

The War in Ukraine and Global Nuclear Order

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Whoever tries to impede us, let alone create threats for our country and its people, must know that the Russian response will be immediate and lead to the consequences you have never seen in history.

Russian President Vladimir Putin, 24 February 2022¹

Nuclear weapons were central to Russia's invasion of Ukraine from the outset. In the first ten weeks of the military campaign, Moscow issued around 20 nuclear signals.² While Russian President Vladimir Putin's made-for-television appearance on 27 February 2022, raising the Russian arsenal's alert level, drew the most attention, Russian forces have also fired nuclear-capable missiles at Ukraine and conducted drills with nuclear-armed submarines. Owing to its nuclear arsenal, the Kremlin's strategy appears to have deterred direct Western military intervention to aid the Ukrainian state and its people.

The catastrophic damage caused by Russia may reverberate far beyond Ukraine's territorial borders. By using its nuclear arsenal as a tool to enable war crimes, the attempted destruction of another state's sovereignty and reckless attacks on civilian nuclear infrastructure, Moscow has taken a sledgehammer to the global nuclear order.³ Fortunately, the

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foundation of international nuclear governance is more robust than is often assumed.⁴

The global nuclear order was undeniably strained well before Russian forces launched their regime-change mission on 24 February. Dissatisfied with the lack of disarmament progress among the 'nuclear haves' enshrined by the 1968 Nuclear Non-Proliferation Treaty (NPT), many 'nuclear have-nots' have been drawn to the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW). This agreement resulted from a movement to discredit the idea that nuclear deterrence and extended deterrence provide security benefits.⁵ Even with its growing list of 66 parties, the TPNW has been widely condemned by nuclear-armed states and their allies.⁶ Renewed great-power competition is also prompting increases in missile inventories and nuclear war-fighting plans.⁷

What effect will Russian behaviour have on this already besieged system? At the tip of the iceberg, historically neutral Finland and Sweden are running for cover under NATO's nuclear umbrella. But the danger lurks deeper. Russia's aggression directly challenges the global nuclear order, from long-standing multilateral treaties to assumptions about the usability of nuclear arms in conflict.

To appreciate the stakes, it is useful to identify the components of that order and observe how they work together. The components include international organisations, treaties and practices – a regime complex – to address dilemmas of the nuclear age.⁸ Key mechanisms include the NPT, other arms-control treaties, extended-deterrence guarantees, legal governance of civilian atomic energy and regional nuclear agreements like those between Argentina and Brazil or among the Euratom member states. These issues are linked, and their connections are sources of both strength and fragility. Together, they provide verification, enforcement, and continuity of norms and processes within the regime complex. But this nuclear-governance system is firmly embedded in the post-Second World War economic, political and security framework that Russia has been rebelling against in recent years.

During the first few months of the Ukraine war, debates over its nuclear dynamics have been grounded in realist analyses of national interests and

power politics.⁹ A core assumption of this school is that states work through institutions only when they serve their interests.¹⁰ Without their own sources of power, the argument runs, institutions have never enabled states to cooperate more than they desire, and never will. Seen through this lens, every Russian nuclear signal is a reality check for those with presumptively naive faith in the global nuclear order, which does not effectively impede great powers from advancing their interests.

An opposing perspective, grounded in a belief in international law, is that rules and norms can and should constrain state interests and behaviour. This view, shared by many who have built nuclear-governance mechanisms, interprets international commitments as rigid. States like Russia that do not commit to international nuclear governance, or renege on commitments, undermine the legitimacy and effectiveness of the entire construct and produce anxiety about its fragility. But they also bear severe costs, including sanctions and international ostracisation.

We come down somewhere in between these two positions. The nuclear order is neither air nor rock; it is water. While it cannot stop a determined and powerful state, it creates friction and transforms the option space. It makes some moves rather difficult while creating alternative opportunities and incentives. The source of this shaping power is the complex's ability to ameliorate coordination and collective-action problems such as security dilemmas. One of its main assets is reliable information about the nuclear activities of others, which reduces uncertainty about threats states might face. In short, the nuclear regime derives its power from being useful to states.

Yet the global nuclear order cannot be useful to all states equally all the time. States have varying preferences and levels of bargaining power over institutional rules. As a result, the order has never been coherent or harmonious, and has always had to accommodate its creators' hypocrisies.¹¹ Russian actions alone are highly unlikely to change these fundamentals. Even if they might create opportunities for a small group of recalcitrant states such as Iran and North Korea, the objectionable nuclear conduct of these states pre-dates the Ukraine conflict by many years. So long as the regime provides

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useful information and endows states with more bargaining power on energy and security than is available outside the global nuclear order, it is likely to endure.¹²

Fears of a lowered nuclear threshold and a shattered nuclear taboo are also overstated. Nuclear threats have been voiced many times since 1945, and security relations between the great powers have long been premised on nuclear targeting of one another's arsenals and population centres. Russian nuclear threats have restored public awareness of these profoundly dangerous aspects of international politics. How governments and publics confront this nuclear salience for the first time since the Cold War will determine the direction of the global nuclear order.

More transgressions?

In today's nuclear world, nine nuclear-armed states possess around 12,700 nuclear weapons among them.¹³ China, France, Russia, the United Kingdom and the United States are among 191 states that have joined the NPT, which permits these five nuclear-weapons states (NWS) to have the bomb. India, Israel, North Korea and Pakistan remain outside the treaty.¹⁴ Despite these outliers, the non-proliferation enterprise has on balance reduced the appeal of nuclear weapons and made it harder to acquire them.¹⁵ A powerful combination of norms, national initiatives and International Atomic Energy Agency (IAEA) verification have contributed to this imperfect success.¹⁶

The Russian invasion presents a particular challenge for non-proliferation in the regime complex because of Ukrainian nuclear history. A considerable proportion of the Soviet Union's nuclear arsenal remained on independent Ukrainian soil after the Soviet empire's dissolution. Kyiv inherited the world's third-largest nuclear arsenal and a good many delivery vehicles. While the Ukrainians did not have immediate operational control of the arsenal, the country was technologically well positioned to convert its inheritance into a nuclear-weapons option.¹⁷

In 1994, Russia, the UK and the US gave security assurances to Kyiv in the Budapest Memorandum to help induce Ukraine to become an NPT non-nuclear-weapons state (NNWS). After lengthy negotiations, the weapons were transferred to Russia. Alongside Ukraine in the denuclearisation

endeavour were two other post-Soviet nuclear-successor states: Belarus and Kazakhstan.¹⁸ Aside from these three countries, only South Africa has given up nuclear weapons, doing so as it dismantled the apartheid system.¹⁹

Twenty years after the Budapest Memorandum was issued, Russia violated it. Moscow fomented and backed a separatist insurgency in the Ukrainian Donbas and annexed the Crimean Peninsula by way of a disputed referendum. The wider invasion of Ukraine, beginning in February 2022, marks a continuation of a disturbing pattern: an NWS under the NPT attacking an NNWS to which it had pledged security assurances.

In theory, there are two strategic reasons why Putin's war might lead to increased global proliferation risks. Firstly, proliferation has often followed actual or perceived territorial losses. The UK and France realised their nuclear ambitions shortly after losing their colonial possessions. China began developing atomic weapons in the wake of its civil war and the establishment of the Taiwanese state. India pursued the nuclear option after losing territory in border clashes with China and in light of perceived threats from Pakistan, which had been part of India. The Pakistani programme came after Bangladesh gained independence from Pakistan.²⁰

Nevertheless, Ukraine remains an NNWS in good standing under the NPT. There are no indications that Kyiv intends to reverse course, notwithstanding baseless Russian accusations that served as one early justification for the war.²¹ If Ukraine receives military support commensurate with an existential threat to its sovereignty, that precedent for protecting the territorial integrity of an NNWS would be far stronger than any past NPT discussions of negative security assurances.²² But if Ukraine is forced to cede territory or becomes a de facto Russian colony, the clear message would be that security against nuclear-armed aggressors can only be found through alliances with other nuclear-weapons states or nuclear proliferation. This development would prove challenging for the regime complex. In South Korea, for example, precisely these considerations are now receiving high-level government attention.²³

Secondly, Russia's invasion of a disarmed Ukraine could worry actual and would-be proliferators. Iraqi dictator Saddam Hussein and Libyan dictator Muammar Gadhafi were removed from power in foreign-imposed

regime changes and subsequently killed after abandoning military nuclear programmes under international pressure. Their fates and the events in Ukraine may suggest that those who abandon nuclear weapons cannot ensure their sovereignty or regime survival. Perhaps it is no wonder that Tehran has pulled further away from reviving the Joint Comprehensive Plan of Action (JCPOA) in recent months. Western intelligence services also report that Pyongyang is preparing for a possible seventh nuclear test. Yet Iran and North Korea have long been resistant to the global nuclear order.²⁴ And many non-nuclear-weapons states appear to be learning the exact opposite lesson from the risks of the conflict, and are increasing their nuclear-abolition advocacy, as seen at the recent first meeting of TPNW parties.

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Russia had also displayed notable rogue tendencies before the invasion. It joined China in wielding its UN Security Council veto over non-proliferation sanctions on Iran and North Korea, and did not fully implement existing multilateral sanctions, as it stood to gain from energy trade with Iran and trade in raw materials, such as coal, with North Korea.²⁵ Despite these Russian lifelines, strong international backing for the regime complex has ensured that Tehran and Pyongyang continue to face economic consequences for their nuclear activities.

Rosatom, Russia's state-run nuclear-energy corporation, has recently been involved in several dubious nuclear projects. It supported the financing and construction of the Astravets nuclear power plant in Belarus and the ongoing El-Dabaa project in Egypt. Neither Belarus nor Egypt has concluded an Additional Protocol for more stringent inspections with the IAEA, and Egypt has been at odds with the agency in the past over fissile-material activities conflicting with its safeguards agreement.²⁶ In both cases, Russia stepped in to provide backing – in effect, creating a parallel 'autocratic nuclear marketplace' – when more scrupulous nuclear exporters doubted the non-proliferation bona fides of state customers.²⁷ Rosatom has so far remained largely free from Ukraine-related sanctions and is likely to increase its nuclear exports as the economic consequences of the war force Moscow to seek new revenue sources.

Other great powers besides Russia have been non-proliferation rogues. China and France did not accede to the NPT until 1992, 34 years after its inception. Before then, the French provided technical assistance that benefitted the Indian, Iraqi and Israeli nuclear-weapons programmes.²⁸ Even though the United States has been the primary promoter of the NPT,²⁹ Washington itself has done much to undermine the treaty.³⁰ US officials knew Israel, Pakistan and South Africa were building the bomb but did remarkably little to stop them.³¹ The United States also ignored the IAEA's findings and invaded Iraq in search of imagined weapons of mass destruction. And after years of private back-channel and formal multilateral diplomacy to create the JCPOA, Washington abandoned the deal without an alternative.³²

On account of such double standards, the NPT is often seen as a regime benefitting the nuclear haves more than the nuclear have-nots.³³ Lost in the rhetoric is the fact that the treaty provides perhaps the greatest service to the 'nuclear have-somes' – middle powers with the potential to develop nuclear weapons. However tense the enduring Greece–Turkey and Colombia–Venezuela rivalries, neither side has to contemplate starting a nuclear-weapons programme for fear that the other might do so first. The have-nots have also been recipients of substantial IAEA technical assistance for a broad range of civilian agricultural, medical and energy applications. These benefits remain independent of Russian actions and the lack of progress among the NWS on nuclear disarmament.

It is possible that Russia's war may make individual NPT defections more likely. Under Article X of the treaty, any state can withdraw from the treaty if it believes 'extraordinary events ... have jeopardized the supreme interests' of the state.³⁴ In practice, that is an unappealing option. Historically, states that opt not to participate in the regime complex have found themselves lacking both reliable security sponsors and nuclear-fuel and -technology suppliers.³⁵ Russia would be one of the few possible partners that could help fulfil future defectors' energy and security needs. But few states would gamble on the Kremlin, especially given widespread international condemnation of the Ukraine invasion. Most countries still benefit from the nuclear status quo.

Regardless of the NPT's value to middle powers, dissension is growing in some non-nuclear-weapons states. These states were already greatly dissatisfied with the nuclear-weapons states' inability to credibly move towards nuclear disarmament, which they committed to do in the NPT. The Ukraine conflict's nuclear dynamics appear to be amplifying these divisions. Though it is not a mainstream position, some critics have even called for NNWS to withdraw from the NPT in favour of the TPNW to normatively stigmatise nuclear weapons and encourage disarmament.³⁶

While Russian actions may motivate further TPNW ratifications, a mass NPT exodus is very unlikely. Moscow's war of aggression might provide cover to opportunistic defectors, but they would lose their bargaining power in the nuclear-weapons and atomic-energy domains. Withdrawing from the treaty and its IAEA safeguards at a time when many countries are reconsidering the value of nuclear weapons might well be read as an intent to proliferate. It would also hamper a state's civilian nuclear-power efforts, which are protected by treaty Article IV; it is difficult to imagine Nuclear Suppliers Group members exporting fuel and technology to NPT defectors. All in all, the NPT remains a stamp of good global citizenship and a demonstration of a state's normative commitment to the non-proliferation enterprise.

Arms control is dead, long may it live

Non-proliferation is about stopping new countries from acquiring nuclear weapons. Nuclear-arms control is about reducing dangers from existing arsenals. Both are part of the global nuclear order and linked through Article VI of the NPT, in which the NWS pledged to eliminate their arsenals – eventually. Most important arms-control agreements have been struck between Moscow and Washington, which together possess the overwhelming majority of the world's nuclear weapons.

Even before the Ukraine war, US–Russian arms control was running on Cold War fumes. Bilateral treaties forged between the United States and Soviet Union, whose nuclear arsenal and international treaty obligations mostly passed to Russia, fell apart.³⁷ The United States withdrew from the Anti-Ballistic Missile (ABM) Treaty in 2002 and the Intermediate-Range Nuclear Forces (INF) Treaty in 2019, the latter in response to Russian violations.³⁸

The sole remaining bilateral arms-control treaty is the New Strategic Arms Reduction Treaty (START), which caps both countries' strategic nuclear arsenals, and expires in 2026. As of this writing, both the United States and Russia are still actively implementing the treaty's limits and carrying out verification inspections.³⁹ However, no negotiations are under way for a follow-on treaty. The Ukraine conflict has virtually frozen all diplomacy between Washington and Moscow, including the bilateral Strategic Stability Dialogue. Putin's war has thus hardened a trajectory established in the wake of disagreement over events in Syria and Crimea: both sides continue to hold nuclear-arms control hostage to broader geopolitical tensions.

The short-term prospects for concluding a new accord appear remote. Even if there were renewed arms-control dialogue, the sides' positions are simply too far apart to imagine the contours of an agreement extending beyond New START's limitations.⁴⁰ The United States is primarily interested in reducing Russia's overall warhead count to deal with the next generation of Russian strategic nuclear forces and its massive tactical nuclear stockpile.⁴¹ These concerns have, of course, only increased with Putin's nuclear threats and fears that the Russian military may use tactical nuclear weapons in Ukraine to compensate for its battlefield failures.

The Russian position has primarily focused on American missile defence. Officials worry that such deployments – particularly in Europe – might threaten the viability of Russia's second-strike nuclear capability.⁴² Proponents of US missile defence, foremost in the Senate, firmly reject even discussing such limits. The missile-defence impasse between the two capitals has seemingly become intractable: Moscow seeks a declaration of mutual vulnerability and deterrence, which is anathema in US political discourse. At the heart of the missile-defence dilemma are the *Aegis Ashore* systems under construction in Poland.⁴³ But with a war under way in which missiles land close to their borders, Poles are unlikely to look favourably upon any reductions in US military commitments. They could result in alliance-cohesion difficulties when consensus in NATO appears imperative. Somewhat less controversial than missile defence is the Russian desire to include US conventionally armed precision-strike missiles in any new bilateral arms-control agreement.

The absence of negotiations and discernible mutual benefits from arms control are disheartening indicators of the calamitous state of bilateral relations. Agreements on weapons limitations and on-site verification inspections would reduce risks and increase transparency. The potential collapse of bilateral arms control following the expiration of New START makes an unconstrained arms race more likely as nuclear salience grows. Misperceptions could be devastating, especially given improved US nuclear counterforce capabilities and Russian reliance on emerging technologies in the nuclear sphere.⁴⁴ Nuclear possessors both inside and outside the NPT would want to keep pace with the United States and Russia to maintain the credibility and survivability of their deterrents. If slowing reductions in arsenals were already straining the credibility of the NPT's disarmament pledge, how can the global nuclear order accommodate their fast growth?

During the Cold War, high tensions and moments of crisis sometimes led to arms-control agreements. The Cuban Missile Crisis made the Limited Test Ban Treaty (LTBT) possible, and the perilous 1983 NATO *Able Archer* exercise set the scene for the INF Treaty and other elements of late-1980s nuclear cooperation. Negotiations were always susceptible to the Kremlin's military adventurism and other bilateral crises, but these crises did not kill arms control altogether. The Warsaw Pact invasion of Czechoslovakia in 1968 scuttled bilateral arms-control discussions; however, they were revived a mere 15 months later as the first Strategic Arms Limitation Talks (SALT I).⁴⁵ Diplomatic fallout from the Soviet invasion of Afghanistan in 1979 prevented mutual ratification of SALT II, but both sides observed its limits regardless.⁴⁶ Nuclear crises tended to impart a shared sense of danger to leaders in Washington and Moscow, as both experienced a situation that nearly slipped beyond their control. So far, however, Putin has no reason to draw any such lesson. His nuclear threats have seemingly deterred Western military intervention on behalf of Ukraine, while US nuclear signalling has been aimed at avoiding escalation and reassuring NATO allies.⁴⁷

Even so, there are several reasons not to be hypnotised by nostalgia for the golden age of arms control.⁴⁸ Firstly, Cold War arms control fostered an unhelpful focus on numerical parity of strategic delivery vehicles instead of optimising strategic stability and risk reduction.⁴⁹ Secondly, the major

agreements of the late 1980s were possible because the Cold War was effectively over and the United States was in a far stronger bargaining position than the crumbling Soviet Union.⁵⁰ In the United States, this has raised unrealistic expectations of what is achievable through arms control. To the Russians, late-Cold War arms control now signifies their exploitation in a time of weakness. Thirdly, the prospect of arms control sometimes incentivised the production of weapons systems with dubious value simply as bargaining chips.⁵¹ Russia's exotic nuclear systems, such as the *Kinzhal* hypersonic missile and *Poseidon* nuclear-armed underwater drone, may serve this function.

Another affliction of bilateral arms control has been the urge to multilateralise the process. The Trump administration refused negotiations that did not include China, whose arsenal of 350 nuclear weapons – which the Pentagon believes may grow to 1,000 by 2030⁵² – is currently an order of magnitude smaller than those of Russia (5,977) and the United States (5,428).⁵³ In addition to China's steadfast unwillingness to join before the others draw down to its level, there has been very little conceptual preparation for how a trilateral agreement could be structured and verified.⁵⁴ It remains unclear how mechanisms created to manage the US–Soviet global stand-off could solve the problems of US–Chinese competition.

*Nuclear threats are
all Russia has left*

Great-power competition complicates nuclear-arms-control prospects. Russia has called for an increased doctrinal focus on nuclear weapons as an equaliser with the United States and sought to cow Europe into pressuring Ukraine for concessions.⁵⁵ Its nuclear deterrent thus serves not only to protect its national territory but also to afford it freedom of action within its self-declared sphere of influence. With its conventional forces shown to be inadequate amid mounting battlefield defeats in Ukraine, nuclear threats are all Russia has left to claim its status as a legitimate great power.

Cause for a modicum of optimism remains irrespective of arms-control stagnation. For Russia, now crippled by economic sanctions and having lifted the curtain on its conventional military might, arms control is one of few conceivable pathways back to international respectability after its

invasion. This, of course, will not be possible until the war in Ukraine has ended.⁵⁶ Residual issues associated with the conflict will then be incorporated into the calculus of negotiators. If the war is brought to a close by means of a major agreement involving the United States, there would be few obstacles to the resumption of arms control. But continued Russian assaults on Ukraine – even at the lower intensity seen before the February 2022 invasion – would impede arms control.

Non-nuclear issues will be much harder to set aside than they were in the most recent post-Cold War arms-control negotiations. On the one hand, since Russia would likely insist on the lifting of sanctions as part of negotiations, the United States may have some leverage to pursue bilateral arms control. On the other hand, even if an American presidential administration were willing and able to jump-start serious dialogue with Russia, the war has fundamentally transformed the domestic politics of nuclear issues in the West. Arms control now has a higher profile than it has had in at least a generation. It is difficult to imagine the Senate ratifying an agreement while Russia continued to target Ukrainian civilians indiscriminately.

As a result, political discourse on arms control is likely to resemble the contentious debate over the JCPOA more than previous arms-control discussions. Under these circumstances, even a US president inclined towards arms control would need to consider non-treaty arms-control measures. New START could provide a basis for a verification regime, and the bilateral Presidential Nuclear Initiatives (PNIs) of the 1990s – which facilitated the dismantlement of thousands of tactical nuclear weapons – could serve as a potential model.

Russia has made a bad arms-control situation worse while increasing the salience of nuclear weapons. But if the Ukraine war has made bilateral arms control less institutionalised, by the same token it has made it more malleable, and thus susceptible to being refashioned to fit post-war circumstances. No matter how bad the bilateral relationship gets, both sides will benefit from stabilising the nuclear balance between them to predictable and transparent levels. To be sure, other interests, and the nuclear issue's heightened visibility, will inhibit arms-control efforts in the near and medium terms. So long as other states exercise strategic patience, however, this need not cause long-term damage to the global nuclear order.

From silence to salience

The year 2022 began on a positive nuclear note. At Russia's insistence, the five NPT-designated NWS reaffirmed the 1987 Reagan–Gorbachev statement that 'a nuclear war cannot be won and must never be fought'. They further elaborated that their nuclear arms would be used to 'serve defensive purposes, deter aggression, and prevent war'.⁵⁷ Two months later, Russia dashed all such optimism by brandishing its arsenal to support its war of territorial conquest.

These actions have sparked debate about whether Putin has imperilled the post-Second World War taboo against the use of nuclear weapons.⁵⁸ The taboo reflects and enshrines the ultimate objective of the global nuclear order: preventing nuclear use.⁵⁹ Yet it has been threatened fairly often. Moscow itself, for instance, menaced Britain, France and Israel with nuclear annihilation during the 1956 Suez Crisis.⁶⁰ The United States famously issued nuclear ultimatums during the Cuban Missile Crisis as well as in the Korean and Yom Kippur wars.⁶¹ The threats have usually taken the form of deliberately ambiguous signals that nuclear-weapons use could not be ruled out rather than direct statements of intent. The popular 'all options are on the table' formulation is an example.⁶² In 2018, the button-comparing dialogue between Donald Trump, then the US president, and North Korean leader Kim Jong-un was far more explicit.⁶³ While their rhetoric did not amount to direct threats, many observers saw their statements as part of a larger trend towards eroding the taboo.

Whether or not Moscow has violated or damaged a taboo, Russia's nuclear possession has not just made its adventurism and territorial conquest possible but also motivated Putin to take these steps.⁶⁴ Russia is employing such threats to advance the violation of another post-Second World War interstate norm in Europe: the proscription of territorial conquest. Russia is also planning to deploy nuclear-tipped missiles to Belarus, which recently passed a referendum ditching the country's non-nuclear status.⁶⁵ In the unlikely event that Russia were to use nuclear weapons in Ukraine, their psychological effect would of course be appreciably amplified. If the war concludes without nuclear use, renewed public consciousness of nuclear weapons will remain and help determine the future of the global nuclear order.

Furthermore, in making nuclear threats overt, Putin has focused public attention on nuclear dynamics and processes usually consigned to obscure technocratic and elite activity.⁶⁶ In Europe, each Russian threat has illuminated once-suppressed nuclear facts of life. Helpless publics are waking up to the harsh truth that there is no reliable protection against city-destroying nuclear-armed missiles that can arrive from Russia in under half an hour. Meanwhile, the tool on display to prevent such horrific devastation is a promise that France, the UK and the US are threatening to retaliate in kind if a Russian missile lands on NATO territory. This is, after all, the world of nuclear deterrence based on 'mutual assured destruction' created and refined in the aftermath of the Second World War.

The erstwhile obfuscation of daily nuclear risk did not occur merely through public inattention. After the collapse of the Soviet Union, it became less necessary and appropriate to discuss the nature of nuclear confrontations. Long gone were the days of duck-and-cover drills. The global nuclear order thus stabilised by becoming institutionalised, invisible and unchallenged.⁶⁷ Part of that order has involved the US practice of extending deterrence to allies including all NATO members, Australia, Japan and South Korea.⁶⁸ The nuclear umbrella serves two principal objectives: protecting US allies and preventing them from pursuing the bomb on their own.⁶⁹

For the most part, national leaders do not emphasise American extended nuclear deterrence to their respective publics. Japan is a case in point. Some 75% of the Japanese public hopes the country will ratify the TPNW.⁷⁰ Only 13.8% claim to support a US retaliatory nuclear strike in the event that North Korea uses nuclear weapons against Japan.⁷¹ As a result, 'successive Japanese governments have felt it necessary to conceal the true nature of Japan's facilitation of America's nuclear strategy'.⁷² US-allied capitals like Tokyo often publicly demand disarmament action while privately lobbying against any measures that might be seen as reducing the effectiveness of the US nuclear umbrella.⁷³

Exposing the tough nuclear choices nations face to the public will make it more difficult to maintain these convenient hypocrisies. Russia's war has already prompted Sweden to drop official neutrality and outwardly embrace its long-practised, behind-the-scenes alignment with NATO.⁷⁴

Next door, Finland has dropped the pretence of ‘Finlandisation’ that Russia is not a threat. Germany has realised it needs to build a firmer security policy. Granted, policies forged in crises are not guaranteed to be the wisest long-term choices. There is a particular danger that policy can become over-nuclearised in states that have not thought seriously about security in decades.⁷⁵ Nations may rush from pacifism to over-reliance on extended nuclear deterrence, skipping the conventional military options likely to best serve their security needs.

Now that the conflict in Ukraine has made NATO’s nuclear relationship with Russia more palpable, it will surely affect US alliance commitments. Washington will probably be more reluctant to assume new security obligations. Finland and Sweden’s NATO membership may not be seen as unduly risky because their defence would be a common responsibility for the Alliance, to which the prospective new members have much to contribute.⁷⁶ But Putin has successfully conveyed the nuclear risks NATO might face were it to admit Ukraine. And, especially given the trend towards reduced American involvement abroad, heightened US security commitments in Europe make it harder to imagine expanding deterrence commitments in Asia to support Washington’s China-balancing coalition.

While the full implications of increased nuclear salience will take time to become clear, initial public-opinion trends suggest some possibilities. Before the conflict, studies showed that the American public and populations under the US nuclear umbrella in Asia and Europe were generally more supportive of nuclear-arms control and disarmament than their governing elites.⁷⁷ Recent polls, however, indicate that 52% of Germans now want US tactical nuclear weapons – long unpopular – to remain in their country.⁷⁸ Support for national nuclear-weapons programmes among citizens in Central and Eastern European countries is also higher than expected for states putatively protected by the US nuclear umbrella.⁷⁹ It is unclear what effects shifting public opinion may eventually have on elite-driven nuclear policy. But a growing body of evidence suggests political and military leaders consider

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public opinion when making decisions.⁸⁰ It follows that states too could become deeply polarised by nuclear issues.

So far, the most recent developments in disarmament diplomacy have taken place without much public participation. The TPNW was an impressive accomplishment of policy entrepreneurship, but it was orchestrated by states and non-governmental organisations dissatisfied with the stalled progress towards disarmament promised by the NPT. In the shadow of the Ukraine war, however, some individuals will be terrified by the prospect of nuclear conflict and voice support for nuclear disarmament. Others will see nuclear weapons as their only means of protection in a dangerous and unpredictable world. Public outreach by anti-nuclear activists, many of whom hope to use the TPNW to increase popular opposition to nuclear weapons, is likely to rise.⁸¹

As noted, the most dissatisfied non-nuclear-weapons states under the NPT have the least bargaining power to reshape the regime. Their project is explicitly aimed at upending the mindset that perpetuates the nuclear order, which in their view serves the status quo.⁸² There is much to criticise about that mindset, and it may be desirable to have a more open conversation in light of the general lack of engagement on the part of nuclear-armed states and their allies.

Although the foundation of the global nuclear order remains robust and appears capable of accommodating Russian transgressions, it may be a fertile moment to probe that proposition. It is too soon to tell whether relevant publics will side with TPNW advocates or embrace the promises of protection offered by deterrence. Certainly, the key middle powers around whose interests the NPT was crafted have become more security-conscious because of Putin's war. It is not reasonable to expect all their decision-makers and citizens to be willing to gamble on the mental health of those with their finger on the nuclear button every time a crisis emerges. They are likely to have far less confidence in the theory of nuclear deterrence than nuclear-weapons states.

Safeguarding the nuclear order

The severity of the military and humanitarian situation in Ukraine – including Russia's wanton attacks on Ukraine's Zaporizhzhya Nuclear Power

Plant – and the futility of diplomacy have led to many doomsday predictions about nuclear politics. These include the potential for an international nuclear conflagration and massive proliferation cascades. As awful as the situation on the ground is, though, the global nuclear order is not on the brink of collapse. The dynamics of the conflict have elevated the risks of nuclear use and nuclear proliferation. But both remain unlikely. And if one of these improbable grey-swan events were somehow to occur, states could respond within the existing regime infrastructure.

Throughout its turbulent history, the nuclear order has never been perfect or fair, or even been considered existentially healthy.⁸³ Nuclear governance has existed in different forms and has a strength and resilience separate from its underlying conditions. The NPT has seen worse days, in which nuclear-weapons states refused to join, transferred technology to potential proliferators and turned a blind eye as their allies built the bomb.⁸⁴ The COVID-delayed review conference of the treaty in August 2022 promises to be difficult given Russian threats and a perceived lack of progress towards disarmament. But there are no indications that the agreement will collapse. The bilateral character of US–Russian nuclear-arms control has made the endeavour fickle, minimally institutionalised and unstable. In the medium term, however, arms control will be Russia’s only path back to international respectability. The predictability and stability a new agreement could provide would benefit Washington and its NATO allies as well.

The odds of nuclear use have increased in recent months, but this is not the first time that has happened. It is more relevant that Russia’s behaviour has brought nearly invisible constructs into public view, exposing the scaffolding of a European security environment based on nuclear deterrence and the targeting of cities. While these revelations will certainly shape government and public views on nuclear issues, it is premature to ascribe to them the erosion of the nuclear taboo. At the same time, complacency regarding the dangers of nuclear weapons in a world where they are used as shields to enable infringements of national sovereignty and grievous war crimes against civilians is simply foolhardy. Open debates on the value of nuclear deterrence versus disarmament as tools of security are long overdue. How they will be resolved is uncertain. In the meantime, Washington will need

to seize the moment to continue reassuring its allies of the ironclad nature of its nuclear guarantees. In turn, the governments of US allies and partners should encourage honest discussions with their populations about nuclear protection to attenuate the effects of Russian scaremongering.

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Russian defeat in Ukraine would amount to a public-service announcement about the dangers of attempted military aggrandisement even if it is backed by nuclear weapons. Russian victory would advertise the coercive power of nuclear arms and the vulnerability of states that do not possess them. The more Russia is rewarded for its war, the greater the danger to the global infrastructure for reducing nuclear threats. That infrastructure has absorbed many instances of irresponsible NWS conduct in the past. If non-nuclear-weapons states keep their nerve and band together, they stand to benefit most from a stable global nuclear order that they can preserve. And if the re-emergence of nuclear weapons at the centre of the world stage proves shocking enough, it may even be possible to improve on nuclear governance by moving decisively towards abolition.

Notes

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