

Synopsis

Ron Huisken of the Strategic and Defence Studies Centre at the Australian National University writes that "even the comparatively constrained proliferation picture of the past 65 years is rich in lessons for the future", providing "a history that is rich in information on why states commit to the acquisition of the Bomb and on the efficacy of strategies to divert states from this commitment." This history, Huisken argues, "points to a number of requirements for a sustained and coherent endeavour to take a serious look at the elimination of nuclear weapons. Each can be characterised as an essential element of the robust anti-nuclear weapon norm that has to be built (or rebuilt) if the enterprise is to have any prospect of success. Each element provides an objective toward which political and diplomatic energies can be directed." One Australian role, as one of a small group of countries, will be to "galvanise states into addressing this priority." This will require, Huisken concludes, "investing permanently in a team of talented diplomats sufficiently well versed in the issues to offer judicious advice to government on where movement is most needed and capable of developing creative ideas on how movement could be achieved."

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Introduction

The Bomb has insinuated itself deep into the fabric of the processes that shape the speed, direction and character of relations between states. There are known or visible dimensions of this 'nuclear regime' - treaties, practices, arrangements, understandings and the like – but its invisible dimensions, those that impinge on attitudes and instincts, are certainly just as important. One part of this regime comprises a body of theory, doctrinal statements, political declarations, treaties, and weapon deployment practices that strive, at a minimum, to avoid being on the receiving end of nuclear weapons but which also seeks, more ambitiously, to shape the international behaviour of other states in advantageous ways. Another part of this regime addresses the objective of ensuring that the Bomb does not spread to more countries. This component of the nuclear regime – the non-proliferation regime – is also made up of treaties, practices, arrangements and understandings. There has always been tension between these parts of the nuclear regime. Some feel that this is a case of irreconcilable differences. Whether or not this is the case, the diligence and skill with which we have managed this tension has been an inconsistent affair.

Many contend that the non-proliferation regime has been far more successful than could have been expected. Perhaps 15 states have set out to get the bomb, only nine got there and only eight still retain any nuclear weapons. These eight, and the year in which they first conducted a nuclear test are the US (1945), the USSR (1949), the UK (1952), France (1960), China (1964), Israel (late 1960s? –no test), India (1974), Pakistan (1998) and the DPRK (2006). The one state that is known to have gone all the way to assembled nuclear weapons (but without conducting a test) and then dismantled this capability so comprehensively that it could join the NPT was South Africa.

An even more widespread contention today is that the non-proliferation regime has been stressed so badly that its capacity to reassure non-nuclear weapon states into the future has been seriously weakened. These heightened doubts about the collective political determination to stop the further spread of nuclear weapons are reinforced by the evidence that, 65 years into the nuclear era, we have moved past an era in which it was possible to prevent most states from acquiring the unique materials and technologies needed to make the Bomb into an era in which the efficacy of such denial strategies have weakened decisively and will continue to do so. In other words, non-proliferation in the future will become progressively more dependent on states deciding that they prefer not to have the Bomb, rather than being daunted by the financial, technological and political difficulties of getting it.

Lessons from nuclear history

Even the comparatively constrained proliferation picture of the past 65 years is rich in lessons for the future. The motives of the nine states that have or had the Bomb range across the precautionary exploration of a new scientific possibility, sustaining a demanding international posture without supporting massive conventional forces, power, prestige, status and perceptions of an enduring existential threat to the state.

There was a good deal of incest, open and covert, within the current community of nuclear weapon states that helped determined when and, to a lesser extent, who got the Bomb. The UK maintained adequate exposure to the Manhattan project to give it an exercisable nuclear option, and the Soviet Union got a similar result through espionage. The Soviet Union provided essential assistance to the Chinese, the Chinese to Pakistan, and Pakistan to the DPRK and Iran. Both the Soviet Union and China contributed to the DPRK's foundational capabilities. The French aided the Israelis.

Even this relatively constrained proliferation picture has provided a history that is rich in information on why states commit to the acquisition of the Bomb and on the efficacy of strategies to divert states from this commitment. When the Cold War ended there was a period of optimism about nuclear diminution and non-proliferation. Certainly, there was relief as the condition of mutually assured destruction (MAD) unravelled, but the optimism also stemmed from better prospects for significant reductions in superpower arsenals, the moratoria on nuclear tests (initially by the US, Russia, and the UK with China and France joining later)) and the strengthening political momentum behind concluding a comprehensive test ban treaty (CTBT). There were two major developments that qualified this optimism. First, in the aftermath of the 1991 Gulf War, it was discovered that Iraq had managed to put in place a sophisticated nuclear weapon-related R&D program despite being a party to the NPT and subject to regular IAEA inspections. The second was the first round of brinkmanship from the DPRK in 1992-94, rejecting as insulting a second round of IAEA inspections to clarify anomalies in its declared stocks of fissile material and taking initial steps to withdraw from the treaty regime.

Neither of these dark clouds dispelled the prevailing optimism. The US cut an eleventh hour deal with the DPRK (the Agreed Framework of October 1994), and the DPRK was in any case considered to have a very limited capacity to destabilise the non-proliferation regime (and, indeed, a limited self-life as an independent state). The revelations in Iraq were more consequential but they were put to constructive use: They made it politically viable for the IAEA to develop a more intrusive inspection procedure –the so-called Additional Protocol – that could subsequently be put forward as the desirable (and, potentially, compulsory) minimum standard. This generally positive atmosphere carried over into the 1995 NPT Review Conference. Under the terms of the treaty, 1995 was the first opportunity to make the treaty one of indefinite duration rather than to renew it for a further five years. The opportunity for the 'indefinite extension' of the treaty was seized in 1995, and, for good measure, a CTBT was opened for signature in the following year.

Over the next few years, this sense of optimism progressively evaporated. The first body blow came in May 1998, when India conducted a condensed series of 5-6 tests to announce its decision to become an overt nuclear weapon state. Pakistan followed suite almost immediately, confirming widespread assessments dating back to the late 1980s that both states were already defacto nuclear weapon states. A few weeks later, in August 1998, the DPRK spectacularly tested a multi-stage missile. Although not fully successful, this event sharpened dramatically for the US the consequences of any further proliferation of nuclear weapons and transformed the politics of ballistic missile defence in favour of a commitment to deploy.

The Bush administration then took a bunch of decisions (broadly informed, as it later became clear, by the neoconservative view of the role that the US could and should play in the world) that generated widespread antagonism and, specifically on the nuclear front, a sense of betrayal. Very cryptically, the Bush administration declared ratification of the CTBT to be contrary to US interests; it refused to endorse a set of commitments – including a reaffirmation of the literal intent of Article VI of the NPT - agreed to by the five permanent members of the UN Security Council at the 2000 NPT Review Conference; it stepped out of the ABM treaty and declared that it would no longer regard Russia (or anyone else) as a necessary partner in shaping its nuclear forces; it endorsed a nuclear posture review that depicted nuclear weapons as a vital and versatile component of America's security posture; and it portrayed the eventual force levels envisaged by this review (1700-2200 operational strategic warheads) as America's unilateral minimum.

Coupled with the wider dissonance created by the manner in which the administration responded to 9/11, including, of course, its determination to depict regime change in Iraq as an urgent priority, Washington found it impossible to generate sustained and widespread support for its efforts to dissuade Iran and the DPRK advancing toward a nuclear weapon capability. In the six-party forum on the DPRK, not all the key players were prepared to follow the US and make non-proliferation unambiguously the top priority allowing Pyongyang to repeatedly slip off the hook without penalty. Iran, similarly, was caught red-handed with a clandestine uranium enrichment program but (it would appear) promptly erased all the elements that pointed to an interest in the Bomb (as against a capacity to support a nuclear power program) and then simply confronted the international community with the proposition that the absence of proof required that it be declared innocent. Again, US efforts to forge unanimity in the political message being sent to Tehran were defied. There was always a significant exception or two, giving Tehran sufficient room for manoeuvre to avoid major penalties while diligently developing its capacities to make fissile material. The profound dissonance in the international community, dominated by what amounted to American estrangement from a world of its own making, culminated, among other things, in a damagingly chaotic and fruitless NPT Review Conference in 2005.

This potted review of the past with respect both to nuclear arsenals and nuclear proliferation points to a number of requirements for a sustained and coherent endeavour to take a serious look at the elimination of nuclear weapons. Each can be characterised as an essential element of the robust anti-nuclear weapon norm that has to be built (or rebuilt) if the enterprise is to have any prospect of success. Each element provides an objective toward which political and diplomatic energies can be directed in such forums as the UN (both the Security Council and the General Assembly), the IAEA, major international conferences, major power gatherings like the G8, and bilateral meetings among key states. It will be necessary to maintain a degree of balance between these several elements of the norm: it is implicit in the label 'essential' that the enterprise can founder if any one element remains conspicuously weaker than the others. The art form for policy will be to seize opportunities to move forward on one element but then to assess the source(s) of hesitancy about going further and then tackle the challenge of strengthening the other elements of the norm that most directly address the sources of this hesitancy.

Essential elements of the anti-nuclear norm

1. The first element of the norm is a shared conviction that nuclear weapons are a net liability. There will be a significant moral dimension to this element but also more hard-headed contentions that the benefits nuclear weapons are thought to deliver are not commensurate with risks associated with them. Those risks are now seen to centre on the spread of the bomb to states disposed to disturb the stability of their region, and on the leakage of nuclear capabilities to non-state actors.
2. A second element is the shared conviction that selective possession of nuclear weapons cannot be reconciled with non-proliferation. The key message here is that if the recognised nuclear weapons states are to regain and retain the moral authority to lead on non-proliferation they must themselves be actively engaged in practising nuclear restraint and exploring the modalities of nuclear diminution and, eventually, elimination. The past practice of nuclear weapon states insisting that they have no responsibilities until the two nuclear giants (the US and Russia) cut back to their levels has to be contested in favour of facilitating this process through giving these states confidence in the predictability of external nuclear developments. Among other things, the United States will need to cross a major psychological threshold and contemplate nuclear force levels that are smaller than the number of targets in 'adversarial' states (Russia and China) that for decades have been deemed to be priority objectives to be held at risk by its nuclear forces.
3. A third element is building a robust consensus that new nuclear weapon states are unacceptable. Although there should always be room to endeavour to address the concerns of states that appear to be contemplating the acquisition of nuclear weapons, the international community must signal that it is not prepared to accept this uncritically as a sovereign right. In other words, the international community must signal its predisposition to insist on zero tolerance of, for example, contentions that an acute threat to vital national interests mandates the acquisition of nuclear weapons or of attempts by states to operate in the margin between the letter and spirit of the NPT.
4. A fourth element would be building a consensus to impose serious penalties on states that transgress. To the extent that the major powers sense that they are likely always to be alone when it comes to reining in a new proliferator, their willingness and ability to be forward-leaning on nuclear diminution will be impaired.
5. A fifth element will be to build strong support for the wider and deeper scrutiny of nuclear activities to provide greater confidence in the early detection of transgressions. In addition to being essential to any process of nuclear diminution, this element also constitutes a vital precursor to the enormously demanding challenge of verifying compliance with the abolition of nuclear weapons.
6. A sixth element will be to develop acceptance of tighter, verifiable and universal restrictions on national access to core nuclear weapon technologies, especially

the capacity to manufacture fissile material (essentially highly enriched uranium and plutonium). As one looks down the road of a determined effort to eliminate nuclear weapons, the selective national ownership of these critical long poles in the nuclear tent loom as a show stopper for some and, almost certainly, a source of suspicion and anxiety about the potential for diversion and breakout that will stress verification arrangements to breaking point. Serious consideration should be given to forging an early commitment to the objective of placing all capacities to manufacture fissile material under international control. It may be some time before we can take practical steps in this direction but we should do everything we can in the interim to discourage developments that take us further away from this objective.

7. We could add as a seventh and final element of the anti nuclear norm collective acceptance of a responsibility to devise and implement new habits of global governance that build confidence in the determination and capacity to preserve international peace and stability without resort to the ultimate sanction of nuclear force. Several of the earlier elements, notably 3, 4, and 5, will make an important contribution in this regard.

Conclusion

The approach to thinking about nuclear disarmament outlined in this comment highlights at least two features of the process that don't often get the attention they deserve. First, the process will be prolonged and will have to be taken forward on a broad front. Building a robust anti-nuclear norm and nudging it forward in a balanced and coherent manner will be the work of decades. Australia may not be a prime mover in this arena but we could be one of a small group of states who take it upon themselves to continuously monitor the state of play, gauge where the focus of effort should be at any particular point in time, determine the best forum in which to address the prevailing priority, and make the effort diplomatically to galvanise states into addressing this priority. This will require investing permanently in a team of talented diplomats sufficiently well versed in the issues to offer judicious advice to government on where movement is most needed and capable of developing creative ideas on how movement could be achieved. In order to play this role, it is critical that Australia come across as part of the solution, as a government that strikes an effective balance between realism and idealism and resists the temptation to slip into simple advocacy of a desirable end state.

The second feature that emerges rather clearly is that all states, big and small, with and without nuclear weapons, have genuine roles to play and must become part of the process. The states with nuclear weapons, especially the United States and Russia, certainly have special responsibilities but the others need to be made to think carefully about the doors that they can open or shut to make the nuclear weapon states more confident about addressing their responsibilities.

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