

Comment by John Steinbruner & Jeffrey Lewis

The unsettled legacy of the Cold War

On May 24, 2002, at a summit meeting in Moscow, Russian President Vladimir Putin and U.S. President George W. Bush signed a treaty and issued a declaration of political accommodation promising, in Bush's words, to "liquidate the legacy of the Cold War." That is, of course, an appealing phrase and an aspiration every reasonable person will endorse. But it is certainly not an imminent accomplishment – not yet even the predominant trend.

The underlying reality is that U.S. military forces are being prepared for extended confrontation, not political accommodation. Their projected capabilities are inherently provocative not only to Russia, but to China as well. They are also vulnerable to Russian and Chinese reactions, particularly in space, where some of the most critical assets are based. Soothing rhetoric cannot indefinitely obscure the ominous implications.

John Steinbruner is professor of public policy and director of the Center for International and Security Studies at the University of Maryland. A Fellow of the American Academy since 1992, Steinbruner is currently co-chair (with Carl Kaysen) of the Academy's Committee on International Security Studies. An expert on foreign policy issues, he is the author of numerous books and essays, including "Principles of Global Security" (2000).

Jeffrey Lewis is a graduate research fellow at the Center for International and Security Studies at the University of Maryland.

It is time for everyone to pay attention.

The treaty negotiated in Moscow limits the number of strategic nuclear warheads that are to be operationally deployed by their respective military establishments on December 31, 2012 – on which day the treaty expires. At first glance, that appears to establish the principle of legal restraint for both nuclear forces. But the treaty sets *no* significant limit on destructive capabilities. The imposed ceiling of 2,200 operationally deployed nuclear warheads permits the United States, for instance, a sufficient number of immediately available nuclear weapons to destroy much of the Russian nuclear arsenal in a first strike – and to simultaneously devastate Russia's conventional forces, political leadership, and industrial base. Moreover, the treaty covers only those weapons that are present at the operational bases of intercontinental range forces, allowing both signatories to retain 'reserve' inventories greatly in excess of the 2,200 warhead ceiling. Reserve warheads could be 'uploaded' onto delivery vehicles and returned to immediately available status in a short period of time.

So, for the foreseeable future, both nations will retain nuclear weapons far in excess of the number needed for any conceivable purpose – and there are no supplementary restraints. As a result, compliance with the treaty will not meaningfully diminish the lethal potential of either nation's nuclear force. Nor will the treaty establish an equitable or stable strategic balance, since Russia

does not have the resources to safely maintain its nuclear forces at the size and alert rates envisaged by the United States. Over time, a deteriorating Russian arsenal will become increasingly vulnerable to preemptive attack, particularly as the United States undertakes planned modernization of nuclear forces and the deployment of missile defenses.

If this agreement were seriously expected to carry any burden whatsoever, it would not pass even the most rudimentary scrutiny. Despite its glaring inadequacies, Congress appears poised to ratify the Moscow Treaty, no questions asked.

It is tempting, of course, to believe that the spirit of accommodation rhetorically proclaimed in Moscow might gradually dissolve the operational confrontation of the two nuclear forces that has prevailed continuously since the 1950s. To achieve that result, all weapons would have to be consigned to secure storage; none could be held available for immediate use; and preparations for massive, rapidly enacted retaliation would have to be decisively terminated. If all that were to occur, managerial control of each arsenal would be assured at a much higher standard than currently prevails, and the practical significance of residual disparities between them would be substantially diminished. That would come much closer to liquidating dangerous legacies.

Unfortunately, the Bush administration appears to have no interest in altering either the Cold War configuration of the U.S. nuclear arsenal or the Cold War mindset that underlies it.

Under the current planning guidance issued for U.S. nuclear forces, thousands of nuclear weapons are to be maintained indefinitely on continuous alert status. Those forces will continue to retain the capacity to devastate any foe on a few-

minutes notice. As at the height of the Cold War, their massively destructive firepower will be directed primarily against Russia and China, even if that fact is not announced as bluntly as it once was. Moreover, the American nuclear arsenal will be coupled with increasingly capable conventional forces, able to undertake increasingly intrusive operations on a global scale. The traditional emphasis on responding to aggression is being overlaid with a new stress on *initiating* attacks against terrorist networks and 'evil' states suspected of seeking weapons of mass destruction. The forces instructed to develop and preserve this array of capabilities are supported by a U.S. defense budget larger than the combined defense expenditures of the twenty-five countries ranked next highest in defense spending.

These forces, moreover, are being directed by increasingly nationalistic security policies. The Bush administration has conducted an assault on the major elements of the multilateral legal framework that had been developed to regulate security policies and force deployments. The United States abrogated the Anti-Ballistic Missile Treaty, which stood for thirty years as a widely acknowledged pillar of restraint. It forced termination of efforts to negotiate a compliance protocol for the Biological Weapons Convention. It has repeatedly denigrated and refused to ratify the Comprehensive Test Ban Treaty, despite international consensus on the necessity of such a ban. Some senior Bush officials have even publicly questioned the negative security assurances that previous administrations issued in support of the Nuclear Nonproliferation Treaty.

These policies are a sharp departure from past administrations of both parties, and do not reflect majority sentiment as measured in opinion polls. The

American political system has nevertheless not responded to this dramatic shift in policy and approach; for the moment, the political system appears to be far more interested in wielding effective force than in promoting global reassurance.

There is good reason to expect that a more balanced attitude will eventually emerge. Globalization, particularly the attendant process of economic engagement, creates a strong incentive to pursue seriously the political accommodation declared at the Moscow summit. The impulse for assertive superiority emanating from the American military planning system is not realistic and does not reflect the broader interests of the United States. A democratic process worthy of the name will eventually have to represent those interests, and in doing so will have to pursue equitable accommodation not just with Russia, but with China and all of the other major societies currently outside of our alliance system.

There are serious questions, however, as to how gracefully the necessary adjustments might occur. There could be some painful lessons along the way.

One implication of the Moscow summit is that Russia will pursue incremental accommodation over some period of time. In the initial stages, that effort will require Russia to accept both the inequitable force balances that will result from the Moscow treaty and significant institutional discrimination imposed by the NATO – Russia Council Agreement announced in Rome shortly after the Moscow summit. That implicit strategy reflects an impressively prudent judgment in the face of what Russian leaders in earlier times would undoubtedly have treated as hostile provocation. By tolerating some immediate indignity, the Russians have gained time to try to in-

duce the United States and its allies to be more forthcoming than they currently intend. Meanwhile there is no specific situation likely to generate a sudden confrontation with the United States, and the stark disparities in military investment will not become urgently dangerous to Russia for another decade or so.

In the long run, however, if the strategy of incremental accommodation does not produce solid results, future Russian leaders are likely to devise a more forceful reaction. They cannot advertise that possibility without undermining the effort to achieve meaningful accommodation, but the logic they are likely to use is already visible in China.

In recent years, China has pursued economic accommodation with all the industrial democracies much more assertively and effectively than has Russia. That effort was consolidated with China's entry into the World Trade Organization. China's attempts to establish corresponding security arrangements have not been successful, however. There are no treaties regulating its security relationship with the United States, and China considers the most relevant political document – a 1982 communique intended to limit arms sales to Taiwan – to have been violated by the United States. Many Chinese officials view U.S. military planning projections with growing alarm and have concluded that China is now the principal target for the advanced capabilities the United States is developing. These officials worry that the U.S. ballistic missile defense program is a direct threat to the minimal nuclear deterrent force that China has chosen to maintain.

Unlike the Russians, who have the option of playing for time, the Chinese are confronted with the prospect of near-term confrontation over the status of Taiwan – a reasonable assessment in

light of the identification of a conflict over Taiwan as one of a handful of 'immediate contingencies' in the U.S. *Nuclear Posture Review*. The Chinese are especially concerned that increasingly sophisticated American capabilities for preemptive attack might be used to support Taiwanese independence.

Although it is common in the United States to depict China as a rising power bent on regional domination, the security assessments provided by Chinese leaders are much more circumspect. Their central planning documents identify internal economic development as the overriding national priority, and frankly admit the constraint this imposes on military development. After allowing defense expenditures to decline for the first fifteen years of its economic reform program, China began to increase its defense effort in the 1990s. Still, China's military investment remains substantially below that of the United States, certainly in absolute amount and probably as a percentage of overall defense spending as well.

The maintenance of a large U.S. nuclear arsenal, coupled with advanced space systems including missile defenses, creates concern in Beijing about the survivability of the Chinese nuclear deterrent. In the necessarily pessimistic assessment of the weaker party, China's leaders are compelled to consider whether the deployment of missile defense systems might allow the much stronger United States, perhaps during a crisis over Taiwan, to become confident that it could conduct a disarming first strike against China's two-dozen or so intercontinental ballistic missiles (ICBMs). The Chinese worry that the United States might believe that missile defenses would be able to intercept in flight any Chinese missiles that were not destroyed on the ground. The United States could also use

space-based surveillance, reconnaissance, and precision strike assets to find and destroy the mobile ICBMs that China hopes to deploy in the next eight to ten years, in order to increase the survivability of its deterrent.

The Chinese were particularly alarmed by a 1998 long-range planning document released by the then United States Space Command (USSPACECOM). That document outlined a concept called *global engagement* – a combination of global surveillance, missile defense, and space-based strike capabilities that would enable the United States to undertake effective preemption anywhere in the world and would deny similar capability to any other country.

USSPACECOM was frank about the controversial nature of such a proposal. "At present," the authors wrote, "the notion of weapons in space is not consistent with U.S. national policy. Planning for the possibility [of weapons in space] is a purpose of this plan should our civilian leadership decide that the application of force from space is in our national interest."

Most recently, prominent civilian officials have endorsed the change of policy that would be required to pursue the USSPACECOM vision. The congressionally mandated Commission to Assess United States National Security Space Management and Organization warned of a "Pearl Harbor in space" unless the United States developed the capability to "project power in, through, and from space." Secretary of Defense Donald Rumsfeld, who chaired the Commission before his nomination, identified outer space as one of a small number of key goals for defense transformation and implemented many of the organizational recommendations contained in the Space Commission report. The Chairman of the Joint Chiefs of

Staff, Air Force General Richard Myers, is the former Commander in Chief of USSPACECOM and a strong proponent of *global engagement*. Under Rumsfeld and Myers, the Defense Department has imposed changes in doctrine, organization, and budgets in support of a *global engagement* capability. The Department drafted a new *Nuclear Posture Review*, which reportedly advocates the use of space-based assets to enhance conventional and nuclear strike missions; combined USSPACECOM with United States Strategic Command, which maintains operational control of U.S. nuclear forces, to create a single entity responsible for early warning, missile defense, and long-range strikes; and requested \$1.6 billion over fiscal years 2003 – 2007 to develop space-based lasers and kinetic kill vehicles to intercept satellites and ballistic missiles.

As a practical matter, China has no real hope of matching the military capabilities currently being developed by the United States. China's leaders clearly understand that fact – but they have no intention of submitting to intimidation, either.

They are therefore exploring the feasibility of what U.S. officials term an 'asymmetric' military response. They have identified U.S. assets in space as the prime target for such a response. Space assets are exceedingly valuable – and exceedingly vulnerable. They can be successfully attacked at a small fraction of the cost and effort required to develop, protect, or replace them. Acts of interference or direct destruction would entail no immediate human casualties but could be monumentally disruptive to military and commercial support services. The mere prospect of discreet 'asymmetric' acts of that sort can be expected to induce a more inclusive and more penetrating discussion of national inter-

ests within the American political system. If Chinese leaders are skillful enough to present that possibility as a legitimate reaction to provocation, they could expect to attract very substantial support from an international community increasingly interested in commercial space activities.

There is some risk, of course; an asymmetric strategy of this sort might backfire in the United States. Advocates of expanding U.S. military activities in outer space might successfully use threats of interference to confirm the aggressive intentions they have been projecting to justify their efforts. In that event, China would have to develop sufficient capacity for interference – against dedicated resistance – to discourage U.S. preemptive operations. The feasibility of that project remains to be demonstrated, but it is certainly a plausible aspiration.

The earliest stages of a confrontation between the United States and China are already occurring at the United Nations Conference on Disarmament (CD) in Geneva. That is a forum that does not attract general public attention or directly affect the main channels of diplomacy. It therefore provides a means of issuing official warnings that can readily be retracted.

In recent years, the Chinese delegate to the CD has repeatedly stated that the plans for the military use of outer space projected by USSPACECOM are not consistent with the 1967 Outer Space Treaty. The preamble of this treaty provides legal protection for existing space assets, provided that they are peaceful in character. The introduction of weapons for offensive purposes would violate that provision, China's delegates have contended, and would therefore remove legal protection for any asset that could contribute to military operations, a formulation that potentially includes com-

mercial assets as well. Denial of legal protection is the first step in a strategy of legitimized interference.

China's delegates have also repeatedly asked for a formal mandate for the CD to negotiate a supplemental treaty, specifically to prohibit the placement of weapons in space, and to define more explicitly the acceptable terms of military support activities. Such a display of benign intent would be the second step in a Chinese strategy to win international support. The U.S. delegate has helped to validate both steps by repeatedly rejecting any effort to negotiate a new treaty.

This dispute has deadlocked the CD, which operates on the basis of consensus, leaving it without a plan of work since 1998. The intransigence displayed by the United States appears to be alienating many allies who worry about the impact of U.S. missile defense deployments on international stability.

Just days after the Moscow summit, the Russian delegate joined his Chinese

counterpart in presenting a draft working paper that outlined tentative suggestions on a treaty to prohibit the placement of weapons and use of force in outer space. The coincidence of timing was undoubtedly not an accident, as the Russians are fond of saying.

The development of rules to regulate activity in space in the emerging global security situation is admittedly a complex matter. There are reasonable disagreements about how best to proceed. It should be obvious, however, that equitable accommodation is overwhelmingly in the general interest and that the incipient confrontation now in its earliest stages is a preventable calamity. If there is to be a reasonable outcome, then the most insidious of the Cold War legacies – the apparent commitment of the United States to active military confrontation for decisive national advantage – will have to be adjusted in reality, not merely in words.