

## **Projecting Legitimacy**

*Closing International Perception Gaps of American WMD Policy*

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The greatest threat to global nonproliferation efforts is not the nuclear ambitions of any one country. Rather, it is a lack of progress under the Nuclear Nonproliferation Treaty (NPT) regime. It is not enough for the NPT to maintain the nuclear status quo, although its successes on this score are notable. Sustained attention to nuclear disarmament is necessary for aggressive multilateral policies against proliferators. To effectively lead international counterproliferation efforts, the United States should bring its own nuclear force posture in line with U.S. foreign policy rhetoric. Because broad multilateral coordination is needed to prevent the spread of fissile material and related technologies, U.S. projection of legitimacy is as important as its projection of power when it comes to dealing with the threat from weapons of mass destruction.

Signed in 1968 and coming into force in 1970, the NPT was an agreement not just about countries forgoing the acquisition of nuclear weapons, but also a promise of gradual international disarmament. Article XI of the NPT states: “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.” Progress on the two fronts of counterproliferation and disarmament are thus irrevocably linked.

During the Cold War, U.S. nuclear force posture was by necessity focused on force projection to ensure reliable deterrence. Under current international conditions, the U.S. must be increasingly concerned with projecting legitimacy: living up to professed principles in foreign policy and demonstrating adherence to and advancing of international norms for the prevention of conflict. Recently, U.S. force projection in Iraq came at the expense of U.S. ability to project legitimacy. U.S. nuclear force posture should support its legitimacy projection capabilities or at least avoid undermining them.

Consistency between U.S. rhetoric and action matters; the success of U.S. counterproliferation efforts largely depends on how such policies are received by foreign governments, and increasingly, by foreign populations. International perceptions of a gap between U.S. action and rhetoric can place the goals of U.S. policy out of reach. Such perception challenges are intensified by 24-hour news and the Internet where countless sources are able to disseminate information, regardless of their credentials. Policy image is increasingly important and perceived hypocrisy proves costly. Counterproliferation, like counterterrorism, must achieve victories in the war of ideas to win the war against material threats. U.S. policy needs to avoid giving proliferators ideational ammunition and focus on discrediting and restricting their activities.

Toward this end, my suggestion before the Council for Security Cooperation in the Asia Pacific (CSCAP) WMD conference in Manila was that the U.S. could adjust its nuclear weapons force posture. Carefully evaluating where nuclear forces exceed their need, the U.S. could undertake bold disarmament measures and adopt a less aggressive posture. Certainly, earth-penetrating weapons (or EPWs: low yield, miniaturized nuclear bunker-busters) would be helpful in dealing with threats from hardened, deeply buried facilities of terrorist organizations. But it is doubtful that the added benefit of such nuclear devices over advancing precision guided conventional weapons would outweigh the cost to global nonproliferation efforts. Fortunately, funding for EPW research appears not forthcoming from Congress. But while the U.S. maintains by far the most advanced and potentially destructive nuclear stockpile, refuses to sign the Comprehensive Test Ban Treaty, is perceived to be loosening its doctrine of use, and continues to explore ways to develop its nuclear capabilities long after winning the Cold War, the opportunity cost to global counterproliferation and disarmament efforts is significant and growing.

I argued that by adjusting its nuclear profile, the U.S. could remove contradictions in its policy toward Iran, North Korea, and others and more successfully lead global counterproliferation and disarmament efforts. I recognized that some steps have already been taken in this direction, both unilaterally and in accordance with the Moscow Treaty. I also suggested that missile defense may one day prove an important part of the U.S. strategic posture but that the technology has a steep hill to climb. In the meantime, I argued that the U.S. needs to do more to demonstrate that the destructive power of nuclear weapons is un-American. Doing so

would not only improve perceptions of U.S. policy, but will help the U.S. disincentivize the acquisition of nuclear weapons by making them appear less useful and less attractive to other states. Most importantly, U.S. policy more in line with U.S. rhetoric will facilitate international cooperation in making nuclear material and technology more difficult for terrorists and states of concern to acquire.

Responses to my views and recommendations were mixed. Some delegates seemed to think that Article XI of the NPT does not matter much anymore and that post-Cold War reductions in the U.S. nuclear stockpile yielded no improvement in U.S. legitimacy projection capability. Other delegates, especially from smaller countries and non-nuclear weapons states, seemed to agree with my argument about the importance of the nonproliferation-disarmament link to the interest of legitimacy projection. So how much does what I call “legitimacy projection” really matter for U.S. efforts at counterproliferation?

On this question I thought the conference session on the Proliferation Security Initiative (PSI) was particularly instructive. PSI is an important US-led multilateral counterproliferation activity aimed at filling the gap between what existing institutions do and what pressingly needs to be accomplished to deal with the WMD threats posed by states of concern and non-state actors. But PSI remains highly controversial for the legal and diplomatic implications of coordinated interdiction of illicit cargo. As I saw it, the greatest challenge for PSI is actually its legitimacy. And PSI legitimacy problems are very much related to current U.S. legitimacy problems. In order for PSI to work, the United States needs to maximize not just the number of countries that sign on to the initiative, but also governments’ commitment to the initiative. It became clear in the course of the conference session that governments with low commitment or high suspicion of PSI also have low appraisals of U.S. legitimacy. Some of these governments see PSI as directed against them or as potentially damaging to their interests and thus can not be expected to be “won over.” But for many outside the inner circle of PSI, greater cooperation with the initiative seemed a possibility, given more time, more information, and greater assurances that PSI is not just a tool for U.S. manipulation but an initiative that lives up to its professed principles and respects international law.

The discussion of PSI changed some of my ideas about how the United States needs to better project legitimacy. Before the conference, I suggested that declaring and following a truly post-Cold War nuclear posture would allow the U.S. to contribute to the disarmament progress

necessary to ensure continued benefits under the NPT regime. These benefits include intrusive inspections by the International Atomic Energy Agency according to the Additional Protocol. But after the conference, I find that U.S. legitimacy projection has broader improvements to make in order to advance counterproliferation efforts such as PSI. The United States needs to patch up its row with the United Nations over Iraq to improve international perception of its multilateral credentials. Closing current international perception gaps now impeding U.S. efforts like PSI will allow further advancement of international norms for counterproliferation. Greater U.S. focus on projecting legitimacy will thus facilitate the broad multilateral coordination necessary to minimize the global danger posed by weapons of mass destruction.