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*Editorial*

## THE NUCLEAR NON- PROTESTATION TREATY

**T**HE ROAR OF crashing banks and stock markets has drowned the drumbeat for war on Iran of late; but behind the headlines of economic turmoil, a nuclear-weapons crisis persists. Obama has vowed that he will do ‘whatever it takes’ to stop the Iranian enrichment programme. The threat of military force must stay on the table—‘As President, I will use all elements of American power to pressure Iran’. He will have support in Europe: French Foreign Minister Bernard Kouchner warned over a year ago that ‘the world should prepare for war over Iran’s nuclear programme’. The legal pretext for an attack is provided by the Nuclear Non-Proliferation Treaty, which has emerged in the post-Cold War era as a cornerstone of the ‘international community’. Recent articles in this journal have examined the formal aims and practical record of the NPT in preventing the spread of nuclear weapons, and the policies of the Bush Administration towards it.<sup>1</sup> What follows will look at two further questions. Firstly, what is the political history of the Treaty as an international agreement—which powers conceived it, and for what reasons; which accepted it, and why; which have rejected it, and with what consequences? Secondly, what has been the effect of the Treaty in world politics, understood as an arena of conflicts involving not only states, but movements and ideals?

These questions hold a particular relevance for *New Left Review*. Its founding editors in 1960 were leading participants in the Campaign for Nuclear Disarmament, the largest mass movement in Britain since the War, and crucible for a new youth-protest culture. No cause was more central to Edward Thompson, Stuart Hall and the New Left of the time

than opposition to the British Bomb and to the deadly arms race between the superpowers.<sup>2</sup> Yet CND faded, once its adherents had been beaten back inside the Labour Party. It was solidarity with the National Liberation Front in Vietnam, rather than the threat of atomic devastation, that would mobilize the great protests of the 1960s. Two decades later, however, when the arrival of US Cruise and Pershing missiles in Western Europe once again revived nuclear fears, a European-wide campaign against the arms race sprang into being, with Edward Thompson once again at its fore. Setting out to unite dissenters in both West and Eastern Europe against the Cold War, END rallied huge demonstrations against nuclear weapons on an international scale and produced a more developed set of debates than its predecessor. Of these, perhaps the most sustained took place in the milieu of this journal, with the publication in 1980 of Thompson's famous essay, 'Notes on Exterminism', followed by contributions from Raymond Williams, Noam Chomsky, Lucio Magri, Mike Davis and others.<sup>3</sup> But by the mid 1980s END, too, had receded, leaving little mark on the course of events in the final years of the Cold War. Its aftermath was not the expansion of protest that had been the sequel to CND, but the capitulations of Gorbachev and Yeltsin, and the triumph of the West.

Twenty years on again, popular protests against the invasion of Iraq—officially designed to stop it getting nuclear weapons—mobilized far greater numbers than even END, not only in Europe but throughout the world. But this time the peace movement was even shorter-lived, as an effective political force. Nor has there been any movement of anti-imperialist solidarity against the extended military occupation of Iraq,

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<sup>1</sup> Norman Dombey, 'The Nuclear Non-Proliferation Treaty: Aims, Limitations and Achievements', and Peter Gowan, 'Twilight of the NPT?', NLR 52, July–Aug 2008. The text of the NPT appears on pp. 46–7 of that issue.

<sup>2</sup> See, for example: Editorial, 'Towards Aldermaston', NLR 1/2, March–April 1960; E. P. Thompson, 'Countermarching to Armageddon', NLR 1/4, July–August 1960; Editorial, 'Scarborough and Beyond', NLR 1/6, Nov–Dec 1960; and Perry Anderson, 'The Left in the Fifties', NLR 1/29, Jan–Feb 1965.

<sup>3</sup> See Thompson, 'Notes on Exterminism', NLR 1/121, May–June 1980; Raymond Williams, 'The Politics of Nuclear Disarmament', NLR 1/124, Nov–Dec 1980; Lucio Magri, 'The Peace Movement and European Socialism', NLR 1/131, Jan–Feb 1982; Ernest Mandel, 'The Threat of War and the Struggle for Socialism', NLR 1/141, Sept–Oct 1983; many of these are collected together with, *inter alia*, Noam Chomsky, 'Strategic Arms, the Cold War and the Third World' and Mike Davis, 'Nuclear Imperialism and Extended Deterrence', in E. P. Thompson et al., *Exterminism and Cold War*, Verso: London 1982.

of the kind that played a critical role in ending the war in Vietnam. Now, when an attack is menaced against Iran, there is less sign than ever of any vocal or organized resistance to the rationale for it. Nuclear disarmament, once the cause of a movement for peace, has become the prime justification for acts and threats of war. In this transformation, the role of the NPT has been central. Level-headed analysis of it is overdue.

## I. COLD WAR

The diplomatic origins of the Treaty lie in a contingent convergence of interests between the superpowers during the Cold War. The two atomic bombs dropped by the United States on an already defeated Japan in 1945 established its supremacy in this field, as well as making it the only power to have used nuclear weapons to date. Intended in part to intimidate the Soviet Union, the deliberately spectacularized demonstration of force galvanized Russian efforts to acquire arms to match. By 1949, the USSR had its own atomic bomb. In 1952, the US tested the far more powerful hydrogen bomb; by 1955, the USSR had pulled level with it again, and by 1957 both powers had liquid-fuel missile-delivery systems, though America remained far ahead both in numbers and technology. The megatonnage of a single weapon was now nearly 4,000 times that of the bomb dropped on Hiroshima.<sup>4</sup> Britain, regarded by Washington as a completely dependable ally, and still in possession of a sizeable empire, was allowed to pursue its own programme, exploding a fission device in 1952 and a small fusion one in 1957—triggering the first protests at Aldermaston the following year. But the UK, as a loyal annexe of the US, did not alter the basic duopoly of the two great nuclear antagonists.

### *Conjuncture of the sixties*

Matters changed in 1960. France, Europe's other major colonial power, saw no reason why it should forego what Britain had obtained, and in

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<sup>4</sup> From the mid-50s, however, the credible deployment of such weapons came into doubt. As Eisenhower asked in 1954: 'What do you do with the victory? . . . Here would be a great area from the Elbe to Vladivostok and down through South East Asia torn up and destroyed, without government, without its communications, just an area of starvation and disaster . . . what would the civilized world do about it?' Off-the-record statement to senior officers, Quantico, VA, recorded in James Hagerty's diary, 19 June 1954, Eisenhower Library; cited in Philip Bobbitt, *Democracy and Deterrence: The History and Future of Nuclear Strategy*, Basingstoke 1988, p. 41.

that year succeeded in detonating a device in Algeria. Although Paris had been a signatory of the Atlantic Pact, it was not viewed by Washington in the same light as London. France had failed to ratify the European Defence Union, persisted with a destabilizing war in North Africa and plotted an attack on Egypt that the US thought it necessary to scotch. By 1960, moreover, De Gaulle—with a long history of refusing to bend to the American will—was at the helm of the state, and would soon be rejecting British membership of the Common Market as a Trojan Horse for US interests. A nuclear France pursuing an independent foreign policy was an unpalatable prospect.

Moscow's concern lay elsewhere. West Germany had renounced its rights to a national nuclear-weapons programme in the Paris Settlement of 1954, but retained the possibility of achieving nuclear status through a united Europe. With French help, it now hoped to do so within the EEC. Any such possibility was bound to alarm the USSR, after its experience at the hands of Germany in the Second World War. For the first time, this created potential common ground on a nuclear-arms question between Washington and Moscow: the US was hostile to French ambitions, the USSR to German. The result was the passage of a 1961 UN General Assembly resolution, which called for the groundwork to begin on a treaty that would ban the proliferation of nuclear weapons to any further states, while guaranteeing the arsenals of the two superpowers.<sup>5</sup> Here matters came to a temporary halt, however, since Washington's attempts to prevent the emergence of an autonomous Franco-German nuclear axis involved balancing with Bonn against Paris. The Adenauer government was wooed with promises of a NATO mix-manned Multi-Lateral Force, which would allow German generals and scientists access to American atomic weapons—anathema to the Soviet leadership. Washington's desire to factor a joint-run Western force into any non-proliferation formula stymied negotiations over the NPT for the next four years.

The impetus that got them going again came from the other front of the Cold War, where anti-imperialist forces were on the move in the Third World. As these began gaining ground in the 1960s—the Cuban revolution, decolonization in Africa, guerrilla struggles in Latin America—Washington had more reason to heed Soviet talk of peaceful coexistence; especially if this could be translated into curbing Moscow's

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<sup>5</sup> A non-proliferation resolution had been proposed by 'neutral' Ireland at every UNGA since 1958.

material support for national-liberation struggles and, above all, securing a measure of diplomatic silence on the fast-expanding war in Vietnam. On its side, the Soviet leadership was now in open conflict with China—a rift that had started precisely over the issue of nuclear weapons, when Khrushchev had refused to share Russian technology with Mao. China's explosion of a test device in December 1964 showed that even a poor country, albeit the largest at the Bandung Conference, could equip itself with a deterrent. The Chinese bomb concentrated minds in Washington and Moscow alike on the need to restrict the emergence of further nuclear powers in the Third World, as well as in Europe.

### *Negotiation*

The non-proliferation treaty's move back up the diplomatic agenda was not a matter of symmetrical concern to both superpowers, however. The drive behind it came from Washington, for the NPT was also designed for another, urgent purpose that was of importance to the US alone. A treaty limiting the spread of nuclear weapons could provide timely ideological cover for the Johnson Administration, just then enlarging its war in Vietnam, as ultimately devoted to the cause of world peace even as it intensified the bombardment of Hanoi. 'Because of the repercussions of the Vietnam situation', explained the Administration's chief disarmament negotiator to the Secretary of State in the spring of 1966, 'the US badly needs to demonstrate its desire to seriously negotiate measures contributing to international stability and curbing the nuclear arms race'. The White House pointed out that 'differences with the Communists over Vietnam make our common interests in preventing nuclear spread and curbing the nuclear arms race all the more important to pursue'. Johnson sent a personal letter to Kosygin urging a Non-Proliferation Treaty, and assuring him that America now opposed West Germany acquiring nuclear arms. Rusk reported that Moscow could accept NATO consultation with Bonn on nuclear issues, but wanted assurances that the NPT would not 'serve as a front for future hardware arrangements'.<sup>6</sup> Bilateral discussions quickened during Gromyko's visit to New York in

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<sup>6</sup> Memorandum from John Foster to Dean Rusk, 25 May 1966, and Committee of Principals summary, 21 January 1966, in: 'Foreign Relations of the United States, 1964–1968', vol. XI, Arms Control and Disarmament, Historian's Office, Department of State, Washington, DC. Foster also suggested to Rusk that 'there would be unquestioned political value to us in achieving a major arms control agreement with the Soviets in view of the state of Sino-Soviet relations'.

September 1966. That December, Washington circulated a revised text to its allies, containing drafts of what would become the first two Articles of the NPT: the five states that already possessed nuclear weapons would pledge not to give them to others, and non-weapon states would vow not to acquire them.<sup>7</sup>

But the draft Treaty met with a barrage of criticism when it was presented to the UN body dealing with such matters, the Eighteen-Nation Committee on Disarmament. India and Brazil argued that the first article of a non-proliferation treaty should prohibit the manufacture of nuclear weapons altogether. The NPT was both discriminatory and hypocritical, calling on the rest of the world to give up the Bomb for the good of humanity, while the self-defined nuclear powers clung on to theirs. France—though granted a role as one of the latter—rejected the Treaty on principle, its representative declaring: ‘This is not disarmament—this is only a strengthening of the monopolies of the great powers’. The German media ran a blistering campaign against the ‘Dictate of the Atomic Giants’, which Adenauer attacked as ‘a Morgenthau Plan raised to the power of two’, and Strauss as a ‘new Versailles’.

To buy off this opposition, a rash of new articles was hurriedly added to the Treaty during the run-up to the UN vote. The chief sweetener was Article IV, an offer to help those who signed it obtain civilian nuclear power.<sup>8</sup> The Germans would be allowed to select the inspectors of their own nuclear plants and, like the Canadians, Japanese and other industrial allies of the US, would be tacitly permitted nuclear ‘threshold’ status, to the hook-up of the last wire. A new Article VI gestured towards the disarmament of the five nuclear-weapon states, at some unspecified point in the future. Article X allowed signatories to withdraw and limited the life-span of the Treaty to twenty-five years, after which a further

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<sup>7</sup> US–Soviet negotiators agreed, surveying the balance of power, that the NPT would define as legitimate nuclear-weapon states all those that had exploded a nuclear device prior to 1967: the US, USSR, Britain, France and the PRC (at that stage still blocked by US veto from occupying the China seat in the UN General Assembly and Security Council).

<sup>8</sup> Though the promised facilities were nowhere defined, Foster told the US Congress that they would include uranium enrichment, stockpiling of fissionable material, plutonium-fuelled reactors and fast-breeder reactors. Mohamed Shaker, *The Nuclear Non-Proliferation Treaty: Origins and Implementation, 1959–79*, Oceana, NY 1980, vol. 2, p. 251.

international conference—to be held in 1995—would decide whether it should be renewed. Reception was still so lukewarm, however, that when the Treaty was finally put to the General Assembly in June 1968 nearly a third of UN member-states refused to support it. It passed amid all-out American attacks to crush the Tet offensive.

For those that did sign, the promise of civil nuclear power was the biggest attraction. A raft of middle-ranking dictatorships—the Shah of Iran, Díaz Ordaz in Mexico, Nigerian generals, Marcos in the Philippines, the Thai junta, incoming Baathist leaders in Syria and Iraq—hoped to benefit from the atomic El Dorado held out in Article IV. A larger set of poorer signatories, including Somalia, Haiti, Nepal, would never be able to afford a weapons programme anyway, yet might aspire to crumbs from the nuclear table. NATO allies were given an American guarantee that they would have a ‘finger on the trigger’. A group of threshold powers—West Germany, Italy, Japan, South Korea—waited until the IAEA, initially part of Eisenhower’s 1953 Atoms for Peace programme, had been revamped as the official NPT agency, and acceded once they had agreed suitably lenient inspection protocols. But for most, the lure of nuclear power proved illusory; few of the promised reactors ever arrived. The Carter Administration imposed a new set of limitations just as the larger developing states grew able to afford them. The 1978 Nuclear Non-Proliferation Act ruled that American nuclear fuel could only be sent to states implementing further safeguards, while the Nuclear Suppliers’ Group, an industry cartel dominated by American private-sector interests, was used to screen importers, considering client states on a case-by-case basis.<sup>9</sup> Important regional powers, including Brazil, India, China, France, Argentina, Chile, Cuba, South Africa, Israel, Pakistan, continued to shun the NPT.

### *Exterminism?*

By the late 1970s, however, the balance of forces that had given rise to the Treaty was changing. The Nicaraguan and Iranian revolutions were the last successful anti-imperialist revolts of the period. A turning-point was China’s alignment with the US, not only against the Soviet Union but also—as signalled by its 1978 invasion of newly liberated Vietnam—against the popular-revolutionary movements it had

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<sup>9</sup> David Fischer, *History of the International Atomic Energy Agency: The First Forty Years*, Vienna 1997, p. 99.

formerly supported in the Third World. The result was a decisive shift in the triangular relationship between the NATO powers, the Soviet bloc and anti-imperialist forces, in favour of the West. Washington could now toughen its stance towards Moscow, with tacit Chinese backing. The Carter Administration opened the final round of the Cold War by announcing plans to upgrade its nuclear-strike force in Europe. In December 1979, NATO agreed to site Cruise and Pershing missiles in Britain and Germany; Reagan rapidly moved to station them. The USSR, in the paralytic hands of Brezhnev, and bogged down in its own counter-insurgency war in Afghanistan, blundered forward with plans for a new generation of missiles. As in the 1960s, but now on a much wider international stage, the threat mobilized hundreds of thousands in protest against nuclear arms. Jonathan Schell's *Fate of the Earth* and Edward Thompson's *Protest and Survive* depicted the terrifying effects of nuclear warfare more vividly than even CND had done twenty years before.

This was the context for the debate around 'Notes on Exterminism'. Thompson's passionate polemic assailed caricatural, but recognizable positions often heard on the left: the causes of the Cold War lay in the expansionist drives of world imperialism; nuclear armament by state socialism was overwhelmingly reactive and defensive; the bomb was a thing, not an agent; preoccupation with the horrors of nuclear war was diversionary, leading to 'neutralism, pacifism and a failure to connect with the struggles of the Third World'. Against such delusions, Thompson argued that the categories of capitalism, imperialism and state socialism were inadequate to the unprecedented situation of the early 1980s: a confrontation between two parallel 'exterminist' systems. With chilling evocations of the final catastrophe, he predicted that, unless the peace movement prevailed, a nuclear collision was almost certain before the century was out. The threat of extermination demanded that all secondary differences—socialism, capitalism—be subordinated to 'the human ecological imperative' to survive.

Warmly supporting Thompson's call for massive protests against the danger of nuclear catastrophe, his interlocutors offered alternative accounts of the heightened Cold War tensions of the time. They widened the scope to include what Mike Davis called the 'actually existing exterminism' in San Salvador or Guatemala City, and the 'revolution in the counter-revolution' effected by Reagan. In one of the most powerful essays, Raymond Williams warned against the political logic of a debate

that did not move beyond the nightmarish consequences of nuclear conflict. For 'no one is quicker to agree about these horrors than the defenders and actual executants of the arms race, who then derive their own models of deterrence and swing much public opinion behind them'. To treat the threat of nuclear conflagration as a discrete, all-determining issue was to obscure its real causes and foster 'a sense of helplessness beneath a vast, impersonal and uncontrollable force', just as the nuclear-weapons establishments aimed to do.

For Williams, the politics of disarmament required an unflinching recognition of the validity of nuclear deterrence as a national-defence strategy. 'The natural and wholly reasonable desire of all peoples to be secure against direct attack', he wrote, 'ought never for a moment be denied, or even questioned, by those of us who are against nuclear arms and the arms race'. As he argued elsewhere, the Chinese could not be denied what the Americans and Russians already possessed. Deterrence had undoubtedly played a part—along with a much broader complex of political struggles, and the public revulsion against first use—in falsifying predictions of nuclear annihilation. Williams distinguished between defensive, essentially national 'strategies of deterrence' and a broader 'ideology of deterrence', structuring the alliances of the Cold War. To shelter under an extended American (or Soviet) nuclear umbrella entailed 'assent to a steady loss of independence and openness across a much wider political field'. The re-nuclearization of the early 1980s threatened to turn the populations of Europe from 'deterrent subjects' into 'objects in an ideology of deterrence wholly beyond us as nations or peoples'. In the process, 'the longing for disarmament is ideologically captured as the cover for yet another stage of re-armament'. It was this logic, so strikingly premonitory of the later role of the NPT, that the new mass movements needed to oppose.

## II. NEW ORDER

Some three decades later, history's verdict on the Exterminism debate would appear unequivocal. Nuclear annihilation has not occurred. Capitalism has never been so generally accepted as the defining form of the time. Imperialism, long dismissed as an outdated shibboleth, is taken for granted—alternatively celebrated or deplored—across the ideological board, as America's empire of bases has expanded from Western

Europe and East Asia into Central Europe, the Balkans, the Caucasus, the Middle East and Central Asia. Watched from space by swarms of satellites, extended deterrence has spread across the globe, from Ascension to Diego Garcia, Okinawa to Incirlik. Russia and China have been integrated into an American-led economic order. As for the ideology of deterrence, Williams's vision was prophetic: the global 'capture' of disarmament hopes, as the cover for a new stage of militarist expansionism, has been effected through the Nuclear Non-Proliferation Treaty.

The condition of the NPT's new salience was, of course, the American victory in the Cold War. Three factors then transformed the NPT regime, in the era that could be said to have opened with the 1991 Gulf War. First, the Treaty was fortuitously aligned with membership of the UN Security Council when, in the summer of 1991, both France and China—the two nuclear powers that had once vehemently criticized it—now performed a volte-face and announced their intention to accede. In both cases, the process involved a domestic political crisis undoing earlier claims of social independence, resulting in a capitulation to the American hegemony that each had once resisted. In France, Mitterrand had already tacitly settled for neo-liberalism at home and neo-Americanism abroad after the collapse of the Socialists' initial attempt at nationalization and reflation in 1982; his call for Germany to accept Pershing missiles won warm praise from the Reagan White House. But with the fall of the Soviet Union, any façade of neo-Gaullist independence from the two powers collapsed as well. The glide to Washington was consummated with the Gulf War, when French troops came under US command. In June 1991, within three months of Iraq's expulsion from Kuwait, Mitterrand announced a 'Master Plan for Global Disarmament': France would sign the Non-Proliferation Treaty and urged all other states to do the same.

China's turn towards the New World Order came six weeks later. Economically and diplomatically, its back-story had started with Deng Xiaoping's Open Door policy and trip to the United States in the late 1970s. But it was the crisis of 1989, with mass upheaval in the cities against his regime, and the isolation of the PRC after the crackdown, that triggered the decisive change. Anxious to shake off its pariah status after Tiananmen, and sensing it now had nothing to lose by jettisoning past principles—in the name of which it had once itself acquired nuclear weapons—the CCP rallied to the Treaty. The announcement was made as

a bid for American favour by Li Peng in August 1991, during the Japanese Prime Minister's visit to Beijing, the first by a foreign dignitary since the repression of June Fourth. In its turn, accession heralded Deng's southern tour, blessing the stock market and launching the unqualified drive towards capitalism.<sup>10</sup> With the adhesion of France and China, the gap—at least, the officially admitted gap—between the *pays légal* of the NPT and the *pays réel* of nuclear power was closed. The happy chance that the five 'legitimate' possessors of nuclear weapons were also the five permanent members of the Security Council, enjoying veto powers setting them above all other states, meant that the nuclear oligopoly they formed now had the enforcement mechanisms of the UN at its disposal.

The lower ranks of the NPT were also swollen by the fall-out of 1991—a second factor in generalizing its sway. Forty-five more states now acceded to the Treaty, which became a test of international respectability, selectively applied. Among the newcomers were the ex-Soviet and ex-Yugoslav republics, post-Apartheid South Africa and six more Sub-Saharan states, which had held out while Pretoria had the Bomb. Diplomatic arm-twisting by France, China, Canada and others in the run-up to the Treaty's 25-year Extension Conference in 1995 brought in a dozen more, including Chile, Argentina and Myanmar. The Conference duly granted the NPT indefinite unconditional extension, although a last-minute rebellion by Arab states over the Israeli bomb soured the atmosphere, and led to the Treaty's adoption not by vote but by 'general acclaim'.<sup>11</sup> The third factor was the re-tooling of the IAEA, in the aftermath of the Gulf War, from a nuclear-monitoring agency into a more-or-less transparent extension of American intelligence. Its representative bodies and funding structure were overhauled, the latter becoming largely project-based, with Washington the largest donor. Safety measures were downgraded (the Agency's home laboratory sprang a plutonium leak in 2008), in favour of selective inspections backed by a Security Council mandate bearing the threat of US force. IAEA Director-General Hans Blix drew up an intrusive new inspection regime, 'Programme 93+2', tabulating the confrontational tactics that would be deployed in Iraq, Iran and North Korea: charging technicians with concealment, demanding

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<sup>10</sup> Zhao Ziyang had already waxed eloquent on China's support for non-proliferation at a 1984 White House dinner, and by 1988 scholars at the Chinese Academy of Social Sciences were busy revising the PRC's traditional critique of the NPT as discriminatory.

<sup>11</sup> Brazil signed in 1998 and even Cuba, as the price of European trade, in 2002.

access to non-registered or non-nuclear sites, putting the burden on the accused to prove their innocence. Since 1997 Blix's lieutenant and successor Mohamed ElBaradei has run the same model with the help of Olli Heinonen, a bullish radiochemist from Helsinki.<sup>12</sup> With stepped-up police powers in Vienna, diplomatic consolidation in New York and political alignment with the Security Council, the Treaty was primed for use in the new century.

### *Three exceptions*

By 2003, on the eve of the invasion of Iraq, only three out of 193 member-states of the UN were not signatories to the NPT. All three possessed nuclear weapons—unlike Iraq, attacked on the pretext that it was developing them—and have been generously rewarded, rather than punished. Israel, the most notorious case, not only receives more American economic and military aid per capita than any other state on earth, but is not even admitted by the ‘international community’ to have an atomic arsenal. For half a century, Tel Aviv’s single-minded pursuit of nuclear weapons has been matched only by US determination not to see it. Peres began energetic fundraising for an Israeli bomb in New York in the early 50s, and later conducted millionaires’ tours of Dimona. French and British nuclear assistance was secured at the meeting at Sèvres that planned the tripartite attack on Egypt in 1956.<sup>13</sup> The Eisenhower Administration ignored U-2 photos of the massive ‘textile factory’ under construction in the desert; after the exposés of 1960, Ben Gurion’s denials were taken at face value, just as evidence of an Israeli–South African nuclear test in 1979 was dismissed by Carter. No protest has ever been made at the abduction and imprisonment of Mordechai Vanunu for whistleblowing on Dimona.<sup>14</sup> Today, when the Israeli nuclear arsenal is of comparable size to Britain’s, the watchdogs of the IAEA continue to act as if it does not exist. On an Israeli Air Force tour of Israel in 2002, at the height of Blair and Powell’s mendacious claims of an Iraqi nuclear programme, ElBaradei was flown past Dimona without opening his lips.

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<sup>12</sup> Heinonen specializes in unofficial briefings to the international press, usually on the basis of unexamined evidence supplied by the US-backed Iranian spy group, Mujahedeen-e Khalq.

<sup>13</sup> ‘In Israel, a million Jews are besieged by Arabs; in Algeria, a million Frenchmen the same’, Peres was told by French Interior Minister Bourguès-Maunoury: Michael Karpin, *The Bomb in the Basement*, New York 2006, p. 62.

<sup>14</sup> After 18 years in gaol, Vanunu remains imprisoned within the borders of the country, as Israeli authorities refuse his increasingly desperate pleas for an exit visa.

If the long-running farce of Israel's non-identification as a nuclear power remains the most glaring of the NPT's hypocrisies, treatment of the two subcontinental states that have also declined to sign has followed the same logic: partners or dependents of the West can ignore the Treaty with impunity if they choose. India's intentions of acquiring the bomb were never a diplomatic secret—Delhi disdaining the pantomime of Dimona—and its first test explosion took place in 1974. Carter exercised a presidential waiver in 1979 to override the 1978 Congressional Act and approve Indian nuclear-fuel shipments. Vajpayee's announcement of Indian weapons capability in 1998 was rewarded with the pomp of Clinton's visit, the first by an American President, in 2000. The 2005 Bush–Singh agreement, formally lifting restrictions on US nuclear-technology sales to India, represents the continuation of this policy, while binding Delhi's foreign policy to Washington's across a much wider strategic sphere, aimed principally at Iran and China.<sup>15</sup>

Nor has the West made much fuss about the Pakistani bomb, although the treatment has been a little less fulsome. A 1979 nuclear-fuel ban, in line with the 1978 Act, was reversed by Carter in 1980, when Zia became a frontline ally in Afghanistan; reimposed after Islamabad tested its first weapon in 1998, it was lifted again in 2001 for the second invasion of Afghanistan. Western disgruntlement at Pakistan's past willingness to share its nuclear know-how with non-client states—Libya, Iran, North Korea—should not be exaggerated: Abdul Qadeer Khan's network has been penetrated by American intelligence since at least 1975. Any Western irritation about such nuclear entrepreneurship has been of small account compared to the strategic role of Pakistan in the War on Terror, which has earned it massive amounts of American aid, without any grumbling about the NPT. At the same time, contradictions in US–Pakistan relations, as Washington both relies upon the state and destabilizes the country, are to a certain degree contained by Islamabad's nuclear capability.

### *Two targets*

Western complaisance towards the three nuclear states that have rejected the NPT outright has been accompanied by unremitting hostility towards

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<sup>15</sup> The deal is subject to the annual say-so of Congress under the 2006 US Hyde Act; among its foreign-policy requirements are that India 'fully and actively participate' in US efforts to 'dissuade, isolate, and if necessary, sanction and contain' Iran.

others that have signed it, but are accused of not respecting it. The difference does not lie in any legalistic distinction but in the relation to the US of the states concerned. The Israel of Shamir and Sharon, the India of Desai and Vajpayee, the Pakistan of Zia and Musharraf, were friends of the West. Late Baathist Iraq, Khomeinist Iran and Communist North Korea were not. In the name of the NPT, the first was overthrown, and a vicious war still rages over its ruins. The second and third have been repeatedly threatened with the same fate, on the same grounds. Both states have good reason to fear for their security—both are surrounded by nuclear powers, and too-well acquainted with the realities of foreign invasion. The status of nuclear weapons may have been eroded within the great-power armouries by the increased destructive power and precision targeting of conventional weaponry, to which no taboo attaches; but a nuclear deterrent is still a potent defence for lesser states, against regime change or invasion. Given their respective histories and circumstances, it is small wonder that Iran and North Korea should be trying to insure themselves against such risks. Williams's 'wholly reasonable desire of peoples to be secure against direct attack' is starkly posed by the current threats against them. The goal of the NPT regime is to prevent their self-constitution as 'deterrent subjects'.

The two are not identical, but what they have in common is that in neither case can a nuclear capability be construed as anything other than defensive. Beleaguered, impoverished North Korea, long threatened by American nuclear strikes, has been trying for fifteen years to bargain its minuscule atomic programme for aid, above all in energy supplies of which the country is desperately short. The DPRK is the type-case of a small state fooled into entering into Treaty obligations in exchange for a non-delivered civil reactor. Negotiations to buy a Soviet power plant—distinct from an earlier nuclear-research programme—began with Chernenko in 1984; final agreement was held up by US pressure on Gorbachev and Shevardnadze, who made accession to the NPT a condition of the deal. North Korea signed up in December 1985, but the reactor never materialized, and Pyongyang was abandoned when Shevardnadze switched Moscow's Korean policy to Seoul in 1988. This left the DPRK's embryonic indigenous research programme at the mercy of Blix's 93+2 inspection regime. In 1994, tensions over the IAEA's demands escalated to the brink of war, as the Clinton Administration readied a first strike on the country, called off only at the last minute. An Agreed Framework was eventually brokered, offering purchase of US light-water reactors in

exchange for North Korea's decommissioning its Yongbyon plant and reversing its withdrawal from the NPT. Once again, whether through Congressional parsimony or more cynical *raisons d'état*, the promised reactors failed to appear; following which Pyongyang resumed its programme. The same pattern was repeated by the Bush Administration, which ramped up tensions from the end of 2002. After the Koreans had exploded a nuclear device (the smallest ever: less than a kiloton) Washington signed up to a package in October 2007 that was almost identical to the 1994 agreement; and again stalled on its side of the deal. At the time of writing the cycle is now stuttering through its second phase—negotiation, North Korea having once more brought its sole bargaining chip into play, while still hoping to preserve it—each side still trying to gull the other. Since the US has so far never been willing to sign a peace treaty to bring the Korean War to a formal end, which would involve recognizing the DPRK, the paranoia attributed to Pyongyang is not incomprehensible.

Iran, a major regional state in every respect, which argues that it has abided by the NPT, is currently the more burning case in the eyes of the West. For all its disavowals, there is every reason to believe that Tehran would like to acquire a nuclear deterrent, as its neighbours have. It is perfectly plain that an Iranian nuclear capability would be no threat to the United States, or any Western power—it could only serve as a defensive shield against attack by them. Nor would it be a military threat to Israel, whom Iran would never dare attack; though it would bring an end to the atomic monopoly Israel has hitherto enjoyed in the region. But since the defeat of Iraq in 1991, Iran has emerged as a political threat to Israel—a rival for influence over the greater Middle East. Hence the incessant drumbeat from Tel Aviv. Before the Gulf War, Israeli–Iranian relations were traditionally co-operative, under the table. Ben Gurion's doctrine of alliance with the periphery—Turkey, Iran, Ethiopia—against a hostile Arab neighbourhood remained in place long after the Islamic Revolution of 1979. But when the last independent Arab power of any weight was broken in Desert Storm, Israel began to envision a new Greater Middle East strategy, backed by many in Washington, linking Israeli brains, Gulf capital and cheap Arab labour. In this scenario, Iran became the new rival. In 1992 Rabin and Peres, mobilizing the Israel lobby in the US, launched a propaganda blitz against the Rafsanjani government, portrayed as bent on backing fundamentalist revolution

with nuclear arms.<sup>16</sup> After Clinton's 'dual containment' strategy of 1993, embracing Iran and Iraq, came the draconian Iran–Libya Sanctions Act of 1996. Since then, Iran has been singled out for intrusive IAEA inspections, 'special' reports, hyperbolic international press coverage and Security Council referral, merely for doing what all its accusers have done for years. Military threats against the reactors in Natanz and Arak from Israel, and the floor of Congress, escalated until December 2007, when a US National Intelligence Estimate threw cold water on scenarios of Iranian progress towards a bomb. They recommenced in March 2008, at lower level, following one of Heinonen's press briefings.

Left to its own devices, Washington would have good cause to seek a *modus vivendi* with Tehran. The mullahs have collaborated with the American installation of puppet regimes in Afghanistan and Iraq, and when negotiations were tentatively broached in 2003, the Khatami government fell over itself with offers of across-the-board amity. But Israeli opposition to any deal has so far proved insurmountable; nor is it clear how far the Supreme Leader is ultimately willing to go. The probability is that Tehran hopes to acquire nuclear weapons eventually, but not unconditionally—but just what inducements it would accept to forego them remains uncertain. The ongoing escalation of Western threats and sanctions could well backfire and the danger of a second war for the NPT cannot be dismissed. If the basis for an accommodation with the Great Satan exists, so does the risk of violent hostilities. The Treaty supplies a standing invitation for an attack.

### *Powers*

What, meanwhile, of the nuclear oligopolists themselves? Not one has taken any serious step towards that disarmament to which they are *pro forma* urged in Article VI of the Treaty. Within the club of privileged states, Russia remains a significant lower-tier gainer, a much diminished conventional power whose anomalous retention of the second largest nuclear arsenal allows it to punch well above its weight on the international scene.<sup>17</sup> Otherwise, the predominance of the United States remains as overwhelming as ever, although the salience of the nuclear

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<sup>16</sup> See the account by Gary Sick, adviser to the National Security Council of the time, cited in Trita Parsi, *Treacherous Alliance: The Secret Dealings of Israel, Iran and the US*, New Haven 2007, p. 163.

<sup>17</sup> Though modernization of Russia's conventional weaponry has accelerated since 2005: *The Military Balance 2008*, IISS, p. 206.

element in its armoury has been decreased by the ‘revolution in military affairs’. For years now, the American nuclear-weapons sector has busied itself with warhead modifications, upgrading a national arsenal of an estimated 3,696 nuclear warheads, operationally deployed, with an additional 5,736 in active reserve, and thousands more semi-retired. American military strategy is not totally subsumed by the logic of non-proliferation, however. For an important strand in US policy making, a modified version of the former triangle persists in US relations to Russia and China, though now drained of systemic tension. Zbigniew Brzezinski has long argued that America’s principal strategic aim should be to prevent the emergence of a consolidated Eurasian power bloc, by controlling the ‘new Balkans’ of Central Asia and balancing against the major continental states, militarily and diplomatically.<sup>18</sup> In addition to US installations that virtually ring both Russia and China, an inner circle of allies—NATO powers, Japan, Australia; soon perhaps India—is tightly linked in missile-defence frameworks that surround the two; implantation in Afghanistan represents an important presence in their joint backyards. Contradicting the logic of the NPT, the US still has potential interests in balancing with former Third World states—India, but also, conceivably, Iran—against any union of its two fellow UNSC nuclear powers, even as it tries to mobilize them to block the emergence of atomic upstarts in the Global South.

### III. CONSEQUENCES OF THE TREATY

Even by the generally undemanding standards of international law, the Nuclear Non-Proliferation Treaty is a blatantly hypocritical and inequitable instrument. Yet many who readily acknowledge this nevertheless defend it as the least bad option available. So widespread is this view that virtually no opposition to the Treaty is ever expressed now, anywhere in the world. The reasoning behind such acceptance is straightforward: the danger of a nuclear catastrophe is so great that it is worth putting up with a measure of unfairness to minimize any risk of it. Although the world would be a better place if no powers had such weapons, there is no prospect of inducing those who possess them to give them up; so we must settle for what we—and they—can achieve, which is to prevent their spread. For the fewer states have such weapons, the less danger

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<sup>18</sup> Most recently, Zbigniew Brzezinski, *The Choice: Global Domination or Global Leadership*, New York 2005.

there is of them being used, or of accidental detonations, or of their falling into the hands of terrorists intent on blowing up the world. The modest bad conscience needed to swallow the NPT is a small price to pay for protection from such nightmares.

How valid is this thinking? During the Cold War, the ‘ideology of deterrence’ could build on public intimations that the systemic incompatibility between capitalist and non-capitalist camps was real enough to make all-out conflict possible, if not probable. Current nuclear anxieties, with their shifting, ill-defined focus—terrorists, Islamist regimes, ‘those who hate us’—are closer in form to conservative manipulations of social fear (‘of all Passions, that which enclineth men least to break the Lawes’) around crime, immigration, sexual predation, the racial other, than to the terrors of military confrontation. The American nuclear arsenal is rendered invisible in this discourse, whose literature, stale and repetitive, is packed with the factual distortions and spurious statistics—‘the chances of a nuclear detonation in Lower Manhattan or downtown Washington over the next ten years may be 10, 20 or even 50 per cent’—so effectively debunked by John Mueller.<sup>19</sup> There is none of the imaginative power that characterized the nuclear dystopias of Schell or Thompson.<sup>20</sup> Scaremongering scenarios are surreally bolstered with the warning that they might cause actually ongoing events—‘such attacks could even trigger a global economic crisis’, etc. Soberly assessed, how real are these threats?

The obstacles to a terrorist group constructing a nuclear device of its own are, in practical terms, insurmountable. Firstly, to procure large

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<sup>19</sup> John Mueller, ‘The Atomic Terrorist: Assessing the Likelihood’, paper presented at the Programme on International Security Policy, University of Chicago, 15 January 2008.

<sup>20</sup> An exception is Philip Bobbitt’s massive *Terror and Consent: The Wars for the 21st Century*, New York 2008. Bobbitt himself is dismissive of actual terrorist-threat levels, noting that over the last decade more Americans have died of peanut poisoning than *attentats*. But as products of global economic liberalization and concurrent transformations in telecoms and war, 9/11 and its ilk are harbingers of what is to come as the world endures the birth-pangs of the market state. ‘Wars on terror’ will be needed to defeat any threat to this emerging form if it is to be based on consent, rather than coercion; though Bobbitt concedes that these wars are small fry compared to the conflicts he foresees arising from a multipolar world—still the ultimate danger, as in his 1988 *Deterrence and Democracy*. As an essentially conservative defence of privilege, *Terror and Consent* lacks the universalist appeal of Schell or Thompson’s work. Bobbitt’s attempt to supply this through an appeal to God inevitably falls short: other Gods might favour different world outcomes.

quantities of highly enriched uranium, establish specialist machine-tool plants and research laboratories, hire the necessary nuclear scientists, technicians and engineers, subject prototypes to extensive experimental testing, adapt designs to the specific fissile material in hand, and manage the problems of manufacture, transportation, etc., would require the resources of at least a quasi-state. Nor is it credible that an operation on such a scale should remain clandestine for long: as noted, A. Q. Khan's network was penetrated by American intelligence as early as 1975 and the sector, small and specialized as it is, crawls with spies. The notion that a state would choose to 'hide behind' a terrorist group is quite as far-fetched; fantastical rumours that Tehran has dispatched a nuclear Hezbollah *équipe* to Toronto, etc., collapse on the slightest investigation. The origins of any such device would be easily traceable: the state would not only have lost control of a major asset but would be inviting devastating revenge attacks. Nor is a stolen weapon a serious option: even the simplest is equipped with elaborate security features, and would require continual upkeep to remain effective. All these reasons no doubt lie behind the sound advice found on an Al-Qaeda laptop: 'Make use of that which is available, rather than waste valuable time becoming despondent over that which is not within your reach'.

What of the risks of an accidental detonation? Mercifully, it is extremely difficult to set off a nuclear explosion. Stockpiled weapons have multiple safeguards which can only be over-ridden within tightly specified conditions, all of which must be satisfied before the fuses can be loaded and the weapon armed, let alone fired. To take an extreme case: even when, in 1966, a USAF B-52 blew up over Andalusia during mid-air refuelling, loosing three B28 H-bombs on a farming village below, of which two detonated on impact, no one on the ground was killed. The explosions were non-nuclear; though radioactive material was spread around the area—the USAF shipped 1,400 tons of contaminated soil back to South Carolina, for disposal—health monitoring at Palomares since then has yet to detect the symptoms so prevalent around civil reactors.<sup>21</sup> The risks from the world's 400-plus nuclear-power plants and their growing piles of radioactive waste are another matter: over the past fifteen years there have been serious incidents at Tokai-mura in Japan, Davis-Besse in the US, Sellafield in Britain, Barsebäck in Sweden and the Cruas-3 and 4 plants in France. Elimination of any chance of them would involve closing down the reactors, but the current trend runs in the opposite

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<sup>21</sup> IHT, 11 September 2008.

direction. A consensus stretching from Al Gore and Nicholas Stern to James Lovelock and George Monbiot now endorses the construction of a new generation of nuclear plants, as a more acceptable solution to global warming than wind, sea and solar power.

If the threat of mass destruction from nuclear terrorism is negligible, and from a weapons malfunction highly unlikely, what of the risk from states themselves? Does any form of horizontal proliferation—as opposed to the vertical rise in arsenals, permitted by the NPT—increase the likelihood of nuclear annihilation? In a famous paper, Kenneth Waltz once argued that proliferation was more likely to have a ‘sobering effect’ on state leaders, scaring them away from escalation.<sup>22</sup> The absence of any comparably cogent reply to Waltz, nearly thirty years later, is striking; nor have his arguments yet been disproved by events. The mere fact of non-use since the American monopoly was broken cannot, of course, simply be extrapolated into the future. But neither can the historical record be ignored: border clashes between China and the Soviet Union were rapidly defused in 1969; as nuclear neighbours, India and Pakistan have steered gingerly away from full-scale war.

The weakness in Waltz’s case, it might be said, lay in his realist abstraction of the differing social character of states on the international checkerboard. But in which direction have these tended? In retrospect, to take the most dramatic stand-off of the nuclear era, while there were overwhelming objective rationales for both sides in the Cuban missile crisis to arrange a climb-down, there were powerful subjective motives at work too. As another contributor to the Exterminism debate noted, the personnel of the American state at that time represented ‘the richest ruling class the world has ever known’, the product of an extended period of economic growth. To imagine that they would sacrifice everything on ‘the altar of abstract ideas’ was to misunderstand their entire formation: ‘Certainly these people are capable of any number of barbarous initiatives against the colonial revolution. But they are not ready for the self-destructive barbarism of a Hitler or a Tojo in 1944–45.’<sup>23</sup> Similar considerations might apply to Israel’s leading families today, or to the millionaire mullahs in Tehran. In defiance of predicted nuclear-use scenarios, Hindutva nationalists and Islamist generals have colluded in the repression of the protest

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<sup>22</sup> See Waltz, ‘The Spread of Nuclear Weapons: More May Be Better’, Adelphi Paper 171, IISS, London 1981.

<sup>23</sup> Ernest Mandel, ‘The Threat of War’.

movement in Kashmir, rather than lobbed missiles at each other. Highly ideological nuclear-armed regimes, faced with humiliating defeat by a conventional enemy—Israel, at the hands of Hezbollah, in 2006—or actual extinction—Apartheid rule in South Africa in 1991—have prudently retreated or, in Pretoria’s case, meekly dismantled their weapons, to keep their diamond mines and vineyards. Pyongyang’s hesitant conciliatory gestures suggest an equally cautious stance. Generally speaking, the motives of self-preservation that impel a lesser power to seek nuclear capability will also determine that its strategic purpose will be deterrent.

If we are to go by the mathematical calculation of deterrence probabilities once computed by Jacob Viner and Bernard Brodie, the greatest risk of nuclear mass devastation in the post-Cold War era must come from the sole superpower, which alone can risk large-scale attacks in most quarters of the globe without its own destruction being thereby assured. Such logic needs qualification. Disarmament movements have played a part in setting atomic warfare beyond the pale; strategic calculations (‘what do you do with the victory?’) have consistently ruled it out. The erosion of the once-primary position of nuclear arms within the American arsenal has been due as much to the slackening belief that they will, or can, be used as to the greater deadliness of conventional weaponry. Nevertheless, by any objective measure it is this armoury—deployed today on six continents and seven seas—that constitutes the world’s main nuclear-weapons threat. The acquisition of a minimal deterrent by Iran or North Korea would be a mere pinprick, less than half a millionth of that—estimated at 3,405 equivalent megatonnage—available to the US. It is this deadly accumulation, sanctioned by the NPT, which needs above all to be confronted, along with the bloated military apparatus that surrounds it; for which the American people, 5 per cent of the world’s population, are obliged to contribute nearly 50 per cent of the world’s military budget. The costless gestures of the NPT’s Article VI—to ‘undertake to pursue negotiations in good faith on effective measures relating to nuclear disarmament’—are designed to shelter these weapons, not get rid of them.<sup>24</sup>

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<sup>24</sup> Similarly, the proposals in a recent call for nuclear disarmament by Henry Kissinger, George Schultz, William Perry and Sam Nunn would do no more than sanctify the status quo: a signature drive for the NPT’s Hiroshima–Nagasaki protocol (*de facto*, calling on nuclear states to restrict themselves to updating and re-equipping existing stockpiles, as per current US practice), ‘confidence building’ in Congress on the CTBT, and increased warning times for deployed nuclear weapons. The sole political issue it addresses is predictably that of Iran and North Korea. See ‘A World Free of Nuclear Weapons’, *Wall Street Journal*, 4 January 2007.

The role of the Treaty is to insure the nuclear privileges of the haves against the have-nots—to prevent the self-constitution of the latter as deterrent subjects. For the future, Washington policy-makers aim to toughen up its regime, by instituting new punishments for any signatory state that attempts, as the DPRK once did, to withdraw from the NPT, and by imposing an international monopoly on uranium enrichment that would exclude it from the permitted civilian programme.<sup>25</sup> As such, the ruling nuclear order provides one of the most vivid illustrations of the reality of ‘international law’: do as we say, not as we do. Extended deterrence and non-proliferation are two sides of the same coin: the global expansion of US military force, and the surrender of the right to self-defence by any state it cares to name. The Treaty is not a safeguard of global peace, but an instrument of the American imperium.

Yes, it may be said; all true enough. But wouldn’t the US and its allies act in the same way, pursuing the same ends with much the same means, even if there were no Treaty? American hegemony was a reality long before the NPT acquired its position. One pretext is usually as good as another, once a great power has decided on an economic blockade or a military intervention. What difference has the NPT made to the world?

The answer to this takes us back to the debates of 1980 and 1960. Historically, the rise of the Treaty has spelt the demise of disarmament movements. For the deep effect of the NPT has been to kill off protest against nuclear weapons themselves. Once the only danger becomes their acquisition by poor states, their mountainous retention by rich ones can be forgotten. If there is no longer any popular movement for nuclear disarmament of significance in the world today, and scarcely any dissent at the principle of targeting Iranian capability, a leading reason is not hard to seek. The title of the NPT is a misnomer. It would better be called the Treaty of Non-Protestation. The Treaty is a dummy, a pacifier in the mouth of public opinion, so that it not cry out. Its function is not to awaken, but to lull, while violence is committed in its name. If we are ever to move towards real nuclear disarmament, the NPT will have to be scrapped.

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<sup>25</sup> George Perkovich et al., *Universal Compliance: A Strategy for Nuclear Security*, Carnegie Endowment for International Peace, Washington 2007.