

'Science-fiction' offers alternative to MAD-ness

by Chibli Mallat

Pakistan's entry to the nuclear club has revived the worst fears, especially in the context of Islamabad's recurring military confrontations with New Delhi over Kashmir. As predicted by French theoretician Robert Fossaert in 1991, the post-Cold War world is in an era of "dissuasive duos" which have replaced, on the regional level, the dominant US-Soviet deterrent doctrine known as MAD, or Mutual Assured Destruction.

Instead of the Soviet-US rivalry, the main worry now comes from looming confrontations between Israel and Iraq, Iraq and Iran, Pakistan and India, India and China, North Korea and South Korea, and other potential pairings such as Israel and Egypt or Argentina and Brazil. The Eritrea-Ethiopia war is the latest illustration of this post-Cold War pattern.

To further complicate matters, nuclear threats are not the sole concern when contemplating catastrophe; Saddam Hussein's gassing of at least 5,000 people in Halabja in 1988 has underscored the tragic reality of a wide array of weapons of mass destruction (WMDs).

Most of the dissuasive-duo countries have secret or declared chemical or biological weapons capabilities, deliverable by air or by land-based medium- or long-range missiles. Any skirmish on their borders immediately threatens the world with instant obliteration Halabja-style of thousands of people.

Dissuasive duos will fill the nightmares of the 21st century in regional variations on MAD-ness. Any disarmament policy must be geared to defusing them and should be heralded by the two more stable blocs of power, the United States and Europe.

So how does a US president deal with those dissuasive duos and their threats to the countries comprising them and the world at large? Dealing with the phenomenon of MAD-poised states can be envisaged under four tracks.

The first is the creation of tight regional WMD-free zones, where parties agree "not to test, use, manufacture, produce, or acquire nuclear and other weapons of mass destruction; nor to receive, store, install, or deploy nuclear and other WMDs on their territory, even if offered by other states," as the formula goes. The most successful example of nuclear-free zones includes the duo of Argentina and Brazil.

Other such successful examples of nuclear-free zones were established in the South Pacific (Treaty of Rarotonga, 1985), in Africa (known as the Treaty of Pelindaba, 1996), and among the seven ASEAN states (1997).

These zones represent remarkable advances in the elimination of the nuclear threat. They should be followed in other regions, and enhanced in terms of verification and scope, to include all types of weapons of mass destruction.

More troublesome areas are South Asia and the Middle East. Israel introduced nuclear weapons to the Middle East and it must be persuaded to give them up on a reasonable timescale, while other Middle Eastern powers, including Turkey, Iraq and Iran, should agree to forswear the full range of weapons of mass destruction. A WMD-free Israel would be a model to North Korea, Nigeria, Afghanistan, and others. The process must also include Pakistan and the other South Asian countries.

The second track for an effective presidential agenda is the prevention of further declared or secret nuclear proliferation. The nuclear club now comprises eight

countries at least (the five permanent members of the UN Security Council plus Israel, India and Pakistan). But Japan, Germany, Australia, possibly Egypt, and many other countries could build a nuclear bomb in months, if not in weeks. Fortunately, all these countries are signatories to the 1968 Nuclear Non-Proliferation Treaty, but a comprehensive ban on all types of WMDs is now in order.

This hope has reemerged with the conclusion of the recent conference of the Nuclear Non-Proliferation Treaty. For the first time, the concluding statement of the Big Five included “an unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals.” But even this giant step forward is not sufficient, for it does not take into account either the full reality of WMDs or the fact that dissuasive-duo states perceive their immediate neighbors as more imminent and more ideologically charged threats than distant countries with which they have no immediate ax to grind.

In addition to the planet-wide NPT and nuclear-free zones, other regional nuclear arrangements must be found. In the case of Russia, the example of Spain, prodded by NATO onto a democratic path, should be followed. A NATO-ized Russia would stop being a danger for Europe, and other countries could be brought on board in light of a successful taming of the Russian bear. A third track for the next US president should therefore be the construction of an inclusive path to WMD disarmament.

In short, the tactical goal for an American president is to help detach dissuasive duos from their WMDs by bringing them into regional military arrangements while insisting on the reduction and eventual elimination of mass-destruction weaponry on a global level.

There is more, which was heralded initially by then-President Ronald Reagan in March 1983 as the Strategic Defense Initiative (SDI, or, for its critics, “Star Wars”).

The concept, essentially a missile shield over America and its allies, was revived last year in a scaled-down version known as National Missile Defense (NMD).

Detractors claim that NMD is a hugely expensive investment with little or no tangible return. Trying to destroy an incoming missile in flight, they say, is like trying to “hit a bullet with a bullet.” A recent think-tank study concluded “that the system can be foiled by relatively unsophisticated countermeasures, that it will interfere with international efforts to stem proliferation, and that it will destabilize our relations with China and Russia.”

Science-fiction it may seem, but the principle, surely, is better than the still-prevailing MAD philosophy. As for China and Russia, an intriguing proposal since the initial Reagan speech 17 years ago was the cooperation of major powers on the project; the mechanisms of such cooperation, under the leadership of a visionary president, can be made to work.

Why NMD should undermine international efforts to stem proliferation is not clear to me, and it can be comfortably argued that NMD actually strengthens disarmament calls by discouraging newcomers to the WMD club from engaging in futile WMD developments. Russian President Vladimir Putin’s rallying to a joint US-Russian NMD program last week, against “rogue states” as he put it, is a case in point. A serious US president should not allow this offer to lapse.

Would NMD ultimately work? This question must be left to scientists but the experience of Patriot missiles during the Gulf War supports hopes pinned on the idea of a defensive shield, and it remains to be seen whether “hitting a bullet with a bullet” is the right simile for such high-tech weaponry. One thing is certain: the idea of a worldwide anti-missile defense system is an alluring strategic replacement for nuclear

deterrence. NMD is far superior to MAD morally, and it is worth the wager to try make nuclear and other WMD weapons “obsolete,” as Reagan predicted. With the extension of WMD-free zones, the military inclusion of former nuclear rivals, the enlargement of nuclear and other WMD non-proliferation treaties and the development of NMD, the world would fare much better.

Chibli Mallat is a lawyer and a professor of law. The next article in this series on the US presidential agenda deals with when the US should intervene militarily abroad