

## “Nuclear Governance: Prospects for a Strengthened Nonproliferation Regime”

Summary of remarks by Catherine McArdle Kelleher, College Park Professor at the University of Maryland

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### **What is Nuclear Governance?**

- Nuclear *governance* is quite clearly not *government*. It deals with those measures which are possible and effective in eliciting obedience from states that may see adherence to certain rules as against their own interests.
- Disarmament and nonproliferation are related but distinct goals. The established nuclear players have pursued a self-interested focus on the latter, generally ignoring the former in recent decades.
- Nuclear governance, and arms control specifically, does not require agreement on all norms and principles. It is about making progress where progress is possible on discrete issues of mutual interest to states. This point has become less appreciated in national capitols as nuclear arms control has become a less urgent priority.
- Actions to control the risk associated with nuclear weapons have always had a national and an international aspect, even if it has never been fully possible to reconcile the tension between the need for international coordination and the desire of states to cling to sovereign privilege.
- Nuclear dynamics in certain regions, South Asia in particular, are little understood and generally play out outside the nuclear governance regime. They bear an imperfect resemblance to the U.S.-Soviet dynamic, reflecting (among other things) differences in geography, numbers, conventional force posture, and history.

### **The History of the Regime**

- Leaders in the United States and elsewhere recognized early that nuclear technology would have to be managed on a multilateral basis. These leaders concocted various plans and approaches for multilateral management of the nuclear fuel cycle, but none of these was acceptable to all of the relevant countries during the opening stages of the Cold War.
- The world wound up with a loose network of institutions, agreements, and practices that was never fully up to the task. The number of holdouts has dropped over the years, but the regime has never been universally recognized as

legitimate. Even formal adherents have skirted the rules when their interests dictated. But for better or worse, most national decision makers have concluded that the current network will have to do, and that it should be preserved in roughly its current form with periodic adjustments.

- 1958 was the last effort to go for general and complete disarmament in a strategic sense. What followed was a focus on the goal of nonproliferation and limiting risk.
- Nuclear proliferation, rather than disarmament, has been the focus since at least the 1960s. Everyone saw the initial disarmament problem as too hard, including after the failure of the surprise attack conference in 1958. Nonproliferation is in many ways an easier task, and allows the United States and the other established nuclear powers to be active on nuclear issues without having to substantially grapple with their own responsibilities and privileges.

### **Trends in Nuclear Governance**

- The managers of the nonproliferation regime have been, and continue to be, driven by the competing desires to restrict weapons-relevant technology and to encourage the spread of the civilian power sector. These goals can never be fully reconciled, at least not with current technology, and national bureaucracies have struggled to strike the proper balance.
- The nuclear Nonproliferation Treaty (NPT) is premised on a strict division into nuclear weapons states and non-nuclear weapons states. That strict go/no-go division may not be sufficient, or fully relevant to, the current nuclear order.
- The question of dual capable technology has never been resolved, and the diffusion of knowledge and capability makes the technology denial model of nonproliferation increasingly tricky.
- The nuclear governance regime is grappling with the emergence of new actors. These include multi-purpose bodies like the G20 that may provide the opportunity for powerful states to expand consensus across a range of specific issues. But current economic and technological trends are also empowering less capable states as well as non-state actors and networks. Even so, the capabilities of established NPT states still dwarf those of most aspirants.
- Technological developments have periodically upended assumptions about the nature and risks associated with the nuclear era.
- Going forward, the regime may need to include mechanisms that can deal with new nuclear arsenals that number in the teens.

- Especially with the use of chemical weapons in Syria, the broader focus on “WMD” is attracting more interest from national policymakers.

### **Trends in Current U.S. Policy**

- Observers and analysts should not understate the extent of U.S. reductions to date, as well as the reductions of the role of nuclear weapons (though not all in the United States agree).
- The administration and its foes are engaged in parallel discussions about the proper number of nuclear weapons and the proper role they should play. Changes in the ideological composition of the parties and resource constraints are reshaping the debates on nuclear weapons.
- A formidable modernization bill is coming due, and nobody—least of all the U.S. military services—quite wants to pay it.

### **Paradoxes of Nuclear Possession**

- Even for states that regard themselves as “responsible” nuclear stewards, nuclear strategy still requires an instrumentalization of terror and a sense of revulsion.
- The established nuclear powers are facing much the same conundrum: we don’t know quite what to do with nuclear weapons but we can’t bring ourselves to reverse our nuclear status.
- More recent nuclear powers are experiencing Henry Kissinger’s four stages of nuclear possession:
  - You don’t have them but you think they are great.
  - You have them and you think they are great.
  - You have them and you realize you can’t do much with them
  - You have them, you’re facing never-ending modernization costs, and you can’t get rid of them.

### **Transforming the Regime**

- In the ongoing tussle between transforming and improving the current system, there are many reasons to be skeptical that improvement is possible.
- Although a process towards nuclear zero might be desirable, there is not currently such a process in motion.

- The nuclear security summits have attracted attention and resources, but they may provide only a temporary boost. They don't serve to resolve any of the thorny underlying issues.
- The upcoming NPT review conference is an opportunity to get the attention of the various national bureaucracies and generate proposals.
- Some of the transformation in the regime will be driven by new concepts and understandings about the links between nuclear and conventional forces, including evolving strategic capabilities like long-range precision strike and missile defense.
- Looking ahead, maybe the best you will be able to do on a multilateral level is to reach an agreement among the relevant parties not to make things even riskier, rather than actually backing away from the nuclear status quo.
- Postponing serious consideration of the problem can make it worse.
- There is a belief among arms controllers that we just need to keep working at incremental steps to the problem and then we generate momentum towards the desired end state. This has not always been borne out.