If Kroenig is right, the United States needs a new nonproliferation policy. Soon

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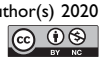

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Matthew Kroenig's (2018) book is not modest. As Jeffrey Knopf said in his excellent review of the book in *The Nonproliferation Review*, Kroenig's book offers "the most sophisticated case for strategic superiority" (Knopf, 2018: 555). But while others might discuss the merits of his analysis, in this article, I take Kroenig's argument as a policy recommendation and discuss its consequences for the broader nonproliferation regime. If Kroenig is right, what does this mean for US policy on nonproliferation, and for the future of the Non-Proliferation Treaty (NPT hereinafter)?

In his book, Kroenig conducts multiple analyses of whether the size of the American nuclear arsenal influences the proliferation decisions of other countries, but also whether it influences the provision of sensitive technology or votes in the UN Security Council (UNSC hereinafter, Chapter Eight of Kroenig's book). One can dispute the substance of Kroenig's analysis. His analysis of nuclear proliferation rests on an analysis of the data created by Singh and Way (2004). While this data set was, in a way, pioneering, it was also found by later scholarship to be spotty with important consequences (Braut-Hegghammer, 2019; Colgan, 2019; Montgomery and Sagan, 2009). The analysis of the UNSC voting on nonproliferation issues is similarly puzzling. Any analysis of UNSC votes is difficult, since these tend to be pre-agreed and voting would rarely take place in the face of the opposition (Wood, 2007). It is of little wonder that all but two resolutions in Kroenig's data set were adopted without an opposing vote.[1] But for the sake of the argument, let us accept Kroenig's findings.

One of the aspects of nonproliferation that Kroenig undervalues is the importance of the legitimacy underlying the regime. Take that away, and the whole edifice might collapse. It is not unreasonable to expect that not only the continuing possession of nuclear weapons but also the continuation of their possession at very high numbers (counted in high hundreds or thousands) can lead to the erosion of the legitimacy of the nonproliferation regime as it stands today.

Scholars have long suggested that the continuing persistence of the nonproliferation regime is possible due to the perception of the underlying bargain struck between the different parties, which

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they found fundamentally just and fair (Albin, 2001; Müller, 2019; Tannenwald, 2013). The United States used the perceived fairness of the bargain—and the benefits which the regime provided in general—as a justification to advance its global nonproliferation policy for the last 60 years (Gavin, 2012). The NPT gave, in a way, legitimation to the US national security goal of preventing the spread of nuclear weapons (Smetana and Onderco, 2018). It gives opportunities for pointing out norm violators, constructing deviance in international relations, and legitimating the punitive tools in foreign policy (on the interaction between hegemony, norms, and construction of deviance, see Nincic, 2005; Wagner et al., 2014; Zarakol, 2014). The NPT provides for the United States the possibility to rally world public opinion to single out North Korea and Iran (and others), stigmatize them, and apply extensive sanctions—all while claiming to act in the interests of humankind and upholding international norms. The United States then does not appear to be a heavy-handed hegemon, but a hegemon interested in maintaining international order. The underlying legitimacy of the NPT, ultimately, provides opportunity to conduct the nonproliferation policy which Kroenig describes.

Because of this underlying bargain, even allies of the United States demand steps on nuclear disarmament, often driven in this respect by domestic populations but also by their own normative persuasions (Becker-Jakob et al., 2013; Knopf, 2013). Even the governments of countries long considered to be stationing US nuclear weapons on their territories ultimately talk about the goal of the world without nuclear weapons and put nuclear disarmament high on the agenda (for an example from the Netherlands, see Advisory Council on International Affairs, 2019). Even Trump's White House—which, in its National Security Strategy, mandated development of new nuclear missiles—deemed that there needs to be an attempt to appear to be interested in nuclear disarmament on its part, and provided a process of "Creating the Environment for Nuclear Disarmament" (CEND; for an analytical take on CEND, see Davis Gibbons, 2019).

But the bargain underlying the NPT is arguably fragile. The criticism of the nuclear weapons states' lack of disarmament has led to the emergence of the Treaty on Prohibition of Nuclear Weapons (TPNW) (Williams, 2018). The strongest critics of the NPT even advocate for countries to withdraw from the treaty (Doyle, 2017; Pretorius and Sauer, 2019), even though that is not a preferred course of action among the countries supporting the TPNW or among the nongovernmental organizations such as the International Campaign Against Nuclear Weapons. This is not to suggest that the NPT is on the verge of collapse—many countries see the benefit in the treaty, and the United States will for the foreseeable future continue to be committed to it.

The fact that the United States has managed to use the NPT to support its national interests in enforcing the nonproliferation rules in the past does not necessarily mean that it will be successful in doing that in the future. Kroenig's argument, as laid out in Chapter Eight of the book, suffers from hindsight bias. Just because the US nonperformance on nuclear disarmament obligations under the NPT did not endanger nonproliferation goals in the past, it does not follow that the same will hold true in the future. US attempts to constrain the spread of nuclear weapons might be constrained not only by those who reject the persistent inequality embedded within the NPT but also by those who seek to reinterpret the rules of the nonproliferation game. The erosion of the legitimacy of the NPT—even if the NPT does not collapse—is not desirable for US foreign policy if nonproliferation remains the goal.

An argument could be made that even if the rest of the world somehow lost interest in the NPT, the United States would remain the "enforcer of last resort" (cf. Horovitz, 2015 for a version of this argument). This argument is consistent with the standard account of the success of the United States' unilateral attempts to constrain the nuclear developments among friends and enemies alike

(Gavin, 2012; Miller, 2018). Yet many of the tools that the United States would use to compel countries to give up their nuclear ambitions stem from the United States' unique position within the international system, where the United States sits in the center of various political and economic networks (cf. e.g. Winecoff, 2015). These tools, however, work only as long as the United States and its allies dominate the world (Nexon, 2018). Yet the centrality of the United States in various networks comes under strain, not least because the United States decided to 'weaponize' these interdependence networks (Farrell and Newman, 2019). One only needs to listen to the repeated calls for alternative payment channels (such as the EU's Instrument in Support of Trade Exchanges, known as INSTEX, a channel for conducting business with Iran) and different currencies to settle transactions to understand the phenomenon (for a recent overview, see McDowell, 2019). And while the rising powers do not fundamentally question the goal of nonproliferation, they are not as heavily invested in it.

The bottom-line is that if the legitimacy of the NPT regime continues to erode due to non-performance on nuclear disarmament, it will be increasingly difficult to deploy various multilateral tools to enforce the nonproliferation obligation, and the unilateral tools might not suffice. If the United States continues to pursue the strategy of nuclear superiority—as suggested by Matthew Kroenig—it might find itself cornered on the nonproliferation end. In that case, the United States might need a different nonproliferation strategy. The Proliferation Security Initiative, an informal counter-proliferation platform launched under the George W Bush administration, offers an example of a possible solution which is less representative, less institutionalized, less legitimate, more *à la carte*, and more contested. The question remains whether such a strategy is possible for the long term.

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Note

1. Although Kroenig argues for analyzing votes on nonproliferation referred to by the International Atomic Energy Agency's (IAEA) Board of Governors and other issues related to nuclear nonproliferation, not all the votes included in the data set seem to be directly related to the support for nonproliferation. The list of 25 resolutions he analyzes also includes the resolution on the general threat of nuclear weapons (UNSC Resolution 255), the resolution condemning Israel for the attack on Osirak (UNSCR 487), a resolution on positive security assurances (UNSC Resolution 984), a resolution at the head of state level supporting the goals of the NPT (UNSC Resolution 1887), as well as the resolution extending the mandate of the International Independent Investigation Commission after the death of the Lebanese former Prime Minister Rafiq Hariri (UNSC Resolution 1748). However, a reanalysis of these data is beyond the scope of this article.

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