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## TURNING AWAY FROM THE NUCLEAR ABYSS

By David Krieger

*“Is elimination of nuclear weapons, so naïve, so simplistic, and so idealistic as to be quixotic? Some may think so. But as human beings, citizens of nations with power to influence events in the world, can we be at peace with ourselves if we strive for less? I think not.”*

■ Robert S. McNamara, former US Secretary of Defense

*“I believe that despite the enormous odds which exist, unflinching, unswerving, fierce intellectual determination, as citizens, to define the real truth of our lives and our societies is a crucial obligation which devolves upon us all. It is in fact mandatory.*

*”If such a determination is not embodied in our political vision we have no hope of restoring what is so nearly lost to us – the dignity of man.”*

■ Harold Pinter, 2005 Nobel Lecture

The world is following a sure and steady path toward the nuclear abyss. It is being led in this direction not so much by small rogue states as by the most powerful of all states, the United States of America. US nuclear policies are placing the world on a collision course with disaster. The US seeks to deter and inhibit states deemed to be unfriendly to US interests from developing nuclear arsenals, while at the same time turning a blind eye to the nuclear programs of states deemed to be friendly to US interests. Moreover, US policies assume an unquestioned right for the US and other established nuclear weapons states to maintain this status. Such continued and blatant double standards cannot hold.

The US initiated a war against Iraq on the false premise that it had programs to create nuclear and other weapons of mass destruction. Further, the US has developed contingency plans for the use of nuclear weapons against Iraq, Iran, North Korea, Syria and Libya.<sup>1</sup> At the same time the US protects Israel’s nuclear program from international censure, and seeks to change US non-proliferation laws in order to provide nuclear materials and technology to India and Pakistan, two countries that developed nuclear weapons outside the Non-Proliferation Treaty (NPT).

The only real hope to avoid lurching into the nuclear abyss is that people throughout the world, and particularly those in the US, will demand that these weapons be abolished before they abolish us. It is a daunting task, but one that is necessary if we are to save civilization and life on earth. In light of the modest gains that have been achieved to date in relation to the enormity of the challenge presented by nuclear weapons, the task is all the more essential.

## **Deterrence Is a Failed Strategy**

For most of the Nuclear Age, the security of powerful nations has rested upon a theoretical construct known as deterrence. Deterrence theory posits that nuclear attacks can be prevented by the threat of nuclear retaliation. For the most powerful nations, the theory has spawned threats of massive nuclear retaliation, sufficient to destroy not only the attacking nation, but likely civilization and much if not all life on Earth.

One of the great fallacies of strategic thinking in the Nuclear Age is that deterrence theory is based upon rationality. The theory holds that a rational actor will not attack an enemy that could massively retaliate against one's own country. But what would happen if there were irrational actors in the system? What would happen, for example, if the leader of a small nation in possession of nuclear weapons believed irrationally that he could attack a more powerful country with impunity? What would happen if a leader was suicidal and didn't care about the prospects of retaliation? In such cases, deterrence would fail and the nuclear threshold would again be crossed with devastating consequences that cannot be fully foreseeable.

In addition to being a theory based upon only rational actors, deterrence theory requires that it must be physically possible to retaliate against an attacker and that a potential attacker must understand this. Thus, deterrence theory has no validity against a non-state terrorist organization such as al Qaeda. Should such an organization obtain nuclear weapons, deterrence would be of no avail. The only security against a terrorist nuclear attack is prevention – preventing nuclear weapons or the materials to make them from falling into the hands of terrorists. There is no tolerance for error.

In the case of non-state extremism, security cannot rest upon deterrence. This means that a powerful country does not increase its security by adding to the quality or quantity of its nuclear arsenal. Rather, the opposite is the case. The fewer nuclear weapons there are in the world, the less possibility there would be for one or more of these weapons to fall into the hands of an extremist organization. The same is true of weapons-grade nuclear materials.

## **Nuclear Weapons and Power**

The advent of nuclear weapons represented an enormous leap in the power of weaponry. The development of these weapons by elite scientists during World War II successfully tapped the potentially vast power inherent in Einstein's theory,  $E = mc^2$ , for destructive purposes. While humans have always devised destructive weapons, nuclear weapons moved the bar of destructiveness to new heights. With nuclear weapons, a single weapon could destroy a city, as demonstrated at Hiroshima and Nagasaki. Those who created or obtained these weapons seemed to possess a unique and special power of death over life. In the aftermath of World War II, this power was possessed at first only

by the United States, but over the next decades other countries would join the nuclear club: the Soviet Union, United Kingdom, France, China, Israel, India, Pakistan and, most recently, North Korea.

But the power conferred by nuclear weapons is ghostly and illusory, for it cannot be used without causing death and destruction on such a massive scale that the attacker would be branded by all the world as cowardly and inhuman. In the case of the use of nuclear weapons at Hiroshima and Nagasaki, the US justified its attacks both to its own people and to the world as necessary to end a long and brutal war in which it had been the victim of an unprovoked attack. Since then, nuclear weapons have dramatically increased in power, but the ability to use the weapons has been curtailed by psychological constraints against such massive killing. This has been true even when a nuclear-armed country is losing a war, as was the case with the US in Vietnam or the Soviet Union in Afghanistan.

Nuclear weapons are more useful to relatively weak actors than to those who are already powerful in other ways. For example, they may give North Korea the ability to deter the United States, and Pakistan the ability to deter India. Beyond the possibility of deterrence, nuclear weapons in the hands of an extremist organization would provide the potential to bring even the most powerful countries to their knees by destroying their cities.

### **The Logic of Self-Interest**

A further negative consequence of reliance upon nuclear weapons is that a nuclear weapons state must not only be concerned with safeguarding its own nuclear arsenal and weapons grade nuclear materials, but must also be concerned with the capacity of all other nuclear weapons states to protect their arsenals and nuclear materials. It must be assumed that extremist groups would seek to prey upon the weakest links among the states in possession of nuclear weapons.

It is in the self-interest of the most powerful states to lead the way to nuclear disarmament. The logic for this position can be set forth as follows:

1. Large nuclear arsenals are like dinosaurs in having little adaptability to changing strategic circumstances.
2. The more powerful the nation in conventional terms, the less utility for security is provided by a nuclear arsenal.
3. Weaker countries, particularly those threatened by more powerful adversaries, have the greatest incentive to develop nuclear arsenals for purposes of deterring a nuclear armed adversary.

4. The more states that develop nuclear arsenals, the greater the danger will be that these weapons or the materials to make them will fall into the hands of non-state extremists.
5. Non-state extremists will not hesitate to use these weapons against far more powerful states without fear of retaliation.
6. It is strongly in the security interests of powerful states to minimize the possibility of nuclear weapons falling into the hands of extremist groups.
7. The nuclear policies of the most powerful nuclear weapons states must have zero tolerance for nuclear weapons or materials from any state falling into the hands of extremist groups.
8. Preventing extremist groups from obtaining nuclear weapons can only be achieved by dramatically reducing the number of nuclear warheads in the world and bringing the remaining weapons and materials to make them under effective international control.
9. To achieve this will require a high degree of international cooperation with leadership from the principal nuclear weapons states.
10. Only the United States, as the world's most militarily powerful state, can effectively initiate such cooperative action, and it is strongly in US security interests to do so.

### **A Failure to Heed Warnings**

From the very beginning of the Nuclear Age, prophets have warned of the dangers to humanity. The warnings have been passionate and numerous. They have come from individuals in all walks of life – scientists, physicians, literary figures, philosophers and generals. Albert Einstein warned, “The unleashed power of the atom has changed everything save our modes of thinking, and thus we drift toward unparalleled catastrophe.”

But such warnings seem to have fallen on deaf ears among our political leaders. Despite the end of the Cold War, reliance on nuclear weapons for the security of powerful nations has not diminished. The United States appears intent upon developing a Reliable Replacement Warhead (RRW), a move that will ensure not only the reliability but the continuation of the US nuclear arsenal for many decades into the future. In doing so, we are sending a message to other nuclear and potential nuclear weapons states that these weapons are useful. With the US abandonment of the Anti-Ballistic Missile Treaty (ABM), Russia has improved the capabilities of its missile delivery system to assure that its nuclear-armed missiles would not be intercepted by the US missile defense system. China has responded by modernizing and expanding its nuclear arsenal.

In the sixty years of the Nuclear Age, there has been no fundamental shift in thinking among those in possession of nuclear weapons. The weapons are deemed necessary to prevent others from initiating a nuclear attack, even in post-Cold War circumstances in which nuclear weapons states do not view each other as enemies, with the exception of India and Pakistan. Rather than seize the opportunity to dramatically reduce and dismantle their nuclear arsenals, the principal nuclear weapons states seek to assure the reliability of the weapons and their delivery systems. In doing so, they fail to close the door on nuclear proliferation to other states and extremist organizations. They leave open the possibility of future nuclear attacks.

### **A Unique Responsibility**

On the fifth anniversary of the United Nations Millennium Summit, Kofi Annan, the Secretary-General of the United Nations, issued a report, “In larger freedom: towards development, security and human rights for all.” In this report, the Secretary-General stated, “...the unique status of nuclear-weapon States also entails a unique responsibility, and they must do more, including but not limited to further reductions in their arsenals of non-strategic nuclear weapons and pursuing arms control agreements that entail not just dismantlement but irreversibility. They should also reaffirm their commitment to negative security assurances. Swift negotiation of a fissile material cut-off treaty is essential. The moratorium on nuclear test explosions must also be upheld until we can achieve the entry into force of the Comprehensive Nuclear Test-Ban Treaty.”<sup>2</sup> The Secretary-General urged the parties to the Non-Proliferation Treaty to endorse these measures at the 2005 NPT Review Conference, but unfortunately the nuclear weapons states, led by the United States, exercised their power in such a way as to assure that the Review Conference ended without agreement and in failure.

The “unique responsibility” of the nuclear weapons states falls to them both because of their power and because of their obligations. The Non-Proliferation Treaty itself lays out the basic responsibility of the nuclear weapons states: “...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....”<sup>3</sup> Following the entry into force of the NPT in 1970, the US and USSR continued to improve their nuclear arsenals for the next three decades. But at the 2000 NPT Review Conference, they agreed to 13 Practical Steps for Nuclear Disarmament, including an “unequivocal undertaking...to accomplish the total elimination of their nuclear arsenals....”<sup>4</sup> This promise, like others made over the years, proved to be little more than words, as the US worked against progress on nuclear disarmament in the Geneva-based Conference on Disarmament and at the 2005 NPT Review Conference.

### **The ICJ Opinion**

In 1996, the International Court of Justice issued an advisory opinion on the illegality of the threat or use of nuclear weapons. The Court found that “the threat or use of nuclear weapons would generally be contrary to the rules of international law

applicable in armed conflict, and in particular the principles and rules of humanitarian law.”<sup>5</sup> The Court went on to indicate its inability to determine the law in the particular instance when the survival of a state was at stake. It found that “in view of the current state of international law, and of the elements of fact at its disposal, the Court cannot conclude definitively whether the threat or use of nuclear weapons would be lawful or unlawful in an extreme circumstance of self-defence, in which the very survival of a State would be at stake.”<sup>6</sup> It is important to note that the Court was not saying that under such circumstances the threat or use would be lawful, but only that it could not make that determination.

The Court then took the unusual step of going further than asked and unanimously concluding, “There exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.”<sup>7</sup> The Court left no doubt that the nuclear disarmament commitment set forth in Article VI of the Non-Proliferation Treaty was a legal commitment binding upon the nuclear weapons states.

### **Barriers along the Path**

There have been legal and moral barriers, as well as those of practicality and security, along the twisted path leading to the nuclear abyss. But despite promises, obligations and apocalyptic warnings, the nuclear weapons states continue to move surely and steadily down this deadly path. Legal, moral and practical barriers have not been sufficient to move the leaders of nuclear weapons states to step away from this path. It is perhaps worth contemplating what might lead to a change in direction.

### **Changing Direction**

Determining what needs to be done is not the difficult part of the task. Many important proposals have been put forward for changing directions and moving away from the nuclear abyss. One example of these was the seven-step proposal by Mohamed ElBaradei, the Director-General of the International Atomic Energy Agency and the 2005 Nobel Peace Laureate. He called for the international community to take the following seven steps:

1. A five-year hold on additional facilities for uranium enrichment and plutonium separation;
2. Speeding up existing efforts to modify the research reactors worldwide operating with highly enriched uranium and converting them to use low-enriched uranium, not suitable for making bombs.
3. Raising the bar for inspection standards to verify compliance with Non-Proliferation Treaty obligations.
4. Calling upon the UN Security Council to act swiftly and decisively in the case of any country withdrawing from the NPT.
5. Urging states to pursue and prosecute any illicit trading in nuclear material and technology.

6. Calling upon the five nuclear weapon states that are parties to the NPT to accelerate implementation of their “unequivocal commitment” to nuclear disarmament.
7. Acknowledging the volatility of longstanding tensions that give rise to proliferation, in regions such as the Middle East and the Korean peninsula, and take action to resolve existing security problems and, where needed, provide security assurances.<sup>8</sup>

ElBaradei emphasized that all steps required a concession from someone, and that none would work in isolation. As ElBaradei stresses, concessions must come from all, including the nuclear weapons states, which must change their policies. At present, the nuclear weapons states seek to prevent proliferation, but are failing to fulfill their disarmament obligations. They seem content to live indefinitely in a world of nuclear “haves” and “have-nots.” This is a short-sighted perspective, one that is not sustainable. Until this is recognized by the leaders of the nuclear weapons states, there is not much hope to achieve a balanced approach to preventing nuclear proliferation and achieving nuclear disarmament.

### **The Need for Leadership**

If the world is going to move in a new direction, away from the nuclear abyss, certain qualities of leadership will be needed. These include:

*Imagination*: the ability to imagine the consequences of remaining on the path we are on.

*Respect for human dignity*: the recognition that nuclear weapons and human dignity are incompatible.

*Vision*: the ability to see another way forward, a world in which security can be obtained without reliance on nuclear weapons.

*Courage*: the willingness to challenge the business-as-usual ingrained attitudes of the defense establishment and its so-called security experts.

One notable leader of a nuclear weapons state, Mikhail Gorbachev, came to office with these qualities and proposed in the mid-1980s that nuclear weapons be abolished by the year 2000. Unfortunately, he was not in a position to act alone, but needed the support of the United States. He came close to achieving this when he met with US President Ronald Reagan at the Reykjavic Summit in 1986. The two leaders talked seriously about eliminating all nuclear weapons, but their agreement faltered on the issue of missile defenses, which Reagan was committed to implementing and Gorbachev feared.

We cannot count on another political leader to emerge with these qualities. Rather than waiting for such a leader to come along and save humanity, ordinary people

must become leaders and create the necessary political will that leaders of nuclear weapons states will have no choice but to act nobly and in the interests of all humanity. Awakening the people of the world to accept this responsibility is the work of civil society organizations committed to these issues. It is certainly the greatest challenge of our time.

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<sup>1</sup> Excerpts from the Nuclear Posture Review, submitted to the Congress on 31 December 2001, can be found at: <http://www.globalsecurity.org/wmd/library/policy/dod/npr.htm>.

<sup>2</sup> In larger freedom: towards development, security and human rights for all, Report of the Secretary-General, United Nations General Assembly, A/59/2005, 21 March 2005, p. 28.

<sup>3</sup> Treaty on the Non-Proliferation of Nuclear Weapons, entered into force March 5, 1970.

<sup>4</sup> Final Document Issued by 2000 NPT Review Conference, 20 May 2000. Federation of American Scientists website: <http://www.fas.org/nuke/control/npt/docs/finaldoc.htm>.

<sup>5</sup> Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, United Nations General Assembly, A/51/218, 15 October 1996, p. 36.

<sup>6</sup> Advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons, United Nations General Assembly, A/51/218, 15 October 1996, p. 37.

<sup>7</sup> Ibid.

<sup>8</sup> ElBaradei, Mohamed. "Seven Steps to Raise World Security," Financial Times, 2 February 2005.

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