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War is Peace, Arms Racing is Disarmament

The Non-Proliferation Treaty and the U.S. Quest for Global Military Dominance

Summary

Thirty five years after the Nuclear Non-Proliferation Treaty (NPT) entered into force, nuclear weapons remain a profound threat to our future as a species. Despite the promise made by the original nuclear weapons states in Article VI of the Treaty to negotiate for the elimination of their nuclear arsenals, tens of thousands of nuclear weapons remain. The current U.S. nuclear stockpile is estimated at over 10,000 warheads. Of these, approximately 5,300 are operational, including 4,350 strategic and 780 non-strategic warheads.[1] A significant number of these stand ready for use within minutes, capable of wreaking unimaginable destruction anywhere on earth. Nonetheless, the United States claims that it is "is fully meeting its obligations under Article VI," pointing to the deactivation of excess Cold War nuclear weapons and delivery systems.[2] This stance ignores the irrational factors that drove Cold War superpower arsenals to extreme and unsustainable levels, and downplays the central role that nuclear weapons continue to play in the U.S. pursuit of global military dominance.

Contrary to its 1970 NPT Article VI commitment to negotiate the "cessation of the nuclear arms race at an early date," the United States continues to develop nuclear weapons and delivery systems with new capabilities. Advances in a wide range of missile, computing, and space sensing technologies allow either conventional or nuclear weapons to be delivered over great distances with increasing accuracy. This may allow the United States to substitute conventional weapons for nuclear weapons to achieve some military goals, but it is clear that the U.S. intends to retain a large and constantly modernized nuclear arsenal for the foreseeable future. According to the 2004 Defense Department *Strategic Deterrence Joint Operating Concept*, "...nuclear weapons allow the U.S. to rapidly accomplish the wholesale disruption of an adversary nation-state with limited U.S. national resources. While the legacy force was well suited for successful deterrence throughout the Cold War, an enhanced nuclear arsenal will remain a vital component of strategic deterrence in the foreseeable security environment."[3]

The 2001 *Nuclear Posture Review* (NPR) identified a number of desired new capabilities for strategic weapons. The NPR stated that

> New capabilities must be developed to defeat emerging threats such as hard and deeply buried targets (HDBT), to find and attack mobile and relocatable targets, to defeat chemical or biological agents, and to

> *Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.*
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> Article VI , Treaty on the Non-Proliferation of Nuclear Weapons, Signed at Washington, London, and Moscow July 1, 1968. Entered into force March 5, 1970.

improve accuracy and limit collateral damage. Development of these capabilities, to include extensive research and timely fielding of new systems to address these challenges, are imperative to make the New Triad a reality.[4]

In an effort to assure global military dominance well into the 21st century, the United States has embarked on a broad campaign to modernize its missiles and other long-range delivery systems, its nuclear bombs and missiles, and the industrial capacity necessary to design, test, and deploy existing and new types of strategic weapons, both nuclear and conventional.

These activities include:

- **Modification of existing nuclear warheads to achieve additional capabilities**. The U.S. in the late 1990's modified and deployed an existing nuclear weapon, the B61-11 bomb, to give it some earth penetrating capacity.[5] Despite being rebuffed by Congress last year, the current administration has again requested funding for a "robust nuclear earth penetrator," slated to be a redesign of an existing warhead.[6] A variety of additional capabilities could be obtained by modifying currently available nuclear weapons designs without the need for underground nuclear explosive tests.[7]

- **Retooling of the nuclear weapons research, design, and production infrastructure to allow maintenance of a downsized nuclear arsenal still numbering in the thousands of weapons for many decades to come, while enabling the production of nuclear weapons for the "post-Cold War" missions envisioned by military planners.** The 2004 National Nuclear Security Agency *Strategic Plan* declared that the United States intends to maintain indefinitely sufficient "responsive infrastructure" to "enable timely reconstitution to larger force levels, if needed; field new or modified nuclear warheads either to respond to a stockpile "surprise" or to meet new military requirements; and, ensure readiness to conduct an underground nuclear test, if necessary."[8] In order to do so, the U.S. is building a new generation of nuclear weapons research facilities[9] and plans to build a new factory for the manufacture of plutonium pits,[10] and is exploring the requirements for "small builds" of special purpose weapons and for a "testing strategy for weapons more likely to be used in small strikes."[11]

- **Exploration of a different paradigm for nuclear weapons design, production, and certification, called the "reliable replacement warhead."** The goal is an approach that will obtain greater reliability by combining modern manufacturing techniques with greater design margins, in some circumstances taking advantage of the less demanding requirements in terms of yield and weight than was deemed necessary for some Cold War missions. If successful, the program could provide a long-lasting nuclear arsenal with capabilities comparable to existing weapons, and possibly additional capabilities crafted for new missions as well.[12]

- **Revamping systems used to plan and execute nuclear strikes.** These include upgrades to the Strategic War Planning System to "produce preplanned and adaptively planned options" for "Weapons of Mass Destruction (WMD) and Nuclear, Chemical and Biological (NBC) targets using nuclear and/or conventional weapons"[13] and a "Tunnel Target Defeat Advanced Concept and Technology Demonstration" that "will develop a planning tool that will improve the warfighter's confidence in selecting the smallest nuclear yield necessary to destroy underground facilities while minimizing collateral damage."[14]

- **Modernizing ballistic missiles and other nuclear delivery systems, and beginning development of a new generation of systems to replace existing ones in coming decades.** The accuracy and reliability of Minuteman land-based intercontinental ballistic missiles (ICBMs) are being upgraded, and supporting infrastructure also is being redesigned to allow for more rapid re-targeting.[15] Trident submarine launched ballistic missiles improvements include guidance system upgrades and changes in the W76 warhead arming, fusing and firing system to allow ground burst use.[16] The nuclear-capable B-2 and B-52 long-range bombers are being upgraded as well,[17] and the current budget request proposes over $1.25 billion in spending for "next generation bomber" research through FY2011.[18] New nuclear delivery vehicles under consideration include an enhanced cruise missile, submarine-launched intermediate range ballistic missiles, and a new generation of ICBMs. These missile programs are in their early phases, with contractors being encouraged to submit concepts that will exploit new technologies to provide additional capabilities such as greater accuracy and maneuverability.[19]

- **Developing a "Global Strike" capability that will allow the delivery of either conventional or nuclear weapons anywhere on earth in a few hours or less.** While explicitly retaining a spectrum of "[n]uclear attack options that vary in scale, scope, and purpose,"[20] U.S. military planners also hope to exploit advances in space technology, missile accuracy, computing, and communications to develop conventional weapons that can strike anywhere on earth in a matter of hours. Conventional options may include use of existing strategic missiles such as the MX "Peacekeeper"[21] or the development of new systems, such as re-useable launch vehicles carrying several reentry vehicles capable of delivering a variety of weapons.[22] These programs call for continued research on missiles, guidance, and hypersonic flight, technologies that also could be adapted for more advanced nuclear weapons delivery systems.

U.S. officials argue that research aimed at "making our nuclear weapons more tailored to the target type" will make nuclear weapons use less likely.[23] In the minds of U.S. officials, the purpose of continued U.S. nuclear weapons development may be to make their use less probable, but only by making the *threat* of nuclear weapons use more believable. Further, these programs are going forward in the context of a declared U.S. policy of "preemptive"– really, preventive-- warfare. The *National Security Strategy of the United States of America,* issued in September 2002, states that the U.S. "must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends."[24] The United States has shown that it will go to war with little regard for international law or its treaty obligations, invading and occupying Iraq despite the lack of an imminent threat of attack or authorization from the United Nations to act to prevent a threat to peace. "Counterproliferation" was used as the rationale for a thinly veiled war of aggression. Yet the NPT preamble states that its goals are to be achieved "in accordance with the Charter of the United Nations," and that "States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State..."

What the United States calls "deterrence" is in reality the use of strategic weapons to underwrite the projection of force in pursuit of broadly defined "U.S. interests" anywhere on earth. Operating under the umbrella of a strategic arsenal in which nuclear weapons will play a key role for the foreseeable future, U.S. conventional forces can go to war against most countries without fear of being "deterred" themselves. "...[D]eterrence of both the initial and intra-war escalatory use of weapons of mass destruction will remain important since it enables the joint force to fully leverage our preeminence in large-scale, combined-arms operations."[25]

For the other nuclear-armed states, U.S. insistence on a constantly modernized nuclear arsenal, despite its advantage in conventional forces, provides a permanent rationale for inaction on nuclear disarmament. Whether allies or potential adversaries of the United States, they can assert that if the most heavily-armed state has a right to nuclear weapons to assure its "security," they do as well. Others that see the U.S. or its allies as potential adversaries may seek to acquire nuclear weapons to counter the massive U.S. conventional advantage. It is this dynamic that the United States hopes to outrun– forever--by the continued pursuit of ever more advanced military technologies, from "tailored" nuclear weapons that adversaries can believe will be used to ballistic missile defenses.

The end of the Cold War provided an unprecedented opportunity to fulfill the NPT disarmament promise during a period characterized by relatively little tension among the worlds' most powerful states. But that window is closing quickly, and we are facing the prospect of a new period of intense economic and military competition in a world of diminishing resources, with a number of states likely to have large and varied high-tech arsenals that include nuclear weapons. There is a growing possibility of a new nuclear confrontation that may overshadow the Cold War in its complexity, and in the probability that nuclear weapons will be used.

By taking the position that nuclear weapons are acceptable tools of warfare that it will use to achieve a variety of goals, the U.S. has severely undermined the NPT's status as partial codification of an emerging global norm against nuclear weapons use, moving towards a universal prohibition on their possession. The implication that the selective use of nuclear weapons in ordinary warfare is lawful and legitimate signifies acceptance of the end of nuclear non-proliferation as a normative and legal enterprise. If it is legal and moral for one country to use nuclear weapons when it considers interests that it alone defines as vital to be at stake, it is legitimate for any country to do so.

2005 marks the passage of 60 years since the U.S. atomic bombings of Hiroshima and Nagasaki. The survivors of atomic warfare are dying off, and with them the living memory of what cannot be imagined, of what nuclear weapons really are and can do. They leave behind a world ruled by people who appear to have lost all understanding of the immediacy of the danger that nuclear weapons at every moment represent. Each one can generate a horror that will echo down through generations. Together they can end everything. There are no new arguments and no magical diplomatic formulas that will save us from ourselves. We must recapture the simple, true urgency of the time before the realities of nuclear warfare could be obfuscated, denied, and forgotten:

> "You cannot talk like sane men around a peace table while the atomic bomb itself is ticking beneath it. Do not treat the atomic bomb as a weapon of offense; do not treat it as an instrument of the police. Treat the bomb for what it is: the visible insanity of a civilization that has ceased to worship life and obey the laws of life." *Lewis Mumford, 1946.*[26]

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The full text of this WSLF Special Report is available at http://www.wslfweb.org/docs/warispeace.pdf

Notes

1. Robert S. Norris and Hans M. Kristensen, "NRDC Nuclear Notebook: U.S. nuclear forces, 2005," *Bulletin of the Atomic Scientists* January/February 2005 pp. 73-75 (vol. 61, no. 01).

2. U.S. Department of State, "Article VI of the Non-Proliferation Treaty, February 10, 2005, http://www.state.gov/t/ac/rls/or/42126.htm

3. U.S. Department of Defense, *Strategic Deterrence Joint Operating Concept,* February 2004, http://www.dtic.mil/jointvision/sd_joc_v1.doc , p.33. Identical language to the quote in the main text can be found in the *U.S. Air Force Transformation Flight Plan–2004,* p. D-14.

4. U.S. Department of Defense, *Nuclear Posture Review,* Submitted to Congress December 2001, p.46, provided in "*Nuclear Posture Review* Excerpts," Globalsecurity.org, at http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm (hereafter *Nuclear Posture Review*). For additional information from a variety of sources about the *Nuclear Posture Review*, see the WSLF NPR information page at http://www.wslfweb.org/nukes/npr.htm

5. For an overview of the B61-11 modification, see Greg Mello, "New Bomb, No Mission," *Bulletin of the Atomic Scientists* May/June 1997 (vol. 53, no. 03), pp. 28-32.

6. U.S. Department of Energy, National Nuclear Security Administration, FY 2006 Budget Request, "Directed Stockpile Work," pp.82-83.

7. See Defense Science Board, *Report of the Defense Science Board Task Force on Future Strategic Strike Forces,* pp.7-10-7-11.

8. U.S. Department of Energy, National Nuclear Security Administration, *Strategic Plan,* November 2004, p.7.

9. See full text of this report for more information.

10. U.S. Department of Energy, National Nuclear Security Administration, "Requirements for a Modern Pit Facility: Summary," Report to Congressional Defense Committees Requested by the United States Congress in Public Law 108-375, Ronald W. Reagan National Defense Authorization Act, January 2005; Testimony of Linton F. Brooks, Administrator, National Nuclear Security Administration, Before the Strategic Forces Subcommittee of the House Armed Services Committee, March 2, 2005.

11. "Stockpile Stewardship Conference Planning Meeting Minutes," the Pentagon, 10 January 2003, Attachment 2, "Panels: Draft Topics Lists and Members." Obtained by the Los Alamos Study Group, www.lasg.org, full document available at http://www.lasg.org/StockpileStewardshipReview%5b1%5d.htm

12. U.S. Department of Energy, National Nuclear Security Administration, FY 2006 Budget Request, Directed Stockpile Work, "Reliable Replacement Warhead," p.82; Statement of Ambassador Linton F. Brooks, Administrator, National Nuclear Security Administration U.S. Department of Energy, before The Senate Armed Services Committee Subcommittee on Strategic Forces, April 4, 2005, pp.5-6; Dwight Jaeger and John Pedicini, "The Evolving Deterrent," *Los Alamos Science,* Number 29, 2005, p.4.

13. U.S. Air Force, RDT&E Budget Item Justification Sheet (R-2 Exhibit) February 2002, Program Element 0101313F, Project 5059, Strategic War Planning System.

14. U.S. Defense Threat Reduction Agency, RDT&E Budget Item Justification Sheet (R-2 Exhibit) February 2005, Project #0603160BR,Project BK- Counterforce.

15. Amy Wolf, *U.S. Nuclear Weapons: Changes in Policy and Force Structure,* Congressional Research Service Report to Congress, Updated January 13, 2005, p.CRS-28.

16. Robert S. Norris and Hans M. Kristensen, "U.S. nuclear forces, 2005*," Bulletin of Atomic Scientists,* January/February 2005, pp. 73-75; see also Department of the Navy, Fiscal Year (FY) 2006/FY 2007 Budget Estimates, RDT&E Project Justification, January 2005, Program Element 0101221N, Strategic Sub & Wpns Sys Spt, Technology Applications 2228.

17. Department of the Air Force, Fiscal Year (FY) 2006/2007 Budget Estimates, Research, Development, Test and Evaluation (RDT&E), Descriptive Summaries, Volume II, February 2005, Program Element 0604240F, B-2 Advanced Technology Bomber; Department of the Air Force, Fiscal Year (FY) 2006/2007 Budget Estimates, Research, Development, Test and Evaluation (RDT&E), Descriptive Summaries, Volume II, February 2005, Program Element 0604429F, Airborne Electronic Attack.

18. Department of the Air Force, Fiscal Year (FY) 2006/2007 Budget Estimates, Research, Development, Test and Evaluation (RDT&E), Descriptive Summaries, Volume II, February 2005, Program Element 0604015F, Next Generation Bomber.

19. See Department of the Air Force, Air Force Materiel Command, AFRL, Space Vehicles Directorate, "Concepts and Technologies Study for Enhance [sic] Cruise Missile (ECM)," Sources Sought Notice, Reference Number AFNWCA 002, December 7, 2004 (modified December 9, 2004); See Department of the Navy, Strategic Systems Programs, Special Notice, Submarine Launched Intermediate Range Ballistic Missile Technical Exchange, Reference-Number-08252003-0358, August 25, 2003; U.S. Air Force Space Command, "Final Mission Need Statement, Land Based Strategic Nuclear Deterrent," AFSPC 001-00, January, 2002; Air Force Space Command, "Request for Information/initial Delivery Vehicle Concept Call for the next generation Land Based Strategic Deterrent (LBSD) Analysis of Alternatives (AoA)," September 8, 2003.

20. *Nuclear Posture Review*, p.7.

21. See *Report of the Defense Science Board Task Force on Future Strategic Strike Forces,* 2004, p.1-8.

22. See, e.g., Defense Advanced Research Projects Agency, FALCON (Force Application and Launch from CONUS), Broad Agency Announcement, PHASE I Proposer Information Pamphlet (PIP) for BAA Solicitation 03-35 Defense Advanced Research Projects Agency July 29, 2003.

23. Statement of John A Gordon, National Nuclear Security Administration Administrator, before the House Armed Services Committee Procurement Subcommittee, June 12, 2002.

24. *National Security Strategy of the United States of America,* 2002, p.18.

25. U.S. Department of Defense, *Strategic Deterrence Joint Operating Concept,* February 2004, http://www.dtic.mil/jointvision/sd_joc_v1.doc p.13.

26. Lewis Mumford, "Gentlemen: You Are Mad!" *The Saturday Review of Literature,* March 2, 1946, collected in K. Bird and L. Lifschultz, Hiroshima's Shadow: Writings on the Denial of History and the Smithsonian Controversy (Stoney Creek, Connecticut: Pamphleteers Press, 1998) p.284, at p.286