

# CHAPTER 4

## Should We Let it All Go?

*Victor Gilinsky*

The traditional criticism of U.S. efforts to stop the spread of the bomb has been that we can't do much about it. (Decades ago former U.S. Defense Secretary Harold Brown quipped that he could replace all the government's nonproliferation experts and diplomats with two—one to announce each additional nuclear state, and the other to wring his hands over the increase.) But no one questioned the bomb's importance. John Mueller takes a different tack; he says the whole thing doesn't matter. My assignment is to take issue with the broad thesis of his chapter, "At All Costs: The Destructive Consequences of Antiproliferation Policy."<sup>1</sup> He questions the significance, past and future, of the spread of nuclear weapons, and whether there is ever a compelling case for their use. He questions even more the efforts to restrain the spread: He concludes that antiproliferation efforts have proved exceedingly costly, and—counting in this category the 2003 Iraq invasion—have led to more deaths than the nuclear bombs dropped on Japan. In passing, he skewers prominent nuclear terrorism and nuclear war alarmists who have been purveying "worst case scenario fantasies." He goes after their insistence that we immediately put their solutions at the top of the national security agenda, and their introduction of extravagant language that has now fed into the political discourse. Mueller calls then-presidential candidate Senator Barack Obama

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1. See John Mueller, "'At All Costs': The Destructive Consequences of Antiproliferation Policy," in this volume.

on his limitless promise (to an American Israel Public Affairs Committee conference) to do “everything” within his power to stop Iran from getting the bomb, and Senator John McCain matching it by saying it had to be done “at all costs,” with neither explaining what “everything” and “at all cost” could lead to. Mueller suggests that one way to reduce incentives for “errant regimes” to take interest in the bomb is to stop threatening them.

In short, there is much to like. But he goes too far. He seems to acknowledge that himself. He writes that no country has found the weapons *particularly* useful. The spread of the weapons is not *necessarily* desirable. Further spread is *unlikely* to accelerate or prove a major danger. The trouble is that for most people, putting nuclear war in the “unlikely” category still leaves a lot to worry about.

But Mueller goes on to dismiss such concerns and conclude that proliferation hardly matters at all, that up to now its effects have been benign, whereas efforts to restrain it do more harm than good. So let us focus mainly on that.

### *Has the Bomb Made A Significant Impact on the World?*

One is almost ashamed to ask the question. Anyone who has lived through the rough parts of the Cold War, or is old enough to remember jumping under his desk during what was then called an atomic drill, has no doubt that it did, in ways both large and small. I will pass over the enormous size and expense of the nuclear weapons enterprise to mention a few items related to life in the United States: The Manhattan Project was, as Annie Jacobsen recently wrote, the mother of all black programs.<sup>2</sup> That precedent plus the Cold War justified the existence of a vast secret national security state, some aspects of which we are just beginning to learn about. That secret world required vetting the “loyalty” of large numbers

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2. Annie Jacobsen, *Area 51, An Uncensored History of America's Top Secret Military Base* (New York: Little, Brown and Company, 2011).

of people, which implies unprecedented intrusions into their private lives. We have gotten so used to this we think it's normal, but it's a long way from what was considered normal in pre-World War II times. The bomb, plus means for intercontinental delivery in minutes, also changed the U.S. Constitution, shifting the power to initiate war to the president and away from Congress, and therefore away from the democratic process.

We had a lot of close calls during the decades of the Cold War, some of which could conceivably have led to nuclear war. There were quite a number of highly placed U.S. officials who counseled use of the bomb, and in fact were ready to take the president and the country over the cliff to achieve their Cold War aims.<sup>3</sup> Fortunately, reason prevailed. Or the taboo against nuclear use was sufficiently intimidating. Adding to the dangers in the early days of the Cold War, there were no independently controlled locks on the nuclear weapons. Harold Agnew tells of visiting a U.S. air base in Germany and seeing nuclear-armed German planes lined up ready to go. U.S. physical control over the weapons consisted of a single U.S. sentry. The Strategic Air Command (SAC) was very aggressive during this time, flying mock nuclear attacks not only up to the Soviet borders but also inside those borders to get data on Soviet radars. Some U.S. planes were shot down with loss of aircrews. We were very lucky to get through that time unscathed, or perhaps more accurately, un-irradiated.

We know less about how close other countries came to using nuclear weapons, but it appears that at one point in the 1973 Yom Kippur War, Israeli Prime Minister Golda Meir was the only one that stood between Israel's bomb and its use on the battle field.

There were also serious accidents with bombs. Some were inadvertently dropped from planes. The most spectacular incident occurred

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3. I recall a 1964 briefing by the Director of the Livermore Lab on "civilian" use of the bomb—Project Plowshare. He explained that the real reason for pursuing such projects was to get the US public used to nuclear explosions so that in wartime the president will release their use.

over Goldsboro, N.C. A plane carrying megaton bombs broke up in mid-air, dropping its bombs. They had multiple sequential locks to prevent unintentional or accidental nuclear detonation. The arming sequence on one four-megaton bomb passed through five of its six locks on impact, and the bomb failed to detonate only because the last one held. Had the thermonuclear weapon exploded, a good part of North Carolina would have been flattened, and if the wind had then been blowing north, much of the Eastern coast would have been heavily contaminated with radioactivity. Again, we were very lucky. One should add that all these locks were put on the weapons over the considerable resistance of the Air Force, which worried more about the bombs failing to go off when they were supposed to than having them go off accidentally.

### *Was the Bomb Useful to Its Owners?*

The usefulness of the bomb—or bombs, as others have them, too—is a more complicated question. The first two nuclear bombs ended the war with Japan more quickly than it otherwise would have. The price America paid for this was the eternal onus for being the first to use this new energy source to kill large numbers of people. Without the experience of the Manhattan Project would others have developed the bomb? Once uranium fission was understood in 1939 many scientists around the world understood the possibility of nuclear weapons. The Manhattan Project was, after all, hurried in fear of a German bomb. But probably without the U.S. effort the development elsewhere would have been slower. Recall, however, that most of the World War II effort was in producing the nuclear explosives, highly enriched uranium and plutonium. Commercial nuclear programs now make that easy for possessors of uranium enrichment plants and plutonium separation, or reprocessing, plants.

The bomb didn't do much for the United States in the few years it had a monopoly. And once the Soviets exploded theirs, it was

pretty much a standoff. There wasn't much you could do with it, but you didn't want to be without it if Soviet Premier Joseph Stalin had it. In time the weapon took on a life of its own. We built them, and they built them. One thing we know, the bomb was constantly on the mind of leaders.

It was U.S. policy to rely on nuclear weapons to overcome the disparity in manpower if the Soviets attacked Western Europe and thus to deter such an attack. Years after he was Defense Secretary, Robert McNamara told me that despite our declared policy, he would never have authorized use of U.S. nuclear weapons unless the Soviets used them first. (He said he told no one, including National Security Advisor McGeorge Bundy and President John F. Kennedy, because he didn't want to be thought weak, which in itself says quite a lot.) Whether there was actually any deterrence is problematic. If the Soviets weren't going to attack Western Europe anyhow, there was nothing to deter. Still, in this and other situations, the bomb owners saw, and see, it differently than outside observers.

The participants in the Cuban Missile Crisis thought that we came close to nuclear war, and subsequent disclosures about the presence of Soviet battlefield nuclear weapons only underlined that conclusion. The possibilities for disastrous mistakes were considerable, as top officials did not have the degree of control they thought they had. In the 1990s, in an interval between sessions of an international meeting I happened to be standing with two or three others to whom Secretary McNamara was explaining how dangerous the situation was on a particular Saturday. One of those present had been in SAC's Omaha "tank" on that day, and proceeded to tell a stunned McNamara what really went on there on that day. It was the first he'd heard about it.

There is no question that nuclear weapons confer status, both to the countries possessing them, and to the individuals directly involved with them. It's no accident that the five permanent members of the United Nations Security Council are nuclear-armed. Whether the

bomb actually does them any good beyond that status at this point is doubtful. But none of them are in any hurry to give it up. Even the Socialists in France and the Laborites in Britain, who when out of power talked of giving up nuclear weapons, quickly changed their mind when they gained power. And bureaucratic prestige is undoubtedly a factor in our still keeping our land-based missiles on alert.

India and Pakistan are if anything increasing their stockpiles. India has plans to outfit submarines with strategic missiles. Israel, too, would presumably insist its nuclear weapons were useful, that is, if they ever admitted they had them. North Korea now brags about its nuclear bombs. And of course the Obama Administration is committing hundreds of billions to upgrade its nuclear weapons complex.<sup>4</sup> So whatever we may think of the nuclear weapons situation, and the seeming uselessness of it all (which could also be said of most military expenditures), the owners are not about to take advice from academic kibitzers.

### *Have Those Who Have Given Up the Bomb Regretted it?*

In support of the unilateral divestment of nuclear weapons, the claim is made that countries that have given up the weapons have not suffered for it and don't regret it. A respectable argument can certainly be made for giving up nuclear weapons.<sup>5</sup> But the expe-

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4. See William J. Broad and David E. Sanger, "U.S. Ramping Up Major Renewal in Nuclear Arms," *New York Times*, September 21, 2014. There is a delicious irony in this being ordered by a Nobel Peace Prize Laureate.

5. See, especially, Paul Nitze, "A Threat Mostly to Ourselves," *New York Times*, October 28, 1999. Nitze wrote (emphasis added):

The fact is, I see no compelling reason why we should not *unilaterally* get rid of our nuclear weapons. To maintain them is costly and adds nothing to our security.

I can think of no circumstances under which it would be wise

rience of countries that have done so is not of much relevance. In reality, only South Africa gave them up, and it only had a few warheads of rudimentary design that weren't of much use in South Africa's military situation, that is, the situation of the former white-only government. The elimination of the weapons took place in unique circumstances—moving from a white to black government—and was a condition for joining the Nuclear Nonproliferation Treaty (NPT) and good standing in the world community. It is doubtful that the other countries sometimes listed in the former nuclear weapon state category—the former Soviet republics on whose territory nuclear weapons remained after the breakup of the Soviet Union—were ever really nuclear states. It's true they relinquished the weapons on their soil, or were bribed to do so, but it does not appear they ever had the ability to use them.

### *Have Nonproliferation Efforts Caused Great Harm?*

#### The Nonproliferation Efforts Before 1974

Which brings us to the efforts, since the bomb's invention, to keep it within few hands, so-called nonproliferation, and the issue of whether these efforts, especially recent ones, have been on balance harmful. A brief examination of the history of attempts at international nuclear controls shows this is not a sustainable proposition. The fact is, they haven't been potent enough to be harmful. Rather, we have suffered from the lack of adequate international protection

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for the United States to use nuclear weapons, even in retaliation for their prior use against us. What, for example, would our targets be? It is impossible to conceive of a target that could be hit without large-scale destruction of many innocent people.

I have to say I cannot think of any such circumstances, either.

against militarizing nuclear energy.

The starting point in the effort to control what was then called the atom, was the U.S. proposal, based on the 1946 Acheson-Lilienthal Report, for international development of nuclear energy. The central idea was international ownership of what the Report called dangerous nuclear facilities. The Report grasped the essential problem of the dual potential of nuclear energy, but was unfortunately deeply flawed in its specific proposals.<sup>6</sup> In any case, the US proposal had no chance of acceptance by Stalin's Soviet Union, and indeed went nowhere. The United States then did its best to maintain tight security over nuclear technology.

Once the Soviets and the British exploded bombs, we changed course. President Eisenhower launched Atoms for Peace, which amounted to a huge giveaway of nuclear technology to gain political advantage and to create a market for US commercial nuclear reactors and fuel under minimal international controls.<sup>7</sup> In fact, U.S. President Dwight Eisenhower explained that initially no "onerous" controls would be needed because the exported facilities would be too small to worry about. We sponsored the creation of the International Atomic Energy Agency, principally as a distributor of our largesse. The Agency included an inspectorate whose real function was to provide a patina of legitimacy to international nuclear trade, the underlying notion being to avoid any need for our own inspection of customers and any resentment that might provoke. It was not a serious inspection system, rather more a matter of inspectors making friendly visits to their colleagues in the field.

President Kennedy took the spread of nuclear weapons more seriously. Among other things, he pressed Israel to allow inspection of

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6. For example, it was based on the notion that moderately irradiated plutonium cannot be used for bombs and was thus in the "safe" category, which is false, and in fact was known to be false at the time.

7. The second largest group of participating scientists and engineers (after Britain) came from India.

its French-supplied Dimona facility, already suspected of being a weapons facility.<sup>8</sup> Kennedy's observation that there could soon be a couple of dozen nuclear states is often described, in view of the present nine, as an example of undue alarm.<sup>9</sup> It was not a prediction; it was a warning, which led to a number of steps that slowed the spread of the bomb, starting with the 1968 Nuclear Nonproliferation Treaty.

The draft treaty started out as an effort by states without nuclear weapons to protect themselves by mutually agreeing not to obtain them. In the lengthy negotiations, however, other features got added that changed its character, most particularly a promise, summed up in the oft-quoted phrase "inalienable right," to access nuclear technology on a non-discriminatory basis, so long as they were subject to International Atomic Energy Agency (IAEA) inspections. As the treaty was then interpreted, this included uranium enrichment and separation of plutonium, the technologies that offer access to nuclear explosives. The treaty barred countries beyond the original five weapons states from getting bombs, but had no explicit limits on how close such a country could come to a bomb without violating the treaty.

U.S. President Richard Nixon, while cool to the treaty that had been signed by his predecessor, U.S. President Lyndon Johnson, nevertheless sent it the Senate for ratification after deciding that it did not in any way reduce his freedom of action with respect to

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8. Under Atoms for Peace the United States had donated a small research reactor to Israel and signed a peaceful uses agreement. The US-supplied facility proved a useful vehicle for educating Israel's nuclear weapons scientists.

9. "There are indications because of new inventions, that 10, 15, or 20 nations will have a nuclear capacity, including Red China, by the end of the Presidential office in 1964. This is extremely serious. . . I think the fate not only of our own civilization, but I think the fate of world and the future of the human race, is involved in preventing a nuclear war." "The Third Kennedy-Nixon Presidential Debate," Debate Transcript, *Commission on Presidential Debates*, October 13, 1960, available from [www.debates.org/index.php?page=october-13-1960-debate-transcript](http://www.debates.org/index.php?page=october-13-1960-debate-transcript).

U.S. nuclear weapons. Most notably, that included sharing them with the North Atlantic Treaty Organization. He gave instructions to his administration's officials that they were not to press countries to sign, especially West Germany. The country did sign, as did Japan, and ultimately nearly all countries—but that was later.

The first test of U.S. application of the treaty came in 1969, immediately after ratification. The United States had been aware that Israel had been conducting a secret nuclear weapons program since the 1950s. It already had built some nuclear weapons, although the United States wasn't sure about this. The U.S. State and Defense departments wanted to withhold the advanced F-4 aircraft Israel wanted in return for restrictions on Israel's manufacture of nuclear weapons, a position that carried over from the Johnson administration.<sup>10</sup> U.S. National Security Advisor Henry Kissinger was still hoping to get Israel's signature on the NPT. (His cynical—but not entirely wrong—observation was that this would be worthwhile, even though even though he expected Israel to maintain a clandestine weapons program, because it would be a smaller one than otherwise.) The State Department offered to come up with a favorable legal opinion on treaty compliance if Israel would stay “a screwdriver turn away.” But when it came to President Nixon's September 1969 meeting with Israel's prime minister, Golda Meir, none of this mattered. He let it all go. What he mainly cared about was that Israel support him in the Cold War, and especially in Vietnam. Since it served neither party's interests to publicize them, Israeli nuclear weapons became a non-subject in the U.S. Government, and the NPT was relegated to its place off to the side.

It's worth remembering that during those years, nonproliferation was regarded in the foreign policy and defense establishments as a kind of side show handled by intellectual officials who were not considered weighty enough or tough enough to perform in the main

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10. Just before he left office, President Johnson had overridden the departments to permit the F-4 sale. But in allowing it the Defense Department wrote in conditions that in effect left the final decision to the Nixon administration.

ring—the Cold War. (To jump ahead, it was only after the demise of the Soviet Union that the U.S. Defense Department, desperately searching for budget justifications, acquired more respect for non-proliferation, or rather counter-proliferation, which is its more expensive cousin.)

### The Nonproliferation Efforts Post-1974

There was considerable consternation after the 1974 Indian bomb test, which turned out to be a pivotal event in U.S. nonproliferation policy.<sup>11</sup> It became evident to all that a country with access to reprocessing, and thus plutonium, could easily produce nuclear bombs. Once a country had ready access to nuclear explosives—highly enriched uranium and plutonium—IAEA inspections (optimistically labeled “safeguards”) could no longer be relied upon to provide warning of a shift to weapons. To prevent easy access to nuclear weapons there needed to be restrictions on the technologies that produced these explosives—enrichment and reprocessing. At the initiative of the United States, the main nuclear technology exporters formed the Nuclear Suppliers Group (NSG) in 1975 to put some brakes on such exports.

At first the arrangement functioned *sub rosa* because on the face of it, it is at odds with the extravagant interpretation of the “inalienable right” language in the NPT, and the United States and other exporters shied away from taking on the argument. In fact, the opposite is true. Only with some technology controls could the IAEA inspections provide the “safeguards” protection that the treaty requires.

In this post-Indian bomb phase the United States succeeded in preventing several reprocessing exports from Europe to Asian coun-

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11. The immediate Nixon administration reaction was rather different. In a cable from the Middle East, Secretary of State Kissinger warned his surprised staff against any strong reaction. He was apparently in the process of putting together a nuclear deal of his own that he did not want upset.

tries. In 1976 U.S. President Gerald Ford announced that the United States would abide by the same nonproliferation restrictions that it asked others to abide by. It would not plan on use of plutonium fuel and would not conduct civilian reprocessing. The nuclear energy community saw this, and still professes to see this, as a limitation on the application of nuclear power. In reality, reprocessing to produce plutonium fuel for current nuclear power plants is grossly uneconomic. So, while avoiding wasteful expenditure was not the prime intention, the restriction on reprocessing saved the United States and other countries a great deal of money. To jump ahead, the same is true of restrictions on enrichment—these have hurt the vanity of some countries, but not their pocketbooks, or their carbon dioxide emissions. There were never any bars to any NPT member country importing nuclear power reactors. Quite to the contrary, the suppliers beat the drums for reactor sales. What held back nuclear power, and still holds it back, was the inability of the industry to turn out an economic product that met safety requirements. The proposition that international nonproliferation policies hobbled the development of nuclear power is therefore entirely untenable.

India's 1974 bomb had other delayed consequences. It became widely known that India produced the plutonium for its bomb in facilities that, although not internationally inspected, were covered by peaceful uses pledges to Canada and the United States. India tried to explain this away by saying its bomb was peaceful.<sup>12</sup> It was too much for Congress to swallow. It became an important impetus for passage of the 1978 Nuclear Non-Proliferation Act, which imposed nonproliferation conditions for nuclear exports,

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12. This was a flagrant disregard by India of the obvious meaning of the peaceful uses pledges. But it is also true that the U.S. Atomic Energy Commission had provided some footing for this argument by supporting Project Plowshare to develop "peaceful nuclear explosions," mainly as a way of putting a friendly face on the AEC's nuclear weapons activities. The project was initiated in 1961 not terminated until 1977. The international publicity in favor of PNEs led to the inclusion of an article in the NPT covering the provision of such services internationally. It has become a dead letter, but caused considerable damage to nonproliferation along the way.

among them that the importer accept IAEA inspections on all its nuclear facilities.

### *Has Nonproliferation Caused Loss of Life?*

John Mueller makes the claim that nonproliferation policy caused more deaths than the Hiroshima and Nagasaki explosions, by which he is referring to the 2003 U.S. invasion of Iraq. He is right about the effect of the 2003 invasion, but it would be a considerable stretch to count the invasion in the nonproliferation column. In an oft-cited 2003 *Vanity Fair* interview with U.S. Deputy Defense Secretary Paul Wolfowitz, he cites eliminating “weapons of mass destruction,” not as the real reason for the U.S. invasion, but as the politically convenient reason.<sup>13</sup> It was, as we have learned, an outright lie that the Bush administration had significant evidence pointing to Iraqi nuclear weapons.<sup>14</sup> In any case, the invasion was named Operation IRAQI FREEDOM, which points in a different direction, one relating to control of the Middle East.

A related question is whether nonproliferation-inspired Iraqi sanctions in the decade preceding the 2003 invasion resulted in the deaths of large numbers of Iraqis, especially children. That there were many deaths as a consequence does not seem to be at issue, although there is not agreement on the numbers. In a famous 1996 CBS interview, Lesley Stahl asked U.S. Secretary of State Mad-

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13. U.S. Deputy Secretary of Defense Paul Wolfowitz, Interview with Sam Tanenhaus, *Vanity Fair*, May 9, 2003, transcript available from [www.defense.gov/transcripts/transcript.aspx?transcriptid=2594](http://www.defense.gov/transcripts/transcript.aspx?transcriptid=2594).

14. A few days after the start of the March 2003 invasion, I found myself at a security conference seated next to the visibly nervous director of the CIA’s Weapons Intelligence, Nonproliferation, and Arms Control Center. He said if the invading force does not find any evidence of nuclear, biological, or chemical weapons he is going to lose his job. But, he said hopefully, he was sure they will find something in a desk drawer in Baghdad. It does not seem we had much evidence going in, or that this could have been the real reason for doing so. The man left his job soon after.

eleine Albright about the effect of U.S. sanctions against Iraq: “We have heard that a half million children have died. I mean, that’s more children than died in Hiroshima. And, you know, is the price worth it?” Madeleine Albright’s chilling reply was: “I think this is a very hard choice, but the price—we think the price is worth it.”<sup>15</sup> Again, there’s no denying the consequences. The question is whether they had much to do with nonproliferation, or were simply part of an effort to hem in Iraqi President Saddam Hussein.

Mueller raises the same point with respect to sanctions against North Korea. Here, if anything, the reasons for sanctions are even more complex than in the case of Iraq, as is the relationship of the sanctions to the misery of the non-privileged population.<sup>16</sup> It should be remembered that the initial reaction of the Clinton administration to North Korea’s refusal in 1992 of key IAEA inspections (and therefore of the NPT) was to make the country an extraordinarily generous offer, which after the conclusion of negotiations in 1994 was known as the Agreed Framework. The North Koreans agreed to shut down their small plutonium production reactor and stop building two larger but still relatively small reactors; the United States agreed to shield them from their NPT violation by getting the IAEA to agree to postpone the disputed inspections. In the meantime North Korea would receive (from South Korea and Japan) two large light water reactors worth about \$5 billion. In addition the North received a large supply of oil. The deal did not make sense, and fell apart when it became obvious that North Korea was not keeping to its terms.<sup>17</sup> But the point for our purposes

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15. U.S. Secretary of State Madeleine Albright, Interview with Lesley Stahl, *60 Minutes*, originally aired May 12, 1996. Albright later said what she said was stupid, which of course it was, as it played badly.

16. In a strange twist, when the Clinton administration hoped to make headway with North Korea, the ever-enthusiastic Secretary Albright showed up in Pyongyang at an October 22, 2000 celebration for Kim Jong-il, and put on an embarrassingly gushing performance. See Jane Perlez, “Albright Greeted with a Fanfare by North Korea,” *New York Times*, October 24, 2000.

17. Aside from the questionable aspect of rewarding flagrant violation of the

here is that U.S. nonproliferation policy in this instance could not have been more generous.

*What Does Current U.S. Nonproliferation Policy Really Amount to?*

U.S. nonproliferation policy is far from the strict system (let alone overly strict system) that it is made out to be by the nuclear community in its frequent complaints. There are two aspects to it: The first is the broad effort conducted mainly at mid-levels in the State Department, working through the IAEA and other agencies, and ostensibly based on the NPT; the second, in many ways the more important, is conducted from the top and deals with Iran, and to a limited extent with North Korea.<sup>18</sup>

The broad international effort deliberately takes an incremental and non-confrontational approach to the problem—working to get others to agree to voluntary improvements in the application of IAEA safeguards, for example, or details of export procedures. The officials involved are the ones who go to the IAEA's conferences and meet with corresponding representatives from other supplier states. In practice, their activities amount to nibbling at the issues, and even then subject to the condition that they not disturb the promotion of nuclear power, and especially the possibility of U.S. sales of nuclear power plants.

In this, the Obama administration has outpaced the footsteps of its

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NPT, in effect submitting to blackmail, the arrangement made no sense from a technical point of view: The reactors were much too large for the North Korean grid, which could not sustain the power loss from disconnecting one of the large reactors. And the grid was too small to protect the reactors from a safety point of view. Ironically, the plutonium production capacity of the two proposed reactors was larger than that of all the reactors that the North Koreans were supposed to shut down.

18. Doing essentially nothing about North Korea has now been dressed up in State Department language as “strategic patience.”

predecessors. But it is not widely known that this administration has created a “Team USA,” composed of officials from Departments of State, Energy, and Commerce, to promote nuclear power abroad. And there is a designated official on the National Security Council staff to shepherd the effort. It’s no wonder that when Congress takes up the nuclear export agreements with potential customers, the State Department invariably testifies in favor of laxer conditions.<sup>19</sup>

To maintain friendly, and especially non-confrontational relations with potential customers, the State Department has gone along with a watering down of the NPT’s objectives by describing the treaty as resting on three pillars, only one of which is nonproliferation. The others are nuclear disarmament and, most importantly, development of nuclear energy. And it is said that progress on any of the three depends on progress of the other two. In practical terms it means that the offices charged with trying to rein in proliferation are therefore committed to supporting the expanded worldwide use of nuclear energy, and doing so when we admittedly still don’t have a satisfactory way of ensuring that it will not be put to military use.

The diplomats busy themselves with inoffensive solutions, however impractical, the best example being fuel banks, which have become a standard “solution” to the problems posed by national enrichment facilities. It’s unlikely that top-level people understand that that a fuel bank makes no economic or engineering sense at all, but it sounds good, and so has become entrenched in nuclear

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19. The mother of all lax agreements is the one negotiated with India and finalized in 2008. India opposed the NPT from the beginning. It refused comprehensive IAEA inspection of its nuclear facilities and so was barred, by Nuclear Supplier Group guidelines, from receiving nuclear exports. This is the group whose formation we initiated after the 1974 Indian bomb. In the hope of gaining a large amount of nuclear business, the Bush administration waived the export restrictions of the 1978 NNPA that were put in place in response to the 1974 Indian bomb and pressured the NSG to waive its guidelines. The Bush administration thereby punched a hole in the NPT. As of July 2014, there has yet to be any nuclear business for the United States. The Obama administration later supported fully this policy toward India’s nuclear activities.

proliferation boilerplate.<sup>20</sup>

Another way in which nonproliferation has been soft-pedaled is by current shift in emphasis to combating nuclear terrorism by non-state actors as opposed to nuclear weapons development by established states. The diplomatic aspects of combatting terrorism are relatively easy—everyone is against it so one can organize security summits in total agreement.<sup>21</sup> That agreement would be more difficult to obtain if we were talking about the necessary restrictions on the use of nuclear energy to keep it from spilling over into military applications.

The dilution of the effort to stop proliferation of nuclear weapons is further effected by the now-standard inclusion of it in the broader category of proliferation of weapons of mass destruction, which include biological and chemical weapons.<sup>22</sup> Neither of the latter two is remotely as significant as nuclear weapons, but including them blurs the focus on nuclear weapons.

The second aspect of U.S. nonproliferation policy, the one that the president and top officials do take seriously, has to do with mainly constraining Iran's potential nuclear weapons capabilities. The enmity between the United States and Iran goes back to the 1979

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20. See, for example, an op-ed by Nuclear Threat Initiative co-chairman, and former senator, Sam Nunn, "Open a Nuclear Fuel Bank," *New York Times*, July 11, 2014. There is a competitive market in fuel. The best guarantee of a fuel supply is a commercial contract. It's easy to create one's own stockpile of enriched. A bank for manufactured fuel is impractical because there are many types of fuel assemblies, with different levels of enrichment, and it would be effectively impossible to stock them all.

21. The purveyors of nuclear terrorism threats have managed to spook top leaders by greatly exaggerating the possibilities. Accounts tell of this fear greatly affecting President Bush after he went through a nuclear bomb scare involving New York and Washington, and President Obama seems equally seized with the issue.

22. To take things to an absurd degree, the legal definition of a weapon of mass destruction (18 U.S. Code § 921 – Definitions) includes explosive charges as small as one-quarter ounce [sic].

Islamic Revolution and the deposing of the Shah.<sup>23</sup> Iran's nuclear program, and an interest in nuclear weapons, also goes back to the time of the Shah. The current U.S. concern about Iran's nuclear capabilities has several elements. There is the obvious worry about Iran's intentions in developing uranium enrichment technology that could give it ready access to large quantities of highly enriched uranium, should it decide to develop nuclear weapons. But other countries have comparable capabilities without drawing the same level of concern. It is difficult to justify—under the NPT, as it has been interpreted for decades—a separate standard for Iran than that applied to other NPT members. The concern over Iran's nuclear capabilities is inextricably tied to fear of the political shadow such capabilities, even if not militarized, may cast over the Middle East and the influence Iran may derive from it.

A clearer way to view what is going on in the negotiations over Iran's nuclear program is to see it as a struggle by the United States and Israel to maintain Israel's nuclear weapons monopoly in the Middle East. If anything sums up the major themes of U.S. non-proliferation policy, it would be protecting against the possibility of nuclear terrorism and protecting Israel's nuclear weapons. The United States has gone so far as to cooperate with Israel in physically sabotaging Iran's uranium enrichment activities.<sup>24</sup> Which is more than a little odd, as it puts the United States in cooperation with a country that resists the NPT norm to enforce NPT discipline on an NPT member suspected of harboring intentions at odds with its treaty obligations.

We never went this far before, but there is a long history to U.S. protection for Israel's putatively secret nuclear weapons, a policy supported even by U.S. politicians who otherwise take a strong stand

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23. Many of Iran's nuclear scientists and engineers under the Shah, some of whom are still working in Iran, were trained at MIT under a special program specifically for Iran.

24. Israel went beyond that to assassinate Iranian scientists, without any admonition from the United States.

on nonproliferation.<sup>25</sup> The U.S. president still feigns ignorance about Israel's nuclear weapons, and the subject is off-limits even within the government, as it has been since the Nixon administration. It isn't off-limits in the rest of the world and we pay heavily in terms of international credibility when it comes to nonproliferation. In 2010 the NPT Review Conference unanimously approved final statement called for a conference on weapons of mass destruction in the Middle East, to take place in 2012. Immediately after the vote, to which the U.S. representative agreed, President Obama trashed the notion of such a conference. It has still not taken place. No one is fooled.

### *Where Does This Leave Us?*

Faced with a history of ineffective and hypocritical nonproliferation policy, should we just let it all go? It turns out there are things worse than fecklessness and hypocrisy.<sup>26</sup>

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25. U.S. President Jimmy Carter's White House was famous for its emphasis on nonproliferation, but hid the fact of Israel's 1979 nuclear test in seas south of Africa, carried out in violation of the Limited Test Ban, to which Israel was a party. During the previous administration I recall a 1976 dinner honoring Fred Iklé, then head of the Arms Control and Disarmament Agency. Senator Stuart Symington, the sponsor of the 1976 Symington Amendment (that banned U.S. aid to countries that deal in nuclear enrichment technology without complying with IAEA inspections) spoke about the importance of nonproliferation and praised Iklé for his commitment to it. When he sat down I asked the senator what he thought about nuclear weapons in Israel. He immediately replied, "They have to have them, I've been telling Moshe Dayan that for years."

26. In an accompanying article in this volume, "Getting Past Nonproliferation," Harvey Sopolsky takes a different tack. Whereas Mueller decries US nonproliferation policy because he thinks nuclear weapons don't matter, Sopolsky opposes it because he thinks nuclear weapons do matter. He sees nonproliferation as of a piece with "extended deterrence"—U.S. nuclear guarantees to our allies—which he doesn't like at all. Better, he says, to let them get their own nuclear weapons. But what if this abandonment of nonproliferation leads to nuclear weapons in the hands not only of friends but also of enemies and non-state actors, including those in the Middle East? Sopolsky's less-than-convincing answer is that

The original, perhaps simplistic, logic behind nonproliferation was that as the number of nuclear weapons states increases, the number of strategic relationships among them increases much faster, and it will become extremely difficult to keep the weapons from being used. Henry Kissinger recently reiterated his belief in the validity of this view:

If one imagines a world of tens of nations with nuclear weapons and major powers trying to balance their own deterrent equations, plus the deterrent equations of the subsystems, deterrence calculation would become impossibly complicated. To assume that, in such a world, nuclear catastrophe could be avoided would be unrealistic.<sup>27</sup>

It would be nice to think that this paints an overly pessimistic picture, and that faced with the potentially awful consequences of the spread of nuclear weapons, and remembering the awfulness of the large wars fought in the last century, people and leaders would keep far away from any possibility of nuclear war. But that view conflicts with history. The horrors of World War I did not prevent World War II twenty years later. The lessons of Vietnam did not prevent our repeating the experience in Iraq and Afghanistan. Wars and aggression are intertwined with domestic politics, and politicians, no matter how bright, have little time or inclination to understand the

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“deterrence and forensics work.” In other words, enemy states will fear to attack the United States. And if they contemplate the risky course of handing bombs to non-state groups who would use them against the United States, they would again be deterred from doing so because “the links are sure to be revealed.” In a way Sopolsky is saying if we just abandon nonproliferation, in fact, if we encourage the opposite, we won’t have to worry about nuclear weapons in the rest of the world. Let us just say it is a provocative argument.

27. Henry Kissinger, foreword in Graham Allison, et al. “Nuclear Proliferation: Risk and Responsibility,” Triangle Paper 60, (Washington, DC: Trilateral Commission, 2006), v.

issues.<sup>28</sup> That is even truer when there is a technical component, or when the consequences are likely to be delayed, a state of affairs that is ever present when dealing with nuclear issues. It's well to recall that President Eisenhower's Atoms for Peace program of the 1950s set much of the configuration of present-day nuclear programs around the world. Soon after he announced it Soviet Foreign Minister Molotov asked U.S. Secretary of State John Foster Dulles why the United States wanted to spread nuclear weapons capabilities through the program. Dulles had no idea what Molotov was talking about and when he returned to Washington asked his assistant Gerard Smith to confirm that Molotov was talking nonsense. Smith had to explain to the astonished Dulles that Molotov had a point. We should not assume that today's top-level politicians around the world are brighter or wiser than their predecessors. And in crises all bets are off.

Insofar as nuclear energy programs are concerned, the only thing that makes sense from a security point of view is to seek a healthy margin between nuclear energy activities and any possible military applications, and to maintain as best we can the taboo on nuclear weapon use. As tattered as it is, the NPT is all that we have as a rallying banner. In the end this will work only if we all agree on common standards. Holding back the spread of the bomb—and, in fact, rolling back the bomb—remain important objectives.

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28. In a talk at the RAND Corporation in Santa Monica before Secretary Kissinger assumed his role in the Nixon administration he said, "Never underestimate the superficiality of important people."