

1. Table of Contents

- 1. Table of Contents..... 1**
- 2. Update from the Directors..... 2**
 - 2.1. Introduction..... 2
 - 2.2. Trends in the Topic..... 2
 - 2.3. Advice for Improvement..... 3
 - 2.4. Miscellaneous Thoughts on Arguments..... 5
- 3. Pro Articles 8**
 - 3.1. The Lingering Specter of Nuclear War..... 8
 - 3.2. The (Flawed) Assumption of Rationality 14
 - 3.3. Nuclear War Between India and Pakistan 16
- 4. Con Articles..... 18**
 - 4.1. Why The Treaty is Unlikely to Fulfill Its Promise..... 18
 - 4.2. The Role of Deterrence in Total Disarmament 27
 - 4.3. Who Are We to Deny Nations Nuclear Weapons? 39



2. Update from the Directors

2.1. Introduction

Hello all! Congratulations to those that have already competed at tournaments this season! Competing in a second language is no easy task and we applaud you for just competing at our tournaments! And if you have earned a trophy or medal, additional congratulations! That's an impressive accomplishment you should feel proud of.

We are proud to release our first-ever **mid-season research packet** on the topic, "Resolved: States should eliminate their arsenals of nuclear weapons." This packet will contain some advice written by us as well as three additional Pro and Con articles. It is **highly recommended** that debaters begin by reading the **Topic Introduction post** and **Main Research Packet** on the NHSDLC website [here](#). Once debaters are more familiar with the general idea of the topic, then they can proceed with reading the rest of the research packet.

For those of you that are just now beginning your competitive season, we hope that this packet helps you as you prepare for your first tournament. However, it's not necessary to read this packet to be familiar with the topic. It's just a useful update to our main and supplemental research packets.

For those of you that have already attended tournaments, we hope that this packet helps provide guidance on what to improve on for future tournaments. Again, it's not necessary to read this packet. However, we feel that this contains a lot of useful information that will help you see where you can improve.

2.2. Trends in the Topic

As we predicted in the first research packet, the topic has fundamentally boiled down to the Pro mostly arguing that any threat of nuclear war should be avoided while the Con has mainly focused on the deterrent effect of nuclear weapons. This is consistent with the general conflicts found in the literature which is good because it means that debates are reflecting what the experts think.

We think that there have been a few consistent traits of debaters who have been successful at our tournaments.

A. Successful debaters are mostly sticking to arguments in the core of the topic.

Most successful teams are not trying to find the most creative arguments. As we'll discuss later, most of the creative arguments on this topic are not very strong. The strongest and best arguments are the ones that are core of the topic: the threat of nuclear use versus deterrence.



Of course, debaters are also arguing for other arguments which we will discuss later. However, these are the main arguments and so are the ones that debaters should be prepared to debate against.

B. Debaters are successful when they know their evidence.

It seems like every Con team is talking about deterrence and every Pro team has at least one good prepared response to deterrence. So, how is the Con winning these debates even when the Pro has prepared answers to them? They are winning because they understand their evidence and can explain it. The Con can explain why no other theory can explain the peace since the Second World War as well as deterrence can. The Con can explain why the failures of deterrence cited by the Pro are actually incorrect. They can defend their evidence.

In fact, we believe that debaters can be successful on this topic without reading a single article outside of the research packets. The articles in the research packets are some of the best articles on the topic and are very nuanced. We would even recommend that debaters re-read articles from the research packets instead of trying to do additional research on their own. That is because it is difficult to understand everything each article is trying to say the first time reading it and there is a lot to learn from reading it a second time.

C. The top debaters effectively compare arguments in the final speeches.

Summary and Final Focus speeches are difficult to give because of how short they are. The best debaters solve this problem by only focusing on important arguments and explaining why they are the most important arguments in the debate. At the end of each debate, the judge has the hard job of picking who won. And it's not always easy to determine who won, especially when both teams are well-prepared. The best debaters make this easy for the judge by focusing on only one or two key issues, often called *voting issues*, and explaining why they are the most important arguments in the debate.

We published a post on our blog, which you can find [here](#), that covers how to improve in the final speeches.

2.3. Advice for Improvement

A. Have blocks.

Blocks are prepared responses (also called attacks or rebuttals) to common arguments made by the other side. These blocks would be read by each team's second speaker during the 4-minute rebuttal speech.

Remember, a response can either attack the argument's warrant (i.e. proving the argument is false) or the argument's impact (i.e. proving the argument is unimportant). Good blocks will typically contain both attacks: they will try to demonstrate that an argument is both false and unimportant. Some blocks may even try to "turn" opponent's



arguments, which means to show that their opponent's argument actually supports their side.

Since most debates contain similar arguments, it should not be too difficult to predict what arguments should be blocked out. For the Pro, they should have, at a minimum, blocks against the Con arguments of **deterrence** and **rearmament** (the arguments in the Con Sample Case on our website). For the Con, they should have, at a minimum, blocks against the Pro arguments of **miscalculation** and **escalation**.

For example, when the Pro is debating against the Con's deterrence argument, they want to have blocks to that argument. The best blocks would show that deterrence is false and also that deterrence isn't very important. Debaters can find examples of attacks against deterrence in the Sample Pro Case and the other research packets on our website.

Blocks ensure that each team has good attacks against the most common arguments. Without blocks, teams will not properly attack the arguments made by the other team. Blocks usually contain evidence or specific arguments that are hard to think of on the spot. Preparing them in advance helps debaters make strong attacks against their opponent's arguments.

B. Understand the theory and the history.

This important for both sides. Once again, let's use deterrence as an example. Con teams defending deterrence should be able to explain the theory of deterrence (the logic behind deterrence) as well as the history of deterrence (the historical examples to explain why deterrence is true). This is because judges want to hear both parts: they want to know what has happened in the past (the history) but they also want to know why it happened (the theory).

This is still important even for the Pro. If the Pro is arguing for miscalculation (the idea that a state may mistakenly understand the intentions of another state and launch nuclear weapons), they both need to understand *why* miscalculation might occur (i.e. the theory) as well as be able to list instances in the past *when* miscalculation almost occurred (i.e. the history).

Understanding both the theory and the history will help teams effectively defend their arguments and attack their opponent's arguments.

C. Drill and practice.

Many debaters don't have full-time coaches which makes it hard to practice on their own. However, there are many things that debaters can do to improve their debate skills on their own. Here are two suggestions for improvement!

First, debaters can **practice debate** their partner. There is no better preparation for a tournament than having a practice debate. However, many debaters don't have another set of partners to practice against. The solution: a partnership can debate against each



other. One debater will be the Pro and the other debater will be Con. This means that each debater will have to give every single speech, which is difficult, but each speech is a chance to improve. Practice debates are among the most effective ways to prepare for a tournament.

Second, **redo speeches**. After a practice debate or even after a tournament, there is an opportunity to self-assess what could be improved. Debaters can redo speeches they've given in an earlier debate round and focus on improving one or two aspects of the speech. Maybe they thought they could have had a better response to a certain argument, or they could have spent less time responding to an unimportant argument, or they could have more effectively compared impacts for the judge. Speech redoes are one of the best ways to target specific weaknesses and improve on them for the next tournament!

2.4. Miscellaneous Thoughts on Arguments

Here, we'd like to lay out a few miscellaneous thoughts we have had over the arguments we have judged and listened to from the tournaments we've been at. You should **not** take these thoughts as absolute truth; they are simply our personal thoughts about the arguments. You might agree with us, you might disagree with us. These are simply posted to help you develop your own personal opinion about the arguments. We'll label the thoughts of each individual director, so it is clear whose opinion is whose.

“Economic arguments on this topic seem incredibly weak – I do not know why they continue to be so popular.”

For some reason, teams on both sides continue to make arguments related to the economic effects of denuclearization. I admit, there are arguments both directions for it. In fact, there are some anti-nuclear groups that make the financial argument a central tenant of their opposition to nuclear weapons.

For the Pro, I don't find this argument inherently weak, just comparatively much weaker than a litany of other available arguments. The Pro can argue about the extreme (and real) risks of nuclear war, why would the Pro choose to argue about the financial cost of maintaining nuclear weapons?

Additionally, the best arguments presented by anti-nuclear groups are that the money saved by denuclearization would be best served by appropriating them for other social services like education or health care. Unfortunately, that's not an argument that the Pro can make on this topic. The only thing the Pro is allowed to argue is that states should eliminate their arsenals of nuclear weapons. They are not allowed that they would take the money saved and put it somewhere else.

For the Con, it is almost certainly the case that the Pro would save more money by denuclearizing simply because maintaining nuclear arsenals is incredibly expensive. For this reason alone, I would just not recommend making this argument.

--- Lawrence Zhou



“Environmental arguments (on their own) are also relatively weak on this topic.”

The reasons for this are similar to the reasons that the economic arguments on this topic are relatively weak — the environmental impacts of keeping or getting rid of nuclear arsenals are just not as strong as the impacts of war on either side. Pro teams have argued that maintaining nuclear arsenals creates radioactive waste and that tests of nuclear weapons create radioactive fallout. Both of these things damage the environment and the health of humans and animals. The Con has argued that the process of getting rid of nuclear weapons creates pollution and damages the environment.

This Con argument is not good. It’s inevitable that the nuclear weapons currently being used will at some point be taken apart and replaced with newer missiles. At that point, the old radioactive materials will have to be disposed of somehow. As long as nuclear weapons exist, there will be radioactive waste.

The Pro argument makes sense, but it relatively weak. There is evidence that nuclear tests create pollution and hurt people ([this study](#) from the United States National Institutes of Health shows that nuclear tests are linked to increased cancer risk). However, this impact is much smaller than many con impacts, like war. War kills many more people and devastates the environment much worse than nuclear tests. Also, nuclear tests are all currently banned. The Comprehensive Nuclear Test Ban Treaty is just one of many treaties that has banned nuclear testing. The Con could even agree that we should ban nuclear testing without agreeing that we should ban nuclear weapons. The Pro can talk about how a nuclear war would destroy the environment (see [this article](#) from The Guardian), but they must prove that nuclear war would happen to make that argument.

For both sides, the environmental arguments on their own are not as strong as other arguments.

--- Nick Caputo

“Feasibility is a bad argument, but the Pro is mistaken about why it’s a bad argument.”

*After I posted that article on feasibility, it’s become popular for the Pro to simply hand wave away all concerns about feasibility, even to the point where the Pro is claiming that the rearmament argument no longer applies. This is **not logical**. The reason why feasibility is not a real Con argument is simply because it does not disprove a “should” statement. If I said that “You should exercise more,” then simply saying “But I won’t exercise more,” is not a valid response to that statement. So, the Con is not allowed to say that states won’t disarm. However, that’s really the only argument that the Con doesn’t get to make anymore. The Con is still allowed rearmament because rearmament shows why states **should not** eliminate their nuclear weapons. In fact, rearmament*



assumes that getting rid of nuclear weapons is possible. Only after all states with nuclear weapons have given them up can they rearm. These arguments are very different and should not be considered the same. Pro's have to argue that rearmament is unlikely or that the impact of rearmament is low. They can't magically wish it away by refusing to consider the practical effects of their proposal.

--- Lawrence Zhou



3. Pro Articles

3.1. The Lingering Specter of Nuclear War

Stewart M. Patrick (James H. Binger senior fellow in global governance and director of the International Institutions and Global Governance (IIGG) Program at the Council on Foreign Relations (CFR). His areas of expertise include multilateral cooperation on global issues; U.S. policy toward international institutions, including the United Nations; and the challenges posed by fragile and post–conflict states. Patrick is the author of *The Sovereignty Wars: Reconciling America with the World*, as well as *Weak Links: Fragile States, Global Threats, and International Security*. He also writes the blog, *The Internationalist*.) & Kyle L. Evanoff (research associate for International Institutions and Global Governance at the Council on Foreign Relations), “The Lingering Specter of Nuclear War,” 7 March 2019, Council on Foreign Relations, <https://www.cfr.org/blog/lingering-specter-nuclear-war>.

Note from the NHS DLC: *This article focuses on some the harms and risks of nuclear weapons, specifically in the context of modern threats that deterrence may not be able to address. It mentions the massive impact nuclear war would have, the problems of nuclear proliferation and modernization pose for theories of deterrence, and the breakdown of treaties that have kept the world safe for the last couple of years.*

A mushroom-shaped plume of fire and smoke towered over the New Mexico desert in the early hours of July 16, 1945. The Trinity nuclear test, the first of its kind, signaled the successful culmination of the Manhattan Project and the beginning of the Atomic Age. The United States had gained the means to level cities in a single blast, a capability it employed to devastating effect the next month in the skies over Hiroshima and Nagasaki. During the subsequent Cold War arms race, the United States and Soviet Union generated immense thermonuclear arsenals of almost unimaginable destructive power.

Thanks to the logic of deterrence and plain dumb luck—the relative contribution of each up for debate—no country has used a nuclear weapon against another since 1945. Russia and the United States, the leading nuclear powers, have reduced their arsenals from Cold War highs by 89 percent and 87 percent, respectively. That is the good news.

The bad news is that the nuclear nonproliferation and arms control regimes are fraying badly, as newer nuclear powers expand their arsenals, as non-nuclear nations reconsider whether to acquire such weapons, and as uneven technological advances, including in the domains of cyberspace and outer space, undermine the calculus of deterrence. After seven and a half decades of uneasy nuclear peace, an increasingly crowded and complex international landscape has renewed the specter of catastrophic nuclear war.

Nuclear anxieties have returned in force. They have been front and center in media coverage of, among other things: the recent armed confrontation between India and Pakistan, President Trump’s negotiations with North Korean leader Kim Jong-un, the U.S.



repudiation of the Iran nuclear deal, Washington's intention to withdraw from the Intermediate-Range Nuclear Forces (INF) Treaty with Russia, and U.S. plans to modernize its nuclear arsenal. If a nuclear sword of Damocles continues to hang over humanity's collective head, it is now joined by a proverbial axe, mace, and spear.

Gambling With the Globe

In 2018, the Bulletin of the Atomic Scientists moved the hands on its Doomsday Clock, created in 1947 to symbolize the risk of nuclear Armageddon, to two minutes to midnight—a proximity matched only once before, in 1953. Last month, the Bulletin chose to keep the hands there. Humanity has traipsed into a “new abnormal,” its editors lamented: Awash in disinformation and riven by geopolitical fault lines, the world teeters on the brink of catastrophe.

Some critics find admonishments of this sort alarmist and unhelpful. Nuclear weapons have fueled apocalyptic anxieties for decades, as Cato Institute Senior Fellow John Mueller recently noted in *Foreign Affairs*. An unhealthy obsession with their risks, he suggests, detracts from sensible decision-making.

However, the historical record provides ample grounds for concern, given how close nuclear powers have come to using these weapons against one another, both intentionally and inadvertently. The litany of near-misses and false alarms makes for sobering reading. During the 1962 Cuban Missile Crisis, U.S. President John F. Kennedy assessed the likelihood of nuclear war to be more or less a coin flip. In 1995, Russia misinterpreted a Norwegian rocket launch as a possible attack. And just last year, the State of Hawaii's Emergency Management Agency erroneously issued an incoming ballistic missile alert. Seth Baum, executive director of the Global Catastrophic Risk Institute, estimates the rate of such incidents at one per year.

Magnifying the risk of accidental or unauthorized nuclear war is uncertainty over the security of command and control structures to manage and use these weapons. In his harrowing 2017 tell-all, *The Doomsday Machine: Confessions of a Nuclear War Planner*, Daniel Ellsberg (of Pentagon Papers fame) chronicles the pathologies of the early U.S. nuclear apparatus. These included strong incentives to subordinate safety to offensive readiness, as well as “safeguards” against unauthorized use that consisted of little more than a sealed envelope. Given these shortcomings, Ellsberg notes, Stanley Kubrick's classic satire *Dr. Strangelove* bore uncanny resemblance to a documentary. The same vulnerabilities may afflict more recent nuclear powers, not least Pakistan and North Korea.

Meanwhile, nuclear proliferation and technological innovation are undermining much of the game theoretic logic of deterrence, which has long been central to nuclear strategy. In its most basic form, deterrence relies on the threat of retaliation to discourage adversaries from striking. The logic works best in a simple bilateral contest between rational, unitary actors. It begins to falter in a messier world of multiple countries, fragmented national authorities, and irrational leaders. Technological innovation also complicates nuclear deterrence. Cyberweapons, antisatellite weapons, hypersonic missiles, artificial



intelligence, and other innovations are challenging longstanding assumptions, blurring distinctions between conventional and nuclear war, and exacerbating ambiguities in the international balance of power. Deterrence, in sum, is becoming a riskier bet.

The failure of nuclear deterrence could precipitate global catastrophe. How big a catastrophe would depend on multiple factors, including the number and destructive power of the weapons used and their targets. A significant exchange could kill tens and even hundreds of millions of people in the initial blasts and ensuing firestorms, as well as from dispersed radiation, which is indifferent to national borders. Groundwater contamination, “black rain,” and other localized hazards would add to the devastation. Disruptions to global supply chains would forestall recovery in affected areas and could threaten access to food, medicine, fertilizer, and other essential goods elsewhere. Starvation and exposure to radiation would weaken immune systems and increase susceptibility to disease. All of this would occur in a context of degraded communication networks, hair-trigger military force postures, and rampant fear and uncertainty. The aftermath would be nightmarish by almost any measure.

Beyond its devastating short-term impact, a large-scale nuclear exchange could cause significant long-term damage to Earth’s environment, with risks increasing with the number and yields of nuclear weapons used. In 1982, future Nobel laureate Paul J. Crutzen and John W. Birks published a seminal paper, “The Atmosphere After a Nuclear War: Twilight at Noon,” examining potential climatic effects from the atmospheric smoke and dust generated by a nuclear war and its associated conflagrations. The following year, a group of scientists that included astronomer Carl Sagan determined [PDF] that a major U.S.-Soviet exchange could cause midsummer continental land temperatures in the northern hemisphere to plunge below freezing, and dramatically change local weather and precipitation. The effects would persist for months and threaten global crop yields, producing a “nuclear winter.”

The scientific jury on nuclear winter and its more mild form, nuclear autumn, is still out. Recent studies [PDF] suggest that nuclear war would indeed have significant environmental effects. What remains disputed is how widespread and enduring these would be. In 2007 [PDF], some of the same atmospheric scientists who had popularized the nuclear winter scenario found that a regional nuclear exchange between India and Pakistan involving 100 Hiroshima-scale blasts would be sufficient to trigger cooling exceeding that of the “Little Ice Age,” which lasted from the early 14th century to the mid 19th century and saw a 0.6 degrees Celsius decline in mean annual temperatures across the northern hemisphere. The resulting decrease in agricultural productivity, which might take up to a decade to attenuate, would put two to three billion people [PDF] at risk of starvation. These findings, however, remain contested, dependent on assumptions about the flammability of modern cities and the amount of soot that would reach the upper atmosphere. A study from 2018 casts doubt on the magnitude of climatic effects from a regional nuclear war.

With luck—or, preferably, smart policymaking—humanity will never need to find out which side of this argument has it right.



The Frazzled International Nuclear Regime

With no nuclear weapons having been used in conflict in seventy-four years, it is tempting to conclude that nuclear war is an improbable contingency. It is comforting to believe that regardless of geopolitical crises or false alarms, the political and ethical bar to using nuclear weapons remains high. This mindset suggests that escalation ladders are difficult to climb, at least in normal times.

Ours, however, are not “normal” times, if such times exist at all. In a recent issue of *Foreign Affairs*, Andrew F. Krepinevich Jr. argues that we should no longer think in terms of escalatory “ladders,” as has long been the norm, but instead in terms of a “web,” thanks to the complex linkages between multipolar nuclear competition, advanced weaponry, and new understandings of the psychology of decision-making. This web suggests more complicated dynamics of deterrence and an increased number of potential failure points.

Worse, perhaps, the longstanding taboo against the use of nuclear weapons may be at risk of vanishing, particularly when it comes to growing interest by some nations in tactical nuclear weapons and maintaining a capability for waging “limited” nuclear war. The world’s nine nuclear powers are expanding and modernizing their arsenals, spending trillions of dollars collectively to produce atomic munitions and upgrade delivery systems. At the same time, strategic competition in Asia and the Middle East is increasing incentives for countries to go nuclear, raising the danger of a nuclear cascade.

Reducing the specter of catastrophic nuclear war requires first of all strengthening existing arms control and nonproliferation regimes, to reduce the number and salience of nuclear weapons, as well as their spread to new state and nonstate actors. Pressing multilateral priorities include ratifying the Comprehensive Test Ban Treaty (CTBT), which would prohibit nuclear explosions; bringing into force the Fissile Material Cutoff Treaty (FMCT), which would prohibit the further production of nuclear weapons material; achieving universal adherence to the Additional Protocol of the International Atomic Energy Agency (IAEA), which would enhance the agency’s ability to detect declared and undeclared nuclear programs; amending the Treaty on the Nonproliferation of Nuclear Weapons (NPT) to make it illegal for parties to withdraw from it (as North Korea did); preventing North Korea’s production of additional nuclear weapons; keeping united pressure on Iran, ideally with the United States rejoining the Joint Comprehensive Plan of Action (JCPOA or Iran nuclear deal); accelerating progress by acknowledged nuclear weapons states in meeting their disarmament obligations under Article 6 of the NPT, consistent with minimum requirements for deterrence; moving forward on negotiations to extend the New Strategic Arms Reduction Treaty (New START), which is slated to expire in 2021; and bringing India, Pakistan, and Israel into the NPT.

Achieving progress on this extensive agenda will require modifications of existing U.S. policy. For instance, the Trump administration would need to reverse its opposition (made explicit in the 2018 U.S. Nuclear Posture Review) to the CTBT. It would need to negotiate a replacement for the INF Treaty with Russia, which the administration repudiated, ideally one that expands its provisions to new signatories, notably China. Third and perhaps most important, the United States needs to beware lowering the



threshold for the use of nuclear weapons. In its 2018 nuclear posture review, for example, the Trump administration suggests that it reserves the right to counter catastrophic cyberattacks with nuclear weapons, a position that could help deter cyberattacks but might contribute to nuclear instability.

These steps are necessary but not sufficient. Any efforts to govern new and potentially transformative technologies must take account of the possibility of those technologies exacerbating risks in the nuclear realm. Governments will also need to develop international regimes that reduce the likelihood of cyber-intrusions threatening nuclear weapons infrastructure, as well as cogent cyber deterrence strategies and broader norms against devastating cyberattacks from state and nonstate actors alike.

Nuclear powers also need to build more robust systems of command and control to prevent accidental nuclear war. In 1979, a watch officer awakened then-U.S. Undersecretary of Defense William J. Perry to inform him that 200 Soviet intercontinental ballistic missiles were inbound to the United States. “For one heart-stopping second I thought my worst nuclear nightmare had come true,” he later recalled. It turned out that somebody had inserted a training tape into an early warning system computer. Perry himself has proposed one potential reform to reduce the chance that false alarm leads to Armageddon: Shift the United States—and in principle other nuclear powers—away from reliance on vulnerable land-based ICBMs for deterrence, and focus primarily on sea and air-based weapons. While hardly failsafe, this would reduce some of the time pressure of having to launch within minutes due to the “use it or lose it” dynamic at play. In addition, the United States will need to work with other nuclear powers—not just Russia—to ensure that nuclear weapons are kept off so-called “hair trigger” alert.

But other reforms are also needed, to insert greater checks and balances into nuclear attack decisions. Structures of command and control, after all, are only as good as their commander and controller. U.S. nuclear doctrine is particularly problematic in this respect. It places extraordinary authority in the hands of a single person to decide the fate of millions, potentially billions, in a single moment of crisis. Whatever his or her judgment, temperament, state of mind, senility, or sobriety at that instant, the President of the United States has the power to order a nuclear attack, with no more than a few minutes of consideration in the case of a retaliatory strike. Today, that person is Donald J. Trump.

Reliance on any one individual to take the most fateful decision in human history is deeply problematic. While this may be inevitable in a totalitarian state like North Korea, it collides with democratic principles in a nation like the United States. In an effort to introduce some Constitutional checks and balances into such decisions, Congressman Ted Lieu (D-CA) two years ago introduced the “Restricting First Use of Nuclear Weapons Act of 2017,” which would require a congressional declaration of war before the President could order a (non-retaliatory) nuclear strike. Others have forwarded alternative proposals.

Humanity’s ultimate objective should be to rid the world of these destructive devices. That has been the animating vision of the Global Zero campaign and the motivation behind the Treaty on the Prohibition of Nuclear Weapons. Negotiated in 2017 with strong support



from transnational civil society, that convention prohibits states parties from developing, testing, producing, manufacturing, acquiring, possessing, or stockpiling nuclear weapons or other nuclear explosive devices. It will enter into force ninety days after the fiftieth nation has ratified it.

As President Barack Obama recognized in his celebrated Prague speech of spring 2009, complete nuclear disarmament is unrealistic in the near or even medium term. It remains a goal for a distant horizon. However, that should not leave the United States and other nuclear weapons states off the hook. It is incumbent on all of them to adopt policies that reduce the value of nuclear weapons as a currency of power in world politics; to consider how innovations in artificial intelligence, cyberspace, outer space, and other arenas might undermine the dynamics of deterrence; and to avoid escalatory rhetoric and policies that risk spiraling out of control and imperiling millions.



3.2. The (Flawed) Assumption of Rationality

Andray Abrahamian (Koret Fellow at Stanford University's Shorenstein Asia-Pacific Research Center), "North Korea's Bounded Rationality," January 2019, *Survival*, 61:1, 141-160, DOI: 10.1080/00396338.2019.1568048.

Note from the NHSDLC: *One of the strongest arguments and ways of framing the debate for the pro is to focus on rationality. The Con argument for deterrence is premised on the idea that countries are rational, meaning that when governments make decisions, they make those decisions based on clear calculus of costs and benefits without allowing fear or any emotion to make them decide incorrectly. However, this assumption is a simplification and might be incorrect. The Pro should make the argument that people are not rational, that they make mistakes and make bad decisions when they are under pressure or afraid. Therefore, the theory that deterrence is based on is not correct. The Pro arguing that people are irrational, that they make mistakes in decision-making, also supports other pro arguments like accidents and miscalculation. These other arguments also assume that people are not really rational.*

"Graham Allison, in his seminal book *The Essence of Decision*, used the Cuban Missile Crisis to show how rational-choice theory was failing to illuminate why governments make the choices they do. Allison's case study laid out three perspectives through which analysts could frame events in order to understand why the Soviet Union made the nearly catastrophic decision to place nuclear missiles in Cuba. The author looked past the 'rational actor' model, which he described as resting on 'the assumption that events in international politics consist of the more or less purposive acts of unified national governments and that governmental behavior can be understood by analogy with the intelligent, coordinated acts of individual human beings'. Such a perspective obscures the fact that the government mechanism for formulating and implementing policy is not one calculating decisionmaker, but rather a 'conglomerate of large organizations and political actors who differ substantially about what their government should do on any particular issue and who compete in attempting to affect ... governmental decisions'.⁹ Individuals may be seeking to benefit both themselves and the institutions they represent. This is most important at the cabinet level, but decision-making within and between institutions is also based on 'bargaining along regularized channels among players positioned hierarchically within the government'.¹⁰ This formulation acknowledges that leaders play politics with foreign-policy decisions and anchors what Allison called a 'government politics' model. Allison also proposed an organisational process model as having greater salience and explanatory power than rational choice alone. This model looks at the organisational mandates of institutions involved in decision-making and postulates that the discrete assigned responsibilities of particular organs of government lead to certain preferences. The processes established for these organisations further dictate outcomes. Established for these organisations further dictate outcomes. To some extent, Allison draws on Herbert Simon's theories of decisionmaking, including the impetus for individuals and organisations towards 'satisficing', whereby decision-makers pragmatically arrive at a solution that satisfies a number of constraints, which is 'far easier to discover than a course of action maximizing some function'.¹¹ Unlike Allison's analysis,



Simon's thinking on bounded rationality, or the limits on rational choicemaking, also delves into the psychological components of decision-making. Each individual approaches complex problems differently, but all in some way simplify the set of issues at hand. As Simon puts it, 'the intended rationality of an actor requires him to construct a simplified model of the real situation in order to deal with it. He behaves rationally with respect to this model, and such behavior is not even approximately optimal with respect to the real world.' What that means is complicated because in order 'to predict his behavior we must understand the way in which this simplified model is constructed, and its construction will certainly be related to his psychological properties as a perceiving, thinking, and learning animal'. All humans employ 'judgment and decision heuristics' as a means of 'pruning and decomposition', in order to help deal with complex situations. These are, if not optimal, usually at least good enough to allow the decisionmaker to survive.¹³ People constantly make decisions 'in the face of the burdens of multiple goals and highly ambiguous information', meaning that 'policies are often contradictory, incoherent and badly suited to the information at hand'.¹⁴ This includes the judgement of bureaucrats and organisational leaders as information moves up a chain of command. Moreover, at the apex of state decision-making, an executive leader must balance the ramifications of any decision for both international and domestic actors, as that leader is exposed to pressures from both. His or her decision must take into account not only the strategic relations of the state with other countries, but also domestic politics, which includes 'parties, social classes, interest groups (both economic and noneconomic), legislators, and even public opinion and elections'."



3.3. Nuclear War Between India and Pakistan

Kelsey Piper (Staff Writer at Vox), “Study: a nuclear war between India and Pakistan could lead to a mini-nuclear winter,” 9 October 2019, Vox, <https://www.vox.com/future-perfect/2019/10/9/20903418/study-nuclear-war-india-pakistan-could-lead-to-mini-nuclear-winter>.

Note from the NHS DLC: *One of the strongest ways to argue for your impacts is by giving a specific scenario which shows that it is likely to happen. The India/Pakistan Nuclear War scenario is a very strong one in this kind of argument, because a war between these two countries is more likely than wars between many others. In fact, they are almost constantly in conflict. The likelihood of nuclear war between these two countries might even be increasing, because both countries are building larger nuclear arsenals. The following article cites [a study](#) published in Science, an academic journal which studies many important issues. The article in this packet is a simplified summary of that study, highlighting certain elements of it.*

“More than 90 percent of the world’s nuclear weapons are held by the United States and Russia. The world’s other nuclear powers — Britain, China, France, Israel, India, and Pakistan — are believed to maintain much smaller arsenals, probably 100 to 300 warheads each. But in the past few years, India and Pakistan are believed to have expanded their nuclear capabilities.

And that, argues a new paper, is a recipe for disaster. In the paper, “Rapidly expanding nuclear arsenals in Pakistan and India portend regional and global catastrophe,” published last week in Science Advances, Owen Toon of the University of Colorado and co-authors analyze the effects of a nuclear war between India and Pakistan in 2025, if both countries continue to expand their nuclear capabilities as they reportedly currently are. Unsurprisingly, the expanded capabilities would make a nuclear exchange between the two countries deadlier and more devastating.

Even if no other country in the world got involved, the effects would be worldwide and devastating. It’s a reminder that having countries with nuclear weapons is a frighteningly unstable situation. While most attention may focus on the US and Russia, any two nuclear-armed countries are more than sufficient for a global catastrophe.

“A war with 15-kt weapons,” — or about the explosive force of the weapons deployed against Hiroshima and Nagasaki — “could lead to fatalities approximately equal to those worldwide in WWII and a war with 100-kt weapons could directly kill about 2.5 times as many as died worldwide in WWII, and in this nuclear war, the fatalities could occur in a single week,” write the authors.

That reflects just the direct effects of a nuclear exchange between the two countries — that is, the deaths caused by being near the bombs when they went off.



The paper also looks at another source of effects: deaths caused indirectly by changes to the climate and atmosphere. Many atmospheric scientists have modeled the effects of nuclear exchanges, and believe that large-scale use of nuclear weaponry would cause ozone destruction and large climate changes, due to the release of dust and ash both by the nuclear explosions and by subsequent firestorms.

The authors estimate “surface sunlight will decline by 20 to 35%, cooling the global surface by 2° to 5°C and reducing precipitation by 15 to 30%, with larger regional impacts.” This would be disastrous, leading to famines across much of the world. They forecast that it’d take more than 10 years for the global climate to return to normal and that, in the meantime, millions more people would die of starvation.

It’s worth noting that the atmospheric science estimates in this paper aren’t settled science. Researchers have produced many different models of the effects of nuclear exchanges on the climate and atmosphere. There’s a lot of uncertainty about whether nuclear exchanges would cool the planet, and for how long the effects would linger. And the scenario that the researchers studied is one that analysts considered plausible, but not the only scenario for war or for atmospheric effects. It should be considered a good starting point, but far from certain.

Nonetheless, the model suggests in more detail what we already knew: Nuclear war between India and Pakistan would be very, very bad, and the prospect gets worse as the two countries acquire more and more sophisticated nuclear weapons.

Of course, India and Pakistan are very unlikely to get into a nuclear war. The same principle of mutually assured destruction that held the United States and the Soviet Union away from nuclear conflict, even during decades of bitter enmity, applies here too. Very few politicians would want to launch a suicidal strike.

But despite the principle of mutually assured destruction, the US and the USSR frequently came terrifyingly close to nuclear exchanges. During the Kennedy administration, the two countries almost plunged the world into nuclear holocaust during the Cuban Missile Crisis. In 1983, a Soviet early warning system reported incoming American missiles. Rather than reporting a strike and potentially prompting a nuclear retaliation, the officer on duty concluded (correctly) that it was a false alarm: The system had picked up the sun’s reflection on clouds and mistook it for missiles. What if someone else had been on duty?

When rival nations have large nuclear arsenals, mistakes or unintended escalations or stupid decisions by leaders can be catastrophic. That makes India and Pakistan’s increasing arsenals nerve-wracking, and it makes the far larger arsenals maintained by the United States and Russia an ongoing cause for concern.”



4. Con Articles

4.1. Why The Treaty is Unlikely to Fulfill Its Promise

Michal Onderco (presently Assistant Professor of International Relations at Erasmus University Rotterdam. In 2018-2019, I was a CISAC Junior Faculty Fellow at the Center for International Security and Cooperation at Stanford), “Why nuclear weapon ban treaty is unlikely to fulfil its promise,” 2017, *Global Affairs*, 3:4-5, 391-404, DOI: 10.1080/23340460.2017.1409082.

Note from the NHSDLC: *This article provides many arguments against the nuclear weapons ban treaty. It focuses on specific warrants for rearmament as well as highlighting challenges for verification which would make rearmament more likely. This is an excellent supplement for Con teams wanting to defend the rearmament argument.*

Introduction

Arguably, the most important development within the non-proliferation regime since over the past Review cycle, which ended with the 2015 NPT Review Conference, has been the rise of the so-called “Humanitarian Initiative”. The Initiative is a continuation of the decades-long drive to advance nuclear disarmament through legal means. The Initiative, supported by a large coalition of non-governmental organizations and dozens of countries, aims at “filling the legal gap” on the use of nuclear weapons, and at advancing the nuclear disarmament agenda. The nuclear weapon ban treaty, negotiated in New York in June 2017, is born out of the initiative. Even before the negotiations started, such treaty was, similar to other arms control treaties, generally considered by the supporters as being the first step to forcing countries possessing nuclear weapons to disarm.

The reasons raised by the supporters of the Humanitarian Initiative usually fall within three chief categories. The first one is so-called close calls – situation when nuclear weapons were almost used, either by negligence or by real escalation. The second reason is a potential catastrophic impact of nuclear detonations. Thirdly, the opponents point out that nuclear weapons, by their very nature, violate the principles of distinction, proportionality and ban on indiscriminate attacks. These principles form the bedrock of the international humanitarian law, and their violation in armed conflict is not permissible.

For these reasons, the supporters of Humanitarian Initiative advocated for a nuclear ban treaty. The treaty holds a promise that, if adopted by a great majority of world’s states, it would ban the nuclear weapons for good. The purpose of this article is to argue that nuclear ban treaty is unlikely to fulfil its promise. It is unlikely to do so, because it would neither strengthen the norms, nor make the world a safer place. Instead, it would weaken the position of international law, and even if it led to nuclear disarmament, it would put premium on cheating on international commitments. The article wraps up by listing some



alternative possibilities to make world safer from the nuclear weapons – short of banning them outright.

The Humanitarian Initiative

Humanitarian Initiative – the attempt to ban the use of nuclear weapons because of their humanitarian impact – has gained traction since 2012. It originally started as a statement of 16 countries at the 2012 Preparatory Conference for the 2015 NPT Review Conference (PrepCom, for short) (“Joint statement on the humanitarian dimension,” 2012). The membership quickly increased, and 127 countries attended the first Conference on the Humanitarian Impact of Nuclear Weapons, hosted by Norway. The following conference in Nayarit, Mexico, in 2014 was attended by 146 members; and the conference in Vienna in December 2014 was attended by the United States and the United Kingdom, as the first NPT nuclear weapons states. The conference ended with the bilateral Vienna Pledge calling for ban on the production, stockpiling and use of the nuclear weapons. The pledge was initially supported by 107 states; and was adopted by the United Nations General Assembly during its 70th session as the Resolution 70/48, with 139 out of 168 countries voted in favour (United Nations, 2015).

The extraordinary success of the initiative owes to the appeal of the pledge on three general counts. Firstly, it is the history of close calls. As existing research has argued that the nuclear history is full of “near misses” and close calls, when only a small step was missing for the use of nuclear weapons (Lewis, Williams, Pelopidas, & Aghlani, 2014; Schlosser, 2014). Given the constant alert on which nuclear weapons are placed, short trigger times, and situations that are often hard to decipher quickly, the potential for miscalculation is enormous. That, of course, does not take into account the potential technological failures, such as the 1983 malfunction which erroneously identified a launch of five intercontinental ballistic missiles headed towards the Soviet Union, and when nuclear retaliatory strike was prevented only by Lt Col Petrov.¹ Furthermore, the management of the nuclear weapons, even in the most technologically advanced settings, is prone to mishaps, which threaten the very countries nuclear weapons are meant to protect.²

The second reason the potential catastrophic impact of nuclear explosion on the human society. Nuclear explosion, releasing energy in the forms of heat, blast and radiation, brings immediate, long-term destruction. By the calculations of the International Campaign Against Nuclear Weapons, “a regional nuclear war involving around 100 Hiroshima-sized weapons would disrupt the global climate and agricultural production so severely that more than a billion people would be at risk of famine” (“Catastrophic harm,” 2003). The suffering in the aftermath of the nuclear explosion would be due to burns, blasts, and radiation leading to deaths. The proponents of the nuclear weapon ban claim that the impact alone would make any sensible humanitarian response to the nuclear explosion impossible.

The third reason for opposing the nuclear weapons is legal. The International Committee of the Red Cross and Red Crescent (ICRC) has been leading the campaign in this respect. The proponents of the legal argument state that due to the indiscriminate suffering the



nuclear weapons bring about; their impact is incompatible with the principles of distinction, proportionality, necessity and infliction of unnecessary suffering. The legal challenge has been already presented to the International Court of Justice (ICJ) by the World Health Organization, which requested the ICJ to deliver an advisory opinion. In 1996, the ICJ delivered its famous Legality of the Threat or Use of Nuclear Weapons Advisory Opinion of 1996.

The court left the proponents of the total ban unhappy. In the Advisory Opinion, the ICJ held that use of nuclear weapons could be permitted, in very restrictive circumstances. Such could include marginal cases (such as the use of low-yield nuclear weapons in remote areas) or extreme circumstances of self-defence (the survival of a state). Written statements submitted to the Court as a part of the proceedings, for example, invoked a possible legality of the use of nuclear weapons against naval vessels, or an armoured formation (“Letter dated 20 June 1995 from the Acting Legal Adviser to the Department of State, together with Written Statement of the Government of the United States of America”, 1995). The de-classified military plans for the use of US nuclear weapons show that these go well beyond naval vessels and armoured formations (“Atomic Weapons Requirements Study (complex list),” 1956). The proponents of the nuclear ban point out to the discrepancy, and repeat that the present plans for the use of nuclear weapons rely on element largely outside the scope, which even the nuclear weapons states use for justification.

The latest legal challenge to the nuclear weapons, in the form of the claim filed by the Marshall Islands against the nine states possessing nuclear weapons, failed too. The ICJ found itself not having jurisdiction for the lack of dispute between the Marshall Islands and the three countries (the United Kingdom, India and Pakistan) that accept ICJ’s jurisdiction universally (International Court of Justice, 2016a, 2016b, 2016c).

How does the ban look like?

The idea of a “nuclear ban treaty” builds on a straightforward format, sometimes also called “a simple-ban treaty”. Proponents of a simple ban treaty argue that mere existence of the treaty (and associated membership thereof) would be enough to create a normative pressure on the nuclear weapons states to disarm. This is the model that the UNGA resolution of November 2016 seems to have in mind, with its paragraph 12 calling upon “States participating in the conference to make their best endeavours to conclude as soon as possible a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination[.]”(United Nations, 2016). This is also the format towards which Treaty on the Prohibition of Nuclear Weapons adopts. The Treaty does not contain elaborate provisions for verification and dismantlement (Caughley & Mukhatzhanova, 2017).³

The issue of verification is particularly tricky. As outlined later in the paper, verification of dismantlement is key for preventing the nuclear ban turning into a nuclear nightmare. If other conventions related to weapons of mass destruction – such as the chemical weapons convention or the biological weapons convention – are of any guidance, then verification is the trickiest of subjects. In case of the biological weapons convention, where



verification provisions are not included, the issue of verification returns repeatedly to the fore (Findlay, 2006; Kahn, 2011). In the Chemical Weapons Convention, a comparably more complete regime with a verification mechanism and an international organization backing it up, the verification disputes have been recently plaguing the meetings of both the Executive Council and the Conference of State Parties. Reports by diplomats of stalled meetings and weeks-long delays over the use of chemical weapons in Syria became commonplace. Despite having completed the destruction of all the declared chemical weapons materiel in the country in January 2016, the reports of the use of chemical weapons in Syria continue to emerge (Malsin, 2016).

Even if it worked, would it make the world safer?

The key premise behind the thinking about the nuclear weapons ban (whether a ban treaty or a convention) is that such instrument would make a safer place (somehow). This thinking emerges from the line of argumentation that assumes that the nuclear weapons make the world dangerous per se, not that nuclear weapons are a result of the security dilemma (for a similar argument, see Müller & Kötter, 1991). However, seeking nuclear weapons (as any type of armament) is usually at least initially spurred by security concerns (Debs & Monteiro, 2016; Sagan, 1996).⁴

Political scientists working on the issue of arms control have historically used the prisoner's dilemma as a starting point for their considerations of issues related to designing arms control instruments (Jervis, 1982). Devised by John Herz in 1950s, prisoner's dilemma provides a simple scenario to think about situations where motivation for reneging on commitments is high, and potential benefit from such action is also high (Herz, 1950). The main fear stemming from cooperation in prisoners dilemma is that of exploitation – where one party complies and the other party does not. Such situation can lead to disproportionate gains for the non-compliant party. States therefore deeply care about potential defection, and the costs thereof (Lipson, 1984; Oye, 2003). In this case, defection refers to the risk of violation of agreement, or maintenance of a (secret) nuclear weapon programme.

Practitioners of arms control negotiations have acknowledged that the issue of verification is often fuzzy (even for one's own side) and is among the most crucial but also most difficult to negotiate (Graham, 2002). Policy experts, however, also agree that the verification and monitoring of compliance is the key element for evaluating whether a certain provision of arms control law is effective or not (Hart & Fedchenko, 2009). This is why most of the accounts of the nuclear disarmament and abolition spend significant amount of space on the discussion about the need for verification (Perkovich & Acton, 2009).

Yet, the challenge of verification is immense. One needs to only remember the verification of Iran (or Iraq)'s nuclear programme, and its long-term challenges, where the IAEA was not able to certify Iran's submissions for a long time. One should take into account that Iran is a developing country, which had in its interest to come clean about its nuclear programme, and of which nuclear programme was relatively limited (compared to that of Russia, the US or China). Another example is South Africa, the only country in the world



that indigenously built, and then destroyed, functional nuclear weapons (Lieberman, 2001; Purkitt & Burgess, 2005; van Wyk, 2009). Often forgotten element is that South African regime was, at the time, negotiating itself out of power, and under enormous pressure to give up its nuclear weapons before the transition to the majoritarian rule. Not many countries (and certainly none of the five nuclear weapon states) are in such positions.

The Treaty (United Nations, 2017) recommends an international authority designated by State Parties to take over the responsibility for verification of the submissions about disarmament. Which organization this may be is, however, unclear. The IAEA, despite having possibly largest expertise in nuclear matters, has no expertise in weapon dismantlement and disarmament verification (Wolfsthal, 2017). If the IAEA were to assume challenge to verify complete nuclear disarmament, its manpower, expertise and powers would have to increase substantially (VERTIC, 2015a). It is far from obvious that member states would be in favour of it (VERTIC, 2015b). In a situation (quite unlikely) that a ban would lead to global nuclear disarmament, the existing situation would put premium on cheating in international politics. Quite simply, the party that would somehow cheat on the existing agreement and managed to keep its hold on nuclear weapons (or ability to construct them at very short notice) could hold the world hostage. This point is not new; Thomas Schelling made it almost a decade ago. In Schelling's words

a “world without nuclear weapons” would be a world in which [...] countries would have hair-trigger mobilization plans to rebuild nuclear weapons and mobilize or commandeer delivery systems, and would have prepared targets to preempt other nations' nuclear facilities, all in a high-alert status, with practice drills and secure emergency communications. Every crisis would be a nuclear crisis, any war could become a nuclear war. The urge to preempt would dominate; whoever gets the first few weapons will coerce or preempt. It would be a nervous world. (Schelling, 2009)

The “nuclear zero” world would be not only a world with high readiness to produce weapons, but also a world where the expertise exists.⁵ If one remembers the discussions about the difficulties to obliterate Iran's nuclear programme through military means to remember that destruction of weapons and limitation of facilities does not lead automatically to a peace of mind about the ambitions related to nuclear weapons (Kroenig, 2014; Raas & Long, 2007).

The dual use of many steps leading towards nuclear weapons would further complicate the issue of verification. It is worth recalling Wohlstetter's basic argument about “getting the bomb while not quite breaking the rules” (Wohlstetter, 1976). Essentially, a country can get very close to having a nuclear weapon capability without building a nuclear weapon. The dual-use nature of the process leading to the nuclear weapons would continue to verification difficult (Fuhrmann, 2012), and states continue to worry about potential intrusions on their national sovereignty (Kreps, in press). A good example of such resistance is Brazil, one of the main forces behind the nuclear weapons ban, which resists IAEA Additional Protocol exactly because of protection of national sovereignty and the country's nuclear expertise, developed within a framework of a nuclear programme under the military's auspices (Kassenova, 2014; Onderco, 2016; Spektor, 2010). The



current draft of the treaty, with its explicit demand for the lowest existing standard of inspections, provides a worrying look into the future (United Nations, 2017, Art 3(2)).

Hence, the complete nuclear disarmament would be highly unlikely to make the world more stable, as the proponents suggest. On the opposite, it would give premium to states cheating on their commitments. With well-known impact of the use of nuclear weapons (which the proponents of the ban are very well aware of), the ability to prevail in bargaining would be significant. With missing or weak verification, and the benefits of defecting on countries' commitments (in this case, the commitment being nuclear zero) would increase their chances of non-compliance. For a chilling illustration, recent examples of Syria, or a more distant example of Soviet defections on their commitments under Biological Weapons Convention, shows that normative commitments (with or without verification mechanisms) have only limited power to deter violations. In case of nuclear weapons, such violations have a potential to be disastrous.

The account above overlooks the possibility that the demise of nuclear weapons could bring about increase in conventional armaments, with a possibility to make the international security even more unstable (Brodie, Dunn, Wolfers, Corbett, & Fox, 1946; Glaser, 1998; Waltz, 1981). This possibility is not at all overstated – as the then-Vice President of the United States Joseph Biden said in one of his last public appearances, conventional superiority might make nuclear weapons less relevant for the US national security (Biden, 2017). It may, therefore, mean that nuclear disarmament, if divorced from addressing the underlying security dilemma, may actually increase instability, contrary to the predictions by the proponents.

Will it strengthen norms?

If the nuclear weapon ban could not lead to disarmament, it is possible at least that it will lead to strengthening of the norm against the nuclear weapons. In other words, even if the nuclear weapons states would not sign on the treaty and comply with its provisions, the normative power behind the movement, and its sheer size, would compel the states to give up their nuclear weapons.

Political scientist Tom Sauer summarized this line of thinking:

The major goal of a Ban Treaty would be to elevate the nuclear taboo to prominence and, by doing so, stigmatize the spread of nuclear weapons. The hope is that by doing so a societal and political debate will arise, including in some of the (democratic) nuclear-weapon states. (Sauer, 2016)

Similar argument is advanced by the Beatrice Fihn, Executive Director of the International Campaign to Abolish Nuclear Weapons, in her recent article: “[p]rohibition precedes elimination – not the other way” (Fihn, 2017, p. 46). This argument is based on mechanism known in the international relations literature as a norm spiral – while violator of a norm at first resist, over time they accept the language of the norm, and finally comply with the norm (Risse & Sikking, 1999). Sauer, just like other proponents of



such normative spiral, assumes that the anti-nuclear norms would “float freely” and could lead to public pressure to give up nuclear weapons.

There are two problems with such argument. Firstly, ideas do not float freely, to cite Thomas Risse-Kappen’s famous article (Risse-Kappen, 1994). Domestic structures matter – national security decision-making in different countries is to a different extent responsive to the public opinion. Furthermore, public opinion is not universally opposed to the nuclear weapons – in fact, the nuclear weapon taboo is quite weakly represented in public opinion (Press, Sagan, & Valentino, 2013; Sagan & Valentino, 2017). This is not to say that norm against the use of nuclear weapons does not exist – Western nuclear weapons states continue to explain the need to keep nuclear weapons, underlining their awareness of the existing norm against their use.

For example, the British public opinion still fairly strongly supports the nuclear deterrent (Grice, 2016). And while it is not inconceivable that some proponent of unilateral nuclear disarmament would gain access to a high office in a nuclear weapons state (Jeremy Corbyn would be such example), even a single state disarmament would not lead to norm cascade, where other countries would follow. South Africa’s and Ukraine’s disarmament, or Qaddafi’s Libya’s dismantlement of their nuclear programme did not spur countries to give up their nuclear deterrent. If anything, the Qaddafi’s fate, and Ukraine’s recent experience with the country’s security guarantor, cast shadow over the strategic logic behind such steps (Ruble, 2015; Thakur, 2015).

Another useful counter-example is provided by a convention which some nuclear weapon ban proponents take as an example – the Ottawa Treaty banning landmines (Berry, Lewis, Pelopidas, Sokov, & Wilson, 2010). While the treaty banning the nuclear weapons would need only 50 signatures to come into force and produce the alleged normative pressure (United Nations, 2017, Art 15), the Ottawa Treaty has 162 State Parties to the treaty (success which even the Humanitarian Initiative can be envious about). Yet, important countries remain outside because they believe in the military utility of the weapons, while in some states party a political debate is held about the wisdom of such membership (e.g. in Finland), and yet others (such as Turkey) have repeatedly missed deadlines in complying with the treaty. This suggests that normative pressure – even from a very successful treaty – is limited on non-parties, and not absolute on parties. States who believe in military utility of a certain weapon are unlikely to sign up to a treaty banning such weapon. Such was the case with other weapons; there is no reason why it should be otherwise with nuclear weapons.

Some proponents of the ban propose that the widespread support for the nuclear ban treaty would undermine the legal validity of the claims justifying the continuing possession of the nuclear weapons by the nuclear weapon states (Ritchie, 2016). This is quite unlikely. Nuclear weapon states would simply argue that the ban treaty does not apply to them, as they are not party to it. Furthermore, they can argue that they are on track to fulfil their obligations under Art VI, by decreasing the nuclear arsenals from their Cold War peaks (such argument may be counter-argued by pointing out nuclear weapon’s states commitment to multilateral disarmament, which is not fulfilled by bilateral and plurilateral arrangements, cf. Loets, 2016).⁶



This argument is not only rooted in general principles of law, but in the existing analysis of rules of international responsibility. As pointed out by former ICJ President Tomka (2016) a recent Separate Opinion, nuclear disarmament is a textbook example of what scholars of international law know as conditional performance. In disarmament treaties, states reduce their “military power because and to the extent that the other parties do likewise” (Sicilianos, 2002 in Tomka, 2016, p. 1134). States’ responsibility to comply is conditional on others states’ compliance with their obligations under the same treaty (Crawford, 2002). Political science research on actual compliance with international law overwhelmingly confirms such findings. Existing work showed that compliance with international law is a matter of reciprocity and peer-performance (Morrow, 2015; Simmons, 2000). In other words, states comply with international law because they see (or expect) others to comply. This means that nuclear weapon states would start complying with the treaty’s provisions only if they expected their counterparts to comply.

Secondly, and more worryingly, the ban treaty could seriously damage the actual negotiations towards nuclear disarmament, and the existing non-proliferation regime. Some supporters of the ban even suggest that the conclusion of a ban treaty by some countries should lead to a joint withdrawal from the Non-Proliferation Treaty by these states (Joyner, 2016). Not only the withdrawal from the NPT is not in the interest of any of the members states, whether the nuclear weapon states or others (Horowitz, 2015), such action would damage the existing law and practice emanating from the treaty (including in relation to Articles I and II), and has a potential to create further confusion among the members.

Even if proponents of the ban treaty remained parties to the NPT, it is unlikely that nuclear weapons countries would be susceptible to the normative pressure to give up nuclear weapons. On the opposite, the nuclear ban movement carries a serious risk to derail the existing cooperation. The topic of nuclear ban is becoming a major dividing point also in unrelated forums, such as the IAEA Board of Governors, or the European Union. It is hard to imagine how the nuclear ban treaty could bring about “new life” into the NPT review process as the proponents suggest (Acheson & Fihn, 2013). Already in the 2015 NPT Review Conference, the otherwise coherent group of the EU member states faced rising disagreement over the issue of nuclear disarmament, which significantly hampered the cooperation even among the otherwise sympathetic countries (Smetana, 2016). This disagreement among the EU further increased over time, leading to the absence of a statement on behalf of the EU in Cluster 1 of the First Committee recently.

Banning the treaty may therefore not only not bring us closer to actual nuclear disarmament, but it may make the goal more difficult. By stalling negotiations within the NPT (and with Conference on Disarmament blocked), the global disarmament agenda is likely to become stuck with the passing of the ban treaty. The countries in the treaty would refer to the treaty as a precondition for further steps, whereas the countries outside the treaty would continue arguing that such treaty is deeply flawed. Furthermore, there is a strong feeling that the treaty is targeted against some nuclear weapons states more than against others, and has an anti-Western bias (Harries, 2017; Wolfsthal, 2017). Such allegations will not help to smooth future negotiations. Even if imperfect, the NPT



benefits vast majority of its members, if only because it diminishes significantly the difficulty of conducting foreign policy in an area where few states have significant interests. At this moment, for many countries, nuclear non-proliferation is an issue of only tangential interest. Bringing it to a grinding halt through ban treaty would not serve the community interests, and could bring about the deterioration of the standing of the treaty among its members.

Conclusion

In this paper, I argued that the current draft of the nuclear ban treaty is unlikely to lead to nuclear disarmament, because it does not address the fundamental issues related to verification. The absence of such provisions makes states unlikely to join, and comply with, the provisions of the treaty. Yet, alternatives to the nuclear ban are not only present, but also readily available and not at all tested. Nuclear weapons are nothing but a reaction to the security dilemma states face.

The first alternative is to work on next disarmament steps, and further reduction in stockpiles, associated with de-alerting of existing nuclear weapons and creation of more trust among the nuclear weapons states. De-alerting, and encouragement for no-first-use commitments by the nuclear weapon states would decrease the military utility of nuclear weapons in the eyes of the military (Ritchie, 2014). This may, in turn, lead to opening of the avenues to consider the humanitarian grounds for banning nuclear weapons, along the lines taken by the coalition advocating the ban on cluster ammunition (Borrie, 2014). At the same time, efforts to promote verifiable nuclear disarmament (including through the public-private enterprises such as the International Partnership for Nuclear Disarmament Verification) should be encouraged, rather than maligned as insufficient.

For civil society, denouncing practices of nuclear deterrence or nuclear threats is a viable choice. Anti-nuclear movement has been historically anti-Western, or more specifically anti-American (Moro, 2011; Müller & Risse-Kappen, 1987). Yet, the dangers commonly associated with nuclear weapons, are today mostly associated with Russia, which famously “put the nuclear gun on the table”, North Korea, or China’s non-transparent modernization and posture (Buckley, Jones, & Hille, 2016; Meyer, Salander, & Mian, 2015). Denouncing, for example, Vladimir Putin’s threats of use of nuclear weapons, and practicing for their use in fight, would undoubtedly support the norm against nuclear weapons even more. The role of civil society in such denouncements cannot be understated. Humanitarian aspects of possible nuclear explosion provide an excellent angle to continue fostering steps towards de-legitimation of nuclear weapons.

Lastly, progress on nuclear weapons cannot be separated from the progress on conventional disarmament. Even the most recent UNGA resolution was adopted under the heading of general and complete disarmament. If the “nuclear zero” is to make the world safer, conventional disarmament must be made part of the discussion. Therefore, it makes no sense to limit activities within the field to nuclear disarmament only, however sexy that may sound.



4.2. The Role of Deterrence in Total Disarmament

Thomas C. Schelling (was an American economist and professor of foreign policy, national security, nuclear strategy, and arms control at the School of Public Policy at University of Maryland, College Park. He was also co-faculty at the New England Complex Systems Institute), "The Role of Deterrence in Total Disarmament," April 1962, Foreign Affairs, <https://www.foreignaffairs.com/articles/1962-04-01/role-deterrence-total-disarmament>.

Note from the NHS DLC: *This article is a more detailed examination about the relationship of deterrence and nuclear disarmament. While it does not conclude that a ban is necessarily wrong, it does provide some good arguments for why we should not assume that a ban would make the world safer, especially as it relates to the concept of deterrence.*

A sharp distinction is often drawn between arms control and disarmament. The former seeks to reshape military incentives and capabilities; the latter, it is alleged, eliminates them. But the success of either depends on mutual deterrence. Short of universal brain surgery, nothing can erase the memory of weapons and how to build them. If "total disarmament" is to make war unlikely, it must reduce the incentives. It cannot eliminate the potential for destruction; the most primitive war can be modernized by rearmament as it goes along.

To determine whether and how disarmament might make war less likely we have to look at what the military opportunities, risks, dangers, fears and potential capabilities would be in a disarmed world. If nations now suspect each other of contemplating war, we have to suppose that they might suspect each other of contemplating rearmament. If nations are willing to risk war, or to threaten it, they certainly might risk rearming or threatening to rearm. Nations thought capable now of being panicked into war might be panicked into rearmament. To suppose the contrary is to assume away the problem that disarmament is intended to help solve.

An international military authority is commonly proposed as a part of plans for total disarmament. It does make a difference whether or not we assume the existence of such an authority to police the otherwise disarmed world. But for the visible future it is a little extreme to suppose that an international force could contain or deter the United States and the Soviet Union; more than that, the concept poses problems of deterrence not wholly unlike those that would confront the major powers in a fully disarmed world. So we shall first consider universal disarmament without any international security force. And we shall assume a world disarmed to the levels proposed by those who favor the most drastic "total disarmament."

There are good reasons why this phrase should be set off in quotation marks. An obvious one is that there can be no absolute assurance that some nuclear weapons have not been kept. But, cheating aside, war can be waged with even the most primitive weapons, especially with the help of commercial aircraft, ships, trucks, radios and the other



paraphernalia of industrial society. More important, if war breaks out a nation can rearm unless its capacity is destroyed at the outset and kept destroyed. By the standards of 1944, the United States was fairly near to total disarmament when World War II broke out. Virtually all munitions later expended by United States forces were nonexistent in September 1939. "Disarmament" did not preclude U.S. participation; it just slowed it down.

As we eliminate weapons, warning systems, vehicles and bases, we change the criteria of military effectiveness. Airplanes are more important if missiles are banned; complex airplanes are needed less if complex defenses are banned. Since weapons themselves are the most urgent targets in war, to eliminate a weapon eliminates a target and changes the requirements for attack. At some stage in disarmament a donkey becomes a means of delivery, though we assume that "total" disarmament stops short of that.

The difficulty cannot be avoided by banning weapons of attack and keeping those of defense. If nations were large, self-sufficient islands, coast artillery might seem useless for aggression and valuable safeguards against war and the fear of war. But they are not; and in the present era, "defensive" weapons often embody equipment or technology that is superbly useful in attack and invasion. Moreover, a prerequisite of successful attack is some ability to defend against retaliation or counterattack. In a disarmed world, whatever lessens the scale of retaliation reduces the risk a nation runs in starting war. Defenses against retaliation thus are close substitutes for offensive power.

II. GENERAL WAR IN A DISARMED WORLD

Disarmament would not preclude the eruption of a crisis; war and rearmament could seem imminent. Even without possessing complex weapons, a nation might consider initiating war with whatever resources it had, on grounds that delay would allow an enemy to strike or mobilize first. If a nation believed its opponent might rush to rearm to achieve military preponderance, it might consider "preventive war" to forestall its opponent's dominance. Or, if confidence in the maintenance of disarmament were low and if war later under worse conditions seemed at all likely, there could be motives for "preventive ultimatums," or for winning a short war through coercion with illicitly retained nuclear weapons, or for using force to impose a more durable disarmament arrangement.

The decision to attack might be made reluctantly, motivated not by the prospective gains of victory but by the disadvantages of not seizing the initiative. Motives to undertake preventive or preëemptive war might be as powerful under disarmament as with today's weapons—perhaps more powerful.

In a disarmed world, as now, the objective would probably be to destroy the enemy's ability to bring war into one's homeland, and to "win" sufficiently to prevent his subsequent build-up as a military menace. The urgent targets would be the enemy's available weapons of mass destruction (if any), his means of delivery, his equipment that could be quickly converted for strategic use, and the components, stand-by facilities and cadres from which he could assemble a capability for strategic warfare.



Suppose both sides have violated the agreement and possess nuclear bombs at least in the scores or hundreds (or suppose the attacker has, and must anticipate that his opponent has). The attacker's first objective is to forestall the delivery of bombs in return. Compared with the present, the disarmed world would offer the attacker both advantages and disadvantages.

An advantage is that the time scale of attack may be more lenient. The victim may have a secret nuclear stockpile; but if he is unprepared it will take time to bring together, say, commercial aircraft, crews and the hidden nuclear weapons, and to improvise fueling arrangements and target plans. To do this in the hostile environment of even small-scale nuclear attack might be difficult. But the attacker would be coordinated rather than surprised and could make effective use of evacuation procedures or of any air defenses he could improvise.

If, instead, each side has plans for the contingency and maintains a "reserve force"-some part, say, of its commercial air fleet and crews-the victim of attack may react quickly. The attacker's own air defenses have been banned by agreement (and air defenses may be hard to conceal); in these conditions a retaliatory force of even low efficiency may be effective if it is large and dispersed.

If the aggressor has nuclear weapons and the victim does not, the latter's response will depend on how rapidly production can be resumed. Standby capacity may be available, or there may be nuclear facilities that can be converted to produce weapons. If these facilities have not been destroyed, the lag may be short, but a matter of days at least. Critically important would be the defenses, the dispersal or the secrecy of the facilities for producing nuclear materials or for assembling nuclear weapons. If the sites are few in number, of known location, above ground and without air defense, they would be destroyed before operations could be resumed. If the production facilities are in secret locations, we may as well assume that nuclear weapons also exist.

III. A WAR OF NUCLEAR MOBILIZATION

In the event that neither side had nuclear weapons, asymmetrical lead-times in nuclear rearmament could be decisive. Whether it took days or months, the side that believed it could be first to acquire a few dozen megatons through a crash rearmament program would expect to dominate its opponent. This advantage would be greatest if nuclear facilities themselves were vulnerable to nuclear bombardment: the first few weapons produced would be used to spoil the opponent's nuclear rearmament. Even if facilities are deep under the ground, well disguised or highly dispersed, a small difference in the time needed to acquire a few score megatons might make the war unendurable for the side that is behind. If one side appears likely to gain the decisive advantage, it might find "preventive rearmament" coupled with a surrender ultimatum an irresistibly attractive move.

It would not necessarily be essential to possess nuclear weapons in order to destroy nuclear facilities. High explosives, commandos or saboteurs could be effective. "Strategic warfare" might reach a purity not known in this century: like the king in chess, nuclear



facilities would be the overriding objective. Their protection would have absolute claim on defense.

In such a war the object would be to preserve one's mobilization base and to destroy the enemy's. To win a war would not require overcoming the enemy's defenses-just winning the rearmament race. If commandos can bypass home defenses and paralyze the adversary's nuclear mobilization base, the jig is up-unless all participants can do this to each other. If they can, the prospect is for a bizarre kind of "broken-backed" war, bizarre because no back is broken, and the struggle to acquire nuclear weapons goes on- hopefully not too fast and too furiously to allow parallel negotiations for an agreed stalemate or a second try at "disarmament."

Another kind of warfare may emerge-"nuclear coercion." If an attacker possesses illicit nuclear weapons that can be dropped on a country that is unable to retaliate promptly, it might force a surrender through the destruction of cities and the threat of destroying more. Or the coercive campaign could combine preclusive destruction of the mobilization base with the demoralizing effects of concurrent civil damage. The expectation would be that, if significant rearmament could be retarded, capitulation would be forthcoming.

Such a war might be less destructive than war under present conditions, not primarily because disarmament had reduced the attacker's capability but because, with the victim unable to respond, the attacker could adopt a more measured pace that allowed time to negotiate a cease-fire before he had reduced his victim to rubble. Victory, of course, might be achieved without violence. If one side appears to have an advantage so convincingly decisive as to make the outcome of the war seem inevitable, it could then deliver an ultimatum instead of weapons.¹

Disarmament might also cause nuclear weapons to be a greater equalizer among nations than they are now. A future Castro might be in a better position to plague or coerce the great powers by secreting nuclear weapons on his territory. In a world in which such forms of nuclear mischief have replaced the space-age machinery of war and in which the push-button has given way to improvised aerial ferries, the military environment may become less predictable and possibly more unstable.

To sum up: a stable military environment will not result automatically from a ban on weapons and the facilities to make them. The timing of war and rearmament, and the role of speed and initiative, will remain critically important in a world in which the pace of war is initially slowed. War may become more calculable and less fearsome. And there would remain, even in the design of "total disarmament," the difficult choice between minimizing war's destructiveness and minimizing its likelihood. If disarmament is to discourage the initiation of war and to remove the incentives toward preëemptive and preventive war, it has to be designed to do that. Disarmament does not eliminate military potential; it changes it.

IV. LIMITED WAR IN A DISARMED WORLD



While disarmament would eliminate the guns, it would not eliminate the trucks, aircraft, ships, communication equipment and canned food that are required for limited military campaigns. Nations could be expected to have plans for limited-war mobilization, including limited departures from the arms agreement itself.²

As important as the direct consequences that disarmament would have for limited war would be the indirect consequences. If disarmament reduces fears of general war-if explosion or escalation into general war seems a less likely prospect, or less disastrous if it should occur-the result may be fewer inhibitions on limited war. There could also be new restraints. If it is perceived that the outbreak of local wars may destroy the agreement itself -either through a sudden breakdown or steady erosion-this may create a determination to preserve what has been achieved and a recognition that to abandon restraints would signal "open season" on military competition. Of course, the more all parties value the climate of disarmament, the more can be gained by threatening to disturb it.

As "limited war" is possible, so is "limited violation" of disarmament. Since limits on hostilities can evidently be observed during war itself, limits on rearmament might be arrived at in similar fashion, even in the course of limited hostilities. The responses of countries not participating in the war would be important-perhaps an important brake, possibly a stimulus, on the resumed armament.

In limited war as in general war under conditions of "total disarmament," timing would be important. Offensive strategy in a limited war is often designed to achieve a fait accompli. Defense against this strategy in a disarmed world would depend on the ability of the defender (or protector) to rearm in time to repel or to stalemate the aggression. If we reflect on the critical timing of the North Korean invasion and the shortage of ammunition that plagued us throughout the whole Korean campaign, or the problems of the preëemptive landing of Marines in Lebanon or the progress of the Suez campaign, it is evident that logistical considerations can be decisive. The likelihood that limited aggression will be deterred by the threat of limited rearmament may therefore depend on the mobilization speed that can be achieved from a standing start.

V. THE DETERRENCE OF REARMAMENT IN A DISARMED WORLD

Many concepts that apply to the deterrence of war apply to deterrence of rearmament: "preventive" rearmament, "preëemptive" rearmament, "escalation" of rearmament, "catalytic" rearmament, and rearmament stimulated by misinformation, misinterpretation, accident, false alarm, unauthorized conspiracy and other processes analogous to those that might trigger "inadvertent war" in an armed world. In addition, there are the possibilities of rearmament bubbling up out of a crisis, occurring in the course of a limited war or being undertaken by cool premeditation.

But despite the parallel, rearmament is not war. The fears, motives and moral attitudes that make initiation of war an opprobrious act do not apply with the same force to rearmament. The question whether to remain disarmed or to initiate limited rearmament could become a legitimate political issue. If the disarmament is so delicately balanced that



there is great advantage in being the first to rearm, the mere existence of a political party pledged to abandon the disarmament treaty might disturb the arrangement. And to the extent that the treaty explicitly allows certain weapons or a mobilization base, continuing developments in technology will make armament, as well as disarmament, a proper topic of discussion and continuing negotiation.

The essential requirement is for some stable situation of "rearmament parity." If disarmament is to be durable, it must be apparent that the disadvantages of being behind in case an arms race should resume are not too great and that, in the face of ambiguous evidence of clandestine rearmament or overt evidence of imminent rearmament, nations can react without haste. The straightforward elimination of so-called "military production facilities" might, by sheer coincidence, provide the stability; but stability is more likely if there is a deliberately designed system of "stable equal readiness for rearmament." It is impossible to eliminate the ability to rearm; one can only hope to stretch the time required to reach, from the word "go," any specified level of rearmament. The problem is not whether to leave a mobilization base for rearmament, but what kind.

It is not certain that maximizing the time required to rearm is a way to deter it. Lengthening the racecourse does not necessarily lessen the incentive to be first under the wire. But it may reduce the advantage of a small head-start; it may allow time to renegotiate before the race has too much momentum; and it may reduce the confidence of a fast starter that he could win if he called for a race.

If rearmament is undertaken to improve mutual deterrence> not to achieve offensive superiority, it may not matter whether some nations fall behind. The leader will not necessarily race as fast as he can; for if he does, other nations may have to regard his behavior as a declaration of war and to respond accordingly. If a low-grade war of nuclear reprisal is within the capability of some laggard in the rearmament race, he may feel obliged to initiate such a war to disrupt another's rearmament; thus rearmament could lead to preëemptive action and trigger a war. On the other hand, this prospect may help deter rearmament itself.

The likelihood of war, then, depends on the character of the disarmament. If mobilization potentials are such that a head-start is not decisive and the racecourse is long, preëemptive action may be delayed until motives are clear. This, however, presents a dilemma analogous to that of deterring limited war today: the smaller the fear that rearmament will precipitate general war, the smaller the inhibition on rearmament.

Important elements for stability in a disarmed world would be the dispersal and duplication of standby facilities for rearmament and of reserve personnel or cadres around which rearmament can be mobilized. Dispersal is important because of the interaction between rearmament and war itself. If a nation can achieve just enough production of weapons to disrupt its opponent's rearmament, it may gain a decisive advantage. Once the race is on, a few easily-located facilities for producing nuclear weapons might invite a "preventive" and very limited war. If instead there were, say, scores or hundreds of laboratories able to produce unconventional weapons and if their destruction would require substantial military capabilities, there might be less incentive



on one side to acquire and exploit a small advantage and less fear on the other of falling a little behind and being taken advantage of.

Nations are now willing to threaten war; in a disarmed world they certainly might threaten rearmament. The agreement itself would certainly have to be renegotiated from time to time, or continuously; and, just as a threat of "no sale" hangs over the head of commercial traders, so will the threat of rearmament hang over the heads of negotiators. The main sanction on the negotiations will be that, in the absence of a satisfactory agreement, nations may take unilateral steps for their own security or take steps to put pressure on others.

VI. ATTITUDES TOWARD REARMAMENT

The terms of an agreement must take into account what the attitude toward rearmament would be in the disarmed world. One approach would be that any overt rearmament would be a mortal sin, a total failure of the disarmament process, a contingency that can neither be planned for nor discussed coolly within countries or between governments. Alternatively, rearmament might be viewed as we view war now—as a tragedy and a failure of policy, but a tragedy that can occur, that can even occur from motives of self-defense, that can perhaps be limited and contained, and that need not signal the termination of all efforts at settlement and reconciliation.

The first attitude, which would try to insulate rearmament from the cold war and deprecate any planning for the contingency of rearmament, might be preferable if it could promise to create sufficiently strong inhibitions. If, instead, we have to expect—as surely we do—lapses under even the most ideal disarmament scheme, it is better to plan for such contingencies and to create the expectation that occasional lapses need not trigger a real arms race or the full fury of war itself. We cannot have it both ways. For if we recognize "limited rearmament" as a possibility and prepare for "limited responses" against it, we take some of the curse off rearmament, just as plans for limited war seem to legitimize war. This is a genuine dilemma.

Rearmament has other dimensions than speed and volume. We should distinguish between rearmament aimed at stable deterrence and rearmament aimed at brinkmanship or war. In this country we would certainly want to have careful rearmament plans so that, in the event we found ourselves unavoidably drawn into a renewed arms race, our actions would be consistent with deterrence of war and with an effort to slow down the pace of rearmament. The further rearmament goes and the more unstable the environment which it creates, the harder it will be to get back to the business of disarmament if we wish to.

It will also make a difference whether military and strategic planning is permitted and expected or frowned on. The dilemma is that stability will require careful planning of a kind inconsistent with the philosophy that military planning is illegal, immoral and a sign of evil intent. If nations suddenly awoke to rearmament dangers of which they had not been aware, their response might be more undisciplined and more unstable in the absence of military planning than if vigilance had been deliberately maintained.



It should not be expected that reduced tensions will be the natural consequence of a disarmament agreement. Not everyone will be confident that disarmament provides a viable military environment or promises the political atmosphere most conducive to peace and good relations. It is hard to believe that any sober person under any conceivable world arrangement could come to believe with confidence that war had at last been banished from human affairs until there had been at the very least some decades of experience. There will be surprises, rumors and sharp misunderstandings. Even if something that looks like "general and complete disarmament" is achieved, it is not out of the question that responsible governments might decide that international apprehensions would be reduced if they possessed more secure, more diversified and more professionally organized mobilization bases or weapon systems, with more freedom to improve them, drill them and discuss the strategy of their use.

It is even conceivable that a "rearmament agreement" would be negotiated in the interest of reducing tensions, the likelihood of war, the scope for "rearmament blackmail," the Nth-country problem, and perhaps even the economic costs of preparedness. It might be that moderate though expensive modern weapon systems, professionally organized and segregated from the main population centers, would provide less-not more-military interference in everyday life than a "total" disarmament agreement under which every commercial pilot carried emergency mobilization instructions in his briefcase. In any event, a decision on total disarmament, taken jointly by the major powers, would not bring an end to arguments about arms control.

VII. AN INTERNATIONAL MILITARY AUTHORITY

Some kind of international authority is generally proposed as part of an agreement on total disarmament. If militarily superior to any combination of national forces, an international force implies (or is) some form of world government. To call such an arrangement "disarmament" is about as oblique as to call the Constitution of the United States "a Treaty for Uniform Currency and Interstate Commerce." The authors of the Federalist Papers were under no illusion as to the far-reaching character of the institution they were discussing, and we should not be either. Here, however, we can focus only on those aspects of an International Force that directly affect the military environment.

One concept deserves mention in passing: that the projected police force should aim to control persons rather than nations. Its weapons would be squad cars, tear gas and pistols; its intelligence system would be phone taps, lie detectors and detectives; its mission would be to arrest people, not to threaten war on governments. Here, however, we shall concentrate on the concept of an International Force to police nations-and all nations, not just small ones. The most intriguing questions are those that relate to the Force's technique or strategy for deterring and containing the former nuclear powers.

The mission of the Force would be to police the world against war and rearmament. It might be authorized only to stop war; but some kinds of rearmament would be clear signals of war, obliging the Force to take action. There might be, explicitly or implicitly, a distinction between the kinds of rearmament that call for intervention and the kinds that are not hostile.



The operations of the Force raise a number of questions. Should it try to contain aggression locally, or to invade the aggressor countries (or all parties to the conflict) and to disable them militarily? Should it use long-range strategic weapons to disable the country militarily? Should it rely on the threat of massive punitive retaliation? Should it use the threat or, if necessary, the practice of limited nuclear reprisal as a coercive technique? In the case of rearmament, the choices would include invasion or threats of invasion, strategic warfare, reprisal or the threat of reprisal; "containment" could not forestall rearmament unless the country were vulnerable to blockade.

Is the Force intended to do the job itself or to head a worldwide alliance against transgressors? In case of aggression, is the victim to participate in his own defense? If the Indians take Tibet, or the Chinese encourage armed homesteading in Siberia, the Force would have to possess great manpower unless it was prepared to rely on nuclear weapons. A Force could not be maintained on a scale sufficient to "contain" such excursions by a nation with a large population unless it relied on the sudden mobilization of the rest of the world or on superior weaponry- nuclear weapons if the defense is to be confined to the area of incursion. But the use of such weapons to defend, for example, South Viet Nam against Chinese infiltrators, Western Europe against the Soviet bloc, East Germany against West Germany or Cuba against the United States, would be subject to the ordinary difficulties of employing nuclear weapons in populated areas. A country threatened by invasion might rather capitulate than be defended in that fashion. Moreover, the Force might require logistical facilities, infrastructure and occasional large-scale man?uvres in areas where it expects to be called upon. Keeping large forces stationed permanently along the Iron Curtain is a possibility, but not one that brings with it all the psychological benefits hoped for from disarmament.

A sizeable intervention of the Force between major powers is not, of course, something to be expected often in a disarmed world. Nevertheless, if the Force is conceived of as superseding Soviet and American reliance on their own nuclear capabilities, it needs to have some plausible capability to meet large-scale aggression; if it hasn't, the major powers may still be deterred, but it is not the Force that deters them.

A capability for massive or measured nuclear punishment is probably the easiest attribute with which to equip the Force. But it is not evident that the Force could solve the problems of "credibility" or of collective decision any better than can the United States alone or NATO collectively at the present time. This does not mean that it could not solve them- just that they are not automatically solved when a treaty is signed. If the Force is itself stateless, it may have no "homeland" against which counter- reprisal could be threatened by a transgressor nation; but if it is at all civilized, it will not be wholly immune to the counter-deterrent threats of a transgressor to create civil damage in other countries. These could be either explicit threats of reprisal or implicit threats of civil destruction collateral to the bombardment of the Force's own mobilization base. (The Force presumably produces or procures its weaponry in the industrial nations, and cannot be entirely housed in Antarctica, on the high seas or in outer space.)



If it should appear technically impossible to police the complete elimination of nuclear weapons, then we should have to assume that at least minimal stockpiles had been retained by the major powers. In that case, the Force might not be a great deal more than one additional deterrent force; it would not enjoy the military monopoly generally envisaged.

One concept needs to be disposed of—that the Force should be strong enough to defeat a coalition of aggressors but not so strong as to impose its will against universal opposition. Even if the world had only the weapons of Napoleon, the attempt to calculate such a delicate power balance would seem impossible. With concepts like preemption, retaliation and nuclear blackmail, any arithmetical solution is out of the question.

The knottiest strategic problem for an International Force would be to halt the unilateral rearmament of a major country. The credibility of its threat to employ nuclear weapons whenever some country renounces the agreement and begins to rearm itself would seem to be very low indeed.

The kind of rearmament would make a difference. If a major country openly arrived at a political decision to abandon the agreement and to recover the security it felt it had lost by starting to build a merely retaliatory capability and sizeable home-defense forces, it is hard to envisage a civilized International Force using weapons of mass destruction on a large scale to stop it. Limited nuclear reprisals might be undertaken in an effort to discourage the transgressor from his purpose. But unless the rearmament program is accompanied by some overt aggressive moves, perhaps in limited war, the cool and restrained introduction of nuclear or other unconventional weapons into the country's population centers does not seem plausible, unless non-lethal chemical or biological weapons could be used.

Invasion might offer a more plausible sanction, perhaps with paratroops armed with small nuclear weapons for their own defense; their objective would be to paralyze the transgressor's government and mobilization. But if this should be considered the most feasible technique for preventing rearmament, we have to consider two implications. We have provided the Force a bloodless way of taking over national governments. And a preemptive invasion of this kind might require the Force to act with a speed and secrecy inconsistent with political safeguards.

There is also the question of what kinds of rearmament or political activity leading to rearmament should precipitate occupation by the Force. In our country, could the Republicans or Democrats campaign on a rearmament platform, go to the polls and win, wait to be inaugurated, denounce the agreement, and begin orderly rearmament? If the Force intervenes, should it do so after rearmament is begun, or after a party has introduced a rearmament resolution in Congress? The illustration suggests that one function of the Force, or the political body behind it, would be to attempt first to negotiate with a potential rearming country rather than to intervene abruptly at some point in these developments.



Again, the character of rearmament would make a difference. Suppose the President presented a well-designed plan to build an obviously second- strike retaliatory force of poor preëmptive capability against either the International Force or other countries, but relatively secure from attack. If he justified it on the grounds that the current military environment was susceptible to sudden overturn by technological developments, political upheavals, irrepressible international antagonisms, the impotence of the Force for decisive intervention, the corruption or subversion of the Force, or other such reasons, then the authorization of a drastic intervention by the Force in the United States would be less likely than if the President ordered a crash program to assemble nuclear weapons, trained crews and long- range aircraft. It would make a considerable difference, too, whether rearmament occurred at a time of crisis, perhaps with a war going on, or in calmer times.

The point of all this is simply that even an International Military Authority with an acknowledged sole right in the possession of major weapons will have strategic problems that are not easy. This is, of course, aside from the even more severe problems of political control of the "executive branch" and "military establishment" of the world governing body. If we hope to turn all our international disputes over to a formal procedure of adjudication and to rely on an international military bureaucracy to enforce decisions, we are simply longing for government without politics. We are hoping for the luxury, which most of us enjoy municipally, of turning over our dirtiest jobs-especially those that require strong nerves-to some specialized employees. That works fairly well for burglary, but not so well for school integration, general strikes or Algerian independence. We may achieve it if we create a sufficiently potent and despotic ruling force; but then some of us would have to turn around and start plotting civil war, and the Force's strategic problems would be only beginning.

VIII. CONCLUSION

This is not an essay against disarmament, even "total disarmament." It is simply a warning against the notion that there is any once-for-all solution to the problems of world peace and government. It is against the notion that if only disarmament is "total" enough, we can forget about deterrence and all that. It is against the notion that under "total" disarmament there is no military potential to be controlled, balanced or stabilized.

There should be no divorce between deterrence and disarmament. If disarmament is to work, it has got to improve deterrence and to stabilize deterrence. Until a much greater community of interest exists in the world than is likely in this generation, war will have to be made unprofitable. It cannot be made impossible.

It is sometimes argued that to perpetuate military deterrence is to settle for a peace based on fear. But the implied contrast between arms control and total disarmament is not persuasive. What would deter rearmament in a disarmed world, or small wars that may escalate into large ones, must be the apprehension of a resumed arms race and war. The extent of the "fear" involved in any arrangement-total disarmament, negotiated mutual deterrence, or anything else-is a function of confidence. If the consequences of transgression are plainly bad-bad for all parties, and little dependent on who transgresses



first-we can take the consequences for granted and call it a "balance of prudence." What keeps us from stepping off a train before it stops is not "fear"; we just know better. 1 Deterrence being largely a matter of credibility, it might not always be an advantage to have it believed that one is complying with the prohibition on nuclear weapons. At the slightest suspicion that others might be initiating preparations, a government might prefer to hint that it was already prepared. A small nuclear capability might be used to demonstrate a larger professed capability. 2 The Chinese civil war of 1948-49 may illustrate how extensive a war can be fought with poor weaponry and primitive logistical support. Or the American Civil War.



4.3. Who Are We to Deny Nations Nuclear Weapons?

Michael Shellenberger (a Time Magazine “Hero of the Environment” and Green Book Award Winner. He is also a frequent contributor to The New York Times, Washington Post, Wall Street Journal, Scientific American, and other publications.), “Who Are We To Deny Weak Nations The Nuclear Weapons They Need For Self-Defense?”, 6 August 2018, Forbes, <https://www.forbes.com/sites/michaelshellenberger/2018/08/06/who-are-we-to-deny-weak-nations-the-nuclear-weapons-they-need-for-self-defense/>.

Note from the NHS DLC: *This article argues that more nuclear weapons would make the world peaceful and help smaller nations fend off larger nations. It uses the theory given in Waltz’s article from 1981 (found in the Supplemental Research Packet) to argue that more nuclear weapons would make the world more stable and peaceful. Finally, it argues that preventing smaller countries from acquiring nuclear weapons is a form of imperialism.*

Nuclear Bombs As Weapons of the Weak

How does a weak nation-state like France level the playing field with a more powerful adversary like Germany? By obtaining a weapon capable of wiping out its major cities.

Twice victimized and humiliated by its neighbor, France after World War II set off to build a nuclear bomb that, had it been available before 1940, would have deterred the German invasion.

Can anyone blame France for getting the bomb? Of course not. After all, Germany’s war upon its neighbors resulted in the deaths of 50 million people.

But that didn’t stop the U.S. government from trying to prevent France from building a nuclear weapon. Senior Kennedy administration officials in 1962 described France’s nuclear program as “foolish, or diabolical — or both.”

How could the U.S. deny France the means with which to defend herself? By promising to protect France with its own nuclear weapons through what is called “extended deterrence.”

French President Charles de Gaulle didn’t buy it. He felt that “the United States would not risk New York or Detroit to save Hamburg or Lyons,” noted the New York Times, “if faced with a choice between the destruction of Western Europe and a Soviet-American missile exchange.”

A nuclear-armed France, U.S. officials warned, “could lead to a proliferation of nuclear powers,” reported Ronald Steel in Commentary, “that is, to demands by other allies, especially Germany, for nuclear status.”



The identical argument was later made against China, India and Pakistan, and is now being made against allowing North Korea and Iran to possess nuclear weapons.

The widespread assumption is that the more nations have nuclear weapons, the more dangerous the world will be. But is that really the case?

I don't ask this question lightly. I come from a long line of Christian pacifists and conscientious objectors and earned a degree in peace studies from a Quaker college. I have had nightmares about nuclear war since I was a boy and today live in California, which is more vulnerable to a North Korean missile than Washington, D.C. — at least for now.

But it is impossible not to be struck by these facts:

- No nation with a nuclear weapon has ever been invaded by another nation.
- The number of deaths in battle worldwide has declined 95 percent in the 70 years since the invention and spread of nuclear weapons;
- The number of Indian and Pakistani civilian and security forces' deaths in two disputed territories declined 90 percent after Pakistan's first nuclear weapons test in 1998.

In 1981, the late political scientist Kenneth Waltz published an essay titled, "The Spread of Nuclear Weapons: More May Be Better." In it he argued that nuclear weapons are revolutionary in allowing weaker nations to protect themselves from more powerful ones.

International relations is "a realm of anarchy as opposed to hierarchy... of self-help... you're on your own," Waltz explained.

How do nuclear weapons work? Not "through the ability to defend but through the ability to punish...The message of a deterrent strategy is this," explained Waltz. "Although we are defenceless, if you attack we will punish you to an extent that more than cancels your gains."

Does anybody believe France should give up its nuclear weapons? Certainly not the French. After President Barack Obama in 2009 called for eliminating nuclear weapons, not a single other nuclear nation endorsed the idea.

All of this raises the question: if nuclear weapons protect weak nations from foreign invasion, why shouldn't North Korea and Iran get them?

Why Nuclear Weapons Make Us Peaceful

On January 29, 2002, President George W. Bush denounced Iraq, Iran, and North Korea as an "axis of evil." North Korea was "arming with missiles," he said. Iran "aggressively pursues these weapons" and the "Iraqi regime has plotted to develop...nuclear weapons for over a decade."



One year later, the U.S. invaded and occupied Iraq. The ensuing conflict resulted in the deaths of over 450,000 people — about four times as many as were killed at Hiroshima — and a five-fold increase in terrorist killings in the Middle East and Africa. It all came at a cost of \$2.4 trillion dollars.

Now, 16 years later, U.S. officials insist that North Korea and Iran need not fear a U.S. invasion. But why would any nation — particularly North Korea and Iran — believe them?

Not only did the U.S. overthrow Iraqi leader Saddam Hussein after he gave up his nuclear weapons program, it also helped overthrow Libyan President Muammar Gaddafi in 2011 after he too had given up the pursuit of a nuclear weapon.

North Korean President Kim Jong-un may, quite understandably, see his own life at stake: Hussein was hanged and Gaddafi was tortured and killed.

Both hawks and doves say North Korea and Iran must not be allowed to have a weapon because both regimes are brutal, but nuclear weapons make nations more peaceful over time. There were three full-scale wars before India and Pakistan acquired the bomb and only far more limited conflicts since. And China became dramatically less bellicose after acquiring the bomb.

Why? “History shows that when countries acquire the bomb, they feel increasingly vulnerable,” notes Waltz, “and become acutely aware that their nuclear weapons make them a potential target in the eyes of major powers. This awareness discourages nuclear states from bold and aggressive action.”

Is it really so difficult to imagine that a nuclear-armed North Korea and Iran might follow the same path toward moderation as China, India, and Pakistan?

Nuclear weapons are revolutionary in that they require the ruling class to have skin in the game. When facing off against nuclear-armed nations, elites can no longer sacrifice the poor and weak in their own country without risking their lives.

Had Iraq in 2002 been in possession of a nuclear weapon, the U.S. would never have invaded. As such, we should be glad that North Korea acquired the bomb since it guarantees the U.S. will never invade.

The End of Extended Deterrence?

In a 2012 cover story for Foreign Affairs, “Why Iran Should Get the Bomb,” Waltz notes that “nuclear balancing would mean stability.” Why? Because, “It is Israel’s nuclear arsenal, not Iran’s desire for one, that has contributed most to the current crisis.”

Israeli air strikes destroyed an Iraqi nuclear reactor in 1981, and destroyed a Syrian reactor in 2007. Wrote Waltz:



Israel's proven ability to strike potential nuclear rivals with impunity has inevitably made its enemies anxious to develop the means to prevent Israel from doing so again. In this way, the current tensions are best viewed not as the early stages of a relatively recent Iranian nuclear crisis but rather as the final stages of a decades-long Middle East nuclear crisis that will end only when a balance of military power is restored."

Little surprise that Israeli hardliners responded with outrage to Waltz's essay. "Some have even said that Iran with nuclear weapons would stabilize the Middle East," Israeli Prime Minister Benjamin Netanyahu said after Foreign Affairs published Waltz's article. "I think people who say this have set a new standard for human stupidity."

But was Israel stupid for acquiring the bomb in 1968 to protect itself from its neighbors? No doubt Netanyahu would say no.

How do nuclear-armed nations justify their double-standard on nuclear weapons? Mostly through fear-mongering.

"Those who dread a world with more nuclear states do little more than assert that more is worse," noted Waltz, "and claim without substantiation that new nuclear states will be less responsible and less capable of self-control than the old ones have been."

Nuclear-armed nations perpetuate two fictions, the first of which is that they will give up their weapons. They point to the weak language in the 1968 nuclear non-proliferation treaty, which says treaty members will "pursue negotiations" to achieve the goal of "complete disarmament under strict and effective international control."

And yet no nuclear-armed nation in the world is pursuing negotiations with the goal of "complete disarmament." Indeed, most nuclear-armed nations are upgrading, not downgrading their arsenals.

The second fiction is that nuclear-armed nations will protect their unarmed allies with nuclear weapons.

But ask yourself: would President Donald Trump risk New York for Montenegro (population 643,000) – the newest member of NATO? In July, Trump suggested he would not, even though the US is obligated to under NATO rules.

And why should Americans risk New York for Berlin when Germans won't risk Berlin for New York? Just 40 percent of Germans believe they "should use military force to defend a NATO ally if it got into a serious military conflict with Russia," while 65 percent believe "the U.S. would use military force to defend a NATO ally."

And they are correct. Sixty-two percent of Americans agree that the U.S. should use military force to defend a NATO ally in a conflict with Russia.



But that commitment to NATO will likely weaken given the lack of European solidarity, Middle East war fatigue, and President Trump's questioning of America's role in the Alliance.

Already, a growing number of vulnerable U.S. allies are asking whether they should acquire weapons of their own.

In Germany, a prominent political scientist has called for his nation to get the bomb. "Trump-bashing will only further undermine the U.S. commitment to 'extended deterrence,'" warned Dr. Christian Hacke, Professor of Political Science at the University of Bonn, in a major essay in *Welt am Sonntag*, the country's largest Sunday newspaper (an English version can be read [here](#)).

Germany is, for the first time since 1949, without nuclear protection provided by the United States, and thus defenseless in an extreme crisis. As such, Germany has no alternative but to rely on itself.

A nuclear Germany would stabilize NATO and the security of the Western World. But if we cannot persuade our allies, then Germany should go it alone. It may be that just six to eight submarines would insure the security of the German people."

A similar dynamic is underway in Asia. In the wake of tensions with North Korea, 60 percent of South Koreans today say they want their own nuclear weapons, and 68 percent want to redeploy U.S. tactical nuclear weapons. And now, politicians with South Korea's leading opposition party are urging their nation's nuclear armament.

Disarmament and Imperialism

The end of extended deterrence provided by the U.S. to Europe should not come as a surprise. Its temporary nature was foreseen as early as 1962, when André Fontaine wrote in *Le Monde*: "It is inconceivable, unless we are resigned to an interminable cold war, that Europe forever relies on America for its security and for the orientation of its diplomacy."

As to be expected, the usual fears are being drummed up against why a militarily-weak nation like Germany shouldn't get the bomb.

"If Germany was to relinquish its status as a non-nuclear power, what would prevent Turkey or Poland, for example, from following suit?" a former German ambassador to the U.S., wrote in response to Hacke's essay. "Germany as the gravedigger of the international nonproliferation regime? Who can want that?"

In truth, it's remarkable the nonproliferation regime has lasted as long as it has.

It made sense for nuclear-armed nations in the 1950s and 60s to try to prevent the spread of nuclear weapons. After all, nations weren't accustomed to the revolutionary new technology, and the likelihood was far higher back then that a weapon could get used accidentally or fall into the wrong hands.



But 60 years later, in a multipolar world where the dominant power, the U.S., has grown tired of its role as global hegemon, the non-proliferation regime is falling apart under the weight of its own contradictions.

The division of the world into nuclear-armed and unarmed nations has long been arbitrary and unfair. Nuclear-armed nations, except for France, hypocritically punished India for decades with trade sanctions for acquiring a weapon.

People rightly worry about accidental or unauthorized use of weapons, such as by terrorists, but nations today safeguard their weapons and materials far better than they did in the past.

After the fall of the Soviet Union, the United States spent \$10 billion to help Russia maintain control of and destroy many of its nuclear weapons, and intelligence agencies around the world work together to prevent nuclear materials from falling into the hands of non-state actors.

As for terrorism, why would a nation like Iran go to all the trouble of getting a bomb only to give it to a non-state actor like Hamas or Hezbollah? Not only would doing so risk retaliation from Israel, but the bomb could be used by those groups to gain leverage over Iran itself.

Today, the greatest opposition to the spread of nuclear weapons to weak nations like North Korea and Iran comes from militaristic figures like U.S. national security advisor John Bolton, who advocated the disastrous invasion of Iraq, and who now advocates “the Libya model” for North Korea.

It’s easy to see why. “In a world without nuclear weapons,” a U.S. nuclear weapons designer explained, “the U.S. would have uncontested military dominance.”

In other words, a world without nuclear weapons would be a world where relatively weak nations — like France and Britain before World War II and North Korea and Iran today — are deprived the only power on Earth capable of preventing a military invasion by a more powerful adversary.

Who are we to deny weak nations the nuclear weapons they need for self-defense? The answer should by now be clear: hypocritical, short-sighted, and imperialistic.

