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Weapons of Mass Destruction Prohibition: In Pursuit of Peace and Justice in International Relations and the Middle East

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Abstract

Mass and indiscriminate killing has been condemned by all civilized nations, and yet, Weapons of Mass Destruction -WMD- exist in the arsenal of the world military powers. This paper delves into the effects of the WMD on the two main concepts of justice and peace at different war doctrines and reviews the main paradigms over nuclear weapons prohibition in relation with the international security. I examine key concepts of the three main schools of thought in International Relations -IR- to assess their consequences on the feasibility of cooperation for a WMD free world. With elaborating on how to team up basic assumptions in international relations and harmonizing different national viewpoints regarding gradual abandonment of these weapons to uphold peace and justice globally, and prohibit WMD in the Middle East; this study suggests that a balanced approach to enhance exchange of relations rather than denial, sanction and isolation is essential to abandon WMD.

Keywords: Weapons of Mass Destruction, Just War, Peace, Nuclear Disarmament, International Security, WMD Free Zone in the Middle East.

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Introduction

The horrible effects of mass and indiscriminate killing of civilians and condemnation of such atrocities by all civilized nations are well reflected in the international law and norms (Geneva 4th Convention, 1949). Yet, nuclear weapons as the worst Weapons of Mass Destruction are legally existing in the arsenal of the five permanent representatives of the United Nations Security Council –United States, Russia, China, United Kingdom and France– and illegally have been kept and/ or prepared for, by several more powers. What are the impacts of the nuclear weapons on the two main concepts of justice and peace at war doctrines and is it possible to harmonize different States' position regarding abandonment of these weapons? This paper delves into the incongruity between main objectives of the military war doctrines and key international security paradigms over the development of nuclear weapons. Based on this difference of views, I elaborate on how to join up basic assumptions of the three main schools of thought in International Relations –IR- to uphold peace and justice through gradual exclusion of nuclear weapons globally, and establish the Middle East as a nuclear weapon free zone, regionally.

In both secular and theological approaches toward a war doctrine, "*just cause*" plays a crucial role governing the decision to make a "*just war*" that also supported by the customary international law and circumscribe the central elements in the just war doctrine. (Tuomala 1994) Although just war doctrine was advanced by Christian theologians and canon lawyers; but these were not the only contributors to the tradition of just war thought, nor have they been the only important preservers of

whatever wisdom it contains for limiting war. (Johnson 1976: 41) James T. Johnson conveys six elements to be satisfied before going to war: just cause, right authority, right intent, proportionality of good to be accomplished over evil brought on by the contemplated war, that waging war be the last resort, and that the end of the contemplated war be peace. (Johnson, 1976, p. 42) He summarizes decisive requirements to define a war as a "just war" including: having a just cause; accomplishing just intentions; and aiming the establishment of a just peace. (Johnson, "Just war" Encyclopedia Britannica)

Application of WMD could be a challenge for any military war doctrine and put into question the fundamental aspects of a rational war too. Carl von Clausewitz in his eminent definition of war distinguished between the tactical and strategic levels of war based on their means and ends. Harmony between means and ends is at the core of the Clausewitz definition of war. He conveyed that "tactics teaches the use of armed forces in the engagement; strategy teaches the use of engagement for the main object of the war" that is "peace (Clausewitz 1911: 128). To make peace is the ultimate purpose of any rational war doctrine. While at the tactical level, means are fighting forces and ends are victory over the enemy's forces; at the strategic level, means are tactical victory and ends are those objects leading to peace; In fact, this is the reason why Clausewitz called the war as continuation of political activity by other means. (Clausewitz 1911: 143 & 87) Since nuclear weapons project no tactical utility in the military theatre of operations and their main utility is to annihilate the civilian people, far from any warfronts, they are militarily unjust

weapons. Even if there is a just cause to enter into a war still nuclear weapons would cause disproportionate suffering on civilians that has nothing to contribute to a sustainable peace among contending nations.

The most inhumane feature of WMD that happens to be their most effective impact too, is their application against defenseless masses in war time as part of the strategic utility which is not in the military field, but against urban-industrial centers to trigger a collapse on the enemy's "home front". The concept of targeting and mass destructing urban-industrial centers in modern times originates from the development of air power theory in the 1920s and the 1930s and the strategic bombing campaigns of World War II that the German and Allied forces tried to put air power theory into practice. One of the leading air-power strategists was Giulio Douhet, who believed that bombing could be used directly against an enemy's industrial, commercial, transportation, and civil population. (Legro 1995: 100) However, the application of nuclear weapons in the final days of the WWII against Japanese major cities revealed how abhorrently unjustifiable the use of these weapons against civilians could be, far from any just war. Dr. Marcel Junod, an International Committee of the Red Cross -ICRC- delegate, was the first foreign doctor in Hiroshima to assess the effects of the atomic bombing and to assist its victims. His testimony in an article entitled: "The Hiroshima Disaster", stored in the ICRC's archive that was first published, more than three decades after its first submission, in 1982 and conveyed the human cruelty of this weapon by corroborating that: "We...witnessed a sight totally unlike

anything we had ever seen before. The center of the city was a sort of white patch, flattened and smooth like the palm of a hand. Nothing remained. The slightest trace of houses seemed to have disappeared. The white patch was about two kilometers in diameter. Around its edge was a red belt, marking the area where houses had burned, extending quite a long way further...covering almost all the rest of the city." As Dr. Junod recounts, destruction of this magnitude does not spare medical infrastructure or doctors and their materials; "of 300 doctors in Hiroshima 270 were reported dead, of 1,780 nurses 1,654 were dead, of 140 pharmacists 112 were dead."

Main International Security Paradigms over the Development of Nuclear Weapons

Based on the security debates among the United Nations member States, three security paradigms on how to undertake the military use of nuclear energy have been formed since the detonation of the first atomic bomb in 1945, which orchestrated the attitudes of great powers regarding nuclear weapons. The first security paradigm (1945-49) belongs to the period from the Hiroshima nuclear explosion of August 6th, 1945 to the Soviet successful nuclear test of its first nuclear device on the 29th of August 1949, at the Semipalatinsk test site in modern-day Kazakhstan. (CTBTO) According to this pre-nuclear bipolarity of the Cold War paradigm, nuclear weapons were considered as a danger to humanity, as indicated in the very first United Nations General Assembly resolution entitled: "Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy". (A/RES/1). During this period cooperation for a peaceful use of

atomic energy, while insisting on the dangerous nature and necessity for nuclear weapons disarmament, was on top of the agenda of the international community to promote international security. It could be said that it was just an aspiration not a viable paradigm but this paradigm produced practical initiations such as Baruch Plan to eliminate nuclear weapons, facilitate peaceful use while dealing internationally with the quest for the nuclear energy technology, its inspection and safeguards. The Plan defeated because of Soviet fear of the US monopoly (Rydell 2006) but the concept of nuclear weapon as a danger to humanity prevailed.

Second security paradigm (1949-91): The nuclear bipolarity of the Cold War period until the demise of the Soviet Union in 1991 witnessed a new paradigm in international security that the international community accepted a limited arms race and considered nuclear weapons as a “necessary evil”. The intense bipolarity of 1950’s and rapid arms racing that increased the US and Soviet nuclear arsenal, the resolve of the Cuban missile crisis, and emerge of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) are product of this period. Since then the great powers’ main concern was restraining and dissuading each others’ military build-ups. (Bailes 2009, p.9) The NPT is based on the three interrelated objective pillars which defined as: [firstly] “to prevent the spread of nuclear weapons and weapons technology, [secondly] to promote cooperation in the peaceful uses of nuclear energy, and [thirdly] to further the goal of achieving nuclear disarmament and general and complete disarmament.” The Treaty, despite substantial differences between its members, is regarded as the cornerstone of the global nuclear non-

proliferation regime and an essential foundation for the pursuit of nuclear disarmament. The NPT has bonded nuclear weapons’ haves and have-nots together and represents the only binding commitment in a multilateral treaty to the goal of disarmament by the nuclear-weapon States.

The third security paradigm which is still in progress could have two conflicting faces of coercive or cooperative nature. It has started to form since the end of the Cold War. It is partially peaceful and cooperative based on a range of arms control and disarmament bilateral, multilateral, and international treaties from Strategic Arms Reduction Treaty START I & II and Chemical Weapons Convention (CWC) to conventional arms like Transparency in Armament, Small Arms and Light Weapons and also Mine Ban Treaty. On the other hand, by re-utilizing the deterrence version of the old bipolar period the new security paradigm tends to coercion rather than cooperation. In this way, the great powers’ attitudes gradually have shifted toward enhancing their own nuclear capabilities through vertical proliferation for conflict intervention without any restraint. Long and non productive stalemate at the Conference on Disarmament, and the NPT Review Conferences, US withdrawal from major arms control treaties such as The 1987 Intermediate-Range Nuclear Forces (INF) Treaty and the Russian deployment of Iskander tactical missile system could be considered as signposts for shifting toward coercion in this new security paradigm. Nuclear weapons have been regarded as neither “danger” nor even “necessary evil”, but a legitimate and essential tool in their-self proper hands versus some others’ wrong hands. A new security paradigm would be shaped based on either cooperation and

institutionalizing the WMD's non-proliferation and disarmament, or coercive policies would dominate the international security and gradually weaken non-proliferation and disarmament. The preferred method for such a paradigm would be coercion rather than negotiation; and selective non-proliferation, unilateral denial or forceful destruction rather than cooperation and negotiation based on mutual, identical and/or balanced restraints. Whatever the outcome of such a hawkish policy, it would not be able to promote a sustainable and just peace.

In 2001, the United Nations Secretary-General convened a Group of Governmental Experts to examine the topic of disarmament and non-proliferation education and training. The Group concluded that "Disarmament and non-proliferation education ... is a building block, a base of theoretical and practical knowledge that allows individuals to choose for themselves values that reject violence, resolve conflicts peacefully and sustain a culture of peace." (A/57/124 para. 20) Therefore, attempts to maintain and develop WMD directly deal a blow to any belief in sustaining culture of peace as well. To adjust this current path back to the 1990's and leading a peaceful security paradigm rests with enhancing cooperation.

Why Cooperation for WMD disarmament a matter?

In the history of nuclear arms control since 1946, when the United Nations devoted its very first resolution to nuclear issues, two main approaches have dominated: nonproliferation and disarmament. The nonproliferation approach tends to be favored by the nuclear weapon States; they wish to prevent additional countries from

joining their club. The disarmament approach is usually favored by non-nuclear weapon States. They want to ensure that the distinction between those with and without nuclear weapons does not become permanent.

The difference between the two approaches is plainly visible when one compares the NPT regime to processes for establishing nuclear-weapon-free zones. The NPT, though it is also meant to promote general disarmament and facilitate the spread of peaceful nuclear energy, mainly functions as a nonproliferation mechanism whose most enthusiastic supporters are nuclear weapon States. Nuclear-weapon-free zones, on the other hand, is a regional approach that tends to receive its greatest support from developing nations such as Latin America and the Caribbean, South Pacific, Southeast as well as Central Asia and African states. The 1974 UN General Assembly resolution in favor of establishing a Middle Eastern nuclear-weapon-free zone, for instance, was based on an Iranian proposal. (A/RES/3263)

When the General Assembly passed its resolution (3263 Dec. 1974), establishing a nuclear-weapon-free zone seemed a timely and perhaps promising project. Just a few years before, in 1969, the Treaty of Tlatelolco had come into force, establishing a zone free of nuclear weapons in Latin America and providing a durable model for similar zones elsewhere. And only a few months before the resolution on the Middle East NWFZ was adopted, India had conducted its first nuclear test, raising awareness of the risks of proliferation in volatile regions. (Salsabili 2013)

Little progress was made toward banning nuclear weapons in the Middle East until the 1995 NPT Review Conference, which

produced a resolution encouraging states in the region to take practical steps toward establishing a zone free of WMD. Still later, at the 2010 NPT Review Conference, hopes were raised again when States parties to the NPT Treaty agreed to a final document which included conclusions and recommendations for follow-on actions, including the implementation of the 1995 Resolution on the Middle East. These specific measures could have facilitated the creation of a WMD-free zone in the Middle East, including the initiative to organize the 2012 conference. But that initiative run aground and all past achievements were called into question. The 2015 Review Conference of the Parties to the NPT, ended without the adoption of a consensus document (substantive outcome). This failure constituted a setback for the strengthened review process instituted to ensure accountability with respect to activities under the three pillars of the Treaty as part of the package in support of the indefinite extension of the Treaty in 1995. The preparatory process for the 2020 NPT Review Conference is currently underway and carries a great responsibility to mend the outcome of the last Review Conference. But, how to approach contending IR assumptions to make cooperation toward a gradual exclusion of nuclear weapons feasible, and prior to that establishing the Middle East as a nuclear

weapon free zone to promote peace and justice in the region and also pave the way for a gradual but complete nuclear disarmament as well. How could we bring together different IR scholars to share together to resolve an security issue without abandoning their principles? Is there any interdependence at work to prepare the background for the cooperation? Could exchange relations prepare such a background for cooperation in security issues?

IR Approaches toward Exchange Relations and Exclusion of Nuclear Weapons

Three main IR schools of thought: the rationalist neo-realists and neo-liberal institutionalists as well as the proponents of constructivist approaches, may explain variation of states’ behaviors in different levels of reciprocal pattern of cooperation to exchange relations and counterbalance the consequences of exclusion of nuclear weapons and establishing a WMD free zone feasible and/ or to create the proper climate of cooperation respectively. I assume an element of interdependence between different military, economic, and politico-cultural institutions as a framework to compare and join up different IR approaches toward cooperation. Table below compares different priorities of IR approaches.

Ideal Patterns and Mechanism of Cooperation in different IR schools of thought:

| <i>IR-Approach</i> | <i>Patterns of Regional Cooperation</i> | <i>Operational Mechanism of Cooperation</i> |
|------------------------------|--|---|
| Neo-Realist | Military Cooperative Arrangements | Offset WMD Free Zone Injunctions |
| Neo-Liberal Institutionalist | Economic Cooperative Arrangements | Offset WMD Free Zone Injunctions |
| Constructivist | Politico-cultural Cooperative Arrangements | To Create Climate of Cooperation |

Are the mutual interests behind a free zone sufficient to establish a cooperative regime? This is the basic argument in the debate between the different schools of thought in the study of international relations. (Zacher 1996) Each of the three schools of thought around the study of international regime formation, namely, *neo-realism*, *neo-liberal institutionalism*, and *constructivism* suggests its own approach. *Neo-realists* prioritize national interests in decision-making, over international cooperation whereas *neo-liberal institutionalists* believe in international cooperation to conduct the process of decision-making. While Kenneth Waltz reintroduced the nation-state as the main decision-making unit in world power politics (1979) David Baldwin interpreted the principle of sovereignty on the basis of interdependence and changes in governmental functions in a way to declare a “move beyond the nation-state by devising new international institutions or regimes” (1993: 3). More deliberately Robert O. Keohane confirms the importance of regimes as not enforcing binding rules on the other governments but, making it possible for governments to enter into mutually beneficial agreements with one another (1984).

Yet, *constructivists* have tried to introduce some cognitive elements as the main actors in convergence of states’ expectations in regime formation. This is done by concentrating on the origins of interests as perceived by states. Many of the *constructivists* such as Alexander Wendt, Harald Müller, and Friedrich V. Kratochwil have challenged the rationalist mode of analysis in International Relations by inquiring into the origins and dynamics of “social actors’ self-understanding” in the world. Therefore, they believe in the

existence of an international society which is structured by institutions and knowledge which not only affects states’ interests but is constitutive of their identities. (Baldwin 1993, pp.137-138) Constructivists structure their reasoning according to the logic of appropriateness which can predict “similar behavior from dissimilar actors because rules and norms may make similar behavioral claims on dissimilar actors”. (Finnemore 1996: 30)

From a *realist* point of view, any disarmament regime that deals with the power relationship and security of a state would be defined according to self-help and the need to enhance self-interest. By contrast, a *liberal institutionalist* perspective on the WMD free zone consider it as an outcome of joint decision-making based on the common interests of participants for absolute gains. Finally, the *constructivist* approach while sharing the idea that we live in an anarchic system of states with the other two approaches however, believes that the structure of this international system is better manifested in cultural rather than material terms. Such a cultural system can take “three different forms, depending on whether states constitute each other as enemies, rivals, or friends”, and progress from enmity to friendly relations can be made through “collective identity formation” (Wendt 2006: 181).

The paradox of three distinct approaches to the regime formation could be resolved by teaming up all three approaches and applying each in the appropriate pattern of cooperation to exchange relations. In fact, the idea of exchange is at the core of the concept of regime formation because it is based on a mutual respect which helps states

to know that their interests will be taken into account by other states. Mutual respect is a precondition for practical discourse, which in turn, is a prerequisite of a stable regime in the international community. (Hasenclever & others 1997: 193)

All three approaches may come together to shed light on state participation in a new regional institution. Such participation matches the realist point of view, because each state participates in the process of formation of a free zone to maximize its own self-interest. Each state is looking for its self-interests or alternatively a reward for what it gives for the benefit of the others. But, when a state joins the agreement, shares the same rights and obligations as other member states. What accommodates and enhances the possibility of cooperation is the appropriateness of the whole approach in a cognitive context. The constructivist approach may create the climate of cooperation between different states, which are looking for maximization of their gains, by contemplating responsibilities and duties. Therefore, both the rational agents and cognitive structure of a regime of WMD free zone are connected. States create structures and in turn shape consequent action and social structures empower state actors. (Finnemore 1996: 29-30) Thus, the main proponents of a free zone make the behavior of a state predictable, even if it is a matter of each state's individual security arrangement. But, why do some states show enthusiasm to join a free zone and some others not? The particular degrees of regional exchange relations to offset consequences of a disarmament pact or create the possibility of cooperation may explain the different behaviors of the regional states. Therefore, the more exchange relations in the States' interested pattern of regional cooperation,

make the likeliness of a WMD free zone more plausible. By contrast, the less exchange relations in that particular pattern of cooperation make the less likeliness of having a WMD free zone.

Conclusion

This paper explores status of nuclear weapons in military war doctrines as well as international security paradigms, and reveals the inconsistency between the two on the utility of nuclear weapons. In a military point of view nuclear weapons project no tactical utility in the military theatre of operations and their main utility remains to annihilate the civilian people, far from any warfronts, thus they are militarily unjust weapons. However we observe that the current international security paradigm tends toward a hawkish and coercive policy of selective non-proliferation, unilateral denial or forceful destruction rather than cooperation. Hence, I elaborate on the three main schools of thought in International Relations and evaluate their impacts on the feasibility of cooperation for a WMD free zone in the Middle East as a preliminary step for a gradual exclusion of nuclear weapons globally. This paper suggests that a balance approach to enhance exchange relations in the States' interested pattern of regional cooperation rather than denial, sanctions and isolation is essential to establish a WMD free zone in the Middle East and prevent proliferation globally. The Nuclear Non-Proliferation Treaty (NPT) remains the cornerstone of the international nuclear non-proliferation and disarmament regime of cooperation. However, as Dr. El Baradei (the Director General of the IAEA 1997 to 2009), once remarked: "The twin crises of compliance with NPT obligations - namely, the engagement of some Non-

Nuclear Weapon States in undeclared nuclear activities, coupled with the failure of the Nuclear Weapon States to take concrete, verifiable and irreversible steps to eliminate their nuclear arsenals - have led to a crisis of confidence in the NPT regime." This is fundamentally due to the NPT that the implementation of non-proliferation commitments is subjected to an extensive and strict multilateral verification regime while disarmament commitments have not so far been subject to such multilateral surveillance. (2005)

The dangers of nuclear technology go beyond the extremely rare military use of nuclear weapons and involve the safety and security of the civil application of nuclear facilities for peaceful purposes as well. The vital impacts of nuclear incidents take account of even unintentional ones. It is often said that a nuclear accident anywhere is a nuclear accident everywhere. For instance, the accidents at Chernobyl and Fukushima Dai-ichi have resulted in radiological and sociopolitical consequences that transcend borders and generations.

(Meshkati 2011) The repercussions of evacuation, environmental cleanup, economic impact, and physical and psychological health effects raise questions of ethical responsibility and social, environmental, and intergenerational justice too. And, it is just about the publicized legal facilities. The worst potential disaster lies in the concealed nuclear facilities for military purposes. Such facilities double the risks, because they are located out of the reach of the IAEA safeguards and also its standardization system. The non-transparent nature of military establishments when added with confidentiality of an illegal activity could lead to a massive catastrophic tragedy, even if it is unintentional. Preventing a nuclear disaster through exchange relations in a nuclear weapon free zone is more practically applicable, useful and closer to a just and peaceful world than any complicated remedial plan for the traumatized world the day after a nuclear incident in an isolated State.

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ممنوعیت سلاح‌های کشتار جمعی: در جست‌وجوی صلح و عدالت در روابط بین‌الملل و خاورمیانه

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چکیده

قتل عام یا کشتار دسته‌جمعی و بدون تمایز (میان نظامیان و غیر نظامیان) همواره از سوی تمامی ملل متمدن محکوم شده با وجود این، انبوهی از سلاح‌های کشتار جمعی در انبارهای تسلیحاتی کشورهای عمده جهان ذخیره شده است. این مقاله به واکاوی اثرات سلاح‌های کشتار جمعی بر دو مفهوم اساسی عدالت و صلح در دکتترین‌های نظامی پرداخته و به بازنگری الگوهای اصلی ناظر بر ممنوعیت سلاح‌های کشتار جمعی در ارتباط با امنیت بین‌المللی می‌پردازد و با کنکاش در مفاهیم کلیدی حاکم بر سه مکتب فکری فعال در روابط بین‌الملل، امکان همکاری برای رسیدن به جهانی عاری از سلاح‌های کشتار جمعی بر اساس استنتاجات ناشی از این مکاتب فکری را مورد ارزیابی قرار می‌دهد. با تدقیق در نحوه تعامل مشترک میان مفروضات اصلی مکاتب مختلف روابط بین‌الملل و امکان هماهنگی دیدگاه‌های ملی نسبت به کنار گذاشتن این رده از تسلیحات، با هدف ارتقاء صلح و عدالت در جهان و منع آنها در خاورمیانه؛ این مقاله پویشی متوازن مبتنی بر افزایش تبادلات و ارتباطات متقابل، بجای رهیافت‌های مبتنی بر انکار، مجازات و منزوی ساختن برای دوری از فناوری‌های دومنظوره هسته‌ای را ضروری یافته و پیشنهاد می‌کند.

واژه‌های کلیدی: سلاح‌های کشتار جمعی، جنگ عادلانه، صلح، خلع سلاح هسته‌ای، امنیت بین‌الملل، منطقه عاری از سلاح‌های کشتار جمعی در خاورمیانه

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