

CADMUS

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Editorial: Human Capital

SEED-IDEAS

Great Transformations

The Great Divorce: Finance and Economy Evolution from Violence to Law to Social Justice Immediate Solution for the Greek Financial Crisis Economic Crisis & the Science of Economics

ARTICLES

Original Thinking

Ashok Natarajan

Inclusive Growth: Why is it important for developing Asia?

- Jesus Felipe

From Limits to Growth to Limitless Growth

- Garry Jacobs & Ivo Šlaus

Getting Risks Right

Patrick M. Liedtke

Flaws in the Concept of Nuclear Deterrence

- John Scales Avery

Simulated ICJ Judgment

- Winston P. Nagan

Social Evolution, Global Governance & World Parliament

- Andreas Bummel

From European Union to World Union

- John McClintock

New Paradigm for Global Rule of Law

- Winston P. Nagan & Garry Jacobs

Law in Transition Biblioessay

- Michael Marien

Research Integrity

- Pieter J. D. Drenth

Entropy & Economics

- John Scales Avery

Gender Perspectives on Climate Change & Human Security in India

- Jyoti Parikh, Dinoj Kumar Upadhyay & Tanu Singh

NEWS

Report on Activities of WAAS and Club of Rome

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The CADMUS Journal

The acronym of the South-East European Division of The World Academy of Art and Science – SEED – prompted us to initiate a journal devoted to seed ideas - to leadership in thought that leads to action. Cadmus (or Kadmos in Greek and Phoenician mythology) was a son of King Agenor and Queen Telephassa of Tyre, and brother of Cilix, Phoenix and Europa. Cadmus is credited with introducing the original alphabet – the Phoenician alphabet, with "the invention" of agriculture, and with founding the city of Thebes. His marriage with Harmonia represents the symbolic coupling of Eastern learning and Western love of beauty. The youngest son of Cadmus and Harmonia is Illyrius. The city of Zagreb, which is the formal seat of SEED, was once a part of Illyria, a region including what is today referred to as the Western Balkans and even more. Cadmus will be a journal for fresh thinking and new perspectives that integrate knowledge from all fields of science, art and humanities to address real-life issues, inform policy and decision-making, and enhance our collective response to the challenges and opportunities facing the world today.

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Flaws in the Concept of Nuclear Deterrence

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Abstract

The concept of nuclear deterrence is seriously flawed, and it violates the fundamental ethical principles of all major religions. Besides being morally unacceptable, nuclear weapons are also illegal according to a historic 1996 decision of the International Court of Justice, a ruling that reflects the opinion of the vast majority of the world's peoples. Even a small nuclear war would be an ecological catastrophe, not only killing civilian populations indiscriminately in both belligerent and neutral countries, but also severely damaging global agriculture and making large areas of the earth permanently uninhabitable through radioactive contamination. The danger of accidental nuclear war continues to be very great today, and the danger of nuclear terrorism is increasing. In this perilous situation, it is necessary for the nuclear nations to acknowledge that the concept of deterrence has been a mistake, which is threatening the lives of all human beings as well as threatening devastation of the biosphere. Acknowledging that the policy of nuclear deterrence has been a grave error can reduce risk of nuclear weapons proliferation.

Before discussing other defects in the concept of deterrence, it must be said very clearly that the idea of "massive nuclear retaliation" is completely unacceptable from an ethical point of view. The doctrine of retaliation, performed on a massive scale, violates not only the principles of common human decency and common sense, but also the ethical principles of every major religion. Retaliation is especially contrary to the central commandment of Christianity which tells us to love our neighbor, even if he or she is far away from us, belonging to a different ethnic or political group, and even if our distant neighbor has seriously injured us. This principle has a fundamental place not only in Christianity but also in all other major religions. "Massive retaliation" completely violates these very central ethical principles, which are not only clearly stated and fundamental but are also very practical, since they prevent escalatory cycles of revenge and counter-revenge.

Contrast Christian ethics with estimates of the number of deaths that would follow a US nuclear strike against Russia: Several hundred million deaths. These horrifying estimates shock us not only because of the enormous magnitude of the expected mortality, but also because the victims would include people of every kind: women, men, old people, children and infants, completely irrespective of any degree of guilt that they might have. As a result of such an attack, many millions of people in neutral countries would also die. This type of killing has to be classified as genocide.

When a suspected criminal is tried for a wrongdoing, great efforts are devoted to clarifying the question of guilt or innocence. Punishment only follows if guilt can be proved beyond any reasonable doubt. Contrast this with the totally indiscriminate mass slaughter that results from a nuclear attack!

It might be objected that disregard for the guilt or innocence of victims is a universal characteristic of modern war, since statistics show that, with time, a larger and larger percentage of the victims have been civilians, especially children. For example, the air attacks on Coventry during World War II, or the fire bombings of Dresden and Tokyo, produced massive casualties which involved all segments of the population with complete disregard for the question of guilt or innocence. The answer, I think, is that modern war has become generally unacceptable from an ethical point of view, and this unacceptability is epitomized in nuclear weapons.

The enormous and indiscriminate destruction produced by nuclear weapons formed the background for a historic 1996 decision by the International Court of Justice in The Hague. In response to questions put to it by WHO and the UN General Assembly, the Court ruled that "the threat and use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and particularly the principles and rules of humanitarian law". The only possible exception to this general rule might be "an extreme circumstance of self-defense, in which the very survival of a state would be at stake". But the Court refused to say that even in this extreme circumstance the threat or use of nuclear weapons would be legal. It left the exceptional case undecided. In addition, the World Court added unanimously that "there exists an obligation to pursue in good faith and bring to a conclusion, negotiations leading to nuclear disarmament in all its aspects under strict international control".

This landmark decision has been criticized by the nuclear weapon states as being decided "by a narrow margin", but the structuring of the vote made the margin seem more narrow than it actually was. Seven judges voted against Paragraph 2E of the decision (the paragraph which states that the threat or use of nuclear weapons would be generally illegal, but

mentions as a possible exception the case where a nation might be defending itself from an attack that threatened its very existence). Seven judges voted for the paragraph, with the President of the Court, Mohammad Bedjaoui of Algeria casting the deciding vote. Thus the Court adopted it, seemingly by a narrow margin. But three of the judges who voted against 2E did so because they believed that no possible exception should be mentioned! Thus, if the vote had been slightly differently structured, the result would have been ten to four.

Of the remaining four judges who cast dissenting votes, three represented nuclear weapons states, while the fourth thought that the Court ought not to have accepted the questions from WHO and the UN. However, Judge Schwebel from the United States, who voted against Paragraph 2E, added in a separate opinion, "It cannot be

"The concept of nuclear deterrence is not only unacceptable from the standpoint of ethics; it is also contrary to international law. Although no formal plebiscite has been taken, the votes in numerous resolutions of the UN General Assembly speak very clearly on this question."

accepted that the use of nuclear weapons on a scale which would — or could — result in the deaths of many millions in indiscriminate inferno and by far-reaching fallout, have pernicious effects in space and time, and render uninhabitable much of the earth, could be lawful". Judge Higgins from the UK, the first woman judge in the history of the Court, had problems with the word "generally" in Paragraph 2E and therefore voted against it, but she thought that a more profound analysis might have led the Court to conclude in favor of illegality in all circumstances. Judge Fleischhauer of Germany said in his separate opinion, "The nuclear weapon is, in many ways, the negation of the humanitarian considerations underlying the law applicable in armed conflict and the principle of neutrality. The nuclear weapon cannot distinguish between civilian and military targets. It causes immeasurable suffering. The radiation released by it is unable to respect the territorial integrity of neutral States".

President Bedjaoui, summarizing the majority opinion, called nuclear weapons "the ultimate evil", and said "By its nature, the nuclear weapon, this blind weapon, destabilizes humanitarian law, the law of discrimination in the use of weapons... The ultimate aim of every action in the field of nuclear arms will always be nuclear disarmament, an aim which is no longer utopian and which all have a duty to pursue more actively than ever".

Thus the concept of nuclear deterrence is not only unacceptable from the standpoint of ethics, it is also contrary to international law. The World Court's 1996 advisory opinion unquestionably also represents the opinion of the majority of the world's peoples. Although no formal plebiscite has been taken, the votes in numerous resolutions of the UN General Assembly speak very clearly on this question. For example, the New Agenda Resolution (53/77Y) was adopted by the General Assembly on 4 December 1998 by a massively affirmative vote, in which only 18 out of the 170 member states voted against the resolution.* The New Agenda Resolution proposes numerous practical steps towards complete nuclear disarmament, and it calls on the Nuclear-Weapon States "to demonstrate an unequivocal commitment to the speedy and total elimination of their nuclear weapons and without delay to pursue in good faith and bring to a conclusion negotiations leading to the elimination of these weapons, thereby fulfilling their obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)". Thus, in addition to being ethically unacceptable and contrary to international law, nuclear weapons are also contrary to the principles of democracy.

Having said these important things, we can now turn to some of the other defects in the concept of nuclear deterrence. One important defect is that nuclear war may occur through accident or miscalculation – through technical defects or human failings. This possibility is made greater by the fact that despite the end of the Cold War, thousands of missiles carrying nuclear warheads are still kept on a "hair-trigger" state of alert with a quasi-automatic reaction time measured in minutes. There is a constant danger that a nuclear war will be triggered by an error in evaluating the signal on a radar screen. For example, the BBC reported recently that a group of scientists and military leaders are worried that a small asteroid entering the earth's atmosphere and exploding could trigger a nuclear war if mistaken for a missile strike.

^{*} Of the 18 countries that voted against the New Agenda resolution, 10 were Eastern European countries hoping for acceptance into NATO, whose votes seem to have been traded for increased probability of acceptance.

A number of prominent political and military figures (many of whom have ample knowledge of the system of deterrence, having been part of it) have expressed concern about the danger of accidental nuclear war. Colin S. Gray, Chairman, National Institute for Public Policy, expressed this concern as follows: "The problem, indeed the enduring problem, is that we are resting our future upon a nuclear deterrence system concerning which we cannot tolerate even a single malfunction". General Curtis E. LeMay, Founder and former Commander in Chief of the United States Strategic Air Command, has written, "In my opinion a general war will grow through a series of political miscalculations and accidents rather than through any deliberate attack by either side". Bruce G. Blair (Brookings Institute) has remarked that "It is obvious that the rushed nature of the process, from warning to decision to action, risks causing a catastrophic mistake"... "This system is an accident waiting to happen."

"But nobody can predict that the fatal accident or unauthorized act will never happen," Fred Iklé of the Rand Corporation has written, "Given the huge and far-flung missile forces, ready to be launched from land and sea on both sides, the scope for disaster by accident is immense... In a matter of seconds – through technical accident or human failure – mutual deterrence might thus collapse."

Another serious failure of the concept of nuclear deterrence is that it does not take into account the possibility that atomic bombs may be used by terrorists. Indeed, the threat of nuclear terrorism has today become one of the most pressing dangers that the world faces, a danger that is particularly acute in the United States.

Since 1945, more than 3,000 metric tons (3,000,000 kilograms) of highly enriched uranium and plutonium have been produced – enough for several hundred thousand nuclear weapons. Of this, roughly a million kilograms are in Russia, inadequately guarded, in establishments where the technicians are poorly paid and vulnerable to the temptations of bribery. There is a continuing danger that these fissile materials will fall into the hands of terrorists, or organized criminals, or irresponsible governments. Also, an extensive black market for fissile materials, nuclear weapons components etc. has recently been revealed in connection with the confessions of Pakistan's bomb-maker, Dr. A.Q. Khan. Furthermore, if Pakistan's less-than-stable government should be overthrown, complete nuclear weapons could fall into the hands of terrorists.

On November 3, 2003, Mohamed ElBaradei, Director General of the International Atomic Energy Agency, made a speech to the United Nations in which he called for "limiting the processing of weapons-usable material (separated plutonium and high enriched uranium) in civilian nuclear programmes – as well as the production of new material through reprocessing and enrichment – by agreeing to restrict these operations to facilities exclusively under international control." It is almost incredible, considering the dangers of nuclear proliferation and nuclear terrorism, that such restrictions were not imposed long ago. Nuclear reactors used for "peaceful" purposes unfortunately also generate fissionable isotopes of plutonium, neptunium and americium. Thus, all nuclear reactors must be regarded as ambiguous in function, and all must be put under strict international control. One might ask, in fact, whether globally widespread use of nuclear energy is worth the danger that it entails.

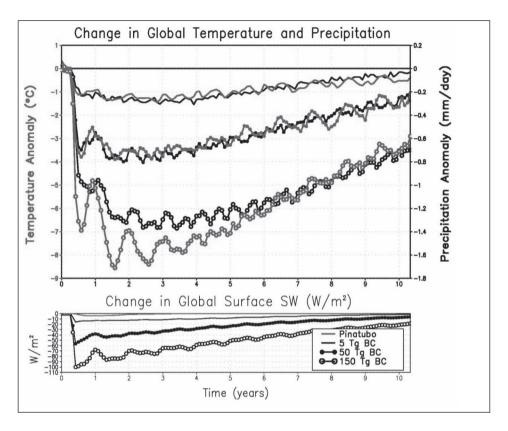


Figure 1: Recent studies by atmospheric scientists have shown that the smoke from burning cities produced by even a limited nuclear war would have a devastating effect on global agriculture. The studies show that the smoke would rise to the stratosphere, where it would spread globally and remain for a decade, blocking sunlight and destroying the ozone layer. Because of the devastating effect on global agriculture, darkness from even a small nuclear war (e.g. between India and Pakistan) would result in an estimated billion deaths from famine. Nuclear darkness resulting from a large-scale war involving all of the nuclear weapons that are now on high alert status would destroy all agriculture on earth for a period of ten years, and almost all humans would die of starvation. (See O. Toon, A. Robock, and R. Turco, "The Environmental Consequences of Nuclear War", Physics Today, vol. 61, No. 12, 2008, p. 37-42).

The Italian nuclear physicist Francesco Calogero, who has studied the matter closely, believes that terrorists could easily construct a simple gun-type nuclear bomb if they were in possession of a critical mass of highly enriched uranium. In such a simple atomic bomb, two grapefruit-sized sub-critical portions of HEU are placed at opposite ends of the barrel of an artillery piece and are driven together by means of a conventional explosive. Prof. Calogero estimates that the fatalities produced by the explosion of such a device in the center of a large city could exceed 100,000.

We must remember the remark of U.N. Secretary General Kofi Annan after the 9/11/2001 attacks on the World Trade Center. He said, "This time it was not a nuclear explosion". The meaning of his remark is clear: If the world does not take strong steps to eliminate fissionable materials and nuclear weapons, it will only be a matter of time before they will be used in terrorist attacks on major cities. Neither terrorists nor organized criminals can be deterred by the threat of nuclear retaliation, since they have no territory against which such retaliation could be directed. They blend invisibly into the general population. Nor can a "missile defense system" prevent terrorists from using nuclear weapons, since the weapons can be brought into a port in any one of the hundreds of thousands of containers that enter on ships each year, a number far too large to be checked exhaustively.

"It is time for civil society to make its will felt. If our leaders continue to enthusiastically support the institution of war, if they will not abolish nuclear weapons, then let us have new leaders."

In this dangerous situation, the only logical thing for the world to do is to get rid of both fissile materials and nuclear weapons as rapidly as possible. We must acknowledge that the idea of nuclear deterrence is a dangerous fallacy, and that the development of military systems based on nuclear weapons has been a terrible mistake, a false step that needs to be reversed. If the most prestigious of the nuclear weapons states can sincerely acknowledge their mistakes and begin to reverse them, nuclear weapons will seem less glamorous to countries like India, Pakistan, North Korea and Iran, where they now are symbols of national pride and modernism.

Civilians have for too long played the role of passive targets, hostages in the power struggles of politicians. It is time for civil society to make its will felt. If our leaders continue to enthusiastically support the institution of war, if they will not abolish nuclear weapons, then let us have new leaders.

Author Contact Information Email: avery.john.s@gmail.com At the root of the current crisis are not subprime mortgages, credit rating agencies, financial institutions or central banks. It is the Great Divorce between finance and economy, which is a subset of the widening precipice between economy and human welfare.

The Great Divorce: Finance and Economy

The Limits to Growth proved the inherent limitations of the existing industrial model of economic growth, not any inherent limits to growth itself.

Garry Jacobs & Ivo Šlaus, From Limits to Growth to Limitless Growth

Focusing on growth of the part without reference to its impact on the whole is a formula for social disease.

Economic Crisis and the Science of Economics

The idea of nuclear deterrence is a dangerous fallacy, and that the development of military systems based on nuclear weapons has been a terrible mistake, a false step that needs to be reversed.

John Scales Avery, Flaws in the Concept of Nuclear Deterrence

The first step into the direction of a world parliament would be the establishment of a Parliamentary Assembly at the United Nations.

Andreas Bummel, Social Evolution, Global Governance & a World Parliament

The evolution from physical violence to social power to authorized competence and higher values is an affirmation of the value basis of law.

Winston P. Nagan & Garry Jacobs, New Paradigm for Global Rule of Law

We propose that a new organisation be set up, perhaps called the 'World Community for Food Reserves'.

John McClintock, From European Union to World Union

A proper and well accepted definition of (forms of) misconduct, reliable means of identification, and effective corrective actions deserve a high priority on the agenda of research institutes, universities, academies and funding organs.

Pieter J. D. Drenth, Research Integrity

The clearing house should encourage thinking ahead so that law and governance can attempt to accommodate the numerous challenges of globalization, many new technologies, and the emerging Anthropocene Era.

Michael Marien, Law in Transition Biblioessay

The economics of growth must be replaced by equilibrium economics, where considerations of ecology, carrying capacity, and sustainability are given proper weight, and where the quality of life of future generations has as much importance as present profits.

John Scales Avery, Entropy & Economics

A strong and strategic knowledge system is essential for identifying, formulating, planning and implementing policy-driven actions while maintaining the necessary economic growth rate.

Jyoti Parikh, Dinoj Kumar Upadhyay & Tanu Singh,

Gender Perspectives on Climate Change & Human Security in India

CADMUS

Inside This Issue

The very possession of nuclear weapons violates the fundamental human rights of the citizens of the world and must be regarded as illegal.

Winston P. Nagan, Simulated ICJ Judgment

The emerging individual is less deferential to the past and more insistent on his or her rights; less willing to conform to regimentation, more insistent on freedom and more tolerant of diversity.

Evolution from Violence to Law to Social Justice

It is more rational to argue that developing countries cannot afford unemployment and underemployment, than to suppose that they cannot afford full employment.

Jesus Felipe, Inclusive Growth

The tremendously wasteful underutilization of precious human resources and productive capacity is Greece's most serious problem and also its greatest opportunity.

Immediate Solution for the Greek Financial Crisis

The Original thinker seeks not just ideas but original ideas which are called in Philosophy Real-Ideas. Cadmus Journal refers to them as Seed-Ideas. Ideas, sooner or later, lead to action. Pregnant ideas have the dynamism to lead to action. Real-Ideas are capable of self-effectuation, as knowledge and will are integrated in them.

Ashok Natarajan, Original Thinking

Given the remarkable progress of humanity over the past two centuries, the persistence of poverty might not be so alarming, were it not for the persistent poverty of new ideas and fresh thinking on how to eliminate the recurring crises, rectify the blatant injustices and replace unsustainable patterns with a new paradigm capable of addressing the deep flaws in the current paradigm.

Great Transformations

Our global systems can be resilient if they are based not only on efficient markets that can cope with future crises, but on principles that also allow for the projection of civic will and preference onto the global level. Stability and resilience are laudable goals but they need to be achieved in all three dimensions, the financial, the economic and the social, in a participatory fashion.

Patrick M. Liedtke, Getting Risks Right

Continued . . .