

Interim Discussion Report:

Nuclear Non-proliferation Treaty

In August 2006, WFI director Scott Hoffman sent the WFI Fellows Forum a brief query regarding the NPT and the future of nuclear nonproliferation and disarmament.

In September, a second query was sent, which included several readings to guide its questions. These readings included Didier Jacob's and Joe Schwartzberg's responses generated by the first query (both quoted below), an opinion piece by Richard Falk and David Krieger, and a summary of a lecture by Thomas Schelling prepared by intern Kelly Nelson. Thirteen Fellows have responded. The opinions range from adaptation of the current system to more ambitious goals of transforming the system of international relations.

Salvaging the NPT vs. Complete Elimination of Nuclear Weapons

Mariel McKone Leonard, Didier Jacobs, and Michael Rose believe that total elimination of nuclear weapons is not possible in the current political climate. Ms. Leonard suggests that the NPT can work, but only if all parties participate equally.

- Mariel McKone Leonard: "Saying 'Let's get rid of the nukes when everyone else has them' is to me the equivalent of the Kellogg-Briand pact outlawing war - a flight of absolute fancy that diminishes the relevancy of anyone who advocates it...I support the NPT, but I feel that all parties must participate *equally* - us included. Didier's suggestions seemed reasonable and practical, and the best we can do at this time."
- Michael Rose: "I do not think with the current state of the world that the elimination of nuclear weapons is possible although I do agree with the goal."

Many others are skeptical of salvaging the NPT and support instead the complete elimination of nuclear weapons, as suggested by Falk and Krieger's piece. Often, this sentiment was accompanied by a suggestion that an international legal means of settling conflicts be implemented to prevent, and even abolish, war. Jock Forbes, Ron Glossop, Joseph Baratta, Saul Mendlovitz, Barbara Walker, Lucy Webster, Lawrence Wittner, and (to an extent) Didier Jacobs see this as a necessary criterion for the voluntary surrender of nuclear weaponry. Christopher Robertson took a contrasting view, suggesting that nations may be more willing to surrender nuclear weapons than withdraw entirely from a view of conflict that embraces violence.

- Joseph Baratta: "We must do as others are not doing - thinking through a vision of a better, more lawful world."
- Jock Forbes: "...Seek widespread recognition of the need for human security, based on law stemming from a democratic, federal world government."
- Ron Glossop: "...Without a democratic world federation to protect nations, any number of them might decide that they need nuclear weapons to protect themselves."
- Saul Mendlovitz: "Both George Kennan and Joseph Rotblat opine that the world polity is unlikely to convince world leadership of states to agree to give up nuclear weapons without dismantling the war system."
- Didier Jacobs: "Only well after world federalism and world peace through world law would be entrenched would nuclear states voluntarily choose to shed their last nuclear weapons."

- Christopher Robertson: "Dismantling the war system will obviously require the elimination of nuclear weapons, but it has been argued in this forum that eliminating nuclear weapons will require dismantling of the war system. I'm not sure whether the latter claim is true. In principle there could be a strong global law and inspection regime that regulated nuclear weapons without abolishing war altogether...As evidence, we know that several individual states have been willing to give up nukes, or the prospect thereof, without insisting on the total abolition of war."
- Jock Forbes: "Chris Robertson's concern that trying to abolish the war system is too ambitious a goal misses the main point that we need to make - that, as global rivalries, combined with technological advances, increase the destructiveness of war, it becomes ever more urgent that we work for a real alternative to the global chaos of rival nations upholding their power and security with arms - an alternative to the war system."
- Barbara Walker: "Any ideas on how to 'dismantle the war system?' I think we need to come up with proposals - both current and historic."
- Lucy Webster: "[Nations] feel need for maximum weapons capacities in the present context of international violence. Thus, if we can get people to assess the large-scale weapons to manage violence, I think we stand the best chance of breaking through the war system mindset."
- Lawrence Wittner: "...since 1945 there has been some progress in curbing the nuclear arms race and preventing nuclear war, but it has resulted from the pressure brought to bear on national governments by citizens' organizations. In the long run, securing a nuclear-free world depends upon transforming the international system into one that prevents war."

There was consensus that salvaging the NPT as far as can be feasibly done in today's world requires higher levels of US engagement and of enforcement against countries flouting the treaty. Didier Jacobs put forth several ideas along those lines, which were largely accepted and expanded upon by the fellows.

1.) Increase verification power.

- Didier Jacobs: "The US and other countries should exercise maximum pressure on NPT members to sign the additional protocols that have stronger non-proliferation rules and verification mechanisms. Only half of NPT members have done so so far. Adequate aid should be provided to help countries to comply. Russia should also get more aid to get rid properly of all their stockpiles. Additional NPT protocols may be required to tighten the rules even further".
- Joe Schwartzberg suggests: "unlimited inspection power, without prior notice, conducted by a properly empowered neutral world authority (preferably, but not necessarily, within the UN system)"
- Ron Glossop suggested "unlimited inspection powers for the IAEA or its successor organization and that all nations will have to abide by the same rules whether they have signed and ratified the NPT and CTB or not ...I don't see how nuclear weapons can be eliminated without something very like a democratic world federation which can make laws enforceable against individuals rather than whole nations or organized groups of terrorists...the ICC is moving us in the direction of individual accountability, and needs to be extended to the issue of eliminating the designing, manufacturing, testing, maintaining, storing, and using of nuclear weapons."

2.) Impose sanctions on those NPT members who violate the rules.

- Didier Jacobs: "For those few NPT members that the IAEA suspects flout the rules..., the Security Council should impose sanctions limited to trade in nuclear materials and equipment, basically ensuring that the country does not use the NPT to legally import materials that it illegally transforms into bombs. Such sanctions may prompt the suspected country to leave the NPT, in which case the IAEA would no longer be able to do any inspections, so it is a decision that must be taken very carefully: assuming that a country is determined to develop nuclear weapons, the Security Council must basically decide whether the NPT has become more of a liability (by granted the country rights to nuclear materials and equipment) than an asset (by maintaining some inspections) to stop the country from acquiring the bomb".
- Joe Schwartzberg recommends: "commitment on the part of all treaty signers on a predetermined set of severe economic sanctions to be applied against treaty violators".
- On this point, Ron Glossop again points to "a democratic world federation which can make laws enforceable ... and where conflicts of interest can be worked out by political and judicial means"
- Michael Rose: "Why not link the international security architecture with the economic and trade institutions (i.e. WTO, WB, and IMF). With so many nations clamoring for market access, economic incentives can be an effective vehicle for progress."

3.) Increase US engagement. The US should lead by example by truly committing to the agreements it made under the NPT and signing the Comprehensive Test Ban Treaty.

- Didier Jacobs: "The US should sign the Comprehensive Test Ban Treaty and exercise pressure on other countries to do so as well. All official nuclear powers should continue decreasing their stockpiles."
- Joe Schwartzberg: "universal application of the treaty provisions, by Security Council fiat, to all nations, whether or not they are treaty signers once a certain fairly high threshold of acceptance has been reached."

Concerning the Schelling argument that rational consideration of the effects of nuclear arms has led geopolitical actors to make choices against using the weapons, there was some division between whether the fellows consider international law a reason that nuclear weapons have not been used. Shirley Davis explicitly questioned whether international law was a salient factor in the non-use of nuclear weapons since World War II. Regardless, there was general agreement that international law is necessary for the future of controlling nuclear proliferation and use.

- Shirley Davis: "I totally agree with Schelling about the non-use of nuclear weapons, so far, since WWII. Rational leaders have considered the consequences of their use and restrained themselves. I don't know whether international law has contributed to this restraint or not...However, there are some leaders who may not weigh the retaliation to nuclear weapons use. Can we count on North Korea and Iran to restrain use out of self interest? Can we count on our present administration?"
- Michael Rose: "I believe international law is more necessary now than ever before in addition to enhanced dialogue, training, and sharing technology."

Divergent Perspectives or Different Time Horizons

Ron Glossop agreed with Didier Jacobs that immediate steps must be taken to shore up the NPT, but that the U.S. government may not yet be ready to take all the recommended actions. Thus, there must be continued pressure to "[build] a democratic world federation". Nevertheless, Glossop endorses

immediate action, suggesting that the key stumbling block in achieving such a world system lies at home.

- He states that: "the most urgent action required to put a restraint on nuclear proliferation is for the U.S. government to act in accord with the commitments it has already made under the NPT, including ending its own development of new kinds of nuclear bombs, drastically reducing its arsenal of nuclear weapons it, and using its power to get all countries to sign onto and abide by the NPT, including India and Israel".
- But Glossop sees no overwhelming obstacle to world federation, assuming U.S. political will: "If the U.S. government was serious about transforming the U.N. into a democratic world federation, it could be done in 20 years!"

Didier Jacobs, in a later submission, suggested instituting a time-line "bridging today's *realpolitik* with our common ideal for the future". A series of goals would be set in place, envisaging a world free of war at the end.

Proposed Timeline for Action

2006-2012

- "Preserving the "nuclear taboo" described by Schelling. That means ratifying the Comprehensive Test Ban Treaty, stopping talking about bunker-buster nuclear mini-bombs, and perhaps even declaring a no-first use policy. Given the US's overwhelming conventional military superiority, these objectives are not unrealistic - though they will be tough to attain.
- Slowly but steadily decreasing the US nuclear arsenal, preferably in tandem with Russia, in order to fulfill the NPT commitment of eventual complete disarmament. No diplomat seriously expects nuclear powers to disarm completely in the short to medium terms.
- Expel Iran from the NPT, as well as any other state suspected to breach it, in order to maintain its credibility, at least if NPT membership becomes more of a liability than an asset to prevent Iran from acquiring the bomb. Exercise strong pressures on all other signatories to ratify the additional protocols of verification measures. Possibly negotiate and pass new protocols.
- Bring new nuclear powers (Israel, India, Pakistan) into the fold of nuclear powers' responsibilities: pass bilateral or possibly multilateral agreements with them to ensure that (i) they do not contribute to proliferation of nuclear technology or materials elsewhere, (ii) they build safeguards to avoid nuclear accidents or thefts, and (iii) they commit to limit the growth of their arsenal and to eventually eliminate them. This may require some sharing of safeguard technology by the US, as proposed by Schelling. The US and other nuclear powers should also start a dissuasion dialogue with these countries, to minimize the risk of political miscalculations.
- Dissuade would-be nuclear powers (e.g., Iran, North Korea) from acquiring the bomb by increasing the price of the bomb. Not only should there be continuous and controlled embargo on proliferation-prone nuclear materials and technology to these countries, but targeted sanctions (or rewards) may be envisaged. However, one should realistically assess the limits of sanctions and rewards".

2010-ca. 2050

- "Incrementally consolidate multilateralism to solve international conflicts and meet the global challenges of poverty, environmental destruction and so on, thereby increasing the trust among

nations. Multilateral institutions would increasingly resemble world federalism. I don't believe in world federalism being proclaimed one grand day by an assembly of world leaders; I rather envisage it to develop very incrementally over several decades, like the European Union. There would be many hiccups and some near-collapse of multilateral cooperation on the way. But in the best scenario, global democracy should eventually prevail".

- In terms of the NPT, I envisage this period to simply continue the policy laid out above".

ca. 2070 or later

- World federalism and world peace through world law must be firmly in place for the success of the final stages of disarmament. Jacobs "[does] not believe that any US President would be able to convince the American public to completely dismantle the US nuclear arsenal unless the whole world looks as benign to the US as Western Europe does today (and has looked that way for at least a couple of decades, to ensure that world peace is robust), and of course unless all other nuclear states do the same under very comprehensive mutual control".

Joe Schwartzberg appears to share Jacobs's and Glossop's partial concurrence that nuclear proliferation should be met both with improved U.S. observance of the NPT and eventual global disarmament.

- "I believe that the different perspectives so far expressed result largely from the differing time horizons adopted by the respondents to the questions that Scott put to us.

Questions

1.) WFI Fellows clearly agree that, in light of recent world events, serious attention must be paid to nuclear threats and thus the NPT. Many of you argue that the NPT is salvageable with significant reforms and that worldwide nuclear disarmament is not possible in the current political climate. Others believe that in order to eliminate nuclear weapons, there must be an end to the war system and the implementation of strong global governance. Does this report describe these two attitudes with reasonable accuracy?

2.) Didier Jacobs suggests that "the diagnosis about the NPT [isn't] so dire. The NPT has managed to maintain the costs of acquiring nuclear weapons very high." He has proposed several NPT reforms, including imposing "stronger non-proliferation rules and verification mechanisms." Do you agree or disagree with this suggestion that the NPT can be salvaged through reform? Why?

3.) On the other hand, some assert that the NPT is beyond repair. Joseph Baratta states that there has been a "dreadful breakdown of the NPT regime and [a] resumption of a headlong nuclear arms race". Lucy Law Webster puts forth the idea that "it is not practical to get nuclear weapons states to give them up unless we can abolish the war system". Jock Forbes, Ron Glossop and others argue that the only way to abolish the war system is through the creation of strong global government. Do you agree or disagree with these statements? Why?

4.) Are these views irreconcilable or is it possible, as Glossop, Jacobs and Schwartzberg have expressed in different ways, to view them as complementary solutions? That in the short-term, the NPT can be enforced through sanctions and verification mechanisms and strengthened through diplomacy to buy time, and that somewhat later a global war-prevention system could be instituted that would truly have the power to bring about nuclear disarmament?