

Beyond Pessimism: Why the Treaty on the Non-Proliferation of Nuclear Weapons Will Not Collapse

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ABSTRACT This article questions the predominantly pessimistic assessments over the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). After analysing available evidence on states' interests and interactions within the NPT's framework, it argues that several negative expectations are unwarranted. Conversely, the article identifies three potentially threatening scenarios. Therefore, it scrutinizes the likely impact of reactive nuclear proliferation; analyses the probability of significant actors challenging the existent nuclear architecture; and explores whether the treaty's enforcement might soon be diluted. The article concludes the NPT is unlikely to face fundamental threats in the foreseeable future.

KEY WORDS: Treaty on the Non-Proliferation of Nuclear Weapons (NPT), Nuclear Weapons, Non-Proliferation, Disarmament, Multilateral Treaties

A majority of analyses evaluate the future of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as being particularly grim. While in private discussions various experts appear much less concerned, every new friction leads to publications with pessimistic assessments that are seldom balanced by more optimistic ones.¹ Numerous officials, diplomats, think-tankers, and scholars write that the NPT is in bad shape, in danger, in crisis, or eroding. The perceived origins of such calamity vary widely and include unfulfilled disarmament pledges; incessant proliferation efforts; selective favouritism towards countries unwilling to ratify the NPT; the diffusion of sensitive nuclear technologies; the use of illegitimate force as a counter-proliferation instrument; or the right to withdraw from the treaty. However, the literature is

¹I am grateful to an anonymous reviewer for pointing out this discrepancy between the literature and privately held views within the nuclear policy community.

dominated by a widely shared agreement that in the absence of urgent action, the NPT is likely to become obsolete, unravel, or collapse. Remarkably, these assessments extend across temporal, national, ideological, professional and disciplinary boundaries.²

Having arisen from a convergence between US and Soviet interests in non-proliferation in the context of an emerging détente, the NPT entered into force in 1970.³ The treaty recognizes the five countries that had tested nuclear weapons by 1967 (United States, Russia, United Kingdom, France, and China) as legitimate possessors. It forbids these Nuclear-Weapon States (NWS) to aid potential proliferators and mandates them to negotiate towards nuclear disarmament. The

²Among dozens of reviewed diplomatic statements, political speeches, policy-oriented contributions, and scholarly articles, all published by a diverse group of people over a few decades, only a handful reached optimistic conclusions regarding the NPT's future – all are cited in the subsequent sections of this article. Examples of pessimistic analyses include Camille Grand, *The Non-Proliferation Treaty in an Era of Proliferation Crises* (Paris: European Union Institute for Security Studies 2010); Graham Allison, 'Nuclear Disorder', *Foreign Affairs* 89/1 (Feb. 2010), 74–85; Richard Falk, 'Nuclear Weapons Proliferation As a World Order Problem', *International Security* 1/3 (Jan. 1977), 79–93; Richard Butler, *Fatal Choice: Nuclear Weapons and the Illusion of Missile Defense* (Council on Foreign Relations 2001); Kishore Mahbubani, 'The Impending Demise of the Postwar System', *Survival* 47/4 (July 2006), 7–18; Joachim Krause, 'Enlightenment and Nuclear Order', *International Affairs* 83/3 (May 2007), 483–99; George Perkovich, 'Bush's Nuclear Revolution: A Regime Change in Nonproliferation', *Foreign Affairs* 82/2 (April 2003), 2–8; Mario E. Carranza, 'Can the NPT Survive? The Theory and Practice of US Nuclear Non-proliferation Policy after September 11', *Contemporary Security Policy* 27/3 (Dec. 2006), 489–525; Michael Wesley, 'It's Time to Scrap the NPT', *Australian Journal of International Affairs* 59/3 (Sept. 2005), 283–99; Michael McGwire, 'The Rise and Fall of the NPT: An Opportunity for Britain', *International Affairs* 81/1 (Jan. 2005), 115–40; Richard Price, 'Nuclear Weapons Don't Kill People, Rogues Do', *International Politics* 44/2 (2007), 232–49; Christopher Daase, 'Der Anfang vom Ende des Nuklearen Tabus: Zur Legitimitätskrise der Weltnuklearordnung', *Zeitschrift für Internationale Beziehungen* 10/1 (June 2003), 7–41; Marianne Hanson, 'The Future of the NPT', *Australian Journal of International Affairs* 59/3 (Sept. 2005), 301–316; Jed C. Snyder, 'The Nonproliferation Regime: Managing the Impending Crisis', *Journal of Strategic Studies* 8/4 (Dec. 1985), 7–27; Sergio Duarte, 'Keeping the NPT Together: A Thankless Job in a Climate of Mistrust', *Nonproliferation Review* 13/1 (March 2006), 1–16; Joyantha Dhanapala, 'Fulfill and Strengthen the Bargain', *Arms Control Today* 38/5 (June 2008); Paul Meyer, 'Saving the NPT: Time to Renew Treaty Commitments', *Nonproliferation Review* 16/3 (Nov. 2009), 463–72; Alexander Kmentt, 'How Divergent Views on Nuclear Disarmament Threaten the NPT', *Arms Control Today* 43/10 (Dec. 2013).

³Francis J. Gavin, 'Blasts from the Past: Proliferation Lessons from the 1960s', *International Security* 29/3 (Jan. 2005), 100–35; or Hal Brands, 'Non-Proliferation and the Dynamics of the Middle Cold War: The Superpowers, the MLF, and the NPT', *Cold War History* 7/3 (Aug. 2007), 389–423.

Non-Nuclear-Weapon States (NNWS) are barred from acquiring atomic arms and are obliged to accept international inspections verifying their commitment. All members pledge to facilitate access for others to the benefits of nuclear technology.⁴

In contrast to analysts' pessimistic expectations, many positive developments have characterized the NPT's lifespan.⁵ Almost 70 years since the US first acquired nuclear arms, only nine countries possess atomic weapons. Numerous states started a nuclear programme, but most gave it up. Over the last four decades, most states have ratified the NPT. Only India, Israel, Pakistan, and North Korea are currently non-members, and all four have developed nuclear weapons. Treaty-breaches have remained limited and treaty-enforcement robust (albeit selective) – of the few states that cheated, most incurred significant costs. In 1995, member-states agreed to extend the NPT indefinitely. Nuclear disarmament remains a distant vision, but overall, atomic arsenals have decreased considerably since the end of the Cold War. Most NWS update their stockpiles, but with the exception of North Korea, all states have stopped nuclear testing. Numerous members may bemoan the treaty's shortcomings, but serious withdrawal threats are non-existent. No significant push towards a renegotiation of the agreement is discernible. Given this gap between the amount of pessimistic interpretations in the existing literature and these positive developments, this treaty's future deserves the in-depth investigation this article proposes.⁶

All accounts of the NPT's forthcoming demise adhere to an implicit premise: (1) a certain development will (2) initiate a process that will (3) ultimately lead to the treaty's collapse. All three elements require additional clarification. First, heterogeneity among pessimistic accounts ensures a wide-ranging selection of potential developments which might lead to the treaty's collapse. Yet limited evidence is available in support of any of these particular triggers. Even less effort is expended on demonstrating that alternative scenarios are less pertinent. Second, the transmission mechanisms linking the occurrence of a particular development to the expected disaster often receive limited attention. Third, the specifics of the impending disaster are not discussed in detail. What

⁴Treaty on the Non-Proliferation of Nuclear Weapons, IAEA INFCIRC 140, 22 April 1970.

⁵'Pessimism' is used throughout this article in regard to the NPT's survival prospects, and not in the more established 'proliferation pessimism' manner, suggesting the further spread of nuclear weapons would be dangerous.

⁶For another optimistic assessment, see Jeffrey Fields and Jason S. Enia, 'The Health of the Nuclear Nonproliferation Regime: Returning to a Multidimensional Evaluation', *Nonproliferation Review* 16/2 (July 2009), 173–96.

would it mean for the NPT to ‘collapse?’ Indeed, defining this feared end-state is a worthy point of departure from which to start the analysis.

The threshold of collapse has to be set rather high. Legal scholarship suggests the appropriate question to ask is what it would mean for an international treaty to ‘die’.⁷ Three possibilities seem worth considering based on previous international treaties that have ‘died’. First, one after the other, the parties to the treaty could end their membership of the agreement. With no supplanting rule, states would cease to be bound, and the agreement would become defunct.⁸ Second, if some or all parties assessed the existing agreement as being outdated, negotiations could render a new arrangement relating to the same subject matter. The new treaty would thus both terminate and substitute the previous one.⁹ Third, having ceased to consider the framework as suitable, states might still be both reluctant to withdraw openly, and incapable of negotiating a substitute. Nonenforcement and noncompliance would thus lead to abandonment, or *desuetude*.¹⁰ Arguably, when noncompliance has been emulated by a sufficient number of states over a long period of time, the deviant behaviour ceases to be a violation, and becomes de facto the new rule of behaviour.¹¹

Given the central role of state behaviour in each of these scenarios, a good understanding of the mechanisms underlying state interests and constraints within the NPT framework is the best approach for devising credible scenarios potentially leading to the treaty’s collapse. Unfortunately, scholarship in this area remains rather limited. The available literature tries to extrapolate from a specific understanding

⁷Laurence R. Helfer, ‘Terminating Treaties,’ in Duncan Hollis (ed.), *The Oxford Guide to Treaties* (Oxford: OUP 2012), 634–49; Michael J. Glennon, ‘How International Rules Die’, *Georgetown Law Journal* 93/3 (March 2005), 939–91.

⁸For example, in 1934 Japan announced its intention to terminate the 1922 Washington Naval Treaty. By the end of 1936, all five members were freed from the treaty’s limits on naval construction. Robert Gordon Kaufman, *Arms Control During the Pre-Nuclear Era: The United States and Naval Limitation Between the Two World Wars* (New York: Columbia UP 1994).

⁹As a case in point, the 1972 Quadripartite Agreement on Berlin was supplanted by the 1991 Two Plus Four Agreement granting a united Germany full sovereignty. Condoleezza Rice and Philip D. Zelikow, *Germany Unified and Europe Transformed: A Study in Statecraft* (Boston: Harvard UP 1995); Mary E. Sarotte, 1989: *The Struggle to Create Post-Cold War Europe* (Princeton: Princeton UP 2009).

¹⁰Athanassios Vamvoukos, *Termination of Treaties in International Law: The Doctrines of Rebus Sic Stantibus and Desuetude* (Oxford: OUP 1985).

¹¹Glennon, ‘How International Rules Die’. For instance, the 1928 Kellogg-Briand Pact outlawed war. By the outbreak of World War II, it had been ratified by 63 states. It is nonetheless hard to argue that it had significant constraining power upon its members. Yoram Dinstein, *War, Aggression and Self-Defence* (Cambridge: CUP 2005), 83–5.

of the treaty: the majority view accepts the idea of a ‘grand bargain’ involving non-proliferation in exchange for disarmament and nuclear technology; others build upon broader international relations paradigms;¹² yet others put forward alternative theories on how the NPT works.¹³ Given its narrow research question, this article attempts to circumvent this shortcoming. The article’s working assumption is that, for as long as the precise functioning of the NPT remains unknown, in order to assess its longevity and robustness, it is more promising to draw from developments and processes that have been proven relevant in other cases of international treaties’ demise, while making use of insights from various NPT theories to complement the analysis, rather than relying on one particular NPT postulate.

To this end, the article begins by questioning the dominant ‘grand bargain’ theory. It relies upon (a) the observable behaviour of NPT members over more than four decades, (b) the limited available insights into particular states’ decision making, and (c) various findings from the nuclear proliferation and deterrence literatures. It concludes that numerous pessimist expectations derived specifically from this theory appear unwarranted. Subsequently, the article combines these insights with historical assessments of the dynamics and contexts that led comparable treaties and regimes to collapse to advance specific testable breakdown scenarios, and evaluate the likelihood of these scenarios playing out in the foreseeable future. It finds little evidence substantiating the assertion that the NPT is likely to face fatal threats any time soon, and draws out both policy and research implications of these findings.

Interests and Interactions within the NPT Framework

The most prevalent predictions that envision the collapse of the NPT rely on one common assumption: the treaty’s past, present, and future depends mainly upon a carefully balanced three-pillar agreement between NWS and NNWS. Committing to a trilateral ‘grand bargain’, NNWS relinquished their right to nuclear acquisition in exchange for NWS pledges to work towards disarmament and to ease access to nuclear technology.¹⁴ Following this logic, some see the current limited

¹²T.V. Paul, ‘Systemic Conditions and Security Cooperation: Explaining the Persistence of the Nuclear Non-Proliferation Regime’, *Cambridge Review of International Affairs* 16/1 (Nov. 2003), 135–54.

¹³William Walker, ‘Nuclear Enlightenment and Counter-Enlightenment’, *International Affairs* 83/3 (May 2007), 431–53; Andrew Coe and Jane Vaynman, ‘Collusion and the Nuclear Nonproliferation Regime’, Working Paper (2013).

¹⁴George Bunn, ‘The Nuclear Nonproliferation Treaty: History and Current Problems’, *Arms Control Today* 33/10 (Dec. 2003), 4–10.

proliferation as a symptom of abstainers having changed their mind vis-à-vis this bargain, and as a sign of impending nuclear acquisition attempts.¹⁵ Others expect that the NNWS will not tolerate for long the NWS's unyielding reluctance to seriously consider nuclear disarmament.¹⁶ Again others argue that limiting NNWS access to nuclear technology and rewarding countries refusing to ratify the NPT will reveal the futility of the agreement and lead its members to disavow the treaty.¹⁷ Thus, it is no surprise that the lack of nuclear disarmament, on-going proliferation efforts, and attempts to limit access to nuclear technologies are viewed as the principal triggers leading to the NPT's eventual collapse.

This article, however, suggests that the relevance of these factors, seen as triggers of collapse, in shaping states' attitudes towards the NPT is overstated. To make this argument, this section first outlines the trade-offs countries faced when acceding to the treaty. It finds that vague promises of nuclear disarmament and technical assistance played a smaller role than is often assumed; that most states gave up little when ratifying the NPT; and that other constraints and incentives played a significant role in states' decisions to accede to the treaty. Second, it discusses the intricacies of administering one's membership within the treaty. It contends that nuclear disarmament is likely to be less central to most NNWS's judgement on the value of the NPT to their interests than is often assumed; that most treaty members appear to have a strong interest in the status quo; and that a majority seem to derive other benefits from membership in the treaty.

Reasons for Accession

In contrast to arguments that the NPT will collapse due to the non-realization of hopes that the treaty would lead to nuclear disarmament or of expectations of technology transfers, available evidence suggests such considerations did not play the decisive role in states' decisions to

¹⁵For instance, the 2004 High-level Panel on Threats, Challenges and Change warned bluntly: 'We are approaching a point at which the erosion of the nonproliferation regime could become irreversible and result in a cascade of proliferation'. See 'A More Secure World: Our Shared Responsibility', Report of the High-Level Panel on Threats, Challenges and Change (New York: United Nations 2004, A/59/565) para. 111.

¹⁶Jonathan Schell, 'The Folly of Arms Control', *Foreign Affairs* 79/5 (Sept. 2000), 22–46; Harald Müller, 'Between Power and Justice: Current Problems and Perspectives of the NPT Regime', *Strategic Analysis* 34/2 (March 2010), 189–201.

¹⁷William C. Potter, 'India and the New Look of US Nonproliferation Policy', *Nonproliferation Review* 12/2 (July 2005), 343–54; George Perkovich, 'The End of the Nonproliferation Regime?', *Current History* 105/694 (Nov. 2006), 355–62.

ratify the NPT.¹⁸ During the negotiations, the have-nots demanded a formal link between disarmament and non-proliferation measures, a much stronger promise on nuclear disarmament, or mandatory technology transfers.¹⁹ Yet, the negotiating record makes it clear that all parties involved knew the limitations of the agreement when they ultimately accepted the NPT text with minimal concessions.²⁰ For instance, the head of the Swedish delegation concluded just a few years after the NPT talks that neither Washington nor Moscow ever wanted to be ‘constrained by effective disarmament measures’.²¹ However, over 90 states had ratified the agreement by the time it entered into force in 1970. Subsequently, its membership continued to grow, despite the fact that neither disarmament measures nor easing of technology transfers occurred.²² To the contrary, even very limited nuclear disarmament steps proved unachievable at NPT review meetings and the nuclear trade policies of the large industrial nations became increasingly restrictive.²³

Conversely, the NPT imposed only limited constraints upon a wide majority of ratifying states, far from obliging them to give up much of value.²⁴ Whether as a result of not facing substantial threats or considering security assurances as sufficient, not perceiving nuclear arms as prestigious, dreading the vast technological investment or economic consequences, or just lacking a driving bureaucracy or leadership, most states never sought to acquire the weapons that the

¹⁸Christopher Way and Karthika Sasikumar, ‘Leaders and Laggards: When and Why Do Countries Sign the NPT?’ Working Paper 16 (Montreal: Research Group in International Security 2005).

¹⁹Mohamed Ibrahim Shaker, *The Nuclear Non-Proliferation Treaty: Origin and Implementation, 1959–1979*, Vol. 2 (New York: Oceana 1980), 555–648.

²⁰Glenn T. Seaborg and Benjamin S. Loeb, *Stemming the Tide: Arms Control in the Johnson Years* (Lexington MA: Lexington Books 1987), 353–70; Dane Swango, ‘The United States and the Role of Nuclear Cooperation and Assistance in the Design of the NPT’, *International History Review* (Forthcoming 2014).

²¹Alva Myrdal, *The Game of Disarmament: How the United States and Russia Run the Arms Race* (Manchester: Manchester UP 1977).

²²William Epstein, ‘Nuclear Proliferation: The Failure of the Review Conference’, *Survival* 17/6 (Nov. 1975), 262–9; Paul F. Power, ‘The Mixed State of Non-Proliferation: The NPT Review Conference and Beyond’, *International Affairs* 62/3 (July 1986), 477–91; Matthew Fuhrmann, ‘Taking a Walk on the Supply Side’, *Journal of Conflict Resolution* 53/2 (April 2009), 181–208; Matthew Kroenig, ‘Exporting the Bomb: Why States Provide Sensitive Nuclear Assistance’, *American Political Science Review* 103/1 (Feb. 2009), 113–33.

²³Michael D. Beck, ed., *To Supply or to Deny: Comparing Nonproliferation Export Controls in Five Key Countries* (The Hague: Kluwer Law International 2003).

²⁴George H. Quester, ‘The Nuclear Nonproliferation Treaty and the International Atomic Energy Agency’, *International Organization* 24/2 (April 1970), 168.

NPT prohibits.²⁵ The treaty's emergence did compel states to self-select themselves as either abstainers or proliferators, or face domestic, regional, or global costs.²⁶ Very few stayed out and developed an atomic arsenal. Some took their time and joined after giving up their nuclear ambitions.²⁷ Even for the ones who wanted to keep their options open, the treaty allowed them to acquire the necessary technology 'without quite breaking the rules', without facing domestic public debates, without having their lenient allies feeling bound to reluctantly reprimand scorned behaviour, or without leaders actually having to take a final decision.²⁸ Some ratifying states knew (and a few more decided further down the road) that nuclear weapons acquisition was in their interest. Yet they were aware that the NPT's imperfect verification mechanism gave them space for some cheating. The transgressor could benefit from publicly signalling the intention to forgo nuclear acquisition, although treaty membership seems to have stymied nuclear programmes somewhat.²⁹ Finally, the NPT's withdrawal provision provided a useful (albeit not cost-free) tool for managing the risk of accession.³⁰ Thus, the

²⁵This argument is supported both by the scarcity of nuclear programmes, and by numerous theoretical arguments of all strands. See Zachary Davis, 'The Realist Nuclear Regime', *Security Studies* 2/3 (Sept. 1993), 80–2; Paul, 'Systemic Conditions and Security Cooperation', 141; Jacques E.C. Hymans, *The Psychology of Nuclear Proliferation: Identity, Emotions and Foreign Policy* (Cambridge: CUP 2006); Etel Solingen, *Nuclear Logics: Contrasting Paths in East Asia and the Middle East* (Princeton UP 2007); Daniel Verdier, 'Multilateralism, Bilateralism, and Exclusion in the Nuclear Proliferation Regime', *International Organization* 62/3 (July 2008), 439–76.

²⁶Lewis A. Dunn, 'Four Decades of Nuclear Nonproliferation: Some Lessons from Wins, Losses, and Draws', *Washington Quarterly* 13/3 (Summer 1990), 5–18.

²⁷Richard K. Betts, 'Universal Deterrence or Conceptual Collapse? Liberal Pessimism and Utopian Realism', in Victor A. Utgoff (ed.), *The Coming Crisis: Nuclear Proliferation, US Interests, and World Order* (Cambridge MA: MIT Press 2000), 68–70; Ursula Jasper, 'The Ambivalent Neutral', *Nonproliferation Review* 19/2 (July 2012), 267–92.

²⁸Albert Wohlstetter, 'Spreading the Bomb Without Quite Breaking the Rules', *Foreign Policy* No. 25 (Winter 1976), 88–179; Bradley A. Thayer, 'The Causes of Nuclear Proliferation and the Utility of the Nuclear Non-Proliferation Regime', *Security Studies* 4/3 (Spring 1995), 463–519; Ariel E. Levite, 'Never Say Never Again: Nuclear Reversal Revisited', *International Security* 27/3 (Jan. 2003), 59–88. For the US government considering this issue during the NPT negotiations, see Richard N. Rosencrance, 'After the NPT, What?' Department of State Policy Planning Council (28 May 1968), available from the GWU National Security Archive.

²⁹Matthew Fuhrmann and Jeffrey D. Berejikian, 'Disaggregating Noncompliance: Abstention Versus Predation in the Nuclear Nonproliferation Treaty', *Journal of Conflict Resolution* 56/3 (April 2012), 356 and 360.

³⁰Helfer, 'Terminating Treaties'; and Daniel H. Joyner, 'What If Iran Withdraws from the Nuclear Nonproliferation Treaty?', *ESIL Reflections* 1/5 (Dec. 2012).

argument that states made significant concessions to join the NPT in the expectation of disarmament and technology transfers, and with these expectations not met they will reconsider the high costs of NPT membership, seems unjustified.

Last, a set of additional interests have pushed states towards ratification. Chiefly, scholars from various backgrounds agree that most states saw the NPT as establishing a system of restraint. This instrument helped generate regional mutual confidence and reassured great-power allies. The ensuing higher degree of predictability was conducive to both alleviating security concerns and furthering nuclear trade.³¹ Further, NPT adherence was useful for both avoiding superpower pressure and strengthening relations with the key protecting ally.³² For example, both Germany and Italy ultimately ratified to accommodate the United States.³³ In contrast, some states attempted to put pressure on their more ambitious neighbours. For instance, Poland favoured the NPT mainly as an instrument which would deprive West Germany of its nuclear option.³⁴ Egypt pursued similar policies regarding Israel.³⁵ Others had even more parochial reasons: while strongly advocating disarmament within UN fora, Romania's main aim was to display its independence from Moscow.³⁶ Scholars also

³¹Ian Bellamy, 'Nuclear Non-Proliferation and the Inequality of States', *Political Studies* 25/4 (Dec. 1977), 594–8; Joseph S. Nye, 'NPT: The Logic of Inequality', *Foreign Policy* No. 59 (July 1985), 123–31; Lawrence Scheinman, 'Does the NPT Matter?', in Joseph F. Pilat and Robert E. Pendley (eds), *Beyond 1995: The Future of the NPT Regime* (New York: Plenum 1990), 53–64; Xinyuan Dai, *International Institutions and National Policies* (Cambridge: Cambridge UP 2007); Jeffrey W. Knopf, 'Nuclear Disarmament and Nonproliferation: Examining the Linkage Argument', *International Security* 37/3 (Dec. 2012), 93.

³²See Joseph S. Nye, 'Maintaining a Nonproliferation Regime', *International Organization* 35/1 (Winter 1981), 31.

³³Tim Geiger, *Atlantiker Gegen Gaullisten: Außenpolitischer Konflikt Und Innerparteilicher Machtkampf in Der CDU/CSU 1958–1969* (Munich: Oldenbourg Wissenschaftsverlag 2008), 485–95; and Leopoldo Nuti, 'Negotiating with the Enemy and Having Problems with the Allies: The Impact of the Non-Proliferation Treaty on Transatlantic Relations', in Jussi Hanhimäki, Georges-Henri Soutou, and Basil Germond (eds), *The Routledge Handbook of Transatlantic Security*, (New York: Routledge 2010), 97.

³⁴Douglas Selva, *The Warsaw Pact and Nuclear Nonproliferation 1963–1965*, Working Paper, Cold War International History Project (Washington DC: Woodrow Wilson International Center for Scholars, April 2001).

³⁵Solingen, *Nuclear Logics*, 229–45.

³⁶Eliza Gheorghe, 'Atomic Maverick: Romania's Negotiations for Nuclear Technology, 1964–1970', *Cold War History* 13/3 (April 2013), 373–92; Vojtech Mastny, 'Was 1968 a Strategic Watershed of the Cold War?', *Diplomatic History* 29/1 (Jan. 2005), 149–77.

suggested that some states hoped to gain prestige and normative benefits for having ‘done the right thing’.³⁷ Finally, a preconceived notion of appropriate behaviour or the desire to follow an influential other arguably also played a role.³⁸ Thus, a number of factors are largely excluded in the general accounts of states’ decisions to be part of the NPT.

Benefits of Membership

According to most statements delivered at NPT meetings, NNWS of the Non-Aligned Movement (NAM) are mainly interested in swift disarmament steps and unrestricted technology transfers. In the absence of such concessions, NAM members oppose the stricter non-proliferation measures demanded by NWS and Western NNWS. As a consequence, pessimists contend that all members gain little from the long-standing lack of disarmament and feeble non-proliferation measures; their discontent grows; and the entire system weakens. Therefore, urgent action is required to prevent the treaty’s collapse. However, notwithstanding the very limited *do ut des* (this for that) involving non-proliferation for either disarmament or nuclear technology over the last four decades, the treaty continues to exist and its members continue to participate in its review process. This suggests that states pursue a more complex and convoluted set of goals within the NPT framework than is often assumed.

First, NNWS’s interest in nuclear disarmament measures is likely to be more limited than is often suggested. For a start, NWS arsenals pose a significant material threat to only very few states that see a NWS as a competitor – whether as a local rival or a long-distance threat.³⁹ For these states, nuclear hedging or acquisition, or entering a nuclear alliance are likely to be the primary paths for balancing such dangers. At the same time, these states are also likely to be genuinely interested in the nuclear disarmament of their enemies, arsenal reductions, negative security assurances, or treaties prohibiting attacks against nuclear

³⁷Murat Laumulín, ‘Nuclear Politics and the Future Security of Kazakhstan’, *Nonproliferation Review* 1/2 (Winter 1994), 61–5.

³⁸James G. March and Johan P. Olsen, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: The Free Press 1989); and Maria Rost Rublee, ‘Taking Stock of the Nuclear Nonproliferation Regime: Using Social Psychology to Understand Regime Effectiveness’, *International Studies Review* 10/3 (Sept. 2008), 420–50.

³⁹Hedley Bull, ‘Rethinking Non-Proliferation’, *International Affairs* 51/2 (April 1975), 175–89; Richard K. Betts, ‘Paranoïds, Pygmies, Pariahs and Nonproliferation Revisited’ in Zachary Davis and Benjamin Frankel (eds), *The Proliferation Puzzle: Why Nuclear Weapons Spread (and What Results)* (London: Frank Cass 1993), 101.

facilities. In contrast, most NNWS do not consider NWS as a direct threat and thus only have a general interest in a less- or dis-armed world: prudent actors will be concerned that today's friend (or those they view with indifference) might be tomorrow's nuclear enemy;⁴⁰ and, a nuclear exchange, while improbable, would have dramatic consequences – a prospect curtailed by disarmament and arms control. Conversely, NNWS relying on nuclear extended deterrence are likely to oppose disarmament or even nuclear reductions.⁴¹ Even NNWS not profiting from a nuclear umbrella might consider global stability to be enhanced by nuclear weapons, fear the consequences of a potential large conventional war, and thus resent nuclear disarmament.⁴²

Aside from threat perceptions, many scholars have argued that considerations of normative fairness and justice relating to nuclear weapons as symbols of modernity, identity, or dominance play a role in states' desire for disarmament measures.⁴³ Numerous public statements support such a view. States might indeed entertain an intrinsic dislike for double-standards and hypocrisy. They might be inclined to favour fairness and justice.⁴⁴ Nevertheless, the question remains what states are willing to sacrifice for the sake of normative fairness: untouched by material losses, will governments agree to bear

⁴⁰Richard K. Betts, *Nuclear Blackmail and Nuclear Balance* (New York: Brookings Institution Press 1987); and Todd S. Sechser and Matthew Fuhrmann, 'Crisis Bargaining and Nuclear Blackmail', *International Organization* 67/1 (Jan. 2013), 173–95.

⁴¹Paul K. Huth, *Extended Deterrence and the Prevention of War* (New Haven, CT: Yale UP 1991); Jeffrey W. Knopf (ed.), *Security Assurances and Nuclear Nonproliferation* (Stanford UP 2012).

⁴²Bernard Brodie *et al.*, *The Absolute Weapon: Atomic Power and World Order* (New York: Harcourt, Brace 1946); Charles L. Glaser, 'The Flawed Case for Nuclear Disarmament', *Survival* 40/1 (Spring 1998), 112–28; Stephen van Evera, *Causes of War: Power and the Roots of Conflict* (Ithaca, NY: Cornell UP 1999), 240–54.

⁴³Müller, 'Between Power and Justice', 196; Andrew Grotto, 'Why Do States That Oppose Nuclear Proliferation Resist New Nonproliferation Obligations: Three Logics of Nonproliferation Decision-Making', *Cardozo Journal of International and Comparative Law* 18/1 (Winter 2010), 1–44; Jeffrey R. Fields (ed.), *State Behavior and the Nuclear Nonproliferation Regime* (Atlanta: Univ. of Georgia Press forthcoming 2014).

⁴⁴Nina Tannenwald, 'Justice and Fairness in the Nuclear Nonproliferation Regime', *Ethics & International Affairs* 27/3 (Fall 2013), 299–317; Kristen R. Monroe, Adam Martin, and Priyanka Ghosh, 'Politics and an Innate Moral Sense: Scientific Evidence for an Old Theory?', *Political Research Quarterly* 62/3 (Sept. 2009), 614–34; Nina Srinivasan Rathbun, 'The Role of Legitimacy in Strengthening the Nuclear Nonproliferation Regime', *Nonproliferation Review* 13/2 (July 2006), 227–52; Cecilia Albin, *Justice and Fairness in International Negotiation* (Cambridge: Cambridge UP 2001), 181–214.

significant costs to protest discrimination or a lack of disarmament? Some scholars found that states almost never pursue costly international moral goals that require significant financial, human, or security costs.⁴⁵ Others argue that such aims are more likely to be pursued when they have strong national supporters; develop as an integral part of domestically-driven policy reforms; and further the objectives of different constituencies within the national arena.⁴⁶ Currently, disarmament is unlikely to galvanize such support even in states like Austria, Ireland, Norway or Switzerland – the strongest advocates of nuclear disarmament within UN forums. Equally, many protest against the NWS failure to comply with the political obligations assumed at the 2010 review conference. For instance, Egypt’s delegation left the plenary at the last preparatory meeting. However, no government appears willing to expend significant resources to enforce compliance. The same is true in cases of the selective application of non-proliferation standards by certain NWS. The US-India nuclear deal is telling: many lamented the blatant violation of the principles enshrined in the NPT, but states with the formal ability to prevent the Nuclear Suppliers Group from granting an exemption decided it was more expedient to abstain.

Second, the vast majority of NPT members – if not all states – appear to have a strong interest in preserving the treaty. All states for whom their accession decision was linked with the desire to see the creation of a system of restraint – absent significant changes in their strategic situation⁴⁷ – will want to upkeep the mechanism. They will be concerned with the potential actions of their neighbours and enemies, but also with how their own behaviour might be perceived: an erosion of treaty compliance might enable future transgressions, diminishing both their confidence in the assurances of others and the credibility of their own commitment. In addition, compliance research suggests some might value their reputation for keeping promises; envisage domestic challenges to their own (retaliatory) default on NPT obligations; find it onerous to constantly recalculate the costs and benefits of compliance; and have internalized the treaty’s norms to the point of taking them for granted. Thus, while specific states might have a particular interest in

⁴⁵Chaim D. Kaufmann and Robert A. Pape, ‘Explaining Costly International Moral Action: Britain’s Sixty-Year Campaign Against the Atlantic Slave Trade’, *International Organization* 53/4 (Autumn 1999), 631–68.

⁴⁶Andrew P. Cortell and James W. Davis, ‘How Do International Institutions Matter? The Domestic Impact of International Rules and Norms’, *International Studies Quarterly* 40/4 (Dec. 1996), 451–78; Joshua William Busby, ‘Bono Made Jesse Helms Cry: Jubilee 2000, Debt Relief, and Moral Action in International Politics’, *International Studies Quarterly* 51/2 (June 2007), 247–75.

⁴⁷Thanks are due to an anonymous reviewer for suggesting this caveat.

weakening certain constraints of the treaty, most are likely to work towards maintaining the system.⁴⁸

The actions of NPT members over the last decades are consistent with this mixed picture, revealing limited efforts towards nuclear disarmament, but a strong interest in conserving the treaty. During this period, nuclear arsenals and policies have been consistently adapted according to changes in global order, rather than due to the fulfilment of NPT pledges by NWS or as a result of multilateral negotiations.⁴⁹ However, when faced with the choice of whether to renew the treaty in 1995, to the surprise of most Western analysts, no state argued for abandoning the agreement, and ultimately all accepted the US preferred option in exchange for a limited 'extension-plus' package.⁵⁰ Numerous statements reflected an overwhelmingly positive assessment of the role that the treaty plays in their national security policies.⁵¹ The head of the Mexican delegation later suggested that moderate fears about additional proliferation, the campaign of 'friendly persuasion' orchestrated by the United States, and the apathy of NNWS enabled the treaty to be extended indefinitely.⁵²

Third, a good case can be made that, within NPT meetings, states consider that demanding certain measures has the potential to deliver diplomatic, bargaining, prestige, and domestic benefits, irrespective of whether these measures are realized. For instance, whether or not they are interested in additional non-proliferation measures, US allies are likely to see their support for non-proliferation as a good instrument

⁴⁸Jana von Stein, 'The Engines of Compliance', in Jeffrey L. Dunoff and Mark A. Pollack (eds), *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* (Cambridge: Cambridge UP 2012), 477–501.

⁴⁹Raymond L. Garthoff (ed.), *The Great Transition: American-Soviet Relations and the End of the Cold War* (New York: Brookings Institution Press 1994).

⁵⁰Thomas Graham, *Disarmament Sketches: Three Decades of Arms Control and International Law* (Seattle: Univ. of Washington Press 2002); Tariq Rauf and Rebecca Johnson, 'After the NPT's Indefinite Extension: The Future of the Global Nonproliferation Regime', *Nonproliferation Review* 3/1 (Fall 1995), 28–42; Susan B. Welsh, 'Delegate Perspectives on the 1995 NPT Review and Extension Conference', *Nonproliferation Review* 2/3 (Spring 1995), 1–24; John Simpson and Darryl Howlett, 'The NPT Renewal Conference: Stumbling toward 1995', *International Security* 19/1 (Summer 1994), 41–71.

⁵¹Lewis A. Dunn, 'High Noon for the NPT', *Arms Control Today* 25/6 (July 1995).

⁵²Miguel Marin Bosch, 'The Non-Proliferation Treaty and Its Future' in Laurence Boisson de Chazournes and Philippe Sands (eds), *International Law, the International Court of Justice and Nuclear Weapons* (Cambridge: CUP 1999), 375–89.

towards strengthening their position in an unequal alliance.⁵³ Similarly, states wanting to better their relations with the Global South are likely to actively demand disarmament measures. Some should be tempted to oppose strengthened verification measures due to both own intentions to keep options open and their relations to prospective proliferators.⁵⁴ It is thus not surprising that Brazil opposes the Additional Protocol or that Venezuela supports Iran within the International Atomic Energy Agency (IAEA) framework. Further, making demands and complaining about compliance seem to be good instruments for gaining an edge in bargaining. On the one hand, the unfulfilled promises of the 'other' serve as an 'allowed' excuse for blocking measures one does not favour.⁵⁵ On the other hand, one might hope to exchange the absence of protestation for tangible benefits – as, for example, many did before the 1995 Review and Extension Conference or Egypt successfully accomplished at the 2010 meeting.⁵⁶

However, even the simple demand for disarmament seems to generate prestige benefits. Concerned with additional proliferation, NWS have accepted the emergence of a norm portraying nuclear weapons as a liability and framing the concept of responsible and modern states working towards nuclear abolition.⁵⁷ Thus, numerous NNWS have been eager to reiterate their support for this distant vision. For example, even states like Poland or the Czech Republic – openly opposing the withdrawal of US nuclear weapons from Europe – were keen to underline their backing of a world without nuclear weapons.⁵⁸ In addition, the wider public in most countries has long tended to view nuclear weapons negatively, as arms to be denied to foes, eliminated from one's

⁵³Robert O. Keohane, 'The Big Influence of Small Allies', *Foreign Policy* no. 2 (Spring 1971), 161–82; Stephen M. Walt, 'Alliances in a Unipolar World', *World Politics* 61/1 (Jan. 2009), 86–120.

⁵⁴Yvonne Yew, 'Diplomacy and Nuclear Non-Proliferation: Navigating the Non-Aligned Movement', Harvard Kennedy School Discussion Paper (June 2011).

⁵⁵Knopf, 'Nuclear Disarmament and Nonproliferation', 115; and Betts, 'Paranoids, Pygmies, Pariahs and Nonproliferation Revisited', 101.

⁵⁶Gaukhar Mukhatzhanova and William C. Potter, *Nuclear Politics and the Non-Aligned Movement* (London: Routledge 2012).

⁵⁷Martha Finnemore and Kathryn Sikkink, 'International Norm Dynamics and Political Change', *International Organization* 52/4 (Autumn 1998), 887–917; Daniel Deudney, 'Unipolarity and Nuclear Weapons', in G. John Ikenberry, Michael Mastanduno and William C. Wohlforth (eds), *International Relations Theory and the Consequences of Unipolarity* (Cambridge: CUP 2011); and Ivo Daalder and Jan Lodal, 'Logic of Zero - Toward a World Without Nuclear Weapons', *Foreign Affairs* 87/6 (Nov. 2008), 80–95.

⁵⁸Liviu Horovitz, 'Why Do They Want American Nukes: Central and Eastern European Positions Regarding US Nonstrategic Nuclear Weapons', *European Security* 23/1 (Feb. 2014), 73–89.

own arsenal, and ultimately abolished. Thus, assuming a popular preference towards sovereignty and fairness in international agreements, disarmament rhetoric might also help most governments to justify domestically their state's presence within such an unequal treaty.⁵⁹

Developing and Analysing Potential Scenarios of NPT Collapse

The discussion above suggests that the trilateral 'grand-bargain' model is an insufficient instrument for assessing a particular state's future proclivity towards accepting the NPT's restrictions. Having decided against nuclear acquisition, most states gave up little when ratifying. Absent dramatic changes in their strategic environments, little suggests they are on the verge of reversing their policies.⁶⁰ The few keen to keep their options open are (at some cost) accommodated by the treaty. Most members appear to value the framework on its own merits and labour towards upholding it. Interacting within the current structure has the potential to generate a number of smaller benefits. Whereas many would welcome further nuclear reductions or even disarmament, few seem inclined to sacrifice much towards this end. While most developing nations want more assistance, fewer restrictions, and no discrimination, repealing the NPT would hardly further these goals.

In contrast, both (a) the above analysis of possible NPT constraints and incentives, and (b) the historical record of past treaties suggest three alternative scenarios, distinct to the logics of the 'grand-bargain' model, are worth analysing in terms of assessing the likelihood of the collapse of the NPT.⁶¹ Below, this section develops and analyses these scenarios. First, it examines the potential impact on the treaty of reactive proliferation. It finds that additional nuclearization is likely to generate only limited emulation; that recent case-study research is consistent with this line of argument; that the prestige or bureaucratic inducements of such proliferation will also be narrow; and that even if some will leave, many would have to renege for the treaty to become obsolete. Second, the section scrutinizes the probability of significant actors challenging the

⁵⁹Lyndon Baines Johnson, *The Vantage Point: Perspectives of the Presidency, 1963–1969* (New York: Holt, Rinehart and Winston 1971), 479.

⁶⁰Agreements do get reinterpreted and minor concessions can become important in subsequent framing. See Daniel C. Thomas, *The Helsinki Effect: International Norms, Human Rights, and the Demise of Communism* (Princeton UP 2001). Thus, some states might currently assign higher value to their NPT ratification. However, this still raises the question what these states would be willing to sacrifice now that they were unwilling to give up in the past.

⁶¹For the theoretical background, Iver B. Neumann and Erik F. Øverland, 'International Relations and Policy Planning: The Method of Perspectivist Scenario Building', *International Studies Perspectives* 5/3 (2004), 258–77.

existing architecture. It argues both that the broader international system is relatively stable and that few potentially rising powers seem prone to challenge the nuclear order. Third, the section investigates whether the treaty's enforcement might soon be diluted by the United States abandoning its protective role. It shows Washington's global ambitions have been served well by the NPT system; questions the literature positing the US might abandon its position of primacy and commit to retrenchment; and speculates that even assuming a less engaged America, protecting the NPT seems to be an enduring interest.

The Perils of Reactive Proliferation

Assuming the prolongation of the current world order, should a particular state withdraw in order to acquire nuclear arms, would this dramatically affect the overall NPT system? For instance, when Tokyo left the Washington Naval Treaty in 1934 in order to build the weapons the agreement prohibited, the settlement collapsed. Various proliferation theories put forward a number of reasons – most of them detached from the NPT's interactions – for why a particular country might desire nuclear weapons, and might thus be tempted to withdraw from the NPT.⁶² Models emphasizing security threats suggest confrontation with a nuclear or conventionally superior power or the nuclear ambitions of a neighbour might generate proliferation pressures. Normative approaches maintain that nuclear arms might be perceived as prestigious enough to warrant acquisition efforts. Proponents of domestic models argue bureaucracies or leaders might develop an interest in a weapons programme. Therefore, in a scenario in which a proliferator is followed by many others, who themselves breed followers, the treaty would eventually collapse.

Both the historical record and a plethora of theories suggest that additional states might, over time, become interested in acquiring nuclear weapons, and therefore withdraw from the NPT. Some accounts posited that, with proliferation begetting more proliferation, the NPT would quickly collapse. Others argued that a treaty which is unable to stop the further spread of nuclear weapons would soon be considered useless and ultimately abandoned by all its members.⁶³ However, little evidence supports these pessimistic assessments.

⁶²Scott D. Sagan, 'The Causes of Nuclear Weapons Proliferation', *Annual Review of Political Science* 14 (June 2011), 225–44.

⁶³Mitchell B. Reiss, 'The Nuclear Tipping Point: Prospects for a World of Many Nuclear Weapons States', in Kurt M. Campbell, Robert J. Einhorn and Mitchell B. Reiss (eds), *The Nuclear Tipping Point: Why States Reconsider Their Nuclear Choices* (Washington DC: Brookings Institution Press 2004), 3–5.

First, additional nuclear proliferation appears to jolt only a few into slowly acquiring their own nuclear devices. On the one hand, recent scholarship has questioned reactive proliferation theories that build upon the realist paradigm.⁶⁴ On the other hand, a number of theories do suggest that proliferation incentives for actors in a nuclear newcomer's immediate environment would increase. Thus, a state might start on the path to nuclear acquisition. Global, regional, and domestic costs might be endured: the likely sanctions might be counterbalanced, the neighbours' mistrust might be compensated, and institutional investments might be shouldered. Having absorbed these costs, and in the absence of a change of heart, no less than a decade later, a first atomic weapon might be fielded. Arguably, this slow cycle might start anew. However, for innumerable reasons, such a threatened state might decide that the security of nuclear weapons was not worth the price, or it might consider these arms to be – at least partially – replaceable by other means. For instance, US policies involving coercion, security assurances, or various political benefits prevented a number of 'tilting dominoes' from falling.⁶⁵ In even starker contrast, any state outside of the new proliferator's immediate vicinity or reach would have little additional security incentive to start its own nuclear programme. Such a non-threatened state might fear that regional instability in the proliferator's neighbourhood or a nuclear exchange might have global repercussions.⁶⁶ However, withdrawing from the NPT or sabotaging the agreement would surely not put these concerns to rest.

Second, recent scholarship surveying 12 carefully selected 'most-likely' states suggests that nuclear proliferation is neither impending, nor likely to entail inevitable contagion.⁶⁷ Within the broader Middle East, Israel possesses nuclear weapons and the United States deploys overwhelming conventional forces. Significant evidence shows that Iran has explored weapons-related technologies. Its current pursuit of dual-use technologies can surely be qualified as nuclear hedging. However, absent a military confrontation or dramatic alteration in the domestic context, there is little suggesting Tehran will soon be willing to accept the costs of outright nuclearization. Even assuming this improbable outcome, Egypt, Saudi Arabia, or Turkey remain unlikely to immediately embark on an accelerated nuclear program: none of these states went nuclear during

⁶⁴William C. Potter and Gaukhar Mukhatzhanova, 'Divining Nuclear Intentions: A Review Essay', *International Security* 33/1 (Summer 2008), 139–69.

⁶⁵Nicholas L. Miller, 'Nuclear Dominos: A Self-Defeating Prophecy?' *Security Studies* 23/1 (March 2014), 33–73.

⁶⁶Coe and Vaynman, 'Collusion and the Nuclear Nonproliferation Regime'.

⁶⁷William Potter and Gaukhar Mukhatzhanova (eds), *Forecasting Nuclear Proliferation in the 21st Century: A Comparative Perspective* (Palo Alto, CA: Stanford UP 2010).

previous decades when the security conditions were much more compelling and the domestic and international environments were less constraining. In addition, the US and other states interested in non-proliferation have both the means and the incentives to pursue policies reinforcing nuclear restraint.⁶⁸ In East Asia, China's first atomic test occurred half a century ago. Over the past decade, North Korea withdrew from the NPT and conducted three nuclear explosions. While domestic debates in both South Korea and Japan changed drastically and both countries are currently engaged in the acquisition of dual-use technology, careful analysis suggests neither seems prone to acquire nuclear weapons in the near future. Similar to the Middle East, Washington devotes significant resources to reassuring its East Asian allies and thus persuading them to remain non-nuclear.⁶⁹

Third, prestige and domestic theories do not yield more pessimistic expectations. When the NPT was negotiated, perfect compliance seemed illusory. The verification regime was designed only to provide timely notification of a breach in order to give treaty members the opportunity to react. However, the limited expectations of the drafters have been widely surpassed. Thus, there is very little evidence that any additional proliferation would somehow cause the NPT's members to become disillusioned with the agreement, consider the treaty's reputation destroyed, its normative binding flawed, believe nuclear acquisition to be the 'appropriate behaviour', and start forswearing their membership. The domestic influence of NPT noncompliance also seems overrated. Interested bureaucracies might be able to use a neighbour's or foe's noncompliance or withdrawal to aid their case. However, the governance model proposed by recent would-be proliferators does not seem very appealing to either policy-makers or publics. Thus, it is no surprise that emulation of Iraq, Libya, or North Korea is very limited. To the contrary, the detection of further proliferation seems to help generate the consensus to strengthen the NPT regime's constraints: for example, it was the discovery of Iraq's clandestine programme that spawned the design of enhanced safeguards instruments.⁷⁰

⁶⁸See the contributions by Gaukhar Mukhatzhanova, Jim Walsh, Ibrahim al-Marashi and Jessica Varnum in the above mentioned volume. Also, Shashank Joshi and Michael Stephens, 'An Uncertain Future: Regional Responses to Iran's Nuclear Programme', *Whitehall Report 4* (London: Royal United Services Institute Dec. 2013).

⁶⁹Contributions by Etel Solingen, Scott Snyder, Monte Bullard, and Jong-dong Yuan in the above volume. Thanks are also due to an anonymous reviewer for helpful suggestions.

⁷⁰Roger K. Smith, 'Opaque Proliferation and the Fate of the Non-Proliferation Regime', *Journal of Strategic Studies* 13/3 (May 1990), 96–8; Laura Rockwood, 'The IAEA's Strengthened Safeguards System', *Journal of Conflict and Security Law* 7/1 (June 2002), 123–36.

Finally, even assuming that the rate of proliferation will increase, the question remains: how many withdrawals are actually necessary to generate a mass exodus, thus terminating the treaty. Research shows that for every participant in an arrangement, the perceived necessary critical mass of partakers will be different, contingent on a number of specific impetuses. With the departure of some participants, the mass might diminish and reach the threshold for some others. Their departure will cause yet more to abandon the agreement. Ultimately, this process could reach a threshold, beyond which nobody will continue to engage within the NPT. While *who* withdraws would surely play a key role, there is little reason to believe that a ‘point of no return’ can be reached with less than one-third of the participants abandoning the treaty.⁷¹ While the withdrawal of a major power would surely hurt the NPT’s attractiveness, it remains unclear how, on its own, such a step could destroy the treaty. Similarly, multiple withdrawals will surely be damaging to the NPT’s many attributes, but appear unlikely to be lethal. Even NPT analyses that suggest a grim outlook conclude that the critical mass necessary for the non-proliferation norm to decay would most probably be over 20 states. Given the barriers and limits to reactive proliferation considerations outlined above, the NPT’s demise as a result of proliferation begetting more proliferation seems to be anything but imminent.

An Environment Altered by Rising Powers

A second question worth asking is what alteration of the current international environment is likely to produce overriding abandonment incentives or renegotiation pressures. For example, with the end of the Cold War, circumstances had changed radically in Europe. A stable architecture required a final settlement of the German question. The 1972 Quadripartite agreement had thus become untenable. Correspondingly, a transformed environment could also challenge the NPT. Realist theories postulate that when the ambitions of rising non-nuclear actors collide with the interests of nuclear-armed states, have-nots are likely to fear nuclear coercion. Constructivist arguments submit that actors acquiring greater global influence might want to deny former dominant nuclear powers the standing granted by a discriminatory treaty. Domestic models posit that the rise of powerful actors would strengthen the hand of bureaucrats or encourage ambitious leaders. Ultimately, all these models suggest that

⁷¹Thomas C. Schelling, *Micromotives and Macrobehavior* (New York: W.W. Norton 1978), 91–110; Gerald Marwell and Pamela Oliver, *The Critical Mass in Collective Action* (Cambridge: CUP 1993); and David A. Siegel, ‘Social Networks and Collective Action’, *American Journal of Political Science* 53/1 (Jan. 2009), 122–38.

rising powers might either wish to transform the NPT to their advantage, or attempt to eliminate this constraining mechanism altogether. Given such developments, a strong call for renegotiating the NPT might emerge. Should agreement prove impossible, actors might militate for the treaty to slide into irrelevance.

While the above discussion stresses a fundamental transformation of the international environment as the prerequisite for the NPT being challenged, many have argued that the unbalanced nuclear regime around this treaty cannot survive for long. It is undeniable that countless states would prefer a fairer agreement to the existing NPT. Nonetheless, there is no precedence of an international regime collapsing merely due to its unfairness. Historically, the emergence of powerful actors who force a revolutionary transformation of the overall conditions in the international system would appear to be a more potent potential origin of collapse.⁷² Therefore, the NPT will likely continue to remain unthreatened by simple protestations against its discriminatory nature by weak actors. In contrast, the nuclear regime's architecture is more likely to deteriorate should the NPT's stipulations eventually collide with the core interests of states that have the means to enforce their resolve. However, little suggests such developments are likely any time soon.

Since the end of the Cold War, many have questioned the endurance of US primacy and have argued that rising powers will usurp or at least reach parity with the US. Such scholars have argued since 1991 that unipolarity generates systemic pressures that will rapidly move the system back to a multipolar order, one that would encourage proliferation and threaten the NPT.⁷³ Two decades later, the United States maintains a significant pre-eminence vis-à-vis all other major powers.⁷⁴ The most likely challengers are neither quickly catching up, nor eager to fundamentally challenge the existing order.⁷⁵ Furthermore, no balancing coalition has arisen, and none is on the horizon. Some authors have theorized that hard balancing does not appeal to second-tier powers as they do not see Washington – at least for now – as a threat

⁷²Robert Gilpin, *War and Change in World Politics* (Cambridge: CUP 1983).

⁷³Kenneth N. Waltz, 'The Emerging Structure of International Politics', *International Security* 18/2 (Fall 1993), 44–79; Christopher Layne, 'The Unipolar Illusion: Why New Great Powers Will Rise', *International Security* 17/4 (April 1993), 5–51; or Benjamin Frankel, 'The Brooding Shadow: Systemic Incentives and Nuclear Weapons Proliferation', *Security Studies* 2/3–4 (1993), 37–78.

⁷⁴Barry R. Posen, 'Command of the Commons: The Military Foundation of US Hegemony', *International Security* 28/1 (Summer 2003), 5–46.

⁷⁵Michael Beckley, 'China's Century? Why America's Edge will Endure', *International Security* 36/3 (Dec. 2011), 41–78; Alastair Iain Johnston, 'How New and Assertive is China's New Assertiveness?', *International Security* 37/4 (April 2013), 7–48.

to their sovereign existence.⁷⁶ Others suggest that, once the US established its material primacy, counterbalancing became prohibitively costly, a transformation that created a durable system.⁷⁷ Regardless of who will be proven right, this debate illustrates that contenders to the US's primacy are very likely to take their time to emerge. Thus, the broader US architecture is likely to remain unchallenged for many years to come.

Much more important, within the nuclear realm at least, there is little to suggest that numerous noteworthy states will develop robust interests in altering the current framework. At first glance, the discrepancy between haves and have-nots seems disconcerting: around 200 sovereign states remain non-nuclear, while nine have nuclear weapons.⁷⁸ However, economically, the nine possessors also generate almost half of the world's goods and services. Nearly 50 per cent of the planet's population are citizens of these nine countries. Furthermore, of the 25 wealthiest states, 16 own nuclear arms themselves or benefit from explicit nuclear security guarantees from those that do. These 16 states hold among them around three-quarters of global wealth.⁷⁹ Japan, Germany, Turkey or Australia, are all among these 16 countries – all strong supporters of the NPT, all interested in the upkeep of the US-led system, and all likely to oppose it only in a dramatically altered environment. Conversely, of the remaining, Brazil, Iran, and South Africa own advanced nuclear technology, thus potentially hedging their bets while remaining members of the treaty. Tehran's activities are quite revealing in this respect. Therefore, for the foreseeable future, a powerful coalition forcing the renegotiation or abandonment of the NPT appears improbable.

A Diluted Interest in Enforcement

Finally, it appears suitable to inquire which transformations would lessen enforcement and ease noncompliance, thus weakening the treaty's binding power. The Kellogg-Briand Pact entailed worthy ideals most of its signatories endorsed when committing to the agreement.

⁷⁶Robert A. Pape, 'Soft Balancing Against the United States', *International Security* 30/1 (Summer 2005), 7–45; Kai He, 'Undermining Adversaries: Unipolarity, Threat Perception, and Negative Balancing Strategies after the Cold War', *Security Studies* 21/2 (2012), 154–91.

⁷⁷Stephen G. Brooks and William C. Wohlforth, *World Out of Balance: International Relations and the Challenge of American Primacy* (Princeton UP 2008).

⁷⁸Steven E. Miller, 'Proliferation, Disarmament and the Future of the Non-proliferation Treaty', in Sverre Lodgaard and Bremer Maerli (eds), *Nuclear Proliferation and International Security* (London: Routledge 2007), 50–69.

⁷⁹For the raw data, see Central Intelligence Agency, *The World Factbook* (2013).

However, no state was willing or able to enforce the treaty's provisions. Ultimately, noncompliance became endemic. At some point, the treaty no longer had any binding power and little remained in the way of it passing into desuetude. Some scholars argue that the NPT's main provisions would survive even absent enforcement.⁸⁰ Others disagree, arguing that the general restraint might break down and abstention decisions could be reconsidered, in the assumption that 'everybody is doing it'.⁸¹ Thus, even if few will desire nuclear weapons and most will support the preservation of the system, collective-action problems might become an issue. Security, normative, and bureaucratic models, all suggest a weakening of the regime. The costs of noncompliance might diminish. A few, that would have otherwise abstained, would perhaps become bolder. Even if noncompliance remained limited, the assumption of irrelevance might endanger the treaty.⁸²

In the absence of enforcement, the Kellogg-Briand Pact fell into desuetude. This, however, is unlikely to be the fate of the NPT. The US government has persistently acted as the treaty's main guardian. From the very beginning, while juggling other – more important – policy priorities, Washington bribed, reassured, and cajoled allies and foes alike to join and support the treaty.⁸³ Besides political leadership, the US provided the bulk of logistical, financial, diplomatic, intelligence, and military support for all international non-proliferation efforts, including the NPT. For instance, US security guarantees kept numerous allies non-nuclear. American determination was decisive in achieving the treaty's indefinite extension in 1995. The US continues to be the main sponsor of the IAEA's safeguards efforts. Washington remains the main driver imposing costs upon potential proliferators, be they Iraq, Libya, North Korea, or Iran. It is argued below that the United States is unlikely to abandon its guardianship anytime soon. Thus, there is little risk of a lack of enforcement leading to the treaty's lapse into irrelevance.

First, Washington's global ambitions would be hampered by additional proliferation, a development that the NPT helps stem.⁸⁴ Primarily, minor powers acquiring nuclear arms could restrict US

⁸⁰Davis, 'The Realist Nuclear Regime', 94.

⁸¹Nye, 'Maintaining a Nonproliferation Regime', 16.

⁸²Alexander Thompson, 'Coercive Enforcement of International Law', in Jeffrey L. Dunoff and Mark A. Pollack (eds), *Interdisciplinary Perspectives on International Law and International Relations: The State of the Art* (Cambridge: CUP 2012), 502–23.

⁸³Francis J. Gavin, *Nuclear Statecraft: History and Strategy in America's Atomic Age* (Ithaca, NY: Cornell UP 2012).

⁸⁴Matthew Kroenig, 'Force or Friendship? Explaining Great Power Nonproliferation Policy', *Security Studies* 23/1 (March 2014), 1–32.

freedom of action by severely limiting the effectiveness of its overwhelming conventional military superiority.⁸⁵ In addition, thorny policy choices might become unavoidable in crises.⁸⁶ Further, proliferation might endanger regional stability, as new nuclear states not only raise suspicions among their neighbours, but also need time to develop secure retaliatory forces necessary for a stable deterrence relationship. This invites pre-emption and encourages high-alert postures prone to accidents.⁸⁷ Finally, proliferation might undermine US alliances by reducing the value of American security guarantees.⁸⁸ Thus, it is no surprise that US policy-makers interested in the global status-quo labour to avoid the further spread of nuclear weapons.

While the NPT is mostly a screening instrument, separating the ambitious from the abstaining, the treaty also seems to aid non-proliferation purposes.⁸⁹ Besides its mutual reassurance functions outlined above, the NPT has also facilitated the creation of additional international denial instruments, increasing the opportunity costs of a nuclear programme. In addition, NPT ratification was presumably consequential for a country's ultimate nuclear stance – once a decision was taken, the status-quo became harder to challenge by both bureaucracies and subsequent political leadership.⁹⁰ Ultimately, the treaty can also be seen as having established a normative 'presumption against proliferation'. Nevertheless, and much more important, the NPT has created a framework allowing 'great powers to punish violators, not in

⁸⁵Robert Jervis, *The Meaning of the Nuclear Revolution: Statecraft and the Prospect of Armageddon* (Ithaca, NY: Cornell UP 1989); Robert J. Art, 'A Defensible Defense: America's Grand Strategy after the Cold War', *International Security* 15/4 (Spring 1991), 5–53; also Francis J. Gavin, 'Nuclear Proliferation and Non-Proliferation During the Cold War', in Melvyn P. Leffler and Odd Arne Westad (eds), *The Cambridge History of the Cold War*, Vol. 2 (Cambridge UP 2012), 395–416.

⁸⁶Barry R. Posen, 'US Security Policy in a Nuclear-armed World or: What If Iraq Had Had Nuclear Weapons?', *Security Studies* 6/3 (Spring 1997), 1–31; Michael Horowitz, 'The Spread of Nuclear Weapons and International Conflict: Does Experience Matter?', *Journal of Conflict Resolution* 53/2 (Jan. 2009), 234–57.

⁸⁷Scott D. Sagan and Kenneth Waltz, *The Spread of Nuclear Weapons: A Debate Renewed* (New York: Norton 2013).

⁸⁸Matthew Kroenig, 'Beyond Optimism and Pessimism: The Differential Effects of Nuclear Proliferation', *Managing the Atom Working Paper Series* (Cambridge, MA: Harvard Kennedy School, Nov. 2009).

⁸⁹William C. Potter, 'The NPT and the Sources of Nuclear Restraint', *Daedalus* 139/1 (Jan. 2010), 68–81.

⁹⁰Jim Walsh, *Learning from Past Success: The NPT and the Future of Non-Proliferation* (Stockholm: Weapons of Mass Destruction Commission 2005), 38–47; Abram Chayes and Antonia Handler Chayes, 'On Compliance,' *International Organization* 47/2 (Spring 1993) 175–205.

the name of power politics, but rather in the name of a more felicitous concept, the maintenance of an international norm', as Bradley Thayer noted two decades ago, an argument which is strongly supported by interim developments.⁹¹ Finally, the NPT provides minor players with a platform to vent their discontent and receive (numerous albeit trivial) benefits. Arguably, the treaty thus reduces the transaction costs for great powers interested in non-proliferation.

Second, scant evidence suggests that Washington is planning to scale back its global engagement. Many have long argued that the United States would be better served by reducing its global reach.⁹² However, others have advocated American engagement, suggesting it is neither expensive, nor detrimental.⁹³ Given how little scholars know about what exactly Washington is seeking abroad, predicting US behaviour remains impractical.⁹⁴ Nonetheless, despite scholarly scepticism and an ever-deepening public aversion to bearing the costs of primacy, the United States has not only sought (and achieved) to maintain an overwhelming global power projection capability, but it has also often resented any retrenchment from global involvement.

Finally, even if the US were to pursue a form of retrenchment and offshore balancing, absent a complete (and exceedingly implausible) withdrawal into seclusion, Washington is likely to remain interested in upholding the NPT. With the exception of a few libertarian isolationists, most strategists that reject the current 'deep engagement' favour a more restrained approach.⁹⁵ For instance, they argue that the United States should uphold favourable balances of power in key regions, but resent supplying all the military resources to this end. These scholars contend such proposed policy-changes will encourage US allies to bear a higher share of the burden, thus saving precious resources.⁹⁶ Assuming the unlikely – that Washington will ultimately follow this advice – additional proliferation may come to be seen as less

⁹¹Thayer, 'The Causes of Nuclear Proliferation and the Utility of the Nuclear Non-Proliferation Regime', 507.

⁹²Barry R. Posen, 'Pull Back,' *Foreign Affairs* 92/1 (Feb. 2013), 116–28.

⁹³Stephen G. Brooks, G. John Ikenberry, and William C. Wohlforth, 'Don't Come Home, America: The Case Against Retrenchment', *International Security* 37/3 (Dec. 2012), 7–51; Zachary Selden, 'Balancing Against or Balancing With? The Spectrum of Alignment and the Endurance of American Hegemony', *Security Studies* 22/2 (2013), 330–64.

⁹⁴Robert Jervis, 'International Primacy: Is the Game Worth the Candle?', *International Security* 17/4 (April 1993), 52–67; Daniel W. Drezner, 'Military Primacy Doesn't Pay (Nearly as Much as You Think)', *International Security* 38/1 (July 2013), 52–79.

⁹⁵Brooks, Ikenberry, and Wohlforth, 'Don't Come Home, America'.

⁹⁶Posen, 'Pull Back'.

problematic. A reduction in US power projection capability might also eliminate some countries' incentives towards nuclear acquisition, thereby reducing the demand for enforcement.⁹⁷ However, when balancing from afar, the US will most likely still loathe the temporary instability often ensuing from nuclear procurement. One might speculate that Washington's incentive to allow permissive proliferation could increase, but the general abstention framework should still serve American interests.⁹⁸

Conclusion

This article has built a case against prevailing pessimistic assumptions. It argued that the NPT is unlikely to be fundamentally affected by, for example, the continuous absence of nuclear disarmament, discontent with limited sharing of nuclear technology, or political discrimination against the treaty's members. However, nuclear proliferation, rising challengers and a deterioration of its enforcement have the potential to compromise the treaty. Nevertheless, this article argued that such developments are improbable in the foreseeable future. This in turn has a number of implications for (1) policy and (2) research.

From a policy perspective, it is suggested that while current difficulties may derail the diplomatic process, they will not fundamentally impact upon the treaty itself. Unfulfilled promises do generate both genuine discontent and enable potential spoiler states to exploit NPT meetings for their own ends. For instance, the disappointing level of progress on disarmament steps following the US President's Prague speech and Washington's reluctance to deliver the regional disarmament meeting agreed upon in 2010 not only resulted in widespread disillusionment with the NPT process, but also allowed Egypt to use the NPT to express its own dissatisfaction with US policy in the Middle East.⁹⁹ In the current context, a successful 2015 conference seems doubtful.¹⁰⁰ Repeated failure of NPT meetings might endanger a diplomatic process useful to most treaty members. However, despite various actors fretting over the survival of the treaty in order to further their

⁹⁷Nuno P. Monteiro, 'Unrest Assured: Why Unipolarity is Not Peaceful', *International Security* 36/3 (Winter 2011), 9–40; Kroenig, 'Force or Friendship?'

⁹⁸Peter D. Feaver and Emerson M. S. Niou, 'Managing Nuclear Proliferation: Condemn, Strike, or Assist?', *International Studies Quarterly* 40/2 (June 1996), 209–33.

⁹⁹Patricia M. Lewis, 'A Middle East Free of Nuclear Weapons: Possible, Probable or Pipe-dream?', *International Affairs* 89/2 (March 2013), 433–50.

¹⁰⁰Gaukhar Mukhatzhanova, 'Rough Seas Ahead: Issues for the 2015 NPT Review Conference', *Arms Control Today* 44/3 (April 2014), 20–6.

own political agendas, in practice the future of the NPT appears to be much less dependent on the diplomatic process than most observers suggest. Therefore, whether the current US-Iran negotiations succeed or fail will have little impact on the NPT's existence.

Nevertheless, when asking whether the NPT is set to 'die', this article set a high threshold of disaster for assessing the treaty's failure: mere survival. Yet, while most states benefit from its mere existence, many might not be content with having the treaty solely survive. Once their diplomats concluded the treaty was here to stay, they might desire an effective instrument serving their often conflicting goals: for instance, some might want a legitimate non-proliferation tool; others a solid reassurance instrument; and again others a credible platform for advancing tertiary interests. To all these ends, this article suggests that states would be best served by a well-functioning process. Thus, they are better advised to strive for a less-ambitious agenda, populated by carefully negotiated compromises over deliverable minutiae, and not by empty declarations of intent. On the one hand, optimistic rhetoric and the promise of future action can deliver agreement at a review conference. On the other hand, the damage generated by subsequent scarce results and unfulfilled promises might outweigh the previously achieved diplomatic gains.

These findings also suggest a number of avenues for future research. First, while pessimistic assessments often form the basis of most research on the NPT, this does not need to be the case. Indeed, there are few reasons for scholars to assume that a pressing need to devise new reform strategies or alternatives to the treaty exists. To the contrary, scholars concerned with the dangers posed by the continuous existence of nuclear weapons can rest assured the NPT is stable and focus on developing bolder solutions towards nuclear disarmament.¹⁰¹ Second, this article makes clear how limited our knowledge on the origins of past and current interactions within the NPT is. Thus, more detailed historical research into this area is long overdue, particularly when it comes to why various states joined the NPT, why they continue to adhere to the treaty, and what diverse interests they pursue within the agreement's framework. Such work would hopefully enable international relations scholars to further refine their theories attempting to explain the complex functioning of this agreement.

¹⁰¹Campbell Craig, 'American Power Preponderance and the Nuclear Revolution', *Review of International Studies* 35/1 (Jan. 2009), 27–44; Campbell Craig and Jan Ruzicka, 'The Nonproliferation Complex', *Ethics & International Affairs* 27/3 (Fall 2013), 329–48.

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