

# The Nuclear Question Explodes

Alan Geyer

During the three decades since Hiroshima and Nagasaki the ethical discussion of nuclear weapons has been preoccupied with the morality of using, or threatening to use, arms of mass annihilation. There has been a relative neglect of the ethics of nuclear arms control and disarmament. Moreover, since the late 1960's widespread complacency about the presumed efficacy of mutual deterrence and the ostensible progress of détente have tended to dissipate the nuclear anxieties of ethicists, politicians, and other citizens who attend to world affairs.

Against this background of complacency there began to circulate a couple of years ago the first reminders of a scheduled 1975 review conference of the parties to the Non-Proliferation Treaty. Since the treaty seemed to have succeeded in halting nuclear weapons spread following its effective beginning in 1970, surely the half-decade review conference mandated by the treaty would be a rather routine affair.

The sudden emergence of a many-faceted new nuclear crisis in mid-1974 transformed the Non-Proliferation Treaty Review Conference in Geneva last May into what the Secretary-General Ilkka Pastinen (Finland) called "the largest and most important disarmament conference since 1945." Among these facets are: (1) India's nuclear explosion in May, 1974, which revived the specter of "Nth countries"; (2) the massive turn to nuclear energy after oil supplies became more vulnerable and much more costly; (3) the attack upon the hazards of nuclear energy by "concerned scientists" and Naderites; (4) the uncertain protection of thousands of tactical nuclear weapons deployed by the U.S. in Europe, especially in politically unstable countries all across NATO's southern flank;

---

ALAN GEYER, Dag Hammarskjöld Professor of Peace Studies at Colgate University, was chairman of the U.S. NGO Council for the Non-Proliferation Treaty Review Conference at Geneva last year. He is a member of the Board of Trustees of the Council on Religion and International Affairs.

(5) the threat of theft and nuclear terrorism by political movements and criminal syndicates; and (6) growing apprehension that the SALT talks were not really succeeding in reversing the superpower arms race, especially in view of the aggressive development and deployment of new generations of strategic weapons and the fixing of "limits" above, and not below, current weapons levels.

So the NPT was seen to be a very limited and fragile instrument after all. The Geneva conference would have to do what it could to strengthen this international regime for containing nuclear weapons, and do so in the face of multiple threats to its viability.

Whatever the limitations of the NPT, it does provide the most significant political and ethical framework for coping with nuclear questions. It is not only the most important disarmament agreement now in effect. It is an omnibus compact that comprehends virtually every aspect of the new nuclear crisis: proliferation, nuclear energy development and trade, international safeguards, peaceful nuclear explosions, testing, the strategic arms race. This conjunction of problems and of accountability for them makes the treaty a veritable covenant for human survival, development, and peace—which is not to say that the Ford Administration or any other government actually accords such a priority to the NPT.

The treaty is essentially a solemn bargain between nuclear and nonnuclear states. At the heart of that bargain is a "balance of obligations"—a term invoked very frequently at the review conferences, especially by the majority of states that have sworn off nuclear weapons altogether.

It must be recalled that it was the USA and the USSR that originally drafted and promoted the NPT in 1967-68—and that the price of the treaty's acceptance by nonnuclear states was a pledge not contained in the first superpower drafts. That pledge became Article VI: the "good faith" promise

to pursue effective measures to end the arms race "at an early date" and to pursue nuclear disarmament. If the very existence of the treaty was unavoidably discriminatory (only the immediate and total renunciation of nuclear weapons could have averted nuclear discrimination), the nuclear "haves" could at least join the "have-nots" in early and significant moves toward renunciation. The treaty envisioned such obvious moves as "the discontinuance of all test explosions of nuclear weapons for all time," the cessation of manufacture of such weapons, and the progressive liquidation of nuclear stockpiles.

Discrimination under the treaty was thus legitimized only in a provisional sense. There was an overriding imperative of equity. *In a world infused by an increasingly vigorous ethos of egalitarian nationalisms the satisfaction of claims to equity is a matter of political realism.* A lack of diplomatic sensitivity to this egalitarian ethos, particularly in relation to such ultimate matters as the peril and promise of nuclear power, can be catastrophic. Lincoln Bloomfield has argued recently that political considerations of prestige and nondiscrimination are fundamental to any universal agreement on nonproliferation: "In an era dominated by demands for identity, respect, equity, and participation, it seems reasonable to ask whether, with the best will in the world, the present NPT system of discrimination, denial, and second-class citizenship will in fact achieve its aim of preventing the further spread of nuclear weapons" (*Foreign Affairs*, July, 1975). Unfortunately, the Ford Administration is not exuding much good will these days toward nonnuclear and nonaligned states. It has declared a rhetorical war on the Third World. Its delegates at the review conference appeared to be under firm instructions to yield nothing to the Third World's "veritable obsession with eradicating the stigmata of inferiority" (Bloomfield again).

The balance of obligations under the NPT also extends to the sharing of nuclear technology for peaceful purposes, including potential benefits from peaceful applications of nuclear explosions (Articles IV and V). There is, however, a double standard written into the treaty concerning safeguards and the role of the International Atomic Energy Agency: Nonnuclear-weapon states are obliged to submit to IAEA safeguards against the diversion of nuclear materials to nuclear weapons (Article III). Nuclear-weapon states are not subject to such monitoring of their nuclear activities.

Not directly dealt with by the NPT itself is the very difficult question of security assurances by nuclear-weapon states to nonnuclear-weapon states. A Security Assurances Resolution (255) offered by the USA, USSR, and U.K. was adopted by the U.N. Security Council on June 19, 1968, and provided for immediate (unspecified!) Council action should a nonnuclear NPT state be threatened or attacked with nuclear weapons. But that resolution did not explicitly include nonnuclear states (such as India, feeling threatened by China)

within the perimeter of deterrence, nor did it disavow all use of nuclear weapons against nonnuclear states. This latter deficiency is perhaps the most blatant of the stigmata still born by NPT parties that have themselves renounced nuclear weapons. Does all this really add up to a genuine "balance of obligations" under the NPT? Many governments remain convinced that it does not. More than forty, in fact, have yet to become parties to the treaty. A clear majority of NPT parties were convinced, by the end of the Geneva review conference, that the treaty is, in operation, a very one-sided affair.

China and France, of course, have never accepted the proposition that this U.S.-Soviet-sponsored regime is an instrument of either justice or peace. In fact, they have repeatedly made the shocking claim that nuclear proliferation could actually contribute to world order by imposing increasing constraints upon superpower hegemony. Chinese and French cynicism about the NPT was hardly relieved by U.S.-Soviet conduct at the review conference; these two nuclear outsiders found multiple vindications of their own views, and remain more estranged from the NPT regime than ever. (I confess that, having spent the entire month of May at the review conference, I cannot now muster a very good argument against the Chinese position, although I remain committed to the effort to strengthen the NPT regime.)

Although nobody expected that Geneva would make NPT converts out of the French or the Chinese, there was a hope that the conference would provide some fresh incentives for additional nonnuclear states to join up. To nobody's surprise five Euratom countries (West Germany, Italy, and Benelux) ratified the treaty just prior to the conference, as did South Korea. Libya, Gambia, and Rwanda acceded during the conference, bringing the total to ninety-five. So it may be said (and frequently was said by U.S. delegates trying to get others to think more positively about conference results) that the very fact of holding the conference stimulated some governments to act on the treaty.

But India? Pakistan? Japan? Israel? Egypt? South Africa? Brazil? Argentina? These are all critical threshold countries in areas of regional rivalry and tension.

Egypt has signed, but won't ratify until Israel does.

Japan has signed, but reacted so negatively to the review conference that the bill of ratification was recalled from the Diet in June.

All the other countries mentioned above are not even signatories. None derived any visible incentive from Geneva to sign up; some may even have felt pushed closer to the threshold of nuclear weapons. Altogether, the conference failed badly to make the treaty more credible to outsiders. The nuclear superpowers must compensate for that failure in the very near future if the world is to avoid nuclear promiscuity and escalating probabilities of nuclear war. The United States, in particular, was in rather poor shape morally and politically after Geneva to complain about June's

multibillion-dollar German-Brazilian nuclear deal, which, although legal under the treaty and accompanied by IAEA safeguards, will equip Brazil with all the elements of the fuel cycle to become a nuclear-weapon state—if that's what Brazil really wants. The exhortatory power of the U.S. was further enfeebled by commercial jealousy of the German nuclear industry.

**W**hat might have been done in Geneva to reinforce the political and moral authority of the Non-Proliferation Treaty? The fact is that neither the U.S. nor the USSR seemed able to grasp that the very legitimacy of the treaty was under review—that, without significant measures on their part to give effect to the balance of obligations, the authority of the treaty would be squandered. Equity had become a prerequisite of efficacy.

The issue of equity and good faith was raised most pithily by Ambassador H. V. Roberts of New Zealand in the opening general debate in Geneva:

It is the view of my delegation that the most valid test of progress is simply to ask whether or not there are fewer nuclear weapons now than there were in 1970; whether or not there has been any significant abatement in nuclear weapons testing during that period; and whether or not there has been any halt in the further refinement and sophistication of those weapons of mass destruction. The answer to all three questions is patently no.

Ambassador Roberts then observed that it is "small wonder that the countries outside the treaty remain unconvinced that the nuclear weapon parties are serious in their intention to give effect to their treaty undertaking."

This writer will now abandon all pretense of objectivity in testifying to a losing effort to modify the official U.S. stance at the review conference. As chairman of the U.S. NGO Council for the NPT (the impotent, nondescript, nongovernmental caucus in Geneva), I helped to draft a document titled "An Unofficial U.S. Policy on Nuclear Proliferation." That statement, circulated to all delegations, the press, and groups back in America, urged "more responsive and realistic policies" concerning the NPT. It focused on Article VI questions and noted that, since signing the treaty in 1968, both superpowers "have multiplied their deployments of nuclear warheads and have proceeded to develop a stunning array of costly new weapons systems." The statement called for three "measures of good faith" by the U.S. and the USSR as the most urgent actions which could be taken to make the NPT a "more balanced and secure instrument of peace." The three measures were: (1) a U.S.-Soviet agreement to sign a comprehensive test ban in the immediate future or, agreement failing, a U.S. test moratorium for a definite and substantial period; (2) an



August 6, 1945 (RNS)

announced schedule for a significant reduction of strategic nuclear weapons; and (3) a pledge never to use, or threaten to use, nuclear weapons against non-nuclear states parties to the NPT.

Senators Hubert Humphrey and George McGovern both inserted our "unofficial policy" into the *Congressional Record*, but Administration policy didn't budge on any of these measures. If *any* of them had received even proximate support—or if the U.S. and USSR had agreed to help poor countries finance the costs of safeguards so fervently advocated by the nuclear powers—the conference might have been catalyzed toward a more general strengthening of the NPT. But none of these things happened.

Our NGO positions were neither original nor lonely: Most U.S. organizations holding NPT study conferences had already advocated them, and a majority of official delegations in Geneva supported such measures.

What, then, really happened at the review conference? The action had two poles, two "sides," two different perspectives. A few days prior to the review conference, one side, the Depositaries (U.S., USSR, U.K.), caucused in London. They apparently consulted on conference strategy: they were never visibly at odds with one another in Geneva, either substantively or procedurally. (The British delegation seemed abashed at being so rigidly identified with the superpowers.) The Depositaries also concocted a draft declaration in London, originally intended for very restricted circulation in Geneva, in anticipation of what the conference should finally say about the treaty after five years. As copies of that draft leaked to less submissive delegations and even NGOs, the Depositaries were chagrined to hear that it was widely regarded as the sleaziest document ever offered by major governments to an international conference. It was called (deservedly, I fear) complacent, self-congratulatory, repetitious, platitudinous, superficial, and graceless in the extreme. The draft did marvelously lend itself, however, to parody—which was cheerfully provided by one of the literary-minded NGO leaders under the title, "The Peacock Papers," referring to the splendid strutters on the grounds of the Palais des Nations. Whatever the stylistic deficiencies of the draft declaration, it made plain the resolve of the superpowers not to bend from their superordinate posture over the treaty. There were no signs of good faith in the Peacock Papers. And there was none in the conference itself.

The "other side" at Geneva was led by Mexico. U.N. Ambassador Alfonso Garcia Robles was clearly the center of conference action: he was at once the articulate and tactical leader of the nonaligned, non-nuclear states and the lightning rod for U.S.-Soviet attacks upon all criticisms of their handling of the treaty.

Garcia Robles was joined by seventeen or eighteen other delegations in introducing draft protocols on the same three issues which NGOs called "good faith measures": test ban, reduction of nuclear arsenals, security assurances. (This coincidence led to a charge by the acting head of the U.S. delegation, David Klein, that the NGOs had really prepared the working papers for "certain delegations." We felt grossly flattered—but the truth is that Garcia Robles and his colleagues had done their own homework thoroughly and were very helpful in keeping NGOs informed about the less visible action at the conference. It was also reported that Garcia Robles, in the preparatory committee, had taken the lead in arranging for the participation of NGOs in the conference, over the initial resistance of the U.S. and USSR.)

The Mexican protocols were aimed directly at the balance of obligations. They were imaginatively designed to encourage mutually reinforcing incentives between nuclear and nonnuclear states. Two of them linked horizontal nonproliferation (halting nuclear

weapons spread) with vertical nonproliferation (halting the nuclear arms race between the superpowers). One of these provided for a ten-year test moratorium when the number of accessions to the treaty reaches a hundred; the other provided for a phased reduction in U.S. and Soviet nuclear arsenals as the number of treaty accessions reaches a hundred and beyond. Thus incentives to join the treaty would be coupled with incentives to unwind the strategic nuclear arms spiral. If the superpowers really wanted and expected additional countries to enlist in the NPT regime, they had to take significant measures of good faith under Article VI, albeit within their own balanced structure of nuclear parity.

A third draft protocol involved a solemn undertaking by Depositaries never to use or threaten to use nuclear weapons against nonnuclear treaty parties whose own territories were devoid of the nuclear weapons of any other country. In addition, Depositaries would pledge to refrain from first use of nuclear weapons against any other nonnuclear parties to the treaty.

The three draft protocols would probably have gotten a majority (but not the requisite two-thirds) of votes if they had ever been put to a vote. Garcia Robles had at least thirty out of fifty-six delegations in essential sympathy with his proposals; most of the thirty-eight absent parties to the NPT were Third World countries, which would have augmented the votes of the nonaligned.

The joint U.S.-Soviet opposition to these and similar proposals was fierce and unrelenting throughout the conference. This is David Klein replying to the protocols: "We cannot and will not accept the imposition of rigid and artificial deadlines. Arms control involves technical problems beyond any simple exercise in arithmetic. We believe that the actions of the United States in the past five years have been fully consistent with Article VI. Criticisms of SALT under Article VI greatly and unfairly underestimate the significance of SALT." Klein, who succeeded ACDA director Fred Iklé as head of the U.S. delegation after the first week, held out hopes that the implementation of the Ford-Brezhnev accord at Vladivostok ("capping the arms race") would be followed by actual arms reduction. (That implementation has already been twice delayed. U.S. preoccupation with Trident submarines, B-1 bombers, cruise missiles, and a new generation of "counterforce" weapons has not only turned the strategic weapons budget sharply upward again; it has caused the USSR to raise public doubts about U.S. fidelity to détente, even while rapidly deploying its own MIRVs and developing other new strategic systems. Strange contrast, this: collusion in Geneva and outer space; resurgence of nuclear arms rivalry.)

Ambassador Issraelyon of the USSR not only put down both the substance and the form of the Mexican protocols: he objected even to the discussion of them. He scathingly reproached Garcia Robles for not consulting on his proposals with the USSR and the USA

("they are the countries most interested") in advance of the conference. The Soviet bloc repeatedly urged nonnuclear states to divert their criticisms of the superpowers to the nuclear powers that had refused to join the NPT (China and France).

There were curious moments when, following criticisms of U.S. policy by such countries as Mexico and New Zealand, the U.S. was defended by East Germany and other Soviet satellites as a "responsible power." Romania and Yugoslavia, however, remained steadfastly behind Garcia Robles and in the camp of the nonaligned. Five international NGOs (based primarily in the Soviet Union and Eastern Europe), which had joined with nearly forty other organizations in a pre-conference appeal for a test ban and a reduction of nuclear arsenals, were forced to withdraw their names from that document; all such groups vanished from the conference itself after the first week.

What price détente? The superpowers heatedly objected to "meddling" with the agenda of the SALT talks. Article VI of the NPT apparently has no serious standing with the U.S. and USSR in matters of strategic disarmament; there must be no "unwarranted interference" in such matters. If obligations are to be balanced, the superpowers will do the balancing on their own terms and in accordance with their own timetable, treaty notwithstanding.

A mix of moral and technical claims was erected to fence off this trespassing by nonnuclear states on private strategic property. The moral claim was that only the U.S. and USSR are fully "responsible" and "mature" in handling nuclear issues; other claimants to nuclear power and wisdom are only "mischievous." It was the Cuban missile crisis of 1962 that earned these moral credentials for the superpowers; only they have really "looked into the nuclear abyss." The technical pretenses were similar: Only the U.S. and USSR can really know the complex problems of managing and reducing nuclear arsenals. At the same time, technical proposals for safeguards (such as regional, multinational fuel cycle centers to facilitate physical security) were given highest priority by the U.S. delegation.

**T**he impasse over Article VI and the balance of obligations was never resolved at Geneva. The superpowers and the nonaligned each held more than a "blocking third" of delegations, preventing not only a consensus but also a two-thirds vote on any important action. Committee I, on political questions, was the primary arena for Article VI issues, and got essentially nowhere. But Committee II, dealing with such technical questions as safeguards, also became politicized as the nonaligned states were at last unwilling to buy the technical agenda of the superpowers without good faith measures on political issues.

At the final session of Committee II Garcia Robles made a dramatic move that highlighted the equity controversy. He opposed consensus on any and all techni-

cal proposals until they could be considered together with political matters. "Since the contents of the final document to be produced by the conference would form a single whole composed of very closely interconnected parts," his declaration could not take a position on any partial text.

This refusal to isolate technical from political questions is a vital contribution to ethical integrity in disarmament—as in any area of policy. The manipulation of technical issues to obfuscate political issues has plagued the fields of defense and disarmament ever since 1945; it is a game the superpowers were still playing in Geneva in 1975.

With neither the two main committees nor the drafting committee able to reach consensus, conference president Inga Thorsson (Sweden's formidable under-secretary for foreign affairs) submitted her own draft declaration on the penultimate day. The concerns of the nonaligned, somewhat vaguely stated, were sprinkled with shreds from the Peacock Papers. That draft (with some modifications and reservations) was eventually adopted as a summary of deliberations—but it did not constitute any clear-cut decision to strengthen the NPT regime.

While the U.S. and USSR were positively relieved at this result, the nonaligned were not pleased. Ambassador Clark of Nigeria, who had chaired Committee I, declared his deep sense of disappointment and disillusionment at this conference. "Peru asserted that the balance of obligations had not been honored and that the treaty constitutes a 'perpetuation of hegemonies and consolidates the nuclear status quo.'" Syria described the declaration as only a "quarter of a loaf, not even half a loaf." Romania, notably bold in criticizing the superpowers throughout (almost with a Chinese accent!), complained that the declaration was "exceedingly unbalanced." And Yugoslavia spoke darkly of "reexamining" its attitude toward the treaty and "drawing corresponding conclusions."

The treaty thus survived the conference, but the struggle for nuclear disarmament suffered a severe defeat. Could it have been otherwise, after all?

**S**ome persist in believing that the review conference might have been more productive had it been more visible. It came at an unfortunate moment as the U.S. was completing its disengagement from Indochina (and proving its manhood over the *Mayaguez*). Liberal senators and congressmen were regressing, at least temporarily, to cold war rhetoric. In the middle of the conference the U.S. conducted its biggest nuclear test (of all things!) in over two years, talked about using nuclear weapons in Korea, legislated big new arms budgets, and sent Ford and Kissinger to Europe for NATO, Franco, and Gromyko meetings (carefully avoiding Geneva). Neither the President nor the Secretary of State said anything to the American people about nonproliferation for many months prior to the conference or even during the

conference. The U.S. and USSR both dispatched virtually anonymous delegations to Geneva; one junior official said frankly that the NPT simply was not a high priority for this Administration.

The U.S. NGO Council for the NPT did what it could to make the conference and its issues more visible. It pronounced, publicized, lobbied, phoned, cabled, and corresponded. It cooperated with international NGOs in declarations, evaluations, briefings, consultations, and press conferences. It encouraged Senator Edward M. Kennedy to come to Geneva, having in mind a very good speech the Senator had given at an extraordinary unofficial session attended by several hundred participants. Urging a break with the "old habit" of seeing the arms race only from the perspective of superpower relations and the SALT talks, Kennedy called for a test ban and a reduction in offensive arms as means of coping with the problem of NPT incentives. He warned that too great a reliance on functional and technical safeguards could obscure the essentially political reasons impelling nations to acquire nuclear weapons. He asked the superpowers to "play down the importance of nuclear weapons in assessments and assertions of their own national power," adding: "No one can ask nuclear have-not nations to forswear these weapons—for whatever reason—if the superpowers continue to overplay the bomb's importance for political power and prestige." Many felt that the Kennedy address was the brightest hour in a dark month.

An ad hoc Non-Proliferation Action Committee was activated in the United States, which worked with other senators, several citizen organizations (notably SANE), and the press to focus more attention on the conference. These belated efforts met with only modest results, as did attempts to recruit additional governmental delegations and nongovernmental organizations to attend the conference. Many of the foundations and policy groups that had sponsored their own advance NPT study conferences and publications failed to show up in Geneva—a default yet to be adequately explained.

Not a single U.S. religious group sent a representative, although some (like the National Council of

Churches and the National Conference of Catholic Bishops) were prodded from Geneva to do so. Even the World Council of Churches (headquarters: Geneva) was unrepresented through most of the conference. The World Conference on Religion and Peace was represented through its secretary-general and veteran U.N. disarmament hand, Homer Jack, who served as cochairman of the international NGO group. (The Holy See, having acceded to the treaty—no nuclear weapons in the Vatican!—participated as an official delegation. It maintained a very low and cautious profile, but did declare that the "critical point" in the NPT is the balance between vertical and horizontal proliferation and that, in practice, the "imbalance of obligations" was the main obstacle to a more effective treaty.)

The churches' lack of steadfast interest in defense and disarmament issues is an old, sad story that cannot be retold here. They ought to be prime channels for focusing the ethical dimensions of disarmament and human survival—but they continue to be preoccupied with presumably more important concerns.

In short, if the official U.S. position in Geneva was largely unresponsive to the political issues of nuclear proliferation, the American public at home was almost completely lacking in political awareness and engagement on these same issues. The Administration, the Senate, the press, and NGOs (including religious groups) can all share the onus for that deficiency.

It has once again been painfully demonstrated that ethics must begin with politics in matters of disarmament and almost everything else. There is a critical need for a much more substantial constituency for political action on disarmament issues in the United States. Such a constituency requires an empowering and sustaining center. Existing institutions and associations seem too limited in scope or inhibited in style or preoccupied with other agendas to provide the leadership here proposed. Having initiated a similar effort seven years ago—an effort that nearly got strangled by an unseemly ecclesiastical hassle and that eventually expired for lack of funds—I would welcome some fresh visions as to how such an empowering sustaining center may now be more firmly established.