

## **SKEPTICISM TRIUMPHANT: THE BUSH ADMINISTRATION AND THE WANING OF ARMS CONTROL**

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“The draft protocol that was under negotiation for the past several years is dead in our view. • Dead, and it is not going to be resurrected. It has proven to be a blind alley.” This was the comment of US Undersecretary of State for Arms Control, John Bolton, at his press conference in Geneva on November 19, 2001, explaining the decision of the Bush Administration to abandon the effort to negotiate a verification protocol to the Biological Weapons Convention (BWC). Earlier, at the formal session in Geneva, Bolton had shocked the assembled delegates by accusing a number of identified states of “flatly violating” the BWC. Now, before the press of the world, he elaborated that “simply putting one convention on top of another is not going to solve the problem that the rogue states that we are talking about are prepared to violate the underlined prohibitions in the BWC....”<sup>1</sup> With these pronouncements, years of painstaking diplomacy came to naught and the Bush Administration’s view of arms control came fully into view.

This episode, though hardly unique, illustrates with vivid clarity the new, much more skeptical attitude toward arms control and international treaties that reigns in Washington. In recent years the United States has rejected, repudiated, blocked, ignored, or refrained from joining a long and by now familiar list of treaties and agreements. Such behavior by Washington has often produced wide international disappointment, anger, and puzzlement. For nearly four decades, dating from the early 1960s, the United States was a major champion of arms control and a chief protagonist in most arms negotiations. Its emergence now as a critic, an obstacle, an opponent of arms control is both shocking and more than a little incomprehensible to many outside the United States. Even those who are prepared to concede that there are deficiencies in this treaty or that regime are troubled by the deep and comprehensive suspicion of arms control that seems manifest in recent US policy.

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• This essay is based on a plenary presentation originally delivered to the annual conference of the International Pugwash Movement in Agra, India, in March 2002. I have benefitted from subsequent opportunities to present this material at meetings in London England, Oslo, Norway, Washington DC, and Cambridge, Massachusetts.

<sup>1</sup> Quotes from “Transcript: Bolton Briefing on Biological Weapons Pact, November 19,” US Department of State, November 20, 2001.

The reality is, however, that times – and the domestic political balance of power – have changed in the United States, reflecting in large measure the enormous changes in international politics over the past dozen years. Arms control may once have been at the center of American foreign policy, but this is no longer so. Arms control may once have seemed a necessary and even an imperative instrument for managing the world’s most dangerous rivalries and weapons, but this is no longer so. Arms control may once have been widely regarded as a useful and effective means of addressing serious security concerns, but this is no longer so. To be sure, there remains a constituency for arms control in the United States, though even many arms controllers believe that there is a need to rethink the role of arms control in the post-Cold war, post 9/11 era.<sup>2</sup> But proponents of arms control are no longer in the ascendance. They have been supplanted by a school of thought that is unimpressed by the record of arms control, that doubts its utility, that questions its compatibility with US interests, that views it as inadequate for addressing the most serious security challenges, and that sees arms control as largely unsuitable to the new era in which we live. It is this view, which first found powerful and effective voice during the 1990s within the US Congress (especially but not only in the Senate), which now dominates within the Bush Administration.

What appear to many outsiders to be an unfortunate and erratic sequence of decisions by Washington – repudiating the Comprehensive Test Ban, withdrawing from the ABM Treaty, abandoning the BWC protocol, refusing to join the Landmine Convention or the International Criminal Court, and so on – are in fact the logical expressions of a powerful, coherent, consistent, and now dominant world view. The skeptics, the critics, the opponents, the doubters of arms control have seized the political high ground in the United States and now are the most important players in shaping the US approach to arms control. Those expecting continuity in US policy, those hoping for fidelity to past approaches and philosophies, those who assume ongoing and unquestioned US allegiance to key arms control regimes, those yearning for bold and creative American leadership in the arms control domain have been and will continue to be surprised and dismayed by the new mindset in Washington.

But it is essential to understand the framework of thinking that is now dominant in Washington, if only to make sense of the recent evolution of US policy. In addition, however, the Bush Administration has been following this worldview in a determined and so far undeflectable way – even when its choices and actions have been widely resisted and heavily criticized in the international arena. Moreover, the terrorist attacks of September 11, 2001 have strengthened this tendency to doubt the sufficiency of treaties and regimes and to conclude that US unilateral options and, when necessary, US action, supported by whatever “coalition of the willing” is available, are the best guarantors of American security. When it comes to the Bush Administration’s approach

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<sup>2</sup> An excellent example is Michael Krepon, *Cooperative Threat Reduction, Missile Defense, and the Nuclear Future*, (New York: Palgrave Macmillan, 2003). See also Jeffrey A. Larson, ed., *Arms Control: Cooperative Security in a Changing Environment*, (Boulder, Colorado: Lynne Rienner, 2002), which attempts to assess the record of arms control and its applicability in the current international context. For a European perspective on the “crisis in arms control,” see Burkard Schmitt and Camille Grand, “The Case for a Great European Debate,” in Burkard Schmitt, ed., *Nuclear Weapons: A New Great Debate*, Chaillot Papers No. 48, Institute for Security Studies, July 2001, pp. 159-160.

to arms control and other restraint-based approaches to international security, the Cold War past is no guide to the post-9/11 future. The dominant emphasis today in the Bush Administration is on the acquisition or reinforcement of unilateral military options that will provide insurance against the anticipated failures and inadequacies of arms control.

In the discussion that follows, I will describe both halves of the new equation that governs US policy in the Bush Administration: First, I will outline the basis for and contents of the ascendant skepticism toward arms control; and then, I will examine the logic and character of the alternative emphasis, which places much more reliance on strategies of coercion and on the protection afforded by military forces.

## **DISILLUSIONMENT WITH ARMS CONTROL**

In the world view that dominates policy in Washington today, arms control does not loom large and is not viewed favorably. It is regarded not as a fresh or innovative or promising approach to security but a tired, threadbare legacy of the Cold War. Many of today's skeptics were doubtful about arms control even in that earlier age, but today they dismiss it as a failed experiment or an irrelevant leftover or an outdated intellectual framework. Arms control, in this view, reflects a Cold War mindset, whereas fresh thinking about security in the new era requires a willingness to adapt or even leave behind notions about security that no longer apply or are not useful in addressing the challenges of the post-Cold War security environment. To some skeptics, arms control is a secular religion that needs to be discredited. What John Bolton has dubbed as "The Church of Arms Control" is regarded as a refuge for those who are uncomfortable with American power or who are seeking to restrain US power.<sup>3</sup> Those who have escaped their obsolete Cold War mentalities, those who do not worship blindly at the church of arms control, will be able to see that arms control is no longer inherently or unavoidably necessary or desirable.

The symptoms of this negative approach to arms control were evident even before the arrival of the Bush Administration. Though the Clinton Administration was much more favorably disposed to arms control, it turned out to be the first since the Eisenhower Administration with no major accomplishment in arms control. Indeed, though there were extraordinary hopes in the early 1990s that the end of the Cold War might open up huge new opportunities for arms control, especially in the nuclear relationship between Washington and Moscow, not one major agreement was signed and ratified during Clinton's term in office.<sup>4</sup> It is a remarkable fact that a decade after the end of the Cold War, the only strategic arms control agreement in force was the START I agreement, whose origins lay in the first term of the Reagan Administration. For arms controllers, it was a massive and surprising disappointment that the 1990s passed without significant

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<sup>3</sup> John Bolton, "Arms Inspection and the Man," *Weekly Standard*, June 26, 2000, as available on the website of the American Enterprise Institute.

<sup>4</sup> The Clinton Administration deserves credit for pursuing an innovative collaboration, the Cooperative Threat Reduction program, aimed at working with Russia to implement reductions and to minimize the risk of theft or illicit use of nuclear weapons and material. But the fact remains that not a single major arms control agreement was signed and ratified on its watch and the opportunity to transform the nuclear balance was largely unexploited.

advances in achieving negotiated restraint. An important part of the explanation for this, however, is that the views now dominant in the Bush Administration were even then powerful, and often dominant, in the US Senate. Legislative opponents of arms control represented an effective blocking coalition, preventing any moves in directions they found uncongenial. Thus, though the Clinton Administration successfully negotiated the Theater Missile Defense (TMD) demarcation agreements with Russia, it never dared submit them to the Senate because they faced certain defeat at the hands of a Republican majority determined to forge ahead with missile defense. When the Clinton Administration did attempt to obtain the ratification of the Comprehensive Test Ban Treaty, it met with inglorious and damaging failure at the hands of a Senate majority that regarded the treaty as flawed and contrary to US interests.

There is a tendency to associate strong skepticism about arms control with the Bush Administration, implying that this view would fade in significance if a new administration, more favorably inclined toward arms control, were to win election. It is therefore very important to underline that these views are deeply entrenched in the American political elite and will find visible, influential, effective advocates in the US Congress and in the American public debate no matter who is president. This is not a superficial phenomenon but a deep current in American opinion. The arms control skeptics were a potent political force in the United States years before George Bush became president.

With the coming of the Bush Administration, though, the arms control doubters dominated both the Congress and the executive branch. They were now in a position not simply to block the arms control aspirations of the White House but to pursue an agenda reflecting their own philosophies, judgements, and preferences. And they brought to power a set of beliefs largely inimical to arms control. Obviously, not all critics of arms control have exactly identical views and there are disagreements of substance and nuance among them. Nevertheless, it is possible to sketch a kind of composite view that captures the essential instincts of this school of thought.

**Arms Control Does Not Work:** One common core belief in the now ascendant school of thought in Washington policy circles is that arms control is not particularly effective. There exists a spectrum of views among skeptics about how ineffective arms control has been. Some believe that arms control has made some constructive contributions but judge that it is unreliable in coping with the hard (and most important) cases. Some believe that arms control is a low-grade instrument that involves huge exertions and lots of diplomatic huffing and puffing but with little payoff in terms of addressing or resolving serious or major security concerns. Some believe that arms control has largely been a failure, raising substantial costs and risks while providing little benefit and offering few real successes. Some believe that arms control has been downright counterproductive, imposing undesirable constraints, enshrining misguided ideas, and creating the unfortunate illusion that something serious was being done about important security issues. The international arms control community that developed during the Cold War and after is accustomed to thinking of arms control as useful, valuable, at least potentially important, and in some contexts essential. The prevailing

view in Washington is that arms control is unreliable, worthless, unsuccessful, possibly even counterproductive. Little wonder then, that there is a high level of mutual incomprehension (as well as reciprocal distaste) between these groups. Their perspectives could hardly be more different.

The conclusion that arms control is ineffective rests on several considerations. First, there is the inherent structural dilemma that arms control generally involves negotiations between states parties who are competitive with, if not hostile towards, each other. The overlap in their interests, and hence the scope for negotiated agreement between them, is often quite small and marginal. In bilateral negotiations, splitting the difference between the desirable and the unacceptable does not produce important or edifying results. Soviet-American strategic arms control, for example, was often criticized for merely codifying the status quo (which was particularly objectionable to arms control skeptics when they judged the status quo to be unattractive or unacceptable) or for mandating the elimination of systems that both sides intended to eliminate in any event on grounds of obsolescence. In multilateral settings, the need to settle for lowest-common-denominator outcomes and to accommodate the self-interested concerns of multiple states results in agreements that are weak, or flawed, or ineffectual. The inclusion in multilateral regimes of the very states whose worrying or threatening behavior needs to be restrained and disciplined by the agreement raises, in the skeptics eyes, the proverbial concern about letting foxes into the chicken coops. Obviously, when the political context for arms control negotiations is more harmonious, this dilemma becomes much less acute – but arms control is also less significant. Thus the conclusion embraced by many (though not all) arms control skeptics: meaningful arms control is impossible when it would be important, but unimportant when it is possible.

Second, there is the problem of cheaters. Arms control requires, and depends upon, a kind of cooperation with and a level of trust in hostile states, some of whom number among the most unsavory and despicable regimes on earth. Viewed in a clear-sighted way, arms control skeptics believe, these regimes are simply not trustworthy. They are likely or even certain to cheat, their cheating will often be successful and undetected, and this means that the effect of arms control is to constrain the good guys while at most inconveniencing, but not really restraining, the bad guys. This line of argument was a powerful motif in Cold War criticism of arms control. There were endless allegations, some of them accurate, that the Soviet Union was cheating on US-Soviet agreements, that arms control was facilitating, and providing cover for, adverse shifts in the balance of power, that US security was being jeopardized by the illicit capabilities Moscow acquired by cheating, and so on.<sup>5</sup> Similarly, as the protracted crises over Iraq and North Korea have demonstrated, the post-Cold War arms control agenda has been dominated by the problem of noncompliance by the most dangerous and most threatening regimes. Further, one of the characteristics of rogue states, says the US *National Security Strategy*, is that they “display no regard for international law, threaten

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<sup>5</sup> I have described and discussed the wide concerns about Soviet cheating on Cold War arms control agreements in Steven E. Miller, “Arms Control in a World of Cheating: Transparency and Noncompliance in the Post-Cold War Era,” in Ian Anthony and Adam Daniel Rotfeld, eds., *A Future Arms Control Agenda*, (Oxford: Oxford University Press, 2001), pp. 173-189.

their neighbors, and callously violate international treaties to which they are party.”<sup>6</sup> Commenting on the Bush Administration’s attitude toward the NPT, *New York Times* columnist Bill Keller wrote that “the administration accepts it as a bequest from the past but regards it as pointless. Only those who find it in their interest to obey will do so, Bush Administration officials say, and the rest will cheat.”<sup>7</sup> To the arms control skeptics, it is unrealistic, if not folly, to believe that arms control is an effective instrument for dealing with hostile states that are likely to be determined cheaters.

This leads directly to the third large inadequacy that raises doubts about arms control. In the view of the skeptics, there appears to be little or no will in the international community to enforce agreements. If one believes that cheating is both likely and strategically significant, then having an effective ability to detect and deal with cheaters is essential. The record of the past decade is not heartening in this respect and the concerns raised by skeptics are far from baseless. American critics of arms control believe that the failure of the international community to confront and effectively address the challenge posed by two clear cheaters, Iraq and North Korea, raises fundamental questions about the efficacy of arms control. As Undersecretary of State John Bolton wrote in an article published before he assumed his post in government:

“Saddam’s Iraq was the easy case. If the members of the Security Council cannot maintain their discipline against a state that systematically obstructed their own authority – after it had used weapons of mass destruction against its own population and committed unprovoked aggression against a small neighbor – what can they handle?”<sup>8</sup>

The case of North Korea is similarly disturbing. The International Atomic Energy Agency (IAEA) formally declared Pyongyang to be in a state of noncompliance with its obligations under the NPT in 1993. North Korea has remained in a formal state of noncompliance ever since and none of the arrangements or deals made with the North Koreans – not the Agreed Framework signed with the United States nor the nuclear agreement signed with the South Koreans – restored Pyongyang’s good standing with the IAEA. Here, then, is a dangerous regime that has been continuously noncompliant for more than a decade, and the world has essentially just tolerated this. The denouement came in April 2003, when the North Koreans claimed that their years of illicit nuclear activity had resulted in a small nuclear weapons capability. This, in the view of the skeptics, is what happens when you rely upon arms control.

What needs to be understood is that the protracted failure to cope effectively with these clear instances of cheating has done massive damage to the standing of arms control in the United States and has fired the skeptics with a firm belief that it is a deeply flawed instrument. Again, John Bolton puts the point with force and clarity: “America rejects

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<sup>6</sup> *The National Security Strategy of the United States*, p. 14.

<sup>7</sup> Bill Keller, “The Thinkable,” *New York Times Magazine*, May 4, 2003, p. 52.

<sup>8</sup> John R. Bolton, “Arms Inspection and the Man,” *Weekly Standard*, June 26, 2000, as available on the website of the American Enterprise Institute.

the illusory protections of unenforceable treaties.”<sup>9</sup> For America’s skeptics, it is perfectly obvious that the answer to the intractable problems of arms control is not more arms control.

These points have had particular bite since 9/11 and are particularly important in understanding the Bush Administration’s responses to that horrible event. Many had hoped that after 9/11 Bush might realize the importance of strengthening multilateral regimes, reinforcing arms control efforts so as to minimize the risk of WMD terrorism, and perhaps pursuing some arms control for the sake of international diplomatic benefits that could advantage the war on terrorism. What has happened is very different. Since 9/11, the administration abandoned the BWC protocol, withdrew unilaterally from the ABM Treaty, reconfirmed its opposition to the CTBT, and privately even denigrated the NPT regime while publicly welcoming the contribution it makes. (According to one news account based on interviews with the Bush Administration, “Administration officials... contend that the [NPT] treaty can’t restrain any country that seriously wants to break the rules.”)<sup>10</sup> The conclusion of the Bush administration is plain to see. When confronted with deadly threats, there is no time for low-grade policy instruments. This is an administration at war, and profoundly serious about responding effectively to the terrorist threat. In such a context, one does not redouble efforts to push forward policies and approaches that, in the administration’s view, do not work. This line of reasoning is essential to understand the fate of arms control in the Bush Administration.

**Arms Control is Not Suitable to the Post-Cold War Era:** In American eyes, much of the most prominent and significant arms control took place in the bilateral Soviet-American context and was directed at the safe management of their nuclear rivalry. And more generally, the entire enterprise of arms control is viewed as an invention and an artifact of the Cold War period. Now we live in a completely new era. The arms control critics raise the legitimate point that this new era requires new thinking, that there is no reason to assume that the answers and approaches of the Cold War are appropriate or useful to the new era of international politics. For many, the answer is clear: arms control is old thinking. Those still trapped in the arms control mentality are simply unable to cut free from Cold War habits and predispositions. On numerous occasions, high officials of the Bush Administration condemned the ABM Treaty as an “obsolete relic” of the Cold War – but the phrase can apply more generally to the view that many now have of arms control in the post-Cold War, post-9/11 environment.<sup>11</sup>

In the bilateral US-Russian context, it is often said, arms control is an instrument that was intended to solve a problem that no longer exists (nuclear rivalry) with a country that no longer exists (the Soviet Union.) There is little or no impulse in the Bush Administration to pursue further extensive arms control negotiations with Russia or to seek additional agreements. President Bush and President Putin did strike one deal in

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<sup>9</sup> John R. Bolton, “CTBT: Clear Thinking,” *The Jerusalem Post*, October 18, 1999, as available on the website of the American Enterprise Institute.

<sup>10</sup> Paul Richter, “Bush is Seeking Newer, Smaller Nuclear Bombs,” *Los Angeles Times*, May 13, 2003.

<sup>11</sup> I have documented the Bush Administration’s view of the ABM Treaty in Steven E. Miller, “The Flawed Case for Missile Defense,” *Survival*, Vol. 43, No. 3 (Autumn 2001), pp. 95-109.

2002 on strategic offensive forces, but this short and peculiar document was accepted with evident reluctance on the part of the Bush Administration and was viewed as an unappetizing but necessary concession to Moscow. It is much more likely the end of the road for bilateral nuclear arms control than the beginning of a new phase.

Undersecretary John Bolton summarized this perspective in an interview he did in March 2002. Pressed by his interviewer about reaching arms agreements with Russia, he replied, “I think the point about not wanting Cold War-style treaties remains entirely valid, and the reason for that is that, in many respects, the way those treaties were negotiated reflected the geostrategic environment of the Cold War. The environment is now very much different and our relationship with the Russian Federation is very much different.”<sup>12</sup> Instead of arms control, the Bush Administration has sought to develop what it calls “A New Strategic Framework” with Russia. The exact structure and contours of this idea are still evolving and many details about its character are lacking. But the general idea is to establish a cooperative bilateral framework within which Russia and the United States can collaborate on the genuine issues and challenges of the day – such as the threat of terrorism. Apart from the strategic agreement already reached, bilateral arms control appears to figure not at all in this framework. Multilateral arms control merits rhetorical affirmation in the context of US-Russian relations but clearly does not figure prominently in US thinking. Arms control is a subsidiary factor, if it is a factor at all, in the New Strategic Framework. As Bolton concludes of this new approach, “The New Strategic Framework’s comprehensive security arrangement is a more appropriate reflection not only of the post-Cold War relationship between the United States and Russia, but of the new security threats we face in the 21<sup>st</sup> century.”<sup>13</sup>

The unsuitability of arms control may be particularly clear-cut in the US-Russian case, but that is not the only context in which the argument applies. Indeed, arguably more fundamental is a broader claim about the requirements of American security, especially in the aftermath of the terrorist attacks of September 11, 2001. The US approach to national security is rooted in the premise that the United States must preserve and exploit its tremendous military superiority. (This is, as the National Security Strategy says, “a balance of power that favors human freedom.”<sup>14</sup>) As elaborated below, the Bush Administration has judged that the threat of terrorism and rogue states require an aggressive US response that is primarily military in nature. The chosen strategy privileges unilateral approaches to security, rests on a vigorous enhancement of US military capabilities, and demands considerable freedom of action for the United States in acquiring and using military force. Thus, while arms control constraints on adversaries are viewed as unreliable, constraints on the United States are regarded as unacceptable. Indeed, a priority of the Bush Administration is to escape constraints – such as the ABM Treaty or the CTBT – that could interfere with its plans to protect the United States. Those who accept this logic in its starkest form conclude that arms control is no longer

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<sup>12</sup> “Expounding Bush’s Approach to US Nuclear Security: An Interview with John R. Bolton,” *Arms Control Today*, March 2002, as available on the website of the Arms Control Association.

<sup>13</sup> John R. Bolton, “The New Strategic Framework: A Response to 21<sup>st</sup> Century Threats,” *US Foreign Policy Agenda*, (Electronic Journal of the US Department of State), Volume 7, Number 2, July 2002.

<sup>14</sup> *The National Security Strategy of the United States*, p. i.



compatible with US interests. Multilateral arrangements are not excluded from this judgement.

**Multilateral Arms Control is Particularly Problematic:** The international arms control community has been absorbed for decades in the detailed work and the slow, painful progress of various multilateral arms control negotiations and regimes. It is taken for granted that the completion of treaties and the creation of regimes is desirable and constructive. Many in the United States view it otherwise, however. Naturally, all the concerns about the effectiveness of arms control, already noted, apply in the multilateral context. But they are compounded by several attributes of multilateral arms control that skeptics find particularly off-putting. Inclusive or universal arms control frameworks, for example, have the characteristic that they include US rivals and adversaries, rogue states and brutal dictatorships, arms control cheaters and human rights abusers. In multilateral regimes and inclusive international institutions, such governments have a voice if not a vote. In the worst instances, such governments may sometimes be in a position to pass judgement on US policy or behavior. Many stridently object to subjecting the United States to the scrutiny and the influence of such states. Further, the idea the Libya should head the UN Commission on Human Rights while the United States is voted off the commission, or that Iraq should qualify for a turn as head of the UN Committee on Disarmament despite its status as one of the world's worst arms control cheaters, produces wide disbelief and consternation, if not contempt, in the United States.

Nor can unfriendly states be relied upon to take appropriate action in the face of noncompliance. How can arms control regimes be managed so as to ensure their reliability and effectiveness when suspected cheaters – Iran in the NPT, for example – are members in good standing of the regime and can play a role in its decisions and activities? How can Washington be confident of effective enforcement against hostile proliferators when there exist within the regime many opponents of the United States who may be sympathetic to the proliferators and willing to actively subvert American interests? Within the NPT, for example, there are many voices that seem more concerned about attacking the United States for alleged infidelity to the nuclear disarmament provisions of Article VI of the NPT than about effectively addressing unambiguous cheating by dangerous rogue states. Such posturing produces frustration and outrage in the United States, especially among strong arms control skeptics, and has the effect of undermining enthusiasm for the NPT in Washington. The fundamental point, though, is that in inclusive multilateral settings the United States may have little control over or confidence in the process of enforcement.

Multilateral regimes and institutions can also deform diplomacy by magnifying the importance of small states or privileging the many over the few in ways that can frustrate or shackle the United States. The problem was exemplified in the early months of 2003 during the protracted crisis at the United Nations over Iraq. Seeking a second UN Security Council resolution that would authorize the use of force against Iraq, the United States was compelled to solicit support from all manner of states, and in the end

fruitlessly. This ungainly and unseemly exercise produced bitter reactions in the United States. In the midst of the crisis, prominent columnist Charles Krauthammer wrote:

“America goes courting Guinea, Cameroon, and Angola in search of the nine Security Council votes necessary to pass our new resolution on Iraq. The absurdity of the exercise mirrors the absurdity of the United Nations itself. . . . From the dawn of history to the invention of the United Nations, it made not an ounce of difference what a small, powerless, peripheral country thought about a conflict thousands of miles away. It still doesn’t, except at the Alice-in-Wonderland United Nations, where Guinea and Cameroon and Angola count.”<sup>15</sup>

Many skeptics in the United States conclude that operating in such environments is a liability, as likely to thwart as to advance US interests and making preferred courses of action more difficult, more costly, or even impossible.

Arms control skeptics also worry that the United States is a victim, if not a target, of efforts to create multilateral restraints. It is easy for many states to support multilateral treaties because they have few if any interests that are affected by such treaties. The United States, in contrast, is a global power with global responsibilities that require it to maintain and frequently employ impressive and effective military forces. It is not so straightforward for the United States to sign the Landmine Convention when it utilizes landmines extensively in defense of allies such as South Korea. While most of the (non-nuclear) world will not be inhibited in any way by a Comprehensive Nuclear Test Ban Treaty (CTBT), the United States must worry about the adequacy and reliability of nuclear deterrent forces on which the security of the industrial democracies is thought to rest. In this view, the CTBT could erode the US nuclear deterrent and thereby weaken global security. Wrote Richard Perle of the CTBT, for example, “it has the potential to leave the United States with an unsafe, unreliable nuclear deterrent.”<sup>16</sup> The CTBT, wrote John Bolton in 1999, “may actually hobble our ability to maintain the most important international guarantee of peace – a credible US nuclear capability.”<sup>17</sup>

Similar reactions are evident in connection with the International Criminal Court (ICC). States that are unlikely to use force in controversial settings are not likely to find it necessary to defend themselves before the ICC. But the United States is, to some large degree, the world’s gendarme, and is routinely drawn into many of the world’s difficult, tendentious, controversial conflicts. There are often strong international objections whatever role the United States comes to play in such conflicts, raising concerns that the ICC, if effective, may come to be a forum within which America’s opponents can oppose and penalize American policy. The ICC, fretted John Bolton, will “inevitably be politicized and used against the United States and close allies such as Israel.”<sup>18</sup>

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<sup>15</sup> Charles Krauthammer, “A Costly Charade at the UN,” *Washington Post*, February 28, 2003.

<sup>16</sup> Richard Perle, “Passion’s Slave and the CTBT,” *London Daily Telegraph*, October 15, 1999, as available on the website of the American Enterprise Institute.

<sup>17</sup> John R. Bolton, “CTBT: Clear Thinking,” *Jerusalem Post*, October 18, 1999, as available on the website of the American Enterprise Institute.

<sup>18</sup> John R. Bolton, “Flaws Undermine Concept of International Criminal Court,” *USA Today*, January 18, 2000, as available on the website of the American Enterprise Institute.

Broadly speaking, there is a fear that multilateral instruments represent the means by which American power can be inhibited, constrained, or neutralized – and there is suspicion that this may be the intent of some multilateral initiatives.

Finally, the problem of cheating is thought to arise in particularly acute form in multilateral settings. In some instances, this is due to the inherently unverifiable character of the regime. Even proponents agree that the Chemical Weapons Convention and the Biological Weapons Convention face daunting verification challenges and lack adequate and demonstrated verification mechanisms. To many doubters of arms control, it is patently obvious that these regimes cannot be verified because the relevant technologies are too widespread, cheating is too easy, and detection is too hard. Some cheating might be caught by intrusive inspection systems, but a determined cheater is likely to succeed and the likelihood of detecting all cheating is small. To many, this deeply – even fatally – undermines the case for such regimes. Richard Perle put the general point plainly: “Treaty constraints that would be desirable if honoured are not desirable where there can be no assurance of compliance. Treaties that cannot be verified are in general a bad idea.”<sup>19</sup> Or, as Undersecretary Bolton elaborated in his Geneva press conference on the US rejection of the BWC verification protocol, “Our complaint about the draft proposal is that it would not do what its supporters claimed it would do. A country which is capable of signing the 1972 BWC and violating it is fully capable of signing the protocol or 20 other treaties and violating those as well.”<sup>20</sup> The judgement that many multilateral arms control regimes are neither verifiable nor enforceable leads many to the conclusion that this simply is not an instrument that provides much protection against the most determined and dangerous proliferators.

Worse, in some instances membership in a treaty regime can provide cover for a cheating state’s activities. In the NPT system, for example, members in good standing are legally entitled to full access to international nuclear commerce, including access to dual use technologies that provide implicit weapons capabilities. This leads to a concern that worrying states are able to acquire sensitive, weapons related, technologies precisely because they are members of the regime. Even arm control advocates are troubled by this problem. George Perkovich writes of Iran, for example:

“Iran’s acquisition of uranium enrichment capabilities, and possibly plutonium separation capabilities, should prompt major reforms in the international nonproliferation regime. Gaping loopholes in this regime make it permissible for Iran (and other states) to acquire capabilities that reasonable people must conclude are likely to be used to build nuclear weapons.”<sup>21</sup>

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<sup>19</sup> Richard Perle, “Good Guys, Bad Guys, and Arms Control,” in Ian Anthony and Adam Daniel Rotfeld, eds., *A Future Arms Control Agenda*, (Oxford: Oxford University Press, 2001), Ch. 18.

<sup>20</sup> “Transcript: Bolton Briefing on Biological Weapons,” p. 1.

<sup>21</sup> George Perkovich, “Dealing with Iran’s Nuclear Challenge,” Carnegie Endowment for International Peace, April 28, 2003, p. 2.

There is nothing to prevent a state from accumulating a nuclear weapons infrastructure under cover of the NPT regime and then exercising its legal right of withdrawal when it judges that the time has come to openly develop nuclear weapons. Similarly, in the case of Iraq in the late 1980s and early 1990s, Baghdad's regular certifications by the IAEA that it was meeting its NPT obligations cast no light on the extensive covert nuclear weapons program that Iraq was eventually discovered to have possessed, but may have produced complacency about Iraq's intentions and activities.

All told the bill of indictment against multilateral arms control is substantial and in many respects meritorious. Arms controllers accept many of the criticisms leveled by doubters, but still judge it a flawed but useful instrument. Similarly, some arms control skeptics concede some utility for multilateral arms control but judge it insufficient and unreliable. Some critics are even more damning. But the general conclusion is that multilateral arms control is not an adequate instrument on which to base American security.

#### **Doubts, Too, About International Law and International Organizations :**

The discussion here has focused on arms control, but the skeptics also have their doubts about the value of other instruments of international regulation and cooperation. As Harvard scholar Stanley Hoffman observes, "Defenders of Bush's policy look at international organizations as unacceptable if they constrain US national interests. As for international law, it is seen as little more than words on paper, unless it is backed by force."<sup>22</sup> Illustrative of this conclusion is Undersecretary of State John Bolton, whose views are especially relevant because he is perhaps the highest official in the US government with full time responsibility for working on arms control. He has famously expressed discontent with the system of international law, for example. "Review of the international treaty system," he has written, "is long overdue."<sup>23</sup>

Particularly symptomatic of this dimension of the world view of arms control skeptics is their suspicion of and distaste for the United Nations – a perspective that is now all the more venomous and embittered as a consequence of the debacle at the UN over Iraq. It is an institution that is viewed as reflexively anti-American. "There is no doubt that the anti-US bias... permeates the 38<sup>th</sup> floor of the [UN] Secretariat building," concluded John Bolton in 1999, in arguing that the UN Special Commission (UNSCOM) on Iraq had collapsed in December 1998 because it had been subverted by UN officials.

The UN is not merely filled with anti-American sentiments, in this view, but is a potential instrument in the hands of those who wish to resist, constrain, balance, or oppose American power. This perception is captured by a headline on the cover of a recent issue of *Foreign Affairs* that reads, "The UN vs. US Power." In the accompanying article, international lawyer Michael Glennon explains that for some powers in the Iraq confrontation, the goal was exactly to force the United States to back down and to

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<sup>22</sup> Stanley Hoffman, "America Goes Backward," *The New York Review of Books*, June 12, 2003, p. 75.

<sup>23</sup> John R. Bolton, "Downer is Right to Tell the UN to Get Lost," *Australian Financial Review*, August 31, 2000, as available on the website of the American Enterprise Institute.

acknowledge the superior legitimacy of the UN Security Council; this would have demonstrated the utility of the UN in the service of others aims. As Glennon writes,

“Some European countries, such as France, believed that the council could overcome power imbalances and disparities of culture and security by acting as a supranational check on American action. To be more precise, the French hoped to use the battering ram of the Security Council to check American power. Had it worked, this strategy would have returned the world to multipolarity through supranationalism.”<sup>24</sup>

This challenge to the United States at the UN was generally unappetizing to American audiences, but it produced genuine outrage among the doubters and skeptics who had opposed bringing the Iraq issue to the UN in the first place. Here, they believed, was a definitive vindication of their views. At least some among them see the Iraq crisis of early 2003 as marking the death of the United Nations as a meaningful security institution.

If the UN is to be acceptable in the world view of the skeptics, it must play the opposite role: it must be utilized in pursuit of American interests. As John Bolton put it, “The United Nations can be a useful instrument in the conduct of American foreign policy....No one, however, should be under any illusions that American support for the United Nations as one of several options for implementing American foreign policy translates into unlimited support for the world organization.”<sup>25</sup>

## **THE ALTERNATIVE: UNILATERAL NONPROLIFERATION SUPPLANTS ARMS CONTROL**

In view of the foregoing, it seems abundantly clear that US policy in the Bush Administration subordinates negotiated arms control and places far less reliance on arms control regimes and cooperatively managed security regimes. As noted, this does not necessarily imply a complete abandonment of the arms control instrument (especially in cases like the NPT where a sometimes useful regime already exists). But the general predisposition is to regard arms control approaches to be insufficient and unreliable in the protection of American security and in the most important cases – when confronted by determined and hostile proliferators – arms control is judged to be ineffective if not counterproductive. To which many would reply: if not arms control, then what?

The Bush Administration, to its credit, has been clear and outspoken in articulating its alternative vision.<sup>26</sup> It is a vision that privileges efforts to provide

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<sup>24</sup> Michael J. Glennon, “Why the Security Council Failed,” *Foreign Affairs*, Vol. 82, No. 3 (May/June 2003), pp. 27-28.

<sup>25</sup> John R. Bolton, “America’s Skepticism About the United Nations,” *US Foreign Policy Agenda*, Vol. 2, No. 2 (May 1997), p. 2.

<sup>26</sup> Important statements include the President’s State of the Union Address, January 2002 (in which he introduced the “axis of evil” concept); the Nuclear Posture Review of January 8, 2002; the President’s West Point Speech of June 1, 2002; *The National Security Strategy of the United States of America*, September 2002; and the *National Strategy to Combat Weapons of Mass Destruction*, December 2002.

unilateral options in the face of hostile security developments and is rooted in the premise that ultimately strategies of self-reliance represent the best approach to guaranteeing that US interests are preserved and that American security is safeguarded.<sup>27</sup> If hostile proliferators may succeed (or, as some would argue, are sure to succeed) in acquiring weapons of mass destruction despite existing arms control constraints and regimes, then the United States must have options for protecting itself in that eventuality.<sup>28</sup> This is not a dramatically new thought. Indeed, it is a view that in broad outline resembles the Clinton Administration's notion that nonproliferation is preferable but counterproliferation (the creation of military counters to hostile proliferation) may be necessary if nonproliferation fails. There are, however, substantial differences in tone and direction. The Bush Administration is much more dubious about the utility of arms control, much more oriented toward the pursuit of unilateral options, and much more ambitious in the array of options and military capabilities that it wishes to acquire.

**Strong Emphasis on Defenses:** The Bush Administration came to office far more enthusiastic about missile defenses than its predecessor. But the impulse toward defenses was both widened and reinforced by terrorist attacks of September 11, 2001. In a world where rogue states and terrorists not only might but could and would threaten the United States with great harm, whether with WMD or by other means, it was simply unacceptable that America be defenseless. In connection with the terrorist threat, there is now a huge emphasis on homeland defense, which in turn leads directly to a set of more specific defensive concerns: border defenses, passive defenses, port security, container security, point security, event security, cyberdefenses, and others are now on the agenda.<sup>29</sup> Progress in many of these areas is difficult to achieve and the scope for improvement may be quite limited by deep and sometimes intractable constraints, but defending the homeland is without question a priority of the Bush Administration.

One of the most distinctive components of the Bush security policy is the very high priority placed on missile defense. Arguably, before 9/11 this was the most prominent feature of the Bush defense policy. Where the Clinton Administration moved cautiously and methodically toward the eventual deployment of a quite limited missile defense designed to be largely compatible with the ABM Treaty, the Bush Administration has jettisoned the treaty, greatly expanded the missile defense budget, commenced construction on a missile defense deployment site in Alaska, and is moving full speed ahead toward the acquisition of as much missile defense as available technologies will permit. In the administration's Nuclear Posture Review, the missile

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<sup>27</sup> Echoing this point is William Hartung, "Prevention, Not Intervention: Curbing the New Nuclear Threat," *World Policy Journal*, Vol. XIX, No. 4 (Winter 2002/03), p. 1.

<sup>28</sup> For a concise and cogent articulation of what he describes as the damage limitation strategy, see Baker Spring, "Ten Principles for Combating Nuclear Proliferation," *Heritage Lectures* No. 783, The Heritage Foundation, March 27, 2003.

<sup>29</sup> An overview of the Bush Administration's objectives and activities in homeland defense can be found in the official *National Strategy for Homeland Security*, July 2002, which is available on the website of the White House Office of Homeland Security. I have summarized the contents of and the impediments to this program in Steven E. Miller, "After the 9/11 Disaster: Washington's Struggle to Improve Homeland Security," *Axess* (Stockholm), Number 2 (March 2003), pp. 8-11, the English version of which is available on the website of the Belfer Center for Science and International Affairs, Kennedy School of Government, Harvard University.

defense option that has been absent from deployed US capabilities for several decades is now designated as an integral component of the “New Triad” of essential capabilities for the 21<sup>st</sup> Century.

Others may argue that the spread of threatening missiles is being exaggerated or that the Missile Technology Control Regime can contain the threat.<sup>30</sup> For the Bush Administration, however, by far the primary concern is to gain missile defense options against what it sees as a growing missile threat. Others may argue that hostile states in possession of long-range missile can be deterred, but the Bush argument is that missile defenses are an essential addition to America’s portfolio of military capabilities. “Offensive capabilities alone may not deter aggression in the new security environment of the 21<sup>st</sup> century,” says the Nuclear Posture Review. Missile defenses, it continues, “provide insurance against the failure of traditional deterrence.”<sup>31</sup> In May 2003 the Bush Administration issued its “National Policy on Ballistic Missile Defense” which insists on the necessity of missile defenses in a world of potential WMD threats.<sup>32</sup>

Missile defense has long been a controversial subject in the American debate, but until the Bush Administration the United States had persisted in its official policy with an approach based on the ABM Treaty that resulted in the deployment of little or no missile defense.<sup>33</sup> The Bush Administration has exactly reversed the traditional approach, abandoning the treaty and seeking as much missile defense as possible as quickly as possible. This is one way in which Bush is moving vigorously in the direction of a new and different strategic environment than existed in the past. And this is one Bush Administration answer to pessimism about the effectiveness of arms control in restraining hostile proliferation.

**Reinforcing and Expanding Deterrence:** The pursuit of missile defenses does not mean that the Bush Administration has turned its back on deterrence. On the contrary, several of its major initiatives are intended to shore up deterrence. Bush is making a large push to “revitalize” the US nuclear weapons complex; indeed, this is another element of the “New Triad” as outlined in the Nuclear Posture Review. This is done explicitly in the context of buttressing the US deterrent posture. A reinvigorated nuclear weapons infrastructure will, it is suggested, “provide confidence in the reliability of the nuclear stockpile” and will “enhance deterrence of aggression by supporting improved US capabilities to hold at risk high-value targets in the face of an adversary’s efforts to conceal, harden, and disperse them.”<sup>34</sup>

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<sup>30</sup> The prospects for constraining missile proliferation by strengthening the international missile control regime are thoroughly assessed in Dinshaw Mistry, *Containing Missile Proliferation: Strategic Technology, Security Regimes, and International Cooperation in Arms Control*, (Seattle: University of Washington Press, 2003).

<sup>31</sup> From the public excerpts of the *Nuclear Posture Review*, January 8, 2002, p. 2, as available at <[www.globalsecurity.org/wmd/library/policy/dod/npr.htm](http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm)>.

<sup>32</sup> See, for example, Bradley Graham, “White House Unveils Antimissile System Policy,” *Washington Post*, May 21, 2003.

<sup>33</sup> Missile defense research and development, however, was pursued continuously with various levels of funding and enthusiasm by all US administrations.

<sup>34</sup> *Nuclear Posture Review*, p. 4.

The latter point leads directly to another emphasis of the Bush policy: a desire for improved, more flexible nuclear strike options capable of threatening all important targets possessed by an adversary. The logic is fully and explicitly spelled out in the *Nuclear Posture Review*:

“Greater flexibility is needed with respect to nuclear forces....US nuclear forces still require the capability to hold at risk a wide range of target types. This capability is the key to the role of nuclear forces in supporting an effective deterrence strategy relative to a broad spectrum of potential opponents under a variety of contingencies...Nuclear attack options that vary in scale, scope, and purpose will complement other military capabilities. The combination can provide the range of options needed to pose a credible deterrent to adversaries whose values and calculations of risk and of gain and loss may be very different from and more difficult to discern than those of past adversaries.”<sup>35</sup>

Critics have worried that this implies a quest for more usable nuclear options. As one news account put it, “The Bush Administration is embarking on a quest for a new generation of nuclear bombs that are smaller, less powerful – and that the Pentagon might actually use in battle.”<sup>36</sup> Further, the idea that new nuclear weapons, tailored for specific purposes, may be required to fulfill this policy, has in turn generated controversy over the possibility that the United States might resume nuclear testing in order to develop the nuclear weapons thought necessary by the Bush Administration to bolster deterrence. Such concerns were reinforced when the Administration set out to overturn a legislated ban on the development of small nuclear weapons, a campaign that so far has been successful.<sup>37</sup> Whatever the critics think, however, the Bush Administration believes it is undertaking the necessary steps to maintain and strengthen the credibility of deterrence.

Augmenting this effort is another innovation in the Bush policy: the explicit inclusion of non-nuclear strike forces as a dimension of US offensive deterrent capability against WMD threats. Though critics worry that this move will blur the distinction between nuclear and non-nuclear forces, the Bush Administration believes that conventional forces, in dramatic contrast to nuclear, are inherently usable; and with modern technological advances in precision and destructiveness they can destroy at least some of the targets that once might have required a nuclear weapon. Whatever doubts an opponent may have about US nuclear threats, conventional threats must be taken seriously and are quite potent. As the Nuclear Posture Review concludes, new non-nuclear strategic capabilities “strengthen the credibility of our offensive deterrence.”<sup>38</sup>

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<sup>35</sup> *Nuclear Posture Review*, p. 3.

<sup>36</sup> Paul Richter, “Bush is Seeking Newer, Smaller Nuclear Bombs,” *Los Angeles Times*, May 13, 2003. On the existence of nuclear warfighting impulses within the Bush Administration, see Fred Kaplan, “Rumsfeld’s Dr. Strangelove: Keith Payne Says 7000 Nuclear Weapons Aren’t Enough,” *Slate*, May 12, 2003.

<sup>37</sup> See, for example, James Dao, “Senate Panel Votes to Lift Ban on Small Nuclear Arms,” *New York Times*, May 10, 2003.

<sup>38</sup> *Nuclear Posture Review*, p. 2.



For arms control skeptics who believe that regimes will fail in all the hard cases and therefore that further WMD proliferation is inevitable, this emphasis on enhancing the credibility of deterrent threats follows logically. If one cannot prevent the spread of WMD, then it is essential to deter the use of such weapons by hostile actors.

The Bush Administration, however, appears to go even a step further. In many of its pronouncements, it suggests that its new and more assertive policies and postures may actually deter the *acquisition* of weapons of mass destruction as well as their use. This brings us face-to-face with one of the boldest and most controversial elements of the Bush approach.

**The Preventive Use of Force:** The Bush Administration has concluded that in an age of undeterrable terrorism and potentially undeterrable rogue states, it is simply too dangerous to rely on the deterrence of WMD threats. Over and over again, in President Bush's own statements and in official document after official document, this administration has articulated the view that it is completely unacceptable to allow hostile regimes or terrorists to threaten the United States with WMD. "If we wait for threats to fully materialize," said the President in his speech at West Point on June 1, 2002, "we will have waited too long."<sup>39</sup> Picking up on one of the President's oft-used lines, the *National Strategy to Combat Weapons of Mass Destruction* asserts in its opening paragraphs that "We will not permit the world's most dangerous regimes and terrorists to threaten us with the world's most destructive weapons."<sup>40</sup>

The Administration does not shy away from the ineluctable conclusion of such logic: the United States must be prepared to strike first against hostile proliferators. Indeed, if there is a signature component to President Bush's security policy it is the mis-named doctrine of preemption, which involves the preventive use of force whenever necessary to eliminate an emerging threat.<sup>41</sup> This doctrine has been repeatedly and formally articulated in an open and unambiguous fashion. "We must be prepared," says the September 2002 *National Security Strategy of the United States*, "to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends....To forestall or prevent such hostile acts by our adversaries, the United States will, if necessary, act preemptively."<sup>42</sup> In his own signed preface to the National Strategy document, President Bush goes so far as to say that *only* preventive action can provide security: "As a matter of common sense and self-defense, America will act against such emerging [WMD] threats before they are fully formed. We cannot defend America and our friends by hoping for the best....History will judge harshly those who saw this coming danger but

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<sup>39</sup> "President Bush Delivers Graduation Speech at West Point," White House Office of the Press Secretary, June 1, 2002, p. 3 (available on the White House web site).

<sup>40</sup> *National Strategy to Combat Weapons of Mass Destruction*, p. 1.

<sup>41</sup> Questions have arisen about the legality under international law of the Bush doctrine of preemption. For a thoughtful discussion that defends the policy, see Walter B. Slocombe, "Force, Preemption, and Legitimacy," *Survival*, Vol. 45, No. 1 (Spring 2003), pp. 117-130.

<sup>42</sup> *National Security Strategy of the United States*, pp. 14-15.

failed to act. In the new world we have entered, *the only path to peace and security is the path of action.*<sup>43</sup>

This is tough language describing a portentous, difficult, and potentially costly policy. In other times and other contexts, it might be easily dismissed as largely rhetoric aimed at bolstering a declaratory policy. After the attacks on September 11, however, the use of force was on the US policy agenda; it was committed to an indefinite war on terrorism.<sup>44</sup> And after the Iraq war, there seems to be every reason to take this doctrine seriously: it has already been put into action. President Bush himself repeatedly has warned the world not to underestimate his resolve in the struggle against terrorists and rogues states. As is already evident in the crisis over North Korea's illicit nuclear activities and posturings in the spring of 2003, the preemption doctrine (apparently) does not lead inevitably to the use of force against hostile proliferators. But it does mean that the use of force cannot be ruled out, may be regarded as likely in many scenarios, and will always be a factor in US relations with hostile proliferators. Recurring preventive strikes against emerging WMD threats would be a natural consequence of the Bush doctrine.

The doctrine of preemption has serious implications in terms of US force requirements. Again, these are spelled out with commendable clarity by the Bush Administration. Preemption "requires capabilities to detect and destroy an adversary's WMD assets before these weapons are used."<sup>45</sup> Tangible echoes of this requirement are found throughout the *Nuclear Posture Review*. Its emphasis on intelligence and flexible planning fits exactly within this framework. Its focus on developing precision strike capabilities is clearly intended to provide preemptive military options. The *Nuclear Posture Review* also places importance on being able to destroy both "mobile and relocatable targets" and "hard and deeply buried targets." The administration proposes to improve the US ability to eliminate such targets with conventional forces, but it is an indication of its utter seriousness about the dangers of WMD proliferation and the need to have preventive options against WMD threats that the possibility of nuclear first-use for preemptive purposes is forthrightly discussed. "Nuclear weapons," it states plainly, "could be employed against targets able to withstand non-nuclear attack."<sup>46</sup> To confidently and efficiently perform this mission, new nuclear warheads may be required:

"With a more effective earth penetrator, many buried targets could be attacked using a weapons with a much lower yield than would be required with a surface burst weapons. The lower yield weapon would achieve the same damage while producing less fallout....For defeat of very deep or larger underground facilities, penetrating weapons with large yields would be needed to collapse the facility."<sup>47</sup>

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<sup>43</sup> *National Security Strategy of the United States*, p. ii. (emphasis added)

<sup>44</sup> See, for example, the analysis in Andrew Bacevich, *American Empire: The Realities and Consequences of US Diplomacy*, (Cambridge: Harvard University Press, 2002), pp. 230-232, which argues that 9/11 swept away the constraints on the American use of force.

<sup>45</sup> *National Strategy to Combat Weapons of Mass Destruction*, p. 3.

<sup>46</sup> *Nuclear Posture Review*, p. 4.

<sup>47</sup> *Nuclear Posture Review*, p. 16.

When the US Senate voted in May 2003 to overturn a decade-old prohibition on the development of low yield nuclear weapons, Secretary of Defense Rumsfeld explained that “We’re going to look at a variety of different ways, conceivably, to develop the ability to reach a deeply buried target.”<sup>48</sup> Rumsfeld emphasized that at the present time the issue is merely going to be studied, but in the context of the Bush Administration’s overall nuclear policy it seems clear that the momentum is in the direction of developing specialized nuclear capabilities for newly urgent missions.

Here again are indications that new nuclear weapons may be necessary – again raising the possibility that resumed nuclear testing will be required. This could explain the Bush Administration’s complete opposition to the Comprehensive Test Ban Treaty: such an agreement will not appeal to an administration that might want to test.

More importantly, the message being sent here is extremely clear: the Bush Administration is prepared to go to extraordinary lengths to deny WMD to hostile forces and nothing the rogue states can do – neither mobility nor hardening – will eliminate Washington’s preventive option. Hard, deeply buried targets – HDBTs, in Washington’s new nomenclature – can be destroyed by advanced conventional strike capabilities if possible, but by tailored nuclear weapons if necessary. Mobile, relocatable targets will be vulnerable to Washington’s real-time intelligence-precision strike capabilities. The force requirements that flow from Bush’s preemptive doctrine appear to be directed at the objective of ensuring that Washington can always destroy the threatening forces of an opponent if it chooses to. In the explicit logic of the Bush administration, this should make the pursuit of WMD by hostile actors not only futile, but dangerous.

This thought leads directly to the idea that perhaps potential adversaries can be deterred from acquiring WMD. Potential proliferators will have to take into account that their WMD programs may attract – indeed, are likely to attract – the preemptive attention of Washington. George Perkovich has explained this logic in the specific case of Iran. “Iran would not be a target of...US military attack if Iran did not acquire weapons of mass destruction....If Iran’s objective is to deter US...aggression, then weapons of mass destruction do not solve Teheran’s problem, they create it.”<sup>49</sup> In effect, the Bush Administration is signaling that it will not accept and could well destroy any hostile WMD programs that are detected – and, as Saddam Hussein learned, the United States might destroy as well the regimes that are seeking WMD. The threat of “regimicide” as retaliation for active pursuit or acquisition of weapons of mass destruction is thought to be potent and, after the quick and impressive demolition of regimes in Afghanistan and Iraq, this threat ought to be quite credible. There should be little doubt that Washington is able and willing to carry out this threat if it chooses to do so. The *Nuclear Posture Review* puts the point in a rather understated way: “Systems capable of striking a wide range of targets throughout an adversary’s territory may dissuade a potential adversary from pursuing threatening capabilities.”<sup>50</sup>

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<sup>48</sup> Carl Husle, “Senate Votes to Lift Ban on Producing Nuclear Arms,” *New York Times*, May 21, 2003.

<sup>49</sup> George Perkovich, “Dealing with Iran’s Nuclear Challenge,” Carnegie Endowment for International Peace, April 28, 2003, p. 8.

<sup>50</sup> *Nuclear Posture Review*, p. 4.

Traditional nonproliferation policy has been built around treaties, norms, regimes, security assurances, the power of legal commitments and the hope that effective enforcement will somehow, someday materialize. The Bush administration, in contrast, has found its way to a coercive nonproliferation policy, one built around menacing and credible deterrent threats and preventive options. This muscular and unilateral approach to nonproliferation is the Bush Administration's answer to the perceived weaknesses of the international nonproliferation regime.

**Aggressive Diplomacy:** Though force and coercion are at the center of the Bush administration's response to the threat of hostile proliferation, there is a role for diplomacy in the strategy articulated by the administration. The strategy thus does not rely wholly on the threat or use of force. In keeping with the tough-minded instincts reflected throughout the Bush Administration's arms control and nonproliferation policy, though, there is an emphasis on diplomatic pressure and punishment rather than on engagement and persuasion.

The starting point of Bush's diplomatic approach is a stern and unyielding focus on holding states accountable for fulfilling their obligations under arms control agreements. The *National Strategy to Combat Weapons of Mass Destruction* states flatly, for example, "We will hold countries responsible for complying with their commitments."<sup>51</sup> This is an appropriate and legitimate concern – and also a strong reaction to the lack of accountability that arms control skeptics believe, with reason, has been the hallmark of arms control diplomacy over many years. The Bush Administration proclaims loudly that it will not ignore noncompliance. But it is unrealistic to expect that every case can end up in war, as was true in Iraq. By the Bush Administration's own reckoning, there are too many noncompliant states and too many circumstances where war is calculated to be too dangerous or too costly. Of necessity, therefore, there must be options short of war that can be employed in response to illegal proliferation of WMD.

In the diplomatic context, too, the Bush Administration's preference is that hostile proliferators pay a price for their misbegotten behavior. Among others, President Bush himself has repeatedly voiced a strong aversion to bargaining with or rewarding cheaters. Such an approach, it is believed, will only encourage others to believe that, at a minimum, their illicit WMD programs can be potent bargaining chips. Instead, by its words and actions, the Bush administration has indicated that it intends to pursue a confrontational diplomacy with rogue proliferators such as Iran and North Korea. The United States will refrain from engagement with such states and work to isolate them in the international community. It will impose sanctions upon them and work to enhance the effectiveness of those sanctions. It will seek political and economic vulnerabilities that can be exploited to pressure hostile proliferators. The Bush Administration's diplomatic approach to proliferation also calls for the interdiction of illegal flows of weapons or materials into or out of a rogue state.

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<sup>51</sup> *National Strategy to Combat Weapons of Mass Destruction*, p. 4.

This approach is clearly illustrated in the case of North Korea. Washington has refused to negotiate bilaterally with Pyongyang, wishing instead to engage other interested parties – Japan, South Korea, China, and Russia, for example – in the confrontation with North Korea. President Bush has rejected Pyongyang’s suggestion that it is willing to trade away its nuclear activities in return for a package of aid and concessions. Instead, Washington has urged Beijing to manipulate the food and energy it supplies to Pyongyang so as to pressure the North Koreans to cease their unacceptable behavior while the United States offers no concessions whatsoever. The Bush Administration also organized the interdiction on the high seas of a shipment of North Korean arms. Though in the end the suspicious shipment was deemed to be part of a legitimate sale to an acceptable recipient, the act of interdiction signaled the intent of the Bush administration to employ every means to isolate, strangle, and pressure hostile proliferators until they abandon their illegal and threatening activities. In the case of North Korea it is plausible that the goal of US policy, as in Iraq, is regime change, only this time the means are diplomatic rather than military. The core premise of the Bush doctrine is that the United States will not tolerate hostile proliferation, and when force is not a preferred instrument of response, aggressive diplomacy is the designated alternative.

As with its policy of preemption, the Bush administration’s inclination to employ coercive diplomacy does not meet with universal favor or cooperation outside of the United States. In Northeast Asia, America’s allies are clearly uneasy with Washington’s uncompromising and confrontational approach to North Korea. China has been largely unwilling to press Pyongyang in decisive ways, despite the intense pressure from Washington to do so. With respect to Iran, Washington’s continued ostracizing of Teheran collides directly with the deep engagement that characterizes the European Union’s détente with Iran. Similarly, despite the US-Russian strategic partnership that is occasionally proclaimed with such earnestness in both Washington and Moscow, Russia remains Iran’s primary supplier of nuclear technology and has stubbornly persisted in its relationship with Teheran despite years of strenuous complaints from the United States. America’s friends and allies, in short, often seem to prefer exactly the opposite strategy to that chosen by the Bush Administration. This means that managing the diplomacy of nonproliferation is likely to be difficult and costly, even when dealing with long-time allies. Indeed, the United States may find itself isolated in its efforts to isolate hostile proliferators. But the alternative – ignoring noncompliance, courting rogue states, rewarding hostile proliferators – is deeply unattractive to America’s arms control skeptics and is incompatible with the Bush doctrine.

**A Strategy of Dissuasion:** Taken together, the various elements of the Bush doctrine reflect a coherent and explicitly articulated strategy of dissuasion. Lacking confidence in norms and legal restraints, doubting the effectiveness of arms control regimes, the Bush Administration seeks through its own policies to influence the incentives and the behavior of potential proliferators. Thus, the preservation of overwhelming American military superiority makes arms racing with the United States a hopeless undertaking; the United States is so far ahead that it is not worth trying. The deployment of US missile defenses makes pursuit of WMD futile. Why bother with the

expense when Washington will be able to defeat your attacks? America's superiority coupled with the Bush Administration's preemptive doctrine makes the pursuit of WMD dangerous. After the war against Saddam's Iraq, there is every reason for other states on Washington's list of rogues and cheaters to worry that they might be subjected to the same treatment. To seek WMD may be to court attack by American military power and possibly risk the destruction of one's regime. Surely this is enough to make potential proliferators think twice about going down the WMD path. Finally, Bush's embrace of punitive diplomacy adds further to the pain and cost of the proliferation path. Even if Washington does not attack militarily, it will seek to harm those who engage in hostile proliferation. Here, the Bush Administration and its supporters argue, is a powerful set of disincentives that might actually affect the calculations of potential proliferators.

Opponents of the Bush policy fear that proliferators will draw the wrong conclusion. They worry that rogue states will respond to Washington's menacing strategy by concluding that they need to possess WMD in order to protect themselves from and stand up to the United States. They worry that potential proliferators will learn the importance of acquiring WMD as covertly as possible in order to avoid Washington's wrath, thereby compounding the problem of maintaining an effective nonproliferation regime. The Bush Administration, however, rejects these criticisms. It believes that the most dangerous rogues have already demonstrated a relentless determination to acquire nuclear, chemical, and/or biological weapons. Their ambitions have not been altered by arms control commitments and their progress has not been stopped by arms control regimes. In such cases, the Bush Administration believes, only something like a strategy of dissuasion, which credibly associates huge costs and penalties with WMD acquisition, offers much hope of modifying the calculations of potential proliferators. The Bush Administration is trying to send the message that the adverse consequences of WMD programs may be enormous (given the harm Washington may inflict) while the benefits will be small (given Washington's ability to destroy or defeat threatening WMD capabilities). If this message is received clearly, then the wise course is obvious: WMD should be avoided. But if neither arms control nor dissuasion succeed in preventing proliferation, the Bush Administration argues, its strategy gives the United States options and offers it some prospects for protecting itself.

## CONCLUSION

The Bush Administration itself emphasizes that its policies depart dramatically from those of its predecessors. "The US approach to combat WMD," says the *National Strategy to Combat Weapons of Mass Destruction*, "represents a fundamental change from the past."<sup>52</sup> In its essence, this change has involved a move from very heavy reliance on deterrence and arms control, as was the case during the Cold War, to growing reliance on defenses and offensive military options, as reflected in the Bush doctrine. Each of these elements remains visible to one degree or another in current US policy, but the balance of emphasis among them has changed very substantially. The implications of this momentous shift are enormous and clearly visible in the behavior of the Bush Administration.

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<sup>52</sup> *National Strategy to Combat Weapons of Mass Destruction*, p. 1.

In the “deterrence and arms control framework,” the problem of WMD proliferation was addressed by attempting to construct multilateral, treaty-based, norm-driven regimes. Deterrence was the answer to those instances in which the regimes failed to prevent proliferation, but there was hope among the adherents to this approach that the regimes and their associated norms would grow ever more powerful with the passage of time and with the widening acceptance and codification of their rules. The Bush doctrine, in striking contrast, finds almost everything about the previous approach to be unsatisfactory. It rejects that proposition that multilateral regimes are going to strengthen across time. It does not accept the proposition that deterrence is a sufficient answer to the threats that may arise when the regime fails. It prefers unilateral options to multilateral frameworks. It is inclined to doubt the efficacy of norms rather than build them or rely upon them. It is not positive about the effectiveness of treaty-based approaches to the challenge of WMD proliferation. The Bush Administration seeks to take advantage of American military primacy to configure unilateral options that discourage potential proliferation while offering protection against any proliferation threats that emerge.

In short, US security policy is now dominated by a very different mindset from the comfortable and familiar one that shaped American policy for so many decades. This accounts for the shocks and frictions that have afflicted so many of Washington’s international relationships in the past two years. Particularly after 9/11, the Bush Administration was at war and no longer had patience for what it regarded as the old and ineffective ways. Its strategic tendencies, already in view before 9/11, were very much reinforced after the attacks. And so now the world is headed off in a very different direction, one far removed from what many outside the United States preferred or expected.

Where does this leave arms control? Two priorities are evident in the Bush Administration so far. First, it has sought to dismantle or extinguish the unwanted, unwelcome, undesirable legacies of Cold War arms control. Thus it has withdrawn from the ABM Treaty, repudiated the CTBT, abandoned the BWC protocol, aborted the fissile material cutoff talks, scorned the Landmine Convention, and rejected the International Criminal Court. It very badly wanted to refrain from signing another strategic arms control agreement (but relented as a reward to Russia’s President Putin for his restraint when the US unilaterally killed the ABM Treaty). This administration has been much more concerned about eliminating the arms control detritus that it inherited than about building a post-Cold War framework of negotiated restraint. Second, girded by large increases in defense spending, it has been preoccupied with the development of unilateral military options of an offensive and defensive nature that will compensate or the perceived inadequacies and expected failures of arms control. It has not only left the ABM Treaty behind, it is in the midst of fielding initial missile defense deployments in Alaska while spending in the neighborhood of \$10 billion per year to accelerate missile defense programs. It is seeking to enhance America’s already impressive reconnaissance-strike complex, aiming for a mix of intelligence assets, command and control capabilities, precision, and specialized ordnance that leave no sanctuary for the threatening capabilities of hostile powers. It is seeking to revitalize America’s nuclear

weapons complex, both to reinforce deterrence and to develop whatever preemptive nuclear options are thought necessary. In a passage first offered in President Bush's speech at West Point on June 1, 2002 and then repeated as an epigraph in the *National Security Strategy*, Bush noted that America's enemies are seeking weapons of mass destruction in order to harm or blackmail the United States and he pledged that "we will oppose them with all our power."<sup>53</sup> Here, in a phrase, is the essence of the Bush Doctrine.

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<sup>53</sup> *The National Security Strategy of the United States of America*, p. 13.