Elements of a Modern Non-Proliferation Policy

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Introduction

The United States needs a modern non-proliferation policy. The policy needs to take into account the realities we face today and the consequences we will confront as a result of the proliferation that has occurred over the last decade or so and that will continue to take place in the coming years.

In recent years US policy has come to view proliferation as trade in contraband among states that otherwise are or would be members in good standing of the international community. Instead, our policy should approach proliferation as a strategic operation by which the parties engaged in activities of concern seek to gain specific advantage(s) in domestic, regional or global affairs. Put another way, proliferation is not a serious problem primarily because it represents a failure on the part of modern states to accede to new or abide by their existing international obligations. In fact, many contemporary agreements have near-universal participation and compliance. It is a serious problem because the relatively few states engaged in the practice, both suppliers and buyers, are using proliferation to pursue political or military objectives inimical to the interests of the US, its friends and allies. In addition, proliferators pose a threat to the international system. It depends for its stability on the leadership of the US, its friends and allies and the assurances they have given each other with respect to crisis management and deterring aggression. By challenging their leadership and calling into question their assurances, proliferators create opportunities they exploit to their advantage.

If this assessment is correct, that a relatively few parties engage in proliferation and do so for straightforward strategic reasons -- the consequences of which are quite far reaching-- then this suggests the basis of a modern non-proliferation policy. The policy should aim at frustrating the specific purposes for which the relative few actors involved practice it. This contrasts with current policy. It aims at the promotion of universal adherence to broadly directed agreements. The objective is to create international norms condemning proliferation, supported by monitoring regimes to detect and discourage proliferation practices. This approach is insufficient given the stakes that are involved and the determined character of the regimes that are the targets of the policy.

Because the practical manifestation of proliferation is military in form even if the ultimate purpose is political-- greater influence in domestic, regional or global affairs-- the first line of

defense against proliferation is deterrence. Further, a second line of defense needs to be devised and implemented consisting of tailored measures aimed at disrupting specific proliferation operations or responding to particular threats, carried out by coalitions of the willing. The third line of defense is rallying international opinion, which has no interest in proliferation, in support of the first two approaches. I will concentrate on the first and touch on the last two in my discussion of near term initiatives.

A modernized policy should also have a broader definition of proliferation than that associated with nuclear weapons. It needs to integrate efforts to control the proliferation of technology, materials and expert assistance to biological and chemical weapons programs as well. And it should integrate efforts to address programs to develop the means for delivering NBC weapons by ballistic missiles. New high technology will need to be addressed as well. One example is advanced computers. Of concern in the past because of their essential role in weapons programs, computers have become weapons of proliferation concern in their own right with the advent of information warfare conducted in cyberspace. Another example is stealth technology. The key point is the integration of these efforts.

To argue that the US needs to revise its non-proliferation policy and the broader arms control policy of which it is a part is not to argue that we lack past and current successes in either area of policy. Cold War-era non-proliferation policy did slow the rate at which nuclear and other technologies of concern found their way into the hands of states hostile to our interests and those of our allies. Non-proliferation policy was instrumental in rolling back the nuclear programs of Brazil, Argentina and South Africa. Non-proliferation policy was also important in discouraging states with the evident capacity of doing so from developing nuclear weapons programs. The indefinite extension of the NPT in 1995 was an important development. In the field of arms control more broadly there have been notable successes. The Intermediate range Nuclear Forces treaty (INF), the two START agreements, the London Protocol to START I, the CFE treaty and the mutual, unilateral reduction in deployed theater nuclear forces by the US and Russia are the most significant.

With these successes noted, it remains the case that the majority of the treaties, conventions, agreements and laws we have in hand were created during the Cold War to addresses its problems. What we need is a fresh look at today's problems and those we know are looming and to devise as appropriate new approaches to address them.

Realities Today

In the context of a broader definition of proliferation concern, the reality of the problem we face is quite daunting.

The prior constraint on proliferation imposed by the Cold War has given way to a more relaxed strategic environment where the interests of the major powers are not equally threatened and may be advanced by proliferation. Russia, for example, does not express the same concern as the US over the progress of Iran’s nuclear programs or its development of ballistic missile

capability. China does not seem to share the US concern about the evolution of Pakistan's nuclear and ballistic missile programs. These conclusions seem reasonable based on the consistent reporting of the Intelligence Community over the last few years that Russia and China are persistent suppliers of technology, materials and expertise of concern.

Regional powers have found the global market a boon for the development of nuclear, biological and chemical weapons (NBC) and the means for delivering them by ballistic missiles over longer and longer ranges. In addition to the specialized aid countries like Russia and China have supplied to proliferators, the global market makes available at relatively low cost dual-use assets—personnel, technology and materials—essential for developing NBC weapons and delivery systems. In addition to the major suppliers, whose conduct is impeded if not prevented by agreements such as the London Suppliers Group, MTCR and Australia Group, there has grown up a secondary source of supply provided by the North Korea, Pakistan and others. These secondary suppliers are not affected by the constraints adopted by responsible suppliers. For both primary and secondary suppliers the global market eases the ability of governments or entities with an interest in doing so to export or import the specialized equipment and materials essential to the manufacture or assembly of NBC devices and delivery systems.

As far as is known, the mechanisms of the global market have not been used to transfer fissile material—which is used in nuclear weapons. At the same time, we cannot be certain that such transfers have not occurred. The operations by the US and the UK, respectively, to remove at risk material from Kazakhstan and Georgia highlight the potential availability of such material. It is not beyond the realm of possibility that the ongoing trade between North Korea and Pakistan, neither with a surfeit of hard cash, is based on a barter arrangement: ballistic missile technology from North Korea in return for weapons-grade uranium (or even plutonium if recent press reports are correct) from Pakistan.

The ability of the US and other interested governments to gather the intelligence needed to address proliferation concerns is heavily stressed. The number of competing tasks, the complexity of the market environment and the acknowledged capacity of proliferators to deny information about their activities and deceive about their intentions and capabilities makes timely and accurate intelligence collection and analysis difficult.

Consequences of proliferation in the future

A number of emerging powers in addition to the Russian Federation and China will directly threaten the US with NBC weapons delivered over varying ranges by land- or sea-launched systems. Emerging powers will also threaten US allies and friends. These emerging powers are likely to pose threats to one another and in some cases to Russia and China, e.g., Iran and Iraq, India and China, contributing to heightened regional tensions and further complicating efforts to address the consequences of proliferation. Their missile delivery systems and the weapons they carry will vary in sophistication, but all are likely to have profited from proliferation activities by Russia, China, North Korea and Pakistan and are likely, therefore, to pose a technically credible threat.

While we concentrate on the military-technical aspect of proliferation, in the end its strategic-political effects may be more profound. Some of those effects are already evident. Friends and US allies are taking measures to enhance their own security in light of the new threats. Following the flight of North Korea's Taepo Dong I over its territory, Japan announced it would deploy a reconnaissance satellite to monitor regional developments, particularly in North Korea. Concerned about North Korean missiles, South Korea is seeking its own medium range offensive strike capability as a deterrent. Saudi Arabian officials are reported to have visited Pakistani missile facilities, no doubt motivated by developments in Iran and Iraq. Israel is deploying its ARROW theater missile defense and is reported to be exploring submarine launched missile systems as measures to reinforce its deterrent posture.

These developments among US allies and friends will have their own consequences over time, not all of which we can foresee. For the moment, at least, they are taking place within the context of US security commitments. It is not impossible to imagine that some allies and friends, uncertain of US commitments or anxious to insulate themselves from the unpleasant consequences of being implicated in a crisis managed by the US, would seek to develop separate or independent approaches to addressing proliferation threats. These approaches could include both military efforts, as in the case of South Korea, or political efforts to fashion regional or global security and proliferation agreements that are not fully in US interests.

Foundation of a Non-proliferation Policy

Resist casting non-proliferation as a "norm"

In recent years the international community, whether narrowly focused on nuclear non-proliferation or more broadly on the range of technologies of concern, has characterized its efforts as the creation and enforcement of "norms" of behavior.

It is argued that the members of the various non-proliferation regimes, in acceding to the regime, have declared the action(s) or item(s) subject to control illegal and illegitimate. This is especially evident in the context of the NPT. Its original object was to slow the spread of nuclear capability beyond the five nuclear weapons states acknowledged by the NPT. That purpose has evolved over to time such that today it is seen as the vehicle for the elimination of nuclear weapons. From this perspective proliferation is viewed as the equivalent of trade in contraband, i.e., an illegal act and an affront to the moral sensibilities of the international community.

Curiously, however, the international community has not sought to punish the violator(s), for example by expulsion from the regime and denial of the real benefits associated with membership. Instead, the instinct of the international community has been to abolish the trade and work to reform the bad actors, to bring them into conformity with the norms of the community. Regime members fear that expulsion would undermine the universality of the norms and in that way legitimize the illegal behavior. For those proliferators clever enough to have understood this, the abolitionist tendencies of the international non-proliferation community have created an opportunity to extort compensation for their contraband, all the while seeking ways to

preserve whatever advantages they may have accrued through the acquisition or sale of the contraband. This, I think, is the tale told in the case of North Korea's nuclear weapons and ballistic missile programs. This is not where we began with Iraq, but recent developments suggest it is the course on which we now find ourselves.

Moreover, the application of the norms is without differentiation with respect to the states to whom they are applied. In the case of nuclear weapons they are said to pose a moral challenge to the international community irrespective of whether they are possessed by the US or North Korea. The aim, as one leading member of the NPT-related NGO community put it, is universal nuclear disarmament, the sooner the better. Leaving aside the suggestion of "moral equivalence" between the US and North Korea, this view undermines the foundation of the regime. That is, it was the nuclear deterrent effect that was provided by the US, France and the United Kingdom during the Cold War that made sense of an agreement like the NPT. It remains the case that the assurances of international stability broadly and of direct security commitments in the case of allies and friends of the US that holds the NPT bargain together.

The underlying purpose and object of non-proliferation policy is increasingly obscured by an appeal to the creation and enforcement of international norms. So too have the necessary components of a successful non-proliferation policy, specifically, and arms control policy more broadly. Proliferation is a conscious effort by small number of states and entities to undermine the efficacy of deterrence. The pernicious, if unintended, effect of "norming," particularly in the case of nuclear non-proliferation, is to weaken the deterrent capability that gives those norms the possibility of having practical effect.

In my view the norms associated with non-proliferation policy should be understood as expressions of the higher principles that guide the conduct of international affairs. These are reflected in our own Constitution and laws and reflected in the conduct of our affairs over two hundred years. The same can be said for other Western states.

In making this observation I do not dismiss the commitments the US and others have made in various agreements and treaties. None is more subject to debate in this regard than the obligation it and other nuclear weapon states (NWS) have assumed under Article VI of the NPT:

"to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

This obligation is not a "norm" independent of and superior to those imposed on US policy by our own Constitution and laws. But it does impose on us an obligation to create the conditions and devise the "effective measures' that allow for the goals of Article VI to be approached.

As the earlier discussion indicates, current conditions are not conducive to a non- proliferation and related arms c ontrol policy based on the concept of creating and enforcing norms. Far from our expectations that we could build upon the favorable conditions that seemed to have been created by the end of the Cold War, we confront conditions in which large and small states alike find it advantageous to ignore norms and pursue their more immediate national interests.

Hence, in my view creating conditions under which non-proliferation and other arms control agreements might operate successfully in the first order of business. And the creation of those conditions depends now and for the foreseeable future, as it did in the Cold War, upon an effective American deterrent strategy, including but hardly limited to a continuing role for nuclear weapons.

Develop policies that enhance US deterrent potential

US deterrent policy has not been static. With the evolution of the Cold War, and now with the changes in the post-Cold War environment, the US has adjusted both its deterrent forces and policies. With respect to offensive nuclear forces, as noted, negotiated agreements and unilateral actions have reduced the number of deployed weapons. Moreover, the US is prepared to reduce its forces further and to explore reductions beyond levels already identified.

But in the face of technological advances and the realities outlined above, a deterrence policy based primarily on nuclear weapons is not enough. This is not a new development. Since the late 1950s the US has continually shifted the balance of its deterrent from a primary reliance on nuclear weapons of the "New Look" to the mix of nuclear and conventional forces at the heart of NATO's strategy of "flexible response." The Gulf War taught us that now deterrence also requires conventional forces that are protected against long-range air and missile strikes, rapidly deployable, stealthy in their operation and able to strike with precision against an adversary's "center of gravity" from the outset of a campaign. Kosovo taught us the value of information operations. If these are some of the lessons the US has learned, it is certain that potential adversaries have learned these, and more, as well and are considering how to overcome US capabilities.

Discouraging the acquisition of NBC-related and other advanced technologies by countries of concern is an essential element of a US deterrent strategy. But it is evident that a deterrent based primarily on nuclear weapons is insufficient. The capability of the US to retaliate for nuclear (or chemical or biological) use has not discouraged the acquisition or development of these weapons by North Korea, India, Pakistan and possibly Iran. Clearly more is needed to deter such behavior.

Non-proliferation policy needs to assure the continued development or adaptation of US military capabilities. International and bi-lateral agreements need to provide the US, and by extension its allies, with flexibility in such fields as missile defense, cyber operations, intelligence collection and covert operations, advanced conventional munitions and delivery

systems stand at the top of the list. And, given the inclination of proliferators to place their factories, depots, headquarters and bases underground, we may need to consider as well whether we have the nuclear weapons we currently deploy are a credible deterrent or if new designs are needed. Put another way, non-proliferation agreements need to be subjected to a net assessment: given the realities of proliferation, does a proposed agreement provide the US, its allies and friends with long-term deterrent advantages over prospective proliferators?

Promote narrower purposes for the nonproliferation regimes and mobilize friends of the regimes in support

It was earlier remarked that US non-proliferation policy should be broadened to include chemical and biological weapons, the means for delivering weapons over long distances and new weapons, such as computers, in addition to the traditional emphasis on nuclear weapons. But while the scope should be broadened, US policy needs a narrower but more attainable objective for its non-proliferation efforts. That purpose is to reduce direct threats to the US, its forces and our allies. That policy objective will succeed best when allies and friends share it and contribute to its accomplishment. Like the US, they have an interest in discouraging regional powers from acquiring means to gain by force or threats of using force what they cannot acquire through accepted international practices. This narrower focus, rooted in national interest as opposed to abstract norms, does not resolve the difficulties we face today in discouraging proliferation. But it does help strip away the apparent contradictions related to non-proliferation policies.

An example helps to make the point. Judged by their own objectives and criteria, the CTR program with Russia has been far more effective than persuading the Russians to abandon their altogether legal and lucrative trade with Iran in civilian nuclear technology. The CTR is not a matter of norm setting. It is a matter of mutual national interest. For the US it increases confidence that nuclear weapons will not be transferred out of Russia. For Russia it provides much needed assistance for the performance of state functions on which its domestic and international credibility depends. Restricting Russia's nuclear trade with Iran is in American interest. It is not, however, in Russian interest. Moreover, under the NPT regime it is a legal activity. An appeal to Russia based on the norms of the NPT not only poses a false issue—the trade after all is legal—but it obscures the larger point that both Iran and Russia have national interests that are served by the trade. Discovering and understanding that interest, evaluating its implications for the security of the US and its allies and friends and gathering international support in opposition, if that is appropriate, may be more difficult than an appeal to international norms. It is, however, more likely to create a firmer, less equivocal, base in both domestic and international public opinion if action in opposition to Russian and Iranian interests proves necessary.

To test this proposition we might consider how would the US respond if in the next 12-36 months evidence is adduced that Iran, actually or virtually but in violation of its NPT commitments, were in possession of a nuclear device? If the response were driven by a determination to sustain the norms of the NPT regime, we would be required to compel Iran's compliance with the NPT as we have with North Korea. But what is the likely success of this

approach? Iran is a country with an increasingly popular form of government. It is not an isolated regime. Nor is it a bankrupt country, friendless and isolated in the international system. It has friends in the Muslim and Arab world and it engages the interests of many of our allies. It is a key to stability in the Middle East/Southwest Asia region. If North Korea has been able to trade its illicit activity for compensation, if Iraq has been able to wear down the determination of the international community, what might we expect of Iran? And if, having made a point of demanding Iranian compliance with the norms of the NPT, Iran either retains openly or is widely suspected of retaining covertly a nuclear weapons capability, what standing can be accorded the NPT and its norms? Moreover, having attempted to rally opinion to sustain the NPT, how difficult will it be to rally support for an alternative policy, for example of containment aimed at rollback? If we could not sustain this approach with Iraq, what prospect do we have to sustain it with Iran?

This alternative point of departure could declare Iran's acquisition of a nuclear device a threat to the security of the US and its allies and friends and to international peace and stability. It might be accompanied by an effort to have it expelled from the NPT and other international organizations until Iran permits uninhibited inspections of its facilities. The US could seek to contain Iran and motivate neighboring states to pose a crushing military challenge such that Iran gives up the game and is brought into compliance with its NPT obligations. This is a difficult course, one obviously fraught with dangers and uncertainty.

Another choice would be for the US to seek a rapprochement with Iran as a new player on the regional scene. But this would require a full overhaul of the NPT regime and its accompanying norms. It would require a policy that made sense of the status of Israel as well as Pakistan and India which did not at the same time give encouragement to others capable of developing nuclear weapons but who have so far not done so.

The point here is not to define policy in response to an event that may not occur. It is to illustrate that our current policy, rooted in the preservation of norms, needs reconsideration in light of recent precedent setting events and the complexity that would surround a sharp challenge to those norms, in this example acquisition by Iran of a nuclear capability. And it is to suggest that a more narrowly focused policy, animated by national interests that can be clearly articulated and that give rise to predictable course(s) of action, may prove better suited to rallying support to meet a security challenge while still preserving the norms of the regime.

Near-Term Initiatives

A series of steps over time is needed for building a modern proliferation policy. Following is a set of steps that might be taken in the near term.

NPT Review Conference

The US should affirm its commitment to the principles and practices of the NPT. The US should affirm that it recognizes and accepts, as one of the declared nuclear weapons states party to the treaty,

the special responsibilities it has undertaken to advance the purpose and object of the treaty consistent with its rights as a sovereign state,
its rights and responsibilities under the UN Charter,
and its solemn obligations to allies.

In plain language this means that the NPT does not supercede other rights and obligations of the US nor does it undermine the legitimacy of nuclear weapons as an element of US security policy.

The US should reiterate its policy, as articulated by Undersecretary of Defense Slocombe, that a commitment to negotiate nuclear disarmament is one made in the context disarmament on a broader, global scale. It should, as a consequence, reject any effort to establish a time-bound schedule for nuclear disarmament.

The US should also reiterate that its obligations on non-proliferation stem from the NPT itself and not from the ancillary documents that have been produced through the Preparatory Committees (PrepComs) and Review Conferences (RevCons). In particular, the Principles and Objectives adopted at the last RevCon imposes no new obligations on the US.

The US should resist efforts to upgrade the role of the PrepComs and RevCons to assemblies charged with devising plans for the implementation of disarmament proposals or assessing the compliance of NPT parties with those plans.

The US should reject the premise that the non-proliferation regime now depends for its viability on an interlocking set of treaties and agreements—e.g., ABMT, START, CWC, BWC, CTBT. The exercise by the US of its rights under a treaty, e.g., amending or withdrawing from the ABMT, does not relieve it of its obligations under other treaties. More to the point, such an action by the US does not relieve other states of their obligations. Each of these agreements stands on its own legal foundation.

Export and Licensing Procedures

It is with considerable trepidation that I raise export and licensing procedures given the active consideration of the Export Administration Act (EAA) by the Senate. It is my view that such procedures are a critical element of our non-proliferation policy. But in the same way that we have to realize that "norms" will not pose a substantial barrier to those who choose to violate them, the same is true of export and licensing procedures.

There are precious few assets needed by proliferators-- technology, materials, experts-- that cannot be obtained relatively easily in the global market place. (Fissile material for weapons is one asset difficult, though perhaps not impossible to come by.) It is true that not all of those assets will be cutting edge. They don't need to be such to be of use to proliferators. They need only be good enough to get the job done. This is true for computers used in weapon design, commercial mixing bowls used by bakeries that can mix solid fuel for missiles and three axis winding machines best used to make shaft for golf clubs but also adequate to make re-entry vehicle ablative shields.

I would urge that as we revise our export and licensing procedures we do so with an eye to making them useful for two purposes. First, we must assure that the transfer and use of assets known to be *essential to proliferation activity of greatest concern* are accounted for and controlled. Second, rather than try to control an impossibly long dual-purpose list, we should develop a comprehensive and easily manipulated database of items shipped to countries or actors of concern. The US and other countries must be willing to contribute to the database if it is to be a useful tool. Algorithms could reduce the information and keyword searches developed with reference to projects proliferators are known or are suspected to be working on. Knowing, for example, that Iran has an interest in solid rocket motors would allow analysts to search the database to determine whether it has obtained the winding machines it would need for their manufacture. Then, at least, we would have a better idea of the state of its ambitions and be able to take more focused measures to prohibit the transfer of or interdict shipments we can reasonable associate with its solid rocket motor effort. Third, analysts need to be trained in alternative, creative pathways to proliferation that can circumvent established export controls. Care needs to be taken that a focus on known programs and pathways does not blind them to innovative technical routes.

Non-State Actors

Proliferation policy needs to take into account non-state actors. This includes suppliers as well as actors who may or may not be acting with the blessing of their government. Some of the efforts directed at state actors can make it more difficult for non-state suppliers to meet demand. Complicit behavior by governments in the conduct of entities ostensibly under the control presents an especially difficult challenge for current policy.

With respect to non-state actors, e.g., terrorists or "liberation groups" that threaten the use of NBC weapons or conduct cyber operations, the need for deterrent and defense measures, to include a role for law enforcement and "consequence management" is critical. As the Deutch Commission on the organization of the government for combating proliferation argued, the overriding problem may be less available means than a poor government organization for meeting the threat.

Intelligence Collection and Analysis

The key to an active proliferation policy is good intelligence. But good intelligence is hard won when it comes to the proliferators of greatest concern. They have learned a great deal about how we collect intelligence and how we analyze it. As a result, they have become better at deception and denial. Advances in technology also make collection more difficult as information is becoming better protected.

But improvements are possible. The Rumsfeld Commission, in its "Intelligence Side Letter" outlined a number of improvements, many of which have been embraced by the intelligence community. More money, less for collection than for the hiring and training of analysts devoted to studying the strategic intentions, military doctrine and technical capabilities of proliferators is needed. Wider ranging cooperation with allied and friendly governments ought to be pursued as well. But in the end, given the sensitive nature of intelligence, we will need to rely on our own resources.

Ballistic Missile Defense

In my judgment defense is essential as a compliment to our offensive forces—conventional and nuclear—in deterring aggression by regional powers against US allies and friends or the US itself. An initial deployment should be competent to defeat the current and anticipated threat against the US and its allies, even if this requires basing elements of an NMD-capable systems abroad. It should also include a research, development and testing regime structured to discourage regional powers from exploiting the global market for technologies to overcome our defense. And, it should give clear indications to potential adversaries of the conduct, e.g., expanded arsenals, threatening deployments, aggressive testing, hostile acts against states in the region, that would cause us to consider expanding our initial deployment.

Offensive Force Reductions

The US has indicated its willingness to reduce its current nuclear offensive forces to the START III level of 2,000-2,500 deployed warheads. There are calls to reduce the number even lower, to the level of 1,000 or even 500 warheads. Before going beyond the START III level the US needs to review its requirements for offensive forces in a world of multiple nuclear offensive threats.

During the Cold War force sizing and the characteristics of the forces were driven primarily by the Soviet threat. Today Russia still poses a significant threat to the US. China is modernizing its offensive forces and will present within the decade a more technically capable and substantially larger threat than it does today. North Korea and Iran lead a group of states that have larger arsenals of short to intermediate range missiles that can deliver NBC weapons to threaten US forward deployed forces and allies. In addition, North Korea and Iran are both likely to pose a direct threat to the US. India has the capability to use its space launch vehicles to deliver payloads over ICBM ranges and is developing missiles dedicated to the ICBM mission.

We need to consider the role of our reduced nuclear forces in deterring these threats and capabilities.

The credibility of the nuclear deterrent will turn on its evident technical capacity to hold at risk in a timely and responsive fashion those targets that pose the greatest risk to the US and its allies and which are most highly valued by an adversary. In an age in which such targets are more often than not mobile or buried underground, and in which concerns about any nuclear use and collateral damage is high, this puts an enormous strain on the nuclear forces. In my view we need to carefully consider whether the forces we would deploy at reduced aggregate numbers will be structured and equipped to deter effectively in a proliferated world.

CTBT

It is for this reason that I believe the US should not ratify the CTBT. Pending a careful review of our forces, we may discover that we need new designs for our weapons-- the delivery vehicle, the warhead or both-- to address adequately requirements that are emerging. We need to have high confidence that any system changes that affect warhead performance, modifications to existing weapon designs to create new capabilities or new designs developed to meet new requirements are safe, reliable and, in the minds of an adversary, credible. I do not believe that the scientific community would certify warheads developed under these conditions without testing. A policy that called for a review that could result in the need for new weapon designs and testing would not elicit broad, bi-partisan support here at home and would be met with stiff opposition abroad. This leads back to the special obligation the US carries for enforcing deterrence. Without credible forces deterrence strategic are very risky.

Reassuring Allies

A non-proliferation policy that included limited national missile defense and modernized nuclear forces at lower aggregate numbers would need to be explained to our allies. In truth, that is a task in which the Administration is currently engaged, at least as it affects defense and lower offensive forces. But the explanation would need to go beyond the unsatisfying military-technical argument so frequently heard. For in the end while allies expect that we know how to use our military-technical capability to deter and defend, it is on our political-strategic judgment that they rely for their security. Knowing the US can win a war they would rather not see fought and over which they may have little control is not a position any self-respecting allied government can sustain.

The judgment they rely on is how best to meld our military-technical capability with the diplomatic arts related to the building of coalitions, the isolating of "bad actors," and the development of mechanisms for rehabilitating former adversaries while addressing the underlying causes of instability. This is a delicate balance that the US has long struck in Europe, the Middle East, South and Southwest Asia and in Northeast Asia.

But as the discussion of Iran and its possible possession of a nuclear weapons suggested, our judgment and resulting actions could be constrained by a non-proliferation policy more devoted to creating and sustaining norms than preserving regional security. A clear and uncompromising commitment to regional security, careful nurturing of our relations with friends in the region, diplomacy with our European allies that anticipates the event and sketches a coordinated response, these are actions more likely to assure allies and blunt any destabilizing consequences of an Iranian nuclear weapon. They are likely to be more reassuring than will proceedings in UN Security Council, IAEA and other places to fashion a response.

Addressing the "International Community"

As a great democracy and leader of the international community, the US cannot be disdainful of international opinion. We are obligated to take its criticism of our actions and policies with same seriousness with which criticism is offered. Toward that end, the revision of non-proliferation policy has to be pursued in the open and with consistency among its many components. Unipolar American hegemony is not an ambition shared by many in the US. We do ourselves no harm, and may garner goodwill, in seeking to draw as many friends and allies as possible into our non-proliferation effort.

But in the end the US needs to be clear that it intends to treat the consequences as proliferation as a significant strategic challenge. As such its first line of defense is a credible ability to deter the use of NBC weapons and newer, advanced technologies. Treaties, agreements and other instruments of international law are valuable to the extent that they reinforce that credibility. Those instruments can serve as well to reduce deployed forces and to decrease the possibility of conflict through miscalculation. They can even slow and at time help to roll back proliferation. But the test of their value in the end is always the same: in the end, do they enhance the credibility of deterrence under the conditions they are meant to create?

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