

A Stable Transition to a New Nuclear Order
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Summary
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“A Stable Transition to a New Nuclear Order” is a two-year project funded by a grant from the John D. and Catherine T. MacArthur Foundation to Cornell University. Professor Judith Reppy (Cornell) and Professor Catherine Kelleher (University of Maryland) serve as the principal investigators. The workshop in Berlin, Germany, held December 15-16, 2014, represented the project’s first international conference and focused especially on European perspectives. The workshop gathered academics, government officials, and those with expertise in physics, blogging, and international law, and posed to them a challenging question: What conditions are necessary for a stable transition to a new nuclear order? A “new nuclear order” was defined as a future with significantly lower worldwide numbers of nuclear weapons, with the ultimate goal of a world without nuclear weapons. The project was also designed to bring young people into these discussions to encourage fresh thinking, new questions, and commitment from a new generation to these important issues.

The conference focused primarily on the question of strategic stability during periods of transition, keeping in mind several generally-agreed-to points:

- We are in a period of transition now, in part because of rising pressures in the run-up to the UN Non-Proliferation Treaty Review Conference in 2015.
- The Ukraine crisis challenges and may require us to reassess a number of assumptions about the nature of strategic stability, not just in Europe but globally.
- Transition to deeper nuclear cuts requires a favorable political context.
- There is a significant gap between generations in the understanding of the nature of deterrence, the original theorizing about its requirements, and the development of the current consensus.

Session 1: Strategic Stability

What is the meaning of strategic stability in a nuclear world? What might it mean in a world transitioning to be free of nuclear weapons? Is a world free of nuclear weapons desirable?

One fundamental question regarding strategic stability is whether the very concept of stability, when applied to a nuclear world, is a misnomer and, in the end, an impediment to disarmament. According to one participant, justification for continuation of the arms race rests on the assumption that nuclear policy creates strategic stability, which in turn creates the illusion that strategic control is possible. If strategic control is possible, then

the “nuclear problem” is actually a “management problem.” These assumptions obfuscate ethical considerations regarding nuclear vulnerability. The prospects for nuclear accidents, for instance, are accepted in theory but denied in practice.

Even the term “security” may be a misnomer. The idea of “resilience” as a goal apart from “security,” for instance, is an emerging discourse that could potentially challenge the conventional dialogue about strategic stability. Whereas “security” implies preventing a disaster, “resilience” implies acceptance of both vulnerability to and ultimately the inevitability of a disaster, from which the society hopes to survive and rebuild. The term “resilience” is especially popular in the UK and formed a key part of the Conservative platform coming to power in 2010. One participant expressed the view that in the UK, however, “resilience” is only a fancy term for doing away with security; it cannot be considered practical in reality. Another participant added that the British can afford to talk about resilience only because they are under the U.S. umbrella. In both the UK and France, the resilience discussion serves mostly to satisfy a domestic elite audience which, determining that risk cannot be wholly eliminated, has been shifting the dialogue toward a focus on management and mitigation of risk.

A second fundamental question about strategic stability is whether a world free from nuclear weapons is inherently desirable. Does nuclear deterrence prevent low-level conflicts from turning into larger conflicts? Put another way, would a lack of nuclear weapons lead to a higher incidence of conventional war? The prospects of such an outcome may undermine the logic of disarmament process. As the number of nuclear weapons decreases, conventional weapons become more important – they matter more. One conclusion arising from this line of thought is that nonnuclear states are just as important to the disarmament discussion as nuclear states. So far, however, few people have asked what the nonnuclear states think about the possible consequences of nuclear disarmament.

A third question concerns the risk of a nuclear return, namely, the risk that an individual state or group of non-state actors might try to escape or “breakout” from the nonnuclear system. The risk of detection and destruction of that entity may be high, yet one cannot assume that cheating will not take place or that legacy knowledge will have disappeared. Thus, as one participant reasoned, it is important to discuss what system of control needs to be in place at each level of disarmament. Most participants agreed that the current system of the UN and Security Council are not adequate to govern this process. Moreover, several participants agreed that public perception has always been the key to deterrence. Thus, the central question that must be addressed is the need to feel safe, over and above what technical decisions are made.

Session 2: Nuclear Trafficking

The impact of nonstate actors is of particular concern to strategic stability in the present context, according to one participant. This includes trafficking of radioactive materials, especially by smuggling networks in fragile states and separatist territories ungoverned

by international treaties and control regimes. Frozen conflicts in Eastern Europe, including Transnistria, Moldova, Romania, and possibly now, Eastern Ukraine, provide ideal locations for increasingly sophisticated trafficking networks. One way to reduce this impact would be to allow breakaway republics to have observer status or more involvement in the nonproliferation regime.

Discussion included a question of whether or not this may be a new kind of arms race threatening stability, and the importance of various types of legal frameworks and law enforcement measures. The International Maritime Association, for instance, employs sensors and transponders to help prevent smuggling of nuclear materials, and works with insurance companies to inventory and intercept suspicious shipping cargo. The Chemical, Biological, Radiological, and Nuclear (CBRN) Centers of Excellence also work to curb smuggling and misuse of sensitive materials. The Organization for Security and Cooperation in Europe (OSCE), the United States, and NATO all contribute to various nonproliferation and counter-WMD terrorism efforts. It was noted that no comprehensive study has been done comparing the approaches of the various international instruments on this issue, though many divisions exist in responsibility. Also, having more opportunities for Russia to cooperate in these efforts may be useful.

Session 3: Ballistic missile defense as an impediment to further cuts

Ballistic missile defense as currently designed has become an even more important element in strategic thinking and deterrence logic, but do ballistic missiles actually add value to strategic stability? According to one participant, ballistic missiles should not be considered important to strategic stability even now. Historically, whenever the U.S. has encountered a real threat, decision-makers have quickly assessed the actual capabilities of ballistic missile defense and discounted them as unable to deal with the problem. Reasons for this include the relative ease of countering another's missile defense by simply building a more overwhelming arsenal of offensive missiles, the inherent uncertainties in missile defense technology, and the possibility of preemptive attack.

In the case of a threat from North Korea or Iran, for instance, the problem with most conversations about ballistic missile strategy is that we tend to create scenarios to fit the types of missiles that we build, rather than the other way around. The analysis stands as strategy only because it has never been put to the test. Non-strategic missile defenses—as Patriot, or even Aegis—are deployed in essence as political signals to provide reassurance to worried domestic populations (Iron Dome in Israel) or reinforcement of retaliatory threats for external actors. Once conflict occurs, they are in their present numbers easily overwhelmed by larger enemy numbers or confused by counter measures. Even at the strategic missile defense level, achieving new agreements limiting ballistic missile proliferation (paralleling the now discarded Anti-Ballistic Missile [ABM] agreement) is not of primary importance given that, when faced with a real threat, serious discussion of their use is abandoned.

Other participants expressed varied reactions to the above view. One stressed that the unlimited deployment of missile defense represents a significant impediment to U.S.-Russian arms control, multilateral arms control, and future nuclear disarmament. For instance, one of the difficulties in achieving stability is balancing the tension between the technological uncertainty about the effectiveness of missile defense systems and the political uses of appearing certain (for domestic and political audiences, as well as for negotiations). Russia will not hear arguments that U.S. missile defense is not very good, and the United States will not hear arguments that its own missile defense will not work. Similarly, the United States tends to understate the performance of its systems and overstate Russian countermeasures, whereas Russia does precisely the opposite. One reason for this is that there is no serious missile defense program in Russia at present. If there were, according to one participant, the technical knowledge that missile defense is not a solvable problem would reach their political discourse, but there is no prospect for this happening.

According to one participant, current missile defense policy complicates prospects for further nuclear cuts because U.S. and NATO missile defense capabilities do not undermine the Russian deterrent and are not capable of providing a reliable shield. Rather, Washington's global missile defense efforts increase Russian mistrust and the psychological effects of uncertainty, and give Russia a pretext for refusing further nuclear cuts. Essentially, the U.S. global missile defense buildup offers little benefit and gives other states either a pretext for refusing to engage in disarmament efforts or a future bargaining chip to exploit.

There are also important philosophical differences driving the missile defense debates in the United States and Russia. U.S. strategic thinking is driven by avoidance of a surprise attack, in other words a "no more Pearl Harbor" philosophy and a desire to feel invulnerable. This is accentuated by the concern that with modern technological advances in precision, the U.S. nuclear arsenal might not survive a surprise attack. Decades of presidents have accepted this line of thinking and the priority of having and maintaining technological dominance. The Russian philosophy is different and focuses on the survivability of its nuclear deterrence. The ability to retaliate commands a higher priority than invulnerability of its territory.

Most participants agreed that there is a need for greater transparency between the United States and Russia regarding missile defense capabilities, which some defined as the greater sharing of state secrets and others defined as "functional transparency," in other words, clarity in language use and technological terms in order to reduce misunderstandings. A contrary view was raised, however, that when making agreements, vagueness is often a useful tool for achieving agreement, whatever future problems it may create. In theory, some argue, these can be treated later, once the agreement is in place. Nonetheless, even if Russia, the United States, France, and the UK were to reach an agreement on deep nuclear cuts, let alone disarmament, China would pose the most serious challenge to this outcome. Negotiating for Chinese transparency

regarding their nuclear deterrent could result in the Chinese at a minimum demanding, in exchange, a stop to the build-up of U.S. missile defense assets in the Asia-Pacific.

In discussing these ideas, participants also turned to the financial aspects of missile defense. One view was that the European Phased Adaptive Approach (EPAA) is essentially dead. In this participant's view, the United States has always been much more concerned about protecting the homeland than protecting Europe, and Europe is willing to have missile defense only because the Americans are paying for it. Certain countries, like Poland, show interest in having these facilities not because they are interested in missile defense, but because they are interested in Americans being there. Eventually the U.S. Congress will move away from paying for European defense, defund the project, and increase defense spending on the East Coast instead.

Other participants agreed about the importance of the financial aspect, if not necessarily the further predictions about the future. According to one, missile defense in Europe may still be an important bargaining chip in reassuring allies, and thus continue to play a political role in Europe, however the distribution of funds is determined. Another participant looked at the financial deals being made, including powerful lobbying by U.S. missile defense companies and a number of deals in Europe and with China. Even if missile defense is undesirable as a NATO commitment, it would be difficult to stop the train now set in motion.

A final complicating factor is that there are multiple discourses being used at the same time regarding ballistic missiles; these include strategic discourse, risk reduction ("insurance") discourse, and discourse about missile defense as an instrument or means of multilateral cooperation, such as with NATO.

Session 4: How do international organizations contribute to stability?

The International Atomic Energy Agency (IAEA) may be a case study for how an international organization can contribute to strategic stability. The IAEA, which is fundamentally multilateral and aided by the fact that it has historically been thought of as a technical institution rather than a political one, addresses the threat of nuclear weapons with a credible verification mechanism. In the case of noncompliance, a country may be referred to the UN Security Council (historically this has only happened in the case of Iraq, Romania, and North Korea). One of the benefits of the Additional Protocol is that signatories look more transparent, and it flushes out some states who refuse to sign and were not being transparent in the first place. Finally, disarmament by even one state may lay the groundwork for further disarmament by other states.

Discussion touched on a number of benefits to international organizations as well as inherent structural and political challenges. For instance, two benefits of international organizations is that they provide a place for discussion (including a voice for smaller states) and for the exercise of power in persuasion. Over the last two decades, however, international organizations such as the IAEA have increased their regulatory role and

intrusiveness into what states deem their sovereign decision-making. This has led actors to question the legitimacy of the organization, particularly at points where the organization attempts to move from inspection to investigation. On the other hand, the IAEA has weathered similar questioning in the past but managed, for instance, to draw conclusions regarding North Korea and to demand that the agency secretary of South Africa verify completeness of the country's disarmament.

An opposing view regarding the IAEA was that while the IAEA has a technocratic image, it is not immune to political agendas, and this should be considered in regard to its possible role in future reductions. It has also become more politicized over the years. Most participants still viewed the IAEA as having a comparatively independent culture in dealing with hard security issues.

The OSCE also enjoys a stabilizing role in Europe, with notable legal and judicial functions. It was put forward, however, that possibly this organization has developed to the point where, in its present form, it is not capable of performing its present responsibilities, let alone taking on new roles. It also may be described as more of a permanent conference than a powerful decision-making body, and it finds itself in a position of increasing difficulty balancing the security concerns of current member states and states wanting to join. Furthermore, Russia claims that the OSCE has taken a discriminatory orientation toward Russia both in debates and in operations, since most of the Cold-War restrictions did clearly focus more on constraints on Russia. On a more practical level, some Russians argue that participation in the OSCE does not meet Russia's requirement to be treated as an equal to the United States or as a channel for an authoritative voice in its sphere of influence in Eastern Europe. The OSCE has limited authority in critical decisions about European security and Russia's special status and interests are not and never will be acknowledged.

Session 5: Is there a better discourse than deterrence?

Deterrence discourse has provided a way to discuss risks and to share a common vocabulary about technology. However, the assumptions underlying classical deterrence theory have been shown to be highly problematic. Some would even say they are false. If that is true, then why has nuclear deterrence been both a powerful and enduring concept? In one participant's view, the concept endures because deterrence is largely performative (i.e., saying it makes it true, as long as no one challenges it). Additionally, the definition of deterrence is not fixed; today, people using the term "deterrence" are often referring not to nuclear deterrence in a strict sense, but rather are concentrating on goals of EU cohesion and unity. These drawbacks lead some to wonder whether "nuclear deterrence" should be our primary focus at all, and whether it lends unnecessary credence to an unhelpful (and perhaps oxymoronic) concept of "nuclear stability." Might there instead be a better discourse?

One possibility is that instead of focusing on nuclear deterrence, the discussions and eventually policies regarding security should focus on conventional arms control. Some

participants expressed the view that nuclear discussions have actually eclipsed important discussions about conventional weapons and disarmament. These participants would like to see a more bottom-up approach in which the younger generation talks seriously about conventional weapons and conflict resolution. To some participants' view, a focus on conflict resolution means endeavoring to move toward worldwide disarmament of all forms of mass destruction including conventional weaponry. In response to this idea, however, a contrary view was raised that while conflict resolution should be the primary subject of discourse, complete disarmament of nonnuclear weapons is unnecessary, unrealistic, and ought not to be part of the argument for elimination of nuclear weapons.

A second idea concentrated on the opinion that the word "security" is an even more important word than "stability" in discussions about disarmament, simply because self-preservation is the most fundamental concern (one might refer to Maslow's hierarchy of needs). Therefore, a successful argument regarding nuclear zero must prove that a world without nuclear weapons will be 1) as secure as the current system, and 2) enjoy ethical justification. Economics will also play an important role in this argument. This is also a place in which ethical and moral arguments regarding indiscriminate destruction and the possibility of nuclear accidents may come into play. However, it will be necessary to demonstrate that a transition to this system will not open the door to an even worse conventional arms race, something that may now indeed be deterred by the presence of nuclear weapons.

The concept of extended deterrence traditionally has projected potential outcomes that range from crisis management at one end to self-deterrence at the other end. Ultimately, as one participant noted, deterrence is itself an unstable and unethical position in which the situation of humanity generally is precarious precisely because it is constantly faced with the threat of annihilation.