

## Cultivated Lunacy, Nuclear Deterrence and Banning the Nuke

By Dr. Binoy Kampmark

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Are international relations a field for cautious minds, marked by permanent setbacks, or terrain where the bold are encouraged to seize the day? In terms of dealing with the existential, and even unimaginable horror that is nuclear war, the bold have certainly stolen a march.

The signature of Honduras was the 50<sup>th</sup> required for the entry into force of the <u>Treaty on the Prohibition of Nuclear Weapons</u> (TPNW). Parties to the treaty are barred from possessing, developing, acquiring, testing, stockpiling, transferring, stationing, or threatening the use of nuclear weapons, amongst other prohibitions. The treaty also makes it illegal for any of the parties to "assist, encourage or induce, in any way, anyone to engage in any activity prohibited" by the document.

Set to enter into force on January 22, 2021, the signing was cheered by the UN **Secretary General António Guterres** through his spokesman, **Stéphane Dujarric**, who <u>saluted</u> "the work of civil society, which has been instrumental in facilitating the negotiation and ratification of the Treaty." It was also a harvest for those who had survived nuclear explosions and tests, "the culmination of a worldwide movement to draw attention to the catastrophic humanitarian consequence of any use of nuclear weapons."

**Beatrice Fihn**, Executive Director of the International Campaign to Abolish Nuclear Weapons (ICAN), was also celebratory in <u>calling</u> the coming into force of the TPNW as "a new chapter for nuclear disarmament. Decades of activism have achieved what many said was impossible: nuclear weapons are banned."

ICAN, in a statement released on Sunday, <u>promised</u> that this was "just the beginning. Once the treaty is in force, all States' parties will need to implement all of their positive obligations under the treaty and abide by its prohibitions." In a pointed warning to those states yet to join the TPNW, the organisation suggested that the document's "power" would reverberate globally in discouraging companies from continuing to manufacture nuclear weapons and institutions from investing in those companies.

In looking at the debates on nuclear weapons, one tension remains ineradicable. Those who do not possess such weapons, nor put their stake in their murderously reassuring properties, have little interest in seeing them kept. They can moralise, stigmatise, and condemn from summits of humanitarian principle. They aspire to the credit of sanity.

Nuclear Weapons States (NWS) and their allies promote themselves as the world weary adults, soberly reliable in the face of such immature flights of fancy. The opposite is true; their philosophy is a cultivated lunacy accepting of the very thing they wish to do away

with. Everyone might well agree to the abolition of nuclear weapons but disagree on how, exactly, the goal is to be achieved. If changes are to take place, the school of cultivated lunacy insists it be done gradually, achieved through more acceptable, if constipated fora, such the Nuclear Non-Proliferation Treaty (NPT). The result is that disarmament takes place slowly or suffers, as is happening now, reversals, usually in moves to modernise current arsenals.

The march of the TPNW is something nuclear weapons states have fought from negotiating rooms to chambers of ratification. US Assistant Secretary for International Security and Non-proliferation **Christopher Ford** stated the common wisdom on that side of the fence in August 2017. The TPNW suggested that advocates for the ban were "fundamentally unserious about addressing the real challenges of maintaining peace and security in a complicated and dangerous world, and unserious about trying to make that world a genuinely safer place."

The joint statement released by the United States, United Kingdom and France on July 7, 2017 was sternly disapproving, even ill-wishing. The countries promised to avoid signing, ratifying or ever becoming parties to it. Obligations towards nuclear weapons on their part had not, and would not change. It would, they stated menacingly, do nothing to alter or add to the nature of customary international law. They could point, triumphantly, at the absence of other nuclear weapon states and those relying on nuclear deterrence in the creative process.

Such sentiments have been reiterated with the promise that the TPNW will enter into force. In a <u>letter</u> to signatories from the Trump administration obtained by Associated Press, the United States claimed that the five original nuclear powers (US, Russia, China, Britain and France), along with NATO, stood "unified in our opposition to the potential repercussions of the treaty". The document "turns back the clock on verification and disarmament" and threatened the NPT, "considered the cornerstone of global non-proliferation efforts." Already divisive, the TPNW risked "further entrenching divisions in existing non-proliferation and disarmament that offer the only realistic prospect for consensus-based progress".

The two words – "nuclear deterrence" – remain ludicrously attractive to policy classes who learned to love the nuke from its inception. The nuke is paternally comforting, a stabilising foothold in a treacherous world. While it has, at its core, a terrifying rationale, it brings with it, claim its defenders, the power to keep the peace, albeit through terror. As the joint statement served to remind the starry-eyed abolitionists, nuclear deterrence had been vital "in keeping the peace in Europe and North Asia for 70 years." The TPNW did little to address the security dimension and would not serve to eliminate "a single nuclear weapon and will not enhance any country's security, nor international peace and security."

Countries such as Australia insist that their alliance obligations with powers possessing nuclear weapons – in their case, the United States – make signing and ratifying the TPNW incompatible. Under the Security Treaty between Australia, New Zealand and the United States (ANZUS), goes this argument, Australia would be expected to participate in joint operations that might involve the deployment of nuclear weapons. In the <u>blunt assessment</u> of Australia's former foreign minister, Gareth Evans, joining the TPNW would effectively see Canberra "tearing up our US alliance commitment". A very orthodox reading, though not necessarily accurate, given that the ANZUS regime is not, strictly speaking, a nuclear one.

More to the point is the elevation of extended nuclear deterrence to the level of a state religion, streaked with schizophrenia. The Australian 2013 <u>Defence White Paper</u> discloses this in full: "As long as nuclear weapons exist, we rely on the nuclear forces of the United States to deter nuclear attack on Australia. Australia is confident in the continuing viability of extended nuclear deterrence under the Alliance, while strongly supporting ongoing efforts towards global nuclear disarmament." Richard Tanter of the Nautilus Institute could only <u>describe</u> such a policy as "absurd, obscene and reckless," not least because it is premised on an assurance that has never been given.

Certain voices earning their keep in this field argue that the regimes of the TPNW and the Nuclear Proliferation Treaty are not exclusive but complimentary projects. A claim has been made that the TPNW, far from diverging from the NPT with heretical defiance, is compatible with it. As Thomas Hajnoczi <u>suggests</u>, the NPT was not intended as a complete and "comprehensive regulation of all aspects that were indispensable for the peaceful uses of nuclear energy, non-proliferation, and nuclear disarmament." The TPNW added to the "existing 'building' a layer necessary to realize a world without nuclear weapons."

The international law fraternity <u>is divided</u> on this. Arguments rage over the vagueness of the TPNW about legal obligations, along with potential tensions vis-à-vis the NPT. Newell Highsmith and Mallory Stewart <u>go so far</u> as to see the lineaments of discrimination in the TPNW, seeing it as an unviable "legal vehicle for disarmament" with prospects to harm non-proliferation. The result? Two estranged regimes, parallel and never meeting.

For the establishment veterans and their converts in the nuclear disarmament business, nuclear weapons remain a perverse form of reassurance and currency. It keeps arms chair theorists, planners, technicians and engineers in jobs. Abolishing them would be tantamount to altering the power balance of international relations. It might discourage that daily quotient of self-hate and suspicion that makes the human world go round. For the fantasists of nuclear deterrence, this would be even more diabolical.

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**Dr. Binoy Kampmark** was a Commonwealth Scholar at Selwyn College, Cambridge. He lectures at RMIT University, Melbourne. He is a frequent contributor to Global Research and Asia-Pacific Research. Email: <a href="mailto:bkampmark@gmail.com">bkampmark@gmail.com</a>

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