiously disarmament-friendly British, in addition to building their new class of ballistic missile submarines, will likely soon need to build new warheads to tip the missiles they will deploy aboard these new vessels.

Yet Washington has now abandoned its plans even to *study* the *possibility* of replacing existing warheads with a new model designed not to need underground nuclear testing, and has stopped its program to build a follow-on to the B-2 Spirit (a.k.a. “Stealth”) bomber. The United States is also the only power in the world to have a credible chance of replacing with sophisticated long-range conventional capabilities many missions that could previously only be accomplished with the relatively crude hammer blow of a nuclear weapon. Washington has for some years gradually been *reducing*, rather than increasing, the salience of nuclear weapons in its strategic posture.<sup>7</sup> The United States’ continued possession of a sizeable (if shrinking) arsenal should not blind observers to the remarkable degree to which nuclear weaponry is no longer particularly relevant in U.S. thinking, and to which the United States seems ever more *uninterested* in its own nuclear capabilities.

One frequently hears it argued that because the United States invented and first used nuclear weapons, it bears a “special responsibility” for “leading by example” in bringing about their abolition. This is, for instance, the professed view of President Obama himself, who proclaimed in Prague not long ago that “as a nuclear power, as the only nuclear power to have used a nuclear weapon, the United States has a moral responsibility to act.”<sup>8</sup> That may be so, though how far it is both morally appropriate and strategically sensible for America to go *by itself* will surely be the subject of much debate. Even if one accepts this argument, however, how far out in front the United States happens to be bears no necessary relationship to whether the disarmament process as a whole has credibility. (Indeed, one could imagine making the argument that the more the United States has to be in the vanguard, the *less* credible the disarmament process should be considered as a whole. The easiest way for one to get in front, after all, is for other parties to stand still or walk backwards—as, for instance, Russia and China are presently doing by further entrenching their reliance upon nuclear weaponry.)

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<sup>7</sup> True, the United States several years ago considered the possibility of building one or more new types of nuclear weapon better suited to contemporary proliferation threats than existing “legacy” systems from the Cold War. Members of the disarmament community, however, vociferously attacked the proposition that such tailoring might be a further opportunity for U.S. *reductions* – despite the fact that this proposition was quite true, and that they seem to have accepted the same argument from Russia with hardly a whimper. (In any case, the Obama administration has apparently now abandoned the idea of any such new U.S. weapons.)

<sup>8</sup> Barack Obama (remarks, Hradcany Square, Prague, Czech Republic, April 5, 2009), [http://www.whitehouse.gov/the\\_press\\_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/](http://www.whitehouse.gov/the_press_office/Remarks-By-President-Barack-Obama-In-Prague-As-Delivered/).

In any event, if there *is* a credibility problem in the disarmament field, it seems clearly *not* to be a problem of U.S. policy, nor does it seem very likely to be a problem that can be *cured* by an American vanguard role. This is because some of the same sophisticated conventional strike capabilities that are making the United States *more* willing to contemplate further nuclear weapons reductions seem to be making Russia and China—not to mention other possessors or would-be possessors, such as North Korea and Iran—*more* attached to the idea of nuclear weaponry than ever. As outlined above, moreover, the United States is *already* playing a notable vanguard role in nuclear disarmament, and has done so for years, by cutting its nuclear arsenal dramatically during the four presidential administrations before President Obama. Where, one might ask, is the credibility-derived “payoff” in nonproliferation cooperation for U.S. progress and leadership in this field to date? And what reason do we have to believe, in its absence, that such a payoff will materialize in the future?

## II. *Disarmament as the Catalyst for Nonproliferation*

As noted earlier, the second prong of the credibility thesis assumes that if the disarmament credibility gap were “finally” closed, it would be possible to meet today’s proliferation threats much more effectively and with a much wider base of diplomatic support. Yet this conclusion is questionable. To be sure, it is *possible* that this contention could still turn out to be true. Little, if any, evidence supports the claim, however, and the history of the post–Cold War period to date actually suggests its falsity. Under the circumstances, therefore, to base one’s strategic policy upon this supposition would be, to put it charitably, a gamble. Let us examine this question more closely.

The postulated “catalytic effect” of disarmament progress in support of nonproliferation policy is usually described as being an indirect effect, and rightly so. With good reason, few people seriously argue that countries such as Iran and North Korea seek nuclear weapons simply because the United States or other NWS possess such devices themselves, and that proliferators’ interest in such devices would accordingly diminish if only the United States reduced its arsenal further. It is sometimes alleged in disarmament circles that NWS possession of nuclear weapons, merely by making them “legitimate,” encourages proliferation. At some level of abstraction, it may indeed be that some leaders still feel that nuclear weapons convey a vague prestige in international affairs. (This may be one of the reasons, for instance, that France seems so palpably uncomfortable discussing disarmament.)

There is no evidence, however, that NWS possession is in any meaningful way a “driver” for the proliferation decisions of regimes such as North Korea and Iran—states which, after all, accelerated their nuclear weapons work during precisely the period that post–Cold War superpower arsenals were most precipitously declining. Quite to the contrary, it seems to be not great power *nuclear* but *conventional* forces that these regimes fear most—and against which they seek nuclear explosives as a deterrent. Third parties may sometimes cite continued nuclear weapons possession by the NWS as an excuse to avoid the costs and inconveniences of serious nonproliferation policy, but on

available information, such possession seems essentially irrelevant in the decision making of the proliferators themselves.

Consequently, the usual argument in support of the credibility thesis is that *third parties* will become more willing to bear burdens in support of vigorous nonproliferation policies against countries such as Iran and North Korea if only we stop offending and alienating them by dragging our feet on disarmament. How plausible is this claim?

The evidence in support of this “catalytic” prong of the credibility thesis is not encouraging. Does nuclear weapons possession impede nonproliferation, and do reductions increase multilateral support for vigorous nonproliferation policies? If this is so, it is a well-kept secret. The NPT itself was negotiated, opened for signature, and entered into force in a Cold War environment in which the nuclear arsenals of the United States and the USSR were staggeringly huge—indeed, in the Soviet case, still growing for years after the treaty entered into force—and in which there was no immediate prospect of this arms race ending, much less of massive numerical reductions taking place. During the nuclear standoff of the Cold War, moreover, multiple countries were persuaded by various means to *abandon* nuclear weapons development efforts. Whereas many analysts in the 1960s had projected a terrifying cascade of proliferation, by the end of the Cold War the most striking thing about the nonproliferation environment was not the proliferation that *had* occurred (for example, to India) but the proliferation that had *not*. Whatever alchemy lay behind this relative success, the nonproliferation regime performed with a degree of respectability—and against the backdrop of enormous superpower nuclear arsenals and a fierce numerical and technological nuclear arms race between Washington and Moscow.

But what happened after the end of the Cold War, when the number of nuclear weapons held by the superpowers—and most of the other NWS, excepting China—finally started to fall, and to fall dramatically? To be sure, the transition out of the Cold War saw some resounding nonproliferation successes. Faced with the prospect of imminent regime change, South Africa’s white Afrikaaner leadership decided to abandon that county’s nuclear weapons program. Iraq’s nuclear weapons effort was smashed by American bombs in 1991, and its resurgence stifled by a stringent regime of sanctions and international arms inspections. Furthermore, while Ukraine, Belarus, and Kazakhstan inherited nuclear weapons upon the breakup of the Soviet Union, they were quickly cajoled into relinquishing them. These were nonproliferation successes indeed.

When it comes to reining in nuclear weapons development work actually undertaken in the post-Cold War era, however, the international community has been singularly *unsuccessful*. The sole exception to this conclusion has been Libya, whose mercurial leader was apparently sufficiently spooked by the U.S. decision in 2003 to invade Iraq on the grounds that it had weapons of mass destruction (WMD) that he decided to put his own illicit programs on the table in secret negotiations with the United States and Britain. India and Pakistan, however, both conducted nuclear tests in 1998, openly inaugurating a tense new age of nuclear rivalry on the subcontinent. (Neither country is or was a state party to the NPT, so one cannot describe their nuclear weapons

programs as unlawful. This, however, makes them no less troubling a part of the eruption of proliferation challenges in the post–Cold War era.) Iran accelerated its nuclear weapons development work during the 1990s with secret programs to develop both uranium enrichment and plutonium reprocessing, and it pressed ahead with these efforts even after these programs were embarrassingly revealed in the media in August 2002.

North Korea also accelerated its nuclear weapons work after the end of the Cold War. It separated plutonium from its reactor at Yongbyon for the manufacture of implosion weapons, then pursued uranium enrichment while the United States pretended it had solved the North Korean proliferation problem by bribing Pyongyang with two nuclear reactors merely to stop plutonium production. When this uranium program came to light, North Korea resumed its plutonium work as well, subsequently announcing two separate nuclear weapons tests, while provocatively pursuing new ballistic missile technology for the delivery of such devices. Soon, Syria was apparently secretly building a nuclear reactor with North Korean assistance.<sup>9</sup> Secretary of State Hillary Clinton is reported even to have begun warning her counterparts about possible North Korean nuclear support for the military junta in Burma.

In the face of these challenges, the international community has done shockingly little. North Korea’s expulsion of IAEA inspectors was quickly referred to the UN Security Council, but Russia and China blocked further action there by the use or threat of their veto privileges. The United States managed to organize a six-party diplomatic process of regional actors in pursuit of a negotiated solution, but after many frustrating years and a continuing series of diplomatic concessions to the North Koreans, this, too, has come to naught, given Pyongyang’s refusal to honor even the few promises it was willing to make during the course of the talks.

Once Iran’s secret enrichment and reprocessing program was revealed to the public in August 2003, momentum seemed to be building for a Security Council referral, but this effort was quickly undercut by a concessionary side deal that Britain, France, and Germany cut with Iran. (This deal produced only a “suspension” agreement, which Tehran appears never to have honored, but which nonetheless succeeded in enticing these governments to derail American efforts to involve the council.) Iran’s unchecked pursuit of the capability to produce fissile materials usable in nuclear weapons exhausted even the Europeans’ capacious patience, but the issue was not reported to the Security Council until 2006. Mild sanctions were then imposed upon Iran, but Russia and China opposed tougher measures, and these penalties have had no apparent effect in arresting Iran’s nuclear ambitions. Meanwhile, IAEA Director Mohammed ElBaradei—though conceding that Iran has been seeking the technology that would allow it to build nuclear weapons<sup>10</sup>—bizarrely described himself not as a nuclear truth-teller devoted to

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<sup>9</sup> The Syrian reactor project ended in 2007—thanks to Israeli bombs, rather than to the strictures of the NPT—but it is not clear whether Syria’s illicit program has ceased. As noted earlier, highly enriched uranium particles have been found elsewhere in the country, and Damascus continues to stonewall IAEA inspectors’ efforts to investigate these issues.

<sup>10</sup> See Mark Heinrich and Sylvia Westall, “Iran Seeking Nuclear Weapons Technology: ElBaradei,” *Reuters*, June 17, 2009.

discovering and reporting safeguards violations, but rather as a “secular pope” whose job it was to protect Iran from “crazies” who might use (accurate) information about Tehran’s nuclear ambitions as an excuse for war.<sup>11</sup>

Strikingly, these various proliferation challenges—and the sad and all-too-often willful limpness of the international community’s response—all took place during a period of extraordinary nuclear weapons reductions by the United States and Russia. These reductions have already been described, but the point bears re-emphasizing: *These problems with proliferation, and an international community unwilling to address them effectively, occurred when the nuclear superpowers were making massive and unprecedented reductions in their nuclear weapons holdings.* What does this tell us about the purported link between disarmament credibility and the international community’s willingness to bear burdens in support of nonproliferation?

To put it gently, the historical record offers little support for the credibility thesis. (If anything, it could be said to point in the *opposite* direction. While one should certainly always be careful about asserting a causal connection between succeeding events, it is certainly possible to imagine skeptics advancing a counter-argument—with at least as much facial plausibility—that this history suggests that the interests of nonproliferation might be better served by the *maintenance* of robust superpower arsenals!) Under the circumstances, what is perhaps most remarkable about the credibility thesis is that anyone dares to advance it at all.

As a matter of logic, to be sure, the apparent correlation in the historical record—first between high superpower nuclear armament levels and modest nonproliferation success, and then between falling armament levels and striking nonproliferation ineffectiveness—does not necessarily invalidate the credibility thesis. But it certainly means that we should demand evidence from its supporters that there would be, in the future, a positive correlation between disarmament movement and nonproliferation progress. The mere *assertion* of such a link as a matter of arms control faith is inadequate. So, also, is the glib and easily made *claim* by disarmament advocates in the diplomatic community that their governments would *surely* be more cooperative if only we eliminated more nuclear weapons.

Indeed, one should also remember that to some extent, the credibility thesis has already been tested in the context of NPT diplomacy—albeit only in a modest way, without the sort of top-level investment of political rhetoric that President Obama has

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<sup>11</sup> See Elaine Sciolino and William J. Broad, “An Indispensable Irritant to Iran and Its Foes,” *New York Times*, September 17, 2007. This, of course, may go a long way toward explaining why his IAEA reportedly suppressed its own inspectors’ conclusions that Iran “has sufficient information to be able to design and produce a workable implosion nuclear device (an atomic bomb) based on HEU (highly enriched uranium),” that it had probably tested a “full-scale hemispherical explosively driven shock system” for detonating such a nuclear weapon, and that it was preparing its ballistic missiles for a new warhead “that is quite likely to be nuclear.” See “Iran Can Build Nuclear Weapon, Says Secret IAEA Document,” *Global Security Newswire*, September 18, 2009; and Julian Borger, “IAEA Secret Report: Iran Worked on Nuclear Warhead,” *Guardian*, September 19, 2009.

provided. In the second term of the Bush Administration, U.S. diplomats in NPT fora and at the UN's Conference on Disarmament (CD) dramatically changed their approach to disarmament issues. Previously, the Bush Administration's approach had been much more reserved, but in 2006, Washington opted, after much soul-searching and internal hand-wringing, to swing its support behind achieving a Fissile Material Cutoff Treaty (FMCT) at the CD. While such a treaty has been a longstanding objective of the disarmament community, however, the United States was given no credit for this move. In early 2007—even though renewed U.S. support for an FMCT seemed to have won Washington almost nothing, except complaints and further demands in the CD for more disarmament progress<sup>12</sup>—the Bush Administration tried again, embarking upon a new disarmament engagement initiative in the NPT review process and at the CD.

During 2007 and 2008, the Bush Administration emphasized, with new vigor, America's support for the ultimate goal of nuclear disarmament. This, in one sense, was nothing new, for U.S. policy had never *not* expressed support for the disarmament goals articulated in the NPT's preamble and in Article VI. What the administration added at this point, however, was indeed new: its diplomats (including, in particular, this author) began speaking candidly about the sorts of circumstances it might be necessary to create in order to make nuclear weapons abolition a plausible and saleable policy choice for the United States and other nuclear weapons states.<sup>13</sup> Outlining speculative thoughts on these questions—and perhaps more importantly, inviting other delegations into substantive dialogue on this critical point—the Bush Administration sought to engender a serious debate in NPT fora and the CD about how a nuclear zero might actually be achieved.

What was perhaps most surprising about this process was how *little* interest this dialogue effort created. To be sure, many delegations praised the new U.S. emphasis and candor on the question of disarmament. For the most part, however, they did so only privately—though many delegations showed an increased willingness to admit publicly the obvious fact that significant nuclear arms reductions *had* actually taken place since the end of the Cold War. Publicly, most delegations continued their longstanding calls for “more” disarmament and lamented the United States' purported continuing lack of disarmament credibility.

With two exceptions, not a single delegation among the 180 or so NPT states party ever sought to take the United States up on its offer of dialogue on how to create conditions in which zero would become a feasible and compelling security policy choice for today's nuclear weapons possessors. (The only two who did were one senior diplomat from an East Asian allied government, and officials from a nuclear-armed NATO partner

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<sup>12</sup> In fairness, a good deal of the complaining resulted from the U.S. offering a text that contained no specific international verification provisions, since U.S. experts had concluded that “effective verification” of an FMCT would likely not be possible. Nevertheless, U.S. diplomats did not oppose discussing the issue of FMCT verification at the CD; the Bush Administration objected merely to negotiating under a mandate that *presupposed* “effective verification” to be achievable.

<sup>13</sup> See, for example, U.S. Special Representative for Nuclear Nonproliferation Christopher A. Ford, “Disarmament and Non-Nuclear Stability in Tomorrow's World” (remarks to the Conference on Disarmament and Nonproliferation Issues, Nagasaki, Japan, August 31, 2007), <http://merln.ndu.edu/archivepdf/wmd/State/92733.pdf>.

that was itself embarking on a new diplomatic initiative promoting disarmament.) The American effort to build a new, substantive disarmament dialogue, therefore, produced essentially no results on its own terms. Most delegations remained committed to their longstanding policy of approaching disarmament as little more than a reflex, insisting mechanically upon moving through a long-established laundry list of specific treaty instruments (such as the Comprehensive Test Ban Treaty) on which no substantive debate was considered to be permissible. What they apparently wanted, in other words, was not a serious dialogue about how to make progress on disarmament, but instead, merely to see the NWS accede to their list of enumerated demands.

Even if most NPT states party proved to be distressingly uninterested in real disarmament dialogue, did the Bush Administration's 2006 decision to support FMCT and 2007–08 disarmament engagement initiative nonetheless have any catalytic effect in promoting improved multilateral cooperation against the sorts of proliferation challenges that Iran, North Korea, and Syria presented? Yes and no.

The disarmament dialogue initiative seemed to have some impact in increasing the level of diplomatic goodwill within the context of day-to-day tactical negotiations at the 2007 and 2008 NPT Preparatory Committee meetings over issues such as establishing a meeting agenda. It thus may have helped those events run more smoothly and be deemed diplomatic successes. This, however, is only a limited standard for success, one that is merely diplomatic and tactical within the ambit of the multilateral forum itself, not substantively connected to world events. It is related in only the most tenuous way, if at all, to the *real* objectives of the NPT and of U.S. nonproliferation policy—preventing the proliferation of nuclear weapons. Facilitating smooth and congenial meetings in a forum that lacks the power to do anything other than make political declarations is not the same as eliciting a significant increase in cooperation in the real world. Instructing a diplomat to take a different position on the text of an agenda for the next meeting or a draft final document is one thing, but instructing one's governmental apparatus to implement concrete changes in its political, economic, or military relationships with a problem proliferator is quite another.

Did the American efforts at disarmament engagement in 2007–08 make other countries more willing to pressure Iran to comply with its obligations under international law, or to get North Korea to honor its denuclearization commitments and return to the NPT as a non-weapons state? If so, this effect was far from obvious. It is likely that President Obama's personal commitment to the rhetoric—and to a more limited extent, the substance—of nuclear disarmament will elicit more real cooperation than the Bush Administration was able to catalyze with disarmament outreach at much lower levels of diplomatic firepower. Whether this additional commitment will cross the threshold from diplomatic process to real nonproliferation substance, however, is rather less clear. The record to date is not encouraging.

In sum, while there is a case to be made for nuclear disarmament in its own right and for its own sake, the merits of the disarmament case do *not* seem to have much to do with the likelihood of catalyzing a *volte face* by the international community's foot-

draggers on nonproliferation compliance enforcement.<sup>14</sup> The case for a causal relationship between nuclear weapons reductions and the disarmament community's perception of disarmament credibility is weak; the case for a causal relationship between disarmament progress and effective multilateral cooperation against proliferation threats is even weaker. The proponents of the credibility thesis might yet turn out to be right, but if so, this would be on the basis of luck more than shrewd calculation—a victory for their faith, perhaps, but not clearly one for their reason. The evidence presently available does not support their argument.

### III. *A More Credible Nonproliferation Agenda*

If the credibility thesis is indeed as hollow as it seems to be, is there some other approach, or combination of approaches, that could help us address the challenges facing the NPT, without basing our nuclear force posture decisions upon such a speculative proposition? Fortunately, there is.

To begin with, we should approach disarmament itself on its own merits, and not pretend that it deserves support because it will catalyze improved nonproliferation policy. Officially, at least, nuclear disarmament has been U.S. policy for nearly as long as there have been nuclear weapons: Washington's first foray into the field began in 1946 with the Acheson-Lilienthal Report, the Baruch Plan, and the resulting proposals adopted by the United Nations Atomic Energy Commission. A fascinating mixture of deep insight and idealistic naïveté that still repays close study, this was a serious and sustained effort that lasted for years, until foundering upon the rocks of Soviet opposition in the early years of the Cold War nuclear rivalry. The United States subsequently formalized its commitment to the goal of disarmament by signing the NPT: the treaty's preamble and Article VI both reflect and articulate the states parties' desire to achieve the abolition of nuclear weaponry. This was reaffirmed by the George W. Bush Administration, and has been the central focus of President Obama's remarks on the subject of arms control.

Unless we are simply to repudiate this continuing commitment—a move for which there is little support in U.S. policy circles—there is every reason to pursue disarmament as a serious policy objective. That means, however, that the conditions for, path toward, and timing of nuclear disarmament should be opened up as a subject for debate and discussion within the policy community. Neither its supporters nor its opponents should demand or expect their claims in this arena to be accepted uncritically; this is not theology, but public policy. Supporters of disarmament also need to accept the point implicit in their own argument: unless they think that nuclear disarmament must be achieved at *any* cost and under *any* conditions, it follows that there are *some* conditions

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<sup>14</sup> Of course, if disarmament is anything remotely like the desirable end state that its proponents claim it to be, taking further disarmament steps should *not have* to be justified instrumentally—that is, as a way to elicit nonproliferation cooperation. (After all, one might imagine no less persuasive an argument being made in favor of a cynically hypocritical policy of merely *pretending* to support disarmament.) It suggests something about disarmament's weakness as a political mobilization tool amongst NWS policy elites, however, that such nonproliferation-focused instrumental argumentation is felt indispensable.

under which its pursuit should be halted or even abandoned, and *some* costs that are not worth paying for it.

Any meaningful debate must include consideration of these conditions and costs. If we are serious about disarmament as a public policy objective, we cannot continue to ignore the question of when we—or others—might need to *retreat* from this goal, and friends of disarmament should make it a cardinal objective of their public policy advocacy to ensure that such circumstances do not occur. By the same token, disarmament skeptics or opponents also need to engage honestly about such conditions: unless there are *no* conditions under which they would accept nuclear weapons abolition, they have no reason to shun a debate about how and when favorable circumstances might be arranged. This is a public policy debate that has yet to occur in a significant way, however, either within the U.S. policy community or in diplomatic circles. If we are serious about disarmament, we cannot continue to avoid it.<sup>15</sup>

For this reason, in fact, even adherents of the credibility thesis should support such a deep disarmament dialogue. If U.S. officials now feel the need to be seen as more credible in their pursuit of a nuclear zero, why would they not be willing to engage in discussions about the circumstances that would have to be created in order to make abolition anything more than a utopian pipe dream? Those who are serious about disarmament should surely care a great deal about how such discussions would proceed, not only from the perspective of U.S. policy, but also through the eyes of today's other weapons possessors.

But what about nonproliferation? The credibility thesis is advanced under the aegis of fidelity to the nonproliferation principles that underlie the NPT and are reflected in it. Whether or not this thesis holds water, what can we do in other ways to help the nuclear nonproliferation regime meet the grave challenges it faces today? There is, I suspect, no “silver bullet” policy initiative that will solve today's proliferation challenges, but there are a number of things that would certainly help. Some of them are already important parts of U.S. policy, but all probably have an important role to play.

- (1) To begin with, we need to do everything we can to limit the opportunities available for proliferation. This means supporting and strengthening IAEA safeguards, even while resisting the lamentable tendency of the agency's supporters to oversell their capabilities. Precisely because of the *weaknesses* of nuclear safeguards in preventing malfeasance, however, it may be time for America to revisit its long love affair with promoting nuclear technology development overseas. Many such capabilities cannot be made safe enough, from a proliferation perspective, for them to be made available to all comers. Here the

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<sup>15</sup> Doing more, publicly, to explore the conditions under which a nuclear zero might be feasible would have an additional benefit: it would engender clearer and more thoughtful debate within the United States about the sorts of changes and innovations in national security policy, strategic posture, deterrence theory, and military doctrine that would be needed to strengthen our non-nuclear capabilities and improve our security in a future world in transition to ever-smaller nuclear arsenals, and thence to zero.

most obvious problems are uranium enrichment and plutonium reprocessing, though some experts are increasingly making a worrisome case with regard to any possession of nuclear reactors. Over the decades, our incautious enthusiasm for the “Atoms for Peace” ideal has caused many problems; it should be our challenge now to devise more and better ways for all countries to share in the *benefits* of nuclear technology, without spreading the technology itself in ways that facilitate proliferation. We cannot count ourselves serious about nonproliferation if we are not committed to technology control, most especially with regard to fissile material production.

This is in no way inconsistent with the NPT, which does not prohibit applying “safeguardability” criteria to technology transfer questions,<sup>16</sup> and one could hardly imagine a nonproliferation regime that failed to do so. Allowing more and more countries to have a de facto nuclear weapons option is nonproliferation madness.

- (2) It is also time for U.S. diplomats to turn the credibility argument back upon those foreign governments that have for so long urged more disarmament steps upon us. As it turns out, the logic of the credibility thesis is much more compelling—and evidence in support of it much more credible—when it is pointed in the other direction.

It is incoherent and intellectually indefensible to suggest that disarmament will be possible if it is not supported by rock-solid nonproliferation guarantees. Few nuclear weapons possessors can be expected to give up *their* nuclear weapons if the international community cannot assure that *other* states will not be able to acquire such devices. Moreover, a nuclear weapons abolition regime would be no more than a cruel joke if it could not ensure against “breakout” by governments desirous of becoming the *only* nuclear weapons possessor around. Nonproliferation assurance, therefore, is inescapably necessary and must logically *precede* the achievement of a nuclear weapons zero. Especially in light of the nonproliferation regime’s poor track record in arresting post-Cold War nuclear weapons development, American diplomats should demand credibility from those disarmament advocates in the diplomatic community who have been dragging their feet on nonproliferation compliance enforcement vis-à-vis Iran and North Korea. How can *their governments* give *us* more confidence that they will give any more support to vigorous nonproliferation policy in the future than the lackluster showing they have made to date?

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<sup>16</sup> In some ways, it may be easier for the U.S. political Left—with its deep attachment to renewable energy sources and traditional distaste for nuclear power generation—to accept this program of action than the Right, which has in recent years proven quite friendly to nuclear technology exporters. Nevertheless, controlling the spread of enrichment and reprocessing technology was a major plank of Bush Administration nonproliferation policy. Under the circumstances, it would be ironic indeed for President Obama to fall behind his conservative predecessor in trying to promote proliferation-related technology control.

The United States has been reducing its nuclear arsenal for years, and has done so dramatically; it is time for disarmament advocates to provide, in return, a commensurate and long-overdue “payoff” in nonproliferation compliance enforcement. If they do, everyone wins: today’s proliferation challenges will be better addressed, future NPT malfeasance will be better deterred, disarmament will become a more credible policy choice for weapons possessors, *and* advocates of the credibility thesis will finally have some actual evidence to which they can point in arguing for further disarmament steps. (Even if no payoff materializes, moreover, we will still have gained something: it is generally useful to know where things *really* lie, so that we can plan accordingly.)

- (3) One of the issues on which the U.S. policy community seems to be in essentially universal agreement is the imperative of keeping terrorists from acquiring nuclear weapons. There is little, beyond old-fashioned deterrence, that will likely keep a state sponsor of terrorism, such as Iran, from providing its clients with such a capability if it is inclined to do so, and it is thus obviously important to maintain such deterrence. For this reason, we must maintain a robust retaliatory capability and declaratory policy—though ideally, not one that involves nuclear weapons—coupled with state-of-the-art nuclear forensics. This will allow us to maximize the likelihood of swiftly identifying the origin of fissile materials discovered in terrorist hands, or used in a bomb, and ensure that we have the capability to respond decisively if we wish to do so.

Moreover, there is much left to do around the world in making the acquisition of nuclear materials prohibitively difficult for terrorists who lack an obliging state sponsor. The United States did good work in the 1990s in helping the impoverished, corrupt, and dysfunctional post-Soviet government of Russia properly secure its sometimes appallingly stored nuclear materials. It is well past time to expand such work to other countries. Modern, petrodollar-flush Russia does not need U.S. taxpayer dollars for this activity in the way it did in the heyday of the successful U.S. Cooperative Threat Reduction (CTR) program (a.k.a. Nunn-Lugar), but certain other countries surely do.

It is encouraging, therefore, that President Obama has promised “a new international effort to secure all vulnerable nuclear material around the world within four years.”<sup>17</sup> This timeline is startlingly optimistic—one hopes its implausibility signals eagerness rather than unseriousness—but the basic idea is precisely right. It is time for a global CTR program, and we should welcome the new president’s leadership in this regard.

- (4) In strengthening the NPT regime, we should resist making an ideological fetish of global, universalist treaty fixes. There is nothing intrinsically wrong with approaching global problems like proliferation through formal international institutions, of course, but it would be foolish to restrict ourselves to working *only* through them—as some governments participating in NPT fora seem, remarkably,

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<sup>17</sup> Obama (remarks, Hradcany Square).

to wish us to do. Much good can be done in developing complementary, regime-reinforcing measures that are less global, less institutionalized, or both.

The Proliferation Security Initiative (PSI) is a good example of a highly flexible, ad hoc process through which like-minded countries can cooperate successfully in various, shifting ways in support of important objectives. (In PSI's case, the aim is to bring about the interdiction of international shipments of proliferation-related goods.) Following the PSI model, we should explore other ways of bringing together enough reasonably powerful or influential players of sufficient like-mindedness to accomplish useful things. In our effort to build overlapping, reinforcing, and complementary ways of ensuring nonproliferation, multilateral, bilateral, and unilateral policy initiatives should all be welcome.

One example of such relatively loose and informal multilateral cooperation could come in the organization of President Obama's global CTR project—which would probably work best if conducted as some kind of multinational partnership, rather than just an act of self-interested charity by the U.S. taxpayer. We can (and should) also continue to press for the PSI-style interdiction of WMD-related transfers, and extend PSI more effectively from oceangoing traffic to the air. We can similarly systematize, multilateralize, and expand the good work the U.S. Treasury Department has been doing for some years now in weaving a growing web of financial sanctions around problem proliferators and associated entities. And we should also rigorously enforce arms control sanctions legislation that has been on the books for years: there is no reason why we should reward proliferator entities by permitting them lucrative trade contacts with what still remains the world's largest economy. Finally, we can explore the ideas long advanced by Roger Robinson and others about using market forces to make entities pay for their connections to proliferation—for example, by making “proliferation risk” into an ever-more legitimate and commonplace element of marketplace due diligence.

- (5) Perhaps most broadly, we should in no way slacken, and should indeed strengthen, our efforts to make nuclear weapons development—and even willful IAEA safeguards noncompliance—as painful and costly as possible for those who would take such steps. Nonproliferation compliance enforcement seems to be out of favor in Washington and in diplomatic circles at the moment, but it is no less essential than ever. It is not “bullying” to demand, and work to bring about, a return to compliance by those who break the rules; it is rectitude. In any event, we need more of it, not less.

Countries that may be inclined to contemplate nuclear weapons adventures need to know that this path will be costly and dangerous. Nonproliferation compliance enforcement must be a top priority for us among many powerful, competing concerns, and we must do what we can to coax, cajole, pressure, and press friends, allies, and mere acquaintances into making nonproliferation a similar priority. The United States must take the lead, but this is not something that others

can continue to regard as just an American issue; it affects all countries, and indeed, is probably of greater strategic importance to *non-weapons* states than to most weapons possessors. (Who, after all, would want a newly emboldened, nuclear-armed troublemaker for a neighbor, especially if one lacked a nuclear deterrent of one's own?) The messages we send to would-be proliferators in our handling of present-day challenges will have a profound impact upon global security in the future, and we cannot afford for these messages to encourage proliferation.

- (6) In this regard, we must also remember that such proliferation-detering messages are not just something to send in *anticipation* of proliferation to a problem state; they are perhaps even more important should the international community *fail* to prevent proliferation in some particular case. Even if Iran manages to acquire a nuclear weapons capability, for instance, it is imperative that we do what we can to limit the moral hazard problems that Tehran's example would create. We cannot afford for other would-be proliferators to come to see Iran as a success story, a regime that cemented its brutal hold upon power and acquired regional hegemony by developing nuclear weapons in violation of its nonproliferation obligations and in the face of impotent international opposition.

Rather, even if Iran acquires nuclear weapons, the Iranian example must, on the whole, appear to be a record of failure—a catastrophic series of foolish choices in which the regime gained weapons, but only at a cost: terrible economic marginalization; pariah-state isolation; the provocation of countervailing military relationships among Tehran's alarmed neighbors (and between them and outside powers), which precluded its dreams of regional dominance; and potentially more. If we cannot get North Korea to honor its denuclearization promises in ways that do not reward its misbehavior, we will face precisely this challenge with Pyongyang as well. From the perspective of deterring future proliferation, the most important time to prove that the development of nuclear weapons will be prohibitively unattractive is right after a country has shown that such development is possible, notwithstanding the nonproliferation regime's best efforts to forestall it.

To this end, U.S. military and strategic planners might also do well to hone our ability—if things should turn out badly—to fight and prevail in asymmetric conflicts against distant opponents possessing “entry-level” nuclear arsenals. To judge by Iranian rhetoric about the importance of being able to meet the challenge of “extra-regional invasion,” and North Korea's congenitally hyperbolic propaganda about the purported U.S. threat, proliferator regimes greatly fear the global reach of our sophisticated power-projection and precision-strike capabilities. This fear, in fact, would appear to be one of the factors that makes them so interested in developing nuclear weapons: they seem to hope that their nuclear capabilities will deter us from ever being able to contemplate military action against them, whatever provocations they offer.

It stands to reason, therefore, that one way to make nuclear weapons development more unattractive for future would-be proliferators is to enhance our ability to cope—in *non*-nuclear, and therefore much more politically credible ways—with the specifically nuclear threats with which they intend to confront us. By lessening the degree to which our operations would be “detractable” by small nuclear arsenals, we might go a long way toward vitiating the strategic advantage that proliferators such as Iran and North Korea hope to gain by developing nuclear weapons. This might be done by improving our defenses against proliferators’ anticipated means of nuclear weapon delivery; improving our ability to conduct expeditionary military operations in a radiological environment; honing our ability to conduct precision strikes on short notice, and at global range, on the basis of superlative real-time targeting intelligence; building consequence management capabilities to better prepare our forces (and allied governments) for the horrors of a nuclear detonation in the field; and augmenting our own ability to cope with domestic nuclear consequence management. Through such means, we would undercut *the proliferators’* ability to count upon *our* being frightened off by an entry-level nuclear arsenal, thus making the pursuit of such a capability both more pointless and more dangerous for rogue regimes—and nonproliferation compliance both more attractive and more common.

It bears repeating that there is no secret recipe for handling contemporary proliferation challenges. If a compelling case can be made for additional nuclear disarmament steps on their own merits—which is, of course, the real question—there would seem little reason not to experiment with ways to extract some nonproliferation payoff in return for this movement. Nevertheless, we should not expect there to be much return on our disarmament investment in this respect; the credibility thesis is both implausible and unsupported by the evidence available. Whatever we do on disarmament, we must redouble our efforts to advance nonproliferation by more direct and less speculative means. Closing some purported credibility gap is no substitute for a nonproliferation policy.

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