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## **President-elect Obama and Nuclear Disarmament Between Elimination and Restraint**

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*In collaboration with the Atomic Energy Commission (CEA)*

**William Walker**

*Winter 2009*



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## *Proliferation Papers*

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Though it has long been a concern for security experts, proliferation has truly become an important political issue over the last decade, marked simultaneously by the nuclearization of South Asia, the weakening of international regimes, and the discovery of fraud and trafficking, the number and gravity of which have surprised observers and analysts alike (Iraq in 1991, Libya until 2004, North Korean and Iranian programs or the A. Q. Khan networks today).

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Professor William Walker teaches at the University of St Andrews within its School of International Relations. He became particularly well known in the 1990s for his work on international inventories of, and control over, plutonium and highly enriched uranium. His research has since focused on how to conceptualise and respond to the problems that weapons of mass destruction pose for international order. He has also been examining the political and institutional processes by which technological decisions and paths become entrenched. His research is currently being supported by a Leverhulme Research Fellowship, and he has been awarded a Nobel Institute Visiting Fellowship for 2009. He has published articles in *International Affairs*, *Nonproliferation Review* and written several monographs on nuclear issues.



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# Introduction

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In the now famous articles of January 2007 and 2008 in the *Wall Street Journal*, the “Gang of Four” former US statesmen called on governments to rid the world of nuclear weapons.<sup>1</sup> Their intervention has been followed in the United States by a flurry of conferences and publications on nuclear disarmament, with esteemed organizations such as the Federation of American Scientists, Stanford and Princeton Universities, the Carnegie Endowment for International Peace, the Stimson Center and the Arms Control Association entering the fray. The force of their ideas became evident when presidential candidates from both the Democratic and Republican Parties felt obliged to issue statements lending at least some support to the Gang of Four and its aspirations.

The calls on the next administration to lead the way towards a “world free of nuclear weapons” mark the emergence of a significant political movement in the United States. Achieving such a world is not just the fancy of groups of idealists that have marginal influence in US politics. Nor is the attention that nuclear disarmament is now receiving primarily a response to longstanding international pressures on the US and other nuclear weapon states to engage with the issue. It is coming from within – from the judgements of an increasingly influential elite on where US and international interests now lie. Although this elite has its critics, it is currently in the ascendant.<sup>2</sup>

The pursuit of nuclear disarmament by the US government has been given a blessing of sorts in President-elect Obama’s statement that:

As long as nuclear weapons exist, we’ll retain a strong deterrent. But we’ll make the goal of eliminating all nuclear weapons a central element in our nuclear policy.<sup>3</sup>

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<sup>1</sup> George P. Schultz, William J. Perry, Henry A. Kissinger and Sam Nunn, “A World Free of Nuclear Weapons” and “Toward a Nuclear-Free World”, *Wall Street Journal*, 4 January 2007 and 15 January 2008 respectively.

<sup>2</sup> For a critical view, see Harold Brown, “New Nuclear Realities”, *The Washington Quarterly*, vol. 31, no. 1, Winter 2007-08, pp. 7-22. Brown writes there that “the lessons of history warn that [adoption of a nuclear weapon-free world as a concrete goal] would instead divert from or distort counterproliferation efforts, harming US and global security. Instead, US policy should be directed at engaging the international security issues that underlie nuclear proliferation”.

<sup>3</sup> Barack Obama’s speech at the Summit on Confronting New Threats, West Lafayette, Indiana, 16 July 2008. He has said similar things in various other speeches and written statements.

There is obvious caution in these words. They imply that the US is unlikely to take radical, unilateral steps to disarm, and that any embrace of nuclear disarmament will have to be collective. They also seem designed to appeal to a broad range of opinion inside and outside the US Government. But the new American emphasis on elimination is unmistakable.

Obama's statement nevertheless begs many questions. Three will be considered in this paper. Why has the goal of nuclear disarmament emerged as "a central element" in US nuclear policy at this time? How achievable is it? If the obstacles are acknowledged to be formidable and possibly insurmountable, what is the new US administration likely to settle for – what indeed may become its true objectives?

# Four Reasons for Nuclear Disarmament's Comeback in the US

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Barack Obama's statement is reminiscent of statements made by President Truman and other leading US politicians at the beginning of the nuclear age. After Hiroshima, there was an intense albeit brief debate within the US and the newly founded United Nations about the elimination of nuclear weapons. It involved, among other things, completion of the Acheson-Lilienthal Report in March 1946, the US Government's presentation of the Baruch Plan in June 1946, and the Soviet Government's counter-proposal (the Gromyko Plan) later in the same month. By the summer of 1946, the debate was already being closed down by the emerging East-West conflict and the strategic value that each side was attaching to nuclear weapons.<sup>4</sup>

The early American interest in elimination had several sources, including the dismay of scientists over the consequences of their wartime efforts (as reflected in the creation of the Federation of American Scientists and Bulletin of Atomic Scientists in 1945). However, it emanated above all from profound anxiety that an arms race would soon develop with Stalin's Soviet Union, and that the adoption of nuclear weapons as instruments of warfare within the anarchic international system would bring instability and eventual catastrophe. Niels Bohr's impassioned warnings to the American and British governments in 1944 and early 1945 that the atomic bomb's use in the Pacific War would precipitate an arms race, and that humankind would be imperilled if the great powers failed to cooperate in establishing a system of international control, were not heeded.<sup>5</sup> After Hiroshima, however, the dangers were fully recognized and a despairing search for a means of escape ensued in Washington and New York, without result.

During the Cold War, nuclear disarmament seemed beyond achievement. The dominant objective was to stabilize deterrence, curb the huge expansion of nuclear arsenals, and stem nuclear proliferation.

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<sup>4</sup> In a large literature on this history, see Richard Rhodes, *The Making of the Atomic Bomb*, New York: Touchstone, 1986; and Campbell Craig and Sergey Radchenko, *The Atomic Bomb and the Origins of the Cold War*, New Haven: Yale University Press, 2008.

<sup>5</sup> A fine account of Niels Bohr's efforts can be found in Margaret Gowing, *Britain and Atomic Energy 1939-1945*, London: Macmillan, 1964. Niels Bohr was, along with Einstein, the most esteemed atomic physicist in the first half of the 20<sup>th</sup> century. He escaped from Nazi-occupied Denmark in late 1943 and moved to the United States via Sweden and the United Kingdom.

However, the dangerous last phase of the Cold War ended with the dramatic meeting of Gorbachev and Reagan at Reykjavik in 1986 when they seriously discussed proposals to eliminate all nuclear weapons by the end of the millennium. Although they failed to reach agreement, the following decade brought a retreat from nuclear confrontation, deep reductions in nuclear arms, and conclusion of important bilateral and multilateral arms control treaties. During the mid-1990s, global nuclear disarmament was again being discussed, partly in response to pressures arising from the need in 1995 to extend the lifetime of the Nuclear Non-Proliferation Treaty (NPT). Many governments came to believe that a collective effort during the 'window of opportunity' created by the end of the East-West conflict could bring about the marginalisation and eventual elimination of nuclear weapons. "The end of the Cold War has created a new climate for international action to eliminate nuclear weapons, a new opportunity. It must be exploited quickly or it will be lost."<sup>6</sup>

Any optimism did not last. Another decade later, the return of a mood of anxiety about future chaos and catastrophe, accompanied by fears of a looming loss of control over the dynamics of nuclear acquisition and use, provides a first explanation for the recent elevation of nuclear disarmament in US policy discourses.<sup>7</sup> Americans look out on the world and see worrying signs of a resumption of great power rivalry and arms racing, and of the further proliferation of nuclear weapons as technologies diffuse (partly as a consequence of nuclear power's "renaissance") and security dilemmas become entrenched. Above all, they have become fearful of the nexus of weak states, criminality and terrorism and of the perils that lie ahead at the "crossroads of radicalism and technology".<sup>8</sup> The prospect that a weapon of mass destruction could be acquired and used to lethal effect by a small but determined group has created an acute sense of vulnerability, especially in the wake of 9/11 and other terrorist atrocities. In these circumstances, the sentiment has again taken hold that nuclear weapons are too dangerous to be permitted in an international system that is becoming more chaotic than anarchic. According to this view, any benefits that the US may have gained from the presence of nuclear weapons in international politics are now strongly outweighed by the costs.

Added to this are concerns that past approaches to the sustenance of international nuclear order, including deterrence, arms control and non-proliferation, are losing their effectiveness and are largely impotent against nuclear terrorism. However, the alternative strategies pursued by the US government during the presidency of George W. Bush are considered by their many critics to have made matters worse rather than better.<sup>9</sup> The

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<sup>6</sup> Canberra Commission on the Elimination of Nuclear Weapons, Executive Summary, August 1996.

<sup>7</sup> On the periodic waves of interest in the elimination of nuclear weapons in the US, see Michael Krepon, "Ban the Bomb. Really", *The American Interest*, vol. 3, no. 3, January-February 2008, pp. 88-93.

<sup>8</sup> The phrase "crossroads of radicalism and technology" was used by President Bush in his introduction to the US National Security Strategy of September 2002.

<sup>9</sup> See, for instance, George Perkovich, Joseph Cirincione, Rose Gottemoeller, Jon Wolfsthal and Jessica Mathews, *Universal Compliance: A Strategy for Nuclear Security*, Washington, Carnegie Endowment for International Peace, June 2004,

antagonism towards multilateralism, the combative advocacy of regime change and preventive war, and the quasi-imperial projection of US power have hampered problem solving and provoked opposition. This approach has lost some of its sharp edge during the second Bush administration, but the incoming administration's presumption is that US strategies for achieving international nuclear order will have to change substantially.<sup>10</sup>

The second reason for the contemporary US interest in nuclear disarmament is tied to judgements of strategic advantage. The US military sees its ability to exert influence abroad and protect America's allies being increasingly constrained by the possession of nuclear weapons by states that would otherwise have little leverage (North Korea being a prime example). Predictably, it wishes to minimize the ability of other states to hamper exploitation of its vast superiority in conventional weapons through their possession of even small nuclear arsenals. This is not a new concern. The argument for nuclear disarmament – indeed for the US's unilateral disarmament – was put forward by no less a person than Paul Nitze, a hawkish figure in the shaping of US nuclear policy during the Cold War. He wrote in 1999 that “I see no compelling reason why we should not unilaterally get rid of our nuclear weapons... To maintain them is costly and adds nothing to our security... [I]n view of the fact that we can achieve our objectives with conventional weapons, there is nothing to be gained through the use of our nuclear arsenal.”<sup>11</sup>

Unfortunately for the US, this is an argument designed to increase rather than diminish the attractiveness of nuclear weapons to other states. They will have no interest in giving the US freer rein to use its formidable conventional capabilities to intimidate them. To attract supporters, the US Government could not rest its case for disarmament on this prospect. Indeed, it would need to convince other governments that it would henceforth exercise greater restraint in its use of conventional forces, implying a retreat from recent coercive interventions, and would be prepared to engage in conventional as well as nuclear arms control (this has long been the French Government's position). The Russian, Chinese and other governments would probably attach greatest importance to US restraint in space which the Bush administration has resisted in its desire to deploy missile defences and maximise US superiority in space technology.

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which proposes an ordering strategy diametrically opposed to the Bush administration's strategy that it implicitly criticizes; William Walker, *Weapons of Mass Destruction and International Order*, Adelphi Paper 370, International Institute for International Affairs, London, 2004; and George Perkovich, “Giving Justice its Due”, *Foreign Affairs*, vol. 84, No. 4, July-August 2005. For a broader critique of recent trends in US foreign policy, see Joseph S. Nye, *The Powers to Lead*, Oxford, Oxford University Press, 2008.

<sup>10</sup> Some regulatory innovations occurring during the Bush administration's term in office will doubtless survive, an example being the Proliferation Security Initiative that has gained increasingly wide support. It seeks to interdict illicit transfers of nuclear materials and technologies.

<sup>11</sup> Paul Nitze, “A Threat Mostly to Ourselves”, *The New York Times*, 28 October 1999.

There is another potential trap here. The retention of an overwhelming conventional capability might give the US confidence, justified or unjustified, that it could respond effectively to the threatened “break-out” of another states after it had abandoned its nuclear weapons. The US might advertise this capability when persuading other states that there exists an answer to break-out. However, this very capability would pose a potential threat to rivals that would not, in any case, wish to become reliant on a US “conventional umbrella” in a world that had been emptied of nuclear deterrence.

One hears another strategic case being made in the US for moving further towards nuclear disarmament. It is that nuclear weapons have been losing political and strategic salience since the end of the Cold War, a trend that is likely to continue mainly due to advances in conventional weaponry and information systems that diminish reliance on them, and to changes in warfare that are making nuclear weapons less relevant.<sup>12</sup> Hitherto, the Pentagon has put up little resistance to the deep reductions in nuclear arms that began in the late 1980s, and the Nuclear Posture Review of 1993 diminished the role of nuclear weapons in US military strategy. US military forces can achieve most of their goals without the overkill of nuclear weapons, and their use in tactical and strategic roles is now so hedged about with restraint that they have questionable political and military utility other than as weapons of last resort. Furthermore, significant investments in weapons and infrastructure will be required to sustain nuclear forces over the long term, investments that the Pentagon may prefer to avoid and will certainly wish to minimize as pressures on defence budgets mount, as they surely will in the months and years ahead.

The third reason for Obama’s statement in favour of eliminating nuclear weapons involves the desire to reinvigorate the Nuclear Non-Proliferation Treaty (NPT) and other institutions of arms control. Progress in achieving nuclear disarmament is regarded by most non-nuclear weapon States Parties to the NPT as an essential part of the political settlement under which they renounced rights to possess nuclear arms, and as a legal obligation expressed in the Treaty’s Article VI. Although this Article is vaguely worded, the NPT’s disarmament pledge was given more bite in the “Principles and Objectives on Nuclear Non-Proliferation and Disarmament” whose adoption in 1995 was an integral part of the collective decision to extend indefinitely the NPT’s lifetime, and in the even stronger commitment made in the Final Document agreed at the 2000 NPT Review Conference during the Clinton administration’s final year. In this Document, the five nuclear weapon States Parties to the NPT expressed their “unequivocal undertaking...to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States parties are committed under article VI”.<sup>13</sup>

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<sup>12</sup> On changes in warfare, see Mary Kaldor, *New Wars, Old Wars: Organized Violence in the Global Era*, Stanford, Stanford University Press, 1999.

<sup>13</sup> 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, vol. 1, New York, 2000, p. 14 (<http://disarmament.un.org/wmd/NPT/2000FD.pdf>).

George W. Bush's administration did not hide its disdain for arms control, whether of the bilateral or multilateral variety. It regarded the NPT as a valuable disciplinary instrument for holding states to their legal renunciations of nuclear weapons, and as a source of legal justification for coercive responses to attempted proliferation. However, it strongly resisted initiatives in the NPT or other legal contexts that might have resulted in constraints on US freedom of action.

To the NPT's supporters in the US, the Bush administration's behaviour at the 2005 NPT Conference was especially reprehensible.<sup>14</sup> It did not prepare for the Conference with the US Government's customary care, it did not propose new initiatives, and it distanced itself from previous Conference decisions that it argued were not legally binding and were contingent to the time in which they were negotiated. Although the US Government's behaviour was by no means the only cause of the Conference's failure, its obvious disrespect for the Treaty and the Treaty's processes, and its neglect of the traditional US role of marshalling support, made failure inevitable. Many non-nuclear weapon States Parties to the Treaty regarded this behaviour as a betrayal of solemn commitments, resulting in a serious loss of trust in the sincerity and reliability of US political and legal undertakings. In their eyes, the Bush administration then added insult to injury by negotiating the US-India Agreement of 2006 which effectively recognized the legitimacy of India's nuclear weapon programme without extracting meaningful concessions.<sup>15</sup> Beyond making some gestures on international safeguards, the Indian government retained near complete freedom to develop and deploy its nuclear capabilities for military purposes.

There is a widespread view in the liberal foreign policy community to which Obama naturally belongs that the US has damaged its own interests by acting in this way and by being generally scornful of arms control.<sup>16</sup> It has weakened the NPT and in so doing has contributed to the weakening of the non-proliferation norm. It has provided shelter to states, among them China, Israel and Russia, that did not deserve to be sheltered. It has thwarted the development of other potentially valuable instruments of arms control, for instance through its abandonment of the Strategic Arms Reduction Treaty process, refusal to seek the CTBT's ratification following the 1999 failure, and obstruction of negotiations on a verification protocol to the Biological and Toxin Weapons Convention. It has created mistrust and

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<sup>14</sup> On this Review Conference, see John Simpson and Jenny Nielsen, "The 2005 NPT Review Conference: Mission Impossible?", *The Nonproliferation Review*, vol. 12, no. 2, July 2005, pp. 271-301.

<sup>15</sup> Opposing views of the nuclear rapprochement between India and the US can be found (in support) in Ashley Tellis, *India as a New Global Power: An Action Agenda for the United States*, Carnegie Endowment Report, Washington, July 2005; and (in opposition) in various commentaries by Michael Krepon, including "Are the Basic Assumptions behind the Bush Administration's Nuclear Deal with India Sound?", *The Henry Stimson Center*, Washington, DC, 15 March 2006.

<sup>16</sup> For a defence of the Bush administration's policies, see Christopher A. Ford, "A New Paradigm: Shattering Obsolete Thinking on Arms Control and Nonproliferation", *Arms Control Today*, November 2008. The article is available on [http://www.armscontrol.org/act/2008\\_11/ford](http://www.armscontrol.org/act/2008_11/ford).

diminished solidarity among NPT member states, making some of them reluctant to lend support when facing up to the Iranian and other challenges, and giving Iran some opportunity to “divide and rule”. Above all, the Bush administration’s behaviour, together with its stance on torture and the International Criminal Court among other issues, has encouraged the perception abroad that the US no longer has respect for international law, other than as a disciplinary instrument, and will breach it for its own purposes when it sees fit. Critics assert that the Bush administration has damaged the United States’ authority, undermining its ability to use its enormous power resources for good political effect. It has squandered the opportunity available to the United States in its “hegemonic moment” and has failed to build on the achievements of Republican and Democrat administrations in the 1980s and 1990s.

In various speeches, Obama has therefore spoken of the need to restore US moral authority in the world, recommit the US to upholding and extending the rule of law, and strengthen international order through the development and promotion of international norms. His aspiration is likely to affect the conduct of US foreign policy across the board.

The fourth reason for advocating nuclear disarmament draws on a US tradition of political idealism. At a time of great confusion in world politics, of a seemingly accelerating disorder in many contexts and regions, and of fears that disaster awaits around several corners, there is an understandable thirst for encompassing ideas that can bring coherence where there is incoherence, and hope (a key word in Obama’s political lexicon) where it may be absent. Such ideals may not be easily translated into effective policy, and they can make matters worse rather than better. But they provide stars in the sky, to use the biblical metaphor, towards which shepherds and kings can travel. Although the rhetoric may be utopian, they suggest a direction of movement which may still serve “real” political objectives.

Nuclear disarmament is the only idea in the nuclear field that carries this political and moral weight. It has the quality of an “attractor”. Whether or not there is belief in its merits and practicality, invoking the idea has political value if it embeds in global consciousness an understanding of the direction in which policies and actions should move. Emphasis on elimination sends signals that the common objective is to achieve ever lower numbers of weapons, smaller numbers of nuclear-armed states, and greater rule-bound restraint even if elimination is itself beyond reach. Although the will to punish transgressors may be weak, the intention is that any government setting out to swim against this tide should expect significant damage to its reputation and to its relations with the US and other influential states or groupings of states, including the European Union. It risks becoming a pariah.

To borrow a metaphor from science, this is akin to establishing a strong magnetic field in which the primary orientation is from the armament to the disarmament “poles”. Although there may be contrary forces on actors within the field, and local eddy currents, the purpose is to create a

dominant, persistent pull towards disarmament rather than armament. This magnetic field is already institutionalised by the NPT. However, it can only become a strong field of force if supported by the great powers.



# Five Elements of Doubt

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The perils of nuclear weapons, and of the existence of nuclear materials and technologies in an unruly world, are widely recognized. However, the obstacles to elimination appear to be as formidable as ever. Indeed, the world's very unruliness reduces the feasibility of disarmament. It feeds the enmity and insecurity that drive weapon acquisition, and it saps the cooperation and institution-building upon which a nuclear weapon-free world would have to be constructed.

The terrible shock of a nuclear war or "incident" that involved mass death and destruction might finally goad states and peoples into abandoning nuclear weaponry, however disadvantageous the political environment might be. But history suggests that fears of nuclear annihilation provide insufficient incentive for nuclear disarmament. The Cuban Missile Crisis brought advances in arms control but no progress in disarmament. Governments are also aware that circumstances can be imagined in which the effective use of nuclear weapons, perhaps for tactical military purposes, would encourage a rush to acquire rather than abandon them. This might be the outcome, for instance, of using 'bunker-busting' nuclear warheads to destroy underground facilities in Iran or elsewhere. Once demonstrated, states might wish to develop capabilities both to emulate and to deter such usage of nuclear weapons. If proliferation resulted, embarking on nuclear disarmament would then have been the wrong precautionary move.

To elaborate, there are five particular obstacles to the elimination of nuclear weapons, obstacles that seem to be becoming more rather than less daunting as time passes.

Firstly, nuclear deterrence is still valued too highly by the states that practice it (the United States is not an exception). Their governments regard it as, on balance, a stabilizing factor in their relations with other powers, and as the best guarantee that great wars will not recur among them. The practice of extended deterrence, whereby states without nuclear arms shelter under the umbrella of a nuclear weapon state, is also valued as a non-proliferation measure and source of stability in regions with histories of conflict where states have unequal power resources. Thus the formal US nuclear protection of Japan and South Korea, and informal protection of Taiwan, discourage these countries' acquisition of nuclear arms and is valued for the stability that it brings in East Asia. Without US nuclear guarantees, North Korea's provocations might have resulted in the whole region's nuclearization.

States may be especially reluctant to give up their nuclear weapons during periods of power transition such as the present. Expectations about the rapid 'rise' of China and India, Russia's resurgence, and the parallel decline of the US and Europe may be exaggerated, not least because these rising powers may suffer internal instability in years ahead and do not yet come close to matching the scientific and technological creativeness of "the West". However, the perception that power is shifting is strong and will affect behaviour. Add to it the historical experience of conflict and war during major power transitions, and it is natural that states will wish to place some reliance on nuclear deterrence to dampen whatever stresses may develop.

Secondly, the prestige attached to nuclear weapons is still prized. In realist literature enmity, fear and insecurity are regarded as the primary stimuli of nuclear weapon programmes. However, nuclear weapons can also become potent symbols of self-esteem, leading actors that crave higher status (*viz.* India and Iran today) or dread the loss of status (*viz.* France and the UK) to attach exceptional value to them.<sup>17</sup> Once nuclear weapons have been acquired and absorbed into national policies and cultures, they also become part of the national identity. It was recently observed, in connection with the British Government's decision to replace the Trident system, that "possession of nuclear weapons...reaffirms and in part constitutes the collectively held identity of Britain as an interventionist, pivotal world power".<sup>18</sup> Although the Government rested its public case for replacement entirely upon a security logic, the desire to sustain the UK's standing as a great power was arguably the stronger motivation. If nuclear disarmament is to occur, the states and their citizens that have enjoyed the celebrity of possessing nuclear weapons will need persuasion that there are other better ways of affirming their political stature.

Thirdly, the processes of complete nuclear disarmament appear too complicated and uncertain to attract confidence that it can be achieved except over the very long term, unless governments are shocked into taking decisive action by a nuclear catastrophe. Perkovich and Acton's recent Adelphi Paper on this subject was intended to advance the cause of disarmament.<sup>19</sup> Yet parts of it read like a primer on why governments should be sceptical, or at best cautious, about the prospects for the weapon's elimination. A long list of problems would have to be addressed including the stability of deterrence as numbers approach zero, the verification of abstinence, the governance of civil fuel-cycles, and the enforcement of compliance. Their solution would require extraordinary levels of cooperation and a common determination to see the project through to its end.

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<sup>17</sup> An impressive effort to call attention to the importance that states attach to honour in their political affairs is Richard Ned Lebow, *The Tragic Vision of Politics: Ethics, Interests and Orders*, Cambridge, Cambridge University Press, 2003.

<sup>18</sup> Nick Ritchie, *Trident and British Identity: Letting Go of Nuclear Weapons*. Briefing Paper 3, Bradford Disarmament Research Centre, University of Bradford, 2008.

<sup>19</sup> George Perkovich and James M. Acton, *Abolishing Nuclear Weapons*, Adelphi Paper 396, International Institute for Strategic Studies, London, 2008.

Fourthly, governments would have to find convincing ways of overcoming what may be termed the “CTBT effect”, which could kick in with a vengeance as states contemplated how to cross the zero threshold. The CTBT’s entry into force clause requires all states on a list of identified states to ratify the Treaty before it can enter into force. This particular clause was adopted to prevent any state from retaining the right to test by staying outside the Treaty. It backfired, however, by giving each identified state a veto over entry into force. It seems inconceivable that states would take final steps to disarm without even stronger requirements for a disarmament treaty’s signature and ratification by all nuclear-capable states. The politics would doubtless home in on the question of “who goes last?”. Mr Obama’s statement that “as long as nuclear weapons exist, we’ll retain a strong deterrent” implies that the US will be among the last to go. We should recall that the debate about elimination in 1946 became impaled on this question since the US refused to disarm until all other states had demonstrated their renunciation of atomic weapons, whilst the Soviet Union would not commit itself to renunciation unless the US demonstrably abandoned its weapon programme.<sup>20</sup> If the answer today is that “all should go together”, how could this simultaneous line-crossing be managed in practice given asymmetries in nuclear and conventional capabilities, problems of verification and various other difficulties?

Last but not least is the long recognized problem of responding effectively to a state’s break-out from a condition of universal disarmament. Its sudden nuclear monopoly would give it exceptional powers of intimidation. Exceptional measures would therefore be required to provide collective protection against break-out. It is worth quoting a passage from Percy Corbett’s chapter in the book *The Absolute Weapon* that Bernard Brodie edited in 1946:

Any question of enforcement against a nation found to be violating the control regulations will have to be dealt with by the [UN] Security Council. Unless the veto of permanent members is abolished, no enforcement can operate against them or against their client states... There seems little prospect that the great-power veto will be given up in any near future... As a control agency over atomic weapons, the [United Nations] thus has the obvious weakness of providing no sanction enforceable against those very states which are most capable of accumulating this type of armament.<sup>21</sup>

In 2008, sixty-two years later, the constitutional situation has not changed. The UN Security Council operates under the same basic rules

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<sup>20</sup> See, for instance, Bertrand Goldschmidt, *Atomic Rivals: A Candid Memoir of Rivalries among the Allies over the Bomb*, New Brunswick, Rutgers University Press, 1990, pp. 313-315.

<sup>21</sup> Percy E. Corbett, “Effect on International Organization” in Bernard Brodie (ed.), *The Absolute Weapon: Atomic Power and World Order*, New York, Harcourt, Brace and Company, 1946, pp. 162-163. Bernard Baruch is often criticized for having proposed the waiving of veto rights in the UN Security Council in the Plan that he presented in June 1946, inviting a Soviet rejection. However, the issue was already being widely discussed in the United States and elsewhere, and could not have been avoided.

and has the same five veto-bearing permanent members. Unfortunately, any confidence that the Security Council could respond effectively to the break-out of any state, let alone one of its permanent members, has been undermined by long experience of its inability to agree on interventions sought for humanitarian and other reasons. Corbett foresaw that, unless the veto could be withdrawn from permanent members (then and now a political impossibility), capacities for retaliation would have to develop outside the Security Council's machinery. This would drive states to cluster for protection around the most powerful states, notably the US and USSR during the Cold War. Around whom or what would states and peoples cluster for protection in a future nuclear-free world? Should some form of nuclear deterrent, virtual or active, be retained to deter any miscreant? What steps to acquire weapon-related capabilities should be regarded as constituting a "break-out" mandating a decisive coercive response, and what should that response entail (Iran has provided ample warning of the difficulties of agreeing on such matters)? The list of challenging questions seems endless.

# How Might US Nuclear Policy Develop under President Obama?

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Mr Obama will probably enter the Oval Office sharing the now widespread opinion in the United States and many other countries that the nuclear-capable world has become intolerably dangerous. He will also find, and may already understand, that achievement of a nuclear weapon-free world is not feasible. And he will probably discover that, his own powers of persuasion notwithstanding, the United States' ability to shape trends and behaviours in the international nuclear arena, although still substantial, is more limited than it used to be.

The quotation from one of Obama's speeches that opened this paper spoke of the *goal* of eliminating all nuclear weapons. As already indicated, reinvigorating the global, regional and local movement *towards* nuclear disarmament is likely to be the primary objective of US nuclear policy.<sup>22</sup> Although it is easy to speak rhetorically of this objective, it is much more difficult to realise it. It is nevertheless possible that, if movement towards disarmament can gather some steam, and if the focusing of governmental and non-governmental attention on it can shift the discourse about nuclear weapons, more could be achieved than is currently expected. It would be unprecedented for the US genuinely to make disarmament "a central element of nuclear policy" over a sustained period of time. US political leaders flirted with the idea in 1946, 1961 and 1986.<sup>23</sup> However, the US has never brought the full range of its creative abilities to bear on it.

It should also be noted that the UK has already adopted a stance on nuclear weapons that emphasizes the need to move in this direction. Although partly a tactic chosen to fend off domestic and international criticism of its decision to replace Trident, the British Government appears to have adopted this position sincerely and is taking active steps to promote disarmament through, for instance, sponsorship of the above-mentioned

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<sup>22</sup> It is notable that the Gang of Four's second publication in the *Wall Street Journal* carried the title *Toward a Nuclear-Free World*. Perhaps unconsciously, they were mirroring the title of Kant's essay *Toward Perpetual Peace*.

<sup>23</sup> 1946 was the year of the Baruch Plan, 1961 of the McCloy-Zorin Accords, and 1986 of Gorbachev and Reagan's summit at Reykjavik when they came close to agreeing on the elimination of all Soviet and US nuclear weapons (an agreement that, regrettably not reached, might well have come unstuck during implementation). The Reykjavik summit is discussed extensively in Richard Rhodes, *Arsenals of Folly: The Making of the Nuclear Arms Race*, London, Simon & Schuster, 2008.

Adelphi Paper and conduct of studies on the verification of disarmament.<sup>24</sup> If joined by the US, two of the five NPT nuclear weapon states would then be raising the banner of nuclear disarmament. They might find that the other three, France included, were none too pleased, that India and Pakistan would not engage other than at a rhetorical level, and that Israel would express its own strong but discrete displeasure. Doubtless they would also encounter internal opposition. However the effect of two of the original nuclear weapon states joining the phalanx of non-nuclear weapon states and NGOs to press the case for progress on disarmament should not be underestimated, especially if governments devoted substantial technical and bureaucratic resources to exploration of means of its achievement.

Mr Obama has identified some specific policy initiatives in other statements. He has indicated that he will oppose the development of new nuclear warhead designs, seek further reductions in weapon numbers, pursue the restoration of arms control processes with Russia, and revisit issues of nuclear doctrine and missile defence (he is being encouraged to use the Nuclear Posture Review that Congress has already mandated for 2009-10 to chart a new course).<sup>25</sup> He is also likely to seek early Senate approval of US ratification of the CTBT and to press for the opening of negotiations of a verified FMCT in the Conference on Disarmament in Geneva, partly with the intention of boosting the NPT in the run-up to the 2010 Review Conference.

He will quickly find, however, that progress on these and other fronts will depend heavily on the new administration's success in addressing specific issues that are likely to haunt international nuclear politics in the near term, issues that its predecessor mishandled, found intractable, or both.

One is Russia's increasingly strident opposition to US actions in its "near abroad", including the construction of missile defence installations in Poland and the Czech Republic and the expansion of NATO to incorporate Georgia and the Ukraine that has been contemplated by the Bush administration. Mr Medvedev's announcement, on the day after Mr Obama's victory in the US election, that missiles would be deployed in the Russian enclave of Kaliningrad seemed clumsily designed to inform the US that further encroachment would carry a heavy cost, and that Russia would revert to using its nuclear arsenal to draw political lines in the sand if necessary. It will not be easy for the new US administration, with its charismatic leader committed to responsible governance and the rule of law, to reach an accommodation with an autocratic and mistrustful Russian

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<sup>24</sup> Britain's recent enthusiasm for complete nuclear disarmament brought the highly unusual spectacle of a defence minister from a nuclear weapon state advocating it in the Conference on Disarmament. See Des Browne, 'Laying the Foundations for Multilateral Disarmament, Statement to the Conference on Disarmament, Geneva, 5 February 2008, <http://www.mod.uk/defenceinternet/aboutdefence/people/speeches/sofs/20080205layingthefoundationsformultilateraldisarmament.htm>.

<sup>25</sup> On what would be the third Nuclear Posture Review since the end of the Cold War, see Andrew Grotto and Joe Cirincione, *Orienting the 2009 Nuclear Posture Review: A Roadmap*, Center for American Progress, Washington, November 2008.

government. However, the recent severe deterioration of the Russian economy may give Moscow less room for asserting its interests abroad than it anticipated when the current adversarial policy was being drawn up. A more respectful approach by Washington and its preparedness to give concessions on missile defence and NATO expansion might yield results. We are likely to see a wary attempt by the US and Russian Governments to achieve a rapprochement linking these and other issues, including policy on Iran and on arms control.

Another even more troublesome issue concerns Iran's nuclear programme and the international responses to it (relations with North Korea currently seem more manageable). Mr Obama indicated during the election campaign that his administration would open a dialogue with Iran to explore possibilities for ending its acquisition of nuclear weapon capabilities in return for political and economic benefits, and to seek a more cooperative than adversarial relationship with Teheran on security in the region. Although many potential traps lie in his path, he will also be hoping to achieve a more unified response to Iran inside and outside the UN Security Council, including coordination with the European Union, than has been possible hitherto. Relations with Iran will probably become enmeshed in complex questions of peace and conflict in the Middle East and Inner Asia, which could help or hinder progress. If the Obama administration does not succeed in shifting Iranian nuclear policies, it could find itself having to grapple with the consequences of an Iranian announcement (or an international conclusion) that it has acquired a nuclear deterrent, and with Israeli and Arab pressure to take robust preventive action before this occurs. Progress on the Iranian question could bring many dividends for regional security and for the NPT and the wider international nuclear order. Failure could bring war to the region. It would certainly jeopardize most of Obama's plans to limit nuclear proliferation and to promote arms reductions and disarmament. The stakes could hardly be higher.

A further issue involves nuclear Pakistan, its internal weakness, its vexed relations with India and Afghanistan, and the dangers that some of its nuclear capabilities could be dispersed to or seized by radical groups. These dangers seem all the more acute following the sophisticated terrorist attacks on Mumbai in late November 2008. A new phase may be opening in South Asia's nuclearization when, a decade after the nuclear tests in 1998, hopes that 'nuclear learning' would gradually stabilize Indo-Pakistani relations become more difficult to sustain. This begs the question of whether the region's de-nuclearization can be brought back on to the agenda despite the pleasure India derives from being a nuclear power, despite its concerns about China, despite the US-India Agreement's reinforcement of India's great power status, and despite India's insistence (recently reiterated by Manmohan Singh) that its own nuclear disarmament cannot happen without 'time-bound' global nuclear disarmament.<sup>26</sup> If

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<sup>26</sup> Manmohan Singh, India's Prime Minister, stated at an international conference on a nuclear-free world on 9 June 2008 that: "The only effective form of nuclear disarmament and elimination of nuclear weapons is global disarmament... It is not possible to "regionalise" nuclear disarmament. India is also demanding "time-bound" disarmament which involves setting a deadline for elimination rather than

elimination is beyond consideration, could some form of nuclear ‘freeze’ be imagined in India and Pakistan’s relations so that arms racing can be halted and an effective system of arms control instituted? As part of this, might India and Pakistan find it in their interest to engage with the CTBT and FMCT rather than to oppose them? Come what may, the US Government has a hard task ahead dealing with the manifold problems in South Asia and the arc of countries stretching from there into the Middle East. But try it must, given the grave risks to its security, and to global security, that now reside there.

Last but not least, there are questions about China which has hitherto displayed little real interest in nuclear disarmament. Since joining the NPT in 1992, the Chinese Government has becoming increasingly active in multilateral arms control processes, reined in its support for Pakistan’s nuclear weapon programme, and is now playing a prominent role in international efforts to close down the North Korean programme. It has nevertheless been generally wary of arms control, opposed to transparency, and there is concern that its weapon modernisation programme may be more expansionist than is commonly realised.<sup>27</sup> Much hangs on how China will express and use its increasing regional and global power, whether it will support reinvigoration of the institutionalist approach to international nuclear order, how actively it will intervene to dissuade Iran and other proliferators, and how it will choose to develop its political and strategic relations with India, the US and other great powers, including Japan. Its policies will probably be more cautious than bold, not least because it craves internal and external stability above all else. The Chinese government will probably be looking for concessions on missile defence and space policy from the Obama administration, and it will probably welcome further US arms reductions so long as they do not weaken the Japanese commitment to live without nuclear weapons. Paradoxically, China depends heavily on the US balancing of its power, partly through nuclear deterrence, without which Japan, South Korea and Taiwan would feel much less secure. It may welcome some reduction of US influence in the region, but certainly not a collapse of its power. For its part, the Obama administration will be hoping to secure *inter alia* China’s cooperation on Iran, restraint in its modernisation programme and relations with Taiwan, ratification of the CTBT, and support for the FMCT’s negotiation.

Taken together and acknowledging many uncertainties, the above suggests that guarded cooperation rather than confrontation will mark Sino-

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adopting a more open-ended evolutionary approach. Time-bound disarmament was prominently advocated by Gorbachev in 1986 and Rajiv Gandhi in 1988, each leader proposing that 2000 should be the deadline for abolition.

<sup>27</sup> On the modernisation programme, its interpretation and implications, see Hans M. Kristensen, Robert S. Norris and Matthew G. Mckinzie, *Chinese Nuclear Forces and US Nuclear War Planning*, Washington, Federation of American Scientists and Natural Resources Defense Council, 2006. The blurb attached to this generally cautious analysis states that “China and the United States are in a nuclear arms race. Not an arms race of the intensity and proportions of the U.S.-Soviet arms race during the Cold War, but an arms race nonetheless. The U.S.-Chinese adversarial nuclear relationship goes back to the Korean War, but the scope and sophistication of the race appears to be increasing.”

US relations in nuclear and other fields in the period head. However, no US administration could ignore a move by China to use its increasing wealth to raise military capabilities to new levels, possibly with the intention of achieving parity with and eventually surpassing the US and Russia over the long run. Nuclear arms reductions would be much less likely to happen if this were found to be China's objective.



# Conclusion: A Daunting Agenda

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**H**as any incoming US administration faced a more daunting agenda? An economy and financial system in disarray. A looming environmental crisis. Competition for natural resources. Unresolved conflicts in Africa, Asia and the Middle East. Dissent in Latin America. An Islamist revolt that shows little sign of abating. And so on. To complicate matters, the new administration takes office when the United States' international authority is at a low ebb, when it is financially constrained, and when shifts in the distribution of power require it to work more closely with other governments, including some amongst them that are not natural allies.

How this will affect the conduct of US nuclear policy is uncertain. The times do not seem propitious for a major push to eliminate nuclear weapons. But nor are they propitious for policies that lack energy and coherence, and that fail to develop common ground with other states. A US newspaper recently reported Obama's appointment of his Secretary of State, Defense Secretary and National Security Advisor under the headline "Obama's national security team centrist but not visionary".<sup>28</sup> This may be correct, but it is Obama's style to be visionary, and he may be inclined to believe that more can be achieved by pressing boldly for the elimination of nuclear weapons than by treading cautiously. He may also be tempted to use his tremendous rhetorical powers at the United Nations and elsewhere to evoke the death, destruction and economic mayhem that would follow the use of nuclear weapons in today's highly interdependent world. In some degree, nuclear weapons survive because of the abstraction of their effects in political and strategic discourses, allowing individuals and social groups engaged in nuclear deterrence routinely to block out the moral issues that their actions raise. Only when long out of office could Paul Nitze observe that "to use [the nuclear arsenal] would merely guarantee the annihilation of hundreds of thousands of people, none of whom would have been responsible for the decision invoked in bringing about the weapons' use, not to mention incalculable damage to our natural environment".<sup>29</sup> Resisting caution, Obama might be able to sound a political chord that would command attention.<sup>30</sup>

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<sup>28</sup> Article by Nancy Youssef, *The Miami Herald*, 1 December 2008.

<sup>29</sup> Paul Nitze, "A Threat Mostly to Ourselves", *op. cit.*

<sup>30</sup> Previous attempts to use rhetorical persuasion to provoke action on nuclear arms control and disarmament are not encouraging. An example is Eisenhower's Atoms for Peace speech in 1953 which, besides making the proposals on the development of nuclear power for which it would be remembered, was an

Perhaps the international nuclear order's stabilization and the avoidance of nasty surprises are the best outcomes that Obama could hope for in the first term of his Presidency. He would probably be well satisfied if in January 2013 he could look back on no military use of nuclear weapons anywhere, no threshold-crossing by Iran, no discovery of additional clandestine programmes, no resumption of serious arms racing among the great powers (including in space), and a record of cooperation with Russia, China, France, India and the UK in pegging nuclear arsenals to low numbers of weapons. And he would probably be satisfied if he could look back on a reasonably successful NPT Review Conference in 2010, on progress in bringing the CTBT into force and negotiating the FMCT, and on a strengthened export control and IAEA safeguards system.

Obama will probably have to settle for less. It is political skill and sound judgement, so lacking in the Bush administration, that the international community needs above all else from the new President and his team. Although visions are important, these are the qualities that will yield positive results.

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impassioned plea for restraint in the nuclear arms race. It had little influence in that regard.

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