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The Nuclear Non-proliferation Treaty in Jeopardy? Internal Divisions and the Impact of World Politics

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ABSTRACT
The frustration of non-nuclear weapon states about the lack of progress in nuclear disarmament has reached boiling point: a vast majority of them have supported a resolution in the UN General Assembly that establishes a negotiation forum for concluding a prohibition of nuclear weapons in 2017. Rising tension among the nuclear powers and populist movements feeding nationalist emotions make it unlikely that the situation will change for the better in the near future. It is thus possible that the NPT might be eroded or, in the worst case scenario, simply collapse because of diminishing support.

KEYWORDS
Nuclear Non-proliferation Treaty; humanitarian initiative; nuclear weapons ban treaty; great power conflict; NPT and justice

In this article, I speculate on the future of the Nuclear Non-Proliferation Treaty (NPT), that is, how present political conflicts within the membership might develop in the coming review period in the context of enhanced great power tensions and crucial domestic developments in key member states. For this purpose, I describe the main cleavages within its membership, which rest on both differences of interest and emotions resulting from frustrated expectations and perceived status injustices. Next, I highlight two major current trends in world politics, the rising rivalry between great powers, all with a nuclear undertone, and the growth of nationalist-populist politics around the world. Both constitute part of the larger political context in which the NPT is situated and have a negative influence on the nuclear disarmament process and the risk of proliferation. Against this background, I sketch out two scenarios for NPT development up to the next review conference (RevCon), neither overly optimistic.

Throughout the article, I rely on an eclectic approach[1]: I start from the (realist) assumption that power rivalries are a feature of international politics, but not in a deterministic sense. Whether they occur, what shape they take and how sharp they become depends on the dynamics of interaction, domestic politics, culture and psychology. In addition, I assume that, for a variety of reasons, institutional structure possesses some robustness against change, which ranges from sunk cost considerations, risk aversion and normative effects to habits and practice.

By focusing on the two said global trends, I neglect the three important regional hotspots: the Middle East, South Asia and the Korean Peninsula. This is not because they are not

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[1]For a gallant defence of theoretical eclecticism, as opposed to dogmatism, see Sil and Katzenstein, *Beyond paradigms.*

important or disturbing. It is to show that even without relating to these virulent troubles, non-proliferation and disarmament are not in good shape. The three hotspots have the potential to make things worse by a) providing incentives to more intense great power competition and thereby impeding nuclear disarmament, b) complicating the situation through nuclear proliferation processes which put pressure on the NPT, c) enhancing the risk of nuclear terrorism, and d) producing local nuclear war with the danger of catalytic effects. I wanted to state this upfront, but will not further pursue the repercussions.

The NPT as a result of political reason

Today, the number of nuclear weapon possessors stands at nine: the five permanent members of the UN Security Council (the US, Russia, the UK, France and China), as well as Israel, India, Pakistan and North Korea. This is a far cry from the dire predictions which have emanated in political discourse from time to time. Indeed, the number of nuclear possessors has shrunk since 1991 from 12 to nine. At that time, South Africa, Belarus, Kazakhstan and Ukraine all had nuclear weapons (South Africa self-made, the three former republics of the Soviet Union inherited), but relinquished them after domestic change or negotiations; only North Korea has been added to the number of 'haves'. Iran's nuclear program, long thought to be creeping or even storming toward a weapons capability,[2] has been tamed by the Joint Comprehensive Plan of Action of 2015, at least for the foreseeable future.[3] The situation, therefore, does not seem hopeless.

The Nuclear Non-Proliferation Treaty is frequently called a pillar of the world order. Without this treaty, the likelihood of additional states possessing and/or striving for nuclear weapons would be very high. Propositions that the NPT just codified what states would have done anyway are not tenable in the light of empirical research.[4] It has been the main barrier to either incremental or stampede-wise proliferation of nuclear weapons in an era in which more and more countries possess the financial and technical basis to embark on nuclear weapon programs.[5] Since the probability of nuclear war is, *inter alia*, a function of the number of potentially conflicting nuclear dyads,[6] the NPT has most probably helped prevent nuclear war.

As such, the NPT is a product of political reason – William Walker has rightly called it an enlightenment project.[7] Historically, the quasi-natural trend has been for states capable of doing so to procure the most powerful weapon of their time. Yet, the number of nuclear weapon possessors stands only at nine. Up to 28 other states at some time considered nuclear weapons seriously and took the first steps on the road to the bomb. The majority renounced voluntarily or as result of persuasion under the more and more compelling norms of the NPT. Only a few were forced to renounce (Iraq, Syria). The overwhelming number of states have stayed non-nuclear weapon states (NNWS) for strategic and/or normative reasons.[8]

[2]Bowen and Moran, "Iran's Nuclear Programme".
[3]Perkovich *et al*., "Parsing the Iran Deal".
[4]For example, Rublee, *Nonproliferation Norms*; Müller and Schmidt, "The Little-Known Story of Deproliferation".
[5]Kemp, "Nonproliferation Emperor Has No Clothes", 74–8.
[6]Müller, "Icons Off the Mark".
[7]Walker, "Nuclear enlightenment and counter-enlightenment".
[8]Müller and Schmidt, "The Little-Known Story of Deproliferation".

For the nuclear weapon states (NWS), it has frequently been stated that the NPT was promoted to preserve their privileges of security and status.[9] But this is a *post hoc-propter hoc* inference. Even in the case of the United States, President Eisenhower was somewhat sympathetic towards De Gaulle's request for technical assistance to the French nuclear weapons programs and refrained from this step only because of Congressional objections, and the Kennedy administration was willing to accommodate a much higher degree of Western European participation in the abortive multilateral nuclear force (MLF) than the NPT would later allow.[10] The early Nixon administration was not particularly pushy (in contrast to the Johnson administration) towards the allies to make them accede quickly to the NPT. Under George W. Bush there was talk about "good and bad proliferation":[11] while the 2002 National Security Strategy declared preventing nuclear weapons from falling into the hands of rogue states ('axis of evil') or terrorists the highest priority, Israel was never mentioned and India's nuclear weapon status was recognised in the US-Indian 'nuclear deal'. Likewise, France and China long opposed the NPT as an expression of the US-Soviet condominium discriminating against the majority of states.[12] Thus, it was not self-explanatory that the NPT served the NWS' national interest; rather, support for and commitment to the treaty came as a result of protracted and repeated disputes and positional changes over time.

On both sides, NWS and NNWS, the final commitment implied a rational risk analysis: deterrence among the few might hold or not, but at any rate, nuclear war would be less likely, and damage in the case of such a calamity less all-encompassing and catastrophic if only a minimum number of states possessed these extraordinarily destructive weapons.[13]

The emotional side of nuclear politics: justice, resentment, fear

Yet international politics is not just about rational risk analysis. It is also about status, prestige, rank order, justice and equality.[14] All these aspects are connected to human emotions like satisfaction, frustration, resentment and even aggression,[15] and even underneath risk analysis, a powerful emotion is lurking: fear. Emotions are, of course, a function of the individual brain. However, because they can be shared by collectivities of people, it makes sense to speak about 'collective emotions'; this makes emotion a political force. It is one of the major failures of modern political science, international relations included, to pass over the role of this other side of the human mind about which we know much more today than thirty years ago.[16]

In the NPT, resentment of inequality has played a major role.[17] The original draft treaty tabled by the two superpowers in early 1968 was a pure non-proliferation instrument.

[9]For example, Miller, "The Nuclear Nonproliferation Treaty", 64.
[10]Bundy, *Danger and Survival,* 482–98.
[11]For example, Carpenter, "Not All Nuclear Proliferation Equally Bad".
[12]Goldschmidt, *The Atomic Complex*, 192, 212.
[13]Davis, "The Realist Nuclear Regime".
[14]For example, Larson *et al*., "Status and World Order"; Welch, *Justice and Genesis of War*; Lebow, *Cultural theory of international relations.*
[15]Druckman and Müller, "Introduction".
[16]Renwick Monroe *et al*., "Politics and innate moral sense"; Hutchison and Bleiker, "Emotions in world politics".
[17]Müller, "Between Power and Justice"; Tannenwald, "Justice and Fairness".

This did not cut any ice with the NNWS participating in the negotiations (or influencing them from the sidelines, as in the case of Germany). The major concessions which finally bought the consensus of most (but not of India and Brazil, for example) was the obligation of the NWS to enter negotiations in good faith that would lead to nuclear disarmament; the "inalienable right" to enjoy the peaceful uses of nuclear energy and the commitment to engage in related cooperation, notably to benefit developing countries; the scheduling of a review conference five years after the NPT would enter into force; the explicit right to withdraw after a ninety-day grace period; and the initial validity of the NPT for 25 years at which point a conference of the parties would decide about its future fate (it was extended indefinitely in 1995).[18]

These concessions sufficiently mitigated the sense of injustice built into the NPT to persuade a growing number of NNWS to sign and ratify. However, the unequal status of NWS versus NNWS, nuclear exporters versus importers, and developed versus developing countries has guided the course of every single NPT Review Conference convened since the treaty entered into force in 1970.[19] The main factor that facilitated agreement on a consensual final document at the successful meetings (1975, 1985, 1995,[20] 2000, 2010) was concessions by the NWS on nuclear disarmament; when such concessions were deemed insufficient or absent, the conferences failed (1980, 1990, 2005, 2015). Whether these concessions were sincere or tactical played no role at the time of agreement. In fact, NWS agreed to take steps they never took (such as to bring the Comprehensive Test Ban Treaty (CTBT) into force, something the US and China have still not ratified).

The recent growth of the "Humanitarian Initiative" to ban nuclear weapons[21] is the consequence of the deep frustration by the vast majority of NNWS about what they perceive as the NWS' conscious and persistent refusal to take the necessary steps towards the abolition of nuclear weapons rather than the incremental adaptation of deterrence doctrines and their nuclear arsenals to the political circumstances of the day.[22] The efforts to achieve a ban are aimed at setting a norm which, over time, would influence the policy of NWS and, in particular, their domestic political opinion; needless to say, a ban treaty to which the NWS are not parties would not lead to a single nuclear weapon being dismantled. The NWS have not accepted the notion of a ban, nor were they willing to specify their preferred "incremental strategy of disarmament"[23] in a way that would buy the consensus of many NNWS. As a consequence (and because of the controversy over the Middle East), the 2015 Conference failed.[24] For the first time, this happened when a quite disarmament-minded Democratic President resided in the White House – a clear sign of the depth of the cleavage.

[18]Shaker, *The Nuclear Non-Proliferation Treaty.*
[19]Becker-Jakob *et al.*, *Norm Dynamics in Multilateral Arms Control.*
[20]The 1995 Conference was unique in that it consisted of two parallel processes, a traditional review and a negotiation on the extension of the Treaty that was initially confined to a duration of 25 years. All the principal negotiators focused on the extension issue; this led to the indefinite extension of the NPT and three substantial documents: *Principles and Objectives*, *Enhanced Review Process* and *Middle East Resolution*. The Review Process, conducted largely in the absence of the most important actors, failed. But because of the saliency of the extension issue, the 1995 conference was almost universally considered a success.
[21]The initiative sprang from wording in the 2010 NPT Review Conference's consensus document: "The Conference expresses its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons … ."
[22]Kmentt, "Development of the international initiative".
[23]On the concept, see Müller, "The Case for Incrementalism".
[24]Smetana, "Stuck on Disarmament".

Internal divisions and the strength of the NPT

To understand how the said conflicts work inside the NPT requires a look at the essence of international institutions. International regimes are sociopolitical structures.[25] Like all institutions, they can be looked at and analysed as entities of their own; when there are actors who are authorised to act and speak for the regime – or parts of it – they can even acquire the attribute of a semi-independent actor. The NPT lacks an organisation of its own (unlike the Chemical Weapons Convention), but with the International Atomic Energy Agency (IAEA) responsible for the treaty's entire verification system, there is partial agency for the regime invested in this organisation. On the other hand, the institutional structure would be dead without the continuing active support of the member states. In complying with the related norms and rules, discussing these norms and rules, developing them further, adding new fields to the regime (such as nuclear security), debating, and reacting to cases of suspected non-compliance and so on, state parties keep the regime alive through their practice. It is this dual character of being a structure and of being only through the instantiation of the members' – the actors' – operations which is the very essence of an international institution. This implies, of course, that the regime will be in trouble if numerous members are alienated from its workings and even more so if the alienation concerns the underlying norms and rules.

The NPT's negotiation history and the history of its review conferences betray the considerable tensions that exist among parties.[26] It is not so much the norms as such which are contested, but their precise meaning and their relative weight. On disarmament, NWS tend to see it as a slow (potentially indefinite) process of reductions and ancillary measures (such as transparency). NNWS, the Non-Aligned Movement (NAM) in particular, see it as an unconditional movement towards an end point which should be guided by a fixed date at which this end point will be achieved. Between 1995 and 2010, compromises were sought and several times found by agreeing on specific steps (1995 in the "Principles and Objectives", 2000 in the "thirteen steps" for disarmament in the final declaration, 2010 in the "program of action" in the final declaration). The problem is that the NWS have failed to implement many of these steps, most prominent among them is the refusal of the US and China to ratify the CTBT.

In the eyes of the NWS, the NPT is first and foremost a non-proliferation treaty. The related Articles I, II and III are thus more relevant in their view than Art. IV (peaceful uses) and VI (disarmament). For the NNWS, all undertakings are of equal weight (and several NAM leaders deem disarmament more fundamental than non-proliferation). As a consequence, they now hold improvements of non-proliferation instruments hostage to tangible steps towards a world without nuclear weapons. They argue that decade after decade, new burdens have been heaped on the shoulders of the NNWS in order to make the non-proliferation system ever more watertight, whereas the NWS have made only token steps while sticking perpetually to their doctrine of nuclear deterrence and continually improving and further developing their nuclear weapon arsenals.[27] As long as this attitude and practice does not change, NAM leaders say, there will be no further movements in

[27]For a recent assessment of the compliance balance, see Hiroshima Prefecture, "Executive Summary".
[25]Müller, "Security Cooperation".
[26]Cf. Becker-Jakob *et al.*, *Norm Dynamics in Multilateral Arms Control.*

the non-proliferation area. The ambiguous position of many NAM members towards the attempts to rein in Iran's nuclear program was a clear expression of their alienation. Only very few of these countries were happy with what Iran was doing, but still, the movement gave the Islamic Republic shelter, refused to condemn the many breaches of its safeguard agreement with the IAEA and sometimes defended Iran's practice as expressing the "inalienable right to enjoy the peaceful uses of nuclear energy".[28]

The result of this cleavage is a stalemate. But even this stalemate distributes costs and benefits unequally and to the dissatisfaction of the NNWS: all the non-proliferation undertakings and instruments that have been installed remain in force, while the NWS are still in possession of their arsenals and practice deterrence. The humanitarian movement and its campaign for a nuclear weapons ban try not only to think – but to jump – out of the box that NNWS find themselves in. But from a regime stability perspective,[29] it is a disturbing sign of alienation when a vast majority of the parties to a treaty demand a different normative system because they have come to see the existing legal instrument, the NPT, as insufficient to satisfy their interests and aspirations.

World politics and the retreat of reason

The NWS have argued that their incremental, step-by-step strategy is the only one that can produce progress and eventual success, as nuclear disarmament is contingent on the "right political conditions", and these conditions are presently not obtaining. However, they have never spelled out what these conditions are or who is responsible for bringing them about. A closer look at global power politics betrays the unsurprising fact that political conditions are largely the product of the interactions among the most powerful states of the world, and these happen to be… the NWS themselves. In the following, I will analyse briefly how the actions and reactions that have been characterising recent great power politics produce exactly those factors that disincline them towards nuclear disarmament steps and, to the contrary, drive them in a new arms race, including in the nuclear sector. In that sense, they are the creators of the world's nuclear fate.

The West and Russia

For Europe, the deterioration of the relationship with Russia, still a nuclear superpower, is the most disturbing and frightening fact in the nuclear area. I cannot avoid telling the story (as quickly as possible), as it shows the fatal development of unintended negative consequences of decisions which seemed, at the time, reasonable if not inevitable.

It has been a long process that dates well back into the nineties. During the negotiations on German unification, Western politicians, including the US and the German foreign ministers, promised their Russian interlocutors orally and informally that NATO would not extend towards the East. Given the saliency of German unification and the tense political situation in Moscow, neither side pushed for including this point in the formal negotiations, which were highly complex anyway. As a result, treaties and agreements at the end of the Cold War did not contain any legal obligation not to extend NATO's boundaries. In the

[28]On NAM, see Potter and Mukhatzhanova, *Nuclear politics and Non-Aligned Movement*.
[29]For a different perspective on regime stability, see Jasper, "Dysfunctional, but stable".

rapidly changing European environment, however, the West began to debate possible NATO enlargement in 1993 and it became adopted policy in 1997, despite Russian protestations.[30] Russia obtained "compensations", such as the creation of the NATO-Russia Council and the promise, written in the NATO-Russia Founding Act (a political, not legal document), not to deploy substantial combat forces or nuclear weapons on the territory of the new members. Yet, these compensations proved to be mere placebos in the years to come, as NATO and the United States continued to act against explicit Russian interests whenever it suited their preferences; the war against Serbia (without a UN Security Council mandate), the US withdrawal from the ABM Treaty, the 2003 invasion of Iraq, the development of a NATO missile defence system, the second and third waves of NATO enlargement, the explicit prospect of NATO membership for Georgia and Ukraine – all this happened against declared Russian interests.

As a consequence, the domestic power balance in Russia shifted in favour of conservative, nationalist and autocratic forces that had always mistrusted Western intentions and of which Putin is representative. But even Putin tried repeatedly to preserve viable relations with Washington: the Moscow Nuclear Arms Control Treaty of 2002, the relaxed reaction to the US retreat from the ABM Treaty, and cooperation with the US during operations in Afghanistan were clearly meant as positive signals. It was only in 2007 that Putin delivered a Cold War-like speech during the Munich Security Conference.

NATO's enlargement created problems for the shrinking "in-between-Europe" territory: highly fragmented states such as Ukraine and Georgia were able to preserve their stability as long as in-between-Europe contained enough states to make a Ukrainian and Georgian decision between the West and Russia unnecessary. This leeway disappeared step by step, and in the end, the decision seemed inevitable. This brought the domestic tensions between sympathisers with the West and those leaning towards Russia into the open. The Georgia war of 2008 was the first result, the violent 2014 Ukrainian crisis the second and more consequential one.

Problems of justice, recognition and moral values made the West-Russia conflict fairly emotional. Russia felt its justified claims for equal treatment were frustrated and that it was not recognised by the United States as a peer, but rather treated as a second-class actor. Moscow then believed that it could rightly seek world power status by unilateral means. The annexation of Crimea, believed by Moscow to be Russian anyway, looked symbolically and strategically (the naval port of Sebastopol) like an appropriate step to Putin and his entourage. The West, on the contrary, in its own view, protected the rights of sovereign Eastern European countries to choose their alliance freely on the basis of their national security interests, defended the basic human rights of Kosovars, and demanded territorial integrity for Georgia and Ukraine. The increasing autocratisation of Russia's system of governance made Russia an alien, unfit for partnership. The victim of this contest was international law, as was mutual empathy; the occasional use of force appeared justified and necessary.

The consequences are visible: cooperation for securing dangerous materials in Russia has been suspended, nuclear disarmament has given place to a renewed arms race. Russia is brandishing its nuclear arms and embarking on operative military brinkmanship with tangible risks for nuclear stability.

[30]Shifrinson and Itzkowitz, "Deal or No Deal?".

China, Japan, the US and India

East and Southeast Asia are the core sites of Chinese-American rivalry, which is not just about regional preponderance, but also about the top rank in the international order. China pursues territorial claims against eight neighbours on land and sea and tries to prevail by unilateral and sporadically military means. China struggles with India for two regions in the mountains of the Karakorum (Aksai Chin) and the Himalaya (Arunachal Pradesh). Against Malaysia, Brunei, the Philippines and Vietnam, it is claiming large maritime areas, including several groups of islands. By fortifying and building up these lonely rocks, it is preparing them for military use by aircraft and naval units. South Korea and Japan are also competing with China for several islands in the Eastern Chinese Sea. Finally, a long-term goal of China is to bring Taiwan back into the People's Republic. Despite the *de facto* independence and the elected government in Taiwan, the island is seen by the Chinese leadership as part of the motherland: unification is a duty and a necessity in their eyes, part of the reunification process after the imperialist period, the "century of humiliation".

The Taiwanese, on the other hand, appear to be quite happy with the status quo. In all these disputes, the US is playing the role of the official (Japan, South Korea, Philippines) or unofficial protector. The US regularly demonstrates its presence in these waters and air spaces, against Chinese protestations. Even with India, such a quasi-alliance appears to be in the making. In this constellation, a confrontation of the two world powers, the US and China, is looming.[31]

A mulitpolar arms race

Whenever great powers quarrel, arms races flourish. The US is continuing to work on its missile defence program, even though it slowed down under Obama, and strongly investing in modernising its nuclear forces. Russia and China, concerned about the future credibility of their nuclear deterrents, are responding by expanding (China) their nuclear arsenals and making them more efficient and modern (both states). India is trying to adapt its deterrent to China's changes. Pakistan is striving to balance with India. Unlike during the Cold War, not two, but five independent actors are involved in this race. We do not know much about the dynamics of a multipolar nuclear arms competition, and our experience with the bipolar rivalry does not help.

Russia is modernising its conventional forces as well, struggling in vain to close the gap with the US, and employing asymmetrical 'hybrid' strategies and tactics in conflicts like Ukraine and Syria. In Europe, concerned NATO members are also reacting with heightened investments in armed forces. NATO has confirmed its status as a "nuclear alliance"; talk about unilateral withdrawal of substrategic US nukes has been muted.[32] The trend since 1990 to lower military expenditures in the European space has been broken.[33]

In East and Southeast Asia, tensions are driving China and the US in a comprehensive rivalry of armies, navies and air forces. China wants superiority in the Taiwan Strait and is mass producing short and intermediate-range missiles to acquire the capability to attack US bases in Okinawa (Southern Japan) and put US aircraft carrier groups approaching

[31]"East Asian Security", Chapter 7, *SIPRI Yearbook 2015*.
[32]"World nuclear forces", Chapter 11, *SIPRI Yearbook 2015*.
[33]Perlo-Freeman *et al*., "Trends in World Military Expenduture 2015".

Chinese waters at risk. Anti-satellite and cyberwar capabilities are meant to neutralise superior US reconnaissance and communication assets. The US has reinforced its deployments in the Western Pacific in order to be able to strike deeply into Chinese territory to pre-empt Chinese options. Both plans require early strikes; a very unstable constellation is emerging.[34] Meanwhile, the countries of East and Southeast Asia are accelerating their armament procurements as well, notably air forces and navies, to enhance possibilities for resisting Chinese pressure.[35]

In the wake of growing great power rivalries, global arms expenditures are rising, notably around the Persian Gulf, where Saudi Arabia has emerged as the country with the third highest military expenditures in the world – more than Russia! Iran is using the end of the embargo to update its aged military equipment.[36]

On the horizon, new horrors are looming: lethal autonomous weapons systems, that is, drones,[37] and new types of combat robots capable of deciding autonomously about life and death without human decision-makers in the loop;[38] nano-technologies that will multiply the explosive yield of a given mass of conventional explosives;[39] or 3-D printers that can enormously increase the ability to mass produce all sorts of weapons rapidly around the globe.[40]

Domestic politics and the darkening of enlightenment

Great powers are mainly responsible for the negative trend just elaborated. At the same time, rightwing populism is on the rise in many countries and regions, not only in autocracies, but in democracies as well. Populism is narrow-minded, anti-universalist, nationalistic, anti-foreigner, anti-democratic, reactionary. Its scope reaches from China and Russia, and the 2015/16 competition of impossible presidential candidates in the US Republican Party, with the final election of a radical populist, who postured with racist and misogynist statements, to the emergence of anti-EU, anti-migrant and irrational parties in Western Europe, which threaten to destroy the singular peace project of the European Union. A particularly strong branch, the *Front National* in France, could conquer the presidency in a nuclear weapon state.

The hostility towards universalism in this movement eclipses the perspective on global problems. All that counts is one's own backyard, one's own clan and nation, one's own domestic economy. Diversity is suspect, justice is only meant for one's own 'in-group'. Complex problems and solutions like multilateral negotiations or international law are alien to these people. This means that their attitudes towards the institutions that are part and parcel of the global nuclear problem are hostile and negative.

Domestically, their adversarial positions towards basic elements of democracy show in their contempt for the free press. Populist-nationalist leaders like Putin in Russia, Orban in Hungary or Kaczinsky in Poland (the latter a power-wielder without public office) are eagerly working to dismantle democracy, notably the opposition and independent media.

[34]Goldstein, "First Things First".
[35]Perlo-Freedman *et al*., "Trends in World Military Expenduture 2015".
[36]*Ibid*.
[37]Sauer and Schörnig, "Killer Drones".
[38]Koch and Schörnig, "Dangers of Lethal Autonomous Weapon Systems".
[39]Altmann, *Military Nanotechnology*.
[40]Fey, *3D Printing Weapons*.

This eliminates the basis for the complex political discourse needed to tackle problems of non-proliferation and disarmament. And nationalist right-wing populism endangers another basic instrument of international governance: international institutions. The narrow-minded focus on their own nation and the competitive advantages they want to draw from international interaction, make them basically incapable of cooperating internationally – such cooperation requires a readiness to compromise and to give up some of one's own claims. The hateful attacks of rightwing US Republicans against the United Nations and the wild phantasies among nationalist populists in Europe of destroying the EU indicate that further gains in power by these movements could lead to the full dismantling of international cooperation built on the experience of two devastating world wars. We would be back to square one – August 1914, the eve of the global catastrophies of the 20th century.

The nuclear impact

The preceding analysis of current global political trends is, of course, only indirectly, but very effectively, connected to the nuclear issue and the future of the NPT in particular. In the following, I will pursue the following connections: First, the impact of the global great power constellation and the ongoing multipolar arms race on the chances for future nuclear disarmament. Second, the impact of the rise of nationalist populism on the reaction to the arms race and on the development of motivations elsewhere to 'go nuclear'. Third, the combined influence of both impacts on the cohesion of the NPT Treaty community and the further evolution of the humanitarian movement and the nuclear ban campaign.

Global rivalry and the chances for disarmament

From the Cold War, we know about the connection that links the 'political climate' among the NWS to the opportunities for arms control and disarmament. In general, a climate of rising tensions and manifest geopolitical contest was connected with the complete failure or interruption of arms control talks, or the refusal of one or both parties to ratify already agreed and signed treaties such as SALT II. Conversely, the reduction of tensions, the solution of a crisis or a conflict (such as the Cuban missile crisis) and the emergence of more cooperative attitudes created a stimulating impetus. The reason for this effect is closely bound to the security dilemma. Uncertainty about the intentions of the other side rises in phases of tension, as does the possability of a military dispute or worse. In such a situation, confidence in the opponent shrinks and new restraints on one's own defence posture seem undesirable; however, a basis of confidence is usually needed to find a starting point for serious negotiations about arms restraints.

There was an additional factor that made successful arms control more difficult: the time lag between decisions on the development and procurement of nuclear weapons and their actual implementation, and, conversely, the disconnect between weapons cycles and political cycles. Decisions taken by the US and Soviet governments in the early sixties – the height of distrust before the Cuban crisis – led to real weapons production at the end of the decade and well into the seventies, when they were disturbing for leaders believing that they were acting in a period of détente. Politicians with strong enemy images on either side of the Iron Curtain could point to the disconnect between this belief in a cooperative

relationship and the growth of the rival's arsenals and call for compensatory measures and greater caution in pursuing all too cooperative policies.[41]

In the post-Cold War period, another factor proved fairly consequential, namely changes in the domestic balances of power. The rise of nationalist-conservatives in Russia and the dominance of neo-conservative hardliners in the US, first in Congress (after 1994) and then under the Bush administration, led to the double trend of more barriers to successful arms control and more readiness to go for geopolitical gains.

All of this took place in a bipolar or quasi-bipolar world. In the multipolar nuclear complex that is arising, as shown, among five nuclear-armed states, we have to expect even more complicating factors. It would be a miracle if not one of the five nuclear weapon states connected by the amalgam of fear and threat which a deterrence relationship entails, would be governed by cooperation-averse forces holding strong enemy images and preferring tough geopolitical competition against one or another of the rivals. Until the powers develop mechanisms and formats to deal with such asynchronous effects of political change, achieving an overall nuclear arms control and disarmament regime that takes the dynamic effectively out of the process will be very difficult and will require extraordinary far-sightedness and reflexivity.

Nationalist populism, nuclear disarmament and nuclear proliferation

The probability of political leaders pursuing security and specifically nuclear policies that are dysfunctional for arms control and disarmament is enhanced by the growth of nationalist populism for very obvious reasons. For these types of politicians and their followers, national strength is much more attractive than cooperative compromise. This attitude augurs badly for constructive arms control and disarmament negotiations, not to speak of the smooth passing over the hurdles of the ratification process of their products – treaties. Even when more cooperation-minded politicians are at the helm of their states, satisfying the demands of more jingoistic political forces whose consent is indispensable for ratification may lead to failure – the fate of the CTBT in the US Senate warns against optimism.

I have just pointed to the rivalry-increasing impact of domestic power shifts towards more conservative, nationalist elites during the post-Cold War period. The present trend towards the strengthening of nationalist populism is likely to enhance this tendency. One might argue that among Western rightist populists, there is a strange sympathy towards Putin and his Russia (Donald Trump, Marine Le Pen in France, the AfD – *Alternative für Deutschland* – in Germany) and that, surprisingly, this might augur well for relaxing the presently very tense relationship. But this inference is questionable beyond the short term. The present sympathy results from sharing the same atavistic prejudices, nationalism, aversion to the (largely still liberal) political elites in the US and Western Europe, and the drive to destroy the Western institutions, NATO and the EU alike, which are the manifestations of this liberalism. Once this work is done, it is likely that the national antagonisms and resulting opposite interests will dominate the relationship with detrimental consequences for arms control, disarmament and, eventually, non-proliferation.

The negative corollary for the spread of nuclear weapons derives from one of the most striking results which the decades of research on nuclear proliferation have produced:

[41] Garthoff, *Detente and Confrontation.*

the correlation between an inclination to move towards nuclear weapons and the inward-looking, illiberal, anti-universalist and authoritarian orientation of both national elites[42] and individual leaders.[43] The rise of nationalist populism favours exactly this type of attitude. If it prevails, we must expect a creeping trend of NNWS reconsidering their nuclear status, more utterances by politicians and officials that their country should probably change its nuclear policy, and the ensuing growing uncertainty and loss of confidence in the stability of the existing arrangements.

In summary, the combination of the two global trends which characterise both inter- and intra-state developments currently does not bode well for either nuclear disarmament or nuclear non-proliferation.

Whither the NPT community?

This unfortunate constellation is hitting the NPT when its membership is more polarised than ever before. The approach being pursued by the Humanitarian Initiative, notably its NGO operatives, is to draw the line not along the NWS-NNWS or the North-South divide, but between the "nuclear states" and the "non-nuclear states", "nuclear states" including both the NWS and the NNWS allied to them. The latter are called "umbrella states" or, less amicably, "the weasels" . The lumping together of these two quite diverse groups probably serves the strategic aim of inducing changes in the umbrella states' nuclear policies through a shaming and blaming campaign that grasps the attention of a public not very familiar with nuclear issues who could then put pressure on governments to change their stances. Campaigns of this type have had some success in Norway and the Netherlands. In March 2016, a majority in the Norwegian parliament voted in favour of a nuclear weapons prohibition.[44] In the Netherlands, a public campaign persuaded the parliament to adopt a resolution in April 2016 that the government should vote for ban treaty negotiations in the UN General Assembly and participate actively in negotiations once they start.[45]

This kind of binary polarisation has two negative effects for the stability and robustness of the NPT regime. First, it focusses the attention of parties on their divisions and antagonisms and away from their common interests. This is particularly detrimental when a united position is needed in the face of attempts to violate obligations. Should such a case arise, the Treaty community would be in far from an ideal position to apply a consistent and unified compliance and enforcement policy. Second, a deep dividing line makes it difficult for bridge-building groups to form and operate. Such groups have been a necessary condition for achieving consensus in Review Conferences in the past; the best example was the New Agenda Coalition in 2000.

Taking into account the two global trends discussed earlier, the situation looks even more difficult. If increased rivalry blocks progress in nuclear disarmament, the polarisation will become even more intense, and the frustration and alienation of most NNWS will grow even further. For this group, then, the image of the NPT will continue to deteriorate and compromises within the Treaty community will become even harder to forge.

[42]Solingen, *Nuclear logics*.
[43]Hymans, *The psychology of nuclear proliferation*.
[44]https://www.npaid.org/News/News-archive/2016/Norway-s-Parliament-wants-a-ban-on-nuclear-weapons
[45]http://nonukes.nl/dutch-parliament-government-vote-yes-start-negotiations-nuclear-ban-2/

The rise of nationalist populism will engender two consequences: First, it will make governments and diplomats even more sensitive to issues of status and related inequalities. Again, this exacerbates the significance of the division between 'haves' and 'have-nots' and the negative image of the NPT as privileging the nuclear powers and disciplining the NNWS. Second, it will enhance the ever-existing tendency to divide the world into 'us' and 'them', thereby further deepening the polarisation in the Treaty community, where the all-encompassing 'us' uniting all parties might completely disappear.

The future of the NPT

Some NPT conferences have ended in failure, but never with lasting consequences. Failure usually led to increased efforts in the following review cycle to bridge the gaps and prepare for a viable compromise. This time could be different, not least because of the influence of global trends. The failure of the 2015 RevCon could then, in hindsight, be interpreted as the first significant sign of decay.

Already in 2015, a few governments – Russia, France, Egypt, but perhaps also Austria and other proponents of the Humanitarian Initiative – gave the impression that the NPT was less important than their specific interests, values or positions. Russia and France defended their nuclear weapons status during the NPT Review in such confrontational language that compromise became very difficult and deep divisions grew deeper. To these states, the stability of the NPT may appear less important than their position and identity as nuclear weapon states. For Egypt, the quest for regional status seems to be more attractive than conceding maximum demands for the sake of agreement. Some of the protagonists of the Humanitarian Initiative spoke as if the NPT were less worthy than the desired ban treaty.

Negotiations on a nuclear ban will begin in 2017 since the General Assembly voted in October 2016 for a conference mandated to conduct such negotiations (UN General Assembly A /C.1/71/L.41). The NWS will probably not participate, and some of their allies will also abstain. Some might attend, but their role will be unclear, and they will certainly become the target of pressure and blame (which, of course, will not make participation overly attractive).

A ban will not necessarily be deadly for the NPT, but it depends. The highest risk is a 'simple' ban treaty, consisting merely of the prohibition of nuclear weapons, plus the usual formal points (like entry into force, depositary, etc). In this case, NNWS parties to the NPT could decide to leave the 'inferior' older treaty in favour of the new one. A simple ban would not preserve the undertakings on verification and export controls, and such a 'legal gap' would deal a fatal blow to the non-proliferation regime. This shortcoming, however, could be avoided by adopting the relevant articles of the NPT in the new treaty so that these undertakings would stay the same. Whether the majority of ban supporters would endorse such a move remains to be seen.

Since the NPT as an international institution needs the supporting practices of its parties as its lifeblood, it is facing a major existential crisis today: fewer and fewer states or groups of states are unconditionally committed to its maintenance, strengthening and improvement. The NWS are pressing NNWS to accept improvements in non-proliferation, while blocking many initiatives for disarmament. Their allies try to propose a balanced package of measures, but come up against bounds on what they dare to propose in disarmament terms when alliance strategies or relations with nuclear armed allies are at stake. The NAM

is blocking new non-proliferation steps, and the protagonists of the Humanitarian Initiative are in danger of losing their enthusiasm for the NPT as a central instrument of nuclear proliferation *and* nuclear disarmament in favour of a new ban treaty. The EU, formerly a strong actor in the NPT (notably in 1995 and 2000), has turned into a lame duck due to the Austrian-French antagonism on disarmament.[46] This is an unfortunate constellation for the stability of the NPT.

For the coming review period, the most likely scenario is the continuation of a weakening NPT; possibilities of reform and internal change are blocked by the stalemate of polarisation and the lack of bridge-building actors. Ban negotiations will start but possibly not succeed as quickly as supporters would wish because, once more, the devil is in the detail, and those still caring for the NPT will try to avoid damaging it. These efforts may take time and lead to divisions within the ban community, without narrowing the gap between ban promotors and 'nuclear states', the term by which the former lump together the nuclear weapon states and their allies. All the while, the strong focus on the ban may divert diplomatic and civil society resources from working for smaller interim steps that might foster non-proliferation, nuclear security and maybe even disarmament. The 2020 RevCon would then probably fail again, with the NPT, even weaker, lingering on, under ever more pressure from a negative global political environment.

Less likely, but possible, is an even worse scenario, the probability of which will increase continuously if global circumstances remain the same or deterioriate, that is, a more confrontational US government, a Russian leadership that continues to pressure its neighbours, brandishing nuclear weapons, and a Chinese government enhancing its assertion of territorial claims by military means. In such a world, nuclear armament, not disarmament, would be the core of nuclear policy. The search for local partners in strategically important regions could induce the NWS to relax their commitment to non-proliferation. The crisis of the NPT would become salient. A 2020 RevCon in which, confronted with a new wave of nuclear arms racing, a majority of NNWS would demand global acceptance of a freshly completed ban treaty while a majority of NWS and their allies would blatantly refuse this request could bring the treaty to the point of collapse.

None of this is inevitable, as everything depends on the contingent practice of numerous actors. Times could change again, cooperation could grow among the major states, the incremental and ban approaches to nuclear disarmament could be reconciliated, and the NPT stabilised. But the Treaty is a child of political reason, and political reason seems to be in ever shorter supply these days. We could face, in the words of Barbara Tuchman, another "march of folly".[47]

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[46]Smetana, "Stuck on Disarmament".
[47]Tuchman, *The March of Folly*.

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